

POLK COUNTY BOARD OF COMMISSIONERS
Public Hearing and Regular Meeting Agenda
October 4, 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. Public Hearing

- A. Call to Order the Public Hearing - Chairman Melton. The purpose of the public hearing was to take public comment on the third amendment and restatement of the Bright's Creek Development Agreement. The proposed modified agreement consolidates the previous documents, and provides for a completed Swim and Fitness Center by end of year 2022; extends phase three to be completed by end of year 2028; extends phase four to be completed by end of year 2034; extends phase five to be completed by January 1, 2040; and states public sewer and water service shall be provided by Aqua NC. The public hearing was properly advertised in the Tryon Daily Bulletin. Cathy Ruth, County Planner, was present.
- B. Citizen Comments. There were no citizen comments.
- C. Commissioner Comments. There were none.
- D. Commissioner Moore moved to adjourn the public hearing, seconded by Vice-Chairman Beiler and the motion carried unanimously.

2. Call to Order Regular Meeting - Chairman Melton.

3. Invocation - Commissioner Overholt.

4. Pledge of Allegiance - Chairman Melton.

- A. Missing Man Table of Remembrance - Joyce B. Preston.

Chairman Melton said today flags are lowered to half staff in honor of National Fallen Fire Fighters Memorial Day. He asked Joyce Preston to come to the podium to explain the symbolism of the Missing Man Table. She said the table had been set up for September for POW/MIA month in the lobby of the Womack Building.

Mrs. Preston, the President of the Polk County Memorial Auxiliary to VFW Post 9116, shared the significance of each item on the Prisoner of War, Missing In

Action table.

The small table is set for one symbolizing the frailty of one prisoner.

The table is round, showing our everlasting concern for our POW/MIA's.

The cloth is white, symbolizing the purity of our men and women's motives when answering the call of duty.

The single red rose reminding us of the lives of these men and women, their loved ones, and friends who keep the faith while seeking answers.

The red ribbon symbolizes our continued determination to account for them.

A slice of lemon reminds us of the bitter fate of those missing, captured, and held as prisoners in foreign lands.

A pinch of salt symbolizes the tears of our missing and their families, who long for answers after decades of uncertainty.

The Holy Bible represents the strength gained through faith in our country, founded as one nation under God, to sustain those lost from our midst.

The candle is reminiscent of the light of hope which lives in our hearts to illuminate their way home.

The glass is inverted to symbolize their inability to share this evening's toast.

The chair is empty; they are missing. Please remember and honor America's POW/MIA's and successful efforts to account for them.

The Commissioners thanked Mrs. Preston for selflessly serving veterans and their families in Polk County over the past four decades and presented her with a service commendation award.

5. Chairman and Commissioner Comments.

Chairman Melton read the following:

I wanted to make a few comments about our action at the last meeting to direct the County Attorney to research a referendum on partisan School Board Elections. After a lot of internal conversations with the other Commissioners, Polk County Schools, and citizens, we have decided that this isn't the right direction for our County to go.

A partisan election would cause unaffiliated voters to have to get more than 600 signatures on a petition to run. This is an unfair obstacle and would exclude potentially 6000 people from running for this office. There is also the risk that disrupting the school board with partisan politics could create a situation where the focus is away from our children and on other things.

Internally and externally, we have all talked about another option, that would accomplish the same goals as a referendum and would give us an immediate result. We would like to work in conjunction with citizens, such as Bill Miller, and other groups to have two forums for the School Board Candidates during the next election cycle in 2022. Candidates would be notified of these forums and could choose whether to attend, but citizens would have the ability to ask their questions during these forums.

We feel that this option would give the citizens better insight into who they are electing but would keep politics out of the school board meetings.

Our goal as Commissioners is to better the Children and Citizens of Polk

County. We believe that this option serves both interests and will be a solution that will serve everyone well for years to come. With all of that said, I would encourage a motion during the approval of the agenda to remove the update from our County Attorney (Item 10) on the potential referendum.

Chairman Melton thanked Bill Miller, Susan McHugh, and Aaron Greene for their comments and discussions on the matter. He said there is nothing more important in Polk County than our children.

Chairman Melton read the following press release:

The Polk County Board of Commissioners and Polk County Board of Education will work together in the coming months on a non-partisan approach to providing more information about candidates for local school board elections.

The two boards have historically worked together to place first the needs of local students and schools, one reason that Polk County Schools is consistently ranked as one of the top public school districts in North Carolina.

The boards will expand that relationship by developing candidate public forums for the 2022 election, in which four seats on the Board of Education will be on the ballot. The public forums will provide county voters with an opportunity to learn more about each candidate and their views on public education.

The boards will identify and work with a local non-partisan group to oversee the candidate forums. Former Polk County Schools Superintendent William J. Miller is expected to help lead that effort.

Given the planned approach, the Board of Commissioners voted Monday at its regular monthly meeting to remove an agenda item relating to adding a referendum to the November 2022 election that would have allowed voters to weigh in on changing school board elections to be partisan.

In addition to the candidate forums providing voters an opportunity to learn more about each candidate's views, commissioners noted that a move to partisan elections would make it extremely difficult for registered independent voters to run for a seat on the school board.

