

The Herald

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NC Court Appeals upholds merger, KM plans appeal to Supreme Court

By GARY STEWART
 Editor of The Herald

Cleveland County school merger is one step closer to reality following a ruling by the NC Court of Appeals Tuesday.

However, Kings Mountain District Schools Supt. Dr. Larry Allen says Kings Mountain still intends to take the case as far as it can, meaning an immediate appeal to the NC Supreme Court.

Tuesday's opinion by a three-judge panel of the NC Court of Appeals and issued by Judge Patricia Timmons-Goodson, was

unanimous, meaning the Supreme Court can refuse to hear the case.

Tuesday's ruling takes effect in 20 days (August 25), and the School System's attorneys, Richard Schwartz and Brian Shaw of Raleigh, have 15 days to appeal it.

Dr. Allen said it is his understanding that the Supreme Court could "take months" to decide the case or even whether it would hear it. Once all court proceedings are exhausted, the merger still must be precleared by the U.S. Justice Department.

The basis of Kings Mountain's lawsuit against the Cleveland

County Commissioners merger plan, which was approved by the State Board of Education in June 2000, is that it failed to include approximately 183 students who reside in the Gaston County portion of the City of Kings Mountain.

KMDS argued that in its 1905 school charter the school lines moved with the city limits. KMDS argued that the merger plan was unlawful because the district lies in two counties and the Gaston County Commissioners did not approve the plan.

However, Judge Timmons-Goodson wrote in her opinion, that

the Appeals Court agrees with the State School Board and with lower court rulings that, that is not the case.

"We conclude that the Kings Mountain School District is located wholly within Cleveland County, and we affirm the order and judgment of the trial court." The written opinion went on to say that there were no local annexation laws in 1905, thus expansion of the school boundaries could only change through legislative action.

"As the town of Kings Mountain had no authority to expand its own boundaries until forty-two

years after the 1905 Act was enacted, the General Assembly could not have intended...to grant the town authority to unilaterally expand the school district," the Court ruled.

Dr. Allen said Tuesday the Kings Mountain School Board members had not officially discussed whether or not to appeal the decision. However, he added, it has been the intent of the Board all along to fight merger until the end and unless he is instructed otherwise, the Board's attorneys will prepare an appeal to the Supreme Court.

School opens Monday

KM enrollment up 150 students

By ANDIE L. BRYMER
 Staff Writer

Teachers have spent the last two weeks decorating their classrooms, rearranging desks, preparing lessons, sorting books and attending meetings and workshops all in preparation for the return of students on Monday.

In Cynthia Cook's Kings Mountain Middle School seventh grade language arts classroom, Write It Right posters have gone up on the walls.

"We'll concentrate on writing from day one," Cook said.

While last year's writing test emphasized clarifying point of view, this year the focus is on making arguments and evaluation.

The veteran teacher also spent time this week working with a new teacher as part of the mentor program.

In addition to readying her room and preparing lessons, there are also meetings and training sessions. Cook and her colleagues attended a breakfast Wednesday at the Kings Mountain District Schools administrative office and heard motivational speaker Dudley Flood.

See School, 3A

NATIONAL NIGHT OUT



Jada Putnam, left, Chelsie Putnam and Summer Putnam pet Capone. His handler is Sheriff's Deputy Chris Cook.

ANDIE BRYMER / HERALD

Event brings community together to find out ways to fight crime

By ANDIE L. BRYMER
 Staff Writer

Police, fire fighters and local residents mingled Tuesday night during Kings Mountain's first National Night Out.

Police Chief Melvin Proctor said the event is an opportunity to "bring the community together to fight crime."

Many Kings Mountain police officers participated in the event along with Cleveland County Sheriff's officers, North Carolina

Highway Patrol troopers and Kings Mountain fire fighters.

Proctor told the crowd gathered at the gazebo at Patriots Park that his department, Sheriff's officers and the highway patrol had formed a partnership to fight drugs and crime.

"To finish the job, its going to take you," he said.

Sheriff Raymond Hamrick and Sgt. Dave Allen of the highway patrol also addressed the crowds.

"It's important we celebrate National Night Out with you,"

Hamrick said. "This lets us know you want to be involved in your town."

During the opening ceremony, the Kings Mountain Police Department honor guard presented the colors.

As the event got underway, local residents met officers.

Members of the Sheriff's Emergency Response Team, or SERT, were on hand to show the weapons they use. According to Sgt. Durwin Briscoe, the shotguns

See Night, 3A

5 more join KM race as filing ends

By ANDIE L. BRYMER
 Staff Writer

Five more Kings Mountain individuals registered to run for office in the last few days before the filing period ended on Friday.

Lamar Fletcher, 56, is making a bid for the Ward 1 seat. Fletcher would like to see improvement in city finances.

"It's time for some changes. We need to cut the fat out of the budget," he said.

Fletcher criticized the city's contract with the YMCA saying members were too high for average families.

If elected, he would like to see more stores in the downtown area and more industry jobs.

Fletcher said he supports a two year term for council members.

Fletcher promises a listening ear if he sits on the council.

"I'll sit down and listen to all complaints," he said.

Fletcher is a Kings Mountain native. He is a technician at Pharr Yarns in McAdenville and worked as a supervisor for 15 years at J.P. Stephens.

Fletcher is running against incumbent Howard Shipp.

Raeford White, 74, and Preston Leonard, 39, have filed for the Ward 2 seat.

White believes that local residents have not been kept informed of some city business. He said that recent building projects went over budget but this was not revealed until after construction was complete.

"The City of Kings Mountain belongs to the residents," he said.

White favors economic diversification, using incentives to recruit several small industries instead of trying to lure one large industry.

White would not comment on whether city council members should serve two or four year terms.

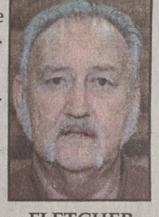
White chairs the Moss Lake Authority and is on the city's playground and beautification committees.

He has lived in Kings Mountain for 50 years and retired as plant manager at J.E. Herndon. He is a member at Kings Mountain Baptist Church where he has held many leadership positions. He is a 40

See Filing, 3A



HAMRICK



FLETCHER



LEONARD



WHITE



WORCESTER



Kings Mountain Middle School teachers Cynthia Cook and Beverly Moffitt prepare for the opening of school.

ANDIE BRYMER / HERALD

5 seek council seats, 2 for mayor in Grover

By ANDIE L. BRYMER
 Staff Writer

Three political newcomers and two incumbents are making bids for two open seats on the Grover Town Council while two political newcomers have filed to run for mayor.

Council candidate Barry Toney believes Grover must decide if it will be annexed by Kings Mountain or Shelby or if it will grow. Revenues are required for that growth, he said.

"The textiles are out of business. We need to look for ways to support our city without putting the burden on the small amount of citizens," he said.

Toney has worked as a machinist at Parker Hydraulics for 16 years. He teaches adult Sunday school at Bethany Baptist. He and his wife have been active with church youth groups.

Kenneth Bell has filed to run for council.

"I feel like we need a change," he said.

Bell retired from Southern Bell and is a member at Clearview Baptist Church.

See Grover, 3A

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