

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**November 18, 2008**

The Cleveland County Board of Commissioners met in a regular session on this date, at the hour of 6:00 p.m., in the Commission Chamber of the Cleveland County Administrative Offices.

**PRESENT:** Jo Boggs, Chairwoman  
Eddie Holbrook, Vice-Chairman  
Mary S. Accor, Commissioner  
Ronald J. Hawkins, Commissioner  
David C. Dear, County Manager  
Robert Yelton, County Attorney  
Kerri Melton, County Clerk  
April Crotts, Deputy Clerk  
Eddie Bailes, Assistant County Manager  
Chris Green, Tax Administrator  
Bill McCarter, Planning Director  
Alexis Pearson, Human Resource Director  
Nicholas Bissett, Cleveland Headline News  
David Allen, The Star  
Other individual names on file in the Clerk's Office

**CALL TO ORDER**

Chairwoman Jo Boggs called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Commissioner Mary Accor provided the invocation for the meeting.

**AGENDA ADOPTION**

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk with the following deletion.*

6) **GDS FUEL SURCHARGE RATES**

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

**ACTION:** There being no other corrections, additions or deletions to the minutes of *October 21, 2008*, motion was made by Eddie Holbrook, seconded by Mary Accor, and unanimously adopted by the Board, to *approve the minutes as written.*

**TAX COLLECTOR'S MONTHLY REPORT**

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during *October 2008* (copy found on Page \_\_\_\_\_ of Minute Book 30).

**TAX ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *October 2008*. The monthly grand total of tax abatements was listed as (\$58,899.31) and the monthly grand total for tax supplements was listed as \$25,537.55.

**HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #033)**

**ACTION:** Eddie Holbrook made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the following budget amendments:*

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.545.4.350.01/SSNFP-5425	Nurse Family Partner/St. Gov't. Gr.-Sm St.	\$32,027.	
012.545.5.121.00	Nurse Family Partner/Salaries-Regular	22,887.	
012.545.5.131.00	Nurse Family Partner/Social Security	1,419.	
012.545.5.132.00	Nurse Family Partner/Retirement	1,119.	
012.545.5.133.00	Nurse Family Partner/Hospitalization Ins.	3,990.	
012.545.5.134.00	Nurse Family Partner/Dental Ins.	137.	
012.545.5.135.00	Nurse Family Partner/Emp. 401K	1,143.	
012.545.5.136.00	Nurse Family Partner/Medicare Ins.	332.	
012.545.5.310.00	Nurse Family Partner/Travel/Training	1,000.	

*Explanation of Revisions: Budget funds from Cleveland County Partnership for Children for Nurse Family Partnership Activities. These funds will increase 50% Processing Assistant III position to 100%, establish an additional 100% Processing Assistant III/Interpreter position and budget \$1,000 for travel expenses.*

**PLANNING DEVELOPMENT: CODE TEXT AMENDMENT – LAKE HOUSER, INC. (Case 08-14) (Schedule a public hearing for December 2, 2008)**

**ACTION:** Eddie Holbrook made the motion, seconded by Mary Accor and unanimously adopted by the board *to approve scheduling the public hearing as requested.*

**REVISED BOILING SPRINGS RESCUE SQUAD FRANCHISE AGREEMENT**

On August 19, 2008, Commissioners approved the Boiling Springs Rescue Squad Franchise Agreement. The revised agreement includes a change in operating hours.

**ACTION:** Eddie Holbrook made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the revised franchise agreement for Boiling Springs Rescue Squad (copy found on Pages \_\_\_\_\_ of Minute Book 30.)*

**HALLELUJAH ACRES ADMINISTRATIVE AGREEMENT**

An agreement submitted by Isothermal Planning and Development Commission (IPDC) included a standard contract for CDBG and Rural Center grants for the Hallelujah Acres sewer project. The agreement authorizes IPDC to administer both grants. Grant funds will pay for the costs of the administrative agreement.

**ACTION:** Eddie Holbrook made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the administrative agreement (copy found on Pages \_\_\_\_\_ of Minute Book 30.)*

## **SPECIAL PRESENTATION**

### **CLEVELAND COUNTY SCHOOLS TEACHER CADET PROGRAM**

Mary Accor introduced Merry Lynn Ramsey, an Educator at Crest High School. Ms. Ramsey is responsible for the Teacher Cadet Program at Crest. She explained that the program is designed to, “get students ready to teach.” The Teacher Cadet Program has been active in Cleveland County for six years. Over the last three years, Crest High School has produced twenty-two teaching fellows including their first two minority teaching fellows. The program recruits students from the upper 10% of the class. A 3.5 GPA is required to be active in the program. This program not only teaches skills required to be a teacher, but it focuses on self-confidence. Ms. Ramsey explained that it, “gives students an opportunity to learn about themselves.” At Crest High School, five out of 12 teachers hired are Crest High graduates.

Commissioner Accor, an educator herself, stressed the importance of education saying, “Nothing impacts our county as much as education.”

