



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

**Rutherford County
Board of Commissioners
Minutes of October 6, 2025**

**Monday, October 6, 2025
6:00 PM**

I. Call to Order

Chairman King called the October 6, 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

Rutherford County Board of Commissioners led in the Pledge of Allegiance.

B. Agenda Approval

Commissioner Benfield moved to approve the 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.

II. Public Hearings

A. ID-25-4279 Public Hearing – Section 5311 (ADTAP), 5310, 5339, 5307 and Applicable State Funding, or Combination Thereof

At 6:03 P.M. Chairman King opened the public hearing to listen to comments regarding the Transit Department's intent to apply for grant funds from North Carolina Department of Transportation to cover administrative and capital expenses for FY 27-28.

Transit Director Kerry Giles said this is an annual grant application process. The public hearing is a repeat of the public hearing held at the September 8, 2025 meeting as the public hearing notice was published in a newspaper which was not the local newspaper.

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 by Rutherford County Transit using 15 passenger vans and LTV buses.

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

Commissioner Benfield moved to adopt 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 6th day of October, 2025.

RES 25-033

B. ID-25-4272 Public Hearing – Industrial Development Grant

At 6:06 P.M. Chairman King opened the public hearing for comments regarding the revised approval of an industrial development grant in support of a new manufacturing operation, code named Project Newco.

Economic Development Director Birgit Dilgert told the Board that a resolution was previously presented for the Board's consideration in support of Project Newco, a manufacturer establishing operations in Rutherford County. The resolution approved on May 5, 2025, stated Project Newco proposed to create at least 125 new jobs within 5 years. While this remains the case, the County has now applied for a Building Reuse grant, in support of the project, that will require the company to create 68 new jobs within the first 2 years. A revised resolution was presented that includes a requirement that the company create 68 jobs within 2 years and a total of 125 jobs within 5 years, while the remaining terms of the local industrial grant remain unaffected.

No one else wished to speak.

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

Vice Chairman Toney moved to approve the resolution. 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

RESOLUTION TITLE: TO APPROVE THE USE OF A LOCAL INDUSTRIAL GRANT AS THE QUALIFYING 5% MATCH FOR UP TO A \$480,000 BUILDING REUSE GRANT IN SUPPORT OF PROJECT NEWCO, CONSIDERING A LOCATION IN RUTHERFORD COUNTY.

WHEREAS, N.C. Gen. Stat. §158-7.1 authorizes a county to undertake an economic development project by extending assistance to a company in order to cause the company to locate or expand operations within the county; and

WHEREAS, the Rutherford County Board of Commissioners, at its regular meeting on May 5, 2025, held a public hearing and adopted a resolution approving a local industrial grant of net new ad valorem tax for eligible personal property and building improvements and its use as a local qualifying match for a Building Reuse grant application for an industrial prospect code named Newco (the "First Resolution"); and

WHEREAS, the said public hearing and the First Resolution contemplated that Newco proposes to locate operations in Rutherford County that will result in the creation of at least one-hundred twenty-five (125) new full-time jobs and an investment of approximately \$45,100,000, increasing employment and business prospects within Rutherford County; and

WHEREAS, the County has applied for a Building Reuse grant in support of Newco, and if awarded, will require Newco to create sixty-eight (68) new full-time jobs within the first two (2) years; and

WHEREAS, the remaining terms of the local industrial grant remains unaffected, including: (1) a portion of the proposed expenditures associated with this project being eligible for reimbursement through the Building Reuse Program; (2) the proposed investment by Newco resulting in a net increase in property value and taxable property within Rutherford County; and (3) the requirement that one hundred twenty-five (125) new full-time jobs be created within five (5) years will still be required in order to qualify for an extension of the grant; and,

WHEREAS, the Rutherford County Board of Commissioners, due to this change not contemplated at its original public hearing or in the First Resolution and after providing the required public notice of at least ten (10) days before the hearing, has now held an additional public hearing to consider whether to approve the local industrial grant as the match required for the Building Reuse grant application; and,

WHEREAS, in these difficult economic times, this investment in Rutherford County and its citizens is recognized and commended by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED that the Rutherford County Board of Commissioners supports this industrial recruitment project, code named Newco, revised since the First Resolution, and commits to provide the required local match upon being awarded a \$480,000 Building Reuse grant.

BE IT FURTHER RESOLVED that the Rutherford County Board of Commissioners authorizes the Chairman or County Manager, working with the County Attorney and County staff, to draft, and negotiate an economic development agreement providing for local industrial grant equal to fifty percent (50%) of the net new ad valorem tax paid for eligible personal property and eligible building improvements, of which up to \$24,000 will be applied as the local qualifying match for a Building Reuse grant application, and for the Chairman or County Manager to execute all documents necessary in support of the grant whether awarded in whole or in part. If after five (5) years, certain job, investment, and wage thresholds are achieved, the grant may be extended an additional five (5) years.

Adopted this the 6th day of October, 2025.

RES 25-034

III. Public Comments

Ms. Charlotte Eplay who is a native of Rutherford County said a lot of film development is happening in this region. She advocated for being a squeaky wheel and promoting the great locations in Rutherford County.

IV. Consent Agenda

Vice Chairman Toney moved to approve the Consent Agenda. 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

Consent Agenda Items approved were:

- A. ID-25-4271 Minutes of September 8, 2025 County Commissioners' Meeting**
- B. ID-25-4276 Tax Refunds and Releases**
 - Refund amount totaling \$18,933.09
 - Releases greater than \$100 totaling \$261,456.94
 - Releases less than \$100 totaling \$2,371.57
 - (A copy of these tax refunds and releases is typed in the Minute Book.)

V. Commissioners Reports

A. ID-25-4288 Recognition of Finance Director Paula Roach

Chairman Bryan King told those present that Finance Director Paula Roach 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. Rutherford County Board of Commissioners wished to honor Finance Director Roach for her service to the citizens of Rutherford County. Chairman King said in addition to her duties serving as an outstanding Finance Director, her support of Helene related recovery work has been and is continuing to be immeasurable. The Board presented a plaque of appreciation to Director Roach.

B. ID-25-4273 Tourism Development Authority Report

Tourism Development Director Don Cason presented an update on the Tourism Development Authority activities. Hurricane Helene had a dramatic impact on the financial picture. Revenues decreased and expenses are coming down. Post Helene occupancy tax is 40% to 50% below average. However, spending on marketing and advertising will continue at same level as before the storm but spending on Rutherford Bound and project promotions will be reduced. The goal is to keep all project going but at a smaller scale.

Trails will become a priority as North Carolina wants to become the great trails state and Rutherford County would like to become the great trails county.

A committee is being formed to celebrate the nation's 250th birthday.

Rutherford Bound and Raise the Rock have been asked to take a reduction in their budget. Rutherford Bound has 14 planned projects in process and 12 completed projects. Approximately \$24.5 million have been raised for the projects. Almost \$42,000,000 in Rutherford County tourism assets have been developed in the last six years.

Over \$300,000 was raised for the rebuilding of Chimney Rock and Lake and will be used for projects in this area.

VI. New Business

A. ID-25-4280 Budget Amendments – October 2025

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

Commissioner Benfield moved to approve the budget amendments. 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

Budget Amendments		
October 6, 2025		
	Expense	Revenue
GENERAL FUND		
Commissioners - Professional Services/Project	\$ 9,854	
Fund Balance Appropriated		\$ 9,854
*NCDOT signage for LYNK Robotics Club		

