

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD AT THE RUTHERFORD COUNTY OFFICE BUILDING IN THE COUNTY COMMISSIONERS' MEETING ROOM ON APRIL 2, 2012, AT 6:00 P.M.

**PRESENT: CHAIRMAN JULIUS OWENS
VICE CHAIRMAN BILL ECKLER
SUSAN CROWE
EDDIE HOLLAND
ROGER RICHARD**

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CALL TO ORDER AND ADOPTION OF AGENDA

Chairman Owens called the meeting to order.

Commissioner Crowe made a motion to approve the agenda.

County Manager Carl Classen requested that additional items be added under new business:

- consideration of a grant for the Sheriff's Department
- additional budget amendments
 - \$25,000 to send out state-mandated letters and to prepare corresponding documentation to collect delinquent motor vehicle taxes and
 - budget amendments for Ameridial and Wells Jenkins which would allow the county to execute building reuse grants and commit funds by the county prior to the grant award by the Rural Center.

Commissioner Crowe also requested that the resolution which had been included in the agenda under *IV. Commissioners, G. Commissioner Richard – Airport Authority* be removed and be replaced with a resolution which she had presented to the Board.

Chairman Owens asked that the Board consider adding discussion regarding a grant for an ADA ramp at the Courthouse. Manager Carlson recommended this item along with the grant for the Sheriff's Department be included with the budget amendments. Commissioner Crowe agreed to include the changes in her motion.

The motion to approve the agenda as amended passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

PUBLIC HEARING

Chairman Owens declared the Public Hearing to be open to hear comments regarding the granting of an industrial grant to Ameridial pursuant to North Carolina General Statute 158-7.1 in the

amount of \$25,594 for more, depending upon the amounts of capital investments and jobs created in the five years of operation at the Spindale, North Carolina facility.

Mr. Jim Lancaster of the Economic Development Commission presented a proposal for incentive grants from the county to Ameridial over five years for investments at their existing location. The value of the investments is estimated at \$1,680,000 and includes building improvements and equipment. They have committed to add 195 new jobs prior to the end of calendar year 2016. The incentives will be based on performance, and the Town of Spindale will contribute an equal incentive.

When no one else wished to speak, Chairman Owens declared to the public hearing to be closed.

Commissioner Crowe made a motion to approve the incentive grants to Ameridial Corporation, to direct the county attorney to review the agreement, and to authorize the county manager to sign and execute the agreement and related documents. Vice Chairman Eckler seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

PUBLIC COMMENTS

Mr. Bruce Baldwin, a property owner and member of the board of the Grey Rock Association, thanked the Commissioners for their successful efforts to secure the bond funds for completion of the roads in the Grey Rock area. He then asked Commissioners to approve the request from the property owners and the recommendation from the Planning Commission to reduce the width of the roads and to apply the resulting savings to the electricity infrastructure. Because of the lack of roads and electricity, people are deferring their plans to build homes in the area, according to Mr. Baldwin.

APPOINTMENT\COMMUNITY CHILD PROTECTION TEAM

Chairman Owens made a motion to approve the appointment of Robynn Spence to the Community Child Protection Team. Commissioner Crowe seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

APPOINTMENT\WESTERN HIGHLANS LOCAL MANAGEMENT ENTITY BOARD

Commissioner Richard made a motion to approve the appointment of Alan Carver to the Western Highlands LME to replace Susan Hendrix who has resigned. Vice Chairman Eckler seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

APPOINTMENT\LIBRARY BOARD

Vice Chairman Eckler made a motion to approve the re-appointment of Robin Lattimore to the Library Board as a representative from his district. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

APPOINTMENTS\EDC SEARCH COMMITTEE

Chairman Owens made a motion to add Vice Chairman Eckler and Commissioner Holland to serve on the committee conducting the search for a new EDC director. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

RESOLUTION\UNITED NATIONS AGENDA 21

Vice Chairman Eckler made a motion to adopt the resolution expressing disapproval of United Nations Agenda 21 and instructing that copies of the resolution be forwarded to the members of the US Congress and North Carolina legislators representing Rutherford County. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

