



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

**Rutherford County
Board of Commissioners
Minutes of September 7, 2021**

**Tuesday, September 7, 2021
6:00 PM**

I. Call to Order

Chairman King called the September 7, 2021 meeting of the Rutherford County Board of Commissioners to order.

Present: Chairman Bryan King, Commissioner Michael Benfield, and Commissioner David Hunt.
By Telephone: Vice Chairman Alan Toney and Commissioner Greg Lovelace

A. Pledge of Allegiance

Commissioner Hunt led in the Pledge of Allegiance.

B. Agenda Approval

Commissioner Lovelace moved to approve the agenda. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

II. Public Comments

Rev. Robert Hamilton reminded the Board that he had appeared before them at the August meeting regarding the African American Museum which is housed at the old Dunbar School. He asked if Commissioners had reviewed the material he had submitted and if a decision had been made on the matter. Chairman King advised that the material had been received but there had not been an opportunity to address the issue at this point. The Chairman expressed his appreciation of the value of the museum.

III. Consent Agenda

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

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

Consent Agenda items approved were:

A. ID 21-2932 Minutes of Commissioners' Meeting of August 2, 2021

B. ID 21-2934 Tax Refunds and Releases – August 24, 2021

Refund amount totaling \$3,403.08

Releases greater than \$100 totaling \$39,607.73

Releases less than \$100 totaling \$2,052.46

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

IV. Commissioners/Appointments

A. ID 21-2933 Appointment to Historic Preservation Commission

Due to a resignation, a vacancy occurred on the Historic Preservation Commission. The vacancy had been advertised, and applications had been accepted. An application was received from Ms. Jody Wall to serve on the Commission.

Commissioner Benfield moved to appoint Ms. Jody Wall to the Historic Preservation Commission to a term ending June 30, 2024. Commissioner Hunt seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

V. New Business

A. ID 21-2939- Budget Amendments

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

Commissioner Hunt 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 Hunt and Commissioner Lovelace.

Noes: None

**Budget Amendments
September 7, 2021**

GENERAL FUND		
Sheriff - Equipment Purchased with Seizure Funds	\$ 9,336	
Sheriff Drug Seizure Funds		\$ 9,336
*unauthorized substance tax distribution		
Sheriff - Project Lifesaver	\$ 1,500	
Donations - Project Lifesaver		\$ 1,500
*donations received		
Detention – Salaries & Benefits	\$44,550	
Fund Balance Appropriated		\$44,550
*update per HR salary recommendations/regional survey		
EMS - Equipment and Supplies COVID-19	\$ 104,151	
Fund Balance Appropriated		\$ 104,151
*allocate CARES funds received for EMS COVID-19 related expenses and upgrade equipment needed		
Emergency Management - COVID19 FEMA Eligible Expenses	\$ 25,000	
FEMA COVID19 Reimbursements		\$ 25,000
*estimated costs for COVID19 - PPE, EOC Operations and other eligible reimbursable costs		
Library - Subscriptions	\$ 4,159	
Contributions from Municipal Libraries		\$ 4,159
*received for Cardinal/Evergreen fees paid by the County		
Library - Equipment	\$ 23,193	
State Library LSTA Grant		\$ 23,193
*grant received for computers, monitors and probooks		
Library - Capital Equipment	\$ 100,000	
State Library LSTA Grant		\$ 100,000
*grant received for bookmobile		
TRANSIT FUND		
Capital Improvements - Building	\$ 50,000	
Fund Balance Appropriated		\$ 50,000
*additional needed due to rising construction costs and scope of work adjusted to update all while contractor available		
GRANT FUND (FY2020-FY2021)		
Reimbursement to Golden LEAF	\$ 282,200	
US Precision - Golden LEAF Grant		\$ 282,200
*return funds to Golden LEAF for Catalyst Grant - only 68 of 100 jobs not created; principal payments collected to date exceed reimbursement due; close grant as of June 30th		