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Grassroots Expenses	\$	16,468	
NC Arts Council Grassroots Grant			\$ 16,468
*additional allotment awarded			
EMS - Spindale - Roof Replacement	\$	30,800	
Airport - Roof Replacement	\$	9,560	
Fund Balance Appropriated - Roof Replacement Plan			\$ 40,360
Sheriff - purchases with donations	\$	100	
Sheriff Donations			\$ 100
*donations received			
Sheriff - shop with a cop	\$	575	
Sheriff Donations			\$ 575
*donations received for Shop with a Cop			
GRANT FUND			
Sheriff - STAR Program	\$	1,300	
Donations - STAR Program			\$ 1,300
*donations received (grant/donations carryforward at 6/30/2025 \$13,789)			
EMS - Capital Outlay Equipment	\$	19,500	
RHI Legacy Grant			\$ 19,500
*grant received for IV pumps for ambulances			
ARPA ENABLED FUND			
Capital Facility Plan - Critical Priority Projects	\$	33,588	
Contribution from ARPA Fund			\$ 33,588
*appropriate unrestricted ARPA Fund interest earned as of June 2025 to ARPA enabled projects			
Capital Equipment Plan	\$	(545,151)	
Capital Facility Plan - Critical Priority Projects	\$	545,151	
*transfer funds from equipment to capital facilities to support Sheriff Admin Office Project			
ARPA FUND			
Transfer to ARPA Enabled Fund - Capital Outlay Equipment	\$	133,607	
Interest Earnings			\$ 133,607
*appropriate unrestricted ARPA Fund interest earned as of June 2025 to ARPA enabled projects			
COUNTY CAPITAL FACILITIES FUND			
Crave Grant Expenditures - 4th Courtroom	\$	106,069	
NC Administrative Office of the Courts			\$ 106,069
*grant received to assist with technology needs in the 4th courtroom			
SCHOOL CAPITAL FACILITIES FUND			
CHASE High HVAC Repairs	\$	879,750	
CHASE Middle HVAC Repairs	\$	402,500	
Ellenboro Elementary Chiller Replacements	\$	350,000	
Pinnacle Elementary HVAC Repairs	\$	362,250	

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RS Central High HVAC Repairs	\$ 1,207,500	
Sunshine Elementary Chiller Replacements	\$ 315,000	
NCDPI Grants - Helene Capital Recovery Funds		\$ 3,517,000
Helene Capital Recovery Funds - NCDPI Grants for RCS Projects		
TRANSIT FUND		
Transit - Part Time Salaries	\$ (5,897)	
NCDOT - EDTAP Grant		\$ 829
NCDOT - EDTAP Grant		\$ (3,918)
NCDOT - EDTAP Grant		\$ (2,808)
*adjust ROAP funding received for FY2026		

B. ID-25-4285 Beam Construction Design/Build Contract for Sheriff's Office Upfit Project

Public Works and Planning Project Manager Aubrey Clay advised that Rutherford County continues to work with the design/build team Beam/CBSA on the renovation of the former RS Middle 6th Grade Building and Cafeteria, converting these facilities into a new Sheriff's Office and secured evidence storage facility. Construction drawings are complete, and the project is now ready to move into the Construction phase.

Project Manager Clay pointed out that it is important to note that this project is a critical step in moving forward with the planned Detention Center renovations, which will require the Sheriff's administrative staff to vacate the existing facility. Additionally, the upfit of the former 6th grade building will allow the entire Sheriff's Office to operate under one roof, offering significant operational benefits.

Mr. Justin Boheler, Vice President of Beam Construction; Mr. Luke Simmons, Beam Construction Project Manager; and Mr. Marty Beam of CBSA Architects provided detailed information about the project.

Manager Clay presented the construction contract which included:

Sheriff's Office Renovation (former RS Middle 6th Grade Building) = \$1,902,000.00
Secure Evidence Storage Facility (former RS Middle Cafeteria) = \$780,000.00
Phase 2 TOTAL = \$2,682,000.00
Alternate: Install new 100 KVA Diesel Generator = \$95,000.00
Grand Total (including alternate) = \$2,777,000.00

Commissioner Haulk made a motion to authorize the County Manager and the County Attorney to negotiate terms of the contract and authorize the County Manager, Finance Officer, Clerk to the Board, and other County officials to sign and execute all documents in support of this action. 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

C. ID-25-4284 Design/Build Expansion/Renovation Project for Rutherford County Detention Facility Phase 2 Design, Engineering, Reconstruction and CA

Project Manager Clay also advised that Rutherford County continues to work with the design/build team of Vannoy/Moseley on the renovation project for the Rutherford County Detention Facility. Over the past several months, Vannoy/Moseley has collaborated with the County on Phase 1 of the project, which included the Conceptual Design and Schematic Design for the planned renovation. The project has now reached a point where it is ready to move into the next phase. This phase will include Design Development, Construction Documents, Engineering, and Preconstruction activities. During this stage, the conceptual plans will be further refined to create the official Construction Documents for the project. Additionally, the plans will be submitted to the Division of Health Service Regulation (DHSR) for state review and approval, allowing the County to move forward with construction.

