

POLK COUNTY
BOARD OF COMMISSIONERS' PUBLIC HEARINGS &
REGULAR MEETING
November 16, 2015 – 6:00 P.M.
R. Jay Foster Hall of Justice
Womack Building
Columbus, NC
MINUTES

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

1. Call to Order of the Public Hearing Regarding an Amendment to the Polk County Zoning Ordinance Establishing a New Zoning District to be Known as the Equestrian Village District & Amendment to the Polk County Zoning Ordinance & Zoning Map Rezoning Certain Areas as Equestrian Village District – Chair Pack called the public hearing to order. The purpose of the public hearing was to take public comment on the proposed creation of an “Equestrian Village” District. The draft amendment was included in the agenda packet under Agenda Item #15. Cathy Ruth, Planner, presented an overview of the request to establish and create a new zoning district to be known as the “Equestrian Village” District; to rezone certain tracts of real property; and to amend the “Equestrian” zoning district to permit additional uses consistent with the purposes of that district. The proposed district will allow uses which are compatible within the Equestrian District, and includes a requested minimum front yard set back from right-of-way reduction from 25ft. to 15ft. The public hearing was properly advertised in the *Tryon Daily Bulletin*. Regarding the public notice requirements, Ms. Ruth submitted an Affidavit of Posting and an Affidavit of Mailing for the record, both of which are hereby incorporated by reference into these minutes.
2. Citizen Comments – Grey Lancaster, Bill Pomeroy, Bill McRae, Dee Black, Myrna Viehman and Donald Edwards spoke in opposition to the new zoning district. Concerns were expressed regarding the set back reduction, the parking decks, increased building height, increased density, fire protection, potential loss of the rural character of the county, light pollution, use of the Tryon name, and increased traffic. Michael Veatch spoke in support of the new zoning district.
3. Commissioner Comments – There were none.
4. Adjournment – Commissioner Gage moved to adjourn the public hearing, seconded by Vice-Chair Holbert and the motion carried unanimously.
5. Call to Order of the Public Hearing Regarding an Amendment Ordinance to Modify the White Oak Development Agreement Between Tryon Equestrian Properties, LLC, Tryon Equestrian Properties No. 2, LLC, and the County of Polk – Chair Pack called the second public hearing to order. The purpose of the public hearing was to take public comment on the proposed Equestrian Village District. The draft

- amendment was included in the agenda packet under Agenda Item #16. Ms. Ruth presented the information and explained that this proposed amendment to the 2013 development agreement includes: 1) An updated development scheme. 2) A request to include the Equestrian Village District. 3) Incorporates all the parcels in the Equestrian Village District. 4) Modifies public safety facility building terms and location. The public hearing was properly advertised in the *Tryon Daily Bulletin*.
6. Citizen Comments – Julia Calvin Williams expressed general concern regarding the Tryon International Equestrian Center (TIEC) and its potential to become a new town, and disagreed with the center’s use of the Tryon name. Linda Lee Reynolds expressed concern regarding growth and potential loss of the county’s rural character. Donald Edwards complained about the manure processing/reclamation facility in Mill Spring, and expressed concern regarding potential fire protection challenges in the Equestrian Village District.
 7. Commissioner Comments – Commissioner Gasperson said he hoped for a continued open dialogue regarding the fire protection and public safety needs of TIEC.
 8. Adjournment – Commissioner Gage moved to adjourn the second public hearing, seconded by Vice-Chair Holbert and the motion carried unanimously.
 9. Call to Order of the Regular Meeting – Chair Pack called the meeting to order.
 10. Invocation – Rev. Gary Curtis, Green River Baptist Church, gave the invocation.
 11. Pledge of Allegiance – Vice-Chair Holbert led the pledge.
 12. Approval of Agenda – Commissioner Gasperson asked that Consent Agenda Item F and Consent Agenda Item G be moved to the regular agenda and inserted as Agenda Item #27 and Agenda Item #28, respectively. County Manager Pittman asked that “Duke Energy Clarification” be added as the second topic under Agenda Item #25, Manager’s Report. Commissioner Gage moved to approve the agenda as amended, seconded by Vice-Chair Holbert and the motion carried unanimously.
 13. Consent Agenda
 - A) October 19, 2015, public hearing and regular meeting minutes.
 - B) Tax Department October 2015 refund request – \$334.92.
 - C) Budgeted Transportation Department Capital Expenditure, 2016 Ford Raised Roof Van - \$46,956.
 - D) Schedule a Transportation Authority public hearing on December 7, 2015, at 6:30 P.M. regarding a request for proposed changes to transportation fares.
 - E) Schedule an Economic Development public hearing on December 7, 2015, to immediately follow the preceding Transportation Authority public hearing, regarding a request for \$3,000 of Economic Development funds by the local SCORE chapter.

- ~~F) Schedule a second Economic Development public hearing on December 7, 2015, to immediately follow the preceding Economic Development public hearing, regarding Economic Development Director Robert Williamson's contract.~~
- ~~G) Schedule a Department of Social Services public hearing on December 7, 2015, to immediately follow the preceding Economic Development public hearing, regarding a Consolidated Human Services Agency.~~

Vice-Chair Holbert moved to approve the amended consent agenda, seconded by Commissioner Gage and the motion carried unanimously.

14. Citizen Comments – There were none.
15. An Amendment to the Polk County Zoning Ordinance Establishing a New Zoning District to be Known as the Equestrian Village District & Amendment to the Polk County Zoning Ordinance & Zoning Map Rezoning Certain Areas as Equestrian Village District – Commissioner Bradley 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 establishing a new zoning district to be known as the Equestrian Village District and Amendment to the Polk County Zoning Ordinance and Zoning Map, rezoning certain areas as Equestrian Village 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; he further moved the Board to find that the proposed Amendment is reasonable and in the public interest for the reason that it furthers the goals of the 20/20 Vision Plan by encouraging private investment in the equine industry and equine leisure-based activities which is essential to the strength of the County's economy, and that Polk County supports a competitive environment for agriculture/viticulture, cultural and equestrian activities; and he further moved the Board to adopt the proposed Amendment to the Zoning Map of Polk County to rezone certain areas as Equestrian Village District as recommended by the Planning Board. The motion was seconded by Commissioner Gage. At the request of the Planning Board, Ms. Ruth noted for the record that the set back reduction was a concern of the Planning Board. With a motion and a second on the floor, the carried unanimously.
16. An Amendment Ordinance to Modify the White Oak Development Agreement Between Tryon Equestrian Properties, LLC, Tryon Equestrian Properties No. 2, LLC, and the County of Polk – Commissioner Gage moved to approve the Amendment Ordinance to Modify the White Oak Development Agreement Between Tryon Equestrian Properties, LLC, Tryon Equestrian Properties No. 2, LLC, and the County of Polk, seconded by Vice-Chair Holbert and the motion carried unanimously.
17. Resolution Endorsing the Application for Comprehensive Bicycle & Pedestrian Planning Grant Funds by the Towns of Tryon & Columbus – Commissioner

Gasperson moved to approve the resolution, seconded by Commissioner Bradley and the motion carried unanimously.

18. Global Electric Electronic Processing (GEEP) Recycling Services Agreement – Larry Walker, Solid Waste Director, presented the agreement wherein GEEP will handle the county's electronics recycling on a month-to-month basis. Commissioner Gage moved to approve the GEEP Recycling Services Agreement, seconded by Commissioner Bradley and the motion carried unanimously.
19. Polk Fresh Foods (PFF) Progress Report – John Britton, PFF Chairman, informed the Board that PFF is merging with Sunny Creek Farm, and therefore will not request grant funding from the county in the future. Any FY 2015/16 grant funds remaining upon completion of the merger will be returned to the county.
20. Dixon Hughes Goodman (DHG) 2015 Audit Presentation – Brian Broom, DHG Engagement Director, presented audit, a copy of which is hereby incorporated by reference into these minutes. Mr. Broom noted that the 2015 total fund balance was \$8,877,910, or 32.8%. This is a decrease from 2014's total fund balance of \$9,507,313, or 40.16%. The decrease was primarily due to the transfer of approximately \$1.7 million from the general fund to the water fund in order to fund various water projects. The property tax collection rate for 2015 was 96.75%, as compared to 97.46% in 2014. Commissioner Gage moved to approve the DHG 2015 audit, seconded by Vice-Chair Holbert and the motion carried unanimously.
21. Lake Adger/Turner Shoals Dam Upgrades – David Odom of Odom Engineering informed the Board that, in accordance with the dam maintenance/repair schedule, the comprehensive stability evaluation needs to be completed. Commissioner Gage moved to instruct Mr. Odom to submit a request for proposal (RFQ) to Black & Veatch and AECOM requesting the following two-phase proposal: 1) Phase I to complete the comprehensive stability evaluation (CSE) and submit the CSE to DENR. 2) Phase II (to be approved in FY16/17) to complete the actual dam structural repairs. The motion was seconded by Commissioner Bradley and carried unanimously.
22. Proposed Hwy. 9 Waterlines, and Pump Station Location & Estimates – Mr. Odom gave an overview of the pump station project and presented the pump station estimate from Steppe Construction, Inc., in the amount of \$309,850. Future waterline extensions in the northern part of the county are limited due to elevation constraints which negatively affect water pressure. Installation of a booster pump station to increase current water pressure, and to pump water to a holding tank in the future, is necessary for the viability of future waterline extensions. Mr. Odom recommended establishing a project budget in the amount of \$330,000 to allow for the completion of right-of-way acquisition and contingency. Commissioner Gage moved to approve the Hwy. 9 pump station project, seconded by Vice-Chair Holbert. Commissioner Gasperson expressed concern about the project by stating he does not believe there is currently an urgent demand for public water in the northern part of the county, and the \$330,000 should be spent on the necessary

Turner Shoals dam maintenance and repair needs. With a motion and a second on the floor, the motion carried 4-1 (Gasperson opposed).

