



Rutherford County

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

Meeting Agenda Board of Commissioners

Monday, November 3, 2014

6:00 PM

Commission Chambers

I. Call to Order

A. Pledge of Allegiance

B. Agenda Approval

II. Public Comments

Citizens who wish to speak must register with the Human Resources Director who will be located in the Board Meeting Room. Comments should be limited to five (5) minutes. Written comments submitted prior to the Board meeting will be copied and distributed to the County Commissioners.

Public comments are a time for any citizen, guest or business to express an opinion or view on County Government to the County Commissioners. Clapping, cheering, booing or catcalls following one speaker's comments may inhibit another person with an opposing view from speaking now or later. The Commissioners ask that audience members show respect for other people and refrain from any noise during public comments.

III. Public Hearings

- | | | |
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| A. | Public Hearing - Appalachian Development Transportation Assistance Program | Page 1 |
| B. | Public Hearing - NCDOT 5311 Grant | Page 5 |

IV. Consent Agenda

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| A. | Minutes of Special Meeting of October 2, 2014 | Page 9 |
| B. | Minutes of Special Meeting of October 6, 2014 | Page 13 |
| C. | Minutes of October 6, 2014 | Page 16 |
| D. | Tax Refunds and Releases - November, 2014 | Page 33 |

V. Commissioners/Appointments

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| A. | Recognition of EMS Employee - Lieutenant Amanda Shires | Page 51 |
| B. | Presentation of Biggerstaff's Old Fields Site as Certified Protected Segment of the Overmountain Victory National Historic Trail | Page 52 |

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VI. Commissioner Reports

- A. Solid Waste Report Page 54
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VII. Old Business

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VIII. New Business

- A. Applied Science Center Grant Application Page 75
B. Economic Development Building Reuse Grant - Family Preservation Page 76
C. Safe Roads Safe Homes Program Resolution Page 79
D. Lease Agreement for Indoor Farmers' Market Page 81
E. Rutherford Soil and Water Conservation New Master Agreement Page 85
F. Recommended Changes to Personnel Policy Page 87
G. Rail Trail Use Request - Run Against Addition Page 100
H. December County Commissioners' Meeting Page 101
I. Chimney Rock Village - Flood Protection Ordinance Administration Page 103

IX. Information

- A. Tax Collector's Report - November, 2014 Page 105

X. Adjournment

RUTHERFORD COUNTY IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (828) 287-6045.



Agenda Summary Sheet

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

File #: ID 14-481, **Version:** 1

Meeting Date: November 3, 2014

Public Hearing - Appalachian Development Transportation Assistance Program

Summary:

The public hearing is to approve a new competitive grant through the Federal Transportation Administration for those counties located within the Appalachian Regional Commission. This includes 29 counties in North Carolina. Transit is requesting operational funding to provide transportation to dialysis patients, expand groceries services, and start a new service for laundry services or other basic health needs. Operational funds require a 50% match. Transit will match these funds through the current revenues collected.

Budget:

N/ A

Contact Information:

Kerry Giles, Transportation Director
288-4505
kerry.giles@rutherfordcountync.gov

Recommended Motion:

Approve grant.

PUBLIC HEARING NOTICE

This is to inform the public that a public hearing will be held on the proposed Rutherford County Appalachian Development Transportation Assistance Program (ADTAP) to be submitted to the North Carolina Department of Transportation no later than November 21, 2014. The public hearing will be held on November 3, 2014 at 6:00 pm before the Rutherford County Board of Commissioners.

Those interested in attending the public hearing and needing either auxiliary aids and services under the Americans with Disabilities Act (ADA) or a language translator should contact Kerry Giles on or before October 31, 2014, at telephone number 828-288-4505 or via email at Kerry.giles@rutherfordcountync.gov.

The Appalachian Development Transportation Assistance Program provides assistance to coordinate existing transportation programs operating in Rutherford County as well as provides transportation options and services for the communities within this service area. These services are currently provided using 15 passenger vans. Services are rendered by Rutherford County Transit.

The total estimated amount requested for the period July 1, 2015 through June 30, 2016

Project	Total Amount	Local Share	
Capital (Vehicles & Other)	\$	\$	(20%)
Operating	\$ 87,298	\$ 43,649	(50%)
TOTAL PROJECT	\$ 87,298	\$ 43,649	
Total Funding Request		Total Local Share	

This application may be inspected at Rutherford County Transit from 8:30 am – 5:00 pm. Written comments should be directed to Kerry Giles before November 3, 2014.

End of Notice

Note: AN ORIGINAL COPY of the published Public Hearing Notice must be attached to a signed Affidavit of Publication.

Appalachian Development Transportation Assistance Program

Section 5311 **FY 2016 RESOLUTION**

Applicant seeking permission to apply for Appalachian Development Transportation Assistance 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 _____ and seconded by _____ 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 public transportation services consistent with the policy requirements 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, Rutherford County 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, 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.

NOW, THEREFORE, be it resolved that the County Manager of Rutherford County is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I Hazel Haynes, Clerk to the Board of County Commissioners do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Rutherford County Board of Commissioners duly held on the 3rd day of November, 2014.

Signature of Certifying Official

***Note that the authorized official, certifying official, and notary public should be three separate individuals.**

Seal Subscribed and sworn to me (date) _____

*Notary Public**

Printed Name and Address

My commission expires (date) _____

Affix Notary Seal Here

Important – A public hearing MUST be conducted whether or not requested by the Public.

PUBLIC HEARING RECORD

APPLICANT: Rutherford County

DATE: November 3, 2014

PLACE: 289 N. Main Street, Rutherfordton, NC 28139

TIME: 6:00 pm

How many BOARD MEMBERS attended the public hearing? 5

How many members of the PUBLIC attended the public hearing?

Public Attendance Surveys

(Attached)

(Offered at Public Hearing but none completed)

I, the undersigned, representing (*Legal Name of Applicant*) Rutherford County do hereby certify to the North Carolina Department of Transportation, that a Public Hearing was held as indicated above and

During the Public Hearing

(*NO public comments*)

(*Public Comments were made and meeting minutes will be submitted after board approval*)

The estimated date for board approval of meeting minutes is: 12-1-14

Signature or Clerk to the Board

Printed Name and Title

Date

Affix Seal Here



Agenda Summary Sheet

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

File #: ID 14-480, Version: 1

Meeting Date: November 3, 2014

Public Hearing - NCDOT 5311 Grant

Summary:

The public hearing is to approve a grant provided to Community Transportation Systems through the Federal Transportation Administration and NCDOT. Funds will be utilized for administrative and capital costs. Administrative costs include partial salaries, drug testing, office supplies, marketing, training, and vehicle insurance among others. Capital requests for FY15-16 include five replacement vehicles for those that have met the NCDOT mile replacement designation. Administrative costs require a 15% match and capital requests require a 10% match. All matching funds will be available through Transit's current revenues collected.

Budget:

N/A

Contact Information:

Kerry Giles, Transportation Director
288-4505
kerry.giles@rutherfordcountync.gov

Recommended Motion:

Approve grant.

PUBLIC HEARING NOTICE

This is to inform the public that a public hearing will be held on the proposed 2016 Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than November 21, 2014. The public hearing will be held on November 3, 2014 at 6:00 pm before the Rutherford County Board of Commissioners.

Those interested in attending the public hearing and needing either auxiliary aids and services under the Americans with Disabilities Act (ADA) or a language translator should contact Kerry Giles on or before October 31, 2014, at telephone number 828.288.4505 or via email at kerry.giles@rutherfordcountync.gov.

The Community Transportation Program provides assistance to coordinate existing transportation programs operating in Rutherford County as well as provides transportation options and services for the communities within this service area. These services are currently provided using 15 passenger vans and LTV buses. Services are rendered by Rutherford County Transit.

The total estimated amount requested for the period July 1, 2015 through June 30, 2016

Project	Total Amount	Local Share	
Administrative	\$ 196,467	\$ 29,471	(15%)
Capital (Vehicles & Other)	\$ 329,132	\$ 32,914	(10%)
Operating (Small fixed-route, regional, and consolidated urban-rural systems only)	\$ 0	\$ 0	*(50%) or more *Note: Small Fixed Route systems must contribute more than 50%
TOTAL PROJECT	\$ 525,599	\$ 62,385	
Total Funding Request		Total Local Share	

This application may be inspected at 294 Fairground Road, Spindale, NC 28160 from 8:00 am – 4:00 pm. Written comments should be directed to Kerry Giles before October 31, 2014.

End of Notice

Note: AN ORIGINAL COPY of the published Public Hearing Notice must be attached to a signed Affidavit of Publication.

COMMUNITY TRANSPORTATION PROGRAM RESOLUTION

Section 5311
FY 2016 RESOLUTION

Applicant seeking permission to apply for Community 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 _____ and seconded by _____ 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 public transportation services consistent with the policy requirements 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, Rutherford County 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, 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.

NOW, THEREFORE, be it resolved that the County Manager of Rutherford County is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I Hazel Haynes, Clerk to the Board of County Commissioners do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Rutherford County Board of Commissioners duly held on the 3rd day of November, 2014.

Signature of Certifying Official

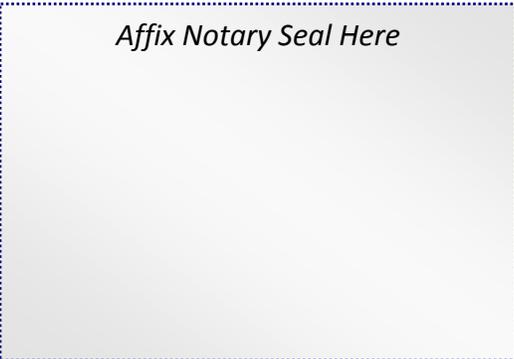
****Note that the authorized official, certifying official, and notary public should be three separate individuals.***

Seal Subscribed and sworn to me (date) _____

*Notary Public**

Printed Name and Address

My commission expires (date) _____



Important – A public hearing MUST be conducted whether or not requested by the Public.

PUBLIC HEARING RECORD

APPLICANT: Rutherford County

DATE: November 3, 2014

PLACE: 289 N. Main Street, Rutherfordton, NC 28139

TIME: 6:00 pm

How many BOARD MEMBERS attended the public hearing? 5

How many members of the PUBLIC attended the public hearing?

Public Attendance Surveys

(Attached)

(Offered at Public Hearing but none completed)

I, the undersigned, representing (*Legal Name of Applicant*) Rutherford County do hereby certify to the North Carolina Department of Transportation, that a Public Hearing was held as indicated above and

During the Public Hearing

(*NO public comments*)

(*Public Comments were made and meeting minutes will be submitted after board approval*)

The estimated date for board approval of meeting minutes is: 12-1-14

Signature or Clerk to the Board

Printed Name and Title

Date

Affix Seal Here



Agenda Summary Sheet

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

File #: ID 14-456, Version: 1

Meeting Date: November 3, 2-14

Minutes of Special Meeting of October 2, 2014

Summary:

Minutes of the Special Meeting of October 2, 2014 are presented for the Board's consideration.

Budget:

N/A

Contact Information:

Hazel Haynes, Clerk to the Board
287-6045
hazel.haynes@rutherfordcountync.gov

Recommended Motion:

Approve minutes.



Rutherford County

Board of Commissioners

Minutes of Special Meeting of October 2, 2014

I. Call to Order

Chairman Eckler called the October 2, 2014 Special Meeting of the Rutherford County Board of Commissioners to order.

Present: Chairperson Bill Eckler, Commissioner Greg Lovelace, and Commissioner Julius Owens.

Absent: Vice Chairman Holland and Commissioner Richard

A. Agenda Approval

Commissioner Owens made a motion to approve the agenda of the Special Meeting. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Lovelace, and Commissioner Owens.

Noes: Commissioner Holland and Commissioner Richard

II. New Business

A. Request to Add Side Markers to the Firefighters' Memorial

County Manager Carl Classen told the Board that the Rutherford County Firefighters' Association had requested that two side markers with names of firefighters be added to the Firefighters' Memorial on the Courthouse Lawn. A memorial Service will be held on October 5.

Commissioner Owens made a motion to approve the request. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Lovelace, and Commissioner Owens.

Noes: Commissioner Holland and Commissioner Richard

5:03 P.M. - Vice Chairman Holland entered the meeting.

B. Review of Agenda for October 6, 2014 County Commissioners' Meeting

County Manager Carl Classen reviewed the agenda for the upcoming October 6, 2014 regular meeting of the Rutherford County Board of Commissioners. He asked that the Board consider removing *VII. New Business, H. Chimney Rock Village – Flood Protection Ordinance Administration.* Items which were reviewed were:

II. Public Hearings

- A. Rural Operating Assistance Program Public Hearing

IV. Consent Agenda

- A. Minutes of Special Meeting of September 4, 2014
- B. Minutes of September 8, 2014
- C. Tax Refunds and Releases - October, 2014

V. Commissioners/Appointments

- A. Resolution Honoring Fleming Bell
- B. Appointment to Watershed Commission
- C. Appointment - Forest City Fire Department Board of Trustees for Firemen's Relief Fund
- D. Appointments to NC Arts Council Grassroots Committee
- E. Appointments to Airport Appeals Board
- F. Commissioner Richard - Animal Control Department
- G. Workforce Innovation and Opportunity Act Resolution
- H. Request to NCDOT for Highway 74 Interstate Status – Resolution

VI. Old Business

- A. Bids on Rutherford County Surplus Property

VII. New Business

- A. Sheriff Chris Francis - Animal Control Facility
- B. MSW Solid Waste Study
- C. Budget Amendments
- D. Request to Sell Surplus Vehicles and Equipment
- E. Grey Rock Projects 12
- F. Interlocal Agreement - Collection of Sewer Fees - Town of Spindale

- G. Community Project Grants
- H. Chimney Rock Village - Flood Protection Ordinance Administration
- I. PANGAEA IRU Requests

X. Adjournment

Commissioner Owens made a motion to adjourn. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

5:38 P.M. - Adjourned.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners



Agenda Summary Sheet

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

File #: ID 14-455, Version: 1

Meeting Date: November 3, 2014

Minutes of Special Meeting of October 6, 2014

Summary:

Minutes of the Special Meeting of October 6, 2014 are presented for the Board's consideration.

Budget:

N/A

Contact Information:

Hazel Haynes, Clerk to the Board
287-6045
hazel.haynes@rutherfordcountync.gov

Recommended Motion:

Approve minutes.



Rutherford County

Board of Commissioners

Minutes of Special Meeting of October 6, 2014

I. Call to Order

Chairman Eckler called the October 6, 2014 Special Meeting of the Rutherford County Board of Commissioners to order.

Present: Chairperson Bill Eckler, Vice Chairman Holland, Commissioner Greg Lovelace, Commissioner Julius Owens, and Commissioner Roger Richard.

Absent: None

II. Closed Session/PROPERTY ACQUISITION/N.C.G.S. 143-318.11(a)(5)/ATTORNEY CLIENT NCGS 143-318.11(a)(3)

Commissioner Owens made a motion to go into Closed Session for **PROPERTY ACQUISITION/N.C.G.S. 143-318.11(a)(5) and ATTORNEY CLIENT NCGS 143-318.11(a)(3) with Building Inspection Director Jason Ruff and Public Works and Planning Director Danny Searcy attending the first portion of the meeting and Human Resources Director Debra Conner attending a later portion. Vice Chairman Holland seconded the motion. The vote on the motion was:**

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

5:01 P.M. - The Board went into Closed Session

5:38 P.M. - The Board returned to regular session.

III. Adjournment

Commissioner Owens made a motion to adjourn the meeting. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

5:38 P.M. - Adjourned.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners



Agenda Summary Sheet

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

File #: ID 14-454, Version: 1

Meeting Date: November 3, 2014

Minutes of October 6, 2014

Summary:

Minutes of the regular meeting of October 6, 2014 are submitted for the Board's consideration.

Budget:

N/A

Contact Information:

Hazel Haynes, Clerk to the Board
287-6045
hazel.haynes@rutherfordcountync.gov

Recommended Motion:

Approve minutes.



Rutherford County

Board of Commissioners

Minutes of Regular Meeting of October 6, 2014

I. Call to Order

Chairman Eckler called the October 6, 2014 meeting of the Rutherford County Board of Commissioners to order.

Present: Chairperson Bill Eckler, Vice Chairman Holland, Commissioner Greg Lovelace, Commissioner Julius Owens, and Commissioner Roger Richard.

Absent: None

A. Pledge of Allegiance

Commissioner Richard led in the Pledge of Allegiance.

B. Agenda Approval

Chairman Eckler asked that two items be removed from the agenda for the meeting. The items were:

V. Commissioners/Appointments

E. Appointments to Airport Appeals Board

VII. New Business

H. Chimney Rock Village – Flood Protection Ordinance Administration

Commissioner Owens moved to approve the agenda with the two deletions. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

II. Public Hearing

A. Rural Operating Assistance Program

6:01 P.M. - Chairman Eckler opened the Public Hearing on the proposed Rural Operating Assistance Program (ROAD) application to be submitted to the North Carolina Department of Transportation by the County of Rutherford. The hearing was being held to inform the public of the opportunity to comment on the application.

Transportation Director Kerry Giles told the Board that the County is applying for the following amounts of FY 2015 Rural Operating Assistance Program funds:

State-funded Rural Operating Assistance Program	Allocated	Requested
Elderly and Disabled Transportation Assistance Program (EDTAP)	\$ 71,925	\$ 74,552
Employment Transportation Assistance Program (EMPL)	\$ 22,969	\$ 27,895
Rural General Public Program (RGP)	\$ 73,222	\$ 95,362
Total	\$168,116	\$197,809

Commissioner Lovelace moved to approve the Certified Statement for the FY 2015 Rural Operating Assistance Program and authorize the County Manager to sign and execute necessary documentation. Commissioner Owens seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

III. Public Comments

Mr. Clark Poole, Director of the Rutherford County Chamber of Commerce spoke of Game Changers that are occurring in Rutherford County - the Tryon International Equestrian Center, the efforts of Isothermal Community College to meet needs of business and industry, and the Rutherford Regional Hospital's affiliation with Duke Lifepoint. He told the Board that the Chamber unanimously supports the proposed runway extension at the Rutherford County Airport as it will be a catalyst in creating new jobs and recruiting businesses.

Mr. Boyce Abernathy told the Board that the John Locke Foundation had scored Rutherford County's website and had provided a list of items that should be included. This would provide transparency to citizens.

Ms. Kimmie Sisk, a Senior at Thomas Jefferson Classical Academy said she has been a volunteer at the Community Pet Center for several years. She listed duties that she performs at the Center and stated her plans to continue volunteering following her graduation.

Ms. Suzanne Lachowski provided a resume and stated her wish to become the new shelter manager at Animal Control in Rutherford County. As manager, she would make necessary changes in animal welfare to better serve the animals and residents of the community.

Ms. Lauren Billings presented a letter to the Board from Lisa Shumate, DVM, that offered guidance to selecting an Animal Shelter Manager.

Ms. Joanne Benware asked that the Board delay any action on transferring the administration of the Animal Shelter to another entity until proper research has been completed.

Ms. Carol Parham reviewed a chart showing the number of animal saved per year since 1995. She said the impact of animal welfare organizations have had a very positive effect on the efforts to save animals. She suggested that keeping the shelter open after hours and weekends would mean more adoptions.

Mr. Keith Conover of the North Carolina Department of Commerce told the Board that Rutherford County was one of thirteen counties in the state that was selected for a broadband study. He encouraged those who suffer problems with internet access to complete forms which were offered. There has been successful broadband deployment in several counties.

IV. Consent Agenda

Commissioner Owens made a motion to approve items on the Consent Agenda. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

A. Minutes of Special Meeting of September 4, 2014

B. Minutes of September 8, 2014

C. Tax Refunds and Releases – May 5, 2014

Refund amount totaling \$5,257.17

Releases greater than \$100 totaling \$145,522.81

Releases less than \$100 totaling \$2,950.04

(A copy of these tax refunds and releases is typed in the Minute Book.)

V. Commissioners/Appointments

A. Resolution Honoring Fleming Bell

County Manager Carl Classen told the Board that Fleming Bell has been an icon at the School of Government for many years. His services to local governments in North Carolina have been invaluable. Fleming Bell has retired, and a reception honoring him will be held on October 14. A resolution of appreciation by the Rutherford County Board of Commissioners was presented for consideration by the Board.

Commissioner Lovelace made a motion to approve the resolution. Commissioner Owens seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

**Resolution of Appreciation
To
Fleming Bell**

Whereas, Fleming Bell joined the Institute of Government (presently School of Government) of North Carolina in 1982; and

Whereas, during his 30 plus years of service, Fleming has been a valuable resource of knowledge about local government law to government boards and their staff; and

Whereas, Fleming has authored publications that has offered procedural guidance to government entities for many years; and

Whereas, Fleming has significantly contributed to the efficient operation of local governments by his advice always offered in a professional and unbiased manner; and

Whereas, Fleming has earned the respect and admiration of his peers and the citizens of North Carolina; and

Whereas, Fleming made a decision to retire after these many years of service.

Now, Therefore, Be It Resolved that the Rutherford County Board of Commissioners do proclaim their sincere appreciation to Fleming Bell for his loyal and capable service which helped ensure the efficient and proper operation of local governments in North Carolina since 1982.

Adopted this the 6th day of October, 2014.

B. Appointment to Watershed Commission

A request has been received that Mr. Tim Bovender be reappointed to the Watershed Commission to a term expiring in February 22, 2020.

Commissioner Owens made a motion to approve the reappointment of Mr. Tim Bovender to the Watershed Commission to a term expiring February 22, 2010. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

C. Appointment – Forest City Fire Department Board of Trustees for Firemen's Relief Fund

Dr. Y. H. Eaker who served on the Forest City Fire Department Board of Trustees for Firemen's Relief Fund passed away. An application has been received from the Fire Marshal's Office for David Eaker to replace Dr. Eaker. The term of office would expire December 31, 2015.

Commissioner Owens moved to appoint David Eaker to the Forest City Fire Department Board of Trustees for Firemen's Relief Fund to a term expiring December 31, 2015. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

D. Appointments to NC Arts Council Grassroots Committee

Three members of the NC Arts Council Grassroots Committee have resigned. It is recommended that Raeann Turner, Kathy Ackerman, and Amy Bridges be appointed to this committee which must meet during the month of October. It is also recommended that the term length be three years and that the term limit be two terms.

Commissioner Owens moved to appoint Raeann Turner, Kathy Ackerman, and Amy Bridges to the NC Arts Council Grassroots Committee. He further moved that the term length for members of this committee be three years and the term limits be two terms. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

E. Appointments to Airport Appeals Board

Removed from the agenda.

F. Commissioner Richard – Animal Control Department

Commissioner Richard asked whether the Board was interested in looking at options regarding the Animal Shelter. Options which he listed were outsourcing the shelter, hiring a manager, transferring it to the Health Department, or allowing the Sheriff to continue to manage the shelter. Commissioner Lovelace expressed his support for receiving further information. Since Sheriff Francis was on the agenda to discuss possible options, the Board agreed to wait and have discussion on this matter at that time.

G. Workforce Innovation and Opportunity Act Resolution

The recently-enacted Workforce Innovation and Opportunity Act, which becomes effective July 1, 2015, reauthorizes the federal workforce development program with modifications. The geographic alignment of NC's workforce boards is under study, and the State's newly-created Prosperity Zones may have some impact on the State's preferences for service delivery area boundaries. The Isothermal Planning and Development Commission Board encourages the County Commissioners to express their support of the current four-county workforce region which includes Polk, Cleveland, McDowell, and Rutherford. A resolution in support of maintaining the current boundaries of the Isothermal Workforce Board was included for the Board's consideration.

Commissioner Owens made a motion to approve the resolution. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

RESOLUTION

WHEREAS, the Congress has enacted and the President has signed the Workforce Innovation and Opportunity Act, the first major federal reform of the public workforce system in more than fifteen years; and

WHEREAS, the Act requires states to strategically align workforce development programs with related training and employment services to more effectively meet the needs of job seekers and the workforce needs of employers; and

WHEREAS, for many years, the counties of Cleveland, McDowell, Polk and Rutherford have chosen to work together under the auspices of the Region C Workforce Development Board to plan, coordinate and deliver highly effective workforce development programs in cooperation with area employers, economic development organizations, educational institutions and other partner agencies;

NOW THEREFORE, BE IT RESOLVED that the County Commission of Rutherford County wishes to continue the present boundaries of the local workforce service area and encourages the North Carolina General Assembly and the Administration of Governor McCrory to support the continuation of the Region C Workforce Service Area.

BE IT FURTHER RESOLVED that the Clerk shall send copies of this Resolution to Governor McCrory, Commerce Secretary Decker, Senator Ralph Hise, and Representative Mike Hager.

Adopted this 6th day of October, 2014.

H. Request to NCDOT for Highway 74 Interstate Status - Resolution

The recent announcement by Governor McCrory of the 25 Vision for NC has added US 74 to the Strategic Transportation Corridors. This future corridor will be included in studies that will serve as planning tools to help achieve the 25 Year Vision. A resolution was presented for the Board's consideration that supports the vision for improving US 74 to an interstate quality corridor to achieve the following goals:

1. Improve access to interstate highways to enhance opportunities for Rutherford County and rural NC to compete in a global economy;
2. Create a second east-west interstate corridor connecting Rutherford County and Western NC to the Port of Wilmington;
3. Through the creation of a second east-west corridor, create economic development opportunities for Rutherford County and portions of rural NC that currently has limited or no direct access to an interstate highway system;
4. Improvements to the 74 Corridor from I-26 to the Port of Wilmington improve mobility access in NC and promotes the retention of commerce within Rutherford County and the state resulting in the enhancement of the local and state economies.

Mr. Freddie Harrill from Senator Hagen's Office told the County Manager that for legislation to be introduced akin to US 17 legislation in the Northeastern portion of North Carolina, Senators and Congressmen need a request from NCDOT. That request is included in the resolution.

Commissioner Lovelace moved to approve the resolution. Commissioner Richard seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

Resolution to Support the Improvement of US 74 to an Interstate Quality Corridor

Whereas, Governor McCrory identified the need to improve US 74 to Interstate status from Asheville to Charlotte to Wilmington so as to improve freight movement and in-state access through southern North Carolina to and from the Port of Wilmington; and

Whereas, an Interstate quality US-74 Corridor will provide better connectivity, business planning, transportation safety, and resource efficiency from I-26 to I-85; and

Whereas, local governments and businesses within the corridor collaboratively seek to build a responsive, regional economic development infrastructure to increase trade and industry and to promote opportunity; and

WHEREAS, Senator Hagan's office has stated that the North Carolina federal legislation delegation needs a request from the North Carolina Department of Transportation (NCDOT) to submit legislation granting US-74 Interstate status from I-26 to I-85.

Now, Therefore Be It Resolved that the Rutherford County Board of Commissioners requests the North Carolina Department of Transportation to (a) endorse Interstate status of US-74 from I-26 to I-85 and to (b) request that the North Carolina federal delegation submit legislation to accomplish this goal; and,

Be It Further Resolved that the Rutherford County Board of Commissioners supports an Interstate quality economic development transportation corridor from the Mountains to the Coast; from Asheville to Charlotte to Wilmington; and,

Be it Also Further Resolved that the Clerk provide a copy of this resolution to the NC Transportation Secretary, the Rutherford County State and Federal legislative delegations and to all counties along the US 74 Corridor requesting their support and the support of municipalities and businesses within their counties.

Adopted this the 6th day of October, 2014.

VI. Old Business

A. Bids on Rutherford County Surplus Property

Bids have been received on certain Rutherford County property that was declared to be surplus. The bids were:

Properties	Highest Bidder	Highest Bid Amt
475 Main St., Forest City NC (Magnolia House)	Debbie Briscoe of Sisters In Christ Ministry	\$5,000.00
2153 US 221A Hwy (Caroleen Bank)	No Bids Received	\$0
214 Henrietta St. (Old Caroleen Ball Field)	Caroleen United Methodist Church	\$4,350.00

County Manager Carl Classen said if the Board accepts the bids, they will be advertised and upset bids will be accepted for ten days following the advertisement by raising the price not less than 10% of the first \$1,000 and 5% of the remainder. A deposit for the increased bid shall be deposited with the County Clerk. The upset bid procedure will be repeated until no further qualifying upset bids are received. When no qualifying

upset bids are received, the Commissioners may accept the offer and sell the property to the highest bidder. The Board of Commissioners may at any time reject any and all bids.

Commissioner Richard moved to authorize the re-advertisement of Old Caroleen Bank Building in conjunction with advertisement of Ruth School Property. Chairman Eckler seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

Vice Chairman Holland moved to accept the \$4,350 proposal from Caroleen United Methodist Church for the property located at 214 Henrietta Street, Henrietta, and submit for the upset bid process. He further moved that upon completion of the upset bid process, the Chairman, County Manager, Finance Officer, and Clerk to the Board and other County officials be authorized and directed to sign and execute all necessary documents in support of the sale to the highest bidder. Commissioner Lovelace seconded the motion.

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, and Commissioner Owens.

Noes: Commissioner Richard.

Commissioner Lovelace moved to obtain a market appraisal on the property at 475 West Main Street in Forest City and provide this to the Board. A decision regarding the property could be made after receipt of the market appraisal. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

Chairman Eckler made a motion not to accept the bid on the property at 475 West Main Street. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

VII. New Business

A. Sheriff Chris Francis – Animal Control Facility

Sheriff Chris Francis told those present that he had worked with the Community Pet Center since he had assumed the Office of Sheriff. The Community Pet Center has been a part of the Animal Shelter for over 18 years. He provided charts showing the drop in the euthanasia rate over the years. Though this is laudable, there is room for improvement. The Sheriff said the Animal Shelter has a fairly small budget, but he would like to see three law enforcement officers out in the field on a regular basis. He favored an agreement with the

Community Pet Center to handle the Animal Shelter which would allow them more freedom to put in place changes which they are suggesting. The Health Department would also be involved. No action was necessary at the present time, but he hoped to have a contractual agreement between the Sheriff's Department, the Community Pet Center, and the County at a later date.

B. MSW Solid Waste Study

Mr. David Odom of Odom Engineering said his firm was tasked with a study that would compare options for the County that included continuing to haul the County's solid waste offsite, building a new MSW landfill, and incineration. He introduced Ms. Julie Robertson of S&ME who provided information to the Board regarding the evaluation performed by S&ME of the potential costs of constructing and operating a MSW landfill at the current waste management facility and the preliminary cost analysis of MSW incineration.

Ms. Robertson said the County has already accomplished the first step in permitting a MSW landfill as DENR approved site suitability on Rutherford County property. The proposed facility plan and preliminary design assumed a 10-Year permit. She presented cost estimates for a MSW that including permitting and design, construction, capital purchases, yearly operational costs, and closure/post closure care. The total cost for the lifecycle of the landfill which is 42 years for a 10-year permit would be \$17,334,400 or a cost of \$73 per ton. The total space at the landfill is 238,592 tons.

Ms. Robertson advised that there are high upfront costs for a MSW incinerator. The EPA estimates \$100 Million. Most likely, the County would enter into a contract with a company to build and operate the facility. There are no permitted plants in North Carolina.

The final analysis provided by Ms. Robertson were:

- Currently the County estimates that the cost per ton to operate the transfer station is \$86.
- S&ME estimates that the cost per ton to operate the proposed MSW landfill is \$73.
- Given the limited information for a MSW incinerator, S&ME estimates a cost per ton greater than \$203.

Solid Waste Director James Kilgo said discussions are beginning with Henderson County regarding hauling the County's waste. Bid specifications should be complete in early 2015 as the hauling contract with Republic Services expires June 30, 2015.

C. Budget Amendments

County Manager Carl Classen reviewed budget amendments presented for the Board's consideration. Planner Blake Bostic also provided information on the Biggerstaff's Old Fields.

Commissioner Owens moved to approve the budget amendments. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, and Commissioner Owens.

Noes: Commissioner Richard.

Minutes of Rutherford County Commissioners' Meeting on October 6, 2014
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	Expense	Revenue
GENERAL FUND		
CBA Refunds - JCPC Temporary Shelter	\$ 8,272	
CBA Refunds - JCPC Psychological Services to the Courts	\$ 925	
Professional Services - MSW Landfill Feasibility Study	\$ 20,925	
Harris/Linders Park Equipment and Supplies	\$ 549	
Communications - Capital Outlay Equipment	\$ 9,172	
Farmers Market - Building Improvements	\$ 10,800	
EDC - Marketing/Advertising	\$ 15,000	
Court Facilities - Capital Outlay	\$ 10,846	
Court Facilities Fund Balance Appropriated		\$ 10,846
Fund Balance Appropriated*		\$ 65,643
*carry-forward prior year projects incomplete as of June 30, 2014		
<i>*Carry-Forward Anticipated as of June 23, 2014</i>		<i>\$ 541,552</i>
<i>less: carry-forward amendments from August 4th and October 6th, 2014</i>		<i>\$ (529,864)</i>
<i>Addition/(Reduction)</i>		<i>\$ (11,688)</i>
Sheriff - Part Time Salaries	\$ 901	
Sheriff - Overtime Salaries	\$ 114	
Sheriff Miscellaneous Revenues		\$ 1,015
*funds received from United Way for the Pill Drop Program		
Sheriff - Equipment purchased with Seizure Funds	\$ 3,882	
Drug Seizure Funds		\$ 3,882
*unauthorized substance tax distribution		
Animal Control - Capital Outlay/Improvements	\$ 2,500	
Animal Welfare Grant		\$ 2,500
*grant received		
Soil & Water Foundation Grant Expenditures - ROC Center	\$ 1,723	
Soil & Water Foundation Grant		\$ 1,723
*carryforward grant balance for project incomplete at June 30, 2014		
Senior Center - Transportation	\$ (5,807)	
Home and Community Care Block Grant		\$ (5,807)
*reduction received from State Budget		
Senior Center - Home Delivered Meals	\$ 15,000	
EATON Grant		\$ 15,000
*grant received		
Gilbertown Archaeological Study Grant Expenditures	\$ 4,832	
National Park Service Grant		\$ 4,832
*carryforward unexpended grant balance		
College - Capital Outlay Building	\$ 29,325	
Contribution from College Capital Fund		\$ 29,325
*carryforward projects incomplete as of June 30, 2014		
DSS FUND		
DSS Software	\$ 541,878	

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	Expense	Revenue
Aid to Administration		\$ 220,719
Medicaid Enhancement Revenue		\$ 321,159
*purchase additional modules from Northwoods for Document and Forms Management		
Building Improvements and Repairs	\$ 35,000	
Aid to Administration		\$ 17,500
Medicaid Enhancement Revenue		\$ 17,500
*repairs and office renovations at Rutherford Center		
Salaries and Benefits	\$ 74,695	
Office Setup and Supplies	\$ 10,000	
Professional Services - Legal	\$ (10,000)	
DSS Travel	\$ (7,071)	
Medicaid Enhancement Revenue		\$ 22,807
Aid to Administration		\$ 44,817
*convert contracted legal services to full-time DSS position		
VEHICLE REPLACEMENT PLAN		
School - Vehicles and Equipment	\$ 150,053	
Lease Purchase Proceeds		\$ 150,053
Debt Service - School Capital Outlay	\$ 55,101	
Reserved for Future Projects - Schools	\$ (55,101)	
*incorporate Schools vehicle replacement plan into the FY14-15 lease purchase financing; an amended reimbursement resolution for the financing is attached.		
GRANT FUND		
Biggerstaff NPS Grant Expenditures	\$ 18,000	
National Park Service Biggerstaff Grant		\$ 18,000
*grant received for property improvements		
Comprehensive Applied Sciences Initiative Expenditures	\$ 750,000	
Appalachian Regional Commission Grant		\$ 600,000
Rutherford County Schools Education & Workforce Innovation Fund		\$ 110,000
Contribution from General Fund - County Matching Funds		\$ 40,000
*ICC Chemistry/Biology Labs; Tele-presence at ICC; Tele-presence at RCS; Faculty Development RCS;		
Planning and Operations; County matching funds included in FY14-15 General Fund Budget		
COLLEGE CAPITAL FUND		
Transfer to General Fund - Capital Outlay	\$ 29,325	
Fund Balance Appropriated		\$ 29,325
*carryforward projects incomplete as of June 30, 2014		
TRANSIT FUND		
Capital Improvements	\$ 33,163	
NCDOT Capital Improvement Grant		\$ 29,847
Fund Balance Appropriated - Transit Match (10%)		\$ 3,316
*carryforward Transit parking lot resurfacing/light improvement project		

	Expense	Revenue
which was incomplete as of June 30, 2014.		
SOLID WASTE FUND		
Capital Outlay - Equipment	\$ 2,521	
Insurance Claims and Dividends		\$ 2,521
*insurance proceeds received for lightning damage to cameras		

Based on the Board's decision as part of the FY 2014-2015 Budget to move forward with the purchase of certain equipment and vehicles, a resolution (*Declaration of Official Intent to Reimburse*) was approved at the August 4 meeting. An amendment to this resolution that includes an increase for the school's vehicle replacement plan was presented for the Board's consideration.

A motion was made by Commissioner Owens to approve the resolution. Chairman Eckler seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, and Commissioner Owens.

Noes: Commissioner Richard.

RESOLUTION

RUTHERFORD COUNTY, NORTH CAROLINA

DECLARATION OF OFFICIAL INTENT TO REIMBURSE

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of Rutherford County, North Carolina (the "Issuer") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for the purchase of vehicles and equipment (the "Project").

2. **Plan of Finance.** The Issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$872,803.

4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this 4th day of August, 2014.
 Amended this 6th day of October, 2014.

D. Request to Sell Surplus Vehicles and Equipment

A request had been made to declare certain items as surplus so the items could be sold on GovDeals.

Communications: Eventide Digital Recorder (48 Channel)
 Eventide Digital Recorder (48 Channel)
 Whelen Siren
 Best Power UPS
 5 Mountable desk lights

Solid Waste: Liebherr 631 Crawler Loader

Vehicles: Vehicle # 524
 VIN # 2G2WR554961194408
 2006 Pontiac Grand Prix

Evans Building: Various office equipment
 Phones prior to VOIP system

Commissioner Lovelace moved to declare the equipment s surplus. Commissioner Owens seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

E. Grey Rock Project 12

Bids were received on Tuesday, September 30, 2014 at 2:00 pm at the Rutherford County Offices for the Grey Rock Development Project 12. A tabulation was completed for the bids received, and the bid results were as follows:

	<u>BID AMOUNT</u>
• Sisk Grading, Inc.	\$583,815.65
• Jerry T. Whitmire Grading, Inc.	\$871,558.60

The low bidder was Sisk Grading, with a bid amount of \$583,815.65. David Odom of Odom Engineering recommended awarding the contract to Sisk Grading in the amount of \$583,815.65 to complete the project.

Commissioner Richard moved to approve the bid tab and recommendation for Grey Rock Project 12 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 Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

F. Interlocal Agreement – Collection of Sewer Fees – Town of Spindale

At their September 15, 2014 meeting, the Spindale Council approved an Interlocal Agreement that would allow the County of Rutherford to place on the tax bill and collect the Sewer Availability Fee charged by the Town of Spindale. The County would need to also approve an Interlocal Agreement for this service to take effect.

Commissioner Owens moved to approve the Interlocal Agreement. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

G. Community Project Grants

The Community Project Grant application period for fiscal year 2014-2015 has concluded. There were a total of six applications submitted. Union Mills was the only community with multiple applications resulting in a percentage based split of the grant funds. Grant award winners will have until June 30, 2015 to submit all supporting receipts/invoices and complete their projects.

Commissioner Owens moved to approve the recommendations for the grant projects. Chairman Eckler seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

Organization	Project	Request ed	Recommendation
Gilkey School Community Club	Gilkey School Community Center	\$1,000	Grant \$1,000 for multiple building improvements (Heating improvements, exterior fascia, soffit)
Golden Valley Community Club	Golden Valley Community Club House	\$1,000	Grant \$1,000 for multiple building improvements, (Replace fascia boards, soffit, paint interior and exterior of building).
Mt. Vernon Community Club	Mt. Vernon Club House	\$1,000	Grant \$1,000 toward chair replacement
Chimney Rock Village	Chimney Rock River Overlook	\$1,000	Grant \$1,000 for landscaping improvements in River Overlook area.
Union Mills Learning Center	Union Mills Learning Center	\$1,000	Grant \$732 for window replacement as a percentage based split between other community applicants, Union Mills Community Club (Maximum \$1,000 per community.)
Union Mills Community Club	Union Mills Community Club House	\$385	Grant \$268 for community clubhouse sign replacement as a percentage based split shared by the Union Mills Learning Center (Maximum \$1,000 per community.)

H. Chimney Rock Village – Flood Protection Ordinance Administration

Removed from the agenda.

I. PANGAEA IRU Requests

PANGAEA presented requests for fiber strands for use at business customers. The Telecommunications Administrator and the Information Technology Director approved these requests to transfer control of these fibers.

The IRU and Services Agreement between PANGAEA and Rutherford County dated January, 2010 state the following:

6. Pricing Adjustments; Revenue Sharing.

(a) Use of County Network Fiber by PANGAEA.

(1) If PANGAEA determines that it has a business reason to utilize one or more fiber strands included in the County Network, PANGAEA may request use of such fiber strand(s) from the County. Upon the advance written consent and approval of the County for such use, the IRU will be deemed amended to exclude the specified fiber strand(s) and fiber route(s) from the IRU. In such an event, PANGAEA will then assume full responsibility for all costs covered by this Agreement for such specific fiber strand(s) and fiber route(s), and any future monthly costs and semi-annual costs included in this Agreement will then be reduced by a prorated amount.

Also stated in that agreement as follows:

(c) Revenue Sharing.

(1) If PANGAEA uses one or more fiber strands as described above to provide service to a customer, PANGAEA agrees to share with the County 10% of all future monthly service gross revenue collected from that customer. PANGAEA will pay the County semi-annually an amount that represents the total gross revenue sharing amount for all collected customer gross revenue for the prior six month period. PANGAEA shall provide to the County a semi-annual report which displays the gross revenue associated with said customer and the calculation of the 10% revenue amount.

Commissioner Owens moved to approve the resolution authorizing the transferring ownership of the fibers as requested. Vice Chairman Holland seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

RESOLUTION

WHEREAS, an agreement between Rutherford County and PANGAEA was approved at a regular meeting on February 1, 2010 regarding requests by PANGAEA for IRUS for the business use of PANGAEA; and

WHEREAS, PANGAEA does request that one IRU of 13.28 miles for Carolina Plumbing be assigned to PANGAEA which would mean an annual maintenance savings for Rutherford County of \$300.10; and

WHEREAS, PANGAEA also requests that two IRUs of 1.9 miles for Rutherford Airport be assigned to PANGAEA which would mean an annual maintenance savings for Rutherford County of \$77.64; and

WHEREAS, PANGAEA also requests that one IRU of 3.2 miles for the Union Mills CIT be assigned to PANGAEA which would mean an annual maintenance savings for Rutherford County of \$68.73; and

WHEREAS, PANGAEA also requests that one IRU of 3.2 miles for the Union Mills Learning Center be assigned to PANGAEA which would mean an annual maintenance savings for Rutherford County of \$68.73; and

WHEREAS, Rutherford County IT Department will have final approval of all splice plans before fiber installation to PANGAEA customers; and

WHEREAS, fibers assigned to PANGAEA will remain intact between transfer of ownership requests between PANGAEA and Rutherford County. The County has right to request transfer of ownership with 12 month notice to PANGAEA in accordance with the current contract between PANGAEA and Rutherford County.

NOW, THEREFORE BE IT RESOLVED, that the Rutherford County Board of Commissioners does approve these requests.

BE IT ALSO RESOLVED that a notice summarizing the contents of this resolution shall be published in accordance with law. No transfer of assets as contemplated herein shall occur prior to 10 days after notice by publication. The transfer will be effective 10 days after publication.

Adopted this the 8th day of September, 2014.

X. Adjournment

Commissioner Owens moved to adjourn the meeting. Commissioner Lovelace seconded the motion. The vote on the motion was:

Ayes: Commissioner Eckler, Commissioner Holland, Commissioner Lovelace, Commissioner Owens and Commissioner Richard.

Noes: None

8:10 P.M. - Adjourned.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners



Agenda Summary Sheet

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

File #: ID 14-483, Version: 1

Meeting Date: November 3, 2014

Tax Refunds and Releases - November, 2014

Summary:

Tax refunds and releases are presented for the Board's consideration.

Budget:

N/A

Contact Information:

Sherry Lavender, Revenue Director
287-6183

sherry.lavender@rutherfordcountync.gov <<mailto:sherry.lavender@rutherfordcountync.gov>>

Recommended Motion:

Approve tax refunds and releases.

RUTHERFORD COUNTY
 COMMISSIONER'S REPORT
 RELEASES AND REFUNDS
 OCTOBER 21, 2014

FINANCE OFFICER'S RELEASES LESS THAN \$100

REAL	0.00
PERSONAL	-19.73
NCPTS - NEW PROPERTY TAX SYSTEM	-615.17
MOTOR VEHICLE	-55.36
SUBTOTAL	<u>-690.26</u>

COMMISSIONER'S RELEASES GREATER THAN \$100

REAL	0.00
PERSONAL	-146.27
NCPTS - NEW PROPERTY TAX SYSTEM	-39886.17
MOTOR VEHICLE	-104.77
SUBTOTAL	<u>-40137.21</u>

TOTAL RELEASES

-40827.47

COMMISSIONERS REFUNDS

REAL	-755.00
PERSONAL	0.00
NCPTS - NEW PROPERTY TAX SYSTEM	-3335.20
MOTOR VEHICLE(County system - renewals prior 09/01/13)	-258.32
MOTOR VEHICLE(NCVTS system - renewals after 09/01/13)	-3059.33
PENALTIES	0.00
DISCOUNTS	0.00
INTEREST	0.00

TOTAL REFUNDS

-7407.85


 PAULA ROACH
 FINANCE DIRECTOR


 SHERY LAVENDER
 REVENUE DIRECTOR

MOTOR VEHICLE RELEASES
OCTOBER 21, 2014

Account Taxbill	Tax Code	Transaction Amount	Levy Amount	Penalty Amount	Addl Chgs	Interest Amount	Discnt Amount	Reason
COMMISSIONER'S MOTOR VEHICLE RELEASES GREATER THAN \$100								
2013 15244070 13V	GV1	-92.57	-92.57	0.00				COUNTY CHANGE FROM RUTHERFORD TO POLK CO.
	V8	-12.2	-12.2	0.00				
PROCTOR, ROBERT LEE		-104.77	-104.77	0.00	0.00	0.00	0.00	
SUBTOTAL		-104.77	-104.77	0.00	0.00	0.00	0.00	
FINANCE OFFICER'S MOTOR VEHICLE RELEASES LESS THAN \$100								
2013 15193515 13V	GV1	-17.39	-17.39	0.00				DOUBLE LISTED DUE DMV ERROR
	V11	-2.01	-2.01	0.00				
ARNETT, JEREMY THOMAS		-19.4	-19.4	0.00	0.00	0.00	0.00	
2013 15229069 13V	GV1	-2.45	-2.45	0.00				DOUBLE BILLED FOR 2 MONTHS DUE TO DMV ERROR TAG#BMD-4599
	CV6	-1.13	-1.13	0.00				
PARKER, SANDRA STEWART		-3.58	-3.58	0.00	0.00	0.00	0.00	
2013 15228631 13V	GV1	-22.16	-22.16	0.00				DOUBLE LISTED FOR 2 MONTHS-DMV TAG ERROR
	CV6	-10.22	-10.22	0.00				
STEPPE, WILLIAM B		-32.38	-32.38	0.00	0.00	0.00	0.00	
SUBTOTAL		-55.36	-55.36	0.00	0.00	0.00	0.00	
GRAND TOTAL MOTOR VEHICLE RELEASES		-160.13	-160.13	0.00	0.00	0.00	0.00	

PERSONAL PROPERTY RELEASES

OCTOBER 21, 2014

Account Number	Tax Code	Transactio Amount	Penalty Amount	Addl Chgs	Interest Amount	Discnt Amount	Reason
COMMISSIONER'S PERSONAL PROPERTY RELEASES GREATER THAN \$100							
2013 15259127 13A15259127.02	G01	-100.55	-91.41	-9.14			05 *GODFREY*24' LISTED IN BURKE CO
	F17	-14.08	-12.8	-1.28			VERIFICATION ATTACHED.
	C05	-31.64	-28.76	-2.88			
DAVIS, PAUL STEVEN		-146.27	-132.97	-13.3	0.00	0.00	
SUBTOTAL		-146.27	-132.97	-13.30	0.00	0.00	
FINANCE OFFICER'S PERSONAL PROPERTY RELEASES LESS THAN \$100							
2013 15024833 13A15024833.03	G01	-13.35	-12.14	-1.21			BUSINESS CLOSED IN 2012-BROUGHT
	F11	-1.54	-1.4	-0.14			FORWARD IN ERROR
	C03	-4.84	-4.4	-0.44			
BLACKS AUTO SALES		-19.73	-17.94	-1.79	0.00	0.00	
SUBTOTAL		-19.73	-17.94	-1.79	0.00	0.00	
GRAND TOTAL PERSONAL PROPERTY RELEASES		-166.00	-150.91	-15.09	0.00	0.00	

Report Parameters:		Release Start Date:	9/19/2014	Release End Date:	10/21/2014
Bill #	Taxpayer Name	Bill Date	Release Reason	Release Date	Release Amount(\$)
0000031361-2014-2014-0000-00-REG	ALDRIDGE, DIANNE	8/14/2014	Assessed In Error	9/19/2014	58.97
0009001861-2014-2014-0001-00-REG	CAROLINA ENERGIES	10/2/2014	Adjustment	10/2/2014	1.43
0000045260-2014-2014-0001-00-REG	DOBBINS, WYMAN HAROLD	9/25/2014	Penalty Correction	9/25/2014	51.84
0009001883-2014-2014-0000-00-REG	ENTRUST MORTGAGE COMPANY	10/14/2014	Adjustment	10/14/2014	8.17
0000031080-2014-2014-0000-00-REG	FULTON, VIVIAN LEE	8/14/2014	Adjustment	9/26/2014	17.45
0000047248-2014-2014-0000-00-REG	GRIFFITH, CHARLES	8/14/2014	Ownership Correction	9/19/2014	17.93
0000023650-2014-2014-0000-00-REG	HUTCHINS, JIMMIE LEWIS	8/14/2014	Situs Correction	10/14/2014	7.56
0000057115-2014-2014-0000-00-REG	MAHAFFEE, NELLIE WALLACE	8/13/2014	Billing Correction	9/26/2014	60.10
0000059805-2014-2014-0000-00-REG	MARLOWE, MARVIN JR	8/14/2014	Situs Correction	9/30/2014	95.08
0000033424-2014-2014-0000-00-REG	MUSIC CITY RECORDS	8/14/2014	Adjustment	9/19/2014	64.34
0000030992-2014-2014-0000-00-REG	PINDER, THOMAS LEE	8/14/2014	Situs Correction	9/22/2014	10.68
0000031181-2014-2014-0000-00-REG	RESENDRIZ, JOSE	8/14/2014	Assessed In Error	10/8/2014	31.44
000008739-2014-2014-0000-00-REG	ROGERS, RACHEL	8/14/2014	Situs Correction	10/14/2014	41.48
000002952-2014-2014-0000-00-REG	SMITH, ELIZABETH W	8/14/2014	Assessed In Error	9/29/2014	20.89
000009484-2014-2014-0000-00-REG	USA MOBILITY WIRELESS INC	8/14/2014	Adjustment	9/24/2014	0.07
0000034708-2014-2014-0000-00-REG	WILSON, THOMAS DAVID	8/14/2014	Situs Correction	10/14/2014	23.75
0000025999-2014-2014-0001-00-REG	WOMACK, CARROLL L	9/19/2014	Assessed In Error	10/1/2014	53.61
0000049946-2014-2014-0000-00-REG	WRIGHT, RACHELLE	8/14/2014	Assessed In Error	10/7/2014	35.71
0000041978-2014-2014-0000-00-REG	WYATT, REED	8/14/2014	Duplicate Billing	10/14/2014	14.67
Subtotal Release less than \$100					
0000027403-2014-2014-0000-01-REG	ASSANTE, DESERIE G	8/13/2014	Adjustment	9/19/2014	615.17
0000023274-2014-2014-0000-00-REG	BLEECKER, ROBERT B.	8/13/2014	Ammended Listing	9/29/2014	438.54
0009001509-2014-2014-0000-00-REG	BROAD RIVER BAPTIST CHURCH TRUS	8/13/2014	Exempt Property	9/26/2014	256.75
0000028608-2014-2014-0000-00-REG	BURGIN, MAX E	8/13/2014	Release LFUF	10/10/2014	1,177.86
0000014396-2014-2014-0000-00-REG	CHALLAND, RUTH	8/13/2014	Billing Correction	9/26/2014	120.00
0000009942-2014-2014-0000-00-REG	DAVIS, PAUL STEVEN	8/14/2014	Not in RUTHE County	9/26/2014	787.76
0009000546-2014-2014-0000-00-REG	DOGGETT GROVE COMMUNITY CLUB	8/13/2014	Exempt Property	10/8/2014	138.90
0009001890-2014-2014-0000-00-REG	DUGAN, ROBERT J	10/21/2014	Process Correction	9/26/2014	183.07
				10/21/2014	1,108.23

Bill #	Taxpayer Name	Bill Date	Release Reason	Release Date	Release Amount(\$)
0009000865-2014-2014-0000-00-REG	FAIRVIEW BAPTIST CHURCH TRUSTEE	8/13/2014	Exempt Property	9/25/2014	601.63
0009000455-2014-2014-0000-00-REG	HOLLIS MASONIC LODGE	8/13/2014	Exempt Property	9/26/2014	218.84
0000011453-2014-2014-0000-00-REG	LAKE LURE 25 LLC	8/13/2014	Assessed In Error	9/24/2014	105.96
0000011454-2014-2014-0000-00-REG	LAKE LURE 25 LLC	8/13/2014	Assessed In Error	9/24/2014	114.79
0000011465-2014-2014-0000-00-REG	LAKE LURE 25 LLC	8/13/2014	Assessed In Error	9/24/2014	720.53
0000011464-2014-2014-0000-00-REG	LAKE LURE 25 LLC	8/13/2014	Assessed In Error	9/24/2014	794.70
0000043164-2014-2014-0000-00-REG	LANDRY, STEVEN FRANKLIN	8/13/2014	Situs Correction	10/15/2014	2,739.98
0000031662-2014-2014-0000-00-REG	LOGAN, ELLEN C	8/13/2014	Ammended Listing	9/29/2014	256.75
0000019240-2014-2014-0000-00-REG	LUCKADOO, ALAN WAYNE	8/13/2014	Adjustment	9/26/2014	120.00
0000024657-2014-2014-0000-00-REG	MARLIN LEASING INC	8/14/2014	Adjustment	9/26/2014	336.65
0009001191-2014-2014-0000-00-REG	MICAH 6 8 MINISTRY	8/13/2014	Exempt Property	9/26/2014	975.24
0000026293-2014-2014-0000-00-REG	MIKES AUTO TRANSPORT LLC	8/14/2014	Adjustment	9/19/2014	157.19
0000000256-2014-2014-0000-00-REG	MORROW, KIMBERLY HAMRICK	8/13/2014	Release LFUF	9/19/2014	240.00
0000031279-2014-2014-0000-00-REG	MOTT, CARROLL DOUGLAS	8/13/2014	Release LFUF	10/10/2014	120.00
0000013747-2014-2014-0000-00-REG	NFS LEASING INC	8/14/2014	Adjustment	10/17/2014	833.99
0000013530-2014-2014-0000-00-REG	ORACLE INVESTMENTS LLC	8/14/2014	Situs Correction	10/14/2014	122.86
0000051238-2014-2014-0000-00-REG	PLASTIC PACKAGING INC	8/13/2014	Adjustment	9/18/2014	11,594.37
0000002554-2014-2014-0000-00-REG	REESE, JAMES TERRELL HEIRS	8/13/2014	Release LFUF	10/10/2014	120.00
0000042672-2014-2014-0000-00-REG	ROBERT, KAREN	8/13/2014	Adjustment	9/19/2014	120.00
0000049763-2014-2014-0070-00-DLD	ROWELL LAND AND TIMBER CO INC	7/1/2014	Ownership Correction	10/20/2014	457.65
0009001315-2014-2014-0000-00-REG	RUTHERFORD AIRPORT AUTHORITY	8/13/2014	Exempt Property	9/24/2014	1,489.88
0009001366-2014-2014-0000-00-REG	RUTHERFORD COUNTY	8/13/2014	Billing Correction	9/19/2014	120.00
0009001115-2014-2014-0000-00-REG	RUTHERFORD HOUSING PARTNERSHIP	8/13/2014	Exempt Property	9/26/2014	536.64
0000058193-2014-2014-0000-00-REG	SAGE, CHRIS ALLEN SR	8/13/2014	Release LFUF	10/14/2014	120.00
0000010190-2014-2014-0000-00-REG	SECRETARY OF HOUSING & URBAN	8/13/2014	Exempt Property	9/24/2014	378.44
0000029685-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	118.92
0000029686-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	118.92
0000029688-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	118.92
0000029689-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	118.92
0000029690-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	118.92
0000029692-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	122.20
0000029687-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	123.52
0000029691-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	141.26

Bill #	Taxpayer Name	Bill Date	Release Reason	Release Date	Release Amount(\$)
0000029684-2014-2014-0000-00-REG	SHIRE FARMS LLC	8/13/2014	Assessed In Error	9/29/2014	174.11
0009001407-2014-2014-0000-00-REG	SOUTH MOUNTAIN CHRISTIAN YOUTH CAMP	8/13/2014	Adjustment	9/26/2014	305.47
0009001085-2014-2014-0000-00-REG	SOUTH MOUNTAIN CHRISTIAN YOUTH CAMP	8/13/2014	Exempt Property	9/26/2014	1,313.87
0009001262-2014-2014-0000-00-REG	SPENCER BAPTIST CHURCH INC	8/13/2014	Exempt Property	9/25/2014	844.96
0009001317-2014-2014-0000-00-REG	SPINDALE CHURCH OF THE BRETHREN	8/13/2014	Exempt Property	9/25/2014	563.73
0000057513-2014-2014-0000-00-REG	STRICKLAND, GAIL M	8/13/2014	Ownership Correction	10/21/2014	940.06
0000024819-2014-2014-0000-00-REG	SWEARINGEN, THOMAS M	8/13/2014	Over Assessment	9/24/2014	114.30
0000050297-2014-2014-0000-00-REG	TANG, XUAN DBA	8/14/2014	Adjustment	9/19/2014	141.90
0000034919-2014-2014-0000-00-REG	TORVINEN JIMMIE K DBA	8/13/2014	Over Assessment	9/30/2014	750.84
0000007506-2014-2014-0000-00-REG	WEAVER, KENNETH L	8/13/2014	Ammended Listing	9/29/2014	468.44
0000004420-2014-2014-0000-00-REG	WINGO, PATTIS	8/13/2014	Ammended Listing	9/25/2014	487.55
0009001295-2014-2014-0000-00-REG	WORD OF FAITH FELLOWSHIP INC	8/13/2014	Exempt Property	9/25/2014	624.36
0009001296-2014-2014-0000-00-REG	WORD OF FAITH FELLOWSHIP INC	8/13/2014	Exempt Property	9/25/2014	828.18
0009001166-2014-2014-0000-00-REG	WORD OF FAITH FELLOWSHIP INC	8/13/2014	Exempt Property	9/25/2014	884.94
0009001484-2014-2014-0000-00-REG	WORD OF FAITH FELLOWSHIP INC	8/13/2014	Exempt Property	9/26/2014	2,460.03
0000018458-2014-2014-0000-00-REG	YOCHIM, GERALD M TRUSTEE	8/13/2014	Adjustment	10/13/2014	394.65
Subtotal Releases greater than \$100					39,886.17
GRAND TOTAL					40,501.34

REFUND REPORT
OCTOBER 21, 2014

Account Taxbill	Tax Code	Transaction Amount	Levy Amount	Penalty Amount	Add Chgs	Interest Amount	Disct Amount	Reason
COMMISSIONER'S MOTOR VEHICLE REFUNDS								
2013 15102190 13V	GV1	-20.76	-20.76	0.00				VEHICLE SOLD, TAG TURNED IN
	V13	-1.74	-1.74	0.00				
LOVEDAY, IVAN LEE		-22.50	-22.50	0.00	0.00	0.00	0.00	
2013 15256944 13V	GV1	-106.59	-106.59	0.00				VEHICLE SOLD, TAG TURNED IN
	CV8	-111.10	-111.10	0.00				
	LV8	-8.80	-8.80	0.00				
MOTORLEASE CORP		-226.49	-226.49	0.00	0.00	0.00	0.00	
2013 15265441 13V	GV1	-8.62	-8.62	0.00				VEHICLE DOUBLE LISTED ON OLD
	V6	-0.71	-0.71	0.00				AND NEW SYSTEMS DUE TO DMV
NIETO, ANAHI BASURTO		-9.33	-9.33	0.00	0.00	0.00	0.00	SENDING THE INFORMATION TWICE
SUBTOTAL		-258.32	-258.32	0.00	0.00	0.00	0.00	
COMMISSIONER'S REAL PROPERTY REFUNDS								
2013 9135103 13A0911370	G01	0.00	0.00	0.00				REFUND SOLID WASTE FEE PROPERTY
	F10	0.00	0.00	0.00				RECEIVING FULL EXCLUSION.
	SWH	-30.00	-30.00	0.00				
BOSTIC, YATES W		-30.00	-30.00	0.00	0.00	0.00	0.00	
2012 9135103 12A0911370	G01	0.00	0.00	0.00				REFUND SOLID WASTE FEE PROPERTY
	F10	0.00	0.00	0.00				RECEIVING FULL EXCLUSION.
	SWH	-30.00	-30.00	0.00				
BOSTIC, YATES W		-30.00	-30.00	0.00	0.00	0.00	0.00	
2013 3145705 13A1613681	G01	0.00	0.00	0.00				CHARGED SOLID WASTE FEE IN ERROR
	F11	0.00	0.00	0.00				FOR STORAGE BUILDING VERIFIED
	SWW	-120.00	-120.00	0.00				BY APPRAISAL

REFUND REPORT
OCTOBER 21, 2014

Tax Year	Account Taxbill		Tax Code	Transaction		Levy		Penalty		Interest		Discnt		Reason
	Number	Number		Amount	Amount	Amount	Amount	Amount	Chgs	Amount	Amount	Amount	Amount	
		BURGIN, MAX E		-120.00		-120.00		0.00		0.00		0.00		
2012	3145705	12A1613681	G01	0.00		0.00		0.00						CHARGED SOLID WASTE FEE IN ERROR FOR STORAGE BUILDING VERIFIED BY APPRAISAL
			F11	0.00		0.00		0.00						
		BURGIN, MAX E	SWW	-120.00		-120.00		0.00						
				-120.00		-120.00		0.00		0.00		0.00		
2011	3145705	11A1613681	G01	0.00		0.00		0.00						CHARGED SOLID WASTE FEE IN ERROR FOR STORAGE BUILDING VERIFIED BY APPRAISAL
			F11	0.00		0.00		0.00						
		BURGIN, MAX E	SWW	-120.00		-120.00		0.00						
				-120.00		-120.00		0.00		0.00		0.00		
2010	3145705	10A1613681	G01	0.00		0.00		0.00						CHARGED SOLID WASTE FEE IN ERROR FOR STORAGE BUILDING VERIFIED BY APPRAISAL
			F11	0.00		0.00		0.00						
		BURGIN, MAX E	SWW	-100.00		-100.00		0.00						
				-100.00		-100.00		0.00		0.00		0.00		
2013	4557307	13A1633240	G01	0.00		0.00		0.00						REFUND SOLID WASTE FEE PROPERTY RECEIVING FULL EXCLUSION.
			F23	0.00		0.00		0.00						
		MARTIN, HERMAN	SWH	-30.00		-30.00		0.00						
				-30.00		-30.00		0.00		0.00		0.00		
2012	4557307	12A1633240	G01	0.00		0.00		0.00						REFUND SOLID WASTE FEE PROPERTY RECEIVING FULL EXCLUSION.
			F23	0.00		0.00		0.00						
		MARTIN, HERMAN	SWH	-30.00		-30.00		0.00						
				-30.00		-30.00		0.00		0.00		0.00		
2011	4557307	11A1633240	G01	0.00		0.00		0.00						REFUND SOLID WASTE FEE PROPERTY RECEIVING FULL EXCLUSION.
			F23	0.00		0.00		0.00						
		MARTIN, HERMAN	SWH	-30.00		-30.00		0.00						
				-30.00		-30.00		0.00		0.00		0.00		
2010	4557307	10A1633240	G01	0.00		0.00		0.00						REFUND SOLID WASTE FEE PROPERTY

REFUND REPORT
OCTOBER 21, 2014

Account Taxbill	Tax Code	Transaction Amount	Levy Amount	Penalty Amount	Addl Chgs	Interest Amount	Discnt Amount	Reason
	F23	0.00	0.00	0.00				RECEIVING FULL EXCLUSION.
	SWH	-25.00	-25.00	0.00				
MARTIN, HERMAN		-25.00	-25.00	0.00	0.00	0.00	0.00	
2013 15082571 13A1621615	G01	0.00	0.00	0.00				CHARGED SOLID WASTE FEE FOR
	F11	0.00	0.00	0.00				MOBILE HOME THAT WAS REMOVED
	SWW	-120.00	-120.00	0.00				FROM PROPERTY IN 2012
MOTT, CARROLL DOUGLAS		-120.00	-120.00	0.00	0.00	0.00	0.00	
SUBTOTAL		-755.00	-755.00	0.00	0.00	0.00	0.00	
COMMISSIONER'S PERSONAL PROPERTY REFUNDS								
SUBTOTAL		0.00	0.00	0.00	0.00	0.00	0.00	
GRAND TOTAL REFUNDS		-1013.32	-1013.32	0.00	0.00	0.00	0.00	

Report Parameters: Release Start Date: 9/19/2014 Release End Date: 10/21/2014

Bill #	Owner Name	Source Type	Adj. #	Tax Value (before Adj)	Adj. Reasons	Bill Release Amount (\$)
Refund #	Refund Recipient Name	Refund Address	Date of Adj.	Tax Value (after Adj)	Adj. Tax Value	Refund Amount (\$)
0000010190-2014-2014-0000-00-REG	SECRETARY OF HOUSING & URBAN	REI	266	55,900	Exempt Property	
1062	SECRETARY OF HOUSING & URBAN	C/O MICHAELSON, CONNER & BOUL 4400 WILL ROGERS PARKWAY SUITE 300 OKLAHOMA CITY, OK 73108	9/23/2014	0	-55,900	378.44
0009001317-2014-2014-0000-00-REG	SPINDALE CHURCH OF THE BRETHERN	REI	275	43,700	Exempt Property	
1064	SPINDALE CHURCH OF THE BRETHERN	PO BOX 843 SPINDALE NC 28160	9/25/2014	0	-43,700	560.91
0000004420-2014-2014-0000-01-REG	WINGO, PATTIS	REI	279	0	Release LFUF	
1065	WINGO, PATTIS	122 WILKINS ST FOREST CITY, NC 28043	9/25/2014	0	0	170.89
0000034919-2014-2014-0000-01-REG	TORVINEN JIMMIE K DBA	REI	323	104,400	Over Assessment	
1092	TORVINEN JIMMIE K DBA	TORVINEN FARMS 749 PARRIS RD RUTHERFORDTON, NC 28139	9/30/2014	0	-104,400	318.86
0000043184-2014-2014-0000-01-REG	LANDRY, STEVEN FRANKLIN	REI	361	0	Situs Correction	
1519	LANDRY, STEVEN FRANKLIN	110 JOHN SMITH RD RUTHERFORDTON, NC 28139	10/15/2014	0	0	1072.11
0000013747-2014-2014-0000-00-REG	NFS LEASING INC	BUS	362	64,650	Adjustment	
1523	NFS LEASING INC	1611 N INTERSTATE 35E STE 428 CARROLLTON, TX 75006	10/17/2014	0	-64,650	833.99
Subtotal				268,650	0	3336.20
Authorization _____	Date: 10/23/2014			268,650	0	3336.20
Total				268,650	0	3336.20



North Carolina Vehicle Tax System

NCVTS Pending Refund report

Report Date 10/22/2014 4:18:43 PM

Name	Address 1	Address 2	Address 3	Refund Description	Refund Reason	Create Date	Tax Jurisdiction	Lewy Type	Change	Interest Change	Total Change
AMY NICOLE WHITEHEAD	126 PRUITT RD		CHESNEE, SC 29323	Refund Generated due to proration on Bill #0021980451-2014-2014-0000-00	Reg , Out of state	10/14/2014	GV1 V14	Tax Tax	(\$58.59) (\$6.76)	(\$2.93) (\$0.34) Refund	(\$61.52) (\$7.10) \$68.62
ANTHONY SERGIO JACKSON	278 HARRILL STREET		ELLENBORO, NC 28040	Refund Generated due to proration on Bill #0021427666-2013-2013-0000-00	Insurance Lapse	09/26/2014	GV1 CV3 V11	Tax Tax Tax	(\$61.79) (\$22.40) (\$7.13)	\$0.00 \$0.00 \$0.00 Refund	(\$61.79) (\$22.40) (\$7.13) \$91.32
ASHLEY EPLEY AUSTIN	214 JOHN C LOGAN RD		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0022603768-2014-2014-0000	Situs error	09/22/2014	GV1 CV7 V8	Tax Tax Tax	\$0.00 (\$7.65) \$1.08	\$0.00 \$0.00 \$0.00 Refund	\$0.00 (\$7.65) \$1.08 \$6.57
BETTY ELIZABETH LOGAN	212 OLDCASTLE LN		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0016438413-2013-2013-0000-00	Vehicle Sold	10/02/2014	GV1 CV4	Tax Tax	(\$2.19) (\$1.05)	\$0.00 \$0.00 Refund	(\$2.19) (\$1.05) \$3.24
BOBBY LEE KISNER, JR	477 CARPENTER RD		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0019539105-2013-2013-0000	Situs error	09/22/2014	GV1 CV7 V14	Tax Tax Tax	\$0.00 (\$3.80) \$0.47	\$0.00 \$0.00 \$0.00 Refund	\$0.00 (\$3.80) \$0.47 \$3.33
BOBBY LEE KISNER, JR	164 C FLOWER RD		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0019604784-2013-2013-0000	Situs error	09/22/2014	GV1 CV7 V14	Tax Tax Tax	\$0.00 (\$4.54) \$0.56	\$0.00 \$0.00 \$0.00 Refund	\$0.00 (\$4.54) \$0.56 \$3.98
CHARLES ELMER MOSS	PO BOX 112		CLARKRANGE, TN 38553	Refund Generated due to proration on Bill #0009476371-2013-2013-0000-00	Reg , Out of state	10/02/2014	GV1 V2	Tax Tax	(\$12.81) (\$1.05)	\$0.00 \$0.00 Refund	(\$12.81) (\$1.05) \$13.86
CHRISTIAN HUGH HOPPER	150 COUNTRY PL		SPINDALE, NC 28160	Refund Generated due to proration on Bill #0006652390-2013-2013-0000-00	Vehicle Sold	10/17/2014	GV1 CV8 LV8	Tax Tax Tax	(\$35.75) (\$37.28) (\$2.94)	(\$1.78) (\$1.87) (\$0.15) Refund	(\$37.53) (\$39.15) (\$3.09) \$79.77
CODY TYLER SCRUGGS	1969 FERRY RD		MOORESBORO, NC 28114	Refund Generated due to proration on Bill #0016443994-2013-2013-0000-00	Vehicle Totalled	10/17/2014	GV1 V10	Tax Tax	(\$52.90) (\$6.97)	\$0.00 \$0.00 Refund	(\$52.90) (\$6.97) \$59.87
CONNIE GOODE HENDRIX	210 PAINTERS GAP RD		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0010202258-2013-2013-0000-00	Vehicle Sold	10/08/2014	GV1 V13	Tax Tax	(\$31.53) (\$2.60)	\$0.00 \$0.00 Refund	(\$31.53) (\$2.60) \$34.13
DANNY KEVIN	1270 PEARIDGE RD		BOSTIC, NC 28018	Refund Generated due	Vehicle Sold	10/15/2014	GV1	Tax	(\$34.35)	\$0.00	(\$34.35)

Name	Address 1	Address 2	Address 3	Refund Description	Refund Reason	Create Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
EDNEY				to proration on Bill #0016427242-2013- 2013-0000-00			V12	Tax	(\$2.83)	\$0.00	Refund (\$2.83)
DAVID KEITH ENSLY	163 WESTVIEW ST		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0009337187-2013- 2013-0000	Situs error	10/09/2014	GV1 CV7 V11	Tax Tax Tax	\$0.00 (\$9.98) \$1.23	\$0.00 \$0.00 \$0.00	Refund \$0.00 (\$9.98) \$1.23
DONNIE DEWITT TESSNEAR	3796 BOSTIC SUNSHINE HWY		BOSTIC, NC 28018	Refund Generated due to adjustment on Bill #0022619316-2014- 2014-0000	Situs error	09/23/2014	GV1 CV7 V7	Tax Tax Tax	\$0.00 (\$29.37) \$4.66	\$0.00 \$0.00 \$0.00	Refund \$0.00 (\$29.37) \$4.66
EDWARD JOHN BIELEC, JR	250 WESTRIDGE DR		BOSTIC, NC 28018	Refund Generated due to adjustment on Bill #0022828045-2014- 2014-0000	Situs error	10/06/2014	GV1 CV7 V7	Tax Tax Tax	\$0.00 (\$159.10) \$25.25	\$0.00 \$0.00 \$0.00	Refund \$0.00 (\$159.10) \$25.25
EDWARD JOHN BIELEC, JR	250 WESTRIDGE DR		BOSTIC, NC 28018	Refund Generated due to adjustment on Bill #0022828375-2014- 2014-0000	Situs error	10/06/2014	GV1 CV7 V7	Tax Tax Tax	\$0.00 (\$208.94) \$33.17	\$0.00 \$0.00 \$0.00	Refund \$0.00 (\$208.94) \$33.17
ELIZABETH NODINE DUNAWAY	PO BOX 586		SPINDALE, NC 28160	Refund Generated due to proration on Bill #0016438291-2013- 2013-0000-00	Vehicle Sold	10/20/2014	GV1 V9	Tax Tax	\$0.00 (\$2.24)	\$0.00 \$0.00	Refund \$0.00 (\$2.24)
GERALD THOMAS PARDUE	301 N WASHINGTON ST		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0020604821-2013- 2013-0000-00	Tag Surrender	09/23/2014	GV1 CV7	Tax Tax	(\$53.01) (\$49.52)	\$0.00 \$0.00	Refund \$0.00 (\$49.52)
GUILLERMO CABRERA MARTINEZ	220 E PARK RD		ELLENBORO, NC 28040	Refund Generated due to adjustment on Bill #0018777192-2013- 2013-0000	Situs error	09/23/2014	GV1 CV8 V11 LV8	Tax Tax Tax Tax	\$0.00 (\$58.36) \$6.45 (\$4.61)	\$0.00 \$0.00 \$0.00 \$0.00	Refund \$0.00 (\$58.36) \$6.45 (\$4.61)
HOWARD VANCE MACE	PO BOX 1031		ELLENBORO, NC 28040	Refund Generated due to proration on Bill #0006650805-2013- 2013-0000-00	Vehicle Sold	09/26/2014	GV1 V11	Tax Tax	(\$37.61) (\$4.34)	\$0.00 \$0.00	Refund \$0.00 (\$37.61) (\$4.34)
JAMES ERIC SHELTON	870 ELLENBORO HENRIETTA	RD	ELLENBORO, NC 28040	Refund Generated due to adjustment on Bill #0022662541-2014- 2014-0000	Situs error	09/26/2014	GV1 CV7 V11	Tax Tax Tax	\$0.00 (\$50.58) \$6.24	\$0.00 \$0.00 \$0.00	Refund \$0.00 (\$50.58) \$6.24
JAMES ROBERT COWAN	500 PLEASANT HILL CHURCH		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0022163687-2014- 2014-0000	Situs error	10/13/2014	GV1 CV7 V9	Tax Tax Tax	\$0.00 (\$181.38) \$28.79	\$0.00 \$0.00 \$0.00	Refund \$0.00 (\$181.38) \$28.79
JANA MARIE MORAVEC	371 JONATHAN LN		LAKE LURE, NC 28746	Refund Generated due to adjustment on Bill #0022196918-2014- 2014-0000	Situs error	09/29/2014	GV1 CV5 CV7 V17	Tax Tax Tax Tax	\$0.00 \$70.87 (\$210.39) \$31.54	\$0.00 \$0.00 \$0.00 \$0.00	Refund \$0.00 \$70.87 (\$210.39) \$31.54
JASON LEE	164 WYOMING ST		SPINDALE, NC	Refund Generated due	Vehicle Sold	10/09/2014	GV1	Tax	(\$34.40)	\$0.00	Refund (\$34.40)

Name	Address 1	Address 2	Address 3	Return Description	Refund Reason	Create Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
SWINK			28160	to proration on Bill #0021238651-2013- 2013-0000-00			CV7	Tax	(\$32.13)	\$0.00 Refund	(\$32.13) \$66.53
JEFFREY CAMDEN SHRINER	312 MURRAY RD		BOSTIC, NC 28018	Refund Generated due to proration on Bill #0020117959-2013- 2013-0000-00	Vehicle Sold	10/17/2014	GV1 CV7	Tax Tax	(\$110.69) (\$103.39)	\$0.00 \$0.00 Refund	(\$110.69) (\$103.39) \$214.08
JEREMIAH DAVID RUSSELL	110 PADGETT LN		BOSTIC, NC 28018	Refund Generated due to adjustment on Bill #0022650750-2014- 2014-0000	Situs error	10/21/2014	GV1	Tax	\$0.00	\$0.00	\$0.00
JOEL ERNIE INGLE	426 S OAK ST		SPINDALE, NC 28160	Refund Generated due to adjustment on Bill #0022416041-2014- 2014-0000	Situs error	10/03/2014	GV1 CV7 V8	Tax Tax Tax	\$0.00 (\$68.83) \$9.71	\$0.00 \$0.00 \$0.00 Refund	\$0.00 (\$68.83) \$9.71 \$59.12
JOHN PHILLIP PRUITT	1573 HENDERSON RD		CHESNEE, SC 29323	Refund Generated due to proration on Bill #0006662770-2013- 2013-0000-00	Reg . Out of state	10/13/2014	GV1 V16	Tax Tax	(\$11.83) (\$0.78)	\$0.00 \$0.00 Refund	(\$11.83) (\$0.78) \$12.61
KENNY DALE GREENE	PO BOX 392		HENRIETTA, NC 28076	Refund Generated due to adjustment on Bill #0016431485-2013- 2013-0000-00	SLVG or RBLT TTL	10/17/2014	GV1 V16	Tax Tax	(\$11.76) (\$0.77)	\$0.00 \$0.00 Refund	(\$11.76) (\$0.77) \$12.53
LINDSAY NICOLE SKIPPER	802 LONG BRANCH DR LOT 11		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0022242826-2013- 2013-0000-00	Vehicle Sold	10/02/2014	GV1 CV4	Tax Tax	(\$24.77) (\$11.84)	(\$1.23) (\$0.60) Refund	(\$26.00) (\$12.44) \$38.44
LOMIE C LEDBETTER	198 CABLE TOWER RD		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0018769357-2013- 2013-0000-00	Vehicle Sold	10/17/2014	GV1 CV4	Tax Tax	(\$5.57) (\$2.66)	\$0.00 \$0.00 Refund	(\$5.57) (\$2.66) \$8.23
MARK NELSON TAVERNIA	1121 1ST ST		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0019788627-2013- 2013-0000-00	Vehicle Sold	09/23/2014	GV1 CV4	Tax Tax	(\$23.30) (\$11.13)	\$0.00 \$0.00 Refund	(\$23.30) (\$11.13) \$34.43
MARY DYER PIERCY	470 WE PADGETT RD		BOSTIC, NC 28018	Refund Generated due to adjustment on Bill #0022822385-2013- 2013-0000	Situs error	10/06/2014	GV1 CV7 V2	Tax Tax Tax	\$0.00 (\$45.36) \$4.00	\$0.00 \$0.00 \$0.00 Refund	\$0.00 (\$45.36) \$4.00 \$41.36
MARY KELLY CHARLES	127 S FERNWOOD DR		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0010290277-2013- 2013-0000-00	Vehicle Sold	10/21/2014	GV1 V9	Tax Tax	(\$6.69) (\$0.88)	\$0.00 \$0.00 Refund	(\$6.69) (\$0.88) \$7.57
MARY STOFER GUFFEY	RUTHERFORD CO REVENUE DEPT		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0021442896-2013- 2013-0000-00	Vehicle Sold	10/09/2014	GV1 V5	Tax Tax	(\$10.81) (\$1.78)	\$0.00 \$0.00 Refund	(\$10.81) (\$1.78) \$12.59
MELISSA GERALDINE ROBERTS	378 OWENS CHAPEL RD		UNION MILLS, NC 28167	Refund Generated due to proration on Bill #0000777477-2013- 2013-0000-00	Vehicle Sold	09/19/2014	GV1 V13	Tax Tax	(\$27.42) (\$2.26)	\$0.00 \$0.00 Refund	(\$27.42) (\$2.26) \$29.68

Name	Address 1	Address 2	Address 3	Refund Description	Refund Reason	Create Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
FURNEY				#0018775117-2013-2013-0000-00						Refund	\$29.68
PEMELIA STEADMAN THOMPSON	360 GRAYS CREEK CHURCH RD		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0006641396-2013-2013-0000-00	Vehicle Sold	10/20/2014	GV1 V16	Tax	(\$5.73)	\$0.00	(\$5.73)
								Tax	(\$0.38)	\$0.00	(\$0.38)
								Refund			\$6.11
PHILIP CLAMON BRADLEY	778 JACK MCKINNEY RD		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0018773392-2013-2013-0000-00	Vehicle Sold	10/21/2014	GV1 V6	Tax	(\$4.98)	\$0.00	(\$4.98)
								Tax	(\$0.41)	\$0.00	(\$0.41)
								Refund			\$5.39
RANDY RAY RIFFLE	149 RIFF DR		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0018776166-2013-2013-0000-00	Vehicle Sold	10/10/2014	GV1 V2	Tax	(\$20.67)	\$0.00	(\$20.67)
								Tax	(\$1.70)	\$0.00	(\$1.70)
								Refund			\$22.37
RICKY DEAN EDWARDS	255 OAKLAND HEIGHTS RD		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0021811554-2014-2014-0000-00	Vehicle Sold	09/29/2014	GV1 CV8 LV8	Tax	(\$23.77)	\$0.00	(\$23.77)
								Tax	(\$24.79)	\$0.00	(\$24.79)
								Tax	(\$1.96)	\$0.00	(\$1.96)
								Refund			\$50.52
ROBERT CARLTON ROTHROCK	137 COUNTRY LN		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0018774645-2013-2013-0000-00	Vehicle Sold	10/14/2014	GV1 V6	Tax	(\$44.59)	\$0.00	(\$44.59)
								Tax	(\$3.67)	\$0.00	(\$3.67)
								Refund			\$48.26
ROBIN JONES MILLETTE	285 BENT CREEL DR		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0019697657-2013-2013-0000-00	Vehicle Totalled	10/16/2014	GV1 CV7	Tax	(\$50.85)	\$0.00	(\$50.85)
								Tax	(\$47.50)	\$0.00	(\$47.50)
								Refund			\$98.35
RONALD HICKS HOLLAND	680 ISLAND FORD RD		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0016432933-2013-2013-0000-00	Vehicle Sold	09/29/2014	GV1 V10	Tax	(\$16.22)	\$0.00	(\$16.22)
								Tax	(\$2.13)	\$0.00	(\$2.13)
								Refund			\$18.35
RONDIA RAZETTE CASH	216 1ST ST		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0019400048-2013-2013-0000-00	Vehicle Sold	10/15/2014	GV1 CV4	Tax	(\$24.64)	\$0.00	(\$24.64)
								Tax	(\$11.77)	\$0.00	(\$11.77)
								Refund			\$36.41
ROYCE JAMES BAILEY	PO BOX 626		ELLENBORO, NC 28040	Refund Generated due to proration on Bill #0016442290-2013-2013-0000-00	Vehicle Sold	10/07/2014	GV1 V15	Tax	(\$21.53)	\$0.00	(\$21.53)
								Tax	(\$1.06)	\$0.00	(\$1.06)
								Refund			\$22.59
SAMANTHA ANNSLY AIREL MCSWAIN	136 GARDEN GATE DR		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0020439890-2013-2013-0000-00	Insurance Lapse	10/17/2014	GV1 V9	Tax	(\$18.19)	(\$0.91)	(\$19.10)
								Tax	(\$2.40)	(\$0.12)	(\$2.52)
								Refund			\$21.62
SANDRA UPTON MARSHALL	PO BOX 99		HENRIETTA, NC 28076	Refund Generated due to proration on Bill #0020667168-2013-2013-0000-00	Vehicle Sold	09/23/2014	GV1 V10	Tax	(\$60.66)	\$0.00	(\$60.66)
								Tax	(\$8.00)	\$0.00	(\$8.00)
								Refund			\$68.68
SHEILA DIANE WATKINS	206 HONEYSUCKLE DR		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0021799865-2014-2014-0000-00	Vehicle Sold	10/16/2014	GV1 V13	Tax	(\$11.97)	\$0.00	(\$11.97)
								Tax	(\$9.22)	\$0.00	(\$9.22)
								Refund			\$121.19
SHEILA	1568 ELLENBORO		ELLENBORO, NC	Refund Generated due	Situs error	09/29/2014	GV1	Tax	\$0.00	\$0.00	\$0.00

Name	Address 1	Address 2	Address 3	Refund Description	Refund Reason	Create Date	Tax Jurisdiction	Law Type	Change	Interest Change	Total Change
JACKSON SMITH	HENRIETTA		28040	to adjustment on Bill #0022680105-2014- 2014-0000			GV7 V11	Tax Tax	(\$6.07) \$0.75	\$0.00 Refund	(\$6.07) \$0.75 \$5.32
THADUS FRED REED	554 US HIGHWAY 221A		FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0016440297-2013- 2013-0000-00	Vehicle Sold	10/08/2014	GV1 V2	Tax Tax	(\$56.73) (\$4.67)	\$0.00 Refund	(\$56.73) (\$4.67) \$61.40
TIFFANY LEIGH MEADE	129 ROLLINS ST		FOREST CITY, NC 28043	Refund Generated due to adjustment on Bill #0009043078-2012- 2012-0000	Situs error	10/16/2014	GV1 CV7 V10	Tax Tax Tax	\$0.00 (\$59.61) \$8.88	\$0.00 (\$2.98) \$0.44	\$0.00 (\$62.59) \$9.32 \$53.27
TONYA LORRAINE ROME	507 BUTLER RD	APT A1	FOREST CITY, NC 28043	Refund Generated due to proration on Bill #0021912480-2013- 2013-0000-00	Vehicle Totalled	09/29/2014	GV1 V6	Tax Tax	(\$17.84) (\$1.47)	(\$1.02) (\$0.09) Refund	(\$18.86) (\$1.56) \$20.42
TRACY LAVON MILLER	222 BAKER ST		SPINDALE, NC 28160	Refund Generated due to proration on Bill #0010775716-2013- 2013-0000-00	Vehicle Sold	09/25/2014	GV1 CV8 LV8	Tax Tax Tax	(\$6.70) (\$6.99) (\$0.55)	\$0.00 \$0.00 \$0.00	(\$6.70) (\$6.99) (\$0.55) \$14.24
TRAVIS CHRISTOPHER GREENE	181 KNOLLWOOD DR		FOREST CITY, NC 28043	Refund Generated due to adjustment on Bill #0019339199-2013- 2013-0000	Situs error	09/24/2014	GV1 CV4 V16	Tax Tax Tax	\$0.00 (\$31.29) \$4.32	\$0.00 \$0.00 \$0.00	\$0.00 (\$31.29) \$4.32 \$26.97
TYLER LAQUAN HAMILTON	154 CHERRY KNOLL DR APT C-15		RUTHERFORDTON, NC 28139	Refund Generated due to proration on Bill #0019936897-2013- 2013-0000-00	Insurance Lapse	10/03/2014	GV1 CV4	Tax Tax	(\$34.40) (\$16.43)	\$0.00 \$0.00	(\$34.40) (\$16.43) \$50.83
UTILIFOR, LLC	2565 NC 120 HWY		MOORESBORO, NC 28114	Refund Generated due to adjustment on Bill #0022637227-2014- 2014-0000	Situs error	09/29/2014	GV1 CV7 V10 V3	Tax Tax Tax Tax	(\$42.07) (\$46.04) \$0.95 \$0.95	\$0.00 \$0.00 \$0.00 \$0.00	(\$42.07) (\$46.04) \$0.95 \$0.95 \$86.21
WELCOME FINANCE COMPANY INC	112 W CENTER ST		MEBANE, NC 27302	Refund Generated due to proration on Bill #0006662388-2013- 2013-0000-00	Vehicle Sold	09/22/2014	GV1 CV8 LV8	Tax Tax Tax	(\$62.40) (\$65.07) (\$5.14)	\$0.00 \$0.00 \$0.00	(\$62.40) (\$65.07) (\$5.14) \$132.61
WILLIAM PRYOR	384 WALKING HORSE LN		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0022768649-2014- 2014-0000	Situs error	10/06/2014	GV1 CV7 V14	Tax Tax Tax	\$0.00 (\$24.72) \$3.05	\$0.00 \$0.00 \$0.00	\$0.00 (\$24.72) \$3.05 \$21.67
WILLIAM PRYOR	384 WALKING HORSE LN		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0022768468-2014- 2014-0000	Situs error	10/06/2014	GV1 CV7 V14	Tax Tax Tax	\$0.00 (\$108.35) \$13.38	\$0.00 \$0.00 \$0.00	\$0.00 (\$108.35) \$13.38 \$94.97
WILLIAM PRYOR	384 WALKING HORSE LN		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0022768776-2014- 2014-0000	Situs error	10/06/2014	GV1 CV7 V14	Tax Tax Tax	\$0.00 (\$45.87) \$5.66	\$0.00 \$0.00 \$0.00	\$0.00 (\$45.87) \$5.66

Name	Address 1	Address 2	Address 3	Refund Description	Refund Reason	Create Date	Tax Jurisdiction	Levy Type	Change	Interest Change	Total Change
WILLIAM PRYOR	384 WALKING HORSE LN		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0022768543-2014-2014-0000	Situs error	10/06/2014	GV1	Tax	\$0.00	Refund	\$40.21
WILLIAM PRYOR	384 WALKING HORSE LN		RUTHERFORDTON, NC 28139	Refund Generated due to adjustment on Bill #0022768321-2014-2014-0000	Situs error	10/06/2014	GV1	Tax	\$0.00	Refund	\$0.00
							CV7	Tax	(\$31.64)		(\$31.64)
							V14	Tax	\$3.91		\$3.91
							GV1	Tax	\$0.00	Refund	\$27.73
							CV7	Tax	(\$116.69)		(\$116.69)
							V14	Tax	\$14.41		\$14.41
										Refund Total	\$102.28
											\$3059.33

Tax Jurisdiction	District Type	Net Change
GV1	COUNTY	(\$1,281.84)
CV3	CITY	(\$22.40)
CV4	CITY	(\$86.77)
CV5	CITY	\$70.87
CV7	CITY	(\$1,666.51)
CV8	CITY	(\$194.36)
V10	FIRE	(\$6.83)
V11	FIRE	\$3.20
V12	FIRE	(\$1.55)
V13	FIRE	(\$14.08)
V14	FIRE	\$34.34
V15	FIRE	(\$1.06)
V16	FIRE	\$2.39
V17	FIRE	\$31.54
V2	FIRE	(\$3.42)
V3	FIRE	\$0.95
V5	FIRE	(\$1.78)
V6	FIRE	(\$5.64)
V7	FIRE	\$63.08
V8	FIRE	\$10.79
V9	FIRE	\$25.10
LV8	SPECIAL	(\$15.35)
	Total	(\$3,059.33)



Agenda Summary Sheet

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

File #: ID 14-482, Version: 1

Meeting Date: November 3, 2014

Recognition of EMS Employee - Lieutenant Amanda Shires

Summary:

To provide additional EMS coverage to the citizens of Rutherford County, a new Paramedic Level 3 senior position was created. The Level 3 Paramedic operates in a quick response vehicle (QRV) by themselves. The QRV will be placed in key areas around the county that typically have longer response times due to distance traveled. The Level 3 Paramedic is as skilled as a Shift Supervisor and can work independently until an ambulance arrives on the scene. The position requires four years of active paramedic experience and two years experience within Rutherford County EMS.

Terry Baynard, Operations Manager, will recognize Lieutenant Amanda Shires for being selected for this position. (Terry will pin her Lieutenant bars on her collar).

Budget:

N/A

Contact Information:

Kerry Giles, Transportation Director
288-4505
kerry.giles@rutherfordcountync.gov

Recommended Motion:

No action.



Agenda Summary Sheet

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

File #: ID 14-464, Version: 1

Meeting Date: November 3, 2014

Presentation of Biggerstaff's Old Fields Site as Certified Protected Segment of the Overmountain Victory National Historic Trail

Summary:

Chivous Bradley will present the Certified Protected Segment of the Overmountain Victory National Historic Trail, which has been authorized by the National Trails Act.

Budget:

N/A

Contact Information:

Chivous Bradley, County Historian
245-7748
cbradley@bellsouth.net

Recommended Motion:

No action.



Agenda Summary Sheet

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

File #: ID 14-476, Version: 1

Meeting Date: November 3, 2014

Appointments to Airport Appeals Board

Summary:

The terms of office for five members of the Airport Appeals Board expired on October 1. Mr. Sammy Green is the only member who has decided to continue to serve on the Board.

Mr. Troy Rollins, Mr. Charles Martell, and Mr. Michael Hargett have submitted applications to serve on the Board. The terms of office are three years. Applications are included in the agenda notebook.

Only four persons are available to fill the five slots.

Budget:

N/A

Contact Information:

Hazel Haynes, Clerk to the Board
287-6045
hazel.haynes@rutherfordcountync.gov

Recommended Motion:

Appoint Sammy Green, Troy Rollins, Charles Martell, and Michael Hargett to terms ending on October 1, 2015.



Agenda Summary Sheet

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

File #: ID 14-470, Version: 1

Meeting Date: November 3, 2014

Solid Waste Report

Summary:

Solid Waste Director James Kilgo will provide a report on the progress made in solid waste during the past four years.

Budget:

N/A

Contact Information:

James Kilgo, Solid Waste Director
287-6002
james.kilgo@rutherfordcountync.gov

Recommended Motion:

Report only.



Agenda Summary Sheet

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

File #: ID 14-471, Version: 1

Meeting Date: November 3, 2014

Economic Development Update

Summary:

Economic Development Director Matt Blackwell will provide a brief overview of Economic Development activities and accomplishments since January 2011 - Present.

Budget:

N/A

Contact Information:

Matt Blackwell, Economic Development Director
287-6200
matt.blackwell@rutherfordcountync.gov

Recommended Motion:

Report only,.



Agenda Summary Sheet

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

File #: ID 14-466, Version: 1

Meeting Date: November 3, 2014

Bid Tab for Southeastern EMS

Summary:

Architect Mark Patterson will present the bid tab for the Southeastern EMS station which is attached.

Budget:

N/A

Contact Information:

Danny Searcy, Public Works and Planning Director
287-6300
danny.searcy@rutherfordcountync.gov

Recommended Motion:

Approve bid tab and recommendation for Southeastern EMS station 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.



Architecture + Interior Design

October 29, 2014

Mr. Carl Classen
Rutherford County Manager
Rutherford County Annex
289 N. Main St.
Rutherford, NC 28139

RE: Recommendation for Southeastern EMS project

Dear Mr. Classen,

Bids were received on Tuesday, October 28, 2014 at 2:30pm at the Rutherford County Commissioners Meeting Room for the Southeastern EMS project. A tabulation was completed for the bids received as follows:

<u>Contractor</u>	<u>Bid</u>
Keary Builders	\$889,600.00
Morrison Construction	981,000.00
Moss-Marlow Building Company	919,830.00
TC Strickland Construction Company	875,000.00

The low bidder was TC Strickland Construction Company with a bid amount of \$875,000.00. We are negotiating with the low bidder to find ways to reduce the cost of this project so it can be awarded.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark B. Patterson'.

Mark B. Patterson, AIA, LEED AP

Bid Tab
Southeastern EMS
October 28, 2015 2:30pm

Contractor	Base Bid
Keary Builders	889,600.00
Morrison Construction Company	981,000.00
Moss-Marlow Building Company	919,830.00
TC Strickland Construction Company	875,000.00



Agenda Summary Sheet

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

File #: ID 14-488, Version: 1

Meeting Date: November 3, 2014

Bid Tab - Gateway West Project

Summary:

On September 30, 2014 an advertisement appeared in the Daily Courier providing notice of an invitation to bid on the Gateway West Commerce Park - Lots 1&2 project. A mandatory pre-bid conference was held on October 9, 2014. Sealed bids were accepted until 2:00 pm on October 23, 2014 at which time they were publicly opened and read aloud. The following summary includes all bids appearing on the certified bid tabulation provided by Stimmel Associates, PA:

Sisk Grading, Inc.	\$468,975
C.K. Contracting, Inc.	\$497,750
Charles D. Lowder, Inc.	\$557,000
Blythe Development Company	\$643,800

Rutherford County Economic Development seeks approval by the Rutherford County Board of Commissioners for the bid tabulation and requests authorization for the County Manager to enter into contract negotiations with the lowest responsive bidder. Additionally, approval of this Board Action appropriates an amount equal to 10% of the base bid of the lowest responsive bidder to be held as contingency and will be applied to work that is added to or deleted from the contract as deemed necessary by the Owner and submitted via change order to be approved by the County Manager.

Funds for this request are available in the current Economic Development Budget. No additional appropriation is required.

