

CLEVELAND COUNTY BOARD OF COMMISSIONERS

September 4, 2012

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 S. Accor, Commissioner
Eddie Holbrook, Commissioner
Jason Falls, Commissioner
Eddie Bailes, County Manager
Bob Yelton, County Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Chris Green, Tax Administrator
Bill McCarter, Planning Director
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Johnny Hutchins called the meeting to order. Commissioner Jason Falls led the audience in the "Pledge of Allegiance" to the flag of the United States of America and 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.*

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of **August 21, 2012**, motion was made by Ronnie Hawkins, seconded by Mary Accor, and unanimously adopted by the Board, to **approve the minutes as written.**

SHERIFF'S OFFICE: BUDGET AMENDMENTS (BNA #009)

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>
010.441.4.810.00	Sheriff's Office/Contrib/Donations	\$ 25.	
010.441.5.790.00	Sheriff's Office/Contrib/Donations	25.	

Explanation of Revisions: Request approval to budget check received from a citizen expressing gratitude of Deputy's checking their residence while they were out of town. Funding will be budgeted in donation account this is used to recognize employees service above and beyond their duty.

EMERGENCY MEDICAL SERVICES: BUDGET AMENDMENTS (BNA #010)

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>
------------------------------------	--------------------------------	-----------------	-----------------

010.446.4.810.00 EMS/Contrib/Donations \$ 3,000.
010.446.5.790.00 EMS/Contrib/Donations 3,000.

Explanation of Revisions: To budget for general donations received over recent years.

PLANNING DEPARTMENT~CODE TEXT AMENDMENT TO UPDATE THE ZONING TABLE OF USES TO 2012 NAICS

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to set a public hearing for October 2, 2012 at 6:00pm.*

SPECIAL RECOGNITION

RECOGNITION OF CLEVELAND COUNTY FARM BUREAU

Commissioners presented Cleveland County Farm Bureau Board members with the following certificate of Appreciation:

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

PRESENTED TO

CLEVELAND COUNTY FARM BUREAU

CLEVELAND COUNTY THANKS YOU FOR SUPPORTING AGRICULTURE BY EDUCATING STUDENTS ABOUT THE IMPORTANT ROLE AGRICULTURE PLAYS IN OUR ECONOMY~ FOR IMPROVING THE LIVES OF THE CITIZENS OF CLEVELAND COUNTY THROUGH SCHOLARSHIPS AND FINANCIAL SUPPORT TO MANY AGRICULTURAL PROGRAMS ~ WE COMMEND YOU

Presented this the 4th day of September, 2012.

REGULAR AGENDA

REGIONAL ECONOMIC DEVELOPMENT STRATEGIES PLAN

Jim Edwards began by bringing greetings from the Isothermal Planning and Development Commission Board. The Regional Economic Development Strategies Plan is a document that is updated every few years. This document is used as a gateway for funding from EDA. The Scruggs Center and the Cleveland Community College Allied Health building have both received funding from EDA in recent years.

The plan looks at ways to improve the economy. It is completed with the assistance of the Workforce Development Board. It looks at socioeconomic changes, unemployment, etc.

The process involved engaging many key private and public sector leaders in deciding how best to address the region's challenges and take advantage of potential regional opportunities. A series of community meetings were held and the committee received valuable input from Ken Mooney of the Cleveland County Economic Development Partnership. Upon completing this process, the steering committee opted to focus on the following five core strategies as follows:

- (1) Build a Regional Competitive Advantage and Leverage the Marketplace.

It is easier to navigate downstream than row upstream, so we should build on our strengths and work with the market, not against it.

(2) Establish & Maintain A Robust Regional Infrastructure.

To be successful, we need to make sure investments in capital assets will support our communities, now and in the future.

(3) Create Revitalized & Vibrant Communities.

Just as a chain is only as strong as its weakest link, great regions make sure that all of their cities, towns, suburbs and rural areas are positioned to succeed.

(4) Develop Healthy and Innovative People

In an increasingly competitive and uncertain world, training, developing and educating our citizens will be critically important.

(5) Create or support collaborative networks to sustain regional solutions.

Promote inter-governmental cooperation for regional economic development activities.

The Comprehensive Economic Development Strategy is one of sixteen being produced across the state. It has been several years since the State of North Carolina developed a statewide plan. Regional Councils felt they could help the state by using the same model for the sixteen regions. These sixteen plans can be combined to complete a statewide document.

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook and unanimously adopted by the board, ***to accept the plan as presented*** (copy of plan found in County Managers Office).

PLANNING DEPARTMENT ~ MINIMUM HOUSING CODE VIOLATION ~ 119 E. DOUBLE SHOALS ROAD

A hearing was held on September 26, 2011 regarding eight mobile homes located at 119 E. Double Shoals Road. The properties are owned by Larry Lail. After the hearing, the owner was allowed 90 days to demolish the eight mobile homes. Bill McCarter, Planning Director, spoke with Mr. Lail. Three of the mobile homes have been demolished by the Fire Department. He was unsure why the remaining five had not demolished.

Bill McCarter, Planning Director, recommended Commissioners adopt an ordinance, authorizing the Code Enforcement Officer to demolish the remaining five mobile homes at 119 East Double Shoals Road.

ACTION: Mary Accor made the motion which was seconded by Jason Falls and unanimously adopted by the board, ***to adopt the following ordinance:***

CLEVELAND COUNTY
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH FIVE (5) MOBILE HOMES AT 119 EAST DOUBLE SHOALS ROAD

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the mobile homes located at 119 East Double Shoals Road, Units 1,2,3,4, and 15, Cleveland County, North Carolina have 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 dwellings 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 dwellings located at 119 Double Shoals Road, Units 1,2,3,4,and 15 (Parcel 36556) now or formerly owned by Larry Lail; shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-443(6).

Adopted and approved this the 4th day of September 2012 by the Cleveland County Board of Commissioners in open session.

**PLANNING DEPARTMENT ~ MINIMUM HOUSING CODE VIOLATION ~ 139
WOODBERRY DRIVE**

A hearing was held on October 17, 2011 regarding a mobile home located at 139 Woodberry Drive. The property is owned by David Wayne Allen. During the hearing, the owner was allowed 90 days to demolish the dwelling. At their March 20, 2012 meeting, Bill McCarter brought an ordinance before Commissioners to demolish the dwelling. Mr. Allen attended the meeting and asked for additional time to clean up the dwelling. To date, no additional work has been completed.

Bill McCarter, Planning Director, recommended Commissioners adopt an ordinance, authorizing the Code Enforcement Officer to demolish the dwelling at 139 Woodberry Drive.

ACTION: Mary Accor made the motion which was seconded by Ronnie Hawkins and unanimously adopted by the board, *to adopt the following ordinance:*

CLEVELAND COUNTY
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH A MOBILE HOME AT 139 WOODBERRY DRIVE

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 139 Woodberry 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 139 Woodberry Drive (Parcel 73121) now or formerly owned by David Wayne Allen; shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-443(6).

Adopted and approved this the 4th day of September 2012 by the Cleveland County Board of Commissioners in open session.

PLANNING DEPARTMENT ~ MINIMUM HOUSING CODE VIOLATION ~ 153 WOODBERRY DRIVE

During their March 20, 2012 meeting, Mr. McCarter also presented an ordinance to demolish 153 Woodberry Drive. Again, Mr. Allen asked for additional time to make improvements on the property. No additional repairs have been made to the property since that meeting.

Bill McCarter, Planning Director, recommended Commissioners adopt an ordinance, authorizing the Code Enforcement Officer to demolish the dwelling at 153 Woodberry Drive.

ACTION: Mary Accor made the motion which was seconded by Jason Falls and unanimously adopted by the board, *to adopt the following ordinance:*

CLEVELAND COUNTY
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH A MOBILE HOME AT 153 WOODBERRY DRIVE

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 153 Woodberry 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 153 Woodberry Drive (Parcel 73121) now or formerly owned by David Wayne Allen; shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-443(6).

Adopted and approved this the 4th day of September 2012 by the Cleveland County Board of Commissioners in open session.

CLOSED SESSION

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to conduct a closed session to consult with an attorney in order to preserve attorney-client privilege, as allowed under North Carolina General Statute 143-318.11(a)(3).*

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to reconvene in open session.*

Chairman Hutchins reported that during closed session, Commissioners advised council on a legal matter.

COMMISSIONERS REPORTS

Commissioners thanked Eddie Holbrook and all the American Legion World Series (ALWS) Volunteers for all their hard work. They also thanked Commissioner Accor and the Commission for Women on a job well done at the Distinguished Women's Program.

In October, Shelby will be evaluated by American Legion Baseball. When Shelby was awarded the four-year bid, it was understood the venue would be evaluated after two years.

The Farmers Market is within \$75,000 of their fundraising goal. Work will be beginning soon on construction of the Farmers Market. At the CAGO meeting in September, the Farmers Market will be asking CAGO for \$5,000.

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 adjourn.* The next regular meeting will be held on Tuesday, September 18, 2012 in the Commissioners Chamber.

*Johnny Hutchins, Chairman
Cleveland County Board of Commissioners*

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