

CLEVELAND COUNTY BOARD OF COMMISSIONERS

January 17, 2012

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 Accor, Commissioner
Eddie Holbrook, Commissioner
Jason Falls, Commissioner
Eddie Bailes, Interim County Manager
Bob Yelton, County Attorney
Kerri Melton, County Clerk
April Crotts, Deputy Clerk
Chris Green, Tax Administrator
Chris Crepps, Finance Director
Alexis Pearson, Human Resources Director
Alan Norman, Sheriff
Rebecca Clark, *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. A group of Girl Scouts from Zion Baptist Church led the audience in the "Pledge of Allegiance" to the flag of the United States of America. County Attorney Bob Yelton provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Mary Accor 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 addition:*

7. **CLOSED SESSION TO DISCUSS A LEGAL MATTER UNDER NCGS 143-318.11(a)(3)**
Bob Yelton, County Attorney

CITIZEN RECOGNITION

Kim O'Malley, 113 Sellars Road, Kings Mountain spoke regarding the effect of recent Fire District Classification changes in Cleveland County.

"Thank you for extending to me this courtesy of speaking before you this evening. My name is Kim O'Malley. My husband John and I live at 113 Sellars Road in Kings Mountain. We have lived and worked in Cleveland County since 1997.

Last month, we received a letter from Allstate Insurance, the insurer of our home. They wrote to inform us they would no longer insure our home because of the recent remapping of Cleveland County's fire districts. The redistricting placed our home past the six mile limit of the Waco Fire Department. This redistricting means our house is in a Class 10 district.

Allstate's letter and their agent informed that they will not cover a home in a Class 10 district. We are currently seeking a reputable insurance agency who can insure a house which has a Class 10

designation or has no assigned fire district. Our search for such an insurance company indicates the increase to our premiums will be over 300%.

You may not know, but, our County's website indicates there are 95 listings of Class 10 areas in our county. While I cannot speak of those areas, I can speak to the situation in my area of the county.

Within a half mile radius of our home, there are 57 parcels of land that are now designated Class 10. This area is bordered by County Line Road in the East central portion of our county.

The Waco Fire Department is our assigned fire department. It is 6.1 miles away which places us beyond the six mile limit set by the NC Insurance Commissioner. Yet, there is still a closer fire department. It is 3.8 miles away from our home, but it is in Gaston County. It is the Tryonata Fire Department. The Tryonata Fire Department responds to emergencies in our neighborhood. They respond as secondary responders to Waco's Fire Department. However, Tryonata arrives to the scene of an emergency in our neighborhood sooner than Waco's.

Therefore, my husband and I are asking you, as our county Commissioners, to review the areas of the county that are now Class 10 and find a way to have neighborhoods treated equally."

"We need your representation and solutions on these five matters:

1. Please resolve whether a county's border is relevant to a fire district if it impedes a taxpayers ability to obtain affordable insurance.
2. Consider redistricting our house so the Tryonata Fire Department is our primary responder. Thereby, providing affordable insurance premiums.
3. Fix the fire district map from appearing "gerrymandered".
4. Research the value of placing fire hydrants on the east end of Sellars Road and within Princess Woods. County water already runs in these areas.
5. Consider building a Fire Department on the east side of the county to better serve rural tax payers.

We checked on the county's website; none of your homes are listed in a class 10 fire district. Please make sure my home is afforded the same protection you have without astronomical premiums. I need you to represent me even though none of you have my same situation.

Please help me and the other disenfranchised citizens of Cleveland County by resolving this as if it were your home in this predicament."

Commissioners informed Ms. O'Malley they are aware of the situation. It will be addressed as an item on the February 3, 2012 worksession agenda.

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions or deletions to the minutes of **January 3, 2012** motion was made by Ronnie Hawkins, seconded by Mary Accor and unanimously adopted by the Board, to **approve the minutes as written.**

TAX COLLECTOR’S MONTHLY REPORT

The Tax Collector provided Commissioners with the following detailed written report regarding taxes collected during **December 2011** (copy found on Page _____ of Minute Book ____).

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during **December 2011**. The monthly grand total of tax abatements was listed as (\$6,953.20); and, the monthly grand total for tax supplements was listed as \$17,262.15.

DETENTION CENTER: BUDGET AMENDMENT (BNA #039)

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>
010.444.4.357.00	Detention Center/NC Housing Inmates	\$163,800.	
010.444.4.991.00	Detention Center/Fund Balance Approp	157,200.	
010.444.5.121.00	Detention Center/Salaries/Wages	187,280.	
010.444.5.131.00	Detention Center/Social Security	11,612.	
010.444.5.132.00	Detention Center/Retirement	13,110.	
010.444.5.133.00	Detention Center/Health Insurance	28,480.	
010.444.5.134.00	Detention Center/Dental Insurance	960.	
010.444.5.135.00	Detention Center/Employer 401(K)	9,364.	
010.444.5.136.00	Detention Center/Medicare	2,716.	

Explanation of Revisions: to enter a new agreement with state reimbursement for housing State misdemeanants serving sentences f 91-180 days by hiring and equipping 16 new jailers beginning February 1.

TAX ADMINISTRATION: BUDGET AMENDMENT (BNA #040)

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>
010.410.4.111.11	General Revenues/2011 Property Taxes	\$ 20,142.	
010.415.5.490.00	Tax Administration/Professional Services	20,142.	

Explanation of Revisions: To cover cost of property tax listing audits on Southeastern Container and Hardees.

PUBLIC HEARINGS

ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT~ BALDOR ELECTRIC COMPANY

Ken Mooney, CCEDP Manager of Existing Industry, presented Commissioners with a proposed incentive agreement for Baldor Electric. Baldor Electric is an existing industry located in Kings Mountain. They will be expanding and locating a new facility at 4401 E. Dixon Boulevard which is the former Copeland building. Baldor Electric intends to create 166 new, permanent full-time jobs during

the first five (5) years of the agreement. The entire project will include buildings and the installation of machinery and equipment with a total investment of approximately \$17 Million.

Mr. Mooney outlined the incentives as follows:

Incentive One: The County will provide a Thirty Nine Thousand (\$39,000) match to a Seven Hundred Eighty Thousand (\$780,000) Rural Center building re-use grant.

Incentive Two: The County shall make an Incentive Grant payment to the Company in an annual amount equal to sixty five percent (65%) of the \$0.57 ad valorem taxes on real and personal property for a period of ten (10) years.

Chairman Hutchins opened the public hearing and asked anyone wishing to speak for or against the proposed incentive agreement to come forward.

Michael Chrisawn, President of Cleveland County Chamber, “On behalf of our 650 members, the Chamber is totally in favor and support of this project.”

Mr. Chrisawn described how this project would be putting a facility back in action and putting 166 people back to work. He looks forward to continued growth with this industry and praised Baldor for their no layoff policy.

Hearing no other comments, Chairman Hutchins closed the public hearing.

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls and unanimously adopted by the board, ***to approve the incentive agreement as presented (copy of agreement found on Page ____ of Minute Book ____).***

REGULAR AGENDA

CLEVELAND COUNTY AUDIT REPORT

Shane Fox of Martin Starnes & Associates presented the audit report for the year ending June 30, 2011. Mr. Fox described the audit as “very clean with no findings and no recommendations.”

Commissioners viewed a PowerPoint presentation summarizing the report (*copy found on Page ____ of Minute Book ____*).

CLEVELAND COUNTY FAIR LEASE

County Attorney Bob Yelton presented a revised fair lease to Commissioners. He noted the following differences between the revised lease and the lease signed in 2010:

- Proposed lease term will be for 10 years.
- Lease will be effective January 1, 2012.
- A small section of property on the site is excluded. This piece of land will be used for a proposed water tower for the City of Shelby.

- In the event that all of the outstanding stock is obtained by twenty-five or fewer stockholders, the Lessor shall have the option to terminate this Lease Agreement at any time on thirty (30) days advance written notice to the Lessee.

Commissioner Falls had several questions regarding insurance at the fairgrounds. It was his recommendation that, as part of the fair lease, Cleveland County be listed as an additional insured.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the revised fair lease agreement with the stipulation the Cleveland County be added as an additional insured on the Fair Association insurance policy (copy found on Page _____ of Minute Book _____).*

CLOSED SESSION

ACTION: Mary Accor made the motion, which was seconded by Jason Falls, and unanimously adopted by the Board, to conduct a closed session to consult with the county attorney, as allowed under North Carolina General Statute 143-318.11(a)(3).

(copy of closed session minutes found in Closed Session Minute Book)

RECONVENE IN REGULAR SESSION

Chairman Hutchins reconvened in regular session and announced that no action was taken during the closed session.

COMMISSIONER REPORTS

Commissioner Hawkins began by thanking Chris Crepps and the Finance Department staff for their hard work which led to a clean audit.

He attended an Airport Advisory Council meeting. Here the council was told that staff has heard many positive comments from Raleigh about the airport facility. He thanked the City of Shelby for always moving forward and made note that he invited Ben Yarbrow to attend the work session to give an update on the airport.

Commissioner Accor met with the Cleveland County Youth Council. She will be giving Commissioners an update on the work of this group at the work session. She praised those students of Cleveland Early College High School who have got the Youth Council started. She also praised Reverend Don Allen for the powerful message on diversity he shared during the Martin Luther King event at Malcolm Brown Auditorium.

Commissioner Holbrook, again, thanked Commissioners for their support of Economic Development. He also thanked Representative Tim Moore and Billy Gullette of the NC Rural Center for being instrumental in securing the Baldor project.

Commissioner Falls attended both the Isothermal Planning Board of Directors and JCPC where lots of good information was shared. He noted that Wes Westmoreland will be sworn in as NC Senator Clary on January 27th. He will be filling the unexpired term of Senator Debbie Clary.

Chairman Hutchins made note that Jason Falls will be helping Ken Mooney on building relationships with existing businesses in Cleveland County.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Jason Falls, and unanimously adopted by the Board, ***to recess to reconvene to Thursday, February 2, 2012 for a work session.*** The next regular meeting will be held on ***Tuesday, February 7, 2012, at 6:00 p.m.*** in this Commission Chamber.

*Johnny Hutchins, Chairman
Cleveland County Board of Commissioners*

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*