Budget:

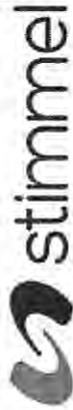
N/A

Contact Information:

Matt Blackwell, Economic Development Director
287-6200
matt.blackwell@rutherfordcountync.gov

Recommended Motion:

To approve the bid tabulation and authorize the County Manager to enter into contract negotiations with the lowest responsive bidder to complete site development activities at Gateway West Commerce Park



601 N. TRADE STREET, SUITE 200
WINSTON-SALEM, NC 27101
www.stimmelpa.com 336.723.1067

Bid Tabulation

Project: Gateway West Commerce Park - Lots 1 & 2

Bid Opening Date: October 23, 2014 Time: 2:00 pm

Rutherford County Offices, 289 N. Main Street, Rutherfordton, NC

BIDDER	LICENSE #	PRE-BID ATTEN.	ALL BID ITEMS MARKED	SUBCONTR LISTED	ADDENDM REC'D	BID FORM SIGNED & SEALED	5% BID BOND	WMBE FORMS	PROJECT BID	% Deviation From Low
Sisk Grading, Inc.	66492	Y	Y	Y	Y	Y	Y	Y	\$468,975.00	0.00%
C.K. Contracting, Inc	50018	Y	Y	Y	Y	Y	Y	Y	\$497,750.00	6.14%
Blythe Development Company	26344	Y	Y	Y	Y	Y	Y	Y	\$643,800.00	37.28%
Charles D. Lowder, Inc.	22936	Y	Y	Y	Y	Y	Y	Y	\$557,000.00	18.77%

I, J. Neal Tucker, PE, hereby certify that this bid tabulation represents the bids as received for the above referenced project on Thursday, October 23, 2014, at 2:00 pm.

J. Neal Tucker



Agenda Summary Sheet

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

File #: ID 14-491, Version: 1

Meeting Date: November 3, 2014

NC Arts Council Grassroots Committee Recommendations

Summary:

The NC Arts Council Grassroots Committee met on October 29 to review and make funding recommendations for grassroots projects submitted by Rutherford County agencies. Rutherford County received \$17,422 this year from the NC Arts Council. The funding recommendations by the committee are:

	%	<u>Requested</u>	<u>Award</u>
Rutherford Life Services	51.19%	4,800	2,457
Foundation Performing Arts Center	100.00%	3,500	3,500
The Symphony of Rutherford County	100.00%	5,000	5,000
Rutherford County Visual Artists Guild	100.00%	2,500	2,500
Rutherford Chamber Consort	100.00%	1,700	1,700
			15,157
Multi Cultural Continue funding Summer Art Camp			2,265
Grand Total			17,422

Budget:

N/A

Contact Information:

Raeann Turner, Assistant Finance Director
287-6087
raeann.turner@rutherfordcountync.gov

Recommended Motion:

Approve recommendations of the NC Arts Council Grassroots Committee



Agenda Summary Sheet

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

File #: ID 14-479, Version: 1

Meeting Date: November 3, 2014

2014 Goals Update/Review

Summary:

An update will be provided on the 2014 goals set by the Board of Commissioners at their goals' setting meetings earlier in the year. A copy of these goals is on the following pages.

Budget:

N/A

Contact Information:

Carl Classen, County Manager
287-6060
carl.classen@rutherfordcountync.gov

Recommended Motion:

Discussion.

2014 Commissioner Goals

Critical Priorities

Status

Economic Development Product

Rutherford County solicited Statements of Qualifications for Professional Site and Civil Design Services to prepare development plans for Gateway West Commerce Park. Following approval by Commissioners on August 4, 2014, a notice to proceed was issued to Stimmel Associates, PA. NC DENR approved grading plans and a Sedimentation and Erosion Control Permit. Stimmel developed bid documents and a mandatory pre-bid conference was held on October 9 followed by a formal bid opening on October 23, 2014. Bids will be submitted for consideration by the Board of Commissioners at the November 3, 2014 meeting. Pending Commissioner approval of the bid tab, construction activities should begin on site in early January 2015 and weather permitting, the project will reach substantial completion by mid-March 2015.

Site Ready

Economic Development Product

Project renamed Gateway West Commerce Park by Commissioners on June 2, 2014. Initial marketing materials distributed to Commissioners on August 4. A dedicated website/webpage will be developed as a part of FY 2014-15 Marketing Plan and is anticipated to go live by June 30, 2015. On September 27, 2014, the one-page, two-sided marketing brochure for Gateway West Commerce Park was distributed by mail to more than 200 site location consultants, state officials, brokers, developers, utility providers and other economic development professionals. An electronic version of this brochure is scheduled to be distributed to more than 200 economic development professionals via an e-blast in November 2014. Targeted marketing efforts will continue in conjunction with visits to site location consultants, state developers and industry specific trade shows.

Gateway West Commerce Park

Economic Development Product

- *Create non-profit to support economic development*

On August 4, 2014 the Commissioners authorized the County Manager to work with the County Attorney and staff to develop an organizational structure for a non-profit to support and enhance the economic development efforts in Rutherford County. Since that time, staff has reviewed 501(c)(3) and 501(c)(4) structures in an effort to identify the most appropriate and beneficial organizational structure to accomplish the goals set forth by the Commissioners. Staff will continue the process by engaging a CPA and the County Attorney to finalize a structural recommendation for the Board of Commissioners consideration.

Southern EMS Station

Architect selected per Commissioners' direction and site plans reviewed for potential library during Summer 2014. Project ordinances on September 8 Agenda. Project out to bid in October and bid tab on November 3 Agenda.

Library Cost Estimate

Site plans reviewed and provided at September 8 Commissioners' meeting. Commissioners approved Project Ordinance amendment at September 8 meeting. Construction documents under development, with bid tab currently expected at January 5, 2015 Commissioners Meeting.

\$600,000 federal; ARC grant for tele-learning, chemistry lab, and Applied Sciences center planning received by County for Rutherford County Schools and ICC. Grant implementation underway with tele-learning systems anticipated to be installed spring 2015 and lab upgrade during summer 2015. Same team investigating \$3 million EDA grant; ICC Leading GAITC initiative.

Vocational/Technical Training Center

Pending. Reviewed by ICC Trustees and Rutherford County Board of Education; ICC moving forward on renderings for Applied Sciences Center.

County-Schools-Colleges Facilities Plan

Water and Sewer Infrastructure

Completed. Implementation review underway by municipalities and County; integration with preliminary engineering report (PER) on intersections likely impacted by Equestrian Center development.

Sewer Systems Study Review

Staff seeking higher point ranking for projects; staff continues promoting Interstate status for 74 and encouraging NC-SC cooperation for 221 Improvements from Chesnee to NC border. Staff continues working with Legislators and adjacent NC counties on Hwy 221 and 74 Interstate status projects.

Transportation Advocacy

- *Highway 221 Four-Laning*
- *Highway 74 Interstate*
- *Highway 221 Chesnee*
- *Highway 221-A Straightening*
- *Highway 221 Charlotte Road off ramp*
- *Highway 221 Laurel Hill bi-section*

2014 Commissioner Goals

General Priorities	Status
Work with schools and TDA on joint soccer/softball/baseball facilities	<i>Pending capital facilities planning with Board of Education.</i>
911 Back-up Center	<i>New State 9-1-1 funding priorities encourage back-up for facilities; staff investigating options allowed by new technologies.</i>
Farmers Market to be advanced as far as possible this year	<i>Farmers Market structure erected in Forest City; Holiday season indoor Farmers Market being jointly developed with Forest City; Market manager hired; 2014 season in new location underway successfully; includes food, arts, crafts, classes and entertainment.</i>
Public Records Terminal	<i>Installed and made available for use Monday, September 26, 2014</i>

50% Share on Water and Sewer Pilot Program

Pending; Preliminary Engineer Report (PER) underway on cost to provide water and sewer service to three intersections most likely to be impacted due to the Tryon Equestrian Center.

HVAC and Roof Plan for Schools and Colleges

State team from Utility Savings Initiative (USI) visited County, Schools and College investigating possible energy savings measures and Performance Contract. Report pending. Also pending, facilities discussion with Board of Education and ICC Trustees.

Increase internet/cell services to unserved and underserved areas of the county

County selected to participate in NC Department of Commerce survey with cooperation between County, Chamber, and Schools; over 1,800 received - the highest in the State!

Investigate regional MSW or incinerator

Report to Commissioners presented at October 6 meeting.

2014 Commissioner Goals

Other Priorities	Status
Continue to expand community based grants	<i>FY2014-15 Grants awarded by Commissioners on October 6.</i>
School bus garage	<i>Pending Capital Facilities Planning with Board of Education</i>
Agriculture/Economic Development Director	<i>NC State Cooperative Extension Strategic Plan completed with funding reallocation; staff discussing options for this function.</i>



Agenda Summary Sheet

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

File #: ID 14-469, Version: 1

Meeting Date: November 3, 2014

Placement of Political Signs

Summary:

The *Rutherford County Policy Placement of Political Signs on County Property* states that political signs may be placed on County Property no sooner than thirty (30) days prior to the Election Day for which they were made. These dates are not based on any period early voting, which shall have no effect on this policy. Board of Elections Director Debbie Bedford has advised that the State statute on signs was changed to 30 days before one-stop voting in 2012. The Board may wish to consider following the State statute.

Budget:

N/A

Contact Information:

Carl Classen, County Manager
287-6060
carl.classen@rutherfordcountync.gov

Recommended Motion:

Discussion and possible action.



Agenda Summary Sheet

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

File #: ID 14-489, Version: 1

Meeting Date: November 3, 2014

Animal Control Facility Options

Summary:

The report requested at the October 5 Commissioners meeting is under development, along with investigation of an Agreement with CPC as proposed by Sheriff Francis. Staff is working to provide the report and possible Agreement by email prior to the November 3 Commissioner meeting.

Budget:

N/A

Contact Information:

Carl Classen, County Manager
287-6060
carl.classen@rutherfordcountync.gov

Recommended Motion:

Discussion and possible action.



Agenda Summary Sheet

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

File #: ID 14-492, Version: 1

Meeting Date: November 3, 2014

Applied Science Center Grant Application

Summary:

Isothermal Community College has been working on a federal grant that would provide funding for capital construction costs for an Applied Science Center. President Walter Dalton will make a presentation regarding the grant application.

Budget:

N/A

Contact Information:

Walter Dalton, President, Isothermal Community College
wdalton@isothermal.edu
395-1300

Recommended Motion:

Discussion and possible action.



Agenda Summary Sheet

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

File #: ID 14-487, Version: 1

Meeting Date: November 3, 2014

Economic Development Building Reuse Grant - Family Preservation

Summary:

On October 6, 2014 Rutherford County Economic Development was contacted by Family Preservation Services of NC (FPS) regarding a proposed expansion opportunity resulting in a proposed new investment of at least \$289,575 and the creation of 13 new full-time jobs over the next 2 years with an average annual salary of \$44,400. Project FPS is eligible to be considered for a Rural Economic Development Division Rural Grants Building Reuse - Rural Health Grant in an amount equal to \$10,000 per job created or one-half to total renovation cost, whichever is less. It is anticipated the total renovation cost to be in the vicinity of \$250,000.

Rutherford County Economic Development seeks approval of this Board Action and requests authorization for the County Manager to complete a grant application in an amount not to exceed \$125,000. Additionally, approval of this Board Action will appropriate the required 5% local cash match in an amount not to exceed \$6,500.00.

The Rural Economic Development Division Rural Grants Building Reuse - Rural Health Grant application is due to the NC Department of Commerce by 5:00 pm on November 4, 2014. Rutherford County Economic Development will seek consideration by the Town of Rutherfordton to participate by providing one-half of the required 5% local cash match equal to \$3,250.00

Budget:

A fund balance appropriation is required in the amount of not to exceed \$6,500.

Contact Information:

Matt Blackwell, Economic Development Director
287-6200
matt.blackwell@rutherfordcountync.gov

Recommended Motion:

Approve a local cash grant for use as a portion of the qualifying 5% local cash match required by the Rural Economic Development Division Rural Grants Building Reuse - Rural Health Grant and authorize the County Manager to complete and submit a Rural Grants Building Reuse - Rural Health Grant Application in support of Project FPS, considering an expansion in Rutherford County.

RESOLUTION TITLE: TO APPROVE A LOCAL CASH GRANT FOR USE AS A PORTION OF THE QUALIFYING 5% LOCAL CASH MATCH REQUIRED BY THE RURAL ECONOMIC DEVELOPMENT DIVISION RURAL GRANTS BUILDING REUSE – RURAL HEALTH GRANT AND AUTHORIZE THE COUNTY MANAGER TO COMPLETE AND SUBMIT A RURAL GRANTS BUILDING REUSE – RURAL HEALTH GRANT APPLICATION IN SUPPORT OF PROJECT FPS, CONSIDERING EXPANSION IN RUTHERFORD COUNTY.

WHEREAS, an healthcare entity, code name Project FPS, proposes an expansion in Rutherford County that will result in the creation of 13 new full-time jobs and an investment of at least \$289,575 over the next 2 years; and

WHEREAS, a portion of the proposed expenditures associated with this project, code name FPS, are eligible for reimbursement through the Rural Grants Building Reuse – Rural Health; and

WHEREAS, the proposed investment by the company, code named FPS, will result in a net increase in property value; 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 healthcare entity project, code name FPS, and authorizes the County Manager to complete and submit a Building Reuse – Rural Health grant application in the amount of one-half the total renovation cost which is presently expected to be in the vicinity of \$250,000;

BE IT FURTHER RESOLVED that the Rutherford County Board of Commissioners authorizes an appropriation from the fund balance to meet the requirements as the qualifying 5% local cash match required by the Building Reuse – Rural Health grant application and authorizes the Chairman or County Manager to sign and execute all documents necessary in support of the grant, if it is awarded in whole or in part.

Adopted this the 3rd day of November, 2014.

Chairman, Board of Commissioners

ATTEST:

Clerk, Board of Commissioners



Agenda Summary Sheet

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

File #: ID 14-468, Version: 2

Meeting Date: November 3, 2014

Safe Roads Safe Homes Program Resolution

Summary:

United Way has requested that the Board approve the attached resolution.

Budget:

N/A

Contact Information:

Faye Hassell, United Way Executive Director
286-3929
fchassell@bellsouth.net

Recommended Motion:

Approve resolution.

BOARD RESOLUTION

At the meeting of the Rutherford County Board of Commissioners on November 3, 2014, the following resolution was proposed and approved by the board:

Resolved:

WHEREAS the mission of the Safe Roads Safe Homes Program is to reduce the inappropriate use and availability of alcohol, prescription drugs and over-the-counter medications. We strongly encourage adult supervision of teen parties and gatherings held in individual homes and property. We seek pledges from parents who will not allow teenagers to drink alcoholic beverages or use drugs in their home or on their property.

WHEREAS the Rutherford County Board of Commissioners supports this mission of the Safe Roads Safe Homes Program sponsored by United Way of Rutherford County's Community Engagement Team and Youth Council.

Signed:

Board Chairman,
Rutherford County Commission



Agenda Summary Sheet

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

File #: ID 14-490, Version: 1

Meeting Date: November 3, 2014

Lease Agreement for Indoor Farmers' Market

Summary:

Rutherford County has been working with the Town of Forest City to provide space for an indoor Farmers' Market for the months of November and December. A lease agreement between Hunting Creek Associates and Rutherford County which would provide space for this project is attached.

The cost to the County is one-half of the utility charges which are included in the present budget. Plans are to open the Market on Friday evenings from 5:00 to 9:00 P.M. and on Saturdays from 10:00 A.M. to 9:00 P.M. - a total of approximately 15 hrs. per week for 4 weeks. As there is no stove in the kitchen presently, the kitchen area will only be used to serve drinks, pre-made cakes and pies.

Budget:

N/A

Contact Information:

Carl Classen, County Manager
287-6060
carl.classen@rutherfordcountync.gov

Recommended Motion:

Approve lease agreement 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.

STATE OF NORTH CAROLINA

COUNTY OF RUTHERFORD

LEASE AGREEMENT

THIS LEASE AGREEMENT, made and entered into this the ____ day of October, 2014, by and between the HUNTING CREEK ASSOCIATES, LLC, a North Carolina limited liability company (hereinafter "Lessor"), and COUNTY OF RUTHERFORD, a political subdivision of the State of North Carolina (hereinafter "Lessee") and by each of their respective heirs, successors and assigns;

WITNESSETH:

That subject to the terms and conditions hereinafter set forth, said Lessor does hereby let and lease unto said Lessee and said Lessee does hereby accept as Lessee of said Lessor a certain tract or parcel of land, lying and being in the Town of Forest City, Rutherford County, North Carolina, and being conveyed to Lessor by deed recorded in Deed Book 929 at Page 318, Rutherford County Registry, reference to which is hereby made for metes and bounds description, and being described by the Rutherford County Revenue Department as Tax PIN 04-26106 and Tax Map 203-2-2, and being 107 West Main Street, Forest City, North Carolina 28043, (hereinafter "Premises").

In consideration of the mutual covenants contained herein, the parties hereto agree as follows:

1. RENT: Lessee shall pay to Lessor rent in the amount of one dollar (\$1.00) for the duration of the Term, which rental amount shall be due and payable upon the execution of this Lease Agreement.

2. TERM: The term of this Lease shall commence the tenth (10th) day of November, 2014, and shall exist and continue through the fifth (5th) day of January, 2015 (hereinafter the "Term").

3. USE: It is expressly agreed by the parties hereto that the Premises shall, during the Term, be used exclusively for retail and commercial purposes related to the Farmer's Market, and for such other related purposes as Lessee may require.

4. CONDITION OF PREMISES: Upon the due termination of this Lease as provided herein, Lessee shall deliver said Premises into the possession of said Lessor in as good condition as the same now is, ordinary wear and tear excepted.

5. ALTERATIONS: Lessee accepts the Premises in its condition as of the execution of this Lease and shall make no alterations or improvements upon the Premises without the prior written consent of Lessor.

6. MAINTENANCE: Lessee shall be responsible for the day-to-day cleanliness and orderliness of the Premises throughout the Term; shall repair damage directly caused by Lessee, its agents and invitees; and shall return the Premises, at the conclusion of the Term, to

the Lessor in same condition as set forth hereinabove, and shall not be responsible for any other maintenance or repairs whatever, which shall remain the responsibility of Lessor.

7. TAXES: Lessor shall pay any ad valorem taxes charged by any government authority that may due and payable for the Premises.

8. UTILITIES: Lessee shall be responsible for any charges for utilities as they become due and payable related to Lessee's use during the Term, including but not limited to charges for electricity, heating, fuel, water, and telephone.

9. INSURANCE: Lessor shall pay in the first instance all premiums for fire and extended coverage insurance upon Premises. Lessor shall be named as loss payee in said insurance policy in an amount deemed advisable in Lessor's sole discretion. Lessee shall carry at its own expense and pay all premiums for insurance to cover its personal property upon the Property. All personal property moved into the Property by Lessee shall be at the risk of Lessee or the owners of the personal property.

10. WAIVER OF REMEDY: Lessee agrees that no waiver of any condition of this Lease by Lessor whether implied or in writing shall constitute any further waiver by Lessor of any other condition of this Lease. The rights and remedies created by this Lease are cumulative and the use of one remedy does not exclude or waive the right to use another.

11. FULL AGREEMENT AND AMENDMENTS: This Lease sets forth all the covenants, promises, agreements, conditions, or understandings, either oral, or written, between the parties hereto. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Lease shall be binding upon the Lessor or Lessee unless reduced to writing and signed by them, and no act by any representative or agent of Lessor other than a written agreement shall constitute an acceptance thereof.

12. ASSIGNMENT: Lessee shall not assign this lease or sublet any part of the Premises without the written consent of Lessor.

