

CLEVELAND COUNTY BOARD OF COMMISSIONERS

August 17, 2010

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
Johnny Hutchins, Vice-Chairman
Mary S. Accor, Commissioner
Ronald J. Hawkins, Commissioner
Eddie Holbrook, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Bill McCarter, Planning Director
Alexis Pearson, Human Resources Director
Dorothea Wyant, Health Director
Danielle Anzelone, *Cleveland Headline News*
Other individual names on file in the Clerk's Office

CALL TO ORDER

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

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of *July 27, 2010 and August 3, 2010*, motion was made by Mary Accor, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to *approve the minutes as written.*

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *July 2010* (copy found on Page _____ of Minute Book _____).

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *July 2010*. The monthly grand total of tax abatements was listed as (\$15,661.30); and, the monthly grand total for tax supplements was listed as \$14,863.30.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #002)

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to approve the following budget amendment:*

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
054.473.4.310.00/66039-1473	Landfill/Federal Grants	\$17,216.	
054.473.5.910.01	Landfill/Federal Grants	17,216.	

Explanation of Revisions: Budget GRADE Funding to replace engine in Equipment #9991295.

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #003)

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to approve the following budget amendment:*

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
011.507.4.410.00	Outside Poor/Local & Other Grants	\$ 3,297.	
011.507.5.700.00	Outside Poor/Grants	3,297.	

Explanation of Revisions: Budget Amendment necessary to accept a United Way grant in the amount of \$3,297 FY 2010/2011. This grant will assist with emergency food and shelter for adults.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #004)

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to approve the following budget amendment:*

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
054.473.4.350.00/01210-1473	Landfill/State Govt. Grants	\$30,000.	
054.473.5.210.00	Landfill/Departmental Supplies	60.	
054.473.5.211.00	Landfill/Controlled Prop. Exp.	29,940.	

Explanation of Revisions: Budget grant funds from DEHNR for recycling trailers as specified in grant.

TRANSFER OF PROPERTIES TO THE CITY OF KINGS MOUNTAIN

County Manager David Dear recommended Parcels 7634, 10502, 10507, 10512, 40475 be transferred to the City of Kings Mountain. A pump station, which is owned by the City of Kings Mountain for water or sewer infrastructure, is currently located on each of these parcels.

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to transfer Parcels 7634, 10502, 10507, 10512, 40475 to the City of Kings Mountain for water or sewer infrastructure purposes.*

CITIZENS RECOGNITION

STATE OF NORTH CAROLINA LEGISLATIVE UPDATE

State Representative Tim Moore explained that the short session got over quickly due to the fact that there was no money to spend. The focus was on economic development incentives. He described the overall theme as “Will it bring jobs and help our state?” Representative Moore thanked Commissioners and County Manager for their partnership with the state on incentive packages. “We have already had one great announcement in Clearwater Paper, there are potentially other announcements to be made.” Another bill of importance to Cleveland County was the banning of

electronic sweepstakes. This bill passed outlawing sweepstakes machines in North Carolina. Representative Moore and others in the local delegation will be looking at efforts for additional corporate tax relief during the next session.

STEP ONE CHALLENGE WINNERS

Anne Short, Director of Cleveland County Alliance for Health, thanked Commissioners for their support of the Step One Challenge. She especially thanked them this year for encouraging county employees to participate. Ms. Short noted there were 150 teams comprising of 810 walkers who signed up for the Step One Challenge. The winning team was based on the highest number of average steps per team per person. She then introduced the top three teams and presented them with prizes. The winning teams were as follows:

First Place Team:	Lights Out	1,653,066 avg. per person
	Joshua Bowen, Captain Casey Hyder Roderick Wood Lucas Towery	
Second Place Team:	Lilly Nannies	1,326,177 avg. per person
	Karen Wilkins, Captain Robert Goforth Eugene Philbeck Robert Chris Anderson Brian Keever Mark Kennedy	
Third Place Team:	Gold Team	1,295,170 avg. per person
	Elsa Nieto, Captain John Nieto Scott Henderson Teresa Reynolds	

