



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

**Rutherford County
Board of Commissioners
Minutes of September 8, 2025**

**Monday, September 8, 2025
6:00 PM**

I. Call to Order

Chairman King called the September 8, 2025 meeting of the Rutherford County Board of Commissioners to order.

Present: Chairman Bryan King, Vice Chairman Alan Toney, Commissioner Michael Benfield, Commissioner Hunter Haynes, and Commissioner Donnie Haulk.

A. Pledge of Allegiance

Tourism Development Director Don Cason led in the Pledge of Allegiance.

B. Agenda Approval

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

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

II. Public Hearings

A. ID-25-4238 Public Hearing – 5310 Elderly Individuals and Individuals with Disabilities Grant

At 6:02 P.M. Chairman King opened the public hearing to listen to comments regarding the application by the Senior Center for the 5310 Elderly Individuals and Individuals with Disabilities grant through the Federal Transportation Administration and NCDOT.

Senior Center Director Tammy Aldridge told those present that the goal of these funds is to provide transportation services that meet the special needs of elderly persons for whom transportation

services are unavailable, insufficient or inappropriate. The Rutherford County Senior Center will contract with Rutherford County Transit to provide daily transportation services to the Senior Center. This request requires a 10% local match which will be requested in the Senior Center's budget request for FY 26-27. A resolution approving the proposed 2027 Community Transportation Program Application was provided for the Board's consideration.

The total estimated amount requested for the period July 1, 2026 through June 30, 2027.

Note: the local share amount is subject to State Funding availability.

Project Total Amount Local Share

Administrative			
Capital (Vehicles & Other)	\$195,000	\$19,500	10%
Total Funding Requests	\$195,000	\$19,500	

There was no one else who wished to speak.

At 6:04 P.M. Chairman King closed the public hearing.

Vice Chairman Toney made a motion to adopt the resolution approving the proposed 2027 Community Transportation Program Application. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

PUBLIC TRANSPORTATION PROGRAM RESOLUTION

FY27 RESOLUTION

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

Applicant seeking permission to apply for Public Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by Vice Chairman Toney and seconded by Commissioner Benfield for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for “purchase-of-service” projects under the Capital Purchase of Service budget, Section 5310 program.

WHEREAS, Rutherford County Senior Center hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the County Manager of County of Rutherford is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT’s calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

Adopted this the 8th day of September, 2025.

RES 25-023

B. ID-25-4242 Public Hearing – Section 5311 (ADTAP) 5310, 5339, 5307, and Applicable State Funding, or Combination Thereof

At 6:05 P.M. Chairman King opened the public hearing to listen to comments regarding the Transit Department’s intent to apply for grant funds from NCDOT to cover administrative and capital expenses for FY 27-28.

Transit Director Kerry Giles said this is an annual grant application process. The Community Transportation Program provides assistance coordinating existing transportation programs operating in Rutherford County as well as provides transportation options and services for the communities within this service area. These services are currently provided using 15 passenger vans and LTV buses. Services are rendered by Rutherford County Transit.

The total estimated amount requested for the period July 1, 2027 through June 30, 2028.

Project	Total Amount	Local Share	
5311 Administrative	\$329,014	\$49,352	15%
5310 Operating (No State Match)	\$60,000	\$30,000	50%
Combined Capital	\$781,900	\$78,190	10%

A resolution approving the grant application was provided for the Board's consideration.

No one else wished to speak.

At 6:07 P.M. Chairman King declared the public hearing to be closed.

Commissioner Benfield moved to approve the resolution approving the grant application. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

**PUBLIC TRANSPORTATION PROGRAM RESOLUTION
FY27 RESOLUTION**

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

Applicant seeking permission to apply for Public Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by Commissioner Benfield and seconded by Vice Chairman Toney for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for "purchase-of-service" projects under the Capital Purchase of Service budget, Section 5310 program.

WHEREAS, (*Legal Name of Applicant*) County of Rutherford hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the

applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the (Name of Applicant's Governing Body) Rutherford County Board of Commissioners hereby authorizes the (Authorized Official's Title)* County Manager to submit grant application (s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services

Adopted this the 8th day of September, 2025.

RES 25-024

C. ID-25-4240 Public Hearing – An Ordinance Approving Changing the Street Names of Certain Roadways

At 6:08 P.M. Chairman King opened the public hearing to hear comments regarding street names of certain roadways in Rutherford County.

County Attorney Richard Williams told the Board that the construction of the new US Highway 221 has resulted in the altering and changing of numerous roads within Rutherford County. The Town of Rutherfordton submitted to the E911 Addressing Department petitions to change the street names of a portion of Rock Road to Katydid Court, Long Road to Hillstead Way, Old US 221 to Harmony Ridge, Laurel Hill Drive to Veterans Run, and Laurel Hill Drive to Promise Lane. The estimated cost for the proposed changes has been received from the Town of Rutherfordton. An ordinance approving the road name changes was included for the Board's consideration.

No one else wished to speak.

At 6:16 P.M. Chairman King closed the public hearing.

Commissioner Haynes moved to approve the ordinance presented. Commissioner Haulk seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.

Noes: None.

An Ordinance Approving Changing the Street Names of Certain Roadways

WHEREAS, construction by the North Carolina Department of Transportation of the new United States Highway 221 (hereinafter the "Project") through Rutherford County will bring numerous benefits to the citizens of Rutherford County through increased opportunities for economic development and safer travel, and has resulted in the altering and changing of numerous Roadways within Rutherford County;

WHEREAS, as a direct result of the construction of the Project, the courses of numerous existing Roadways have been altered and, in certain instances, individual roads have been divided into separate sections with limited street closures resulting in no access between them or with other Roadways to which they had formerly had access, all of which may cause confusion and delay in cutoff from previous access points to other Roadways;

WHEREAS, a comprehensive and consistent E911 addressing system for the naming and addressing of Roadways in Rutherford County maximizes public safety by ensuring that emergency responders, including law enforcement, emergency medical services and fire departments, have the ability to easily and readily locate those requiring their assistance;

WHEREAS, the Town of Rutherfordton submitted to the Rutherford County E911 Addressing Department a certain Petition for Road Name to change the Street Name of a portion of the Public Street presently known as Rock Road to **Katydid Court** as shown on map attached hereto as Exhibit "A";

WHEREAS, the Town of Rutherfordton submitted to the Rutherford County E911 Addressing Department a certain Petition for Road Name to change the Street Name of a portion of the Public Street presently known as Long Road to **Hillstead Way**, as shown on map attached hereto as Exhibit "A";

