



# Rutherford County

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

## Meeting Minutes - Final Board of Commissioners

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Monday, March 4, 2019

6:00 PM

Commission Chambers

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### I. Call to Order

*Chairman King called the meeting 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

*Rutherfordton Town Manager Doug Barrick 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 Hearings

**A. [ID 19-1938](#) Public Hearing - Transit Operations**

**Attachments:**     [Public Hearing Notice Transit](#)  
                              [Transit Brochure for Public Hearing](#)

*At 6:01 P.M. Chairman King opened the public hearing to listen to information being provided to Commissioners and the public regarding two new Transit routes that are being implemented to solve a problem of long travel times on the current route.*

*Transportation Director Kerry Giles told the Board that a public hearing is not required for the changes, but NCDOT does consider it a best practice. This provides for public involvement allowing citizens to express any concerns related to the changes. Several bus stops are proposed to be eliminated. Director Giles presented a brochure showing all the new/revised pick up locations and times. Transit will also seek public input from riders until March 15th.*

*According to Director Giles, shelters are being added in several locations and plans are to add additional shelters in upcoming budget years. A fee of \$1.00 will be charged to those who wish to deviate from the free fixed route. The state does allow deviations up to one-half mile.*

*No one else wished to speak.*

*At 6:12 P.M. Chairman King declared the public hearing to be closed.*

**Vice Chairman Toney made a motion to approve the routes. 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

**III. Public Comments**

*There were no public comments.*

**IV. 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 19-1944](#) Minutes of February 4, 2019 County Commissioners' Meeting

Attachments: [20190204Minutes](#)

- B. [ID 19-1948](#) Minutes of Special Meeting of February 21, 2019

Attachments: [20190221 Special Meeting Minutes](#)

- C. [ID 19-1943](#) Tax Refunds and Releases - March, 2019

Attachments: [Tax Refunds Releases March 2014](#)

## V. Commissioners/Appointments

- A. [ID 19-1905](#) Appointments to Board of Equalization and Review

Attachments: [Revenue Director Memo](#)

[Memo Board of Equalization and Review appointments expiring 12 31 2018](#)  
[Equalization and Review Resolution, Board of](#)

*Revenue Director Sherry Lavender told the Board that the terms of office for three members of the Board of Equalization and Review expired on December 31, 2018. These vacancies were advertised, and applications were accepted. One new member was appointed at the February 4, 2019 meeting. Commissioner Michael Benfield who was a member had indicated his willingness to serve another term.*

**Vice Chairman Toney made a motion to appoint Ms. Esther Bumgarner to the Board of Equalization and Review. 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

**Vice Chairman Toney made a motion to appoint Commissioner Benfield. 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

*Director Lavender also advised that a resolution adopted by the Rutherford County Board of Commissioners on December 4, 2017 states that the Rutherford County Board of Commissioners shall designate one of the members of the current Board of Commissioners so appointed as chairperson of the Board of Equalization and Review.*

**Commissioner Lovelace made a motion to appoint Commissioner Benfield as Chairman of the Board of Equalization and Review. 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

**B. [ID 19-1936](#) Announcement of Vacancy on Rutherford County Tourism Development Authority**

*Notice was received that Ms. Barbara Meliski had resigned as a member of the Rutherford County Tourism Development Authority. Ms. Meliski served as a travel and tourism promoter. The Board agreed to advertise the vacancy, accept applications, and approve an appointment at a future meeting.*

**C. [ID 19-1937](#) Appointment to the Transit Advisory Board**

*Fire Marshal/Emergency Management Coordinator Frankie Hamrick applied to serve on the Transit Advisory Board. The vacancies on this Board were advertised, and applications were accepted.*

**Vice Chairman Toney moved to appoint Mr. Hamrick to the Transit Advisory Board. 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 19-1932](#) Appointment to Isothermal Planning and Development Commission Board of Directors**

**Attachments:** [Letter from IPDC](#)

**Commissioner Lovelace moved to appoint Ms. Stephanie Rzonca to the Isothermal Planning and Development Commission Board of Directors. 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

**E. [ID 19-1931](#) Appointment to Planning Commission**

**Commissioner Lovelace moved to appoint Mr. Phil Rogers to the Planning Commission as an appointment of District 2. 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

**VI. Commissioner Reports****A. [ID 19-1933](#) Overmountain Victory National Historic Trail from Rutherfordton, NC to Chesnee, SC**

**Attachments:** [Overmountain Victory National Historic Trail Memo](#)  
[Overmountain Victory National Historic Trail Presentation](#)

*Mr. Ben Richardson, Chief of Planning and Partnerships for the National Park Service, and Mr. John Slaughter, Group Superintendent, spoke to the Board about the upcoming master plan for the Overmountain Victory National Historic Trail stemming from Rutherfordton to Chesnee, SC. The trail which is 360 miles runs from Abingdon, Virginia to Kings Mountain and has been broken into ten planning sessions. Each section is about 40 miles. An agreement has been established with the Overmountain Victory Trail Association to serve as the fiduciary entity, providing \$60,000 toward the planning process. Meetings have been held with community leaders to discuss the plan and secure a match of \$40,000 (totaling \$100,000 including the NPS contribution) for the planning process. Once the funding is secured, a Memorandum of Understanding will be signed, and the OVTA will be able to contract with a consultant that will begin the planning process. Several entities including municipalities and counties have committed funds for the match.*

*Rutherfordton Town Manager Doug Barrick told the Board that with the commitment of all partners, RHI Legacy will provide the remaining funds. A memorandum of understanding for the funding can be provided at a future meeting.*

**Commissioner Lovelace made a motion to approve a budget amendment of \$5,000 for the planning process of the Overmountain Victory National Historic Trail with \$1,000 in the 2018-2019 budget and \$4,000 in the 2019-2020 budget. 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

**B.** [ID 19-1947](#) Presentation by Destination by Design

**Attachments:**      [Destination by Design Presentation](#)  
                                  [Rutherford Fact Sheet Parks and Recreation](#)  
                                  [Rutherford County Survey Recreational Needs](#)

*Planning and Public Works Director Danny Searcy told the Board that Rutherford County Tourism Development Authority has contracted with Destination by Design along with IPDC to update and re-create a comprehensive Parks & Recreation master plan for the County. A presentation by Mr. Tim Johnson of Destination by Design was an introduction for the planning process and highlighted the steps involved, the timeline, and the upcoming opportunity for input and participation.*

*Tourism Development Authority and RHI Legacy are providing funding for the plan and Rutherford County and Isothermal Planning and Development Commission with Destinations by Design will develop the plan with stakeholders and public input.*

## VII. New Business

**A.** [ID 19-1940](#) Budget Amendments - March, 2019

**Attachments:**      [Budget Amendments 3-4-19](#)  
                                  [Postage Meter Contract Finance](#)

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

**Commissioner Lovelace moved to approve the budget amendments. 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

**B.** [ID 19-1941](#) Financial RFP for Vehicles and Associated Equipment

**Attachments:** [Lease Purchase Proposals Received - Feb 2019](#)  
[Rutherford County Muni Lease Proposal 2-19-19 - Regions Bank](#)

*Finance Director Paula Roach advised that bids were received on February 19, 2019 for financing of vehicles and associated equipment that were included in the 2018-2019 budget. Financing for a total of \$866,000 will be a 36-month term in accordance with G.S. 160A-20 for the following vehicles and associated equipment:*

*General Fund & Solid Waste Equipment with a 36-Month Term for \$866,000*

*Sheriff - 9 vehicles*

*Building Inspections - 3 vehicles*

*Animal Control - 1 vehicle*

*Maintenance - 2 mowers*

*DSS - 2 vehicles*

*Solid Waste - roll off truck, containers and loader*

**Vice Chairman Toney moved to approve the lowest qualified bidder of Regions Bank. 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

**C.**      **ID 19-1946**      Bids for Sewer Line to Henson Road/US 221 Property

**Attachments:** Request for Qualifications for Henson Road and 221 Project

*Planning and Public Works Director Danny Searcy said EDC, Planning, and the County Manager had reviewed requested qualifications from several engineering firms for services in reference to the Highway 221 and Henson Road sewer installation. Staff recommendation is to select Odom Engineering.*

**Commissioner Lovelace moved to approve Odom Engineering as the engineering firm and authorize the County Manager to execute an agreement for professional services to develop sewer infrastructure to this property for potential economic development. 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

**D. [ID 19-1935](#) Interlocal Government Agreement with Town of Rutherfordton**

**Attachments:** [Agreement with Town of Rutherfordton](#)

*Building Inspection Director Shane Dotson appeared before the Board advising that Rutherford County has fourteen (14) buildings within its jurisdiction that require Level III fire inspections. At this point, the County does not have a Level III Fire Inspector on its staff. An interlocal agreement with the Town of Rutherfordton would allow the Town of Rutherfordton's Level III fire inspectors to perform the inspections needed on these fourteen buildings.*

**Commissioner Lovelace moved to approve the Interlocal Government Agreement with the Town of Rutherfordton. 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

**VIII. Closed Session****A. [ID 19-1942](#) Closed Session - ATTORNEY CLIENT NCGS 143-318.11(a)(3)**

**Commissioner Lovelace moved to 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

6:54 P.M. - The Board went into Closed Session.

7:18 P.M. - The Board returned to regular session.

**IX. Information****A. [ID 19-1934](#) Vaya Health Fiscal Monitoring Report March, 2019**

**Attachments:** [Vaya QtrlyRpt 2018-12-31 CoverLetter Signed](#)  
[Vaya QtrlyRpt 2018-12-31 FiscalMonitoringReport](#)  
[Vaya QtrlyRpt 2018-12-31 SpendableCash](#)  
[Vaya QtrlyRpt CommentsAndExplanations](#)



