June 17, 2008

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: Jo Boggs, Chairwoman
Eddie Holbrook, Vice-Chairman
Mary S. Accor, Commissioner (arrived at 5:05)
Ronald J. Hawkins, Commissioner
Johnny Hutchins, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Green, Tax Administrator
Bill McCarter, Planning Director
Chris Crepps, Finance Director
Marni Glaser, Cleveland Headline News
David Allen, The Star
Other individual names on file in the Clerk’s Office

CALL TO ORDER

Chairwoman Boggs called the meeting to order and led the audience in the “Pledge of Allegiance” to the flag of the United States of America. Dick Strathan provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to adopt the agenda as presented by the County Clerk, with the following addition:

(F) Finance Office: Budget Amendment (BNA #069)

CITIZEN RECOGNITION

Jason Falls, 150 Mike Ledford Road, asked Commissioners to consider adopting a county noise ordinance. Mr. Falls explained that he has spoken with several residents in the area of the speedway in Lawndale. He said that the residents who live close to the speedway want the speedway to be successful, but also feel that a noise ordinance would help the problems. Mr. Falls also requested that a Sheriff’s Deputy be present on the road leading to the speedway on race nights for traffic issues.

Mr. Falls expressed his disappointment in the Commissioners decision not to continue early voting sites in Boiling Springs, Lawndale and Kings Mountain and asked them to reconsider their decision.

CONSENT AGENDA

APPROVAL OF MINUTES
There being no corrections, additions, or deletions to the Minutes of May 12, 2008- Work Session and May 20, 2008, motion was made by Johnny Hutchins, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to **approve the minutes as written.**

**TAX COLLECTOR’S MONTHLY REPORT**

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during **May 2008** (copy found on Page _________ of Minute Book 30).

**TAX ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during **May 2008**. The monthly grand total of tax abatements was listed as ($12,931.71); and, the monthly grand total for tax supplements was listed as $32,615.50.

**BOARD OF ELECTIONS: BUDGET AMENDMENTS (BNA #068)**

**ACTION:** Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to **approve the following budget amendments**:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>010.418.4.350.00/90401-8418</td>
<td>BOE/State Grants</td>
<td>$29,143.</td>
<td></td>
</tr>
<tr>
<td>010.418.5.211.00/90401-8418</td>
<td>BOE/Controlled Equip</td>
<td>11,000.</td>
<td></td>
</tr>
<tr>
<td>010.418.5.210.00/90401-8418</td>
<td>BOE/Dept. Supply</td>
<td>3,293.</td>
<td></td>
</tr>
<tr>
<td>010.418.5.910.00/90401-8418</td>
<td>BOE/Capital Equip</td>
<td>14,850.</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Revisions:** Additional items from the NC State Board of Elections for purchase of electronic technology to be used at one stop and election day voting locations.

**HEALTH DEPARTMENT: FINANCIAL ELIGIBILITY/FEE COLLECTION POLICY**

**ACTION:** Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to **adopt the revised Cleveland County Health Department Financial Eligibility/Fee Collection Policy which includes the deletion of “Family Planning patients with a past due account will not be submitted to Debt Set-Off for collection** (copy found on Page _______ of Minute Book 30.)

**FINANCE OFFICE: BUDGET AMENDMENTS (BNA #069)**

**ACTION:** Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to **approve the following budget amendments**:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>010.432.4.350.00/03700-8MED</td>
<td>3rd Party Pass Thru/State Grants</td>
<td>$600.</td>
<td></td>
</tr>
<tr>
<td>010.432.5.700.00/03700-8MED</td>
<td>3rd Party Pass Thru/Grants</td>
<td>600.</td>
<td></td>
</tr>
</tbody>
</table>

**Explanation of Revisions:** To budget discretionary funds awarded from NC DJJD to Mediation Center of the Southern Piedmont for the purchase of a mono flatbed all-in-one printer-copier-scanner-fax machine.

**REGULAR AGENDA**

**NCDOT: PROPOSED SECONDARY ROAD IMPROVEMENT PLAN**
Gary Spangler, NCDOT District I Engineer, presented the Secondary Road Improvement Program to Commissioners.

As explained in previous years, the Secondary Road Improvement Program offers two types of funding—rural paving and subdivision paving. To date, all subdivision roads have been paved, leaving only rural paving. Mr. Spangler estimated that 42 miles or 70 rural roads are left unpaved.

Beginning July 1, 2007, $68 million of the Highway Fund will be used toward paved road improvements. Improvements include eliminating hazards and widening narrow roads.

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

**NUMBER 21-2008**

**NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVAL OF 2008-2009 SECONDARY ROADS IMPROVEMENT PROGRAM**

WHEREAS, representatives from the North Carolina Department of Transportation appeared before the Board of Commissioners on June 17, 2008 and presented the Secondary Roads Improvement Program for 2008-2009 for Cleveland County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLEVELAND COUNTY, NORTH CAROLINA that the Cleveland County Board of Commissioners has reviewed said program and concurs with the Secondary Roads Improvement Program for 2008-2009 as presented by the representatives of the North Carolina Board of Transportation as seen below:

### North Carolina Department of Transportation
Secondary Roads Construction Program

**Cleveland County**

**FY 2008-2009 Anticipated Allocation**

<table>
<thead>
<tr>
<th>Source of Funds</th>
<th>Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highway Fund G.S. 136-44.5b</td>
<td>$1,099,162.52</td>
<td></td>
</tr>
<tr>
<td>Highway Fund G.S. 136-44.5c</td>
<td>$247,562.86</td>
<td></td>
</tr>
<tr>
<td>Trust Fund G.S. 136-182</td>
<td>$1,106,374.90</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$2,452,100.28</td>
<td></td>
</tr>
</tbody>
</table>

**Programmed Paving**

**Goal:** 3.96

**I. Paving Unpaved Roads**

**A. Rural Paving Priority**

<table>
<thead>
<tr>
<th>Priority Number</th>
<th>SR No.</th>
<th>Length (Miles)</th>
<th>Road Name and Description</th>
<th>Est. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>R/W Hold</td>
<td>2277</td>
<td>0.20</td>
<td>Oveda Drive, Grade, Base, &amp; Pave From SR 2276 to DE</td>
<td>$70,000.00</td>
</tr>
<tr>
<td>10F</td>
<td>2294</td>
<td>0.20</td>
<td>Early Rd, Grade, Base, &amp; Pave From SR 2283 to DE</td>
<td>$70,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0.40</td>
<td></td>
<td></td>
<td>$140,000.00</td>
</tr>
</tbody>
</table>

**B. Subdivision Paving Priority:** There are no subdivision road remaining in the priority

* **Rural Paving Alternatives**

<table>
<thead>
<tr>
<th>Priority Number</th>
<th>SR No.</th>
<th>Length (Miles)</th>
<th>Road Name and Description</th>
<th>Est. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/08 2289</td>
<td>0.83</td>
<td>Gallilee Ch Rd, Grade, Base, &amp; Pave From EP to SR 2289 (Finish Funding)</td>
<td>$100,000.00</td>
<td></td>
</tr>
<tr>
<td>7F 1606</td>
<td>0.27</td>
<td>Hallman Mill Rd., Grade, Base, &amp; Pave From SR 1607 To Co. Line</td>
<td>$94,500.00</td>
<td></td>
</tr>
<tr>
<td>8F 1885</td>
<td>1.46</td>
<td>Selkirk Rd. Grade, Base, &amp; Pave From SR 1801 to 1802 (Finish Funding)</td>
<td>$511,000.00</td>
<td></td>
</tr>
<tr>
<td>9F 1372</td>
<td>1.00</td>
<td>Elliott Cemetery Rd, Grade, Base, &amp; Pave From NC 182 to DE (Part Funding)</td>
<td>$100,000.00</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3.56</td>
<td></td>
<td></td>
<td>$805,500.00</td>
</tr>
</tbody>
</table>

In the event that any roads in priority have to be placed on the "Hold List" due to unavailable right of way or environmental review, or if additional funding becomes available, funds will be applied to the roads listed in priority order.
in the paving list alternate list.

II. General Secondary Road Improvements

A. Unpaved Road Spot Improvements

<table>
<thead>
<tr>
<th>Priority Number</th>
<th>SR No.</th>
<th>Length (Miles)</th>
<th>Road Name and Description</th>
<th>Est. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1003</td>
<td>1.2</td>
<td>Widen 4’ (2’ each side) &amp; overlay from Sr 1158 to SR 1164</td>
<td>$225,000.00</td>
<td></td>
</tr>
<tr>
<td>1315</td>
<td>2.21</td>
<td>Widen 4’ (2’ each side) &amp; overlay from NC 74 to SR 1314</td>
<td>$325,000.00</td>
<td></td>
</tr>
<tr>
<td>2052</td>
<td>2.18</td>
<td>Widen 4’ (2’ each side) &amp; overlay from NC 180 to DE</td>
<td>$325,000.00</td>
<td></td>
</tr>
<tr>
<td>1158</td>
<td>1.43</td>
<td>Widen 4’ (2’ each side) &amp; overlay from SR 1159 to SR 1161</td>
<td>$224,162.52</td>
<td></td>
</tr>
</tbody>
</table>

Subtotal: $1,099,162.52

B. Paved Road Spot Improvements: Highway Fund G.S. 136-44.5b

<table>
<thead>
<tr>
<th>Priority Number</th>
<th>SR No.</th>
<th>Length (Miles)</th>
<th>Road Name and Description</th>
<th>Est. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subtotal: $1,099,162.52

III. Funds reserved for surveying, right of way acquisition, right of way acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.

<table>
<thead>
<tr>
<th>Priority Number</th>
<th>SR No.</th>
<th>Length (Miles)</th>
<th>Road Name and Description</th>
<th>Est. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Subtotal: $136,850.21

GRAND TOTAL: $2,452,100.28

Adopted and approved this the 17th day of June 2008.

SENIOR CENTER FUNDING REQUEST

Senior Center Board Chairman Dick Strathan introduced himself and recognized Senior Center staff who were present. He then presented a PowerPoint- Senior Center 2008 Program Update (copy found on Page _______ of Minute Book 30.)

PLANNING DEPARTMENT: PETITION FOR ABANDONMENT- ASHLEY DRIVE

Planning Director, Bill McCarter explained that the Planning Department received a petition from several residents adjoining Ashley Drive to abandon a portion of the public right-of-way. Mr. McCarter explained that this is a dirt right-of-way. This abandonment will prohibit access to the rear of several developed lots. Currently, there are no addresses assigned using Ashley Drive. Mr. McCarter requested that Commissioners set a public hearing for August 5, 2008 to hear comments from citizens.

ACTION: Johnny Hutchins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to adopt the following Resolution of Intent which sets the public hearing for August 5, 2008 at 6:00 p.m.

Number 20-2008

Intent To Abandon Public Right-Of-Way Ashley Drive

WHEREAS, the Cleveland County Board of Commissioners have received a petition from property owners adjoining Ashley Drive, requesting that the public right-of-way be abandoned.

NOW THEREFORE BE IT RESOLVED THAT, in accordance with the mandates of NCGS 153A-241, the Cleveland County Board of Commissioners do hereby call for a public hearing regarding the proposed abandonment of Ashley Drive, to hear all interested persons on Tuesday, August 5, 2008 at 6:00 pm in the Commissioners Chamber, Cleveland County Administrative Building, 311 E. Marion Street, Shelby, North Carolina.

ADOPTED THIS 17TH DAY OF JUNE 2008.

BOARD APPOINTMENTS

ADULT CARE HOME ADVISORY COMMITTEE
**ACTION:** Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to **reappoint Annie Browner and Maggie White to serve as members of the Adult Care Home Advisory Committee.** The term of this reappointment is for a period of three-years, scheduled to conclude on June 30, 2011. Under the same motion, the board **appointed Patti Ellis McMurry to serve as a member of the Adult Care Home Advisory Committee.** The term of this appointment is for a period of one-year, scheduled to conclude on June 30, 2009.

**CLEVELAND COUNTY CHILD FATALITY PREVENTION AND PROTECTION TEAM**

**ACTION:** Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to **re-appoint Dr. Leslie Richardson to serve as a member of this team,** for a term of three-years, scheduled to conclude on June 30, 2011.

**CLEVELAND COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY**

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, to **appoint Gary Boggs to serve as a member of this board,** for a term of six-years, scheduled to conclude on June 30, 2014. *(Chairwoman Boggs abstained from voting due to the fact that Gary Boggs is her husband)*

**CLEVELAND COUNTY MEMORIAL LIBRARY (ADVISORY BOARD)**

**ACTION:** Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to **appoint Yvonne Boggs, Zach Trogdon and Commissioner Mary Accor to serve as members of this board.** Each appointment is for a period of three-years, scheduled to conclude June 30, 2011.

**CLEVELAND COUNTY NURSING HOME ADVISORY BOARD**

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to **appoint Patti Ellis McMurry to serve a member of this board.** This appointment is for a period of one-year, scheduled to conclude on June 30, 2009.

**SOCIAL SERVICES BOARD**

**ACTION:** Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to **re-appoint Beverly Shuford to serve as a member of the Social Services Board.** This appointment is for a period of three-years, scheduled to conclude on June 30, 2011.

**RURAL FIRE COMMISSION**

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to **re-appoint Johnny Hutchins (Commissioner Representative), Floyd Queen,**
Marvin Hutchison, Glenn Hartis, William Davis and Chris Poole to serve as members of this board.

Each reappointment is for a period of one-year, scheduled to conclude June 30, 2009.

HISTORIC PRESERVATION COMMISSION

**ACTION:** Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, **to appoint Meloni Wray to serve as a member of this commission.** Ms. Wray will fill the unexpired term of Tom Bridges scheduled to expire June 30, 2009.

JUVENILE CRIME PREVENTION COUNCIL

**ACTION:** Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the board, **to reappoint/appoint the following to serve on this council:**

- Bill McCullough- School Superintendent Designee
- Maurice Jamerson- Sheriff Designee
- Sara Brunner- Court Counselor
- Andrew Hopper- DSS Director Designee
- Sherrie Geer- County Manager Designee
- Von McGee- Substance Abuse Professional
- Mary Accor- Commissioner Representative
- Scott Stumbo- Person Under 18
- Paul Ditz- Juvenile Defense Attorney
- Dina Foster- District Court Judge
- BS Peeler- Member of the Business Community
- Jimmy Hines- Health Director Designee
- Margie Christopher- Non-Profit Agency Representative
- Capt. Mark Brooks- At-Large
- Greg Traywick- At-Large
- Phil Weathers- At-Large

Each reappointment/appointment is for a period of two-years, scheduled to conclude on June 30, 2010.

ISOTHERMAL PLANNING AND DEVELOPMENT COMMISSION BOARD OF DIRECTORS

**ACTION:** Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, **to re-appoint Bobby Rogers to serve as member of this board.** This term is for a period of three-years, scheduled to conclude on June 30, 2011.

CLEVELAND COMMUNITY COLLEGE BOARD OF TRUSTEES

**ACTION:** Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, **to re-appoint Ellis Monroe to serve as a member of this board.** This term is for a period of four-years, scheduled to conclude June 30, 2012.

PATHWAYS

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, **to re-appoint Roger Gaddis to serve as a member of this board.** This term is for a period of three-years, scheduled to conclude June 30, 2011.

COMMISSION FOR WOMEN
**ACTION:** Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the board, to reappoint/appoint the following to serve on this board:

- Kay Wallace
- Robert Miller
- Alva Finney
- Sherri Sharpe
- Debra Blanton
- Esther Plummer
- Betsy Wells

Each reappointment/appointment is for a period of three-years, scheduled to conclude on June 30, 2011.

**NUMBER THREE VOLUNTEER FIRE DEPARTMENT**

**ACTION:** Eddie Holbrook made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to reappoint Thomas Austell, Bobby Biggers and Neal Stroup to serve as members of this board. Each reappointment is for a period of two-years, scheduled to conclude June 30, 2010.

**CLEVELAND COUNTY PLANNING BOARD**

**ACTION:** Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to appoint Hugh Logan to serve as a member of this board. Mr. Logan will fill the unexpired term of David Crow scheduled to expire December 31, 2008.

**MUSEUM ARCHIVAL COMMITTEE**

**ACTION:** Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to appoint Wanda Crotts, Libby Sarazan and Meloni Wray to serve as members of this board. Each appointment is for a period of three-years, scheduled to conclude June 30, 2011.

**COMMISSIONER REPORTS**

Commissioner Hawkins encouraged more citizens to apply to serve on county appointed boards and committees.

Commissioner Accor invited all Commissioners to attend the Distinguished Image Awards on Friday, June 20th at 6:30pm.

**CLOSED SESSION**

**ACTION:** Johnny Hutchins made the motion at 6:55 p.m., which was seconded by Ronnie Hawkins, and unanimously adopted by the Board, to conduct a closed session regarding a personnel matter, as allowed under North Carolina General Statute 143-318.11(a)(1)(3)(6).

**RECONVENE IN REGULAR SESSION**
Chairwoman Boggs reconvened in regular session at 7:10 p.m. Each Commissioner commended Mr. Dear for his outstanding performance.

**ACTION**: Johnny Hutchins made the motion, which was seconded by Mary Accor and unanimously adopted by the Board to give David Dear, County Manager a one and one half merit step increase.

**ADJOURN**

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to adjourn the meeting.

The next regular meeting of the Commission is scheduled for **Tuesday, July 1, 2008 at 6:00 p.m.** in the Commission Chamber.

____________________________________________
Rebecca Jo Powell Boggs, Chairwoman  
Cleveland County Board of Commissioners

___________________________________  
Kerri Melton, Clerk  
Cleveland County Board of Commissioners