

CLEVELAND COUNTY BOARD OF COMMISSIONERS

February 15, 2011

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: Johnny Hutchins, Chairman
Ronnie Hawkins, Vice-Chairman
Mary Accor, Commissioner
Jason Falls, Commissioner
Eddie Holbrook, Commissioner
David C. Dear, County Manager
Bob 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 Resources Director
Alan Norman, Sheriff
Alicia Banks, *Shelby Star*
Barry Dietz, *Cleveland Headline News*
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Johnny Hutchins called the meeting to order. Cub Scouts from Lafayette Street United Methodist Church led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Tax Assessor Chris Green provided the invocation.

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 with the following additions:*

ROTARY INTERNATIONAL PROCLAMATION

PROPOSED ANIMAL CONTROL TETHER ORDINANCE

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of *January 18, 2011*, motion was made by Ronnie Hawkins, 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 a detailed written report regarding taxes collected during *January 2011* (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 *January 2011*. The monthly grand total of tax abatements was listed as (\$22,807.66); and, the monthly grand total for tax supplements was listed as \$13,888.81.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #048)

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.530.4.810.00	General/Contributions/Donations	\$ 150.	
012.530.5.790.00	General/Donations/Contributions	150.	

Explanation of Revisions: Budget donation from Lions Club of Shelby for eye exams.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #049)

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.537.4.310.00/93283-190X	Child Health/Federal Grants	\$ 13,750.	
012.537.5.490.00	Child Health/Professional Services	13,750.	

Explanation of Revisions: Budget funds from DHHS(Enhancing Local Asthma Efforts funds) to continue to address issues related to asthma education and interventions- will contract with the Alliance for Health to carry out activities as required in agreement addenda.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #050)

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.543.4.350.00/01120-9371	Grants/State Gov't. Grants	\$ 57,961.	
012.543.5.230.00/01120-9371	Grants/Medical Supplies	\$ 3,389.	
012.543.5.311.00/01120-9371	Grants/Education Expense	\$ 2,240.	
012.543.5.422.00/01120-9371	Grants/Contracted Labor	\$ 31,532.	
012.543.5.513.00/01120-9371	Grants/Hosp. & Dr. Fees	\$ 20,800.	

Explanation of Revisions: Budget Community Health Diabetes Grant to purchase supplies, educational materials, doctor fees and contracted labor for nurses.

COOPERATIVE EXTENSION: BUDGET AMENDMENT (BNA #051)

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.495.4.350.00/ONCSU-1495	NC Coop Ext/State Grants	\$ 1,000.	
010.495.5.581.00/ONCSU-1495	NC Coop Ext/Awards/Apprec	1,000.	

Explanation of Revisions: To facilitate investment of a \$1,000 SARE Professional Development Program grant to benefit local foods programming. Funds will be used to finance farm tours and a meal to educate the public about local food production.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #052)

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
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010.442.4.311.00/USICE-P442 Fed. Forfeited Prop/Fed-Other Rev \$ 21,743.
010.442.5.211.00/USICE-P442 Fed. Forfeited Prop/Controlled Prop. 21,743.

Explanation of Revisions: Request approval to transfer funding to allow for the purchase of 20 X26E tasers with laser sight, digital power magazine w/RIGHT handed holster @ \$809.95 each, 10 dual cartridge holders @ \$19.95 each, 10 Digital Power Magazines @ \$32.95 each, 20-four-year extended warranties, 50 air cartridges @ \$20.95 each plus \$268.43 for shipping & handling; will allow for 100% coverage for all road patrol officers.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #053)

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.442.4.991.00/USICE-P442	Fed. Forfeited Prop/Fed-Other Rev	\$100,947.	
010.442.5.910.00/USICE-P442	Fed. Forfeited Prop/Capital Equip	100,947.	

Explanation of Revisions: Request approval to budget sufficient funding to purchase four (4) 2011 Ford Crown Vic vehicles to replace high-mileage vehicles currently in use on road patrol @ \$21,118 each (\$84,472); four 3% hwy. use tax @ \$633.54 (\$2,534.16); \$3,000 emergency lights/radios (\$12,000); striping @ \$485 (\$1,940).

TAX DEPARTMENT: ADVERTISE OF TAX LIENS ON REAL PROPERTY

Per NCGS 105-369, uncollected taxes for the current year that are a lien on real property must be advertised in a newspaper having general circulation in the taxing unit. Upon receipt of the Tax Collector's report in February, the governing body must order the Tax Collector to advertise tax liens.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to authorize the tax collector to, on or about March 21, 2011, advertise tax liens on real property that remain unpaid as of March 9, 2011.*

CRIMINAL JUSTICE PARTNERSHIP PROGRAM (CJPP): GRANT BUDGET

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the Grant for the Cleveland County CJPP Resource Center in the amount of \$108,571.00 (copy found on Page _____ of Minute Book _____).*

CITIZENS RECOGNITION

No citizens came before the board.

REGULAR AGENDA

ROTARY INTERNATIONAL PROCLAMATION

Chairman Hutchins introduced Elizabeth Pack. Ms. Pack serves as the President of the Boiling Springs Rotary Club. Ms. Pack introduced Dottie Leatherwood and Kris Thompson who were in attendance as representatives of the Shelby breakfast and lunch clubs. Ms. Pack asked Commissioners to proclaim February 23, 2011 as "Rotary Day" in Cleveland County.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to proclaim February 23, 2011 as "Rotary Day" in Cleveland County by approval of the following proclamation:*

Rotary International Proclamation

WHEREAS, Rotary International, founded on February 23, 1905 in Chicago, Illinois USA, is the world's first and one of the largest non-profit service organizations; and

WHEREAS, there are over 1.2 million Rotary club members comprised of professional and business leaders in over 33,000 clubs in 200 countries and geographic areas; and

WHEREAS, the Rotary motto "Service Above Self" inspires members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world; and

WHEREAS, Rotary funds club projects and sponsors volunteers with community expertise to provide medical supplies, health care, clean water, food production, job training, and education to millions in need, particularly in developing countries; and

WHEREAS, Rotary in 1985 launched PolioPlus and spearheaded efforts with the World Health Organization, U.S Centers for Disease Control and Prevention, and UNICEF to immunize the children of the world against polio; and

WHEREAS, polio cases have dropped by 99 percent since 1988 and the world stands on the threshold of eradicating the disease; and

WHEREAS, to date, Rotary has contributed nearly \$850 million and countless volunteer hours to the protection of more than two billion children in 122 countries; and

WHEREAS, Rotary has raised \$100 million towards a \$200 million challenge grant from the Bill & Melinda Gates Foundation for a total \$355 million; and

WHEREAS, these efforts are providing much needed operational support, medical personnel, laboratory equipment and educational materials for health workers and parents; and

WHEREAS, in addition, Rotary has played a major role in decisions by donor governments to contribute over \$4 billion to the effort; and

WHEREAS, Rotary is the world's largest privately-funded source of international scholarships and promotes international understanding through scholarships, exchange programs and humanitarian grants; and

WHEREAS, about 40,000 students from 130 countries have studied abroad since 1947 as Rotary Ambassadorial Scholars; and

WHEREAS, Rotary's Group Study Exchange program has helped more than 67,000 young professionals explore their career fields in other countries; and

WHEREAS, 7,000 secondary-school students each year experience life in another country through Rotary's Youth Exchange program; and

WHEREAS, there are over 250 Rotary club members in 4 clubs throughout Cleveland County sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy, and the environment in their local communities, and abroad.

NOW THEREFORE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS, hereby proclaims February 23, 2011 as "**Rotary Day**" in Cleveland County, North Carolina, and encourage all citizens to join me in recognizing Rotary International for its more than 105 years of service to improving the human condition in local communities around the world.

ADOPTED THIS THE 15TH DAY OF FEBRUARY 2011.

Commissioners took a moment to thank all of the Rotary Clubs for the work that they do throughout Cleveland County and the world.

SHERIFF'S OFFICE: REALIGNMENT OF FULL-TIME POSITION AND SALARY

Sheriff Alan Norman came before Commissioners to request an additional \$6,198 plus fringe benefits in salaries to fund one additional deputy position. It is a goal of Sheriff Norman to reduce the number of top administrative personnel within the agency. As one full-time Captain's position is vacant due to retirement, Sheriff Norman would like to take this position and make it into two deputy positions. These deputies would be used for road patrol. Currently, there are only 9 deputies patrolling the county per shift. This number has not been increased in eight years.

Commissioners discussed the possibility of adding these additional funds at the beginning of next fiscal year. Sheriff Norman said, "We could use them tonight...I already have the uniforms and equipment so that would not require additional cost." Commissioners commended Sheriff Norman for his commitment to getting more deputies on patrol. Commissioner Holbrook noted some surrounding counties have 12-14 deputies in the field at night.

Including fringe benefits, the total request would be approximately \$15,000 on an annual basis.

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to authorize an additional \$6,198 plus fringe benefits to fund one additional full-time position.*

LAND USE PLAN MAP UPDATE

At a previous meeting, Commissioners asked Planning Director Bill McCarter to look into updating the Land Use Plan. Mr. McCarter introduced Bill Dustin of Centralina Council of Governments. In 2005, Mr. Dustin worked with Cleveland County, over an 18-month period to develop the current plan. Mr. Dustin explained the plan has two parts: a map and goal statements. He asked Commissioners what their needs were in respect to changing the plan.

Chairman Hutchins talked about the possibility of developing thoroughfares throughout the county. He felt that many areas that would be considered thoroughfares are primarily residential and may need to be updated. Being zoned residential discourages small "Mom and Pop" businesses from locating along these highways. "With the industrial park being developed in the western part of the county, that area of the map may need to be update", he said.

Vice-Chair Hawkins suggested Mr. McCarter look at those re-zoning cases that the Commissioners have reviewed over the last year or so to establish areas that may have been issues.

Commissioner Falls was concerned with the fact that no elected officials were part of the development of the Land Use Plan. Commissioner Accor assured him that Commissioners were very involved and presented and attended many public meetings throughout the county. "I remember those road trips", she said.

Commissioners suggested that Commissioners receive community input again as part of this process.

ACTION: Commissioners agreed to schedule a work session with Bill Dustin to determine how to proceed with updating the Land Use Plan map.

APPOINTMENTS/REAPPOINTMENTS TO THE PERSONNEL ADVISORY COMMITTEE

In January, when regular board appointments were made, the Personnel Advisory Committee was in the middle of a pending case. At that time, Human Resource Director Alexis Pearson asked if the current committee could continue to serve until the case was closed. The case has been closed. The following recommendation for appointment/reappointment was presented by the Clerk to the Board:

Name	Department	Type of Action	Terms	Term Expires (Present)	Term Expires (New)
Ellie Black	Tax Listing	<i>Appointment</i>	2 Years		12-31-12
Jeff Cash	EMS	<i>Reappointment</i>	1 Year	12-31-10	12-31-11
Leslie McSwain (Alternate)	Health	<i>Appointment</i>	1 Year		12-31-11
Connie Pressley	DSS	<i>Appointment</i>	2 Years		12-31-12
Kathy Greene	Register of Deeds	<i>Reappointment</i>	2 Years	12-31-10	12-31-12
Dicky Cook (Alternate)	Maintenance	<i>Appointment</i>	2 Years	12-31-10	12-31-12
Lisa Poteat	Finance	<i>Reappointment</i>	2 Years	12-31-10	12-31-12

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to make the appointments as presented by the Clerk to the Board.*

MINIMUM HOUSING CODE- JERRY DEAN BROOKS UPDATE

At their December 7, 2010 regular meeting, Bill McCarter presented Commissioners with a minimum housing code violation. Commissioners voted unanimously to allow the property owner an additional 90 days to make repairs to the property. Mr. McCarter updated Commissioners on the property noting that all repairs have been made and the house now meets Minimum Housing Standards.

CODE TEXT AMENDMENT –TETHERING ORDINANCE (Schedule a public hearing for March 1, 2011)

The Cleveland County Board of Health unanimously approved recommendation for a tethering ordinance to be brought to Commissioners for review. Commissioner Hawkins explained this is in no way a “leash ordinance” and asked that Commissioners consider this code text amendment at their next regular meeting on March 1, 2011.

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board to *approve scheduling the public hearing as requested.*

COMMISSIONER REPORTS

Commissioner Holbrook thanked County Manager David Dear on a multitude of projects. He asked that all remember him as he goes through the next months and negotiations with economic development clients.

Commissioner Hawkins and the Board of Health have been discussing goals for the Health Department. The Board of Health will bring these goals before the Commissioners for review and approval. He asked that all remember Will Mabry who recently lost his son.

Commissioner Falls took a tour of the new Crisis Detox Center last week. The next Pathways Board Meeting will be held in the new facility. He asked Commissioners to encourage citizens to buy locally as many new small businesses such as restaurants and a produce stand are looking at locating in Cleveland County.

Commissioner Accor thanked all those who worked on the Employee Recognition Celebration. Next week she will be back in Raleigh for the NCACC Board Meeting.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, to recesses to reconvene to ***Thursday, February 24, 2011 at 4:00 pm for a Commissioners Work Session. The meeting will be held in the R.L. Alexander Conference Room.***

*Johnny Hutchins, Chairman
Cleveland County Board of Commissioners*

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