Phases 2 will consist of:

1. Design Development Drawings & Specifications
2. Coordinate and submit with DHSR for DD design submission
3. Construction Documents Drawings & Specifications
4. Coordination and submission with DHSR for CD design submission
5. Coordination and submission with local AHJ and Fire Marshall
6. 50% CD Estimate
7. Bidding
8. Prepare GMP
9. Present final design and GMP to BOC
10. Construction Administration Services throughout Construction

Mr. Lance Haney, Project Manager of Vannoy Construction, and Mr. Bryan Payne, Moseley Designs Architect, provided details about the project.

Manager Clay said the Phase 2 budget included:

1. Design Development \$262,745.00
2. Construction Documents \$299,118.00
3. Bidding \$56,376.00
4. CA \$173,286.00
5. Total Fees \$822,850.00

Several concerns were expressed by the Board and the County Manager which included the cost which was higher than anticipated and exceeded funds available. The grant funds for the project must be expended by June 30, 2026 and the timeline for the project goes beyond this date.

Commissioner Haulk moved to authorize the County Manager and the County Attorney to negotiate terms of contract and authorize the County Manager, Finance Officer, Clerk to the Board, and other County officials to sign and execute all documents in support of this action. 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

D. ID-25-4287 Resolutions Regarding Plat Review Officers

County Attorney Richard Lawson said North Carolina General Statute 47-30.2 requires the Board of Commissioners to appoint plat review officers whose responsibilities include reviewing land plats to determine whether these plats meet recording requirements. He requested that the Board approve a resolution appointing Franklin Shaffer and Jennifer Hill as Plat Review Officers for Rutherford County.

Also, there are individuals who have been appointed as Plat Review Officers during their employment with Rutherford County or other relevant local government entities, but they no longer perform these duties. A second resolution was presented which would revoke/remove Susie Smoyer, Lois Shuford, Brad Burton, and Zachary Parker as Plat Review Officers.

Vice Chairman Toney made a motion to appoint Mr. Franklin Shaffer and Ms. Jennifer Hill as Plat Review Officers for Rutherford County. 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

WHEREAS, North Carolina General Statute §47-30.2 requires the Board of Commissioners of Rutherford County to adopt a resolution to designate one or more persons as a Review Officer to review each map or plat required to be submitted for review before the map or plat is presented to the Register of Deeds for recording; and

WHEREAS, all of the individuals named herein are each certified as a property mapper pursuant to N.C. Gen. Stat. §147-54.4 and qualified to serve as a Review Officer and it is desired that each be so appointed.

NOW, THEREFORE, BE IT RESOLVED that the Rutherford County Board of Commissioners appoints Franklin Shaffer and Jennifer Hill, pursuant to N. C. Gen. Stat. §47-30.2, as Review Officers.

BE IT FURTHER RESOLVED that each plat review officer so appointed shall review all plats (except as exempted by statute) prior to recording, and if the plats meet the statutory requirements for recording, affix to the plats a certificate in substantially the following form:

State of North Carolina
County of Rutherford

I, _____, Review Officer of Rutherford County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

IN WITNESS WHEREOF, the County of Rutherford has caused this instrument to be signed in its corporate name by its chairman, attested by its Clerk to the Board, and its corporate Seal affixed, this 6th day of October, 2025.

RES 25-035

Vice Chairman Toney moved to approve the resolution revoking Susie Smoyer, Lois Shuford, Brad Burton, and Zachary Parker from being Plat Review Officers. 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

WHEREAS, North Carolina General Statute §47-30.2 requires the Board of Commissioners of Rutherford County to adopt a resolution to appoint one or more persons as a Review Officer for the responsibility for reviewing land plats to determine whether they meet recording requirements; and

WHEREAS, certain individuals who have been appointed as Review Officers are no longer employed by the County or other relevant local government entities and no longer perform such duties; and

WHEREAS, the same said statute is silent as to the term or expiration of any plat Review Officer, but that general practice dictates that any individual no longer performing such duty should have their appointment formally revoked by resolution.

NOW, THEREFORE, BE IT RESOLVED that the Rutherford County Board of Commissioners formally revokes Susie Smoyer, Lois Shuford, Brad Burton and Zachary Parker from being Review Officers as these individuals no longer serve in such capacity.

BE IT FURTHER RESOLVED that the Rutherford County Board of Commissioners thanks each of these individuals for their prior service as Review Officers.

IN WITNESS WHEREOF, the County of Rutherford has caused this instrument to be signed in its corporate name by its Chairman, attested by its Clerk to the Board, and its corporate Seal affixed, this 6th day of October, 2025.

RES 25-036

E. ID-25-4277 MCCI Agreement for Building Inspection Software

Information Technology Director Jai Doherty presented a subscription for new Building Inspections' Software by MCCI. He advised that the agreement had been approved by the County Attorney and was ready for Commissioner approval.

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

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

Noes: None

F. ID-25-4278 NC Arts Council Grassroots Committee Recommendations

Economic Development Director Birgit Dilgert told the Board that the NC Arts Council Grassroots Committee had met to review and make funding recommendations for the Grassroots projects submitted by Rutherford County agencies. The recommendation for the funding was presented for the Board's consideration.

Organization Name	Selection Committee's Award Recommendation
The Symphony of Rutherford County	\$8,075
Town of Forest City	\$7,125
Dreaming Stone Arts and Ecology Center	\$8,550
Rutherford County Visual Arts Guild	\$4,231
The Foundation Performing Arts Center	\$10,925
The Rutherford Chamber Consort	\$7,315
L. E. A. P.	\$2,666
Total Awards	\$48,887

Commissioner Benfield moved to approve the funding recommendations. 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

G. ID-25-4286 South Mountains Regional Hazard Mitigation Plan Update Resolution

Deputy Fire Marshal Jeff Lynn advised that Hazard Mitigation Plans are required by FEMA for communities to be eligible for certain federal hazard mitigation funds such as FEMA's Hazard Mitigation Assistance Program. The South Mountains Regional Hazard Mitigation Plan has been in place for over 15 years, and Rutherford County recently worked with Henderson, Polk, and Transylvania Counties and municipalities within the counties to complete the 5-year update of the plan as required by FEMA. The update started in February of 2024 and although Hurricane Helene made completing the update challenging, the process was completed, and the plan was approved by FEMA on May 21, 2025. A resolution adopting the plan was presented for the Board's consideration.

Commissioner Haynes 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
ADOPTING THE SOUTH MOUNTAIN
REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the citizens and property within Rutherford County are subject to the effects of natural hazards that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to drought, extreme heat, hailstorm, hurricane and tropical storm, lightning, thunderstorm wind/high wind, tornado, winter storm and freeze, flood, hazardous material incident, and wildfire; and

WHEREAS, Rutherford County desires to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Article 5, Section 160D-501 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has enacted General Statute Section 166A-19.41 (*State emergency assistance funds*) which provides that for a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act; and.

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the Rutherford County has performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and has updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the Board of Commissioners of Rutherford County to fulfill this obligation in order that the Rutherford County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, THEREFORE, be it resolved that the Board of Commissioners of Rutherford County hereby:

1. Adopts the South Mountains Regional Hazard Mitigation Plan.
2. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

Adopted this the 6th day of October, 2025.

RES 25-037

H. ID-25-4274 Meeting Dates for Rutherford County Board of Commissioners for 2026

A resolution establishing meeting dates for regular County Commissioners' meetings in 2026 was provided for the Board's consideration.

Commissioner Haynes 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 of the
Rutherford County Board of Commissioners
Relating to 2026 Meeting Schedule**

Whereas, N.C.G.S. 153A-40 provides for a resolution establishing regular meeting dates of the Board of County Commissioners.

Now, therefore, be it resolved that the Rutherford County Board of Commissioners' regularly scheduled meetings will be held at 6:00 P.M. as shown below and that such regular meetings will be held in the Rutherford County Office Building, 289 North Main Street, Rutherfordton, NC in the County Commissioners' Meeting Room. Special meetings will be scheduled as needed.

January 5, 2026
February 2, 2026
March 2, 2026
April 6, 2026
May 4, 2026
June 1, 2026
July 6, 2026
August 3, 2026
September 8, 2026
October 5, 2026
November 2, 2026
December 7, 2026

Adopted this the 6th day of October 2025.

RES 25-038

VII. Adjournment

At 8:30 PM Vice Chairman Toney made a motion to adjourn. Commissioner Benfield seconded the motion. The vote on the motion was:

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

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Noes: None

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners