



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

**Rutherford County
Board of Commissioners
Minutes of June 2, 2025**

**Monday, June 2, 2025
6:00 PM**

I. Call to Order

Chairman King called the June 2, 2025 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. Kim King led in the Pledge of Allegiance.

B. Agenda Approval

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

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

II. Public Hearings

A. ID-25-4174 Public Hearing to Consider Resolution Approving Changes in Adjoining Service District Boundaries

At 6:04 P.M. Chairman King opened the public hearing to listen to comments regarding changes in certain fire service district boundaries.

Fire Marshal and Emergency Management Coordinator Frankie Hamrick told the Board that a resolution was provided for the Board's consideration that would relocate the boundaries by and between three (3) certain existing fire protection service districts with adjoining existing fire protection service districts pursuant to North Carolina General Statute 153A-304.3. The districts affected are the

service districts presently serviced by: Fairfield Mountains Volunteer Fire Department, Inc.; the Town of Lake Lure Fire and Rescue; and the Outside Response Area. The report required by North Carolina General Statute Section 153A-304.3(b) for the boundary relocations between existing adjoining fire protection districts, including a map of the proposed districts, was available for public inspection in the office of the Clerk to the Board and <http://www.rutherfordcountync.gov> on the internet.

There was no one else who wished to speak.

At 6:11 P.M. Chairman King closed the public hearing.

Commissioner Haynes moved to approve the resolution changing the fire protection service district boundaries. 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

RUTHERFORD COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING CHANGES IN ADJOINING
SERVICE DISTRICT BOUNDARIES

WHEREAS, the County of Rutherford (hereinafter referred to as County) has established county service districts pursuant to Article 16 of Chapter 153A of the North Carolina General Statutes for the purposes of fire protection (hereinafter referred to as County Service Districts); and

WHEREAS, these county service districts were established on the basis that would maximize the number of individual tracts of real property located within Rutherford County that would be located within six (6) miles of an established fire department; and

WHEREAS, in order to implement this purpose, each individual tract of real property was placed within the six-mile radius of the nearest said fire department as best as could be determined using tax maps, aerial photographs, and other methods by County staff; and

WHEREAS, certain individual tracts of real property are not placed in the most efficient or correct county service district due to such factors as best and safest access being through roads better served by a different fire department than serving their current county service district, or by simple error or inadvertence; and

WHEREAS, at the establishment of these county service districts for fire protection purposes, certain individual tracts of real property were not able to be placed within the six-mile radius of any fire department due to their location but are now able to be placed within such a six-mile radius due to new fire substations being established, new routes for such servicing being created, and/or by correction of simple error or inadvertence; and

WHEREAS, Fairfield Mountains Volunteer Fire Department, Inc., has ceased providing fire protection services to the particular fire protection service district known as the Fairfield Mountains Fire Protection Service District, said service district as shown on the map attached hereto as Exhibit "A"; and

WHEREAS, fire protection services to many of the parcels currently within the Fairfield Mountains Fire Protection Service District will be made possible as a result of the extension of such services by Lake Lure Fire and Rescue, a municipal fire department of the Town of Lake Lure, North Carolina, through their future use and occupation of a second fire station that had formerly been used to provide fire protection services by the Fairfield Mountains Volunteer Fire Department, Inc.; and

WHEREAS, other parcels currently shown within the Fairfield Mountains Fire Protection Service District actually lay outside the six-mile radius of any service district and need to be added to the service district created for the Outside Response Area (the "ORA") in order to be included for contracted fire protection services within the ORA; and

WHEREAS, it is the desire of the County: to account for more efficient fire protection service for certain properties after better assessment of road access; to correct any errors; to account for the parcels otherwise left with no fire protection services due to the closure of the Fairfield Mountains Volunteer Fire Department, Inc.; to account for the opening of the second station by Lake Lure Fire and Rescue in the manner most efficient for those services; each to be accomplished by changing the boundaries of adjoining county service districts in such a manner as to ensure that each such tract is actually served by the appropriate fire department; and

WHEREAS, each of the adjoining service districts affected hereby were established for substantially similar purposes with each other, and a report was prepared and available to the public in the office of the clerk to the board at least two weeks prior to the public hearing, which report included the appropriate information required by N.C. Gen. Stat. §153A-304.3(b); and

WHEREAS, notice of the public hearing for the changing of such county service districts for fire protection purposes has been provided by publication of notice of hearing at least once not less than one week before the date of the hearing and that such public hearing has been conducted; and

WHEREAS, the Rutherford County Fire Marshal has caused to be created new fire service district maps using the GIS system as shown in the attached Exhibit "B", Exhibit "C", and Exhibit "D", and reflects the parcels affected by the changes in each county service district by the spreadsheets as shown in the attached Exhibit "E", Exhibit "F", Exhibit "G", Exhibit "H", Exhibit "I", and Exhibit "J".

