

POLK COUNTY
February 7, 2011
7:00PM BOARD OF COMMISSIONERS' MEETING
R. Jay Foster Hall of Justice
Womack Building
Columbus, NC
MINUTES

1. Call to Order – Chair Gasperson called the meeting to order.
2. Invocation – Commissioner Owens gave the invocation.
3. Pledge of Allegiance – Commissioner McDermott led the pledge.
4. Approval of Minutes – Commissioner Owens made a motion to approve the January 24, 2011, BOC retreat minutes, and January 24, 2011, regular BOC meeting minutes, seconded by Commissioner Walker and the motion carried unanimously.
5. Approval of Agenda – County Manager Whitson recommended the following changes: Change Item #14 project ordinance amount to \$152,070; add Item #14.a, resolution for funding; add a short recess after Item #15; remove Item #10; move Item #18 to Item #10; remove Item #19.3; remove Tourism Advisory Board from Item #20. Vice-Chair McDermott made a motion to approve the agenda as amended, seconded by Commissioner Owens and the motion carried unanimously.
6. FY 2011-2012 Community Transportation Grant Public Hearing – Commissioner Owens made a motion to schedule a public hearing for February 21, 2011, at 3:00PM in the R. Jay Foster Hall of Justice in the Womack Building, seconded by commissioner Pack and the motion carried unanimously.
7. Tax Refund Request – Melissa Bowlin, Tax Collector, presented the January refund request. Commissioner Owens made a motion to approve the request, seconded by Commissioner Pack and the motion carried unanimously. Commissioner Owens recommended that County employees required to come before the Board be scheduled to attend the second BOC meeting of the month (3:00PM), and the Board concurred.
8. Resolution – Eloise Thwing/Thermal Belt Outreach Ministry - Vice-Chair McDermott read the resolution. Commissioner Owens made a motion to approve the resolution, seconded by Commissioner Walker and the motion carried unanimously.
9. Resolution - NC Small School Funding Resolution – Commissioner Owens read the resolution summary. Commissioner Pack made a motion to approve the resolution, seconded by Vice-Chair McDermott and the motion carried unanimously.

10. Medicaid 1915(b)(c) Waiver Project – Kathy Romich, Polk County Mental Health Advisory Board Chair, read a letter in support of the Medicaid Waiver. A copy of this letter is on file with these minutes. Arthur Carder, Chief Executive Officer of Western Highlands Network, gave a PowerPoint presentation and answered questions posed by the Commissioners. Western Highlands Network (WHN) is a local management entity (LME) comprised of eight counties which connects mental health, substance abuse, and developmental disability care providers with the Western North Carolina community. Approval is being sought for WHN to be accepted for the 1915(b)(c) Medicaid Waiver. ValueOptions is currently managing Medicaid for WHN. The goals of the Medicaid Waiver are to increase consumer access to care, improve quality of care, and to demonstrate cost effectiveness. County Manager Whitson emphasized that the Medicaid fund will be capped; the eight counties own the LME, and; the eight counties shoulder all of the financial risks incumbent with ownership. Commissioner Owens recommended that Niels Eskelsen, Medicaid Waiver consultant and former Piedmont Behavioral Medicine CFO, be invited to the next BOC meeting to share his knowledge and experience with the Board. County Manager Whitson was instructed to make the arrangements.
11. Offer to Purchase Property – An offer had been made on a parcel of foreclosed property in Tryon, and County Manager Whitson asked the Board for permission to proceed with the upset bid process. Commissioner Owens made a motion to proceed with the upset bid, seconded by Commissioner Walker and the motion carried unanimously.
12. Sheriff's Department Vehicles – County Manager Whitson presented information and a video on the 2012 Ford Taurus Police Interceptor. The Sheriff's Department currently uses Crown Victorias, but the Ford Motor Company will discontinue production of these vehicles this year. The company's replacement vehicle is the Taurus Police Interceptor. County Manager Whitson said some sheriff's departments have switched to the Dodge Charger, but he wants to continue to support the local dealership. The Board discussed the relative merits of the Ford Taurus and the Ford Crown Victoria. The price for the Taurus has not yet been established. The Taurus should get better gas mileage than the Crown Victoria. The Taurus comes standard with front wheel drive and the Crown Victoria has rear wheel drive. Current equipment installed in the Sheriff's Department vehicles, i.e., cages, shotgun racks and lights are not transferrable to the Taurus. New model cars often have first-generation issues and it is prudent to wait until these issues have been corrected before purchasing the vehicle.

County Manager Whitson said Sheriff Donald Hill originally asked for two new Crown Victoria's in a past memo. The Sheriff confirmed that he had originally asked for two vehicles. He went on to say that each year he has vehicles that need to be taken off the road. The number of vehicles he said that will need to be taken off the road next year alternated between three and four. Following discussion, the Commissioners agreed to purchase another Crown Victoria for the Sheriff's Department, bringing the total to three new vehicles for FY 2010/2011.

Vice-Chair McDermott made a motion to purchase one additional Crown Victoria for the Sheriff's Department, seconded by Commissioner Walker. Discussion ensued regarding the number of vehicles the Sheriff initially requested. Sheriff Hill said he is paying for the equipment and everything else going into the vehicles with Federal drug seizure money; all he needs are the vehicles. County Manager Whitson asked the Board if he is supposed to budget for any vehicles next year since they are buying this Crown Victoria, and Commissioner Owens said the County Manager was cutting Sheriff Hill short one vehicle. Commissioner Owens said the Sheriff originally asked for four vehicles, but Commissioner Walker said he originally asked for two, and now he is asking for a third. Sheriff Hill said he budgeted for two vehicles because County Manager Whitson came to him and offered him two. Sheriff Hill said he would go with what he is offered. County Manager Whitson said what he thinks he said was that he had enough contingency money, if the Board approves some position changes, to pay for two vehicles. Sheriff Hill said he had talked about even buying one vehicle from Federal drug seizure money, and County Manager Whitson said he recalled Sheriff Hill talking about buying two vehicles with the seizure money. Sheriff Hill said he is waiting on thousands of Federal drug seizure dollars now, and if he gets the money he'd be more than happy to save the taxpayers' money and buy two more vehicles.

Vice-Chair McDermott made a motion to purchase one additional Crown Victoria for the Sheriff's Department and pay for it out of savings from other departments, seconded by Commissioner Walker and the motion carried unanimously. The Commissioners also directed County Manager Whitson to transfer his County owned Crown Victoria to the Sheriff's Department next year and purchase a new economy car for himself.

13. FY 2011-2012 Budget Calendar – Commissioner Owens made a motion to approve the budget calendar, seconded by Commissioner Pack and the motion carried unanimously.
14. Project Ordinance – County Manager Whitson said the amount for the Hwy. 9 waterline extension project changed because some contaminated soil was encountered. Commissioner Pack made a motion to approve funding for the project of \$152,070 from the General Fund Balance, seconded by Commissioner Owens and the motion carried unanimously.
 - 14.a. Rural Center Grant Application Authorization - Commissioner Pack made a motion to approve the resolution authorizing the County's Rural Center grant application for the Hwy. 9 waterline extension project, seconded by Commissioner Walker and the motion carried unanimously.
15. Proposal for Engineering Services for Proposed Waterline Extension – At the January 24, 2011, regular BOC meeting, Commissioner Owens requested clarification from the County Attorney concerning the ability of the County to establish a preference for local bidders in the award of public contracts, similar to Governor Perdue's executive order establishing preferences for in-state contractors bidding on state contracts. County Attorney Egan explained that local governments

are required to award public contracts to “the lowest responsive, responsible bidder”.

County Engineer Dave Odom presented his proposal for engineering services for the proposed Hwy. 9 waterline extension to Polk Central School; the pricing is good for six months. Commissioner Pack suggested looking into the feasibility of running a waterline from the Middle School well system to Polk Central School. Mr. Odom said the well system has sufficient pressure for the County to run water from there if it so chooses. County Engineer Odom agreed to get an estimate of the cost to run a waterline from the Middle School well to Polk Central School and present the information at the next BOC meeting.

Citizen Comments – Charlene Boehm presented information regarding the alleged harmfulness of water fluoridation, and the information is on file with these minutes. She urged the Board not to use fluoridated water at Polk Central School.

16. Transportation Vehicle – Commissioner Walker made a motion to purchase a Ford Focus for the Transportation Department and approve Budget Transfer #44, seconded by Commissioner Pack and the motion carried unanimously.
17. Budget Amendment – Commissioner Walker made a motion to approve BA #17, Polk County Transportation, \$26,408 to increase revenue and expense for a new van to be paid 100% from ARRA money, seconded by Vice-Chair McDermott and the motion carried unanimously.
18. Manager's Report – 1) County Manager Whitson informed the Board that the Joint Meeting has been rescheduled for February 22, 2011, at 7:00pm. 2) County Manager Whitson gave an update on the septic system for the proposed restaurant in Green Creek. A \$1,500 check for permitting was mailed to the State but the State returned the check. County Engineer Odom has responded to comments from the State and he expects to get the permit in a couple of weeks. County Manager Whitson said the restaurant owner may opt to reduce the number of seats in the restaurant to 72 and get a local septic permit.
19. Volunteer Boards for Vote – A paper ballot was completed by each Commissioner for these appointments. 1) Farmland Preservation: There were two regular vacancies and two applicants. Bill Davis and Jeff Searcy were appointed by unanimous vote. 2) Green Creek Fire District Tax Commission: There were four regular vacancies and four applicants. Kenneth Arrowood, Bruce Collins, Jack Montgomery and Danny Willis were appointed by unanimous vote. 3) Recreation Advisory Board: There were two regular vacancies and two applicants. Joe Owen was appointed by unanimous vote. David Moore's appointment failed by a 3-2 vote (Gasperson, McDermott and Walker opposed).
20. Citizen Comments on Non-Agenda Items – The following citizens spoke in opposition to the proposed Rails to Trails initiative: Bruce Wilson, Gary Walker, John Blanton, Carroll Edney, Reggie Drake, Melvin Marx and Janet Foy Sauve. These citizens expressed their displeasure over the Board's endorsement of the proposed Rails to Trails project as evidenced by the unanimous passage of a

resolution of support on December 6, 2010. Concerns expressed included potential private property rights violations, the accumulation of litter and filth, increased crime, County liability considerations, and the fear of an overarching shift in the existing character of the area from residential use to tourist attraction. County Attorney Egan was instructed to research the issues of rail banking and trespassing as regards the proposed Rails to Trails project.

Keith Holbert spoke regarding the earlier reference to increased Medicaid. He reminded the Board that Federal Judge Vincent recently declared national healthcare unconstitutional and, unless that is reversed, Medicaid will not be increased.

21. Commissioner Comments – Vice-Chair McDermott thanked everyone for coming out, especially the anti-Rails to Trails group for explaining their concerns, and thanked her fellow Commissioners for another good meeting. Commissioner Pack thanked everyone for coming out. He also apologized to the anti-Rails to Trails group and promised to take their concerns into consideration. Commissioner Walker thanked everyone for coming out, and also apologized to the anti-Rails to Trails group. Commissioner Owens said the Board made a mistake regarding the Rails to Trails resolution and requested that the item be put on the agenda for the February 21, 2011, regular BOC meeting. He also asked County Manager Whitson to research the feasibility of the BOC meetings going paperless. Chair Gasperson thanked everyone for coming out, and said he would take the anti-Rails to Trails group's concerns very seriously.
22. Adjournment – Commissioner Walker made a motion to adjourn, seconded by Vice-Chair McDermott and the motion carried unanimously.

ATTEST:

POLK COUNTY BOARD
OF COMMISSIONERS

Beth Fehrmann
Clerk to the Board

Ray Gasperson
Chair