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.
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. Boinest 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:

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Project Code</th>
<th>Department/Account Name</th>
<th>Increase</th>
<th>Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>010.443.4.991.00</td>
<td></td>
<td>State Forfeited Prop/Fd Balance Approp</td>
<td>$1,139.00</td>
<td></td>
</tr>
<tr>
<td>010.443.5.910.00</td>
<td></td>
<td>State Forfeited Prop/Capital Equipment</td>
<td>$1,139.00</td>
<td></td>
</tr>
</tbody>
</table>

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.

- Several key benchmarks and financial goals were accomplished and are noted in the report.

- 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.

**LATERAL BUDGET TRANSFER LISTING**

<table>
<thead>
<tr>
<th>TO DEPT</th>
<th>DEPT NAME</th>
<th>FROM DEPT</th>
<th>EXPLANATION</th>
<th>BUDGET AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>43,232</td>
<td>Cap Proj Econ Dev</td>
<td>40,210</td>
<td>Cap Proj Gen</td>
<td>$1,741.00</td>
</tr>
<tr>
<td>12,534</td>
<td>School Health</td>
<td>30,998</td>
<td>Graham School Nurse</td>
<td>$2,832.00</td>
</tr>
<tr>
<td>10,616</td>
<td>Legal</td>
<td>30,998</td>
<td>Property Foreclosure</td>
<td>$5,593.00</td>
</tr>
<tr>
<td>10,413</td>
<td>Finance</td>
<td>30,998</td>
<td>Software Update</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>10,450</td>
<td>Building Inspections</td>
<td>10,412</td>
<td>Safety Equipment</td>
<td>$450.00</td>
</tr>
<tr>
<td>43,222</td>
<td>Cap Res Econ Dev</td>
<td>40,210</td>
<td>Cap Proj General</td>
<td>$9,725.00</td>
</tr>
<tr>
<td>10,498</td>
<td>Soil and Water</td>
<td>30,998</td>
<td>I.T. Equipment</td>
<td>$1,044.00</td>
</tr>
<tr>
<td>10,616</td>
<td>Legal</td>
<td>30,998</td>
<td>Filing Fees</td>
<td>$658.00</td>
</tr>
<tr>
<td>43,232</td>
<td>Cap Proj Econ Dev</td>
<td>40,21</td>
<td>Cap Proj General</td>
<td>$2,780.00</td>
</tr>
<tr>
<td>10,447</td>
<td>Volunteer Rescue</td>
<td>10,446</td>
<td>EMS</td>
<td>$410.00</td>
</tr>
</tbody>
</table>

**DEPARTMENTAL LINE ITEM TRANSFERS FOR DEPT**

<table>
<thead>
<tr>
<th>DLB#</th>
<th>DATE SUBMITTED</th>
<th>DEPT NAME</th>
<th>EXPLANATION</th>
<th>BUDGET AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>50001</td>
<td>7/17/2017</td>
<td>Social Services Admin</td>
<td>State allocation match change</td>
<td>$5,240</td>
</tr>
<tr>
<td>27001</td>
<td>7/18/2017</td>
<td>Cap Proj Gen</td>
<td>Account for water line extension to County facility</td>
<td>$20,000</td>
</tr>
<tr>
<td>54001</td>
<td>7/10/2017</td>
<td>Carolina Access</td>
<td>Trf funds to match budget approved by CCNC central office</td>
<td>$16,400</td>
</tr>
<tr>
<td>54101</td>
<td>7/21/2017</td>
<td>Environmental Health</td>
<td>Move feds cover purchase of Spectra Laser Kit</td>
<td>$767</td>
</tr>
<tr>
<td>53001</td>
<td>7/22/2017</td>
<td>Health-General</td>
<td>Move funds to purchase portable aluminum dock plates</td>
<td>$570</td>
</tr>
<tr>
<td>61101</td>
<td>8/3/2017</td>
<td>Library</td>
<td>Move funds for price increase in new computers</td>
<td>$400</td>
</tr>
<tr>
<td>53002</td>
<td>8/10/2017</td>
<td>Health-General</td>
<td>Move funds for security officer clothing</td>
<td>$400</td>
</tr>
<tr>
<td>54001</td>
<td>8/17/2017</td>
<td>Health-GODAP</td>
<td>Corrected budgeted amounts to correct F&amp;G</td>
<td>$7,909</td>
</tr>
<tr>
<td>42901</td>
<td>8/23/2017</td>
<td>Maintenance</td>
<td>Equipment replacement</td>
<td>$3,211</td>
</tr>
<tr>
<td>49801</td>
<td>8/25/2017</td>
<td>Soil &amp; Water Conty</td>
<td>Move add funds to cover computer</td>
<td>$627</td>
</tr>
<tr>
<td>41101</td>
<td>8/29/2017</td>
<td>Register of Deeds</td>
<td>Staff Development Cost</td>
<td>$50</td>
</tr>
<tr>
<td>41102</td>
<td>8/29/2017</td>
<td>Finances</td>
<td>Original budget for WP/Mgr to appropriate account</td>
<td>$3,000</td>
</tr>
<tr>
<td>54002</td>
<td>8/23/2017</td>
<td>Health Carolina Access</td>
<td>Trf funds to cover expense for network consultant</td>
<td>$2,100</td>
</tr>
<tr>
<td>54003</td>
<td>8/26/2017</td>
<td>Health-GODAP</td>
<td>Trf funds to cover payment for questionnaire</td>
<td>$200</td>
</tr>
<tr>
<td>50602</td>
<td>8/26/2017</td>
<td>Social Services</td>
<td>Trf funds purchase 3 Pads and ossocienes</td>
<td>$3,000</td>
</tr>
<tr>
<td>44003</td>
<td>9/12/2017</td>
<td>EMS</td>
<td>Cover additional funds needed to cover price of vehicle, highway</td>
<td>$2,000</td>
</tr>
<tr>
<td>44003</td>
<td>9/12/2017</td>
<td>EMS</td>
<td>Add funds needed to cover purchase of AED's</td>
<td>$12,630</td>
</tr>
</tbody>
</table>

**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 Away 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 Manager, 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