WHEREAS, the Town of Rutherfordton submitted to the Rutherford County E911 Addressing Department a certain Petition for Road Name to change the Street Name of a portion of the Public Street presently known as Old U.S. Highway 221 to **Harmony Ridge** as shown on map attached hereto as Exhibit "B";

WHEREAS, the Town of Rutherfordton submitted to the Rutherford County E911 Addressing Department a certain Petition for Road Name to change the Street Name of a portion of the Public Street presently known as Laurel Hill Drive to **Veterans Run** as shown on map attached hereto as Exhibit "C";

WHEREAS, the Town of Rutherfordton submitted to the Rutherford County E911 Addressing Department a certain Petition for Road Name to change the Street Name of a portion of the Public Street presently known as Laurel Hill Drive to **Promise Lane** as shown on map attached hereto as Exhibit "A";

WHEREAS, the Rutherford County E911 Addressing Department has determined each of these five requested Street Name changes are in the best interests of public safety and of public convenience and are necessitated by the alteration of Roadways due to the Project;

WHEREAS, the Department has received from the Town of Rutherfordton the estimated costs for each of the proposed changes to Street Names for which they filed a Petition;

WHEREAS, the Board of Commissioners of Rutherford County caused notice of the time, place and subject matter of a public hearing on this matter to be posted at the Rutherford County Courthouse and two public places in Rutherfordton Township where all five of the roads are located, to wit: at the Rutherford County Administrative Building, and at the Rutherfordton Town Hall;

WHEREAS, notice of a public hearing regarding the changes to each of the five Street Names was published in *The Daily Courier* a minimum of ten (10) days prior to the public hearing; and

WHEREAS, the Board of Commissioners of Rutherford County conducted a public hearing at

the regular meeting on September 8, 2025, on the subject of the proposed changes to Street Names of the aforementioned roads to, respectively, Katydid Court, Hillstead Way, Harmony Ridge, Veterans Run, and Promise Lane.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY THAT, pursuant to Section 3-118(d) of the Rutherford County Code of Ordinances, the changes to Street Names for certain Roadways are approved, as follows:

- (1) A portion of Rock Road shall be changed to Katydid Court as shown on the phot marked "AFTER" on Exhibit "A" attached hereto.
- (2) A portion of Long Street shall be changed to Hillstead Way as shown on the photo marked "AFTER" on Exhibit "A" attached hereto.
- (3) A portion of Old US Highway 221 shall be changed to Harmony Ridge as shown on the photo marked "AFTER" on Exhibit "B" attached hereto.
- (4) A portion of Laurel Hill Drive shall be changed to Veterans Run as shown on the photo marked "AFTER" on Exhibit "C" attached hereto.
- (5) A portion of Laurel Hill Drive shall be changed to Promise Lane as shown on the photo marked "AFTER" on Exhibit "C" attached hereto.
- (6) Each of the Street Name changes approved hereby shall be made effective the 1st day of January, 2026.
- (7) The County Manager, pursuant to Section 3-118(d) of the Rutherford County Code of Ordinances and N.C. Gen. Stat. Section 153A-239.1 and working with the E911 Addressing Department and its Standard Operating Procedures, shall ensure that written notice be sent within ten (10) days by first class U.S. Mail to each owner of any parcel located upon each of the above affected Roadways, to the U.S. Postmaster for the affected postal code(s), to the North Carolina Department of Transportation, and to any municipality located within five miles of each of the above affected Roadways.

ADOPTED by unanimous vote this the 8th day of September, 2025

ORD 25-003

D. ID-25-4241 Public Hearing – An Ordinance Approving Changing the Address Numbers on Gilboa Church Road

At 6:17 P.M. Chairman King opened the public hearing to hear comments regarding changes in address numbers on Gilboa Church Road.

Ms. Doherty advised that the construction of the new US Highway 221 had brought about the changing of E911 Addressing address numbers on Gilboa Church Road. The southern end of Gilboa Church Road had been blocked resulting in changing address numbers to meet standards required in the Rutherford County ordinance for approximately 50 parcels. An ordinance approving the address number changes was included for the Board's consideration.

Chairman King invited member of emergency agencies who were present to respond to this possible action since it would cause some efforts on the residents to make the changes. Representatives from E-911, EMS, and the Sheriff's Department indicated there would be little effect in their response to calls on the road if the address numbers remained the same.

No one else wished to speak on the subject.

At 6:22 P.M. Chairman King declared the public hearing to be closed.

There was no action taken on the ordinance.

III. Public Comments

Mr. Mike Dalton said the Rutherford County budget cycle had been completed. The school system had expressed their concerns about a \$6.1 million shortfall for the schools during this cycle and asked for additional funds that would have required an increase in property taxes. Mr. Dalton reported that the school system had received \$90 million in state and federal assistance last year. Even with these additional funds, the school system advised that it was struggling to stay afloat. In comparison Rutherford County's budget was approximately \$80,000. Mr. Dalton stated his intent to become more involved in future budget cycles.

IV. Consent Agenda

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

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

Consent Agenda Items approved were:

- A. ID-25-4260 Minutes of August 4, 2025 County Commissioners' Meeting**
- B. ID-25-4261 Tax Refunds and Releases**
 - Refund amount totaling \$6,894.03
 - Releases greater than \$100 totaling \$87,369.60
 - Releases less than \$100 totaling \$3,239.49
 - (A copy of these tax refunds and releases is typed in the Minute Book.)

V. Commissioners/Appointments

A. ID-25-4243 Finance Director Paula Roach Selected for Heroic Hands at the North Carolina Association of County Commissioners Annual Conference

Chairman King recognized Finance Director Paula Roach who was selected by the North Carolina Association of County Commissioners as a local hero as part of the North Carolina Association of County Commissioners Heroic Hands Initiative. This initiative, launched earlier this year, was designed to honor the often-unseen but deeply felt contributions of county staff and the essential roles of public service workers. Her support of Helene related recovery work was immeasurable.

B. ID-25-4256 Great Trails State Day Proclamation

Tourism Development Authority Director Don Cason said the Rutherford County Tourism Development Authority with a number of partners are requesting that the Rutherford County Board of Commissioners declare October 18, 2025 as Great Trails State Day in Rutherford County. A proclamation making this declaration was included in the agenda for the Board's consideration.

