

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**October 16, 2007**

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:** Mary S. Accor, Chairwoman  
Eddie Holbrook, Vice-Chairman  
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 Crepps, Finance Director  
Chris Green, Tax Administrator  
Cherish Wilson, The Star  
Kathryn Larson, Cleveland Headline News  
Other individual names on file in the Clerk's Office

**ABSENT:** Jo Boggs, Commissioner  
Ronald J. Hawkins, Commissioner

**CALL TO ORDER**

Chairwoman Mary Accor called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Reverend Ray Allmond, of the Family Worship Center in Kings Mountain, provided the invocation for the meeting.

**AGENDA ADOPTION**

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

**CITIZEN RECOGNITION**

*Heather Robbins* of 1010 Brookhaven Drive spoke regarding the Old Cleveland County Courthouse. Ms. Robbins shared with Commissioners what she feels is best for the Cleveland County Courthouse. She is concerned about the integrity of the Old Courtroom and felt that music should not take over the courthouse. She suggested possibly asking the Shelby Star to do a survey to get an idea of what the citizens of Cleveland County would like to see done with the Courthouse. She also shared the fact that she and others "are concerned with some of the plans for redesign of the courthouse, renaming of the courthouse, and bluegrass taking over the Historical Museum." In closing she stated, "How can we know where we are going as a county . . . if we don't know where we have been."

**CONSENT AGENDA**

**TAX COLLECTOR'S MONTHLY REPORT**

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *September 2007* (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 *September 2007*. The monthly grand total of tax abatements was listed as (\$110,393.75); and, the monthly grand total for tax supplements was listed as \$2,079,468.94.

### **CITIZEN RECOGNITION**

#### **CLEVELAND COUNTY LANDFILL HEAVY EQUIPMENT OPERATORS**

Commissioners presented *Jack Brack, Tommy Parker* and *Howard Melious* with a certificate of recognition for grading completed at the Cleveland County Industrial Park and several other locations throughout the county. Grading is not part of the regular duties of these employees. Recognition certificate read as follows:

**CERTIFICATE OF RECOGNITION  
FROM THE  
CLEVELAND COUNTY BOARD OF COMMISSIONERS**

IN RECOGNITION OF HIS COMMITMENT TO CLEVELAND COUNTY ~ IN APPRECIATION  
OF HIS EFFORTS IN ASSISTING WITH GRADING AT THE CLEVELAND COUNTY  
INDUSTRIAL PARK ~  
FOR GOING ABOVE AND BEYOND HIS REGULAR DUTIES SAVING CLEVELAND COUNTY  
THOUSANDS OF DOLLARS~ WE COMMEND YOU!

Presented this the 16th day of October 2007.

### **REGULAR AGENDA**

#### **REGISTER OF DEEDS EQUIPMENT FINANCING**

Chris Crepps, Finance Director, presented a request to Commissioners. In the fall of 2001, the Cleveland County Register of Deeds office installed computer equipment to improve efficiency and enable access to Register of Deeds records over the internet. In the fall of 2004, the vendor replaced nearly all of the equipment with new modern equipment. At this time, the vendor is recommending replacement of many of the system components to improve capabilities of the system. The Register of Deeds office would like to upgrade equipment through a lease agreement with BB&T's Governmental Finance Division. The total cost of the equipment, after trade-in allowances for the replaced items, is \$136,615. The monthly payments will remain the same. The payments shall be derived from the Register of Deeds' Automation Enhancement and Preservation Fund. This fund was created by state law in January 2001. The county must put 10% of the revenues that are received in the Register of Deeds' Office into this fund. Based on recent history, the amount of monies flowing into this fund should be sufficient to meet the principal and interest payments of the lease arrangement. Mr. Crepps explained to Commissioners, "This proposal represents no change from our current circumstances. The only change will be new equipment in the Register of Deeds Office."

**ACTION:** Johnny Hutchins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to adopt the following resolution authorizing financing terms for the purchase of Register of Deeds equipment (amortization schedule found on Page \_\_\_\_\_ of Minute Book 30).*

**Resolution Approving Financing Terms**

**WHEREAS:** Cleveland County, North Carolina (the "County") has previously determined to undertake a project for the upgrade of computer equipment for the Register of Deeds office, and the Finance Officer has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"). The amount financed shall not exceed \$155,601.37, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.97%, and the financing term shall not exceed five (5) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 16th day of October, 2007.

**CLEVELAND 20/20 ECONOMIC DEVELOPMENT PARTNERSHIP UPDATE**

Roger Holland, Cleveland Chamber Board of Directors Chairman, began by thanking Commissioners for attending the Fall Planning Conference. He stated, "Not many counties have that support from their County Commissioners." He also talked about Travel and Tourism being an economic development tool. He encouraged Commissioners to maintain the same relationship with Travel and Tourism that they currently have. Occupancy rates have increased 19% over the last two years. "We are just scratching the surface. Thank you for your support."

Adelaide Craver, Chair of Cleveland 20/20, began by thanking Commissioners for the opportunity to speak. She stated that she was thrilled at how far economic development has come since the public/private partnership was formed stating, "This could not have been done without Cleveland County supporting economic development."

Dave Hart, Vice President of Economic Development, told Commissioners that there are currently thirty-six active economic development prospects. He has spoken with the executives at Duke Energy regarding the Duke Energy Cliffside Project, stating, "Duke Energy was blown away with the public support for the Cliffside Project." In the middle of November, we will have a firm answer as to whether

or not this project will come to fruition. He also noted that they are making progress with Southern Power.

