

MINUTES OF THE MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD AT THE RUTHERFORD COUNTY OFFICE BUILDING IN THE COUNTY COMMISSIONERS' MEETING ROOM ON SEPTEMBER 1, 2009, AT 6:00 P.M.

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

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CALL TO ORDER\INVOCATION\PLEDGE OF ALLEGIANCE

Chairman Washburn called the meeting to order. Mike Dalton gave the invocation. Commissioner Holland led the pledge of allegiance to the flag.

ADOPTION OF AGENDA

Chairman Washburn read the items on the printed agenda and the supplemental agenda. Vice Chairman Helton requested that the practice of adding items to the agenda by way of a supplemental agenda be discontinued unless an emergency requires the addition. She expressed her concern that Commissioners did not have adequate time to read and study items that are added.

Commissioner McIntosh made a motion to approve the agenda as amended. The motion was approved on a 3-2 vote, with Commissioners McIntosh and Holland and Chairman Washburn voting yes, and Vice Chairman Helton and Commissioner Crowe voting no.

Additions to the agenda were:

- Appointment to Library Board
- Re-issuance of Performance Bond for Queen's Gap

PUBLIC HEARING\CONVENIENCE CENTER HOURS

Chairman Washburn declared the public hearing open to listen to comments on a possible reduction in the hours of operation at Rutherford County's convenience centers in an effort to save on the cost of operating the centers. Under discussion were three options:

- The possible closing of all convenience centers on Sunday, and/or
- The possible closing of all convenience centers at 7:00 p.m. instead of 8 p.m. during the months of November through March, and/or
- The possible closing of all convenience centers at 7:00 p.m. instead of 8:00 p.m. year round.

Manager Condrey reported on the results of a survey that was made of the traffic at the centers during the 7:00 PM to 8:00 PM time frame. His report also included information of a survey of citizens about their opinions on reducing hours verses raising fees. The approximate cost savings to reduce hours were:

| | |
|--------------------------------------|----------|
| Sunday closing | \$22,500 |
| Closing during Daylight Savings Time | \$8,000 |
| Closing at 7:00 PM Year Round | \$24,000 |

Mr. Condrey reminded the Commissioners that because income in the form of fees for industrial waste have declined, it has been necessary to dip into the Solid Waste fund balance to meet operating costs.

Commissioner McIntosh said he had received letters from two citizens and asked about the possibility of closing on a weekday. He noted Wednesday appears to be a low volume day. Solid Waste Director Don Baynard believed this would present a problem in scheduling employees, in particular truck drivers and mechanics. Waste Management only transports to the out-of-county landfill on weekdays, and there is limited space at the transfer station. Mr. Baynard favored closing on Sunday and closing at 7:00 p.m. year-round.

Vice Chairman Helton stated she preferred limiting hours to raising fees. Mr. Condrey noted that when the current contract for hauling waste outside the county comes up for renewal in December 2011, it is possible that fees will have to be increased.

Mr. Condrey suggested that at least a 30-day notice be given prior to the change in hours. This would allow time for signs to be erected so the public could be properly notified. Litter Control Officer Steven Nanney made a suggestion that the change in times be scheduled to coincide with the change in Daylight Savings Time on the first Sunday in November.

No one else wished to speak. Chairman Washburn declared the public hearing closed.

Vice Chairman Helton made a motion to close convenience centers on Sunday and at 7:00 PM on all other days, effective November 1, 2009. The motion was unanimously approved.

PUBLIC COMMENTS

Mr. Bill Eckler spoke against the Daniel Road project. He said it will generate long term debt that will affect Rutherford County's children and grandchildren. The Commissioners should support the taxpayers by selling the property.

Mr. Mike Dalton referred to the limit of three minutes for each person speaking in the public comments portion of the Commissioners' meetings. These meetings are the only time a citizen can address all the Commissioners at one time. Therefore, he asked that citizens' speech not be limited. Mr. Dalton announced that video taping of the meetings is planned.

CONSENT AGENDA.

Commission Crowe made a motion to approve the consent agenda. The motion was approved on unanimous vote.

Minutes

By consent, the minutes of the August 19 and August 3, 2009, meeting were approved.

Tax Refunds and Releases

By consent, tax refunds of \$306.72 and tax releases greater than \$100 totaling \$68,685.39 as outlined by Tax Administrator Kep Kepley were accepted. Tax releases of amounts less than \$100, which totaled \$2,862.94, were submitted by the Finance Office. (A copy of these tax refunds and releases is in the Minute Book.)

