

POLK COUNTY
BOARD OF COMMISSIONERS' PUBLIC HEARINGS (2) &
REGULAR MEETING
October 3, 2016 – 6:30 P.M.
R. Jay Foster Hall of Justice
Womack Building
Columbus, NC
MINUTES

PRESENT: Chair Gage, Vice-Chair Holbert, Commissioner Bradley, Commissioner Gasperson and Commissioner Owens. Also in attendance were County Manager Pittman, County Attorney Berg, Clerk to the Board Fehrmann, media and citizens.

1. 6:30 P.M. - Call to Order of the Public Hearing Regarding an Ordinance Concerning Amending the Polk County Zoning Ordinance to Include Schools, Vocational, Business and Special Schools as a Permitted Use in Residential Estate/Low Density (RE1) Zoning Districts – Chair Gage called the public hearing to order. The purpose of the public hearing was to take public comment on the recommendation from the Planning Board regarding an Ordinance Concerning Amending the Polk County Zoning Ordinance to Include Schools, Vocational, Business and Special Schools as a Permitted Use in Residential Estate/Low Density (RE1) Zoning Districts. The public hearing was properly advertised in the *Tryon Daily Bulletin*. Cathy Ruth, Planner, presented the information, which is included in the agenda packet on file under Agenda Item #15. This ordinance change will enable the Polk County Cooperative Extension Service to relocate its offices to a building adjacent to The Meeting Place, which is located outside of the Columbus city limits on Houston Rd.
2. Citizen Comments – Louis Farrocco inquired as to the exact location of the county RE1 zoning district.
3. Commissioner Comments – Commissioner Gasperson clarified the county only has authority over zoning districts in the county, not within the municipalities.
4. Adjournment – Vice-Chair Holbert moved to adjourn the public hearing, seconded by Commissioner Owens and the motion carried unanimously.
5. 7:00 P.M. - Call to Order of the Public Hearing Regarding an Installment Financing Agreement for the New Law Enforcement Complex – Chair Gage called the public hearing to order. The purpose of the public hearing was to take public comment on an installment financing agreement for the new Law Enforcement Complex in the principal amount not to exceed \$13,500,000, plus interest thereon. The public hearing was properly advertised in the *Tryon Daily Bulletin*. Ms. Amy Vitner, Managing Director of First Tryon Securities, LLC, presented the information which is included in the agenda packet on file under Agenda Item #16.
6. Citizen Comments – Sarah Gary spoke in opposition to the construction of the Law Enforcement Complex, saying it is unnecessary, expensive, and will be unsightly.
7. Commissioner Comments – Commissioner Gasperson made the following

comments: “The process involved for the new Law Enforcement Complex was a journey for me, my fellow Commissioners, and county staff. I tried to find every other way the county could build a new complex without spending the amount of money the county will have to spend. In April of this year I, along with County Manager Pittman, took a very close look at the current jail and Sheriff’s Department building. I realized extensive renovation would be required to bring the facility up to a minimum standard. The county has been cited a number of times over the years for various infractions by state inspectors, and the state could potentially come in at some point and close the jail down. When the building was constructed and occupied in 1975, the lower level was left vacant. Through the years additional office and storage space was needed, so the lower level was cobbled together to meet these needs. To this day I question whether the lower level should be occupied at all. Given all this, the most compelling reason for a new facility is the fact that there is no fire sprinkler system in the current Sheriff’s Office and jail. I am concerned with health and safety issues. A fire sprinkler system could be installed, but it did not make good financial sense to make a huge investment in a building that is functionally obsolete. The current building is unsafe and an enormous liability.

“A new facility could not be built on the current Sheriff’s Department/Jail site because of space constraints. The 4-H property on Locust St. was under consideration and, although it was the only appropriately zoned viable site within the city limits of Columbus, the site was also too small. I encouraged County Manager Pittman and my fellow Commissioners to consider purchasing a site that would accommodate future county government growth for the next 50+ years. I contacted the owner of the property next to the Milliken Hatch Plant on Hwy. 108, which triggered the discussions that led to the county sign a contract to purchase the property. The county is getting a good, fair deal. Site preparation of two sites is included in the purchase price - one for the Sheriff’s Department/Jail and one for a future courthouse. The Law Enforcement Complex will be situated across a creek on the back of the property, so the structure will be obscured by trees from Hwy. 108. The Board of Commissioners and County Manager worked together conscientiously and steadfastly on this initiative, and ultimately determined the location chosen for the new Law Enforcement Complex is the most prudent, fiscally conservative course for the county to take.”

Commissioner Bradley said he agreed with Commissioner Gasperson. Chair Gage said partisan politics were put aside for this collaborative and well-researched effort, and thanked staff for all their outstanding work on this project.

8. Adjournment – Commissioner Owens moved to adjourn the public hearing, seconded by Commissioner Gasperson and the motion carried unanimously.
9. Call to Order of the Regular Meeting – Chair Gage called the regular meeting to order.
10. Invocation – Pastor Gary Curtis of Green River Baptist Church gave the invocation.
11. Pledge of Allegiance – 4-H member Henry Hoerberling led the pledge.

12. Approval of Agenda – County Manager Pittman asked that an update on Searcy Field be added to Agenda Item #22, Manager’s Report.
13. Consent Agenda
 - A) Approval of the September 19, 2016, regular meeting minutes.
 - B) Schedule an FY 2018 NCDOT Community Transportation Grants public hearing on October 17, 2016, @ 7:00 P.M. in the R. Jay Foster Hall of Justice, Womack Building, Columbus, NC.Commissioner Owens moved to approve the consent agenda, seconded by Commissioner Bradley and the motion carried unanimously.
14. Citizen Comments – Sky Conard spoke in support of investing in Lake Adger and its infrastructure to ensure its protection as a water resource in the future. Mary Edwards expressed her concern regarding the 2017 revaluation; she owns property contiguous to the Tryon International Equestrian Center and fears the assessed value of her property will be too high. Emily Clark encouraged the Board to support kudzu eradication efforts in the county. Bill Smith said amending the Polk County Zoning Ordinance to allow vocational, business and special schools in a residential zoning district is an underhanded way of subjecting the people who live in that district to imminent domain.
15. An Ordinance Concerning Amending the Polk County Zoning Ordinance to Include Schools, Vocational, Business and Special Schools as a Permitted Use in Residential Estate/Low Density (RE1) Zoning Districts – It was the consensus of the Board that the definition of “Schools” in the ordinance be modified to include the word “Schools” after both “Vocational” and “Business”. Commissioner Owens moved that the written recommendation of the Planning Board regarding Plan Consistency be made a part of the record of this proceeding, and that the Board of Commissioners find that the proposed amendment to the Polk County Zoning Ordinance to allow *Schools; Vocational Schools, Business Schools and Special Schools*, as a permitted use in the Residential Estate/Low Density (RE1) Zoning District is consistent with the Polk County 20/20 Vision Plan for the reasons set forth in the whereas clauses of the proposed amendment to the Polk County Zoning Ordinance, seconded by Commissioner Bradley and the motion carried unanimously.
16. Resolution Making Certain Findings and Determinations Regarding the Installment Financing for a New Law Enforcement Complex for the County and Requesting the Local Government Commission to Approve the Financing Arrangement – Chair Gage introduced the resolution. County Attorney Berg informed the Board that Section 1(c) of the resolution was modified to read: “(c) In order to secure its obligations under the Agreement, the County will execute and deliver a deed of trust (the “Deed of Trust”) granting a lien on the portion of the site on which the Project is located, together with all improvements and fixtures located and to be located thereon.” Chair Gage moved to approve the Resolution Making Certain Findings and Determinations Regarding the Installment Financing for a New Law Enforcement Complex for the County and Requesting the Local Government Commission to Approve the Financing Arrangement with the suggested

modification, seconded by Commissioner Gasperson and the motion carried unanimously.

17. Uniform Schedules of Values, Standards, and Rules for the 2017 County-Wide Revaluation – Tax Administrator Melissa Bowlin asked the Board to consider making the transition from an eight year revaluation schedule to a four year revaluation schedule. Discussion ensued, and it was the consensus of the Board to consider this issue at either the October 17, 2016, or the November 7, 2016, regular BOC meeting. Commissioner Gasperson moved to adopt the Uniform Schedules of Values, Standards, and Rules for the 2017 County-Wide Revaluation, seconded by Commissioner Bradley and the motion carried unanimously.
18. Foothills Express Update – Transportation Director Dianne Timberlake gave a PowerPoint presentation on the service, a copy of which is hereby incorporated by reference into these minutes. Ridership for this deviated fixed route bus service is increasing, but still low. Although it typically takes approximately 18 months for this type of service to become fully established, some reasons for low ridership seem to be the service competes with door-to-door service (both cost \$1.00 to ride), and county residents are unaccustomed to waiting at a bus stop. Current options for Foothills Express include keeping the service as is; running only one bus on the route; removing unused stops and stop only when passengers are waiting; discontinuing the service altogether. Following discussion it was the consensus of the Board for Ms. Timberlake to present her recommendation regarding the service at the October 17, 2016, regular BOC meeting.
19. Request for Donation of the Retired Polk County Library Bookmobile – Patrick McLendon, Executive Director of Growing Rural Opportunities (GRO), a nonprofit organization dedicated to assisting farmers in Polk County, presented the request for the county to donate the former Polk County Library Bookmobile to GRO. Commissioner Owens moved to donate the retired Polk County Library Bookmobile to GRO, seconded by Commissioner Gasperson and the motion carried unanimously.
20. Lake Adger Water Supply Appraisal Status Report – Consultant Gerry Hartman of Hartman Consultants presented a report entitled “Water Supply Utility Appraisal of Lake Adger and Turner Shoals Dam for Polk County, North Carolina”, a copy of which is hereby incorporated by reference into these minutes. Mr. Hartman explained that water has no value by itself. It is owned by the people and allocated by the state for regional beneficial use east of the Mississippi. The value of the water is in its beneficial use, and the appraisal value is based on the probable use of Lake Adger. To determine the value of Lake Adger, the hypothetical condition relative to attaining probable use of the water resource as a raw water supply required interlocal regional cooperation be in place in order to make the probable use viable. For Lake Adger to be used as a future raw water supply, cooperation between the county, Broad River Water Authority (BRWA), and Inman-Campobello Water District would be required. In analyzing the probable use of Lake Adger as a water supply source, Mr. Hartman determined the most cost effective use would be as an alternative water supply to the expansions of the BRWA water treatment plant. This use would require an intake near the confluence of the Green River and

the Broad River, and pumping approximately ± 4 miles. Based on research of comparable sales, analyses, and investigations, Mr. Hartman determined the current fair market value for Lake Adger as a water supply - with interlocal regional cooperation - to be \$5,150,000.00. Mr. Hartman said it would not be economically feasible for the county to build its own water treatment plant.

Chair Gage stated that the reason for the water supply utility appraisal was since the county had previously determined it was not going to build its own water treatment plant, and an abundant water source is now ensured through collaboration with BRWA, some Commissioners had expressed interest in selling Lake Adger. Chair Gage moved to sell Lake Adger, but the motion failed for lack of a second.

21. Law Enforcement Complex Bids – County Manager Pittman presented the following pre-qualified bids to the Board: Beam Construction (Cherryville, NC) - \$9,961,000; Cooper Construction (Flat Rock, NC) - \$9,878,000; H&M Construction (Asheville, NC) - \$10,570,000; Hickory Construction (Hickory, NC) - \$9,881,250. The lowest bid (Cooper Construction) was approximately \$834,544 over the projected construction contract cost of \$9,043,454.88. While most of the over-budget cost can be absorbed by the allocated project budget, County Manager Pittman is working with Cooper construction to reduce costs as much as possible for the overall project.
22. Manager's Report – 1) Law Enforcement Complex site - Grass has been sewn on most of the site, and water and sewer lines are currently being installed. 2) Searcy Field - The county budgeted this fiscal year to fix ongoing drainage issues and level the field, and construction has begun. The grading work is being donated and the county will pay for materials and grass seeding. Once all the work is completed, Searcy Field will be a multi-use recreational site.
23. Commissioner Comments – The Commissioners thanked everyone for coming out.
24. Adjournment – Vice-Chair Holbert moved to adjourn the meeting, seconded by Commissioner Owens and the motion carried unanimously.

ATTEST:

POLK COUNTY BOARD
OF COMMISSIONERS

Beth Fehrmann
Clerk to the Board

Michael V. Gage
Chair