Commissioners thanked Ms. Ramsey for sharing her passion for students and this program.

## **PUBLIC HEARINGS**

### **ECONOMIC DEVELOPMENT; INCENTIVES FOR PPG INDUSTRIES FIBER GLASS PRODUCTS, INC.**

Kristin Fletcher, Assistant Vice-President of Economic Development, presented an incentive grant contract to the Commissioners. The industry being discussed, PPG Industries Fiber Glass Products, Inc., is located at 940 Washburn Switch Road. Ms. Fletcher shared the details of the agreement some of which included:

- **\$20.5 Million Investment**
- **100 new full time jobs**
- **Meet or exceed counties average manufacturing wage**

Chairwoman Boggs opened the public hearing at 6:30 p.m. (*public notice was accomplished in accordance with the mandates of NCGS 158-7.1, with an advertisement published in The Star on November 7, 2008.*)

**Steve Padgett, Cleveland Chamber President**, encouraged Commissioners to consider approving the incentive agreement. He shared that, the Chamber Board was impressed with PPG Corporation and was proud that PPG decided to expand their business here. “This is nothing but an economic plus for Cleveland County.”

Chairwoman Boggs closed the public hearing at 6:32 p.m. and asked Commissioners for comments.

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the board, to ***approve the incentive contract for PPG Industries Fiber Glass Products, Inc.*** (copy found on Page \_\_\_\_\_ of Minute Book 30).

## **REGULAR AGENDA**

### **SHELBY-CLEVELAND COUNTY REGIONAL AIRPORT**

At the October 7, 2008 County Commission meeting, Commissioner Ronnie Hawkins asked Brad Cornwell, City of Shelby Utility Director, to come back before Commissioners at a later date to update them on projects at the Shelby-Cleveland County Regional Airport. Mr. Cornwell presented information on three projects:

**Fuel Farm Upgrade:** The Fuel Farm upgrade was completed in May, 2008. This project gave the airport additional fueling capacity and made it a self-serve facility. Since this project was completed, the airport has seen a large increase in fuel sales with an increase of approximately 1,500-2,500 gallons per month.

**Parallel Taxi Lane:** The City of Shelby received a \$2 Million grant from the Federal Aviation Administration for this project. This project will improve safety, increase separation which is not up to current Federal Aviation Administration standards and provide additional lighting at the airport making it more accepting of corporate traffic. The taxi lane will be 5,000 feet long.

**Terminal Project:** The design for the new terminal is underway. Mr. Cornwell presented a preliminary floor plan (copy found on Page \_\_\_\_\_ of Minute Book 30). The new facility will provide corporate travelers with meeting and office space.

The airport is listed as a priority in the Shelby Strategic Growth Plan. Mr. Cornwell said, "The airport is the first and last impression for some people."

Commissioner Hawkins reminded the other Commissioners that, several years ago, the Board tried to recognize that economic development has many aspects. He feels that a successful airport is certainly another example of economic development.

### **BROAD RIVER GREENWAY ADMISSION**

Chairwoman Boggs introduced Will Rucker, Chair of the Broad River Greenway Council. Over the past twelve years, the Broad River Greenway has grown considerably from a humble river access to over 1,400 acres of trails with a bathroom facility and two full-time staff members. For several years, the board has been proactive reaching out for grant funds. Grant funds have been the main source of funds to help build trails and facilities. In April 07, Broad River Greenway purchased a car counter. Mr. Rucker said that this really opened their eyes as to the number of visitors to the Greenway. The Broad River Greenway saw a usage of over 100,000 visitors in a twelve month period. It is believed that

approximately fifty percent of visitors come from out of state and 25% of visitors come from outside the county. Broad River Greenway researched those State Parks and Nature Preserves that most resemble Broad River Greenway in management style, facilities and visitor usage. Research shows that three parks charge a user fee. All three of these are located on bodies of water and allow access to the water. In South Carolina, almost all state parks are charging a user fee to supplement state monies for management and maintenance. Further research has shown facilities implementing a fee structure have seen no significant decline in users.

The Greenway Council feels the need for additional part-time officers for security at the Greenway and the need to perpetuate the future of the Greenway. Mr. Rucker made a request for permission to implement a user fee system for access to the Broad River Greenway. The fee would be used to generate revenue to supplement County and Town funds for upkeep and personnel. Broad River Greenway is requesting permission to charge \$5 per car to visit the Greenway. He explained that all of the fine details have not been worked out but the Council is planning to accept this fee on an honor system. A box will be placed at the Greenway for visitors to leave their fee.

Mr. Rucker informed Commissioners that the Town of Boiling Springs will enforce this similar to the way they cite for parking tickets. Friends of the Broad River Greenway would receive an annual parking pass with their gift.

Commissioner Hutchins was concerned with making this permanent without making sure that it will be successful. He suggested giving the Council authority to try it for one year and come back before Commissioners with an update.

