

MINUTES

STATE OF NORTH CAROLINA
COUNTY OF POLK

BOARD OF COMMISSIONERS
AUGUST 3, 2009

The Polk County Board of Commissioners met for a regularly scheduled meeting at 7:00 pm in the R.J. Foster Hall of Justice Womack Building, Columbus, North Carolina.

Those present were Vice-Chairperson Watson, Commissioners Gasperson, McDermott and Melton. Chairperson Walker was absent.

Also in attendance were County Manager Whitson, County Attorney Hix and Clerk to the Board Britton, media, staff and citizens.

1. Call to Order/Welcome – Vice-Chairperson Watson.
2. Invocation – Commissioner Melton.
3. Pledge of Allegiance – Commissioner Gasperson.
4. Approval of Regular Board of Commissioners minutes for July 20, 2009 - Commissioner Melton made a motion to approve the minutes, seconded by Commissioner Gasperson and the motion carried unanimously.
5. Approval of Agenda – County Manager Whitson requested the addition Closed Session for Attorney Client Privilege. Commissioner Melton made a motion to approve the agenda with the addition, seconded by Commissioner Gasperson and the motion carried unanimously.
6. Tax Appeal Hearing – The appeal was to forgive back taxes and interest on a 2007 Hawk horse trailer. The back taxes and interest accrued as a result of a clerical error - the initial assessed value of the trailer was too low, and was corrected upon discovery. After hearing the appeal, Commissioner McDermott made a motion to have the taxpayer work with the Tax Office on a payment plan, seconded by Commissioner Melton and the motion carried unanimously.
7. Polk County Water Department Billing and Payment Terms – Dave Odom, County Engineer, was present to answer questions. The updated draft was reviewed and discussed. Commissioner Melton made a motion to approve the Billing and Payment Terms, seconded by Commissioner Gasperson and the motion carried unanimously.

8. Adult Day Care – The Board requested the Planning Board research the following and report back to the Board, if possible by August 17, 2009. (1) Changing the permitted use table definition from child care to day care, which would include child and adult day care for the Senior Recreation Center, and (2) Add Veteran’s Services and Veteran’s Events to RE1 and other permitted areas, and (3) Add child and adult health services. Commissioner Melton made a motion to send these requests to the Planning Board with a report back on August 17, 2009, seconded by Commissioner McDermott and the motion carried unanimously.

9. Government Building Security and Courthouse Considerations - Commissioner Gasperson requested this item be placed on the agenda. Marche Pittman, MIS Director, was present to answer questions. The Commissioners requested Mr. Pittman obtain cost sources on a security system starting with a minimal Phase I. Commissioner Watson recommended that a deputy from the Sheriff’s Department check the county buildings with a nightly walk through to make sure the doors are locked and the bathrooms are empty. Sheriff Hill was present and agreed to Commissioner Watson’s recommendation. It was also discussed that there might be possible funding for courthouse security. Commissioner Melton made a motion for a report of Phase I and cost sources be brought back to the Board on August 31, 2009, seconded by Commissioner Gasperson and the motion carried unanimously.

10. Animal Control Ordinance – Enforcement of this ordinance was discussed at the last meeting, with changes in the civil citation and additions to the Board of Adjustment. The consensus of the Board was to move ahead with the enforcement tools for the Animal Control Officer, which would give him some relief immediately. Possibly due to the economy, there seems to be large numbers of dogs at large and some are killing livestock. Appointments to the Polk County Animal Control Board of Adjustment will be advertised and brought back to the Board as soon as possible. The Ad Hoc Committee appointments, to review the existing animal control ordinance and report back to the Board of Commissioners, will be approved at the next meeting. Commissioner McDermott made a motion to adopt the Polk County Animal Control Civil Citation form with the amendments, to create a Polk County Animal Control Board of Adjustment (vacancies will be advertised) and an Ad Hoc Committee (members will be appointed) which will update the Polk County Animal Control Ordinance, seconded by Commissioner Melton.

Citizen Comments – (1) Scott Kelly stated that he had been bitten twice while out walking. No matter what route he takes he has a problem with the dogs. (2) Bob Then, a volunteer at Foothills Humane Society, expressed his concern over impounding dogs. Space is limited and only 2 dogs are allowed for cruelty cases. (3) Shaun Jenne stated his support for enforcement with the civil citation. He lives on Pea Ridge Road where there are too many stray dogs and

chickens have been killed. He has concern for his three children and would like for the county to be proactive in enforcing the ordinance.

Commissioner Melton said this is a greater problem than he realized and it is necessary to put teeth into the Animal Control Ordinance. The motion was approved unanimously. The Board suggested that the Polk County Ad Hoc Animal Control Committee consist of the Sheriff, the County Manager, 1 or more Commissioners, a Foothills Humane Society representative, and Animal Cruelty Investigators. These appointments will be made at the August 17, 2009, meeting. The Board of Adjustment (5 vacancies) will be advertised immediately and those applications will be brought back to the Board of Commissioners for a vote.

11. Polk County Emergency Planning Committee Membership - Sandra Halford, EMS Director, requested the following change be recommended to the NC Emergency Response Commission for appointment to the Polk County Emergency Planning Committee. Timothy D. McFalls – Representative for Saluda Volunteer Fire and Rescue. Commissioner Melton made a motion to approve the appointment, seconded by Commissioner Gasperson and the motion carried unanimously.
12. Farmland Preservation Yearly Update - Doug Harmon, Chairman of Farmland Preservation, and Lynn Sprague, Agricultural Economic Development Director, gave a power point presentation on this past year's accomplishments and their future goals. A copy of the power point update is on file in the Clerk's office. Commissioner Gasperson requested this item be placed on the agenda.
13. Steps to Hope – "Sexting in Polk County" - Presentation by Dollie-Brooke Reid, Rape Prevention Educator, and Sgt. Tonya Lindsey, Sheriff's Department. Commissioner Melton requested this item be placed on the agenda. The presentation outlined the epidemic which prevails in Polk County, how families can make efforts to prevent it and the legal consequences. The power point presentation is on file in the Clerk's office.
14. Budget Amendment – BA #1 Addition - Social Services - \$11,946.00. Incentive funds received in Child Support Services as part of the American Recovery and Reinvestment Act. Funds must be used in the Child Support Unit. Commissioner Melton made a motion to approve BA #1 Addition, seconded by Commissioner Gasperson and the motion carried unanimously.
15. Board Vacancies (Review) - Travel & Tourism, 2 vacancies (1 for accommodations and 1 for tourism related business) and 5 applications. Isothermal Community College Board of Trustees, 1 vacancy and 1 application. These applications were reviewed and will be voted upon August 17, 2009.

Board Vacancies (Vote) - 3 applications for Tryon Fire Protection District - Kirtland Flynn, Larry Phillips, and Robert Scruggs. 1 application for Council on Aging – Betsy Freeman. Commissioner Melton made a motion to approve the 3 applications for the Tryon Fire Protection District, seconded by Commissioner McDermott and the motion carried unanimously. Commissioner McDermott made a motion to approve the application for the Council on Aging, seconded by Commissioner Melton and the motion carried unanimously.

16. County Manager's Report – 1) Drug detection canine ownership and former employee agreement. This agreement is under legal review by the former employee's attorney. County Manager Whitson will bring the agreement back to the Board after it has been reviewed.

2) Solid Waste Enterprise Fund transfer \$15,000 - To transfer the NC grant into a specific account and remove the budget from "Miscellaneous Revenue." Commissioner Melton made a motion to approve the Department Transfer, seconded by Commissioner McDermott and the motion carried unanimously. (BA #1 Department Transfer.)

3) Purchase a mobile recycling truck – A discussion followed on purchasing a diesel truck to be used as the recycling truck. The diesel would add an additional \$6,482 to the total purchase of the truck. Commissioner Melton made a motion to purchase the diesel truck, seconded by Commissioner McDermott and motion carried unanimously. (BA #2 Budget Addition.)
17. Citizens Comments for Non-Agenda items - There were no comments.
18. Closed Session – The Closed Session was called for Attorney Client Privilege.
19. Return to Open Session – Commissioner Melton made a motion to return to open session, seconded by Commissioner Gasperson and the motion carried unanimously. There was no action taken.
20. Adjourn. Commissioner McDermott made a motion to adjourn, seconded by Commissioner Gasperson, and the motion carried unanimously.

ATTEST

POLK COUNTY BOARD OF COMMISSIONERS

Anne Britton
Clerk to the Board

Warren Watson
Vice - Chairperson