



# SEPTEMBER TOWN COUNCIL MEETING

Tuesday, September 20, 2022 at 6:00 PM

RUTH TOWN HALL

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## AGENDA

### CALL TO ORDER

### INVOCATION

### ROLL CALL

### AGENDA ADOPTION

Agenda will need to be modified to include the emergency expenditures at hand for light tunnel and town hall clean up.

### GUEST SPEAKERS

1. Alan Toney, Transportation planner from our local Foothills Regional Commission RPO, would like to introduce himself and inform the board of their inclusion and importance to the Commission.

<https://foothillsregion.org/>

[atoney@foothillsregion.org](mailto:atoney@foothillsregion.org)

### COMMUNITY FORUM

### APPROVAL OF LAST MEETING'S MINUTES

### OLD BUSINESS

2. NCDOT Local Adoption Resolution

Board will review resolution and make a decision on adoption.

3. These purchases were approved earlier, however, I wanted to review before we act on anything.

1) 3-D Polar Bear 8'x4'x13' - \$12,645

2) Polar Cub - 4' - \$5,118

3) 3-D Majestic Stag - 10' - \$9,485

4) Interactive Sleigh In Lights - 10'x50"x59" - \$10,640

<https://moscadesign.com/catalogs/holiday-champions-catalog/>

4. Notarized Letterhead document for Rosie with Arepitas to Go consenting to beer and wine sales on the premises. Letter is attached.

### COMMITTEE REPORTS

5. All financial reports were sent prior to meeting. Amie will review.

### NEW BUSINESS

6. MyRutherfordton Social Media petition for Street name change within Ruth's jurisdiction.

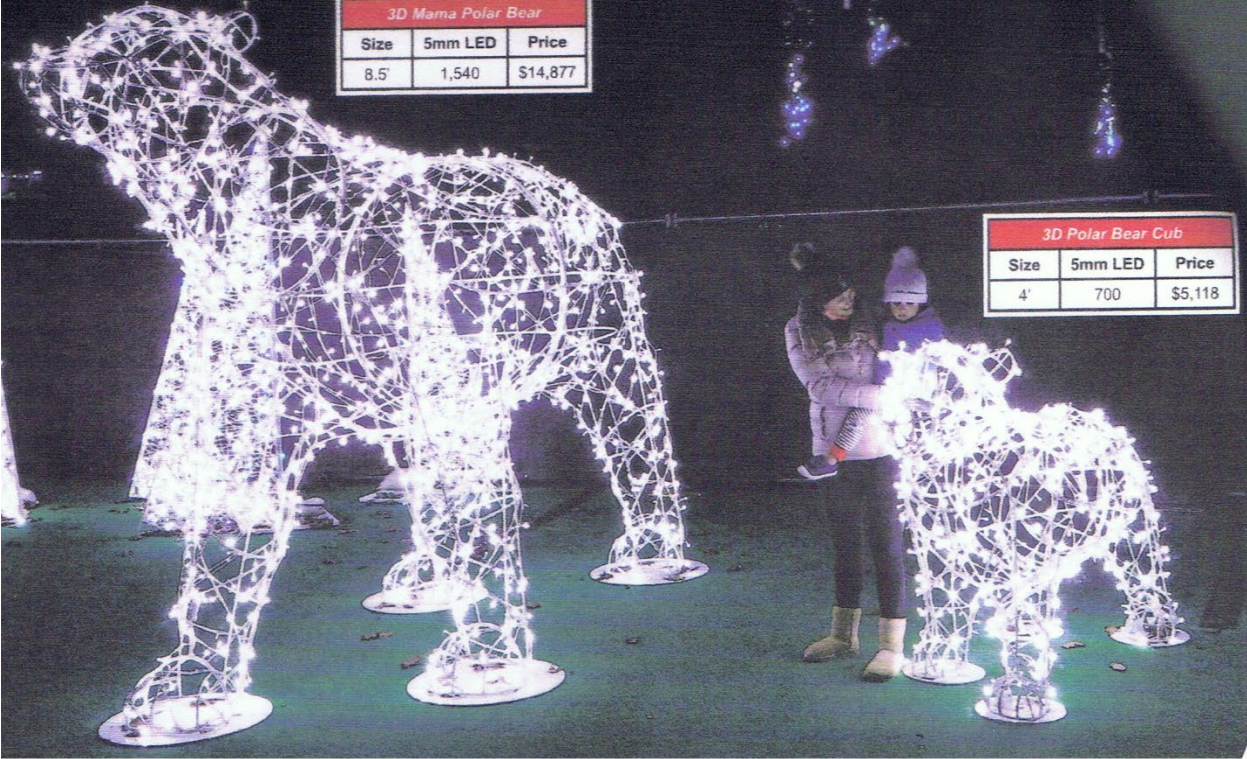
Board would like to discuss this item.

7. Amie needs to present to the board a necessary product for review by the board and hopeful implementation to our site.

8. John Crotts has notified us of some changes to the condemnation actions and pleadings of the NCDOT. There are four letters we need to review and feel comfortable with as the RRDC will be needing our consent to move forward. I will review the summation of the changes during the meeting. Documents are attached.

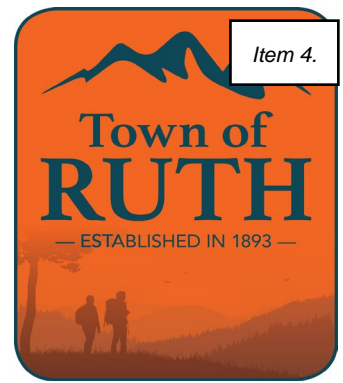
**ADJOURNMENT**

*In accordance with the Americans with Disabilities Act, persons who need accommodation to attend or participate in this meeting should contact Town Hall at (828) 287-7943 within 48 hours prior to the meeting to request such assistance.*





Town of Ruth  
P.O. Box 791  
199 Northview Dorsey Street  
Rutherfordton, NC 28139-2096  
**828-287-7943, Phone**  
828-214-5666 Facsimile  
[ahanaway@townofruthnc.com](mailto:ahanaway@townofruthnc.com)  
<https://www.townofruthnc.gov>



## To Whom It May Concern,

The Town of Ruth council understands Carolinas 64 Quick Stop and Rosie Rodezno has secured all necessary signatures for safe operation. These signatures include the County's Building Inspector, Fire Inspector, and Zoning Inspector. The council understands CQS wishes to include the sales of beer and wine at said location of 228 US 64 HWY, Rutherfordton NC 28139. This location falls under the jurisdiction of the Town of Ruth. The Town Board has discussed the beer and wine offerings and agree she may proceed if she has fulfilled the necessary State and County requirements. The council would like to show support of Rosie and the CQS and are excited she will be operating within our city limits. Should you have any questions or need further documentation, please reach out via the information above left. Thank you.

Warm Regards,

Town of Ruth Council

X

David Guy  
Mayor

X

William Steppe  
Commissioner

X

Nicholas Goode  
Commissioner

David Guy, Mayor  
Nicholas Goode, Commissioner

William Steppe, Commissioner  
John Crotts, Town Attorney

Amie Hanaway, Town Manager & Administrator, Financial Director, Website Administrator, Clerk to the Board

A web governance platform that helps you maintain your site through accessibility, QA, SEO, content policies and more!

# Account Order Form

**Current Date:** Sep 15, 2022

**Expiration Date:** Sep 16, 2022

**Prepared by:** Kyle Koch, kko@monsido.com

**Customer** Town of Ruth, NC  
199 Northview-Dorsey St  
Rutherfordton, NC 28139

**Term Start Date** Sep 16, 2022  
**Invoicing Date** Sep 16, 2022 *(Net 30)*  
**Renewal Date** Sep 16, 2023

**Primary Contact** Amy Hanaway  
ahanaway@townofruthnc.gov

**Invoicing Contact** Amy Hanaway  
ahanaway@townofruthnc.gov

## NAME

Monsido Platform - Standard New

**PRICE**  
\$3,900.00

Web Scanning: 500 pages

Accessibility PDF Scanning: 250

Heat Maps: 25

Users: Unlimited

Features: Quality Assurance, Accessibility, Mobile Accessibility, PDF Accessibility Site Inventory, Heartbeat, Policy, SEO, Statistics, Heat Maps, Compliance Shield™ (PageAssist™ & PageCorrect™), Training & Support

Monsido Platform - Service Credit

-\$1,950.00

Credit of \$1950 applied for September Promotion. Credit applied pending receipt of executed order form by 09/30/2022

**Total** **\$1,950.00**

## Acceptance

Acceptance of this Account Order Form is subject to the Monsido Terms of Service and includes acceptance of the following; Monsido's maximum liability in performance of the Services to the Customer listed above is limited to the total amount of fees received during the 12 month period immediately preceding the event giving rise to such liability, except that this limitation of liability will not apply to Monsido's indemnification obligations, if any, for intellectual property infringement or personal injury, for which the maximum indemnification liability in aggregate shall be \$1,000,000.

STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 21-CVS-0605

DEPARTMENT OF TRANSPORTATION,	)	
Plaintiff,	)	SECOND
vs.	)	AMENDMENT TO COMPLAINT, AND TO
	)	DECLARATION OF TAKING AND
RUTHERFORD RAILROAD DEVELOPMENT	)	NOTICE OF DEPOSIT
CORPORATION, et al,	)	
Defendants.	)	
_____	)	

NOW COMES the Department of Transportation, plaintiff herein, pursuant to N.C.G.S. § 136-103 amends the Complaint and Declaration of Taking and Notice of Deposit heretofore filed herein as follows:

By striking the "Exhibit B" and substituting the following:

**AMENDED EXHIBIT "B"**

**DESCRIPTION OF THE SUBJECT PROPERTY:** Those certain lands lying and being in the Rutherfordton/Cool Springs Township, Rutherford County, North Carolina, and being more particularly described as follows:

Being a portion of that land described in a deed dated October 15, 1990, from Southern Railway Carolina Division to Rutherford Railroad Development Corporation, and recorded February 5, 1991, in Book 572, Page 387, Rutherford County Registry. The property description in said deed is hereby incorporated by reference.

**INTEREST OR ESTATE TAKEN:**

Easement in perpetuity for highway right of way and for all other purposes for which plaintiff is authorized by law to subject the same, and if the area is no longer used for those purposes, the Department of Transportation will bear all costs of returning the area to its use for railroad purposes, and if the area is required for railroad use, the Department of Transportation will bear all costs of modifying its highway or other improvements to accommodate the use of the area for railroad purposes.

**AREA TAKEN:**

That area sufficient to acquire for Department of Transportation Project 34400.2.5 the right of way shown over and upon Parcel 120 on Plan Sheet 11 of the above-mentioned project. Said areas taken will be more specifically described on the plat provided for in G.S. 136-106.

Except as hereby amended, plaintiff adopts and ratifies its original Complaint and Declaration of Taking as fully as if herein set out.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

JOSHUA H. STEIN  
Attorney General

Thomas O. Lawton III  
Special Deputy Attorney General  
N.C Department of Justice  
60 Court Plaza, Box 3561  
Asheville, N.C. 28801  
(828) 393-6816 tlawton@ncdoj.gov  
N.C Bar # 19690



CERTIFICATE OF SERVICE

I certify that I served defendants and/or counsel for the opposing parties with the foregoing by depositing a copy or copies in the United States Mail, in a properly addressed envelope with adequate postage, in the manner prescribed by Rule 5 of the Rules of Civil Procedure, to the addresses below.

This \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Thomas O. Lawton III

COPIES TO:

Jeff Bandini  
3434 Edwards Mill Road  
Suite 112-266  
Raleigh, N.C. 27612

Rutherford Railroad Development Corporation  
By serving the Town Manager of the Town of Forest City,  
Janet Mason, or her successor in office  
128 North Powell Street  
Forest City, NC 28043

Bechtler Development Corporation  
By serving its Registered Agent, Jim Black  
622 Airport Road, Suite 100  
Rutherfordton, NC 28139

Town of Forest City  
By serving its Town Manager,  
Janet Mason or her successor in office  
128 North Powell Street  
Forest City, NC 28043

Town of Ruth  
By serving its Mayor, David Guy,  
Or his successor in office  
199 Northview-Dorsey Street  
Rutherfordton, NC 28139

Town of Rutherfordton  
By serving its Town Manager,  
Doug Barrick, or his successor in office  
129 North Main Street  
Rutherfordton, NC 28139

County of Rutherford  
By serving its County Manager,  
Steve Garrison, or his successor in office  
289 North Main Street  
Rutherfordton, NC 28139

STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 21-CVS-0975

DEPARTMENT OF TRANSPORTATION,	)	
Plaintiff,	)	SECOND
vs.	)	AMENDMENT TO COMPLAINT, AND TO
	)	DECLARATION OF TAKING AND
RUTHERFORD RAILROAD DEVELOPMENT	)	NOTICE OF DEPOSIT
CORPORATION, et al,	)	
Defendants.	)	
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Easement in perpetuity for highway right of way and for all other purposes for which plaintiff is authorized by law to subject the same, and if the area is no longer used for those purposes, the Department of Transportation will bear all costs of returning the area to its use for railroad purposes, and if the area is required for railroad use, the Department of Transportation will bear all costs of modifying its highway or other improvements to accommodate the use of the area for railroad purposes.

**AREA TAKEN:**

That area sufficient to acquire for Department of Transportation Project 34400.2.5 the right of way shown over and upon Parcel 249 on Plan Sheets 29 and 32 of the above-mentioned project. Said areas taken will be more specifically described on the plat provided for in G.S. 136-106.

Except as hereby amended, plaintiff adopts and ratifies its original Complaint and Declaration of Taking as fully as if herein set out.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

JOSHUA H. STEIN  
Attorney General

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Special Deputy Attorney General  
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STATE OF NORTH CAROLINA  
COUNTY OF RUTHERFORD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 21-CVS-0975

DEPARTMENT OF TRANSPORTATION, )  
Plaintiff, )  
vs. )  
RUTHERFORD RAILROAD DEVELOPMENT )  
CORPORATION, et al, )  
Defendants. )  
\_\_\_\_\_ )

VOLUNTARY DISMISSAL OF  
CERTAIN DEFENDANTS

NOW COMES the Department of Transportation, plaintiff herein, and voluntarily dismisses the following parties: Bechtler Development Corporation; Town of Forest City; Town of Ruth; and Town of Rutherfordton.

Respectfully submitted this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_.

JOSHUA H. STEIN  
Attorney General

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