

POLK COUNTY
March 2, 2009
7:00 PM BOARD OF COMMISSIONERS' REGULAR MEETING
R. Jay Foster Hall of Justice
Womack Building
Columbus, N.C.

1. Chairperson Walker called the meeting to order.
2. Rev. Gary Curtis, Green River Baptist Church pastor, led the invocation.
3. Commissioner Melton, veteran, led the Pledge of Allegiance.
4. Vice-Chairperson Watson made a motion to approve the minutes from the February 23, 2009, regular Board of Commissioners' meeting, seconded by Commissioner Melton and the motion carried unanimously.

Commissioner Melton made a motion to appoint Beth Fehrmann acting Clerk to the Board for the current meeting, seconded by Commissioner McDermott and the motion carried unanimously.

5. Approval of Agenda – Ryan Whitson requested the addition of a Dialysis Center Update as agenda item 5(a). Vice-Chairperson Watson made a motion to approve the agenda as amended, seconded by Commissioner Melton and the motion carried unanimously.

5(a). Mr. Whitson reported that on February 26, 2009, Bill Highland of DaVita Corporation informed him that the NC Division of Facility Services, Certificate of Needs Section, approved Polk County for a dialysis center. DaVita will spend the next three months on the design phase, and will look at acquiring property after that time. The Commissioners congratulated Mr. Whitson on a job well done.

6. Commissioner McDermott made a motion to schedule a public hearing for the FY09-10 Community Transportation Grant Application on Monday, March 16, 2009, @ 7:00pm in the R. Jay Foster Hall of Justice of the Womack Building, seconded by Vice-Chairperson Watson and the motion carried unanimously,
7. Jeff Walker of the Polk County Water Department/Inman Campobello Water District gave a PowerPoint presentation overview of Polk County's southern water system. A hard copy of this presentation is on file.
8. Commissioner Melton made a motion to approve the revised Personnel Policy (due to changes in the federal FMLA regulations as per Page #1 of the agenda

packet), seconded by Vice-Chairperson Watson and the motion carried unanimously.

9. Mark Pumphrey, Library Director, announced that beginning March 7, 2009, the library will be open on Saturdays from 9:00am to 4:00pm. Formerly the library was only open until 1:00pm but, working closely with the County Manager, and within budgetary constraints, Mr. Pumphrey was able to add three additional hours to the Saturday schedule. With input from Mr. Whitson and Vice-Chairperson Watson, Mr. Pumphrey and his staff have also developed a plan for a full complement of additional hours beginning next fiscal year (July 2009). This plan is mutually supported by the County Manager, Vice-Chairperson Watson, the Library Board of Trustees, the library staff and Mr. Pumphrey, and will be outlined in Mr. Pumphrey's budget request narrative to be submitted on March 19th. Vice-Chairperson Watson thanked Mr. Pumphrey for working with everyone on this issue. Commissioner McDermott and Chairperson Walker both said they are pleased the library has expanded its hours.
10. Commissioner Melton made a motion to pass a resolution in support of federal funding for staff of the Mountain Valleys Resource Conservation & Development (RC&D), seconded by Commissioner McDermott and the motion carried unanimously.
11. Commissioner Melton made a motion to pass Senior Recreation Center and Building Addition Project Budget Ordinance increase in the amount of \$75,000.00 (funded by the Polk County Council on Aging), seconded by Vice-Chairperson Watson and the motion carried unanimously.
12. (a) In response to increased property crimes in Polk County over the past year, Sheriff Donald Hill requested a Patrol Deputy position be reclassified as a Sergeant Investigator position. Commissioner Melton made a motion to approve the reclassification, seconded by Commissioner McDermott and the motion carried unanimously. (b) Sheriff Hill requested approval be granted for the purchase of a Ford Fusion vehicle from Stott's Ford. Commissioner Melton made a motion to approve the purchase of a Ford Fusion vehicle, and to approve a budget amendment to move \$14,787.00 out of Sheriff Department's "Salaries" line item to cover the total vehicle cost, seconded by Commissioner McDermott and the motion carried unanimously.
13. County Manager's Report – 1) Following a brief discussion it was determined that an event to celebrate the 2007/08 courthouse renovation is in order. John Vining (Cooperative Extension), Charlene Owens (Clerk of Court), and Melinda Young (Travel & Tourism) will comprise the event committee. The event was tentatively scheduled to be held sometime between May and July. 2) Vice-Chairperson Watson made a motion to approve Altamont's amended contract for erosion control at St. Luke's Hospital. Discussion ensued regarding changes in the

“Limitation of Liability” section of the contract, specifically “. . . the Consultant’s total liability to the Client for any and all injuries, damages, claims, losses, expenses or claim expenses arising out of this Agreement from any cause or causes, shall not exceed ten times the project fee (\$10,500.00).” Following discussion, Commissioner McDermott recommended that the amounts in the “Limitation of Liability” section of future contracts be decided upon on a case by case basis. The motion on the floor was seconded by Commissioner McDermott and carried unanimously. 3) Mr. Whitson reported that a DSS vehicle was involved in an accident in Burke County last week. The DSS vehicle was struck by another vehicle and is a total loss. The insurance settlement is expected to be \$3,600.00. The DSS social worker and two foster children traveling with her were not injured, and the other driver was charged with driving under the influence. 4) Mr. Whitson requested approval for the purchase of two Ford Focus vehicles for DSS. Commissioner Melton made a motion to approve the purchase of two Ford Focus vehicles for \$12,304.98 or less, and to approve a budget amendment to move \$25,361.00 or less out of DSS’s “Salaries” line item to cover the vehicle costs, and to approve putting the insurance settlement monies back into the general fund, seconded by Commissioner Gasperson and the motion carried unanimously.

14. Board Vacancies: Library Board of Trustees – Janice Impey and Kenneth Yeager were unanimously appointed to this Board. Recycling Board – Beth Thomas was unanimously appointed to this Board. Appearance Commission – Harry Peterson was unanimously appointed to this Commission. Council on Aging - Scott Sheffron was unanimously appointed to this Council. Juvenile Crime Prevention Commission - Scott Sheffron was unanimously appointed to this Commission.

The following board vacancy applications were reviewed: Tryon Planning & Zoning Board (the BOC has one appointment) - 1 vacancy, 1 application, Litchfield Carpenter; Transportation Advisory Board – 2 vacancies, 2 applications, Matthew Pohsweg, Jr., and Kipp McIntyre.

15. There were no citizen comments on non-agenda items.
16. Commissioner Comments: Commissioner McDermott thanked everyone for coming to the meeting, and mentioned a letter circulated to the Commissioners today from Representative Guice and Senator Apodaca regarding the Columbus-Saluda extra territorial jurisdiction (ETJ) request. The towns sought special legislation in the NC General Assembly to provide them with ETJ. According to the letter, both Representative Guice and Senator Apodaca have received many comments from people in the communities opposing the ETJ. Commissioner McDermott said she, too, has received comments opposing the ETJ from a considerable number of people from Columbus and the area that would have been in an ETJ, and from Saluda as well. Representative Guice and Senator Apodaca have acceded to the citizen’s requests and will not seek the special

legislation (will not file it in the General Assembly). Commissioner Gasperson said he, too, was contacted by citizens opposed to the ETJ. Vice-Chairperson Watson said now that the County is working on a new senior center he hopes more people will volunteer for the Council on Aging. He said the Juvenile Crime Prevention Commission (JCPC) is a hard board to get volunteers for, but perhaps the BOC, along with local law enforcement agencies, can promote the fact that the JCPC needs more participation. Commissioner Melton said he supports Commissioners McDermott and Gasperson regarding the ETJ. He received nine telephone calls and three e-mails opposing the ETJ, and said he does not believe it is right to impose a planning jurisdiction on citizens who do not have an opportunity to vote for those people who are imposing that control. Chairperson Walker thanked everyone for coming and asked that they be very careful going home due to the icy conditions.

17. Commissioner McDermott made a motion to enter into closed session for attorney client privilege, G.S. 143.318(a)(2), seconded by Commissioner Melton and the motion carried unanimously,
18. The Commissioners returned to Open Session. No action was taken in closed session.
19. The meeting was adjourned.

POLK COUNTY BOARD OF
COMMISSIONERS

Cindy Walker
Chairperson

ATTEST:

Beth Fehrmann
Acting Clerk to the Board