

CLEVELAND COUNTY BOARD OF COMMISSIONERS

February 17, 2009

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
Johnny Hutchins, Vice-Chairman
Eddie Holbrook, Commissioner
Ronald J. Hawkins, Commissioner
David C. Dear, County Manager
Bob Yelton, County Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Green, Tax Administrator
Chris Crepps, Finance Director
Carol Wilson, Library Director
Alexis Pearson, Human Resources Director
David Allen, *The Star*
Nicholas Bissette, *Cleveland Headline News*
Other individual names on file in the Clerk's Office

ABSENT: Mary Accor, Commissioner

CALL TO ORDER

Chairwoman Jo Boggs called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Chairwoman Boggs then provided the invocation.

AGENDA ADOPTION

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

- (L) **Health Department:** Budget Amendment (BNA #061)
- (10) **PURCHASE AND LEASE OF PROPERTY FOR CLEVELAND COUNTY LANDFILL**

CITIZENS RECOGNITION

No citizens came before the board.

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of *January 23, 2009 Joint meeting with the City of Shelby*, motion was made by Ronnie Hawkins, seconded by Eddie Holbrook 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 *January 2009* (copy found on Page _____ of Minute Book 31).

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *January 2009*. The monthly grand total of tax abatements was listed as (\$36,022.63); and, the monthly grand total for tax supplements was listed as \$28,006.34.

LIBRARY: BUDGET AMENDMENTS (BNA #053)

ACTION: Ronnie Hawkins 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>
010.611.4.310.00/45310-9611	Library/Federal Grants	\$15,000.	
010.611.5.490.00/45310-9611	Library/Professional Services	15,000.	

Explanation of Revisions: To budget a grant award from NC Department of Cultural Resources for the LSTA Planning Grant to develop a strategic plan for the library system. The local match of \$559 is budgeted within the donations accounts.

CLEVELAND COMMUNITY COLLEGE: BUDGET AMENDMENTS (BNA #054)

ACTION: Ronnie Hawkins 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>
010.604.4.350.00/CCPEG-9432	CCC/State Grants	\$25,000.	
010.604.4.410.00/CCPEG-9432	CCC/Local Grants	25,000.	
010.604.5.211.00/CCPEG-9432	CCC/Controlled Equip	25,074.	
010.604.5.910.00/CCPEG-9432	CCC/Capital Equipment	24,926.	

Explanation of Revisions: To budget grant award from NC Rural Economic Development Center for the purchase of PEG Channel capital equipment. Cleveland Community College (CCC) provides programming for Channel 19. A local match is required by the grantor. Cleveland Community College will reimburse the match of \$25,000.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #055)

ACTION: Ronnie Hawkins 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>
012.546.4.660.37/02200-5120	Carolina Access/Medicaid	\$65,834.	
012.546.5.121.00/02200-5120	Carolina Access/Salary-Regular	14,623.	
012.546.5.131.00/02200-5120	Carolina Access/Social Security	907.	
012.546.5.133.00/02200-5120	Carolina Access/Hospitalization Ins.	1,440.	
012.546.5.134.00/02200-5120	Carolina Access/Dental Ins.	52.	
012.546.5.136.00/02200-5120	Carolina Access/Medicare Ins.	212.	
012.546.5.490.00/02200-5120	Carolina Access/Professional Services	48,600.	

Explanation of Revisions: Budget Carolina Access funds to be generated for increase generated from Aged, Blind and Disabled allocation for a PHN I position (2/15/2009-6/30/2009) and for central support fees.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #056)

ACTION: Ronnie Hawkins 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>
012.546.4.310.00/93790-6043	Carolina Access/State Gov't Grants	\$70,000.	
012.546.5.490.00/93790-6043	Carolina Access/Professional Services	70,000.	
012.546.4.350.00/01120-9546	Carolina Access/State Gov't Grants	14,840.	

012.546.5.490.00/01120-9546 Carolina Access/Professional Services 14,840.
Explanation of Revisions: Budget Emergency Room Diversion Grant funds. Will contract with CLECO (Shelby & KM Offices) to do project- goal is to decrease improper use of the emergency room.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #057)

ACTION: Ronnie Hawkins 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>
012.530.4.410.00	General/State Gov't Grants	\$77,000.	
012.530.5.210.00	General/Dept. Supplies	760.	
012.530.5.211.00	General/Controlled Prop. Exp.	38,784.	
012.530.5.213.00	General/Office Supplies	7,490.	
012.530.5.490.00	General/Prof. Services	29,966.	

Explanation of Revisions: Budget Kate B. Reynolds funds for purchase of four digital menu boards and education/evaluation of nutritional education program in schools. Note: Project will not be completed until next FY.

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #058)

ACTION: Ronnie Hawkins 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>
012.540.4.310.00/10557-5403	WIC/Federal Grants	\$ 6,426.	
012.540.4.310.00/10557-5404	WIC/Federal Grants	1,606.	
012.540.5.210.00	WIC/Departmental Supplies	2,386.	
012.540.5.211.00	WIC/Controlled Property	5,646.	

Explanation of Revisions: Budget additional WIC funds for six replacement computers, a storage cabinet and other departmental supplies.

TAX DEPARTMENT: ADVERTISE OF TAX LIENS ON REAL PROPERTY

Per NCGS 105-369, uncollected taxes for the current year that are a lien on real property must be advertised in a newspaper having general circulation in the taxing unit. Upon receipt of the Tax Collector's report in February, the governing body must order the Tax Collector to advertise tax liens.

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to authorize the tax collector to, on or about March 23, 2009, advertise tax liens on real property that remain unpaid as of March 7, 2009.*

CRIMINAL JUSTICE PARTNERSHIP PROGRAM: GRANT BUDGET

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to approve the Continuation Grant for the Cleveland County CJPP Resource Center in the amount of \$106,196.00 (copy found on Page _____ of Minute Book 31).*

HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #061)

ACTION: Ronnie Hawkins 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>
012.544.4.350.00/01120-1544	General/State Gov't Grants	\$59,890.	

012.544.5.211.00	General/Controlled Prop. Exp	27,633.	
012.544.5.211.00	General/Controlled Prop. Exp.		\$1,000.
012.544.5.211.00	General/Controlled Prop. Exp.		2,364.
012.544.5.230.00	General/Medical Supplies	3,761.	
012.544.5.910.00	General/Capital Equip	31,860.	

Explanation of Revisions: Budget small capital grant for dental equipment and to budget the rebates and free hand pieces received from vendor. Funds must be spent by 5/31/2009.

SPECIAL RECOGNITION

SASSY SCISSORS 4-H CLUB

Ashley Lee, 4-H Youth Development Extension Agent, introduced the Sassy Scissors Sewing Club to make a presentation on a Community Service Project. The Sassy Scissors Club makes bears to keep in Cleveland County Emergency Personnel vehicles. The bears are used by Emergency Personnel to interact with children who are scared if their house burns down or are in a bad situation. Commissioners presented Jonie Stumbo, McKenzie Winthrop and Alexandra Wright with the following Certificate of Recognition:

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

FOR BEING A MEMBER OF "SASSY SCISSORS 4-H CLUB" ~ FOR TAKING THE TIME TO SEARCH FOR DONATIONS TO PURCHASE MATERIALS~ FOR TAKING THE TIME TO MAKE FLAT BEARS FOR THE POLICE AND FIREFIGHTERS IN CLEVELAND COUNTY TO GIVE TO SCARED CHILDREN ~ FOR HELPING TO EASE THE FEARS OF THESE CHILDREN ~ YOU TRULY MAKE A DIFFERENCE!

Presented this the 17th day of February 2009.

PUBLIC HEARINGS

JAIL ANNEX ADDITION FINANCING

At their October 21, 2008 Regular meeting, Commissioners held a public hearing to approve submittal of an application to the Local Government Commission (LGC) for \$6,000,000 to be used for construction of the proposed Jail Annex Expansion. Upon completion of the bid process, it was discovered that additional funds would be required to complete this project. Chris Crepps, Finance Director presented a request to submit an application for \$6,720,000 to the Local Government Commission for financing of this important project. Mr. Crepps also presented financing documents for approval. He recommended that Commissioners adopt a resolution to approve financing through BB&T at a rate of 3.57% for 15 years.

Chairwoman Boggs opened the public hearing (at 6:30 p.m.). (Public notice of this hearing was accomplished in accordance with the mandates of North Carolina General Statutes, with a legal advertisement published in the *Star* on February 7, 2009.) Chairwoman Boggs closed the public hearing (at 6:31 p.m.).

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to approve the submittal, by resolution, of an application to the North Carolina Local Government Commission for financing of the proposed Jail Annex Addition (copy of resolution found on Page _____ of Minute Book 31) and approve the financing, by resolution, through BB&T for 15 years at a rate of 3.57% (copy of resolution found on Page _____ of Minute Book 31).*

REGULAR AGENDA

JAIL ANNEX ADDITION

Throughout the design of the Jail Annex Addition Project, Architect Roger Holland worked closely with Jail staff to meet all of the needs of the county. Following completion of the design, on January 29, 2009 bids were opened for the Jail Annex Addition. Due to the economic climate, now was a very good time to bid this project. Mr. Holland stated, "I am very pleased with the results of the bids." Mr. Holland presented a tabulation of bids to Commissioners (*copy found on Page _____ of Minute Book 31*) and recommended that Commissioners award the bid to Wilkie Construction for:

Base Bid	\$6,446,132.	
Alt. #P-1	96,530.	Toilet Flushing Control
Alt. #M-1	85,838.	Central Control of HVAC
TOTAL PROJECT COST	\$6,628,500.	

Mr. Holland explained that, the base bid includes the re-roofing of the existing jail and several other necessary improvements to the existing facility. Commissioner Hawkins asked several questions which were answered by the architect including, "Where all those involved in the jail included in the planning process?" Mr. Holland met with staff, jailers and Judge Larry Wilson to ensure that all needs and concerns were addressed. Commissioner Hawkins also asked about the technology and the experience of construction firm. The jail addition includes the latest in detention technology. The Base Bid also included placing the up to date control panels in the existing jail facility. Holland and Hamrick Architects has worked with the contractor in the past and had good success. The company has been in existence for a long time.

Commissioner Hutchins explained that currently, due to overcrowding, the county is spending a large amount of money transferring inmates to surrounding counties. County Manager, David Dear explained that upon completion of the project, there will be 240 beds available at the annex and 84 beds available at the jail located in the Courthouse.

The project will take between 16 and 17 months to complete.

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to award the bid to Wilkie Construction for a total of \$6,628,500.00 (inclusive of Base Bid, Alt P-1 and Alt M-1).*

CLEVELAND MEMORIAL LIBRARY ANNUAL REPORT

Cleveland County Memorial Library received a \$15,000 grant to complete a Strategic Plan. Carol Wilson, Library Director introduced Dr. Robert Burgin, the consultant who will be working on the plan. Mr. Burgin explained that he will be working with members of the community and the Library staff to focus effort on how to ensure that the Library is getting “the biggest bang for their buck” when it comes to spending. Ms. Wilson then showed a PowerPoint presentation detailing the accomplishments of the Cleveland Memorial Library over the past year (*a copy of which is found on Pages _____ of Minute Book 31*).

CLEVELAND CORRECTIONAL CENTER

The Department of Correction has included closing the Cleveland Correctional Center along with six other prisons as possible budget reduction options for Governor Purdue to consider as the state faces a budget shortfall for FY 2009-2011. Commissioner Holbrook stressed the importance of this facility for reasons including the fact that through the Community College Comprehensive Education Program, inmates are given a better chance to become successful in their communities upon release.

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to adopt the following resolution in support of the Cleveland Correctional Center;*

NUMBER 06-2009

RESOLUTION IN SUPPORT OF CLEVELAND CORRECTIONAL CENTER

WHEREAS, Cleveland Correctional Center has been identified, due to budget cuts, for possible closure; and

WHEREAS, Cleveland Correctional Center is a viable, sound institution in Cleveland County; and

WHEREAS, Cleveland Correctional Center operates the Comprehensive Education Program (CEP), a specialized curriculum based vocational training program through Cleveland Community College. Since its inception in 1979, approximately 2200 inmates have graduated from this program. Many of the participants have used this program and the skills learned to become successful within their own communities; and

WHEREAS, Cleveland Correctional Center and its educational program has served, in numerous ways, as a model for our state, and perhaps even as a model for our nation; and

WHEREAS, the closing of the Cleveland Correctional Center would mean the loss of the litter crew that picks up trash along the highways and two community work crews that provide free labor for government agencies and schools; and

WHEREAS, in December, Cleveland County had an unemployment rate of 12%; and

WHEREAS, the proposed closing of the Cleveland Correctional Center will result in the loss of fifty (50) full-time Department of Correction employees plus four (4) full-time faculty members from Cleveland Community College;

NOW, THEREFORE, BE IT RESOLVED, that the Cleveland County Board of Commissioners strongly supports the prison facility in its current capacity and the educational programs offered in conjunction with Cleveland Community College.

BE IT FURTHER RESOLVED, that the Cleveland County Board of Commissioners recommends expansion at the Cleveland Correctional Center to make it more cost effective and help meet the prison population projection needs for additional capacity.

Adopted this 17th day of February, 2009

BOARD APPOINTMENT- CLEVELAND COUNTY BOARD OF ADJUSTMENT

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *appoint Vallery McCoy as a member of the board fill to the vacancy left by Joseph Bieker*, for a period of three-years, scheduled to conclude December 31, 2011.

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to *appoint Dobbins Lattimore to serve as an alternate member of the board.*

There is no term length for alternate members of the Board of Adjustment.

LANDFILL PROPERTY ACQUISITION

County Attorney Robert Yelton explained that he, along with the Health Department staff, has been working on acquiring a 10 acre parcel near the Landfill. The negotiated price for this purchase is \$195,000. The property is currently owned by International Paper Company. This property would serve as a buffer for the recently constructed landfill. Funds for this purchase will come from the landfill reserve fund. Mr. Yelton also recommended that Commissioners lease the property back to International Paper Company for \$1 per year. This lease would have a 10 year term with the option to extend for an additional 10 years.

Commissioner Hawkins, who is also a member of the Cleveland County Health Board noted, "Staff is doing a great job keeping a buffer around the landfill."

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to authorize Chairwoman Jo Boggs to sign the contract to purchase approximately 10 acres for \$195,000 from International Paper Company and then execute a lease agreement to lease the property back to International Paper Company. Lease terms would be ten years at \$1.00 per year with an option to extend the lease for an additional 10 years.*

COMMISSIONER REPORTS

Commissioner Hawkins spoke regarding puppy mills in Wayne County and his efforts to pass legislation banning puppy mills. He explained that he may come back before Cleveland County Commissioners for help supporting his efforts. He also discussed proposed legislation regarding single shot euthanasia. Many counties are already using this procedure. He explained that he thought it may cost additional county dollars but did not believe that it would be as much as people may think.

Commissioner Holbrook praised the hours being spent on economic development efforts stating that they have received numerous hits even in this economic climate. He gave special thanks to David Dear for his efforts in Economic Development. In the last year, there have been thirty small businesses opened in Cleveland County.

Commissioner Hutchins attended a Transportation meeting where they discussed the present and future Transportation needs in Cleveland County. A major goal of this group is to push the Highway 74 bypass. Residents will be receiving surveys regarding this Transportation Program. Commissioner Hutchins encouraged those who receive one to fill it out.

ADJOURN

There being no further business to come before the Board at this time, Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to adjourn the meeting. The next regular meeting of the Commissioners is scheduled for ***Tuesday, March 3, 2009 at 6:00 p.m.*** in this Commission Chamber.

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

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