AWARD FOR FINANCE OFFICE

Manager Condrey announced that the Rutherford County Finance Office has been awarded a Certificate of Achievement for Excellence in Financial Reporting for the twentieth year. Mr. Condrey acknowledged former Finance Directors Stella Womack and Rob Bole and present Finance Director Julie Scherer and Assistant Finance Director Paula Roach.

APPOINTMENTS\ADVISORY PERSONNEL BOARD

Manager Condrey presented a recommendation from Human Resources Director Judy Toney for appointments to the Advisory Personnel Committee, a panel that is convened only when needed to conduct hearings requested by an employee under the county's grievance procedure.

Commissioner Crowe made a motion to approve the appointment of Mike Saunders, Lori Ray and Mark Franklin to serve on the Advisory Personnel Committee. The motion was unanimously approved.

APPOINTMENTS\AIRPORT APPEALS BOARD

At the request of Vice Chairman Helton, appointments to the Airport Appeals Board will be considered at the October regular meeting of the Commissioners.

APPOINTMENT\LIBRARY BOARD

Commissioner Holland made a motion to appoint Alice Bradley to the Library Board from his district in the seat formerly held by Janice Swing. The motion was unanimously approved.

APPOINTMENT\PLANNING COMMISSION

Commissioner McIntosh nominated and moved to appoint Mike Hager to serve on the Planning Board from his district. The nomination was approved by unanimous vote.

BUDGET AMENDMENTS

Finance Director Scherer explained the budget amendments, most of which were for equipment that was budgeted but not spent in 2008-2009 and is being carried forward into 2009-2010.

Chairman Crowe made a motion to approve the budget amendments. The motion was unanimously approved.

**Budget Amendments
September 1, 2009**

| | Expense | Revenue |
|---|----------------|----------------|
| GENERAL FUND | | |
| IT Telecommunication Lease Purchase Capital* | \$ 153,594 | |
| IT Hardware Lease Purchase Capital* | \$ 2,830 | |
| IT Software Lease Purchase Capital* | \$ 2354 | |
| EMS Lease Purchase Capital* | \$ 6,387 | |
| Communications Center Lease Purchase Capital* | \$ 5,668 | |
| 04-05 Cultural Resources Grant** | \$ 822 | |
| St Grant 225 Yr Anniversary** | \$ 635 | |
| Sheriff Project Lifesaver** | \$ 6,385 | |
| Sheriff Equipment/Supplies Purchased with Seizure Funds** | \$ 12,503 | |
| Senior Center Purchase with Donations** | \$ 8,162 | |
| Cooperative Extension Farm City Activities** | \$ 1,465 | |
| DSS Special Children Adoption Funds** | \$ 3,217 | |
| Fund Balance Appropriated | | \$ 938,022 |
| Court Facilites Capital Outlay | \$ 22,418 | |
| Court Facilites Fund Balance Appropriated | | \$ 22,418 |
| *The above items were financed through lease purchase in previous years. These represent unexpended funds at June 30 '09 | | |
| **The above items are from grants or other restricted sources. These represent unexpended funds from these sources at June 30 '09 which must be rebudgeted. | | |

| | Expense | Revenue |
|---|-----------|------------|
| Building Projects | \$ 41,790 | |
| Transfer from Building Fund | | \$ 41,790 |
| *Re-appropriate uncompleted Building Fund projects from FY 2008-09. | | |
| Sheriff - Equipment purchased with seizure funds | \$ 2,346 | |
| Drug Seizure Funds | | \$ 2,346 |
| * unauthorized substance tax distribution received | | |
| Project Lifesaver | \$ 60 | |
| Project Lifesaver Donations | | \$ 60 |
| *Donations received | | |
| E911 FUND | | |
| Capital Outlay - GIS Mapping Project | \$ 59,550 | |
| Capital Outlay - PSAP in a Box | \$ 5,000 | |
| Fund Balance Appropriated | | \$ 124,550 |
| BUILDING FUND | | |
| Transfer to General Fund | \$ 41,790 | |
| Fund Balance Appropriated | | \$ 41,790 |
| *Re-appropriate uncompleted Building Fund projects from FY 2008-09. | | |

BUDGET FY 2009-2010/STATE BUDGET

Finance Director Scherer made a presentation to the Board on the effects of the FY 2009-2010 state budget on Rutherford County's finances, including cuts, monies withheld, and requirements that the county take on some expenses previously supported by the state. The state's budget will decrease the county's general fund revenues by approximately \$113,000 and court facilities by \$21,000.

SURPLUS VEHICLES

A list of surplus vehicles was presented to the Board with the recommendation that these be declared surplus and approved for sale. It was also recommended that several of the vehicles be sold through an auction website, GovDeals. A minimum bid and payment terms would be established. If this initial process is successful, it could be used for the remaining vehicles.

Vice Chairman Helton made a motion to declare the vehicles presented as surplus and to authorize their sale through an auction website called govdeals.com. The motion was unanimously approved.

PROCLAMATION OF SUPPORT FOR TYON RIDING AND HUNT CLUB

Commissioner Crowe made a motion to approve a Proclamation of Support for the Tryon Riding and Hunt Club for their efforts to stimulate economic prosperity and maintain tradition. The motion was unanimously approved.

A Proclamation of Support

The **Tryon Riding and Hunt Club**, est. 1925, is seeking to effect positive economic, cultural and environmental change in the community and the surrounding areas by emphasizing the importance of the new Green Creek Equestrian Park and by emphasizing the overall benefit for years to come to the Rutherford community at large.

WHEREAS, the Green Creek Equestrian Park will generate tourism dollars that will benefit Rutherford County; and

WHEREAS, the Green Creek Equestrian Park will generate jobs that cover a broad range of products and services; and

WHEREAS, the Green Creek Equestrian Park will strive to be a benchmark example in environmentally sound equestrian facility management; and

WHEREAS, the Green Creek Equestrian Park will strive to be community based with programs and services offered to the region at large; and

WHEREAS, the Green Creek Equestrian Park will offer educational, cultural and agricultural opportunities for the region at large; and

WHEREAS, the Green Creek Equestrian Park will be a example of sustainable agri-based rural activity that will serve as a landmark in the Carolina Foothills region

NOW THEREFORE BE IT RESOLVED; that Rutherford County, North Carolina will strive to support the efforts of the Tryon Riding and Hunt Club, a community 501 (c) 3 to establish, build, maintain and grow a viable center of economic prosperity, while maintaining the tradition of Western North Carolina as an equestrian center and will encourage local business and residents alike to do the same. The Rutherford County Board of Commissioners recognizes the importance of supporting equestrian-based businesses knowing they will ultimately help to increase the quality of life for all in Carolina Foothills.

Adopted this 1st day of September 2009.

RESOLUTION SUPPORTING 2010 CENSUS

Vice Chairman Helton made a motion to approve a resolution affirming Rutherford County's support of the 2010 Census. The motion was unanimously approved.

**A Resolution Affirming Rutherford County's
Support Of And Partnership With The 2010 Census.**

WHEREAS the U.S. Census Bureau is required by the Constitution of the United States of America to conduct a count of the population and provides a historic opportunity for Rutherford County to help shape the foundation of our society and play an active role in American democracy;

WHEREAS Rutherford County is committed to ensuring every resident is counted;

WHEREAS more than \$300 billion per year in federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based on census data, including healthcare, community development, housing, education, transportation, social services, employment, and much more;

WHEREAS census data determine how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures, county and city councils, and voting districts;

WHEREAS the 2010 Census creates hundreds of thousands of jobs across the nation;

WHEREAS every Census Bureau worker takes a lifetime oath to protect confidentiality and ensure that data identifying respondents or their household not be released or shared for 72 years;

WHEREAS a united voice from businesses, government, community-based and faith-based organizations, educators, media and others will allow the 2010 Census message to reach a broader audience, providing trusted advocates who can spark positive conversations about the 2010 Census;

Now, therefore, **BE IT RESOLVED** that the Rutherford County Board of Commissioners

1. Supports the goals and ideals for the 2010 Census and will disseminate 2010 Census information to encourage participation.
2. Asks its affiliates and membership to partner together to achieve an accurate and complete count.
3. Encourages people in Rutherford County to participate in events and initiatives that will raise overall awareness of the 2010 Census and increase participation among all populations.

Adopted this the 1st day of September, 2009.

PERFORMANCE BOND/QUEEN'S GAP

Commissioner McIntosh made a motion to rescind the resolution passed on August 19 calling the previous bonds for Queen's Gap and to accept the new Performance Guarantee Bonds issued by Lexon for this development. There was a unanimous vote of approval.

ADJOURNMENT

Chairman Washburn declared the meeting adjourned.

Meeting adjourned at 7:05 p.m.

Chairman, Board of Commissioners

Vice Chairman, Board of Commissioners

Attest:

Clerk, Board of Commissioners