

CLEVELAND COUNTY BOARD OF COMMISSIONERS

August 10, 2006

The Cleveland County Board of Commissioners reconvened their recessed regular session of August 1, 2006 on this date, at the hour of 4:00 p.m., in the Commission Chamber of the Cleveland County Administrative Offices.

PRESENT: Ronald J. Hawkins, Chairman
Jerry L. Self, Vice-Chairman
Mary S. Accor, Commissioner
Johnny Hutchins, Commissioner
Willie B. McIntosh, Commissioner
David C. Dear, County Manager
Sam Craig, Deputy County Attorney
Wanda Crotts, County Clerk
Kerri Melton, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Crepps, Finance Director
Bill McCarter, Planning Director
Dewey Cook, Emergency Management Director/Fire Marshal
Denese Stallings, Health Director
Stuart Gilbert, Cleveland County Chamber President
Alexis Pearson, Human Resources Director
Lindsey Allen, Cleveland Headline News
Pete DeLea, The Star
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Hawkins called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. David Dear provided the invocation for the meeting.

CLEVELAND CHAMBER STATUS REPORT

Stuart Gilbert, Chamber President, reviewed the following:

- Announcement of Chris Craft and Indian Motorcycles.
- Web hits are up and there have been several nationwide television contacts.
- Upcoming public hearing on the Cliffside steam station.
- Upcoming fall planning conference.
- Highlighted the "InterAction" newsletter.
- Highlighted Travel & Tourism activity.
- Highlighted Economic Development Report for August 2006 – consisting of 5 "just announced" projects and 13 "new and ongoing projects"; prospect visits; and goals and objectives status report.
- The "call center" project is on-hold due to changes within the company. A new department director has been named who has elected to freeze all projects at this time. Mr. Gilbert reported the company representatives advised they felt the "atmosphere in Cleveland County was good" and that they were especially impressed with Cleveland Community College. When they visited the classes and talked with the students, they felt a sense of "hope" among them, which they felt was "refreshing" – that Cleveland County was facing hard times right now, but there was hope for the future.
- Military contracts – Cleveland County Chamber is one of four in North Carolina that has been supporting our smaller businesses by making them aware of the military contracts available.
- Workforce development – identified programs that will be implemented in the schools – guaranteed graduate program, online mentoring program, and a scholarship program.
- Explained how the Chamber is supporting existing industries by making personal visits.
- Personnel Committee is working to select a new Economic Development Director.
- New 58-acre county industrial park located on Plato Road.
- Commissioner McIntosh stated he would like to see client "reviews" of Cleveland County "in writing."

- Commissioner Accor stated the “in-service awards” at Cleveland Community College has “received good comments” and suggested “exit interviews” as a “good tool.”
- Mr. Gilbert advised that 20/20 still working on bylaws, which will “hopefully” be ready for Commissioners review “soon.”

TOLUCA FIRE STATION

- Dewey Cook, Cleveland County Emergency Management Director/Fire Marshal and Chief of the Casar VFD, advised the fire department “wants to update their current building, constructed in 1968, before they build a satellite department.”
- The VFD proposes to have an architect develop plans for a “face-lift” of the existing building – they do not “want to take any finances away from citizens” until that project is completed.
- Toluca received fire protection from Casar VFD and Lincoln County.
- Discussed feasibility of contracts with Burke and Lincoln counties – noted contracts would “affect insurance district.”
- Mr. Cook stated while the fire department board feels “those folks need protection and would benefit from insurance savings, funding the building and equipment are the two biggest issues.
- Discussed cost of equipment and turn-out gear.
- Commissioner Hutchins stated “we need to look at the entire county rather than just one area – what can we do to improve.”

CONSENSUS: Directed Mr. Dear and Mr. Cook to meet with the Firemen’s Association Board

of Directors and for Commissioners to determine if they are willing to purchase the land.

POTENTIAL TO APPLY TO BE A PILOT COUNTY FOR PRIMARY ELECTION METHOD AND PAPER BALLOTS VS. ELECTRONIC BALLOTS

- Steve Wells, Chairman of the Board of Election, discussed why the Board voted not to participate in the “instant run-off” – legislature is not sure what will be involved or what the cost will be; could use current voting machines, but they don’t have the software and won’t have it for two years; ballots are confusing and those States who have tested this method have had tremendous “voter education” expenses; Board felt by selecting this method they would not be “good stewards of the taxpayers money.”
- Paper ballots: 10% of registered voters went to the polls (*estimated 3,000 voters*) in last “second” ballot, which is a large turnout; would require more people be hired to count ballots; Board recommended to “leave it alone” and continue with the current method – Board of Commissioners agreed.
- Voting machines are “not costing us” other than moving them to the polling place; State is not inclined to approve using paper ballots.
- If challenged, having back-up of machine is important – “you want to avoid the need for a second election.”
- Probably would not realize significant savings; cost an estimated \$800 to program machines for the Grover elections.
- Mr. Wells stated, “We are all interested in doing the best election we can at the cheapest price we can.”

LEASH LAW

- Several Commissioners reported they have received calls from hunters and animal owners who keep their animals enclosed in “controlled fencing.”
- Denese Stallings, Health Director, reviewed that problems begin with pet owners who let their pets roam free, fail to observe laws and ordinances and allow their pets to have unwanted litters.
- Animal control is prepared to handle complaint investigations, cruelty investigations, animal quarantine, operate county animal shelter, animal rescue, and public education.
- Protecting the public and pets against rabies is always a priority. Since 1998, 130 cases of rabies have been confirmed, 206 persons treated pre/post rabies exposure, and \$150,300.00 used to purchase medications.
- NC General Assembly 2005 adopted “An Act to Create a Uniform System for the Regulation of Private and Public Animal Shelters.”
- Requiring an animal license is first and foremost a health issue.
- Reasons for animal licensing were listed as public health, greater likelihood of reuniting lost pets with their owners, reducing pet over-population and improved data means better service.

- National Animal Control Association Policy Statement: There can be no justification for allowing pets to roam. State and/or local statutes should prohibit owners from allowing their pets to go uncontrolled on or off the owner's premises.
- Free-roaming cats and dogs contribute enormously to the numbers of surplus, unwanted animals found in animal shelters.
- Free-roaming animals are exposed to such hazards as disease from other animals, injury or death from traffic, retaliation by irate property owners, or poisoning from the ingestion of garbage.
- Many of these animals are responsible for causing injury or death in traffic accidents, bites, or by indirect means.
- Free-roaming animals may attack livestock, other pet animals, or wildlife.'
- Pet over-population is directly related to the free-roaming of cats and dogs. This results in the need for shelters to collectively destroy millions of animals yearly.
- Discussed cost of implementing a county-wide leash law – three more officers, clerk and equipment – fees could be used to cover these expenses.
- Mrs. Stallings said there is a fear of liability that comes with adopting out pets, since disease can be harbored up to six months.
- Mrs. Stallings reviewed the 2005-2006 Animal Control Annual Report.
- Commissioner McIntosh suggested Mrs. Stallings hold community public hearings throughout the county to receive comments regarding a possible leash law and educate the public as to the reasons for consideration of such an ordinance.
- Commissioner Accor suggested “getting the names of those who attend the town meetings for possible appointment to a taskforce to study an ordinance.”

CONSENSUS: *To direct Mrs. Stallings to develop proposal for a leash law for dogs and cats,*

methods of funding, and animal shelter improvements – take to the Board of Health first, then bring to Board of Commissioners, then take to town meetings.

SOLID WASTE: “COVERED LOADS” ORDINANCE – PROGRESS REPORT

- Jimmy Hines reviewed statistics compiled at the recycling centers which indicated people are complying with the ordinance.
- Comments have been positive and the survey will be conducted again in December.
- Efforts to educate the public have been a billboard which will rotated throughout the county, a banner at each recycling center, brochures to be shared in the community, an insert in the *Star*, a full-page ad in the *Kidsville Shelby Shopper*, “display” posters for distribution and tarps have been distributed.

MERIT EVALUATIONS

- Alexis Pearson, Human Resources Director, reviewed the models for revised performance evaluations.
- The “Employee Performance Evaluation” form covers performance characteristics such as job knowledge, planning and organization, quality of work, productivity and initiative, tact and public contact, punctuality, verbalization and written expression, and other department objectives.
- The “Managerial & Supervisory Employee Performance Evaluation” form covers administration, analysis and decision-making, working relationships, performance management, cost containment and management, service, time management, human relations and measurable goals, objectives, and professional development.
- Commissioner Accor has helped develop these models.
- New forms will “force supervisor to be specific and give incidents to justify rating.
- Chairman Hawkins noted “we need a performance evaluation (*form*) between the manager and the Board of Commissioners.”
- Accomplishment forms: Justification for merit increases, one for management, one for non-management and are compiled by the employee.

MINIMUM HOUSING CODE VIOLATION POLICY

- Discussed how to “force property owner to bring up to code if not at stage to be torn down.”
- Civil vs. criminal penalties discussed – can increase amount of penalties; we have never pursued criminal misdemeanor charges yet but is a “tool in ordinance.”
- Reports are “complaint driven.”
- We have never had a complaint on an inhabited dwelling – always been abandoned.

- Discussed possible ways to recoup expenses.
- Commissioner McIntosh stated he felt the county is a “clearing house to clean up people’s property and we never get anything back.”
- Commissioner Accor stated she wants to see the ordinance and policy enforced “consistently.”
- If Mr. McCarter extends, then written notice should clarify when case will go to Commissioners and at that point there will be no further extensions.

CONSENSUS: To leave flexibility of extention at the discretion of

Mr. McCarter.

PAVING ASSESSMENTS

- Discussed methods to recoup costs – charge per linear foot; could require application to be submitted with a check to cover preliminary costs and if petition is withdrawn the county keeps the deposit.
- Possibility of bidding out survey work on an annual calendar-year basis.

CONSENSUS: To direct Mr. McCarter to develop a recommendation regarding policy and fee

and bring back to Commissioners.

PERSONNEL GRIEVANCE PROCEDURES

- Sam Craig, Deputy County Attorney, addressed county personnel ordinance, personnel laws – stating that Commissioners getting involved in personnel issues is “one of the worst things you can do”; “affects employee/supervisor relationships”; “breeches agreement between employer and employee”; “allows one person to step around policy when others can’t”; “could be affecting appeal process of the employee by a break down in due process”; “county manager is the final arbitrary of appeal”; “bottom line – if you step in you become the employer and you are not”; “DSS and Health Department directors serve at the pleasure of those board, not Commissioners or County Manager”; “due process assures that everyone is treated the same”; “if employee comes to Commissioner, as soon as it is apparent that subject matter is a personnel issue, then Commissioner should stop employee and refer them to the appropriate people and never get involved in an investigation.”
- Commissioner Hutchins stated he felt it is his responsibility to “guide” the employee.
- Commissioner McIntosh stated he felt it is his responsibility to “listen” to the employee’s concerns.
- Commissioner Accor emphasized there is “always a chain of command” and that chain should be followed – “our job is to set policy.”
- Mr. Craig stated, “Your job is to deal with the County Manager. You are not part of the chain of command for personnel issues in Cleveland County.”

SPECIAL RECOGNITION GIFTS

- Directed the Clerk and Deputy Clerk to check with other counties and bring back recommendations for consideration.

ZONING MAP AMENDMENTS

- Mr. McCarter advised he schedules zoning map amendment public hearings for the first meeting of the month.
- Provided Commissioners with a written explanation of the amendment policy.

COUNTY COMMISSION MEETINGS AWAY FROM CHAMBER

- Consensus was to continue with holding one regular meeting per month, on a quarterly basis, “out in the county” and that be the second meeting of the month – the next “town meeting” is scheduled for October 17, 2006 in Boiling Springs.

EMPLOYEE BONUS

- After much discussion, it was determined that a gift card would be issued as a one-time “bonus.”
- Commissioner Accor said she would prefer it not be a Wal-Mart card to encourage shopping throughout the county.
- Chairman Hawkins cautioned against using “non-reoccurring money.”

ACTION: *Mary Accor made the motion, seconded by Jerry Self, and adopted by a majority vote of the Board (Chairman Hawkins voted no), to approve that a \$100.00 gift card be given to all full-time permanent employees at Christmas.*

EMPLOYEE RECOGNITION BANQUET

CONSENSUS: *To use the same format as last year, to be held in January, but this year to be held at the Shelby City Park facilities.*

RECOGNITION PROJECT – “BEING CAUGHT CLEAN IN CLEVELAND COUNTY”

- Commissioner Accor suggested a yard sign be designed to recognize those who put forth special efforts to keep their community “clean.”
- Suggested that Jimmy Hines, with the Health Department, design the sign.

CODE ENFORCEMENT OFFICERS

- Commissioner McIntosh emphasized the need for code enforcement to become less “complaint driven” and suggested if a leash law is implemented, the additional animal control officers that would need to be hired could check for violations of other county codes while patrolling the county.

FLEET PURCHASES AND SERVICES

- Commissioner Hutchins suggested the County “put out bids for (*vehicle*) fleet services” in order to obtain the “best price” on such services as routine maintenance. Chris Crepps, Finance Director, explained how our current purchasing and bid process works under purchasing laws.
- Commissioner McIntosh stated he felt putting the entire vehicle fleet under one bid may “squeeze out” smaller local businesses who may not be able to handle large contracts, but could bid on a few.

CODE REVIEWS

- The County Clerk noted department heads have reviewed the codes as it relates to their departments and made suggested changes, most of which were minor corrections. Some codes were changed to track the changes that may occur in the General Statutes, citing the General Statute number rather than specific language from the Statute, so if amendments to the Statutes are made, our code will automatically be in compliance.

ADJOURN

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to adjourn the meeting (*at 10:20 p.m.*).

*Ronald J. Hawkins, Chairman
Cleveland County Board of Commissioners*

*Wanda Crotts, CMC, Clerk
Cleveland County Board of Commissioners*