

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**September 18, 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, Chairwoman  
Ronnie Hawkins, Vice-Chairman  
Mary S. Accor, Commissioner  
Jason Falls, Commissioner  
Eddie Holbrook, Commissioner  
Eddie Bailes, County Manager  
Robert Yelton, County Attorney  
Kerri Melton, County Clerk  
April Crotts, Deputy Clerk  
Chris Green, Tax Administrator  
Bill McCarter, Planning Director  
Chris Crepps, Finance Director  
Rebecca Clark, *The Star*  
Other individual names on file in the Clerk's Office

**CALL TO ORDER**

Chairman Johnny Hutchins called the meeting to order. The Shelby Civil Air Patrol led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Hailey Rotenberry, Teen Miss Shelby, Majestic Miss North Carolina provided the invocation.

**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 Clerk.***

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

There being no corrections, additions, or deletions to the Minutes of ***September 4, 2012***, motion was made by Mary Accor, seconded by Jason Falls, 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 ***August 2012*** (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 ***August 2012***. The monthly grand total of tax abatements was listed as (\$218,955.69); and, the monthly grand total for tax supplements was listed as \$28,851.26.

**SHERIFF'S OFFICE: BUDGET AMENDMENT (BNA #011)**

**ACTION:** Mary Accor 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 Govt Grants	\$2,317.	
010.438.5.210.00/16738-P438	Law Enforce Grants/Dept. Supply	2,317.	

*Explanation of Revisions: Request approval to budget 2012 Edward Byrne memorial Justice Assistance Grant (JAG) that the County is sharing with Shelby Police Department. Grant award number is 2012-DJ-BX-1116. The entire amount of funding will be used to purchase ammunition for the department.*

**HEALTH DEPARTMENT: WRITE-OFF OF ACCOUNTS RECEIVABLE**

**ACTION:** Mary Accor made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to allow the Health Department to write-off a total of \$26,334.72 in uncollectible fees through June 30, 2009.*

In the event that an inactive patient returns for services, policy is to reinstate the charges that have been written off and apply payments to the oldest amount owed.

**SPECIAL RECOGNITION**

**LITTLE MISS/TEEN MISS SHELBY**

Commissioners recognized winners of the Little Miss/Teen Miss Shelby Pageant by presenting the following young ladies with a Certificate of Recognition:

Hailey Rotenberry, Teen Miss Shelby, Majestic Miss North Carolina  
Makayla Smith, Tiny Miss Shelby  
Alivia Gullatte, Mini Miss Shelby  
Madison Humphries, Junior Miss Shelby

**CIVIL AIR PATROL**

Sgt. Tony Bradley began by introducing the Civil Air Patrol cadets who were in attendance. The cadets ranged in age from twelve to eighteen years old. The Civil Air Patrol has been working on redesigning their patch for several years. The committee felt it would be appropriate to display the Cleveland County Historic Courthouse on the patch.

Sgt. Bradley explained the mission of the Civil Air Patrol which is based at the Shelby airport. The Civil Air Patrol provides search and rescue for hikers and older planes. The cadet program is designed to make leaders out of young men and teach them to help in the community. The Civil Air Patrol is the official color guard for the Forest City Owl's team.

Sgt. Bradley presented Commissioners with a framed copy of the patch for display.

**REGULAR AGENDA**

**METROPOLITAN PLANNING/RURAL PLANNING ORGANIZATION DISCUSSION**

Planning Director Bill McCarter began by explaining the difference between Rural Planning Organizations (RPO) and Metropolitan Planning Organizations (MPO). Metropolitan Planning Organizations are used in more urbanized areas. The purpose of the RPO and MPO are to suggest

priorities for transportation projects. Final decisions are made by the NC Department of Transportation Division 12 office.

Based on the 2010 census, there were several new urbanized areas in Kings Mountain that required them to be part of an MPO. Gaston MPO made a proposal to take an area that would follow census boundary lines because, typically in planning, census boundaries are followed when reporting statistics. This area would be larger than what is required. Mr. McCarter presented a map which outlined the different options (copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).

Commissioners discussed, at length, where to draw the boundary lines. Chairman Hutchins voiced his concern with setting a boundary further than required. Bill McCarter confirmed the boundary lines would only affect future transportation planning, and had nothing to do with zoning.

**ACTION:** Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to recommend that the boundary follow the ETJ of Kings Mountain, including the two small areas in the county that are required by FWHA to be part of the MPO, while the rest of the county will remain part of the RPO.*

#### **VETERAN'S ADVISORY COUNCIL**

Earlier this year, the Cleveland County Veteran's Council was dissolved. The Veteran's Council hosted the Veteran's Day and Memorial Day Celebrations in Cleveland County.

Chairman Hutchins suggested a Veteran's Advisory Board be created as a Cleveland County Board. This will be a self-sustaining board like the majority of the other Cleveland County Boards and Committees. A decision regarding membership, terms, etc. will be made at a later time. The Veteran's Day Celebration has already been planned for November 11<sup>th</sup>. Mr. Richard McSwain has led this effort. It was suggested that a representative from the Veteran's Office and a Commissioner serve on this board. All members will be required to attend the board training.

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to establish a Veteran's Advisory Board to include a County Veteran's Officer and a Commissioner as members of the board.*

#### **LEGRAND CENTER BUILDING DEDICATION RESOLUTION**

Vice-Chairman Ronnie Hawkins asked Commissioners to adopt a resolution to be presented to the LeGrand Center at the Ribbon Cutting on September 23, 2012.

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

**IN RECOGNITION OF THE LEGRAND CENTER RIBBON CUTTING AND  
COMMUNITY OPEN HOUSE**

**WHEREAS**, on October 15, 2008, Cleveland County Commissioners, the Cleveland County Board of Education and the Cleveland Community College Board of Trustees met in a joint meeting and entered into a unique partnership to construct a multi-purpose facility on the Cleveland Community College campus; and

**WHEREAS**, this multi-purpose facility would be constructed to house Cleveland Early College High School, Cleveland Community College Continuing Education Department and a conference center designed to attract people from across the region to Cleveland County; and

**WHEREAS**, in July, 2012, through dedication, commitment and hard work led by Holland & Hamrick Architects and Matthews Construction Company, construction was completed on the facility; and

**WHEREAS**, this facility, now known as the LeGrand Center, has created a state of the art structure which will be utilized by all three entities in a way which allows each to have an individual interest; and

**WHEREAS**, Commissioners hope the LeGrand Center will not only provide economic benefit and education opportunities for the county, but hope the center will be the location of many happy celebrations that will create wonderful memories for our citizens; and

**NOW, THEREFORE, WE THE CLEVELAND COUNTY BOARD OF COMMISSIONERS**, in a formal setting on September 23, 2012, will hereby open the LeGrand Center with the hopes that this facility will open a world of new business, educational and community possibilities for the people of Cleveland County.

**ADOPTED THIS THE 18<sup>th</sup> DAY OF SEPTEMBER 2012.**

**INTERLOCAL AGREEMENT WITH THE CITY OF SHELBY FOR CONSTRUCTION OF  
SHELL BUILDING #2 IN THE FOOTHILLS COMMERCE CENTER**

Last year, the City of Shelby, Cleveland County and the GoldenLEAF Foundation jointly constructed a 100,000 square foot shell building in the Foothills Commerce Center. The Economic Development team successfully recruited a company to occupy the shell building. Last month, Schletter announced its decision to purchase the building and create over 300 new full time jobs.

County Manager Eddie Bailes presented an interlocal agreement between Cleveland County and the City of Shelby for the design and construction of another jobs ready shell building in the Foothills Commerce Center.

Through this interlocal agreement, both parties will agree to participate jointly and equally in the design, funding and construction of a second shell building in the Foothills Commerce Center. The estimated total cost of the project will not exceed \$3 Million. Funding will consist of \$1.5 million from the City of Shelby and \$1.5 Million from Cleveland County. It is the County's intention to apply for another CDBG loan for the county's portion of the project. It will be the county's responsibility to ensure that all CDBG compliance standards and requirements are met.

The City of Shelby will be the primary responsible party on the design, bidding and construction of the project. The County will have representation and participation during all phases of the project.

Several questions were asked regarding the sale of the building. County Manager Bailes explained they have not closed on the building at this time. The building is set to sell for \$2.6 Million which will be divided equally (\$1.35 Million each) between the City of Shelby and Cleveland County. Commissioners were concerned with adopting the interlocal agreement prior to the closing on the sale of the building. They felt as though adopting the agreement would commit them to \$1.5 Million without having the \$1.35 Million from the sale in hand.

**ACTION:** Ronnie Hawkins made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to table approval of the interlocal agreement until the sale of the building to Schletter is closed. At the next meeting following the closing, the County will revisit the interlocal agreement with the City of Shelby for the building of another shell building in the Foothills Commerce Center.*

Commissioners wanted to make note publicly that they are committed to Economic Development in Cleveland County. They wanted to ensure the City of Shelby knows that they are committed to this project.

#### **COMMISSIONER REPORTS**

Jason Falls- thanked the Cleveland County School system for tackling the issue of bullying in our schools.

Eddie Holbrook- reminded Commissioners of the Rural Center announcement to be held Friday, September 21<sup>st</sup> and the LeGrand Center Ribbon Cutting on September 23<sup>rd</sup>.

Mary Accor- attended the Close the Gap program where Cynthia Marshall of AT&T was the guest speaker. She thanked Commissioners for celebrating with St. Peters Missionary Church as they opened their new building and shared the news that she became a grandmother for the first time.

#### **ADJOURN**

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

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*Johnny Hutchins, Chairman  
Cleveland County Board of Commissioners*

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*Kerri Melton, County Clerk  
Cleveland County Board of Commissioners*

