



Rutherford County

Meeting Minutes - Outline Board of Commissioners

Monday, August 5, 2019

6:00 PM 289 N. Main St. Rutherfordton NC 28139 Commission
Chambers

I. Call to Order

Chairman King called the Rutherford County Board of Commissioners to order.

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

The meeting was held jointly with the Spindale Town Council. Mayor Mickey Bland called the Spindale Town Council to order.

A. Pledge of Allegiance

Mayor Bland 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: 5 - Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Lovelace and Commissioner Holland

Nay: 0

II. Public Hearings

A. [ID 19-2143](#) Public Hearing - Building Reuse Project

Attachments: [Public Hearing Notice August 5 2019](#)
[Resolution Fountain Electric Building Reuse Grant](#)

At 6:01 P.M. Chairman King opened the joint public hearing with the Spindale Town Council to listen to comments regarding a potential building reuse grant application for a project for Fountain Electric in Spindale.

County Manager Steve Garrison told the Board that the grant application will not exceed \$200,000 requiring a local match of approximately \$10,000 which would be shared by the County and the Town of Spindale. A resolution was presented for the Board's consideration authorizing the County Manager to complete and submit a Building Reuse-Existing Business Building grant application, authorizing the appropriation of fund balance to meet the requirements of a portion of the 5% local match, and authorizing the County Manager to sign and execute all documents necessary if the grant is awarded.

No one else wished to speak.

At 6:05 P.M. Chairman King declared the public hearing to be closed.

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

Enactment No: RES 19-011

III. Public Comments

Ms. Janice Mitchell, representing PAWS of Rutherford County told the Board that this agency started the no-kill policy in Rutherford County. They provide quality food for pet owners, find good homes for animals, and have started a spay-neuter program. Vet care and emergency surgeries are provided for those who cannot afford it.

Ms. Mary Cervini, founder and president of Community Partnership for Pets, said her agency works with counties to care for abused, neglected, and homeless pets. In 2014 Community Partnership for Pets began to work with PAWS of Rutherford County. From 2014 to July of 2019, 4,138 animals owned by Rutherford County citizens were spayed or neutered at a cost of approximately \$39 each. Most of the funds for the spay and neuter program are received from grants; however, grants are becoming more competitive and many contain questions regarding the funds provided by the County for the programs.

Ms. Cervini asked that Rutherford County set aside \$5,000 in the current budget year and \$5,000 in the next budget year for the programs she described. She also asked that Rutherford County include funds in the next budget cycle for spaying and neutering.

IV. 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 19-2141](#) Minutes of July 1, 2019 County Commissioners' Meeting

Attachments: [20190701Minutes](#)

- B. [ID 19-2142](#) Tax Refunds and Releases - August, 2019

Attachments: [Tax Refunds Releases July 2019](#)

V. Commissioners/Appointments

- A. [ID 19-2145](#) Appointment to Partners Behavioral Health Management Board of Directors

Attachments: [Partners BMH Board Member Job Description](#)

Manager Steve Garrison advised that Rutherford County became a part of Partners Behavioral Health Management (PBHM) on July 1, 2019. The Rutherford County Commissioners may appoint a member to serve on the PBHM Board of Directors.

Commissioner Lovelace moved to appoint County Manager Steve Garrison to the Partners Behavioral Health Management Board of Directors. 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

B. [ID 19-2147](#) Term Ending Dates for Members of Historic Preservation Commission

Attachments: [Historic Preservation Commission Roster](#)

All members except for two on the Historic Preservation Commission are serving terms that end on June 30, 2020. The Commission requested that term ending dates be changed to preserve continuity on the commission. The ending dates suggested were:

June 30, 2020 Term Ending

Carl Parton

Vacant

Linda Hatcher

June 30, 2021 Term Ending

Donna Robbins

Chivous Bradley

Sherry Lavender

Susan Henson

Robert Hamilton, Sr.

June 30, 2022 Term Ending

Alice Bradley

Don Cason

Joan King

Commissioner Benfield moved to approve the requested ending dates for members of the Historic Preservation Commission. 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 19-2149](#) Appointment to Rutherford County Tourism Development Authority and
Appointment of Chairperson of the Rutherford County Tourism
Development Authority

from RHI Legacy Foundation for rail trail construction.

Commissioner Lovelace moved to approve the agreement with the local match from RHI Legacy Foundation and delegate execution and implementation of the agreement to the County Manager and staff. 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 19-2150](#) Budget Amendments - August, 2019

Attachments: [Budget Amendments 8-5-19](#)

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

C. [ID 19-2140](#) Rutherford County Code of Ordinances

Attachments: [Ordinance Adoption](#)

When the Board approves an ordinance, it is placed in an ordinance book maintained in the Office of the Clerk to the Board. The minutes of the County Commissioners' meetings are provided to Municipal Code Corporation (MCC) of Tallahassee, Florida at intervals, and MCC codifies these ordinances in Rutherford County's Code of Ordinances and publishes these on the web.

North Carolina General Statute § 153A-49. Code of ordinances states that "A county may adopt and issue a code of its ordinances. The code may be reproduced by any method that gives legible and permanent copies and may be issued as a securely bound book or books with periodic separately bound supplements, or as a loose-leaf book maintained by replacement pages. Supplements or replacement pages should be adopted and issued at least annually unless there have been no additions to or modifications of the code during the year." An ordinance was provided which would adopt Supplements 28 and 29 made to Rutherford County's Code of Ordinances and allow these pages to be placed in the Rutherford County Code of Ordinances.

Commissioner Benfield moved to approve the ordinance. 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

Enactment No: ORD 19-002

D. [ID 19-2144](#) Easement on County Owned Property

Attachments: [Easement for Duke Energy on Callahan Koone Road](#)

[Design for Duke Easement Request on Callahan Koone Road](#)

Planning and Public Works Director Danny Searcy told the Board that Duke Energy Carolinas has requested that Rutherford County grant an easement on property owned by Rutherford County on Callahan Koone Road in Spindale. Duke Energy plans to pull power across the road for an existing business. An easement agreement was presented for the Board's consideration.

Commissioner Lovelace moved to approve the easement agreement. 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

VII. Closed Session

A. [ID 19-2139](#) Closed Session - ATTORNEY CLIENT NCGS 143-318.11(a)(3)

Commissioner Lovelace 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:

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

Nay: 0

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

7:00 P.M. - The Board returned to Regular Session.

VIII. Information

A. [ID 19-2154](#) Vaya Update

Attachments: [CntyComm_QtrlyRpt 2019-06-30_CoverLetter_Signed \(002\)](#)
 [CntyComm_QtrlyRpt 2019-06-30_FiscalMonitoringReport_Unaudited](#)
 [CntyComm_QtrlyRpt 2019-06-30_SpendableCash_Unaudited](#)
 [CntyComm_QtrlyRpt 2019-06-30_CommentsAndExplanations](#)

B. [ID 19-2148](#) Tax Collector's Report - July 2019

Attachments: [Tax Collector Report July 2019](#)

IX. Adjournment

At 7:02 P.M. Commissioner Holland made a motion to adjourn. 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