BOARD OF COMMISSIONERS PUBLIC HEARING AND REGULAR MEETING JANUARY 13, 2025 5:00 PM

Bryant H. Womack Justice & Administration Building 4O Courthouse Street Columbus, NC 28722

1. Public Hearing

   A. Call to Order the Public Hearing - Chairman Yoder. Purpose of the Public Hearing: To receive public comments on proposed new road names in Polk County: Green Creek Township: Carson Meadows Drive - Fairway Drive - Kenneth Drive - Private roads- Off Poors Ford Rd (SR 1004) and Hidden View Lane - Private road- Off Chesnee Rd (SR 1343) Tryon Township: Oak Leaf Trail - Private road- Off Moore Rd (SR 1332) White Oak Township: Haven Way - Private road- Off Big Level Rd (SR 1311). The public hearing was properly advertised in the Tryon Daily Bulletin. Melissa O'Loughlin, Tax Administrator, is present.

   B. Citizen Comments on the Public Hearing.

   C. Adjourn the Public Hearing.

2. Call to Order the Regular Meeting - Chair Yoder.

3. Invocation - Vice-Chair Moore.

4. Pledge of Allegiance - Chair Yoder.

5. Approval of Agenda

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

6. Consent Agenda

   A. Approval of Meeting Minutes for November 18, 2024, and December 2, 2024.

   B. Budget Amendment to transfer initial amount ($90,000) for Rostan Solutions, LLC as Polk County's FEMA Grant Administrator (contracted service) as discussed and approved at the 12/2/24 BOC meeting.

   C. Tax Refund Requests through January 3, 2025, for $1,982.53.

D. Schedule a public hearing to review and discuss approval of text amendments to the Subdivision Ordinance on Monday, February 17, 2025, at 5:00 pm in the Bryant H. Womack Justice & Administration Building, 40 Courthouse St. Columbus, NC. (A copy of the current Subdivision Ordinance is available for review online at https://www.polknc.gov/ordinances.php or in the County Manager's office).

7. Citizen Comments on Agenda Items.

8. Regular Agenda Items

A. Polk County Schools - Dr. Brandon Schweitzer, Ed. D. Director of Operations, will be present to request the transfer of funds from the Capital Reserve Fund (funds that were reserved in prior years from the sales tax set-aside computation) to the General Fund School Capital account for reimbursement of capital spending - Tryon Elementary Pre-K addition ($240,158.58) and Polk County High School track repairs ($1,050.00) —request approval for the Budget Amendment to transfer funds as presented, $241,209.00.

B. Consideration and approval of the proposed six new Polk County Private Road names presented during the Public Hearing:
Carson Meadows Drive - Fairway Drive - Kenneth Drive - Hidden View Lane - Oak Leaf Trail - Haven Way.

C. FEMA Temporary Transportable Housing Units (TTHUs) in the Floodplain - Cathy Ruth, Planning Director will present information and request authorization for FEMA TTHUs to be considered for placement in the floodplain within Polk County's jurisdiction on a case-by-case basis.

D. Temporary Housing Units as Accessory Structures for Temporary Use by Residents Displaced by Hurricane Helene - Attorney Berg and Cathy Ruth, Planning Director, will present the information and request approval consideration for the following:

1. *RESOLUTION OF INTENT TO AMEND ZONING ORDINANCE TO PERMIT TEMPORARY HOUSING UNITS AS ACCESSORY STRUCTURES FOR TEMPORARY USE BY RESIDENTS DISPLACED BY HURRICANE HELENE.*

2. Schedule a Public Hearing to review and discuss a text amendment to the Zoning Ordinance concerning Temporary Housing Units for Monday, February 17, 2025, at 5:00 pm following the public hearing for the Subdivision Ordinance in the Bryant H. Womack Justice & Administration Building, 40 Courthouse St. Columbus, NC. (A copy of the current Zoning Ordinance is available for review online at https://www.polknc.gov/ordinances.php or in the County Manager's office).

E. Adjusting Development Regulations for Disaster Recovery - Attorney Berg will lead the discussion and present the *RESOLUTION TO EXTEND MORATORIUM ON PERMIT FEES AUTHORIZED UNDER PART 16 OF THE DISASTER RECOVERY ACT OF 2024* for consideration.

F. Disaster Relief & Recovery Update - Bobby Arledge, Emergency Management Director.

9. Citizen Comments on Non-Agenda Items.

10. Volunteer Board Applications - All applications are available for review in the County Manager's office.

    A. Adult Care & Nursing Home Community Advisory Committees - There are two vacancies and one applicant, Thomas Adkins.

    B. Agricultural Advisory Board - There are three vacancies and two applicants, Ray Gasperson and Carl Pleasants.

    C. Planning Board - There are three regular vacancies and three applicants who reside in the corresponding township, aligning with the by-laws' preference to fill the vacancies with members of the representing township whenever possible. There is one alternate at large vacancy, with no applicant. Regular Vacancies by Township - Columbus Township: Allan "Tony" Dale; Green Greek Township: Ray Gasperson; Tryon Township: Warren Watson.

11. Commissioner Comments.

12. Adjournment

NOTICE OF PUBLIC HEARING

Notice is hereby given that at 5:00 p.m., on Monday, January 13, 2025, in the Bryant H. Womack Justice and Administration Building, located at 40 Courthouse Street, Columbus, NC 28722, the Polk County Board of Commissioners will hold a public hearing to receive citizen input on the following six (6) proposed new road names to be adopted in Polk County, North Carolina:

Green Creek Township:

1. **Carson Meadows Drive** - Private road- Off Poors Ford Rd (SR 1004)
2. **Fairway Drive** - Private road- Off Poors Ford Rd (SR 1004)
3. **Hidden View Lane** - Private road- Off Chesnee Rd (SR 1343)
4. **Kenneth Drive** - Private road- Off Poors Ford Rd (SR 1004)

Tryon Township

5. **Oak Leaf Trail** - Private road- Off Moore Rd (SR 1332)

White Oak Township

6. **Haven Way** - Private road- Off Big Level Rd (SR 1311)

For additional information about this Public Hearing,
Contact the Board of Commissioners Clerk at (828) 894-3301.

12.18.24 AH

POLK COUNTY BOARD OF COMMISSIONERS
Public Hearing & Regular Meeting
November 18, 2024 - 5:00 PM
Bryant H. Womack Justice & Administration Building
4O Courthouse Street
Columbus, NC 28722
MINUTES

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

1. Public Hearing

   A. Call to Order the Public Hearing - Chair Yoder. The purpose of the public hearing was to receive citizen input on the FY2025 NCDOT Section 5310 Operations Grant Application for the Polk County Transit Authority. The public hearing was properly advertised in the Tryon Daily Bulletin. Bill Crisp, PCTA Manager, was present. A complete copy of the grant application was available for review upon request.

   B. Citizen Comments

      There were none.

   C. Adjourn Public Hearing

      Vice-Chair Melton moved to adjourn the public hearing, seconded by Commissioner Overholt, and the motion carried unanimously.

2. Call to Order the Regular Meeting – Chair Yoder.

3. Invocation – Chair Yoder.

4. Pledge of Allegiance - Commissioner Overholt.

5. Approval of Agenda

   A. Manager Pittman requested amending the agenda to include a Budget Amendment for up to $250,000 for the Autumn Lane bridge under item 8.B.

      Vice-Chair Melton moved to amend the agenda as requested, seconded by Commissioner Moore, and the motion carried unanimously.

6. Consent Agenda

   A. Approval of the October 21, 2024, Regular Meeting Minutes.

B. Schedule a Public Hearing for proposed new road names to be considered on Monday, January 13, 2025, at 5:00 pm in the R. Jay Foster Hall of Justice, Womack Building.

C. Sheriff Department Monthly Activity Report for October 2024.

D. Tax Refund Request in the amount of $772.99.

E. Builders Inventory Application Approval, Tax Department.

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

7. Citizen Comments on Agenda Items.

There were no public comments.

8. Regular Agenda Items

A. FY 2025 PCTA Grants & Resolution – To consider the 5310 Operations Transit Grant approval after the public hearing.

Bill Crisp, PCTA Manager, presented the grant information and resolution.

Vice-Chair Melton moved to approve the FY 2025 5310 Operations Transit grant application and resolution, seconded by Commissioner Overholt, and the motion carried unanimously.

B. Hurricane Helene Storm Recovery Update –

Bobby Arledge, Emergency Management Director, updated the commissioners on debris removal. He said he has received over six hundred requests from citizens for debris removal, and the Army Corps of Engineers contractors are working to remove all the roadside debris. He said they will start removing storm debris from the waterways once the roadside debris is completed.

He addressed the Board regarding the urgent situation involving the bridge on Autumn Lane that was added to the agenda. He said the bridge was the sole access for fifteen homes, and the residents are currently walking in and out due to its unsafe condition from Hurricane Helene's damage. He emphasized that emergency vehicles cannot access these homes, posing significant safety concerns. He said he is awaiting further information from contractors regarding the repair cost and FEMA regarding whether it will be a reimbursable expense.

County Manager Pittman requested the Board consider a budget amendment not to exceed $250,000 for the repair of the Autumn Lane bridge. Mr. Arledge said he is currently seeking quotes and believes the cost will be under the requested amount.

Commissioner Moore moved to approve a budget amendment not exceeding $250,000, seconded by Commissioner Overholt, and the motion carried unanimously.

C. Lake Adger Dam Project Update - Dave Odom, Odom Engineering.

Mr. Odom reported that following Hurricane Helene, he inspected the dam site and reviewed the damage virtually with GEI Consultants. He noted that the structure appeared to have held up well, although some erosion was observed at the base. Mr. Odom further stated that Geoff Kruger from GEI Consultants would be on-site this week to inspect the dam's damage formally.

Regarding the Turner Shoals Dam project, Mr. Odom said the county did not receive any bids during the May 9, 2024, solicitation. He said they then met with NCDEQ Dam Safety Division to discuss alternatives to the required design factors that increased the cost significantly. NCDEQ recommended delaying further action until after their August 2024 annual meeting, where dam safety guidelines would be discussed. During that meeting, NCDEQ approved changes that could lower design flood loading requirements.

Mr. Odom said the reduced design factors will make the project more feasible and attractive to potential bidders. However, the changes necessitate revisions to the design plans, which will increase GEI's contract by $80,000 but are expected to reduce construction costs by several million dollars. Once the revised plans are completed and approved by NCDEQ, the bidding process will commence again.

Vice-chair Melton moved to approve change order 1 for engineering services for the Turner Shoals Dam project, increasing GEI's contract by $80,000, seconded by Commissioner Overholt, and the motion carried unanimously.

D. Polk County Schools - Director of Operations, Brandon Schweitzer.

Dr. Schweitzer presented the pre-Helene capital investments for approval, and the transfer request from the sales tax set-aside fund.

1. Public School Building Repair and Renovations Fund, NC Education Lottery totaling $93,976.
2. Public School Building Capital Fund, NC Education Lottery, totaling $153,948.
3. Request a transfer of $67,007 from the County's Capital Reserve Account to reimburse Polk County Schools for capital expenses paid this year.

Commissioner Overholt moved to approve the $93,976 PSBRRF request, seconded by Commissioner Beiler, and the motion carried unanimously.

Commissioner Overholt moved to approve the $153,948 PSBCF request, seconded by Commissioner Moore, and the motion carried unanimously.

Commissioner Beiler moved to approve the transfer and budget amendment for $67,007, seconded by Commissioner Moore, and the motion carried unanimously.

E. Uniform Schedule of Values, Standards, and Rules for the 2025 County-Wide Revaluation – Melissa O'Loughlin, Tax Administrator.

Mrs. O'Loughlin requested the adoption of the schedule of values in preparation for the January 1, 2025 revaluation. She said the public hearing to receive public comment on the submission of the proposed uniform schedule of values, standards, and rules to be used in appraising real property in Polk County at its true value and present-use value was held on October 7, 2024. She also stated that the revaluation will reflect the property value as of January 1, 2025. She encouraged anyone whose property was damaged by Hurricane Helene to contact the Tax Department or go to the Polk County website to report their damage.

Commissioner Moore moved to adopt the Uniform Schedule of Values, Standards, and Rules for the 2025 County-Wide Revaluation, seconded by Commissioner Overholt, and the motion carried unanimously.

F. Streamflow Rehabilitation Assistance Program (StRAP) Grant Extension - Kelly Gay, Soil & Water Director.

Ms. Gay presented the grant extension request for the first StRAP grant we received and said that Polk County was recently approved to receive an additional StRAP grant for $85,714.

Commissioner Beiler moved to approve the grant extension for StRAP 1 and to accept the funding for StRAP 2, seconded by Commissioner Overholt, and the motion carried unanimously.

G. US Cellular Tower, Lease Approval - Manager Pittman.

Manager Pittman presented the information to lease land at the Transfer Station for a cell tower.

Commissioner Moore moved to approve the lease agreement and to give the County Manager signatory authority, seconded by Commissioner Overholt, and the motion carried unanimously.

9. Citizen Comments on Non-Agenda Items.

   There were two public comments.

10. Adjournment

    Commissioner Moore moved to adjourn the meeting, seconded by Commissioner Beiler and the motion carried unanimously

Attest:

Kristy Tipton
Clerk to the Board

POLK COUNTY BOARD OF COMMISSIONERS

Myron Yoder
Chair

POLK COUNTY BOARD OF COMMISSIONERS
Regular & Organizational Meeting
December 2, 2024 - 5:00 PM
Bryant H. Womack Justice & Administration Building
4O Courthouse Street
Columbus, NC 28722
MINUTES

Regular Meeting - Present: Chair Yoder, Commissioner Beiler, Commissioner Moore, and Commissioner Overholt. Also in attendance were County Manager Pittman, County Attorney Berg, Acting Clerk to the Board High, media, and citizens. Absent: Vice-Chair Melton.

1. Call to Order - Chairman Yoder.

   Commissioner Beiler moved to appoint Angé High as the temporary acting Clerk, seconded by Commissioner Overholt, and the motion carried unanimously.

2. Invocation - Chairman Yoder.

3. Pledge of Allegiance - Commissioner Beiler.

4. Approval of Agenda

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

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

5. Consent Agenda

   A. Vaya Health Quarterly Financial Report for the period ending September 30, 2024.

   B. Annual Examination and approval of Public Official Bonds as required by § 58-72-20. (Bonds were available for review in the County Manager's Office).

   Commissioner Overholt moved to approve the consent agenda, seconded by Commissioner Moore, and the motion carried unanimously.

6. Citizen Comments on Agenda Items – There was one public comment.

7. Regular Agenda Items

   A. Polk County 2024 Annual Financial Report - Kang Moua, Martin Starnes & Associates PA, presented the annual financial information and said there were no findings in the audit. A copy of the presentation is hereby incorporated by reference into these minutes.

B. County Employee Compensatory Time Discussion & Budget Amendment— Manager Pittman requested a budget amendment to appropriate fund balance to pay out accrued compensatory time as of November 25, 2024, in an amount not to exceed $173,000.

Commissioner Beiler moved to appropriate fund balance for a comp-time payout not to exceed $173,000, seconded by Commissioner Moore, and the motion carried unanimously.

C. Recruitment and Retention Resolution Extension - Manager Pittman requested an extension to the resolution through June 30, 2025.

Commissioner Moore moved to approve the extension of the Recruitment and Retention Resolution, seconded by Commissioner Beiler, and the motion carried unanimously.

D. Hurricane Helene Storm Recovery Update - Bridge Construction Contract Discussion/Approval - Agreement for Professional Services with Rostan Solutions, LLC – Bobby Arledge, Emergency Management Director, gave a debris removal update. He said crews continue to pick up debris from roadways throughout the County, and FEMA and the Army Corps of Engineers have begun assessing waterway debris. He said Green River Cove, one of the hardest hit areas, is over 50% completed. He thanked Arleace Green, the public affairs specialist with the US Small Business Administration, for sharing the low-interest loan information for homeowners, businesses, and non-profits during citizen comments. He said the FEMA Survivor Assistance Team has also been making site visits and has already made over 9,900 contacts with homeowners, faith-based organizations, community groups, and businesses throughout the county to ensure everyone knows all the assistance options available to them.

Mr. Arledge said repairing a private bridge would typically not be a county issue, but it has become a public safety issue with fifteen homes being unreachable. He said he received estimates for the repairs on the Autumn Lane bridge, and the lowest bidder was the Wright Brothers, at $158,550. He said they would also complete the work within one week.

Manager Pittman said FEMA cannot guarantee reimbursement; however, they are confident it will be. He said that he would recommend approving the low-bidder contract due to the emergent circumstances.

Commissioner Moore moved to approve the $158,500 contract with Wright Brothers to repair the Autumn Lane bridge and give the County Manager signatory authority, seconded by Commissioner Overholt, and the motion carried unanimously.

Manager Pittman said our Council of Government (COG) Foothills Regional Commission requested proposals for consultants to assist their members with all the extra work and details a natural disaster brings to a community. He said they selected three firms, and Rostan was one of them. He said this is a reimbursable expense, but the exact amount is unknown as it is based on expenditures.

He requested approval of a professional services agreement with Rostan Solutions to assist with FEMA and other grant reimbursements, as this is very complex and something Polk County has never endured before.

Commissioner Beiler moved to approve the professional services agreement with Rostan Solutions, and give the County Manager signatory authority, seconded by Commissioner Overholt, and the motion carried unanimously.

Representative Jake Johnson was in attendance. He provided a brief update on state allocations, FEMA coordination, and regulatory changes for Hurricane Helene's recovery.

E. Recognition of Outgoing Commissioner Overholt

Commissioner Overholt said it had been his honor to serve the citizens over the past four years and his pleasure to work with this Board, County Manager, Attorney, and staff.

Chair Yoder and the Commissioners presented Commissioner Overholt with a plaque commemorating his four years of service to the citizens of Polk County.

8. Citizen Comments on Non-Agenda Items - There were two public comments.

9. Volunteer Board Applications

A. One Application for Consideration - Dianne Davis, Agricultural Advisory Board.

Commissioner Moore moved to approve the applicant as presented, seconded by Commissioner Beiler, and the motion carried unanimously.

10. Commissioner Comments—The Commissioners thanked everyone for attending the meeting. They again expressed their appreciation for Commissioner Overholt and wished him well in his future endeavors.

11. Five Minute Recess – Chair Yoder called a five minute recess.

12. Incoming Board Swearing In Ceremony

    B. Oath of Office – County Commissioners. North Carolina State Representative Jake Johnson administered the oaths of office for Paul "Little" Beiler and Myron Yoder. North Carolina District Court Judge Abe Hudson administered the oath of office for Jennifer Hargett.

13. Five-Minute Recess - The Board continued the meeting after the newly elected commissioners were sworn in.

    Organizational Meeting - Present: Commissioner Yoder, Commissioner Beiler, Commissioner Moore, and Commissioner Hargett. Also in attendance were County Manager Pittman, County Attorney Berg, Clerk to the Board High, media, and citizens. Absent: Vice-Chair Melton.

14. Call to Order of the Organizational Meeting – Attorney Berg

    A. Election of Chair - Attorney Berg.
    Ms. Berg opened the floor for nominations for Chair of the Board. Commissioner Moore nominated Commissioner Yoder. Ms. Berg asked if there were any more nominations. Having none, she closed nominations. Commissioner Beiler gave Commissioner Yoder a second to serve as Chair, and the vote was unanimous.

    B. Election of Vice-Chair - Attorney Berg.
    Ms. Berg opened the floor for nominations for Vice-Chair of the Board. Commissioner Beiler nominated Commissioner Moore. Ms. Berg asked if there were more nominations, and Commissioner Hargett nominated Commissioner Beiler. Ms. Berg asked for a second to one of the nominations, and Chair Yoder gave a second for Commissioner Moore to serve as Vice-Chair, and the vote was unanimous.

15. Organizational Agenda Items – Chair Yoder led the discussion of each item.

    A. Polk County Code of Ethics.
    Vice-Chair Moore moved to approve the code of ethics as presented, seconded by Commissioner Beiler, and the motion carried unanimously.

    B. Meeting Procedures and Rules of Debate.
    Commissioner Beiler moved to approve the meeting procedures and rules of debate as presented, seconded by Vice-Chair Moore, and the motion carried unanimously.

    C. Commissioner Appointments to Boards.
    Vice–Chair Moore moved to approve the Commissioner Board appointments as presented, seconded by Commissioner Hargett, and the motion carried unanimously.

D. Board of Commissioners' Regular Meeting Schedule January 2025 through December 2025 and Resolution.

Commissioner Beiler moved to approve the 2025 Board of Commissioners' meeting schedule and resolution, seconded by Commissioner Hargett, and the motion carried unanimously.

16. Commissioner Comments - The Board again thanked everyone in attendance for coming to the meeting. They welcomed the new Board members and said they look forward to serving all the citizens of the county.

17. Adjournment – Vice-Chair Moore moved to adjourn, seconded by Commissioner Beiler, and the motion carried unanimously.

Attest:

POLK COUNTY BOARD OF COMMISSIONERS

Angé High
Acting Clerk to the Board

Myron Yoder
Chair

BOARD OF COMMISSIONERS
AGENDA ITEM REPORT

MEETING DATE

January 13, 2025

AGENDA ITEM # 6.B

Budget Amendment to transfer initial amount ($90,000) for Rostan Solutions, LLC as Polk County's FEMA Grant Administrator (contracted service) as discussed and approved at the 12/2/24 BOC meeting.

