

POLK COUNTY BOARD OF COMMISSIONERS
Regular Meeting Agenda
November 1, 2021 - 5:00 PM
R. Jay Foster Hall of Justice Womack Building
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. Call to Order - Chairman Melton.
2. Invocation - Commissioner Moore.
3. Pledge of Allegiance - Commissioner Yoder.
4. Approval of Agenda

Chairman Melton requested Aaron Greene, School Superintendent be added to the agenda to give an update as the first item of business.

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

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

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

- A. October 18, 2021 Regular Meeting Minutes.
- B. Tax refund requests through October 31, 2021 in the amount of \$.2,280.81.

6. Citizen Comments on Agenda Items.

Chairman Melton read the following statement before citizen comments:
I would like to read a statement about the Board procedural protocol. As the Polk County Board of Commissioners, we have rules of procedures that are based on Roberts Rules of Order. Recently, we have allowed citizens to ask questions of the BOC during the public comments section of the meetings. However, this practice is not in accordance with our adopted rules of procedure. Accordingly, the Commissioners or staff will not be answering citizens questions or concerns during the citizen comment portion of the meeting. Commissioners are free to address any questions during Commissioner comments.

Also, staff can follow up with specific citizen questions after the meeting.

There was one citizen comment on agenda items.

7. Polk County School Update

Aaron Greene reported to the board that Polk County Schools have been ranked number two in Best School District in North Carolina by Niche Ranking System. He said that Polk Schools received number one across the board in Safest School District, Best Places to Teach, and Districts with the Best Teachers. The district placed fourth in student test scores and fifteenth or higher in contributions from the County.

8. YMCA Recreation Community Center Project Committee Request for Consultant Services - YMCA Development Committee Chairman

Mr. Baughman gave a presentation, a copy of which is hereby incorporated by reference into these minutes. He said that the committee reached out to two consulting firms with expertise in YMCA strategic planning, community and stakeholder engagement, capital formation, and fundraising. It is the recommendation of the YMCA Recreation Community Center Project Committee to recommend Latisha Steele from Decker Steele and Associates as the project consultant.

Commissioner Yoder moved to approve the contract with Decker Steele and Associates, seconded by Vice-Chairman Beiler and the motion carried unanimously.

9. Laughter Road Waterline Extension - Dave Odom, Engineer.

Dave Odom, Odom Engineering presented the bids for the project and recommended accepting the \$34,130 (plus \$5,000 contingency) bid from Sugar Hill Contractors, LLC. He explained the project will be split 60% (County) and 40% (Property Owner).

Commissioner Moore moved to award the bid as recommended, seconded by Commissioner Yoder and the motion carried unanimously.

Commissioner Overholt moved to approve the project budget ordinance for \$39,130, seconded by Vice-Chairman Beiler and the motion carried unanimously.

10. Citizen Comments on Non-Agenda Items.

There were four comments on non-agenda items.

11. Volunteer Board Application(s)

- A. The following applications were received for consideration to serve on Polk County Volunteer Boards: Adult Care and Nursing Home Committee -Cornelia Yoder; Workforce Development - Steve Modlin. Myron Yoder recused himself from the vote since his wife was an applicant.

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

Abstain: Yoder

12. Chairman and Commissioner Comments.

Commissioner Moore read the following:

I would like to start by saying thank you to our county manager and our clerk Ange' and my fellow commissioners for your tireless work and dedication to the citizens of this county over these last 18 months.

I know we all have been frustrated at times not knowing what was coming next. We have been very transparent about all the information we have received concerning Covid-19. Our county staff has answered questions and provided the information requested to our citizens. We as a board of commissioners have had numerous conversations with our citizens and have heard from many of them as well at our meetings during the citizen comments. I think I can speak for this entire Board that we are doing what's best for Polk County and not for any certain individual or group. Again let me say no doubt we all are tired and frustrated with everything but we must continue working collectively as a staff, Board, and community. As I look back at our last election when over 6200 voters spoke and elected myself, Myron, and Andre to serve on this Board along with Tommy and Paul to service the citizens of this county and not any individual or groups, etc.

Commissioner Overholt stated that he understands the vaccination of five to eleven-year-olds is a hot topic. He would like to clarify to the public that these vaccinations are conducted by Blue Ridge Health and not the school system. He said if a parent does not want their child to receive the vaccine, they will not be required to get it. The schools are being used as an access point only, as has happened in the past for other types of vaccinations. He said he stands by the motto, Faith over Fear, and wants to be smart and cautious, but he is comfortable with all of the Board's decisions. He said he would be available to answer questions and would always be transparent. However, during the citizen comment period of the commissioner meetings, he would not be answering questions.

Commissioner Yoder said the government closest to the people governs the best. He went on to say that he is always available to answer citizen questions as he works for the community. However, since this is a business meeting, he would not respond to public comments. He then read the following email from Kevin Leonard, North Carolina Association of County Commissioners (NCACC), Executive Director.

To restate your question and concern – you are seeking guidance and clarity to answer an assertion that the acceptance of American Rescue Plan Funding (ARP) will result in a federal requirement or mandate to “adhere to mandatory vaccinations of all of their employees, and also all sub-contractors and their employees.”

Based on the information we have, linking these two items, is false.

The reasoning for my answer:

- 1. The State of North Carolina has already received the state allocation of ARP funding. They, the General Assembly, have not subscribed to this claim about tying ARP funding to mandated vaccinations. If it were true, the state would fall into the same category.*
- 2. The ARP law and the US Treasury guidance are separate and apart from the President's Executive Orders related to vaccinations of employers. The vaccination order is governed by the US Dept of Labor and in North Carolina, ultimately will be directed by an order issued by the NC Department of Labor. ARP and Vaccination Orders are NOT tied together.*
- 3. I have reached out to my counterparts across the entire nation to seek advice on this question. Out of 3000+ counties, there are less than 100 that have not drawn down their ARP funding from Treasury. And those are mostly issues related to technical problems. Further, we are not aware of any county that is planning to send their money back. If this false assertion were true, I think there would be a major outcry and reluctance to accept the funds. This is not the case.*

It is concerning that this false information continues to circulate. I hope this information is useful. Please let me know if you have further questions.

Vice-Chairman Beiler explained that the Board was doing their due diligence, they are not hiding behind not answering questions. The Board is a transparent board, they just don't want back and forth in an open meeting, that it provides chaos and not order. He went on to voice that he believes nothing should come between someone and their time of worship. The Board wants to be accessible, but there is a time and place to ask and answer questions. He asks for respect during times of worship and asks that the public humbly respect that time.

Chairman Melton said that if citizens call him, he will call them back to answer any questions. He then stated the following information relating to Polk County and ARPA funds:

The State and Local ARPA funds should result in a 10.5 million dollar investment in Polk County. These funds will pay for many needed things including the Lake Adger Dam. We can find no tie between the funds and masking or vaccination requirements. Our staff and the North Carolina Association of County Commissioners have found no tie between these ARPA funds and masking and vaccination requirements. 10.5 million is the equivalent of an increase of over 30 cents on the tax rate. In our role as County Commissioners, we have to make decisions that are best for all of the citizens of Polk County to give back a 10.5 million dollar investment wouldn't be in the best interest of all of our taxpayers.

Attorney Berg clarified that Executive Orders are law, and whether Polk County accepts the ARPA money or not, the Executive Order must be followed.

Manager Pittman wanted to emphasize that the ARPA fund would have an audit at the state level.

13. Closed Session

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

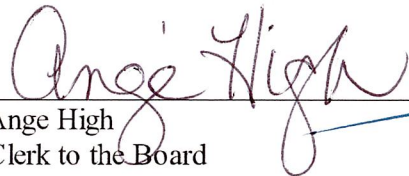
Vice-Chairman Beiler moved to appoint Kristy Tipton to the role of Clerk to the Board and to make a conditional offer of employment, contingent on the standard pre-employment screening process. He further moved that the County Manager be granted full authority in the onboarding process to negotiate the Boards' behalf, seconded by Commissioner Moore and the motion carried unanimously.

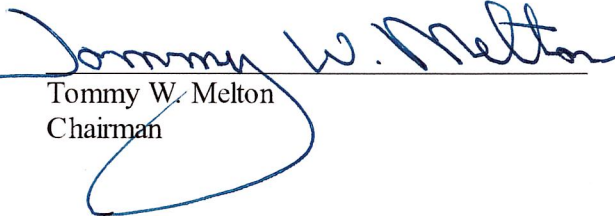
14. Adjournment

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