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Merger suits to be heard in June

BY BEN LEDBETTER
 Staff Writer

A new chapter will be written in the school merger saga as two courts in Raleigh will make rulings that could effect Kings Mountain District Schools.

On June 6, North Carolina Court of Appeals will hear the lawsuits the school system has filed against the Cleveland County Board of Commissioners.

The court will hear an appeal on the case originally heard by Judge Oliver Noble on whether a preliminary injunction should have been granted.

Kings Mountain Attorney Brian Shaw said Kings Mountain asked for the preliminary injunction to maintain the school systems as they were before the merger issue, and that the ruling will be an indication of how strong the school system's case is.

Although it may not have the final decision, Shaw said the Court of Appeals can have the final rule if it finds the school board was not in the proper jurisdiction to file the lawsuit in Cleveland County against the Board of Commissioners.

Kings Mountain Schools has two other cases filed in Wake County Superior Court in Raleigh, and those will be heard on June 11 in Raleigh.

But the merger issue will not be decided on the basis of the cases, Kings Mountain Schools Superintendent Dr. Larry Allen said.

"If the appeals court rules in our favor, we can go back to court and have a jury trial," he said. "We don't know what the others will involve in terms of decisions, we have to go through the process."

Allen said if the appeals court does not rule in favor of the school system, it may appeal the decision, but if any appeals are granted as a result of the district's appeal, the school system will have to wait.

The State Board of Education is looking to have

the original lawsuit dismissed, Shaw said, because it said the way to challenge it is to wait until a final decision is made.

A second lawsuit, also against the State Board of Education, will be heard June 11. Kings Mountain Schools filed a lawsuit against the State Board to keep it from acting on the merger request from the Cleveland County Board of Commissioners and Judge Abe Jones issued a preliminary injunction. Ronnie Wilson, Assistant Superintendent for Personnel and Administration, said the injunction is what delayed the merger.

See Merger 3A

Budget woes may affect KM satellite health clinic

By GARY STEWART
 Editor of The Herald

A proposed Kings Mountain satellite office of the Cleveland County Health Department may face the budget ax that is being yielded by the county because of a shortfall in funds for the 2001-02 fiscal year.

The County Board of Commissioners recently sent out a letter to municipalities in the county stating that they would not fund anything that was not funded last year because they face a budget shortfall of about \$900,000 because the State of North Carolina is not releasing an estimated \$844,000 in inventory taxes.

The County Health Department and City of Kings Mountain had been considering a partnership that would locate a satellite health clinic at the new medical facility across from The Herald on East King Street.

However, County Commission Chairman Willie McIntosh said that if that happens the money will have to come out of the Health Department's budget, which has not yet been approved by the county.

Health Director Denese Stallings said she included \$47,000 in her budget request to start up the clinic (Kings Mountain is to provide an additional \$21,000), but she said she had already received a letter from County Manager Lane Alexander saying that the money would not be granted.

The Board of Health will discuss the matter at its monthly meeting Tuesday night at 6:30 p.m. at North Lake Country Club in Shelby.

Stallings is still hopeful the satellite office can be a reality, but it may take a commitment from the city to provide additional funds.

"Our Board is going to have to evaluate it," Stallings said. "We have so many mandated services that we have to fund. Starting something new would require getting money from somewhere else."

KM Mayor Rick Murphrey said he is committed to having the satellite office which would provide citizens in the KM area all of these services that they currently have to drive to Shelby for. Stallings said the office would be manned full-time but services would be at designated times.

"There would be someone there all the time that could help people with information they may need about Health Department Services," she said, "but it would have certain hours for certain services."

See Clinic 12A

RESCUE DIVING 101



Kings Mountain Rescue Squad Members Jamie Ledbetter, left, and Danny Smith are making sure their diving gear works before going under Friday at Neisler Natorium at Kings Mountain High School. Members of the squad has been taking diving classes this year to increase the number of divers on its roster.

Drowning at Moss Lake inspires rescuers to be prepared in future

BY BEN LEDBETTER
 Staff Writer

After a Shelby man and his son drowned at Moss Lake last year, the Kings Mountain Rescue Squad decided it needs to be more prepared for future emergencies at the lake.

Recently the squad has been in diving classes at Neisler Natorium at Kings Mountain High School, so more members could be certified divers.

Previously, there has been only one other diver on the squad, Tim Adams, who is also the School Resource officer at Kings Mountain High School.

Kings Mountain's Rescue Squad, which has been taking classes from a Gastonia diving shop, is an all-volunteer force, and has been paying for the instruction out of its own fund.

Chris Hartsell of Skully's Dive Shop said he was pleased with the progress of the squad.

"These guys are doing great in the pool," Hartsell said. "They've learned a lot real quick."

Hartsell has taught other emergency agencies and he said he does more than run a store.

"We can carry someone further being a school than just being a shop," he said.

Hartsell has been in business for approximately 13 years.

To receive its open water diving certification, the first level in diving, the squad will go to Florida to complete the course.

See Rescue 3A



BEN LEDBETTER/THE HERALD
 Serita Mull adjusts her diving mask before instruction starts Friday at Neisler Natorium. The squad has been taking classes from Skully's Dive Shop in Gastonia.

City considering \$28.5 million budget for next fiscal year

By GARY STEWART
 Editor of The Herald

The City of Kings Mountain has scheduled a public hearing for Monday, May 14 at 6 p.m. at City Hall to consider a 2001-02 fiscal year budget of \$28,526,565.

Citizens will be allowed to speak in favor or in opposition of the proposed budget during the public hearing. City Council may adopt the budget following the hearing.

The budget includes a 2% pay raise for the 182 full-time city employees as well as the first pay raise for Mayor and Council members in over 15 years. The mayor's salary will increase from \$500 to \$700 per month, and Council salaries will increase from \$300 to \$500 per month.

The budget maintains the current 36-cents tax rate. The only increase in services is a 5% water/sewer hike which is being passed on to customers because the City of Gastonia increased the rates for treating wastewater at the Crowders Creek Plant.

Mayor Rick Murphrey said the city's general fund balance should continue to be strong. The fund balance for the 1999-2000 fiscal year was \$2,948,328 and it is projected to be about the same at the end of the current fiscal year.

The overall budget is up \$2.5 million from last year, but \$1.2 million of that is necessary to cover increases in natural gas prices.

A new fire station for the west side of town will cost \$500,000, and \$1 million is being carried over for completion of the new senior center.

Murphrey pointed out numerous accomplishments during the current fiscal year, including the second phase of a new 36-inch water line from Moss Lake to Public Works. That phase, which cost \$930,000, serves the north side of town.

Design plans for the third phase, which will carry the line from Canler Street across Highway 74 Bypass to Oak

Grove Road, will take place during this budget year but the line will actually be built and funded during the 2002-03 fiscal year. The water line expansion is a 10-year project with an estimated cost of \$1 million per phase; however, since two lines were installed during the current fiscal year the project is ahead of schedule.

The city is also finalizing plans for development of a greenway project on King and Watterson Streets, and completed its downtown revitalization study. It also initiated downtown revitalization and industrial incentives grants programs.

The city was also designated a Gateway Community to the federal and state parks, paved 12 streets from Powell Bill funds, was awarded over \$700,000 in Community Development Block Grants, almost a half-million dollars in Highway Safety grants, was named one of the top 100 cities for location of new manufacturing by Site Selection Magazine, and completed \$150,000 in repairs to the Moss Lake spillway.

"We accomplished all of this while also maintaining a solid general fund balance and addressing all the infrastructure needs," Murphrey said. "Plus, we received a perfect audit on last year's budget."

Looking to the upcoming fiscal year, the mayor anticipates having the Central School district designated as a historical district, and the city will design an expansion of the T.J. Ellis Water Plant.

"As the usage continues to increase and we have more prospective clients coming to town, we're looking to expand the water treatment plant's capacity," he said.

The city also plans to continue improvements in the Davidson Park area, including building a new basketball court and paving of the parking lot.

A new mini-park which will include modern playground equipment is scheduled for Jake Early Field behind the YMCA.

See Budget 3A

Committee to again discuss tree limbs policy

By GARY STEWART
 Editor of The Herald

The monthly meeting of the City Utilities Committee on Monday, May 21 at City Hall could be an interesting one.

A recommendation by the committee at last week's City Council meeting to amend the tree and shrubbery trimmings

ordinance drew concerns from several members of Council.

Councilmen Carl DeVane, chairman, and Clavon Kelly and Gene White make up the committee.

The proposal brought before the Council, which never got to a vote, limited the amount of trimmings that the city public works department would pick up at any one residence to sev-

en cubic yards per week; and also stipulated that any tree and shrubbery branches, limbs and trimmings cut by a landscape or tree service contractor or other commercial workers or resulting from land being cleared by a contractor would not be collected by the city.

The proposed ordinance stated that no tree trunks, branches, limbs or shrubbery larger than

four inches in diameter, longer than five feet, or heavier than 75 pounds would be collected by the city.

It further stated that the city would not remove or assist in the removal of tree stumps, and that it would be unlawful for anyone to place a tree stump on city property.

It also stated that larger piles of tree trimmings would be re-

moved for a fee, if approved by the Public Works Director. The fee would be \$80 per hour for two men.

Councilman Dean Spears has said in the past that piles of limbs left on the side of streets is an eyesore and should be picked up by the city, and then the city should deal with the

See Meeting 3A



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