RESOLUTION CONCERNING UNITED NATIONS AGENDA 21 — TO HEIGHTEN AWARENESS OF ITS IMPACT ON COMMUNITIES IN THE UNITED STATES

WHEREAS, the United Nations Agenda 21 is a comprehensive plan of extreme environmentalism, social engineering and global political control, that was initiated at the United Nations Conference on Environment and Development (LACED) held in Rio de Janeiro, Brazil, in 1992; and

WHEREAS, the United Nations Agenda 21 is being covertly pushed into local communities throughout the United States of .America through the International Council of Local Environmental Initiatives (ICLEI) through local sustainable development policies such as Smart Growth, Wildjands Project, Resilient Cities, Regional Visioning Projects, and other Green or Alternative projects; and

WHEREAS, this United Nations Agenda 21 plan of radical so-called sustainable development views the American way of life of private property ownership, single family homes, private car ownership and individual travel choices, and privately owned farms; all as destructive to the environment; and

WHEREAS, according to the United Nations Agenda 21 policy, social justice is described as the right and opportunity of all people to benefit equally front the resources afforded us by society and the environment which would be accomplished by socialist/communist redistribution of wealth; and

WHEREAS, according to the United Nations Agenda 21 policy National sovereignty is deemed a social injustice.

NOW, THEREFORE, BE IT RESOLVED by the Rutherford County Board of Commissioners that:

While supporting projected growth and development, the Rutherford County Board of Commissioners recognizes the destructive and insidious nature of United Nations Agenda 21 and hereby seeks to heighten the awareness of the public and that of public policy makers as to the dangerous intent of the plan; and

The United States government nor the states nor the local governments of the United States are legally bound by the United Nations Agenda 21 treaty in that it has never been endorsed by the United States Senate; and

The federal, state and local governments across this country should seek to be well informed of the underlying harmful implications of implementation of United Nations Agenda 21 destructive strategies for sustainable development and do hereby endorse rejection of its radical policies; and

Projected growth and development is the privilege of local communities with such policies being developed by the local governing bodies charged with the health, education and welfare of their respective citizens and their communities,

BE IT FURTHER RESOLVED that the Rutherford County Board of Commissioners authorizes its Chairman to execute the attached Resolution and direct the Clerk to the Board to transmit copies of this Resolution to United States Senator Kay Hagan, United States Senator Richard Burr, United States Congressman Heath Shuler, United States Congressman Patrick McHenry, North Carolina Senator Wes Westmoreland, and North Carolina Representative Mike Hager.

Adopted this the 2nd day of April, 2012.

RESOLUTION\LEGISLATION TO REQUEST GOVERNOR TO SECURE FUNDS TO PAY THE UNPAID PRINCIPAL OF THE FEDERAL UNEMPLOYMENT TAX ACT LOAN MADE TO THE STATE OF NORTH CAROLINA

Chairman Owens made a motion to adopt the resolution expressing support of a plan for the State of North Carolina to repay loans received from the federal government to pay unemployment benefits. Commissioner Crowe seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

RESOLUTION TITLE: LEGISLATIVE REQUEST: TO REQUEST THE GOVERNOR TO SECURE FUNDS TO PAY THE UNPAID PRINCIPAL OF THE FEDERAL UNEMPLOYMENT TAX ACT LOAN MADE TO THE STATE OF NORTH CAROLINA

WHEREAS, the Federal Unemployment Tax Act (FUTA, 26, U.S.C. ch. 23) imposes a federal employer tax used to help fund state workforce agencies which employers report annually via Internal Revenue Service Form 940. FUTA covers the federal share of the costs of administering the unemployment insurance and job service programs in every state. It also pays one-half of the cost of extended

unemployment benefits (during periods of high unemployment) and provides for a fund from which states may borrow, if necessary, to pay benefits; and,

WHEREAS, states that exhaust unemployment insurance accounts have the opportunity of turning to the federal government for loans to pay unemployment benefits. Loaned unemployment benefits must be paid back by the state(s) with interest; and,

WHEREAS, the State of North Carolina received its first advance in February 2009, interest began to accrue in January 2011 on the unpaid principal, and the State currently owes more than \$2.5 billion. The State made its first interest payment of \$78.8 million in September 2011; another payment of approximately \$106 million is due in September 2012. The State will be penalized since the unpaid principal has not been paid in full and that will trigger a 0.3% reduction of the FUTA tax credit annually until the debt is paid; and,

WHEREAS, in these difficult economic times, the State has forwarded letters to North Carolina businesses passing along the 0.3% per employee charge with a payment deadline of January 31, 2012. This greatly disappoints business operators who have been struggling during this economic downturn.