Minutes of Rutherford County Commissioners' Meeting on September 7, 2021

Page 4 of 8

Golden Leaf Penalties Due	\$ 6,585	
USPC GLF Compensation Penalties		\$ 6,585
*remit penalties collected through June 30, 2021; interest rate of loan adjusted due to the job requirement; annually these penalties collected from USPC for the the year will be remitted to Golden LEAF as a condition of the grant		
Carryforward Projects Incomplete as of June 30th, 2021:		
GENERAL FUND		
Revenue Dept - Professional Services Reappraisal Contract	\$ 52,000	
Revenue Dept - Professional Services Other	\$ 37,263	
Information Technology - Software Maintenance	\$ 128,412	
Information Technology - Hardware Maintenance	\$ 61,530	
Information Technology - Fiber Maintenance	\$ 50,436	
Information Technology - Capital Outlay Hardware	\$ 324,904	
Information Technology - MDT Replacements Sheriff	\$ 4,357	
Courthouse - Capital Improvements	\$ 35,315	
Courthouse - Capital Outlay HVAC Plan	\$ 106,862	
Revenue Department - Capital Improvements	\$ 19,000	
Maintenance/Garage Facility - Capital Improvements	\$ 1,426	
Detention - Repairs/Maintenance	\$ 450	
Detention - Capital Outlay Equipment	\$ 3,892	
Detention - Kitchen Equipment	\$ 26,001	
Detention - Capital Improvements	\$ 48,147	
County Admin Bldg - Capital Improvements	\$ 46,910	
Rutherford Center - Capital Improvements	\$ 1,384	
131 W 3rd Street (former bldg insp) - Capital Improvements	\$ 31,420	
Health Dept Bldg - Capital Improvements	\$ 27,646	
Library Main - Capital Improvements	\$ 11,057	
Library Henrietta - Capital Improvements	\$ 8,675	
Bostic EMS Station - Capital Improvements	\$ 1,263	
BOE/Transit Bldg - Capital Improvements	\$ 6,321	
Senior Center - Furniture/Kitchen Equipment	\$ 10,972	
Senior Center/Coop Ext Bldg - Capital Improvements	\$ 735	
Old Harris School/Ballpark - Capital Improvements	\$ 4,500	
Parks/Walking Trail - Capital Improvements	\$ 17,000	
Parks/Walking Trail - General Capital Improvements	\$ 40,788	
Animal Control Facility - Capital Improvements	\$ 14,340	
Mountains EMS/Library - Capital Improvements	\$ 83,401	
Offsite Storage Facility - Capital Improvements	\$ 16,527	
Bechtler Site - Capital Improvements	\$ 1,086	
Frank West Park - Capital Improvements	\$ 1,937	
EMS Southeastern Station #4 - Capital Improvements	\$ 2,232	
Shiloh School Improvements - Capital Improvements	\$ 1,875	
Rails to Trails Maintenance - encroachment fees	\$ 27,652	
Rails to Trails - Equipment	\$ 3,500	
Maintenance - Road Signs	\$ 4,028	
Sheriff - Part-Time Active Reserves	\$ 6,620	
Sheriff - Equipment/Uniforms Road Patrol	\$ 1,054	
Sheriff - Equipment/Uniforms Reserve Officers	\$ 1,820	
Sheriff - Firing Range Supplies	\$ 15,805	
Sheriff - Purchases with Seizure Funds	\$ 223,330	
Sheriff - Advertising/Foreclosures	\$ 1,425	
Sheriff - Capital Outlay Equipment	\$ 725,000	
Detention - Uniforms/Trsf to Grant Fund for Matching Funds	\$ 11,000	
Communication - Capital Outlay Equipment	\$ 15,000	

Minutes of Rutherford County Commissioners' Meeting on September 7, 2021
Page 5 of 8

Building Inspections - Energov Software Upgrade	\$ 71,026	
EMS - Medical Supplies	\$ 13,129	
Emergency Management - EMPG Supplies/Equipment	\$ 9,204	
ABC Bottle Tax Funds - Mental Health/Substance Abuse	\$ 146,138	
Senior Center - Purchases with Donations	\$ 14,767	
Senior Games Supplies - Donations	\$ 13,509	
Senior Center - Capital Outlay	\$ 2,096	
Veterans - Purchases with Donations	\$ 2,542	
Veterans - Food Pantry	\$ 2,256	
DSS - Maintenance to Bldg/Grounds	\$ 20,482	
DSS - Special Children Adoption Funds	\$ 43,523	
Fund Balance Appropriated		\$ 2,606,970
AIRPORT FUND		
Airport - Capital Facility Improvements	\$ 7,482	
Fund Balance Appropriated		\$ 7,482
TRANSIT FUND		
Capital Outlay/Equipment	\$ 73,929	
Capital Improvements/Building	\$ 90,000	
Fund Balance Appropriated		\$ 163,929
SOLID WASTE FUND		
SW Disposals - Capital Outlay	\$ 10,000	
Solid Waste - C&D Landfill Expansion	\$ 285,145	
Fund Balance Appropriated		\$ 295,145
*carryforward projects incomplete as of June 30, 2021		

B. ID 21-2937 Annual EMS Reconciliation of Debt

Transportation Director Kerry Giles told the Board that pursuant to Rutherford County EMS' SOP 134, EMS is requesting that the Board approve the EMS Reconciliation of Debt totaling \$12,799.41. This adjustment reflects implementation of the policy as adopted June 8, 2018 by County Commissioners and includes only accounts that are uncollectible due to the patient not having an estate, bankruptcy, or timely filing issues with insurance. Earlier this year the policy was changed from the Medicare's 7-year retention timeframe to NCGS Chapter 44, Article 9B and NCGS 105-378(a) which has a debt retention of 10 years.

Director Giles said a complete copy with patient names and contact information will be retained in the EMS Business Office for privacy purposes.

Commissioner Benfield made a motion to approve the annual EMS reconciliation of debt. Commissioner Hunt seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

C. ID 21-2938 Name Change Request for Region C Workforce Development Board

County Manager Steve Garrison advised the Board that a request was received from Foothills Regional Commission asking that the Board of Commissioners approve a joint resolution along with the County of Cleveland, the County of McDowell, and the County of Polk changing the current name of the Region C Workforce Development Board to the Foothills Workforce Development Board. A resolution was included for the Board's consideration.

Commissioner Hunt made a motion to approve a joint resolution authorizing the name change of the Region C Workforce Development Board to Foothills Workforce Development Board. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

**RESOLUTION AUTHORIZING AND ENDORSING THE NAME CHANGE OF THE
REGION C WORKFORCE DEVELOPMENT BOARD TO FOOTHILLS WORKFORCE
DEVELOPMENT BOARD**

WHEREAS, the contiguous units of general purpose of local government County of Cleveland, County of McDowell, County of Polk, and County of Rutherford have established a consortium to act jointly as a local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014, known as the Region C Workforce Development Consortium:

WHEREAS, this consortium, has the authority to establish and name the local workforce development board, currently known as Region C Workforce Development Board;

WHEREAS, the original consortium agreement may be amended at any time upon the consent of all of the parties as evidenced by resolution of the governing bodies of each member government and as approved by the State:

WHEREAS, the Region C Workforce Development Board voted on a recommendation provided by their staff to change the name of the Local Workforce Development Area from Region C Workforce Development Board to Foothills Workforce Development Board on May 6, 2021; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY OF CLEVELAND, THE COUNTY OF MCDOWELL, THE COUNTY OF POLK, AND THE COUNTY OF RUTHERFORD;

That in consideration of this vote and of the need for consistent branding across our local area, the member units of the Region C Workforce Development Consortium authorize and support this name change, authorize the amendment of the consortium agreement to reflect this, and recommend that the North Carolina Division of Workforce Solution approve this name change.

Adopted this the 7th day of September, 2021.

RES 21-022

D. ID 21-2935 Golden LEAF Community Based Grant Initiative

County Manager Steve Garrison told the Board that through its Community Based Grants Initiative (CBGI) programming, the Golden LEAF Foundation seeks to provide assistance for projects in the Western Prosperity Zone of North Carolina. To be eligible, a project must have the endorsement of the County Manager. Eligible interested organizations and local governments were invited to complete a pre-Letter of Intent. Three pre-Letters of Intent were received, which were reviewed, evaluated, scored and ranked by a locally appointed Rutherford County Golden LEAF CBGI application review

committee. The committee met on August 31 and reached a consensus to recommend the endorsement of two of the projects that were submitted, which were:

- KidSenses, Inc The Factory project in the amount of \$1,500,000
- The Mary B. Mullen Bible Camp, Inc. Small Computer Lab project in the amount of \$20,025

Manager Garrison asked that the Board authorize the County Manager to endorse the KidSenses project and the Mary B. Mullen Bible Camp project and to invite these two organizations to submit their formal Letters of Intent to Golden LEAF for their consideration.

Commissioner Hunt asked that the Board vote to excuse him from voting on the Kids Senses project as his family had worked with Kids Senses for years and he currently is in the process of putting together a fund raiser for the project.

Commissioner Benfield made a motion to excuse Commissioner Hunt from voting on the Kids Senses Project. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None.

6:22 P.M. - Commissioner Hunt left the meeting.

Commissioner Benfield moved to authorize the County Manager to endorse the KidSenses Project as recommended by the Rutherford County Golden LEAF CBGI committee. Vice Chairman Toney seconded the motion. The vote on the motion was:

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

Excused: Commissioner Hunt

Noes: None

6:29 P.M. - Commissioner Hunt returned to the meeting.

Commissioner Hunt moved to authorize the County Manager to endorse the Mary B. Mullen Bible Camp Project as recommended by the Rutherford County Golden LEAF CBGI committee. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

VI. Closed Session

A. ID 21- 2936 ATTORNEY CLIENT NCGS 143-318.11(a)(3)

Commissioner Hunt 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 Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

6:28 P.M. - The Board went into Closed Session.

6:56 P.M. - The Board returned to Regular Session

VIII. Adjournment

At 6:56 P.M. Commissioner Benfield made a motion to adjourn. Commissioner Hunt seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Hunt and Commissioner Lovelace.

Noes: None

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners