



# Rutherford County

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

## Meeting Minutes - Final Board of Commissioners

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Monday, December 4, 2017

6:00 PM

Commission Chambers

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### I. Call to Order

*Chairman King called the December 4, 2017 meeting of the Rutherford County Board of Commissioners to order.*

### Rollcall

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

### A. Pledge of Allegiance

*Sheriff Chris Francis led in the Pledge of Allegiance.*

### B. [ID 17-1513](#) Election of Chairman

**Commissioner Lovelace made a motion that Commissioner Bryan King be appointed to serve as Chairman of the Board of Commissioners for the ensuing year. Vice Chairman Toney seconded the motion. The vote on the motion was:**

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

**Nay:** 0

### C. [ID 17-1517](#) Election of Vice Chairman

**Commissioner Benfield nominated Commissioner Alan Toney to serve as Vice Chairman of the Board. Commissioner Lovelace seconded the motion.**

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

**Nay:** 0

### D. Agenda Approval

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

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

**Nay:** 0

## II. Public Comments

*There were no public comments.*

*Chairman King announced that meetings will be broadcast on Northland Cable starting this meeting.*

## III. Consent Agenda

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

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

**Nay:** 0

- A. [ID 17-1522](#) Minutes of November 6, 2017 Meeting

**Attachments:** [20171106Minutes3.docx](#)

- B. [ID 17-1521](#) Tax Refunds and Releases - December, 2017

**Attachments:** [Tax Refunds Releases Dec 2017.pdf](#)

## IV. Commissioners/Appointments

- A. [ID 17-1515](#) Honoring Joseph "Joe" Randall

*Airport Authority Chairman Michael Benfield told those present that the late Joseph Randall, a Rutherford County native and resident, was appointed to the North Carolina Department of Transportation State Advisory Board and served as Chairman of the Secondary Roads Council. He also served for 25 years on the North Carolina Aeronautical Council and was very instrumental in securing grants and funding for the Rutherford County Airport. Chairman Michael Benfield presented a plaque honoring Mr. Randall to his sons, Reagan and Richard Randall.*

**Vice Chairman Toney made a motion to place the plaque at the Rutherford County Airport in honor of Mr. Randall. Commissioner Holland seconded the motion. The vote on the motion was:**

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

**Nay:** 0

- B. [ID 17-1506](#) Appointments to Rutherford County Boards and Commissions

**Attachments:** [Boards Commissions Terms Ending.docx](#)

*A list of appointments on Rutherford County boards and commissions which will expire on December 31, 2017 was presented for the Board's consideration. The list included persons who have applied and those who have indicated that they are willing to serve an additional term. The vacancies had been advertised and applications had been accepted.*

Vice Chairman Toney moved to approve the appointments of those who were listed on the document presented. Commissioner Benfield seconded the motion. The vote on the motion was:

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

**Nay:** 0

**C. [ID 17-1507](#) Appointment to Rutherford Town Downtown Revitalization**

*Rutherford Town Downtown Revitalization Board had requested that Rutherford County Commissioners make an appointment to the Rutherford Town Downtown Revitalization Board. Their recommendation was that the appointee be a resident of the Town of Rutherfordton.*

**Commissioner Benfield moved to appoint Mr. Jim Masek to the Rutherford Town Downtown Revitalization Board. Commissioner Holland seconded the motion. The vote on the motion was:**

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

**Nay:** 0

**D. [ID 17-1516](#) Appointment to Historic Preservation Committee**

*Mr. Carl Parton had applied for membership on the Historic Preservation Committee. There are currently several vacancies on this committee. The vacancies had been advertised.*

**Vice Chairman Toney moved to appoint Mr. Carl Parton to the Historic Preservation Commission. Commissioner Holland seconded the motion. The vote on the motion was:**

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

**Nay:** 0

**V. Commissioner Reports**

**A. [ID 17-1496](#) Update on Tryon International Equestrian Center**

*Ms. Kathryn McMahon, Director of Community Engagement of the Tryon International Equestrian Center, gave the Board an update on the TIEC and the preparations being made for the World Equestrian Games that will be held there in 2018. It is estimated that daily attendance will be at least 50,000 per day with peak days seeing larger crowds. Parking and accommodations for this large influx are being planned.*

**B. [ID 17-1520](#) Audit Report**

**Attachments:** [Audit FY 17 Final Draft.pdf](#)

*Mr. Travis Keever, Assurance Manager with Gould Killian CPA Group, presented Rutherford County's audit for Fiscal Year ending June 30, 2017. Mr. Keever said the summary of the auditor's results identified no material weaknesses or significant*

deficiencies. Medicaid and Adoption Assistance were audited as major federal programs and there were no findings related to either. Rutherford County also complied, in all material respects, with the state requirements. There were no recommendations by Gould Killian. Mr. Keever said it was a clean audit with no findings.

**Commissioner Benfield made a motion to accept the audit report. Vice Chairman Toney seconded the motion. The vote on the motion was:**

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

**Nay:** 0

## VI. Old Business

### A. [ID 17-1524](#) Property Sales Update

**Attachments:** [Soliciting RFP for Real Property Broker.doc](#)  
[RFP for Real Property Brokerage Services.pdf](#)

*At the September 19, 2017 meeting, Commissioners indicated an interest in marketing certain surplus property owned by Rutherford County. Planning and Public Works Director Danny Searcy was asked to provide recommendations on procedures for marketing the property. Rutherford County advertised a Request for Proposal for a commercial real estate broker and received a sole proposal from GM Property Group, LLC which was 10% of the selling price.*

**Commissioner Lovelace moved to approve the proposal from GM Property Group, LLC and authorize the County Manager, Finance Officer, Clerk to the Board, and other County officials to sign and execute all document in support of this action. Commissioner Benfield seconded the motion. The vote on the motion was:**

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

**Nay:** 0

## VII. New Business

### A. [ID 17-1518](#) Budget Amendments - December, 2017

**Attachments:** [Budget Amendments 12-4-17.xls](#)  
[Senior Center Copier Lease.pdf](#)

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

**Vice Chairman Toney moved to approve the budget amendments. Commissioner Lovelace seconded the motion. The vote on the motion was:**

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

**Nay:** 0

**B. [ID 17-1519](#) Meeting Dates for Rutherford County Commissioners for 2018**

**Attachments:** [Meeting Schedule 2018.doc](#)

*A resolution was presented for the Board's consideration establishing the regular meeting dates for the Rutherford County Board of Commissioners' meetings for 2018.*

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

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

**Nay:** 0

**C. [ID 17-1487](#) Community Project Grants**

**Attachments:** [Community Project Grant Summary 2017-18.xlsx](#)

*Project Manager Aubrey Clay told the Board that the Community Project Grant application period for fiscal year 2017-2018 had concluded. Applications were received and scored. A copy of the recommendations along with amounts was provided for the Board's consideration. Grant award winners will have until June 30, 2018 to submit all supporting receipts/invoices and complete their projects.*

**Vice Chairman Toney moved to approve the recommendations for the Community Project Grants. Commissioner Benfield seconded the motion. The vote on the motion was:**

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

**Nay:** 0

**D. [ID 17-1508](#) Engineering Services for Cliffside Sanitary District Project and Project Update**

**Attachments:** [Cliffside Sanitary District Proposal and Contract.pdf](#)  
[Cliffside Sanitary District Presentation.pdf](#)

*Mr. Brian Tripp of WK Dickson provided an update on the Rutherford County/Cliffside Sanitary District Wastewater System Merger/Consolidation Study that was to identify the current waste water treatment deficiencies and alternatives for providing future wastewater service through the consolidation with other regional wastewater treatment facilities or by modifications to the existing Cliffside Sanitary District.*

*Seven alternatives were identified and evaluated. Four alternatives were rejected due to the inability to provide acceptable treatment. The remaining feasible alternatives were:*

Alternative	Capital Cost	Total Present Worth Cost
Replacement of the existing WWTP with a package treatment system		\$4,783,000
	\$7,840,227	
Interconnection with the Town of Boiling Springs	\$6,740,000	\$10,145,853
Interconnection with the Town of Forest City	\$9,230,000	\$12,585,370

*Mr. Tripp said a cost for addressing the collection system problems must be estimated because solving the problems appears to be one of the driving factors in making CSD*

*“attractive” for some other entity to take over. Discussions have been held with Boiling Springs and Forest City, and, while both were open to listening, neither found the situation appealing to them. A plan to use the \$100k from the legislature has been developed to investigate the problems associated with the CSD collection system and another \$150k grant has been pursued to aid in this investigation. At the end of all three (3) phases of the investigation, there will be a full picture and cost of what it will take to address CSD treatment & collection system deficiencies.*

*Rutherford County, on behalf of the Cliffside Sanitary District, received a Rural Economic Development Grant and applied for an Asset Inventory and Assessment (AIA) Grant from NC DEQ DWI. As a result, Rutherford County requested proposals from qualified professionals to provide professional engineering services for one and/or both projects. The projects shall primarily consist of smoke testing, flow monitoring, CCTV and/or data analysis & recommendations. Bids were opened on November 20, 2017. One bid was received from W.K. Dickson & Company, Inc. in the amount of \$100,000.*

**Vice Chairman Toney moved to approve the bid from WK Dickson and authorize the County Manager, Finance Officer, Clerk to the Board, and other County officials to sign and execute all document in support of this action.**

**Commissioner Holland seconded the motion. The vote on the motion was:**

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

**Nay:** 0

**E. [ID 17-1509](#) Agreement Amendment for Bonita Packaging Products, Inc., DBA as Bonita Pioneer**

**Attachments:** [EDC Bonita Pioneer Agreement Amendment.docx](#)

*Economic Development President Tom Johnson told the Board that Bonita Pioneer is concerned that they will not meet the job creation deadline in their agreement with Rutherford County by December 31, 2017. The Economic Development Office recommends that the job creation deadline be extended until September 30, 2018. A draft agreement was included for the Board’s consideration. The Company has met and satisfied all the State requirements under the Building Reuse and ONE NC grant guidelines, so it is only the local agreement that would require an amendment*

**Commissioner Holland moved to approve the agreement amendment for Bonita Packaging Products, Inc. Commissioner Lovelace seconded the motion. The vote on the motion was:**

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

**Nay:** 0

**F. [ID 17-1505](#) Approval of Bonds for County Officials**

**Attachments:** [Bonds for Public Officials.pdf](#)

*Rule 4 of Rutherford County’s Rules of Procedures states that the Board shall approve the bonds of the Sheriff and the Register of Deeds at the first meeting in December. There are other bonds that must be approved for other county officials which will expire during the year. Finance Director Paula Roach presented the bonds for the Board’s approval.*

*Public Official      Amount      Expiration Date*

*Finance Director      \$100,000      08/13/2018*  
*Finance Director (TDA)      \$ 50,000      03/02/2018*  
*Finance Director (Airport)      \$ 50,000      08/02/2018*  
*Finance Director (Transit)      \$ 50,000      08/13/2018*  
*Social Services' Director      \$100,000      11/11/2018*  
*County Manager      \$100,000      09/01/2018*  
*Sheriff      \$ 10,000      12/06/2018*  
*Register of Deeds      \$ 50,000      12/05/2018*  
*Revenue Director      \$100,000      01/01/2018*

**Vice Chairman Toney made a motion to approve the bonds. Commissioner Benfield seconded the motion. The vote on the motion was:**

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

**Nay:**                      0

**G.      [ID 17-1512](#)      Personnel Policy**

**Attachments:**      [Personnel Policy Dec 2017 FINAL.doc](#)

*County Manager Steve Garrison presented a revised version of the Rutherford County Personnel Policy for the Board's consideration.*

**Commissioner Lovelace moved to approve the revised Rutherford County Personnel Policy. Commissioner Benfield seconded the motion. The vote on the motion was:**

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

**Nay:**                      0

**H.      [ID 17-1510](#)      Board of Equalization and Review Resolution**

**Attachments:**      [Board of Equalization and Review Memo.doc](#)  
   [Board of Equalization and Review Resolution.doc](#)  
   [General Statute 105 322.pdf](#)

*Revenue Director Sherry Lavender presented a revised resolution for the appointments to the Board of Equalization and Review. The proposed resolution would change length of terms for those appointed to the Board of Equalization and Review to two years to allow for continuity and experience prior to the 2019 revaluation year, clarify appointment of the chairperson, and address other appointment requirements. If approved, the Board of E&R appointments will be advertised through February and appointments could be made at the March 2018 meeting.*

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

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

Nay: 0

I. [ID 17-1511](#) School Resource Officer Agreement with Lake Lure Classical Academy Board of Directors

Attachments: [Lake Lure Classical Academy School Resource.docx](#)

*Sheriff Chris Francis presented an agreement between the Lake Lure Classical Academy Board of Directors and the Rutherford County Sheriff's Department for the services of a school resource officer through the Rutherford County Sheriff's Department.*

*Chairman King pointed out that the Sheriff would be approving and signing the agreement. The Board of Commissioners must approve the cost which will be reimbursed by the Lake Lure Classical Academy Board. This was a part of the budget amendments previously approve. The Board of Commissioners also need to approve an additional full-time employee.*

**Commissioner Lovelace made a motion to approve the additional full-time employee. Commissioner Benfield seconded the motion. The vote on the motion was:**

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

**Nay:** 0

## Recognition of Board of Education Personnel

*Commissioner Lovelace announced that Superintendent Janet Mason was named NC Superintendent of the Year and Julie Pittman was named Region 8 Teacher of the Year.*

## VIII. Information

A. [ID 17-1504](#) Tax Collector's Report - October 31, 2017

Attachments: [Tax Collector's Report 10.31.17.pdf](#)

Information only.

## IX. Adjournment

**At 7:29 P.M. Commissioner Benfield made a motion to adjourn. Vice Chairman Toney seconded the motion. The vote on the motion was:**

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

**Nay:** 0