POLK COUNTY BOARD OF COMMISSIONERS
Public Hearings and Regular Meeting
June 21, 2021 - 5:00 PM
R. Jay Foster Hall of Justice Womack Building Columbus, NC
Columbus, NC
MINUTES

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

1. <u>Public Hearings</u>

A. Public Hearing for the Polk County Zoning Ordinance.

Chairman Melton called the public hearing to order. The purpose of the public hearing was to take public comment on the proposed changes and updates to the Polk County Zoning Ordinance as required by the new General Statute 160D and the recommendations of the Polk County Planning Board, County Attorney, and staff. The Public Hearing was properly advertised, and the draft zoning ordinance was available for review on the Polk County website www.polknc.org.
Cathy Ruth, Planning Director, gave a presentation reviewing the recommended changes to the Zoning Ordinance, a copy of which is hereby incorporated by reference into these minutes.

B. Citizen Comments. There were no citizen comments.

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

D. Public Hearing Polk County New Road Names.

Chairman Melton called the public hearing to order. The purpose of the public hearing was to take public comment on a proposed new road name. The public hearing was properly advertised.

E. Citizen Comments. There were no citizen comments.

F. Commissioner Yoder moved to adjourn the public hearing, seconded by Commissioner Overholt and the motion carried unanimously.

2. Call to Order Regular Meeting - Chairman Melton.

3. Invocation - Reese Schlabach

4. Pledge of Allegiance - Commissioner Overholt.

5. Chairman and Commissioner Comments

   The Commissioners thanked Mr. Schlabach, a young community business member, for attending the meeting to give the invocation. Next, they congratulated all the recent graduates and recognized the Polk County Board of Education, Superintendent, teachers, and staff for another excellent year. Chairman Melton said the Commissioners attended the graduation to support the graduates and their families on this momentous occasion. Commissioner Overholt asked everyone to keep the two families in our community who have suffered recent tragic losses in our prayers while respecting their privacy as they mourn.

6. Approval of Agenda - Motion needed to approve or amend the agenda.

   Chairman Melton requested to amend the agenda and add a closed session for attorney-client privilege.
   Commissioner Moore moved to approve the agenda as amended, seconded by Vice-Chairman Beiler and the motion carried unanimously.

7. Consent Agenda - Motion needed to approve or amend the agenda.

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

   A. Sheriff Department Monthly Activity Report for May 2021.

   B. May 17, 2021 regular meeting, June 7, 2021 Budget Work Session, Public Hearing, and Regular Meeting minutes.

8. Citizen Comment Agenda Items

   There was one citizen comment on agenda items.

9. Animal Control Public Interest Information.

   Patti Lovelace, Animal Control Officer, shared two animal rescue accounts where other agencies such as the Columbus Fire Department went above and beyond the call of duty to help save the lives of animals. She said everyone involved worked together, focusing on the goal, and had positive outcomes. As a result, the animals were safe and reunited with their owners. She said this was a small sample of what she encounters daily, and she could not do it without the support of the Fire Departments, Law Enforcement Agencies, volunteers, and other supportive citizens.

10. Polk County Budget Ordinance for the Fiscal Year 2021/22 – Budget work sessions were held on May 17, 2021, and June 7, 2021. The budget public hearing was held on June 7, 2021.

Chairman Melton read the following statement *'I don't think the public realizes all the work that goes into composing our Polk County Budget. In a year where our staff is tasked with re-valuation, the budget process gets even harder. I want to thank the members of this board for all their work during this budgeting process. I want to thank the citizens for their input and patience during the re-valuation process. I would also like to express my appreciation for all the hard work of our County Staff during this time. They have worked many hours and have invested themselves into ensuring that our budget was drafted successfully and I commend them for a job well done."*

Commissioner Yoder moved to approve the Fiscal Year 2021-2022 Budget Ordinance, seconded by Commissioner Overholt. Commissioner Yoder inquired about the final rate; Manager Pittman answered that the final tax rate was $0.5143. The motion carried unanimously.

11. HUD HOME Consortium.

Steve Lockett, Executive Director Foothills Regional Commission (formerly Isothermal Planning and Development Commission IPDC), said the HUD HOME Consortium joint agreement would be by and between the County of McDowell (herein called the "Lead Entity"), County of Polk, County of Rutherford, County of Cleveland, (herein called the Counties) and all other municipalities within McDowell County (including Marion and Old Fort), Polk County (including Columbus, Saluda, and Tryon), Rutherford County (including Bostic, Chimney Rock Village, Ellenboro, Forest City, Lake Lure, Ruth, Rutherfordton, and Spindale), and Cleveland County (including Belwood, Boiling Springs, Earl, Fallston, Grover, Kings Mountain, Kingstown, Lawndale, Polkville, and Shelby). He said not all municipalities have confirmed participation. However, by becoming a member of the FOOTHILLS NC HOME CONSORTIUM, the region would have the opportunity to tap into $800,000 of federal funding that otherwise would be unobtainable, and no funding commitment by Polk County is required to join. Mr. Lockett said McDowell County has agreed to serve as the Lead entity, and Foothills Regional Commissioner would act as the Administrative Agent. Chairman Melton asked how the projects and funding amounts for each community will be determined. Mr. Lockett said once the funds are received in July 2022, a Consortium Committee will be formed with one representative from each HOME Member. The Committee will determine funding allocations and oversee all consortium activities, assisted by the Administrative Agent. Since there is a twenty-five percent match, the governing body must accept the project and the required match. The match could be in the form of cash, assets, labor, or other in-kind services, and you are only required to participate in matching funds when a project is within your jurisdiction.

Vice-Chairman Beiler moved to approve the Foothills North Carolina Consortium Joint Cooperation Agreement for Home Investment Partnership ACT, seconded by Commissioner Moore and the motion carried unanimously.

12. Transportation Medicaid Provider Agreements.

Joshua Kennedy, Health and Human Services Agency Director, presented the Transportation and Medicaid Managed Care Provider Agreements. He said they settled on an agreeable rate sheet different from the one included in the packet. The approved rate will increase the revenue for the County. He provided the Clerk a copy of the new rate sheet for the file.

Commissioner Yoder moved to approve the Transportation Medicaid Provider Agreements with One Call and MODIVCARE SOLUTIONS with agreed-upon rates, seconded by Vice-Chairman Beiler and the motion carried unanimously.

13. New Polk County Road Name.

Chairman Melton presented the new Polk County road name Heavenly View Lane (off Peniel Road in Columbus Township) for consideration.

Commissioner Moore moved to approve Heavenly View Lane as a new road name in Polk County, seconded by Commissioner Overholt and the motion carried unanimously.

14. General Statute 160D Zoning Ordinance.

Chairman Melton said Cathy Ruth, County Planner, was available for questions on the text amendments and changes made to the Zoning Ordinance from General Statute 160D. There were no questions. Before the vote was taken, Commissioner Moore had to leave the meeting momentarily, and Chairman Melton called a one-minute recess. Upon his return, they proceeded with the motion.
Commissioner Yoder moved to adopt the resolution of a statement of consistency for the text amendments to the Polk County Zoning Ordinance, seconded by Commissioner Overholt and the motion carried unanimously.

15. Conflict of Interest Policy

Attorney Berg presented the Conflict of Interest Policy.
Vice-Chairman Beiler moved to approve the Conflict of Interest Policy, seconded by Commissioner Overholt and the motion carried unanimously.

16. Development Committee YMCA Recreation Facility.

Manager Pittman said beginning this year, the YMCA of Greater Spartanburg has taken over programming, and to date, there have been no complaints. He said the next phase is to form a development committee for a potential facility. The committee's function will be to discuss the placement, planning, and purpose of the facility. He said the group of people being presented are bipartisan community representatives who have all agreed to serve.

Commissioner Moore moved to create the Development Committee for the YMCA Recreation Facility and adopt the bylaws, seconded by Vice-Chairman Beiler, and the motion was carried unanimously.

Commissioner Overholt made the motion to appoint Michael Baughman, Tommy Melton, Paul "Little" Beiler, Ray Gasperson, Rick Callebs, Marche Pittman, Marion McMillan, Sharon Decker, Sara Bell, Aaron Greene, and Latoya Twitty as members of the Development Committee, and designated Michael Baughman as Chairman, and Paul "Little" Beiler as Vice-Chairman, seconded by Commissioner Yoder and the motion carried unanimously.

Chairman Melton recognized members of the newly appointed committee in the audience, Michael Baughman and Ray Gasperson. Isothermal Community College (ICC) President Margaret Annunziata was also in attendance, and Chairman Melton asked her if she would like to speak. She thanked the Board for their support and said ICC was in the midst of their strategic planning process.

17. <u>Budget Amendments - Sandra Hughes, Finance Director will present these budget amendments, and any others that may need approval for fiscal year 2020 2021.</u>

Sandra Hughes, Finance Director, presented the budget amendments on the agenda. She said there were no additional amendments.

A. Budget Amendment to transfer unspent grant funds $15,100 to capital reserve for Economic Development

Commissioner Yoder moved to approve the budget amendment transferring $15,100 of unspent grant funds to capital reserve for Economic Development, seconded by Vice-Chairman Beiler and the motion carried unanimously.

B. Budget Amendment to appropriate Solid Waste Enterprise Fund Balance $132,885 to the General Fund to recoup debt service for FY19 and FY20.

Commissioner Moore moved to approve the budget amendment appropriating $132,885 from the Solid Waste Enterprise Fund Balance to the General Fund, seconded by Vice-Chairman Beiler and the motion carried unanimously.

C. Amend Grant Project Budget Ordinance for America Rescue Plan Act (ARPA) to reimburse County paid cost of operating the vaccine clinics through June 30, 2021. this is an estimate of costs incurred to run the vaccine clinics from several departments.

Vice-Chairman Beiler moved to Motion to amend the ARPA Grant Project Budget Ordinance in an amount not to exceed $150,000, seconded by Commissioner Yoder and the motion carried unanimously.

D. Budget Amendment Addition $382,600 approve the creation of the new Special Revenue Fund to re-classify non-fiduciary type activity, and approve necessary budget amendments to appropriately budget for non-fiduciary type activities in accordance with the Governmental Accounting Standards Board (GASB) 84.

Commissioner Yoder moved to approve the creation of the new Special Revenue Fund to re-classify non-fiduciary type activity (Fund 71, previously a fiduciary fund), seconded by Commissioner Moore and the motion carried unanimously.

Vice-Chairman Beiler moved to approve budget amendments amounting to $382,600 necessary to appropriately budget for non-fiduciary type activities according to the Governmental Accounting Standards Board (GASB) 84, seconded by Commissioner Overholt, and the motion carried unanimously.

There were no other budget amendments.

18. <u>Volunteer Board Application(s)</u>

A. Planning Board Vacancies Columbus, Green Creek, Tryon, and an at-large alternate. Applications are available for review in the County Manager's Office. Applications were received from the following - Donald Hofmann, James Christopher Jones, Ray Gasperson, Libby Morris, Anwar Timol. Appoint one applicant for each vacancy.

Vice-Chairman Beiler moved to appoint Don Hofmann as the Columbus Township representative; Ray Gasperson as the Green Creek Township representative; Libby Morris as the Tryon Township representative; and James Chris Jones as the At Large Alternate representative on the Planning Board, seconded by Commissioner Overholt and the motion carried unanimously.

B. Board of Adjustment Vacancies - Two regular positions, and one alternate position. Applications received - Neal Barton, Lisa Krolak, and Paul Weidman.

Commissioner Moore moved to appoint Neal Barton and Paul Weidman as regular members, and Lisa Krolak as an alternate member on the Board of Adjustment, seconded by Commissioner Overholt, and the motion carried unanimously.

19. Citizen Comments Non-Agenda Items

There was one citizen comment on non-agenda items.

19.A. Closed Session (this item was added to the agenda).

Commissioner Moore moved to go into closed session for the purpose of attorney-client privilege, seconded by Commissioner Overholt, and the motion carried unanimously.

Commissioner Overholt moved to return to open session, seconded by Vice-Chairman Beiler and the motion carried unanimously.

Commissioner Overholt moved to accept the *Fifth Amended Joint Chapter 11 Plan of Organization of Purdue Pharma L.P and its Affiliated Debtors* bankruptcy plan, seconded by Vice-Chairman Beiler, and the motion carried unanimously.

20. Adjournment

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

Attest:

POLK COUNTY BOARD OF COMMISSIONERS

Ange High
Ange High
Clerk to the Board

Tommy W. Melton
Tommy W. Melton
Chairman