

Cleveland County Board of Commissioners
October 3, 2017

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: Eddie Holbrook, Chairman
Susan Allen, Vice-Chair
Jason Falls, Commissioner
Johnny Hutchins, Commissioner
Ronnie Whetstine, Commissioner
Jeff Richardson, County Manager
Tim Moore, County Attorney
Phyllis Nowlen, Clerk to the Board
Brian Epley, Finance Director
Kerri Melton, Director of Community Services
Allison Mauney, Human Resources Director
Chris Green, Tax Administrator

CALL TO ORDER

Chairman Eddie Holbrook called the meeting to order and Chris Green, Tax Administrator, led the audience in the Pledge of Allegiance and provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Allen and unanimously approved by the Board to, *approve the agenda.*

SPECIAL RECOGNITION

Minority Enterprise Development Week 2017: Chairman Holbrook recognized Mr. Richard Hooker, Minority Enterprise Development (MED) Week President. Mr. Hooker thanked the Commissioners for their continued support of the Minority Business Sector and of MED Week. Started in 1983 by the administration of President Reagan, Minority Enterprise Development Week is designed to recognize accomplishments and achievements of the minority businesses across the Nation. This year's celebration is an important milestone for the Cleveland County Business Development Center as they are celebrating 25 years of service to the community through a tradition of education, networking and building strategic alliances. Mr. Hooker gave an overview of the recent achievements, goals and upcoming events for MED Week. He introduced several of the MED Week Board Members who were present to help receive the following proclamation:



SPECIAL PRESENTATION

American Legion Softball Team: Chairman Holbrook recognized Mr. Richie Canipe, Shelby Post 82

Softball Head Coach and Mr. Mike Hasson, President/WNC Commissioner of American Legion Softball to give a presentation on the Legion Lady Fast Pitch League.

**Legion Lady Fastpitch
 (American Legion Pilot Program)**



(Photo)
 Legion Lady Fastpitch Inaugural State Tournament Opening Ceremonies.



(Legion Lady Fastpitch), a new women's fastpitch league, the first ever of it's kind founded by Mike Hasson got up and running in the summer of 2017. Legion Baseball has been around for almost 100 years and Hasson thought it was about time the ladies had the same opportunity, especially with the tremendous growth that the sport of women's fastpitch softball has seen in recent years.

(Photo)
 First ever Legion Lady Fastpitch Game! Shelby at Rutherford



According to ASA (American Softball Association), fastpitch softball is currently the fastest growing youth sport for girls in the United States! It's popularity and growth has caused the International Olympic Committee to re-instate fastpitch softball back into the 2020 Olympic Games!!!

(Photo)
 A play at the plate at a Randolph vs. Stanly Legion Lady Fastpitch game!



The Legion Lady Fastpitch League specifically operates on weeknights, games are scheduled for Tuesday & Thursday nights as to not interfere with weekend ball.

(Photo)
 Burke Post 21 delivers a pitch in a game against Lincoln County during a Legion Lady Fastpitch game in Morganton!!!



The Legion Lady Fastpitch League runs from mid May through July. The season operates on a regular season format followed by a State Tournament!

(Photo)
 A Montgomery County player makes a play over a sliding Cabarrus County runner in a Legion Lady Fastpitch game in Montgomery County!



The Legion Lady Fastpitch League has opened up a new opportunity for the competitive fastpitch softball player during the summer!

(Photo)
 Fans enjoying a beautiful summer evening of softball at the Cabarrus vs Rowan Legion Lady Fastpitch Game!!!



(Top Photo)
 Youth Players from Rowan Co. help work the concession stand at a home game!!!



(Bottom Photo)
 Youth Players from Burke Co. take the field with the Burke Post 21 Legion Lady Fastpitch Team!!!



For the first time, just like youth baseball players, The Legion Lady Fastpitch League has opened up the opportunity for youth softball players to watch and cheer for their hometown Legion Softball teams!!!

(Photo)
 Rowan County Legion Lady Fastpitch!!!



Great players from rival high schools and travel teams within their own counties got a rare chance to become teammates and make new friendships and memories during the Legion Lady Fastpitch season!!!