ATTACHMENTS

1. BA - Rostan

POLK COUNTY FINANCE
BUDGET AMENDMENT
DATE: 1/13/2025 BOC meeting
Dept: **Disaster Relief**
Transfer # 17

BATCH #:

INCREASE BUDGETED EXPENDITURE				DECREASE BUDGETED EXPENDITURE			
GL ACCOUNT #				GL ACCOUNT #			
10-4331-4400-0	Cont Svc	$	90,000	10-4331-4406-1	Debris	$	(90,000)
		$	90,000			$	(90,000)

EXPLANATION: Transfer an initial amount for Rostan as our FEMA Grant administator (contracted service) as discussed and approved 12/2/24 BOC meeting.

Transfers greater than $20,000 require Board approval

Date approved & entered into the BOC minutes

COUNTY MANAGER

FINANCE OFFICER

BOARD OF COMMISSIONERS
AGENDA ITEM REPORT

MEETING DATE

January 13, 2025

AGENDA ITEM # 6.C

Tax Refund Requests through January 3, 2025, for $1,982.53.

ATTACHMENTS

1. refund memo Jan 2025

Memorandum

To: Polk County Board of Commissioners

From: Melissa O'Loughlin, Polk County Tax Administrator

Date: 1/3/2025

Re: Refund Request

Taxpayer	Parcel	Amount	Reason
Lori Guffey	vehicle	$453.47	tag surrender
Tryon Builders	vehicle	$358.57	tag surrender
Richard Whiteside	vehicle	$ 145.76	valuation
Gary Forrest	vehicle	$ 256.16	tag surrender
Deborah Brodbeck	vehicle	$229.93	tag surrender
Paul Slane	vehicle	$ 187.01	tag surrender
Elizabeth Slane	vehicle	$ 197.22	tag surrender
Joey Baker	Vehicle	$ 154.41	tag surrender
	TOTAL:	**$1,982.53**	

To: Polk County Board of Commissioners

From: Planning Board and Staff

Date: November 14, 2024

Re: Polk County Subdivision Ordinance Text Amendment

Project History & Analysis

The Planning Board, with support from staff and county attorney, have updated the Polk County Subdivision Ordinance.

Proposed Amendments

Amendments included in attached document (additions to existing text are indicated by the use of underlining, and deletions are indicated by strike-through). See attached document.

Plan Consistency

The Planning Board has found that this request is consistent with the Polk County 20/20 Vision Comprehensive Plan, adopted March 15, 2010, amended September 18, 2017:

a. Vision for Polk County: Polk County's rural atmosphere and serene natural beauty will be vigorously protected. Visionary and pragmatic county and municipal governments will work together in a cooperative manner as they continue to enhance the quality of life for all Polk County citizens.
b. I.47 As necessary, revise/update the Polk County Ordinances.

Recommendation

The Planning Board does recommend that the Board of Commissioners enact the Polk County Subdivision Ordinance text amendments.

Votes:
Aye - ____
Nay - ____
Abstain - ____

_____
Planning Board Chair



Polk County
Subdivision Ordinance

Adopted: November 21, 2011; Amended: April 7, 2014[1]; July 16, 2018[2]; October 7, 2019[3]; May 3, 2021[4]

DRAFT November 2024

(3) Failure of the Administrator to act, in writing, on the preliminary plat within the specified response time shall be deemed as a basis for appealing to the Polk County Board of Adjustment.

Step 3. Applicant Revision Period. The applicant shall revise the plat in accordance with the Administrator's review. All necessary revisions shall be made prior to approval by the Administrator. If no revisions are necessary, the final plat may be approved (see Step 4).

Step 4. Administrator Final Plat Approval. Following successful revision of the Final Plat by the applicant (if necessary), the Administrator shall approve the Final Plat by obtaining the applicable signatures as required by Section 4.7.2.

(B) ~~*Family*~~ *Subdivision Special Requirements.*

(1) The subdivider shall submit with his application for a Family Subdivision written evidence that the subdivision is a division of land by a property owner among his immediate family, to wit: spouse, children, or their lineal descendants or ascendants, or the lineal descendants or ascendants of said property owner as a gift, or as a settlement of the property owners estate.

(2) The ~~family~~ subdivision shall ~~provide that each lot or parcel of land shall have direct access from an existing recorded right-of-way or shall have a recorded access easement from a public road~~meet the requirements of Section 5.9 and/or 5.12. If a grantor has a recorded access easement, it must transfer along with the property.

~~(C) *Expedited Review for Three Lots*[2, 4]~~

~~(1) The Applicant shall submit an application with a plat for recordation for the division of a tract or parcel of land in single ownership if all of the following criteria are met:~~

~~a. The tract or parcel to be divided is not already exempt according to the Subdivision definition~~

~~b. No part of the tract or parcel to be divided has been divided in the 10 years prior to the division~~

~~c. The entire area of the tract or parcel to be divided is greater than five acres~~

~~d. After division, no more than three lots result from the division~~

~~e. After division, all resultant lots comply with all of the following:~~

~~i. Any lot dimension size requirements of the applicable land-use regulations, if any~~

~~ii. The use of the lots is in conformity with the applicable zoning requirement, if any~~

~~iii. A permanent means of ingress and egress is recorded for each lot.~~

ARTICLE 4. SUBDIVISION PLAN REQUIREMENTS

Information	*Sketch Plan*	*Master Plan*	*Preliminary Plat*	*Final Plat*
A sketch vicinity map showing the relationship between the proposed development and surrounding area	X	X	X	X
Scale of drawing in feet per inch in words or figures (no smaller than 1" = 200')		X	X	X
Graphic bar scale	X	X	X	X
Phase lines	X	X	X	
Proposed timetable for development	X	X	X	
Proposed lot lines and corners, lot and block numbers and other dimensions including acreage		X	X	X
Name, address, and registration number of registered land surveyor			X	X
Building setbacks in table format		X	X	X
Existing buildings or structures, railroads, and bridges on the property		X	X	X
Boundaries of floodplains or note stating that property is not within the floodplain	X	X	X	X
Designation of slopes greater than 50%		X		
A statement regarding the proposed amount of grading to take place (see Section 5.18)			X	
A statement regarding the proposed method of stormwater management		X	X	
Existing uses of the land within the proposed subdivision		X	X	
Proposed school sites, parks, or other open spaces		X	X	X
Environmental assessment checklist (see Section 5.3)	X			
Environmental impact statement (see Section 5.3)			X	
Landscaping plan, if applicable			X	
Lighting plan, if applicable			X	
The following data concerning streets:				
Existing street layout and right-of-way/access easement width	X		X	X
Proposed street types	X	X		

Information	*Sketch Plan*	*Master Plan*	*Preliminary Plat*	*Final Plat*
Proposed street types, including cross-sections			X	X
Road name(s) and designation of private or public dedication			X	X
NCDOT written approval of any public road plans, if applicable			X	
~~For Family Subdivisions, a~~A road maintenance agreement ~~signed by all affected parties~~				X
Subdivision Roads Disclosure Statement prepared in accordance with NCGS 136-102.6(f)				X
Utilities:				
Utility and other right-of-ways or easements of record on and abutting to the subdivision			X	X
Transmission lines			X	X
Approximate location of natural gas lines			X	X
Approximate location of water and sanitary sewers existing, size and plans for connection to private community or public community or public systems			X	X
Storm sewers, culverts, detention ponds, and other drainage facilities, if any (proposed/actual)			X	X
Other infrastructure details deemed necessary by the Administrator			X	X
Site calculations:				
Total acreage	X	X	X	X
Total number of lots and/or units	X	X	X	X
Area of each lot in acres		X	X	X
Proposed acreage in street right-of-way		X	X	X
Proposed acreage & percent of overall development in open space		X	X	
Proposed acreage in parks, lakes, or other public land usage		X	X	
Average lot size			X	X

ARTICLE 5. SUBDIVISION DESIGN STANDARDS

SECTION 5.5 WATER AND SEWER REQUIREMENTS

Any major subdivision which has either a public water system or public sewage disposal system or both legally available or to be made available within 500 feet of its boundary as measured along a public right-of-way and/or easement shall have the available systems extended by the developer, at their cost, to provide service to each lot in the subdivision. Water and sewer installations shall be in accordance with the standards of Polk County. When not in conflict with these standards, fire hydrants shall be installed at intervals consistent with the North Carolina Fire Code along the water lines. Where public water and/or sewer are not made available to each lot, service shall be provided as specified in Section 5.13.

SECTION 5.6 LOTS

(A) All lots shall abut on a dedicated public or private street, except that two-lot, expedited three-lot, and family subdivisions may utilized access easements, see Section 5.9 and/or 5.12. ~~except that up to two lots may be accessed by a private driveway easement that accesses a public or private street~~. ~~In the case of a Family Subdivision, see Section 5.9(D).~~

(B) Lot lines may be drawn to the right-of-way or the center of the road of any adjacent road except where an existing property line is drawn within an existing road right-of-way.

(C) All lots identified in a watershed must also meet the requirements of the County's Watershed Protection Ordinance.

(D) The Planning Board ~~or Subdivision Administrator (two-lot, three-lot expedited, or family subdivisions)~~ may approve the limited use of pan handle lots where it is impractical to serve an isolated lot by an existing or proposed road. A pan handle lot shall have a minimum road frontage of 35 feet for an access strip to an isolated building site. ~~The access strip should not exceed 300 feet in length and the access strip shall not be used to calculate the minimum lot area unless such strip exceeds 70 feet in width.~~[4]

(E) *Subdivision Lot Standards.* The following indicates minimum lot size, road frontage[2] and setbacks for zoned and unzoned areas of the County, as applicable.

(1) For Minor, Two-Lot, Expedited Review for Three Lots, and Family Subdivisions, the following table indicates minimum density and lot standards. ~~Lot standards for areas zoned by Polk County are specified by the Polk County Zoning Ordinance~~ Lot width and yard setbacks for areas zoned by Polk County are specified by the Polk County Zoning Ordinance. [2, 4]

Subdivision Lot Minimum Standards	Public Water and Public Sewer	Public or Community Water and Individual or Community Sewer	Individual Water and Individual or Community Sewer
Average Lot Density	2 lots per acre	1 lot per acre	1 lot per acre
Lot Standards Minimum Lot Area	1/2 acre	1 acre	1 acre
Minimum Road Frontage*	50	70	70
Minimum Road Frontage on Cul-de-Sacs	50	50	50
Front Setback	25	25	25
Side Setback	15	15	15
Rear Setback	25	25	25

*** Minimum road frontage requirement shall not apply to a lot in a family subdivision which is situated at the terminus of a family road easement.**

(2) For Major Subdivisions, the following table indicates minimum lot standards, unless the zoning district is more restrictive. Lot width and yard setbacks for areas zoned by Polk County are specified by the Polk County Zoning Ordinance. [2, 4]

Subdivision Lot Density/ Lot Dimensions	Public Water and Public Sewer	Public or Community Water and Individual or Community Sewer	Individual Water and Individual or Community Sewer
Average Lot Density	1 lot per 2 acres	1 lot per 3 acres	1 lot per 5 acres
Lot Standards Minimum Lot Area	1/2 acre	1 acre	1 acre
Minimum Road Frontage**	50	70	70
Minimum Road Frontage on Cul-de-Sacs	50	50	50
Front Setback	25	25	25
Side Setback	15	15	15
Rear Setback	25	25	25

