

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD AT THE RUTHERFORD COUNTY OFFICE BUILDING IN THE COUNTY COMMISSIONERS' MEETING ROOM ON AUGUST 3, 2009, AT 6:00 P.M.

**PRESENT: CHAIRMAN BRENT WASHBURN
VICE CHAIRMAN MARGARET HELTON
SUSAN CROWE
EDDIE HOLLAND
PAUL MCINTOSH**

CALL TO ORDER\INVOCATION\PLEDGE OF ALLEGIANCE

Chairman Washburn called the meeting to order. Mike Dalton gave the invocation. Vice Chairman Helton led the pledge of allegiance.

ADOPTION OF AGENDA

Chairman Washburn read the items on the printed agenda and the supplemental agenda. Commissioner Crowe made a motion to approve the agenda as amended. The motion was unanimously approved.

Additions to the agenda were:

- Appointment to Historical Preservation Commission
- Closed Session - Industrial Location/G.S. 143-318.11(a)(4)

PUBLIC HEARING\CDBG\SCATTERED SITE HOUSING

Chairman Washburn declared the public hearing open to listen to comments on a 2009 application to the NC Department of Commerce for \$400,000 in Community Development Block Grant funds. These funds would be used to make repairs to homes owned and occupied by those who qualify under low to moderate income guidelines. Beth Pollard from Isothermal Planning and Development Commission described the work to be undertaken and the selection procedures to be adhered to under the proposed grant.

No one else wished to speak.

Chairman Washburn declared the public hearing closed.

Commissioner McIntosh made a motion to approve the application request for \$400,000 in CDBG funds from the NC Department of Commerce. The motion was unanimously approved.

PUBLIC COMMENTS

Mr. David Reno talked about his concerns regarding the airport. He said he does not believe the Commissioners have the best interests of the citizens at heart. Nor does he think the operator who has had to forego his lease as the fixed base operator should be hired by the county to do the job as an hourly contract employee. He said voters need to start voting with their dollars.

Mr. Boyce Abernathy played a E-911 tape of an incident which occurred at the airport, and he accused the airport operator of making false accusations to the Sheriff's Department.

CONSENT AGENDA

Chairman Washburn asked to be excused from voting on the consent agenda because he and his wife had a tax refund listed for the transfer of ownership of a vehicle. Commissioner McIntosh made a motion to excuse Chairman Washburn. The motion was unanimously approved.

Commissioner McIntosh made a motion to approve the consent agenda. The motion was approved on a 4-0 vote.

Minutes

By consent, the minutes of the July 6, 2009, meeting were approved.

Tax Refunds and Releases

By consent, tax refunds of \$567.88 and tax releases greater than \$100 totaling \$8,456.38 as outlined by Tax Administrator Kep Kepley were accepted. Tax releases of amounts less than \$100, which totaled \$2,576.36, were submitted by the Finance Office. (A copy of these tax refunds and releases is in the Minute Book.)

APPOINTMENT\TDA BOARD CHAIRMAN

Commissioner Holland made a motion to appoint Tom Judson, CEO of Rumbling Bald Resort, as chairman of the Rutherford County Tourism Development Authority, in accordance with the TDA's recommendation. The motion was unanimously approved.

APPOINTMENT\AIRPORT APPEALS BOARD

Commissioner McIntosh nominated Philip Byers to serve on the Airport Appeals Board. Commissioner Crowe nominated Keith Hunter.

Commissioner McIntosh made a motion that the nominations be closed. The vote on the motion was unanimous.

Philip Byers was approved as a member of the Airport Appeals Board on a 3-2 vote, receiving affirmative votes from Commissioners McIntosh, Holland and Washburn.

APPOINTMENT\PLANNING COMMISSION

Commissioner Crowe made a motion which was unanimously approved to re-appoint Kim Warner to the Planning Commission.

MEETING\DATE CHANGE

Commissioner Crowe made a motion to move the next regular meeting of the Commissioners to September 1, 2009, at 6:00 p.m. The motion was unanimously approved.

VOTING DELEGATE\NCACC ANNUAL CONFERENCE

Vice Chairman Helton made a motion to appoint Commissioner Paul McIntosh to serve as the voting delegate from Rutherford County at the annual meeting of the NCAAC. There was unanimous approval by the Board.

APPOINTMENT\HISTORIC PRESERVATION COMMISSION

Vice Chairman Helton made a motion to appoint Keith Price to serve on the Historic Preservation Commission. The motion was unanimously approved.

REPORT\WESTERN HIGHLANDS\MENTAL HEALTH SERVICES

Mr. Arthur Carter presented a summary of service data and consumer usage figures from Western Highlands for the last twelve months. He discussed some of the challenges that are being faced in funding and in retention of providers. He reported that two agencies operating in Rutherford County are financially stable.

AIRPORT AUTHORITY RECOMMENDATIONS

Alan Guffey, Chairman of the Airport Authority, explained the request for a budget amendment that would support operations at the airport for the next three months. Leading Edge Aviation has withdrawn as the Fixed Base Operator. The Airport Authority has chosen to hire Greg Turner on a temporary basis at \$22/hour to manage the airport operations while a search is conducted for a successor fixed base operator. The Airport Authority believes the airport operations can continue as usual and that the airport will make a small profit.

Commissioner Crowe and Vice Chairman Helton questioned Mr. Guffey on the actions of the Airport Authority, in particular on cancelled meetings; the decision to hire Mr. Turner; and the purchase of fuel supplies.

Commissioner McIntosh said the airport contributes \$200,000 annually to the county's general fund, and he believes it is an asset for economic development.

Commissioner McIntosh made a motion to approve the budget amendment. The motion was approved on a 3-2 vote, with McIntosh, Holland and Washburn voting in the affirmative.

BUDGET AMENDMENTS

Finance Director Scherer explained the budget amendments.

Chairman Washburn moved and the Board voted unanimously in favor of approving the budget amendments.

	Expense	Revenue
GENERAL FUND		
Drug Court Expenditures	\$ 15,338	
Fund Balance Appropriated		\$ 15,338
* To reappropriate balance remaining for Drug Court of \$2,806.30 and FY08-09 ABC Bottle Tax funds of \$12,531.96.		
NC Counties Insurance Pool	\$ (6,000)	
Airport Insurance	\$ 6,000	
* To transfer funds for Airport Operations Insurance		
Airport Supplies	\$ 5,000	
Fund Balance Appropriated		\$ 5,000
* To purchase items on attached list as recommended by the Airport Authority. The fund balance amount is from unspent funds that the Airport Authority received from the sale of trees.		
SOLID WASTE FUND		
SWEEP Expenditures	\$ 5,000	
Wal-Mart Grant		\$ 5,000
*Grant funds received. Will be used to help purchase rollout bins and carts to complement the school recycling programs.		

PER DIEM\SOCIAL SERVICES BOARD

Manager Condrey explained that Social Services board members receive a monthly stipend of \$40, which, although it is included in the approved budget, may need to be formally approved by the Commissioners. This was recommended by the auditor.

Commissioner Crowe made a motion to approve a stipend of \$40 per month for members of the Social Services board. The motion was unanimously approved.

CONTRACT\SECURITY SERVICES\ISOTHERMAL COMMUNITY COLLEGE

Commissioner Crowe made a motion to approve the contract between the county and Isothermal Community College under which the Sheriff's Department will provide a second deputy for security on the campus. The contract was adopted on a unanimous vote of the Board.

YOUTH EMPOWERMENT LEASE

Commissioner McIntosh made a motion to renew the lease for office space at Rutherford Center with Youth Empowerment on a month-to-month basis. The motion was approved by a unanimous vote.

CONVENIENCE CENTER CLOSING HOURS

Manager Condrey renewed the discussion that the Board had previously had regarding the the hours of operation at Rutherford County convenience centers. It was suggested that the centers could close on Sundays and close an hour earlier when daylight savings time is not in effect. The savings would total approximately \$30,500 (\$22,500 for Sunday closing and \$8,000 for earlier closing November to March.)

Chairman Washburn stated his preference to postpone consideration of the proposal for another month so that additional information can be gathered. Commissioner McIntosh suggested that a traffic count of users during the last hour of operation be made for a specified period of time. Manager Condrey agreed to collect information from users, conduct a traffic count during the last hour of operations, and publish a public hearing notice for the September meeting regarding this issue.

PANGAEA\MEMORANDUM OF UNDERSTANDING

Manager Condrey presented a Memorandum of Understanding between the county and Pangaea pertaining to the fiber network in Rutherford County.

Commissioner McIntosh made a motion to approve the Memorandum of Understanding with the stipulation that the expiration date correspond to the existing contract. A show of hands resulted in a unanimous vote of approval.

CLOSED SESSION\ ATTORNEY-CLIENT PRIVILEGE\G.S. 143.318.11(a)(3)\ INDUSTRIAL LOCATION/G.S. 143-318.11(a)(4)

Commissioner Crowe made a motion to go into closed session for attorney-client privilege under G.S. 143.318.11(a)(3) and Industrial Location under G.S. 143-318.11(a)(4). The motion carried.

7:15 P.M. – The Board went into Closed Session

8:00 P.M. – The Board returned to regular session.

LAWSUIT\GREY ROCK\BOND SAFEGUARD

Chairman Washburn announced that Rutherford County will proceed with a lawsuit suit against Bond Safeguard Insurance Company for the completion of infrastructure at Grey Rock or payment of the principal amount of the bonds issued by Bond Safeguard.

ADJOURNMENT

On a motion duly made by Vice Chairman Helton and affirmatively voted upon by all Commissioners, the meeting was adjourned..

Meeting adjourned at 8:05 p.m.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

Attest:

Clerk, Board of Commissioners