

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**December 20, 2005**

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:** 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  
Robert Yelton, County Attorney  
Wanda Crotts, County Clerk  
Kerri Melton, Deputy Clerk  
Eddie Bailes, Assistant County Manager  
Chris Crepps, Finance Director  
Chris Green, Tax Administrator  
Joy Scott, The Star  
Lindsey Allen, Cleveland Headline News  
Other individual names on file in the Clerk's Office

**CALL TO ORDER**

Chairman Ronald J. Hawkins called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Commissioner Johnny Hutchins provided the invocation for the meeting.

**AGENDA ADOPTION**

**ACTION:** Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk, with the following addition:*

- (1) **Delay Agenda Item #4: Board of Elections - Voting Machines.** (David Dear)
- (2) **Delay Pathways Board Appointment** (Willie McIntosh)

**CITIZENS RECOGNITION**

**Brett Keeter**, Regional Field Director for Congressman Patrick McHenry, reported "this district has received the most grant assistance for fire and rescue, receiving six grants which will be evenly distributed throughout the county."

**CONSENT AGENDA**

**TAX COLLECTOR'S MONTHLY REPORT**

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during **November 2005** (copy found on Page \_\_\_\_\_ of Minute Book 29).

**TAX ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during **November 2005**. The monthly grand total of tax abatements was listed as (\$43,379.06); and, the monthly grand total for tax supplements was listed as \$15,902.72.

**HAZMAT: BUDGET AMENDMENTS (BNA #A022)**

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

<u>Account Number/Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
10.453.4.310.00/97004-4400	HazMat/Federal Grants	\$18,402.	
10.453.5.310.00/97004-4400	HazMat/Travel-Training	\$18,402.	

*Explanation of Revisions: To budget additional Homeland Security Funds. These funds are to be used by March 31, 2006.*

**RESOLUTION: US-74 SHELBY BYPASS**

**ACTION:** Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the following resolution.*

*Resolution 17-2005*

WHEREAS, the US-74 Shelby Bypass has been on the Transportation Improvement Program since 1968;

WHEREAS, the US-74 Bypass, R-2707, is an 18.9 mile four-lane divided freeway on new location, projected to cost over \$285 million dollars;

WHEREAS, construction of this new highway has been separated into six phases (AA, AB, B, C, D and E), and funding projected well beyond the seven year TIP;

WHEREAS, acquisition of right-of-way is planned to begin in FY-08, for Sections AA, AB and B;

WHEREAS, we estimate that over 750 individual properties will be impacted by the construction of this new freeway, development along the route has been stifled, virtually land-locking the many property owners along the route;

WHEREAS, businesses and residential property owners along the route cannot make improvements to their property, expand their businesses, or simply even sell and get out of the way due to the restrictions imposed on these properties by the State;

WHEREAS, in this time of economic crisis for our county, it is imperative that our State and Federal Legislators do everything in their power to help these citizens to be able to regain control of their homes and businesses by eliminating any further delays in construction, which stifles economic development in our county.

NOW THEREFORE BE IT RESOLVED, that the Cleveland County Board of Commissioners support the continued funding of R-2707 US-74 Shelby Bypass and make the following recommendations:

- Program adequate State and Federal funding for the acquisition of all right-of-way within the next seven years (2007-2013 TIP).
- Begin construction of access roads at key intersections to protect existing right-of-way and enhance the development of commercial and industrial properties.
- Expedite right-of-way settlements with property owners who are adversely affected or constrained by NCDOT Highway-74 corridor plan.
- Expedite environmental impact statement required by Federal law.

ADOPTED THIS THE 20<sup>TH</sup> DAY OF DECEMBER 2005.

## **BOARD APPOINTMENTS**

### **NURSING HOME ADVISORY COMMITTEE**

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, *to appoint Irene Camp to serve as a member of the Nursing Home Advisory Committee.* The term of this appointment is for a period of one-year, scheduled to conclude on December 31, 2006.

### **CLEVELAND COUNTY PLANNING BOARD**

**ACTION:** Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to appoint David Morrow to serve as a member of the Planning Board.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, *to appoint Wayne Yarbrow to serve as a member of the Planning Board.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to reappoint Gene Lovelace to serve as a member of the Planning Board.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, *to appoint Hayward Homesley to serve as a member of the Planning Board.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Jerry Self made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to reappoint Tom Spurling to serve as a member of the Planning Board.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to appoint Tom Crider to serve as a member of the Planning Board.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

### **CLEVELAND COUNTY ZONING BOARD OF ADJUSTMENT**

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, *to appoint Bill Chambless to serve as a member of the Zoning Board of*

*Adjustment.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to appoint Bob Cabiness to serve as an alternate member of the Zoning Board of Adjustment.* There is no specific term length for this appointment.

#### **COMMISSION FOR WOMEN**

**ACTION:** Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, *to reappoint Mitzi McGraw Johnson and Peggy Strickland to serve as members of the Commission for Women.* Each appointment is for a term of three-years, scheduled to conclude on December 31, 2008.

#### **CLEVELAND COUNTY RURAL FIRE COMMISSION**

**ACTION:** Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to reappoint Kevin Gordon and Jimmy Hensley (both Firefighter's Association representatives) to serve as members of the Rural Fire Commission.* Each reappointment is for a term of one-year, scheduled to conclude on December 31, 2006. *(Clerk's note – terms of the other members were extended until June 2006 in order for them to comply with the board training requirements.)*

#### **FIREMAN'S RELIEF FUND – CLEVELAND VFD**

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, *to appoint Brevard Callahan to serve as Cleveland Volunteer Fire Department representative to the Fireman's Relief Fund.* This appointment carries no specific term.

#### **CLEVELAND COUNTY BOARD OF HEALTH**

**ACTION:** Mary Accor made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to reappoint Dr. Robert Blackburn (public citizen board representative) and appoint Betty Lingerfelt (nurse representative) to serve as members of the Board of Health.* Each appointment is for a term of three-years, scheduled to conclude on December 31, 2008.

#### **AGRICULTURAL ADVISORY BOARD**

**ACTION:** Jerry Self made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to appoint Julia Sain to serve as a member of the Agricultural Advisory Board.* The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**UPTOWN SHELBY ASSOCIATION**

**ACTION:** Johnny Hutchins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, *to reappoint Willie McIntosh and David Dear, or their designee, to serve as representatives to the USA Board.*

**COMMISSIONER REPORTS**

**EMERGENCY MANAGEMENT**

Commissioner Hutchins commended staff for their work during the recent ice storm. Mr. Dear noted that, as always after such an event, staff will conduct a review of how emergency operations went and note any areas for improvement.

**TAX STATEMENTS**

Vice-Chairman Self noted that he had received a favorable comment from a property owner who lives in Virginia regarding the new design of the tax statement, saying this is the first time they understood where their money was going.

**UNITED WAY**

Chairman Hawkins thanked county employees for their 18% increase in United Way contributions.

**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 (at 7:00 p.m.). The next regular meeting of the Commission is scheduled for ***Tuesday, January 3, 2005 at 6:00 p.m.*** in this Commission Chamber.

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

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