The Inaugural Shelby Post 82 Legion Lady Fastpitch Softball Team!!! Shelby Post 82 Head Coach Richie Canipe, one of the leagues founding coaches has been very instrumental in helping to develop the Legion Lady Fastpitch League!!!



Randolph Co. Legion Lady Fastpitch Team



Burke County Legion Lady Fastpitch Teammates



Burke County Legion Lady Fastpitch!



(Photo) A Rowan & Burke County Catcher Catch the first pitches thrown out by a youth player from Burke County and Morganton Mayor Ronnie Thompson at the Legion Lady Fastpitch Inaugural State Tournament at Catawba Meadows Park in Morganton!!!



(Photo) Legion Lady Fastpitch Players on the baseline for the saying of an Opening Prayer, the "Pledge of Allegiance" and the playing of the "National Anthem" at the State Tournament! The "Pledge of Allegiance" is recited and the "National Anthem" is played before every single Legion Lady Fastpitch Game as the League honors the principles and core values of our Nation and the American Legion!!!



The Inaugural Legion Lady Fastpitch State Tournament Champion & Runner Up!!!

State Champion (Cabarrus County) Runner Up (Rutherford County)



(Photo) A Rowan County Legion Lady Fastpitch player being interviewed by a Charlotte News Channel before a game for a special story on the new Legion Lady Fastpitch League!!!



The Legion Lady Fastpitch League received awesome media coverage throughout the entire inaugural season!!!

(Photo) A great article about Legion Lady Fastpitch by the Shelby Star Newspaper!!!



The Legion Lady Fastpitch League was covered by more than 15 newspapers in 11 Counties and 2 TV Stations!!!

(Photo) Fox 46 Sports Charlotte's Chuck Howard & Josh Sims done an awesome news special highlighting the Legion Lady Fastpitch League!!! The story aired on Fox 46 Charlotte News in July and had over 31 Thousand views!!!



(Photo) Rutherford & Burke shake hands after a game during the Legion Lady Fastpitch State Tournament!



To conclude, the reason why we chose to pursue American Legion as a sanction for our league is to offer softball players the same opportunity as baseball players, to participate in one of the country's most traditional, respected and honored institutions. With the amount of exposure and interest that the league received in it's inaugural season we expect to see a lot of growth going forward. Our goal at this point is to move forward in our attempt to become officially sanctioned with American Legion.

Social Media & Contact Information

Social Media or E-mail

- Legion Lady Fastpitch on Facebook
- Legion Lady Fastpitch on Twitter
- Legion Lady Fastpitch on Instagram
- legionladyfastpitch@gmail.com
- www.legionladyfastpitch.com (Under Construction)

Contacts

- Mike Hasson – President/WNC Commissioner 828.443.9836
- Wesley Hasson – College Coordinator 828.443.9276
- Todd McNeely – Central NC Commissioner 704.791.4212
- Richie Canipe (Shelby Post 82 Softball Head Coach 704.473.8562

Mr. Hasson updated the Board on the recent events and accomplishments for this pilot program.

Commissioner Allen thanked Mr. Hasson and his team for their efforts in starting the Lady's FastPitch program.

CITIZEN RECOGNITION

Brendan LeGrand – No Address Given – expressed her concerns regarding the Destination Cleveland County Lease Agreement. Mrs. LeGrand stated the museum had been closed from April 2004 to January 2013 and the artifacts had not been seen by the public for over 13 years. She expressed her concern that noone in the community will be able to see the relics if the lease is renewed for another 10 years. Mrs. LeGrand added, DCC continually violates the terms of the lease agreement and feels nothing is done about it. She also spoke of the damage done to the artifacts in the old courthouse. Mrs. LeGrand concluded by asking the Board to make modifications to the lease to allow the public to view and inspect the artifacts that are part of Cleveland County's history.

