

POLK COUNTY
BOARD OF COMMISSIONERS' PUBLIC HEARING &
REGULAR MEETING

Monday, October 3, 2011, at 7:00pm
R. Jay Foster Hall of Justice, Womack Building
Columbus, NC
MINUTES

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

1. Call to Order of the Public Hearing Regarding an Ordinance Concerning Zoning Administration and Enforcement - Chair Gasperson called the public hearing to order. The purpose of the hearing was to hear public comment on an ordinance concerning Zoning Administration and Enforcement, repealing and replacing Sections 9.6, 9.7 and 9.8 of the Polk County Zoning Ordinance (See Tab #12 in the packet.) Cathy Ruth, Planner, was present to answer questions.
2. Citizen Comments – There were none.
3. Commissioner Comments – There were none.
4. Motion to Adjourn – Commissioner Pack made a motion to adjourn the public hearing, seconded by Commissioner Owens and the motion carried unanimously.
5. Call to Order of the Regular Board of Commissioners' Meeting – Chair Gasperson called the meeting to order.
6. Invocation – Chair Gasperson gave the invocation.
7. Posting of Colors – The Polk County Honor Guard posted the National and State colors.
8. Pledge of Allegiance – Vice-Chair McDermott led the pledge.
9. Approval of Minutes – Commissioner Owens made a motion to approve the September 19, 2011, regular BOC meeting minutes, seconded by Commissioner Walker and the motion carried unanimously.
10. Approval of Agenda – Commissioner Walker made a motion to approve the agenda, seconded by Vice-Chair McDermott and the motion carried unanimously.

11. McFarland Funeral Chapel Resolution – Commissioner Owens made a motion to approve a resolution commemorating the centennial anniversary of McFarland Funeral Chapel, seconded by Commissioner Walker and the motion carried unanimously. The resolution was presented to F.K. McFarland, III, by Ambrose Mills.
12. Ordinance Concerning Zoning Administration and Enforcement – Commissioner Walker made a motion to approve the ordinance concerning Zoning Administration and Enforcement, repealing and replacing Sections 9.6, 9.7 and 9.8 of the Polk County Zoning Ordinance, seconded by Vice-Chair McDermott. Citizen comments: Katharine Smith thanked all those who worked so hard on the zoning ordinance. With a motion and a second on the floor, the motion carried unanimously.
13. ETD Contract – Vice-Chair McDermott made a motion to approve the ETD Director's contract with Libbie Johnson, with the exclusion of the bracketed items in paragraphs 3 & 5, seconded by Commissioner Walker. Citizen comments: Jeff Byrd and Andy Millard spoke in praise of Mrs. Johnson's abilities. With a motion and a second on the floor, the motion carried unanimously. Mrs. Johnson thanked the Board for the opportunity to serve Polk County.
14. EDC Certificate of Appreciation – Chair Gasperson presented Ambrose Mills with a certificate of appreciation in recognition of the contributions he has made to the EDC over the past six years.
15. Elderly/Disabled Exclusion Appeal – On September 12, 2011, John Bridgers, Tax Assessor, denied an application by James R. Pittman for an Elderly/Disabled Exclusion on the basis that the application was received after the June 1, 2011, deadline. Mr. Pittman initiated his disability claim with the Social Security Administration (SSA) in August 2009, and he inquired with the Tax Assessor's office in October 2010 regarding possible tax relief. The SSA approved Mr. Pittman's disability application on July 22, 2011, retroactive to August 15, 2009. According to GS 105-282.1(a1), upon showing of good cause by the applicant for failure to make a timely application, an application for exemption or exclusion filed after the close of the listing period may be approved by, among others, the Board of County Commissioners. Vice-Chair McDermott made a motion to approve the Pittman's petition for disabled exclusion for 2011, seconded by Commissioner Owens and the motion carried unanimously. Mr. Bridgers said he submits an article to the Bulletin every year regarding the listing of personal property, as well as the various tax exemptions available to citizens, and he assured the Board that information specific to pending SSA applications will be included in the article in the future.
16. Polk County Deer Season Resolution – Commissioner Owens made a motion to approve the Polk County Deer Season Reclassification Resolution, seconded by Commissioner Pack. Citizen comments: John Blanton, Rickie McFalls and Rob

McComas spoke in support of the resolution. With a motion and a second on the floor, the motion carried unanimously. According to Mr. Blanton, if property is posted, or the boundaries are marked in purple paint, then written permission is required to hunt or fish on that property. He also said that NC Wildlife Commission officers and the Sheriff's department can enforce this requirement.

17. Hwy. 108 Waterline Extension – Vice-Chair McDermott made a motion to extend the waterline from Mill Spring to Columbus, and to have the County Engineer design the waterline and seek bids, seconded by Commissioner Walker. County Manager Whitson said he has often worried about the lack of a backup source for the three wells which currently serve the County water system; there have been three instances where the tank was completely drained, and the high school has closed a few times as a result of a break in the Columbus waterline. The County Manager said a waterline from Mill Spring to Columbus could provide backup for the middle school and high school, as well as various businesses, and would also be an integral link if the County is ever to have a water authority. School Superintendent Bill Miller, Jr., said it has always been nerve wracking for the middle school to be dependent on wells with no backup.

Commissioner Pack said he is one of the biggest proponents of laying waterlines, but he takes issue with the fact that the County does not have this project in the current budget, a budget which is only two months old. He said he submitted a budget which included a tax break to citizens, a raise to some County employees, and kept the County health benefits at the same level, but was told the County did not have the money to do these things. He also questioned where the money for the Hwy. 108 waterline would come from.

Vice-Chair McDermott said the waterline is for the safety and health of the schools, and it is a capital project. She said the items Commissioner Pack referred to in his proposed budget were simply operational expenses, and she believes it is bad practice to use the fund balance to pay for operational expenses. Commissioner McDermott said it is appropriate to take money out of the fund balance for a capital project that will protect the health, safety and welfare of our middle school and high school students.

Commissioner Pack said he had capital expenditures broken out separately in his proposed budget. He said while he did propose taking money out of the fund balance, it was not necessarily for the tax cuts or anything else - it could very well have been used to offset the proposed capital expenditures. He questioned why, if the waterline project was so important, it was not proposed during the budget process instead of two months into the new budget. He emphasized that he is not against the project, but only wants to know where the County is all of a sudden getting the money when there was no money at budget time.

County Manager Whitson said that historically most of the small waterline extensions have been budgeted, but the major waterlines were paid for out of the fund balance. Commissioner Owens said he has worked very hard over the years on County water issues, but does not want to move too fast on this project because there are no rights of way on Hwy. 108; he suggested instructing the County Engineer to begin work on the right of way issue first. Commissioner Walker suggested that the County Engineer also provide the County with a cost estimate.

Vice-Chair McDermott amended her motion to read that the County Engineer is to design a waterline and research rights of way on Hwy. 108. With a motion and a second on the floor, the motion carried unanimously.

18. Hwy. 9 Waterline Rights of Way – Chair Gasperson made a motion to design a waterline and research rights of way on Hwy. 9 from Peniel Rd. to Hwy. 108 in Mill Spring, seconded by Commissioner Pack and the motion carried unanimously.
19. NCDOT Resolution – Commissioner Walker made a motion to approve the 2011/2012 NCDOT Secondary Roads Improvement Program, seconded by Commissioner Owens and the motion carried unanimously.
20. NC Tomorrow Public Hearing – Commissioner Owens made a motion to schedule a public hearing for the NC Tomorrow CDBG Application on October 17th at 3:00pm in the R. Jay Foster Hall of Justice, Womack Building, seconded by Commissioner Pack and the motion carried unanimously.
21. Sheriff's Department Budget Amendment – Commissioner Pack made a motion to approve BA #11 to transfer the amount reserved in FY11 for the purchase of 2 vehicles in the current year for the Sheriff, seconded by Commissioner Owens and the motion carried unanimously.
22. Veterans Services Department Budget Amendment – Commissioner Owens made a motion to approve BA #2 (to increase the budget to purchase approximately half the cost of new uniforms worn by veterans in the Honor Guard to bury veterans) on behalf of the Board and the County citizens as a way to honor our veterans past, present and future, seconded by Commissioner Pack and the motion carried unanimously.
23. Ag Economic Development Budget Amendments – Commissioner Walker made a motion to approve BA #6 to increase revenue and expense for grant funds from SARE and the Blue Ridge Heritage Area that were awarded last year and have unspent funds for the current year, seconded by Vice-Chair McDermott and the motion carried unanimously.

24. Volunteer Boards for Vote – James Stott was appointed to the Columbus Fire District Tax Commission by unanimous vote. JoAnn Miksa-Blackwell was appointed to the ETDC by unanimous vote.
25. Volunteer Boards for Review – One application for the Planning Board was reviewed.
26. Citizen Comments on Non-Agenda Items – There were none.
27. Commissioner Comments – The Commissioners thanked everyone for coming out.
28. Adjournment – Commissioner Walker made a motion to adjourn, seconded by Commissioner Pack and the motion carried unanimously.

ATTEST:

POLK COUNTY BOARD
OF COMMISSIONERS

Beth Fehrmann
Clerk to the Board

Ray Gasperson
Chair