



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

**Rutherford County
Board of Commissioners
Minutes of July 7, 2025**

**Monday, July 7, 2025
6:00 PM**

I. Call to Order

Chairman King called the July 7, 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

Clerk to the Board Hazel Haynes led in the Pledge of Allegiance.

B. Agenda Approval

Vice Chairman Toney made a motion to add an appointment to the Library Board to the agenda under V. Commissioners/Appointments. 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 moved to adopt the agenda with the approved addition. Commissioner Haynes seconded the motion. The vote on the motion was:

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

II. Public Hearing

A. ID-25-4204 Road Naming, Addressing, and Display Ordinance

At 6:05 P.M. Chairman King opened the public hearing to listen to comments regarding amendments to Chapter 3 of the Rutherford County Code of Ordinances, being Article VI presently entitled "Road Naming, Addressing, and Display." A redlined copy of the proposed Article VI along with a clean draft was presented for the Board's information.

GIS/E911 Addressing Director Katie Doherty told the Board that the present ordinance was adopted in April, 1991 and had had no revisions. Changes to the North Carolina General Statutes and the Building Code and the adoption of the RV and Mobile Home Park Ordinances had happened after the original ordinance was adopted. Certain processes that were not defined in the original ordinance will be verified, and the verbiage in the old ordinance will be changed to match what is currently being used.

County Attorney Richard Williams advised that the proposed amendment to Chapter 3, Article VI of the Rutherford County Code, is designed to do four things:

1. Updates and modernizes the old ordinance and includes a lot of requested corrections by addressing staff.
2. Incorporates the strangely misaligned Section 12-2 under Chapter 12 of the Code. This is an existing ordinance for changing road names within the County, which for some reason is not included in the old "Road Name, Addressing and Display" ordinance where it should belong. Among the proposed changes is a new Section 3-118(f) which includes the same procedure for amending street names previously found in Section 12-2.
3. Puts a full procedure in place for changing street addresses, which is required under GS 153A-239.1.
4. Modernizes the criminal penalty reference to remove the "post your house number or go to jail" misdemeanor since GS 14-4 only authorizes fines now. It is still a misdemeanor and \$50 per day of civil penalties adds up.

Attorney Williams said road name changes will be necessary for the new US 221 project. Two ordinances will be on the August agenda that will include amending Chapter 3, Article VI of the Rutherford County Code of Ordinances and repealing Section 12-2 of the Code.

No one else wished to speak.

At 6:07 P.M. Chairman King declared that the public hearing was closed.

III. Public Comments

Ms. Jennifer McBrayer, Principal of Chase Middle School, thanked the Board for approving funding for SRO officers and supplements for teachers; however, closing two Rutherford County schools caused her to ask why there must be a choice between protecting taxpayers and serving children. She said children must be made a priority in future budget cycles.

IV. Consent Agenda

A. ID-25- 4199 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- 4210 Minutes of May 27, 2025 County Commissioners' Special Meeting**
- B. ID-25- 4209 Minutes of June 2, 2025 County Commissioners' Meeting**
- C. ID-25- 4208 Minutes of June 5, 2025 County Commissioners' Special Meeting**
- D. ID-25-4199 Tax Refunds and Releases**
 - Refund amount totaling \$1,236.27
 - Releases greater than \$100 totaling \$1,258.79
 - Releases less than \$100 totaling \$171.20
 - (A copy of these tax refunds and releases is typed in the Minute Book.)

V. Commissioners/Appointments

A. ID-25- 4179 Proclamation Honoring Former Economic Development Association Member Terry Hines

Chairman King advised that Mr. Terry Hines did not seek reappointment to the Economic Development Association following the end of his term of office on June 30, 2025. Mr. Hines has served in economic development efforts for Rutherford County since 2008. The Chairman presented a proclamation recognizing his valuable service to Rutherford County for the Board's consideration.

Chairman King presented statistics of jobs and investments since July 2021.

Announced Jobs	481
Announced Investment	\$140,868,169.00

Statistics during the last ten years

Announced Jobs	1,227
Announced Investment	\$1,390,649,816

Vice Chairman Toney moved to approve the proclamation. 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

Proclamation
Honoring Terry Hines for Distinguished Service on the
Economic Development Board

WHEREAS, the Rutherford County Board of Commissioners recognizes the importance of economic development in fostering prosperity, job creation, and a thriving community; and

WHEREAS, Terry Hines has honorably served as the County Commissioners' appointee to the Rutherford County Economic Development Advisory Board from 2008-2017; and

WHEREAS, Terry Hines has also honorably served as the County Commissioners' appointee to the Rutherford County Economic Development Association Board from 2017-2025; and

WHEREAS, Terry Hines has exemplified outstanding leadership in his role as Chairman of the Rutherford County Economic Development Association Board since July 2021; and

WHEREAS, for over 17 years, he has brought leadership, dedication, and insight to the work of the Board, playing a pivotal role in shaping strategic initiatives that have strengthened the economic vitality of our county; and

WHEREAS, Terry Hines' unwavering commitment to public service and economic growth has earned the respect and appreciation of colleagues, community stakeholders, and residents alike;

NOW, THEREFORE, BE IT PROCLAIMED that the Rutherford County Board of Commissioners, on this day, July 7, 2025, does hereby express its deepest gratitude and recognition to Terry Hines for his extraordinary service and lasting contributions to the Economic Development Board and to the future of our community.

IN WITNESS WHEREOF, I Bryan A. King, Chairman of the Rutherford County Board of Commissioners, Rutherford County, North Carolina do hereunto set my hand and cause the Rutherford County Seal to be affixed on this 7th day of July, 2025.

PROC 25-005

B. ID-25- 4206 Recognitions for Safety Awards

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

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

C. ID-25-4200 Appointment to Isothermal Community College Board of Trustees

A term of office expired on the Isothermal Community College Board of Trustees on June 30, 2025.

Vice Chairman Toney moved to appoint Ms. Amy Jenkins to the Isothermal Community College Board of Trustees to a term ending June 30, 2029. 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

D. ID-25- 4197 Appointment to Tourism Development Authority

A vacancy occurred on the Tourism Development Authority due to term limits. Ms. Debbi Stanfield had submitted an application for appointment. She would qualify to fill the vacancy which must be a representative of an Occupancy Tax Collector.

Vice Chairman Toney moved to appoint Ms. Stanfield to the Tourism Development Authority to a term ending June 30, 2027. 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-25-419 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.

The TDA voted to recommend that Mr. Willard Whitson be appointed by the Board as Chairperson of the TDA for the upcoming year.

Commissioner Benfield moved to appoint Mr. William Whitson as Chairman of the TDA for year beginning July 1, 2025. 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

F. ID-25-4212 Voting Delegate to 2025 NCACC Annual Conference

A request was received that the Board appoint a voting delegate to the 2025 NCACC Annual Conference to be held in August in Pitt County. It was also requested that an alternate be appointed for the conference.

Vice Chairman Toney moved to appoint Commissioner Michael Benfield as the Voting Delegate to the 2025 NCACC Annual Conference. 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 moved to appoint Vice Chairman Alan Toney as the Alternate Voting Delegate to the 2025 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

F. Appointment to Library Board

Vice Chairman Toney moved to appoint Ms. Pam Morrow to the Library Board of Trustees 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

VI. Commissioners' Reports

A. ID-25-4205 Rutherford County Regionalization Study Report

County Manager Steve Garrison told the Board that an update to the 2014 Wastewater Merger/Regionalization Study prepared by WK Dickson was undertaken to further evaluate the feasibility and implications of regionalizing wastewater services. The primary focus was on exploring merger or consolidation options between the Town of Spindale and the Town of Rutherfordton, with consideration for integration into the Broad River Water Authority (BRWA) system. The study emphasized critical areas including regulatory compliance, the need for infrastructure investment, financial sustainability, and affordability for ratepayers. Following the impact of Hurricane Helene, the scope of the update was expanded to include emergency resiliency and response measures. Additionally, the study addressed the effects of the evolving infrastructure funding landscape, recognizing the

importance of adapting to a changing financial environment for capital improvements and service continuity.

A presentation of the draft results of the Rutherford County Regionalization Study Report was presented by Mr. Seth Robertson of Ardurra (formerly WK Dickson.) He stated that both the Spindale and Rutherfordton systems have made significant and continuous improvement in operation, infrastructure investment and financial management since the last evaluation. Their partnership with each other and BRWA is already a regional success story. In the short term there is no obvious driver to push consolidation after looking at current rates, projected growth, unserved areas, known economic development opportunities. By receiving grant money for WWTP upgrades, Rutherfordton was relieved of rate impacts of improvement which would likely have changed the financial evaluation. However, the status quo will likely result in a continuation of substantial rate increase for both utilities that will ultimately create affordability issues for customers. Affordability issues often lead to collection issues or additional service population decline which puts further stress on rates. Due to increasing costs and the expectation of reduced funding opportunities, continuing to move towards regional consolidation is the most viable long-term solution and is strongly supported by the state. Consolidation would gain economies of scale especially on the operating side requiring approximately 60% of the staff required by two separate utilities. A combined utility could be created under BRWA as a separate wastewater fund without impacting current water customers or substantially impacting the current financial position of BRWA and could incorporate Cliffside Sanitary District with minimal impact dependent upon initial state grants for upgrades.

Next steps would be to move towards full consolidation with BRWA to leverage the existing strengths of the partners – Spindale’s proactive investments and planning, Rutherfordton’s short-term financial health, and BRWA’s established governance and stability

VII. Old Business

A. ID-25-4203 State Cashflow Loans for Disaster Response Activities to Local Governments

Finance Director Paula Roach presented the loan agreement for Round 2 of the Cashflow Loans for Disaster Response Activities to Local Governments in the amount of \$1,211,931.04 . A resolution approving the agreement and promissory note was included for the Board’s consideration.

Commissioner Benfield moved to approve the resolution. 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 TO APPROVE ROUND 2 NORTH CAROLINA CASHFLOW LOAN AGREEMENT AND PROMISSORY NOTE

WITNESSETH:

WHEREAS, in connection with the State of North Carolina cashflow loan program (Loan Program) authorized by the Disaster Recovery Act of 2024, Session Law 2024-53 (as amended by Session Law 2024-57), the North Carolina Department of State Treasurer has been working

with the North Carolina Department of Public Safety-Division of Emergency Management (NCEM), the North Carolina Association of County Commissioners (NCACC), and the North Carolina League of Municipalities (NCLM) to formulate a working plan for the disbursement of cashflow loans aimed at assisting local governments affected by Hurricane Helene; and

WHEREAS, local governments wishing to participate in Round 2 of the Loan Program are required to execute a Round 2 Cashflow Loan Agreement and Promissory Note with the State of North Carolina, by and through the North Carolina Department of the State Treasurer; and

NOW, THEREFORE BE IT RESOLVED BY THE COUNTY OF RUTHERFORD, NORTH CAROLINA:

That the Round 2 Cashflow Loan Agreement and Promissory Note provided by the North Carolina Department of the State Treasurer are hereby approved.

That the Manager, Clerk, or Authorized Representative of a Tribal Government is authorized to execute the attached agreements (or those substantially equivalent thereto) and such other agreements and actions as necessary to receive disaster recovery loan funding from the State of North Carolina.

Adopted this the 7th day of July , 2025.

RES 25-020

VIII. New Business

A. ID-25-4196 Budget Amendments – July 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		
July 7, 2025		
	Expense	Revenue
GENERAL FUND		
College - Capital Improvements	\$ 5,615	
Contribution from College Capital Reserve		\$ 5,615
*replace the pool motor so it can reopen		
COLLEGE CAPITAL RESERVE		
Transfer to General Fund	\$ 5,615	
Reserved for Future Projects	\$ (5,615)	
*replace the pool motor so it can reopen		

SOLID WASTE FUND		
Solid Waste Equipment	\$ 22,000	
NC DEQ Recycling Grant		\$ 22,000
*grant received to replace one 40 yard container and receiver originally purchased in 2013; 20% matching funds within the existing budget		

B. ID-25-4189 Beam Construction Design/Build Contract

Project Manager Aubrey Clay presented a contract between Beam Construction Company and Rutherford County for the renovation and upfit of the former R-S Middle School facility which will house the Rutherford County Professional Law Enforcement Offices.

Phase 1 Contract is to include:

Preconstruction design services = \$115,600.00

Roof Allowance (Cafeteria) = \$125,000.00

Roof Allowance (6th Grade Building) = \$75,000.00

Utility Allowance (Separate gas, water, sewer from schools) = \$25,000.00

Phase 1 TOTAL = \$340,600.00

Project Manager Clay advised that it was important to note that this project is a critical step in moving forward with the planned Detention Center renovations, which will require the Sheriff's administrative staff to vacate the existing facility. Additionally, the upfit of the former 6th grade building will allow the entire Sheriff's Office to operate under one roof, offering significant operational benefits.

Also important to note was that this project required no local funding. It will be fully funded through Legislative grant funds.

Commissioner Haulk moved to approve the Phase One Design/Build contract with Beam Construction and authorize a Notice to Proceed for this project. 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

C. ID-25-4198 Charge Collect and Annual Tax Collector's Settlement Report

The Annual Tax Collections' Settlement Report for FY 2024-2025 was presented by Revenue Director Richard Lawson. The report showed 98.17% of taxes were collected which was slightly lower than last year. Director Lawson said there was an increase in the number of persons setting up payments.

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

Commissioner Benfield moved to approve the Charge to Collect. 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

**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 2015 thru 2025 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 2015 through 2025 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.

IX. Closed Session

A. ID-25-4202 Closed Session – Personnel NCGS 143-318.11(a)(6)

B. ID-25-4201 ATTORNEY CLIENT NCGS 143-318.11(a)(3)

At 7:12 P.M. Vice Chairman Toney moved to go into Closed Session for a discussion with the County Attorney and to discuss an issue regarding personnel. The County Manager and the Clerk to the Board along with the Human Resources Director and Finance Director would be included in the session. 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

**7:12 P.M. - The Board went into Closed Session.
7:52 P.M. - The Board returned to Regular Session.**

X. Information

A. ID-25-4207 Tax Collector's Report – June, 2025

XI. Adjournment

At 7:53 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