NOW, THEREFORE, BE IT RESOLVED that the Rutherford County Board of Commissioners, while steadfastly supporting its local businesses in this dire economy, calls upon the Governor of the Great State of North Carolina and its General Assembly to immediately prepare a plan to furnish the funds to pay the principal on the unpaid loan and to retract the payment directive issued to businesses throughout the State as these businesses must maintain viable operations and jobs to support the families of this State.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the Honorable Beverly Perdue, NC Governor; the Rutherford County Legislative Delegation to the NC General Assembly, the North Carolina Association of County Commissioners, and to the other 99 NC counties with our invitation to join us by adopting resolutions of their choice to support the businesses of North Carolina by retracting this mandate.

Adopted this the 2nd day of April, 2012.

RESOLUTION/AIRPORT AUTHORITY/AIRPORT ADVISORY BOARD

Commissioner Richard presented a motion to approve the resolution prepared by Commissioner Crowe requesting the General Assembly to revise the enabling act that established the Rutherford County Airport Authority to return control of the airport to the County Commissioners.

Vice Chairman Eckler made a motion to postpone action until January since he has been advised that it will not be possible to obtain action by the legislature in the current short session. Commissioner Holland seconded the motion.

Commissioner Richard and Commissioner Crowe spoke in favor of adopting the resolution now so that Commissioner Crowe will have the opportunity to vote on it; since she is not seeking reelection and will not be serving as a Commissioner in January.

The motion to delay action passed 3-2 with Commissioners Eckler, Holland, and Owens voting aye; Commissioners Crowe and Richard voting no; no Commissioners excused; and no Commissioners absent.

APPROVAL OF MINUTES

Commissioner Crowe made a motion to approve the minutes of the February 28, 2012 meeting. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

Commissioner Crowe made a motion to approve the minutes of the March 5, 2012 meeting. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

MEMORANDUM OF UNDERSTANDING/NATURAL RESOURCES CONSERVATION SERVICE/RUTHERFORD SOIL AND WATER CONSERVATION DISTRICT

Commissioner Crowe made a motion to approve the updated Memorandum of Understanding between the United States Department of Agriculture Natural Resources Conservation Service and North Carolina Department of Agriculture and Consumer Services – Division of Soil and Water Conservation and the Rutherford County Soil and Water Conservation District and Rutherford County, North Carolina to reflect changes from the previous agreement signed in 1999. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

REQUEST/RUTHERFORD OUTDOOR COALITION/DANIEL ROAD PROPERTY

Mr. Jerred Roberts spoke on behalf of the Rutherford Outdoor Coalition (ROC) to request use of the Daniel Road property on a temporary basis for a foot path as part of the trail system being developed by Isothermal Community College. ROC would develop and maintain the trail. He stated that it is understood that whatever investment ROC makes will be at their own risk and that the county may withdraw the agreement at any time.

Commissioners were told that the general liability insurance policy of the county will cover use of the trail. Commissioners expressed their concerns about the safety of users of the trail. The county attorney and county manager will assist in drawing up the agreements.

Vice Chairman Eckler made a motion to approve two agreements between ROC and the county for (a) lease and development of the Daniel Road property for recreational uses and (b) maintenance of the trail system. Commissioner Crowe seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

BECHTLER MINT DOCUMENTARY/MINT SITE IMPROVEMENTS

Jerry Stensland of the Recreation Department provided an update on the background and proposed improvements at the Bechtler site. UNC-TV plans to release its documentary about the Bechtlers this fall, and it is expected that people will come in search of the site, which is on county-owned property. The site is undeveloped. A plan in 2010 is being revisited to see if a scaled-back version might be acceptable.

County Manager Classen said no action was expected at this meeting. Additional information will be provided at the May meeting. Timing is important as the premiere of the documentary is September 29.

US221 IMPROVEMENTS

Manager Classen asked Jerry Stensland to present the recommendations he and other staff members have developed regarding the NCDOT's plans for the expansion of US 221 north of Roper Loop Road.

- Support option B-1 of the three alternatives in the Gilkey section. This alternative impacts the fewest homes and businesses and saves Gilkey Lumber company. Strongly encourage the DOT to find a means of honoring the wishes of the owner of the Historic Monteith House. The owner wishes that his house be torn down rather than the road be re-routed to save it. In options B-2 and B-3 the house is spared but either multiple other homes are lost or a significant portion of Gilkey Lumber is taken which would cost the loss of many jobs.
- Recommend that DOT look closely at safety issues for truck traffic near Gilkey Lumber and Hudlow Road. In both cases, fully-loaded 18-wheel trucks needing to go south on 221 will be required to travel north first and then do a U-Turn and come uphill to go south creating a safety concern of very slow moving trucks. A significant amount of truck traffic travels between Gilkey Lumber and a chip mill operation on Centennial Road.
- As one end of Roper Loop Road is proposed to be a cul-de-sac and would create an extended response time for emergency vehicles, propose an access road be built either for local use or limited to emergency vehicle use.
- Examine the area of Gilkey School Road, Lawing Mill Road and Painters Gap Road for safety and a potential realignment to bring those roads together as a 'T' intersection be considered.
- Properly identify the Bechtler Mint Historic Site on the maps as a National Register of Historic Places site and any appropriate accommodations for access to the site be considered.
- Properly identify the Thermal Belt Rail Trail on maps as a public trail and that access to that trail be accommodated particularly at the trail's beginning point at Oak Springs Road. It is

currently shown as "Abandoned Railroad." The trail starts at Oak Springs Road and continues to Oakland Road in Spindale.

- Finally, the county has concerns about the safety of cyclists needing to cross the highway, and shares the DOT's wish to discourage cyclist use of 221. The county does not feel that it is safe for a cyclist to cross the highway where two side roads meet due to the Superstreet design. Cyclists are forced to ride on the main highway and do a U-Turn to 'legally' cross the highway.

Commissioner Crowe made a motion to adopt the recommendations to NCDOT for the Transportation Improvement Plan and to forward them to Josh King, regional transportation consultant for the Department of Transportation. Vice Chairman Eckler seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

SURETY BONDS FOR COUNTY OFFICIALS

Vice Chairman Eckler made a motion to approve the bonds for county finance officer and county manager. Commissioner Crowe seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

Surety Bonds Approved for County Officials:

Finance Director \$50,000

County Manager \$100,000

LEASE/HENSON ROAD PROPERTY/GEORGE HARDY

Commissioner Crowe made a motion to approve the renewal of the lease with Mr. George Hardy for the right to farm the property owned by the county at US 221 South and Henson Road for the period July 1, 2012 through June 20, 2012. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

RESOLUTION/SERVICE REVOLVER/DEPUTY ROBERT HOLLER

Commissioner Crowe made a motion to approve the resolution awarding his service revolver for the amount of \$1.00 to Deputy Robert Holler who is retiring. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

Resolution Acknowledging the Service of Deputy Robert J. (Bob) Holler and Awarding His Service Revolver to Him

WHEREAS, Deputy Robert J. (Bob) Holler has served Rutherford County Sheriff's Department for many years; and

WHEREAS, Deputy Holler has dedicated his life to law enforcement and public service; and;

NOW, THEREFORE BE IT RESOLVED, the Board of Commissioners of the County of Rutherford, in accordance with NC General Statute 20-187.2, do hereby award Deputy Holler his service revolver (P-220 Sig Sauer, Serial #G366172) in exchange for consideration of \$1.00.

Approved this the 2nd day of April, 2012.

CONTRACT\SCRAP TIRE AND DISPOSAL

Commissioner Crowe made a motion to approve the renewal of the contract with U.S. Tire Recycling; direct the County Attorney to review; and authorize the County Manager to execute the contract and other documents in support of the Board's action. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

TAX REFUNDS AND RELEASES

Commissioner Richard made a motion to approve tax refunds of \$2,133.54 and tax releases greater than \$100 totaling \$6,940.89 as outlined by Interim Tax Collector Rheba Ward. Tax releases of amounts less than \$100, which totaled \$2,498.57, were submitted by the Finance Office. (A copy of these tax refunds and releases is in the Minute Book.) Commissioner Crowe seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

BUDGET AMENDMENTS

Finance Director Roach presented and explained the budget amendments.

Chairman Owens asked that line items be added to the budget for the receipt and dispersal of contributions toward the construction of a handicap access ramp to the lawn of the Courthouse.

Vice Chairman Eckler made a motion to approve the budget amendments as amended. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

	Expenditures	Revenues
GENERAL FUND		
Governing Body - Professional Services Engineering (Queens Gap)	\$ 11,500	
Governing Body - Professional Services Engineering (previously for Grey Rock)	\$ (7,000)	

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	Expenditures	Revenues
Fund Balance Appropriated *professional engineering services for Queens Gap; reallocate funds budgeted for Grey Rock in Sept 2011 prior to the Bond Settlement and appropriate additional funds needed for Queens Gap for a total of \$11,500		\$ 4,500
Youth Detention	\$ 25,200	
Court Facilities Fund Balance Appropriated *additional funds needed for youth detention		\$ 25,200
Sheriff - Travel	\$ 504	
Sheriff Receipts*reimbursement received for detective training/travel		\$ 504
Sheriff - Evaluations	\$ 50	
Sheriff Receipts *reimbursement received for reserve officer screenings		\$ 50
Sheriff - Overtime Salaries	\$ 1,500	
Sheriff - Part Time Salaries	\$ 500	
Sheriff Donations * grant received to assist with the Pill Drop Program		\$ 2,000
Sheriff - Uniforms/Equipment Road Patrol	\$ (8,600)	
Transfer to Grant Fund *local match for bulletproof vest grant (50/50 grant program)	\$ 8,600	
Sheriff - Project Lifesaver	\$ 120	
Project Lifesaver Donations *donations received		\$ 120
Emergency Management Federal Grant	\$ 14,631	
Emergency Management Task Force Supplies *additional funding received; no local match		\$ 14,631
EMS - Salaries Regular	\$ (50,000)	
EMS - Salaries Overtime	\$ 120,000	
EMS - Part-time Salaries	\$ 49,000	
EMS - Holiday Pay	\$ (15,000)	
EMS - Health Insurance	\$ (16,000)	
Tax Office – Supplies for Debt Setoff Program	\$25,000	
Fund Balance Appropriated *additional funds needed to prepare outstanding tax bills for the debt setoff program (includes postage/postage and research fees)		\$25,000
Transfer to Grant Fund – Ameridial Rural Center March	\$19,250	
EDC Industrial Incentives *matching funds for Rural Center Grant	(\$19,250)	
Transfer to Grant Fund – Wells Jenkins Rural Center March	\$7,200	
EDC Industrial Incentives *matching funds for Rural Center Grant	(\$7,200)	
EMS - Emergency Management Task Force	\$ (10,000)	
EMS - Travel	\$ (4,000)	