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

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.
Noes: None

2025 GREAT TRAILS STATE DAY PROCLAMATION

WHEREAS, Rutherford County's natural beauty is critical to its residents' quality of life, health, and economic wellbeing; and

WHEREAS, the trails that span across our community are an integral part of the recreational and transportation possibilities of our area and promote an enjoyment of scenic beauty by our residents and our visitors; and

WHEREAS, the parks, greenways, trails and natural areas in our community are welcoming to all and provide a common ground for people of all ages, abilities and backgrounds to access our rich and diverse natural, cultural, and historic resources; and

WHEREAS, Rutherford County's trails vary from the Broad River Paddle Trail to the 13.5-mile long paved Thermal Belt Rail Trail connecting the great communities of Ruth, Rutherfordton, Spindale, and Forest City, to the numerous miles of natural-surfaced trails found throughout Chimney Rock State Park and the western part of the County; and

WHEREAS, trails offer quality-of-life benefits to all as expressions of local community character and pride, as outdoor workshops for science education, as tools for economic revitalization, as free resources for healthy recreation, as accessible alternative transportation, and as sites for social and cultural events; and

WHEREAS, the North Carolina General Assembly designated the third Saturday in October as Great Trails State Day in North Carolina to promote and celebrate the state's extensive network of trails that showcase our state's beauty, vibrancy and culture; and

WHEREAS, North Carolina is known as the "Great Trails State;" and

WHEREAS, The Rutherford County Tourism Development Authority, the Rutherford Outdoor Coalition, Conserving Carolina, the Carolina Climbers Coalition, and Chimney Rock State Park, have special events planned leading up to October in support and recognition of the County's growing trail network;

THEREFORE, Be It Resolved that the Board of Commissioners of Rutherford County, NC do hereby proclaim October 18, 2025 as GREAT TRAILS STATE DAY in Rutherford County and commend its observance to all citizens in recognition of the positive impact trails have in our community.

FURTHER, We urge all citizens to explore trails in Rutherford County on this day and join other communities across North Carolina in celebrating trails on October 18.

Adopted this the 8th day of September, 2025

PROC 25-008

C. ID-25-4255 Great Trails State Month Proclamation

Director Cason also presented a request from The Rutherford County Tourism Development Authority with a number of partners that the Rutherford County Board of Commissioners declare the month of September as Great Trails State Month in Rutherford County. A proclamation making this declaration was also presented.

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

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

SEPTEMBER 2025 GREAT TRAILS STATE MONTH PROCLAMATION

WHEREAS, Rutherford County's natural beauty is critical to its residents' quality of life, health, and economic wellbeing; and

WHEREAS, the trails that span across our community are an integral part of the recreational and transportation possibilities of our area and promote an enjoyment of scenic beauty by our residents and our visitors; and

WHEREAS, the parks, greenways, trails and natural areas in our community are welcoming to all and provide a common ground for people of all ages, abilities and backgrounds to access our rich and diverse natural, cultural, and historic resources; and

WHEREAS, Rutherford County's trails vary from the Broad River Paddle Trail to the 13.5-mile long paved Thermal Belt Rail Trail connecting the great communities of Ruth, Rutherfordton, Spindale, and Forest City, to the numerous miles of natural-surfaced trails found throughout Chimney Rock State Park and the western part of the County; and

WHEREAS, trails offer quality-of-life benefits to all as expressions of local community character and pride, as outdoor workshops for science education, as tools for economic revitalization, as free resources for healthy recreation, as accessible alternative transportation, and as sites for social and cultural events; and

WHEREAS, the North Carolina General Assembly designated the third Saturday in October as Great Trails State Day in North Carolina to promote and celebrate the state's extensive network of trails that showcase our state's beauty, vibrancy and culture; and

WHEREAS, North Carolina is known as the "Great Trails State;" and

WHEREAS, The Rutherford County Tourism Development Authority, the Rutherford Outdoor Coalition, Conserving Carolina, the Carolina Climbers Coalition, and Chimney Rock State Park, have special events planned throughout the month of September in support and recognition of the County's growing trail network;

THEREFORE, Be It Resolved that the Board of Commissioners of Rutherford County, NC declares September 2025 as GREAT TRAILS STATE MONTH in Rutherford County and commend its observance to all citizens in recognition of the positive impact trails have in our community.

Adopted this the 8th day of September, 2025.

PROC 25-009

D. ID-25-4254 Recognition of Department of Social Services

Chairman King announced that The Rutherford County Department of Social Services was recently honored with two prestigious awards recognizing the impact of the project, "Share for Foster Care."

2025 NCACDSS Innovation Award

Presented at the 22nd Annual NCACDSS Innovation Awards, this recognition celebrates the innovative efforts to improve outcomes for foster children in North Carolina.

2025 Civic Excellence in Innovation Award

Awarded by the North Carolina Association of County Commissioners, this honor was officially presented at the 118th NCACC Annual Conference on August 21, 2025. It highlights the department's commitment to civic innovation and excellence in service.

These awards were made possible through the success of "Share for Foster Care," supported by a Dogwood Health Trust Grant, which led to the creation of "The Lighthouse at Building D" on the DSS campus - a dedicated, child-friendly space that ensures no foster child ever has to sleep on the floor of the DSS offices again.

VI. Commissioner Reports

A. ID-25-4250 Potential Impacts to Rutherford County if North Carolina Withdraws from SNAP

DSS Director Delores Hunt provided an update on the federal impact on the Medicaid and SNAP programs on Rutherford County should North Carolina opt out of the Supplemental Nutrition Assistance Program (SNAP). The most recent data from **June 2025** illustrates just how significant this program is to Rutherford County's local community:

- **Participants:** 12,600
- **Households:** 6,587
- **FNS Benefits Issued:** \$2,081,846

According to the U.S. Department of Agriculture (USDA), every dollar issued in SNAP benefits generates between \$1.50 and \$1.80 in economic activity. This impact is realized through grocery retailers hiring and paying staff, replenishing inventory, and covering operational costs like utilities. Applying this multiplier to June 2025 benefits issuance: ·

- At \$1.50: \$3,122,769 in local economic impact ·
- At \$1.80: \$3,747,322.80 in local economic impact

This represents a significant monthly contribution to Rutherford County's economy. Opting out of SNAP could have a ripple effect on other USDA-supported programs as well, including free or reduced-price breakfast and lunch programs in our school systems, and summer feeding programs. These initiatives are vital to the health and well-being of Rutherford County's children and families.

Finally, several other benefits and services use SNAP participation as a gateway for **automatic enrollment**. For example, SNAP participants are automatically enrolled in other programs such as WIC, LEIAP, etc. Discontinuing SNAP would likely complicate access to these essential supports for eligible residents.

VII. Old Business

A. ID-25-4229 Resolution by the County of Rutherford Authorizing Execution of Opioid Settlements with Secondary Opioid Manufacturers, Purdue Pharma LP, and the Sackler Family and Approving the Third Supplemental Agreement for Additional Funds Between the State of North Carolina and Local Governments on Proceeds Related to the Settlement of Opioid Litigation

County Attorney Richard Williams told the Board that national legal counsel for Rutherford County and all local governments serving as plaintiffs in the national opioid litigation advise and recommend: (1) approving the settlement agreement reached with eight secondary manufacturers of opioid products; (2) approving the bankruptcy plan agreed with Purdue Pharma PL and members of the Sackler family; and (3) approving the Third Supplemental Agreement for Additional Funds to the North Carolina Memorandum of Agreement for distribution of proceeds from the opioid litigation among and

between the state and local governments of North Carolina. A resolution authorizing these approvals was submitted for the Board's consideration.

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

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.
Noes: None.

**RESOLUTION BY THE COUNTY OF RUTHERFORD
AUTHORIZING EXECUTION OF OPIOID SETTLEMENTS WITH SECONDARY
OPIOID MANUFACTURERS, PURDUE PHARMA LP, AND THE SACKLER FAMILY
AND APPROVING THE THIRD SUPPLEMENTAL AGREEMENT FOR ADDITIONAL
FUNDS BETWEEN THE STATE OF NORTH CAROLINA AND LOCAL
GOVERNMENTS ON PROCEEDS RELATED TO THE SETTLEMENT OF OPIOID
LITIGATION**

WHEREAS, the opioid overdose epidemic has taken the lives of more than 36,000 North Carolinians; and

WHEREAS, the Centers for Disease Control and Prevention has estimated the total economic burden of prescription opioid misuse alone in the United States to be \$78.5 billion a year, including the costs of healthcare, lost productivity, addiction treatment, and criminal justice involvement; and

WHEREAS, due to the opioid crisis taking an enormous toll on the people and families of Rutherford County, as well as impacting Law Enforcement, Emergency Management and Human Services; the high percentage of children entering foster care as a result of substance abuse by a parent or parents; the human impact on parents, spouses, children, siblings and friends who witnessed and experienced the suffering and death of loved ones; and the fiscal impact to Rutherford County related to health care costs, jail administration and incarceration, emergency management services, child welfare and public assistance; on December 14, 2017, the Board of Commissioners of Rutherford County passed a resolution at a special meeting to authorize investigation and legal action against opioid manufacturers and distributors engaged in the unlawful practices in the marketing and selling of opioids to seek their contribution in resolving the opioid crisis to which they contributed; and

WHEREAS, Rutherford County subsequently joined many counties and municipalities in North Carolina and thousands of local governments across the country to file lawsuits against opioid manufacturers, pharmaceutical distribution companies, and chain drug stores to hold those companies accountable for their misconduct; and

WHEREAS, the litigation against opioid manufacturers, pharmaceutical distribution companies and chain drug stores has previously resulted in settlements agreed by many of these companies that have provided millions of dollars that have and will come to Rutherford County to be used towards healing the damage the opioid crisis has wreaked upon the people of Rutherford County; and

WHEREAS settlements (collectively "the Secondary Opioid Manufacturer Settlements") have been reached in litigation against Alvogen, Inc., Amneal Pharmaceuticals LLC, Apotex Corp., Hikma Pharmaceuticals USA Inc. f/k/a West-Ward Pharmaceuticals Corp., Indivior Inc.,

Sun Pharmaceutical Industries Inc., Viatris Inc., and Zydus Pharmaceuticals (USA) Inc., as well as their subsidiaries, affiliates, officers and directors (collectively "the Secondary Opioid Manufacturer Defendants") named in the Secondary Opioid Manufacturer Settlements; and

WHEREAS, representatives of local North Carolina governments, the North Carolina Association of County Commissioners, and the North Carolina Department of Justice have negotiated and prepared a Third Supplemental Agreement for Additional Funds (SAAF-3) to provide for the equitable distribution of the proceeds of these settlements; and

WHEREAS, settlements have been reached, under Purdue Pharma L.P.'s bankruptcy plan, whereby Purdue Pharma, L.P. ("Purdue") and members of the Sackler family will pay approximately \$7.4 billion to settle opioid claims across the nation, which settlements would be subject in North Carolina to the equitable distribution of the proceeds as set forth in the Memorandum of Agreement ("MOA") which has already been approved by this Board; and

WHEREAS, by joining the Secondary Opioid Manufacturer Settlements, approving the SAAF-3, and approving the bankruptcy plan and settlements related to Purdue and the Sackler family, the state and local governments maximize North Carolina's share of opioid settlement funds to ensure the needed resources reach communities, as quickly, effectively, and directly as possible; and

WHEREAS, it is advantageous to the citizens of Rutherford County and to all North Carolinians for local governments, including Rutherford County, to sign onto the Secondary Opioid Manufacturer Settlements, SAAF-3, and approving the bankruptcy plan and settlements related to Purdue and the Sackler family, in order to demonstrate solidarity in response to the opioid overdose crisis, and to maximize the share of opioid settlement funds received both in North Carolina and here in Rutherford County to help abate the harm; and

WHEREAS, both the MOA and SAAF-3 directs substantial resources over multiple years to local governments on the front lines of the opioid overdose epidemic while ensuring that these resources are used in an effective way to address the crisis;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Rutherford County hereby authorizes the County Manager to execute, on behalf of Rutherford County, all documents necessary to enter into opioid settlement agreements, as set forth herein, with the Secondary Opioid Manufacturer Defendants, to execute the SAAF-3, and to approve the bankruptcy plan and settlement agreements relating to Purdue and the Sackler family, and to provide such documents to Rubris, the Implementation Administrator, subject to pre-audit certificate thereon by the County Finance Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this the 8th day of September, 2025.

