

POLK COUNTY BOARD OF COMMISSIONERS
Regular Meeting
August 1, 2022 - 5:00 PM
R. Jay Foster Hall of Justice - Womack Building Columbus, NC
Columbus, NC
MINUTES

PRESENT: Chairman Melton, Vice-Chairman Beiler, Commissioner Overholt, and Commissioner Yoder. Also in attendance were County Manager Pittman, Clerk to the Board Tipton, media, and citizens. Absent: Commissioner Moore and Attorney Berg

1. Public Hearing

A. Call to Order the Public Hearing - Chairman Melton. The purpose of the public hearing was to take public comment on the proposed new road names, Songbird Lane, Piney Ridge Lane, and Tar Heel Lane. The public hearing was properly advertised in the Tryon Daily Bulletin.

B. Citizen Comments.

There were no citizen comments.

C. Commissioner Comments.

There were no Commissioner comments.

D. Adjourn Public Hearing.

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

Absent: Moore

2. Call to Order Regular Meeting - Chairman Melton.

3. Invocation - Commissioner Yoder.

4. Pledge of Allegiance - Vice Chairman Beiler.

5. Approval of Agenda

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

Chairman Melton asked that Jake Johnson, NC State Representative, be added to the agenda to give an update on rural internet access.

Commissioner Overholt moved to approve the agenda as amended, seconded by and the motion carried unanimously.

Absent: Moore

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

- A. Approval of July 18, 2022 Regular Meeting Minutes.
- B. Tax refund requests through July 31, 2022 in the amount of \$3,339.45.
- C. NCDOT Drug and Alcohol Testing Policy Zero Tolerance Addendum.
- D. Resolution Declining Right of First Refusal to Acquire Real Property from the Polk County Board of Education.
- E. Schedule a public hearing for proposed new road names to be considered on Tuesday, September 6, 2022 at 5:00 pm in the R. Jay Foster Hall of Justice.

Commissioner Overholt moved to approve the Consent Agenda, seconded by Vice-Chairman Beiler and the motion carried unanimously.

Absent: Moore

7. Citizen Comments on Agenda Items.

There were none.

8. Update on Rural Broadband Internet - Jake Johnson, NC Representative.

Representative Johnson announced that Charter Communications was granted (through the Growing Rural Economies with Access to Technology (GREAT) Program) \$4 million from the state of NC directly to the provider to invest in Polk County. This will bring broadband to an additional 3,500 households. He thanked the Board for contributing \$250,000 towards the match and said this was a very wise investment on the Commissioners part. Representative Johnson anticipated build-out to be completed in a few years and said that more grants would be awarded later in the month, and there is a possibility that Polk County may receive another award through Windstream.

9. Recruitment and Retention Video and Online Application Process - Tommy Oakman, Human Resources Officer.

Mr. Oakman revealed the Public Safety recruitment video to be used as a job recruitment tool drawing attention to the job vacancies in Polk County.

10. Legislative Goals discussion and proposals for submission to the North Carolina Association of County Commissioners (NCACC).

Commissioner Yoder stated the importance of the NCACC and the valuable resource they are to the County.

11. Volunteer Board Application(s)

- A. Applications for consideration: Agricultural Advisory Board - Cheryl Judge-Decker, Recreation Advisory Board - Dennis Gervais.

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

12. Citizen Comments on Non-Agenda Items.

Chairman Melton requested that the citizen comments be added to these minutes verbatim.

Rustan and Cindy VanWyk

"My husband and I question the purpose of the 6 ft shoulders? What purpose are they for? Where else in NC are there any roads other than interstates with this wide of shoulders?

We agree that the road may need to be wider by 2 ft on both sides, but a lot of roads in Polk County also need this done.

Highway 9 more than anything needs the speed limit enforced and possibly reduced to make a big difference in the safety of the living environment. It is not even safe to go to your mailbox the way people fly up and down this road. If the state thinks putting a 6ft shoulder is going to help they have not seen anything yet!!! All this will do is cause more wrecks. This will cause people to drive faster and use it as another lane and pass and cause more accidents.

We also would like to know how they plan on doing this? Will it effect all property owners or just some? If it will effect everyone then a lot of people will loose their homes because it will put this 6 ft shoulder right in their front porch. But I have to say if it effects one it should effect all.

We would like to know if they go through with this how will they get more law enforcement in Polk County to patrol this problem? We don't have enough as it is now.

We have been told this is due to the accidents on HWY 9, but have also found out there are less accidents on this HWY than others in the county.

How many other roads and bridges also need repair, Hwy 108 from Mill Spring to Columbus is a NIGHTMARE!!!

We just wanted the commisioners thoughts on this, most of us were not notified of what was going on and were hoping you could help us understand."

Karen Pack

"Hello Everyone, I am Karen Pack. I have lived on Highway 9 for over 39 years. I am here to speak on behalf of my neighbors and myself whom all live on the 2.7 mile NCDOT proposed road widening project. I am here to

ask for support and help from our elected officials and the citizens of Polk county to stop this unnecessary project. This project will impact 50 properties.

The proposed project intends to widen each lane 2' and add a 6' paved shoulder, starting at 74 going to 108. NCDOT states the purpose of this project is road modernization with implemented shoulders to allow for driver recovery. The main focus is to improve safety and traffic flow at the elementary school.

There is not a traffic flow issue at the elementary school. They have changed the incoming traffic flow and the outgoing to improve any minor traffic issues that there may have been.

We have statistics given by the NCDOT. From 2012-2017 there are 36 vehicle accidents reported with one being a fatality. A traffic count was taken for 3 days in September 2017. The count given is 3000 vehicles travel the 2.7 mile stretch on average daily.

With that being said I did some digging and gathered some factual information that shows how unnecessary this project really is.

The 36 accidents over the 5 year time frame are a bit deceiving and show that there are less expensive and impactful ways to gain the safety needed on this road. 7 of the 36 accidents all took place at 108. 2 of the accidents on the report are before the 74 bridge. So now we have 27 actual accidents along the 2.7 mile area. 3 of those reported took place at John Sheehan road. Unfortunately that is where the one fatality happened. It was from a police pursuit on John Sheehan and the vehicle being sought drove through the stop sign and struck a local citizens vehicle on #9. He passed away a few days later. In my opinion this accident had nothing to do with the safety of highway 9.

Here is a breakdown of the 27 accidents that are being used to justify this project.

*10 were rear end incidents
2 were angles-one being the fatality
1 was a collision
2 were left turns from a different roadway
2 were left turns from same roadway
3 were due to animals
2 were overturn rollovers
5 were fixed objects.*

Taking into account the 3000 average daily vehicles traveling this section, multiply that by 365 days of the year, this gives you 1,095,000 cars per year. The percentage of a car having an accident on this section, using an average of 6 incidents per year, is 0.0005% which seems miniscule.

We feel the main issue here seems obvious with the bulk being rear end incidents. Speed and the blind areas.

Our property borders a section that is 55 mph and a double yellow no

passing zone. I invite you commissioners to come sit on our back patio and watch the irresponsible-wreckless drivers on this section of highway. Widening the road and adding more paved area via the shoulder will make this a more dangerous section.

Rumble strips were put in and completed in July 2016. Statewide statistics show that rumble strips show a 29% crash reduction and in this area of western NC they find that crash reductions are more in the order of 39-40%. I asked if there are any 6' paved shoulders in Polk County that I could look at and was told by Mr Sykes (a roadway practice leader from KCI Associates), that he was not aware of any 6' paved shoulders on 2 lane roads in polk county. He did mention that Interstate 26 has 12' paved shoulders. I've noted that 74 does not have paved shoulders.

Let us remember this is a rural area, the countryside of polk county. It is very hard for us to understand the overkill of the proposed project. Also, seeing that all of the county roads are in disrepair and not maintained. Drive 108 at night when it's raining, it's hard to see the lines on the road. Howard Gap road is just forgotten. Why add 16 more feet of black pavement to go unmaintained like the rest of the county roads. The environmental impact will be significant as well. Number 9 having a 55 mile per hour speed limit with hilly blind spot areas and blind curves can be taken care of with slower speed limits and warning signs for blind areas and cars in the road waiting to turn left.

We can't help but feel there is a hidden agenda.

I want to remind everyone of the NC State Constitutions Article 1 Section 1. We hold it to be self evident that all persons are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, the enjoyment of the fruits of their own labor, and the pursuit of happiness.

Eminent domain can be stopped if it's proven unnecessary. I ask you our county commissioners to remember who you represent. You have families who have lived here for decades to centuries and have labored to build this community and to enjoy the fruits of their labor. Help us stop the expensive waste of taxpayer monies and put the funds to use in a better way.

Polk County is and wants to remain a quaint beautiful rural community. Don't let special interest groups with deep pockets and big promises turn your heads in another direction."

Mitch Pack

"First, thank you for your time and consideration of the information and our perspective on the widening of Hwy 9 South. I am a native of Polk County, and my family has lived here for generations. In the past few years, I have seen Polk County continue to grow rapidly, with some positive changes, and sadly, some negative. My goal still remains the same, and that is to continue to be a diligent steward of property and homes that I have worked hard for and that I have paid taxes on for decades. None of this has come easy, and I have worked for what I have. I not only speak for myself, but also for the many other landowners and families that are affected.

North Carolina DOT has proposed eight feet on each side of the existing highway. With this proposal, many people stand to lose yards and pasture land. On all of the landowner's properties, fences, water lines and power lines will have to be moved. This is also a safety issue, as many homes will have to endure, including my family, not being able to use their yards as the highway will quite literally be at their front door. In addition, other landowners and families stand to lose even more property than I will.

From a safety perspective, Hwy 9 South, and especially the straight stretch of highway in front of the properties I own, is currently a "race track." Vehicles coming through that stretch of highway, travel at exorbitant speeds, and by widening the road, as proposed, will only further encourage excessive speed. In addition, vehicles will pass cars turning into driveways, including on the double line. By having a wider travel lane, vehicles will only be encouraged to drive faster, and make more irrational decisions. Therefore, this poses an additional risk to our homes as these vehicles will now be even closer due to the widening of the highway.

As we are to be good stewards of our land and money, we pay taxes, and further facilitate the upkeep of our properties, and especially mine as pasture land for agriculture. As taxpayers, this project seems to be excessive, considering the fact North Carolina has many other issues that this money could be utilized for. We are in a looming recession, inflation, high fuel costs, and job losses, all are contributing to the bottom line. We feel that the senators, representatives and others that work for the State, and us as taxpayers, would see that this 11 to 15 million dollar project could be eradicated and as a state, we could focus on projects that really matter and that affect citizens positively. With our current state of affairs, this will only drive up the cost of this project, and furthermore, this is no time for doing projects just to do them. This is a rural area, and there are environmental factors such as creeks, natural springs, and small waterways that will be affected. This will further drive up costs, due to the necessity of protecting these natural resources. Therefore, this project is excessive spending for 2.7 miles of highway, for a rural community, and the negative impact on current residents seems to outweigh the cost vs. benefit.

If this project just has to be done, if it all, please consider doing only a two foot widening, decrease the speed limit, and not take land from hard working citizens. This is a similar project to the Lynn/Tryon 108 widening, and local citizens were able to be heard, and the project was eliminated. Therefore, we would hope that you would consider this proposal to be ceased, just as the 108 project.

Again, thank you for your consideration of this information, and I, and multiple landowners, would fervently ask that you reconsider this project."

Phillip McAbee

"I'm a fifth-generation farmer on #9, since 1935 when my grandfather bought the property. My grandfather was also one of the first to sign a right of way to the DOT. If you look at the plats a lot of the property owners own to the middle of the road. I measured this morning and from the edge of the road to the right of way, is 12 feet. Where they are proposing to come, is another 15 feet. From the edge of the road today. As the saying goes, if you let a camel put his nose in the tent it won't be long before he'd be laying in bed with you. That's kind of where we are at now, he gave it to them and now they want more. I don't want to sell an inch of my land. Because I think they've got the property to do what they want to do that's reasonable. There's only one reason that they would want to go and get another 15 feet on top of the 12 feet that are currently available, and that's to build a four-lane highway. Go to Boiling Springs, I don't want Mill Spring to be another Boiling Springs. There's a hidden agenda, just like Ms. Pack said. There's a group that is interested in this, but DOT learned their lesson in Lynn a few years ago. They came in and unveiled their whole plan, from Tryon to Columbus, going to widen the road and make it better. And they upset the apple cart with about 3,000 people and three or four businesses. And it was an uproar, surely you guys remember that? Okay, they learned a lesson so lets just go pick off a small piece of this property where it's only going to affect about 50 people and then see how the temperature is on that. Well not only do they do that they don't even notify all the people. I have yet to receive one piece of information from DOT. I can tell you there are at least four other property owners, that I have spoken to personally, that have not received anything. The meeting that they had back in June of last year, I get a call from Brian Pack while I'm in Kentucky, asking where I'm at. He tells me they are having a meeting about the road project. I said, "What road project?" And I live there. So all I'm asking you guys to do, I understand the imminent domain, I worked with a telecommunications company for 33 years. I understand how that works. I know our hands are tied. But what I'm asking you guys to do is represent us. I have 22 acres, my little 600 ft strip of #9 is not going to make or break the state, but they aren't going to listen to me. Think about what we're doing, they start here to go to 74. What's next? Going through your yards? They are just breaking it down so it's easier to digest. They can handle 50 people. They can't handle 3,000 people, we saw that. But my property is just as important to me as it was to those business people last year. My goal here is just to know that you guys are listening to us and have our concerns heard. I'm not trying to stand in the way of growth, but I don't want a Boiling Springs here and I hope you guys don't either, because if so I voted for the wrong commissioners. Thank you for listening to us and please let us know when that meeting is, because I plan to be there."

13. Chairman and Commissioner Comment(s)

The Commissioners thanked the citizens for attending the meeting and

emphasized the importance of the citizen input.

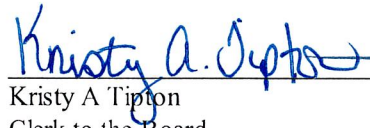
14. Adjournment

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

Absent: Moore

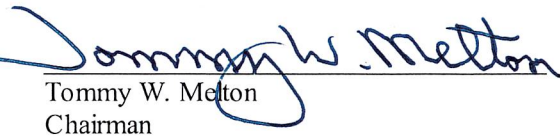
Attest:

POLK COUNTY BOARD OF
COMMISSIONERS



Kristy A. Tipton

Kristy A Tipton
Clerk to the Board



Tommy W. Melton

Tommy W. Melton
Chairman