

CLEVELAND COUNTY BOARD OF COMMISSIONERS

November 1, 2011

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: Johnny Hutchins, Chairman
Ronnie Hawkins, Vice-Chairman
Mary S. Accor, Commissioner
Jason Falls, Commissioner
Eddie Holbrook, Commissioner
David C. Dear, County Manager
Robert Yelton, Attorney
Kerri Melton, Clerk to the Board
April Crotts, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Green, Tax Administrator
Chris Crepps, Finance Director
Bill McCarter, Planning Director
Graham Cawthon, *The Star*
Barry Ditz, *Cleveland Headline News*
Other individual names on file in the Clerk's Office

CALL TO ORDER

Chairman Johnny Hutchins called the meeting to order. Winners of the Troop Trefoil Award 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 and led the audience in a Moment of Silence to honor U.S. Army Sgt. Christopher Newman, a Crest High graduate who was recently killed in Afghanistan.

SPECIAL RECOGNITION

TROOP TREFOIL AWARD WINNERS

Commissioners recognized the following students with a certificate of recognition for receipt of the Troop Trefoil Award.

Ashley Popwell	Madison Hager
Sophia Hayes	Anna Queen
Christina Aderholdt	Emily White
Bailey Strickland	Erin White
Grace Ribadeneyra	Katherine Knight
Madison Tuttle	Mia Wright
Faith Cherka	Kori Still

The certificate read as follows:

CERTIFICATE OF RECOGNITION

FROM THE

CLEVELAND COUNTY BOARD OF COMMISSIONERS

IN RECOGNITION OF RECEIPT OF THE TROOP TREFOIL AWARD~ FOR BEING THE FIRST TROOP IN THE GASTON, LINCOLN, RUTHERFORD AND CLEVELAND COUNTY AREA TO RECEIVE THIS AWARD ~ CONGRATULATIONS ON THIS ACHIEVEMENT ~ MAY GIRL SCOUTS CONTINUE TO IMPACT YOUR LIFE - GIRL SCOUTING BUILDS GIRLS OF COURAGE, CONFIDENCE, AND CHARACTER, WHO MAKE THE WORLD A BETTER PLACE.

Presented this the 1st day of November 2011.

AGENDA ADOPTION

ACTION: Mary Accor made the motion, seconded by Jason Falls, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk.*

CONSENT AGENDA

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #014)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.438.4.310.00/16738-P438	Law Enforce Grants/Fed Gov Grants	\$ 2,989.	
010.438.5.210.00/16738-P438	Law Enforce Grants/Dept. Supply		2,989.

Explanation of Revisions: Request approval to budget 2011 Edward Byrne Mem. Justice Assistance Grant (JAG) that the Sheriff's office is sharing with the Shelby PD. Grant Award # 2011-DJ-BX-2765. The entire amount of the funding will be used to purchase ammunition for the department.

HOUSING REHAB: BUDGET AMENDMENT (BNA #015)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
029.493.4.310.00/14228-2167	Housing Rehab Grant/Federal Grants	\$400,000.	
029.493.5.490.00/14228-2167	Housing Rehab Grant/Professional Svs.		40,000.
029.493.5.529.00/14228-2167	Housing Rehab Grant/Housing Rehab Proj.	360,000.	

Explanation of Revisions: To budget the Community Development Block Grant for Housing Rehab from the Department of Commerce.

DETENTION: BUDGET AMENDMENT (BNA #016)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.444.4.310.00/16606-P444	Detention/Federal Grants	\$4,959.	
010.444.5.210.00	Detention/Dept. Supply		4,159.
010.444.5.490.00	Detention/Professional Svs.		800.

Explanation of Revisions: To budget grant award of the 2011 State Criminal Alien Assistance Program (SCAAP) from US department of Justice.

PUBLIC SAFETY GRANTS: BUDGET AMENDMENT (BNA #017)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.437.4.310.00/93889-PJ10	Public Safety/Federal Grants	\$5,000.	
010.437.5.210.00/93889-PJ10	Public Safety/Department Supply		2,599.
010.437.5.211.00/93889-PJ10	Public Safety/Controlled Equipment		2,401.

Explanation of Revisions: To budget funds from US DHHS to enhance regional preparedness.

PUBLIC SAFETY GRANTS: BUDGET AMENDMENT (BNA #018)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.437.4.310.00/93889-PJ07	Public Safety/Federal Grants	\$10,532.	
010.437.5.210.00/93889-PJ07	Public Safety/Dept. Supply	2,288.	
010.437.5.211.00/93889-PJ07	Public Safety/Controlled Equipment	2,644.	
010.437.5.910.00/93889-PJ07	Public Safety/Capital Equipment	5,100.	
010.437.5.350.00/93889-PJ07	Public Safety/Repairs of Equipment	500.	

Explanation of Revisions: To budget funds from US DHHS to enhance regional preparedness.

PUBLIC SAFETY GRANTS: BUDGET AMENDMENT (BNA #019)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.437.4.310.00/93889-PJ03	Public Safety/Federal Grants	\$15,000.	
010.437.5.210.00/93889-PJ03	Public Safety/Dept. Supply	15,000.	

Explanation of Revisions: To budget funds from US DHHS to assist Cleveland County to purchase patient assist, sanitary and facility items.

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #020)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
012.537.4.310.00/93283-190X	Child Health/Federal Grants	\$12,791.	
012.537.5.490.00	Child Health/Professional Services	12,791.	

Explanation of Revisions: Budget funds from DHHA (Enhancing Local Asthma Efforts funds) to continue to address issues related to asthma education and interventions – will contract with the Alliance for Health to carry out activities as required in agreement addenda.

PUBLIC SAFETY GRANTS: BUDGET AMENDMENT (BNA #021)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.437.4.310.00/97067-0119	Public Safety/Federal Grants	\$129,099.	
010.437.5.210.00/97067-0119	Public Safety/Dept. Supply	9,902.	
010.437.5.211.00/97067-0119	Public Safety/Controlled Equipment	29,587.	
010.437.5.321.00/97067-0119	Public Safety/Telecommunications	970.	
010.437.5.910.00/97067-0119	Public Safety/ Capital Equipment	88,640.	

Explanation of Revisions: To budget grant award from NC Division of Emergency Management through 2011 Homeland Security Program. These funds will be used to purchase all items necessary to provide a level III AHIMT trailer.

EMERGENCY MANAGEMENT: BUDGET AMENDMENT (BNA #022)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.445.4.310.00/97067-HSTG	Emergency Management/Federal Grants	\$ 1,857.	
010.445.5.310.00/97067-HSTG	Emergency Management/Training	1,857.	

Explanation of Revisions: To budget grant awarded from NC Department of Crime Control through 2011 Homeland Security Programs for Training and Exercise.

EMERGENCY MANAGEMENT: BUDGET AMENDMENT (BNA #023)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.445.4.310.00/97067-1445	Emergency Management/Federal Grants	\$125,527.	
010.445.5.910.00/97067-1445	Emergency Management/Capital Equipment		125,527.

Explanation of Revisions: To budget grant awarded from NC Department of Crime Control through 2011 Homeland Security Programs for the purchase of generator switches.

SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #024)

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, 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>
010.441.4.310.00/16607-P438	Sheriff/Fed Gov Grants	\$ 3,268.	
010.441.5.250.00/	Sheriff/Fed Gov Grants		3,268.

Explanation of Revisions: Request approval to budget funding received from the 2011 FY Bulletproof Vest Program from the US Dept. of Justice Programs/Bulletproof Vest Partnership/Body Armor Safety Initiative. Funding replaces 1/2 of purchase amount for 10 bulletproof vests.

ECONOMIC DEVELOPMENT: AMENDMENT TO B&W FIBERGLASS INCENTIVE

County Manager David Dear requested Commissioners approve two minor adjustments to the B & W incentive agreement which was approved on October 4, 2011. The purpose of these adjustments is to allow the local incentive agreement to line up with the State incentive agreements. The number of jobs will adjust from 25 to 15 and the total investment will adjust from \$2 Million to \$3.2Million.

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to approve the revised B&W Fiberglass incentive agreement (copy found on Page ____ of Minute Book ____).*

CITY OF SHELBY PROPERTY EXCHANGE

The City of Shelby has proposed to exchange a lot they own at the corner of Dekalb and Sumter Streets (Parcel ID# 17276) valued at \$39,773 for eleven lots (Parcel ID#'s 22526, 18732, 73459, 18682, 18638, 17291, 17449, 71972, 20597, 20622, 22535) that the county owns in areas of Shelby that are in need of urban renewal. These eleven lots have a total value of \$39,547. The City of Shelby will pay the legal fees for these transactions.

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to transfer to the City of Shelby, Parcel #'s 22526, 18732, 73459, 18682, 18638, 17291, 17449, 71972, 20597, 20622, 22535 in exchange for City of Shelby owned Parcel ID #17276.*

CHRIS CRAFT AGREEMENT AMENDMENT

County Manager David Dear presented Commissioners with a modified agreement regarding the Chris Craft incentives. This modified agreement will allow Chris Craft to shorten the term of their

incentive agreement with Cleveland County. Cleveland County will receive 10.77% more in return than was granted to Chris Craft in 2006 and allow Chris Craft to exit the incentive process five years early.

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to approve the modified Chris Craft Incentive agreement (copy found on Page ____ of Minute Book ____).*

REGULAR AGENDA

CLEVELAND COUNTY SPORTS COMMISSION

Denese Stallings, Chair of the Cleveland County Sports Commission worked with John Henry Moss and Willie McIntosh to establish the Sports Commission. Two years ago, the organization hired Jay Rhodes to recruit events to Cleveland County. She talked about Mr. Rhodes effectiveness in bringing sporting events to the county.

Ms. Stallings explained, in order to continue operation, the Sports Commission needs funding. Should funding not be secured, several events would need to be cancelled. The annual budget for the Sports Commission is \$48,000. The county is currently funding \$2,000 per month (\$24,000). They have met with the City of Kings Mountain, the Town of Boiling Springs and the City of Shelby. They have received a \$3,000 commitment from the City of Kings Mountain but have not received a commitment from Boiling Springs or the City of Shelby.

Ms. Stallings mentioned the possibility of earning funds from ticketed events, however there are none of these events scheduled until 2013. She introduced Jay Rhodes to give an update of events that have been held since he became Executive Director.

Mr. Rhodes thanked Commissioners for their financial support and encouragement over the last two years. In 2010, the Cleveland County Sports Commission hosted five events. Mr. Rhodes noted the economic impact of these events as \$340,972.42. In 2011, Mr. Rhodes saw a 28% increase in the economic impact (\$436,132.50).

The Sports Commission has the following events scheduled for 2012; Two Gunshows, Holiday Classic Basketball, 3 vs. 3 Soccer Event, All-American bowl, AJGA Golf Tournament and a Big Shots Basketball Event. They have also secured a baseball tournament for three-years beginning in 2013.

Mr. Rhodes explained if funding is not secured, the Sports Commission would have to talk to the groups who have scheduled these events and walk away. This could mean a loss for Cleveland County.

Commissioner Hawkins stated, "When the Sports Commission was first established, we understood the funding to be seed money and then the Commission would be stand-alone. The Commissioners need to consider if the money being brought in is worth what the Commissioners would be giving."

Commissioner Holbrook thanked Mr. Rhodes for the work he has done. He thought things could possibly be done from a creative standpoint. “It would be a shame if we can’t come up with a solution.”

Commissioner Hutchins was concerned with the fact that an \$800,000 economic impact only leads to approximately \$24,000 in sales tax dollars.

Commissioners Accor and Falls also spoke of the importance of sports and the good work of the Sports Commission.

CONSENSUS: It was the consensus of the board, *to have Chairman Hutchins and Commissioner Holbrook meet with representatives of the Sports Commission and come back before Commissioners at their November 15, 2011 regular meeting with a proposal.*

PATHWAYS INTENT TO MERGE

Rhett Melton, Pathways Executive Director thanked Commissioners for support of the proposed merger with Crossroads Behavioral Healthcare and Mental Health Partners. Last year, the State of North Carolina passed legislation requiring LME’s to merge and become larger. Pathways has been working over the past year to decide which partners would suit the needs of Pathway rather than letting the State decide who Pathways would merge with.

The merger will be effective July, 2012. Mr. Melton stated, “After working with these agencies, we are more than convinced that we picked the right partners.”

The three organizations will fold under Pathways and then re-brand under a new name. That name has yet to be determined. Several jobs would come out of the Raleigh back to our local area.

Commissioners were each presented with a copy of the Intent to Merge Agreement. The document explains the framework for the merger and who will lead the effort.

Commissioner Falls announced that Rhett Melton was unanimously chosen as the Executive Director for the merged agency. Commissioners congratulated Mr. Melton and praised him for the work he has done with Pathways.

Commissioner Falls also announced that Pathways Board member Kris Thompson was chosen to serve on the merger committee.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the Intent to Merge Agreement (copy found on Page ____ of Minute Book ____).*

SALE OF TAX FORECLOSURE PROPERTY- PARCEL ID #17429 AND PARCEL ID #57281

Tax Administrator, Chris Green presented Parcel #17429 and Parcel #57281 for approval of sale. Properties were obtained through tax foreclosure in 2010. 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 property as follows:

Parcel ID #	High Bidder	Bid Amount
17429	Richard Glover	\$8,000.00
57281	Grant & Crystal Koehn	\$2,125.00

ACTION: Jason Falls made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to approve sale of Parcel #17429 and Parcel #57281 as presented by Chris Green.*

MINIMUM HOUSING CODE ENFORCEMENT – MARTIN C. TURNER (105-1 KERN COURT)

Mr. McCarter advised a public hearing was held on January 27, 2011 regarding this case and the owner was allowed 30-days to demolish the dwelling. The order expired March 9, 2011. To date, no further action has been taken on the property. Mr. McCarter visited the property earlier that day and made note that the condition continues to worsen. Taxes have not been paid on the property in several years. Should the ordinance be adopted, the county will accept bids for any salvage materials in or about the dwelling and credit the proceeds against the costs of demolition. Following demolition, a lien will be placed against the property for all costs associated with demolition of the property.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the following ordinance authorizing the demolition of the dwelling.*

CLEVELAND COUNTY
NORTH CAROLINA

AN ORDINANCE AUTHORIZING THE CODE ENFORCEMENT OFFICER TO DEMOLISH A MOBILE HOME AT 105-1 KERN COURT

WHEREAS, pursuant to the provisions of Chapter 160A, Article 19, Part 6 of the North Carolina General Statutes, the dwelling located at 105-1 Kern Court, Cleveland County, North Carolina has been inspected and found to be unfit for human habitation and to otherwise constitute a danger to persons and a threat to the health and welfare of the citizens within Cleveland County; and

WHEREAS, according to the procedures provided by law, the owner(s) of said property have been given notice of the aforesaid inspection, defective conditions, determination and order to bring said property into compliance with the minimum housing code of Cleveland County and the State of North Carolina by appropriate repair and/or demolition of said dilapidated dwelling; and

WHEREAS, the owner(s) have not complied with the Findings and Order by the Code Enforcement Officer within the period allowed by law; and

WHEREAS, the said dwelling remains, at this time, unfit for human habitation, dilapidated, and a danger to the health and safety of the citizens of Cleveland County and should be demolished in order to prevent and alleviate such danger and dilapidated conditions;

NOW, THEREFORE, BE IT ORDAINED BY THE CLEVELAND COUNTY BOARD OF COMMISSIONERS that the dilapidated dwelling located at 105-1 Kern Court (Parcel 34372) now or formerly owned by Martin C. Turner; shall be demolished, and a lien placed against the property for the costs incurred by the county as provided by GS160A-446(6).

Adopted and approved this the 1st day of November 2011 by the Cleveland County Board of Commissioners in open session.

COMMISSIONERS REPORTS

Commissioner Accor recently attended a DSS Board meeting. She said there are lots of good things happening at DSS. Two Cleveland County DSS Departments received state awards while two board members were elected to state and regional office.

Commissioner Falls thanked the Shelby Star and all those involved in the *Connect, Commit to Change* project.

ADJOURN

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded Jason Falls, and unanimously adopted by the Board, to adjourn. Next regular scheduled meeting will be held on ***Tuesday, November 15, 2011 in the Commission Chamber.***

*Johnny Hutchins, Chairman
Cleveland County Board of Commissioners*

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*