RES 25-025

VIII. New Business

A. ID-25-4244 Budget Amendments

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

Vice Chairman Toney 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 Haynes, and Commissioner Haulk.
Noes: None

Budget Amendments September 8, 2025		
	Expense	Revenue
GENERAL FUND		
Sheriff - purchases with donations	\$ 6,000	
Sheriff Donations		\$ 6,000
*donations received		
Sheriff - Software Maintenance	\$ 12,320	
NCACP/NC Sheriffs Association Grant		\$ 12,320
*NC Association of Chiefs of Police grants to enhance the performance and wellness of law enforcement agencies and their officers; pays for 12-months service for Essper/Essential Personnel Services software		
College - Capital Improvements	\$ (195,000)	
Contribution from College Capital Reserve		\$ (195,000)
*Reverse August 2025 Budget Amendment - Phase 2 electrical; project will now be paid through a 10-year payment plan with Duke Energy to cover the cost of the new transformers.		
College - Capital Improvements	\$ 103,938	
Contribution from College Capital Reserve		\$ 103,938
*Reallocate unspent Phase 2 electrical funds to Fountain Electric \$48,635 for site prework and Moseley Architects \$55,303 for step down power design		
College - Capital Improvements	\$ 303,185	
Contribution from College Capital Reserve		\$ 303,185
*installation of door lock system campus-wide		
COLLEGE CAPITAL RESERVE		
Transfer to General Fund	\$ (195,000)	

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Reserved for Future Projects	\$ 195,000	
*Reverse August 2025 Budget Amendment - Phase 2 electrical; project will now be paid through a 10-year payment plan with Duke Energy to cover the cost of the new transformers.		
College - Capital Improvements	\$ 103,938	
Contribution from College Capital Reserve	\$ (103,938)	
*Reallocate unspent Phase 2 electrical funds to Fountain Electric \$48,635 for site prework and Moseley Architects \$55,303 for step down power design		
Transfer to General Fund	\$ 303,185	
Reserved for Future Projects	\$ (303,185)	
*installation of door lock system campus-wide		
FIRE DISTRICT FUND		
SDO - Driveway Reimbursement	\$ 25,000	
NCDOT Driveway Grant for SDO Fire Department		\$ 25,000
*DOT grant received for driveway improvements		
GRANT FUND		
Sheriff - Viper Radio Project	\$ 48,791	
Governors Crime Commission Grant		\$ 48,791
*grant received for viper radios; no county match		

B. ID-25-4249 Resolution to Approve State Cashflow Loans for Disaster Response Activities to Local Governments

Director Roach presented the loan agreement for Round 3 of the State Cashflow Loans for Disaster Response Activities to Local Governments in the amount of \$1,557,448.55 for Rutherford County. A resolution approving the agreement and promissory note was included for the Board's consideration.

Commissioner Haulk moved to approve the resolution. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

RESOLUTION TO APPROVE ROUND 3 NORTH CAROLINA CASHFLOW LOAN AGREEMENT AND PROMISSORY NOTE
WITNESSETH:

WHEREAS, in connection with the State of North Carolina cashflow loan program (Loan Program) authorized by the Disaster Recovery Act of 2024, Session Law 2024-53 (as amended by Session Law 2024-57), the North Carolina Department of State Treasurer has been working with the North Carolina Department of Public Safety-Division of Emergency Management (NCEM),

the North Carolina Association of County Commissioners (NCACC), and the North Carolina League of Municipalities (NCLM) to formulate a working plan for the disbursement of cashflow loans aimed at assisting local governments affected by Hurricane Helene; and

WHEREAS, local governments wishing to participate in Round 3 of the Loan Program are required to execute a Round 3 Cashflow Loan Agreement and Promissory Note with the State of North Carolina, by and through the North Carolina Department of the State Treasurer; and

**NOW, THEREFORE BE IT RESOLVED BY THE COUNTY OF RUTHERFORD,
NORTH CAROLINA:**

1. That the Round 3 Cashflow Loan Agreement and Promissory Note provided by the North Carolina Department of the State Treasurer are hereby approved.
2. That the Manager, Clerk, or Authorized Representative of a Tribal Government is authorized to execute the attached agreements (or those substantially equivalent thereto) and such other agreements and actions as necessary to receive disaster recovery loan funding from the State of North Carolina.

Adopted this the 8th day of September, 2025.

RES 25--26

C. ID-25-4259 Collaborative Strategic Planning: Opioid Settlement Funds Recommended Strategies (Options A & B)

Mr. Scott Luetgenau of Gatespring presented the results of Rutherford County's collaborative strategic planning process, conducted in accordance with the Exhibit C requirements of the NC Opioid Settlement Memorandum of Agreement. The presentation highlighted 15 recommended strategies for opioid remediation, selected from both Option A and Option B. These strategies represented evidence-based and community-driven priorities that emerged through engagement with diverse stakeholders and thorough assessment of local needs and gaps. Highlighting strategies across both options positions Rutherford County to maximize impact and flexibility in future Requests for Applications (RFAs) and partnerships, while fulfilling NC MOA requirements for authorized funding and reporting.

The 15 recommended strategies aligned with the North Carolina MOA:

1. Early Intervention for Youth
2. Family and Children Supports
3. Recovery Housing
4. Employment-Related Services
5. Transportation Supports
6. Criminal Justice Diversion (Recovery Court)
7. Post-Overdose Response Teams
8. Naloxone Saturation
9. Syringe Service and Harm Reduction Programs
10. Peer Recovery Support Services
11. Expand Access to Medications for Opioid Use Disorder
12. Jail-Based Treatment Expansion
13. Emergency Department and Hospital Training

14. Stigma Reduction Initiatives
15. Good Samaritan Law Education

Commissioner Benfield moved to accept the 15 prioritized strategies from Options A and B, as required by the NC Memorandum of Agreement, and to authorize their public submission to CORE-NC. This action would enable the County to proceed with funding and implementation of both Option A and Option B strategies through competitive RFAs in alignment with state guidance and local priorities. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.
Noes: None

**A RESOLUTION BY THE COUNTY OF RUTHERFORD
TO DIRECT THE EXPENDITURE OF OPIOID SETTLEMENT FUNDS**

WHEREAS Rutherford County has joined national settlement agreements with companies engaged in the manufacturing, distribution, and dispensing of opioids.

WHEREAS the allocation, use, and reporting of funds stemming from these national settlement agreements and bankruptcy resolutions ("Opioid Settlement Funds") are governed by the Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation ("MOA") and by three additional Supplemental Agreements for Additional Funds from Additional Settlements of Opioid Litigation (collectively, the "SAAF's");

WHEREAS Rutherford County has received Opioid Settlement Funds pursuant to these national settlement agreements and deposited the Opioid Settlement Funds in a separate special revenue fund as required by section D of the MOA;

WHEREAS section E of the MOA limits the use of Opioid Settlement Funds to specifically approved strategies falling under Option A or Option B, with additional requirements for those strategies identified as Option B; and

WHEREAS, Rutherford County retained R. Scott Luetgenau dba Gatespring to provide and assist in collaborative strategic planning, project management and technical assistance in the planning, management and delivery of projects employing Opioid Settlement Funds held by Rutherford County in a manner to best combat opioid use disorder and its impacts on the Rutherford County community in full compliance with the MOA and SAAF's; and

WHEREAS, R. Scott Luetgenau dba Gatespring has undertaken research, site visits, and conversations with those affected by opioid abuse and has engaged in the collaborative strategic planning process required by the MOA for Option A and Option B activities for use of the Opioid Settlement Funds; and

WHEREAS, R. Scott Luetgenau dba Gatespring has presented fifteen (15) potential activities balanced to address prevention, treatment, harm reduction and recovery support and authorized by Option A and Option B under the MOA, these activities being recommended to best meet the specific needs of Rutherford County and its citizens in fighting opioid use disorder and those closely affected by it, including the addicted, their families, health care and mental health professionals, law enforcement, the judicial system, and the community at large; and

WHEREAS, the Board of Commissioners for Rutherford County desires to accept the recommendations as presented in order to proceed to identify the best opportunities to engage in these activities through the use of the Opioid Settlement Funds pursuant to the MOA and the SAAF's.

NOW, THEREFORE BE IT RESOLVED, in alignment with and pursuant to the NC MOA and SAAF'S, the Board of Commissioners of Rutherford County accepts the fifteen (15) prioritized strategies under Option A and Option B as set forth on the Gatespring Brief presented by R. Scott Luetgenau attached hereto and authorizes their public submission to CORE-NC in order to expedite the process of best using Option A and Option B activities in the best interests of our community and those affected by opioid use disorder.

Adopted this the 8th day of September, 2025.

RES 25-027

D. ID-25-4246 Annual EMS Reconciliation of Debt

EMS Director Kaleb Johnson explained the Accounts Receivables debt reconciliation per the Emergency Services Standard Operating Procedure #134 and requested authorization to write off uncollectible accounts receivable balances. This action is consistent with the policy adopted by the County Commissioners on June 8, 2018.

The accounts identified for write-off have been deemed uncollectible due to circumstances such as the absence of a patient estate, bankruptcy proceedings, or the failure to meet timely insurance filing requirements. In 2021, the County's policy was further amended to align with the provisions of NCGS Chapter 44, Article 9B, and NCGS 105-378(a), extending the debt retention period from Medicare's seven-year standard to the ten-year requirement established under state law. As a result, accounts with dates of service prior to July 1, 2015, are included in this request and represent the majority of the balances under review.

Accordingly, EMS requests approval to write off a total of \$613,356.94 as uncollectible. A complete version, including patient names and contact information, will be maintained on file in the EMS Business Office in compliance with privacy requirements.

Vice Chairman Toney moved to approve the accounts receivables reconciliation of debt. Commissioner Benfield seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.

Noes: None

E. ID-25-4257 Application for Property Tax Exemption

Revenue Director Richard Lawson told the Board that an application for property tax exemption for the 2025 tax year was received by the Revenue Department after the deadline which is January 31st of each tax year for exemption. A copy of the application and information from the Revenue Director was provided to the Board.

Commissioner Haynes moved to approve the application for property tax exemption from Ms. Diane Marie Jupiter. Commissioner Haulk seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

F. ID-25- 25-4264 Resolution Rejecting High Bid for 0 Shotwell Lane

County Attorney Richard Williams told the Board that at the August 4, 2025 the Board authorized the auction on GOVDeals of 0 Shotwell Lane. A high bid of \$1,050 was received. It was recommended that the high bid be rejected per G.S. 160A-270(a), and the parcel be opened for reauction. A resolution confirming this action was included for their consideration.

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

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

**Resolution High Bid for Certain Tract of Real Property
Sold by Electronic Auction**

WHEREAS, on August 4, 2025, Rutherford County authorized an electronic auction at www.govdeals.com for that certain parcel of real property showing as 0 Shotwell Ln., Rutherfordton, NC 28139, Rutherford County Revenue Department Parcel ID Number: 1204078 as shown and described hereinbelow, that is surplus to its needs; and

WHEREAS, Rutherford County conducted said electronic auction at www.govdeals.com beginning August 5, 2025, at 9:00 a.m., and ending August 25, 2025, at 7:30 p.m., for that said parcel of real property; and

WHEREAS, Rutherford County received a high bid of \$1,050.00 was submitted for the said parcel of real property; and

WHEREAS, the high bid received was below the reserve the County placed on this auction and well below bids received in previous attempts to sell the said parcel of real property, and County staff believes future auction is likely to result in higher bids.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY APPROVES THE FOLLOWING:

The Board of Commissioners of Rutherford County rejects the high bid of \$1,050.00 received for that same said certain parcel of land being more particularly described as follows:

Situate on the east side of Shotwell Avenue in the town of Rutherfordton and being described and bounded as follows”

BEGINNING on an iron pin, which is the southeast corner of a lot conveyed by the grantors to Fred McBrayer, the iron pin being in Otis Lovelaces' line and runs thence with the old line North 82 East 133 feet to an iron pin, Cowan's corner; thence North 8 West 112 feet to an iron pin, Cowan and Hix Edwards' corner; thence with Hix Edwards's line South 82 West 133.5 feet to an iron pin; thence South 8 West 112 feet to the place of beginning.

*Subject to easements, restrictions and rights of way of record, and matters of survey.
Also being identified as Parcel ID#1204078, Rutherford County Tax Office.
Address: 0 Cedar Street*

Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 2076 at Pages 903-904, Rutherford County Registry.

ADOPTED this the 8th day of September, 2025.

RES 25-028

G. ID-25-4262 GOVDEAL Auction for Rutherford County Property – 0 Shotwell Lane, Rutherfordton, NC

Attorney Williams also presented a resolution for the Board's consideration that would authorize the electronic auction of Parcel Number 1204078, 0 Shotwell Lane, Rutherfordton, NC, as described more fully in Plat recorded in Plat Book 7, Page 24, ("the Plat"), Rutherford County Registry, to which plat reference is hereby made for a more full and accurate description. Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 2076 at Page 903, Rutherford County Registry.

Commissioner Haulk moved to approve the resolution. Commissioner Haynes seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

**Resolution Approving Certain Tract of Real Property
Be Sold by Electronic Auction**

WHEREAS, Rutherford County owns a certain parcel of real property showing as having address of 0 Shotwell Ln., Rutherfordton, NC 28139, Rutherford County Revenue Department Parcel ID Number:1204078 as shown and described hereinbelow, that is surplus to its needs; and

WHEREAS, North Carolina General Statute GS 160A-270 permits Rutherford County to sell real property at electronic auction upon approval of the Board of Commissioners and, upon resolution previously adopted by the Board, after publication of an electronic notice announcing the electronic auction;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY APPROVES THE FOLLOWING:

1. The Board of Commissioners of Rutherford County authorizes the sale by electronic auction of that certain parcel of land hereby deemed as surplus and being more particularly described as follows:

Situate on the east side of Shotwell Avenue in the town of Rutherfordton and being described and bounded as follows"

BEGINNING on an iron pin, which is the southeast corner of a lot conveyed by the grantors to Fred McBrayer, the iron pin being in Otis Lovelaces' line and runs thence with the old line North 82 East 133 feet to an iron pin, Cowan's corner; thence North 8 West 112 feet to an iron pin, Cowan and Hix Edwards' corner; thence with Hix Edwards's line South 82 West 133.5 feet to an iron pin; thence South 8 West 112 feet to the place of beginning.

Subject to easements, restrictions and rights of way of record, and matters of survey. Also being identified as Parcel ID#1204078, Rutherford County Tax Office. Address: 0 Shotwell Ln.

Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 2076 at Pages 903-904, Rutherford County Registry.

2. The County Manager or his designee is authorized to sell the above described real property by electronic auction at www.govdeals.com, to be conducted beginning at 9:00 A.M., October 9, 2025, and ending at 7:00 P.M. on November 20, 2025.

3. The terms of the sale shall be net cash. The buyer must present at the auction a bid deposit of five percent (5%) of the amount of the bid, either in cash or with a certified check. This deposit will be held by Rutherford County until either the Board of Commissioners rejects the high bid for the property or, if the Board of Commissioners accepts the high bid, the closing of the sale. The deposit will be forfeited to Rutherford County if the high bidder refuses to close the sale after the bid has been approved by the Board of Commissioners.

4. The property shall be sold as-is with no warranty of physical condition. County shall provide deed with special warranty. Winning bidder shall be responsible for existing liens, taxes, HOA fees and any title search upon the property.

5. After the auction, the high bid for each parcel shall be reported to the Board of Commissioners. The board of Commissioners will accept or reject the bid within 30 days after the bid is reported to it. No sale may be completed until the council has approved the high bid.

6. Rutherford County reserves the right to withdraw any listed property from the auction at any time before the auction sale of the property.

ADOPTED this the 8th day of September, 2025.

RES 25-029

H. ID-25-4263 GOVDEAL Auction for Rutherford County Property – 0 Yates Lane, Lake Lure, NC

Attorney Williams also presented a resolution for the Board's consideration that would authorize the electronic auction of Parcel Number 1617637, 0 Yates Lane, Lake Lure, NC, as described more fully in Plat recorded in Plat Book 15, Page 51, ("the Plat"), Rutherford County Registry, to which plat reference is hereby made for a more full and accurate description. Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 702 at Pages 190-191, Rutherford County Registry.

***** moved to approve the resolution. *** seconded the motion. The vote on the motion was:**

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

**Resolution Approving Certain Tract of Real Property
Be Sold by Electronic Auction**

WHEREAS, Rutherford County owns a certain parcel of real property showing as having address of 0 Yates Ln., Lake Lure, NC 28746, Rutherford County Revenue Department Parcel ID Number:1617637 as shown and described hereinbelow, that is surplus to its needs; and

WHEREAS, North Carolina General Statute GS 160A-270 permits Rutherford County to sell real property at electronic auction upon approval of the Board of Commissioners and, upon resolution previously adopted by the Board, after publication of an electronic notice announcing the electronic auction;

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY APPROVES THE FOLLOWING:

1. The Board of Commissioners of Rutherford County authorizes the sale by electronic auction of that certain parcel of land hereby deemed as surplus and being more particularly described as follows:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and being more particularly described as follows:

Lot 113, Section 13, Apple Valley Phase II, Fairfield Mountains, Rutherford County, North Carolina, as shown on a plat of record in Plat Book 15 at Page 51, Rutherford County Registry. Subject to restrictive covenants and restrictions as filed of record in Book 386, Pages 404 through 440, Register of Deeds, Rutherford County, North Carolina and any amendments and Supplemental Declarations pertaining thereto.

BEING a portion of the property which was conveyed by Fairfield Communities, Inc., a Delaware Corporation with a principal office at Lake Lure, North Carolina as beneficial owner, and Lawyers Title Insurance Corporation, a Virginia Corporation, as Nominee for Fairfield Communities, Inc., under the terms of a Title clearing Agreement dated

January 27, 1983 to Charles Boesch by deed dated October 9, 1988, and of record in Deed Book 536 at Page 267, Rutherford County Registry.

See Deed from Bruce Franklin Anderson to Wilder Wadford and Steve Herman recorded in the Office of the Register of Deeds in Rutherford County in Deed Book 627, Page 404

*Also being identified as Parcel ID#1617637, Rutherford County Tax Office.
Address: 0 Yates Ln.*

Being the same and identical property conveyed to Rutherford County by Commissioner's Deed recorded in Book 702 at Pages 190, Rutherford County Registry.

2. The County Manager or his designee is authorized to sell the above described real property by electronic auction at www.govdeals.com, to be conducted beginning at 9:00 A.M., October 9, 2025, and ending at 7:00 P.M. on November 20, 2025.

3. The terms of the sale shall be net cash. The buyer must present at the auction a bid deposit of five percent (5%) of the amount of the bid, either in cash or with a certified check. This deposit will be held by Rutherford County until either the Board of Commissioners rejects the high bid for the property or, if the Board of Commissioners accepts the high bid, the closing of the sale. The deposit will be forfeited to Rutherford County if the high bidder refuses to close the sale after the bid has been approved by the Board of Commissioners.

4. The property shall be sold as-is with no warranty of physical condition. County shall provide deed with special warranty. Winning bidder shall be responsible for existing liens, taxes, HOA fees and any title search upon the property.

