

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**October 16, 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 S. Accor, Commissioner  
Jason Falls, Commissioner  
Eddie Holbrook, Commissioner  
Eddie Bailes, County Manager  
Robert Yelton, Attorney  
Kerri Melton, Clerk to the Board  
April Crotts, Deputy Clerk  
Chris Green, Tax Administrator  
Paul Ezell, Chief Building Inspector  
Jessica Pickens, *The Star*  
Other individual names on file in the Clerk's Office

**CALL TO ORDER**

Chairman Johnny Hutchins called the meeting to order. Boy Scout Troop 107 led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Vice-Chairman Ronnie Hawkins provided the invocation for the meeting.

**AGENDA ADOPTION**

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to *adopt the agenda as presented by the County Clerk with the following addition:*

9. **INTERLOCAL AGREEMENT WITH THE CITY OF SHELBY FOR A SHELL BUILDING IN THE FOOTHILLS COMMERCE CENTER**

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

There being no corrections, additions or deletions to the minutes of the *September 18, 2012 regular meeting*, motion was made by Ronnie Hawkins, seconded by Mary Accor, and unanimously adopted by the Board, to *approve the minutes as written.*

**TAX ABATEMENTS AND SUPPLEMENTS**

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during *September 2012*. The monthly grand total of tax abatements was listed as (\$11,281.40); and, the monthly grand total for tax supplements was listed as \$875,535.25.

**TAX COLLECTOR'S MONTHLY REPORT**

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during *September 2012* (copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).

**HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #019)**

**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>
012.533.4.991.00	Adult Health/Fund Bal Approp.	\$2,000.	
012.533.5.490.00	Adult Health/Professional Services	2,000.	
012.534.4.991.00	School Health/Fund Bal Approp.	\$2,000.	
012.534.5.490.00	School Health/Professional Services	2,000.	
012.537.4.991.00	Child Health /Fund Bal Approp.	\$2,000.	
012.537.5.490.00	Child Health/Professional Services	2,000.	
012.538.4.991.00	Maternal Health/Fund Bal Approp.	\$2,000.	
012.538.5.490.00	Maternal Health/Professional Services	2,000.	
012.539.4.991.00	Family Planning/Fund Bal Approp.	\$2,000.	
012.539.5.490.00	Family Planning/Professional Services	2,000.	

Explanation of Revisions: Budget carry over funds for record storage.

**HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #020)**

**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>
012.541.4.350.00	Env. Health/State Govt Grants.	\$ 166.	
012.541.5.310.00	Env. Health/Travel/Training	166.	

Explanation of Revisions: Budget DHHS Summer Food Service Program Funds for operating expenses associated with inspection of summer food service facilities.

**HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #021)**

**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>
012.546.4.350.00/93994-5318	Carolina Access/State Govt Grants	\$ 347.	
012.546.5.310.00/93994-5318	Carolina Access/Travel/Training	347.	

Explanation of Revisions: Budget State Funds for Care Coordination for Children

**THIRD PARTY PASS THRU: BUDGET AMENDMENTS (BNA #022)**

**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>
010.432.4.350.00/08300-P432	Third Party Pass Thru/St. Govt Grants	\$51,242.	
010.432.5.700.00/08300-P432	Third Party Pass Thru/ Grants	51,242.	
011.508.4.350.00/08300-P432	Income Maintenance/St. Govt Grants	18,426.	
011.508.5.500.00/08300-P432	Income Maintenance/Misc. Expense	18,426.	

Explanation of Revisions: To budget the grant award verses the original budget from the NC Dept of Transportation for the 2013 ROAP funds.

**SOCIAL SERVICES: BUDGET AMENDMENTS (BNA #023)**

**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>
011.507.4.410.00	Outside Poor/Local & Other Grants	\$2,000.	
011.507.5.700.00	Outside Poor/Grants	2,000.	

*Explanation of Revisions: Budget Amendment necessary to accept a United Way grant in the amount of \$2,000 FY 2012/2013. This grant will assist with emergency food and shelter for adults.*

**SOCIAL SERVICES: BUDGET AMENDMENTS (BNA #024)**

**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>
011.504.4.350.00/93659-2200	Income Maintenance/State Govt Grants	\$21,600.	
011.504.5.899.00	Income Maintenance/Spec Needs Adoption	21,600.	

*Explanation of Revisions: Budget Amendment necessary to accept additional State Funds for Special Needs Adoption for fiscal year 2012/2013.*

**SOCIAL SERVICES: BUDGET AMENDMENTS (BNA #025)**

**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>
011.504.4.310.00/93667-P036	Title XX/Federal Gov Grants.	\$ 656.	
011.504.4.350.00/93667-P036	Title XX/State Gov Grants.	553.	
011.504.4.980.10	Title XX/Transfers in FD 10.	1,620.	
011.504.5.420.00	Contracted Service/Adult Daycare	2,829.	
010.981.5.890.00	Transfers/Transfers Out FD11	1,620.	
010.410.4.991.00	General/Fund Bal Approp.	1,620.	

*Explanation of Revisions: Budget amendment necessary to accept additional funds for Adult Day for fiscal year 2012/2013. The ADC Funding Authorization was \$2,829 more than the Estimates used in the budget. The new State allocation for the year is \$23,400 plus \$1,447 county offset giving a total of \$24,847. The new breakdown is: \$11,108 Federal funds, \$9,367 State funds; \$2,925 county match and \$1,447 offset.*

**INTERLOCAL AGREEMENT WITH CLEVELAND COUNTY WATER FOR A WATERLINE TO SERVE BELL SOUTH**

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve an Interlocal Agreement between Cleveland County and Cleveland County Water for construction, operation and maintenance of a waterline to serve Bell South Communications (Copy Found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).*

**SPECIAL RECOGNITION**

**ALLEN JOLLEY'S SERVICE TO THE NURSING HOME ADVISORY BOARD**

In November, Allen Jolley will turn 92. Last month, Mr. Jolley resigned from the Nursing Home Board after many years of service. As a thank you for his dedication to this board, Commissioners presented Mr. Jolley with a Certificate of Recognition which read as follows:

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

**PRESENTED TO**

**ALLEN JOLLEY**

**FOR ACTIVELY SERVING ON THE CLEVELAND COUNTY NURSING HOME  
ADVISORY COMMITTEE FOR OVER 15 YEARS ~ FOR BEING COMMITTED TO**

***THE WELFARE OF THE RESIDENTS OF NURSING HOMES THROUGHOUT  
CLEVELAND COUNTY ~ WE COMMEND YOU!***

*Presented this the 16<sup>th</sup> day of October, 2012.*

**CONSTITUTION DAY ESSAY WINNERS**

Commissioners recognized the following students for their winning essays about Constitution Day. Commissioners asked Ms. Fernandez, the overall winner, to read her essay. A copy will be framed and hung in the County Administration Building.

Ivette Fernandez- Kings Mountain High School  
Daniel Tedder - Shelby High School  
Corey Greene - Crest High School  
Chris Goodman - Cleveland Early College High School

**Constitution Day Essay**

**by Ivette Fernandez**

Freedom of speech, the right to bear arms, no cruel or unusual punishment- the list goes on. These are all rights that we as citizens of the United States of America are guaranteed by our constitution. It's difficult to argue which is more significant to a teenager like me. What impacts my life the most? It's not any of the above listed, unless you read between the lines. The right that influences me the most is the one that guarantees my citizenship. Yes, freedom of speech and women's suffrage (especially for a female, like myself) are rights that are important to me, but without the right of citizenship, they are all arbitrary. And not just citizenship promised to me- citizenship attainable by all peoples.

One amendment that grants citizenship is the fourteenth amendment. This amendment was passed in a time when equality of races was still being debated. It was during the Reconstruction period, right after the Civil War. It was passed not only to give citizenship to people of other races, but also to give equality. This amendment was passed around the time of the thirteenth and fifteenth amendment, which, respectively, abolished slavery and allowed citizens to vote no matter what ethnicity they were. These amendments do not just mean the words written on the page- abolished slavery, citizenship- they're a guarantee to equality.

Equality is a *standard* that the United States was founded on! It's a shock it took us nearly a century to pass amendments like thirteen through fifteen. The American colonies were disjointed and disconnected from each other, but the common factor that brought them together to eventually fight a revolution was the fact that they understood they were all *equal*. They saw each other as men who were being mistreated and having their rights stripped from them. They looked at each other and saw they were all citizens of the same land. Citizenship unifies! Our great nation would not even appear on a map had it not been for the equality and unity that citizenship brings.

All previous examples in this writing have been historical, so some might ask how it affects me *today*. First and for most, if my history teachers have taught me anything, it's that all history affects me today. We are all results of the past, and the key to understanding *now* is understanding *then* as well. Secondly, the only reason we can cherish and use our rights is because we're citizens. The Constitution would still be this wonderful and patriotic document it is, but it'd be for naught if you had no access to the rights guaranteed. Lastly, the right of being a citizen directly affects me now because I am the first generation American in my family. My parents are immigrants to this nation, and now their naturalized citizens too. They left their home country (Cuba) to gain the very rights we discuss so nonchalantly by being allowed to become citizens. Now, my parents get those rights they yearned for in Cuba and so do I. My citizenship paves the way for my future. That's a remarkable thing.

Citizenship runs our lives. We receive free education, the right to safety, and so many others *daily* and don't think twice about *why* we're able to. It's because we are citizens of the United States of America. We are granted rights set forth by our founding fathers so many years ago because we belong to this nation. We are Americans because of this constitutional right. Our identity is *defined* by this. And don't you forget it.

### **PUBLIC HEARINGS**

#### **CDBG SMALL BUSINESS & ENTREPRENEURIAL ASSISTANCE GRANT- SEAL WIRE**

Paula Kempton of Isothermal Planning & Development Commission presented information regarding submittal of a CDBG Small Business & Entrepreneurial Assistance Grant for Seal Wire.

This Community Development Block Grant application will do two things. First, it will provide a loan to Seal Wire to purchase new machinery and equipment to be used in their expansion. In return the company will expand its existing operations and create 6 new jobs over the next two years. The amount of the loan is expected to be approximately \$120,000. The Company and the County will execute a Legally Binding Agreement where the company agrees to create the jobs or repay the County on a pro-rated basis for each job not created. The County will place a lien on all equipment over \$10,000, so that if the company fails to meet their obligations under the grant, the County has leverage to re-coup funds.

The second part of the grant is to continue to nurture an entrepreneurial environment in the County. This will be accomplished with a speakers series sponsored by the Chamber of Commerce. The Chamber will use \$5,000 in grant funds to help with the cost including speaker fees and marketing. The speaker will provide a series of discussions for local small business owners and entrepreneurs on current topics and issues affecting small business growth and sustainability.

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

Hearing no comments, Chairman Hutchins closed the public hearing.

**ACTION:** Mary Accor made the motion, seconded by Eddie Holbrook and unanimously adopted by the board, *to approve submittal of the grant application.*

**REGULAR AGENDA**

**MINORITY ENTERPRISE DEVELOPMENT WEEK**

**ACTION:** Eddie Holbrook made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to adopt the following proclamation as presented by Richard Hooker:*

*Number 06-2012*

**MINORITY ENTERPRISE DEVELOPMENT WEEK  
OCTOBER 15-20, 2012**

**WHEREAS,** Minority Enterprise Development Week, is an annual observance that has been proclaimed by the President of the United States over the past 29 years to highlight the important role and contributions minority business enterprises bring to our local, national and global economy; and

**WHEREAS,** this year's theme, "**Reclaiming Our Past As We Build Community & Business Partnerships**" reflects a history of noteworthy contributions and past achievements while moving forward to help foster strategic alliances within our free enterprise system through education, collaboration, networking, and workforce preparedness; and

**WHEREAS,** the Cleveland County Business Development Center will celebrate 20 years of service and advocacy with other local partners to promote economic viability, raise community awareness, support educational and leadership programs, sponsor women in business forums, and network opportunities that improve the overall business climate and quality of life in Cleveland County; and

**WHEREAS,** the 17th Annual Awards Luncheon will bring together small business owners, local business and government officials, and community stakeholders to honor and commemorate the accomplishments of small business owners, local citizens and community partners who give of their time to make a difference in our community;

**NOW THEREFORE,** the Cleveland County Board of Commissioners, do hereby proclaim October 15-20, 2012 as "Minority Enterprise Development Week" in Cleveland County in recognition of the cooperative efforts of the above sponsoring organizations and individuals to enhance, promote and support the success of minority owned businesses and other community partners.

**ADOPTED THIS THE 16<sup>TH</sup> DAY OF OCTOBER 2012.**

**TOWN OF BOILING SPRINGS BUILDING INSPECTIONS**

FEMA has requested changes to the Interlocal agreement between Cleveland County and the Town of Boiling Springs which deals with Building Inspections in the Town. Paul Ezell presented the changes to Commissioners.

**ACTION:** Ronnie Hawkins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, *to approve the interlocal agreement as presented by Chief Building Inspector Paul Ezell (Copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).*

**INTERLOCAL AGREEMENT WITH THE CITY OF SHELBY FOR A SHELL BUILDING IN THE FOOTHILLS COMMERCE CENTER**

At their September 18, 2012 meeting, Commissioners tabled approval of an Interlocal Agreement with the City of Shelby to construct a second shell building in the Foothills Commerce Center. During the meeting, Commissioners voiced concern with entering into an agreement before they had closed on the first shell building.

The building closed on October 15, 2012. The agreement states that the county will spend no more than \$1.5 Million on construction of the second building. A loan for construction of the first building was paid off as part of the closing. The remaining funds received from the closing will be used toward construction of the second building and the County Manager will request approval for a second loan at a later date.

**ACTION:** Jason Falls made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the interlocal agreement between Cleveland County and the City of Shelby regarding construction of a second shell building in the Foothills Commerce Center (Copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).*

**COMMISSIONER REPORTS**

**Commissioner Falls:**

Commissioner Falls asked everyone to remember the victims of the E Coli outbreak from the Cleveland County Fair. He assured the public that the Health Department is doing everything they can to make sure this doesn't happen again.

**Commissioner Holbrook:**

The Golden Leaf Foundation board held their meeting at the LeGrand Center. The board visited several of the projects they helped fund.

Commissioner Holbrook visited Indianapolis (home of the American Legion) to clarify contract language for the American Legion World Series. He invited the public to a press conference to be held at the LeGrand Center on October 17<sup>th</sup> at 12:30.

**Commissioner Accor:**

Commissioner Accor asked that Pat Spangler and her family be remembered following the passing of her husband Gene.

**ADJOURN**

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Ronnie Hawkins, and unanimously adopted by the Board, to adjourn. The next regular scheduled meeting will be held ***Tuesday, November 6, 2012 in the Commissioners Chamber.***

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*Johnny Hutchins, Chairman  
Cleveland County Board of Commissioners*

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*Kerri Melton, Clerk  
Cleveland County Board of Commissioners*