REGULAR AGENDA

HORIZONS BEHAVIORAL HEALTHCARE BOARD APPOINTMENTS

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *appoint Meranda Hendrick as a member of the Horizons Behavioral Healthcare Board to serve a three year term to conclude June 30, 2013 and to appoint Evangeline Jones and Steve Roderick as members of the Horizons Behavioral Healthcare Board to serve four-year terms to conclude on June 30, 2014.*

PLANNING DEPARTMENT: MINIMUM HOUSING CODE VIOLATION: 2408 BERTHA BOYKINS DRIVE

Bill McCarter, Planning Director advised a hearing was held on October 5, 2009 regarding this case and the owner was allowed 90 days to demolish the dwelling. The order expired January 5, 2010. Mrs. Boykins called the Planning Department and stated that she would find someone to demolish the dwelling. On June 5, 2010, she contacted Mr. McCarter to report that she was unable to find a contractor to demolish the home. She asked Mr. McCarter to proceed with demolition.

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, 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 2408 ELEANOR DRIVE

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 2408 Eleanor 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 Cleveland 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 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 2408 Eleanor Drive (Parcel 25260) now or formerly owned by Bertha Boykins, 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 17th day of August 2010 by the Cleveland County Board of Commissioners in open session.

PLANNING DEPARTMENT: PETITION FOR ABANDONMENT OF PUBLIC RIGHT OF WAY- BANKS ROAD

Southern Power Company has requested the abandonment of approximately 0.13 miles of public right-of-way at the end of Banks Road. They own the property on both sides of the road. No other properties will be affected.

Mr. McCarter requested that Commissioners set a public hearing for September 7, 2010 to hear comments from citizens.

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to adopt the following Resolution of Intent which sets the public hearing for September 7, 2010 at 6:00 p.m.*

Number 21-2010

Intent To Abandon Public Right-Of-Way
0.13 Miles of Banks Road

WHEREAS, the Cleveland County Board of Commissioners have received a petition from property owners along Banks Road, requesting that 0.13 miles of public right-of-way be abandoned.

NOW THEREFORE BE IT RESOLVED THAT, in accordance with the mandates of NCGS 153A-241, the Cleveland County Board of Commissioners do hereby call for a public hearing regarding the proposed abandonment of a portion of Banks Road, to hear all interested persons on Tuesday, September 7, 2010 at 6:00 pm in the Commissioners Chamber, Cleveland County Administrative Building, 311 E. Marion Street, Shelby, North Carolina.

ADOPTED THIS 17TH DAY OF AUGUST 2010.

**INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY
BOARD APPOINTMENTS**

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to *appoint Tim Blackwell as a member of the authority to fill an unexpired term to conclude June 30, 2016 and to appoint Jamey Davis as a member of the authority to fill an unexpired term to conclude December 13, 2013.*

COMMISSIONER REPORTS

Commissioner Hawkins spent time with Reverend Billy Houze. Reverend Houze is working on a Reading Academy similar to the Math Academy. Commissioner Hawkins expressed his support of this proposed program.

Commissioner Holbrook visited Spokane Washington, site of the 2010 American Legion World Series, where he participated in several ceremonies.

Commissioner Accor spoke of the Distinguished Women Ceremony where they recognized four women from Cleveland County. Commissioners will recognize these women at their September 7, 2010 regular meeting.

Vice-Chair Hutchins attended the BEST Program with Commissioner Accor. He spoke of a quote that Richard Hooker said, "If it is meant to be, it is up to me."

Chairwoman Boggs asked Commissioners to mark their calendars for September 7, 2010 where they will reconvene as the Board of Equalization and Review.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to recess to reconvene on Monday, August 23, 2010 at 12:00 pm at Cleveland Community College to discuss financing of the LeGrand Center.

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

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*