13. DEFAULT: It is expressly agreed that the failure of Lessee to comply with each and every term and condition of this Lease shall constitute a breach of this Lease Agreement. Failure to pay Rent as provided herein within ten (10) days of the date due shall result in the immediate termination of this Lease Agreement. In all other instances, Lessee shall have thirty (30) days upon receipt of written notice from Lessor of any breach to correct the conditions specified in the notice and if such corrections are not made by Lessee within thirty (30) days of receipt of said notice, the Lessor may terminate this Lease and take possession of the Premises without limitation to any other remedies Lessor may have against the Lessee as a result of said breach.

14. NOTICES: It is agreed that all notices regarding this lease shall be sent by certified or registered mail to:

LESSOR:
Hunting Creek Associates, LLC
Attn: Tommy Luckadoo
P.O. Box 583
Morganton, NC 29680

LESSEE:
Rutherford County
Attn: County Manager
289 North Main Street
Rutherfordton, NC 28139

In Testimony Whereof, said parties have executed this contract in duplicate originals, one of which is retained by each of the parties, the day and year first above written.

LESSOR:

HUNTING CREEK ASSOCIATES, LLC

BY: _____
Name: _____
Title: _____

LESSOR:

RUTHERFORD COUNTY,
A North Carolina governmental entity

BY: _____
William Eckler,
Chairman, Board of Commissioners of Rutherford County

Attest:

Hazel Haynes
Clerk to the Board of Commissioners of Rutherford County

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Paula Roach
County Finance Officer

This form approved by:

Richard P. Williams
County Attorney



Agenda Summary Sheet

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

File #: ID 14-486, Version: 1

Meeting Date: November 3, 2014

Rutherford Soil and Water Conservation New Master Agreement

Summary:

The Rutherford Soil and Water Conservation District has received a replacement master agreement for district matching funds and technical assistance funds to cover fiscal years 2014-2015 through 2017-2018. The new master agreement will take the place of the agreements first established in 2012-2013 and include several changes to increase accountability and clarify expectations for each party to the agreement.

The new agreement includes the following changes from the original 2012 agreement:

1. Establish that the contract is between the department and district (Preamble)
2. Incorporate statutory and rule references in “*Whereas*” section (Preamble)
3. Link payments under the agreement to compliance to commission policies and rules - (Section III)
4. Include clearer language under Section IX. Payment Provisions that payments may be withheld for failure to perform services in a satisfactory manner.
5. Include a Dispute Resolution provision (Section XIV).
6. Add a provision addressing conflict of interest for any district employee funded through the agreement (Section V) and requiring a [Secondary Employment Certification Form](http://www.ncagr.gov/SWC/districts/documents/ACSP-) [to be submitted annually for all cost-shared positions. This provision requires each district to adopt a secondary employment policy that is consistent with the](http://www.ncagr.gov/SWC/districts/documents/ACSP-) [Commission's Guidelines on Secondary Employment](http://www.ncagr.gov/SWC/costshareprograms/documents/secondary_employment_district_employee.)
7. Clarify whether the agreement includes federal funds(Section IV. DSWC Duties and Attachment A: Contract Budget).
8. Establishes clearer deadlines for [matching funds requests](http://www.ncagr.gov/SWC/districts/documents/2014-15MatchingFundsApplicationForm-) [, quarterly reporting](http://www.ncagr.gov/SWC/districts/documents/2014-15MatchingFundsApplicationForm-) [and quarterly technical assistance billing](http://www.ncagr.gov/SWC/districts/documents/FY2015_TechnicalAssistanceMonthlyTrackingForm.) [in Scope of Work, etc and clarifies consequences for failing to meet the deadlines.](http://www.ncagr.gov/SWC/districts/documents/District2014-15TAInvoiceForm.xlsx)
9. Includes a requirement for the district to certify that the individuals receiving technical assistance funds

meet the minimum requirements for a cost-shared technical assistance position.

A copy of the proposed new master agreement is included in the agenda notebook.

Budget:

N/A

Contact Information:

Missy York, Administrative Education Specialist
287-4220
missy.york@rutherfordcountync.gov

Recommended Motion:

Approve new master agreement.



Agenda Summary Sheet

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

File #: ID 14-474, Version: 1

Meeting Date: November 3, 2014

Recommended Changes to Personnel Policy

Summary:

Human Resources Director Debra Conner has provided changes that are recommended to be made to the existing Rutherford County Personnel Policy. A copy of the recommended changes is on the following pages along with a copy of the current Personnel Policy.

Further, the existing Personnel Policy was last comprehensively updated in 1997. Staff will be seeking a budget item for FY 2015-2016 to contract with a vendor to perform this update.

Budget:

N/A

Contact Information:

Debra Conner, Human Resources Director
287-6145
debra.conner@rutherfordcountync.gov

Recommended Motion:

Approve changes to the Rutherford County Personnel Policy.



north carolina's
RUTHERFORD COUNTY

DEBRA E. CONNER
Human Resources Director

BROOKE WATSON
HR Specialist

OFFICE OF HUMAN RESOURCES

October 6, 2014

To: Carl Classen, County Manager

From: Debra Conner, Human Resources Director

Recommended Changes:

The Rutherford County Personnel Policy Article VII Section 7 reflects disciplinary procedures. (Copy Attached). The original language was put into the policy to also encompass the State Personal Act. However, the State Personal Act has revised their policies and this language is obsolete.

Upon reviewing the policy and conferring with several counties, the School of Government, and legal counsel, I recommend the changes below:

Article VII Section 7

Rephrase the second paragraph under Failure in Performance of Duties to state that employees will receive two warnings before disciplinary action is taken unless the violation warrants immediate action. In cases that pertain to safety sensitive positions, violations will be investigated as they occur and appropriate action will be taken as necessary. No warnings are necessary for a safety sensitive violation.

Remove "Oral Warning" from policy. Oral warnings have to be written as well for documentation thus invalidating the need for an oral warning. The School of Government strongly urges Counties not to use Oral warnings as part of the policy. The disciplinary procedure needs to require two written warnings for Failure in Performance of Duties. These warnings will be written and discussed with the employee along with a corrective action plan. Failure for the employee to improve the performance can lead to further disciplinary action up to and including termination.

Article VII Section 8

This sections states that a person can be reprimanded, suspended, demoted or dismissed for an reasons of misconduct that is **detrimental** to county service in order to (1) to avoid undue disruption of work , (2) protect the safety of persons or property, or (3) for other serious reasons. These actions can be taken without prior warning or disciplinary action having been given to the employee. This would

remain the same; however, the verbage for Section 11 below needs to be modified for clarification of Section 8.

Article VII Section 11—reword to say that dismissals **unless related to the above reasons** shall be preceded by an automatic three day suspension.

Article VIII Section 3 step (3) Competitive service employee-this part needs to be deleted as this relates to the State Personal Act and is no longer necessary for the County Personal Policy.

Article VII Grievance Procedure, Discriminatory and Adverse Action Appeal

The current policy reflects an advisory board or the County Manager be the final person to hear a grievance appeal. The wording should be changed that the employee follow the below steps to grieve a disciplinary procedure:

1. Appeal in writing to immediate supervisor, if decision not satisfactory, or the employee fails to gain a response, in accordance to the personnel policy; then
2. Appeal to Department Head, if decision not satisfactory or the employee fails to gain a response in accordance with the personnel policy; then
3. Appeal to County Manager, final decision

The creation of an Advisory Board is obsolete as well. Counties and municipalities understand the need to retain confidential information and follow the chain of command in a grievance procedure. The three steps as recommended above are sufficient to accommodate a grievance appeal.

Thank you for your assistance as we continue to revise the County Personnel Policy.

dec

2. An employee may not ask other employees for shared leave, however, an employee may be nominated by a fellow employee. An employee who wishes to nominate a fellow employee should contact the Human Resource Office.
3. Request will be reviewed by the appropriate Department head and the Human Resource Director. If a request is approved, the recipients name and need will be advertised throughout the County agencies.
4. An employee nominated for shared leave must complete a form VSL-1 (Request to Use Shared Leave) and forward it to the Human Resource Department.
5. Before an employee is considered to be a recipient they should follow the advanced sick leave policy in Article VI, Section 13 of the Rutherford County Personnel Ordinance.
6. An employee who is approved to be a recipient must use the balance of their annual, sick, and compensation leave before accepting the donated leave.
7. There is a 20 day waiting period for an employee to be eligible for shared leave. This condition may be satisfied by utilization of number 5 above. However, the County Manager shall have the authority to wave the waiting period during any 12 months if the twenty day period has already been met.
8. An employee on workers' compensation leave who is drawing temporary disability compensation may be eligible to participate in this program. Use of donated leave under the worker's compensation program would be limited to use during the required waiting period and to the supplemental leave schedule.
9. ~~Leave donated to a recipients leave account is exempt from the maximum accumulation (30 days) carry over restrictions at the calendar year end.~~
10. Participation is limited to 6 months.
11. At the expiration of the medical condition, any unused leave in the recipients donated leave account shall be treated as follows:

Each approved emergency medical condition shall stand alone and donated leave not used in accordance with the above provisions shall be considered as having served its purpose, shall lose its identity, and shall be deleted and the account closed.

b. Requirements for participating in the program as a donor and related information are:

1. Employees wishing to donate leave may contribute vacation leave only.
2. The maximum amount of vacation leave allowed to be donated by one individual is to be no more than the amount of the individual's annual accrual rate. However, the amount donated is not to reduce the donor's vacation leave balance below one-half of the annual leave accrual rate.

Example: Employee with 5 but less than 10 years of creditable service earns 15 vacation days annually. The employee may contribute a maximum of 15 days but may not reduce vacation leave balance below 7 1/2 days.

3. Withdrawals from a recipient's leave account will be charged to the recipient's account according to usual leave policies.

4. Individual leave records are confidential and only individual employees may reveal their donation or receipt of leave. Individual donors are not identified to the recipient.
5. The employee donating leave cannot receive remuneration for the leave donated.
6. Employee donating leave must complete the attached Form VSL-2 (Request to Transfer Shared Leave) and forward it to the Personnel Office.

Beginning

ARTICLE VII. SEPARATION, DISCIPLINARY ACTION, AND
REINSTATEMENT

Section 1. Types of Separation

All separations of employees from positions in the service of the county shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force, disability, retirement, dismissal, or death.

Section 2. Resignation

A minimum of two (2) weeks' notice is expected of all resigning personnel. Such notice should be given to the department head (or in the case of department heads, to the county manager).

Section 3. Reduction in Force

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's past performance, organizational needs, and seniority in determining those employees to be retained. Employees who are laid off because of reduction in force shall be given at least two (2) weeks' notice of anticipated lay-off. No regular employee shall be separated while there are temporary employees serving in the same class in the department, unless the permanent employee is not willing to transfer to the position held by the temporary employee.

Section 4. Disability

An employee may be separated for disability when the employee cannot perform the required duties because of a physical or mental impairment. Action may be initiated by the employee or the county but in all cases it shall be supported by medical evidence as certified by a competent physician. The county may require an examination at its expense and performed by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the county's service for which the employee may be suited.

Section 5. Death

All compensation due in accordance with Article VI, Section 11 of this policy will be paid to the estate of a deceased employee. The date of death shall be recorded as the separation date for computing compensation due.

Section 6. Disciplinary Actions

An employee may be reprimanded, suspended, demoted or dismissed by the department head with the approval of the County Manager because of failure in performance of duties or failure in personal conduct. The department head shall provide the employee with a written notice including the recommended effective date, reasons for the action, and appeal rights available to the employee.

Section 7. Failure in Performance of Duties

An employee whose work is unsatisfactory over a period of time shall be notified by the supervisor in what way the employee's work is deficient, and what must be done if the work is to be satisfactory.

An employee who is suspended, demoted or dismissed for unsatisfactory performance of duties shall receive at least three (3) warnings before disciplinary action is taken. This procedure must be followed:

(1) Oral warnings must be issued to the employee by the supervisor. Warnings must specify the violations, the date of the violation, the need for and the corrective action to be taken and the consequences of not following the corrective action. The warning can be given verbally, but must be documented with the date of the oral warning, the violation(s) that has occurred, the date of the violation(s), the corrective action to be taken, the date upon which the corrective action must be completed. This documentation will be placed in the employee's Personnel file. *Remove*

(2) A *first* second oral warning with a follow-up letter issued by the supervisor to the employee. The follow-up letter must include the date of the oral warning, the violation(s) that has occurred, the date the violation(s) occurred, the corrective action to be taken, the date upon which this corrective action must be completed. This letter will be given to the employee and a copy placed in the employee's personnel file.

(3) A *second* written warning must be issued by the department head to the employee. This warning must include the date of the written warning, the violation(s) that has occurred, the date of the violation(s) and the corrective action that must be taken. This warning must also serve notice upon the employee that if corrective action is not taken immediately, disciplinary action will be taken.

The employee must be allowed at least three (3) workdays to respond to the charges before any determination is made by the department head concerning a suspension or a demotion or a determination is made by the appointing authority concerning dismissal.

The following list of causes relating to failure in the performance of duties are representative of those considered to be adequate grounds for suspension, demotion, or dismissal, but is not considered to be all inclusive:

- (a) inefficiency, negligence or incompetence in the performance of duties;
- (b) careless, negligent or improper use of county property or equipment;
- (c) physical or mental incapacity to perform duties;
- (d) discourteous treatment of the public or other employees;

- (e) absence without approved leave;
- (f) habitual improper use of leave privileges; and
- (g) habitual pattern of failure to report for duty at the assigned time and place.

Section 8. Failure in Personal Conduct

An employee may be reprimanded, suspended, demoted or dismissed for any reasons of misconduct that is detrimental to county service (1) in order to avoid undue disruption of work, (2) to protect the safety of persons or property, or (3) for other serious reasons. These actions can be taken without prior warning or disciplinary action having been given to the employee.

The following list of causes relating to failure in personal conduct are representative of those considered to be adequate grounds for suspension, demotion or dismissal, but is not considered to be all inclusive.

- (a) fraud in securing appointment;
- (b) conduct unbecoming a public officer or employee;
- (c) conviction of a felony or of a misdemeanor which would adversely affect performance of duties, or entry of a plea of "no contest" to either;
- (d) misappropriation of county funds or property;
- (e) falsification of county records;
- (f) reporting to work under the influence of alcohol or narcotic drugs or partaking of such things while on duty or while on public property, except that prescribed medication may be taken within the limits set by a physician so long as medically necessary.
- (g) willful damage or destruction of property;
- (h) willful acts that would endanger the lives and property of others;
- (i) acceptance of gifts in exchange for "favors" or "influence;"
- (j) incompatible employment or conflict of interest;
- (k) violation of political activity restrictions.

An employee demoted for causes relating to personal conduct shall be given a statement of the charges, be allowed to respond in writing, and be given a prompt written statement of the decision of the department head or county manager or his/her designee. These steps shall be taken before the disciplinary action except in cases of suspensions where a written statement will be sent to the employee by certified mail.

Section 9. Disciplinary Suspension

An employee who is suspended for disciplinary reasons shall be relieved temporarily of all duties and responsibilities and shall receive no compensation for the period of suspension.

employee may be suspended without notice by the department head for causes related to personal conduct to and undue disruption of work, to protect the safety of persons or property, or for other serious reasons. When a department head suspends an employee he shall tell the employee to leave county property at once and remain away until further notice. The department head shall notify the personnel director immediately. The suspension may be immediate if necessary.

A written summary giving the circumstances and facts leading to the suspension shall be prepared; one copy shall be mailed to the employee by certified mail, and one copy shall be filed in the employee's folder.

Section 10. Non-Disciplinary Suspension

During the investigation, hearing or trial of an employee on any criminal charge or during the course of civil action involving an employee, the department head may suspend the employee without pay for the duration of the proceeding as a non-disciplinary action. However, the investigation, hearing, trial, or civil action must involve matters that may form the basis for disciplinary suspension, demotion or dismissal in order for the non-disciplinary suspension to be allowed. Said suspension may be immediate upon learning of the charge or civil action and may be conditioned upon the county's own review to determine if cause exists for disciplinary action which may include demotion, dismissal or suspension.

Full recovery of pay and benefits for the period of non-disciplinary suspension will be authorized by the Board of Commissioners, if the suspension is terminated with full reinstatement of the employee.

Section 11. Dismissal

Dismissals for failure in job performance or personal conduct shall be preceded by an automatic three (3) day suspension without pay pending completion of a review by the appointing authority. If the appointing authority determines that a dismissal action is appropriate, such dismissal shall be effective at the end of the three (3) day suspension. If a dismissal is made at the end of this period, a written summary giving the circumstances and facts leading to the dismissal shall be prepared. A copy of the summary shall be delivered to the employee by certified mail and one copy shall be filed in the employee's personnel folder.

Section 12. Employee Appeal

A permanent employee wishing to appeal a demotion, suspension or dismissal may present the matter in accordance with the provisions of the grievance procedure prescribed in Article VIII of this ordinance.

Section 13. Reinstatement

An employee who resigns while in good standing or who is separated because of reduction in force may be reinstated within one (1) year of the date of separation, with the approval of the department head and the county manager or his/her designee. An employee who enters extended active duty with the Armed Forces of the United States, the Public Health Service or with a Reserve component of the Armed Forces will be granted reinstatement rights commensurate with Chapter 43 of Public Law 93-508. An employee who is reinstated shall be credited with previous service and previously accrued sick leave and will receive all benefits provided in accordance with this policy and state law. The salary paid a reinstated employee shall be as close as reasonably possible, given the circumstances of each employee's case, to the salary step previously attained by the employee in the salary range for the previous class of work, plus any across-the-board pay increases.

ARTICLE VIII. GRIEVANCE PROCEDURE; DISCRIMINATORY AND
ADVERSE ACTION APPEAL

Section 1. Organization of Advisory Personnel Board

- Renewed*
- (a) The board of commissioners shall appoint an advisory personnel board to consist of three (3) members. Members of the advisory personnel board shall serve three-year staggered terms. Members shall be appointed by the board of commissioners at their first regular meeting in January of each year. A member of the advisory personnel board may be removed by the board of commissioners only for cause and after being given a written statement of the charges and a public hearing thereon, if so requested. Vacancies in an unexpired term shall be filled by the board of commissioners by appointment for the remainder of the term.
- (b) Each member of the advisory personnel board shall be a active voter of the county, and shall be known to be in sympathy with the merit principle of personnel administration. No person who has actively participated in the immediately preceding county election by seeking office, soliciting funds or votes, either by letter, telephone, personal contact or speeches, on behalf of any candidate for county office, and no county employee or officer shall be eligible to serve on the advisory personnel board. One member of the advisory personnel board shall have had experience in public or private personnel administration. Any member of the advisory personnel board who becomes a candidate for political office, or actively participates in county elections, in the manner hereinbefore set forth, shall be deemed to have vacated his position as a member of the advisory personnel board. Members of the advisory personnel board shall not be eligible for more than two (2) consecutive three-year terms on the board.
- (c) The advisory personnel board at the first meeting in January of each year shall elect one of its members as a chairman, who shall preside at all meetings, and shall be responsible for calling all such meetings. Meetings shall be held from time to time as necessary, and two (2) members shall constitute a quorum. Members of the advisory personnel board shall serve without compensation. The county shall provide clerical support to the board to perform such duties as the board may direct. The advisory personnel board shall:
- (1) Advise the board of commissioners and the county manager on county personnel problems;
 - (2) Conduct hearings upon the request of the board of commissioners or of discharged, suspended or demoted county employees. The board shall have all powers necessary to complete investigation of the action taken, including the power to call and examine witnesses and papers. The board shall inform the employee and the board of commissioners in writing of its findings and recommendations; and
 - (3) Keep an accurate record of all its proceedings, findings, and recommendations.

Section 2. Grievance Procedure and Adverse Action Appeal - Policy

- (a) In order to maintain a harmonious and cooperative relationship between the county and its employees, it is the policy of the county to provide for the settlement of problems and differences through an orderly grievance procedure. Every permanent employee shall

have the right to present his problem, grievance or adverse action appeal in accordance with the established policy free from interference, coercion, restraint, discrimination or reprisal.

- (b) It is the responsibility of the supervisor at all levels, consistent with authority delegated to them to consider and take appropriate action promptly and fairly on a grievance or adverse action appeal of any employee.
- (c) In adopting this chapter, the county sets forth the following objectives to be attained in this program.
 - (1) Assure employees of a way in which they can get their problems or complaints considered rapidly, fairly and without fear of reprisal.
 - (2) Encourage the employee to express himself about how the conditions of work affect him as an employee.
 - (3) Get better employee understanding of policies, practices and procedures which affect them.
 - (4) Provide employees with assurance that actions are taken in accordance with policies.
 - (5) Provide a check on how policies are carried out by supervisors.
 - (6) Give supervisors a greater sense of responsibility in their dealings with employees.

Section 3. Same - Nondiscrimination.

Any permanent county employee having a problem or grievance arising out of or due to his employment and who does not allege discrimination because of his age, sex, race, color, national origin, religion, creed, physical disability or political affiliation shall first discuss his problem or grievance with his supervisor and follow the grievance and adverse action appeal procedure established by the county.

Step one (1). The employee with a grievance or adverse action appeal shall present the matter orally or in writing to his immediate supervisor within thirty (30) working days of its occurrence or within thirty (30) working days of the time the employee learns of its occurrence, with the objective of resolving the matter informally. If the exact date cannot be established for the occurrence of a grievance circumstance, the thirty (30) working day limit will be waived, but the employee should file the grievance within a reasonable time period. The supervisor should be and is encouraged to consult with any employee or officer deemed necessary to reach a correct, impartial and equitable determination and shall give the employee an answer as soon as possible, but within five (5) working days.

Step two (2). If the decision is not satisfactory to the employee in step one, or if he fails to receive an answer within the designated period provided in step one, he may file the grievance in writing within ten (10) working days with the department head, who shall hear the grievance and render a decision in writing within a maximum of ten (10) working days.

For employees in the sheriff's department and the register of deeds office, there shall be no appeal beyond the opinion of the respective department heads.

Step three (3) grievance.

Permanent employee. If the decision is not satisfactory to a permanent employee in Step 2, or if he or she fails to receive an answer within the designated period provided in Step 2, an employee may file the grievance with the county manager. The county manager shall hear the grievance appeal and render a decision in writing within five (5) working days. The manager's decision shall be final regarding the grievance.

Step three (3) adverse action.

Permanent employee. In an adverse action case (demotion, dismissal, reduction in pay, layoff or an undesirable transfer or suspension), the regular employee may either appeal to the county manager or to the advisory personnel board.

The county manager shall hear the adverse action appeal and render a decision in writing within five (5) working days or may refer the matter to the advisory personnel board. If the manager hears the adverse action appeal, he shall report his decision to the employee and to the Board of County Commissioners within five (5) working days.

If a permanent employee shall appeal an adverse action to the advisory personnel board or if the county manager shall refer an adverse action appeal to the advisory personnel board established in accordance with these rules, the advisory personnel board shall hold a hearing thereon within ten (10) working days. Within five (5) days of the hearing, the advisory personnel board shall render a written advisory opinion to the employee and the manager. In a hearing before the advisory personnel board, the county must produce evidence to justify the adverse actions taken by the county regarding the employee. The employee must be given the right at the hearing to examine all the evidence and to cross examine witnesses. The employee has the right to be represented by a person of his choice. The advisory personnel board may hold an executive session for the purpose of making its decision. The advisory opinion of the personnel board shall be forwarded to the employee, county manager, and the Board of County Commissioners.

Step three (3) competitive service employee.

If a competitive service employee is not satisfied with the step two decision, or if he fails to receive an answer within a reasonable period of time, he may file the grievance or adverse action appeal with the state personnel commission within thirty (30) days after receipt of notice of the local department head's step two decision. The request should be filed through the state personnel director.

The state personnel director or any other person or persons designated by the commission shall investigate the disciplinary action or alleged discrimination which is appealed to the commission. The state personnel commission may hear the case or direct the state personnel director or other person or persons designated by the commission to conduct a hearing of the facts and issues. If following the investigation and hearing, a settlement is agreed to by both parties, the state personnel director or the designated agent shall certify the settlement to the commission. If following the investigation and hearing, there are issues and facts on which agreement cannot be reached, the state personnel director or the designated agent shall report his findings to the commission with his recommendations. The commission at its next meeting, or as soon as possible thereafter, shall consider the report and modify, alter, set aside or affirm said report and certify its findings to the local appointing authority. Decisions which may be made by the commission include the reinstatement of an employee to the position from which he has been removed, the employment, promotion, transfer or salary adjustment of an individual to whom it has been wrongfully denied or other suitable action to correct the abuse which may include requirement of payment for any loss of salary which has resulted from the improper discriminatory action of the appointing authority.

The decisions of the state personnel commission shall be binding in appeals of local employees subject to the personnel act if the commission finds that the employee has been subjected to discrimination or in any case where a binding decision is required by applicable federal standards. However, in all other local employee appeals, the decisions of the state personnel commission shall be advisory to the local appointing authority.

Section 4. Same - Discrimination

Any applicant for county employment, county employee or former county employee who has reason to believe that employment, promotion, training or transfer was denied him to that demotion, layoff or termination of employment was forced upon him because of his age, sex, race, color, religion, national origin, creed, political affiliation or physical disability except where specific age, sex or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration, shall have the right to appeal directly to the county manager (in the case of general county employment) or the state personnel commission (in the case of competitive service employment). A permanent county employee has the right to appeal using the grievance procedure outlined in Section 4 if he so desires. An employee or applicant must appeal an alleged act of discrimination within thirty (30)-days of the alleged discriminatory action.

ARTICLE IX. EMPLOYEE BENEFITS

Section 1. Insurance Benefits for active full-time eligible employees

The county provides medical, dental, and life insurance for active eligible full-time employees.

- (a) Employees and Retirees with Less than 20 Years Service. All retired employees of Rutherford County who have continuously maintained their health coverage since their last day of work and who are receiving benefits under the North Carolina Local Governmental Employees' Retirement System will be eligible as of January 1, 1988 for health coverage under a non-group certificate provided such employees meet the requirements of the Administrative Services Agreement between Rutherford County and the Health Insurance Carrier the same may be amended from time to time, and provided such employee pays the requisite premium associated with such coverage. Surviving spouses of deceased retirees who maintained their health coverage from their last day of work until their death and who receive a survivor's alternate benefit under the North Carolina Local Governmental Employees Retirement System will be eligible for this same benefit provided they meet the requirements stated above. This policy is subject to amendment upon majority vote of the County Commissioners.
- (a1.) All full time employees that are hired on or after August 1, 2005 and who obtain a minimum of twenty (20) years of credible service with Rutherford County or the Rutherford-Polk-McDowell District Health Department and who receive benefits under the North Carolina Local Government Employee's Retirement System upon retirement will be entitled to have a maximum of fifty (50%) percent of their medical insurance (excluding dental) premiums under the Rutherford County Insurance Plan paid for by Rutherford County or the Rutherford-Polk-McDowell District Health Department at the time of retirement. Effective August 1, 2005 this funded liability is capped at \$142.96 per month per employee.
- (b) Employees With 20 or More Years of Full-Time Service. All county employees who retire after January 1, 1988 and who have a twenty years credible service with Rutherford County and who receive benefits under the North Carolina Local Government Employees' Retirement System upon retirement will have their health insurance premiums under the county health plan paid for by Rutherford County if said employee is in the employment of the county at the time of retirement. All retired employees of Rutherford County who have

have twenty years credible service with Rutherford County and who are covered as of January 1, 1988 under the county health plan will be eligible for this same benefit.

- (b1) All full time employees that are hired on or after August 1, 2005 who become totally and permanently disabled while in the employment of Rutherford County or the Rutherford-Polk-McDowell District Health Department and are eligible for disability retirement benefits under the North Carolina Local Government Employee's Retirement System will be entitled to have a maximum of fifty (50%) percent of their non Medicare medical insurance premiums (excluding dental) under the Rutherford County Insurance Plan paid for by Rutherford County or the Rutherford-Polk-McDowell District Health Department for a period not to exceed thirty-six (36) months. Effective August 1, 2005 this funded liability is capped at \$142.96 per month per employee. Upon receipt of Medicare benefits by the employee or at the end of said thirty-six (36) month period, whichever event occurs first, the employee will be entitled to have a maximum of fifty (50%) percent of their Medicare medical insurance premiums (excluding dental) under the Rutherford County Insurance Plan paid for by Rutherford County or the Rutherford-Polk-McDowell Health Department. Effective August 1, 2005 the funded liability is capped at \$108.83 per month per employee.
- (c) Totally and Permanently Disabled Employees. Health insurance premiums will be paid by Rutherford County as of January 1, 1988 for all employees who become totally and permanently disabled while in the employment of Rutherford County and are eligible for disability retirement benefits under the North Carolina Governmental Employees' Retirement System. Those employees who are currently receiving disability benefits under this system are totally and permanently disabled, and are currently covered under the county medical plan will be eligible for this benefit.
- (c1) All full time employees that are hired on or after August 1, 2005 and who obtain twenty (20) years of credible service with Rutherford County or the Rutherford-Polk-McDowell District Health Department and who receive benefits under the North Carolina Local Government Employee's Retirement and are sixty-five (65) years of age will be entitled to have a maximum of fifty (50%) percent of their Medicare medical insurance premiums (excluding dental) under the State Health Plan paid for by Rutherford County or the Rutherford-Polk-McDowell District Health Department if said employee is in the employment of Rutherford County or the Rutherford-Polk-McDowell District Health Department at the time of retirement. Effective August 1, 2005 this funded liability is capped at \$108.83 per month.
- (d) Commissioners and Coroners. As of January 1, 1988, health premiums will be paid by Rutherford County for all County Commissioners and Coroners with twenty years service with Rutherford County which includes both time as an employee of the county or as an elected official of the county provided he/she is provided coverage after January 1, 1988.

The county may make other group insurance plans available for its employees upon authorization of the Board of Commissioners.



Agenda Summary Sheet

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

File #: ID 14-472, Version: 1

Meeting Date: November 3, 2014

Rail Trail Use Request - Run Against Addition

Summary:

A request has been received from Run Against Addition, LLC, to use the Thermal Belt Rail Train in Spindale for a Run Against Addition 5K and half marathon in October, 2015. Run Against Addition met with the County Manager's Rail-Trail Advisory Committee on October 28.

Based upon discussion at the meeting, the County Manager recommends that:

1. The concept of a run in fall 2015 proposed by Run Against Addiction be preliminarily approved pending:
 - (a) approval by any affected municipality and State/County departments;
 - (b) review of a final plan by the Advisory Committee; and
 - (c) final approval by the Commissioners following a final recommendation from the Advisory Committee;
2. The preliminary plan be reviewed by the Rutherford Outdoor Coalition prior to review by the Advisory Committee; and,
3. The Advisory Committee recommend to the Commissioners a regular procedure for handling requests for events along the Rail-Trail.

Budget:

N/A

Contact Information:

Danny Searcy, Public Works and Planning Director
287-6300
danny.searcy@rutherfordcountync.gov

Recommended Motion:

Discussion and possible action.



Agenda Summary Sheet

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

File #: ID 14-467, Version: 1

Meeting Date: November 3, 2014

December County Commissioners' Meeting

Summary:

Rule 4. Organizational Meeting, (a) Even-Numbered Years (see below) in the Rules of Procedure for Rutherford County Board of Commissioners calls for an organizational special meeting at 10:00 AM on the first Monday in December of even numbered years. This Special Meeting would be convened and concluded before the regular meeting of the Rutherford County Board of Commissioners which will be held at 6:00 PM per the *Resolution of the Rutherford County Board of Commissioners Relating to 2014 Meeting Schedule* approved on December 2, 2013.

Because of a conflict, it is requested that the 10:00 AM Special Meeting on December 1, 2014 be changed to 5:00 PM.

Rules of Procedure for Rutherford County Board of Commissioners

III. ORGANIZATION OF THE BOARD

Rule 4. Organizational Meeting

(a) **Even-numbered Years.** The Board shall hold an organizational special meeting at its regular meeting place at 10:00 A.M. on the first Monday in December of each even-numbered year. The agenda for this organizational meeting shall be limited to induction of newly elected members of the Board of County Commissioners and other elected county officials and organization of the Board for the ensuing year. The organizational meeting shall be convened and concluded before the regular December meeting is convened. The Clerk to the Board of Commissioners shall call the meeting to order and shall preside until a chair is elected. If they have not already been sworn and inducted into office, the newly elected members of the Board shall take and subscribe the oath of office as the first order of business. As the second order, the Board shall elect a chair and vice-chair from among its members. As the third order, the Board shall approve the bonds of the sheriff and the register of deeds and induct them and any other newly elected county officials into office.

Budget:

N/A

Contact Information:

Hazel Haynes, Clerk to the Board
287-6045
hazel.haynes@rutherfordcountync.gov

Recommended Motion:

Approve recommendation to change the Special Meeting to be held at 10:00 AM on December 1, 2014 to 5:00 PM on December 1, 2014.



Agenda Summary Sheet

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

File #: ID 14-477, Version: 1

Meeting Date: November 3, 2014

Chimney Rock Village - Flood Protection Ordinance Administration

Summary:

The Chimney Rock Village Council voted to rescind the Village's Flood Plain Ordinance and to adopt the County's Ordinance to take effect at such time as the County Commissioners vote to administer the ordinance within the Chimney Rock Village corporate limits. This was done pursuant to prior discussions between County and Village officials and as a result of the Village's Town Clerk/Zoning Administrator/Flood Plain Administrator passing away a few months ago. A copy of the resolution adopted by the Council is on the following page.

The Building Inspection Department currently administers the Flood Plain Ordinance in the remainder of the county, save the following municipalities; Rutherfordton, Forest City, and Lake Lure. The Rutherford County Flood Plain Ordinance designates the "Chief Building Inspector or his designee" as responsible for the administration

Budget:

N/A

Contact Information:

Carl Classen, County Manager
287-6060
carl.classen@rutherfordcountync.gov

Recommended Motion:

County Attorney Richard Williams will provide language for motion.

RESOLUTION NO.
Meeting of September 16, 2014

A RESOLUTION TO RESCIND CHAPTER 153 OF CHIMNEY ROCK VILLAGE CODE OF ORDINANCES PERTAINING TO FLOOD DAMAGE PROTECTION AND TO ADOPT CHAPTER 7 OF THE RUTHERFORD COUNTY CODE, THE FLOOD DAMAGE PREVENTION ORDINANCE OF RUTHERFORD COUNTY

WHEREAS, Chimney Rock Village (hereinafter "the Village") currently has a Flood Damage Protection Ordinance, to wit: Chapter 153 of the Chimney Rock Code and the Village is currently responsible for enforcing said ordinance;

WHEREAS, the Village desires to allow Rutherford County (hereinafter "the County") to enforce Flood Damage Protection within the Village's corporate limits; and

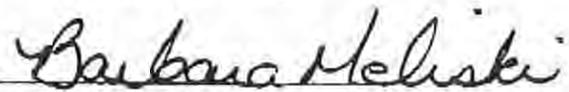
WHEREAS, the Village agrees to rescind its Flood Protection Ordinance and to adopt Chapter 7 of the Rutherford County Code, the Flood Damage Prevention Ordinance as the Flood Protection Ordinance within the Village's corporate limits.

NOW, THEREFORE, BE IT RESOLVED by the Council of Chimney Rock Village that Chapter 153 of the Village's Code of Ordinances is hereby rescinded and Chapter 7 of the Rutherford County Code, the Flood Damage Prevention Ordinance of Rutherford County, is hereby adopted by the Village to take effect upon approval of the County's Board of Commissioners to take responsibility for Flood Damage Protection within the Village's corporate limits.

Adopted and approved by vote of three for and none against this the 16th of September,, 2014.

Chimney Rock Village

Attest: 
Stephen Duncan,, Secretary

By: 
Barbara Meliski





Agenda Summary Sheet

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

File #: ID 14-484, Version: 1

Meeting Date: November 3, 2014

Tax Collector's Report - November, 2014

Summary:

The Tax Collector's Report is submitted for information.

Budget:

N/A

Contact Information:

Sherry Lavender, Revenue Director

287-6183

sherry.lavender@rutherfordcountync.gov <<mailto:sherry.lavender@rutherfordcountync.gov>>

Recommended Motion:

No action.

COMMISSIONER'S REPORT
SEPTEMBER 30, 2014

Description	Levy Collectible	Discounts Taken	Adjustments	Taxes Collected	Accounts Receivable	Collection Pct	Interest Collected
AD VALOREM TAXES							
Rutherford County	34,553,291.15	(43,337.40)	(45,594.10)	(11,088,267.92)	23,376,091.73	44.31	0.00
Special Districts	1,993,878.71	(1,790.29)	(4,807.19)	(464,430.40)	1,522,850.83	37.72	0.00
Solid Waste Fees	2,046,600.00	0.00			2,046,600.00		0.00
Town Taxes / Fees	8,439,596.32	(14,307.87)	(27,305.54)	(3,424,538.83)	4,973,444.08	50.53	0.00
Totals	47,033,366.18	(59,435.56)	(77,706.83)	(14,977,237.15)	31,918,986.64		0.00
AD VALOREM TAXES							
CURRENT YEAR - LEGACY SYSTEM							
Rutherford County	14,106.24	(2.52)	1,654.86	(7,136.29)	8,622.29	38.88	(505.19)
Special Districts	824.86	(0.24)	(0.08)	(470.84)	353.70	57.12	(38.19)
Solid Waste Fees	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Town Taxes / Fees	3,060.29	(0.31)	0.00	(331.57)	2,728.41	10.84	0.00
Totals	17,991.39	(3.07)	1,654.78	(7,938.70)	11,704.40		(543.38)
AD VALOREM TAXES							
DELINQUENT 2003-2013							
Rutherford County	4,916,193.99	0.00	8,373.25	(390,218.99)	4,534,348.25	0.00	(52,879.71)
Special Districts	270,090.17	0.00	(298.64)	(21,963.12)	247,828.41	0.00	(3,007.75)
Solid Waste Fees	350,489.25	0.00	(480.50)	(38,421.87)	311,586.88	0.00	0.00
Town Taxes / Fees	683,549.93	0.00	(57.88)	(88,164.69)	595,327.36	0.00	(10,554.05)
Totals	6,220,323.34	0.00	7,536.23	(538,768.67)	5,689,090.90	0.00	(66,441.51)
In Rem Cost	1,757.88	0.00	0.00	(5.75)	1,752.13		0.00
Garnishments & Bad Check Charges	47,420.81	0.00	(62.41)	(8,255.59)	39,102.81		0.00
2014 DISCOVERIES	7,136.29						
MOTOR VEHICLE TAXES							
CURRENT YEAR							
Rutherford County	1,562.03	0.00	0.00	(809.76)	752.27	0.00	0.00
Special Districts	131.79	0.00	0.00	(67.72)	64.07	0.00	0.00
Town Taxes / Fees	269.13	0.00	0.00	(95.37)	173.76	0.00	0.00
Totals	1,962.95	0.00	0.00	(972.85)	990.10	0.00	0.00
MOTOR VEHICLE TAXES							
DELINQUENT 2003-2013							
Rutherford County	641,246.88	0.00	1,339.83	(48,280.83)	594,305.88	0.00	(6,421.26)
Special Districts	45,248.76	0.00	(31.33)	(3,829.71)	41,387.72	0.00	(528.21)
Town Taxes	130,122.66	0.00	(145.75)	(7,815.83)	122,161.08	0.00	(1,054.45)
Totals	816,618.30	0.00	1,162.75	(59,926.37)	757,854.68	0.00	(8,003.92)
Sherry Lavender Revenue Director							

Sherry Lavender