** See 5.6D

(3) *Major Subdivisions Utilizing Cluster Development.* The following table indicates minimum standards for Major Subdivisions that utilize cluster development as outlined in Section 5.7: [2]

Subdivision Lot Minimum Standards	Public Water and Public Sewer	Public or Community Water and Individual or Community Sewer	Individual Water and Individual or Community Sewer
Average Lot Density	1 lot per 2 acres	1 lot per 3 acres	1 lot per 5 acres
Lot Standards Minimum Lot Area	*	*	*
Minimum Open Space Dedication	50%	50%	50%
Minimum Road Frontage for Development**	50 feet	50 feet	50 feet
Exterior Development Setback	50 feet	50 feet	50 feet
All Interior Setbacks	0 feet	0 feet	0 feet

***As required by applicable state and/or local permit requirements.**

**** See 5.6D**

(4) *Minor Subdivisions Utilizing Cluster Development.* The following table indicates minimum standards for Minor Subdivisions that utilize cluster development as outlined in Section 5.7: [2]

Subdivision Lot Minimum Standards	Public Water and Public Sewer	Public or Community Water and Individual or Community Sewer	Individual Water and Individual or Community Sewer
Average Lot Density	2 lots per acre	1 lot per acre	1 lot per acre
Lot Standards Minimum Lot Area	*	*	*
Minimum Open Space Dedication	50%	50%	50%
Minimum Road Frontage for Development**	50 feet	50 feet	50 feet
Exterior Development Setback	50 feet	50 feet	50 feet
All Interior Setbacks	0 feet	0 feet	0 feet

***As required by applicable state and/or local permit requirements.**
**** See 5.6D**

SECTION 5.7 CLUSTER DEVELOPMENTS

(A) The intent of a cluster development is to allow smaller than minimum lot sizes in order to preserve larger areas of open space and environmental resources.

(B) Within subdivisions utilizing cluster development, the minimum lot size may be reduced in accordance with the table contained in Section 5.6 provided the average lot density per acre does not exceed that which is allowed without the use of such cluster development regulations. [2]

(C) In a cluster development, a minimum of 50% of the total area of the parcel being subdivided shall be dedicated to open space.

(D) If individual sewer or water is to serve the building lots, the owner of the subdivision must obtain written approval from the Polk County Health and Human Services Agency[3] that these systems are adequate to serve the building lots. If there is any sharing of water and sewer facilities between the building lot owners, a maintenance plan of these facilities must be filed with the County.

ARTICLE 5. SUBDIVISION DESIGN STANDARDS

SECTION 5.9 EASEMENTS

(A) *Utility Easements.* Utility easements shall be provided, where necessary, preferably centered on the side or rear lot lines and shall be at least ten (10) feet wide. [4]

(B) *Access Easement*, An access easement at least 30' feet in width meeting Fire Code (unless otherwise approved by the Fire Marshall) shall provide access from a public roadway to lots created in the interior of the site. A road maintenance agreement prepared for recordation shall be prepared with the plat. ~~*Family Subdivision, 2-lot, and 3-lot expedited Private Road Easements.* All lots within a the family subdivision may be accessed by a minimum access 30' easement from a private or public road providing a road maintenance agreement is signed by all affected parties and recorded with the family subdivision plat.~~ [4]

~~(C) Two-lot and Expedited Subdivision *Driveway Easements.* A minimum of 30' easement that allows access to not more than three lots from an approved public or private road.~~ [4]

(C~~(D~~) *Water Course and Drainage Easements.*

(1) Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such water course.

(2) If an easement is required for physical improvements to control drainage it must be shown on the final plat, including access to the easement for repairs.

(3) Said drainage way shall be of sufficient width to carry storm water runoff from a 10-year storm.

SECTION 5.10 GENERAL PROVISIONS FOR ROAD DESIGN[4]

(A) *Street Names.*

(1) Proposed streets which are obviously in alignment with existing streets shall be given the same name.

(2) In assigning new names, duplication of existing names shall be avoided, and in no case shall the proposed name be phonetically similar to existing names in the County irrespective of the use of a suffix such as street, road, drive, place, court, etc. Street names shall be subject to the approval of the Property Address Administrator.

SECTION 5.11 PUBLIC ROAD STANDARDS

(A) *Minor and Major Subdivision Public Road Design*

(1) All road design must comply with the Polk County Fire Code. All roads proposed for public use shall be annotated "public" on plans and plats and shall be designed and constructed in accordance with the standards necessary to make the roads eligible to be put on the State Highway Maintenance System at a later date. Such standards, hereafter referred to as "State Road Standards", are contained in a publication of the North Carolina Department of Transportation, Division of Highways, titled, "Subdivision Roads - Minimum Construction Standards", a copy of which is available for review in the office of the Administrator. Designation as public shall be presumed an offer of dedication to the public; however, this does not guarantee that NCDOT will accept the proposed public roads or agree to assume the maintenance responsibility of the proposed public road. Pursuant to GS 136-102.6(d) the NCDOT District Engineer's office must sign a certificate of approval of the design of the public road provided on the face of the final plat for any subdivision where public roads are proposed prior to County approval of the final plat.

(2) If a request for dedication of public roads is made, inspection and approval by the NCDOT must have taken place, and roads must be inspected and approved by NCDOT, but acceptance is not required, before the final plat can be approved by the Planning Board.

(B) *Public Road Dedication and Maintenance.*

(1) All roads proposed for public use by the developer and seller, including those proposed streets which are not eligible to be placed on the State Highway System because there are too few lots or residences, shall be dedicated to the public and shall be designed and constructed in accordance with the standards necessary to make the streets eligible to be put on the state system at a later date.

(2) A written maintenance agreement sufficient for recording in the Office of the Register of Deeds shall be submitted with the final plat. Said maintenance agreement will provide for the subdivider or a property owner's association to maintain the street, drainage facilities, and right-of-way until such time as the street is accepted for maintenance by the state.

SECTION 5.12 PRIVATE ROADS

(A) *Private Roads Defined.*

(1) All ~~new~~ existing private roads shall ~~directly~~ connect to a state-maintained road or shall connect to a state maintained road by way of a private road/recorded minimum 30' meeting Fire Code (unless otherwise approved by the Fire Marshall) access easement, ~~meeting the standards of this section, unless a variance is granted pursuant to this Ordinance~~.

(2) New roads within a two-lot, family, and three-lot expedited subdivision may be designated by the subdivider as private, provided all streets proposed for private use shall be limited to the following:

- Streets providing exclusive access to residential subdivisions and private resort developments.
- Streets in subdivisions or portions of subdivisions serving too few lots for inclusion into the State Secondary Road System.
- Streets must meet Fire Code standards.
- ~~Streets providing exclusive access to family subdivisions.~~ [4]

(B) All new private road design minor and major subdivisions must comply with the Polk County Fire Code and shall either be constructed to NCDOT "Subdivision Roads - Minimum Construction Standards" or in lieu thereof, private road designs that do not meet minimum standards required by the NCDOT will be accepted provided the proposed design standard is signed and sealed by a duly licensed professional engineer, under Chapter 89C of the NC General Statutes, and meets vehicular traffic and fire apparatus access requirements.~~.~~

(C) *Maintenance of Private Roads.* All subdivision plats which include private roads shall be accompanied by a disclosure statement (NCGS 136-102.6) for recording, which provides for the maintenance of any kind and all private streets designated within a subdivision by a property owner's association.

(D) ~~*Two Lot, Expedited Review for Three Lots, and Family Subdivisions.*[2,4] All lots with two lot, expedited review for three lots, and family subdivisions must abut a public or private road or be provided access to a public or private road via a recorded access easement meeting the requirements of the State Fire Code, where applicable. See easement requirements.~~

SECTION 5.13 PRIVATE WATER AND SEWER

(A) *Submittal Requirements and Approval.*

(1) If the subdivision in question is to have a community sewage disposal system other than one connected to a municipal system, the following is required:

- Depiction of the system and its location with sufficient area for repair if needed.
- An engineered plan as to the system.
- Sealed approval of the local Polk County Health and Human Services Agency.[3]

(2) The local Health Department shall certify that the soil conditions are suitable to support a septic system.

(3) All Preliminary Plats which will require the installation of any water and/or sewerage systems prior to final plat approval shall be accompanied by a written application and/or notice submitted to the appropriate state or local agency responsible for approving the particular system or systems.

Dwelling Unit
A building, or portion thereof, providing complete and permanent living facilities for one family.

E

Easement, Access~~Driveway~~[4]
See Section 5.9
~~A private access easement to one or two proposed or recorded lots which meet the lot standards of this Ordinance for area and dimensions. A driveway easement may be paved or unpaved, platted or described by metes and bounds, or may be otherwise described or shown as an easement or right-of-way. Any drive, access, road, easement or right-of-way proposed or designed to serve more than two lots shall be defined as a public or private street.~~

Easement (Right-of-Way)
A grant by the property owner of a strip of land for a specified purpose and use by the public, a corporation, or persons, including access easements.

Environmental Impact Statement (EIS)
An EIS is prepared if the potential impacts of a project are likely to be significant. An EIS provides an extensive evaluation of a project's direct, secondary, and cumulative impacts, and confirmation that such impacts have been avoided, or otherwise mitigated.

Evidentiary Hearing[4]
A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation.

F

Farmland Preservation District
A farmland preservation district includes any Voluntary Agricultural District or Enhanced Voluntary Agricultural District which has been approved under the Polk County Agricultural District Ordinances.

G

Groundwaters
Those waters occurring in the subsurface under saturated conditions.

H

Hydrological Assessment
An analysis which considers the impact of a proposed action on the movement of water through the environment on, above, or below the surface of the Earth. The hydrological assessment must include the following:

BUDGET AMENDMENT: CAPITAL RESERVE FUND BALANCE/ADDITON To GF

DATE: 1/13/2025 BOC Meeting BATCH #: _____ LINE_____

Dept.: Capital Reserve-School Sales Tax/Transfer to School Capital

Amendment # : 10-F Fund balance/ Addition #24

INCREASE EXPENSE/REVENUE			INCREASE FUND BALANCE APPROPRIATED		
GL ACCOUNT #			GL ACCOUNT #		
10-3981-9822	Trans-in	$ (241,209)	22-3931-0000	Fund Balance Approp	$ (241,209)
10-5910-6313-0	Sales tax-School	241,209	22-8168-9800-0	Trans-out (School Capital)	$ 241,209
		-			-

EXPLANATION: To appropriate Capital Reserve fund balance for the funds that were reserved in prior years from the sales tax set-aside computation & to be transferred to the General Fund School Capital account for reimbursement of capital spending

Date approved & entered into the BOC minutes

COUNTY MANAGER **FINANCE OFFICER**

Polk County Schools

ADMINISTRATION

Aaron Greene
Superintendent

BOARD OF EDUCATION

Mike Ashworth
Chairman

Rick N. Covil
Vice Chairman

Lucinda T. Allen

Danielle E. Gibbs

Judy N. Jackson

Sherry Page

Rick Stich

Stearns Education Center
PO Box 638
125 East Mills Street
Columbus, NC 28722
828-894-3051
828-894-8153 fax

www.polkschools.org

Sandra Hughes
Finance Officer
Polk County Government

Jan 2, 2025

Dear Sandra,

Polk County Schools is requesting the transfer of **$241,208.58** from the County's Capital Reserve account. The funds will reimburse Polk County Schools for capital expenses paid this year.

Project	Amount to Reimburse Schools
District - Payment on TES Pre-K Addition	$210,908.58
District - Architect Payment on TES Pre-K Addition	$29,250.00
PCHS - Track Repairs	$1,050.00
Total	**$241,208.58**

Any questions about this transfer should be directed to Polk County Schools' Finance Officer Debbie Lovelace. Thank you for your consideration of this request and your continued support of our schools.

Sincerely,

Brandon Schweitzer
Director of Operations
Polk County Schools

Memorandum

To: Polk County Board of Commissioners

From: Joanna Martinez E911 Addressing Coordinator

Date: October 29, 2024

Re: New Road Names: Kenneth Drive, Carson Meadows Drive, Fairway Drive

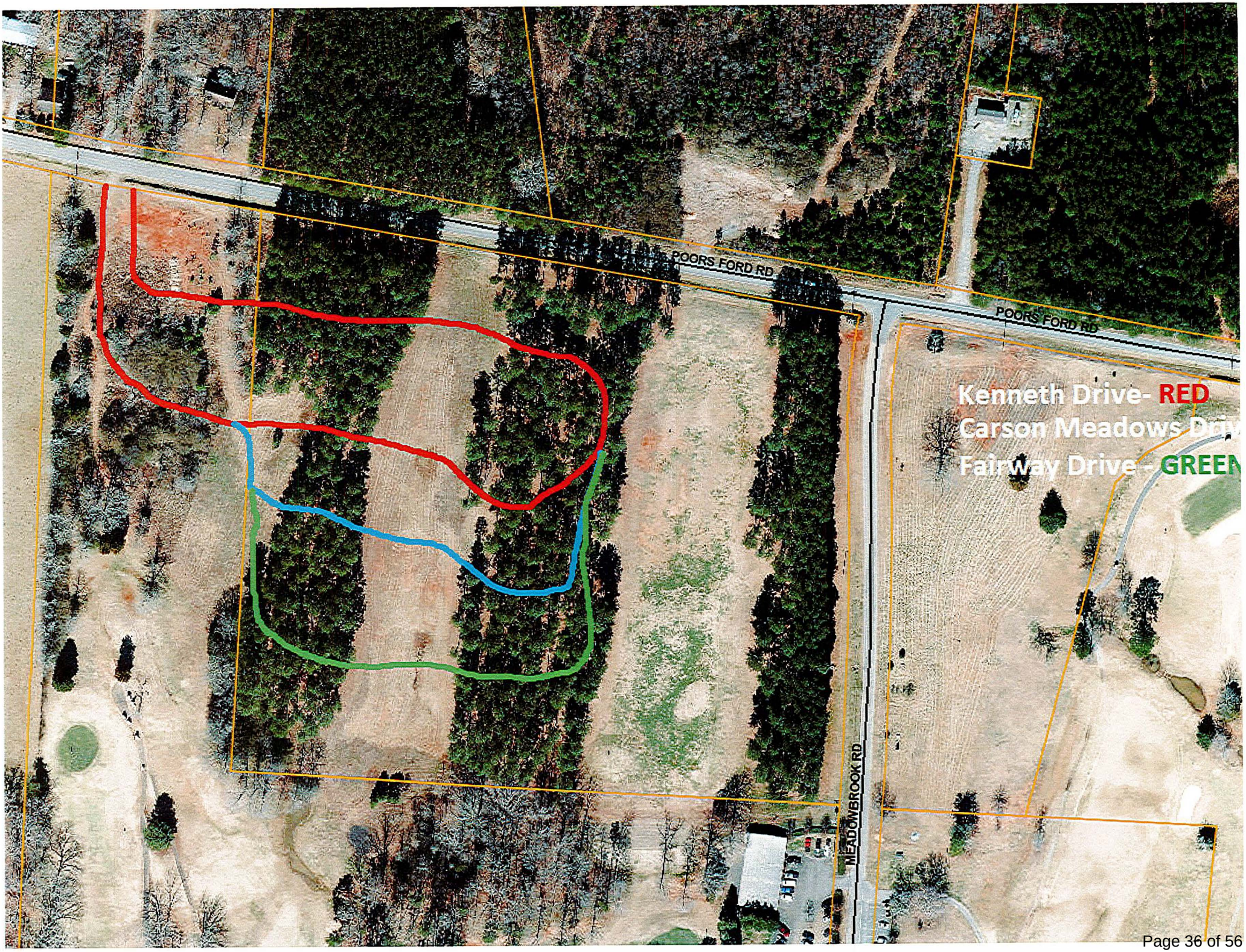
---

There are 3 roads that need to be named in an RV Park located off of Poors Ford Road. The first road name choices for these roads are Kenneth Drive, Carson Meadows Drive, and Fairway Drive. There are no names similar to these in the county.

Kenneth Drive - Green Creek Township

Carson Meadows Drive - Green Creek Township

Fairway Drive - Green Creek Township


POORS FORD RD
POORS FORD RD
MEADOWBROOK RD
Kenneth Drive- RED
Carson Meadows Driv
Fairway Drive - GREEN

Memorandum

To: Polk County Board of Commissioners

From: Jennifer Clancy, E911 Addressing Coordinator

Date: November 21st 2024

Re: New Road Name(s)

There are more than 3 structures on this driveway resulting in a driveway needing to be named.

Property owners submitted the new road name application.

All chosen road names are not listed in Polk County previously.

Road names are listed in preferential order:

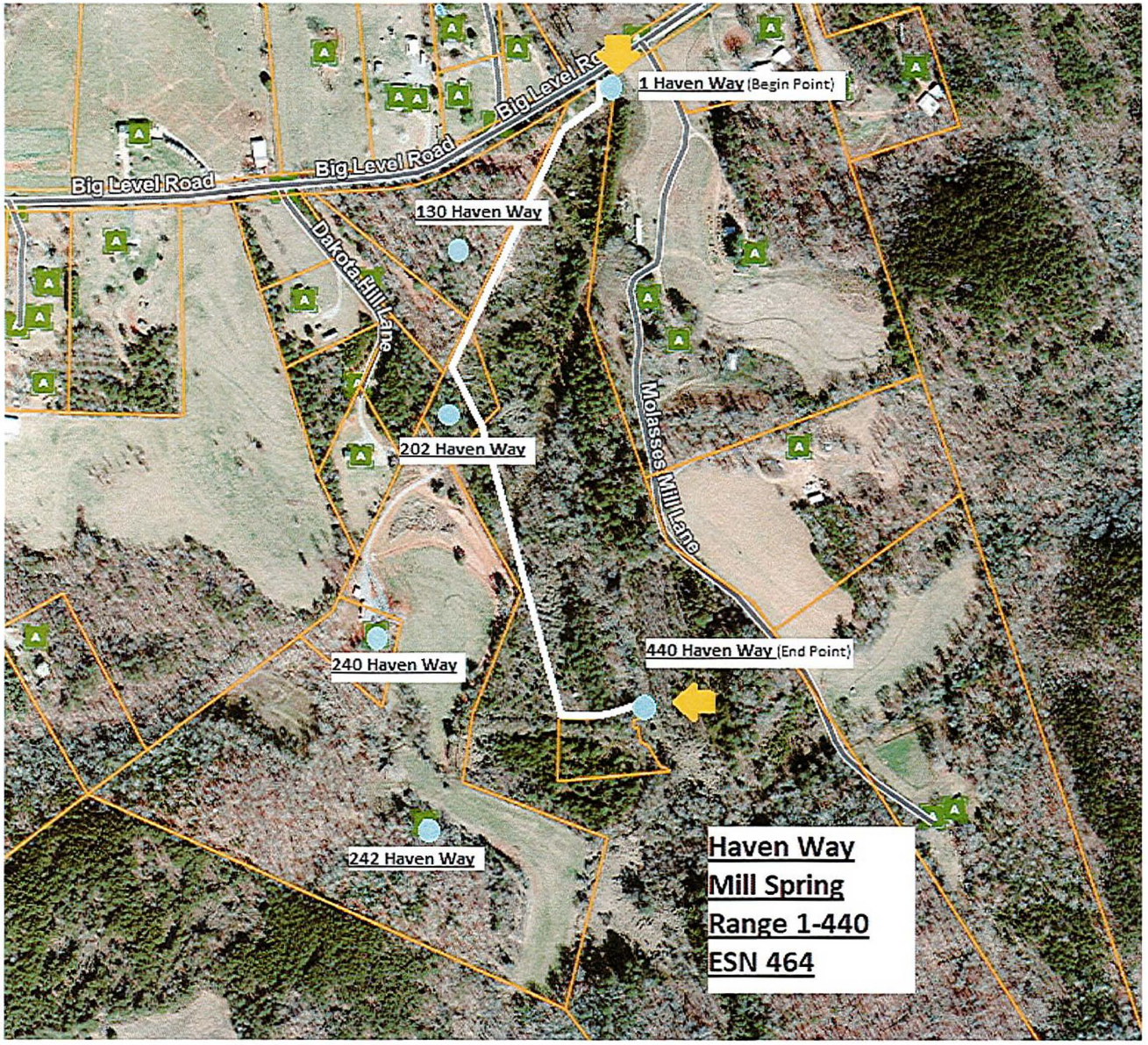
Haven Way

Canaan Way

WB Farms Drive

Property is within the Whiteoak Township

County recommendation is **Haven Way**


1 Haven Way (Begin Point)
Big Level Road
Big Level Road
130 Haven Way
Dakota Hill Lane
202 Haven Way
Molasses Mill Lane
240 Haven Way
440 Haven Way (End Point)
242 Haven Way
Haven Way
Mill Spring
Range 1-440
ESN 464

Memorandum

To: Polk County Board of Commissioners

From: Jennifer Clancy, E911 Addressing Coordinator

Date: December 3rd 2024

Re: New Road Name(s)

There are more than 3 structures on this driveway resulting in a driveway needing to be named.

Property owners submitted the new road name application.

All chosen road names are not listed in Polk County previously.

Road names are listed in preferential order:

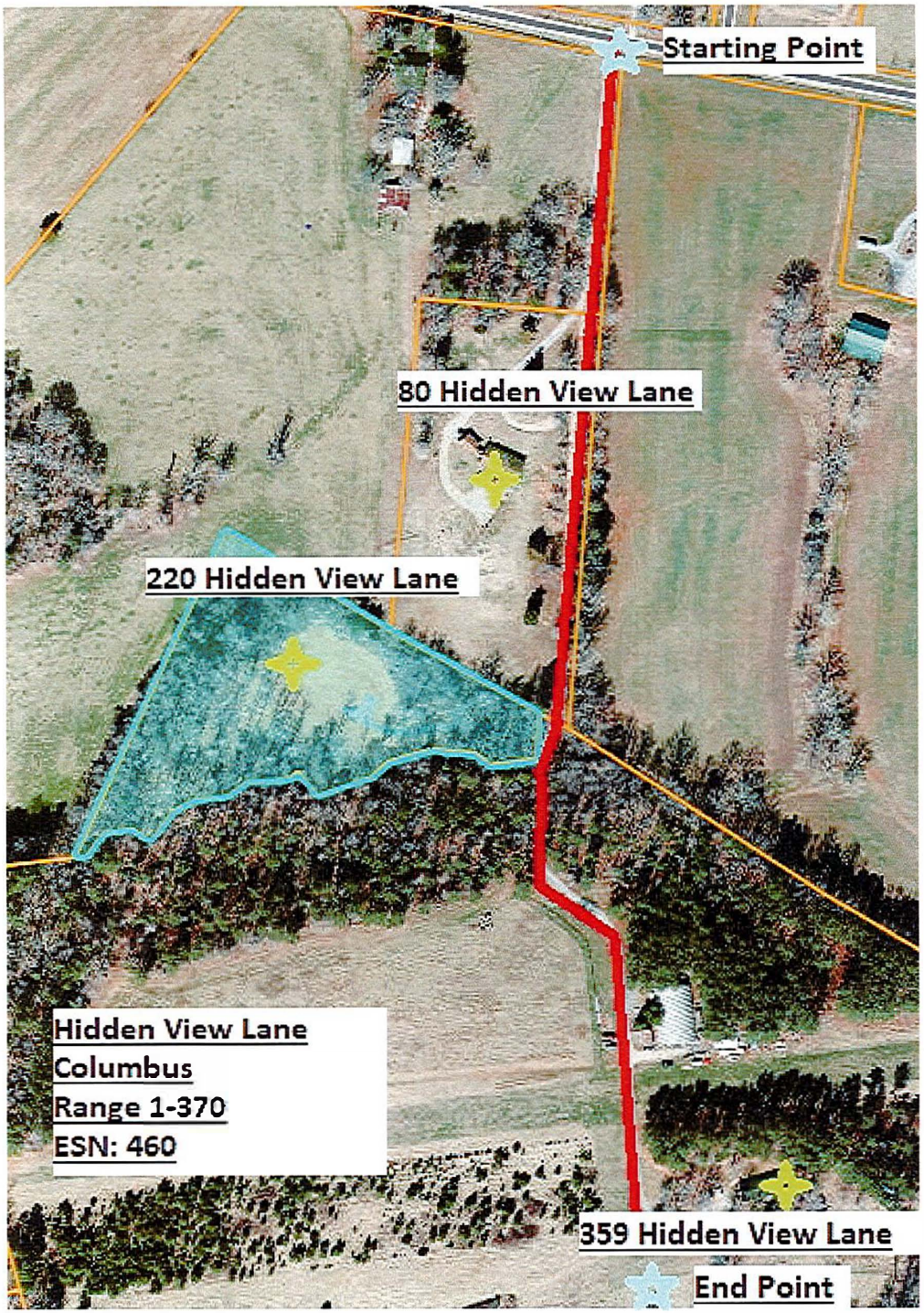
Hidden View Lane

Skyport Avenue

Aviation Avenue

Property is within the Green Creek Township

County recommendation is **Hidden View Lane**


Starting Point
80 Hidden View Lane
220 Hidden View Lane
Hidden View Lane
Columbus
Range 1-370
ESN: 460
359 Hidden View Lane
End Point

Memorandum

To: Polk County Board of Commissioners

From: Jennifer Clancy, E911 Addressing Coordinator

Date: December 13th 2024

Re: New Road Name(s)

There are more than 3 structures on this driveway resulting in a driveway needing to be named.

Property owners submitted the new road name application.

All chosen road names are not listed in Polk County previously.

Road names are listed in preferential order:

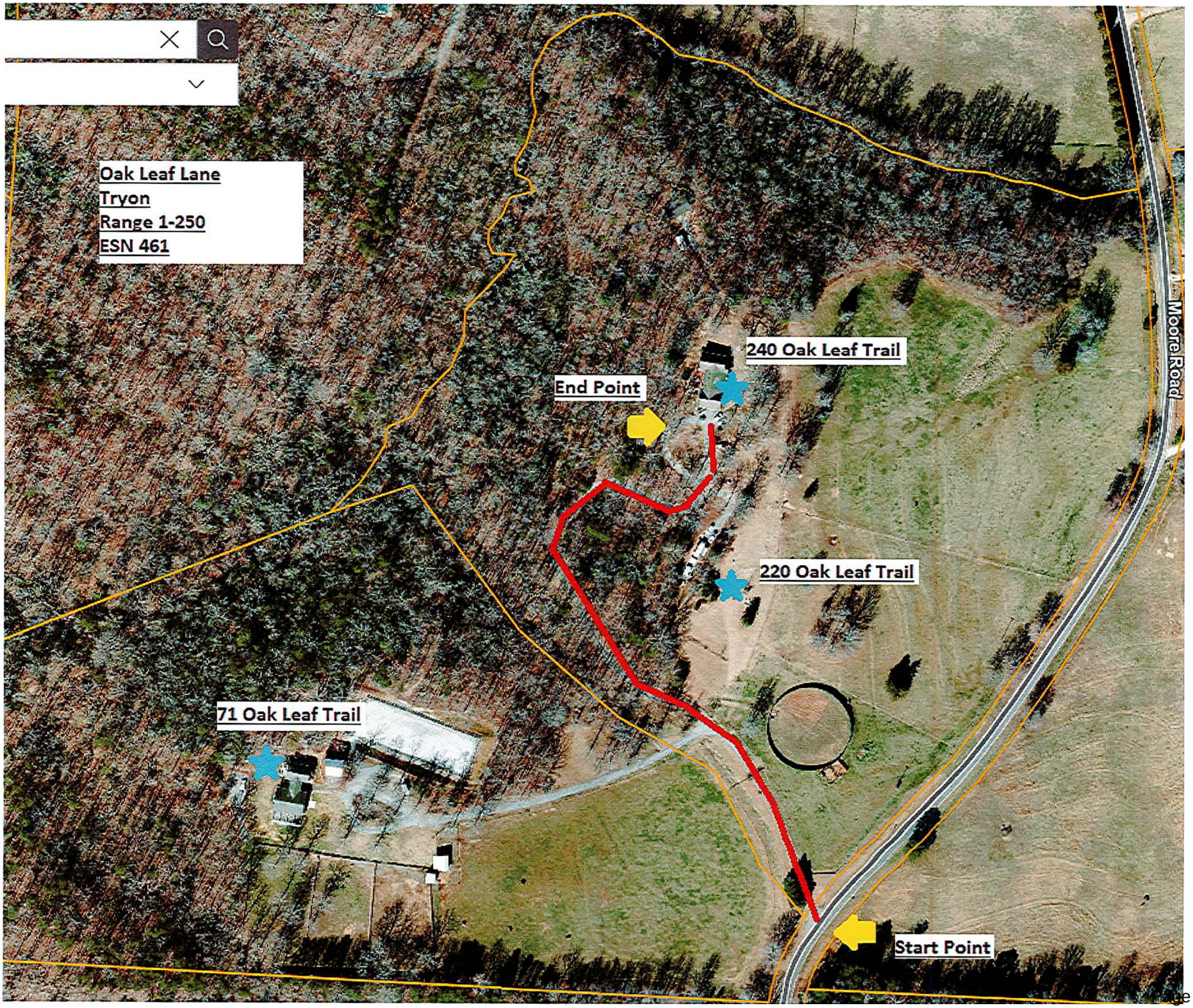
Oak Leaf Trail

Centerline CT

Clover Top Lane

Property is within the Tryon Township

County recommendation is **Oak Leaf Trail**


Oak Leaf Lane
Tryon
Range 1-250
ESN 461
240 Oak Leaf Trail
End Point
220 Oak Leaf Trail
71 Oak Leaf Trail
Start Point
N. Moore Road

U.S. Department of Homeland Security
Federal Emergency Management Agency
FEMA-State Joint Field Office
FEMA-4827-DR-NC
2220 US Hwy 70 SE
Hickory, North Carolina 28602

FEMA

December 19, 2024

William Ray
Director
North Carolina Emergency Management
4236 Mail Service Center
Raleigh, NC 27699-4236

Re: Guidance on Placement of Temporary Transportable Housing Units (TTHUs) in Floodplains Post Tropical Storm Helene

Dear Director Ray:

This letter outlines FEMA's approach and considerations for placing Temporary Transportable Housing Units (TTHUs) in floodplains in counties affected by Tropical Storm Helene.

FEMA is committed to avoid adverse and unsafe impacts associated with the use of floodplains and follows the requirements of Executive Order (EO) 11988 as well as 44 CFR § 9.13. Where local floodplain management standards prohibit TTHU placement in floodplains, FEMA will not place TTHUs in floodplains. Absent a local prohibition, FEMA will place TTHUs in floodplains only when no practicable alternatives exist. Prior to placement within the floodplain, FEMA will engage with local jurisdictions' leadership to obtain local approval.

Currently, in North Carolina, the available housing resources outside of floodplains, including commercial parks and rental units, are generally sufficient to meet the needs of most applicants. Available housing resources exceed the number of eligible applicants across affected counties.

Because of the risks associated with placing TTHUs in floodplains, such as flash flooding and limited evacuation routes, placement in these areas will only be considered in cases where exigent circumstances are present and no other reasonable housing options are available.

In those cases where no viable alternative is identified and a TTHU needs be placed within a floodplain, there will be a site assessment where engineering restrictions, flood depths, and local restrictions will be considered. Minimization efforts will be put into place ensuring that sites comply with all federal, state, and local floodplain management requirements and that the units are safely secured and elevated to meet regulatory standards.

Placements will follow the decision-making process outline in 44 CFR § 9.13 and all decisions will be documented to show considerations of safety, feasibility, and lack of reasonable alternatives. However, it is recommended that housing solutions outside of floodplains be prioritized to ensure the safety of the applicants.

FEMA is committed to providing safe and timely housing solutions to applicants while adhering to regulatory requirements and minimizing floodplain impacts. Most housing needs can be met with resources outside floodplains. Placements in floodplains be considered in exceptional cases, with careful evaluation on a case-by-case basis and adherence to all necessary Federal, State, and local floodplain management standards.

FEMA will engage with local jurisdictions' leadership to obtain written approval prior to placing units in the floodplain. Each jurisdiction should confirm whether any TTHUs will be authorized in the floodplain area on a case-by-case determination based on the approach outlined above.

Sincerely,

BRETT H HOWARD

Digitally signed by BRETT H HOWARD
Date: 2024.12.19 15:04:46 -05'00'

Brett Howard
Federal Coordinating Officer
Disaster Recovery Manager
FEMA-4827-DR-NC

FOR IMMEDIATE RELEASE: NC Office of State Fire Marshal Statement Regarding Temporary Housing Emergency Rule

Contact: Shannon Bullock Shannon.bullock@ncdoi.gov
Phone: 910-228-8565

December 11, 2024

Raleigh, NC - State Fire Marshal Brian Taylor is proud to announce that the North Carolina Building Code Council (NCBCC) has adopted an emergency rule developed by the OSFM Engineering Division to streamline the construction process for temporary housing for North Carolinians displaced by Hurricane Helene. The emergency temporary housing rule – which is enclosed with this press release – was subsequently approved by the Codifier of Rules of the North Carolina Office of Administrative Hearings and entered into the North Carolina Administrative Code with an effective date of December 10, 2024.

As the Winter deepens and temperatures drop – and as FEMA lags behind its prior projection for installation of temporary housing units – many North Carolinians in the counties devastated by Hurricane Helene are without safe and warm shelter. Many of our fellow citizens, churches, and charitable organizations have come forward to provide temporary housing to these North Carolinians but strict adherence to the North Carolina State Building Code and permitting requirements required by the North Carolina General Statutes prevents or significantly delays implementation. Compounding this problem, local inspection departments are stretched thin with their many essential duties helping their counties recover from the devastating storm, making inspecting the wide variety of temporary housing available in their counties – some of which is substandard and poses real danger to their occupants – an impossible task.

OSFM took prompt action to address this dire situation – our engineers developed a list of minimum safety requirements for temporary housing that provides private citizens and charitable organizations with clear and uniform directives to construct temporary housing that will safely shelter our fellow citizens. These minimum requirements address every aspect of constructing safe temporary housing units – from the foundations to the roof sheathing and from the allowed heating appliances to the required life safety measures like carbon monoxide and smoke alarms.

Equipped with these minimum requirements, property owners may now execute an affidavit affirming that the temporary housing structures on their property comply with the emergency rule, exempting the temporary housing structures from permit and inspection requirements, and releasing the State and local government from liability for the occupancy and use of the temporary structures. The affidavit process created by this emergency rule now empowers property owners

to construct temporary shelters for themselves and their neighbors without having to comply with strict adherence to the North Carolina State Building Code and wait for overburdened local inspection departments to issue permits.

The Office of State Fire Marshal (OSFM) reaffirms its commitment to supporting local governments in their efforts to provide safe and warm shelter for North Carolinians this winter. By actively seeking feedback from citizens, local governments, and stakeholders, OSFM is dedicated to addressing the challenges faced by our most vulnerable residents. Through collaboration and innovation, we remain focused on delivering effective solutions to meet these critical needs.

-OSFM-

OWNER AFFIDAVIT FOR TEMPORARY HOUSING BUILDINGS PROVIDED TO THOSE IN NEED FOR USE AS A TEMPORARY SHELTER DURING THE RECOVERY FROM HURRICANE HELENE.

*This affidavit is only applicable to the 25 counties in North Carolina that were declared a major disaster by the President of the United States under the Stafford Act (P.L. 93-288) on September 28, 2024. The affiant **must** submit this affidavit to the local inspection department within a reasonable time following notarization. This affidavit is authorized by the emergency rule adopted by the North Carolina Building Code Council on December 10, 2024 (11 NCAC 08 .0211) and is valid until the expiration of that rule.*

STATE OF NORTH CAROLINA

COUNTY, CITY OR TOWN OF _____

_____ Inspection Department

I, _____,
(Print Full Name)

the record owner of the real property identified below, do hereby, under penalty of perjury certify that the proposed temporary housing buildings are constructed and installed per the requirements of 11 NCAC 08 .0211 (the emergency rule attached to this affidavit).

I understand that this AFFIDAVIT shall exempt the Temporary Housing Buildings identified above from permit and inspection requirements in accordance with 11 NCAC 08 .0211.

Additionally, the undersigned affiant hereby waives and releases the State, local inspection department identified above, and Local Government of any responsibility or liability regarding the fabrication, installation, and use of the temporary housing buildings for use as a temporary shelter during the recovery of Hurricane Helene.

I FURTHER AFFIRM EITHER THAT:

☐ the Temporary Housing Buildings for use as temporary shelters identified above **DO NOT** contain any electrical systems requiring the supply of electric current.

☐ the Temporary Housing Buildings for use as temporary shelters identified above **DO** contain electrical systems requiring the supply of electric current, and that a licensed electrical contractor has certified that the electrical systems were installed pursuant to the applicable North Carolina Electrical Code (NFPA 70 with North Carolina Amendments), as identified in this affidavit and 11 NCAC 08 .0211. **I SHALL REQUEST INSPECTION OF THESE ELECTRICAL SYSTEMS PRIOR TO ENERGIZING SAID TEMPORARY HOUSING BUILDINGS**.

Address of Real Property Where Temporary Housing Buildings for use as a temporary shelter during the recovery from Hurricane Helene are to be Constructed : _____

_____

Parcel ID or Latitude/Longitude: _____

Number of Temporary Housing Buildings To Be Constructed: _____

_____

(Signature of Affiant) _____ Date

Sworn to (or affirmed) and Subscribed before me this the _____ day of _____, 20___

_____

Signature of Notary Public

_____

Printed Name of Notary Public

My Commission Expires: _____ (Notary Stamp or Seal)

_____

11 NCAC 08 .0211 is adopted under emergency procedures as follows:

11 NCAC 08 .0211 TEMPORARY HOUSING BUILDINGS DURING HURRICANE HELENE STATE OF EMERGENCY

(a) Temporary housing buildings provided to those in need for use as a temporary shelter during the recovery from Hurricane Helene that do not contain electrical systems requiring the supply of electric current are exempt from permits and inspections from the local inspection department having jurisdiction for the duration of the state of emergency declared by the Governor, pursuant to G.S. 166A-19.20, on September 25, 2024 in Executive Order No. 315 and extended by the General Assembly in S.L. 2024-151 (the "State of Emergency"). Temporary housing buildings provided to those in need for use as a temporary housing shelter during the recovery from Hurricane Helene that contain electrical systems requiring the supply of electric current shall be inspected and approved by the appropriate electrical inspector prior to being energized, and upon said inspection and approval are exempt from all other permits and inspections from the local inspection department having jurisdiction for the duration of the State of Emergency. The owner of the real property upon which temporary housing buildings for use as temporary shelter during the recovery from Hurricane Helene are to be constructed (the "Owner") shall sign an affidavit attesting that the temporary housing buildings shall be constructed per the requirements provided in this rule. The affidavit shall be provided to the local inspection department within a reasonable time of its notarization. The affidavit limits the occupancy and use of temporary housing buildings to use as a temporary shelter for 180 days from the first day of occupancy. The Owner assumes all liability associated with the construction and use of the temporary housing buildings as a means of temporary shelter. Once the temporary shelter period of 180 days has expired, the temporary housing building shall cease use as a temporary shelter and any reuse of the building is subject to permits and inspections by the local inspection department having jurisdiction and the requirements of the North Carolina State Building Code, unless the proposed new use is currently exempted by law or the North Carolina State Building Code. An affidavit for a temporary housing building may be renewed by the Owner at the discretion of the local inspection department by the completion and submission by the Owner of a new affidavit to the local inspection department, provided that the State of Emergency and this rule remain in effect on the date such renewal is sought.

(b) If an Owner provides the Owner affidavit described in Paragraph (a) to the local inspection department, then the temporary housing buildings shall be constructed in accordance with the following minimum requirements:

(1) The location of temporary housing buildings shall comply with local zoning laws.

(2) Temporary housing buildings are limited to one-story above grade plane and a maximum of 400 square feet with a pitched roof.

(3) Temporary housing buildings shall be located to avoid areas prone to flooding, landslides, steep slopes, or other natural hazards.

(4) Essential services, such as water and sanitation, shall be provided on the Owner's property.

(5) Not less than 10 feet minimum fire separation distance shall be provided between temporary housing buildings and property lines.

(6) If partition walls are provided within the temporary housing building, a minimum of one window on an exterior wall in each space that is used as a sleeping room is required to be used as an

emergency escape and rescue opening and shall have a minimum openable area of 4 square feet. The minimum net clear opening height shall be 22 inches. The minimum net opening width shall be 20 inches. The sill height shall be not more than 44 inches above the floor. If the temporary housing building is an open floor plan, the egress door can serve as the emergency escape and rescue opening.

(7) Natural ventilation shall be provided by a minimum of one openable window and one egress door. If emergency escape and rescue openings are required, they can also be used to satisfy the natural ventilation requirements.

(8) Heating facilities capable of maintaining a room temperature of not less than 68º F shall be provided within temporary housing buildings based on the local winter 99% design day outdoor air temperature.

(9) Minimum ceiling height of not less than 6'-8" shall be provided in temporary housing buildings.

(10) A minimum of one side-hinged egress door shall be provided at a clear width of not less than 32 inches and a clear height of not less than 78 inches in temporary housing buildings with a landing or stairs provided outdoors at the same clear width of the door and extending 36 inches in the direction of travel.

(11) One battery-powered smoke alarm and one carbon monoxide alarm or one combination smoke and carbon monoxide alarm shall be provided and installed in each room per the manufacturer's installation instructions in temporary housing buildings.

(12) A site address and the number of temporary housing units located at the site address shall be provided to the fire code official to facilitate an emergency response.

(13) Foundations: The owner shall make sure a stable soil condition and foundation is provided for temporary housing buildings to prevent shifting or collapse. Positive anchorage for the structure shall be provided. Temporary housing buildings shall be permitted to be supported on a wood foundation of minimum 4-inch by 4-inch or 6-inch by 6-inch mudsill or runner of approved wood in accordance with Section R317 of the 2018 North Carolina Residential Code ("NCRC"). Structural floor systems that include joists and subfloor material shall also comply with Section R317.1, Item 1 of the 2018 NCRC.

(14) Allowable joist spans: Spans for floor joists of temporary housing buildings shall be in accordance with the following table. For other grades and species and for other loading conditions, refer to the 2018 NCRC.

	Maximum Floor Joist Span (ft- in)		
Joists Spacing	2 X 6	2 X 8	2 X 10
12	8-2	10-3	12-6
16	7-1	8-11	10-10
24	5-9	7-3	8-10

(15) Lateral restraint at supports: Floor joists of temporary housing buildings shall be supported laterally at the ends by full-depth solid blocking not less than 2 inches nominal in thickness; or by attachment to a full depth header, band or rim joist, or to an adjoining stud or shall be otherwise provided with lateral support to prevent rotation.

(16) Subfloor: Floor framing of temporary housing buildings shall be sheathed with minimum ¾-inch thick wood structural sheathing and 8d common nails spaced at not more than 6 inches on center at all support edges and 12 inches on center at other intermediate supports.

(17) Wall Framing: Bearing walls of temporary housing buildings shall be framed with minimum stud size of 2 X 4 at maximum 24 inches on center spacing and limited to a stud height of 10 feet.

(18) Header Spans on exterior bearing walls of temporary housing buildings shall be in accordance with the following table:

Header Span (ft-in)*,**	
Size	Span
1-2 X 8	4-6
1-2 X 10	5-8
2 - 2 X 4	3-6
2 - 2 X 6	5-5
2 - 2 X 8	6-10

* Minimum one jack stud on each end of the header

**Up to 20 feet building width and 30 psf ground snow load)

(19) Top plate: Wood stud walls in temporary housing buildings shall be capped with a double top plate installed to provide overlapping at corners.

(20) Bottom (sole) plate: Studs in temporary housing buildings shall have full bearing on a nominal 2-by or larger plate or sill having a width not less than the width of the studs.

(21) Wall Sheathing: Exterior walls of temporary housing buildings shall be continuously sheathed with minimum 3/8-inch thick wood structural panels.

(22) Interior sheathing: The interior side of exterior walls in temporary housing buildings are permitted to remain open.

(23) Braced Wall: All exterior walls in temporary housing buildings shall be braced with minimum 24-inch wood structural panels at each corner in both directions of the structure.

(24) Roof framing details: Rafters in temporary housing buildings shall be framed to ridge board or to each other with a gusset plate as a tie. Ridge board shall be not less than 1-inch nominal thickness and not less in depth than the cut end of the rafter.

(25) Ceiling joist and rafter connections: Ceiling joists and rafters for temporary housing buildings shall be nailed to each other in accordance with the following table:

Rafter slope*	Rafter Spacing*	Number of 16d common nails required*

3:12	16	8
	24	11
5:12	16	5
	24	7
7:12	16	4
	24	5

*Up to 20 feett building width and 30 psf ground snow load

(26) Rafters: Rafters in temporary housing buildings shall be toe-nailed to the top wall plate with three 8d common nails.

(27) Allowable ceiling joist spans: Spans for ceiling joists in temporary housing buildings shall be in accordance with the following table. For other wood grades and species and for other loading conditions, refer to the 2018 NCRC.

	Maximum Ceiling Jost Span (ft- in)		
Joists Spacing	2 X 4	2 X 6	2 X 8
12	10-1	14-11	18-9
16	8-9	12-11	16-3
24	7-8	10-6	13-3

(28) Allowable ceiling joist spans: Spans for rafters for temporary housing buildings shall be in accordance with the following table. For other wood grades and species and for other loading conditions, refer to the 2018 NCRC.

	Maximum Rafter Span (ft- in)		
Joists Spacing	2 X 4	2 X 6	2 X 8
12	6-7	9-9	12-4
16	5-9	8-6	10-8
24	4-8	6-11	8-9

(29) Roof Sheathing: The roof of temporary housing buildings shall be continuously sheathed with a minimum 7/16-inch thick wood structural panels.

(30) Building thermal envelope insulation is not required for temporary housing buildings, but insulation is recommended to provide a greater level of temperature control and a lower risk of thermal overload of the electrical system.

(31) Heating appliances shall be listed and labeled and shall be installed per the manufacturer's installation instructions within temporary housing buildings. Clearances to combustible materials in accordance with the heating appliance manufacturer's instructions shall be maintained within temporary housing buildings. Fuel-burning heaters shall be of the direct-vent type in temporary

housing buildings. Unvented room heaters and portable space heaters are prohibited in temporary housing buildings. Heaters shall be rated at continuous duty, as well as the circuit and overcurrent protection serving any electric heating appliance.

(32) If the temporary housing building incorporates an electrical system, Owner shall request that the system be inspected by the appropriate electrical inspector prior to being energized and that a licensed electrical contractor has certified that the electrical systems were installed pursuant to this rule and the applicable North Carolina Electrical Code.

(33) Temporary housing buildings shall be considered "detached accessory buildings" for applying the requirements of the North Carolina Electrical Code (NFPA 70 with North Carolina Amendments) for wiring, lighting and receptacles. Exposed cable assemblies within stud cavities, including NM Cable, shall be protected in an approved manner and shall not be required to be covered behind wall finishings within temporary housing buildings.

(34) Annular spaces around pipes, cables, conduits, or other openings in the walls shall be sealed closed in temporary housing buildings.

(c) The provisions of this rule only apply to temporary housing buildings located in the 25 counties in North Carolina that were declared a major disaster by the President of the United States under the Stafford Act (P.L. 93-288) on September 28, 2024: Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Catawba, Clay, Cleveland, Gaston, Haywood, Henderson, Jackson, Lincoln, Macon, Madison, McDowell, Mitchell, Polk, Rutherford, Transylvania, Watauga, Wilkes, and Yancey County and the Eastern Band of Cherokee Indians.

History Note: *Authority G.S.143-138;*
Emergency Adoption Eff. December 10, 2024.

RESOLUTION OF INTENT TO AMEND ZONING ORDINANCE TO PERMIT TEMPORARY HOUSING UNITS AS ACCESSORY STRUCURES FOR TEMPORARY USE BY RESIDENTS DISPLACED BY HURRICANE HELENE

WHEREAS, Hurricane Helene made landfall on September 26, 2024 as an extremely strong Category 4 hurricane bringing with it with maximum sustained winds of 140 miles per hour and record-breaking rainfall wreaking havoc across Polk County with major floods, landslides and severe wind damage leaving many Polk County citizens displaced without adequate shelter; and

WHEREAS, on September 28, 2024, Polk County was declared a major disaster by the President of the United States under the Stafford Act (P.L. 93-288) on; and

WHEREAS, pursuant to the authority granted to it by the General Assembly in S.L. 2024-57, the Office of the State Fire Marshall issued guidance regarding alternative methods for safely and efficiently installing temporary housing units to shelter North Carolinians displaced by Hurricane Helene; and

WHEREAS, the Polk County Zoning Ordinance does not currently permit the installation and occupancy of a detached accessory building for use as a temporary housing unit during recovery from a declared disaster; and

WHEREAS, The Planning Board, with support from staff and the county attorney, propose a text amendment to the Polk County Zoning Ordinance which would allow temporary housing buildings constructed and installed per the requirements of North Carolina Administrative Code to be provided to and occupied by those in need for use as a temporary shelter during recovery from the damage caused by Hurricane Helene in Polk County; and

NOW THEREFORE, the Polk Board of Commissioners hereby:

1. Declares its intent to amend the Polk County Zoning Ordinance to permit within all zoning districts temporary housing buildings constructed and installed per the requirements of North Carolina Administrative Code for use as a temporary shelter during recovery from the State of Emergency for a period of 180 days from the first date of occupancy; and
2. To provisionally permit such structures until such time as the Polk County Zoning Ordinance can be amended to ratify any provisionally issued permits; and
3. In the event the State of Emergency and the rule remain in effect at the expiration of 180 days, for the occupancy and use of the structure to continue upon good cause shown to a committee consisting of the Chief Building Inspector and two other county officials and the receipt of required documentation.

Adopted this the 13th day of January, 2025.

_____
Myron Yoder, Chair

_____
Ange High, Acting Clerk to the Board

Amendment to the Polk County Zoning Ordinance to add Temporary Housing/Shelter to Article VI. Permitted Use Table and Article XII. Definitions

P = Permitted
P* = Permitted with conditions
S = Allowed as a Special Use
Blank Space = Not Permitted

	EV	E	GPF	RE1	RE2	RE5	AR	R	MR	NC	HC	I	MU	FF	AR5
Schools, public or private [xxii, xxvii]	P	P	P	P	P	P	P	P	P	P			P	P	P
Schools; vocational schools, business schools, & special school [xxvii]	P	P	P	P						P		P	P	P	
Service stations [xii]	P	P									P	P	P	P	
Shooting Range – Indoor [xxvi]							S		S	S	P	P	S	S	
Shooting Range – Outdoor [xxvi]												S	S	S	
Single family residences		P		P	P	P	P	P	P	P	P	P	P	P	P
Solar Energy Generating Facility, Major[vi]												S	S		
Solar Energy Generating Facility, Minor[vi] *see 6.2.10*												P*	P*		
Spectator sport facilities 500 or more spectators [xxii] *see 6.2.13 for restrictions*	P*	P*										S	S	S	
Spectator sport facilities less than 500 spectators [xxii] *see 6.2.13 for restrictions*	P*	P*					S	S	S	S	S	S	S	P	
Stables [xxvi]	P	P		P	P	P	P						P	P	P
Storage & warehousing [xi]	S	S										P	S	P	
Temporary Housing	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Theaters	P	P								S	P		P	P	
Towers *see Polk County Wireless Telecommunication Ordinance [xix, xxiv]	P*	P*	P	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*
Towers (Non-Administrative Approval, Section 304 *Polk County Wireless Telecommunication Ordinance) [xix, xxiv]	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*
Truck terminals											P	P	P	P	
Utility buildings and facilities, public *see 6.2.6 for Restrictions*			P	P*	P*	P*	P*	P*	P*	P*	P	P	P	P	P*
Veterans' Affairs Office[xi]			P	P						P	P	P	P		

Temporary Housing/Shelter. Detached accessory buildings constructed and installed per the requirements of North Carolina Administrative Code for use as temporary housing during recovery from a declared disaster, under the Authority of North Carolina General Statute 143-138.
Occupancy and use of a detached accessory building as temporary housing, due to damage from the declared disaster, shall be permitted upon submittal of an affidavit by the owner of the real property to the county building inspection department.
Occupancy and use of a detached accessory building for temporary housing shall be limited to 180 days from the first day of occupancy. In the event the State of Emergency and the rule remain in effect at the expiration of 180 days, occupancy and use of the structure may continue upon good cause shown to the chief building inspector and the submittal of a new affidavit.

RESOLUTION TO EXTEND MORATORIUM ON PERMITS FEES AUTHORIZED UNDER PART 16 OF THE DISASTER RECOVERY ACT OF 2024

WHEREAS, in the wake of Hurricane Helene the General Assembly adopted a moratorium on certain permit fees. Under Part 16 of the Disaster Recovery Act of 2024, Session Law 2024-51, local governments "shall not impose any fee associated with a permit, inspection, or certificate of occupancy required by law for construction, reconstruction, alteration, repair, placement, movement to another site, removal, or demolition of a manufactured home, building, dwelling, or structure damaged as a direct result of Hurricane Helene;" and

WHEREAS, the moratorium on permit fees adopted by the General Assembly under Part 16 of the Disaster Recovery Act of 2024 expired on December 31, 2024; and

WHEREAS, recovery efforts in Polk County from the devastating storm are ongoing and much work remains to be done.

NOW THEREFORE, the Polk County Board of Commissioners hereby resolve to extend from January 1, 2025 until March 31, 2025 the moratorium on permit fees authorized under Part 16 of the Disaster Recovery Act of 2024 for any fee associated with a permit, inspection, or certificate of occupancy required by law for construction, reconstruction, alteration, repair, movement to another site, removal, or demolition of a manufactured home, building, dwelling, or structure damaged as a direct result of Hurricane Helene.

Adopted this the 13th day of January, 2025.

_____
Myron Yoder, Chairman
Polk County Board of Commissioners

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Ange High, Acting Clerk to the Board