



Rutherford County

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

Meeting Minutes - Final Board of Commissioners

Monday, August 6, 2018

6:00 PM

Commission Chambers

I. Call to Order

Chairman King called the August 6, 2018 meeting of the Rutherford County Board of Commissioners to order.

Present: 4 - Chairperson Bryan King, Vice Chairperson Alan Toney, Commissioner Greg Lovelace and Commissioner Eddie Holland

Absent: 1 - Commissioner Michael Benfield

A. Pledge of Allegiance

Fire Marshal Roger Hollifield led in the Pledge of Allegiance.

B. Agenda Approval

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

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

II. Public Comments

Ms. Tela Swafford spoke to the Board representing Rutherford County 4-H. She listed accomplishments of the 4-H during 2018 and announced that she will be attending the North Carolina Association of County Commissioners' Annual Conference in Hickory in August as a representative of 4-H.

Mr. Carroll Womack who owns a mobile home park stated that he had removed mobile homes from his park last year. He hired a licensed plumber to perform work on the septic tanks at the park to bring them up to required standards and received assurance from the licensed plumber that the work performed was legal and would pass inspection. The health inspector did not agree and Mr. Womack now has to replace the septic tanks. Mr. Womack stated his frustration that he would have to spend additional funds to replace the septic tanks and placed part of the fault on the inspector whom he said was very slow in responding during the process.

Mr. Michael Jennings told the Board that he had received his tax bill and it again had solid waste fees included for rental houses which he owned even though they were uninhabited. Because there is power to the house, he is required to pay solid waste fees. He feels he has been targeted again.

Mr. Charles Brown stated his dissatisfaction with the inspection process of the Health Department. Because there is a lack of adequate personnel at the Rutherford-Polk-McDowell Health Department, out-of-county inspectors are brought in who do not work well with local contractors. He has found it difficult to reach staff because phones are not answered and calls are not returned.

Mr. Gary Bridges who represents the Rural State Brokers Association said they are unable to advertise a house unless there are permits showing that the septic tank can support the number of bedrooms in the house. It is taking up to a month to secure copies of septic tank permits. Sometimes, no records are available.

Ms. Madge Flack who lives on St. Helena Drive off Railroad Avenue in Rutherfordton appeared before the board to discuss problems which she had experienced at her house.

Ms. Nancy Baker told the Board that they are making a very important decision that affects her son who is served by Vaya. He has lived in the same home with the same staff for 22 years. His doctors have advised that they will not be joining Partners. She said there will be a large community that will be devastated if the County decides to leave Vaya and align with Partners.

III. Consent Agenda

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

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

- A. [ID 18-1707](#) Minutes of July 2, 2018

Attachments: [20180702Minutes](#)

- B. [ID 18-1712](#) Tax Refunds and Releases - August, 2018

Attachments: [Tax Refunds Releases August 2018](#)

IV. Commissioners/Appointments

- A. [ID 18-1702](#) Appointment of Chairperson of the Tourism Development Authority

Attachments: [TDA Chairperson Recommendation](#)
[Session Law 2011-115 House Bill 414](#)
[TDA Bylaws](#)

House Bill 414 enacted in 2011 states that the Rutherford County Board of Commissioners shall designate one member of the Tourism Development Authority to serve as chair of the TDA. The bylaws of the Tourism Development Authority contain the same language.

TDA Member Richard Lundy told the Board that the TDA Board unanimously voted to

recommend Mr. Willard Whitson as the Chairperson.

Commissioner Holland moved to appointment Mr. Whitson as the Chairperson of the Tourism Development Authority. Vice Chairman Toney seconded the motion. The vote on the motion was:

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

V. Commissioner Reports

A. [ID 18-1704](#) Tourism Development Authority Report

Attachments: [TDA Quarterly August 18](#)

Tourism Development Authority Director Don Cason provided a report to the Board on the TDA. He presented a financial review of the year end for 2017-2018 which showed 11% over the projected revenues and 22% over last year's receipts. Mr. Cason also provided information on the budget for 2018-2019, a year-end review, project priorities for 2018-2019, an internal marketing update, and information on the A2D Program and the Tourism Master Plan. It is planned that the revenues will increase approximately \$300,000 this year.

Mr. Cason reported that the first wayfinding signs have been installed in Rutherfordton. All 100 signs will be installed by July 2019.

B. [ID 18-1711](#) Rutherford-Polk-McDowell Health District Report

Attachments: [Steps for authorization for OSWW](#)

Rutherford-Polk-McDowell District Health Board Chairperson Dr. Ben Hall and Director Karen Powell provided an update to the Board on the delays for required inspections within Rutherford County. Dr. Hall elaborated on the backlog situation which is being addressed by utilizing inspectors from other counties. Presently, there is only one inspector per county. Applications are being taken; however, a new hire will have to go through a required internship of one year.

Chairman King asked if the Health Board had considered hiring a head hunter. He is getting phone calls weekly from citizens who cannot start their first home in the County or those who cannot sell real estate. This is not helping the housing situation in the County.

Director Powell said it has been extremely hard to find employees to fill the positions needed. Salaries have been increased and sign-on bonuses are offered. Two new environmental health specialists were hired last week. Hopefully, another will be coming on in mid-August.

Current wait times for inspections are 6 to 8 weeks for Rutherford County, 12 weeks for McDowell County, and 12-14 weeks for Polk County.

Commissioner Lovelace asked what the Board of Commissioners can do. He stated his willingness to look at changing to a single county health board if needed.

VI. New Business**A. [ID 18-1713](#) Budget Amendments**

Attachments: [Budget Amendments August 2018 \(2\)](#)
[Project Costs Estimate Summary - ICCFTC](#)
[Certified Bid tab for Fire Training Facility](#)

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: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

B. [ID 18-1703](#) Presentation regarding Foundation Forward

Attachments: [Charters of Freedom](#)
[Information on Charters of Freedom](#)

Mr. David Streater of Foundation Forward asked that the Board consider accepting a gift from Foundation Forward which would be a Charters of Freedom interactive setting that would house replicas of the Declaration of Independence, the United States Constitution, and the Bill of Rights. The County would assume the responsibility of providing a location that is centrally located and preparing the site.

Vice Chairman Toney made a motion to authorize the County Manager, the County Attorney, and the Public Works and Planning Director to execute plans and documents to move the project forward. Commissioner Lovelace seconded the motion. The vote on the motion was:

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

C. [ID 18-1708](#) Sidewalk Project U-5833

Attachments: [Agreement7855](#)

Public Works and Planning Director Danny Searcy presented an agreement between Rutherford County and the North Carolina Department of Transportation for a sidewalk improvement project along Piney Ridge Road and Oak Street in Forest City. The project consists of the widening of the existing roadway of Oak Street between Piney Ridge Road and US 74.

Commissioner Holland moved to approve the agreement. Commissioner

Lovelace seconded the motion. The vote on the motion was:

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

D. [ID 18-1705](#) ERI Contract for Electronics Recycling

Attachments: [Rutherford County ERI Quote](#)

Solid Waste Director James Kilgo presented a quote from ERI for Rutherford County's electronic recycling which included pricing for North Carolina Covered Electronic Devices and electronic waste.

A motion was made by Commissioner Lovelace and seconded by Commissioner Holland to authorize the County Manager and County Attorney to prepare a contract with ERI and authorize County Manager, Finance Officer, Clerk to the Board, and other County officials to sign and execute all documents in support of this action. The motion carried by the following vote:

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

E. [ID 18-1706](#) Change Order for Thermal Belt Rail Trail

Attachments: [Change Order One Thermal Rail Trail](#)

Mr. David Odom presented a change order for the Thermal Belt Rail Trail for the Board's consideration. The change order reflected removal of the Bechtler Mint and Everest Textiles Trailheads and adding the realignment of the trail on both side of North Oak Street. The net effect of these changes was a decrease of the total contract price of \$80,351.79.

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

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

VII. Closed Session

A. [ID 18-1709](#) Closed Session - ATTORNEY CLIENT NCGS 143-318.11(a)(3)

Commissioner Lovelace made a motion that the Board go into Closed Session for discussion with the County Attorney. Vice Chairman Toney seconded the motion. The vote on the motion was:

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield

7:50 P.M. - *The Board went into Closed Session.*

7:55 P.M. - *The Board returned from Closed Session.*

VIII. Information

- A. [ID 18-1701](#) Tax Collector's Report - June, 2018

Attachments: [Net Collections Report 6.29.18.pdf](#)

Information.

- B. [ID 18-1714](#) Vaya Health Fiscal Monitoring Report Aug 2018

Attachments: [Vaya Fiscal Monitoring Report Aug 2018](#)

IX. Adjournment

At 7:55 P.M. Vice Chairman Toney made a motion to adjourn. Commissioner Holland seconded the motion. The vote on the motion was:

Aye: 4 - Commissioner King, Commissioner Toney, Commissioner Lovelace and Commissioner Holland

Nay: 0

Absent: 1 - Commissioner Benfield