

POLK COUNTY BOARD OF COMMISSIONERS
Regular Meeting
February 1, 2021 - 5:00 PM
R. Jay Foster Hall of Justice Womack Building Columbus, NC
Columbus, NC
MINUTES

PRESENT: Chairman Melton, Vice-Chairman Beiler, Commissioner Moore, Commissioner Overholt, and Commissioner Yoder. Also in attendance were County Manager Pittman, Attorney Berg, and Clerk to the Board High. Attorney Berg, media and citizens participated remotely.

1. Call to Order - Chairman Melton.
2. Invocation - Commissioner Overholt.
3. Pledge of Allegiance - Chairman Melton.
4. Chairman and Commissioner Comments.

Comments read by Commissioners are entered verbatim.

Commissioner Moore-

Some citizens of our county are concerned that the resolution we passed at our last meeting was because some of our citizens were involved in the tragic events in Washington DC on January 6th. That resolution in no way was saying that. I have spoken to a few that went to Washington DC and none of those in attendance were involved. Any protest or events that have been held in this county has not produced any type of violence. I voted for the resolution as an elected official stating that I do not condone violence of any type. In no way was this resolution saying that citizens from Polk County where involved. I'm here to serve all citizens of our great County and their well-being.

Commissioner Moore read a bookmark he hands out and said he did not know the author. "Watch your thoughts, they become your words; watch your words, they become your actions; watch your actions, they become your habits; watch your habits, they become your character; watch your character, it becomes your destiny."

Commissioner Yoder-

I do appreciate the Citizens of Polk County, and how they have responded during these times of political tension. We all have political opinions, and at times, I see this causes fear, anxiety, anger, disagreements, and etc. As a Commissioner my biggest concern has been that there is no violence of any kind, and that each citizen is free to express their opinion without fear of repercussions. We have seen robust discussions, and rightly so, but no violence of any kind. Which we do not condone or tolerate. Sheriff Wright and his Deputies have kept a watchful eye over Polk County and the Commissioners have also addressed the Public Safety side in putting forth a resolution. As a Commissioner I want to assure you that I am here to govern

for all citizens regardless of what party you affiliate with. Our Sheriff is here to protect and serve. As County leaders we are here to serve and govern, and keep you abreast of current information concerning the state of affairs in Polk County. This last week I was very disappointed when I saw an article with WLOS, News 13 which I felt incited more fear, more anxiety, more anger and disagreement and did nothing to calm the citizens of a situation that they had questions about. I felt that the article could have had a positive affect if WLOS, News 13 would have come to Sheriff Wright, County Manager Pittman, or one of the Commissioners, who could have given them the information on the state of affairs which the county leaders were closely monitoring on political tension and violence. Our citizens always have the right to ask questions to any news media, or to us as county leaders about any given situation, and we will address it as honestly and completely as we can, but for the news media to put out biased articles, that only incite, more fear, anxiety, and anger to our citizens, when all they needed to do was ask county leaders about the situation and truly get the answers that our citizens were seeking and would have had a positive calming effect. I would ask the local news media to be responsible in there reporting, and to think about the effect that it has on our citizens and on the credibility of their news organization. A good story brings hope and strength. A bad story is better left unsaid.

5. Approval of Agenda

Chairman Melton requested amending the agenda to move citizen comments during tonight's meeting to after agenda item "*Polk County School Maintenance Project Discussion - Aaron Greene, School Superintendent*" then add an agenda item to discuss citizen comment placement on future agendas.

- A. Commissioner Moore moved to approve the agenda.as amended, seconded by Commissioner Yoder and the motion carried unanimously.

6. Consent Agenda

Commissioner Overholt moved to approve the consent agenda, seconded by Commissioner Moore and the motion carried unanimously.

- A. January 4, 2021 regular meeting minutes.
- B. January 19, 2021 public hearing & regular meeting minutes.
- C. Tax refund requests through January 2021 in the amount of \$777.73.
- D. QZAB US Bank Escrow Agreement.
- E. 2020 Beautification Awards.

- F. Budget Amendment to appropriate \$5,592 from Emergency Management grant funds reserved in prior years to capital for equipping the EMG vehicle.

7. Citizen Comment(s)

This item was moved to after agenda item "Polk County School Maintenance Project Discussion - Aaron Greene, School Superintendent"

8. Big Bradley Falls Update.

Monty Crump, Vice-Chairman of the North Carolina Wildlife Resources Commission (WRC) said they are coming to present their recommendations on how they have prepared to move forward with safety concerns at Big Bradley Falls in Polk County, NC. He said they appreciate the partnership they have with the County and welcome any feedback or comments. Gary Gardner, Engineering Division Chief gave a presentation, a copy of which is incorporated by reference into these minutes.

Mr. Gardner explained the trail has been closed to the public due to safety concerns, since the Polk County Commissioners issued a Resolution to them in October 2019 "to use any and all means necessary to ensure the safety of citizens and visitors to the Bradley Falls area". He said they set up a "Temporary Restrictive Zone" at Big Bradley Falls making it accessible by permit only. He said this allows experienced individuals, and professionals the opportunity to gain access to the trails and falls if they first obtain a permit. Mr. Gardner said WRC staff and County officials then met in January 2020 determining WRC would evaluate the possibility of building a new, safer trail down to the base of the falls to allow viewing of the falls and deter use of the "overlook". He said when staff re-visited the proposed trail in September 2020 concerns were raised about potential safety issues with a portion of the proposed new trail. The concern was they would be adding an unsafe feature to mitigate an unsafe feature. The alternative, proposed by staff, was to develop a platform and knee wall at the "overlook" with safely constructed steps leading down to the site. Mr. Gardner said this alternative mitigates the existing hazards by providing safer access and a physical barrier, while still providing the view of the total falls.