5. After the auction, the high bid for each parcel shall be reported to the Board of Commissioners. The board of Commissioners will accept or reject the bid within 30 days after the bid is reported to it. No sale may be completed until the council has approved the high bid.

6. Rutherford County reserves the right to withdraw any listed property from the auction at any time before the auction sale of the property.

ADOPTED this the 8th day of September, 2025.

RES 25-030

I. ID-25-4237 Addition of New Placard to NCDOT County Welcome Signs to Recognize Lynk Robotics Club

Commissioner Donnie Haulk requested consideration by the Board of Commissioners to work with NCDOT to add new sign/placards to the new Welcome to Rutherford County signs on US HWY 74 to recognize and to pay tribute to the Rutherford County Lynk Robotics Club who are the 2024 and 2025 State Champions. The Lynk Robotics Club operates separately from any of the County school systems and provides opportunities for participation to any child in the County. Also, Commissioner Haulk said having these additional signs placed on the County Welcome Signs will demonstrate that the County is proactive and welcoming of tech-based companies and youth based tech programming. The cost projection for this project is \$9,854.27, which is a tentative cost estimate based on retaining the existing Welcome To signs and the lower portion of the existing structures. However, NCDOT advises that they will need to replace the upper section of each post so that the bottom of the lowest sign is at/above the

hinge connection. The County does not have funds set aside in our approved FY2025-2026 budget to cover this expense so the funds to support this project would need to be identified by the Commissioners and the approval of a budget amendment for this purpose would need to be approved.

Commissioner Haulk moved to approve the County Manager working with the County Attorney, Planning Director and Finance Director to negotiate the terms and conditions of an agreement with NCDOT for the installation of Home of Lynk Robotics Club 2024 and 2025 State Champions on the County US HWY 74 Welcome to Rutherford County signs. Vice Chairman Toney seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

A RESOLUTION AUTHORIZING THE CREATION OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SIGNS

WHEREAS, Rutherford County LYNK Robotics Club has been named 2024 & 2025 State Champions; and

WHEREAS, the Rutherford County Board of Commissioners would like to create North Carolina Department of Transportation signs on all current "Welcome to Rutherford County" signs; and

WHEREAS, Commissioner Donnie Haulk is seeking approval by the Rutherford County Board of Commissioners to include additional signs stating "Home of LYNK Robotics Club 2024 & 2025 State Champions" on the two current Hwy 74 "Welcome to Rutherford County" signs.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY APPROVES THE FOLLOWING:

1. That, Rutherford County will remain the fiscal agent for the \$9,854.27
2. That the Rutherford County Board of Commissioners will provide all necessary information to the North Carolina Department of Transportation
3. That, the Rutherford County Board of Commissioners approves the verbiage (Home of LYNK Robotics Club 2024 & 2025 State Champions) on these signs and the hanging of them below the current "Welcome to Rutherford County" signs.

Adopted and approved this the 8th day of September, 2025.

RES 25-031

J. ID-25-4252 Resolution Awarding Major Jamie Keever's Service Side Arm

Captain Andrew Greenway requested that the Board approve a resolution in accordance with G.S. 20-198.2 awarding Major Jamie Keever's service side arm to him for the sum of \$1.00. Captain Greenway said Major Keever has provided dedicated service to the citizens of Rutherford County since October 4, 1997 serving as a sworn Reserve Deputy Sheriff, a Detention Officer, a Deputy Sheriff assigned to a shift, a Community Policing Deputy Sheriff, a School Resource Officer, a Detective with the Sheriff's Office's Criminal Investigative Division and Detention Center, and Major over the

Professional Standards Division and Detention Center. Major Keever had served honorably and with integrity in all positions.

Commissioner Benfield moved to approve the resolution. Commissioner Haynes seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield,
Commissioner Haynes, and Commissioner Haulk.
Noes: None

**Resolution Acknowledging the Service of Major Jamie Keever
and Awarding His Service Side Arm to Him**

WHEREAS, Major Jamie Keever has served the citizens of Rutherford County since October 4, 1997; and

WHEREAS, Major Keever will retire from the Rutherford County Sheriff's Department effective January 1, 2026; and

WHEREAS, Major Keever has served in the Sheriff's Office as a sworn Reserve Deputy Sheriff, a Detention Officer, a Deputy Sheriff assigned to a shift, a Community Policing Deputy Sheriff, a School Resource Officer, a Detective with the Sheriff's Office's Criminal Investigative Division, a Lieutenant overseeing the Criminal Investigative Division, a Captain overseeing the Professional Standards Division and Detention Center, and Major over the Professional Standards Division and Detention Center. Major Keever has served honorably and with integrity in all positions.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Rutherford, in accordance with NC General Statute 20-187.2, do hereby award Major Keever his service side arm (Sig Sauer, Model 365 X Macro Serial Number 66G189040) in exchange for consideration of \$1.00.

Approved this the 8th day of September, 2025.

RES 25-032

K. ID-25-4251 New Criminal History Record Check Requirements for Come County and City Job Applicants

Attorney Richard Williams advised that a new state law was enacted this summer that will soon require all counties and cities in North Carolina to subject all applicants for positions that require working with children in any way to criminal history record checks conducted by the North Carolina State Bureau of Investigation (SBI). These new requirements will become effective October 1, 2025.

Attorney Williams recommended that the following be included in the Rutherford County Personnel Policy.

Section 3. Recruitment, Selection and Hiring [to follow "References and Background Investigations"]

Required Criminal History Record Check. Pursuant to N.C. Gen. Stat. 153A-94.2(b), before a commitment is made to any applicant for a position that requires work with children in any capacity, the County must conduct a criminal history record check by the North Carolina State Bureau of Investigation in accordance with N.C. Gen. Stat. 143B-1209.26. Any offer of employment of the position to the applicant must be conditional pending the results of the criminal history record check required herein. For the purposes of this section, "children" shall be defined as persons under the age of 18 years and is not married, emancipated or a member of the Armed Forces.

Commissioner Benfield moved to approve the Personnel Policy change. Commissioner Haulk seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes, and Commissioner Haulk.

Noes: None

IX. Adjournment

At 8:06 P.M. Vice Chairman Toney made a motion to adjourn. Commissioner Haulk seconded the motion. The vote on the motion was:

Ayes: Commissioner King, Commissioner Toney, Commissioner Benfield, Commissioner Haynes and Commissioner Haulk.

Noes: None

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners