

CLEVELAND COUNTY BOARD OF COMMISSIONERS

July 21, 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
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
Alexis Pearson, Human Resources Director
Chris Crepps, Finance Director
Nicholas Bissette, *Cleveland Headline News*
David Allen, *Shelby Star*
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairwoman Boggs called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Jason Allen of New Bethel Baptist Church in Lawndale provided the invocation.

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:*

4A) RESOLUTION IN APPRECIATION OF CONTRIBUTIONS OF JOHN HENRY MOSS

4B) RESOLUTION IN APPRECIATION OF CONTRIBUTIONS OF REVEREND SAMUEL RAPER

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of **June 16, 2009**, motion was made by Mary Accor, 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 **June 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 *June 2009*. The monthly grand total of tax abatements was listed as (\$7,497.63); and, the monthly grand total for tax supplements was listed as \$2,624.85.

TAX ADMINISTRATION: ORDER TO COLLECT TAXES

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to approve the following Order to Collect Taxes.*

*State of North Carolina
County of Cleveland*

To Linda Wiggins, Tax Collector:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records for the year 2009, and all taxes outstanding for tax years 1999 through 2008, as filed in the office of the Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in Cleveland County and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, and to use or cause to be used, all remedies provided by law.

Adopted this the 21st day of July 2009.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #001)

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, 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>
012.533.4.810.00	Adult Health/Donations/Contrib	\$ 200.	
012.533.5.790.00	Adult Health/Donations/Contrib	200.	

Explanation of Revisions: Budget donation from Cleveland County Medical Auxiliary to pay for mammograms of indigent clients.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #002)

ACTION: Mary Accor 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>
012.537.4.350.00/93283-190X	Child Health/State Govt. Grants	\$2,000.	
012.537.5.490.00	Child Health/Professional Services	2,000.	

Explanation of Revisions: Budget from DHHS- for Enhancing Local Asthma Efforts. Will contract with Alliance for Health to complete project.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #003)

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, 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>
012.538.4.810.00	Maternal Health/Donations/Contrib	\$ 950.	

012.538.5.790.00 Maternal Health/Donations/Contrib 950.
Explanation of Revisions: Budget donation from Kings Mountain, Boiling Springs and Shelby Rotary Clubs for Maternal Health Infant Mortality Project.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #004)

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, 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>
012.548.4.540.00	CODAP/Contracted Revenue	\$9,663.	
012.548.5.213.00	CODAP/Office Supplies	500.	
012.548.5.311.00	CODAP/Education Expense	2,163.	
012.548.5.490.00	CODAP/Professional Services	1,000.	
012.548.5.581.00	CODAP/Awards/Appreciation	6,000.	
012.548.4.540.00	CODAP/Contracted Revenue	5,000.	
012.548.5.311.00	CODAP/Education Expense	2,500.	
012.548.5.581.00	CODAP/Awards/Appreciation	2,500.	

Explanation of Revisions: Budget funds from Cleveland County Schools for operating of Abstinence Until Marriage Education Prevention and Substance Abuse educational activities, 2) budget funds from Pathways for Weed and Seed Program activities.

CLEVELAND COUNTY/CITY OF KINGS MOUNTAIN ANIMAL CONTROL SERVICES

AGREEMENT

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and
unanimously adopted by the Board, *to approve the animal control agreement between Cleveland County and the City of Kings Mountain (copy found on Page _____ of Minute Book 31.)*

SPECIAL RECOGNITION

COLT MCGINNIS- 2009 Skills USA Competition

Commissioners presented Colt McGinnis of Kings Mountain with a Certificate of Recognition for his participation in the SkillsUSA Welding Competition. The certificate read as follows:

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

PRESENTED TO

COLT MCGINNIS

**FOR PARTICIPATING IN THE NORTH CAROLINA SkillsUSA WELDING
COMPETITION ~ FOR EMERGING AS THE WINNER OF THE STATE
COMPETITION ~ FOR BEING A HIGH SCHOOL STUDENT COMPETING ON
THE COLLEGE LEVEL ~ FOR BEING THE FIRST CLEVELAND COMMUNITY
COLLEGE STUDENT TO WIN AT THE STATE LEVEL ~ FOR HAVING THE
OPPORTUNITY TO REPRESENT CLEVELAND COUNTY SCHOOLS AND THE
STATE OF NORTH CAROLINA IN THE NATIONAL SkillsUSA COMPETITION
HELD IN KANSAS CITY ~ WE COMMEND YOU!**

Presented this the 21st day of July 2009.

RESOLUTION IN APPRECIATION OF CONTRIBUTIONS OF JOHN HENRY MOSS

On July 1, 2009, John Henry Moss, former Mayor of Kings Mountain passed away.

Commissioner Ronnie Hawkins read a resolution in appreciation of the contributions of Mayor Moss.

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to adopt the resolution as follows:*

Number 20-2009

**IN APPRECIATION OF CONTRIBUTIONS TO CLEVELAND COUNTY
JOHN HENRY MOSS**

WHEREAS, the late John Henry Moss was a distinctive political figure in Cleveland County and a baseball legend throughout the nation; and

WHEREAS, the accomplishments and achievements of John Henry Moss deserve recognition and commendation; and

WHEREAS, he was first elected Mayor of Kings Mountain in 1965 and served as Mayor until 1988. He earned the admiration and high regard of those with whom he came into contact with and his fellow public servants; and

WHEREAS, he led the drive to establish and manage the development of a reservoir for the City of Kings Mountain. He was honored by the naming of Moss Lake in 1974; and

WHEREAS, during his long and productive lifetime, John Henry Moss not only served his local community. Nationally, he is known as the father of the Minor League Baseball System; and

WHEREAS, he founded the Western Carolina league, then later the Southern Atlantic League organization, where he served as President. He retired in December 2008, 50 years after forming the Western Carolina League; and

WHEREAS, John Henry Moss was named King of Baseball at the Minor League Baseball winter meeting in Los Angeles in 1990 and was inducted into the North Carolina Sports Hall of Fame in 2004; and

WHEREAS, he was President and co-founder of the Cleveland County Sports Commission; an organization dedicated to developing the sports industry in Cleveland County; and

WHEREAS, in March 2009, Gardner-Webb University announced that they will name their new baseball complex in honor of John Henry Moss;

NOW, THEREFORE, WE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS, hereby express our sincere appreciation and deep gratitude for the dedication and distinguished service of John Henry Moss to the citizens of Kings Mountain, Cleveland County and the baseball community.

ADOPTED THIS THE 21st DAY OF JULY 2009.

**RESOLUTION IN APPRECIATION OF CONTRIBUTIONS OF REVEREND SAMUEL
RAPER**

On July 16, 2009, Reverend Samuel Raper, former Shelby City Council member and community leader passed away. Commissioner Eddie Holbrook read a resolution in appreciation of the contributions of Reverend Raper.

ACTION: Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, *to adopt the resolution as follows:*

Number 21-2009

**IN APPRECIATION OF CONTRIBUTIONS TO CLEVELAND COUNTY
REVEREND SAMUEL RAPER**

WHEREAS, the late Reverend Samuel Raper has been a powerful influence for positive change in the community; and

WHEREAS, his dedicated service to the community deserves special recognition; and

WHEREAS, after leaving Cleveland County for several years, Reverend Raper returned to Cleveland County in 1967, answering a call from Mount Calvary Baptist Church in Shelby where he served for thirty five years retiring at the age of 91; and

WHEREAS, following the death of Mayor Hubert Plaster, Reverend Raper was chosen by City Council to be the first minority to serve on the Shelby City Council where he continued to serve for twenty five years; and

WHEREAS, before, during and after his 25 years on City Council, Reverend Raper was a leader in improving race relations and improving opportunities for the citizens of Shelby and the levels of services they received; and

WHEREAS, during his tenure on the City Council, Reverend Raper along with his good friend and former Mayor Les Roark, founded the Raper-Roark Trust Fund to benefit Uptown Shelby through appearance and beautification projects in the historic center of Shelby and Cleveland County; and

WHEREAS, Reverend Raper once stated, "All that we can take with us when we go, is what we leave behind"; and

WHEREAS, Reverend Raper lived by those words leaving a legacy where the City of Shelby will benefit greatly from what Reverend Raper has "left behind";

NOW, THEREFORE, WE, THE CLEVELAND COUNTY BOARD OF COMMISSIONERS, hereby express our sincere appreciation and deep gratitude for the dedication and distinguished service of Reverend Samuel Raper to the citizens of City of Shelby and Cleveland County.

PUBLIC HEARINGS

ECONOMIC DEVELOPMENT; BALDOR ELECTRIC COMPANY

Kristin Fletcher, Executive Vice-President of Economic Development, presented an incentive grant contract to the Commissioners. Baldor Electric Company will be expanding their operations in Cleveland County. The company is currently located at 101 Reliance Road, Kings Mountain. Ms. Fletcher shared the details of the agreement some of which included:

- **\$11,499,000 Investment**
- **114 new permanent full time jobs**
- **Meet or exceed counties average manufacturing wage**

Chairwoman Boggs opened the public hearing at 6:25 p.m. (*public notice was accomplished in accordance with the mandates of NCGS 158-7.1, with an advertisement published in The Star on July 9, 2009*)

Hearing no comments, Chairwoman Boggs closed the public hearing at 6:25 p.m.

ACTION: Eddie Holbrook made the motion, seconded by Mary Accor, and unanimously adopted by the board, to ***approve the incentive contract for Baldor Electric Company*** (*copy found on Page _____ of Minute Book 31.*)

TRANSPORTATION ADMINISTRATION OF CLEVELAND COUNTY (TACC): RURAL OPERATING ASSISTANCE PROGRAM (ROAP) APPLICATION

For the past twelve or thirteen years, Tom Crider, TACC Director, has stood before Commissioners requesting approval of the ROAP application. This year TACC will be requesting a total of \$154,311. The application contains various programs including: Elderly & Disabled Transportation Assistance Program (EDTAP), Employment Transportation Assistance Program and Rural General Public (RGP). Last year, the application included supplemental funds to help with fuel costs and the need for to work transportation. This year, the TACC Board has decided not to request supplemental funds. TACC does not currently have the structure to monitor the funds.

The period of performance for Rural Operating Assistance Program funds is July 1, 2009 through June 30, 2010. The FY10 ROAP individual program totals are:

PROGRAM	TOTAL
EDTAP	\$68,022.00
EMP	\$18,735.00
RGP	\$67,554.00
TOTAL	\$154,311.00

Mr. Crider announced that TACC has received \$320,000 in Federal Stimulus Funds. This money will be used to purchase radios, a new software package, two new vans and will provide two years worth of operating costs.

Chairwoman Boggs declared the public hearing open at 6:30 p.m. Hearing no comments, Chairwoman Boggs closed the public hearing (*Notice of this hearing was accomplished in accordance with General Statutes, with a legal advertisement published in The Star.*)

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to approve the Rural Operating Assistance Program (ROAP) application as described by Mr. Crider.*

REGULAR AGENDA

2009 QUALIFIED SCHOOL CONSTRUCTION BONDS

Due to the economic downturn, the federal government has made available no-interest and low-interest loans (Qualified School Construction Bonds) to attract capital improvement projects for schools and other government buildings. The Cleveland County Schools will prepare applications for \$2,306,771.30 for 2009 and \$2,306,771.30 for 2010. These funds have been designated by the North Carolina Department of Public Instruction and will be used to purchase land and/or buildings for a new Shelby Middle School. At the appropriate time, County staff will request approval from the Local Government Commission to sell the bonds as a means of borrowing at either a zero or a low interest rate. County staff will return for approval to sell such bonds.

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins and unanimously adopted by the Board, *to approval submittal of the Qualified School Construction Bonds applications.*

NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS: ANNUAL CONFERENCE VOTING DELEGATE SELECTION

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook and unanimously adopted by the Board, *to appoint Vice-Chairman Johnny Hutchins to serve as voting delegate at the 2009 Annual NCACC conference.*

TOWN OF BOILING SPRINGS PLANNING AND ZONING BOARD APPOINTMENT

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to re-appoint John Greene to serve as a member of this board*, for a term of three-years, scheduled to conclude on June 30, 2012.

CITY OF SHELBY ZONING BOARD OF ADJUSTMENT BOARD APPOINTMENT

ACTION: Mary Accor made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to re-appoint David Banks and Roger Holland to serve as members of this board and to re-appoint Paula Kunka to serve as an alternate member of this board*, for a term of three-years, scheduled to conclude on June 30, 2012.

CITY OF KINGS MOUNTAIN PLANNING AND ZONING BOARD APPOINTMENT

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to appoint Christy McCleary to serve as a member of this board*, for a term of three-years, scheduled to conclude on June 30, 2012.

RURAL PLANNING ORGANIZATION

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, *to appoint Eddie Holbrook to serve as an alternate member of the Rural Planning Organization.* This appointment is for a period of three-years, scheduled to conclude June 30, 2012.

COMMISSIONERS REPORTS

Ronnie Hawkins

The City of Shelby approved Hickory Construction for the new airport terminal project. They will break ground on August 15th. As an avid aviator, Commissioner Hawkins explained that Shelby has one of the top ten landing fields that he has been to. He explained that the conference center included in the terminal project will enhance economic development.

Commissioner Hawkins also attended the Senior Center Board meeting where they discussed the demand for “Meals on Wheels”. He asked Commissioners to consider options for helping with the demand for these meals. He then asked Commissioner to support the idea of him going to the Board of Health to request that a committee be set up to review the Animal Control Ordinance.

Eddie Holbrook

“The global economy is hopefully bottoming out. I understand the problems in Cleveland County. We all need to understand that incentive packages are part of the times. Basically, if you don’t participate, you are out of the game. Incentive packages have become more competitive and more outlandish.” Commissioner Holbrook recently attended a class taught by Holly Sweat. In this class he saw six figure income employees now displaced and having to work for minimum wage. “My number one concern is JOBS.” Commissioner Holbrook encouraged Commissioners, the County Manager and the Economic Development team to “think out of the box”. He noted that the Department of Commerce said, “You need to be proactive rather than reactive.” He stressed that Cleveland County needs to push to be more aggressive.

Commissioner Hawkins suggested that Commissioners hold a worksession to discuss how to be more proactive when it comes to Economic Development. Commissioner Hutchins suggested that someone from the Economic Development staff do a “scorecard” for those companies that did not choose Cleveland County.

Mary Accor

Commissioner Accor explained that the state is discussing large cuts by way of discreet funding forcing local government to make some very tough decisions. “I believe some decisions need to be made at the state level”, she said. She urged citizens and her fellow Commissioners to stay behind Legislators. “Sometimes being unheard means we agree.”

Johnny Hutchins

Commissioner Hutchins took a trip to Greenwood, SC with Sam Lockridge to look at a facility using Methane Gas and explained that the Health Department is moving forward with this.

ADJOURN

There being no further business to come before the Board at this time, Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to adjourn. The next regular meeting will be held *on Tuesday, August 4, 2009 at 6:00 p.m.* in this Commission Chamber.

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

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*