

POLK COUNTY
May 4, 2009
7:00 PM BOARD OF COMMISSIONERS' REGULAR MEETING
R. Jay Foster Hall of Justice
Womack Building
Columbus, N.C.

PRESENT: Chairperson Walker, Vice-Chairperson Watson, Commissioners Gasperson, McDermott and Melton. Others in attendance were County Manager Ryan Whitson, County Attorney Tom Hix and Clerk to the Board, Anne Britton.

1. Call to Order – Chairperson Cindy Walker.
2. Invocation – Vice-Chairperson Warren Watson.
3. Pledge of Allegiance – Commissioner Tommy Melton.

Employee Presentation – Chairperson Cindy Walker presented two Polk County Employee diplomas.

- (1) Kipp McIntyre was presented with the diploma for the completion of the UNC Chapel Hill School of Government Municipal and County Administration Course. This course was designed for city and county officials whose responsibilities require an understanding of functions beyond individual areas of specialization.
- (2) Melinda Massey Young was presented with the Travel Marketing Professional award. This is the conclusion of a 3 year program of courses in marketing and tourism provided by the Southeast Tourism Society.
4. Chairperson Walker called the 1st Public Hearing to order. Transportation Authority: Jewell Carswell, Transportation Director, explained the stimulus money (American Recovery and Reinvestment Act of 2009) that would be used for a Transportation Van. There were no citizen comments and the hearing was adjourned. Chairperson Walker called the 2nd Public Hearing to order. Water Shortage Response Plan: Dave Odom, Odom & Associates, discussed the Plan required by the State. There were no citizen comments and the hearing was adjourned.
5. Vice-Chairperson Watson made a motion to approve the amended Board of Commissioner minutes for the April 20, 2009, seconded by Commissioner McDermott, the motion carried unanimously.

6. Approval of Agenda – County Manager Whitson added Item 8A to the agenda for Closed Session, Acquisition of Property (DSS Building) G.S. 143-318(a)(4), and Item 8B, Negotiating Amount of Contract G.S. 143-318(a)(5). Mr. Whitson requested Agenda #13 be tabled until the next meeting. He also added Agenda Item #22, Additional Personnel (which makes two items) and Attorney Client Privilege G.S. 143-318(a)(2) for potential litigation. Vice-Chairperson Watson made a motion to approve the amended agenda, seconded by Commissioner Melton and the motion carried unanimously.
7. Transportation Authority - A public hearing (4a) was held regarding the American Recovery and Reinvestment Act of 2009. Vice-Chairperson Watson made a motion to approve the resolution, seconded by Commissioner McDermott and the motion carried unanimously.
8. A public hearing (4b) regarding the Water Shortage Response Plan Resolution. Commissioner McDermott made a motion to approve the resolution as amended, seconded by Vice-Chairperson Watson and the motion carried unanimously.
- 8A. Closed Session – Commissioner Melton made a motion to go into Closed Session for Acquisition of Property, G.S. 143-318(a)(4) for the DSS building, and Negotiation of a contract G.S. 143-318(a)(5) seconded by Vice-Chairperson Watson and the motion carried unanimously.

Commissioner Melton made a motion to return to Open Session, seconded by Commissioner Gasperson and the motion carried unanimously. There was no action taken.

9. Odom & Associates – Engineering Design Services for FY 2009-2010. A proposed agreement between Odom & Associates (Engineer) and Polk County Government was requested and recommended by County Manager Whitson. The total engineering cost of agreement is \$45,000 for the year; monthly \$3,750.

The services will include but are not limited to:

- Cost Estimating, Design, Permitting and Construction Admin Services for waterline extensions less than one mile in length.
- Design, Permitting and Construction Admin Services for gravity sewer line extensions less than 2000 feet in length.
- Site design to include grading plans, erosion control plans, driveway permits, drainage design for sites less than 5 acres.
- Sewer Lift Stations for individual buildings.
- Water System Administrative projects (WSMP, WSRP, LWSP, etc).

Mr. Whitson explained that, basically, Odom Engineering has been doing a lot of the administrative work and all the engineering work for the water system. Also included are the engineering services for the construction of the Department of Social Services building and the sewer system for that building. For budgetary purposes, he strongly recommends this contract.

Commissioner Watson reiterated that, based on the work we did with Odom Associates last year, we have paid a substantial amount more for the services we obtained last year. He, too, agrees that having a budget to work from is good for us as a Board and for Odom. He knows what to expect and we know what to expect. Commissioner Watson stated it sounds as if this is pretty all-inclusive, other than the services his firm does not provide.

Mr. Whitson clarified with Mr. Odom and Mr. Odom agreed, that this does include working with Henderson County and the State on the watershed reclassification for Lake Adger. Mr. Odom also agreed that the work would continue through the reclassification process. He said the preliminary report has already been submitted to the Public Water Supply section for that site. Once the reclassification is completed that site will be permitted, with the exception of going into construction drawings. Mr. Odom said that the contract would continue throughout all of that.

Not included in this proposal:

- Structure Design.
- Sewer lift Stations as part of a collection system.
- Sewer treatment plant modifications.
- Larger Waterline extension projects (greater than 1 mile).
- Larger Gravity Sewer extension projects (greater than 2000 feet).
- Retaining Walls.
- Soils engineering.
- Subsurface work.

Commissioner Melton made a motion to approve the contract, seconded by Vice-Chairperson Watson and the motion carried unanimously.

10. Budget – County Manager Whitson presented his speech on the proposed balanced budget. Budget notebooks were handed out to each Commissioner and no action was required at this time.

Vice-Chairperson Watson commended County Manager Whitson for his work on the budget. Commissioner Gasperson thanked Mr. Whitson for looking out for the employees and not laying anyone off. Commissioner McDermott discussed meeting with the legislators in Raleigh and pointed out that things are not looking as good as they had hoped they were looking. Not only are sales tax revenues way down, but income tax revenues are way down for the

state and that is something they had not anticipated. Those problems unfortunately are passed on to the counties. Commissioner McDermott believes the County Manager has made a very good effort to take that into consideration, but we are all going to have to pull together this coming year, because it is going to be a tough year.

Commissioner Melton stated he had talked with the County Manager referencing the budget, and he has concerns if the revenue neutral rate is 52 cents and we allow for the growth rate of 5.93%, that brings us to 55 cents. He wondered what the budget would look like if we set the tax rate at the true revenue neutral of 52 cents. Commissioner Melton also expressed concern about the \$40,000 for water line extensions – the last 2 years has proven to us we are in a drought – we have citizens in Green Creek that have wells that have run dry. It is critical for this board to accept the responsibilities of trying to speed along the process of bringing water to Polk County so that these citizens don't have to spend exorbitant amounts of money to get wells. He would like to see this amount raised to \$100,000 for water line extensions. County Manager Whitson, in answer to Commissioner Melton's question, replied that, to the best of his memory, it is \$755,000 if you go back down to 52 cents.

11. Polk County Inn/B&B owners shared their views on what they believe the impact on their businesses will be should a new hotel be built in Polk County. Commissioner Melton requested this item be on the agenda for additional information. No action was required at this time.

Citizens Comments: Sara Huff of Butterfly Creek, Jeff Tempest of The Pattie Inn, and Carl Caudle of The Pine Crest Inn were all opposed to bringing a hotel to Polk County.

12. St. Luke's Hospital – Follow-up information was provided by Alex Bell, Interim CEO of St. Luke's Hospital, and Kipp McIntyre, Director of Economic Development. Mr. Bell emphasized they were here to move St. Luke's forward as part of the larger community, and to continue establishing open lines of communication with the Commissioners, the Economic Development Commission, and the citizens. He stated they were moving forward with their original goal of community education and communication. Mr. Bell has had numerous follow up conversations and meetings with individuals from the Board of Commissioners, the Economic Development Commission, and citizens from the community to provide clarification, answer questions, and to just get to know one another. Mr. McIntyre reported that steps have been taken through proper channels to help our local medical industry move forward.

Commissioner Gasperson made a motion to direct the full Economic Development Commission to use its partnerships with the Carolina Foothills

Chamber of Commerce, the Foothills Economic Partnership, Region C Isothermal Planning and Development, Advantage West Economic Development Group, North Carolina Department of Commerce, the NC Office of Economic Recovery and Investment, the U.S. Economic Development Commission - and any and all other agencies and organizations it sees fit to include – as a means of securing, protecting, and preserving this connection between the hospital and funding sources. This motion also included the formation of a joint hospital and county committee to make recommendations for part or all of the \$338,000 needed by the June 22, 2009, Board of Commissioners' meeting. The committee will be comprised of Susan McHugh, Chair of the St. Luke's Board of Trustees, Carol Jackson, Executive Director of the St. Luke's Foundation, Kipp McIntyre, Director of Economic Development for Polk County, Renee McDermott, Polk County Commissioner, Alex Bell, Interim CEO of St. Luke's Hospital, and Sandra Page, Vice-President of Patient Care Services at St. Luke's Hospital. This motion was seconded by Vice-Chairperson Watson and the motion carried unanimously.

13. Identity Theft Prevention Program – This item was tabled until the May 18, 2009 meeting.
14. Polk County Human Services Facility – Discussion on the location of the facility. Vice-Chairperson Watson reported there are some Commissioners who are still uncertain about the site, but he said he thinks they are still a ways from determining that. He thanked Architect Cecil Cannon and the committee for their hard work. Vice-Chairperson Watson believes the building - with growth - will fit the Park Street site, even though there are traffic issues and possibly a need for a red light. He concluded by saying the Board is looking at a couple of other sites to make sure the best decision is made. Commissioner Gasperson stated he still has questions and is concerned over the traffic issues at the Park Street location. He said we will have to live with our decisions for a very long time, and he feels it is his duty to make the best decisions for DSS and the taxpayers of Polk County. Chairperson Walker felt it was the consensus of the Board to revisit this discussion at the regular board meeting on June 22, 2009.

Citizen Comments: (1) Debra Barlow lives across the street from the Park Street site. She would like to see a traffic impact study conducted due to the narrow street. (2) Harry Denton does not like the site because it is not big enough. He voted against buying the property when he was a Commissioner. (3) Sheriff Donald Hill felt public safety could be an issue on that street with the daycare center, pool and ball park. Threats have been made at the DSS building in the past and, since there are a lot of children on that street, these issues should be taken into consideration. Also, if the DSS building housed the Mental Health facility, a new ruling limits sex offenders to 300 feet from any recreational facility or programs.

15. Henderson County Watershed Letter - Commissioner McDermott has made some amendments to the Henderson County Watershed Letter to be sent to the Henderson County Board of Commissioners. Vice-Chairperson Watson was comfortable with her changes and will work with Commissioner McDermott to finalize it.
16. Adult Day Care Proposals – Proposals from Rutherford Life Services and Community Health Connections were before the Board for review only.

Citizen Comments: 1.) June Beddingfield of Community Health Connections was present to answer questions. 2. David Page and Krista Haynes, Green Creek Community Center representatives, said the center is interested in providing the facility, not the program. The discussion followed on inviting the representative from the Division on Aging to visit and give an honest evaluation of the Green Creek Community Center, as well as the Carolina Classical Building. DSS Director Sue Rhodes will coordinate the visit.
17. (Review Only) Water Line Extension Policy - Commissioner McDermott recommended adding an additional line to 10(g), and the County Manager was instructed to send the addition to Attorney Billy Clarke for review. The policy will be brought back to the Board at the May 18th meeting for a vote.

Citizen Comments: (1.) Siegfried Forester had petitioned for a Landrum Road waterline, and he stated he would like for there to be a commitment to petitions.
18. Budget Amendment # 18, Sheriff's Department, \$5,500 to purchase an HP Sheriff's PAK Server plus installation and data transfer from 100% Federal Seizure Funds. Vice-Chairperson Watson made a motion to approve BA #18, seconded by Commissioner McDermott and the motion carried unanimously.
19. Board Vacancies: The four Recreation Department vacancies were filled by Jim Patterson, Virginia Walker, Laura Lynch, and Jessica Justice. They each were elected by a 5-0 vote. The five Home and Community Care Block Grant vacancies were filled by the reappointments of Susan Blair, Hayden Britton, Darrel Moore, Ted Owens, and Lou Parton. Commissioner Melton made a motion to approve the reappointments, seconded by Vice-Chairperson Watson and the motion carried unanimously.
20. There were no citizen comments on non-agenda items.
21. Commissioner Comments – The Commissioners thanked the citizens for attending the meeting.
22. Motion to go into Closed Session for two items of Personnel G.S. 143-3180(a) (6), and for Attorney Client Privilege G.S. 143-318(a)(2). Commissioner

Gasperson made a motion to go into Closed Session, seconded by Vice-Chairperson Watson and the motion carried unanimously.

23. The Commissioners returned to open session, there was no action taken, and the meeting was adjourned.

ATTEST:

POLK COUNTY BOARD OF COMMISSIONERS

Anne Britton
Clerk to the Board

Cindy Walker
Chairperson