

**CLEVELAND COUNTY BOARD OF COMMISSIONERS**

**September 21, 2010**

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:** Jo Boggs, Chairwoman  
Johnny Hutchins, Vice-Chairman  
Mary S. Accor, Commissioner  
Ronald J. Hawkins, Commissioner  
Eddie Holbrook, Commissioner  
David C. Dear, County Manager  
Robert Yelton, County Attorney  
Kerri Melton, County Clerk  
April Crotts, Deputy Clerk  
Eddie Bailes, Assistant County Manager  
Chris Green, Tax Administrator  
Chris Crepps, Finance Director  
David Allen, The Star  
Danielle Anzelone, Cleveland Headline News  
Other individual names on file in the Clerk's Office

**CALL TO ORDER**

Chairwoman Jo Boggs called the meeting to order and led the audience in the "Pledge of Allegiance" to the flag of the United States of America. Commissioner Hawkins provided the invocation for the meeting.

**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 Clerk with the following changes:*

*Move item 7. before item 5.      **PATHWAYS UPDATE***

*ADD 7a.      **PUBLIC HEARING PROCEDURES***

**CONSENT AGENDA**

**TAX COLLECTOR'S MONTHLY REPORT**

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during **August 2010** (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 2010**. The monthly grand total of tax abatements was listed as (\$155,548.91); and, the monthly grand total for tax supplements was listed as \$41,674.17.

**SHERIFF'S OFFICE: BUDGET AMENDMENTS (BNA #007)**

**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>
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010.440.4.991.00 School Resource Officer/Fund Bal Approp \$ 5,399.  
010.440.5.790.41 School Resource Officer/Donations/Contrib 5,399.

Explanation of Revisions: To budget donations received in prior years that were not budgeted for Dare Dances.

**HEALTH DEPARTMENT: BUDGET AMENDMENTS (BNA #010)**

**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>
012.541.4.350.00/10559-5767	Env. Health/State Gov't. Grants	\$ 2,860.	
012.541.5.241.00	Env. Health/Motor Fuels	1,430.	
012.541.5.310.00	Env. Health/Travel/Training	1,430.	

Explanation of Revisions: Budget Summer Food Service Program funds from DHHS for inspections of food service facilities.

**SPECIAL RECOGNITIONS**

**CONNECT, COMMIT TO CHANGE**

Chairwoman Jo Boggs introduced Skip Foster, Publisher of The Shelby Star to talk about the Connect, Commit to Change event recently held at the fairgrounds. There was a very large group of people behind this successful event. Mr. Foster praised Olivia Neeley for taking the lead on many stories regarding children which lead up to this event and gave special thanks to Dr. Deviney for her hard work. Over fifty-six organizations participated in the event and over 200 citizens committed to change. "This was a great community event." Mr. Foster hopes that this will become an annual event. Follow-up meetings have been scheduled to ensure that this is not a "one-shot deal."

**PATHWAYS UPDATE- DETOX CENTER**

Chairwoman Jo Boggs introduce Rhett Melton, Pathways Executive Director. After 18 months of planning, construction on the Detox Center is now underway. The Detox Center will be a 16 bed, private room facility. There will be an entrance in the back for law enforcement to transport consumers. This entrance will be used for security reasons and for the dignity of the consumers. Mr. Melton showed a PowerPoint which showed progress of construction.

He thanked David Dear and Eddie Bailes for helping Pathways secure a grant for the facility. Construction is expected to be complete by February, 2011.

Commissioner Hawkins asked several questions regarding the current process for consumers needing this type of facility and how it will be different once the detox center is open, to which Rhett Melton responded. Currently, if a consumer is picked up by law enforcement and taken to the emergency room, there are many regulations and many times the officer will need to stay with the consumer while they are being evaluated. If more than one consumer is in the hospital, an officer is required to be with each consumer. At the detox facility, once officer can serve more than one consumer. It is the goal of the detox facility to be staffed with an officer 24/7. A licensed Social Worker

will do the initial evaluation while consulting with a Psychiatrist. Pathways is currently in a pilot program allowing licensed clinicians to evaluate consumers. The facility will be designed as a crisis facility where consumers will stay approximately three to five days. More aggressive consumers, needing extended stays, will be sent to the state hospital in Morganton. Stays will be determined on a case by case basis. Mr. Melton described the facility as a “link to other services.” He said, “Pathways is committed to recognizing law enforcement as a front-line to consumers.” They have been very pleased to be able to work with law enforcement through the Crisis Intervention Training Program. Mr. Melton praised Lt. Steve Canipe for pushing this program and making it become a reality.

**2010 CRISIS INTERVENTION TRAINING GRADUATES**

Chairwoman Boggs recognized the first graduating class of the Crisis Intervention Training Program by saying, “Firsts are special, you are the first graduates.”

She introduced Lt. Steve Canipe of the Shelby Police Department who was the driving force behind this program being offered to officers in Cleveland County. He explained how this program came to fruition. “Over the last several years, local law enforcement has dealt with several tragedies involving citizens with special needs. When people are at the tipping point, it can get bad very fast, if we can help before it gets to that point, we can possibly avoid a tragedy.” Commissioners presented the following graduates with a Certificate of Recognition:

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

***Presented to:***

**Shelby P.D.**

Shenisia Jefferies  
Daniel Halloran  
Ryan Laughridge  
Mark Boris  
Corry Hyde  
Scott Ledford  
Steve Canipe  
David Gemes  
Debra Garris

**Cleveland Co. Sheriff's Office**

Michael Fussell Sr.  
Bartley Lee  
Tim Elmore  
Maurice Jamerson  
Kevin Pruitt  
Tim Russ  
Billy Byers

***FOR COMPLETING THE CRISIS INTERVENTION TRAINING TEAM COURSE ~  
FOR BEING ONE OF ONLY A FEW OFFICERS IN CLEVELAND COUNTY TO  
SPECIALIZE IN RESPONDING TO MENTAL HEALTH CRISIS SITUATIONS ~  
FOR UNDERSTANDING THE IMPORTANCE OF WORKING WITH MENTAL  
HEALTH PROFESSIONALS AND OTHER LOCAL COMMUNITY AGENCIES TO  
WORK TOGETHER TO MEET THE SPECIAL NEEDS OF PEOPLE  
EXPERIENCING A MENTAL HEALTH CRISIS ~ FOR YOUR CONTINUED WORK  
IN PROTECTING THE CITIZENS OF CLEVELAND COUNTY ~ WE COMMEND  
YOU!***

***Presented this the 21<sup>st</sup> day of September 2010***

**NATIONAL YOUTH COURT MONTH**

Commissioner Accor serves as the Commissioners representative on the Juvenile Crime Prevention Council. She recently attended Youth Court Sessions where she said she was “inspired at what our young kids are doing.” She introduced Phyllis White, Executive Director of Communities in Schools who explained that Youth Court was designed by Juvenile Crime Judges to give first-time, non-violent offenders another chance. Over eighty youth have gone through the program and only ten have re-offended.

Commissioner Accor then recognized John Michael Twiggs, one of the student representatives appointed by Commissioners to serve on the Juvenile Crime Prevention Council. The other representative, Olivia Brooks was unable to attend due to a schedule conflict. Mr. Twiggs explained that students who go to Teen Court must admit their guilt. They are then sentenced by their peers. He said working on Teen Court has helped him work on his public speaking skills.

Commissioners presented Mr. Twiggs and Ms. Brooks with a Certificate of Recognition that read as follows:

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

***FOR BEING ONE OF TWO STUDENT REPRESENTATIVES ON THE JUVENILE  
CRIME PREVENTION COUNCIL ~ FOR UNDERSTANDING THE IMPORTANCE  
AND THE BENEFITS OF COMMUNITY SERVICE ~ FOR BEING COMMITTED TO  
MAKING CLEVELAND COUNTY A BETTER PLACE TO LIVE ~ FOR BEING AN  
INSPIRATION AND A POSITIVE EXAMPLE TO YOUR PEERS ~ WE COMMEND  
YOU!***

***Presented this the 21<sup>st</sup> day of September 2010***

Commissioners then recognized Karen Folk who is the Communities in School staff member responsible for Teen Court.

**ACTION:** Johnny Hutchins made the motion, seconded by Eddie Holbrook, and unanimously adopted by the Board, ***to adopt the following proclamation:***

***Number 03-2010***

**Youth Teen Court Month**

**WHEREAS**, throughout September, more than 1,300 youth court programs operating in our nation's juvenile justice systems, schools, and community-based organizations will celebrate the 9<sup>th</sup> Annual National Youth Court Month, and the 3<sup>rd</sup> year that the Cleveland County Teen Court through Communities In Schools has been in operation; and

**WHEREAS**, teen courts are one of the fastest growing crime prevention and early intervention programs in the nation; and

**WHEREAS**, for over thirty years, they have offered innovative solutions to prevent juvenile crime and educate our young people; and

**WHEREAS**, teen courts emphasize the importance of being involved in one's community, and they provide our nation's youth with an opportunity to learn about government and take an active role in upholding our democratic principles; and

**WHEREAS**, teen courts empower youth through involvement in community solutions by developing skills in leadership, decision-making, and problem solving; youth learn the appropriate use of peer pressure, and are given opportunities to mentor and instill integrity in their peers; and they gain a clearer understanding of our nation's judicial system; and

**WHEREAS**, teen court volunteers play a crucial role in making the goal of reducing juvenile crime in this country a reality and teach our youth about accountability and the consequences of making poor choices; they also reward responsible behavior; and

**WHEREAS**, the Cleveland County Commissioners strongly support youth court programs because they help build healthier and safer communities in which we live, raise families, and work; and it commends the youth and adult volunteers who support the Cleveland County Teen Court through Communities In Schools and our juvenile justice system.

**NOW, THEREFORE, BE IT RESOLVED** that the Cleveland County Board of Commissioners hereby proclaims September 2010 as Teen Court Month to be celebrated in conjunction with National Youth Court Month.

**ADOPTED THIS THE 21<sup>st</sup> DAY OF SEPTEMBER, 2010.**

#### **REGULAR AGENDA**

##### **PATHWAYS UPDATE- HORIZONS BEHAVIORAL HEALTHCARE**

As a result of Mental Health Reform, agencies throughout the county were created to provide services for the mental health consumers of the county. As time has passed, many of these agencies are not providing the services needed anymore. By state statute, Pathways cannot provide these services.

On March 16, 2010, Commissioners approved an Interlocal Agreement for the Provision of Behavioral Healthcare Services in Gaston, Lincoln and Cleveland Counties. Per the agreement, a joint agency called Horizon's Behavioral Healthcare was created. The purpose and undertaking of Horizons shall be to provide behavioral healthcare services, including but not limited to MH/DD/SA services, in the Pathways' catchment area. Horizon's Behavioral Healthcare was created as a safety net to provide these services when there is a need. Rhett Melton insured Commissioners that the purpose Horizons is not to compete with local providers but to, again, provide a service when there is a need.

The Horizon's Behavioral Healthcare Board has met and created several subcommittees.

#### **PUBLIC HEARING PROCEDURES**

At their September 14, 2010 work session, Commissioners advised County Attorney Bob Yelton to make the following changes to the **Public Hearings Procedures for Board of Commissioners of Cleveland County, NC**: 1. Chair will have the authority to open and close the public hearing 2. The original presentation by a speaker will be limited to no more than five (5) minutes.

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the revised Public Hearings Procedures for Board of Commissioners of Cleveland County, NC* (copy found on Page \_\_\_\_\_ of Minute Book \_\_\_\_\_).

### **PUBLIC HEARING**

#### **2010 CDBF SCATERED SITE HOUSING APPLICATION**

The purpose of this public hearing is to allow residents the opportunity to express their views concerning the County submitting a 2010 Community Development Block Grant (CDBG) Scattered Site Housing (SSH) application to the NC Department of Commerce. The County is considering applying for \$400,000 through the North Carolina Department of Commerce grant/loan program that will assist a selected number of income qualified homeowners with various home repair needs. If approved, the county plans to begin accepting applications from residents who are residing in Cleveland County beginning September 22, 2010 through October 1, 2010.

Chairwoman Boggs opened the public hearing (*public notice was accomplished in accordance with the mandates with an advertisement published in The Star on September 10, 2010*).

Hearing no further comments, Chairwoman Boggs closed the public hearing.

**ACTION:** Ronnie Hawkins made the motion, seconded by Eddie Holbrook and unanimously adopted by the Board, *to authorize Isothermal Planning and Development Commission to begin preparing application for the 2010 Scattered Site Housing grant.*

### **REGULAR AGENDA (cont.)**

#### **DISCUSSION OF SOLID WASTE ISSUES**

Recently, several citizens have been cited at collections sites for not having their load secured. Not having your load secured is a violation of the Solid Waste Ordinance.

Commissioner Hutchins has always been opposed to this section of the Solid Waste Ordinance. He explained, "Since this has passed, law enforcement should have been working together to cite people. The only citations that have been issued have been inside the collection site.....inside the collection site is not the place to issue the citation. Let's review the ordinance and see what we can do to make it better."

Commissioner Hawkins made note that this request should be brought before the Health Board first for a recommendation. Commissioners all agreed that this could be looked at to possibly review the guidelines or just make it better.

County Manager David Dear offered to have Sam Lockridge bring it back through the Health Board and possibly re-energize local law enforcement.

### **COMMISSIONER REPORTS**

Commissioner Hawkins recently spoke to a Kiwanis group in Kings Mountain. Members of the group said that they have been very pleased with the Commissioners. Many of them said this is the best board they have seen.

Commissioner Hutchins visited an event at the Kings Mountain Rescue Squad. This rescue squad was the first in Cleveland County and only the second in the State of North Carolina. Commissioner Hawkins grandfather was the one who started the squad.

**ADJOURN**

There being no further business to come before the Board at this time, Mary Accor made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to adjourn. The next regular meeting will be held *on Tuesday, October 5, 2010 at 6:00 p.m.* in this Commission Chamber.

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*Rebecca Jo Powell Boggs, Chairwoman  
Cleveland County Board of Commissioners*

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