

POLK COUNTY
BOARD OF COMMISSIONERS' PUBLIC HEARING &
REGULAR MEETING
July 18, 2016 – 7:00 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. Call to Order of the Public Hearing for the Proposed Ordinance Establishing the Polk County Government and Public Facilities (GPF) Zoning District – Chair Gage called the meeting to order. The purpose of the public hearing was to receive public comment on the proposed Ordinance Establishing the Polk County Government and Public Facilities Zoning District, and on the zoning map amendment to include the GPF Zoning District. The public hearing was properly advertised in the Tryon Daily Bulletin. Cathy Ruth, Planner, presented the proposed ordinance.
2. Citizen Comments – John Vining expressed concern regarding the broad definitions of “Accessory Buildings” and “Utility Buildings”; asked for clarification regarding impound lot location at the future law enforcement facility; asked if a rear entrance to the complex was planned; asked if retail food vendor space was planned for the complex; recommended it be required that shade trees be planted in the complex’s parking lot to mitigate heat. Art Marquis asked for an explanation regarding the over \$100,000 per acre cost for the nineteen acre property for the new Jail/Sheriff’s Department facility.

County Manager Pittman said the impound lot will be located in back of the law enforcement facility.

3. Commissioner Comments – Chair Gage received the following clarifications from Ms. Ruth: A) “Towers” referred to in the proposed GPF Permitted Use Table are communication towers as defined in the Wireless Communication Ordinance. B) “Utility Building” is defined as a structure or facility used by a public or quasi-public utility agency to store or distribute electricity, gas, telecommunication and related equipment. It does not include storage or treatment of sewage, solid waste or hazardous material. There is a height restriction for utility buildings. C) “Accessory Building” is a structure which is an accessory to the primary use of the main building. D) Commercial parking areas containing more than five parking spaces are required to have at least one tree for every five parking spaces, as well as some appropriate clustering of trees.

Commissioner Gasperson said in the future a new courthouse and perhaps other county buildings could potentially be built on the nineteen acre property; the GPF Permitted Use Table can be modified accordingly to accommodate future needs of the county. Regarding the \$1.95 million purchase price for the nineteen acre

parcel and the \$125,000 purchase price for a contiguous 2.6 acre parcel, Commissioner Gasperson said the tax assessment on commercial properties in the Town of Columbus is currently \$100,000 per acre, and the tax assessment on commercial properties in the City of Saluda is currently \$200,000 or more per acre. Further, the county will realize a significant cost savings in site preparation work as it is specified in the purchase contract for the nineteen acre parcel that the seller is required to make the parcel site ready; the access road will be graded and graveled, curb and gutter will be installed, and a bridge spanning a small stream will be constructed.

4. Adjournment – Commissioner Owens moved to adjourn the public hearing seconded by Chair Holbert, and the motion carried unanimously. (A ten minute break followed the adjournment.)

Chair Gage asked for a moment of silence in response to current turmoil in the nation.

5. Call to Order of the Regular Meeting – Chair Gage called the regular meeting to order.
6. Invocation – Pastor Nathan Deatruck of Cross Roads Baptist Church gave the invocation.
7. Pledge of Allegiance – Vice-Chair Holbert led the pledge.
8. Approval of Agenda – County Manager Pittman asked that a Lake Adger Marina update be added to Agenda Item #15, Manager’s Report. Chair Gage asked that “Tax Collection Rate” be added as Agenda Item 15.a. Vice-Chair Holbert moved to approve the agenda as amended, seconded by Commissioner Owens and the motion carried unanimously.
9. Consent Agenda
 - A) Approval of the June 20, 2016, regular meeting minutes.
 - B) Approval of Tax Department written refund requests totaling \$1,156.73.
 - C) Approval of a six month extension of Economic Development Director Robert Williamson’s employment contract.Commissioner Owens moved to approve the consent agenda, seconded by Vice-Chair Holbert and the motion carried unanimously.
10. Citizen Comments – Sky Conard asked if the Lake Adger Turner Shoals dam would be just as safe if AECOM utilizes the 1/2 probable maximum precipitation design storm rather than the 2/3 probable maximum precipitation design storm in the dam stability evaluation. Ms. Conard also asked if AECOM was going to consider the sedimentation load at the dam in their stability evaluation.
11. Proposed Ordinance Establishing the Polk County Government and Public Facilities Zoning District – It was the consensus of the Board that a green visual buffer (trees, shrubbery) be installed behind the new Jail/Sheriff’s Department Facility. County Manager Pittman said a gated emergency access from Park

- Street to the facility is planned for the future. 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 establish the Polk County Government and Public Facilities 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, further moved the Board to find that the proposed Amendment is reasonable and in the public interest for the reason that the Polk County 20/20 Vision Plan designates the proposed property location as a Special Use District on the Future Land Use Map, and further moved the Board to adopt the proposed Amendment to the Zoning Map of Polk County to rezone certain areas as Government and Public Facilities Zoning District as recommended by the Planning Board, seconded by Chair Gage and the motion carried unanimously.
12. Update on Replacement of the Historic Courthouse Wall – County Engineer Dave Odom reported the contractor is doing a great job. Construction of the new wall will include rebar, drainage, and footings, all of which were absent in the old wall being replaced.
 13. Proposed Increase in Scope of the AECOM Lake Adger Turner Shoals Dam Stability Evaluation – Mr. Odom said in working with the state and AECOM engineers it has been determined that a potential savings of up to \$400,000 in structural dam repairs could be realized if AECOM utilizes the 1/2 probable maximum precipitation (PMP) design storm rather than the 2/3 PMP design storm in the dam stability evaluation. The cost to perform the analysis to definitively make this determination is \$17,000. Mr. Odom noted Polk County has never experience a 1/2 or a 2/3 PMP storm since the dam has been in existence. Commissioner Gasperson moved to increase the scope of the AECOM Lake Adger Turner Shoals dam stability evaluation, seconded by Commissioner Owens and the motion carried unanimously.
 14. Budget Amendment – Sandra Hughes, Finance Director, presented the budget amendment. Commissioner Gasperson moved to approve BA #3, Water Capital Project, \$17,000 - To transfer funds from the Water Operating Capital Reserve Fund to the Water Capital Project Fund in order for AECOM to proceed with an expanded evaluation of Turner Shoals Dam, seconded by Commissioner Owens and the motion carried unanimously.
 15. Manager's Report – A) County Manager Pittman read a correspondence from Polk County Middle School Principal Hank Utz commending the Maintenance Department employees for their "above and beyond" maintenance efforts on the softball and baseball fields. B) The offer on the Law Enforcement Center/Government Complex property has been signed and the earnest money delivered, the topographical site survey and geotechnical bores have been completed, and trees are currently being cleared from the property. C) The upgraded sound system in the historic courthouse is working well. D) The North Carolina Wildlife Resources Commission will fulfill its contractual obligation and dredge the channel of the Lake Adger Marina by June 30, 2017.

- 15.a Tax Collection Rate – Chair Gage commended the Tax Department for increasing the tax collection rate from 96.45% in 2014 to 97.13% in 2015.
16. Volunteer Boards for Vote – Vice-Chair Holbert moved to appoint Cathy Brettman, Joe Cooper and David Friday to the Appearance Commission, seconded by Commissioner Owens and the motion carried unanimously. Vice-Chair Holbert moved to appoint Lee Bradley, Jackie Johnson and Marcella Mack to the Juvenile Crime Prevention Council (JCPC), seconded by Commissioner Bradley and the motion carried unanimously. Vice-Chair Holbert moved to appoint John Brodie to the Recycling Advisory Board, seconded by Commissioner Owens and the motion carried unanimously.
17. Volunteer Boards for Review – Two applications for three Appearance Commission vacancies were reviewed. Two applications for two JCPC vacancies were reviewed.
18. Commissioner Comments – Commissioner Bradley read a letter of commendation from Adam Justice, Assistant Chief of the Henderson County Rescue Squad, who recently taught Technical Rescuer Certification classes to nine volunteer members of the Green Creek Fire Department. The certification required over 140 hours of intensive training conducted over a one year period. Mr. Justice lauded the volunteers for their commitment, dedication, professionalism, and strong spirit of volunteerism. Commissioner Bradley asked everyone to keep Preston Johnston's family in their prayers. The teenager recently lost his life while saving two young boys from drowning in the Broad River.

Commissioner Gasperson said he was saddened and dismayed over recent events of national violence, and expressed his appreciation for the protection law enforcement professionals provide. Commissioner Owens quoted the following from an article in the July 10, 2016, issue of the *Tryon Daily Bulletin*: "Polk County's unemployment rate as of May 2016 was 1.1 percent lower than it was at the same time in 2015, according to the N.C. Department of Commerce." Commissioner Owens said the county's current economic development policies and procedures seem to be working well, and thanked Economic Development Director Robert Williamson for doing a fine job. Vice-Chair Holbert thanked everyone for coming out, and thanked everyone involved in the establishment of the GPF zoning district. Chair Gage thanked everyone for coming out, and thanked his fellow Commissioners for their hard work and willingness to work together.
19. Closed Session – Commissioner Bradley moved to go into closed session for the purpose of attorney-client privilege, G.S. 143-318.11(a)(3), seconded by Commissioner Owens and the motion carried unanimously.
20. Return to Open Session – Commissioner Owens moved to return to open session, seconded by Vice-Chair Holbert and the motion carried unanimously. Chair Gage moved to settle property tax appeals consisting of those Bright's Creek property owners represented by Attorney John Cocklereece to adjust the value of the

properties downward to reflect a new value equal to 20% over the independently appraised value, seconded by Commissioner Owens and the motion carried unanimously.

21. 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