***ACTION:*** Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, ***to grant permission, for one year, to allow Broad River Greenway to charge \$5 per car for visitors to the Greenway. Greenway Council is to come back before Commissioners at the end of 2009 to give Commissioners an update on the success of the program. At that time, the Greenway Council can request permanent approval.***

**PLANNING DEPARTMENT: MINIMUM HOUSING CODE VIOLATION: 125 ANDREWS DRIVE; OWNER- WILLIAM LEROY HEAD**

Bill McCarter, Planning Director advised a hearing was held on May 19, 2008 regarding this case and the owner was allowed 30 days to demolish the dwelling. The order expired June 19, 2008. In June, family members were contacted. They informed Mr. McCarter that they were working on the dwelling and asked for additional time in June. In October, Mr. McCarter revisited the site and described the dwelling as, "in worse shape than it was." Mr. McCarter, again, contacted the family. He was told that they have contacted the Fire Department to demolish the dwelling.

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the following ordinance authorizing the demolition of the dwelling.*

CLEVELAND COUNTY  
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH A DWELLING AT 125  
ANDREWS DRIVE

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 125 Andrews Drive, Cleveland County, North Carolina has been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within County; and

WHEREAS, according to the procedures provided by law, the owner(s) of said property have been given notice of the aforesaid inspection, defective conditions, determination and order to bring said property into compliance with the minimum housing code of Cleveland County and the State of North Carolina by appropriate repair and/or demolition of said dilapidated dwelling; and

WHEREAS, the owner(s) have not complied with the Findings and Order by the Code Enforcement Officer within the period allowed by law; and

WHEREAS, the said dilapidated dwelling remains, at this time, unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of Cleveland County and should be demolished in order to prevent and alleviate such danger and dilapidated conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CLEVELAND COUNTY BOARD OF COMMISSIONERS that the dilapidated dwelling located at 125 Andrews Drive now or formerly owned by William Leroy Head, shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-446(6).

Adopted and approved this the 18th day of November, 2008 by the Cleveland County Board of Commissioners in open session.

**PLANNING DEPARTMENT: MINIMUM HOUSING CODE VIOLATION: 1153  
ROLLINGBROOK ROAD; OWNER- JUANITA CARROLL**

Mr. McCarter advised a hearing was held on September 17, 2008 regarding this case and the owner was allowed 30 days to demolish the dwelling. The order expired October 31, 2008. Mr. McCarter believes that Ms. Carroll (property owner) is deceased. An advertisement was placed in the Shelby Star. Mr. McCarter received no response. Neighbors in the area have reported drug activity at the dwelling.

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the following ordinance authorizing the demolition of the dwelling.*

CLEVELAND COUNTY  
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH A DWELLING AT  
1153 ROLLINGBROOK ROAD

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 1153 Rollingbrook Road, Cleveland County, North Carolina has been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within County; and

WHEREAS, according to the procedures provided by law, the owner(s) of said property have been given notice of the aforesaid inspection, defective conditions, determination and order to bring said property into compliance with the minimum housing code of Cleveland County and the State of North Carolina by appropriate repair and/or demolition of said dilapidated dwelling; and

WHEREAS, the owner(s) have not complied with the Findings and Order by the Code Enforcement Officer within the period allowed by law; and

WHEREAS, the said dilapidated dwelling remain at this time unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of Cleveland County and should be demolished in order to prevent and alleviate such danger and dilapidated conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CLEVELAND COUNTY BOARD OF COMMISSIONERS that the dilapidated dwelling located at 1153 Rollingbrook Road now or formerly owned by Juanita Carroll, shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-446(6).

Adopted and approved this the 18th day of November, 2008 by the Cleveland County Board of Commissioners in open session.

### **COMMISSIONER REPORTS**

Commissioner Hutchins attended a Chamber Board meeting where they discussed the restructuring of their accounting system. Commissioner Hutchins also gave a copy of the City of Shelby Parks & Recreation Plan to Commissioners.

Commissioner Holbrook congratulated Commissioner Accor, Commissioner Hawkins and Commissioner Hutchins on their re-election. He said, "This is proof that we have tried to be a good team." He also discussed the state of the economy. Commissioner Holbrook (speaking as a Cleveland Community College employee) spoke of how the Community College is focusing on a need to promote the fact that they are establishing a plan of action to include counseling and financial services. "This is not a problem that will go away in 30 days", he stated. The Board needs to be proactive about economic development. He explained that neighboring counties employ four full-time economic development personnel and spend quadruple what Cleveland County does on Economic Development. Commissioner Holbrook felt that the success of our Economic Development is a tribute to David Dear and the current economic development staff, however, it shows that we, as a county, are not doing enough.

Commissioner Boggs asked Commissioners to consider a work session after the first of the year to discuss goals.

### **ADJOURN**

There being no further business to come before the Board at this time, Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to recess to reconvene for the purpose of an economic development work session to be held Tuesday, December 2, 2008 at 1:00 p.m. in the R.L. Alexander Conference Room.*

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*Rebecca Jo Powell Boggs, Chairwoman  
Cleveland County Board of Commissioners*

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*Kerri Melton, County Clerk  
Cleveland County Board of Commissioners*