

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**September 17, 2013**

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:**

Ronnie Hawkins, Chairman  
Jason Falls, Vice-Chairman  
Susan Allen, Commissioner  
Johnny Hutchins, Commissioner  
Eddie Holbrook, Commissioner  
David Dear, Interim County Manager  
Bob Yelton, County Attorney  
Kerri Melton, County Clerk  
April Crotts, Deputy Clerk  
Chris Green, Tax Administrator  
Chris Crepps, Finance Director  
Jessica Pickens, *The Shelby Star*  
Other individual names on file in the Clerk's Office

**VETERAN'S:**

Commissioners Hawkins, Hutchins and Falls  
Steen Richard  
Max Hopper  
Doug Sharp  
Armand Tetli  
Larry Link  
Mike Stubbs  
Mike Moore  
Tom Furholthe  
Ronald Wade

**CALL TO ORDER**

Chairman Ronnie Hawkins called the meeting to order. Commissioner Eddie Holbrook led the audience in the "Pledge of Allegiance" to the flag of the United States of America and provided the invocation.

**AGENDA ADOPTION**

**ACTION:** Johnny Hutchins made the motion, seconded by Susan Allen, and unanimously adopted by the Board, ***to adopt the agenda as presented by the Clerk.***

**CITIZEN RECOGNITION**

Jim Padgett 6010 Deep Green Drive, presented pictures of neighboring houses which are abandoned. Mr. Padgett's home is set to be reviewed by Commissioners later in the meeting for minimum housing code violations. Mr. Padgett explained that he is slowly moving to clean up his property which was destroyed by fire.

Robert Williams, 814 E. Stagecoach Trail, spoke regarding a request for information he made at the September 3, 2013 meeting. Mr. Williams clarified that he was not looking for the actual information regarding the project, however, he wanted to know how the information came about.

He also discussed two items on the consent agenda. He said he gets a lot of calls about DSS and read the budget amendment which shows DSS is getting government incentives to reunify parents with their children. "Looks like Social Services is removing lots of children and then getting money to reunify them." He also expressed concern with the Budget Amendment in the Health Department.

John McDaniel Chief of Bethlehem Fire Department, spoke regarding the Fire District Contract which was to be addressed later in the meeting. He spoke on behalf of the Bethlehem Fire Department. The discussion between Kings Mountain, Cleveland County and Bethlehem VFD has been going on for three years. Mr. McDaniel was concerned he just found out about this final contract last Friday. His main concern was how the financial side of the contract would work.

Doug Sharp, spoke in support of Jim Padgett regarding his property on Green Hill Drive. Mr. Sharp asked that they show Mr. Padgett some compassion as he has faced some very difficult times.

### **CONSENT AGENDA**

#### **TAX COLLECTOR'S MONTHLY REPORT**

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during **August 2013** (copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).

#### **TAX ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during **August 2012**. The monthly grand total of tax abatements was listed as (\$104,366.84); and, the monthly grand total for tax supplements was listed as \$66,469.28.

#### **SOCIAL SERVICES: BUDGET AMENDMENT (BNA #013)**

**ACTION:** Jason Falls made the motion, seconded by Eddie Holbrook, 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>
011.504.4.350.00/93.556-2200	Title XX Services/Fed Govt Grants	\$33,642.75	
011.504.5.500.01	Title XX Services/Misc. Grant Expense	33,642.75	

*Explanation of Revisions: Budget amendment necessary to accept time-limited family reunification funds available for 2013/2014.*

#### **BOARD OF ELECTIONS: BUDGET AMENDMENT (BNA #014)**

**ACTION:** Jason Falls made the motion, seconded by Eddie Holbrook, 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>
010.418.4.991.00	Board of Elections/Fund Bal Approp	\$12,365.	
010.418.5.910.00	Board of Elections/Capital Equip	12,365.	

*Explanation of Revisions: To budget grant revenues received in FY 13 for purchase of two new voting machines; current ones will need replacement for 2016 election cycle and this purchase allows testing of equipment for consideration of more purchases in the future.*

#### **HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #015)**

**ACTION:** Jason Falls made the motion, seconded by Eddie Holbrook, 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>
012.542.4.980.10	Rabies Control/Contr. From Primary Fund	\$28,221.	
012.542.5.121.00	Rabies Control/Salaries-Reg.	20,412.	
012.542.5.131.00	Rabies Control/Social Security	1,266.	
012.542.5.132.00	Rabies Control/Retirement	209.	
012.542.5.133.00	Rabies Control/Hospital Ins.	3,012.	
012.542.5.134.00	Rabies Control/Dental Ins.	78.	
012.542.5.135.00	Rabies Control/Employer 401K	148.	
012.542.5.136.00	Rabies Control/Medicare Ins.	296.	
012.542.5.210.00	Rabies Control/Departmental Supplies	500.	
012.542.5.230.00	Rabies Control/Medicine & Supplies	600.	
012.542.5.250.00	Rabies Control/Uniform/Clothing	300.	
012.542.5.310.00	Rabies Control/Travel/Training	1,000.	
012.542.5.321.00	Rabies Control/Telecommunications	400.	

*Explanation of Revisions: Budget county funds to establish a fulltime Program Asst V effective 12/1/13 (will work as Rescue and Adoption Coordinator) and operating expenses to support the position.*

**HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #016)**

**ACTION:** Jason Falls made the motion, seconded by Eddie Holbrook, 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>
012.543.4.410.00/KateB-4Map	Grants/Local& Other Grants	\$29,712.	
012.543.5.422.00/KateB-4Map	Grants/Contracted Labor	29,712.	

*Explanation of Revisions: Budget Office of Rural Health Funds for contracted labor- this position will assist clients as they apply for and receive medications from drug companies.*

**SPECIAL RECOGNITION**

**PURPLE HEART COUNTY DESIGNATION**

Mike Stubbs, Commander of the Military Order of the Purple Heart Chapter 634 spoke to Commissioners about the importance of the Military Order of the Purple Heart. He introduced several other Purple Heart recipients who were with him and asked that Commissioners proclaim Cleveland County as a “Purple Heart County.”

**ACTION:** Johnny Hutchins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to approve the following proclamation:*

**NUMBER 02-2013**

**A PROCLAMATION HONORING THE MILITARY ORDER OF THE PURPLE HEART**

**WHEREAS**, the Purple Heart is the oldest decoration in present use and was initially created as the Badge of Military merit by George Washington in 1782; and

**WHEREAS**, the Purple Heart was the first American service award or decoration made available to the common soldier and is awarded to those who have been wounded or killed while serving the United States against an opposing armed forces; and

**WHEREAS**, the mission of the Military Order of Purple Heart, chartered by an act of Congress, is to foster an environment of good will among the combat wounded veteran members and their families, promote patriotism, support legislative initiatives and most importantly make sure we never forget; and

**WHEREAS**, the County of Cleveland is within the territorial boundaries of Chapter 634, Military Order of the Purple Heart; and

**WHEREAS**, there have been many Cleveland County citizens who made the ultimate sacrifice for the cause of freedom and many combat wounded Veterans and Purple Heart recipients who live in the county; and

**NOW, THEREFORE, WE THE CLEVELAND COUNTY BOARD OF COMMISSIONERS**, are hereby honored bestow honor and gratitude to all combat-wounded Veteran's and those who have received the Military Order of the Purple Heart and proclaim Cleveland County as a

***“PURPLE HEART COUNTY IN THE STATE OF NORTH CAROLINA”***

**ADOPTED THIS THE 17<sup>th</sup> DAY OF SEPTEMBER 2013.**

**RESOLUTION HONORING CLEVELAND COUNTY EXTENSION & COMMUNITY ASSOCIATION (ECA) ON THE 100<sup>TH</sup> ANNIVERSARY OF THE STATE ORGANIZATION**

Extension Agent Nancy Abasiakong thanked Commissioners for allowing her to be part of the meeting. She took a moment to introduce Extension staff and ECA members who were in attendance. She said the purpose of ECA is to empower individuals and families and to help improve the quality of life at the grassroots level. She asked that Commissioners adopt a resolution honoring the 100<sup>th</sup> Anniversary of the State Extension & Community Association organization.

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

***Number 19-2013***

**Honoring Cleveland County Extension & Community Association on the 100th Anniversary of the State Organization**

**WHEREAS**, in 1911 Jane S. McKimmon became the first North Carolina home demonstration agent and the Board of Commissioners in 1915 hired Miss Susan Elliott (Weathers) as the first home agent in Cleveland County; and

**WHEREAS**, beginning in 1913 “tomato clubs”, evolving to home demonstration clubs, were formed to work along side the home agents to improve the quality of rural life and helped this state prevail during the Great Depression and two World Wars; and

**WHEREAS**, the Board of Commissioners took a significant step on December 2, 1946, when they voted to hire the first Negro Farm Agent and Negro Home Agent, Miss Adelaide C. Morehead. Miss Morehead began working with the Negro families on January 1, 1947; and

**WHEREAS**, NC Federation of Home Demonstration Clubs and the State Council of Negro Home Demonstration Clubs merged into one organization and became the NC Extension Homemakers Association in 1966 and North Carolina Extension & Community Association in 1999; and

**WHEREAS**, Extension & Community Association is organized in all of North Carolina's 100 counties and with the Eastern Band of Cherokee Indians; and

**WHEREAS**, from its modest beginnings Extension & Community Association has grown into a diverse, statewide organization of adult volunteers supporting the professional extension staff from North Carolina's two land-grant universities, North Carolina Agricultural & Technical University in Greensboro and North Carolina State University in Raleigh; and

**WHEREAS**, Extension & Community Association views the family, in all its diverse forms, as the cornerstone of a healthy society and provides research based programming to support families; and

**WHEREAS**, this Association and its many volunteers continue today to partner with NC Cooperative Extension to empower individuals and families to improve their quality of living through continuing education, leadership development and community service; and

**WHEREAS**, North Carolina Extension & Community Association will be celebrating its centennial anniversary formally on October 27, 2013 and throughout 2013;

**NOW, THEREFORE**, the Cleveland County Board of Commissioners do hereby recognize and honor North Carolina Extension & Community Association volunteers and liaison agents for their steadfast dedication, past and present, to the improvement of quality of life for families in North Carolina and Cleveland County; and congratulate the North Carolina Extension & Community Association on the attainment of its centennial anniversary.

**ADOPTED THIS 17th DAY OF SEPTEMBER, 2013.**

**PUBLIC HEARINGS**

**COMMUNITY DEVELOPMENT BLOCK GRANT- SCATTERED SITE HOUSING  
CLOSEOUT**

Chairman Hawkins introduced Beth Pollard who explained, the purpose of the hearing is to receive comments from the citizens concerning the County closing out a 2010 Community Development Block Grant Scattered Site Housing Project. In 2010 Cleveland County received \$400,000 in CDBG funds for the purpose of completing Housing Activities. The County completed substantial repairs on 5 homes. Emergency repairs were completed on 6 units and 1 stick built home was cleared and replaced with a new home.

All of the units completed were owned and occupied by low to moderate income citizens that reside in Cleveland County. All activities have been completed as proposed or amended in the application. The county expended \$380,086.74 and will de-obligate the remaining funds of \$19,913.26.

See the final budget below:

	<b>Budgeted</b>	<b>Expended</b>
<u>Rehabilitation:</u>	<u>\$247,800</u>	<u>\$234,960.74</u>
<u>Reconstruction:</u>	<u>74,200</u>	<u>68,406</u>
<u>Clearance:</u>	<u>5,000</u>	<u>5,000</u>
<u>Temporary Relocation Exp.</u>	<u>3,000</u>	<u>3,000</u>
<u>Urgent Repair</u>	<u>30,000</u>	<u>28,720</u>
<u>Planning</u>	<u>7,000</u>	<u>7,000</u>
<u>Administration</u>	<u>33,000</u>	<u>33,000</u>

Chairman Hawkins opened the public hearing and asked anyone wishing to speak for or against to please come forward.

*Robert Williams, 814 East Stagecoach Trail Lawndale*, looked through some of the grant documents and was surprised with what he felt like was so much money spent on so few houses. He asked why there is approximately \$20,000 being de-obligated when there is so much need for housing and repairs.

Paula Kempton of Isothermal Planning and Development Commission responded by explaining, the CDBG Scattered Site Housing program requires a long process of receiving applications, reviewing applications, meeting to determine eligible applicants and completing the application to CDBG. Forty-five applications were received. Projects were determined by points rated by a selection committee.

All eligible projects are included in the application to Commerce. If they could have used the remaining funds for urgent repair they would have. None of the applications met the criteria for urgent repair.

Hearing no other comments, Chairman Hawkins closed the public hearing.

**ACTION:** Eddie Holbrook made the motion, seconded by Jason Falls and unanimously adopted by the board, *to close out the grant for the 2010 Community Development Block Grant Scattered Site Housing Project.*

**ECONOMIC DEVELOPMENT ~ INCENTIVES FOR PROJECT HAMPTON**

Kristin Fletcher, Vice President of Economic Development began by thanking Commissioners again for the contributions they continue to make for Economic Development. Ms. Fletcher presented an incentive agreement between Cleveland County and Capital Investments II LLC (Project Hampton) (*copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_*).

The company must begin construction within two (2) months of the execution of the incentive agreement. The project includes creation of 15 jobs over a three year period with an \$8 Million investment. The eight year grant term includes a grant payment in an annual amount equal to ninety percent (90%) of the County ad valorem taxes (with the current rate being \$0.72 per \$100.00 valuation) for the first three years and a grant payment in an annual amount equal to fifty percent (50%) of the County ad valorem taxes (with the current rate being \$0.72 per \$100.00 valuation) for the last five years.

Chairman Hawkins opened the public hearing (*notice of this hearing was accomplished in accordance with the General Statutes in The Shelby Star on September 6, 2013*).

Allen Langley, Chairman of Cleveland County Chamber, spoke in support of the project. He spoke on behalf of the over 650 members of the Chamber and thanked Commissioners for their insight. As Chairman of the Shelby City Parks and Recreation Board, he spoke of the positive effect this hotel will also have on the City Park as many events are held that require overnight hotel stays. Currently, many attendees are having to stay outside the county due to the lack of hotel space.

Robert Williams, 814 Stagecoach Trail, informed Commissioners he will be researching public hearing items. He had run some numbers and his determination was that the county would be spending \$25,000 per job over the next eight years. He shared he would love to see a large company like BMW or another manufacturing plant bring a large number of manufacturing jobs that will last a long time. He

noted that he is not against the project he just feels as though top priority should be on more good paying jobs.

Max Hopper, Mayor of Earl, spoke in support of the project not only as the Mayor of Earl but also as the Chair of the Don Gibson Theatre Advisory Committee and a member of the Amateur Radio Operators organization.

Hearing no other comments, Chairman Hawkins closed the public hearing.

Commissioner Hutchins responded to Mr. Williams comments by stressing the importance of upscale hotel rooms that are required for the events that the County would like to host. He also made note of the occupancy taxes that will be received from this project and the fact that those staying in hotel rooms will spend money while they are here.

**ACTION:** Johnny Hutchins made the motion, seconded by Jason Falls and unanimously adopted by the board, *to approve the incentive agreement as presented (Copy found on Page \_\_\_\_ of Minute Book \_\_\_\_)*.

Commissioner Allen spoke of the importance of turning every rock big or small when it comes to economic development. Commissioner Holbrook thanked David Dear and the Economic Development Team for their hard work over the last four years. Due to the traffic count, this has been a very difficult project to recruit. Commissioner Falls also spoke of the importance of these jobs. "I have lots of friends who work in this industry. It is a good honest job. I think the incentives were needed to get this done."

**ECONOMIC DEVELOPMENT ~ INCENTIVES FOR PROJECT HAWK (T5@KINGS MOUNTAIN II LLC)**

Kristin Fletcher, Vice President of Economic Development explained since the project was bid, the agreement has been changed from Project Hawk to T5@Kings Mountain II LLC. This project will occur at 151 Riverside Court in the T5 Data Center Park. Ms. Fletcher presented the incentive agreement for approval (*copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_*).

The company must begin construction within twelve (12) months of the execution of the Incentive agreement. The project includes creation of 10 jobs over a five year period with an \$70 Million investment. The ten year grant term includes a grant payment in an annual amount equal to sixty-five percent (65%) of the County ad valorem taxes (with the current rate being \$0.72 per \$100.00 valuation).

Chairman Hawkins opened the public hearing (*notice of this hearing was accomplished in accordance with the General Statutes in The Shelby Star on September 6, 2013*).

Robert Williams, 815 E. Stagecoach Trail Lawndale, gave his opinion that he felt out of the ten jobs to be created by this project, probably only three or four will be Cleveland County residents. He did not see this project as being a great benefit to Cleveland County as the money that will be granted back

will outweigh the number of jobs. Seeing that the County will receive some tax base from the project, he asked that Commissioners look at how they will spend the additional revenue.

Allen Langley, Chair of the Cleveland County Chamber, shared, over the past year, North Carolina has been successful in recruiting \$3 Billion in businesses to the state. Of that \$3 Billion, \$933 Million located to Cleveland County. The Economic Development team is continuing to look for those large companies. He asked that Commissioners look favorably on this incentive agreement.

Hearing no other comments, Chairman Hawkins closed the public hearing.

Commissioner Hutchins shared that 35% of the something is better than nothing. The Cleveland Community College has developed a program where they train local citizens for the jobs required to work in a data center. The City of Kings Mountain will also benefit from this project by the use of utilities by the company.

**ACTION:** Johnny Hutchins made the motion, seconded by Susan Allen and unanimously adopted by the board, *to approve the incentive agreement as presented (Copy found on Page \_\_\_\_ of Minute Book \_\_\_\_).*

County Attorney Bob Yelton noted the incentive agreement would pertain to the Developer (T5) and the tenant who would occupy the building.

Commissioner Holbrook also spoke briefly about the Cleveland Community College Cisco Academy which is unique in the state. Students who attend this academy are being trained on the finest technology and the local data centers have been pleased that the graduates they have hired have been very well trained.

## **REGULAR AGENDA**

### **KINGS MOUNTAIN FIRE PROTECTION CONTRACT**

Emergency Management Director Dewey Cook presented Commissioners with a contract between Cleveland County and the City of Kings Mountain. This contract would give the Kings Mountain Fire Department the authority to furnish and provide fire protection for the protection of areas within the Kings Mountain Rural Fire District (copy of map found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).

This contract was drafted to assist those residents in the area with their insurance rating. Bethlehem Volunteer Fire Department will continue to provide fire protection in this area in the event of grass fires, wood fires and fires which may be the result of motor vehicle accidents. The contract outlines the County agrees to make payment to the City of an amount equal to three cents (\$0.03) per one hundred (\$100.00) of property valuation in this area. This amounts to approximately \$10,200 per year. The current Fire Tax rate is five cents (\$0.05). The remaining two cents (\$0.02) will stay with the Volunteer Fire Departments.

Vice-Chairman Falls was concerned that Bethlehem Volunteer Fire Department had not had an opportunity to voice their concerns about the contract. John McDaniel, Chief of Bethlehem Volunteer Fire Department, confirmed that Bethlehem will still be responding to 100% of calls in this area. He felt as though Kings Mountain was being over compensated per this contract. He explained, there have been five calls to this area this year. Only one of these calls was structural. The one call was for a fire alarm. He felt it would be better to pay on a per call basis.

Chairman Hawkins explained, the City of Kings Mountain will need to buy a pumper in order to provide this service. He also stressed the importance of approving the contract as soon as possible.

**ACTION:** Commissioner Falls made a motion *to table approval of the Contract to Provide Fire Protection. (Motion died for a lack of a second)*

Commissioners asked if there were any other options for funding this. County Manager David Dear explained this could be funded by the General Fund. Commissioner Hutchins voiced his concern with doing that as it may open a can of worms. He also reiterated the fact that the residents in this area do have fire coverage, it is just that their insurance rating is higher.

**ACTION:** Commissioner Hutchins made a motion, *to approve the contract but hold a meeting with Bethlehem to have a system for providing the mutual aid that will satisfy Bethlehem VFD.*

County Attorney Bob Yelton informed Commissioners this motion may be dangerous because they do not know what will satisfy Bethlehem. *(Motion died for a lack of a second)*

**ACTION:** Johnny Hutchins made the motion, seconded by Eddie Holbrook and approved by a majority of the Board *(Commissioner Falls voted in opposition), to approve the Contract to Provide Fire Protection as proposed (Copy found on Page \_\_\_\_ of Minute Book \_\_\_\_).*

**ACTION:** Johnny Hutchins made the motion, seconded by Eddie Holbrook and unanimously approved by the Board, *to negotiate with the rest of the Fire Districts to see how the County can reconcile their loss of revenue.*

**PLANNING DEPARTMENT: MIMIMUM HOUSING CODE VIOLATION- JAMES H. PADGETT- 6010 DEEP GREEN DRIVE**

In accordance with Section 3.5-45(b), Planning Director Bill McCarter submitted an ordinance to Commissioners ordering the owners to comply with the Order of Code Enforcement to demolish a burned dwelling.

Mr. McCarter explained this property was part of a petition from 2010 that encompassed five properties. The four other properties were deemed not damaged more than 50% of the value. A building permit was issued in March, 2011. Mr. McCarter was waiting to see if any progress would be made on

the property. In September, 2012, the building permit expired. In October, 2012, Mr. McCarter sent the property owner a letter.

After holding a hearing, an order was issued on April 17, 2013 to demolish the house within 90 days. The Order expired on July 17, 2013. To date, no action has been taken by the owner.

At the request of several Commissioners, a solid waste officer visited the property. A schedule was set up for cleanup of the property.

**ACTION:** Johnny Hutchins made the motion, seconded by Susan Allen, and unanimously adopted by the Board, *to postpone demolition until after the first of the year if the property owner agrees to follow the schedule provided by Solid Waste for cleanup of the property. Mr. McCarter is bring the property back before Commissioners in January.*

*(Clerks Note: Mr. Padgett agreed to comply with the schedule given to him by Solid Waste)*

**PLANNING DEPARTMENT: MIMIMUM HOUSING CODE VIOLATION- ERIC KENT LUNSFORD- 140 JIM PATTERSON ROAD**

In accordance with Section 3.5-45(b), Planning Director Bill McCarter submitted an ordinance to Commissioners ordering the owners to comply with the Order of Code Enforcement to demolish five (5) abandoned mobile homes.

Mr. McCarter made several attempts to contact the property owner but was never able to make contact. He explained it not very unusual to have difficulty contacting property owners. Per NCGS, Mr. McCarter ran a legal ad in the newspaper closest to the last known address. He explained the mobile homes continue to deteriorate. After holding a hearing an order was served by legal ad on April 22, 2013 to demolish the house within 90 days. The Order expired on July 22, 2013. To date, no action has been taken by the owner.

The adoption of the ordinance authorizes the Code Enforcement Officer to accept bids for any salvage materials in or about the dwelling and credit the proceeds against the costs of demolition. A lien will be placed against the property for any additional costs incurred by the county, as provided by NCGS 160A-446(6).

**ACTION:** Eddie Holbrook made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to adopt the following ordinance ordering the demolition:*

**CLEVELAND COUNTY  
NORTH CAROLINA**

**AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH FIVE (5) MOBILE HOMES AT 140 JIM PATTERSON ROAD**

**WHEREAS**, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the five (5) abandoned mobile homes located at 140 Jim Patterson Road, 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(s); 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(s) located at 140 Jim Patterson Road, (Parcel 10557) now or formerly owned by Eric Kent Lunsford; 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 17th day of September 2013 by the Cleveland County Board of Commissioners in open session.**

**PLANNING DEPARTMENT: MIMIMUM HOUSING CODE VIOLATION- DORON S. COOK/ VAKARMA ROGERS- 370 OATES DRIVE**

In accordance with Section 3.5-45(b), Planning Director Bill McCarter submitted an ordinance to Commissioners ordering the owners to comply with the Order of Code Enforcement to this dwelling.

Mr. McCarter spoke with Ms. Rogers. She currently lives in Virginia. Mr. Doron Cook has deeded the property over to Ms. Rogers. She would like the property cleaned up and demolished. She was looking to get rid of the property. After holding a hearing an order was served by legal ad on April 26, 2013 to demolish the house within 90 days. The Order expired on July 26, 2013. To date, no action has been taken by the owner.

The adoption of the ordinance authorizes the Code Enforcement Officer to accept bids for any salvage materials in or about the dwelling and credit the proceeds against the costs of demolition. A lien will be placed against the property for any additional costs incurred by the county, as provided by NCGS 160A-446(6).

**ACTION:** Susan Allen made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to adopt the following ordinance ordering the demolition:*

**CLEVELAND COUNTY  
NORTH CAROLINA  
AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH  
A DWELLING AT 370 OATES DRIVE**

**WHEREAS**, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 370 Oates 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 370 Oates Drive, (Parcel 48238) now or formerly owned by Doron S. Cook and Vakarma; 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 17th day of September 2013 by the Cleveland County Board of Commissioners in open session.**

**CAROLINA THREAD TRAIL MASTER PLAN- MAP AMENDMENT**

Cleveland County adopted the Carolina Thread Trail Master Plan for Cleveland County Communities on January 5, 2010 which represents a first ever plan to integrate existing and proposed municipal and county trails with additional greenway/trail segments. It was understood that the plan would emerge over time as circumstances change and more information becomes available.

The NC Division of Parks and Recreation and Crowders Mountain State Park have signed on to the Carolina Thread Trail and have approved including the Ridgeline Trail as part of the Carolina Thread Trail in both Gaston and Cleveland Counties. Planning Director Bill McCarter presented a map amendment to be approved to include this section of completed trail. Adding the Ridgeline Trail through Crowders Mountain State Park would add 3.2 miles of completed trail for a total of 10.9 miles complete.

**ACTION:** Johnny Hutchins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to approve the amendment to the Carolina Thread Trail Master Plan (copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).*

**COMMISSIONER REPORTS**

Chairman Hawkins reminded Commissioners of the goal setting work session scheduled for Monday, September 23<sup>rd</sup>. The purpose is to give the new County Manager guidance as to what direction they would like to go in.

**RECESS TO RECONVENE**

There being no further business to come before the Board at this time, Johnny Hutchins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to recess to reconvene for the purpose of a goal setting work session. The next regular meeting will be held *on Tuesday, October 1, 2013 at 6:00 p.m.* in this Commission Chamber.

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*Johnny Hutchins, Chairman  
Cleveland County Board of Commissioners*

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