

CLEVELAND COUNTY BOARD OF COMMISSIONERS

February 7, 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
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. The Pledge of Allegiance was led by Levi Bowman of Belwood Boy Scout Troop 413. Pastor Gary Marburger of Putnam Baptist Church provided the invocation.

AGENDA ADOPTION

ACTION: Mary Accor 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:***

- G. Social Services:** Budget Amendment (BNA #044)
- H. Social Services:** Budget Amendment (BNA #045)
- I. Commissioners:** Resolution in support of easement at the LeGrand Center

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of ***January 17, 2012***, motion was made by Ronnie Hawkins, seconded by Jason Falls, and unanimously adopted by the Board, to ***approve the minutes as written.***

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #041)

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>
012.533.4.350.00/93283-310X	Adult Health/State Govt Grants	\$ 8,925.	
012.533.5.490.00	Adult Health/Professional Services	8,925.	

Explanation of Revisions: *Budget Breast and Cervical Cancer Screening funds for professional services (lab tests and mammograms).*

HEALTH DEPARTMENT: BUDGET AMENDMENT (BNA #042)

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>
012.546.4.991.00/02200-5120	Carolina Access/Fund Balance Approp	\$49,200.	
012.546.5.490.00/02200-5210	Carolina Access/Professional Services	49,200.	

Explanation of Revisions: Budget carryover fund balance to professional services of psychiatrist to work with Mental Health Integration Project.

EMERGENCY MANAGEMENT: BUDGET AMENDMENT (BNA #043)

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>
010.445.4.460.00	Emergency Mgt/Other Units Share	\$23,200.	
010.445.5.310.00	Emergency Mgt/Travel/Training	3,000.	
010.445.5.321.00	Emergency Mgt/Telecommunications	1,200.	
010.445.5.421.00	Emergency Mgt/Maintenance Contract	1,200.	
010.445.5.210.00	Emergency Mgt/Departmental Supplies	1,300.	
010.445.5.322.00	Emergency Mgt/Postage	500.	
010.445.5.910.00	Emergency Mgt/Capital Equipment	16,000.	

Explanation of Revisions: Moving funds received from Duke Energy to allotted accounts for purchase of goods/services.

HEALTH INSURANCE FOR COMMISSIONERS

On October 29, 2009 (*Clerks Note: Reference Minutes of October 28, 2009 meeting*),

Commissioners unanimously agreed to allow a County Commissioner, after 10 years of service, to be covered under the county health insurance plan until he/she reaches 65 or becomes Medicare eligible.

Through this action, the health insurance would be paid entirely by the county.

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to remove the provision allowing Commissioners to be covered under the County Health Insurance following their leaving office.*

NUMBER THREE RURAL FIRE COMMISSION

Commissioners received a letter from Chief Greg Harris of the Number Three Volunteer Fire Department. Recently, Thomas Austell, a member of the Number Three Fire Department Rural Fire Commission, passed away. Chief Harris recommended that David Austin be appointed to fill the vacancy left by the passing of Mr. Austell.

ACTION: Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to appoint David Austin to the Number Three Rural Fire Commission. There is no term expiration on this appointment.*

DSS: BUDGET AMENDMENT (BNA #044)

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>
011.508.4.310.00/93568-P406	Income Maintenance/Fed Gov Grants	\$31,574.	
011.508.5.422.00	Income Maintenance/Contracted Labor	31,574.	

Explanation of Revisions: Budget amendment necessary to accept additional LIEP admin funds for FY 2011/2012. The additional monies are the result of the increased need for services. The increase to 422.00 will cover the temporary workers needed to help administer the program.

DSS: BUDGET AMENDMENT (BNA #045)

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>
011.519.4.310.00/93568-P372	Public Asst./Fed Gov Grants	\$340,824.	
011.519.5.512.05	Public Asst./Crisis	340,824.	

Explanation of Revisions: Budget amendment necessary to accept additional federal Crisis funds for FY 2011/2012. The additional monies are the result of the increased need for services.

RESOLUTION IN SUPPORT OF EASEMENT AT THE LEGRAND CENTER

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

Number 02-2012

**STATE OF NORTH CAROLINA
COUNTY OF CLEVELAND**

**RESOLUTION
TO GIVE EASEMENT
FOR ROAD CONSTRUCTION**

WHEREAS, Cleveland County, North Carolina, is the owner of a certain tract of land located at 1751 East Marion Street, Shelby, North Carolina, and also being known as Cleveland County Tax Parcel 22192; and,

WHEREAS, Cleveland County (with the concurrence of the North Carolina Department of Transportation) desires to make improvements to East Marion Street as described in the Easement for Road Construction a copy of which is attached to this Resolution; and,

WHEREAS, Cleveland County has agreed to convey to itself the said Easement for Road Construction with the understanding that at some point in the future said Easement will be given to the North Carolina Department of Transportation;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Cleveland County, North Carolina as follows:

1. The Easement for Road Construction, a copy of which is attached to this Resolution, is hereby approved and granted.
2. At the appropriate time, the County Manager of Cleveland County, North Carolina, is hereby authorized to convey the said Easement for Road Construction to the North Carolina Department of Transportation at no cost to the Department of Transportation.
3. The County Manager of Cleveland County, North Carolina, is hereby authorized to execute any further documents necessary to evidence the voluntary donation of the Easement to the North Carolina Department of Transportation.

Adopted on this the 7th day of February, 2012.

PUBLIC HEARINGS

SMALL BUSINESS & ENTREPRENEURIAL ASSISTANCE GRANT & TRADITIONAL CDBG ECONOMIC DEVELOPMENT PROJECTS

Two public hearings are required by the Department of Community Assistance prior to a formal request for public funding under the Community Development Block Grant Program. This public hearing is informal. Another public hearing will be held should Commissioners decide to move forward with an application for CDBG funding.

Teresa Spires of Isothermal Planning and Development Commission presented Commissioners with information on Community Development Block Grant (CDBG) projects for economic development activities including the Small Business and Entrepreneurial Assistance Grant Program.

Overview of Small Business & Entrepreneurial Assistance Grant for Public Hearing:

The Small Business & Entrepreneurial Assistance Grant program is a competitive program, administered by the NC Department of Commerce, Division of Community Investment and Assistance. Its purpose is two-fold. Part one is designed to help at least one existing small business expand and create new jobs in the community. Part two is to help the community build an environment that supports and sustains local entrepreneurs. The program is competitive and applications are due by April 30, 2012.

The maximum grant award is \$250,000 or \$25,000 per job promised. There is a Legally Binding Contract between the business assisted and the local government. The local government must use \$5,000 of the grant amount to help implement its entrepreneurial plan.

The project business must have been in existence for at least two years and have at least one but no more than 100 employees. At least 70% of the new hires must be low and moderate income in the 12 months prior to their employment with the project company. Higher paying jobs and companies that pay benefits will be given higher priority.

Eligible activities include for the project business include: Purchase of land, construction or renovation of a building; construction of tenant improvements; purchasing capital equipment, and providing job training for a specific job at a specific firm.

Eligible activities for the entrepreneurial plan include: planning, training a project team and community leaders, coordinating meetings and sponsoring events to market local entrepreneurs/businesses.

Traditional CDBG Economic Development Projects:

CDBG funds are available through the Commerce Finance Center for infrastructure projects that primarily benefit low and moderate income persons. Infrastructure is defined as water, sewer, roads, railroad spurs, and municipal-owned electric. These funds are only available for projects that create or retain jobs, with at least 60% of those persons hired being low and moderate income in the 12 months prior to their employment. For this year, the Commerce Finance Center has about \$9 million available.

All local governments are limited to \$1.25 million in CDBG awards in a single program year, excluding Scattered Site Housing awards for County governments.

Chairman Hutchins opened the public hearing at 6:20 pm (*public notice was accomplished, with an advertisement published in The Star on January 26, 2012.*)

Hearing no comments, Chairman Hutchins closed the public hearing at 6:20pm.

(*Clerks Note: No action was required for this agenda item*)

ACTION: Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to approve moving forward with a grant application should a project be determined.*

REGULAR AGENDA

CLEARWATER PAPER RURAL CENTER GRANT RESOLUTION

In 2011, staff received bids on a rail spur project to serve Clearwater Paper. Construction of this project was included as part of the incentive package approved to recruit Clearwater to Cleveland County. Bids came in higher than estimated requiring a need for additional funding.

Additional funding has been committed by the Rural Center Board pending approval of a resolution in support of the project and submittal of a full grant application.

ACTION: Mary Accor made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to adopt the following resolution:*

Number 01-2012

AUTHORIZING RESOLUTION BY GOVERNING BODY OF THE APPLICANT
Economic Infrastructure Grants Program

WHEREAS, the North Carolina Rural Economic Development Center, Inc. (Rural Center) has authorized the awarding of grants from appropriated funds to aid eligible units of government in financing the cost of infrastructure activities needed to create jobs; and

WHEREAS, Cleveland County needs assistance in financing an infrastructure project that may qualify for Rural Center funding; and

WHEREAS, the Cleveland County intends to request grant assistance for the Clearwater Paper project from the Economic Infrastructure Grants Program;

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF CLEVELAND COUNTY:

That Cleveland County will arrange financing for all remaining costs of the project, if approved for a grant, and

That Eddie Bailes, Interim County Manager and/or future County Managers, is hereby authorized to execute and file an application on behalf of Cleveland County with the Rural Center for a grant to assist in the above-named infrastructure project, and

That Eddie Bailes, Interim County Manager and/or future County Managers, is hereby authorized to execute and file an application on behalf of Cleveland County with the NCREDC (Rural Center) for a grant to assist in the above named infrastructure project, and

That Eddie Bailes, Interim County Manager and future County Managers, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with an application or with the project proposed; to make assurances as contained in the application; and to execute such other documents as may be required in connection with the application, and

That Cleveland County has substantially complied or will substantially comply with all federal, state, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this date February 7, 2012 at Shelby, North Carolina.

COMMISSIONER REPORTS

Commissioner Falls has visited several existing businesses with Ken Mooney of CCEDP to discuss their challenges and benefits of being in Cleveland County.

Chemetall Foote praised the Cleveland Community College for their training programs.

Commissioner Holbrook and the Economic Development team have been working with several ED clients.

World Series meetings have begun. This year, there will be a faith-based concert on Sunday preceding the World Series.

Commissioner Accor has been asked by NCACC to bring forth federal issues to be presented to the NC Delegation during the NACo Conference to be held in March.

Vice-Chairman Hawkins spoke with several School Board members who were very pleased with the progress at the LeGrand Center.

Chairman Hutchins attended a meeting in Gaston County. Speaker Tillis was there to discuss issues throughout this region.

RECESS TO RECONVENE

There being no further business to come before the Board at this time, Jason Falls made a motion seconded by Mary Accor, and unanimously adopted by the Board, ***to recess to reconvene to Tuesday, February 21, 2012 at 4:00 pm. The meeting will be held at Cleveland Community College for the purpose of a joint meeting with the City of Kings Mountain.***

*Johnny Hutchins, Chairman
Cleveland County Board of Commissioners*

*Kerri Melton, Clerk
Cleveland County Board of Commissioners*