

CLEVELAND COUNTY BOARD OF COMMISSIONERS

October 5, 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
Mary S. Accor, 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
Chris Green, Tax Administrator
David Allen, The Star
Danielle Anzelone, Cleveland Headline News
Other individual names on file in the Clerk's Office

ABSENT: Johnny Hutchins, Vice-Chairman
Ronald J. Hawkins, Commissioner

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. Tax Assessor Chris Green, provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk with the following additions:*

9. **RESOLUTION AUTHORIZING CLEVELAND COUNTY'S APPLICATION FOR INDUSTRIAL DEVELOPMENT FUNDS FOR A SECONDARY WATERLINE TO SERVE A DATA CENTER PARK NEAR KINGS MOUNTAIN, NC**

In August, Commissioner Accor completed her term as NCACC President. Including Commissioner Accor, only two Cleveland County Commissioners have served as NCACC President. A plaque, titled Cleveland County Commissioners who have served as NCACC President which will hang in the County Managers office, was presented to Commissioner Accor in appreciation of her service.

Chairwoman Boggs recognized a Boy Scout troop from Belwood who were at the meeting working on a badge.

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of the *September 7, 2010*

Regular Meeting, motion was made by Eddie Holbrook, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the minutes as written.*

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #011)

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, 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>
012.542.4.460.00	Rabies Control/Other Units-Shared Bud	\$ 300.	
012.542.5.370.00	Rabies Control/Advertising/Promotions	100.	
012.542.5.581.00	Rabies Control/Awards/Incentives	200.	

Explanation of Revisions: Budget funds received for providing euthanasia training for cost associated with meetings/rabies clinics.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #012)

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, 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>
012.543.4.410.00/NCADD-8820	Grants/Local & Other Grants	\$ 5,000.	
012.543.5.311.00/NCADD-8820	Grants/Education Expense	5,000.	

Explanation of Revisions: Budget ACHIEVE Grant funds from NC Association of Chronic Disease Directors to sustain a peer monitoring program, create social media and begin work on producing cooking tapes in collaboration with other community partners.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #013)

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, 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>
012.539.4.350.00/93994-5151	Family Planning/State Gov't. Grants	\$14,132.	
012.539.5.230.01	Family Planning/Prescription Durgs	7,066.	
012.539.5.513.00	Family Planning/Hosp & Drs Fees	7,066.	

Explanation of Revisions: Budget Family Planning TANF funds for prescription drugs and doctor fees.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #014)

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, 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>
012.533.4.991.00	Adult Health/Donations/Contribution	\$2,020.	
012.533.5.790.00	Adult Health/Donations/Contribution	2,020.	

Explanation of Revisions: Budget Lillian Collins memorial funds for purchase of medications for indigent clients.

EMERGENCY MANAGEMENT: BUDGET AMENDMENTS (BNA #015)

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, 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>
010.445.4.460.00	Emergency Mgt./Other Units Share	\$21,870.	
010.445.5.310.00	Emergency Mgt./Travel/Training	3,000.	

010.445.5.321.00	Emergency Mgt./Telecommunications	1,200.
010.445.5.421.00	Emergency Mgt./Maintenance Contract	1,200.
010.445.5.210.00	Emergency Mgt./Departmental Supplies	700.
010.445.5.213.00	Emergency Mgt./Office Supplies	600.
010.445.5.322.00	Emergency Mgt./Postage	500.
010.445.5.910.00	Emergency Mgt./Capitol Equipment	14,670.

Explanation of Revisions: To budget the Duke Energy fund.

BOARD OF ELECTIONS: BUDGET AMENDMENTS (BNA #016)

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, 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>
010.418.4.310.00/90401-1418	Board of Elections/Federal Gov't Grants	\$14,319.80	
010.418.5.213.00/90401-1418	Board of Elections/Departmental Supply	20.00	
010.418.5.122.00/90401-1418	Board of Elections/Wages-Part time	13,299.80	

Explanation of Revisions: To budget funds from a 2010 General Election HAVA Additional One-Stop Site Grant for part-time one-stop staff, and misc. supplies for the three additional One-Stop sites.

PLANNING DEPARTMENT: CODE TEXT AMENDMENT ~ APPOINTMENT AND TERMS FOR PLANNING BOARD MEMBERS (Schedule a public hearing for October 19, 2010)

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

SPECIAL RECOGNITION

MINORITY ENTERPRISE DEVELOPMENT WEEK

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to adopt the following proclamation, as presented by Richard Hooker.*

Number: 04-2010

**MINORITY ENTERPRISE DEVELOPMENT WEEK
OCTOBER 17-23, 2010**

WHEREAS, Minority Enterprise Development Week, is an annual observance that has been proclaimed by the President of the United States since 1983 to highlight the important role and contributions minority business enterprises bring to our local, national and global economy; and

WHEREAS, this year's theme, "Strategies for Growth & Competitiveness in the Global Economy" continues to represent this nation's challenge to promote economic viability through collaborative leadership, innovation, competitiveness and access to opportunities as a vital gateway to our free enterprise system and expanding world economy; and

WHEREAS, the Cleveland County Business Development Center in collaboration with Cleveland Community College, Gardner-Webb University, The Star, the Alliance for Health and Minority Health Council, and other local sponsors have teamed up to promote greater education and awareness in financial literacy, entrepreneurship, healthy lifestyles, youth development, and access to opportunities and information to improve the overall quality of life and self-sufficiency of its citizens; and

WHEREAS, the 15th Annual Awards Luncheon will be highlighted by local recognitions and presentations to local business enterprises, individuals and community partners who give of their time to make a difference in our local community;

NOW THEREFORE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS, hereby proclaims October 17-23, 2010 as "Minority Enterprise Development Week" in Cleveland County in recognition of the cooperative efforts of the above sponsoring organizations and individuals to enhance, promote and support the success of minority owned businesses, individuals and community partners.

ADOPTED THIS THE 5TH DAY OF OCTOBER 2010.

SPENCER JONES ~ WINNER OF THE PRO/JUNIOR GOLF TITLE

Commissioner Holbrook introduced his wife, Millie Keeter Holbrook, a former LPGA player to present Spencer Jones, winner of the pro/junior title at the Home Care & Hospice First Tee Open at Pebble Beach with a Certificate of Recognition from the Commissioners. The certificate read as follows:

***CERTIFICATE OF RECOGNITION
FROM THE
CLEVELAND COUNTY BOARD OF COMMISSIONERS***

PRESENTED TO

SPENCER JONES

FOR WINNING THE PRO/JUNIOR TITLE AT THE HOME CARE & HOSPICE FIRST TEE OPEN AT PEBBLE BEACH ~ FOR BEING INVOLVED IN THE FIRST TEE PROGRAM, A PROGRAM DESIGNED TO PROVIDE YOUNG PEOPLE OF ALL BACKGROUNDS AN OPPORTUNITY TO DEVELOP, THROUGH GOLF AND CHARACTER EDUCATION ~ FOR WINNING THE COCA-COLA CHAMPIONS CHALLENGE IN TURN SENDING \$15,000 BACK TO THE FIRST TEE OF CLEVELAND COUNTY ~ BY WINNING THE COCA-COLA CHAMPIONS CHALLENGE, FOR GIVING MANY OTHER YOUTH IN CLEVELAND THE OPPORTUNITY TO BE PART OF A SUCH A GREAT PROGRAM ~ WE COMMEND YOU!

Presented this the 5th day of October 2010

CLEVELAND COUNTY K-9 TEAM

In May, 2010, the Cleveland County Sheriff's Office, specifically the K-9 team, became members of the American Police Canine Association. The K-9 team consists of six officers. On September 30, 2010, this team was recognized as the 2010 K-9 Division of the Year by the American Police Canine Association. This is a nationally recognized award. The team traveled to Owensboro, Kentucky to attend the awards ceremony. Commissioners presented each officer with a Certificate of Recognition which read as follows:

***CERTIFICATE OF RECOGNITION
FROM THE
CLEVELAND COUNTY BOARD OF COMMISSIONERS***

FOR BEING RECOGNIZED AS THE 2010 K-9 DIVISION OF THE YEAR BY THE AMERICAN POLICE CANINE ASSOCIATION ~ FOR BEING SELECTED FROM DIVISIONS ALL OVER THE COUNTRY FOR THIS NATIONALLY RECOGNIZED AWARD ~ FOR YOUR CONTINUED COMMITMENT TO PROTECT THE CITIZENS OF CLEVELAND COUNTY ~ WE COMMEND YOU!

Presented this the 5th day of October 2010.

REGULAR AGENDA

PLANNING DEPARTMENT: CODE TEXT AMENDMENT- JAMES N. HODGES- AMATEUR RADIO TOWERS (CASE #10-18)

At their August 3, 2010 regular meeting, Commissioners held a public hearing to discuss a code text amendment regarding amateur radio towers. Citizens who were for and against the proposed amendment were in attendance. Commissioners requested a tower committee be formed to come up

with standards that would be consensus to all interested parties. A committee was formed and met on September 7, 2010. A revised text amendment was then sent to the Planning Board for review. The Planning Board met on September 28, 2010 and recommended Commissioners adopt the proposed text amendment as presented by the committee.

Commissioner Holbrook thanked all those who served on the committee. He felt as though Commissioners may need to consider tabling this item due to the fact that two Commissioners (Hutchins, Hawkins) were absent from the meeting. He has heard several concerns regarding the proposed amendment and the location of radio towers near residences and felt as though all Commissioners should be present for the discussion. Commissioner Accor agreed noting, "There could be some questions from the other Commissioners regarding this item."

ACTION: Chairwoman Boggs *continued this agenda item until October 19, 2010 at 6:00 pm.*

CODE OF ETHICS

At their October 14, 2010 Work Session, Commissioners were presented with a draft copy of Code of Ethics for the Board of Commissioners of Cleveland County, North Carolina, for review.

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to adopt the Code of Ethics for the Board of Commissioners of Cleveland County, North Carolina (copy found on Pages _____ of Minute Book _____).*

INDUSTRIAL DEVELOPMENT FUND RESOLUTION

In order for Cleveland County to apply for an Industrial Development Fund Grant, Commissioners are required to adopt a resolution authorizing submittal of the application.

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to adopt the following resolution:*

Number 24-2010

CLEVELAND COUNTY'S APPLICATION FOR INDUSTRIAL DEVELOPMENT FUNDS FOR A SECONDARY WATERLINE TO SERVE A DATA CENTER PARK NEAR KINGS MOUNTAIN, NC

BE IT RESOLVED, that a grant from the Department of Commerce be made to provide a 12" secondary water line to serve a data center park near the City of Kings Mountain; and

BE IT FURTHER RESOLVED, that Cleveland County will administer this grant in accordance with the rules and regulations of the Department of Commerce; and

BE IT FURTHER RESOLVED, that the County will administer this grant through the County Finance Office with the assistance of Isothermal Planning and Development Commission staff; and

BE IT FURTHER RESOLVED, that the grant will be monitored quarterly to assure compliance with this proposal and the Department of Commerce regulations; and

BE IT FURTHER RESOLVED, that the amount of the grant application will be \$493,587.

Adopted and approved this the 5th day of October, 2010.

COMMISSIONER REPORTS

Commissioner Holbrook:

Commissioner Holbrook described the opening of the new airport facility as “a statement of progress.”

Commissioner Accor:

Commissioner Accor was very excited that the Commission for Women hosted the Miss Cleveland County Fair Competition. This event has not been held at the fair in the last several years.

Commissioner Boggs:

Commissioner Boggs worked at the Free Rabies Clinic hosted by the Health Department. So many citizens took advantage of this service that they ran out of shots at 2:00 pm.

ADJOURN

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to adjourn. The next regular scheduled meeting will be held ***Tuesday, October 19, 2010 in the Commissioners Chamber.***

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

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*