



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

**Rutherford County  
Board of Commissioners  
Minutes of September 8, 2020**

**Monday, September 8, 2020  
6:00 PM**

**I. Call to Order**

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Chairman King called the September 8, 2020 meeting of the Rutherford County Board of Commissioners to order.

**Present:** Chairman Bryan King, Vice Chairman Alan Toney, Commissioner Michael Benfield, and Commissioner Eddie Holland.

**By Telephone:** Commissioner Greg Lovelace

**A. Pledge of Allegiance**

Captain Leon Godlock 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 Holland and Commissioner Lovelace.

**Noes:** None

**II. Commissioners/Appointments**

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**A. ID 20-2514 Resolution Honoring Lieutenant Governor Walter H. Dalton**

Commissioner Eddie Holland presented a resolution honoring former Lieutenant Governor Walter Dalton by naming a portion of Highway 74 as Lieutenant Governor Walter H. Dalton Highway. Letters from Spindale Mayor Mickey Bland and Isothermal Community College Board of Trustees Chairman Roger Jolley and a resolution from the Town of Rutherfordton supporting this action had been received.

**Commissioner Holland moved passage of the resolution. Vice Chairman Toney seconded the motion. The vote on the motion was:**

**Ayes:** Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Holland and Commissioner Lovelace.

**Noes:** None

**Resolution**

**WHEREAS**, Walter H. Dalton was born Rutherford County, attended public schools, and graduated from RS Central High School; and

**WHEREAS**, Walter Dalton began his college career at the University of North Carolina earning a B.S. in Business Administration in 1971 and later earning a Juris Doctorate from the University of North Carolina Chapel Hill School of Law in 1975; and

**WHEREAS**, Walter Dalton worked as a law clerk for Woodrow W. Jones, Chief Judge of the United States District Court for the Western District of North Carolina before entering private practice in Rutherfordton where he practiced for 33 years; and

**WHEREAS**, in 1996 Walter Dalton ran for the North Carolina Senate and held this seat for six consecutive terms; and

**WHEREAS**, as North Carolina Senator, Walter Dalton focused on education and sponsored the Innovative Education Initiatives Act which laid the foundation establishing North Carolina's Early College High Schools; and

**WHEREAS**, in 2008 Walter Dalton was elected North Carolina's 33<sup>rd</sup> Lieutenant Governor; and

**WHEREAS**, Walter Dalton served on North Carolina's Economic Development Board, Community College Board, and State Board of Education; and

**WHEREAS**, in 2013 Walter Dalton was appointed to serve as the fifth president of Isothermal Community College; and

**WHEREAS**, Walter Dalton has led an aggressive building program at the college and has continued to work to meet the challenges of change in a transitioning economy; and

**WHEREAS**, throughout these years Walter Dalton has served the citizens of Rutherford County well by striving to improve the quality of their lives; and

**WHEREAS**, Walter Dalton has announced that he will step down and begin his retirement in February of 2021.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Rutherford County Board of Commissioners wishes to express their appreciation for the public service given and contributions made by Walter Dalton by naming the section of US 74 from Exit 178 to the Polk County line as the Lieutenant Governor Walter H. Dalton Highway.

Adopted this the 8<sup>th</sup> day of September, 2020.

**B. ID 20- 2511 Proclamation Honoring Nell Bovender**

Chairman King presented a proclamation honoring Ms. Nell Bovender who is retiring after serving eighteen years as the Executive Director of Rutherford Housing Partnership. During her years of service, Ms. Bovender applied for and received grants for housing needs that totaled \$1,240,000. These included Urgent Repair Grants from 2006 - 2020 (\$875,000) and Essential Single-Family Rehabilitation Loan Pool Grants since 2016 (\$365,000.)

**Commissioner Benfield 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 Holland and Commissioner Lovelace.

**Noes:** None

**Proclamation**

**Whereas**, Nell Bovender has served as the Executive Director of the Rutherford Housing Partnership for the past eighteen years; and

**Whereas**, during those eighteen years Nell Bovender has completed nearly 1,700 urgent repair projects for low-income homeowners; and

**Whereas**, Nell Bovender has raised money, written grant proposals, and recruited and coordinated volunteers to accomplish the projects that have made a difference in the lives of so many Rutherford County families; and

**Whereas**, Nell Bovender has also been a part of the Women Roofers who make roof repairs for those who are experiencing leaky roofs and unable to afford needed repairs; and

**Whereas**, Nell Bovender has earned the respect and admiration of her peers and the citizens of the County of Rutherford through her contributions to the community; and

**Whereas**, Nell Bovender will retire from her role as Executive Director of the Rutherford Housing Partnership on September 30.

**NOW THEREFORE BE IT RESOLVED** that the Rutherford County Board of Commissioners does hereby adopt this proclamation as a testimonial of the dedicated service rendered to the County of Rutherford by Nell Bovender for the past eighteen years and wish her well as she begins new ventures in her retirement.

Approved this the 8<sup>th</sup> day of September, 2020.

**PROC 20-003**

**C. ID 20- 2587 Certificate of Achievement in Financial Reporting**

Chairman King also recognized Finance Director Paula Roach and her staff. The County received notification that the County's CAFR (Comprehensive Annual Financial Report) for the fiscal year ending June 30, 2019 qualified for the Certificate of Achievement for Excellence in Financial

Reporting from the Government Finance Officers Association. This is the County's thirty-first consecutive year to achieve this award.

**D. ID 20- 2586 Appointments to Rutherford County Boards and Commissions**

The terms of office for members of the North Carolina Arts Council Grassroots Committee and the Airport Appeals Board will expire in October 2020. Two vacancies exist on the Library Board for Trustees which are representatives of District 2 and District 4. All vacancies had been advertised and applications had been accepted.

**Commissioner Lovelace moved to appoint Mr. Robert Greene to the Library Board of Trustees as a representative from District 4 to a term expiring June 30, 2023. Commissioner Holland seconded the motion. The vote on the motion was:**

**Ayes:** Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Holland and Commissioner Lovelace.

**Noes:** None

**Commissioner Benfield moved to appoint Mr. Wiley Thomas to the Airport Appeals Board to a term expiring October 2, 2023. Vice Chairman Toney seconded the motion. The vote on the motion was:**

**Ayes:** Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Holland and Commissioner Lovelace.

**Noes:** None

**Commissioner Benfield moved to appoint Mr. Troy Rollins, Mr. Charles Martell, Mr. Michael Hargett, and Mr. Sammy Green to the Airport Appeals Board to terms expiring October 2, 2023 and to appoint Mr. Gordon Pendarvous, Mr. Aubrey Clay, Ms. Amy Bridges, and Ms. Kath Ackerman to the North Carolina Arts Council Grassroots Committee to terms expiring October 6, 2023. Vice Chairman Toney seconded the motion. The vote on the motion was:**

**Ayes:** Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Holland and Commissioner Lovelace.

**Noes:** None

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**III. Commissioner Reports**

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**A. ID 20-2589 Carolina Community Broadband Alliance Presentation**

Mr. Ned Kiser, Program Director of Carolina Community Broadband Alliance, spoke to the Board regarding the Rural Broadband Feasibility Assessment (RBFA) in Polk and Rutherford Counties. The RBFA exists as a public/private partnership among Polk County, Rutherford County, and PANGAEA to stimulate, catalyze, and facilitate, and provide residential broadband internet service accessible to significantly more households throughout Polk and Rutherford Counties. Key affirmations from RBFA were that (1) low population density makes it highly unlikely that commercial internet service providers will invest in rural broadband infrastructure, (2) state and federal grant programs are

largely based on the number of customers served, (3) any approach to new wired or fiber infrastructure to rural residences would be prohibitively expensive, and (4) the topography and dense foliage make deployment challenging. Ms. Kiser said fixed wireless technology will provide the most cost-effective option for reaching rural areas and the topography and dense foliage will favor smaller, more localized deployments – neighborhood by neighborhood.

It was agreed to carry on the study by forming a new business unit of Pangaea which is Carolina Community Broadband Alliance (CCBA).

Ms. Amanda Shevette, Project Consultant, told the Board that CCBA exists to expand educational and economic opportunity by increasing access to affordable and fast internet in rural communities. Internet service providers are not able to provide the internet needed by households in the rural areas. These providers must locate where they are able to see the most profit. Solving this problem of broadband access will take involvement by the public sector, private companies, non-profits, and citizens. CCBA is making an appeal to residents to come together to develop creative solutions. Needs in a community must be identified, and CCBA will work with the community to find funding. Ms. Shevette encouraged everyone to take the available survey which helps identify where and at what speed broadband is available.

#### **B. ID 20- 2597 Census 2020**

County Manager Steve Garrison presented videos and spoke about the importance of households completing and submitting the 2020 census information before the deadline of September 30, 2020. A low Census response rate puts North Carolina at risk of missing out on its fair share of federal dollars from census-derived programs for the next decade. Completing the census is important because it:

- Helps determine how funds are allocated to education, grants that support teachers, special education, adult education and more.
- Influences highway planning and construction, grants for transit, etc.
- Supports programs to improve housing and housing assistance.
- Affects planning and funding for employment and training.
- Affects planning and funds for healthcare, children's health insurance and the prevention and treatment of substance addiction.
- Supports public safety and emergency services especially volunteer fire departments.
- Influences the number of seats the County has in Congress.

Manager Garrison showed a chart which revealed that Rutherford County's response rate in 2010 was 57.2%. Currently the response rate for Rutherford County is 53.1%. Citizens can respond online, by telephone, or by mail. It is critical that everyone stand up and be counted.

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#### **IV. Public Comments**

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Ms. Darla Henderson told the Board that the confederate monument on the courthouse lawn violates civil rights and is unconstitutional, it disrupts public safety which could endanger lives, and it hinders the ability of the County to achieve its economic development and historic preservation goals. Ms. Henderson also advised that sixty members of the NC Bar had written a letter to the governor stating that the monument must be removed immediately. Main Street America staff had provided an

email stating that Rutherfordton's accreditation calls for removal of confederate statutes, so Rutherfordton will no longer qualify for Main Street America if the statute remains.

Ms. Stephanie Lattimore, a child trauma therapist, said she knew the names of her Confederate ancestors who are buried in Rutherford County. She is unhappy with folks who talk about heritage and pretend to speak for her. She considers the monument as an insult to all people.

Ms. Tevyn East who moved to Rutherford County in the past year said nine generations of her family are connected to Rutherford County. Her grandmother had six aunts who were all members of the Daughters of the Confederacy. Ms. East stated that she supports removal of the monument.

Ms. Tay Schultz read a letter by Attorney Hampton Schultz and signed by sixty attorneys across the State of North Carolina supporting the removal of confederate monuments in North Carolina. She asked how the Commissioners' actions or inactions will be perceived by future generations.

Mr. Zack Koplin who lives in Forest City said he had witnessed a lot of injustice since he had spoken to the Board at their last meeting. He was disappointed that the monument has not been removed from the house of justice.

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## **V. Consent Agenda**

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**Commissioner Benfield moved to approve the Consent Agenda. Commissioner Holland seconded the motion. The vote on the motion was:**

**Ayes:** Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Holland and Commissioner Lovelace.

**Noes:** None

### **Consent Agenda items approved were:**

**A. ID 20-2591 Minutes of Commissioners' Meeting of August 3, 2020**

**B. ID 20-2584 Tax Refunds and Releases**

Refund amount totaling \$1,454.48

Releases greater than \$100 totaling \$31,140.22

Releases less than \$100 totaling \$1,590.25

(A copy of tax refunds and releases is typed in the Minute Book.)

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## **VI. New Business**

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### **A. ID 20- 2590 Annual EMS Uncollectable Debt Write Off**

Transportation Director Kerry Giles said pursuant to Rutherford County EMS' SOP 134, EMS is requesting that the EMS Accounts Receivable uncollectible balances in the amount of \$778,461.18 for accounts with a date of service between July 1, 2012 and June 30, 2013 be written off. This adjustment reflects implementation of the policy as adopted on June 8, 2018 by County Commissioners. The request

reflects only one year and follows the same time frame as Medicare's record retention requirements. This has been approved by the County Manager and the Finance Director.

Director Giles also said there are several other accounts that need to be written off that are uncollectible due to the bankruptcy of Amerik Medical Billing. Following the bankruptcy, EMS did a thorough internal audit of all accounts receivables and there were numerous accounts that the new billing company and collection agency were unable to reprocess due to timely filing limitations. Therefore, she requested that \$92,958.27 be written off as uncollectible; however, EMS along with the new billing company EMS-MC worked diligently to reprocess any eligible Amerik's accounts receivables and was able to generate \$300,866 in revenue from the old accounts.

**Commissioner Holland moved to approve the accounts receivables debt write-off.**  
**Commissioner Benfield seconded the motion. The vote on the motion was:**

**Ayes:** Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Holland and Commissioner Lovelace.

**Noes:** None

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### **VIII. Adjournment**

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**At 7:25 P.M. Commissioner Holland 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 Holland and Commissioner Lovelace.

**Noes:** None

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Chairman, Board of Commissioners

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Vice Chairman, Board of Commissioners

ATTEST:

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Clerk, Board of Commissioners