

CLEVELAND COUNTY BOARD OF COMMISSIONERS

May 19, 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 Administration Office.

PRESENT: Jo Boggs, Chairwoman
Johnny Hutchins, Vice-Chairman
Mary S. Accor, Commissioner
Ronald J. Hawkins, Commissioner
Eddie Holbrook, 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
Chris Crepps, Finance Director
Bill McCarter, Planning Director
Denese Stallings, Health Director
Alexis Pearson, Human Resource Director
Nicholas Bissette, *Cleveland Headline News*
David Allen, *The Star*
Other individual names on file in the Clerk's Office

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. Commissioner Mary Accor 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 additions:***

5a. RESOLUTION OPPOSING THE "PUBLIC HEALTH IMPROVEMENT PLAN" AS CONTAINED IN SENATE BILL 202

CONSENT AGENDA

TAX COLLECTOR'S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during ***April 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 ***April 2009***. The monthly grand total of tax abatements was listed as (\$13,197.18); and, the monthly grand total for tax supplements was listed as \$26,982.99.

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of ***May 5, 2009***, motion was made by Ronnie Hawkins, seconded by Mary Accor, and unanimously adopted by the Board, ***to approve the minutes as written.***

TACC: BUDGET AMENDMENT (BNA #085)

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the following budget amendment:*

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.432.4.350.00/08300-P432	Pass Thru Grants/State Grants	\$14,328.	
010.432.5.700.00	Pass Thru Grants/Grants	14,328.	
011.508.4.350.00/08300-P432	Public Assist/State Grants	2,566.	
011.508.5.420.00	Public Assist/Contract Services	2,566.	

Explanation of Revisions: *To budget additional funding from State of NC Dept. of Transportation for EDTAP, RGP and Employment Reimbursement to assistance with transportation services in Cleveland County.*

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #086)

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the following budget amendment:*

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.410.4.991.00	General/Fd Bal Appropriated	\$208,923.	
010.981.5.890.00	Fund Transfers/Interfund Transfers	208,923.	
040.222.4.980.10	Cap Proj COB Renov/Contrib from PrimFd	208,923.	
040.222.5.991.00	Cap Proj COB Renov/Const. in Progress	208,923.	

Explanation of Revisions: *to budget funds to cover the COB renovations.*

NUMBER 7 VFD 2009/2010 BUDGET

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the following Number 7 Volunteer Fire Department 2009/2010 budget as presented (copy found on Page _____ of Minute Book 31).*

2009/2010 BUDGET

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to schedule a public hearing for June 2, 2009.*

CITIZEN RECOGNITION

INTRODUCTION OF GIBSON THEATRE EXECUTIVE DIRECTOR

John Schweppe, co-chair of the Don Gibson Theatre Committee and member of Destination Cleveland County introduced David Jenkins. Mr. Jenkins will serve as the Executive Director of the Don Gibson Theatre. Mr. Jenkins stated, "Do not look at this project as only an arts project, it is much broader. Consider this project an economic development project." Mr. Jenkins promised that this will be very positive and will involve everyone in the community.

ACADEMIC EXCELLENCE AWARDS

Commissioner Eddie Holbrook introduced Shannon Kennedy, Executive Vice President of Cleveland Community College, to introduce the NC Community Colleges Academic Excellence Award recipients. Ms. Kennedy explained that this award is given to two students at each of the 58 community colleges across North Carolina. The college chooses the recipients based on academic achievement as well as community service and

leadership activities. The two recipients were Wendy Craig and Cole Kepner. Wendy Craig was unable to attend the meeting. Commissioners presented each recipient with a certificate of recognition. The certificates read as follows:

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

PRESENTED TO

WENDY CRAIG

IN RECOGNITION OF RECEIPT OF THE NORTH CAROLINA COMMUNITY COLLEGES ACADEMIC EXCELLENCE AWARD~ A DISTINGUISHED AWARD GIVEN TO ONLY TWO STUDENTS AT CLEVELAND COMMUNITY COLLEGE BASED ON ACADEMIC ACCOMPLISHMENTS AND LEADERSHIP ABILITY ~ FOR FOLLOWING YOUR HEART AND PURSUING YOUR DREAMS OF BECOMING A MEMBER OF THE FIRE SERVICE PROFESSION ~ WE COMMEND YOU AND WISH YOU SUCCESS

Presented this the 19th day of May 2009.

And

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

PRESENTED TO

COLE KEPNER

IN RECOGNITION OF RECEIPT OF THE NORTH CAROLINA COMMUNITY COLLEGES ACADEMIC EXCELLENCE AWARD~ A DISTINGUISHED AWARD GIVEN TO ONLY TWO STUDENTS AT CLEVELAND COMMUNITY COLLEGE BASED ON ACADEMIC ACCOMPLISHMENTS AND LEADERSHIP ABILITY ~ FOR BALANCING SCHOOL AND A FULL TIME JOB AND BELIEVING IN THE IMPORTANCE OF HIGHER EDUCATION ~ WE COMMEND YOU AND WISH YOU SUCCESS

Presented this the 19th day of May 2009.

REGULAR AGENDA

RESOLUTION OPPOSING THE "PUBLIC HEALTH IMPROVEMENT PLAN" AS CONTAINED IN SENATE BILL 202

Denese Stallings, Health Director appeared on behalf of the Board of Health to ask Commissioners to adopt a resolution opposing Senate Bill 202. Ms. Stalling explained that this bill, which has been approved by the Senate and now being discussed in the House, was written to "improve public health." There have been no discussions with Public Health professionals regarding this proposed bill. Ms. Stallings compared this to the restructuring of the Mental Health System several years ago and believes that the "fear of the unknown" could have a negative affect on patient care.

Commissioner Hawkins voiced his opinion saying that the State is trying to regionalize Health Departments. He supports the Cleveland County Health Department and the efforts of Ms. Stallings and believes that

Commissioners do not need to support regionalization at all. “We have a great Health Department that runs efficiently” he said.

Commissioner Hutchins added, “Anytime the state is taking money back, there is more than meets the eye.”

Commissioner Accor had a chance to discuss this legislation with Secretary of Public Health and Human Services Lanier Cansler. A copy was also given to NCACC Attorney Jim Blackburn for review. Commissioners advised the Clerk to send a copy of the signed resolution to our local Legislators and Secretary Cansler.

ACTION: Ronnie Hawkins made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to adopt the following resolution:*

Number 17-2009

OPPOSING THE “PUBLIC HEALTH IMPROVEMENT PLAN” AS
CONTAINED IN SENATE BILL 202

Whereas, **Section 10.26 of Senate Bill 202 contains a provision entitled “Public Health Improvement Plan”, and**

Whereas, **the Public Health Improvement Plan was proposed with no input from local government officials or local and State public health professionals, and**

Whereas, **the plan sets out an unreasonable timeline for such reform of the current public health system, and**

Whereas, **the plan calls for no additional public health funding, rather a redistribution of the existing, insufficient funds with no defined distribution formulas, and**

Whereas, **the plan calls for the creation of a Public Health Improvement Plan Task Force which is a duplication of the existing Public Health Task Force, and**

Whereas, **many Western North Carolina counties are in the process of rebuilding the Mental Health infrastructure requiring greater contributions of local funds, and**

Whereas, **the same Western North Carolina counties can ill afford alteration of the public health infrastructure requiring greater local funding to provide core public health services, and**

Now Therefore Be It Resolved, **that the Cleveland County Board of Commissioners is opposed to Section 10.26 of Senate Bill 202 or any other budget provision entitled “Public Health Improvement Plan” and stands opposed to any efforts to reform public health absent appropriate planning and input from local government officials and local public health professionals.**

Adopted, this 19th day of May 2009.

TAX FORECLOSURE PROPERTIES

Tax Administrator, Chris Green presented three properties for approval of sale. Said properties were obtained through tax foreclosure several years ago. Bids were received through the sealed bid process and have met all of the Tax Foreclosure Property Guidelines approved by Commissioners at their December 2, 2008 meeting. Sale was properly advertised by the County Clerk. Mr. Green recommended the sale of the following properties:

Parcel ID #	High Bidder	Bid Amount
12692	William Shirley	\$ 200.00
7341	Mt. Zion Missionary Baptist Church	\$1,066.27
7936	Mt. Zion Missionary Baptist Church	\$ 552.52

Commissioners voted on the sale of each parcel by a separate motion.

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve sale of Parcel #12692 to William Shirley for \$200.*

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to approve sale of Parcel #7341 to Mt. Zion Missionary Baptist Church for \$1,066.27.*

ACTION: Eddie Holbrook made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to approve sale of Parcel #7936 to Mt. Zion Missionary Baptist Church for \$552.52.*

TOWNSHIP LINES

At their May 5, 2009 meeting, Commissioners tabled an item regarding Township Lines. Bill McCarter Planning Director again explained that this change was recommended due to the fact that township lines are arbitrary lines with an imaginary boundary and no legal description. The abolishment of these lines would ease confusion with the Census Bureau and the State Board of Elections.

ACTION: Johnny Hutchins made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to adopt the following resolution:*

Number 15-2009

Resolution To Abolish Township Lines

Whereas, the Cleveland County Board of Commissioners have been given the authority to establish or abolish township boundaries, amend boundaries, and prescribe names, under NCGS 153A-19, and

Whereas, Cleveland County has eleven geographical areas called townships, and

Whereas, these township boundaries have no written description, and

Whereas, each year the Chief Elected Official is required to report township boundary changes to the United States Bureau of the Census in the Boundary and Annexation Survey, and

Whereas, these inaccurate boundary lines create confusion when used by other agencies as an administrative boundary, and

Now Therefore Be It Resolved, that the Cleveland County Board of Commissioners hereby abolish each of the eleven townships and their respective boundaries.

Adopted and this 19th day of May 2009.

CENTRAL UNITED METHODIST CHURCH PROPERTY PURCHASE

For approximately one year County Manager David Dear and Central United Methodist Church have been negotiating the sale of the Scout Hut located behind Griffin Brother Tires. The property is adjacent to the County Administration Building parking lot. County Attorney Bob Yelton, presented a deed for purchase of the property. The agreed cost of the property is \$36,000. Mr. Yelton noted that he has not been involved in the negotiations since he is a member of Central United Methodist Church.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the purchase of the Scout Hut from Central United Methodist Church at a cost of \$36,000.*

COMMISSIONER REPORTS

Commissioner Accor reminded Commissioners that she will be in New York City for training next week.

Commissioner Hawkins wanted to make Commissioners aware of several things including:

- There will be a ribbon cutting at the new Communities in Schools office on Thursday, May 21st.
- The General Assembly has decided not to do anything regarding puppy mills or euthanasia of animals. Commissioner Hawkins will continue to lobby for change.

- Commissioner Hawkins visited the Cleveland County Early College High School and was very complimentary of the staff.
- Commissioner Hawkins asked County Manager David Dear and County Attorney Bob Yelton to look into one-stop voting during the recent Kings Mountain election.
- He asked the question, "Since homes in the area are selling for lower than the tax value, what effect will this have on our tax base?"

Commissioner Holbrook suggested that Commissioners invite Dr. Ware, Principal of the Early College High School to attend a Commissioners meeting and share information about their first year. Economic Development is still working on several projects. He asked Commissioners and citizens to be aware of a particular bill regarding a computer company that could have an impact on Cleveland County. Mr. Holbrook did not state the bill number.

ACTION: Johnny Hutchins made the motion, **to adjourn.** Commissioner Hutchins immediately withdrew his motion.

Chairwoman Jo Boggs mentioned the possibility of canceling the July 7th regular County Commissioners meeting to observe the July 4th holiday.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, ***to cancel the July 7th regular County Commissioners meeting.***

ADJOURN

There being no further business 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 (*at 7:00 p.m.*). The next regular meeting of the Commission is scheduled for ***Tuesday, June 2, 2009 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*