

POLK COUNTY
BOARD OF COMMISSIONERS' REGULAR MEETING
7:00 PM March 15, 2010
R. Jay Foster Hall of Justice, Womack Building
Columbus, N.C.

PRESENT: Chairperson Walker, Vice-Chairperson Gasperson, Commissioners McDermott, Melton and Watson. Also in attendance were County Manager Whitson and Clerk to the Board Britton. County Attorney Hix was absent.

1. Call to Order/Welcome – Chairperson Walker.
2. Invocation – Chairperson Walker.
3. Pledge of Allegiance – Commissioner Melton along with the House of Flags Board of Directors led the Pledge of Allegiance.
4. Approval of March 1, 2010, Minutes – Commissioner Melton made a motion to approve the minutes, seconded by Commissioner Gasperson and the motion carried unanimously.
5. Approval of Agenda – Commissioner Melton made a motion to approve the agenda, seconded by Commissioner McDermott and the motion carried unanimously.
6. The Janirve Foundation – Laura Lynch, Chair, Polk County Council on Aging, Inc., announced the approval of a grant for the Polk County Adult Day Care Center in the amount of \$25,000. She also announced that Rutherford Life Services also applied to The Janirve Foundation for additional funding and it is being considered.
7. Public Hearing – Transportation Grant Application – Chairperson Walker called the hearing to order. Jewel Carswell, Transportation Director, was present to answer questions. She reported on the Administrative (County) portion of the budget and the Capital (State) portion of the budget. There is a 15% administrative match and a 10% county match. There were no citizen comments. Commissioner Watson made a motion to adjourn the hearing, seconded by Commissioner McDermott and motion carried unanimously.
8. Transportation Grant Application – Commissioner Melton made a motion to approve the grant application, seconded by Commissioner McDermott and the motion carried unanimously
9. Public Hearing – Comprehensive Plan 20/20 Vision – Call to Order by Chairperson Walker. Notice of the public hearing was advertised in the Tryon

Daily Bulletin March 5 and 11, 2010. Dale Holland, Holland Consultants, gave a power point presentation on the plan. An open house had been held prior to the hearing for interested citizens. The Comprehensive Plan 20/20 Vision Committee was thanked along with the staff, County Planner Cathy Ruth, Administrative Assistant Ange' High, and Dale Holland of Holland & Associates. Joe Epley, Chairman of the Visioning Committee, the former Board of Commissioners who hired Holland Associates, along with the present Board of Commissioners, were also thanked. Commissioner McDermott made her comments in support of the plan and recommended changes. She explained along with Chairperson Walker in their power point presentation the reasons for their support of the (2) modifications which (1) impact the protection of the Green Space sector and (2) denies a 5% slope increase. Commissioner Watson supported Commissioner McDermott's comments. Commissioner Melton reported that out of the survey mailing of 12,000 to Polk County citizens, there was a highly successful return of 21%. He also supported the (2) modifications and thanked Joe Epley of the Vision Committee as well as the Comprehensive Plan Committee. Vice-Chairperson Gasperson expressed his pleasure with the plan and compared it to a recipe book for the future of Polk County. Citizen comments followed in support of adopting the plan and also supporting the (2) modifications. Those citizens who spoke were: Pat Salomon, Jim Carson, Susan Speight, Lisa Krolak, Eric Gass, Joe Cooper, Phil Burrus, Sally Walker, Bill Smith, Burt Baer, Emily Clark, Mark Byington, and David Weiss. An additional twenty citizens, attending the hearing, also signed a Support the Comprehensive Plan sign-in sheet which is included in the agenda packet. Commissioner Melton made a motion to adjourn the hearing, seconded by Commissioner McDermott and the motion carried unanimously.

10. Comprehensive Plan 20/20 Vision Resolution – Commissioner McDermott alluded to the texts of the Comprehensive 20/20 Vision Plan, the document entitled Suggested Plan Revisions prepared by Dale Holland and Cathy Ruth and the memorandum from the Appearance Commission entitled Suggestions for the 20/20 Vision Plan dated March 4, 2010, copies of each of which had previously been circulated and accompany these minutes. She made the motion to adopt the 20/20 Vision Plan as the Comprehensive Plan for Polk combining terms of “whereas” clauses previously prepared and circulated by legal counsel for the County and enacting terms (which she read aloud). Commissioner Melton seconded the motion and the motion carried unanimously. Following is the Resolution so adopted:

**A RESOLUTION ADOPTING THE 20/20 VISION PLAN AS THE
COMPREHENSIVE PLAN FOR POLK COUNTY**

WHEREAS, beginning in 2007, Polk County has undertaken a comprehensive process for developing a vision for the future of the County; and

WHEREAS, as part of that process, the Polk County Board of Commissioners established the Polk County 20/20 Vision Plan Advisory Committee, which, over the course of sixteen months, has prepared and recommended a comprehensive plan for Polk County entitled the “Polk County 20/20 Vision Plan”; and

WHEREAS, the Polk County 20/20 Vision Plan is comprehensive in setting goals and objectives for all aspects of the County; and

WHEREAS, the Polk County 20/20 Vision Plan is intended to be part of a continuous planning process that is timely and responsive to the needs and desires of the County and is the legal basis for land use regulations as well as a guide for a capital improvements plan for county budgeting; and

WHEREAS, the Polk County 20/20 Vision Plan has been circulated for review by residents, businesses, professional and civic organizations, and local government agencies; and

WHEREAS, the Polk County 20/20 Advisory Committee recommended unanimous adoption to the Polk County Board of Commissioners of the Polk County 20/20 Plan; and

WHEREAS, the Polk County Planning Board recommended unanimous adoption to the Polk County Board of Commissioners of the Polk County 20/20 Vision Plan with recommendations; and

WHEREAS, N.C.G.S.153A-341 provides that zoning regulations be made in accordance with a comprehensive plan; and

WHEREAS, the Polk County Board of Commissioners has held a public hearing on the matter of adopting the Polk County 20/20 Vision Plan.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of Polk County that the Polk County 20/20 Vision Plan be adopted to serve as the Comprehensive Plan for Polk County with the following modifications.

1. We accept all of the textual and tabular revisions suggested by Dale Holland and Cathy Ruth in the document entitled Suggested Plan Revisions previously submitted to us with the exception of (a) the slope percentages set forth on pages IV-46 and IV-47 of the plan, and (b) the textual changes suggested for the first paragraph and twelfth bullet point appearing on page VI-4 of the plan.
2. We revise the text of the second sentence of the first paragraph on page VI-4 of the plan to state:

- Although it is recommended that major subdivision and multi-unit be allowed as conditionally permitted uses in the sector, that development should be kept to a minimum and should only be permitted under limited conditions.
3. We revise the text of the twelfth bullet point on page VI-4 of the plan to state:
 - Very low density single-unit and multi-unit housing (both as conditional uses).
 4. We revise the text of the fifth bullet point in I.70 on page VII-20 of the plan to state:
 - Overall aesthetics of the county, including the consideration of the specific goals set forth in Appendix 7.
 5. We add the memorandum entitled from the Appearance Commission entitled Suggestions for the 20/20 Vision Plan dated March 4, 2010, to the plan as Appendix 7.

ADOPTED THE 15TH DAY OF March, 2010.

Attested: Polk County Board of Commissioners

Anne Britton
Clerk to the Board

Cindy Walker
Chairman

11. House of Flags Presentation – Commissioner Melton requested this item be placed on the agenda. Robert Williamson, Chairman, Board of Directors for House of Flags, made the presentation and other board members in attendance were Paul Sutherland, Frank Ortiz, Joyce Preston, Scott Camp, Otis Livingston, Robert Lair, Tim Holloman, and Elizabeth Burrell. Commissioner Melton made the motion to grant the wishes of the House of Flags Board of Directors by moving forward with the following three items: 1) approval to begin Phase 1 of the remodeling project to facilitate occupancy, 2) relocate county property and NC Forest Service from the building in a timely manner, and 3) revise the October 6, 2008, Lease Agreement as needed to facilitate the remodeling proposal. The revisions can be found in Attachment 1 of these minutes.
12. Erosion Control Update – Chairperson Walker requested this item be placed on the agenda and provided a power point presentation to visually update all the information that she has gathered. She reported to the Board on the Polk

County Sedimentation Erosion Control Local Program timeline. Chairperson Walker and Commissioner McDermott have gathered information from other counties on their local enforcement program as well as their fee structures. The next steps will be 1.) Determine average past acreage that was submitted to the State. 2.) Project future acreage submittal. 3.) Determine and trace status of existing sites. 4.) Explore management opportunities for the local program. 5.) Track State Regulation/Legislative changes (credentials, litigation). 6.) Explore local ordinance for Performance Guarantee. 7.) Seek educational opportunities. 8.) Determine realistic fee schedule, including subsidy percentage. 9.) Establish timeline for local program implementation. 10.) Require engineering/tech background of new/existing personnel. The consensus of the Board was to continue compiling the information and report back at the next regular Board meeting April 12, 2010. Altamont Environmental, Inc. submitted a proposal (based on assumptions) for assistance with Polk County Sediment and Erosion Control Program for an annual fee of \$32,400. This would include the plan review and site inspection services (including associated internal administrative services and equipment).

13. Solar Panel Project Presentation by Rob Beard, American Solar Integrators – (The possible locations being considered are (3) closed landfills and the recreation park parking lot.) Mr. Beard introduced the Solar Panel Project with a power point presentation. They would like to partner with Polk County in a joint venture relationship to bring solar energy into the community. There were many questions and additional information requested including references and an attorney review of project. It was the consensus of the Board to place this item back on the agenda for April 12, 2010.
14. Derbyshire Water Lines – Dave Odom, County Engineer, discussed the water lines for the Derbyshire development. These lines are subject to the Polk County Water Extension Policy and require no money from the County. These lines are 2 miles in length located inside the development and require a combination of 8” and 6” lines. Installation will begin in the next few weeks. Mr. Odom was also questioned about the solar panel presentation. He felt there was not a downside to the landfill property since the land cannot be used in other ways. There might be an objection to the aesthetics in the parking lot.
15. Tax Refund Request – Mr. Whitson made the February refund request for \$2,053.95. Commissioner Watson made a motion to approve the request, seconded by Commissioner Melton and the motion carried unanimously.
16. Board Vacancies (Vote) – Equalization and Review Board 5 vacancies, 9 applications. The following applicants were elected by the Board for the 5 vacancies. They were Herman Walker, Glen Burgess, Frances Parker, Fred Earl Foster, and John Dahlgren. Commissioner Melton made a motion to appoint Herman Walker, Chairman, seconded by Commissioner McDermott

and the motion carried unanimously. Commissioner Melton made a motion to stagger the board (2) for a 2 year term and (3) for a one year term. The two year terms will be served by Herman Walker and Fred Earl Foster and Burgess, Parker and Dahlgren will serve the one year terms. This motion was seconded by Commissioner Watson and the motion carried unanimously.

17. County Manger's Report – 1.) For information only - Western Highlands Network Monitoring Report was given by Mr. Whitson. 2.) Criminal Justice Partnership Program application for continuation of implementation funding. Commissioner Melton made a motion to approve the application for funding, seconded by Commissioner Gasperson and the motion carried unanimously. 3.) Patrol car purchases from Stott's Ford for Sheriff's Department. It was agreed to purchase 2 new patrol cars out of the Contingency Fund for \$41,532 and 2 more patrol cars out of the 2010/2011 budget. Commissioner Melton thanked Stott's Ford for giving Polk County the best prices and said he appreciates all the good things they do for the County. The budget amendment will be approved at the April 12, 2010, meeting. Commissioner Gasperson made a motion to approve the purchase of these 4 new patrol cars, seconded by Commissioner Melton and the motion carried unanimously.
18. Contract to Audit – The Board chose a firm to award this year's "Contract to Audit". A recommendation from Finance Officer, Sandra Hughes, was to use Gould Killian, CPA from Asheville for the 3rd year at the cost of \$57,000. Commissioner Melton made a motion to approve this firm, seconded by Commissioner Watson and the motion carried unanimously.
19. LGC/DSS Building Loan and Resolution Declaring The Intent To Reimburse Expenditures - Finance Officer Sandra Hughes spoke with Biff McGilvray, Senior Financial Analyst with the Local Government Commission, about the County's plan to borrow approximately \$2,000,000 to build a new Social Services Building. He gave his approval by telephone saying that Polk County looks good and to move forward. He also said that this serves as the initial meeting with the LGC. The Resolution Declaring the Intent to Reimburse Expenditures was discussed. Commissioner Gasperson made a motion to approve the resolution, seconded by Commissioner Watson and the motion carried unanimously.
20. Budget Amendments – BA #6 \$11,000 to transfer \$11,000 to the Soil and Water District. Commissioner Gasperson made a motion to approve the BA #6, seconded by Commissioner McDermott and the motion carried unanimously.
21. Financial Update – Finance Officer Sandra Hughes updated the February financials. They are on file in the Clerk's office.

22. Citizen Comments on Non-Agenda Items - Carl Caudle, owner of The Pine Crest Inn, discussed the Travel and Tourism web site. He feels the performance from the web site is poor and is disappointed in how the Tourism office is run.
23. Commissioners' Comments – The Commissioners were pleased that the Comprehensive Plan was approved unanimously. They were also very pleased with the citizen and committee participation. Robert Williamson and the House of Flags Board of Directors were thanked for coming and making their presentation, and the Wellness Center was congratulated for their successful first year.
24. Closed Session – Personnel G.S. 143-318 11 (a) (6). Commissioner McDermott made a motion to go into Closed Session, seconded by Commissioner Melton and the motion carried unanimously.
25. Return to Open Session - There was no action taken.
26. Adjourn - Commissioner McDermott made a motion to adjourn, seconded by Commissioner Watson and the motion carried unanimously.

ATTEST:

POLK COUNTY BOARD OF COMMISSIONERS:

Anne Britton
Clerk to the Board

Cindy Walker
Chairperson