

Cleveland County Board of Commissioners
April 18, 2017

The Cleveland County Board of Commissioners met in regular session on Tuesday, April 18, 2017, at 6:00 p.m. in the Commission Chamber of the Cleveland County Administrative Office.

PRESENT: Eddie Holbrook, Chairman
Susan Allen, Vice-Chair
Jason Falls, Commissioner
Johnny Hutchins, Commissioner
Ronnie Whetstine, Commissioner
Betsy Harnage, Register of Deeds
Randy McDaniel, Soil & Water District Superintendent
Jeff Richardson, County Manager
Tim Moore, County Attorney
Andrea Leslie-Fite, Assistant County Attorney
Henry Earle, Clerk to the Board
Kerri Melton, Community Services Director
Brian Epley, Finance Director
Chris Green, Tax Administrator
Allison Mauney, Human Resources Director
Dayna Causby, Board of Elections Director
Perry Davis, Emergency Management Director

CALL TO ORDER

Chairman Eddie Holbrook called the meeting to order and Commissioner Jason Falls led the audience in the Pledge of Allegiance and provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Commissioner Falls moved to adopt the agenda as presented by the Clerk. The motion was seconded by Commissioner Whetstine and unanimously approved by the Board.

SPECIAL PRESENTATION

EARL SCRUGGS CENTER UPDATE: Chairman Holbrook introduced Emily Epley, Executive Director of the Earl Scruggs Center, and invited her to the podium. Ms. Epley thanked the Board for allowing her to have time to come before the Board. Ms. Epley stated that the Earl Scruggs Center is annually seeing visitors from forty states and seven to 10 countries. Ms. Epley stated that some visitors have stated that they have some difficulty locating the building so she is exploring ways to tastefully put the Earl Scruggs Center name on the building. Ms. Epley spoke about the fundraising efforts of the Earl Scruggs Center and some of their various concerts and other activities before thanking the Board again for their continued support.

CITIZEN RECOGNITION

- Robert Williams: 814 East Stagecoach Trail – Mr. Williams stated that his topic was on district representation. Mr. Williams said that, up until 1967, that County Commissioners were elected by their district. Since that time, the citizens of upper Cleveland County have not had representation. Mr. Williams said that it was his belief that the reason Burns High School does not have what it needs is because of a lack of representation on the School Board and the Board of Commissioners. Mr. Williams proposed that the

Commissioners let citizens decide and to put a referendum on the ballot for district voting for

Commissioners and to also put a referendum on the ballot for the Coroner office.

CONSENT AGENDA

MINUTES: There being no corrections, additions or deletions, the minutes of the April 4, 2017 regular agenda meeting were presented.

ACTION: Commissioner Hutchins moved to adopt the Minutes as presented. It was seconded by Commissioner Allen and unanimously adopted by the Board.

TAX ADMINISTRATION: As of March 31, 2017, 98.23% of taxes have been collected for fiscal year 2016/2017.

ACTION: Commissioner Hutchins moved to approve the Tax Collector's Report. It was seconded by Commissioner Allen and unanimously adopted by the Board.

TAX ADMINISTRATION: For the month of March, 2017, Abatements were in the amount of \$66,962.00 and Supplements were in the amount of \$6,038.07.

ACTION: Commissioner Hutchins moved to approve Abatements and Supplements report. It was seconded by Commissioner Allen and unanimously adopted by the Board.

SOCIAL SERVICES: BNA #044

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
011.504.4.310.00	Local and Other Grants	\$10,404.00	
011.504.5.121.00	Salary-PT	\$10,404.00	

Explanation of Revisions: Budget \$10,404.00 in additional state allocation to offset County share of salaries for FY 2016/2017.

ACTION: Commissioner Hutchins moved to approve the budget amendment. It was seconded by Commissioner Allen and unanimously approved by the Board.

PUBLIC HEALTH CENTER: BNA #045

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.530.4.800.00	Miscellaneous Rev.	\$1,965.00	
012.530.5.211.00	Controlled Prop. Exp.	\$1,965.00	

Explanation of Revisions: Budget \$1,965.00 received from the Alliance for Health to reimburse for purchase of document stands.

ACTION: Commissioner Hutchins moved to approve the budget amendment. It was seconded by Commissioner Allen and unanimously approved by the Board.

PUBLIC HEALTH CENTER: BNA #046

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.548.4.810.00	Donations/Contributions	\$1,000.00	
012.548.5.370.00	Donations/Contributions	\$1,000.00	

Explanation of Revisions: Budget \$1,000.00 received from the Dover Foundation to support SOBIR program activities.

ACTION: Commissioner Hutchins moved to approve the budget amendment. It was seconded by Commissioner Allen and unanimously approved by the Board.

PUBLIC HEALTH CENTER: BNA #047

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
012.538.4.800.00	Miscellaneous Revenue	\$600.00	
012.538.5.500.00	State Gov't Grants	\$600.00	

Explanation of Revisions: Budget \$600.00 from Gardner-Webb University to be used for Maternal Health Program expenses.

ACTION: Commissioner Hutchins moved to approve the budget amendment. It was seconded by Commissioner Allen and unanimously approved by the Board.

EMERGENCY MANAGEMENT: BNA #048

<u>Account Number</u>	<u>Department/Account Name</u>	<u>Increase</u>	<u>Decrease</u>
010.445.4.310.00	Federal Gov't Grants	\$17,959.00	
012.538.5.500.00	Controlled Property Exp.	\$17,959.00	

Explanation of Revisions: Budget \$17,959.00 in grant funds from the NC Department of Public Safety to purchase three thermal imaging cameras.

ACTION: Commissioner Hutchins moved to approve the budget amendment. It was seconded by Commissioner Allen and unanimously approved by the Board.

SHERIFF'S OFFICE: The Sheriff's Office requested to present the service weapon of Deputy Brian Sitzes to his surviving spouse. Deputy Sitzes died on March 30, 2017 from complications stemming from an illness. Deputy Sitzes weapon was a Glock, Model 17, serial number BDTK-844.

ACTION: Commissioner Hutchins moved to approve the award of Deputy Brian Sitzes' service weapon to his spouse. It was seconded by Commissioner Allen and unanimously approved by the Board.

REGISTER OF DEEDS: The Register of Deeds Office requested to change the hours her office will receive documents for recording from 8:00 a.m. – 5:00 p.m. to 8:00 a.m. – 4:30 p.m. This change requires Commissioner approval, per NCGS 153A-94 and 161-8.

ACTION: Commissioner Hutchins moved to approve the change in receiving hours for the Register of Deeds to 8:00 a.m. – 4:30 p.m. It was seconded by Commissioner Allen and unanimously approved by the Board.

CLEVELAND COUNTY LIBRARY: The Cleveland County Memorial Library has requested an amendment to its bylaws. This amendment will change wording that will add the president of the Friends of the Library as a permanent member to Cleveland County Memorial Library Board.

ACTION: Commissioner Hutchins moved to approve the change in the Library Bylaws. It was seconded by Commissioner Allen and unanimously approved by the Board.

PLANNING: The Planning Department requested to set a public hearing for Tuesday, May 2nd, for Zoning Amendment Case 17-03. The property owner is requesting to rezone a 7.5 acre piece of property at 2240 McBrayer Springs Road from Residential (R) to Rural Agriculture (RA).

ACTION: Commissioner Hutchins moved to set the public hearing for Tuesday, May 2nd for Zoning Map Case 17-03. It was seconded by Commissioner Allen and unanimously approved by the Board.

ECONOMIC DEVELOPMENT: Economic Development requested to amend the incentive agreement with Clearwater Paper, reflecting an increase of 23 acres to the project site, bringing the total up to 236 acres conveyed. This conveyance does not change the financial specifications of the incentive agreement.

ACTION: Commissioner Hutchins moved to approve the change in the incentive agreement with Clearwater Paper. It was seconded by Commissioner Allen and unanimously approved by the Board.

PUBLIC HEARING

SMALL BUSINESS INCENTIVE AGREEMENT: Chris Green, Tax Administrator, came to the podium. Mr. Green reminded the Board that it, in an effort to incentivize small businesses to invest, the County created the Small Business Investment Program. Mr. Joseph Lail, and his farm business, made an application with a qualifying investment of \$234,700. Mr. Lail therefore would qualify to be granted back 50% of the taxes paid, at 57 cents, on this investment for three years. Hearing no Commissioner questions the Chairman opened the public hearing at 6:32 p.m.

- Steve Padgett: Mr. Padgett is the Director of the Small Business Center at Cleveland Community College. Mr. Padgett thanked the Board for their vision in creating the Small Business Investment Program and said he was glad that one of these agreements was finally before the Board. Mr. Padgett reminded the Board that nearly 40% of Cleveland County was agricultural land and that he hoped the Board would vote in favor of the investment program.
- After hearing no one else, the public hearing was closed at 6:35 p.m.

ACTION: Commissioner Hutchins moved to approve the Small Business Incentive Agreement. It was seconded by Commissioner Falls and unanimously approved by the Board.

REGULAR AGENDA

CORONER/MEDICAL EXAMINER SYSTEM: Jeff Richardson, County Manager, came to the podium. Mr. Richardson showed the Board that, due to the predominance of the Medical Examiner (M.E.) system in North Carolina, County Administration looked at both models. Only five (5) counties in North Carolina, including Cleveland County, have the Coroner system. The average population of the other four counties is 40,000. The Medical Examiner System requires that all local medical examiners have a set of qualifications and are all appointed by the Chief Medical Examiner in Raleigh. Moving to the Medical Examiner would

streamline the system and make it compliant with the state. It would also eliminate the need for salary for the Coroner and the Assistant Coroner. If the Board wished to move to the Medical Examiner system instead of the Coroner system, it would require a local bill from the state legislation. Mr. Richardson explained that he had spoken with the Coroner, Mr. Morgan, and that Mr. Morgan was willing to stay until the end of his term, thus giving the County eighteen (18) months to transition and to coordinate with public safety so that there would be a smooth transition. Staff recommends moving from the Coroner system to the Medical Examiner system at the end of the current Coroner's term in November, 2018. County Attorney Moore stated that, if approved, a resolution would need to be created to send to Senator Warren Daniel to begin the process of creating a local bill calling for the abolishment of the Coroner's Office in Cleveland County.

ACTION: Commissioner Falls moved to request that Cleveland County's local delegation to abolish the Coroner position in Cleveland County at the end of the current Coroner's term in November, 2018, and to ask the County Manager's Office to create a resolution detailing the request. It was seconded by Commissioner Allen and unanimously approved by the Board.

BOARD APPOINTMENTS

CLEVELAND COUNTY MEMORIAL LIBRARY BOARD:

Cleveland County Memorial Library Advisory Board

Applicant	Address	Occupation	Boards Currently On
Miranda Hyland*	145 Hywood Road-Casar		
Frank Kopenec	213 John Cline Road-Cherryville	Program designer	
Angela Woods	113 South Gaston Street-KM	DSS attorney	
Deborah Coleman	1104A Frederick Street-Shelby	Retired school teacher	
Elizabeth Thomas	1106 Hendrick Lake Road-Shelby	Ingles	

Appoint One (1)
 Three Year Term
 Term Ending 6/30/2020
 *Recommendation

ACTION: Commissioner Allen moved to appoint Miranda Hyland to the Cleveland County Memorial Library Advisory Board. It was seconded by Commissioner Whetstine and unanimously approved by the Board.

CLOSED SESSION

ACTION: Commissioner Falls moved to go into closed session, pursuant to North Carolina General Statute 143-318.11 (1) (6) to consider qualifications for employment, at 7:14 p.m. It was seconded by Commissioner Hutchins and unanimously adopted by the Board.

During the closed session Commissioners discussed the interviews that were held in closed session on Wednesday, April 12th, 2017, for the position of Clerk to the Board of Commissioners.

ACTION: Commissioner Allen moved to come out of closed session at 7:49 p.m. and into open session. It was seconded by Commissioner Whetstine and unanimously approved by the Board.

ADJOURN

Chairman Holbrook entertained a motion to adjourn. The motion was made by Commissioner Hutchins, seconded by Commissioner Whetstine and unanimously approved by the Board. The next regularly scheduled meeting of the Board of Commissioners will be Tuesday, May 2nd, 2017.