He then gave an overview and timeline of the overlook project; the design contract was awarded to Black Diamond Trail Designs; WRC staff reviewed the proposed overlook project and trail improvements on January 20, 2021; National Heritage completed a survey on January 22, 2021. He said the next steps are bid contract documents are being developed to advertise for contractors to bid, and waiting for the North Carolina State Construction Office to review and approve the plans before awarding the contract, with construction anticipated to begin late spring 2021.

Commissioner Yoder thanked Mr. Crump and Mr. Gardner for coming to the meeting, and the WRC for moving ahead with the project.

Commissioner Overholt asked if there were any plans for the top of the falls where many of the accidents have occurred. Mr. Gardner said there are

restrictive zones, and they will create barriers, such as fencing. He said they will allow accessibility by permit only, and place signage to direct people to the overlook platform.

Commissioner Moore asked about the timeline for the plans to be reviewed, and if he thought that may hold up construction. Mr. Gardner said he believes the process will go fairly quickly, and he does not expect any delays.

Manager Pittman said one of the county's main concerns was getting public safety workers to accident scenes quickly and safely. He asked if there was anything the WRC could do to help the emergency personnel gain an easier access to the trails, and falls. Mr. Gardner said they have been unable to find one yet, but are looking to do so.

Mr. Crump asked if the County agrees with the alternative plan for the overlook and restrictive zones, if they will continue looking into more help for public safety access. Chairman Melton said on behalf of the Board they agreed.

9. Polk County School Maintenance Project Discussion.

Aaron Greene, School Superintendent thanked the Commissioners for their ongoing support, and said he appreciated how the Board of Education and the Commissioners work together which is not the case everywhere. He said in 2018 they had an energy saving contract analysis on all school facilities. Mr. Greene said when the School Board decided to go a different direction, they still used the analysis to determine what the facility needs were for the schools moving forward. The total estimated cost of all the facility needs will be approximately twenty-six million dollars, and will be addressed over the next nine to ten years.

Mr. Greene said Polk County High School is a thirty year old facility that was value engineered, and is having major HVAC issues, along with other issues, needing to be addressed. He said this is a substantial project with a lead time of four to five months, making this project top priority. He said they were ready to go last year, then COVID-19 came, and they placed it on hold due to all the uncertainties of the pandemic. He said now, with sales tax revenues where they are, they are ready to begin the process. Mr. Greene gave the notice of intent the schools are ready to proceed with the Polk County High School HVAC maintenance project. He stated the cost of this project will exceed five million dollars, and they will finance the project as they have done in the past. He said the Board of Education supports the project, and he is requesting the support of the Commissioners as well.

Manager Pittman said the county will use the sales tax revenue funds designated to school capital projects to pay the debt service payment for the term of the loan.

Commissioner Overholt asked for clarification on the cost of the project. Mr. Greene said he will come back in March with all the details, but at this time he knows it will be five to six million depending on the final construction costs.

Commissioner Moore asked where all the lottery money went from the State. Mr. Greene said lottery funds come from the State, and the legislature designates how the funds are to be used. Previously, funds were intended to help with construction costs. Now, they are designated to be used on operational expenses, such as non-instructional support personnel, and

supplies.

The Commissioners thanked Mr. Greene and the School Board for their partnership with the County.

10. Citizen Comments

This item was moved from agenda item 7.

There were twenty-one citizen comments submitted. They were read by Chairman Melton, and Vice-Chairman Beiler.

11. Citizen Comment Discussion.

Chairman Melton said he is notifying the public for future agendas, there will be two citizen comment periods. The first will be for agenda items before they are considered. The second citizen comment period will be after agenda items are completed and will be for non-agenda items.

12. Water Authority Counsel Agreement.

Manager Pittman said at the September 24, 2019 joint work session with the County, Broad River Water Authority, and Inman Campobello Water District the consensus of the three boards was to have the managers continue the discussion, and seek legal advice on the best option for everyone. He said what is being presented tonight is a letter of engagement to retain Belton Zeigler partner at Womble, Bond, Dickson LLP as legal counsel upon all three entities recommendation. Commissioner Moore moved to agree to and accept the terms and conditions for Belton Zeigler, Womble Bond Dickinson LLP to represent Polk County, North Carolina; the Broad River Water Authority; and Inman Campobello Water District in the Creation of New Structures for Water System Regionalization, seconded by Commissioner Yoder and the motion carried unanimously.

13. Polk County Law Enforcement Facility Refunding Installment Financing Contract Resolution.

Manager Pittman said the County has the opportunity to refinance the Polk County Law Enforcement Facility loan. He explained this would save approximately four hundred fifty thousand dollars over the life of the loan. He said the one new thing for their consideration is they will not be able to prepay the loan, however with the overall savings, he still recommends the refinancing. Vice-Chairman Beiler moved to adopt the Resolution Authorizing the Execution and Delivery of a First Amendment to the 2016 Installment Financing Agreement and Related Documents, seconded by Commissioner Yoder and the motion carried unanimously.

14. Volunteer Board Application(s)

A. Vice-Chairman Beiler moved to appoint Karen Davidson to the Library Board of Trustees, seconded by Commissioner Overholt and the motion

carried unanimously.

15. Closed Session

- A. Commissioner Moore moved to go into closed session for the purpose of property acquisition, seconded by Vice-Chairman Beiler and the motion carried unanimously..
- B. Commissioner Moore moved to return to open session, seconded by Vice-Chairman Beiler and the motion carried unanimously..

16. Adjournment

Commissioner Overholt moved to to adjourn, seconded by Commissioner Yoder and the motion carried unanimously.

Attest:

POLK COUNTY BOARD OF
COMMISSIONERS

Ange High
Clerk to the Board

Tommy W. Melton
Chairman