



Rutherford County

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

Meeting Minutes - Outline Board of Commissioners

Monday, March 6, 2017

6:00 PM

Commission Chambers

I. Call to Order

Chairman King called the March 6, 2017 meeting to order.

Rollcall

Present: 5 - Chairperson Bryan King, Vice Chairperson Alan Toney, Commissioner Michael Benfield, Commissioner Greg Lovelace and Commissioner Eddie Holland

A. Pledge of Allegiance

Members of the press who were present led in the Pledge of Allegiance

B. Agenda Approval

A motion was made by Vice Chairman Toney and seconded by Commissioner Benfield to add a report by Tourism Development Authority Chairman Richard Lundy to the agenda. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

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

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

II. Public Comments

Ms. Karen Parker representing Brother Wolf thanked the Commissioners for their goal in having a "no kill" shelter and for the leadership of the Board. She and her organization look forward to doing their part to rally the community and share the goal of "no kill."

Ms. Carol Parham representing Demand Animal Shelter Reform of Rutherford County thanked the Board for having a goal of "no kill" and encouraged the Board to form an adoption committee as soon as possible and open the shelter for volunteers.

III. Consent Agenda

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

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

- A. [ID 17-1286](#) Minutes of Rutherford County Board of Commissioners' Special Meeting of February 24, 2017

Attachments: [20170224Minutes.docx](#)

- B. [ID 17-1277](#) Minutes of Rutherford County Commissioners' Meeting of February 6, 2017

Attachments: [20170206Minutes.docx](#)

- C. [ID 17-1284](#) Tax Refunds and Releases

Attachments: [Tax refunds releases March 2016.pdf](#)

IV. Commissioners/Appointments

- A. [ID 17-1272](#) Appointment to Isothermal Planning and Development Commission Board of Directors

Vice Chairman Toney made a motion to reappoint Chairman King to the Isothermal Planning and Development Commission Board of Directors to a term expiring April 1, 2020. Commissioner Lovelace seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

V. New Business

- A. [ID 17-1282](#) Budget Amendments - March. 2017

Attachments: [Budget Amendments March 2016.pdf](#)

[RESOLUTION EXEMPTING CLIFFSIDE SANITARY DISTRICT MERGER.docx](#)

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

Commissioner Lovelace moved to approve the budget amendments. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

Resolution Exempting Cliffside Sanitary District Merger/Consolidation Study from G.S. 143-64.31

A. [ID 17-1282](#) Budget Amendments - March. 2017

Attachments: [Budget Amendments March 2016.pdf](#)

[RESOLUTION EXEMPTING CLIFFSIDE SANITARY DISTRICT MERGER.docx](#)

County Manager Steve Garrison advised that the Board can approve a resolution which will exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000. Due to the additional work already done by W.K. Dickson on the Cliffside Sanitary District Project; their familiarity with the project; and the fact that their fee is less than \$50,000, Manager Garrison recommended that the resolution exempting Cliffside Sanitary District Merger/Consolidation Study from G.S. 143-64.31 be approved.

Commissioner Benfield moved to approve the Resolution Exempting Cliffside Sanitary District Merger/Consolidation Study from G.S. 143-64.31. Commissioner Lovelace seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

Contract with Rutherford County Economic Development Association for Agreement with Convergent Non-Profit Solutions

A. [ID 17-1282](#) Budget Amendments - March. 2017

Attachments: [Budget Amendments March 2016.pdf](#)

[RESOLUTION EXEMPTING CLIFFSIDE SANITARY DISTRICT MERGER.docx](#)

Also, the Board voted on January 9, 2017, to authorize the County Manager to work with the County Attorney to enter into a capital campaign management agreement with Convergent Non-Profit Solutions for a public/private economic development fund raising campaign. However, the County will need to directly enter into an agreement with the new Rutherford County Economic Development Association to fund this capital campaign management agreement so that the Rutherford County Economic Development Association may directly enter into the agreement with Convergent. Clarification of the Board was requested since the County will not be directly entering into the agreement with Convergent.

Commissioner Benfield moved to authorize the County Manager to work with the County Attorney to enter into an agreement with the Rutherford County Economic Development Association for the funding of a capital campaign management agreement so that the association may enter into an agreement with Convergent Non-Profit Solutions for a public-private economic development fund raising campaign. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

B. [ID 17-1285](#) Contract for Engineering Services for Cliffside Sanitary District

Attachments: [Cliffside sanitary district DEQ Water Infrastructure Grant March 2017.pdf](#)

Planning and Public Works Director Danny Searcy told the Board that a grant was recently awarded to Rutherford County by the North Carolina Department of Environmental Quality that will be used for engineering services for the Cliffside Sanitary District. The County proposes to enter into a contract with W.K. Dickson & Company, Inc. for work on the Cliffside Sanitary District Wastewater System Merger/Consolidation Engineering Study.

Commissioner Lovelace moved to authorize the County Manager to negotiate and enter into a contract with W.K. Dickson for engineering services for the Cliffside Sanitary District and authorize County Attorney, Finance Officer, and Clerk to the Board, and other County officials to sign and execute all documents in support of this action. Vice Chairman Toney seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

Commissioner Lovelace made a motion to accept grant funds from NCDEQ for a consolidation engineering report of the Cliffside Sanitary District in the amount of \$50,000 with a 1.5% (\$750) local match. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

C. [ID 17-1274](#) Financial RFP for Vehicles and Associated Equipment

Attachments: [Bids for Lease Purchase First Citizens.pdf](#)

Bids were received on February 23, 2017 for financing of vehicles and associated equipment that were included in the 2016-2017 budget. Financing will be a 36-month term in accordance with G.S. 160A-20 for the following vehicles and associated equipment:

*Sheriff - 12 vehicles
EMS - 2 remounts
DSS – 1 vehicle
Solid Waste – 1 rolloff truck
Schools - 4 vehicles; 4 mowers; 1 activity bus; 1 wrecker bed*

Proposals were as follows:

<i>Bank</i>	<i>Rate</i>	<i>Other Costs</i>
<i>Santander</i>	<i>2.22%</i>	<i>Escrow fees \$2,000 minimum up to \$2,500</i>
<i>US Bancorp</i>	<i>1.593%</i>	<i>No fee escrow account</i>
<i>Carolina Alliance Bank</i>	<i>2.23%</i>	<i>No prepayment penalty</i>
<i>Sun Trust</i>	<i>1.87%</i>	<i>Documentation Fee \$250</i>
<i>First Citizens Bank</i>	<i>1.58%</i>	<i>No fee escrow account</i>

Finance Director Paula Roach stated that First Citizens is recommended as the qualified lowest bidder. Funds for the financing have been budgeted in the Vehicle Replacement Fund.

Vice Chairman Toney made a motion to approve the low financing bid of First Citizens. Commissioner Benfield seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

- D.** [ID 17-1275](#) Resolution Authorizing the Negotiation of an Installment Financing Contract, Directing the Publication of Notice with Respect Thereto and Providing for Certain Other Related Matters Thereto

Attachments: [Initial Resolution - Rutherford County - 2017 IFC - edits to v 2.doc](#)

A resolution was provided for the Board's consideration that would authorize the negotiation of an installment financing contract to

(a) finance all or a portion of the costs to

(1) construct, equip and furnish an Applied Science and Technology Building at Isothermal Community College ("ICC"),

(2) replace roofs on the Business Science Building and the Communications Building at ICC,

(3) renovate and improve the Rutherford County Detention Center and

(4) acquire land for future County development and expansion (collectively, the "Project") and

(b) pay certain costs related to the execution and delivery of the Contract; and (2) to execute and deliver a deed of trust and security agreement (the "Deed of Trust") related to the County's fee simple interest in all or a portion of the real property on which the Business Science Building and the Communications Building at ICC are or will be located, together with the improvements thereon (collectively, the "Mortgaged Property"), to secure the County's obligations under the Contract.

The resolution also calls for a public hearing to be held at the April 3, 2017 meeting of the Rutherford County Board of Commissioners.

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

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

- E.** [ID 17-1281](#) Rutherford County Transit Drug and Alcohol Testing Policy with Revisions

Attachments: [Transit Drug and Alcohol Testing Policy with Revisions 02-24-17.pdf](#)

A copy of Transit Department's revised Drug and Alcohol Policy was provided for the Board's consideration. The only change to the revised documents was an update to the Medical Review Officer and Substance Abuse Professional listed. Board approval is required per a NCDOT compliance audit that was held in November, 2016.

Commissioner Benfield made a motion to approve the Rutherford County Transit Drug and Alcohol Testing Policy with Revisions. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

F. [ID 17-1278](#) Queen's Gap Development Projects 8 and 9 Bid Tab

Attachments: [Queens Gap Projects 8 and 9 Bid Tabs.pdf](#)

Bids were received on Wednesday, February 22, 2017 at 10:00 a.m. at the Rutherford County Office Building for the Queens Gap Development Projects 8 & 9.

Site Development Corporation	\$ 946,731.90
Bennick Grading	\$1,163,903.99
Sisk Grading	\$1,555,623.96
JLS Company LLC	\$2,035,648.74

Planning and Public Works Director Danny Searcy said the low bidder was Site Development Corporation with a bid amount of \$ 946,713.90. He recommended awarding the contract to Site Development Corporation in the amount of \$946,713.90 to complete the project.

Commissioner Holland made a motion to approve the bid tab and authorize the County Manager to execute contracts and other documents with the recommended low bidder in support of the Commissioners' action. Commissioner Lovelace seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

G. [ID 17-1276](#) Authorization to Purchase Property

Solid Waste Director James Kilgo told the Board that Rutherford County owns an old landfill site on the east side of US 221A Highway in the High Shoals Township which is landlocked. Mr. Steve Ray Matheny owns property which the County wishes to purchase that would allow access to the old landfill. Rutherford County and Mr. Matheny have entered into a contract that would allow the purchase and sale of the property. It was requested that the Board approve the purchase with a closing date of March 15, 2017.

Commissioner Holland made a motion to authorize the County Manager, Finance Officer, Clerk to the Board, and other County officials to sign and execute all documents in support of the purchase of the property. Commissioner Benfield seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

H. [ID 17-1273](#) Resolution Requesting the Addition of Roads to the State Secondary Road system

Attachments: [Road Addition Resolution.doc](#)
 [Subdivision Roads.pdf](#)

At the September 8, 2014 meeting of the Rutherford County Board of Commissioners, the Board approved a resolution requesting that the NCDOT approve roads to be added to the system and that a report be provided to the Board of Commissioners regarding the roads which are added. Prior to passage of this September 8, 2014 resolution, NCDOT was required to seek an approving resolution from the Board of Commissioners to add a road to the state system.

Mr. Jason Butler, Engineering Technician with NCDOT, has advised that a comparable resolution must be approved by each Board of Commissioners when they take office. A resolution was provided for the Board's consideration.

Commissioner Lovelace made a motion to approve the resolution. Vice Chairman Toney seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield,
 Commissioner Lovelace and Commissioner Holland

Nay: 0

I. Tourism Development Authority Update

Tourism Development Authority Chairman Tom Lundy spoke to the Board regarding a proposed goal of the County Commissioners to increase the occupancy tax 1% to the maximum level of 6% and use these funds for education in Rutherford County. He said the TDA believes that taxes paid by visitors in Rutherford County should be used to generate more visitors in Rutherford County. TDA also feels very strongly about education in the County as trained workers are needed by the hospitality industry.

Mr. Lundy also gave the Board an update on the Strategic Tourism Plan. As that plan is completed, the TDA will be looking at ways to fund the plan. The 1% occupancy increase will be a recommendation.

TDA Director Don Cason said TDA is committed to supporting education. Responding to a question by Commissioner Lovelace, Mr. Lundy advised that at the end of the process in updating the Strategic Tourism Plan, there will be a tangible recommendation regarding education and tourism.

J. [ID 17-1283](#) Goals for Rutherford County Commissioners - 2017 - 2018

Attachments: [Goals For Rutherford County Commissioners 2017.docx](#)
 [County Commissioner Goals FY2017-2018 DRAFT.pdf](#)

Chairman King told those present that on February 24, 2017, the Rutherford County Board of Commissioners met to discuss possible goals which they will address during FY 2017-2018. He listed the priority goals discussed by the Board. County Manager Steve Garrison requested that the Board approve the list of goals so that staff can move forward in addressing these.

Overarching Focus Points

- Job creation
- Transparency – Promote good government by operating in a professional manner
- Support Education – K-12 & Isothermal Community College
- Enhanced partnerships

- Capital Facility Needs*
- *Infrastructure Enhancement*
- Water, sewer, gas, roads/highways, broadband, etc.*
- *Improved Quality of Life*
- *Public Safety*
- *Build a Foundation to Improve Service Delivery and Access to Services*

Priority Goal #1

- *Enhance Economic Development and Job Creation Opportunities*
- Increase industrial and manufacturing development*
- Work with the Chamber and TDA to evaluate and identify the need for conference/meeting space and the current inventory*
- Work with Economic Development and IPDC to identify opportunities for a regional industrial park*
- Reestablish business retention programming*

Priority Goal #2

- *Support Education*
- Work with our legislators to introduce a local bill that would allow Rutherford County to place a complete description on the ballot for the local 1/4¢ Sales Tax referendum*
- Work with our legislators to introduce a local bill to amend the County Occupancy Tax legislation to increase the Occupancy Tax Rate from 5% to 6% and for the additional 1% to go to support public education*

Priority Goal #3

- *Continue Advocacy for Infrastructure to Promote Good Jobs and Business Opportunities*
- Promote designation of US-74 to I-74 or to Future I-74*
- Promote completion of Hwy. 221 project*
- Promote Hwy. 221A straightening project*
- Public/private partnership for broadband planning and deployment*
- Infrastructure expansion and improvement*
- Cliffside Sanitary District*
- Water/sewer expansion to support commercial, retail, manufacturing, industrial and tourism opportunities*

Priority Goal #4

- *Enhance Service Delivery and Customer Access*
- Evaluate creating a new consolidated Emergency Services/Public Safety model to include EMS, 911 & Emergency Management*
- Complete an analysis including a feasibility study for EMS to go from 24 hour shifts to 12 hour shifts*
- Improve ground transportation options for customers flying in to the RC Airport*
- Invest in new technologies to create greater efficiencies and improve customer experience*

Priority Goal #5

- *Improve Quality of Life*
- Host a free medical and mental health fair for county employees*
- Identify gaps, obstacles and improvements needed for citizens to access mental health and substance abuse services & programming*
- Support the RC Education Foundation Backpack program to help reduce childhood food insecurity*
- Participate in activities to develop, expand, support and improve outdoor recreation opportunities*
- Evaluate and consider options to help address roadside trash*

Priority Goal #6

- *Improve Public Safety and Quality of Life*
- Request that the Planning Commission research and report back to the Commissioners on the following subjects:*
- Consider any updates needed for the Mobile Home Park Ordinance to address “tiny homes”/Park Model homes*
- Cell tower ordinance*
- Review current solar farm ordinance for any possible updates needed*

A motion was made by Vice Chairman Toney and seconded by Commissioner Holland to remove the second goal under Priority Goal #2 from the list of goals of the Rutherford County Board of Commissioners. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

Vice Chairman Toney made a motion to approve the goals with the one goal removed. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

VI. Information

A. [ID 17-1270](#) Tax Collector’s Report March 2017

Attachments: [Net Collections Report 1.31.17](#)

VII. Adjournment

At 7:01 P.M. Commissioner Lovelace made a motion to adjourn. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0