



**Rutherford County Office Building
289 N. Main Street
Rutherfordton, NC 28139**

**Rutherford County
Board of Social Services
Minutes of July 6, 2026**

**Monday, July 6, 2026
6:00 P.M.**

I. Call to Order

Chairman King called the July 6, 2026 meeting of the Rutherford County Board of Commissioners to order.

Present: Chairman Bryan King, Vice Chairman Alan Toney, Commissioner Michael Benfield, Commissioner Hunter Haynes, and Commissioner Donnie Haulk.

A. Pledge of Allegiance

Mr. Clark Poole led in the Pledge of Allegiance.

B. Agenda Approval

Vice Chairman Toney moved to modify the agenda to remove ID-26-4544 *Appointment to Library Board of Trustees* from the agenda as an appointment has been made to that Board. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

Commissioner Haynes moved to approve the agenda as modified. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

II. Public Hearings

A. ID-26-4523 Public Hearing – Ordinance Concerning Fire Code

At 6:02 P.M. Chairman King opened the public hearing to listen to comments regarding the proposed *Article II. Fire Code; Fire Marshal; and Outdoor Burning Ordinance*. The Board acknowledged the first reading of the proposed ordinance at the June 1, 2026 meeting. Because of the nature of this ordinance, it cannot be adopted at the same meeting it is introduced.

Fire Marshal Frankie Hamrick told the Board that this would be a new Article II of Chapter 6 of the Code for which the purpose is to adopt the state fire code, to codify the fire marshal's office and to add provisions for restrictions on outdoor burning and a potential burning ban when conditions warrant. Fire Marshal Hamrick explained that the state has a burn ban that covers all property except that property within 100 feet of a house. This ordinance would cover the area within the 100 feet. A copy of a resolution approving the ordinance was provided for the Board's consideration.

No one else wished to speak.

At 6:04 P.M. Chairman King closed the public hearing.

County Attorney Richard Williams asked that the Board consider making one technical amendment to the proposed resolution for clarification purposes. Under Section 6.16 the final three words (or recreational fires) should be removed from the Open burning definition.

Commissioner Benfield made a motion to amend Section 6-16 of the proposed ordinance by removing the final three words, "...or recreational fires" from the definition for the term *Open Burning* for the specific purpose of clarifying that it is the intent of this ordinance that both *open burning* and *recreational fires* are intended to be included as an *open burning*. Commissioner Haulk seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

Commissioner Haynes moved to approve the resolution with the correction. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

**Resolution Approving An Ordinance Concerning
the Fire Code, Fire Marshal, and Outdoor Burning**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF RUTHERFORD
COUNTY IN REGULAR SESSION ASSEMBLED:**

WHEREAS, Rutherford County desires to assure the public health and safety of its citizens through improved fire safety; and

WHEREAS, the State of North Carolina has adopted the fire prevention code of the North Carolina State Building Code for the fire safety of buildings and certain outdoor burning to protect homeowners and citizens from the physical and financial harm potentially resulting from fire; and

WHEREAS, local decisions on the enforcement of outdoor burning is in the best interests of the citizens of Rutherford County; and

WHEREAS, Rutherford County is authorized to appoint a fire marshal, employ persons as assistants, and to set the duties pursuant to N.C. Gen. Stat. §153A-234; and

WHEREAS, pursuant to N.C. Gen. Stat. §153A-123(c1) and §143-139(b1), Rutherford County may by ordinance provide for the recovery of and levy a civil penalty by the County for a violation of the fire prevention code of the North Carolina State Building Code; and

WHEREAS, Rutherford County may enforce ordinances concerning unsafe buildings by criminal penalty pursuant to N.C. Gen. Stat. §153A-123(b)(1);

**NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF RUTHERFORD
COUNTY** ordains and adopts the following Article II and hereby adds this article to Chapter 6 of the Rutherford County Code of Ordinances.

Adopted this the 6th day of July, 2026.

RES 16-025

ARTICLE II. FIRE CODE; FIRE MARSHAL; and OUTDOOR BURNING

Sec. 6-16. Definitions.

Board of commissioners means the Rutherford County Board of Commissioners.

Bonfire means an outdoor fire utilized for ceremonial purposes.

County means Rutherford County, North Carolina.

County manager means the County Manager of Rutherford County.

Department of inspections means the Rutherford County Department of Building Inspections.

Fire Code means the Fire Prevention Code of the North Carolina State Building Code, as amended.

Fire marshal means the Rutherford County Fire Marshal.

Open burning means any burning of materials that emits products of combustion directly into the atmosphere without passing through a stack or chimney from an enclosed chamber and does not include road flares or smudge pots associated with safety or occupational uses.

Outdoor burning means any open burning, bonfire or recreational fire.

Recreational Fire means an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, portable outdoor fireplace, barbecue grill or barbecue pit and has a total fuel area of 3 feet or less in diameter and 2 feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

Sheriff means the Rutherford County Sheriff.

Sec. 6-17. Adoption of fire prevention code.

The fire prevention code of the North Carolina State Building Code, as amended and including appendices C, D, and H, is hereby adopted by the county and shall be enforced by the department of inspections.

Sec. 6-18. Special fees.

The fees for fire inspections and permits shall be set forth by the board of commissioners in the county's schedule of fees, which is on file in the finance department.

Sec. 6-19. Appointment and dismissal of fire marshal; duties of fire marshal.

(a) The fire marshal shall be appointed and dismissed by the county manager, and he or she shall be subject to all applicable personnel policies and rules governing county employees.

(b) The board of commissioners shall set the duties of the fire marshal. The fire marshal's duties include, but are not limited to, the following:

- (1) Keeping the county manager and board of commissioners informed of the purpose and development of rural fire departments.
- (2) Acting as a liaison between fire departments, the county manager, and the board of commissioners.
- (3) Aiding in the organization and development of new fire departments.
- (4) When possible, providing assistance with training programs for fire departments, upon request.
- (5) Advising fire departments on the availability of surplus equipment.
- (6) Investigating, along with other fire and law enforcement officials, fires of a suspicious or unknown nature to determine their cause and origin.
- (7) When possible, assisting fire departments in developing and delivering fire prevention and fire education programs throughout the county, upon request.
- (8) Determining the most appropriate fire department to be the primary responder when a property line lies within more than one (1) fire district.
- (9) Performing any other duties required by the board of commissioners of the fire marshal.

Sec. 6-20. Outdoor burning; open burning.

- (a) The Fire Code shall regulate the permitting, approval, requirements, and restriction of all outdoor burning except as specifically further required in this ordinance.
- (b) Permits are required for open burning, including for the burning of leaves, tree branches or yard trimmings originating on the premises, pursuant to the Fire Code and requires a permit to be issued by the North Carolina Forest Service.
- (c) The burning site for any open burning in the County shall only be permitted as follows:
 - (1) The location of the material to be burned shall be a minimum of fifty feet (50') from any structure on the property of which the burning is done. If any potential hazard exists, an increased distance may be required prior to a permit being issued.
 - (2) Piles of material to be burned should be done in a safe manner.
 - (3) An area ten feet (10') wide shall be completely cleared around the material to be burned.
 - (4) Only natural materials, such as limbs, brush, grass or leaves, may be burned. Heavy oils, asphalt materials, construction materials, polar solvents, treated lumber, trash, paper, items containing natural or synthetic rubber, or any materials other than plant growth shall not be burned.
 - (5) A competent person of at least eighteen (18) years of age shall constantly attend the fire until such fire is extinguished.
 - (6) A garden hose with suitable water supply or other fire extinguishing equipment, as deemed acceptable by any official responsible for issuing the permit, shall be readily available for immediate use during the course of the fire until such fire is extinguished.

Sec. 6-21. Burning ban.

- (a) A burning ban on all outdoor burning within 100 feet of a structure of any type, including residential, may be issued by the fire marshal in the event that atmospheric conditions or local circumstance make such fire conditions hazardous to life or property.
 - (1) Atmospheric conditions that warrant a burning ban include, but are not limited to:
 - (i) extended periods of low humidity;
 - (ii) high winds;
 - (iii) elevated temperatures; and/or
 - (iv) lack of substantial rainfall.
 - (2) Local conditions that may warrant a burning ban include, but are not limited to:
 - (i) flammable and/or combustible liquid spills or leaks close to a burning site;
 - (ii) a hazardous materials incident where the proximity of the burn site could cause a possible ignition source or prove hazardous to operations controlling the incident;
 - (iii) the proximity of adjacent structures or other hazards.
- (b) In the event that the fire marshal issues a ban on outdoor burning within 100 feet of a structure, then in accordance with state law all open burning permits issued shall be deemed invalid with no issuance of new permits until such ban is lifted by the fire marshal. During a burning ban, no outdoor burning shall be conducted at all within 100 feet of a structure; this

includes any outdoor burning at residences. A civil citation for a Type 3 Violation may be issued for violations of the burning ban.

(c) In the event a burning ban is issued, notice of the burning ban shall be posted on the Rutherford County website, through the news media, or in person that a burning ban is in place, and fires shall be extinguished immediately. In conjunction with North Carolina Forest Service burning ban, the fire marshal shall issue a burning ban of all-open burning within 100 feet of a structure and all fires shall be extinguished immediately. The local press shall be notified by the fire marshal that such ban is in effect and that no permits will be issued until such ban is lifted and no outdoor burning will be allowed.

(d) Any burning ban by the fire marshal shall be repealed in the same manner.

Sec. 6-22. Extinguishing illegal fires.

(a) The fire marshal and any official of the fire marshal's office, emergency management, any responding fire department and law enforcement have the authority to extinguish illegal fires under the Fire Code, this ordinance, or any outdoor burning when a burning ban is in effect.

(b) The fire marshal or authorized representative of Rutherford County does not have to be present to extinguish a fire that is in violation of the Fire Code or this ordinance.

(c) The fire marshal's office or law enforcement having appropriate jurisdiction will respond to any illegal fires under the Fire Code, this ordinance, or any outdoor burning when a burning ban is in effect when the individual(s) responsible for the fire will not allow the fire department to extinguish the fire.

(d) Any citations issued under this ordinance will be by the fire marshal's office or by the Rutherford County Sheriff's Office.

Sec. 6-23. Violations.

(a) Any person shall be subject to all penalties allowed by law if the person:

(1) Violates or fails to comply with the provisions of the Fire Code or this ordinance;

(2) Violates or fails to comply with any order made under the Fire Code or this ordinance;

(3) Builds in violation of any detailed statement of specifications or plans submitted and approved under the Fire Code or any certificate or permit issued thereunder; or

(4) Fails to comply with such an order as affirmed or modified by the enforcing officer or by a court of competent jurisdiction, within the time affixed.

(b) In addition to any civil penalties or remedies that may apply, any person who commits any violation listed in subsection (a) of this section may be subject to criminal penalties for a misdemeanor pursuant to G.S. § 14-4(a), to the extent permitted by G.S. § 153A-123(b1)(1), except for a violation of any adopted appendices.

Sec. 6-24. Penalties.

(a) The minimum civil penalty for a violation of this article shall be a civil penalty of fifty dollars (\$50.00), and the maximum civil penalty shall be five hundred dollars (\$500.00). Each violation, as well as each day a violation exists, shall constitute a separate and distinct offense.

(b) For violations of the Fire Code, If a person has not been cited within the previous twelve (12) months for violations and the violations are corrected within seventy-two (72) hours of him or her being notified of the violations, the fine shall be waived. The citation and penalties shall be in writing, signed by the enforcing officer and shall be delivered to the violator.

(c) Each day's violation of the Fire Code or this ordinance shall be considered a separate and distinct offense. Civil penalties may be recovered in a civil action in the nature of debt collection if not paid within thirty (30) days after being cited for a violation.

(d) The types of violations and the related civil penalties are as follows. The enforcing officer shall determine what type of violation applies in a given case.

(1) *Type 1 Violations (\$50.00)*. These violations generally increase the likelihood of a fire or injury. They include, but are not limited to, failure to:

- a. Obtain proper permits for required uses as listed under the permit fees.
- b. Maintained properly operating exist or emergency lights.
- c. Maintain a clear, unobstructed access to fire protection equipment.
- d. Properly cover or close electrical junction boxes.
- e. Limit or restrict use of electrical extension cords improperly used.

(2) *Type 2 Violations (\$100.00)*. These violations represent a general threat to property. They include, but are not limited to, failure to:

- a. Safely maintain proper storage of combustibles outside of a business.
- b. Maintain a clear, unobstructed access to electric panels.
- c. Properly maintain automatic closing fire and smoke doors.
- d. Properly maintain and inspect portable fire extinguishers.
- e. Properly maintain unobstructed accesses to hydrants, risers, and fire department connections.

(3) *Type 3 Violations (\$250.00)*. These violations directly affect the safety of persons within an occupancy, the probability of heavy property loss, and/or increased risk of fire spread beyond the occupancy or property if a fire occurs. They include, but are not limited to, failure to:

- a. Maintain a clear, unobstructed access to and from exist doors, both inside and outside.
- b. Install, test, or properly maintain required smoke and fire alarm systems.
- c. Install or properly maintain or test existing/required automatic sprinkler systems and extinguishing systems.
- d. Properly store or use flammable, combustible, or hazardous materials.
- e. Limit the number of persons in a place of assembly to the maximum posted number allowed.
- f. Comply with Fire Code and ordinance provisions concerning outdoor burning, open burning, bonfires, recreational fires, portable outdoor fireplaces, burning of non-vegetative materials.
- g. Comply with a burning ban on outdoor burning declared by the fire marshal.

(4) *Type 4 violations (\$500.00)*. These violations are where, despite prior notice, corrections have not been made, multiple violations of the same code or ordinance occur within a 12 month period of time, and/or previous fines have not been paid.

(e) The application of penalties in subsection (d) shall not be held to prevent the enforcement of or removal of the prohibited conditions. In addition to the penalties listed in subsection (d), the Fire Code, burning ban and outdoor burning regulations under this ordinance may be enforced by any of the following:

- (1) An appropriate equitable remedy issuing from a court of competent jurisdiction.
- (2) An injunction and order of abatement.
- (3) Criminal punishment as a misdemeanor pursuant to G.S. § 14-4, to the extent permitted by G.S. § 153A-123(b1)(1), except for the provisions of any adopted appendices.

ORD 26-003

III. Public Comments

Ms. Grayson Porter spoke to the Board regarding the Doctrine of the Lesser Magistrate which teaches that when the superior or higher-ranking civil authority makes unjust, immoral, or un-Constitutional law, policy, or court opinion, the lower or lesser ranking civil authority has both the God-given right or duty to disobey.

IV. Consent Agenda

Commissioner Benfield moved to approve the Consent Agenda. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.

Noes: None

- A. ID-26-4524 Minutes of May 26, 2026 Board of Commissioners' Special Meeting
- B. ID-26-4525 Minutes of May 28, 2026 Board of Commissioners' Special Meeting 1
- C. ID-26-4490 Minutes of June 1, 2026 Board of Commissioners' Meeting
- D. ID-26-4527 Minutes of June 4, 2026 Board of Commissioners; Special Meeting
- E. ID-26-4486 Tax Refunds and Releases – July, 2026
Releases Less than \$100 - \$589.29
Releases Greater than \$100.00 - \$1,071.25
Tax Refunds - \$2,940.85
(A copy of refunds and releases is typed in the Minute Book.)

V. Commissioners/Appointments

A. ID-26-4529 Recognitions for Safety Awards

The Chairman recognized three departments that have received safety awards in the workplace. Those departments were:

Tax/Revenue Department	Third Consecutive Year Gold
Public Works/Planning	Second Year Gold
Personnel/Human Resources	Twenty-second Consecutive Year

B. ID-26-4522 Voting Delegate to 2026 NCACC Annual Conference

A request was received that the Board appoint a voting delegate to the 2026 NCACC Annual Conference to be held in August in Durham County. It was also requested that an alternate be appointed for the conference.

Commissioner Benfield moved to appoint Vice Chairman Toney as the Voting Delegate to the 2026 NCACC Annual Conference. Commissioner Haynes seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes and Commissioner Haulk.

Noes: None

Vice Chairman Toney moved to appoint Commissioner Benfield as the Alternate Voting Delegate to the 2026 NCACC Annual Conference. Commissioner Haynes seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes and Commissioner Haulk.

Noes: None

C. ID-26-4542 Appointment to Rutherford Rail Trail Development Corporation

A request has been received to appoint Deputy County Manager/Planning and Public Works Director Danny Searcy to the Rutherford Rail Trail Development Corporation to fill an unexpired term due to a retirement.

Commissioner Benfield moved to appoint Deputy County Manager/Planning and Public Works Director Danny Searcy to the Rutherford Rail Trail Development Corporation to a term ending June 30, 2028. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

D. ID-26-4538 Appointment to North Carolina Arts Council Grassroots Committee

Two vacancies exist on the North Carolina Arts Council Grassroots Committee due to a retirement and a resignation. Ms. Jessica Keever of the Economic Development Commission and Ms. Chaundra Johnson, Library Director, are willing to serve these unexpired terms.