Trip Boinest – Vice-Chairman of Destination Cleveland County – stated 15 years ago the idea of Destination Cleveland County was formed with two specific projects in mind – one of those ideas being the Earl Scruggs Center. His Board was charged with the responsibility and care of the archives and artifacts. The first action done was to clean, organize and move the artifacts to a safe and climate controlled facility. All the relics are

now properly categorized. Mr. Boiness thanked the Board, the City of Shelby and the community for their continued support and consideration to extend the lease.

Audrey Whetten – 113 Brooke Hill Rd, Shelby – is the Executive Director for Uptown Shelby Association and wanted to extend a thank you to the Board for their continued support of the Earl Scruggs Center. The activating of several historical sites in 2014 has allowed for tremendous growth in the community. There has been over \$11 million dollars in public and private investment, an increase in property transactions and new business growth in the local economy. Uptown Shelby has grown from 78% in business occupancy to 88% which is remarkable for a town of Shelby’s size. Ms. Whetten asked the Board to consider renewing the lease to allow the positive growth and impact in the community to continue.

Bill Watson – Cleveland County Chamber – spoke of the number and diversity of the events which draw in large numbers of people into the community. He stated activities such as the American Legion World Series, the Cleveland County Fair, and the Liver Mush Festival although they are important to the community, they are temporary. Facilities such as the Earl Scruggs Center have positive impact to Cleveland County year-round. Mr. Watson echoed the comments from the previous two speakers asking the Board to renew the lease agreement.

Michelle Gary – 840 E. Marion St, Shelby – is a DCC Board Member and is speaking on behalf of Scott Franklin, Chairman for the Earl Scruggs Center Board. She wanted to thank the Commissioners for their continued support to the Earl Scruggs Center and the consideration of renewing the lease. Ms. Gary stated there was continual and positive feedback and excitement from visitors from all over regarding the Earl Scruggs Center.

Chairman Holbrook thanked the citizens who spoke this evening. All comments will be under consideration and followed through regarding the lease renewal.

CONSENT AGENDA

APPROVAL OF MINUTES

The Clerk to the Board included the Minutes of the *September 19, 2017 regular meeting*, in Board Members packets.

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Falls, and passed unanimously by the Board to, *approve the minutes as written.*

SHERIFF’S OFFICE: BUDGET AMENDMENT (BNA #006)

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Falls, and unanimously adopted by the Board to, *approve the following budget amendment:*

<u>Account Number</u>	<u>Project Code</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.443.4.991.00		State Forfeited Prop/Fd Balance Approp	\$1,139.00	
010.443.5.910.00		State Forfeited Prop/Capital Equipment	\$1,139.00	

Explanation of Revisions: *Budget Amendment request to budget addl funds needed for the purchase of a vehicle to be used as an undercover in the narcs division. Previous car deal did not go thru and present vehicle was more than the original they had planned on purchasing.*

MANAGER'S MONTHLY REPORT

The Finance Department issued the Fiscal Year 2017 End of the Year Financial Update. Several key benchmarks and financial goals were accomplished and are noted in the report.

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- The County's external auditors began initial year-end field work on site in late June. Since that point there has been multiple teams across the organization. Final field work has been completed.
- Cleveland County has successfully drafted and issued the formal request for proposal for the system wide I.T. upgrade.
- Included in packets are lateral and departmental line item transfers for the first quarter.

County of Cleveland, North Carolina
 Manager's Budget Summary
 Presented at the 10/03/2017 Board Meeting
 Time Period Covered : 07/01/2017 - 09/25/2017

LATERAL BUDGET TRANSFER LISTING

TO DEPT	DEPT NAME	FROM DEPT	EXPLANATION	BUDGET AMOUNT
43.232	Cap Proj-Econ Dev	40.210	Cap Proj-Gen	\$ 1,741.00
12.534	School Health	10.998	Graham School Nurse	\$ 27,332.00
10.416	Legal	10.998	Property Foreclosure	\$ 5,537.00
10.413	Finance	10.998	Software Update	\$ 5,000.00
10.450	Building Inspections	10.412	Safety Equipment	\$ 450.00
43.232	Cap Res-Econ Dev	40.210	Cap Proj-General	\$ 9,725.00
10.498	Soil and Water	10.998	I.T. Equipment	\$ 1,044.00
10.416	Legal	10.998	Filing Fees	\$ 858.00
43.232	Cap Proj Econ Dev	40.21	Cap Proj-General	\$ 2,780.00
10.447	Volunteer Rescue	10.446	EMS	\$ 410.00

County of Cleveland, North Carolina
 Manager's Budget Summary
 Presented at the 10/03/2017 Board Meeting
 Time Period Covered : 07/01/2017 - 09/25/2017
 For Fiscal Year Ending June 30, 2018

DEPARTMENTAL LINE ITEM TRANSFERS FOR DEPT

DBLIT #	DATE SUBMITTED BY DEPT	DEPT NAME	EXPLANATION	BUDGET AMOUNT
50601	7/17/2017	Social Services Admin	State allocation match change	\$ 5,240
21001	7/18/2017	Cap Projs-Gen	Account for water line extension to County facility	\$ 20,000
54601	7/10/2017	Carolina Access	Tfr funds to match budget approved by CCNC central office	\$ 19,600
54101	7/21/2017	Environmental Health	Move fds cover purchase of Spectra Laser Kit	\$ 767
53001	7/25/2017	Health -General	Move funds purch portable aluminum dock plate	\$ 570
61101	8/2/2017	Library	Move funds for price increase in new computers	\$ 400
53002	8/10/2017	Health -General	Move funds for security officer clothing	\$ 400
54801	8/17/2017	Health - CODAP	Corrected budgeted amounts to correct P/C	\$ 7,909
42601	8/23/2017	Maintenance	Equipment replacement	\$ 3,211
49801	8/25/2017	Soil & Water Conserv	Move addl funds to cover computer	\$ 627
41901	8/29/2017	Register of Deeds	Staff Development Cost	\$ 50
41301	8/29/2017	Finance	Move original budget for WP Mgr to appropriate account	\$ 3,000
54602	8/23/2017	Health/Carolina Access	Tfr funds to cover expense for network consultant	\$ 2,100
54802	9/5/2017	Health/CODAP	Tfr funds to cover payment for questionnaires	\$ 200
50602	9/6/2017	Social Services	Tfr funds purchase 3 iPads and accessories	\$ 3,000
44501	9/12/2017	Emergency Management	Cover additional funds needed to cover price of vehicle, highway	\$ 2,000
44701	9/19/2017	EMS	Addl funds needed to cover purchased of AED's	\$ 12,830

RIGHT OF WAY AGREEMENTS

Commissioners were asked to approve right of way agreements for the Clearwater Paper Economic Development Project. There is a total of six (6) easements. One agreement authorized the County to give an easement to the City of Shelby for utilities. Three are from Clearwater Paper and the remaining two are from companies near the Clearwater Industrial Park corridor. These easements are related to utility and road construction. (copy found on Page ____ of Minute Book____).

ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Falls, and unanimously adopted by the Board to, ***approve the Right of Way Agreements as presented.***

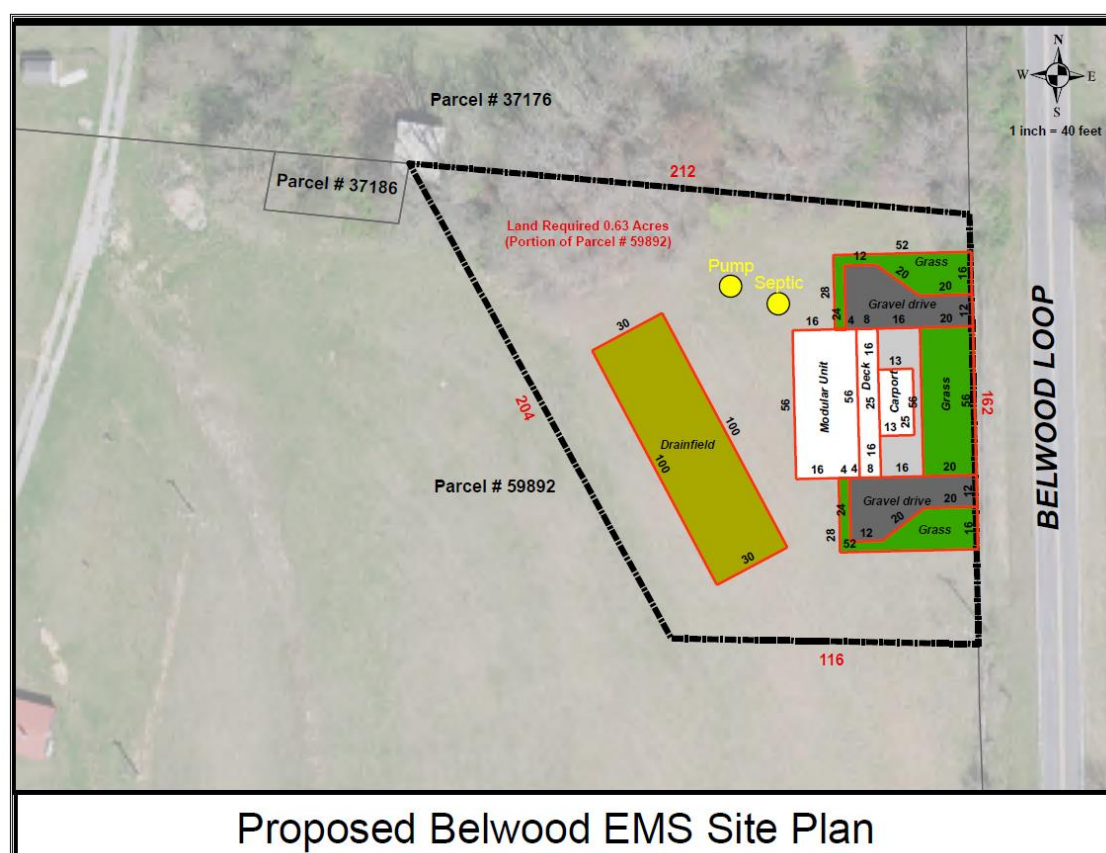
REGULAR AGENDA

BELWOOD EMS BASE LEASE AGREEMENT

Chairman Holbrook recognized Kerri Melton, Director of Community Services to present the Belwood EMS Base Lease Agreement. Mrs. Melton advised the Belwood EMS Base Station had been located in the Old Belwood School for many years. Due to a roof issue during a recent rain event as well as several other maintenance issues over the years, the base station was relocated to the Upper Cleveland Rescue Squad. County staff has been working with the Town of Belwood to establish a long-range plan for location of a new base station in Belwood. The Town of Belwood owns real property located at 141 Belwood Loop. Cleveland County would like to lease 0.63 acres of the property for the purpose of construction of a modular EMS base station to serve the residents in Belwood and the surrounding community. The layout of the new station is more conducive to work environment of EMS paramedics. Terms and conditions of the lease agreement are as follows:

- Ten-year lease automatically renewed for another 10 years unless notice is given by either party
- Annual lease payment of \$4,200
- County will pay all incurred utility costs during the rental term
- The Town will mow the grass in the leased space
- County will hold the Town harmless against all claims which arise out of use of the property by the County
- Any improvements to the property will receive prior approval from the Town

Mrs. Melton concluded stating if the agreement is approved by both parties, work on this project is expected to start immediately. Delivery of the modular home is estimated at six weeks and the projected time for the base station to open is at the end of the year. Chairman Holbrook opened the floor for Commissioner questions. Commissioner Hutchins stated he was in agreeance with the lease and felt this should have been done a long time ago. (copy found on Page ____ of Minute Book ____).



ACTION: Commissioner Hutchins made a motion, seconded by Commissioner Whetstine, and passed unanimously by the Board to, *approve the Belwood EMS Base Lease Agreement.*

DESTINATION CLEVELAND COUNTY LEASE AGREEMENT

Chairman Holbrook recognized Kerri Melton, Director of Community Services to present the Destination Cleveland County Lease Agreement. Mrs. Melton, advised in 2008, Cleveland County entered into a lease agreement with Destination Cleveland County for use of the Old Court House for the Earl Scruggs Center. The lease term is 10 years which is set to expire in March 2018. Minor changes have been made to the lease agreement and language has been added which would allow the Earl Scruggs Center to better promote the Center to outside visitors. Terms and conditions of the lease agreement are as follows:

- Ten-year lease with an option to extend for an additional 10-year term.
- Rental for use of the property \$1 per year
- Alterations or major renovations to the existing improvements and installation of all banners, displays and signs shall first obtain County's written approval.
- All banners, display and signage must be kept in excellent condition and be replaced should fading or wear and tear occur.
- Lessee shall designate one day of the Center's operating schedule for free admission to Cleveland County residents.
- DCC will pay County an annual insurance premium for contents of the leased property.
- The lessee shall dedicate no more than 20 percent of exhibit space to any one person or entity.

Mrs. Melton highlighted some benefits of renewing the lease agreement:

- For many years, the Historic Courthouse sat dormant. The ESC has brought life back to the building.
- The Earl Scruggs Center has been a tourist destination since its opening and has had visitors from forty-nine states.
- DCC has a museum curator on staff who manages the Cleveland County Museum Collection. Objects are stored under National Museum guidelines.
- Many of the objects from the Cleveland County Museum collection are now displayed rather than being stored where no one can enjoy them.

Chairman Holbrook opened the floor for Commissioner questions. Commissioner Hutchins stated he thinks Destination Cleveland County is doing an excellent job. He added, some inquiry needs to be done to determine if community historians and writers would have access and be able to do research of the local history. Commissioner Falls added he too thinks DCC has done an outstanding job for Cleveland County and the City of Shelby. He continued by stating the success of all the major events held in Cleveland County is due to people who love the community and work hard to put them together. Commissioner Falls concluded by saying he supports DCC going

forward. Commissioner Allen echoed the comments made by Commissioner Hutchins and Commissioner Falls. She added there is access to the artifacts for historians to get the information they need and stated they will be looking into the options available under the National Museum guidelines to make the artifacts accessible. Chairman Holbrook agreed with Commissioner Hutchins and Commissioner Allen and believed it is important to allow local writers and historians access to the community's history and asked Staff to look for the available options. (*copy found on Page ____ of Minute Book ____*).

ACTION: Commissioner Whetstine made a motion, seconded by Commissioner Falls, and passed unanimously by the Board to, ***approve the Destination Cleveland County Lease Agreement.***

Commissioner Falls requested to be excused from the Closed Session and the remaining portion of the Commissioners Meeting. Chairman Holbrook granted Commissioner Falls' request to be excused at 7:04pm.

CLOSED SESSION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board (4-0), ***to go into closed session per NCGS 143-318.11(a)(6) to consider the qualifications of an individual public officer or employee of the County.*** (*Copy of closed session minutes are sealed and found in Closed Session Minute Book*)

RECONVENE IN REGULAR SESSION

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Allen, and unanimously adopted by the Board (4-0) to, ***reconvene in open session.***

Chairman Holbrook announced the following *"As to the vacancy of the County Manger, the County Commission will undertake an internal selection process for a qualified candidate from existing staff. And, further pending appointment of a new County Manager, that Commissioner Jason Falls be appointed to serve as interim County Manager on a temporary basis effective Monday, October 9, 2017 at a monthly salary of \$10,417."*

ACTION: Commissioner Hutchins made the motion, seconded by Commissioner Whetstine and unanimously approved by the Board (4-0) to, ***appoint Jason Falls as the interim County Manager on a temporary basis effective Monday, October 9, 2017 at a monthly salary of \$10,417.***

COMMISSIONER REPORTS

Commissioners had nothing to report at this time.

ADJOURN

There being no further business to come before the Board at this time, Commissioner Allen made the motion, seconded by Commissioner Whetstine, and unanimously adopted by the Board (4-0), *to adjourn the meeting*. The next meeting of the Commission is scheduled for *Tuesday, October 17, 2017 at 6:00 p.m. in the Commissioners Chamber*.

*Eddie Holbrook, Chairman
Cleveland County Board of Commissioners*

*Phyllis Nowlen, Clerk to the Board
Cleveland County Board of Commissioners*