



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

**Rutherford County
Board of Commissioners
Minutes of June 1, 2026 Meeting**

**Monday, June 1, 2026
6:00 PM**

I. Call to Order

Chairman King called the June 1, 2026 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

Newly appointed Rutherford County Library Director Chaundra Johnson led in the Pledge of Allegiance.

B. Agenda Approval

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

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

II. Public Hearing

A. ID-26-4482 Public Hearing – Proposed Rutherford County Budget FY 2026-2027

At 6:04 P.M. Chairman King opened the public hearing to listen to comments regarding the proposed Rutherford County Budget for FY 2026-2027.

Chairman/Interim County Manager King reviewed the FY 2026-2027 Budget Summary which included:

- Continued inflation
- Uncertainty in sales tax, property tax, and vehicle tax collections
- Challenges in employee recruitment and retention
- Increase in state health insurance and retirement contributions
- Increased demand for public safety, education, and human services
- Substantial capital facilities, property, equipment and vehicle needs

A Capital Investment Plan was recommended to address upcoming needs. These included:

- Viper Radios \$950,000
- Law Enforcement Vehicles \$2,860,000
- Public Service Vehicles \$2,954,500
- IT Hardware and Software \$910,000
- Elections Equipment \$275,000
- Other County Vehicles and Equipment \$1,661,616
- RCS Needs-Based Public School Capital Fund (NBPSCF) Grant Match \$3,100,000
- ICC Facilities Condition Assessment Program (FCAP) Recommendations \$3,100,000
- County Facilities and Buildings \$5,599,100
- Reserves for Full Measure and List Revaluation for 2031 \$1,700,000

It was also recommended that Fund Balance Reserves be set aside as this would allow for planning for contingencies and emergencies, maintaining good standing with rating agencies and secure lower interest rates, avoid expenses, and serve as a cash flow management tool.

Highlights of the Solid Waste Budget, Rutherford County Schools, Isothermal Community College were also highlighted. The Total General Fund Budget of \$93,447,130 and Total Budget for all Funds of \$121,211,412 is an increase of 6.564% increase over the current fiscal year General Fund Budget. The tax rate would remain at 45.4 cents.

The key takeaways were:

- Addresses continued inflation, O&M cost increases, and supply chain issues.
- Strengthens support for education and public safety
- Ensures quality service delivery across ALL departments
- Focuses workforce on recruitment and retention

Pat Chamberlain, Out of the Ashes

Mr. Chamberlain stated that the community continues to wish homelessness would go away, but it does not. The opioid settlement funding does not address housing needs. He noted that the Sheriff's Office made four calls to their organization last week.

Mr. Chamberlain stated that the community has an obligation to help people whom no one else is helping and that organizations need the proper tools to do the work. Nearly 500 people came through Out of the Ashes' doors last year, an increase from approximately 300 the year before.

In answer to whether Out of the Ashes had applied for available funding, Mr. Chamberlain explained that organizations must provide housing in a hospital setting to qualify, and his organization does not operate a hospital setting. He expressed concern that much of the funding is going to prescribers who serve consumers rather than organizations providing housing assistance.

James Ridgewell (speaking on behalf of Pat Chamberlain)

Mr. Ridgewell stated that if not for Mr. Chamberlain, he would be back on the streets. He said there was no assistance available for people like him coming directly out of prison, and he emphasized the need for support services for individuals reentering society after incarceration.

Mr. Jeffrey Green (speaking on behalf of Pat Chamberlain)

Mr. Greene spoke in support of Out of the Ashes. He stated that if someone is released from prison and put back on the streets, they are likely to repeat the same behaviors that led to their incarceration. He said that the work being done by Mr. Chamberlain is effective and helps prevent that outcome.

Mr. Eric Gorney

Mr. Gorney thanked county staff for putting the budget together and stated that this would be the first time he would have a lower tax bill. However, he asked commissioners to further reduce the tax rate to help property owners. Many people on fixed incomes are struggling. He had a concern about the use of \$10 million in fund balance to balance the budget, saying it could create budget challenges in future years.

Annie Dance

Ms. Dance requested that closed captioning be included in the budget. She stated that it is difficult for people with hearing impairments, including herself, to fully participate without captioning services.

There were no other comments.

At 6:24 P.M. Chairman King declared the public hearing to be closed.

III. Public Comments

Mr. Phil Burney stated his thoughts on what public service resembles. He wants Rutherford County to be a place where folks and small businesses can succeed. Citizens need to feel that public servants care about their needs.