Vice-Chair Holbert moved to instruct Mr. Odom to design and put out for bid a 12" waterline on Hwy. 9 from Sunny View to the Rutherford county line, seconded by Commissioner Gage. Commissioner Gasperson said his previous suggestion that the county work with Lake Lure on water and sewer needs for Sunny View School was poorly received, and asked why the county was not attempting to work with Lake Lure to see if they wanted to participate in the waterline project. With a motion and a second on the floor, the motion carried 4-1 (Gasperson opposed).

Commissioner Gage moved to approve BA #3, Appropriate Fund Balance/Transfer to Water Capital, \$330,000 – To appropriate General Fund Balance to construct a pump station which will increase the Sunny View Waterline Extension Project, seconded by Vice-Chair Holbert and the motion carried 4-1 (Gasperson opposed).

Commissioner Gage moved to approve the Sunny View Waterline Extension Project Budget Ordinance increase in the amount of \$330,000 for the change order to construct a pump station, seconded by Vice-Chair Holbert and the motion carried 4-1 (Gasperson opposed).

23. Economic & Tourism Development Commission (ETDC) Reframing Resolution – Robert Williamson, Economic Development Director, presented the resolution. Commissioner Gage moved to approve the resolution, seconded by Commissioner Bradley. Commissioner Gasperson said it is his intention that the ETDC eventually be set up as a 501(c)3 nonprofit organization. Mr. Williamson said the reframing resolution moves the ETC in that direction. With a motion and a second on the floor, the motion carried 4-1 (Gasperson opposed).
24. McGill & Associates Water Issues White Paper – Commissioner Gasperson said the white paper, commissioned by the Protect Polk County Water citizens group, provided local water supply history and background, regional water supply information, and future management concepts. A copy of the white paper is hereby incorporated by reference into these minutes. Commissioner Gasperson said he would support the future formation of an expanded Polk County Water Authority, and encouraged BOC collaboration with the municipalities. Commissioner Gage said the Town of Columbus has no need to be part of a Water Authority, and the Town of Tryon's current water debt burden could also prove to be an obstacle. Commissioner Pack said the white paper contained no new information, only a rehashing of known facts, and therefore would be of little use in future water decisions. Commissioner Pack said it was unfortunate for the county that the proposed water agreement with Inman-Campobello Water District (ICWD) was rejected by ICWD.
25. Manager's Report – 1) The DSS Director, the DSS Board Chair and the County Manager have been working diligently to compose the twenty member Consolidated Human Services Agency Board. 2) Duke Energy is not going to build

- transmission lines through Polk County as part of its modernization plan, but does plan to make upgrades to its existing 100 kV lines within the county.
26. Volunteer Board for Vote – Kevin Blackwell was appointed to the Juvenile Crime Prevention Council by unanimous vote.
 27. Schedule an Economic Development Public Hearing – Commissioner Gasperson said he asked for this item to be removed from the consent agenda because no information on this agenda item was included in the agenda packet; the Board needs information before it can schedule a public hearing. Commissioner Gage moved to schedule a second Economic Development public hearing on December 7, 2015, to immediately follow the preceding Economic Development public hearing, regarding Economic Development Director Robert Williamson's contract, seconded by Commissioner Bradley. Commissioner Gasperson said he would like for the Board to wait until the next meeting, when the information is in the agenda packet, to schedule the public hearing for the first meeting in January 2016. With a motion and a second on the floor, and the motion carried 4-1 (Gasperson opposed).
 28. Schedule a Department of Social Services Public Hearing – Commissioner Gasperson reiterated that he asked for this item to be removed from the consent agenda because no information on this agenda item was included in the agenda packet; the Board needs information before it can schedule a public hearing. Commissioner Bradley moved to schedule a Department of Social Services public hearing on December 7, 2015, to immediately follow the preceding Economic Development public hearing, regarding the creation of a Consolidated Human Services Agency, seconded by Vice-Chair Holbert. Commissioner Gasperson again said he would like for the Board to wait until the next meeting, when the information is in the agenda packet, to schedule the public hearing for the first meeting in January 2016. With a motion and a second on the floor, the motion carried 4-1 (Gasperson opposed).
 29. Commissioner Comments – Commissioner Gasperson said he was not consulted regarding the cancellation of the last meeting, disagreed with its cancellation, and asked that all Commissioners be consulted prior to any future meeting cancellations. Commissioner Gasperson went on to say that even if a BOC meeting agenda does not include many items, scheduled BOC meetings still give the citizens an opportunity to speak. Vice-Chair Holbert thanked the Finance Department for a favorable audit report, and thanked the citizens for a good meeting. Commissioner Bradley thanked everyone for coming out and for their comments. Commissioner Gage thanked everyone for coming out, and expressed his appreciation for living in Polk County. Chair Pack thanked everyone for coming out.
 30. Adjournment – Commissioner Gage moved to adjourn the meeting, seconded by Commissioner Bradley and the motion carried unanimously.

ATTEST:

POLK COUNTY BOARD
OF COMMISSIONERS

Beth Fehrmann
Clerk to the Board

Tom E. Pack
Chair