

CLEVELAND COUNTY BOARD OF COMMISSIONERS

June 21, 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, CMC, County Clerk
Pat Spangler, Deputy Clerk
Sherry Evans, County Manager's Office
Eddie Bailes, Human Resources Director
Chris Crepps, Finance Director
Chris Green, Tax Assessor
Alex Caban, Cleveland Headline News
Joy Scott, 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. Reverend Nathan Craig of Walls Memorial Baptist Church provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Mary Accor 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 additions:***

- (1) Proclamation: Annie L. Farley Dawkins Appreciation Day in Cleveland County (Ronald Hawkins)***
- (2) Economic Development: Incentive Grant – Price Plastics (David Dear)***

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of ***May 19, 2005*** and ***one correction to the Minutes of May 31, 2005 (statement attributed to Mayor Alexander should have read City Manager – original Minutes were changed to reflect correction)***, motion was made by Johnny Hutchins, seconded by Jerry Self, and unanimously adopted by the Board, to ***approve the minutes as amended.***

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during ***May 2005.*** The monthly grand total of tax abatements

was listed as (\$12,108.46); and, the monthly grand total for tax supplements was listed as \$4,166.42.

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during **May 2005** (copy found on Page _____ of Minute Book 28).

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #065)

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

| <u>Account Number</u> | <u>Department/Account Name</u> | <u>Increase</u> | <u>Decrease</u> |
|-----------------------|---|-----------------|-----------------|
| 013.660.4.510.72 | Employee Health/Wellness Tier 2-Ph. Fee | 13,132. | |
| 013.660.5.121.00 | Employee Health/Salaries-Reg. | 1,782. | |
| 013.660.5.230.02 | Employee Health/Tier 2-Prescription Drugs | 4,000. | |
| 013.660.5.330.00 | Employee Health/Utilities | 150. | |
| 013.600.5.490.00 | Employee Health/Professional Services | 3,000. | |
| 013.660.5.513.00 | Employee Health/Hospital & doctor fees | 4,200. | |

Explanation of Revisions: Budget funds to meet current year expenses for salaries, prescription drugs, utilities, professional services and hospital doctor fees.

EMERGENCY MEDICAL SERVICES: BUDGET AMENDMENTS (BNA #066)

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

| <u>Account Number</u> | <u>Department/Account Name</u> | <u>Increase</u> | <u>Decrease</u> |
|-----------------------|--|-----------------|-----------------|
| 010.446.4.650.00 | Emergency Medical Services/Medicare | \$24,000. | |
| 010.446.5.420.00 | Emergency Medical Services/Contracted Services | 24,000. | |

Explanation of Revisions: To budget Medicare funds received and to cover contracted services from EMS consultants.

FOREST RANGER'S REPORT

John Hunt, Cleveland County Forest Ranger, provided a written report of department accomplishments for the period of July 1, 2004 through December 31, 2004 (copy found on Pages _____ of Minute Book 28).

RESOLUTION: CANCEL REGULAR MEETING OF JULY 19, 2005

ACTION: Johnny Hutchins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, **to adopt the following resolution.**

NUMBER 07-2005

CHANGE IN REGULAR MEETING SCHEDULE OF THE CLEVELAND COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Cleveland County Board of Commissioners have determined that it is necessary to cancel their regular meeting of: **JULY 19, 2005.**

NOW, THEREFORE, BE IT RESOLVED, THAT, public notification of this change will be conducted in accordance with the mandates of North Carolina General Statute 153A-40 and 143-318.12. The regular meeting schedule, as adopted by the Board, will remain in place for all other regular meetings of the Commission.

ADOPTED THIS 21st DAY OF JUNE 2005.

CLEVELAND COUNTY PRIDE DAY

Mr. M. A. Andrews had requested to appear before Commissioners to discuss this subject; however, he did not appear.

TAX ASSESSOR: UNTIMELY APPLICATION FOR EXEMPTION – (1) C & C SCRAP IRON AND METAL, INC.; AND, (2) MORRIS SCRAP METAL COMPANY, INC.

Chris Green, Assessor, advised, “These applications are required to be filed by January 31, and have therefore been denied. The property owners have submitted written request for appeal of this decision. By Statute, this appeal is to be heard by the Board of Equalization and Review or the Board of Commissioners. Petitioners have been informed that showing of good cause must be made by appearance before the Board; and that approval will be considered only when, in the Board’s judgment, good cause for failure to make timely application has been shown.”

C & C Scrap Iron and Metal, Inc.

Paul Ditz, attorney representing Dennis Connor, advised his client “inadvertently failed to attach the proper form.” Mr. Ditz advised Mr. Connor submitted the proper paperwork as soon as the oversight was realized. Mr. Green confirmed the receipt of the paperwork.

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, ***to approve the request.***

Morris Scrap Metal Company, Inc.

Mr. Morris advised he “has been doing this for years and this is the first time we’ve had a problem” and “we’ve always sent the county and the State forms at the same time.” He said the State received their paperwork, but the County did not.

ACTION: Willie McIntosh made the motion, seconded by Mary Accor, and unanimously adopted by the Board, ***to approve the request.***

CLEVELAND REGIONAL MEDICAL CENTER: COMBINATION OF PARCELS ON WASHINGTON STREET

Bob Yelton, County Attorney, advised that Dan Sweat, attorney for Cleveland Regional Medical Center, has requested two parcels (20166 and 20167) located on North Washington Street be combined in order for one of the buildings located on one of the lots to be extended. He explained that setback allowances would be violated if the properties were not combined. Mr. Yelton presented a plat drawn by surveyor Scott Bankhead which shows the combined properties will consist of approximately 1.024 acres.

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, ***to approve the request that the parcels be combined.***

RUTHERFORD COUNTY BOARD OF COMMISSIONERS REQUEST TO MEET WITH CLEVELAND COUNTY COMMISSIONERS REGARDING DUKE POWER

Chairman Hawkins advised that the Rutherford County Commissioners has requested to a meeting to discuss the Duke Power project that will be located in both Cleveland and Rutherford counties.

ACTION: Johnny Hutchins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, ***to instruct the Clerk to schedule the requested meeting with the Rutherford County Clerk.*** (*Clerk's Note: The meeting was scheduled for July 11, 2005 at 6:00 p.m. at the Firehouse Inn, Rutherfordton.*)

NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS: DESIGNATION OF VOTING DELEGATE TO THE ANNUAL CONFERENCE

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, ***to appoint Jerry Self to serve as voting delegate.***

CLEVELAND 20/20 ECONOMIC DEVELOPMENT PARTNERSHIP

Vice-Chairman Jerry Self gave the following report regarding the proposed reorganization of the Economic Development Commission (*a copy of the new organizational chart is found on Page _____ of Minute Book 28*).

“First thing is that we have to thank the present Economic Development Commission because they identified a problem with governance with the Economic Development. Several years ago, Commissioner Charlie Harry had the idea that instead of having a pure public government economic development process, that we should involve the private sector and we should move with the Chamber and have an agreement and part of that long-term agreement was that at some point that the Chamber with come up with private funding to help match the public funding so that we would get lots better use for the county, lots better economic development effort because we have both public and private partnership with both public and private money.

When it was set up, the Economic Development Commission was moved over to the Chamber and called the Economic Development Council and, like I said, there were some governance issues there. Recognizing that problem, both the board chairmen, Mr. Carter, and Mr. Hawkins, got together and set up a committee to try to work out what would be the best structure for this that we are now evolving to a public/private partnership. A group of people, kind of a cross section of stakeholders, worked on this for a long time . . . worked on it several months. We had at least three meetings that were mediated, we had a facilitator, Dee Freeman, that came down, former city manager from Shelby, and people looked at all the issues, went through the process of what the original document was, what the original intent was, and tried to come up with a procedure that answered the question of governance, of responsibility, make sure there was a communications network that all the people involved could communicate the results and also a review process to look at what our results are to see if we need to change our planning, change our effort.

The meetings, in addition to the three mediated meetings, which were several hours long, from three to five hours long, we had several smaller meetings where we thought we all agreed to try to put it down on paper exactly what we agreed on and then to resolve any differences. This structure you see here is the kind of consensus of that group and if you'll look at it, if you take a county resident out in the county at the top of the page, there are two ways they can be involved in economic development. One is the public route - if they are citizens of Cleveland County for instance they select the County Commissioners. If they are citizens of the City of

Shelby or Kings Mountain, they select City Council and so on. On the private side, people can come in as individual contributors or business contributors and if you take this whole group of people, our feeling is to organize it into Cleveland 20/20 Economic Development Partnership and that is anyone who contributes to the economic development process and so that's a large inclusive group.

The next stage of that process, narrowing it down a little bit, is the Cleveland 20/20 Advisory Council. Now the partnership, the idea of it, the Economic Development Partnership, it would be private/public contributors, there would be an annual meeting, their roles would be to advocate and promote Cleveland 20/20 and to serve as a communication link between the Advisory Council and the community. The reason we decided to use the words Cleveland 20/20 is because that name had already been coined by the Chamber and had already had some marketing that had been done with that name and it fits into what we thought would be a good structure. If you go to the Cleveland 20/20 Advisory Council, those are people who are contributing at the Benefactor level. In other words, it's a little bit higher contribution level. Those people expected to be like the County Commissioners, County Manager and an ex-officio member, the county manager would not be a voting member. There would be one person from each entity, that's one person from each business contributor, or one person from each town council or whatever that contributed at the Advisory Council level. We expect of that would be maybe 40 or 50 people, we don't know, it depends on how many people want to be involved in the economic development process. That Advisory Council, they would meet quarterly, now the first large group would meet annually and would be briefed on what had happened with economic development, be brought up-to-date, get feedback and also get ideas. The Advisory Council would meet quarterly. They would meet at the annual meeting, plus there would be three other quarterly meetings. The government would appoint one chief executive official of each entity or their designee as an elected official, they would be ex-officio with voting rights, ex-officio meaning they have their position, they have a seat on this Advisory Council by way of being an elected official . . . one elected official could act as a communications conduit to the rest of the elected officials in that body. Their role would be to review and provide input on Cleveland 20/20 budget issues, generate ideas and recommendations for Cleveland 20/20, review progress and effectiveness of Cleveland 20/20 action plan, serve as an effective line of communications for sponsor organizations and the investor partnership, and they would in turn elect membership to a seven member executive committee.

The Cleveland 20/20 Advisory Council Executive Committee . . . the purpose of this committee would be to conduct business between the quarterly meetings of the advisory council. This committee would be seven people, they would be serving two-year terms with two of the initial terms to serve a one-year term so we'll have staggered two-year terms, but to get it staggered we have to start out with a one-year term. Three members from this executive committee would serve on the Chamber board of directors, the members would include one county commissioner, the chair of the advisory council committee, which could be a private investor, and municipal members would serve in alternating terms, basically two of the positions would be two cities that contribute the most to the process and they would rotate on a year-to-year basis on which one would go on the Chamber board and flip a coin the first year. They would meet monthly, or as necessary, depending on what was going on. Their role would be to ensure proper communication between all partnership members and the general public, which includes a monthly report of partnership activities, draft bylaws and mission statement to be approved by the advisory council and the chamber board of directors and act on behalf of the advisory council between meetings, and they are responsible for long-range planning.

Just to review, in the seven member executive committee would be a county commissioner, a member from the two largest municipal contributors, and four at-large members. The committee advised at least three of those be private members or private contributors, so there are four that are coming out of the advisory council elected. Commissioner McIntosh had a suggestion that maybe one of those members should be a private citizen not involved at all in the economic development process, totally outside the process, to have one totally public citizen representation at this level.

So, quick summary, we start out private public on either side – they would come together in a large group called the Economic Development Partnership, a little bit smaller group called the 20/20 Advisory Council, this 20/20 Advisory Council would select the seven member executive committee – one commissioner, two from the largest municipal contributors, and four other members . . . of those three would go on to the Chamber Board, a county commissioner, one of the city representatives on an alternating two-year basis, and one member from the private contributors which would be the chairman of that executive committee.”

At this point (6:40 p.m.), Chairman Hawkins opened the floor to hear public comments regarding the proposed structure (*as this is not an official public hearing, no legal advertisement was required*).

The following people spoke in support of the plan:

Mark Carter, Chamber Board Chair
Greswold Gwynette, Economic Development Commission member
Rick Murphrey, Mayor, Kings Mountain
Adelaide Craver, Co-Chair, Chamber 20/20
Dave Hart, Duke Power and Chamber committee member

Hearing no further comments, Chairman Hawkins closed the public comment portion of this discussion (6:50 p.m.) Commissioners expressed their support and gratitude to those who worked so diligently to bring this plan together.

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, ***to “approve this concept, along with adding that citizen representative on the executive board.”***

Chairman Hawkins clarified that with this motion, the Commission is approving the “structure” and “at a later date, the Chamber will be bringing a contract to us.” He noted the current contract between the Chamber and the County will need to be mutually voided by a formal action by both parties. Bob Yelton, County Attorney, will draft a new contract to be considered by both the Chamber and the Board of Commissioners at a later date.

ECONOMIC DEVELOPMENT: PRICE PLASTICS

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, ***to schedule a public hearing regarding proposed economic development incentive grants requested by Price Plastics for Tuesday, July 5, 2005 at 6:00 p.m.***

PROCLAMATION: ANNIE L. FARLEY DAWKINS APPRECIATION DAY IN CLEVELAND COUNTY

ACTION: Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, ***to adopt the following letter of proclamation.***

Mrs. Annie L. Farley Dawkins
1319 Concord Street
Shelby, North Carolina 28150

Dear Mrs. Dawkins:

HAPPY BIRTHDAY! As your County Commissioners, we could not let this historic occasion pass without sending you our warmest birthday wishes. We know that on July 6, 2005 you will celebrate your 100th birthday and congratulations are certainly in order!

To honor of this special Centenarian, we, the undersigned Cleveland County Board of Commissioners, ***proclaim Wednesday, July 6, 2005, as:***

***Annie L. Farley Dawkins Appreciation Day
in Cleveland County***

and urge all Cleveland County citizens to join us in wishing her Happy Birthday!

Sincerely,
(Signed by each Commissioner)

BOARD APPOINTMENTS

Chairman Hawkins reiterated Commission policy that no one will be considered for appointment or reappointment to a board or committee unless they have completed the training session offered through the Human Resources department.

SOCIAL SERVICES BOARD OF DIRECTORS

ACTION: Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, ***to appoint Beverly Shuford to serve a three-year term, scheduled to conclude on June 30, 2008.***

PATHWAYS BOARD OF DIRECTORS

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, ***to appoint Matt Hambidge to serve a four-year term, scheduled to conclude on June 30, 2009.***

ACTION: Johnny Hutchins made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, ***to appoint Jason Falls to serve a four-year term, scheduled to conclude on June 30, 2009.***

It was noted that one additional appointment is needed, however, Commissioners elected to postpone the appointment until September.

LIBRARY BOARD OF DIRECTORS

There was discussion regarding the structure of the Board of Directors, now that the Library is a department of county government.

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, ***to approve (1) library board serve as an advisory board to consist of nine to twelve members; (2) instruct the County Attorney to draft the by-laws; and, (3) designate their function or powers as to advise the governing board on library matters generally (reference N.C.G.S. 153A-266).***

ACTION: Johnny Hutchins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, ***to appoint Lynn Spangler, Yvonne Boggs, and Mary Accor to serve six-year terms, scheduled to conclude on June 30, 2011.*** Commissioners elected to delay further appointments until September.

COUNTY PRODUCTIVITY AWARD COMMITTEE

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, ***to appoint Willie McIntosh and Eddie Bailes to serve one-year terms, scheduled to conclude on June 30, 2006.***

ADULT CARE HOME ADVISORY COMMITTEE

ACTION: Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, ***to appoint Annie Browner and reappoint Maggie White to serve three-year terms, scheduled to conclude on June 30, 2008.***

ISOTHERMAL PLANNING AND DEVELOPMENT COMMISSION BOARD OF TRUSTEES

Commissioners elected to delay action on this appointment until September.

CLEVELAND COMMUNITY COLLEGE BOARD OF TRUSTEES

ACTION: Jerry Self made the motion, seconded by Johnny Hutchins, and adopted by a majority vote of the Board, ***to appoint Bobby Rauf to serve a four-year term, scheduled to conclude on June 30, 2009.*** (Votes were recorded as Hawkins, Self and Hutchins voting yes; and, Accor and McIntosh voting no.)

CLEVELAND COUNTY COMMISSION FOR WOMEN

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, ***to reappoint Mary Accor to serve a three-year term, scheduled to conclude on June 30, 2008.***

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, ***to (1) reappoint Robert Miller; and, (2) appoint Sherry Sharpe and Alva Finney to serve three-year terms, scheduled to conclude on June 30, 2008.***

REGION C CERTIFIED DEVELOPMENT CORPORATION BOARD

ACTION: Johnny Hutchins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, ***to appoint Jason Falls to serve a two-year term, scheduled to conclude on June 30, 2007.***

ACTION: Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, ***to appoint Matt Hambidge to serve a two-year term, scheduled to conclude on June 30, 2007.***

COMMUNITIES IN SCHOOLS

ACTION: Jerry Self made the motion, seconded by Mary Accor, and unanimously adopted by the Board, ***to appoint Robert Cabiness, Jr. to serve a three-year term, scheduled to conclude on June 30, 2008.***

CLEVELAND COUNTY JURY COMMISSION

ACTION: Mary Accor made the motion, which was seconded by Willie McIntosh, to appoint Johnny Hutchins to serve as a member of the Jury Commission; however, before a vote was called, the motion was rescinded.

ACTION: Mary Accor made the motion, seconded by Jerry Self, and ***adopted by a majority vote of the Board, to reappoint James Smith to serve a two-year term, scheduled to conclude on June 30, 2007.*** (It was noted that Mr. Smith will be required to take the training session.) (Votes were recorded as Accor, Self and Hawkins voting yes; and, Hutchins and McIntosh voting no.)

JUVENILE CRIME PREVENTION COUNCIL (JCPC)

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, ***to appoint Connie Farrington and Gregory Martin to serve one-year terms, scheduled to conclude on June 30, 2006.***

SPECIAL PRESENTATION TO COUNTY MANAGER, DAVID DEAR

Commissioners presented David Dear with an engraved clock and pen desk set honoring his appointment as County Manager.

ADJOURN

There being no further business to come before the Board at this time, Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to adjourn the meeting (at 8:30 p.m.). The next regular meeting of the Commission is scheduled for ***Tuesday, July 5, 2005 at 6:00 p.m.*** in this Commission Chamber.

Ronald J. Hawkins, Chairman
Cleveland County Board of Commissioners

Wanda Crotts, CMC, Clerk
Cleveland County Board of Commissioners