Seventy-five percent of economic development customers are looking for existing buildings. Mr. Hart named several buildings throughout the county that could be used by economic development prospects. Duke Energy has completed a site evaluation study on the Industrial Park on the west side of town, advising they will give a \$5,000 match if the County does anything to improve that site. Mr. Hart also told Commissioners that they are looking for ways to attract more retail to Cleveland County.

Kristen Fletcher talked about existing industry. "Existing industry needs help." She explained the lack of skilled and qualified workers in Cleveland County, which will effect recruiting and the ability to expand. Each division will be strategizing on this and trying to find a way to change it. They will work with school officials and existing industries on improving the workforce in the county. Isothermal Planning and Development will be completing a 2008 Pathfinders Labor and Ability Study. This will be a great in-depth look at the local workforce. She mentioned the LEAN council and the re-introduction of the Manufacturing Council and the enthusiasm behind both of these. She also shared the Cleveland 20/20 Newsletter printed to help educate the local community. Cleveland 20/20 is working on a DVD to be used in the recruitment process. She felt like this CD will give prospects a great first look at Cleveland County and all it has to offer.

Commissioner Johnny Hutchins commended Cleveland 20/20 for their efforts. He asked Commissioners to consider sharing the cost of the survey that will be completed in efforts to attract retail businesses.

#### **DEDICATION OF NEW LANDFILL FACILITY**

Cleveland County is in the process of permitting and building a new landfill facility. The life expectancy for this new facility is sixty-five plus years. Sam Lockridge spoke on behalf of Denese Stallings, Health Director. Ms. Stallings felt that it would be appropriate to pay tribute to the first two individuals who served many years as Landfill Managers for Cleveland County and were instrumental in the establishment, development and continued success of the Solid Waste Management Program. Joseph "Lee" Self and James D. McNeilly, became the first employees of the Cleveland County Landfill on November 15, 1973. Mr. Self was the Landfill Supervisor until his retirement in December, 1982. At that time, his co-worker, James McNeilly assumed the responsibility of Landfill Supervisor and remained in that position until his retirement on November 30, 2000. As a tribute to the establishment and continued success of the Cleveland County Solid Waste Management Program, Ms. Stallings made a recommendation that the new Solid Waste Management Facility be named the "Self-McNeilly Solid

Waste Management Facility.” Mr. Lockridge also noted that the Cleveland County Solid Waste Management Program is self-sustaining. No taxpayer dollars will be used to construct this new facility.

**ACTION:** Eddie Holbrook made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to name the new solid waste management facility the”Self-McNeilly Solid Waste Management Facility.”*

**TAX DEPARTMENT: 2008 SCHEDULES, STANDARDS, AND RULES AND 2008 PRESENT USE SCHEDULES, STANDARDS AND RULES**

At the October 2, 2007 Commissioners meeting, a public hearing was held requesting comments regarding the 2008 Schedules, Standards and Rules for Market Value and 2008 Schedules, Standards and Rules for Present value (*reference minutes of October 2, 2007.*) No comments were made during the public hearing. At that time, Chris Green, Tax Administrator, informed Commissioners that General Statutes require seven days following the public hearing before schedules can be adopted. Mr. Green requested Commissioners adopt the 2008 Schedules, Standards and Rules for Market Value and for Present Use Value.

**ACTION:** Eddie Holbrook made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to adopt the 2008 Schedules, Standards and Rules for Market Value.*

**ACTION:** Eddie Holbrook made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to adopt the 2008 Schedules, Standards and Rules for Present Value.*

**TOWN OF LAWDALE SURPLUS PROPERTY PURCHASE (PARCEL #34976)**

County Attorney Bob Yelton explained that a \$3,100 bid to purchase Parcel #34976 has been received from the Town of Lawndale. In accordance with NCGS 160A-274, any governmental unit may, upon such terms and conditions as it deems wise, with or without consideration, exchange with, lease to, lease from, sell to, purchase from, or enter into agreements regarding the joint use by any other governmental unit of any interest in real or personal property that it may own. Cleveland County has spent \$3,066 on this property to date. Attorney Yelton suggested that Commissioners accept this bid, with the condition that the Town of Lawndale be responsible for recording fees, revenue stamps and deed preparation.

**ACTION:** Johnny Hutchins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to accept the Town of Lawndale bid of \$3,100, with the condition that the Town of Lawndale be responsible for recording fees, revenue stamps and deed preparation.*

## **COMMISSIONER REPORTS**

### **Johnny Hutchins**

Commissioner Hutchins attended the Fall Planning Conference. He shared the Chamber of Commerce concerns with the qualifications of the Cleveland County workforce.

### **Vice-Chair Eddie Holbrook**

Commissioner Holbrook spent time with the Sports Commission and attended the Earl Scruggs concert. He also visited Ultra Machine when they had an armed forces vehicle on site. He learned that 70% of the vehicle is manufactured in Cleveland County and there has never been an armed forces fatality in these vehicles since they have been manufactured.

### **Chairwoman Mary Accor**

Chairwoman Accor attended the Earl Scruggs concert. She will be presenting at the YMCA Diversity Conference and will be unavailable to attend the November 6<sup>th</sup> Board of Commissioners meeting. Chairwoman Accor also thanked Commissioner Hutchins for his work on the Cleveland 20/20 Board as the "Commissioner" representative.

## **ADJOURN**

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 adjourn the meeting. The next regular meeting of the Commissioners is scheduled for ***Tuesday, November 6, 2007 in the County Commission Chamber.***

---

*Mary S. Accor, Chairwoman  
Cleveland County Board of Commissioners*

---

*Kerri Melton, Clerk  
Cleveland County Board of Commissioners*