

POLK COUNTY
BOARD OF COMMISSIONERS' REGULAR MEETING
Monday, August 6, 2012, 7:00pm
R. Jay Foster Hall of Justice, Womack Building
Columbus, NC
MINUTES

PRESENT: Chair Gasperson, Vice-Chair McDermott, Commissioner Owens, and Commissioner Walker. (Commissioner Pack was on vacation.) Also in attendance were County Manager Whitson, County Attorney Egan, Clerk to the Board Fehrmann, staff, media and citizens.

1. Call to Order – Chair Gasperson called the meeting to order.
2. Invocation – Commissioner Owens gave the invocation.
3. Pledge of Allegiance – Commissioner Walker led the pledge.
4. Approval of Minutes – Vice-Chair McDermott moved to approve the June 18, 2012, public hearing and regular meeting minutes, and the July 9, 2012, public hearing and regular meeting minutes, seconded by Commissioner Walker and the motion carried unanimously.
5. Approval of Agenda – Commissioner Owens moved to approve the agenda, seconded by Commissioner Walker and the motion carried unanimously.
6. Schedule Unified Development Ordinance (UDO) Public Hearing – Vice-Chair McDermott moved to schedule a public hearing on the UDO on September 17, 2012, seconded by Commissioner Walker. Chair Gasperson said Article #25 of the UDO has been set aside at this time and will not be included in the draft UDO to be considered at the public hearing. Chair Gasperson said the Planning Board is now holding weekly meetings in order to complete the UDO. Commissioner Owens said the Planning Board needs to present the UDO to the BOC for review before a public hearing is scheduled; that is the usual procedure. Vice-Chair McDermott said Commissioners have had plenty of time to work on the UDO during the numerous UDO Committee and Planning Board meetings, and there is no need to draw the process out. Vice-Chair McDermott also said that the Board will have the document before the public hearing, or the public hearing will not be held.

Commissioner Owens said he would never interfere with the UDO Committee or the Planning Board while these bodies are in the process of working on the UDO. County Attorney Egan said that, in order to hold the public hearing on September 17, 2012, the UDO must be made available to the public by September 7, 2012, at the latest. Commissioner Owens said he has always advocated holding BOC work sessions on the UDO before moving forward and scheduling a public hearing. Chair Gasperson recommended that the UDO be placed on the agenda for discussion for the August 20, 2012, and September 10, 2012, BOC meetings.

- Citizen comments: Henry Bright, former UDO Committee member, asked if the elevation requirement had been eliminated from the UDO and was informed that it had. Mr. Bright was also informed that the Planning Board has not yet voted on percent of slope. With a motion and a second on the floor, the motion carried 3-1 (Owens opposed).
7. 2012 NCACC Annual Conference Voting Delegate – Vice-Chair McDermott moved to approve Chair Gasperson as the voting delegate for the NCACC Annual Conference, seconded by Commissioner Owens and the motion carried unanimously.
 8. 2013-2014 NCACC Legislative Goals Proposals – Vice-Chair McDermott moved to approve the following Legislative Goals: 1) Oppose shift of state transportation responsibilities to counties. 2) Reinstate ADM and lottery funds for schools construction. 3) Ensure adequate mental health funding. 4) Preserve the existing local revenue base. 5) Authorize local revenue options. 6) Support conservation of working lands and farmland preservation. 7) Require back-up generators for adult care homes. 8) Improve inmate medical care cost containment. 9) Authorize county use of lottery funds for technology. 10) Manufactured home taxes paid before transfer. 11) Lower the mandatory school age from seven to six. Commissioner Owens seconded the motion, and the motion carried unanimously.
 9. Hwy. 9 DOT Repaving Resolution – Commissioner Owens moved to approve the Hwy. 9 DOT repaving resolution, seconded by Vice-Chair McDermott and the motion carried unanimously.
 10. Town of Tryon Letter of Interest/Jervey-Palmer Building Phase I Environmental Site Assessment Proposal – Commissioner Owens made a motion to approve the Altamont Environmental, Inc. Phase I Environmental Site Assessment proposal in the amount of \$2,400, seconded by Commissioner Walker. Vice Chair McDermott said spending money on the assessment is not necessary because all of the information that would be gained is readily available from County Manager Whitson and the maintenance department. Commissioner McDermott also said that typically the party taking ownership of a property pays for the assessment. Commissioner Owens said the county should work with Tryon and pay for the assessment if it will facilitate the conveyance of the property. Chair Gasperson said that everyone would like to see the property go back on the tax rolls, and possibly historically preserved. Vice-Chair McDermott recommended the county contact a private historical association to see if they are interested in marketing the property throughout the state and country. It was agreed that Vice-Chair McDermott and County Manager Whitson would contact Tryon to discuss the assessment further, and this item was tabled until the August 20, 2012, meeting.
 11. Polk County Water Extension Policy Amendment – Commissioner Owens moved to approve a resolution concerning the Polk County Water Extension Policy amending the policy to require that Polk County be reimbursed for all expenses incurred in extending water lines prior to water being supplied to customers served

- by the water line, who by contract or otherwise are required to pay for extension of the waterline. The motion was seconded by Vice-Chair McDermott. Citizen comment: Ricky McFalls asked for and received clarification regarding the amendment. With a motion and a second on the floor, the motion carried unanimously.
12. Transfer Station Backhoe Purchase – Commissioner Walker moved to approve the purchase of a 2012 John Deere 310SK Loader-Backhoe in the amount of \$85,179.00, seconded by Vice-Chair McDermott and the motion carried unanimously.
 13. Western Highlands LME Update – County Manager Whitson informed the Board that Western Highlands LME is experiencing significant budget shortfalls, reportedly between \$500,000 - \$750,000 per month. The Western Highlands director's employment has been terminated, and further reorganization/restructuring efforts are currently underway to make the entity more financially viable and ensure its future success.
 14. Manager's Report – Commissioner Owens moved to declare twenty-seven Polk County Library public access computers and miscellaneous computer equipment surplus, seconded by Commissioner Walker and the motion carried unanimously. Commissioner Owens moved to declare two Sheriff's Department 1997 Kawasaki dirt bikes, one 1984 Chevrolet Pickup Truck, one 1984 Chevrolet Blazer, and one 2005 Ford Crown Victoria surplus, contingent upon receipt of a letter from the Sheriff's Department stating that the two former Department of Defense vehicles (1984 Chevrolet Pickup Truck, 1984 Chevrolet Blazer) have been cleared for sale by the Department of Defense, seconded by Commissioner Walker and the motion carried unanimously.
 15. Volunteer Boards for Vote – Cathy Berlin, Nancy Hasselbring, Vard Henry, Patti Lovelace and Margo Savage were appointed as Animal Cruelty Investigators by unanimous vote.
 16. Volunteer Boards for Review – Applications for Animal Cruelty Investigator, Juvenile Crime Prevention Council, Mental Health Advisory Board and Social Services Board were reviewed.
 17. Citizen Comments on Non-Agenda Items – There were no comments.
 18. Commissioner Comments – Commissioners thanked everyone for coming out.
 19. Closed Session – Commissioner Walker moved to go into closed session to discuss matters relating to the location or expansion of industries or other businesses in the county, G.S. 143-318.11(a)(4), seconded by Vice-Chair McDermott and the motion carried unanimously.

20. Motion to Return to Open Session – Commissioner Owens moved to return to open session, seconded by Vice-Chair McDermott and the motion carried unanimously.
21. Schedule Public Hearings – Vice-Chair McDermott moved to schedule an economic development incentive public hearing on August 20, 2012, and on September 10, 2012 (if necessary), seconded by Commissioner Walker and the motion carried unanimously.
22. Adjournment – Commissioner Owens moved to adjourn the meeting, seconded by Commissioner Walker and the motion carried unanimously.

ATTEST:

POLK COUNTY BOARD
OF COMMISSIONERS

Beth Fehrmann
Clerk to the Board

Ray Gasperson
Chair