Commissioner Haulk moved to appoint Ms. Jessica Keever and Ms. Chaundra Johnson to the North Carolina Arts Council Grassroots Committee to fill unexpired terms ending October 6, 2026. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

E. ID-26-4532 Appointment of Chairperson of the Rutherford County Tourism Development Authority

House Bill 414 enacted on June 9, 2011 states that the Rutherford County Board of Commissioners shall designate one member of the Rutherford County Tourism Development Authority to serve as chair of the TDA. The bylaws of the Rutherford County Tourism Development Authority contain the same language.

Vice Chairman Toney moved to appoint Mr. Richard Lundy as Chairman of the TDA for the year beginning July 1, 2026. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

F. ID-26-4528 Appointment to Tourism Development Authority

A vacancy has occurred on the Tourism Development Authority due to term limits. Ms. Shelly Banz McCormick has submitted an application for appointment. She would qualify to fill the vacancy which must be a representative of Travel and Tourism Promotion.

Commissioner Haynes moved to appoint Ms. Shelly Banz McCormick to the Tourism Development Authority to a term ending June 30, 2029. Commissioner Haulk seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

VI. New Business

A. ID-26-4541 Budget Amendments

Deputy County Manager/Finance Director Paula Roach presented budget amendments for the Board's consideration.

Commissioner Benfield moved to approve the budget amendments presented. Commissioner Haynes seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

**Budget Amendments
July 6, 2026**

	Expense	Revenue
GENERAL FUND		
Veterans - Part Time Salaries and Benefits	\$ 7,881	
Fund Balance Appropriated		\$ 7,881
*carryforward unspent part-time salaries (used grant funds to cover the remainder of the FYE26 year)		
GRANT FUND		
Library - Musical Playspace Grant Expenses	\$ 44,216	
NC LSTA (Library Services and Technology Act) Grant		\$ 44,216
*grant received to create musical playspaces at the county branches		
TRANSIT FUND		
Transit - Part Time Salaries and Benefits	\$ 90,000	
Transit - Fuel	\$ 63,000	
Transit - Telephone	\$ 10,500	
Transit - Marketing	\$ 20,000	
Transit - Scheduling Software	\$ 16,500	
Contribution to Polk County Transit	\$ 200,000	
NCDOT Special Initiative ConCPT Grant		\$ 400,000
*two year grant (total \$800k) to support students with transportation needs to the community college - Spindale and Polk Campus – Year 1 Budget		

B. ID-26-4530 Department of Social Services Monthly Update

Social Services Director Tiffany Dodd provided a Rutherford County DSS Report of Services for the months of April and May of 2026 with a comparison to May, 2025.

Commissioner Benfield made a motion to accept the report. Commissioner Haynes seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

C. ID-25--26-4535 Memorandum of Understanding (MOU) with Department of Health and Human Services (DHHS)

Director Dodd said as outlined in Sessions Law § 108A-74(a3) Counties and regional social services departments are required to enter into annual written agreements for all social services programs other than medical assistance. Counties that fail to meet MOU terms, mandated performance measures, or other applicable laws for the timeframes specified will be required to enter into a joint corrective action plan within 60 working days. The MOA is effective on July 1, 2026 and shall continue

for an initial term of 24 months following the effective date, through and including June 30, 2028. A copy of the MOU was provided for the Board's consideration.

Commissioner Benfield moved to authorize the execution of the Memorandum of Understanding (MOU) by the Chair of the Board of Commissioners, the Acting County Manager, and the DSS Director, contingent upon approval by the Board of Commissioners. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

D. ID-26-4536 Addendum A: Data Sharing and Information Technology Security Memorandum of Agreement between the North Carolina Department of Health and Human Services and Rutherford County Department of Social Services

An Addendum A: Data Sharing and Information Technology Security Memorandum of Agreement (MOA) between the North Carolina Department of Health and Human Services and Rutherford County Department of Social Services was also presented for the Board's consideration by Director Dodd. This addendum established clear requirements for sharing confidential health and human services data between the North Carolina Department of Health and Human Services (NCDHHS) and partner organizations. It defined responsibilities for protecting sensitive information, complying with federal and state privacy laws, and preventing unauthorized access, disclosure, or misuse of data. The agreement also helped ensure that information technology systems and security controls are in place to safeguard data while supporting authorized program operations and service delivery.

Commissioner Haynes moved to authorize the execution of the Memorandum of Agreement (MOA) by the Chair of the Board of Commissioners, the Acting County Manager, and the DSS Director, contingent upon approval by the Board of Commissioners. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

E. ID-26-4537 Energy Outreach Plan

Director Dodd advised that the Energy Outreach Plan is to assure that eligible households are made aware of the assistance available through the Low-Income Home Energy Assistance Program (LIHEAP) which is a federally funded block grant program that is comprised of three different programs - Crisis Intervention Program (CIP), Low Income Energy Assistance Program (LIEAP) and Weatherization. There are also non-Federal Crisis Intervention Programs - Duke Energy Progress Share the Light, Piedmont Natural Gas Share the Warmth, Duke Energy Progress NC Settlement Rate, and Wake Electric Round Up.

Vice Chairman Toney moved to authorize the execution of the Energy Outreach Plan by the Chair of the Board of Commissioners, the Acting County Manager, and the DSS Director, contingent upon approval by the Board of Commissioners. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

F. ID-26-4533 Charge to Collect and Annual Tax Collections' Settlement Report

The Annual Tax Collections' Settlement Report for FY 2025-2026 was presented by Revenue Director Richard Lawson. The report showed 98.15% of taxes were collected which was slightly better than the 98.10% which was the collection rate for the previous year.

The Charge to Collect was presented for the Board's consideration.

Vice Chairman Toney moved to approve the Charge to Collect. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

**ORDER OF THE BOARD OF COUNTY COMMISSIONERS
IN ACCORDANCE WITH G.S.105-321**

TO: RICHARD LAWSON, REVENUE DIRECTOR

You are hereby authorized, empowered, and commanded to collect the taxes remaining unpaid as set forth in the 2016 thru 2026 tax records filed in the office of the Tax Collector, and in the tax receipts herewith delivered to you in the amounts and from the taxpayers likewise therein set forth. You are further authorized, empowered, and commanded to collect the 2016 through 2026 taxes charged and assessed as provided by law for the adjustments, changes, and additions to the tax records and tax receipts delivered to you which are made in accordance with law. Such taxes are hereby declared to be a first lien on all real property of the respective taxpayers in Rutherford County. This order shall be a full and sufficient authority to direct, require and enable you to levy on and sell, any real or personal property, and attach wages and / or other funds, of such taxpayers, for and on account thereof, in accordance with law.

You are further authorized to call upon the Sheriff to levy upon and sell personal property under execution for the payment of taxes.

Within available funds in the budget ordinance and personnel positions established, the Tax Collector may appoint employees, and they have authority to perform those functions authorized by the Machinery Act of Chapter 105 of North Carolina General Statutes and other applicable laws for current and previous years' taxes.

Witness my hand and officials seal, this the 6th day of July, 2026.

G. ID-26-4540 Rutherford County Transit Grant

Transit Director Kerry Giles told the Board that Rutherford County Transit has been awarded an \$800,000 grant from NCDOT to provide transportation to ICC. This will be a joint grant with Polk County Transit to transport citizens in both counties to ICC campuses in Spindale and/or Columbus. There is no required match to the grant, and Rutherford County will be the fiscal agent with Polk County Transit submitting invoices for trip expenses.

Commissioner Benfield moved to allow the Interim County Manager to work with the County Attorney and Finance Director to approve the grant agreement when it is received and approve the interlocal agreement once it is available based on the terms of the grant. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

H. ID-26-4534 Ordinance Repealing Chapter 17 of the Rutherford County Code of Ordinances, Transportation Authority

County Attorney Richard Williams advised the Board that a Transit Advisory Board is in place to assist the Board of Commissioners and the Director of Rutherford County Transit in transportation matters. Therefore, Chapter 17 of the Rutherford County Code which established the Transportation Authority no longer serves the interests of the citizens of Rutherford County. He presented an ordinance dissolving Chapter 17 and recommended the passage of the ordinance.

Vice Chairman Toney moved to approve the ordinance. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.
Noes: None

AN ORDINANCE REPEALING CHAPTER 17 OF THE RUTHERFORD COUNTY CODE OF ORDINANCES, TRANSPORTATION AUTHORITY

WHEREAS, the Transportation Authority established by Chapter 17 of the Rutherford County Code of Ordinances is dissolved; and

WHEREAS, the Rutherford County Board of Commissioners has appointed a Transit Advisory Board as an advisory board to assist the Board of Commissioners and the Director of Rutherford County Transit in transportation matters;

WHEREAS, Chapter 17 of the Rutherford County Code no longer serves in the interests of the citizens of Rutherford County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rutherford County that Chapter 17 of the Rutherford County Code is hereby amended by repealing the said Chapter 17, entitled "Transportation Authority" in its entirety.

ADOPTED and EFFECTIVE this the 6th day of July, 2026.

ORD 26-004

I. ID-26-4539 Service Contract for Fire Service with Bostic Fire Department

Attorney Williams said the County contracts with fire departments to cover County Service Districts for their area. He asked that the Board consider approving an updated contract for Bostic Fire Department as this department has been operating under a service contract appropriate for a private volunteer fire department, but Bostic Fire is now a municipal department of the Town of Bostic, and the new contract reflects this change. All key terms of the contract remain the same.

Vice Chairman Toney moved to approve the contract with Bostic Fire Department. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

J. ID-26-4545 Gateway West Commercial Park Update

Deputy County Manager/Public Works and Planning Director Danny Searcy presented an update on the Gateway West Commercial Park which is driving an investment in housing, industry, and commercial development. The most recent development is the closing of a sale on 47 acres of County-owned property on the east side of Daniel Road in Forest City for approximately \$1.8 million. The property is expected to support 160+ new single-family homes. Trelleborg purchased 28 acres in 2024 to build their second major facility in the County for more than \$30 million. Five commercial sites are available for development. These sites have generated interest from hotels, convenience stores, healthcare providers, and automotive service businesses.

K. ID-26-4543 Industrial Project Presentation

Mr. Joe Lordi, President and CEO of Hedrick Industries, provided information on an industrial project that he stated could be a long-term opportunity for Rutherford County. Hedrick Industries was founded in 1924 in Anson County. The company has over 300 employees with an average wage last year of \$78,000 before benefits. The company is fully committed to safety with over 1,200,000 hours logged in the past two years with one lost-time incident. Their products are a full portfolio of crushed stone grades and sizes to meet specification requirements for DOT, commercial and residential customers.

Cool Springs Quarry located in Rutherford County is a 175-acre site with high-quality, strategically located granite reserve that has been sitting dormant for 25 years. The original mining permit was issued by NCDEQ on March 20, 2002, so environmental suitability is already established. After the permit is issued, Hedrick Industries is prepared to commit \$20-\$25 million in direct capital to the Rutherford County project over the next 3 to 5 years.

Initial blasting expectations will be one blast event per month. As operation provides more output of the variety of products, blasting frequency will also increase to full scale with expected blasting frequency of 2 blasts per month.

Cool Springs Quarry is 328 feet to property line of Chase Middle School, 1,500 feet to athletic fields, and 2,000 feet to nearest building. Hedrick 's operational commitments are:

- Third-party blast and sound studies conducted before and during operations
- Permanent seismographs installed at neighboring properties to monitor blast impact
- Earthen berms constructed along all shared property lines
- Coordination with school leaders on blast scheduling preferences. Blasts can be concentrated during summer and late afternoons — minimizing school-hour disruptions
- Truck traffic routed south on Henson Road to Hwy 221 only — away from schools

Mr. Lordi said the next step forward would be for Rutherford County Commissioners to consider an amendment to the School Zone Protective Ordinance – creating a pathway for project advancement

Commissioner Haulk made a motion for County staff to study how a proposed amendment to the School Zone Protection ordinance may impact its residents and abutting landowners and, if reasonable and consistent with the stated purpose of the ordinance and with the protection of the health, safety and welfare of Rutherford County citizens, to prepare such an amendment for this Board's consideration pursuant to and consistent with state law. Commissioner Haynes seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.

Noes: None

VII. Closed Session

Commissioner Benfield made a motion to go into Closed Session for discussion with the County Attorney and for discussion regarding personnel. Commissioner Haulk seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.

Noes: None

**A. ID-26-4548 ATTORNEY CLIENT NCGS 143-318.11(a)(3) **

B. ID-26-4546 Personnel NCGS 143-318.11(a)(6)

IX. Adjournment

At 7:51 P.M. Vice Chairman Toney made a motion to adjourn. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes and Commissioner Haulk.

Noes: None

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners