

Cleveland County Board of Commissioners
October 18, 2016

The Cleveland County Board of Commissioners met in a regular session on Tuesday, October 18th, 2016, at 6:00 p.m. in the Commission Chamber of the Cleveland County Administrative Office.

PRESENT: Jason Falls, Chairman
Eddie Holbrook, Vice-Chair
Johnny Hutchins, Commissioner
Susan Allen, Commissioner
Ronald Hawkins, Commissioner
Debbie Hoyle, Belwood Mayor
Steen Richard, Belwood Town Council
Tom Spurling, Belwood Town Council
Jeff Richardson, County Manager
Tim Moore, County Attorney
Andrea Leslie-Fite, Assistant County Attorney
Henry Earle, Clerk to the Board
Kerri Melton, Community Services Director
Brian Epley, Finance Director
Chris Green, Tax Administrator
Allison Mauney, Human Resources Director
Bill McCarter, Planning Director

CALL TO ORDER

Chairman Jason Falls called the meeting to order and Community Services Director Kerri Melton led the audience in the Pledge of Allegiance and provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Commissioner Allen moved to adopt the agenda, postponing item 8 (Incentive Agreement Update for Greenheck Fan Corporation) to the November 15th meeting to allow for a public hearing. The motion was seconded by Commissioner Holbrook and unanimously approved by the Board.

SPECIAL RECOGNITION

PROCLAMATION FOR BREAST CANCER AWARENESS MONTH 2016: Chairman Falls introduced Commissioner Hutchins, who reminded citizens that October is Breast Cancer Awareness Month. Commissioner Hutchins stated that the county is trying to do some new initiatives like the mobile mammogram at the Health and Benefits fair, which began this week. Human Resources Director Allison Mauney stated that there were 75 employees currently signed up for the mobile mammogram. Commissioner Hutchins then asked the Clerk to read the following proclamation. No action was taken.



Proclamation

09-2016

PROCLAMATION HONORING BREAST CANCER AWARENESS MONTH

WHEREAS, last year, more than 231,000 individuals diagnosed with breast cancer in America, as well as 104 new diagnoses in Cleveland County; and

WHEREAS, the heartache and the pain of this disease has already touched too many of our mothers, fathers, daughters, sisters and other family members; and

WHEREAS, when breast cancer is caught early, treatments work best and survival rates increase; and


WHEREAS, all women and men should be familiar with risk factors and symptoms of this disease and should take every effort to be screened annually; and

WHEREAS, this nation has invested billions of dollars into critical research to better understand the causes of breast cancer, develop treatments and create better diagnostic tools; and

WHEREAS, those that have been lost to this disease as well as those who have survived all deserve our remembrance and honor;

NOW, THEREFORE, the Cleveland County Board of Commissioners, hereby proclaims October 2016, as **Breast Cancer Awareness Month** in Cleveland County and encourages all citizens to join them in recognizing the impact that breast cancer has on the citizens of Cleveland County and how we can all move forward to combat this disease together.

ADOPTED THIS THE 18th DAY OF OCTOBER 2016.


Jason Falls, Chairman



CITIZEN RECOGNITION

- **Mayor Debbie Hoyle – Belwood:** Mayor Hoyle presented Commissioners with a Resolution from the Town of Belwood in support of the ¼ cent sales tax referendum on the November 2016 ballot. A satellite fire station is needed in the Belwood/Toluca area and the money raised by the sales tax referendum would go a long way toward getting to that point.

Town of Belwood

5500 Fallston Road

Lawndale NC 28090

Resolution

Resolution Supporting One Quarter Percent (0.25%) Local Sales and Use Tax

Referendum

Whereas, "Maintaining support for County Volunteer Fire Departments and exploring additional ways to increase County assistance" and "Seeking alternative revenue sources to lessen the County's burden on property taxes" are top priorities of the Town Council of Belwood; and

Whereas, Council Members are committed to ensuring the needs of not only Volunteer Fire Departments but all Public Safety agencies in Cleveland County are met in order to continue to provide high quality service to our citizens; and

Whereas, the North Carolina General Assembly has enacted Article 46 of Chapter 105 of the North Carolina General Statutes, the "One-Quarter Cent County Sales and Use Tax Act", authorizing counties to levy a one-quarter (0.25%) percent sales and use tax; and,

Whereas, to enact this local sales and use tax, Cleveland County must conduct an advisory referendum in accordance with the provisions of North Carolina General Statute 163-287; and

Whereas, an advisory referendum will be placed on the November 2016 election ballot;

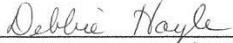
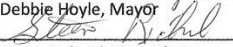
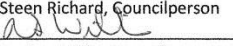
NOW THEREFORE BE IT RESOLVED:


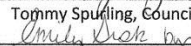
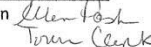
Section 1: The Town Council of the Town of Belwood hereby states its intent to support the Cleveland County Commissioners Resolution supporting the One Quarter Percent (0.25%) Local Sales and Use Tax.

Section 2: If the Sales Tax Increase is approved by the voters of Cleveland County, the Town Council of Belwood, supports the Cleveland County Commissioners plan to distribute funds to Public Safety Agencies across the county including Volunteer Fire Departments, the Sheriff's office, County Public Safety Departments as well as Municipal Public Safety Partners.

Section 3: The Town Council of the Town of Belwood supports the Fallston Volunteer Fire Department in their efforts to build a satellite station in the Belwood Toluca area.

Adopted this the 4th day of October, 2016.


 Debbie Hoyle, Mayor

 Steen Richard, Councilperson

 Rodney Willis, Councilperson


 Tommy Spurling, Councilperson

 Emily Sisk, Councilperson

 Ellen Posh, Town Clerk

- Karen Dunn – Cherryville: Mrs. Dunn stated that she has concerns about Animal Control and was very upset that the concerns brought forward by rescue groups recently had not been acted upon by the County Commissioners. She is afraid that the rescue groups are being discriminated against because they're pointing out the wrong doing. Mrs. Dunn ended by saying the needs of the animal rescue groups are not being met.

CONSENT AGENDA

MINUTES: There being no corrections, additions or deletions, the minutes of the October 4th, 2016 regular meeting were presented.

ACTION: Commissioner Hawkins moved to adopt the Minutes as presented. It was seconded by Commissioner Holbrook and unanimously adopted by the Board.

TAX ADMINISTRATION: For the month of September 2016 Supplements were \$1,288,919.12 and Abatements were \$4,191.78.

ACTION: Commissioner Hawkins moved to accept the Abatements and Supplements report as presented. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

TAX ADMINISTRATION: As of September 30th, 2016, 58.7% of taxes had been collected for fiscal year 2016-2017.

ACTION: Commissioner Hawkins moved to accept the Collection Report for September 2016. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

EMERGENCY MEDICAL SERVICES: BNA #014

<i>Account Number</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
010.446.4.409.00	Local Revenues	\$39,560.00	
010.446.5.910.00	Capital Equipment	\$39,560.00	

Explanation of Revisions: Budget money received from Comstar to be used for purchases of equipment needed for EMS. Plans are to purchase computers for EMS bases.

ACTION: Commissioner Hawkins moved to approve the budget amendment. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

EMERGENCY MEDICAL SERVICES: BNA #015

<i>Account Number</i>	<i>Department/Account Name</i>	<i>Increase</i>	<i>Decrease</i>
010.437.4.310.00	Federal Gov. Grants	\$36,000.00	
010.437.5.210.00	Departmental Supplies	\$6,850.00	
010.437.5.700.00	Grants	\$24,000.00	
010.437.5.910.00	Capital Equipment	\$5,150.00	

Explanation of Revisions: Budget money received from the NC Emergency Management Homeland Security Program for the purchase of three (3) event trailers and equipment to go on them. Two of the three trailers are going to outside counties (Union and Stanley).

ACTION: Commissioner Hawkins moved to approve the budget amendment. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

TAX ADMINISTRATION: BNA #016

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.410.4.800.00	Miscellaneous Rev	\$6,135.00	
010.415.5.421.00	Maint. Contracts-Equip	\$6,135.00	

Explanation of Revisions: Budget money received from Neopost for switching postage services over to them from Francotyp-Postalia Inc/Freedom Office Solutions

ACTION: Commissioner Hawkins moved to approve the budget amendment. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

SOCIAL SERVICES: BNA #017

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
011.504.4.350.00	State Grants	\$69,600.00	
011.504.5.891.00	Emergency & Contingency	\$69,600.00	

Explanation of Revisions: Budget money from the state of NC for the Special Needs Adoption Program.

ACTION: Commissioner Hawkins moved to approve the budget amendment. It was seconded by Commissioner Holbrook and unanimously approved by the Board.

REGULAR AGENDA

MINIMUM HOUSING CODE VIOLATION AT 118 MINTZFIELD DRIVE: Chairman Falls called Bill McCarter, Planning Director, to the podium. Mr. McCarter stated that the property was first reported in 2014 and an order to repair was issued. Several extensions had been given by the Planning Office to give the owner more time to make repairs but Mr. McCarter said that no repairs had been made and the only remaining option was to come before the Board to ask for an order to demolish. He also stated that there were tenants living in the house currently.

Chairman Falls asked the property owner, Mr. Barbedes, to come forward. Mr. Barbedes stated that the property needs more work than he originally anticipated but he wanted to get it up to code. He asked the Board for eight weeks to get it up to code.

ACTION: Commissioner Hawkins moved to approve the order to demolish the property if it was not brought up to code within eight weeks, per the property owner's request. It was seconded Commissioner Hutchins and unanimously approved by the Board.

MINIMUM HOUSING CODE VIOLATION AT 6010 DEEP GREEN DRIVE: Mr. McCarter stated that the first complaint on this property was reported in 2010 and the complaint evolved into a Channel 9 investigation into several foreclosed properties in the area. This property then came before the Board in

2013 and the property owner was given a list, from solid waste, of items that needed to be completed on the property related to trash and waste on the property, before a building permit could be obtained. The property owner completed the solid waste schedule and obtained a building permit. No work was done and the building permit expired in June 2015.

ACTION: Commissioner Hawkins moved to approve the order to demolish the property if it was not brought up to code within eight weeks. It was seconded by Commissioner Hutchins and unanimously approved by the Board.

PINNACLE ROAD PROJECT: Chairman Falls called Community Services Director Kerri Melton to the podium. Mrs. Melton stated that Pinnacle Classical Academy, Cleveland County's only charter school, broke ground in May of 2016 on a new school building. As part of the design, the school has been told by the NC Department of Transportation that a turn lane must be built on Joe's Lake Road to accommodate school traffic. The school has secured \$350,000 in designated state contingency funds. Per North Carolina General Statutes the school cannot accept the money. Those funds must be accepted by a local government and Pinnacle Classical Academy has asked Cleveland County to accept the funds and act as the manager of the project. No local funds would be used on the project. Staff prepared a resolution allowing Cleveland County to accept the \$350,000 in state funds and an agreement between Pinnacle and Cleveland County stating that any costs over the \$350,000 allotted from the state would be the responsibility of the school, freeing the County from any financial liability.

ACTION: Commissioner Holbrook moved to approve the resolution and the agreement with Pinnacle Classical Academy to manage the DOT turn lane project on Joe's Lake Road. It was seconded by Commissioner Hutchins and unanimously approved by the Board.



Resolution

NUMBER 13-2016

In Support of Request for Discretionary Funds for Pinnacle Classical Academy

WHEREAS, Pinnacle Classical Academy is Cleveland County's premier charter school; and

WHEREAS, Pinnacle Classical Academy broke ground on their new facility on May 27, 2016; and

WHEREAS, the new facility, will include 34 classrooms, STEM facilities, an art facility and a multipurpose gymnasium, will be ready for occupancy for the 2017-18 school year; and


WHEREAS, the North Carolina Department of Transportation is requiring a portion of Joe's Lake Road be widened and a turn lane installed going into the school; and

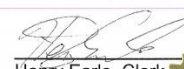
WHEREAS, this project will entail significant expense for Pinnacle Classical Academy; and

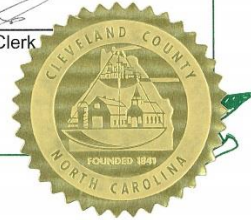
WHEREAS, Cleveland County will assist Pinnacle Classical Academy with the management of the road project.

NOW, THEREFORE, BE IT RESOLVED, that the Cleveland County Board of Commissioners hereby accepts \$350,000 in contingency funding from the State of North Carolina, for the completion of widening and turn lane project on Joes Lake Road to support Pinnacle Classical Academy.

ADOPTED THIS THE 18th DAY OF OCTOBER 2016.


Jason Falls, Chair


Henry Earle, Clerk



GREENHECK CORPORATION INCENTIVE AGREEMENT AMENDMENT: *This item was postponed in the motion to adopt the agenda.*

CLOSED SESSION

ACTION: Commissioner Holbrook moved to go into closed session at 6:42 p.m. per NCGS 143-318.11.a (4) & (6) to discuss matters relating to the location and expansion of industries or businesses in Cleveland County and to consider the qualifications of initial employment of an individual employee. It was seconded by Commissioner Allen and unanimously approved by the Board.

Commissioners discussed a potential economic development project and property that was being considered for the project. Commissioners also discussed the qualifications and compensation for two potential new employees.

ACTION: Commissioner Allen moved to come out of closed session and reenter open session at 7:38 p.m. It was seconded by Commissioner Holbrook and was unanimously approved by the Board.

Commissioner Falls then stated that, while in closed session, the Board gave direction to the County Manager with the Economic Development Project and with the consideration of two new employees.

ADJOURN

Chairman Falls entertained a motion to adjourn. The motion was made by Commissioner Allen, seconded by Commissioner Hutchins and unanimously approved by the Board. The next regularly scheduled meeting of the Cleveland County Board of Commissioners will be Tuesday, November 1st at 6:00 in the Commissioner's Chamber.