



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

**Rutherford County
Board of Commissioners
Minutes of August 4, 2025**

**Monday, August 4, 2025
6:00 PM**

I. Call to Order

Chairman King called the August 4, 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

Isothermal Community College Staff Members 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 Comments

Ms. Annie Dance, a resident of Green Hill, said a copy of the Southern Software Contract which the Board would be considering in the meeting was not included in the agenda. She asked that the Board consider the cost as they make a decision.

Mr. Nick Jongebloed, founder of Animal Rescue Food Solutions, asked for the Board's influence as he attempts to make contacts to get food for animals at the Rutherford County Animal Shelter.

III. 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-25-4221** **Minutes of July 7, 2025 County Commissioners' Meeting**
- B. **ID-25-4222** **Tax Refunds and Releases**
 - Refund amount totaling \$1,405.80
 - Releases greater than \$100 totaling \$2,269.03
 - Releases less than \$100 totaling \$39.38
 - (A copy of these tax refunds and releases is typed in the Minute Book.)

IV. Old Business

A. ID-25-4220 Road Naming, Addressing, and Display Ordinance

GIS/E911 Addressing Director Katie Doherty advised that a public hearing was held by the Board at the July 8, 2025 meeting regarding amendments to Chapter 3 of the Rutherford County Code of Ordinances, being Article VI presently entitled "Road Naming, Addressing, and Display." 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 the 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.
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.

It was requested that the Board approve *An Ordinance Amending Chapter 3, Article VI, of the Rutherford County Code of Ordinances, Street Name, Addressing and Display and An Ordinance Repealing Section 12-2 of the Rutherford County Code of Ordinances, Procedure for Changing or Amending Road Names.*

Commissioner Benfield moved to approve *An Ordinance Amending Chapter 3, Article VI, of the Rutherford County Code of Ordinances, Street Name, Addressing and Display*. 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

AN ORDINANCE AMENDING CHAPTER 3, ARTICLE VI, OF THE RUTHERFORD COUNTY CODE OF ORDINANCES, STREET NAME, ADDRESSING AND DISPLAY

WHEREAS, E911 Communications and Addressing departments have requested certain changes to the process and procedure of assigning and changing public and private streets and roadways in Rutherford County, and in assigning street numbers for structures, in order to provide more efficient emergency response services to those in need; and

WHEREAS, in order made such changes, it is necessary and appropriate to amend Chapter 3, Article VI, of the Rutherford County Code, currently entitled "Road naming, addressing and display", in order to assist those emergency responders, including law enforcement, fire and rescue services, and ambulance services in locating individuals in need of those services as quickly as possible; and

WHEREAS, Section 12-2 of the Rutherford County Code, entitled "Procedure for changing or amending road name," is better and more efficiently incorporated under Chapter 3, Article VI of the Rutherford County Code; and

WHEREAS, the Board of Commissioners of Rutherford County caused notice of the time, place and subject matter of a public hearing on this matter to be posted at the Rutherford County Courthouse, at the Rutherford County Administrative Building, and at the Rutherfordton Town Hall, all of which are located in Rutherfordton Township; and

WHEREAS, the Board of Commissioners of Rutherford County caused publication of the same notice of public hearing to be published in the *Daily Courier* in its issue published June 26, 2025; and

WHEREAS, the Board of Commissioners of Rutherford County conducted a public hearing at the regular meeting on July 7, 2025, on the subject of these proposed changes to the Rutherford County Code, including changes to the procedure established to assign or reassign street numbers on roads within Rutherford County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rutherford County that Article VI of Chapter 3 of the Rutherford County Code is hereby amended by amending and replacing the language therein in its entirety as follows:

ARTICLE VI. STREET NAME, ADDRESSING AND DISPLAY

Sec. 3-116. Purpose and intent.

The purpose and intent of this article is to provide and enforce a uniform system of road addresses for all properties and buildings through the county in order to facilitate provision of adequate public safety and emergency response services and to minimize difficulty in locating properties and buildings for public service agencies and the general public.