Mr. Dan Hyland who lives in the Bill's Creek Community asked that there be clarification regarding the housing project proposed in his area. While it has been stated that this is only a rumor, Mr. Hyland said there is a company trying to start this mini-housing solution.

Ms. Grayson Porter read from a post by Bo Johnson regarding cooperation is not freedom. What happens when cooperation replaces confrontation?

Mr. Doyle Brown, Jr. spoke supporting the re-development of Tri City Motel property located in the Ledbetter community. This would be a solution to Rutherford County's workforce housing.

Ms. Deborah Keller addressed the opioid settlement proposal specifically the clean needle exchange. She asserted that an addict does not care that their needles are clean, only accessible. Accessible housing is important even if it only addresses a few, according to Ms. Keller.

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

- A. ID-26-4488 Minutes of May 4, 2026 Board of Commissioners' Meeting
- B. ID-26-4489 Minutes of May 11, 2026 Board of Commissioners' Special Meeting 1
- C. ID-26-4490 Minutes of May 11, 2026 Board of Commissioners' Special Meeting 2
- D. ID-26-4486 Tax Refunds and Releases – June, 2026
Releases Less than \$100 - \$89.12
Releases Greater than \$100.00 - \$14,920.24
Tax Refunds - \$3,365.29
(A copy of refunds and releases is typed in the Minute Book.)
- E. ID-26-4500 Updated Retention Schedule for Register of Deeds

V. Commissioners/Appointments

A. ID-26-4485 Recognition of Rutherford County Transit

Transit Director Kerry Giles told the Board that Rutherford County Transit has been honored with the NCPTA Rural Transit System of the Year for the third consecutive year. In 2024 Transit received the award for Transit System of the Year. In 2025 the recognition was awarded collectively to all Western North Carolina transit systems in acknowledgment of their heroic efforts in evacuation and recovery operations following Hurricane Helene.

B. ID-26-4484 World Elder Abuse Awareness Proclamation

Income Maintenance Administrator Susan Epley advised that June 15 has been proclaimed as World Elder Abuse Awareness Day (WEAAD). WEAAD was officially recognized by the United Nations General Assembly in December 2011, following a request by the International Network for the Prevention of Elder Abuse who first established the commemoration in June 2006.

Elder abuse can be financial, emotional, physical, and sexual. It also includes people who are neglected and those who neglect themselves. Social isolation, financial or emotional stress, and dementia can make a senior vulnerable to abuse.

The consequences of elder abuse are grave: older adults who are abused are twice as likely to be hospitalized, four times as likely to go into nursing homes, and three times as likely to die. While studies show that 60% of abusers are family members, abuse can happen in any setting: in the adult's own home or a senior living community.

Administrator Epley requested that the Rutherford County Commissioners proclaim June, World Elder Abuse Awareness Month in order to bring these issues to the community's attention.

Vice Chairman Toney moved to approve the proclamation presented declaring June as World Elder Abuse Awareness Month in 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

Rutherford County
World Elder Abuse Awareness Month Proclamation

WHEREAS, North Carolina ranks eighth nationally in the number of people ages 65 and older; and

WHEREAS, elder abuse is a growing concern as the number of adults over age 65 in North Carolina grows; this year, one in five residents will be over age 65, and with greater longevity there will be more opportunities for older adults to experience maltreatment, whether physical, emotional, or financial; and

WHEREAS, elder abuse is under-reported, overlooked, and often ignored, and each resident has a legal responsibility to report any suspicion of abuse, neglect, or exploitation without fear of reprisal to their local county social services department; and

WHEREAS, in the state Fiscal Year 2022-2023, there were around 35,400 reports of abuse, neglect, or exploitation of vulnerable and older adults made to North Carolina's 100 county departments of social services; and

WHEREAS, encouraging, strengthening, and increasing support to prevent abuse allows vulnerable and older adults to exercise their independence and their right to self-determination; and

WHEREAS, we must utilize every tool available to ensure our older adults live with confidence and security in their later years, free from fear, harassment, and harm; and

WHEREAS, Rutherford County joins the world in recognizing June as World Elder Abuse Awareness Day by taking a stand and making it known that it is not acceptable for any older adult to live in fear, be mistreated, or experience intentional harm;

I, Chairman of the Rutherford County Board of Commissioners, do hereby proclaim **June 15th, 2026**, as **World Elder Abuse Awareness Day** and encourage all Rutherford County's residents to recognize and celebrate the accomplishments of Rutherford County's seniors.

Adopted this 1st day of June 2026.

PROC 26-005

C. ID-26-4504 Department of Social Services Monthly Update

Administrator Epley also provided a monthly update on the Department of Social Services.

Previously Child Protective Services was part of PATH NC. Now home services and foster care are moving into PATH NC. Much training is happening as the go-live date is July 20, 2026. This will enable any county to see cases in other counties.

House Bill 696 was signed into law in May of this year. This House Bill is primarily designed to stabilize Medicaid and give more oversight to the program. It funds a significant Medicaid shortfall while implementing stronger eligibility verification, accountability, auditing, and program-integrity measures aimed at controlling future costs. There is a \$300 million shortfall due to HB 696 changes. Coverage is limited to only what is federally mandated.

Rylan's Law of 2017 requires DSS agencies to provide a Memorandum of Understanding that sets forth the specific standards that the agency must meet or go into a program improvement plan. Performance requirements for particular programs is a measure that all counties are ultimately aiming to achieve.

D. ID-26-4495 Voting Delegate for National Association of Counties

The National Association of Counties will have their annual conference in July of 2026 in New Orleans, LA. A voting delegate must be appointed in order to be able to vote at the business meeting. Commissioner Benfield does plan to attend the conference.

Vice Chairman Toney moved to appoint Commissioner Benfield to serve as Rutherford County's Voting Delegate at the NACo Annual Conference in July. 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

E. ID-26-4492 Appointments to Rutherford County Boards and Commissions

Vice Chairman Toney moved to reappoint Mr. Mike Lugo and Mr. Bryan King to the Foothills Regional Commission Board of Directors to a term ending June 30, 2029. 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

Commissioner Haynes moved to reappoint Mr. Robert Mellnik to the Forest City Board of Planning and Adjustment Representing Extra Territorial Jurisdiction to a term ending June 30, 2029. 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

Chairman King moved to reappoint Ms. Kelly Hudson to the Home and Community Care Block Grant Committee to a term ending June 30, 2029. 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

Vice Chairman Toney moved to reappoint Ms. Taran Long, Mr. Brian Gooch, Ms. Tiffany Dodd, Ms. Adrienne Becton-Marsh and to appoint Ms. Taylor Hill to the Juvenile Crime Protection Commission to terms ending June 30, 2028. 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

Commissioner Benfield moved to reappoint Mr. Angelo Parks and Mr. Jack Elliott to the Library Board of Trustees to terms ending June 30, 2029. 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

Commissioner Haynes moved to reappoint Mr. Preston Janco, Mr. Jimmy Huffstickler, and Mr. Tommy Holland to the Planning Commission to terms ending June 30, 2029. 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

Commissioner Haulk moved to reappoint Chairman Bryan A. King and Mr. David Herndon to the Rutherford County Economic Development Association to terms ending June 30, 2027. 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

Commissioner Benfield moved to reappoint Mr. Spence Romine, Mr Dave Long, and Ms. Jessica Davis to the Tourism Development Association to terms ending June 30, 2029. 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

Vice Chairman Toney moved to reappoint Ms. Jill Miracle, Mr. John Jarrett, and Ms Susan Epley to the Transit Advisory Board to terms ending June 30, 2029. 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

Commissioner Benfield moved to reappoint Mr. Tim Bovender to the Watershed Commission to a term ending June 30, 2032. 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

Commissioner Haynes moved to reappoint Ms. Amy Galla to the Workforce Development Board to a term ending June 30, 2029. 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

F. ID-26-4506 Appointment to Rutherford County Economic Development Association

A vacancy currently exists on the Rutherford County Economic Development Association.

Commissioner Benfield moved to appoint Commissioner Haulk to the Rutherford County Economic Development Association to a term ending June 30, 2027. 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

IV. New Business

A. ID-26-4499 Budget Amendments – June 2026

Deputy County Manager/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 June 1, 2026

	Expense	Revenue
GENERAL FUND		
Detention Center - Out of County Inmates	\$ 50,000	
Fund Balance Appropriated		\$ 50,000
*additional costs for housing inmates in surrounding counties - estimated through June 30th		
Sheriff - K9 Supplies	\$ 1,500	
Sheriff Donations		\$ 1,500
*donations received for K9 program		
GRANT FUND		
STAR Program Expenses	\$ 2,850	
STAR Donations		\$ 2,850
*donations received for Sheriff STAR Program		
StreamFlow Rehabilitation Program (StRAP) Expenses	\$ 1,075,000	
NC Dept of Agriculture StRAP Grant		\$ 1,075,000
*grant received for stream debris removal		
COUNTY CAPITAL PROJECTS FUND		
Detention Center Renovations - NC OSBM	\$ 864,241	
Interest Earnings		\$ 864,241
*appropriate project interest earnings estimated through June 2026		
SCHOOL CAPITAL FACILITIES FUND		
RS Central High Gym HVAC Repairs	\$ 1,523,750	
Cool Springs Admin Bldg Boiler Repairs	\$ 402,500	
Chase High Boiler Repairs	\$ 1,207,500	
NCDPI Grants - Helene Capital Recovery Funds		\$ 3,133,750
Helene Capital Recovery Funds - NCDPI Grants for RCS Projects		

	Expense	Revenue
SOLID WASTE FUND		
Transfer to Solid Waste Reserve Fund	\$ 2,951,170	
Fund Balance Appropriated - Solid Waste		\$ 2,951,170
*reserve funds for landfill post closure assurance as of 6/30/2026		
SOLID WASTE RESERVE FUND		
Reserved for Post Closure Expenditures	\$ 2,951,170	
Contribution from Solid Waste Fund		\$ 2,951,170
*reserve funds for landfill post closure assurance as of 6/30/2026		

B. ID-26-4497 Compilations for Volunteer Fire Departments

Ms. Crystal Hamrick provided the compilations for the volunteer fire departments for year ending June 30, 2025. Each Department received an unmodified report. No material misstatements were discovered during the review procedures. The Departments can contribute to the governmental firemen's pension fund. All except one contributed to the pension fund for FYE June 30, 2025. There are ten Departments with 501(c)(3) status and one Department with 501(c)(4) status. Form 990 has been filed with the IRS for each of these Departments, and sales tax/fuel tax refund requests have been submitted for all departments.

Commissioner Benfield moved to accept the compilations of the volunteer fire departments for the year ended June 30, 2025. 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

**VOLUNTEER FIRE DEPARTMENTS OF RUTHERFORD COUNTY
ADDITIONAL REVIEW INFORMATION
JUNE 30, 2025**

TOG = Turn Out Gear

SCBA = Self-Contained Breathing Apparatus

Bill's Creek Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were a helicopter pad, camera, radios, nozzles and hoses with mounts, SCBA, TOG, and trucks. The Department received grant funding. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Cherry Mountain Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were TOG, medical equipment, and radios. The Department received grant funding. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Chimney Rock Volunteer Fire Department, Inc.

The Department's major purchases were SCBA and hoses. The Department received grant funding. Sales tax refund requests have been filed.

Cliffside Area Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were furniture, internet system, flooring, drop conversions, generators, alerting system, radios and chargers, and vehicle upgrades. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Ellenboro Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were radios, TOG, and SCBA. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Fairfield Mountains Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were major building and lawn improvements and SCBA. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Green Hill Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were a new vehicle, radios, TOG, hoses, and plans for a new station. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Hudlow Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were TOG and a sign. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Sandy Mush Volunteer Fire Department, Inc. 501(c)(4)

The Department's major purchases were fans and radios. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Shiloh-Danieltown-Oakland Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were a new truck, radios, major building and ground improvements, preparations for a new building, rescue equipment, and TOG. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Shingle Hollow Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were land improvements, an HVAC, and TOG. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

Union Mills Volunteer Fire Department, Inc. 501(c)(3)

The Department's major purchases were radios, hoses, racks, TOG, and SCBA. The Department has deposits in local banks in excess of the Federal Deposit Insurance Corporation limits. Sales tax/fuel tax refund requests have been filed. Form 990 has been filed.

C. ID-26-4501 Opioid Settlement Funds Project Proposal

Vice Chairman Toney moved to defer consideration on this issue. 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

D. ID-26-4496 Vannoy/Moseley Construction Agreement for Rutherford County Detention Center

Project Manager Aubrey Clay told the Board that the construction project at the Rutherford County Detention Center is now ready to move from the design/planning phase to the construction phase. Project Manager Clay introduced PreConstruction Manager Stephen Boyd and Sr. Project Manager Lance Haney who provided details on the construction phase. The project has been bid out to subcontractors.

Project goals included improving booking and intake space, increasing female housing capacity, and improving security and safety for officers.

Expansion Project Construction Total for Site and Building	\$7,863,394
Alternate #1 – Group Shower Exhaust	\$179,403
Alternate #2 – Mill and Overlay 3 rd Street	Rejected
Alternate #3 – Front Entry Gate	\$40,295
Alternate #4 – Back Sallyport	\$59,902
Alternate #5 – DOAS – 1 Replacement	\$323,017
Alternate #6 – Multipurpose Room Build Allowance)	\$45,000
Expansion Project Construction Total with Alternates	\$8,466,011

Commissioner Haulk made a motion to authorize the County Manager and the County Attorney to negotiate terms of the contract including the alternates 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. 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

E. ID-26-4494 Resolution approving an Ordinance Concerning the Fire Code, Fire Marshal, and Outdoor Burning

Fire Marshal Frankie Hamrick presented a resolution approving An Ordinance Concerning the Fire Code, Fire Marshal, and Outdoor Burning which would be a new Article II of Chapter 6 of the Code. The purpose of this was to adopt the state fire code, to codify the fire marshal's office and to add provisions for restrictions on outdoor burning and a potential burning ban when conditions warrant. Because of the nature of this ordinance, it cannot be adopted the same meeting it is introduced, so June 1 will be for the "first reading", to be followed by public hearing and potential adoption at the July 6 meeting if the Board elects to proceed.

Commissioner Benfield moved to acknowledge the first reading of the proposed Fire Code, Fire Marshal, and Outdoor Burning ordinance and set a public hearing for the July 6, 2026, regular meeting of the Board of Commissioner of Rutherford County. 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

VII. Closed Session

At 7:36 P.M. a motion was made by Commissioner Haynes and seconded by Vice Chairman Toney to go into Closed Session with the County Attorney, the Clerk to the Board, the Deputy County Managers, and the Human Resource Director for the following reasons.

- A. ID-26-4509 Personnel NCGS 143-318.11(a)(6)**
- B. ID-26-4508 LAND ACQUISITION NCGS 143-318.11(a)(5)**
- C. ID-26-4507 ATTORNEY CLIENT NCGS 143-318.11(a)(3)**

The vote on the motion was:

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

7:36 P.M. The Board went into Closed Session.
8:40 P.M. The Board returned to regular session.

Commissioner Haulk moved to appoint Ms. Tiffany Dodd as Director of Rutherford County Social Services. 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

Commissioner Haynes moved to approve the Resolution Authorizing Legal Action Regarding a Public Nuisance. 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 Authorizing Legal Action Regarding a Public Nuisance

WHEREAS, Sheriff Aaron Ellenburg has, pursuant to N.C. Gen. Stat. §19-2.1, requested the Alcohol Law Enforcement Division of the North Carolina Department of Public Safety to investigate alleged public nuisances and to make recommendations regarding actions to abate the public nuisances on specific properties within Rutherford County; and

WHEREAS, special agents of the Nuisance Abatement Team of the Alcohol Law Enforcement Division, working with Sheriff Ellenburg and deputies of the Rutherford County Sheriff's Office, and with the cooperation of its owners, have investigated an alleged public nuisance at 482 Morningstar Lake Road, Forest City, North Carolina; and

WHEREAS, the Alcohol Law Enforcement Division recommends that a civil action pursuant to N.C. Gen. Stat. §19-2.1, be instituted by Rutherford County to enjoin all persons from maintaining a public nuisance and to enjoin the use of any structure or thing adjudged to be a nuisance under Chapter 19 of the North Carolina General Statutes; and

WHEREAS, public nuisances as defined under Chapter 19 of the North Carolina General Statutes have strong and negative effects on neighboring homes and businesses and its residents, with both negative financial impacts and negative human impacts that affects the health, safety and welfare of the citizens of Rutherford County; and

WHEREAS, the Board of Commissioners of Rutherford County supports the efforts of Sheriff Ellenburg, the Rutherford County Sheriff's Office, and the Alcohol Law Enforcement Division of the North Carolina Department of Public Safety to protect the citizens of Rutherford County in this investigation and accepts and endorses their recommendations to proceed with such action.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF RUTHERFORD COUNTY RESOLVES THAT:

1. Civil action by Rutherford County to abate a nuisance under Chapter 19 of the North Carolina General Statutes regarding 482 Morningstar Lake Road, Forest City, North Carolina, is hereby authorized.

2. The Chairman of the Board of Commissioners, working with the County Attorney, County staff, the Rutherford County Sheriff's Office and the Alcohol Law Enforcement Division of the North Carolina Department of Public Safety, is authorized to institute such civil action and execute such instruments as may be required to effect the purposes and intents of this resolution, and the same hereby are, in all respects ratified, approved and confirmed.

ADOPTED this the 1st day of June, 2026

RES 26-013

IX. Adjournment

At 8:40 PM Commissioner Benfield made a motion to adjourn. 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

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners