

Cleveland County Board of Commissioners
May 2, 2017

*****Amended**

Clerks Note: The minutes from the May 2, 2017 County Commissioners meeting minutes were erroneously approved on May 16, 2017. These amended minutes were approved as part of the June 20, 2017 County Commissioners meeting.

The Cleveland County Board of Commissioners met in regular session on Tuesday, May 2, 2017, at 6:00 p.m. in the Commission Chamber of the Cleveland County Administrative Office.

PRESENT: Eddie Holbrook, Chairman
Susan Allen, Vice-Chair
Jason Falls, Commissioner
Johnny Hutchins, Commissioner
Ronnie Whetstine, Commissioner
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
Perry Davis, Emergency Management Director

CALL TO ORDER

Chairman Eddie Holbrook called the meeting to order and 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 as presented by the Clerk. The motion was seconded by Commissioner Hutchins and unanimously approved by the Board.

SPECIAL PRESENTATION

APPOINTMENT OF PHYLLIS NOWLEN AS CLERK TO THE BOARD OF COMMISSIONERS:

Chairman Holbrook stated that the Board had hired a new Clerk to the Board of Commissioners and introduced Phyllis Nowlen. Chairman Holbrook stated that the Board was excited to have her and that she would be starting with the County on Monday, May 8, 2017.

ACTION: Commissioner Falls moved to appoint Phyllis Nowlen as Clerk to the Board of Commissioners. It was seconded by Commissioner Hutchins and unanimously approved by the Board.

PROCLAMATION FOR MOTORCYCLE AWARENESS MONTH: Commissioner Falls stated that May was Motorcycle Awareness Month. He asked the Clerk to read the following proclamation:



Proclamation

Number 02-2016

A Proclamation for Motorcycle Awareness Month

Whereas motorcycle riding is a popular means of transportation for commuting, touring and recreational use; and,

Whereas motorcycles are an energy efficient vehicle that reduces fuel consumption, traffic and parking congestion; and,

Whereas it is important that citizens of Cleveland County be aware of motorcycles on our roads and recognize the importance of motorcycle safety; and,

Whereas safe motorcycle operation is enhanced through a combination of rider training and experience, good judgement and observance of traffic laws; and,

Whereas warm weather brings with it more motorcycles on our roads and highways; and,


Whereas Cleveland County Commissioners encourage operators of motorcycles, trucks and automobiles to be conscious of their respective responsibilities on all roads in our community.

NOW, THEREFORE, the Cleveland County Board of Commissioners proclaim May 2017 as Motorcycle Awareness Month and ask all citizens to help them keep Cleveland County's roads safe for all.

Adopted this, the second day of May, 2017.


Eddie Holbrook, Chairman


Susan Allen, Vice-Chairman


Jason Falls, Commissioner


Johnny Hutchins, Commissioner


J. Ronnie Whetstine, Commissioner



Commissioner Falls thanked the Concerned Biker's Association of Cleveland County members who were present to come to the front. The Board Chair presented the CBA with the Proclamation and took pictures with the group.

CITIZEN RECOGNITION

- No citizens registered to speak.

CONSENT AGENDA

MINUTES: There being no corrections, additions or deletions, the minutes of the April 18, 2017 regular agenda meeting were presented.

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

FINANCE: The Manager's Report for April, 2017, was presented. Highlights include a third consecutive CAFR award for the Finance Department and a strong third quarter for the employee health fund.

ACTION: Commissioner Hutchins moved to approve the Manager's Report. It was seconded by Commissioner Falls and unanimously adopted by the Board.

PUBLIC HEALTH CENTER: BNA #049

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
054.474.4.350.00	State Government Grants	\$7,340.00	
011.504.5.121.00	Grants	\$7,340.00	

Explanation of Revisions: Budget \$7,340.00 in Ewaste Grant Funds received from to State to purchase various supplies.

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

PUBLIC HEALTH CENTER: BNA #050

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.530.4.660.00	Medicaid	\$14,710.00	
012.530.5.210.00	Controlled Prop. Exp.	\$4,560.00	
012.530.5.910.00	Equipment Upgrade	\$10,150.00	

Explanation of Revisions: Budget \$14,710.00 in Medicaid Meaningful use funds for purchase of departmental supplies and enhancements to electronic medical records.

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

PUBLIC HEALTH CENTER: BNA #051

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.541.4.350.00	State Government Grants	\$26,637.00	
012.541.5.121.00	Salary-Regular	\$10,000.00	
012.541.5.210.00	Departmental Supplies	\$7,435.00	
012.541.5.211.00	Controlled Property	\$3,202.00	
012.541.5.240.00	Automotive Supplies	\$3,000.00	
012.541.5.241.00	Motor Fuels	\$3,000.00	

Explanation of Revisions: Budget \$26,637.00 from the DHHS Summer Food Service Program for salary and other operational expenses.

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

JUVENILE CRIME PREVENTION COUNCIL 2017/2018 PRIORITIES: The 2017/2018 JCPC

priorities were presented. State statutes require Commissioner approval of priorities and funding amounts for programs that involve adjudicated teens.

ACTION: Commissioner Hutchins moved to approve the priorities for the Juvenile Crime Prevention Council for 2017/2018. It was seconded by Commissioner Falls and unanimously approved by the Board.

PUBLIC HEARING

ZONING MAP AMENDMENT 17-03 2240 MCBRAYER SPRINGS ROAD: Chris Martin, Senior Planner, came to the podium. Mr. Martin stated that property owner Tara Botts had submitted a rezoning application for property at 2240 McBrayer Springs Road from Residential (R) to Rural Agriculture (RA). Ms. Botts had stated

that, if approved, she was going to open a distillery on the property. At the 9/5/16 Commissioner meeting, the Board had approved distilleries as a use within the Rural Agriculture zoning district. The planning board unanimously approved it, stating it was an extension of an adjacent zoning district. Hearing no Commissioner questions the Chairman opened the public hearing at 6:26 p.m.

- Steve Padgett: Mr. Padgett is the Director of the Small Business Center at Cleveland Community College. Mr. Padgett asked the Board to give consideration to approving this request. The landowner intended to open her small business on the property and to employ off duty firemen at the distillery.
- After hearing no one else, the public hearing was closed at 6:28 p.m.

ACTION: Commissioner Allen moved to approve Zoning Map Amendment 17-03. It was seconded by Commissioner Whetstine and unanimously approved by the Board.

ZONING MAP AMENDMENT 17-04 123 DIXON DAIRY ROAD: Mr. Martin stated that landowner Patricia Plonk was requesting to rezone her property at 123 Dixon Dairy Road from Heavy Industrial (HI) to Residential (R). Ms. Plonk wanted to put a house on the property. The surrounding property is Heavy Industrial but is residential on the other side of the street. The planning board unanimously approved it, stating it was an extension of an adjacent zoning district. Hearing no Commissioner questions the Chairman opened up the public hearing at 6:31 p.m. and hearing no one speak, it was closed at 6:32 p.m.

ACTION: Commissioner Falls moved to approve Zoning Map Amendment 17-04. It was seconded by Commissioner Hutchins and unanimously approved by the Board.

REGULAR AGENDA

VOLUNTEER FIRE DEPARTMENT (VFD) STRATEGIC PLAN RECOMMENDATION: Brian Epley, Finance Director, came to the podium. Mr. Epley reminded that Board that during the planning process the Board used focus areas to align resources with goals that the Board wished to accomplish. For several years, under the Public Safety focus area, was a goal of getting more financial help to the Volunteer Fire Departments within the County. In April 2016 Greg Grayson with the State Fire Marshall's Office presented the Board with a Volunteer Fire Department Strategic Plan, which the Board approved. This Strategic Plan had eighteen (18) recommendations for improvement of the County's Volunteer Fire Service. A task force was created to prioritize the eighteen recommendations, knowing that everything cannot be done at one time. The task force broke the priorities into light, moderate and severe and also created short, medium, and long term plans for moving forward. The plan being proposed tonight would address both a moderate and severe priority.

A moderate priority for the plan was to consolidate the fire district. Cleveland County currently has nine (9) volunteer fire departments serving under the County's fire district and three (3), Fallston, Lattimore and

Rippy, as independent service districts. Fallston Volunteer Fire District has formally requested to be included in the County's Fire Service District beginning July 1, 2017. Rippy Volunteer Fire Department has voted to stay independent for the 17/18 year and Lattimore Volunteer Fire Department is going to decide at a meeting on May 11. On June 6, 2017, the Board will hold a public hearing for inclusion of Fallston VFD into the County Service district.

Two severe priorities under consideration with these recommendations presented is funding and career staffing. With funding there were two options, the first is to become more dependent on ad valorem fire tax or to provide additional support through alternative funding sources. In the area of career staffing, the options were to transition to a blended employee base and to create a stipend system for volunteer base response.