Sec. 3-117. Definitions.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them in this section:

Address Number: Number assigned by the Department to any addressed structure, including any building, mobile home, dwelling, lot space, mobile home space, or other structure or property in a sequential manner.

Addressed Structure: A building, mobile home, dwelling, lot space or mobile home space with hookups such as power, water, septic or sewer, cell tower, utility box, water tank, railroad construction, solar farm, water point or any other type of structure or structural equipment that requires an address location for business or emergency response purposes.

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, chattels or equipment. When separated by division walls from the ground up without openings, each portion of such building may be deemed a separate building. For the purpose of this article, the term "building" may also include other manmade structures.

County Commissioners: The Board of County Commissioners of Rutherford County.

Department: The Rutherford County E911 Addressing Department, being the official department of Rutherford County charged with the administration of this article, including its authorized agent or delegate.

Developer: Any person, firm, trust, partnership, association or cooperation engaged in the development or purposed development of a subdivision, industrial park or complex, or mobile home park.

Lot Space: Any parcel of ground designated for the exclusive use of one (1) recreational vehicle as defined in Article VII, Chapter 3 of the Code.

Mailing Address: Assigned or used by the U.S. Postal Service for the purpose of delivery of the U.S. mail. Mailing address may or may not be identical to property address.

Mobile Home: A factory-assembled portable housing unit or a portion thereof built on a chassis and intended for use as a dwelling unit and is not constructed in accordance with the standards of the North Carolina Uniform Residential Building Code for one and two-family dwellings. A mobile home is designed to be transported on its own chassis and has a measurement of forty (40) feet or more in length and eight (8) feet or more in width. A mobile home shall be construed to remain a mobile home whether or not wheels, Ashley hitch, or other appurtenances of mobility are removed, and regardless of the nature of the foundation provided. All vehicles which are designated mobile home by the Uniform Standards Code for Mobile Home Act shall be considered mobile homes. A mobile home shall not be construed to be a travel trailer or other form of recreational vehicle.

Mobile Home Park: Land leased or rented being used or proposed to be used by mobile homes occupied for dwelling or sleeping purposes, consisting of three (3) or more mobile homes on a single tract shall be considered to be a mobile home park

Mobile Home Space: Any parcel of ground within a mobile home park, designed for the exclusive use of one (1) mobile home.

Planning Commission: The Rutherford County Planning Commission.

Private Street: Roadway which is not intended to become a public street and which has not been dedicated to the public use and which shall be used for access for more than one addressed structures.

Property Address: The address number assigned by the Department in accordance with this article together with the street name.

Public Street: Roadway located on a right-of-way dedication under the requirements of this article, and which meets the total improvement requirements for a public street as set forth by the North Carolina Department of Transportation in its "Subdivision Roads-Minimum Construction Standards", or any roadway dedicated for public use.

Roadway: Any road, street, drive, land, cartway, tramway, easement, right-of-way, access area, thoroughfare, highway, boulevard, driveway or any other corridor used for or having the potential use as a means of conveyance by a motor vehicle.

State Road Number: A number assigned by the North Carolina Department of Transportation to identify state secondary roads.

Street Name: The official name of any roadway, designated by the County Commissioners or the Department as the designee of the County Commissioner in accordance with this article.

Street Sign: Signage placed at the roadway intersection, which indicates the street name, direction, and, where appropriate, the state road number and block number.

Sec. 3-118. Street names.

(a) The street names on file with the Department are hereby declared the official names of these roadways, unless changed in accordance with this article. The Department is hereby authorized to act as a clearing house for all information regarding street names and location of roadways in the county. The Department will determine the need to assign street names and to approve all such assignments pursuant to this section and to such policy as the Department shall adopt. The Department will determine the need for changes to street names and to recommend any such changes to the County Commissioners pursuant to the terms of this section. Street name assignments and changes within the limits of any municipality shall be determined by that municipality and not by the Department or by the county except by written agreement between the municipality and the county.

(b) The Developer, owner, operator, or legally established owners' association, as relevant, of each subdivision, mobile home park, industrial park, and other similar development with new roadways requiring assignment of new street name by recorded approved subdivision plat shall submit a copy of the plat with proposed street names to the Department at least thirty (30) days prior to applying for any necessary building or mobile home permit. The Department must approve all street names before the plat may be recorded at the Register of Deeds. The plat shall include all information required in the Subdivision Regulations of Rutherford County [App. B] as stated in section 703.2.

(c) All roadways required to have street names assigned shall be in accordance with this section.

(1) Street names will be assigned by the Department to all roadways having a minimum of four (4) addressed structures using said roadway for access from and to public street in accordance with written procedures adopted by the Department.

(2) Property owners located upon a roadway not having a street name may propose a street name by written petition signed by the majority of owners of parcels located upon the roadway in a form prepared by the Department.

(3) If the street name proposed by the petition is accepted by the Department and adopted as the street name, the petitioners will pay a fee in accordance with a fee schedule adopted by the County Commissioners for the cost of purchasing and erecting such street

signs as the Department determines necessary, which will be paid to the Department after acceptance of the street name.

(4) If the street name is not accepted by the Department, the Department and the petitioners may agree to a different street name or the Department will assign the street name in accordance with the provisions of Section 3-118(c)(1) above.

(5) The Department shall provide written decision as to why any street name proposed by written petition is not accepted and shall send the written decision to the petitioners. Property owners located upon the roadway may appeal the denial of the proposed street name to the County Commissioners within thirty (30) days of the date of the written decision. In the event of such appeal, the County Commissioners shall hold a public hearing in accordance with the provisions of Section 3-118(d)(5) below.

(6) If a street name is selected by the Department without the agreement of the petitioners, the cost of any street sign is borne by the county.

(d) Street names may be changed only in accordance with the provisions of this section and of N.C. Gen. Stat. §153A-239.1.

(1) The Department, the county manager or the County Commissioners may propose to change a street name for reasons of public safety or public convenience.

(2) Any other person or persons proposing to change the street name of any roadway shall submit a written petition to the Department stating specifically the current street name and a desired new name for the street name the Department has approved

(3) Upon the receipt of an eligible written petition to change a street name, the Department shall make an estimate of the costs the county will incur if the street name is changed. In making the estimate, the Department will take into consideration all costs the county will incur, including, but not limited to: the cost of street signs, the number of street signs required to be replaced, the labor and transportation costs for replacing the street signs, the cost of required legal advertisements, and the cost of notifying all affected parcel owners on the roadway affected by the proposed change to the street name.

(4) If the proposal to change a street name is made by written petition, the Department shall collect from the petitioner(s) the entire estimated costs of changing the street name as established by the Department in subsection (3) above. If the County Commissioners determine not to change the street name as requested by the petition, then all of the estimated costs not expended for advertising and notification of property owners shall be refunded to the petitioner(s).

(5) Upon receipt of an eligible proposal to change a street name, the county manager shall submit the proposal to the County Commissioners, who shall hold a public hearing regarding the change to the street name. At least ten (10) days before the day of the hearing, the County Commissioners shall publish a notice of such hearing in a newspaper of general circulation in the county. After the public hearing, if the County Commissioners approve the change to the street name, the street name for the roadway shall be changed and written notice sent by first class U.S. mail to each owner of any parcel located upon the roadway.

Sec. 3-119. Street Signs.

(a) The developers of new subdivisions, mobile home parks, industrial parks and other similar developments shall erect the appropriate street signs in accordance with guidelines set by the county. Upon written request by the developer or owner, the county will authorize the

developer to erect approved street signs, provided that the placement and content of the street sign(s) meet all current county sign specifications.

(b) The developer, owner, or operator of existing subdivisions, mobile home parks, industrial parks or other similar developments shall erect appropriate street signs in accordance with the same guidelines as stated in subsection (a) of this section. Street signs will be erected no later than thirty (30) days of any written notice of approval by the Department.

Sec. 3-120. Address Numbers.

(a) The County Commissioners hereby authorize the Department to develop procedures for the assignment of address numbers within the jurisdiction of this ordinance. All procedures, policies, regulations and amendments hereto shall be approved by the County Commissioners or their designee.

(b) This article requires that the owner of any residence, industry, business or other structure post the assigned address numbers for each addressed structure for the health, safety and general welfare of the citizens of the county. The posting of address numbers shall conform to the following standards:

(1) The height of the address number shall be in accordance with the requirements of the North Carolina State Building Code. House number(s) should be placed either in the approximate center of the building or on the street end of the building near the main entrance so that it may be viewed from either the roadway or parking area which serves the building. In case of mobile home parks, the address number for the mobile home park itself shall be six (6) inch or higher letters on sign or placard placed at or near the main entrance in the absence of a main structure.

(2) The address numbers, except in the case of a mobile home space, should be maintained within a reasonable perimeter of the front entrance way of the structure. Should this number not be visible due to landscaping or other obstructions, or if the setback is greater than seventy-five (75) feet from the center line of the roadway which fronts the structure, the address number should also be placed at or near the roadway which serves the structure.

(3) All address numbers should be of a contrasting color to the color scheme of the addressed structure so that it is clearly visible and should be maintained in a similar manner.

(4) Each mobile home space should be marked uniformly within the mobile home park with address numbers in accordance with the requirements of the North Carolina State Building Code at the entrance to the mobile home space, or in a conspicuous place in order to afford visibility of the number from the roadway which serves the mobile home space. Marking of a mobile home is permitted, provided that the numbers are visible from the roadway both day and meet minimum height requirements.

(5) Mobile home parks shall either: (a) have sequential address numbers for the mobile home spaces throughout the mobile home park; or (b) have named roadways within the mobile home park with a separate address number for each mobile home space. Each mobile home space will have a separate address number assigned. The Department may assign new address numbers for any mobile home space within a mobile home park with address numbers assigned prior to passage of this ordinance if the mobile home park has any expansion, major improvement or change in the existing mobile home park pursuant to Article VII, Division 3 of this chapter of the Code.

(6) The Department will have the right to authorize and approve alternate methods of displaying address numbers which meet the intent of this article when strict adherence to these standards cannot reasonably be met.

(7) Address numbers must be displayed in a manner that is considered enduring to the climate or weather. Damaged, peeling, missing or illegible address numbers must be replaced by the owner of the addressed structure no later than thirty (30) days from the date of written notice from the Department.

Sec. 3-121. General provisions.

It shall be unlawful for any person(s) without the written consent of the Department to:

- (1) Designate the street name of any public road or private road, including but not limited to any roadway, without the written approval of the Department.
- (2) Erect any street sign on any public road or private road without the written approval of the Department.
- (3) Erect any street sign on any public road or private road that does not meet the current county sign specifications.
- (4) Remove, deface, damage or obstruct any Street Sign
- (5) Assign or display an address number for any structure without the written approval of the Department.
- (6) Name a private road which duplicates or is substantially similar to the name of an existing Street Name within the boundary of any U.S. Postal ZIP code that includes any portion of Rutherford County
- (7) Fail to post the assigned Address Number in accordance with this article.

Sec. 3-122. Enforcement.

- (a) The building inspector may withhold a building permit until an official address number has been assigned for any building or structure required to be an addressed structure.
- (b) The building inspector may withhold a certificate of occupancy under this Code of Ordinances until the address number assigned for any addressed structure is properly displayed.
- (c) Owners or occupants of buildings or other structures already constructed which do not comply with this article will meet these requirements within sixty (60) days from the date of written notice from the Department, after which time the owner or occupant shall be subject to enforcement action by civil or criminal penalty pursuant to G.S. 153A-123 and as set forth in Section 3-123.

Sec. 3-123. Penalty.

- (a) Any person violating the provisions of this article shall be guilty of a misdemeanor and shall be subject to a fine of not more than fifty dollars (\$50.00) as provided by G.S. 14-4. Each day shall constitute a separate violation and be punishable as a separate and distinct offense.
- (b) Any violation of this article may be subject to civil remedies as set forth as follows:
 - (1) Any person who does not comply with this article after receipt of written notice will be subject to civil penalty in the maximum amount of fifty dollars (\$50.00) for each violation pursuant to G.S. 153A-123.

- (2) Each day shall constitute a separate violation and be punishable as a separate and distinct offense.
- (3) Any notice required to be sent by this article shall be in writing and set forth the action necessary for the person(s) in violation to be in compliance with this article and delivered to the person(s) in violation by personal delivery or by first-class mail directed to the name and address of the owner of the property.
- (4) Except as otherwise provided, all notices shall provide the person(s) in violation thirty (30) days to complete the any action necessary to be in compliance with this article.
- (5) The Department may enforce this article by any other civil remedies as set forth in G.S. 153A- 123.

Secs. 3-124—3-130. Reserved.

Adopted this the 4th day of August, 2025.

ORD 25-001

Commissioner Haynes moved to approve *An Ordinance Repealing Section 12-2 of the Rutherford County Code of Ordinances, Procedure for Changing or Amending Road Names.* Commissioner Benfield seconded the motion. The vote on the motion was:

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

AN ORDINANCE REPEALING SECTION 12-2 OF THE RUTHERFORD COUNTY CODE OF ORDINANCES, PROCEDURE FOR CHANGING OR AMENDING ROAD NAME

WHEREAS, the Board of Commissioners of Rutherford County has approved and adopted an ordinance amending Chapter 3, Article VI, of the Rutherford County Code of Ordinances; and

WHEREAS, the amended Article VI of Chapter 3 has been amended to include a new Section 3-118(f) to provide for the changing or amending of Street Names for roadways within Rutherford County; and

WHEREAS, the amended Section 3-118(f) is intended to supersede and replace the language of Section 12-2 of the Rutherford County Code of Ordinances, entitled “Procedure for changing or amending road name.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rutherford County that Section 12-2 of the Rutherford County Code is hereby amended by repealing the said Section 12-2, entitled “Procedure for changing or amending road name,” in its entirety.

ADOPTED and EFFECTIVE this 4th day of August, 2025.

ORD 25-002

B. ID-25-4219 Update on the New RCS Transportation and Operations Centers Project

County Manager Steve Garrison reminded the Board that they had voted in early 2022 to proceed with financing a new transportation and operations facility for the school system. The new facility and renovation of the prior R-S Middle School 8th grade building was financed by the County using 2023 Private Placement debt service at \$15 million. However, the low bid came in higher than anticipated so the County Commissioners approved an additional \$1,132,938 from the School Capital Reserve Debt Service Fund, bringing the whole project in at \$16,132,938. The only expenditure line amended was a reduction of the Contingency line to cover an increase in the costs of fixtures, furnishings, equipment and technology. While the Certificate of Occupancy has been issued for the property and RCS staff have been using the facility for several months, Finance Director Roach continues the tasks of paying the final invoices so the project can be closed.

The old bus garage was constructed in 1959 with the warehouse buildings added to the campus over time beginning around 1970 with the last addition constructed around 1991. The school system has had the construction of a new transportation service center on their facility plan as a priority capital outlay project for a while. The 1959 garage only has four bays of which only two are drive through and none of the bays were large enough to house a modern school bus and to be able to close the garage doors, which created a very uncomfortable working environment for the mechanics in the hot summers and cold winters. The County is repurposing the property and facilities for emergency services and public safety storage.

The new transportation services center was constructed with 12 bays and new modern, state-of-the-art equipment and includes plenty of office and training room spaces.

The old R-S Middle School 8th grade building where the gymnasium is located is now the Rutherford County Schools Operations Center. The original plan was to use the facility as their centralized purchasing and storage, maintenance facility, centralized refrigeration units, and to house IT, school nurses and school nutrition.

V. New Business

A. ID-25-4224 Budget Amendments – August 2025

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

Commissioner Haulk 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

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Budget Amendments		
August 4, 2025		
	Expense	Revenue
FY2024-2025 Budget Amendments		
GENERAL FUND		
Senior Center - Home Delivered Meals	\$ 31,349	
HCCBG - Home Delivered Meals Revenues		\$ 31,349
GRANT FUND		
DSS - Foster Care Support Services	\$ 165,400	
Partners - Treatment and Placement Grant		\$ 165,400
*additional funds for therapeutic foster care services		
FY2025-2026 Budget Amendments		
GENERAL FUND		
County Admin Bldg - HVAC Replacement	\$ 3,880	
Fund Balance Appropriated - HVAC Plan		\$ 3,880
*replace unit at county administration building - back hall		
Information Technology - Capital Outlay Public Safety Software	\$ 340,000	
Fund Balance Appropriated		\$ 340,000
*carryforward public safety software project incomplete as of June 30, 2025		
Sheriff - Shop with a Cop	\$ 300	
Sheriff Donations		\$ 300
*donations received for Shop with the Sheriff		
Senior Center - Transportation Services	\$ 18,400	
NCDOT Transportation Grant		\$ 18,400
*additional funds received for senior program; no additional matching funds required		
College - Contribution to Capital Project Fund	\$ 1,679,000	
Fund Balance Appropriated		\$ 1,679,000
*appropriate funds for Furniture \$450,000 , Equipment \$400,000, Ambulance Simulator \$90,000 and Audio/Visual Technology Infrastructure \$739,000 at the new health sciences building		
College - Capital Improvements	\$ 195,000	
Contribution from College Capital Reserve		\$ 195,000
*Phase 2 - new electrical infrastructure including replacement transformers and permanent utility lines for the new health and sciences center; this will complete the project started in April to relocate the underground lines and clear the construction pad		
COLLEGE CAPITAL RESERVE		
Transfer to General Fund	\$ 195,000	
Reserved for Future Projects	\$ (195,000)	
*Phase 2 - new electrical infrastructure including replacement		

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transformers and permanent utility lines for the new health and sciences center; this will complete the project started in April to relocate the underground lines and clear the construction pad		
COUNTY CAPITAL PROJECT FUND		
College - Furniture/Fixtures/Equipment and AV Infrastructure - New Health Sciences Bldg	\$ 1,679,000	
Contribution from General Fund		\$ 1,679,000
*appropriate funds for Furniture \$450,000 , Equipment \$400,000, Ambulance Simulator \$90,000 and Audio/Visual Technology Infrastructure \$739,000 at the new health sciences building		
ROD AUTOMATION FUND		
Automation Supplies	\$ 125,000	
Fund Balance Appropriated		\$ 125,000
*appropriate additional funds to support relocation of ROD operations		
E911 FUND		
Furniture - Console Replacements	\$ 215,000	
Software - Public Safety Upgrade	\$ 254,382	
Fund Balance Appropriated		\$ 469,382
*carryforward 911 furniture/workstation project and public safety software upgrade incomplete as of June 30, 2025		

B. ID-25-4228 Sheriff's Office and 911 Communication CADD, MDIS, RMS and JMS Software and Management Contract with Southern Software, Inc.

Mr. Scott Schiefelbein, E911 Director, made a presentation for the Sheriff's Office and 911 Communication CADD, MDIS, RMS and JMS Software and Management Contract with Southern Software, Inc. for the Board's consideration.

Vice Chairman Toney moved to approve the contract with Southern Software, Inc. negotiated by the County Manager and the County Attorney and authorize the County Manager, the Finance Officer, the Clerk to the Board and other County officials to sign and execute all documents in support of this action. 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

C. ID-25-4226 GOVDEAL Auction for Rutherford County Properties – 0 Shotwell Lane

Public Works and Planning Director Danny Searcy presented a resolution for the Board's consideration that would authorize the electronic auction of Parcel Number 1204078, 0 Shotwell Lane, Rutherfordton, NC, as described more fully in Plat recorded in Plat Book 7, Page 24, ("the Plat"), Rutherford County Registry, to which plat reference is hereby made for a more full and accurate description. It is the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 2076 at Page 903, Rutherford County Registry.

Commissioner Benfield moved to approve the resolution authorizing a new electronic auction of Parcel Number 1617637, 0 Shotwell Lane, Rutherfordton, NC. 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 Approving Certain Tract of Real Property
Be Sold by Electronic Auction**

WHEREAS, Rutherford County owns a certain parcel of real property showing as having address of 0 Shotwell Ln., Rutherfordton, NC 28139, Rutherford County Revenue Department Parcel ID Number:1204078 as shown and described hereinbelow, that is surplus to its needs; and

WHEREAS, North Carolina General Statute GS 160A-270 permits Rutherford County to sell real property at electronic auction upon approval of the Board of Commissioners and, upon resolution previously adopted by the Board, after publication of an electronic notice announcing the electronic auction;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY APPROVES THE FOLLOWING:

1. The Board of Commissioners of Rutherford County authorizes the sale by electronic auction of that certain parcel of land hereby deemed as surplus and being more particularly described as follows:

Situate on the east side of Shotwell Avenue in the town of Rutherfordton and being described and bounded as follows."

BEGINNING on an iron pin, which is the southeast corner of a lot conveyed by the grantors to Fred McBrayer, the iron pin being in Otis Lovelaces' line and runs thence with the old line North 82 East 133 feet to an iron pin, Cowan's corner; thence North 8 West 112 feet to an iron pin, Cowan and Hix Edwards' corner; thence with Hix Edwards's line South 82 West 133.5 feet to an iron pin; thence South 8 West 112 feet to the place of beginning.

Subject to easements, restrictions and rights of way of record, and matters of survey.

*Also being identified as Parcel ID#1204078, Rutherford County Tax Office.
Address: 0 Shotwell Ln.*

*Being the same and identical property conveyed to Rutherford County by
Commissioner's Deed recorded in Book 2076 at Pages 903-904, Rutherford County Registry.*

2. The County Manager or his designee is authorized to sell the above described real property by electronic auction at www.govdeals.com, to be conducted beginning at 9:00 A.M., August 5, 2025, and ending at 7:30 P.M. on August 25, 2025.

3. The terms of the sale shall be net cash. The buyer must present at the auction a bid deposit of five percent (5%) of the amount of the bid, either in cash or with a certified check. This deposit will be held by Rutherford County until either the Board of Commissioners rejects the high bid

for the property or, if the Board of Commissioners accepts the high bid, the closing of the sale. The deposit will be forfeited to Rutherford County if the high bidder refuses to close the sale after the bid has been approved by the Board of Commissioners.

4. The property shall be sold as-is with no warranty of physical condition. County shall provide deed with special warranty. Winning bidder shall be responsible for existing liens, taxes, HOA fees and any title search upon the property.

5. After the auction, the high bid for each parcel shall be reported to the Board of Commissioners. The board of Commissioners will accept or reject the bid within 30 days after the bid is reported to it. No sale may be completed until the council has approved the high bid.

6. Rutherford County reserves the right to withdraw any listed property from the auction at any time before the auction sale of the property.

ADOPTED this the 4th day of August, 2025.

RES 25-021

D. ID-25-4225 GOVDEAL Auction for Rutherford County Properties – 0 Yates Lane

Director Searcy also presented a resolution for the Board's consideration that would authorize the electronic auction of Parcel Number 1617637, 0 Yates Lane, Lake Lure, NC, as described more fully in Plat recorded in Plat Book 15, Page 51, ("the Plat"), Rutherford County Registry, to which plat reference is hereby made for a more full and accurate description.

Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 702 at Pages 190-191, Rutherford County Registry

Commissioner Benfield moved to approve the resolution. 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

**Resolution Approving Certain Tract of Real Property
Be Sold by Electronic Auction**

WHEREAS, Rutherford County owns a certain parcel of real property showing as having address of 0 Yates Ln., Lake Lure, NC 28746, Rutherford County Revenue Department Parcel ID Number:1617637 as shown and described hereinbelow, that is surplus to its needs; and

WHEREAS, North Carolina General Statute GS 160A-270 permits Rutherford County to sell real property at electronic auction upon approval of the Board of Commissioners and, upon resolution previously adopted by the Board, after publication of an electronic notice announcing the electronic auction;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY APPROVES THE FOLLOWING:

1. The Board of Commissioners of Rutherford County authorizes the sale by electronic auction of that certain parcel of land hereby deemed as surplus and being more particularly described as follows:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and being more particularly described as follows:

Lot 113, Section 13, Apple Valley Phase II, Fairfield Mountains, Rutherford County, North Carolina, as shown on a plat of record in Plat Book 15 at Page 51, Rutherford County Registry. Subject to restrictive covenants and restrictions as filed of record in Book 386, Pages 404 through 440, Register of Deeds, Rutherford County, North Carolina and any amendments and Supplemental Declarations pertaining thereto.

BEING a portion of the property which was conveyed by Fairfield Communities, Inc., a Delaware Corporation with a principal office at Lake Lure, North Carolina as beneficial owner, and Lawyers Title Insurance Corporation, a Virginia Corporation, as Nominee for Fairfield Communities, Inc., under the terms of a Title clearing Agreement dated January 27, 1983 to Charles Boesch by deed dated October 9, 1988, and of record in Deed Book 536 at Page 267, Rutherford County Registry.

See Deed from Bruce Franklin Anderson to Wilder Wadford and Steve Herman recorded in the Office of the Register of Deeds in Rutherford County in Deed Book 627, Page 404

Also being identified as Parcel ID#1617637, Rutherford County Tax Office. Address: 0 Yates Ln.

Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 702 at Pages 190, Rutherford County Registry.

2. The County Manager or his designee is authorized to sell the above-described real property by electronic auction at www.govdeals.com, to be conducted beginning at 9:00 A.M., August 5, 2025, and ending at 7:30 P.M. on August 25, 2025.

3. The terms of the sale shall be net cash. The buyer must present at the auction a bid deposit of five percent (5%) of the amount of the bid, either in cash or with a certified check. This deposit will be held by Rutherford County until either the Board of Commissioners rejects the high bid for the property or, if the Board of Commissioners accepts the high bid, the closing of the sale. The deposit will be forfeited to Rutherford County if the high bidder refuses to close the sale after the bid has been approved by the Board of Commissioners.

4. The property shall be sold as-is with no warranty of physical condition. County shall provide deed with special warranty. Winning bidder shall be responsible for existing liens, taxes, HOA fees and any title search upon the property.

5. After the auction, the high bid for each parcel shall be reported to the Board of Commissioners. The board of Commissioners will accept or reject the bid within 30 days after the bid is reported to it. No sale may be completed until the council has approved the high bid.

6. Rutherford County reserves the right to withdraw any listed property from the auction at any time before the auction sale of the property.

ADOPTED this the 4th day of August, 2025.

RES 25-022

VI. Closed Session

A. ID-25-4227 ATTORNEY CLIENT NCGS 143-318.11(a)(3)

At 6:54 P.M. Vice Chairman Toney moved to go into Closed Session for a discussion with the County Attorney. The County Manager and the Clerk to the Board would be included in the session. 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

6:59 P.M. - The Board went into Closed Session.

7:18 P.M. - The Board returned to Regular Session.

VIII. Adjournment

At 7:19 P.M. Commissioner Benfield made a motion to adjourn. 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

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners