

CLEVELAND COUNTY BOARD OF COMMISSIONERS

August 21, 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 Bailes, County Manager
Robert Yelton, County Attorney
Kerri Melton, County Clerk
Greg Traywick, Cooperative Extension Director
Rebecca Clark, *The Star*
Other individual names on file in the Clerk's Office

ABSENT: Eddie Holbrook, Commissioner

CALL TO ORDER

Chairman Hutchins called the meeting to order. Vice-Chairman Ronnie Hawkins led the audience in the "Pledge of Allegiance" to the flag of the United States of America and 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 County Clerk with the following deletions:*

COMMISSIONER REPORTS

CONSENT AGENDA

APPROVAL OF MINUTES

There being no corrections, additions, or deletions to the Minutes of the **August 7, 2012**, motion was made by Ronnie Hawkins, seconded by Mary Accor, 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 **July 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 **July 2012**. The monthly grand total of tax abatements was listed as (\$20,136.19); and, the monthly grand total for tax supplements was listed as \$13,276.50.

SOCIAL SERVICES: BUDGET AMENDMENT (BNA #008)

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>
011.506.5.920.00	Social Services/Lease Pur Payments	\$52,633.	
011.506.4.970.00	Social Services/Other Financing Source	52,633.	

Explanation of Revisions: *To budget for lease purchase of new AS400 server.*

LANDFILL: PURCHASE OF ROLL OFF HOIST WITH TARP SYSTEM

Commissioners were asked to consider a waiver of competitive bidding under GS Sec. 143-129(g) for the purchase of a 2012 Roll Off Hoist with Tarp System from Young's Truck Center/Advantage Truck of Charlotte. The seller has agreed to extend to Cleveland County the same or more favorable prices and terms set forth in its contract with Lincoln County, North Carolina, entered into on April 11, 2012. County Manager Eddie Bailes explained, the estimated cost of the equipment is \$150,249.34.

ACTION: Motion was made by Ronnie Hawkins, seconded by Mary Accor, and unanimously adopted by the Board to *grant a waiver of competitive bidding of the Roll Off Hoist with Tarp System valued at \$150,249.34.*

IPDC: ADMINISTRATIVE CONTRACT FOR MACO GRANT

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to approve the Administrative Contract with Isothermal Planning and Development Commission for the MACO Grant (copy found on Page ___ of Minute Book ___).*

SHERIFF'S OFFICE: REQUEST TO AWARD SERVICE REVOLVER

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to award his service revolver (Serial Number PAV-851) to Sergeant David Rankin after thirty years of law enforcement service.*

SPECIAL RECOGNITION

CLEVELAND COUNTY ARTS COUNCIL 25TH ANNIVERSARY

ACTION: Mary Accor made the motion, seconded by Jason Falls, and unanimously adopted by the Board, *to adopt the following resolution in honor of the Cleveland County Arts Council 25th Anniversary.*

Number 16-2012

CELEBRATING THE CLEVELAND COUNTY ARTS COUNCIL'S 25TH ANNIVERSARY

WHEREAS, The Cleveland County Arts Council is celebrating the twenty-fifth year of providing cultural opportunities to the citizens of Cleveland County; and

WHEREAS, the Arts Council offers a broad range of opportunities including performances, exhibits, and a wide array of art classes; and

WHEREAS, the Cleveland County Arts Council believes that art is for everyone beginning with our children and continuing through lifetimes; and

WHEREAS, the Arts Council works to showcase the amazing artists of Cleveland County by allowing them to display and sell their work at the Arts Council and the Charles Harry Administrative Building; and

WHEREAS, through the Reel to Reel Film Festival, the Cleveland County Arts Council offers a forum for independent film, video and multi-media artists from around the world to showcase their talents and expose the works of these artists to our region; and

WHEREAS, many students in the Cleveland County Schools are exposed to future careers as artists and performers through the work of the Cleveland County Arts Council; and

WHEREAS, the Arts Council provides grants to teachers, non-profit organizations and artists to expand the reach of the arts in the community; and

NOW, THEREFORE, BE IT RESOLVED, the Cleveland County Board of Commissioners hereby celebrates the Cleveland County Arts Councils twenty-fifth anniversary and thanks them for the significant impact they have made on the lives of so many in Cleveland County.

Adopted this the 21st day of August, 2012.

EXTENSION COUNTY PARTNERSHIP AWARDS

Greg Traywick, County Extension Director introduced himself as well as several members of the local Extension staff and some of the most dedicated lay leaders and volunteers.

Mr. Traywick recognized Commissioners as a model county partner in the Extension mission of empowering people and providing solutions to improve quality of life in the local community.

The NC Cooperative Extension Service County Partnership Award is sponsored by the NC Cooperative Extension Service Foundation. It recognizes “*best practices*” based on: 1) Commitment of resources; 2) Inclusiveness in County Government; 3) Advocacy and/or involvement in Extension Program(s).

One county in each of the five Extension districts is selected to receive this award, and Cleveland County was selected as a state winner in the West District (competing against 21 counties and the Eastern Band of Cherokee Indians).

Because of the exemplary and longstanding support of Cooperative Extension, the award application almost wrote itself. One of the biggest challenges for Mr. Traywick was paring down the application to make it fit the 3-page limit. Mr. Traywick read the short statement that summarized the application.

Cleveland County Government values NC Cooperative Extension’s commitment and ability to impact local quality of life and consistently demonstrates its support of all four of our major programming areas. Most notable however, is the county’s commitment of resources to Extensions program efforts related to local food systems. The Manager and Commissioners were squarely behind

the Extension efforts to establish a certified local seasonal tailgate farmers market in 2008. Over the past five years, they have provided a wealth of support, including a part-time managers' salary, a range of insurance coverage and legal services, and a financial commitment toward the construction of a permanent market facility. Extension is recognized as an essential department of county government and is called upon regularly to provide feedback and background information to assist with planning and implementing county projects, and give leadership to community strategic planning and collective decision-making. County Government is well-represented on Extension advisory groups and at Extension events.

Commissioner Mary Accor accepted a large plaque during a formal ceremony at the NCACC Annual Conference. Mr. Traywick presented Commissioners and County Manager Eddie Bailes with individual awards as a symbol of his appreciation of them.

JIM QUINLAN- RETIRING AMERICAN LEGION BASEBALL WORLD SERIES NATIONAL PROGRAM DIRECTOR

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to adopt the following resolution in appreciation of Jim Quinlan:*

Number 17-2012

IN APPRECIATION OF JIM QUINLAN- RETIRING AMERICAN LEGION BASEBALL WORLD SERIES NATIONAL PROGRAM DIRECTOR

WHEREAS, Jim Quinlan began his career as a program coordinator for the American Legion in his home state of Iowa, was promoted to state adjutant and then in 1986, began working for the American Legion National Headquarters; and

WHEREAS, Mr. Quinlan directed his first American Legion Baseball tournament in Rapid City, South Dakota in 1986; and

WHEREAS, for 26 years, Mr. Quinlan has demonstrated in countless ways his dedication and love for the game of baseball, but more importantly, his dedication and love for the countless players and veterans he has served; and

WHEREAS, under his leadership, the American Legion Baseball World Series, is now available through social media and can now be seen across the nation on ESPN3, evolving from 25,000 average attendance to nearly 100,000 average attendance; and

WHEREAS, with this growth, Mr. Quinlan has always continued to put the players and the veterans' best interests at heart; and

WHEREAS, since Cleveland County began working with Mr. Quinlan, the relationship between him and the county has grown from that of a working relationship to a true friendship.

NOW, THEREFORE, BE IT RESOLVED, the Cleveland County Board of Commissioners, in appreciation of his dedication to the American Legion Baseball World Series and his willingness to believe in the "Shelby Way", we hereby recognize Mr. Jim Quinlan as an honorary citizen of Cleveland County.

Adopted this the 21st day of August, 2012.

PUBLIC HEARINGS

ECONOMIC DEVELOPMENT ~ INCENTIVES FOR SCHLETTER, INC. (PROJECT LETTER)

Kristin Fletcher thanked Commissioners for being the lead Economic Development Agent in Cleveland County. Ms. Fletcher described this project as having an unprecedented number of jobs. The Economic Development team has worked for over a year to secure this project. Schletter Corporation will purchase the Shell Building located in the Foothills Commerce Center. They will move their US headquarters to this facility. The project will create over 300 jobs. The company will make a \$27 million investment in capital equipment. Ms. Fletcher outlined incentives found in the agreement. She thanked County Attorney Bob Yelton for handling the negotiations of the proposed incentive agreement.

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

David Dear, Special Projects Manager, spoke in support of the incentive agreement. Mr. Dear described this project as a significant project for Cleveland County. “This project will bring 300 jobs with an annual salary payment of \$13 Million. This project validates the incentive program and the process of partnering with the City of Shelby on construction of the shell building.” Mr. Dear hoped that the County will build a second building with the proceeds from the sale of this building to Schletter.

Hearing no other comments, Chairman Hutchins closed the public hearing.

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor and unanimously adopted by the board, *to approve the incentive agreement (copy found on Page ____ of Minute Book ____).*

PUBLIC HEARINGS

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CLOSEOUT FOR SHELL BUILDING PROJECT

Chairman Hutchins introduced Teresa Spires of Isothermal Planning and Development Commission. Cleveland County has successfully used the funds granted by CDBG to build the Shell Building located in the Foothills Commerce Center. The grant received was \$1 Million and the county provided \$10,000 for grant administration. Ms. Spires explained the next step was to close out the project.

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

Hearing no comments, Chairman Hutchins closed the public hearing.

ACTION: Mary Accor made the motion, seconded by Jason Falls and unanimously adopted by the board, *to close out the CDBG Grant for the Shell Building Project.*

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CLOSEOUT FOR HALLELUJAH ACRES

Cleveland County received a \$200,000 Community Development Block Grant to assist with construction of sewer lines and a pump station to serve Hallelujah Acres. Additional funds for this project were also received from the North Carolina Rural Center.

When Cleveland County signed the agreement for the CDBG grant, Hallelujah Acres also signed an agreement that this project would produce twenty new jobs. The company has not met that criteria and will be moving to Gaston County. County Manager Eddie Bailes has had conversations with Hallelujah Acres and they understand their obligation to repay the money.

The NC Department of Commerce recommends that the grant be closed because all of the funds have been spent.

County Attorney Bob Yelton explained the legally binding agreement that Hallelujah signed holds even if the grant is closed.

Should the grant not be closed, Cleveland County may not have the ability to apply for any other CDBG grants.

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

Hearing no comments, Chairman Hutchins closed the public hearing.

ACTION: Mary Accor made the motion, seconded by Ronnie Hawkins and unanimously adopted by the board, *to close out the CDBG Grant for the Hallelujah Acres project and instruct the County Manager and County Attorney to recoup the money, from Hallelujah Acres, for repayment of the grant.*

REGULAR AGENDA

RESOLUTIONS FOR MACO CDBG GRANT

Cleveland County has applied for a Small Business Entrepreneurial Assistance Grant for MACO Corporation. As part of the application, Ms. Spires recommended Commissioners approve several policies including; Citizen Participation Plan, Anti-Displacement Plan, Section 3 Plan, Equal Employment Plan, Fair Housing Plan, Section 504 Grievance Policy, Code of Conduct and Procurement Plan (*copies found on Page ____ of Minute Book ____*). Ms. Spires asked Commissioners to approve these plans by way of the two resolutions below:

RESOLUTION FOR CLEVELAND COUNTY FOR COMMUNITY DEVELOPMENT BLOCK
GRANT FUNDING FOR MACO SMALL BUSINESS ENTREPRENEURIAL ASSISTANCE
GRANT

WHEREAS, the County's Board of Commissioners has previously indicated its desire to assist in economic development efforts within the County; and,

WHEREAS, the Board has received notification of award from the Department of Commerce regarding this grant;

WHEREAS, the Board had previously certified it will meet all federal regulatory and statutory requirements of the Small Cities Community Development Block Grant Program,

NOW, THEREFORE BE IT RESOLVED, by the County's Board of Commissioners that Cleveland County has re-adopted the following policies as they apply to the CDBG program administered by Cleveland County until December 31, 2014:

- 1) Citizen Participation Plan
- 2) Anti-Displacement Plan
- 3) Section 3 Plan
- 4) Equal Employment Plan
- 5) Fair Housing Plan
- 6) Section 504 Grievance Policy
- 7) Code of Conduct

NOW, THEREFORE BE IT RESOLVED, by the County's Board of Commissioners that Cleveland County has accepted the grant award for the MACO expansion project and has adopted the above referenced policies.

Adopted this the 21st day of August, 2012

**RESOLUTION FOR CLEVELAND COUNTY
PROCUREMENT PLAN
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

WHEREAS, Cleveland County is participating in the Community Development Block Grant Program under the Housing and Community Development Act of 1974 as administered through the North Carolina Department of Commerce; and,

WHEREAS, a Procurement Policy is required for the County's CDBG project;

NOW, THEREFORE BE IT RESOLVED, that to accomplish the above, the Cleveland County Board hereby adopts the attached Procurement Policy to be used throughout the implementation of this Community Development Block Grant project.

Duly adopted this the 21st day of August, 2012

ACTION: Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, *to adopt the resolutions as presented by Teresa Spires.*

ADJOURN

There being no further business before the board at this time, Mary Accor made the motion, seconded by Jason Falls, and unanimously adopted by the Board, to adjourn the meeting. The next regular meeting of the Commission is scheduled for *Tuesday, September 4, 2012 at 6:00 p.m.* in the Commission Chamber.

Johnny Hutchins, Chairman
Cleveland County Board of Commissioners

Kerri Melton, Clerk
Cleveland County Board of Commissioners