CLEVELAND COUNTY BOARD OF COMMISSIONERS

December 20, 2005

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: Ronald J. Hawkins, Chairman
Jerry L. Self, Vice-Chairman
Mary S. Accor, Commissioner
Johnny Hutchins, Commissioner
Willie B. McIntosh, Commissioner
David C. Dear, County Manager
Robert Yelton, County Attorney
Wanda Crotts, County Clerk
Kerri Melton, Deputy Clerk
Eddie Bailes, Assistant County Manager
Chris Crepps, Finance Director
Chris Green, Tax Administrator
Joy Scott, The Star
Lindsey Allen, Cleveland Headline News
Other individual names on file in the Clerk’s Office

CALL TO ORDER

Chairman Ronald J. Hawkins called the meeting to order and led the audience in the “Pledge of Allegiance” to the flag of the United States of America. Commissioner Johnny Hutchins provided the invocation for the meeting.

AGENDA ADOPTION

ACTION: Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to adopt the agenda as presented by the County Clerk, with the following addition:

(1) Delay Agenda Item #4: Board of Elections - Voting Machines. (David Dear)
(2) Delay Pathways Board Appointment (Willie McIntosh)

CITIZENS RECOGNITION

Brett Keeter, Regional Field Director for Congressman Patrick McHenry, reported “this district has received the most grant assistance for fire and rescue, receiving six grants which will be evenly distributed throughout the county.”

CONSENT AGENDA

TAX COLLECTOR’S MONTHLY REPORT

The Tax Collector provided Commissioners with a detailed written report regarding taxes collected during November 2005 (copy found on Page __________ of Minute Book 29).

TAX ABATEMENTS AND SUPPLEMENTS

The Tax Assessor provided Commissioners with a detailed written report regarding tax abatements and supplements during November 2005. The monthly grand total of tax abatements was listed as ($43,379.06); and, the monthly grand total for tax supplements was listed as $15,902.72.
HAZMAT: BUDGET AMENDMENTS (BNA #A022)

ACTION: Johnny Hutchins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to approve the following budget amendments:

<table>
<thead>
<tr>
<th>Account Number/Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.453.4.310.00/97004-4400</td>
<td>HazMat/Federal Grants</td>
<td>$18,402</td>
<td></td>
</tr>
<tr>
<td>10.453.5.310.00/97004-4400</td>
<td>HazMat/Travel-Training</td>
<td>$18,402</td>
<td></td>
</tr>
</tbody>
</table>

Explanation of Revisions: To budget additional Homeland Security Funds. These funds are to be used by March 31, 2006.

RESOLUTION: US-74 SHELBY BYPASS

ACTION: Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to approve the following resolution.

Resolution 17-2005

WHEREAS, the US-74 Shelby Bypass has been on the Transportation Improvement Program since 1968;

WHEREAS, the US-74 Bypass, R-2707, is an 18.9 mile four-lane divided freeway on new location, projected to cost over $285 million dollars;

WHEREAS, construction of this new highway has been separated into six phases (AA, AB, B, C, D and E), and funding projected well beyond the seven year TIP;

WHEREAS, acquisition of right-of-way is planned to begin in FY-08, for Sections AA, AB and B;

WHEREAS, we estimate that over 750 individual properties will be impacted by the construction of this new freeway, development along the route has been stifled, virtually land-locking the many property owners along the route;

WHEREAS, businesses and residential property owners along the route cannot make improvements to their property, expand their businesses, or simply even sell and get out of the way due to the restrictions imposed on these properties by the State;

WHEREAS, in this time of economic crisis for our county, it is imperative that our State and Federal Legislators do everything in their power to help these citizens to be able to regain control of their homes and businesses by eliminating any further delays in construction, which stifles economic development in our county.

NOW THEREFORE BE IT RESOLVED, that the Cleveland County Board of Commissioners support the continued funding of R-2707 US-74 Shelby Bypass and make the following recommendations:

- Program adequate State and Federal funding for the acquisition of all right-of-way within the next seven years (2007-2013 TIP).
- Begin construction of access roads at key intersections to protect existing right-of-way and enhance the development of commercial and industrial properties.
- Expedite right-of-way settlements with property owners who are adversely affected or constrained by NCDOT Highway-74 corridor plan.
- Expedite environmental impact statement required by Federal law.

**BOARD APPOINTMENTS**

**NURSING HOME ADVISORY COMMITTEE**

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to appoint Irene Camp to serve as a member of the Nursing Home Advisory Committee. The term of this appointment is for a period of one-year, scheduled to conclude on December 31, 2006.

**CLEVELAND COUNTY PLANNING BOARD**

**ACTION:** Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to appoint David Morrow to serve as a member of the Planning Board. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to appoint Wayne Yarbro to serve as a member of the Planning Board. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to reappoint Gene Lovelace to serve as a member of the Planning Board. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to appoint Hayward Homesley to serve as a member of the Planning Board. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Jerry Self made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to reappoint Tom Spurling to serve as a member of the Planning Board. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Ronnie Hawkins made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to appoint Tom Crider to serve as a member of the Planning Board. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**CLEVELAND COUNTY ZONING BOARD OF ADJUSTMENT**

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to appoint Bill Chambliss to serve as a member of the Zoning Board of
Adjustment. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.

**ACTION:** Willie McIntosh made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to appoint Bob Cabiness to serve as an alternate member of the Zoning Board of Adjustment. There is no specific term length for this appointment.

**COMMISSION FOR WOMEN**

**ACTION:** Mary Accor made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to reappoint Mitzi McGraw Johnson and Peggy Strickland to serve as members of the Commission for Women. Each appointment is for a term of three-years, scheduled to conclude on December 31, 2008.

**CLEVELAND COUNTY RURAL FIRE COMMISSION**

**ACTION:** Willie McIntosh made the motion, seconded by Johnny Hutchins, and unanimously adopted by the Board, to reappoint Kevin Gordon and Jimmy Hensley (both Firefighter’s Association representatives) to serve as members of the Rural Fire Commission. Each reappointment is for a term of one-year, scheduled to conclude on December 31, 2006. (Clerk’s note – terms of the other members were extended until June 2006 in order for them to comply with the board training requirements.)

**FIREMAN’S RELIEF FUND – CLEVELAND VFD**

**ACTION:** Jerry Self made the motion, seconded by Willie McIntosh, and unanimously adopted by the Board, to appoint Brevard Callahan to serve as Cleveland Volunteer Fire Department representative to the Fireman’s Relief Fund. This appointment carries no specific term.

**CLEVELAND COUNTY BOARD OF HEALTH**

**ACTION:** Mary Accor made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to reappoint Dr. Robert Blackburn (public citizen board representative) and appoint Betty Lingerfelt (nurse representative) to serve as members of the Board of Health. Each appointment is for a term of three-years, scheduled to conclude on December 31, 2008.

**AGRICULTURAL ADVISORY BOARD**

**ACTION:** Jerry Self made the motion, seconded by Mary Accor, and unanimously adopted by the Board, to appoint Julia Sain to serve as a member of the Agricultural Advisory Board. The term of this appointment is for a period of three-years, scheduled to conclude on December 31, 2008.
UPTOWN SHELBY ASSOCIATION

ACTION: Johnny Hutchins made the motion, seconded by Jerry Self, and unanimously adopted by the Board, to reappoint Willie McIntosh and David Dear, or their designee, to serve as representatives to the USA Board.

COMMISSIONER REPORTS

EMERGENCY MANAGEMENT

Commissioner Hutchins commended staff for their work during the recent ice storm. Mr. Dear noted that, as always after such an event, staff will conduct a review of how emergency operations went and note any areas for improvement.

TAX STATEMENTS

Vice-Chairman Self noted that he had received a favorable comment from a property owner who lives in Virginia regarding the new design of the tax statement, saying this is the first time they understood where their money was going.

UNITED WAY

Chairman Hawkins thanked county employees for their 18% increase in United Way contributions.

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 meeting (at 7:00 p.m.). The next regular meeting of the Commission is scheduled for Tuesday, January 3, 2005 at 6:00 p.m. in this Commission Chamber.

____________________________________________
Ronald J. Hawkins, Chairman
Cleveland County Board of Commissioners

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Wanda Crotts, CMC, Clerk
Cleveland County Board of Commissioners