

**BOARD OF
COMMISSIONERS
REGULAR MEETING
NOVEMBER 6, 2023
5:00 PM**



**R. Jay Foster Hall of
Justice - Womack
Building**

-
1. Call to Order - Chairman Melton.
 2. Invocation - Chairman Melton.
 3. Pledge of Allegiance - Special Ceremony in Honor of Veterans Day.
 4. Approval of Agenda
 - A. Items may be added or removed at this time.

Motion to approve the agenda as presented or amended.
 5. Consent Agenda - Motion to approve Consent Agenda.
 - A. Approval of October 16, 2023 Public Hearing and Regular Meeting Minutes.
 - B. Budget Amendment in the amount of \$26,400 to appropriate fund balance and contingency transfer for Dogwood Trust grant funds received last year, that were not invoiced until this year. (Final invoice for WAVE project in courthouse.)
 - C. Tax Refund Request for September and October in the amount of \$528.08.
 - D. Vaya Health Quarterly Financial Reports for the period ending September 30, 2023.

Motion to approve the Consent Agenda.
 6. Citizen Comments on Agenda Items.
 7. YMCA Capital Campaign Update - Rick Kiernan, Convergent Nonprofit Solutions.
 8. Polk County Recruitment and Retention Resolution Extension - Manager Pittman.

Motion to approve the Recruitment and Retention Resolution Extension.
 9. Board of Commissioners' Regular Meeting Schedule for January 2024 through June 2024 and Resolution - Manager Pittman.

Motion to approve the Regular Meeting Schedule and Resolution as presented or amended.
 10. Citizen Comments on Non-Agenda Items.
 11. Commissioner Comment(s)
 12. Adjournment

POLK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

November 6, 2023 Regular Meeting

Agenda Item#: A.

ATTACHMENTS:

Description	Type	Upload Date
Draft Minutes	Cover Memo	10/31/2023

POLK COUNTY BOARD OF COMMISSIONERS
Public Hearing and Regular Meeting
October 16, 2023 - 5:00 PM
R. Jay Foster Hall of Justice - Womack Building
Columbus, NC
MINUTES

PRESENT: Chairman Melton, Vice-Chairman Yoder, Commissioner Beiler, Commissioner Moore and Commissioner Overholt. Also in attendance were Manager Pittman, Attorney Berg, Temporary Acting Clerk to the Board Ange' High, media, and citizens.

1. Public Hearing

A. Appoint Ange' High as Temporary Acting Clerk,

Commissioner Moore moved to appoint Ange' High as the Temporary Acting Clerk, seconded by Vice-Chairman Yoder and the motion carried unanimously.

B. Call Public Hearing to Order - Chairman Melton. The purpose of the public Hearing was to take comments on the proposed adoption of an Ordinance prohibiting skateboarding on certain public roads in Polk County. The public hearing was properly advertised in the Tryon Daily Bulletin.

C. Citizen Comments.

Six citizens spoke during public comment and 9 written comments were presented.

D. Commissioner Comments.

The Commissioners collectively thanked the public for attending and for voicing their concerns.

E. Adjourn Public Hearing.

Vice-Chairman Yoder moved to adjourn the public hearing, seconded by Commissioner Beiler and the motion carried unanimously.

2. Call to Order - Chairman Melton.

3. Invocation - Commissioner Overholt.

4. Pledge of Allegiance - Chairman Melton.

5. Approval of Agenda

A. Items may be added or removed at this time.

Commissioner Overholt moved to approve the agenda as presented, seconded

by Commissioner Moore and the motion carried unanimously.

6. Consent Agenda - Motion to approve the Consent Agenda.

- A. Approval of October 2, 2023 Public Hearing and Regular Meeting Minutes.
- B. Sheriffs Department Monthly Activity Report for September 2023.
- C. Declare eight Health and Human Services (HHSA) vehicles as surplus to be sold electronically through Govdeals.

Commissioner Beiler moved to approve the consent agenda, seconded by Vice-Chairman Yoder and the motion carried unanimously.

7. Citizen Comments on Agenda Items.

There were none.

8. MyFutureNC Update - Aaron Greene, Superintendent Polk County Schools; Margaret H. Annunziata, Ed.D. President, Isothermal Community College; Dr. Tracie Metz, MyFutureNC.

A resolution of partnership was presented by myFutureNC in collaboration with Polk County Schools and Isothermal Community College, to help underemployed citizens get the credentials needed for higher paying jobs. This initiative is designed to bridge the current gap between citizen education and workforce needs in critical areas such as nursing, teachers, and public safety employees, benefiting both adult learners seeking career advancement and current students aiming to enter these high-demand fields.

Commissioner Moore moved to support and adopt the resolution of local educational attainment, seconded by Vice-Chairman Yoder and the motion carried unanimously.

9. Polk County Skateboard Ordinance - Attorney Berg.

Attorney Berg read the resolution and formally presented the ordinance for approval. Commissioner Moore moved to approve the resolution and to adopt the ordinance as presented, seconded by Vice-Chairman Yoder and the motion carried unanimously.

10. Resolution Urging NCDOT to Remedy Issues Along I-26 Grade - Manager Pittman.

Manager Pittman presented the proposed resolution stating that the many accidents on this particular section of I-26 have an impact on the safety of the community, as well as environmental concerns. The resolution offers direction

and asks for NCDOT to seek additional funding for updates to this section of I-26. Chairman Melton asked for consideration of a law for truckers to stop and wait five minutes before continuing down the grade.

Commissioner Moore moved to approve the resolution as presented, seconded by Commissioner Overholt and the motion carried unanimously.

11. Resolution Supporting Operation Green Light for Veterans - Vice-Chairman Yoder requested this item be added to the agenda.

Vice-Chairman Yoder presented the resolution supporting Operation Green Light for Veterans.

Beginning November 6 - November 12th, the County will have multiple buildings shining green lights to show our support to these men and women. He urged County businesses, and residences to turn the County green to help show their support and care to veterans, and signal that we are here for them as they convert back into a normal lifestyle.

Vice-Chairman Yoder moved to approve the resolution, seconded by Commissioner Overholt and the motion carried unanimously.

12. Citizen Comments on Non-Agenda Items.

There was one citizen comment on non-agenda items.

13. Volunteer Board Application(s)

A. Applications for Consideration: Brian McCrodden - Appearance Commission, Robert F. Scruggs - Tryon Fire District Tax Commission.

Commissioner Beiler moved to approve the applicants as presented, seconded by Vice-Chairman Yoder and the motion carried unanimously.

14. Chairman and Commissioner Comments.

The Chairman and Commissioners collectively thanked those in attendance.

15. Adjournment

Commissioner Moore moved to to adjourn, seconded by Commissioner Overholt and the motion carried unanimously.

Attest:

POLK COUNTY BOARD OF
COMMISSIONERS

Kristy A Tipton
Clerk to the Board

Tommy W. Melton
Chairman

POLK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

November 6, 2023 Regular Meeting

Agenda Item#: B.

ATTACHMENTS:

Description	Type	Upload Date
Budget Amendment	Cover Memo	11/1/2023

B/A

BUDGET AMENDMENT: Appropriate Fund Balance and Contingency Transfer

DATE: 11/6/2023 BOC Meeting

BATCH #: _____ LINE _____

From Fund: **General Fund**

(for accounting use only)

Amendment # : **Fund Balance #4-F; Contingency #2-C**

Appropriate from:

Description	GL ACCOUNT #	Amount
Fund Balance Approp	10-3991-0000	\$ (21,816)
Contingency	10-9300-9910-0	\$ (4,584)

Department - Courts

Description	GL ACCOUNT #	Amount
Courts-Cont. Svc	10-4160-4400-0	\$ 26,400

EXPLANATION:

To appropriate fund balance for the grant funds received last year from Dogwood that were not invoiced until now (grant for \$25k, spent \$3184). \$4,584 is needed from Contingency to pay the final invoice for the WAVE project in the courthouse.

Date approved & entered into the BOC minutes

COUNTY MANAGER

FINANCE OFFICER

Polk County Finance
Contingency Balance
Schedule of Budget Amendments

Contingency

Original Budget at July 1, 2023 \$ 100,000

<u>Department</u>	<u>Unbudgeted Expense</u>	<u>Amount</u>	
Courthouse	Replace Gable Sinding	23,850	09/05/23
Courts	WAVE-additional needed beyond grant	4,584	11/06/23 <i>If approved</i>

Total to date	<u>\$ 28,434</u>
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Note: Negative amounts are increases to contingency NOT uses of contingency

Budget in contingency if approved	\$ 71,566
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From: Fuller, Mindy D. <mindy.d.fuller@nccourts.org>

Sent: Wednesday, October 25, 2023 4:56 PM

To: Marche Pittman <mpittman@polknc.org>; Sandra Hughes <shughes@polknc.org>

Cc: Bruce Yelton <byelton@polknc.org>; TSD Purchase Request <TSDPurReq@nccourts.org>; Brooke, Dawn M. <dawn.m.brooke@nccourts.org>; Burnette, Randall <randall.burnette@nccourts.org>

Subject: Invoice 10252023G from NC Administrative Office of the Courts

NC Administrative Office of the Courts

Invoice Due: 12/24/2023
10252023G

Amount Due: **\$26,400.00**

Dear Sandra Hughes:

Your invoice-10252023G for 26,400.00 is attached. Please remit payment at your earliest convenience.

Thank you for your business - we appreciate it very much.

Sincerely,
NC Administrative Office of the Courts

919-890-1039

POLK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

November 6, 2023 Regular Meeting

Agenda Item#: C.

ATTACHMENTS:

Description	Type	Upload Date
Tax Refund Request	Cover Memo	10/31/2023
Tax Refund Request	Cover Memo	10/31/2023

Memorandum

To: Polk County Board of Commissioners
From: Melissa O'Loughlin, Polk County Tax Administrator
Date: 9/30/2023
Re: Refund Request

<u>Taxpayer</u>	<u>Parcel</u>	<u>Amount</u>	<u>Reason</u>
Monterisi Francesco	Vehicle	\$ 357.49	Tag Turned In- Tag Surrender

TOTAL: \$ 357.49

Memorandum

To: Polk County Board of Commissioners

From: Melissa O'Loughlin, Polk County Tax Administrator

Date: 10/31/2023

Re: Refund Request

<u>Taxpayer</u>	<u>Parcel</u>	<u>Amount</u>	<u>Reason</u>
McKaig Audrea Ross	Vehicle	\$ 170.59	Tag Turned In- Tag Surrender

TOTAL: \$ 170.59

POLK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

November 6, 2023 Regular Meeting

Agenda Item#: D.

ATTACHMENTS:

Description	Type	Upload Date
VAYA Lettter	Cover Memo	10/31/2023
VAYA Fiscal Monitoring Report	Cover Memo	10/31/2023
VAYA Spendable Cash	Cover Memo	10/31/2023

Suggested Motion:

Motion to approve the Consent Agenda.



October 31, 2023

RE: Vaya Health Quarterly Report to the Communities for Period Ending September 30, 2023

Dear County Representatives:

Enclosed you will find a financial update for Vaya Health for the most recent quarter ending September 30, 2023. Included in this email are the following documents:

- Fiscal Monitoring Report
- Total Spendable Cash Report, which provides greater clarity of cash availability after meeting accounts payable and IBNR obligations. Note that this is a more conservative calculation than the State solvency metric which does not allow for certain working capital needs. Also note that a significant amount of cash (almost \$103M) is restricted for Medicaid Risk Reserve and may be spent only in the case of insolvency to pay claims for providers.

Please note that the prior year figures being reported for June 30, 2023 do NOT represent audited figures. Vaya's external CPA/Auditing firm are finalizing the audited financial statements for the FY ending June 30, 2023. After the completion of the audit, revised figures for June 30, 2023 will be provided in the next submission of the Fiscal Monitoring Report.

The budgeted figures for the current fiscal year reflect the "original" approved annual budget which was prepared under the assumption that Tailored Plan would go live on October 1, 2023. Vaya is in the process of revising the annual budget due to the delay of Tailored Plan and to adjust for some cost containment efforts which will be reflected in a budget revision that is scheduled to be presented to the Vaya Board for approval in December 2023.

Over the upcoming quarters, management will continue the high-quality focused health care management of our regional population in the 31 counties served by Vaya and continue to strategically prepare for the new Tailored Plan. The new "go live" date for Tailored Plans has not yet been determined.

Should you have any additional questions or comments, please do not hesitate to contact me via email (larry.hill@vayahealth.com) or phone (828-225-2785, Ext. 4743).

Sincerely,

Larry E. Hill
Executive VP and CFO, Vaya Health

Fiscal Monitoring Report

LME / MCO NAME:	VAYA HEALTH	FOR THE PERIOD ENDING:	September 30, 2023
# of month in the fiscal year (July = 1, August = 2, . . . , June = 12) =====>	3		

	(1)	(2)	(3)	(4)	(5)	(6)
	PRIOR YEAR		CURRENT YEAR 2023-2024			
	2022-2023					
	BUDGET	ACTUAL	BUDGET	ACTUAL YR-TO-DATE	BALANCE (Col. 3-4)	ANNUALIZED PERCENTAGE
1. REPORT OF BUDGET VS. ACTUAL						
REVENUE						
Interest Earned	3,045,000	3,078,158	3,000,000	787,338	2,212,662	104.98%
IGT Cardinal Income	-	-	3,500,000	-	3,500,000	-
Appropriation of Fund Balance	-	-	-	-	-	-
Other Local	1,133,521	1,408,169	1,216,988	252,571	964,417	83.02%
Total Local Funds	4,178,521	4,486,326	7,716,988	1,039,909	6,677,079	53.90%
County Appropriations (by County, includes ABC Funds):						
Alexander County	50,000	50,000	50,000	12,500	37,500	100.00%
Alleghany County	109,709	60,000	60,000	5,000	55,000	33.33%
Ashe County	189,566	189,566	189,566	47,392	142,175	100.00%
Avery County	89,600	89,600	89,600	22,400	67,200	100.00%
Buncombe County	600,000	600,000	600,000	150,000	450,000	100.00%
Caswell County	97,197	-	-	-	-	0.00%
Caldwell County	121,138	125,206	121,138	31,314	89,824	103.40%
Chatham County	413,450	419,109	430,450	101,991	328,459	94.78%
Cherokee County	75,000	75,000	75,000	18,750	56,250	100.00%
Clay County	15,000	15,000	15,000	3,750	11,250	100.00%
Franklin County	118,600	120,663	142,600	27,425	115,175	76.93%
Graham County	6,000	6,000	6,000	1,500	4,500	100.00%
Granville County	116,799	120,207	130,846	29,895	100,951	91.39%
Haywood County	112,000	106,050	112,000	29,475	82,525	105.27%
Henderson County	528,612	528,612	528,612	132,153	396,459	100.00%
Jackson County	123,081	123,081	123,081	30,770	92,311	100.00%
Macon County	106,623	106,623	106,623	26,656	79,967	100.00%
Madison County	30,000	30,000	30,000	7,500	22,500	100.00%
McDowell County	67,856	67,856	67,856	16,964	50,892	100.00%
Mitchell County	18,000	18,000	18,000	4,500	13,500	100.00%
Person County	145,383	150,295	151,483	88,646	62,837	234.07%
Polk County	79,491	79,208	79,491	19,826	59,665	99.76%
Rowan County	492,000	492,000	492,000	123,000	369,000	100.00%
Stokes County	9,000	-	18,000	-	18,000	0.00%
Swain County	30,000	26,613	30,000	7,725	22,275	103.01%
Transylvania County	99,261	99,261	99,261	24,815	74,446	100.00%
Vance County	170,099	175,594	194,099	41,515	152,584	85.56%
Watauga County	171,194	171,194	171,194	42,799	128,395	100.00%
Wilkes County	237,612	235,244	237,612	59,276	178,336	99.79%
Yancey County	26,000	26,000	26,000	6,500	19,500	100.00%
Total County Funds	4,448,271	4,305,982	4,395,512	1,114,037	3,281,475	101.38%
DMH/DD/SAS State and Federal Funding	137,545,040	125,146,186	108,330,755	23,544,860	84,785,894	86.94%
DHB Capitation Funding (Medicaid)	711,280,060	676,863,890	963,653,041	176,146,553	787,506,488	73.12%
DHB Risk Reserve Funding (Medicaid)	11,000,000	10,924,519	-	2,496,599	(2,496,599)	-
All Other State/Federal Funds	3,375,000	3,439,200	2,775,000	1,012,834	1,762,166	145.99%
Total State, Federal and Medicaid Funds	863,200,100	816,373,795	1,074,758,796	203,200,847	871,557,949	102.66%
TOTAL REVENUE	871,826,894	825,166,103	1,086,871,296	205,354,793	881,516,503	75.58%
EXPENDITURES:						
Administration	162,388,544	171,210,838	170,796,437	40,642,313	130,154,124	95.18%
LME Provided Services (Service Support)	3,713,228	3,640,645	4,047,341	966,234	3,081,106	95.49%
Provider Payments (State Funds)	100,790,611	85,616,125	86,119,902	18,230,701	67,889,201	84.68%
Provider Payments (Federal Funds)	29,726,273	29,825,520	15,933,208	3,826,688	12,106,520	96.07%
Provider Payments (County Funds)	4,448,271	4,051,730	4,395,512	613,045	3,782,467	55.79%
Provider Payments (Medicaid)	569,741,445	560,502,644	804,648,390	147,241,254	657,407,136	73.20%
Permanent Supported Housing and Back at Home Payments	1,018,521	829,236	930,506	217,250	713,256	93.39%
TOTAL EXPENDITURES	871,826,894	855,676,738	1,086,871,296	211,737,485	875,133,811	77.93%
Net Income or (Loss) (from Operations and Risk Reserve)		(30,510,635)		(6,382,692)		
Less Risk Reserve Revenue		(10,924,519)		(2,496,599)		
NET INCOME OR (LOSS) FROM OPERATIONS		(41,435,154)		(8,879,291)		
2. FUND BALANCE						
Restricted Fund Balance for Risk Reserve		100,451,626		102,948,225		
Restricted Fund Balance - State Statute, Prepaids & Investment in Fixed Assets		41,333,822		50,648,927		
Unrestricted Fund Balance (including Board Commitments)		20,046,030		741,880		
TOTAL FUND BALANCE		161,831,477		154,339,033		
3. CURRENT CASH POSITION						
Current Cash in Bank (Including Risk Reserve)				231,880,633		
Less Risk Reserve Cash				(102,948,225)		
TOTAL OPERATING CASH				128,932,408		*See additional Document
4. ESTIMATED SERVICES INCURRED BUT NOT REPORTED/PAID (IBNR)						
				47,984,048		

**Vaya Health Total Spendable Cash
As of September 30, 2023**

Total Operating Cash (Excluding Risk Reserve)	128,932,408
Less Accounts Payable and IBNR	(93,949,457)
Plus Accounts Receivable	27,065,393
Less Annual Leave Payout Liability	(5,826,930)
Less Other Post Employment Benefits Liability	(4,804,000)
	51,417,414
Spendable Cash	51,417,414

In accordance with G.S. 122C-124.2(e)(3), the Risk Reserve's purpose is to pay outstanding liabilities (unpaid claims) to providers in cases of insolvency and not intended to be used for operating costs. These resources are not available for payment of non-provider claims and may not be accessed by the LME MCO without written consent from DHHS.

POLK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

November 6, 2023 Regular Meeting

Agenda Item#: 7.

POLK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

November 6, 2023 Regular Meeting

Agenda Item#: 8.

ATTACHMENTS:

Description	Type	Upload Date
Recruitment and Retention Resolution	Cover Memo	11/2/2023

Suggested Motion:

Motion to approve the Recruitment and Retention Resolution Extension.

**POLK COUNTY
RECRUITMENT & RETENTION
RESOLUTION**

WHEREAS, Polk County, North Carolina, like most regions across the State and Country is experiencing a much higher unemployment rate than normal; and

WHEREAS, Polk County Local Government has had a large number of vacancies in different County departments, including emergency services; and

WHEREAS, these positions have remained vacant for an extended time period, using all the standard recruitment strategies and methods; and

WHEREAS, we understand and are sympathetic to other businesses and organizations experiencing the same staffing difficulties, however, the services Polk County Local Government employees provide to the citizens are deemed essential, and many positions are statutorily required and provide emergency and life safety functions in the community.

Therefore, be it resolved, the Polk County Board of Commissioners enact the following temporary recruitment and retention measures:

1. Full-time non-exempt emergency personnel working in the following departments: Sheriff, Jail, Animal Control, School Resource Officers, EMS, and 911 Communications, at the discretion of the County Manager, may be paid overtime hours instead of accruing compensation time beginning in the December 18 – December 31, 2023 pay period and ending in the June 3 – June 16, 2024 pay period.
2. Any new person who accepts a full-time regular or part-time regular position with Polk County Local Government between January 1, 2024, and June 30, 2024, will receive a one thousand dollar (\$1,000) hiring bonus after they complete the customary probation period.

Adopted the 7th day of September 2021. Amended the 20th day of September 2021. Amended the 6th day of December 2021. Amended the 6th day of June 2022. Amended the 3rd day of April 2023. Amended the 19th day of June 2023. Amended the 6th day of November 2023.

ATTEST:

POLK COUNTY BOARD OF
COMMISSIONERS

Kristy A. Tipton
Clerk to the Board

Tommy W. Melton
Chairman

POLK COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

November 6, 2023 Regular Meeting

Agenda Item#: 9.

ATTACHMENTS:

Description	Type	Upload Date
Draft Meeting Schedule	Cover Memo	10/31/2023
Draft Meeting Schedule Resolution	Cover Memo	10/31/2023

Suggested Motion:

Motion to approve the Regular Meeting Schedule and Resolution as presented or amended.



Polk County Board of Commissioners
Regular Meeting Dates
January 2024 – June 2024

MEETING DATE
*January 2, 2024
*January 16, 2024
February 5, 2024
February 19, 2024
March 4, 2024
March 18, 2024
April 15, 2024
May 6, 2024
May 20, 2024
June 3, 2024
June 17, 2024

All meetings, unless otherwise specified with an * are held on the first and third Monday of each month at 5:00 pm in the R. Jay Foster Hall of Justice Womack Building Columbus, North Carolina

Whereas, N.C.G.S. 153A-40 provides for a resolution establishing regular meeting dates of the Board of County Commissioners.

Now, therefore, be it resolved that the Polk County Board of Commissioners regularly scheduled meetings will be held at 5:00 P.M. as shown below and that such regular meetings will be held in the Bryant H. Womack Building, 40 Courthouse Street, Columbus, NC, in the R. Jay Foster Hall of Justice. Special meetings will be scheduled as needed.

January 2, 2024

January 16, 2024

February 5, 2024

February 19, 2024

March 4, 2024

March 18, 2024

April 15, 2024

May 6, 2024

May 20, 2024

June 3, 2024

June 17, 2024

Adopted the 6th day of November, 2023.

ATTEST:

POLK COUNTY BOARD
OF COMMISSIONERS

Kristy A. Tipton
Clerk to the Board

Tommy W. Melton
Chairman