Vice-Chairman Beiler thanked the Chairman for all that he read. He thanked the citizens who came forward and engaged in the conversation and encouraged citizens to keep engaging.

Commissioner Yoder thanked Superintendent Greene for attending the meeting. He thanked the School Board as he knows the amount of pressure they have been under over the past year with COVID. He said we want to give the decision to the people, give the information to the people without alienating people from having a chance to run for the school board. He said this is a way to move forward and give the people a way to decide.

Commissioner Moore echoed the other comments and said he reached out to other counties with partisan school boards who said it did not benefit their education system.

Commissioner Overholt said they had many meaningful discussions by directing the County Attorney to look into a partisan school board, and it could have gone in a different direction. Instead, it created a discussion that united us for an extremely hopeful and encouraging future.

Chairman Melton asked Bill Miller, past Polk County Schools Superintendent, if he would like to speak. Mr. Miller said the priority is to make sure students and schools come first, and when politics enters School Boards, nothing good comes for students. He said the focus should be on helping students learn, teaching and learning, and relationships.

6. Citizen Comments on Agenda Items.

There were seven comments on agenda items.

7. Approval of Agenda

- A. Commissioner Moore moved to approve the agenda as amended, seconded by Vice-Chairman Beiler and the motion carried unanimously.

Chairman Melton requested amending the agenda to remove item 10. School Board Referendum Information (no action will be taken, discussion only).

8. Consent Agenda - Motion to approve the consent agenda.

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

- A. September 7, 2021 and September 20, 2021, Regular Meeting Minutes.
- B. Tax refund requests through September 30, 2021 in the amount of \$536.14.
- C. Re-appoint Scott Woodworth to the Jury Commission as required in § 9-1.

9. Pea Ridge Waterline Extension Change Order.

Dave Odom, President, Odom Engineering, explained pipe price increased by \$6.48/LF, equalling a total increase of \$37,000.80 for the Pea Ridge Road Water Main Extension project. He said there was a \$23,099.34 contingency in the bid leaving a difference of \$13,901.46. Mr. Odom said Piedmont Utility Group, Inc. would split the difference with Polk County, and he would recommend a change order for \$6,950.73. Manager Pittman said this would use the contingency for the project, and if any other issue would arise, they would need to come back to the Board.

Commissioner Yoder moved to approve the change order, and amend the Pea Ridge Road Water Main Extension Project Budget Ordinance, seconded by Vice-Chairman Beiler and the motion carried unanimously.

10. School Board Referendum Information (no action will be taken, discussion only) - Attorney Berg.

This item was removed from the agenda.

11. Third Amendment and Restatement of the Bright's Creek Development Agreement.

Cathy Ruth, Planner, reviewed the changes and the map of the third amendment and restatement of the Bright's Creek Development Agreement. The proposed modified agreement consolidates the previous documents and provides for a completed Swim and Fitness Center by end of year 2022; extends phase three to be completed by end of year 2028; extends phase four to be completed by end of year 2034; extends phase five to be completed by January 1, 2040; and states public sewer and water service shall be provided by Aqua NC.

Commissioner Moore moved to approve the third amendment and restatement of the Bright's Creek Development Agreement, seconded by Vice-Chairman Beiler and the motion carried unanimously.

12. Resolution to Authorize Amended and Restated St. Luke's Lease Agreement.

Attorney Berg explained this is a change to the current lease with St. Luke's Hospital on property where the current hospital is located. She said they had made previous addendums to the lease, which were incorporated into this one document. The other changes were adding insurance and indemnification terms and changing the reference to the general statute to reflect the 1985 changes in the general statutes.

Commissioner Yoder moved to adopt the Resolution to Authorize Amended and Restated St. Luke's Lease Agreement., seconded by Commissioner Overholt and the motion carried unanimously.

13. Volunteer Board Application(s)

A. The following application was presented for consideration: Recycling Advisory Board - Donna (Pat) Linnon.

Commissioner Moore moved to appoint Donna (Pat) Linnon to the Recycling Advisory Board, seconded by Commissioner Yoder and the motion carried unanimously.

14. Citizen Comments on Non-Agenda Items.

There were three citizen comments on non-agenda items.

15. Closed Session

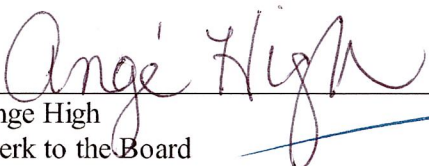
- A. Commissioner Moore moved to go into closed session for the purpose of attorney client privilege, seconded by Commissioner Overholt and the motion carried unanimously.
- B. Commission Overholt moved to return to open session, seconded by Commissioner Moore, and the motion carried unanimously.

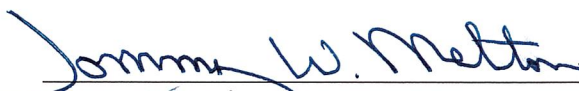
16. Adjournment

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

Attest:

POLK COUNTY BOARD OF
COMMISSIONERS


Ange High
Clerk to the Board


Tommy W. Melton
Chairman