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	Expenditures	Revenues
EMS - Code Red	\$ (2,400)	
EMS - Telephone	\$ (1,000)	
EMS - Maintenance to Equipment	\$ (1,600)	
EMS Collections		\$ 50,000
Fund Balance Appropriated *additional overtime and part-time salaries needed due to worker's comp injuries		\$ 19,000
EDC - Salaries	\$ 75,000	
EDC - FICA	\$ 5,738	
EDC Management Contract * line item transfer; Board action taken at October 2011 meeting	\$ (80,738)	
DSS FUND		
Low Income Energy Assistance Program Expenditures	\$ 19,000	
Low Income Energy Assistance Program Revenues *additional funding received		\$ 19,000
GRANT FUND		
Thermal Belt Rail Trail Project	\$ 95,000	
DENR Recreational Trail Grant		\$ 75,000
Local Private Match *grant received to help pave a portion of the trail; local donor to provide matching funds		\$ 20,000
NC Housing Finance - Duke HELP Program Expenditures	\$ 20,000	
NC Housing Finance - Duke HELP Program *grant funds received		\$ 20,000
Bulletproof Vest Grant Expenditures	\$ 17,200	
Bulletproof Vest Grant		\$ 8,600
Transfer from General Fund - Local Match *50/50 grant for Sheriff's Office received		\$ 8,600
Ameridial Building Reuse Expenditures	\$385,000	
Professional Services – Grant Administration	\$7,750	
Local Match – Building Renovations	\$11,500	
Rural Center Grant – Building Reuse Grant		\$385,000
Transfer from General Fund – Local Match *grant application submitted March 16		\$19,250
Wells Jenkins Building Reuse Expenditures	\$144,000	
Professional Services – Grant Administration	\$3,000	
Local Match – Building Renovations	\$4,200	
Rural Center Grant – Building Reuse Grant		\$144,000
Transfer from General Fund – Local Match *record budget for grant awarded; 5% local match required		\$7,100
TRANSIT FUND		
State Grant EDTAP		\$ 750
State Admin Grant		\$ (9,188)

	Expenditures	Revenues
State Grant RGP		\$ 705
Salaries - Part Time	\$ 12,923	
Fuel *adjust budget per dept head due to State funding changes	\$ (20,656)	
Capital Outlay - Equipment	\$ 7,500	
Sale of Transit Property *additional funds needed for GPS feature with radio upgrades		\$ 7,500

2012 AUDIT CONTRACT

Commissioner Crowe made a motion to approve the third year of the of the three year contract with Gould Killian CPA Group for financial auditing services; direct the County Attorney to review; and authorize the County manager to execute contract and other documents in support of the Board's action. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

BYRNE MEMORIAL GRANT\SHERIFF'S DEPARTMENT

Commissioner Crowe made a motion approve the application by the Sheriff's Department for grant funding from the Edward Byrne Memorial Justice Assistance (JAG) Grant Program that provides federal criminal justice funding to local law enforcement through the State of North Carolina, and to hold a public hearing at the time of the May regular meeting. Commissioner Richard seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

BOARD OF EQUALIZATION AND REVIEW FOR 2012

Manager Classen reminded the Board that it was agreed at the March meeting that the compensation for members of the 2012 Board of Equalization and Review would be discussed at this meeting. Compensation for the 2011 board members was \$10 per hour per person. Prior to 2011 compensation had been \$20 per hour per person. Mr. Classen advised that there is adequate funding in the present budget year for 800 hours for all five members of the Board of E&R at a rate higher than the \$10 per hour.

Chairman Owens stated that his recommendation would be that citizens should be adequately compensated for their hours of service; however, because Commissioners have volunteered for this duty, he recommended that these Commissioners be paid the government mileage rate to and from the meetings.

Commissioner Richard made a motion to raise the compensation to \$15 per hour for both citizens and Commissioners. Commissioner Crowe seconded the motion. The motion passed 3-2

with Commissioners Crowe, Holland, and Richard voting aye; Commissioners Owens and Eckler voting no; no Commissioners excused, and no Commissioners absent.

CLIFFSIDE SANITARY DISTRICT/APPOINTMENTS/LOCAL LEGISLATION

Manager Classen reported on the current status of the Cliffside Sanitary District. He said the system can be made to work as it was built. It needs to be modified and brought up to standards, and he recommended grant applications to address the problems. The budget for the District is showing only minor losses mainly because of savings realized from improvements to the electrical systems.

Commissioner Holland made a motion to approve the appointment of Barry Jones and Chad Radford to serve as members of the Cliffside Sanitary District. Commissioner Crowe seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

Commissioner Richard made a motion that a local act be introduced to the General Assembly that would allow property owners or agents of property owners to serve on the Sanitary District Board. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

GREY ROCK\PROJECT ORDINANCE\ROADWAYS

County Manager Carl Classen called the Board's attention to a capital project ordinance for the Greyrock project and asked that the Board consider approving it. He advised that this will be a multi-year project, but will have a single budget.

Commissioner Crowe moved that the Grey Rock Infrastructure Project (Ordinance No. 2012-0402) be approved. There was a second to the motion by Vice Chairman Eckler, and the Board voted unanimously in favor.

**COUNTY OF RUTHERFORD
GREY ROCK INFRASTRUCTURE PROJECT
Ordinance No. 2012-04-02**

Be it hereby ordained by the Board of Commissioners of Rutherford County, North Carolina, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following project ordinance is adopted.

SECTION 1: The project authorized is the Grey Rock Infrastructure Project.

SECTION 2: The Rutherford County staff is hereby directed to proceed with the project within the terms of the budget contained herein.

SECTION 3: The following revenues and resources are anticipated to be available to complete the project activities:

Grey Rock Infrastructure Project Bond Safeguard Settlement – Grey Rock Infrastructure	\$15,250,000
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SECTION 4: The following amounts are appropriated for the project activities:

Grey Rock Infrastructure Project	
Preliminary Construction and Design:	
Legal Fees	\$300,000
Professional Services – Engineering/Surveying	176,500
 Construction and Design:	
Surveying	144,751
Construction Administration Fees	469,502
Engineering Design Fees	746,629
Construction and Design	11,737,550
Construction Contingency	1,173,755
Administration and Contingency-Grey Rock Infrastructure Project	501,313
 Grey Rock Infrastructure Project – Total	 \$15,250,000

Section 5. The Finance Officer is hereby authorized to set up and maintain a Special Revenue Fund for this project.

Section 6. The Finance Officer is hereby directed to report quarterly on the financial status of each project element in Section 4 and on the total revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission made to this board.

Section 8. Copies of this project ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Adopted this the 2nd day of April, 2012.

Manager Classen also told the Board that a request had been received from the GreyRock Community Association asking that the Board approve a reduction in the design and construction of the roadways in Phases 1 and 2 of the subdivision. GRCA stated that in building the roads at reduced widths, there would be a significant cost savings that could be applied to other GreyRock infrastructure.

Mr. Classen reported that it has been clarified by legal counsel that this decision must be made by the Board of Commissioners. The Rutherford County Planning Commission has recommended approval of the request by the GRCA. He also reported that responses from the Fire Services and the Emergency Medical Services did not support the request due to safety issues.

Vice Chairman Eckler asked whether bond funds could be used for purposes other than road construction. Attorney Richard Williams said it was his opinion and that of Attorney Will Esser who handled the GreyRock settlement that the bond funds received could not be used for other projects in GreyRock not specified in the bonds.

Commissioner Crowe moved that the GreyRock project be approved as it was originally designed. The motion was seconded by Commissioner Richard.

Emergency Medical Services Director Richard Pettus told those present that equipment used by emergency providers is usually large with a greater turning radius. Therefore, there is a concern regarding maneuvering on narrower roads and also the concern of equipment sliding off the roadways. Public Works and Planning Director Danny Searcy stated that the Planning Commission had not been aware of these safety concerns when the Commission had recommended that the request from GRCA be approved by the Board of Commissioners.

The motion passed 5-0 with Commissioners, Crowe, Eckler, Holland, Owens, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

CLOSED SESSION/ATTORNEY CLIENT NCGS 143-318.11(a)(3)/INDUSTRIAL LOCATION/N.C.G.S. 143-318.11(a)(4)

Vice Chairman Eckler moved that the Commissioners go into closed session for Attorney Client under NC G.S. 143.318.11(a)(5) and Industrial Location under NC G.S. 143-318.11(a)(4) and include Mr. Jim Lancaster of the EDC in the discussion regarding industrial location. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens, and Richard voting aye; no Commissioners voting no; no Commissioners excused, and no Commissioners absent.

7:42 P.M. The Board went into Closed Session.

8:43 P.M. The Board returned to Open Session.

ADJOURNMENT

Commissioner Richard made a motion to adjourn. Commissioner Crowe seconded the motion. The motion passed 5-0 with Commissioners Crowe, Eckler, Holland, Owens, and Richard voting aye; no Commissioners voting no; no Commissioners excused; and no Commissioners absent.

Meeting adjourned at 8:43 P.M.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

Attest:

Clerk, Board of Commissioners