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS that, pursuant to N.C. Gen. Stat. §153A-304.3, the Rutherford County Board of Commissioners approves the new boundary lines for each of the proposed boundary changes each as shown on the maps attached hereto as referenced above, as follows:

- (1) Boundary lines from the Fairfield Mountains Fire Protection Service District to the Lake Lure Rural Fire Protection Service District as shown on the maps attached hereto certified by the County Fire Marshal and as shown on spreadsheets attached as Exhibit "E", Exhibit "F" and Exhibit "I";
- (2) Boundary lines from the Fairfield Mountains Fire Protection Service District to the Outside Response Area as shown on the maps attached hereto certified by the County Fire Marshal and as shown on spreadsheets attached as Exhibit "G";
- (3) Boundary lines from the Outside Response Area to the Lake Lure Rural Fire Protection Service District as shown on the maps attached hereto certified by the County Fire Marshal and as shown on spreadsheets attached as Exhibit "H" and Exhibit "J".

The effective date for the changes for each of the above districts shall be July 1, 2025.

ADOPTED this the 2nd day of June, 2025.

RES 25-015

Commissioner Benfield moved to approve the resolution changing the insurance district boundaries. 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

RUTHERFORD COUNTY BOARD OF COMMISSIONERS
RESOLUTION
APPROVING INSURANCE DISTRICT BOUNDARIES

WHEREAS, Chapter 153A-233 of the North Carolina General Statutes authorizes the Board of Commissioners of any County to designate the boundaries of fire insurance districts for the purpose of insurance grading; and

WHEREAS, the fire insurance district boundaries in the unincorporated portion of Rutherford County need to be revised to reflect the changes in the fire protection service districts from the changing of service district boundaries resulting from the abolition of one fire protection service district; and

WHEREAS, the Rutherford County Fire Marshal has caused to be created new fire insurance district maps reflecting the same said proposed changes using the GIS system as shown in Exhibit "A", Exhibit "B", Exhibit "C", and Exhibit "D", and specifying particular parcels as shown in Exhibit "E", Exhibit "F", Exhibit "G", Exhibit "H", Exhibit "I" and Exhibit "J".

NOW, THEREFORE IT BE RESOLVED that the Rutherford County Board of Commissioners approves the boundary lines of the fire insurance districts as shown in Exhibit "A", Exhibit "B", Exhibit "C", and Exhibit "D", and specifying the particular parcels as shown in Exhibit "E", Exhibit "F", Exhibit "G", Exhibit "H", Exhibit "I" and Exhibit "J", exclusive of current or future municipal town limits, and as represented in the GIS produced maps certified by the County Fire Marshal.

ADOPTED this the 2nd day of June, 2025.

RES 25-016

B. ID-25-4173 Public Hearing to Consider a Resolution Regarding the Abolition of the Service District Served by the Fairfield Mountains Volunteer Fire Department

At 6:13 P.M. Chairman King opened the public hearing to listen to comments concerning a resolution regarding the abolition of the service district served by the Fairfield Mountains Volunteer Fire Department.

Fire Marshal Hamrick said Fairfield Mountains Volunteer Fire department has ceased providing fire protection services to the fire protection service district known as the Fairfield Mountains Fire Protection Service District. The Board of Commissioners have, by resolution, changed the boundaries in the adjoining fire protection service districts to Fairfield Mountains Fire Protection Service District such that each parcel formerly within that service district is now within one of the adjoining service districts established for substantially the same purposes. A resolution regarding the abolition of the service district served by the Fairfield Mountains Volunteer Fire Department was provided for the Board's consideration.

No one else wished to speak.

At 6:15 P.M. Chairman King closed the public hearing.

Commissioner Benfield moved to approve the resolution. 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

**RUTHERFORD COUNTY BOARD OF COMMISSIONERS
R E S O L U T I O N
ABOLISHING THE FAIRFIELD MOUNTAINS
FIRE PROTECTION SERVICE DISTRICT**

WHEREAS, the County of Rutherford (hereinafter referred to as County) has established county service districts pursuant to Article 16 of Chapter 153A of the North Carolina General Statutes for the purposes of fire protection (hereinafter referred to as County Service Districts); and

WHEREAS, Fairfield Mountains Volunteer Fire Department, Inc., has ceased providing fire protection services to the particular fire protection service district known as the Fairfield Mountains Fire Protection Service District, said service district as shown on the map attached hereto as Exhibit "A"; and

WHEREAS, fire protection services to many of the parcels currently within the Fairfield Mountains Fire Protection Service District will be made possible as a result of the extension of such services by Lake Lure Fire and Rescue, a municipal fire department of the Town of Lake Lure, North Carolina, through their future use and occupation of a second fire station that had formerly been used to provide fire protection services by the Fairfield Mountains Volunteer Fire Department, Inc.; and

WHEREAS, other parcels currently shown within the Fairfield Mountains Fire Protection Service District actually lay outside the six-mile radius of any service district and need to be added to the service district created for the Outside Response Area (the "ORA") in order to be included for contracted fire protection services within the ORA; and

WHEREAS, the Board of Commissioners have, by resolution, changed the boundaries in the adjoining fire protection service districts to Fairfield Mountains Fire Protection Service District such that each parcel formerly within that service district is now within one of the adjoining service districts established for substantially the same purposes and as shown the maps attached hereto as Exhibit "B", Exhibit "C", and Exhibit "D"; and

WHEREAS, said resolution has been adopted by the Board of Commissioners immediately prior to or simultaneous with this resolution, and made effective July 1, 2025, which is the beginning of the first fiscal year commencing after its passage; and

WHEREAS, there are no parcels remaining in the Fairfield Mountains Fire Protection Service District as each and every parcel formerly contained therein will receive fire protection services in accordance with the aforesaid resolution changing the service district boundaries; and

WHEREAS, notice of the public hearing for the abolition of the Fairfield Mountains Fire Protection Service District has been provided by publication of notice of hearing at least once not less than one week before the date of the hearing and such public hearing has been conducted.

NOW, THEREFORE IT BE RESOLVED that, pursuant to N.C. Gen. Stat. §153A-306, the Rutherford County Board of Commissioners approves the abolition of the Fairfield Mountains Fire Protection Service District shown as shown on the map attached hereto as Exhibit "A".

The effective date for the abolition of the above fire protection service district shall be July 1, 2025.

ADOPTED this the 2nd day of June, 2025.

RES 25-017

C. Public Hearing – Budget for Fiscal Year 2025-2026

At 6:16 P.M. Chairman King opened the public hearing to listen to comments regarding the Rutherford County budget for Fiscal Year 2025-2026.

County Manager Steve Garrison told the Board that the County Manager's recommended budget had been revised to include no tax increase at the instructions of the County Commissioners. The total General Fund Budget was \$87,691,194 with the total budget for all funds being \$117,990,799 which is a 9.74% increase over the current fiscal year's budget.

- The proposed budget includes a 10% health insurance increase, a 9.62% Law Enforcement Officer Separation Allowance increase, and a 9% risk management/liability increase.
- This budget recommended \$58,115,669 as the appropriation for County Departments with a 4% cost of living adjustment effective October 2025.
- An appropriation of \$299,500 for the Capital Facility Plan and \$626,377 to the IT plan was recommended. Included in the IT budget:

Minutes of Rutherford County Commissioners' Meeting on June 2, 2025

Page 7 of 23

- Funding for Flock camera system contract and equipment
- New cameras for Detention
- Public Safety software to replace ineffective and inefficient CAD records keeping system
- Cellebrite software for the Sheriff's Office
- Also recommended was a 5% increase to the Foothills Health District, 13 new positions, \$94,103 for non-profit partnerships.
- The budget recommended that the current tax rate of 45.4 be retained and not increased.
- To present a balanced budget, the introduction of \$6,107,102 from the General Fund-Fund Balance was recommended.

Information was provided on the County's service districts which included volunteer fire districts and the Cliffside Sanitary District.

For FY2025-2026, the total funding for Isothermal Community College was recommended at \$4,963,017 with \$3,263,017 going to operations and \$1,700,000 to capital outlay. Including debt service for college capital outlay, the total county financial support to ICC in FY2025-2026 will be \$5,412,860. This reflects a 7.81% increase in operations and a 29.3% increase overall.

For FY2025-2026, an appropriation of \$20,189,999 was recommended to the Rutherford County School System with \$18,368,689 for operations broken out as \$15,262,844 for general operations, \$1,486,828 for teacher supplements and \$1,619,017 to fully fund School Resource Officers. The recommendation for general capital outlay was \$1,821,310. Including debt service for school capital, the total county appropriation supporting the Rutherford County School System during FY2025-2026 was recommended at \$27,060,555. The total county appropriations to supplement education capital outlay over and above the Required Sales Tax and Lottery fund distributions was recommended at \$1,631,725. This was a 5.76% increase over current year's appropriation for operations and a 9.92% increase overall.

The Rutherford County Solid Waste Department is operating as an enterprise system and is self-supported by the revenues generated by the program. Due to the increase in the operating costs, the increasing of critical/urgent capital facility and equipment needs, and the reduction in State revenues for State mandated programming, it continues to be exceedingly challenging to generate revenues sufficient for meeting the current and ongoing operations and capital facilities/equipment costs for the Department. Unfortunately, since costs to operate and manage the Solid Waste operations as well as the costs for vendors and their subcontractors continues to climb, various fees had to be increased to cover these operational increases. The primary factors impacting the Solid Waste budget are as follows:

- Continued and sustained increases in fuel, oil, tire, and parts prices, which for large trucks and large pieces of equipment are very expensive. Also, fuel surcharges have increased due to fuel prices on tire disposal and MSW contracts.
- An annual 2-3 % Consumer Price Index increase for tire disposal, MSW hauling & disposal, and recycling hauling and processing.
- Increases in employee benefits due to larger than normal State increases.

The Solid Waste Department continues to explore ways to ensure the fiscal sustainability of the Solid Waste Department as an enterprise fund. The focus has been on the following:

- Establish a fee structure that is fair, equitable and less wieldy to implement and for the public to comprehend. The current fee structure places a large amount of the fiscal burden of supporting the operations/management of the landfill, transfer station and

convenience centers on the backs of the citizens who live in the unincorporated areas of the County. Currently, approximately 71% of the county population lives in the unincorporated areas of the County and not in municipalities.

- Ensure that revenues are generated that support the burgeoning capital facilities, equipment and vehicle repair and replacement costs. This would permit the creation of an equipment replacement plan, a financial assurance plan (State mandate to cover the costs of maintenance to the old, closed landfills and set funds aside for any future landfill closures), a capital facilities plan and a future landfill cell plan.

In order to meet the legislative requirement to present a balanced budget for the Solid Waste enterprise fund, the following was recommended:

- RA fee would go from \$13 a year to \$45 a year. The Commissioners have indicated that it is a priority for the convenience centers to be open on Wednesdays.
- SWW fee would go from \$160 a year to \$190 a year.
- SWH fee would go from \$70 a year to \$95 a year.
- MSW tipping fee would increase from \$76 a ton to \$80 a ton.
- C&D tipping fee would increase from \$66 a ton to \$70 a ton.
- Brush tipping fee would remain the same at \$45 a ton.

In reply to a question by Commissioner Haynes, Manager Garrison said the full amount for SROs in all schools including charter schools is included in the budget. The schools reportedly have a \$700,000 grant plus a \$500,000 grant from Representative Tim Moore.

Chairman King pointed out that the County is still in a state of emergency. Much of the disaster renovation has been funded up front by the County but should be reimbursed. Due to the renovation of the Detention Center, inmates will have to be moved which is expected to be very expensive. Therefore, the County must be cautious about the future.

Board of Education Chairman Phillip Morrow said there would be consequences for the school system if the budget was passed as proposed. The funding proposal would limit the local expense money given the earmarks of the SROs and the teachers' supplement. He urged the Board to look carefully at the earmarks.

Mr. Eric Gorney acknowledged efforts already made to reduce the proposed budget but urged the board to pursue additional reductions. He emphasized the burden inflation has placed on taxpayers and requested reconsideration of the proposed property tax rate. He advocated for gradually decreasing the rate to provide relief to residents.

Ms. Angel King praised the Rutherford County Schools (RCS) system for its excellence in preparing students for the future. She expressed disappointment regarding perceived funding priorities. She affirmed RCS's commitment to transparency and cited \$689,000 as the correct allocation for School Resource Officers (SROs) in all schools. She warned that further budget cuts could have devastating impacts. She noted declining student enrollment, a reduction of 55 school buses, and decreased teaching staff.

Mr. James Reed representing the Republican Party expressed gratitude for efforts to balance the budget without significantly increasing property taxes. He presented a petition signed by 2,200 residents

requesting no tax increase. He reiterated the party's consistent message supporting fiscal restraint and promoting local entrepreneurship. He expressed appreciation for the commissioners' work while emphasizing the importance of appropriate funding levels.

Mr. Ed McKnight voiced concern over the financial burden placed on senior citizens. He stressed that lifelong savings and property ownership become meaningless if individuals can no longer afford to pay their property taxes.

Mr. Jim Barrett, a resident of a 55+ community, thanked the board for its diligence. He emphasized the economic challenges faced by many Rutherford County citizens, highlighting impacts from revaluation, natural disasters, and inflation. He noted that Social Security increases, such as the recent 2% raise, fail to cover the rising cost of living. While supporting education, he cautioned against excesses, suggesting that schools may not require every enhancement being proposed.

Ms. Deborah Flynn addressed the increase in property taxes due to rising property values. She remarked that Social Security increases are offset by the rising cost of Medicare, referencing her uncle's experiences. She criticized high administrative salaries, noting that the superintendent receives \$200,000 plus a \$27,000 bonus, and that principals receive \$12,000 in bonuses.

III. Public Comments

Ms. Deborah Flynn reported that Flynn Properties which previously owned 32 properties paid \$7,000 in property tax ten years ago. Although many have since been sold, the remaining properties are currently taxed at \$14,000. She urged the Board to reconsider current strategy, citing concerns about sustainability.

Mr. Mike Dalton expressed deep gratitude to each Commissioner who participated in the budget meetings. He noted that every department except one were satisfied with the budget allotments. He emphasized the need to operate within the current budget:

Mr. Bill Eckler addressed misinformation that Commissioners receive \$800 per meeting advising that this was incorrect. He said the budget presented will provide essential services. He also called for a forensic audit of the school system, citing a decline in student enrollment and rising county expenses.

Mr. Keith Reno commended the Board's hard work and expressed opposition to another property tax increase, especially one near 25%, and asked for alternative solutions.

Mr. Jim Barrett commented on the recent property revaluation, suggesting the lowered tax rate was appropriate. He also voiced concern that the school system may be top-heavy and supported the idea of a system audit.

Mr. Robbie Gantt raised a grievance regarding economic development and reported that roughly 20% of residents are unemployed and reliant on food stamps.

Ms. Jennifer Haynes shared that her property tax rose from \$500 in 2016 to \$1,200 currently, with no apparent services received. She strongly opposed any further tax increases, and requested confirmation that the tax rate remains unchanged.

Mr. Christopher Wells voiced concern for residents making extreme sacrifices to survive and encouraged practical resolutions to budget issues.

Mr. James Reidy urged transparency in school fund spending. He acknowledged the difficulty of rising taxes and encouraged the Board to maintain the current tax rate.

Mr. Ken McBride emphasized the risks law enforcement officers face, often responding alone to calls. He praised the Sheriff's Department and urged against cuts to public safety, warning even a minute delay in response could be critical.

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

Consent Agenda Items approved were:

- A. ID-25-4169 Minutes of May 5, 2025 County Commissioners' Meeting**
- B. ID-24-3847 Minutes of May 13, 2025 Special County Commissioners' Meeting 1**
- C. ID-25-4168 Tax Refunds and Releases**
 - Refund amount totaling \$1,654.19
 - Releases greater than \$100 totaling \$2,298.05
 - Releases less than \$100 totaling \$432.95
 - (A copy of these tax refunds and releases is typed in the Minute Book.)

V. Commissioners/Appointments

A. ID-25-4166 Recognition of Isothermal Community College Student Sam Lovelace

Transit Director Kerry Giles told the Board that Isothermal Community College student Sam Lovelace was honored with the Uplifting Counties Award for her award-winning film *Driving Possibilities*, featured in the NCACC 100 Strong Film Festival. Competing at the statewide level, Sam's film highlights the critical importance of public transportation. She was inspired to pursue this story after attending a Public Hearing during the March County Commissioners meeting, when Director Giles spoke about the impact of Transit in Rutherford County.

B. ID-25-4175 Recognition of Rutherford County Transit

Transit Director Kerry Giles advised that Rutherford County Transit has been honored with the 2025 NCPTA Rural Transit System of the Year for the second consecutive year. This time, the recognition was awarded collectively to all Western North Carolina transit systems in acknowledgment of their heroic efforts in evacuation and recovery operations following Hurricane Helene.

C. ID-25-4164 World Elder Abuse Awareness Proclamation

Senior Center Director Tammy Aldridge advised the Board that World Elder Abuse Awareness Day (WEAAD) is commemorated each year on June 15th to highlight one of the worst manifestations of ageism and inequality in society which is elder abuse. WEAAD was officially recognized by the United Nations General Assembly in December 2011, following a request by the International Network for the Prevention of Elder Abuse, who first established the commemoration in June 2006.

Elder abuse can be financial, emotional, physical, and sexual. It also includes people who are neglected and those who neglect themselves. Social isolation, financial or emotional stress, and dementia can make a senior vulnerable to abuse.

The consequences of elder abuse are grave: Older adults who are abused are twice as likely to be hospitalized, four times as likely to go into nursing homes, and three times as likely to die. While studies show that 60% of abusers are family members, abuse can happen in any setting: in the adult's own home or a senior living community.

Director Aldridge presented a proclamation for the Board's consideration proclaiming June as World Elder Abuse Awareness Month.

Commissioner Haulk moved to approve the proclamation. 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

Rutherford County
World Elder Abuse Awareness Month Proclamation

WHEREAS, North Carolina ranks eighth nationally in the number of people ages 65 and older; and

WHEREAS, elder abuse is a growing concern as the number of adults over age 65 in North Carolina grows; this year, one in five residents will be over age 65, and with greater longevity there will be more opportunities for older adults to experience maltreatment, whether physical, emotional, or financial; and

WHEREAS, elder abuse is under-reported, overlooked, and often ignored, and each resident has a legal responsibility to report any suspicion of abuse, neglect, or exploitation without fear of reprisal to their local county social services department; and

WHEREAS, in the state Fiscal Year 2022-2023, there were around 35,400 reports of abuse, neglect, or exploitation of vulnerable and older adults made to North Carolina's 100 county departments of social services; and

WHEREAS, encouraging, strengthening, and increasing support to prevent abuse allows vulnerable and older adults to exercise their independence and their right to self-determination; and

WHEREAS, we must utilize every tool available to ensure our older adults live with confidence and security in their later years, free from fear, harassment, and harm; and

WHEREAS, Rutherford County joins the world in recognizing June as World Elder Abuse Awareness Month by taking a stand and making it known that it is not acceptable for any older adult to live in fear, be mistreated, or experience intentional harm;

I, Chairman of the Rutherford County Board of Commissioners, do hereby proclaim **June 2025** as **World Elder Abuse Awareness Month** and encourage all Rutherford County's residents to recognize and celebrate the accomplishments of Rutherford County's seniors.

Adopted this the 2nd day of June, 2025

PROC 25-006

D. ID-25- 4177 Voting Delegate for National Association of Counties

The National Association of Counties will have their annual conference in July of 2025 in Philadelphia, PA. A voting delegate will need to be appointed in order to be able to vote at the business meeting. Commissioner Benfield does plan to attend the conference.

Vice Chairman Toney moved to appoint Commissioner Benfield as the Voting Delegate at the National Association of Counties 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

E. ID-25-4143 Appointment to Forest City Board of Planning and Adjustment Representing Extraterritorial Jurisdiction (ETJ)

A term of office on the Forest City Board of Planning and Adjustment as a representative of the Extraterritorial Jurisdiction (ETJ) expired on April 3, 2025. In 2004 the Rutherford County Board of Commissioners deferred the appointment of members of this board to the Town of Forest City. In the meantime, the Forest City Unified Development Ordinance has been updated, and the updated ordinance does not address deferment.

The vacancy was advertised, and applications were accepted. Mr. Jack Elliott has applied for appointment. The Forest City Council approved the appointment of Mr. Elliott by the Rutherford County Board of Commissioners at their meeting on April 21.

Vice Chairman Toney moved to appoint Mr. Jack Elliott to the Forest City Board of Planning and Adjustment Representing Extraterritorial Jurisdiction (ETJ) to a term ending June 30, 2028. 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-25-4162 Appointments to Rutherford County Boards and Commissions

Vice Chairman Toney moved to reappoint Mr. Danny Searcy to the Broad River Water Authority to a term ending June 30, 2028. 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 Benfield made a motion to reappoint Mr. Willard Whitson, Mr. Don Cason, and Mr. Nick Bell to the Historic Preservation Commission to terms 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

Commissioner Haynes moved to reappoint Mr. Jim Edwards to the Home and Community Care Block Grant Committee to a term ending June 30, 2028. 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

Vice Chairman Toney made a motion to reappoint Ms. Hazel Haynes to the Jury Commission to a term ending June 30, 2027. 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

Vice Chairman Toney made a motion seconded by Commissioner Benfield to reappoint Ms. Judith Toney, Ms. Renee Smart, Ms. Suzanne Porter, Ms. Sarah Horne, Dr. Paul Holden, Ms. Gail Hamby, Ms. Debra Conner, Ms. Cindy Cobb, and Mr. Ted Bell to the Juvenile Crime Prevention Council to terms ending June 30, 2027. The vote on the motion was:

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

Noes: None

Commissioner Benfield move to reappoint Mr. Phil Rogers, Ms. Birgit Dilgert, and Mr. Thomas Bejma to the Planning Commission to terms ending June 30, 2028. 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 reappoint Chairman Bryan King and County Manager Steve Garrison and to appoint Mr. David Herndon to the Economic Development Association to terms ending June 30, 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

Vice Chairman Toney made a motion to reappoint Mr. Willard Whitson and Mr. Scott Martin to the Tourism Development Authority. He further moved to appoint Ms. Amy Bridges to replace Ms. Janet Mason and to appoint Mr. Richard Lundy to replace Ms. Mia Chapman. All terms would end June 30, 2028. 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

The terms of office on the Transit Advisory Board for Mr. Alan Toney II, Mr. Clark Poole, Ms. Diane Dickerson, Mr. Cedric Banks, and Ms. Tammy Aldridge are scheduled to end on June 30, 2025. Commissioner Benfield moved to reappoint Mr. Poole, Ms. Dickerson, and Ms. Aldridge and to appoint Ms. Magnolia Long and Ms. Sam Lovelace to terms 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

VI. Old Business

A. ID-25-Agreement to Amend (Second) Conditional Agreement

The County currently has a purchase and sale agreement with a developer, Quiet Creek Properties, LLC, who is proposing a new housing development on the county owned property on Daniel Road. The current contract has a due diligence period ending July 24 with closing scheduled 30 days later. An amendment to the agreement was presented for the Board to consider whereby the developer is requesting the due diligence period be moved forward to June 15, after which time the deposit will become nonrefundable, and the closing period be extended to December 19.

Commissioner Benfield moved to approve the amendment. 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

VII. New Business

A. ID-25-4172 Budget Amendments – June 2025

Finance Director Paula Roach presented budget amendments for the Board's consideration.

Vice Chairman Toney moved to approve the budget amendments. 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

Budget Amendments		
June 2, 2025		
	Expense	Revenue
GENERAL FUND		
Sheriff - purchases with donations	\$ 1,050	
Sheriff Donations		\$ 1,050
*donations received		
Sheriff - Overtime Salaries	\$ 8,534	
US DOJ Reimbursement		\$ 8,534
*appropriate reimbursements received for task force		
Sheriff - Uniforms	\$ 3,200	
Sheriff - Miscellaneous Revenues		\$ 3,200
*contracted services revenues received		
Detention - Inmate Medical	\$ 100,000	
Fund Balance Appropriate		\$ 100,000
*estimated inmate medical costs through yearend		
Mountains Library/EMS - HVAC	\$ 4,194	
E911 Backup Center - HVAC	\$ 1,236	
Fund Balance Appropriated - HVAC Plan		\$ 5,430
*replacement units		
Senior Center - Senior Games Supplies		
Senior Games Donations	\$ 10,066	
*donations received		\$ 10,066
Library - program expenses	\$ 300	
Donation - Summer Reading Program		\$ 300
*donations received to help cover the costs of kick-off performers		
Sheriff - Vehicle Maintenance	\$ 27,321	

Minutes of Rutherford County Commissioners' Meeting on June 2, 2025
Page 16 of 23

EMS - Vehicle Maintenance	\$	5,315	
Public Works - Vehicle Maintenance	\$	7,982	
Senior Center - Building Maintenance	\$	4,748	
Senior Center -Vehicle Maintenance	\$	2,021	
Insurance Claims Proceeds			\$ 47,387
*insurance proceeds received			
Senior Center - Food and Supplies	\$	25,601	
Home and Community Care Block Grant			\$ 25,601
*adjust to grant awards			
DSS FUND			
DSS- Vehicle Maintenance	\$	18,551	
Insurance Claims Proceeds			\$ 18,551
*insurance proceeds received			
VEHICLE REPLACEMENT FUND			
Sheriff - Vehicle Replacement	\$	29,813	
Insurance Claims Proceeds			\$ 29,813
*insurance proceeds received for total loss/Hurricane damage			
GRANT FUND			
Veterans - Equipment	\$	18,289	
Veterans Grant - NC Dept of Military and Veteran Affairs			\$ 18,289
*grant received to purchase furniture for new facility			
Sheriff - STAR Supplies	\$	320	
STAR (Sheriff's Teaching Abuse Resistance) Donations			\$ 320
*appropriate donations received			
SOLID WASTE FUND			
Disposal - Bldg Repairs/Maintenance	\$	3,775	
Insurance Claims Proceeds			\$ 3,775
*insurance proceeds received			
Disposal - Capital Outlay/Improvements	\$	35,000	
Solid Waste Tipping Fees			\$ 35,000
*appropriate Helene related tipping fees to repair and maintain equipment			

Director Roach said following discussions with the auditors, it was recommended to adopt project ordinances for the SCIF grants and the opioid funds since they will be multi year projects. She presented project ordinances for the Board's consideration.

Commissioner Benfield moved to approve the Opioid Project Ordinance. 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

**COUNTY OF RUTHERFORD
OPIOID SETTLEMENT FUNDS
Ordinance No. 2025-06-02A
Adopted June 2, 2025**

BE IT ORDAINED by the county commissioners of Rutherford County, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for programs and projects funded by the county's opioid settlement funds. According to a Memorandum of Agreement (NC MOA) executed by the county and State of North Carolina, the opioid settlement funds are legally restricted to certain purposes:

Option A: A county may fund one or more strategies from a shorter list of high-impact strategies to address the epidemic; or

Option B: If the county first undertakes a collaborative strategic planning process it may choose a strategy from the shorter list of Option A strategies, or a longer list of strategies included in the national settlements.

Section 2: Pursuant to the NC MOA, the county commissioners have adopted an Authorizing Resolution that identifies the strategies that the county intends to undertake. The appropriations below are consistent with the capital projects identified in that Authorizing Resolution.

Section 3: The following amounts are appropriated for each program and/or project and are authorized for expenditure:

FY2025&FY2026 Projects:

Recovery Support Services – Exh A/Strategy 3 – United Way	\$ 258,000
Recovery Support Services – Exh A Strategy 3 – Preferred Health Choice	335,705
Recovery Support Services – Exh A Strategy 3 – Rutherford Regional Health	400,000

Reserved for Future Projects	10,222,547
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TOTAL	\$11,216,252
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Section 4: The following revenues are anticipated to be available to complete the project:

Opioid Settlement Funds	\$11,216,252
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Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting and other compliance records to satisfy the requirements of the NC MOA and state law.

Section 6: The Finance Officer is hereby directed to report the financial status of the project(s) to the governing board on a quarterly basis.

Section 7: Copies of this capital project ordinance shall be furnished to the Finance Officer and to the Clerk to County Board.

Adopted this the 2nd day of June, 2025.

PROJ ORD 25-003

Vice Chairman Toney moved to approve the County Capital Projects and Equipment Fund – SCIF Projects 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

**COUNTY OF RUTHERFORD
NC LEGISLATIVE GRANT PROJECTS
Ordinance No. 2025-06-02
Adopted June 2, 2025**

Be it hereby ordained by the Board of Commissioners of Rutherford County, North Carolina, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following project ordinance is adopted.

SECTION 1: The project authorized is the State Legislative Grant Projects

SECTION 2: The Rutherford County staff is hereby directed to proceed with the project within the terms of the budget contained herein.

SECTION 3: The following revenues and resources are anticipated to be available to complete the project activities:

FY2022 State Legislative Grant – Courthouse Improvements Grant	\$3,100,000
FY2024 County Capital Facilities/Equipment Grant	20,099,308
FY2024 Detention Center Grant	10,000,000
FY2024 Sheriff's Office Equipment Grant	<u>421,200</u>
 State Legislative Grant Projects Total	 \$33,620,508

SECTION 4: The following amounts are appropriated for the project activities:

Courthouse Improvement – 4 th Courtroom	\$3,100,000
County Capital Facilities/Equipment:	
New Animal Control Building	5,000,000
County Services Building Renovations	11,000,000
Courthouse Renovations – Additional for 4 th Courtroom	1,500,000
Register of Deeds – Upfit Needed for Relocation	250,000
Veterans Building – Upfit for New Occupants	250,000
Library – Upfit for New Occupants	250,000
Senior Center - Improvements	914,308
EMS Ambulances/Equipment	935,000
Detention Center Renovations	10,000,000
Sheriff's Office Equipment	421,200
 State Legislative Grant Projects Total	 \$33,620,508

Section 5. The Finance Officer is hereby authorized to set up and maintain the project within the Capital Projects – Other: County Capital Facilities, Vehicles and Equipment Project Fund.

Section 6. The Finance Officer is hereby directed to report quarterly on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission made to this board.

Section 8. Copies of this project ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Adopted this the 2nd day of June, 2025.

PROJ ORD 25-004

B. ID-25-4171 Compilations for Volunteer Fire Departments

Ms. Crystal Hamrick provided the compilations for the volunteer fire departments for year ending June 30, 2024. Each Department received an unmodified report. No material misstatements were discovered during the review procedures. All departments except one received grants for Fiscal Year Ending (FYE) June 30, 2024. The Departments can contribute to the governmental firemen's pension fund. All except one contributed to the pension fund for FYE June 30, 2024. There are ten Departments with 501(c)(3) status and one Department with 501(c)(4) status. Form 990 has been filed with the IRS for each of these Departments, and sales tax/fuel tax refund requests have been submitted for all departments.

Ms. Hamrick explained that there had been a delay in the presentation of the compilations this due to the death of the accountant for six of the departments and due to Hurricane Helene which destroyed records that had to be requested or recreated.

VOLUNTEER FIRE DEPARTMENTS OF RUTHERFORD COUNTY
ADDITIONAL REVIEW INFORMATION
JUNE 30, 2024

TOG = Turn Out Gear

SCBA = Self-Contained Breathing Apparatus

Bill's Creek Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were a helicopter pad, camera, radios, nozzles and hoses with mounts, SCBA, TOG, and trucks. The Department received grant funding. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Cherry Mountain Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were TOG, medical equipment, and radios. The Department received grant funding. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Chimney Rock Volunteer Fire Department, Inc.

The Department's major purchases were SCBA and hoses. The Department received grant funding. Sales tax refund requests have been filed.

Cliffside Area Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were furniture, internet system, flooring, drop conversions, generators, alerting system, radios and chargers, and vehicle upgrades. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Ellenboro Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were radios, TOG, and SCBA. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Fairfield Mountains Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were major building and lawn improvements and SCBA. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Green Hill Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were a new vehicle, radios, TOG, hoses, and plans for a new station. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Hudlow Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were TOG and a sign. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Sandy Mush Volunteer Fire Department, Inc. 501(c)(4)

The Department's major purchases were fans and radios. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Shiloh-Danielstown-Oakland Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were a new truck, radios, major building and ground improvements, preparations for a new building, rescue equipment, and TOG. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Shingle Hollow Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were land improvements, an HVAC, and TOG. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Union Mills Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were radios, hoses, racks, TOG, and SCBA. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been file

Commissioner Benfield moved to accept the compilations of the fire departments.
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-25-4178 Rutherford County Detention Facility Renovation/Expansion Project – Phase 1 Update

Planning and Public Works Director Danny Searcy told the Board that In December 2024 Rutherford County and Vannoy Construction entered into a contract for Phase 1 of the Design and Preconstruction Services for the Rutherford County Detention Facility Renovation/Expansion Project. Since then, the Vannoy/Moseley team has been working closely with County officials and Detention staff to define the scope of work and develop the conceptual design and cost estimate which was presented.

Upon approval of the conceptual design and estimate, the project team will advance to the schematic design phase and develop an updated cost estimate. The goal is to present the schematic design and updated estimate to the Board of Commissioners at the September meeting. Once these are approved, the Board will be asked to approve Phase II of Design stage being Construction Documents.

County Manager Steve Garrison advised that the County received a \$10,000,000 grant from the state for the renovation of the facility. Some of the funds have been spent for projects at the Detention Center. Originally the funds had to be spent by December, 2025 but this had been changed to June, 2026.

In answer to an inquiry by Commissioner Haulk, it was advised that the project would be completed at or under budget as Vanoy/Moseley will change whatever is needed to ensure this.

Commissioner Haulk moved to approve the conceptual design and estimate, allowing the Vannoy/Moseley team to proceed to the Schematic Design and Estimate phase. 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

D. ID-25-4165 Resolution Awarding Sergeant William Ed Toney's Service Side Arm

Chief Deputy Randy Greenway requested that the Board approve a resolution in accordance with G.S. 20-187.2 awarding Sergeant William Ed Toney's service side arm to him for the sum of \$1.00. Sergeant Toney has provided dedicated service to the citizens of Rutherford County for 20 plus years and is retiring July 1, 2025.

Commissioner Benfield moved to approve the resolution awarding the service side arm to Sergeant William Ed Toney for the sum of \$1.00 which he paid. 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

**Resolution Acknowledging the Service of
Sergeant William Ed Toney
and Awarding His Service Side Arm to Him**

WHEREAS, Sergeant William Ed Toney has served the citizens of Rutherford County for 20 plus years in law enforcement; and

WHEREAS, Sergeant Toney will retire from the Rutherford County Sheriff's Department effective July 1, 2025; and

WHEREAS, Sergeant Toney has served as a member of the Rutherford County Sheriff's Department with both honor and dignity.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Rutherford, in accordance with NC General Statute 20-187.2, do hereby award Sergeant Toney his service side arm (Glock, Model 45, Serial Number CECA703) in exchange for consideration of \$1.00.

Approved this the 2nd day of June, 2025.

RES 25-018

E. ID-25-4180 Amendment to Soccer Complex Interlocal Agreement

County Attorney Richard Williams presented an amendment to the Interlocal Agreement between the Town of Forest City and the County executed April 12, 2021 regarding governance and maintenance of the Legacy Park Soccer Complex. RHI Legacy purchased the property, and the soccer complex is nearing completion so RHI Legacy is planning to turn over ownership to Forest City and Rutherford County on June 30, 2025. The amendment sets up the initial rate of operation and maintenance expense.

Commissioner Haynes moved to approve the Amendment to the Interlocal Agreement between the Town of Forest City and Rutherford County. 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

IX. Adjournment

At 8:39 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