Recent history showed that in 2013-2014, the County went to 5 cents for all twelve departments resulting in an average funding, per department, of \$231,089.00 annually. The Fire Commission recommended funding levels of \$370,000.00, which stems from \$250,000.00 annually for operations and \$120,000.00 annually for paid personnel. The \$120,000.00 can be broken down into \$62,400 for part time employees, \$38,000 for volunteer stipends at \$10 per call with an anticipation of 3800 calls annually. \$19,600.00 was added also for personnel overhead, including taxes and administration.

The finance director then presented Commissioners with two options. Option one was a 3.75 cent fire tax rate increase. This increase covered the moderate and severe priorities detailed earlier and would bring each of the ten fire districts under the County to \$370,000.00 annually. **This tax increase on a property value of \$150,000.00 would be increased to \$131.68, or \$4.72 per month.** The second option was to keep the tax rate at five cents and not to increase taxes. Each of the ten fire districts would receive \$230,000.00 but no plan to address priorities in the strategic plan.

The finance director showed Commissioners a slide detailing the fire tax rate in neighboring and peer counties. If Cleveland County moved to an 8.75 cent tax rate it would be on par with most neighboring or peer counties.

Mr. Epley recommended the fire tax rate increase of 3.75 cents for the County Fire Service District, utilizing a blended personnel model and a volunteer stipend. Staff also recommended letting the independent fire service districts do the same, increasing their tax rate up to 3.75 cents.

Commissioner Hutchins stated that Rippy was meeting on May 11th and asked the finance director if they ultimately decided to come under the County if there was sufficient time to get everything accomplished by the beginning of July. Fire Marshal Perry Davis stated that the window would be tight but that he believed it would work.

Commissioner Falls stated that the slides said paid staff was “recommended.” He asked if that was required or if the \$120,000.00 was not required to be used for staff. Mr. Davis said that it would be put into the annual contracts of the fire departments that \$120,000.00 would be required to be used for staffing.

Commissioner Hutchins stated that he was concerned that the \$120,000.00 wouldn't be used for staffing and that the departments could skimp on paying staff and have money left over for other things. For this reason he would like to see any money not spent on personnel to be put back into the general fund.

Commissioner Whetstine asked if the move to paid personnel will help lower insurance at all and Mr. Davis said that it should. Commissioner Hutchins stated that he was afraid to even look at the costs if the County took over fire service and that this method was so much more affordable for the County, even with the proposed tax increase. Commissioner Falls asked if doing this would move the County fire districts to class fours and fives like the municipalities are. Mr. Davis stated that it would be up to the individual fire districts but that it was possible.

Commissioner Falls issued the following statement. “When I first ran for office in 2010, and was elected, I made two promises-two terms and I would not sit here and vote to increase taxes. I also have spent my time in this chair working hard for the men and women that protect us each day. We found money to support them through budget cuts in other areas and smarter ways of doing government. In 2010, Cleveland County's budget was \$10.6 million for fire and law enforcement. Today the County spends \$14.7 million. During that time the tax rate went up in 2014 netting approximately \$600,000.00. The Board has been very supportive of our Emergency personnel. While the tax increase that passed in 2014 generated \$600,000.00 the Board put an additional \$4.1 million into Emergency Services. I will still fight for our men and women in uniform but the fact that this is a 75% increase in the tax is not the whole problem. Elections, and promises, have consequences. I stand by my commitment I made to the voters and to myself. And to me, the election six months ago affirmed that our residents don't want us to increase their taxes.

ACTION: Commissioner Hutchins moved to adopt the 8.75 cent tax rate for the Cleveland County Fire District beginning in fiscal year 2017/2018 and to allow service districts not included in the County Service District to raise up to the 8.75 cent tax rate as well. It was seconded by Commissioner Allen and unanimously approved by the Board.

ACTION: Commissioner Hutchins moved to, adopt the 8.75 cent tax rate for the Cleveland County Fire District beginning in fiscal year 2017/2018 and to allow service districts not included in the County Service District to raise up to the 8.75 cent tax rate as well. It was seconded by Commissioner Allen and adopted by a majority of the board (Commissioner Jason Falls voted in opposition).

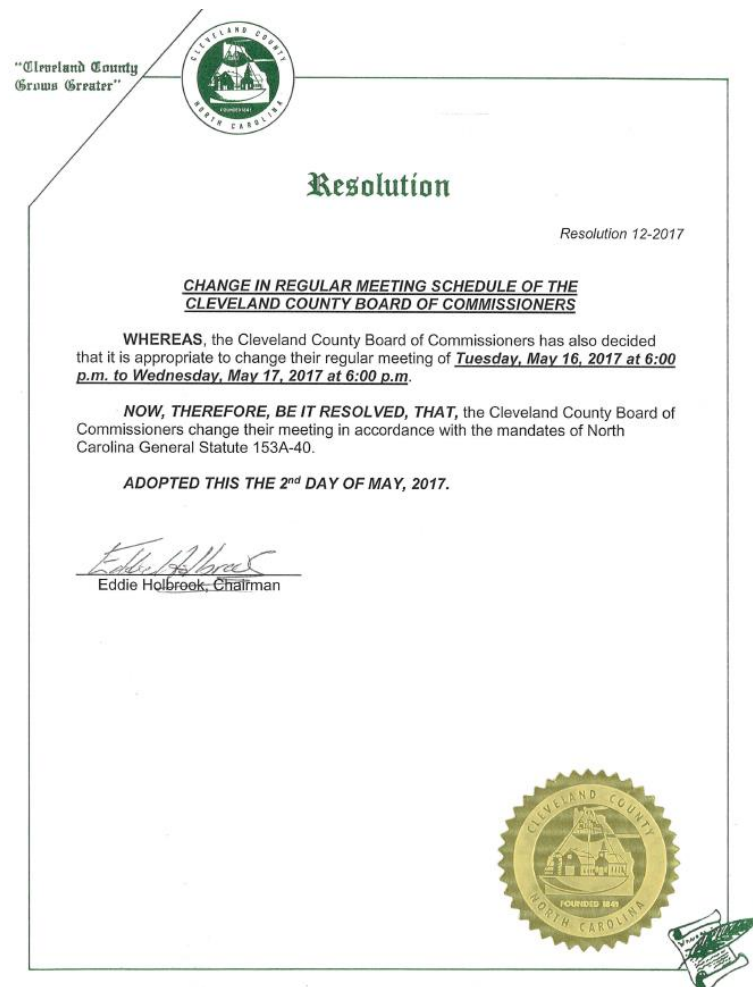
PINNACLE SCHOOL TURN LANE PROJECT: Kerri Melton, Community Services Director, came to the podium. Ms. Melton reminded the Board that, on October 12, 2016, Commissioners accepted \$350,000.00 in state contingency funding for construction of a turn lane at the new campus of Pinnacle Classical Academy and per NC General Statutes 153a-11 and 115c-36, a local government agency must accept the funds. Pinnacle requested that the County take control of the funds on behalf of the school and administer the turn lane project.

Opening bids for the project were held on April 27th with the low bidder being Clark Ledbetter Grading with a bid of \$403,455.00. Staff has spoken with Pinnacle and reminded them that the agreement between the County and the school stipulated that the school would have to pay the difference in the bid and the \$350,000.00 granted to the school. Staff recommended awarding the bid of \$403,455.00 to Clark Ledbetter Grading contingent upon DOT conference.

ACTION: Commissioner Hutchins moved to accept the bid for Clark Ledbetter Grading for the Pinnacle Turn Lane Project contingent on DOT conference. It was seconded by Commissioner Falls and unanimously approved by the Board.

RESOLUTION TO CHANGE THE DATE OF THE MAY 16, 2017 MEETING TO MAY 17, 2017:

The Clerk read the following resolution:



ACTION: Commissioner Hutchins moved to approve the resolution, changing the date of the Commissioner meeting from May 16, 2017 to May 17, 2017. It was seconded by Commissioner Whetstone and unanimously approved by the Board.

COMMISSIONER REPORTS

Commissioner Whetstine: I'm really proud of the amount of volunteerism in this County and wanted to remind everyone of the National Day of Prayer is Thursday, May 4th.

Commissioner Falls: From 10 a.m. to 2 p.m. on May 6th there is an Open House at the Shelby Cleveland Regional Airport. Aviation has a \$26 billion annual impact in North Carolina.

Commissioner Hutchins: Attended some firefighter meetings and have been busy with budget preparation.

Commissioner Allen: As a reminder it's not only Motorcycle Awareness Month but also Child Abuse Awareness Month and Mental Health Awareness Month.

Commissioner Holbrook: The Cleveland County Job Fair and Entrepreneurship show was last week and the YMCA Prayer Breakfast is tomorrow. Commissioner Holbrook also wanted to go on record stating that the Board is not a divided board due to one vote and that the Board is one body and wants only to do what is best for Cleveland County.

ADJOURN

Chairman Holbrook entertained a motion to adjourn. The motion was made by Commissioner Hutchins, seconded by Commissioner Falls and unanimously approved by the Board. The next regularly scheduled meeting of the Board of Commissioners will be Wednesday, May 17, 2017 at 6:00 p.m. in the Commissioners Chamber.