

POLK COUNTY
BOARD OF COMMISSIONERS' PUBLIC HEARINGS (2) &
REGULAR MEETING
Monday, March 5, 2012 at 7:00pm
Sunny View Elementary School Library
Sunny View, 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. 1st Public Hearing on the Proposed Mountainside and Ridgeline Protection Ordinance Amendments for Zoned Areas – Chair Gasperson called the meeting to order. The purpose of the hearing was to hear public comment on An Ordinance Amending the Mountainside and Ridgeline Protection Ordinance for Zoned Areas of Polk County; Amending the Definition of the Term “Excavation”; Amending the Definition of the Term “Single-Family Dwelling”; Providing an Exemption for Minor Land-Disturbing Activities. Cathy Ruth, County Planner, was present to answer questions.
2. Citizen Comments – There were none.
3. Commissioner Comments – Discussion ensued regarding Commissioner Pack’s recommendation to increase the square footage from 500 square feet to 750 square feet in Section 8.5 *Minor Land-Disturbing Activities*.
4. Adjourn– Vice-Chair McDermott moved to adjourn the 1st public hearing, seconded by Commissioner Owens, and the motion carried unanimously.
5. 2nd Public Hearing on the Proposed Mountainside and Ridgeline Protection Ordinance Amendments for Unzoned Areas – Chair Gasperson called the meeting to order. The purpose of the hearing was to hear public comment on An Ordinance Amending the Mountainside and Ridgeline Protection Ordinance for Unzoned Areas of Polk County; Amending the Definition of the Term “Excavation”; Providing an Exemption for Minor Land-Disturbing Activities. Cathy Ruth was present to answer questions.
6. Citizen Comments – Bubba Greene asked if the Board was going to zone Sunny View. Debbie Arceneaux expressed her disapproval of United Nations program Agenda 21. Michael Gage asked why the ordinance is based on elevation as opposed to slope. Vivian Searcy urged the Board not to zone unzoned areas of the County without the approval of the citizens.
7. Commissioner Comments – Vice-Chair McDermott said the Board is currently trying to loosen up the ordinance to help the citizens; Polk County does not participate in UN Agenda 21; No plan exists to zone White Oak or Cooper Gap Townships.

8. Adjourn – Commissioner Owens moved to adjourn the 2nd public hearing, seconded by Commissioner Walker and the motion carried unanimously.
9. Regular Board of Commissioners' Meeting – Chair Gasperson called the meeting to order.
10. Invocation – Commissioner Walker gave the invocation.
11. Pledge of Allegiance – Commissioner Gasperson led the pledge.
12. Approval of Minutes – Commissioner Owens moved to approve the February 20, 2012, regular meeting minutes, seconded by Commissioner Walker and the motion carried unanimously.
13. Approval of Agenda – Commissioner Walker moved to approve the agenda, seconded by Vice-Chair McDermott. Commissioner Pack moved to amend the motion so that Agenda Items #16 and #17 could be interchanged, seconded by Commissioner Owens. With a motion and a second on the floor to interchange Agenda Items #16 and #17, the motion failed 2-3 (Gasperson, McDermott and Walker opposed). With a motion and a second on the floor to approve the agenda as set, the motion carried 3-2 (Pack and Owens opposed).
14. Mountainside and Ridgeline Protection Ordinances (MRPO) – Vice-Chair McDermott moved to approve An Ordinance Amending the Mountainside and Ridgeline Protection Ordinance for Zoned Areas of Polk County; Amending the Definition of the Term “Excavation”; Amending the Definition of the Term “Single-Family Dwelling”; Providing an Exemption for Minor Land-Disturbing Activities, and to approve An Ordinance Amending the Mountainside and Ridgeline Protection Ordinance for Unzoned Areas of Polk County; Amending the Definition of the Term “Excavation”; Providing an Exemption for Minor Land-Disturbing Activities, with the amendment in Section 3, Section 8.5 *Minor Land-Disturbing Activities* of 500 square feet to 750 square feet, seconded by Commissioner Walker.

Commissioners Owens and Pack recommended the MRPO be sent back to the Planning Board for review regarding the elevation versus slope issue. Discussion ensued, and it was confirmed that the Unified Development Ordinance (UDO) Committee is in the process of making recommendations to the Planning Board for consideration, and the MRPO will again be reviewed by the Planning Board; the vote tonight is not for the UDO, but only for the aforementioned specific MRPO changes. With a motion and a second on the floor, the motion carried unanimously.

Commissioner Pack asked for a consensus of the Board to instruct the Planning Board to review the MRPO regarding the elevation versus slope issue. Cathy Ruth, Planner, said the Planning Board can put the item on the agenda when they meet again in April.

15. Community Development Block Grant (CDBG) Program – Commissioner Owens moved to schedule the second CDBG Program public hearing for April 16, 2012, at 3:00pm in the R. Jay Foster Hall of Justice, Womack Building, seconded by Vice-Chair McDermott and the motion carried unanimously.

16. Senior Center Loan Payoff – Vice-Chair McDermott moved to approve paying off the \$1,376,043 Senior Center loan with fund balance monies, seconded by Commissioner Walker. Citizen comments – Rick McIntosh and Doris Holbert spoke in opposition of paying off the loan. Commissioner Owens read a statement in opposition of paying off the loan, a copy of which is hereby incorporated by reference into these minutes. Commissioner Pack said the money to pay off the loan should be used instead for the school system, waterlines, and Sheriff's Department vehicles. Vice-Chair McDermott said it does not make sense that the County is making .1% on its money, yet is paying 3.9% on the loan; paying off the loan by the end of April will save the taxpayers \$316,307.29; the needs of the school system and the Sheriff's Department have both been well taken care of.

Commissioner Pack said the loan payoff will not save the taxpayers any money; taxes need to be lowered in order to save taxpayers money. Commissioner Walker clarified that the idea to pay off the loan came about because the County is not making much money on its money. Chair Gasperson said the County was able to give the school system an extra \$400,000 this fiscal year as the result of paying off a loan of approximately \$366,000.

With a motion and a second on the floor, the motion carried 3-2 (Owens and Pack opposed). Commissioner Owens read a statement proposing a 3 cent tax reduction, a copy of which is hereby incorporated by reference into these minutes.

17. Future Hwy. 9 Waterline Extension Estimates – Dave Odom, County Engineer, presented a three-phase plan and estimates for the Hwy. 9 waterline extension. The projects are estimated costs are: Phase 1 - Peniel Rd. to Polk Central, \$1,024,946.70; Phase 2A – Polk Central to Hwy. 108, \$544,238.10; Phase 2B – Hwy. 108 to Elevated Ground Storage Tank (GST), \$1,219,914.00; Phase 3A – GST to Proposed Wastewater Treatment Plant (PWTP), \$2,080,108.35; Phase 3B – PWTP to Sunny View Elementary, \$818,995.50. Commissioner Pack said he wanted to discuss waterlines before the loan payoff because the loan payoff could have been used to pay for the first phase and most of the second phase of the waterline extension. Commissioner Owens gave Mr. Odom a list of fourteen people who live on Hwy. 9 between Peniel Rd. and Hwy. 74 who would like access to public water. Citizens comments - Debbie Arceneaux expressed opposition to waterline extensions. Ralph Arledge asked the Commissioners to consider extending waterlines to Sunny View.
18. Dalton Rd. Abandonment – Commissioner Owens moved to abandon a 2,216 ft. portion of Dalton Road from the state maintained system, seconded by Commissioner Pack and the motion carried unanimously. All of the landowners on the road – except one who could not be reached - requested in writing that the 2,216 ft. portion be abandoned.
19. Budget Amendment – Commissioner Walker moved to approve BA #14, Transportation, to increase revenue and expense for additional money for the purchase of a Low Floor Mini-Van to be paid 100% with ARRA Stimulus funds, seconded by Vice-Chair McDermott and the motion carried unanimously.

20. Volunteer Boards for Vote – Glenn Burgess, Fred Earl Foster, Frances Parker and Herman Walker were appointed to the Board of Equalization & Review by unanimous vote; Harry Denton was appointed board by a 3-2 vote (Owens and Pack opposed); John Dahlgren was not appointed by a 2-3 vote (Gasperson, McDermott and Walker opposed); Herman Walker was appointed Chair by a 3-2 vote (Owens and Pack opposed). John Brodie was appointed to the Recycling Advisory Board by a 4-1 vote (Pack opposed).
21. Volunteer Board for Review – One application for the Appearance Commission was reviewed.
22. Citizen Comments on Non-Agenda Items – Cathy Elliott, Assistant Coach, announced that the Polk County High School Indoor Track Team has made it to the national finals in New York; the trip is self-funded and donations are welcome.
23. Commissioner Comments – The Commissioners thanked everyone for coming out.
24. Adjournment – Vice-Chair McDermott moved to adjourn, seconded by Commissioner Walker and the motion carried unanimously.

ATTEST:

POLK COUNTY BOARD
OF COMMISSIONERS

Beth Fehrmann
Clerk to the Board

Ray Gasperson
Chair