

- 5) Discussion of County personnel issues is limited to only those issues where satisfactory resolution has been pursued, but not achieved, through the chain of command ending with the County Manager.
- 6) Derogatory references to specific County staff, by name, are prohibited.

It should be understood that the Board allows the Public Forum in the interest of sharing information, which serves the common good.

Scotland County Board of Commissioners

SCOTLAND COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

ITEM NO. 1

 Information

 X Action Item

 Consent Agenda

Meeting Date January 4, 2016

SUBJECT: Public Hearing: FY 2011 Community Development Block Grant Program

DEPARTMENT: Governing body

PUBLIC HEARING: Yes

CONTACT PERSON: LRCOG Business Services Coordinator Adrian Lowery

PURPOSE: Discuss the performance of the Scotland County FY 2011 Community Development Block Grant Program. The program included \$400,000 of relocation and clearance.

ATTACHMENTS: N/A

BACKGROUND: N/A

PRIOR BOARD ACTION: N/A

RECOMMENDATIONS: Hold Public Hearing and approve closeout of FY 2011 CDBG Program.

SCOTLAND COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

ITEM NO. 2

 Information

 X Action Item

 Consent Agenda

Meeting Date January 4, 2016

SUBJECT: Policy Committee: Substance Abuse and Fund Balance policies

DEPARTMENT: Governing body

PUBLIC HEARING: No

CONTACT PERSON: Commissioners John Alford, Whit Gibson and Carol McCall

PURPOSE: Review and discuss the draft policies for possible action.

ATTACHMENTS: Draft Substance Abuse Policy
Draft Fund Balance Policy

BACKGROUND: N/A

PRIOR BOARD ACTION: The Board of Commissioners at the December 7, 2015, meeting asked the County Attorney to review the Substance Abuse Policy before taking action.

The Fund Balance Policy was distributed at the December 7, 2015, meeting for review and possible action at the next meeting or during a mid-year retreat.

RECOMMENDATIONS: Consider action on the policies as necessary.



Policy Title

DRAFT

Substance Abuse Policy

Policy Number

HR003

Policy Date

Est 1995

Revision Date

06/08/15

Purpose

To ensure compliance with federal regulations as outlined under the Drug-Free Workplace Act and by the U.S. Department of Transportation; to identify the conditions by which personnel are subject to drug and alcohol testing; to outline testing procedures; and to enact policy to deter substance and alcohol abuse in the County workplace.

Scope

All Scotland County Employees
All Post-Offer Candidates

Policy Statement

Scotland County Employees are our most valuable resource and our goal is to provide a safe, healthy, satisfying work environment. Our policy is to:

- Assure employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner;
- Create a workplace free from the adverse effects of drug and alcohol abuse;
- Prohibit the unlawful manufacture, distribution, possession, or use of controlled substances;
- Encourage employees to seek professional assistance anytime personal problems, including drug or alcohol dependency, affects their ability to perform assigned duties.

Applicability

This policy applies as follows:

- All applicants who have been offered employment must undergo a post-offer drug screen test as part of the hiring process.
- All employees are subject to post-accident drug and/or alcohol testing if the incident meets the requirements as outlined in this policy.
- All employees in "safety sensitive" positions are subject to random drug screen testing.
- All employees who must maintain a Commercial Driver's License (CDL) as a job requirement are subject to random drug screen testing.

Prohibited Substances

The following categories of substances are prohibited by the County.

Illegal Substances

Illegal substances are those as defined by federal, state, and local laws, including, but not limited to cannabinoids, cocaine, barbiturates, amphetamines, opiates, phencyclidine (PCP), any designer drugs, or any other similar drugs.

Illegal substance also includes the misuse of legally prescribed drugs, such as taking another person's prescription medications, over-dosage, or illegally obtaining prescription drugs.

	Policy Title Substance Abuse Policy		
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Abuses of over-the-counter drugs (such as cough syrup) or products not intended for human consumption (such as glue, aerosols) are considered illegal substances under this policy.

Legal Drugs

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance carrying a warning label which indicates adverse effect to mental function, motor skills, or judgment must be reported to Supervision. The employee must seek medical advice before performing work-related duties.

Alcohol

Alcohol includes any type of intoxicating agent in beverage alcohol, ethyl alcohol, or other alcohol (including methyl and isopropyl alcohol). This covers any medium such as medications, mouthwash, food or candy.

Prohibited Conduct

Manufacture, Trafficking, Purchase, Possession, Use

County employees are prohibited from engaging in the unlawful manufacturing, distribution, dispensing, purchasing, possession, and/or use of prohibited substances on County premises, in County vehicles, in uniform, or on County business. This is inclusive of any drug paraphernalia.

Intoxication, Under the Influence

Employees are expected to report to work fit for duty and free of any adverse effects of drugs or alcohol. This policy prohibits employees from being under the influence of alcohol or substances while on County premises, working, operating County vehicles, or conducting County-related business.

Alcohol Use

No employee should report for duty or remain on duty if his or her ability to perform is adversely affected by alcohol. Employees shall not use alcohol while on duty/working, operating County vehicles, in uniform, on County property, or conducting County-related business. No Employee shall use alcohol within eight (8) hours of reporting for work/duty, or during hours they are "on-call". Due to the nature of services provided by Public Safety Employees, some departments may implement more stringent rules related to alcohol use prior to reporting to duty.

Criminal Drug Conviction

All employees are required to notify the County of any criminal drug statute conviction for a violation occurring in the workplace within five (5) days after such conviction. Failure to comply with this provision shall result in termination of employment.



Policy Title

DRAFT

Substance Abuse Policy

Policy Number

HR003

Policy Date

Est 1995

Revision Date

06/08/15

Compliance

Employee compliance with the County's Substance Abuse Policy is mandatory. All employees are subject to drug and/or alcohol testing as a condition of employment.

Failure or refusal of any employee to fully cooperate and participate in the program, sign any required document, or submit with a request for testing shall be removed from duty and subject to disciplinary action, up to and including termination, as defined in the Scotland County Personnel Policy.

Any employee who is suspected or providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination adulteration, or substitution will be required to undergo an observed collection. Verification of these actions will result in the employee's removal from duty and their employment may be terminated on the grounds of failure in personal conduct.

Refusal may include an inability to provide a sufficient specimen or sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

Safety Sensitive Positions

Safety Sensitive Positions are jobs where an employee holding the position has the responsibility for his or her own safety or the safety of other people. Such positions would be particularly dangerous if the employee is using drugs or alcohol while on the job. An employee occupying a Safety Sensitive Position has to be with a clear mind and diligent while occupying such positions.

Random Drug Screen Testing is allowable for employees in Safety Sensitive Positions. Examples of these positions are: EMT; Law Enforcement carrying guns; CDL required occupations; medical professionals including nurses; prison guards and prison employees with direct contact. The County Safety Sensitive Positions are listed in "*Substance Abuse Policy Appendix A, Safety Sensitive Positions*".

Post-Offer Screening

All applicants who have received an offer of employment will undergo a drug screen test as a condition of employment. Applicants are notified of the County Substance Abuse Policy and sign a consent form prior to the screening.

Refusal to submit to testing will result in disqualification of further employment consideration. Any applicant with a positive test result will be denied employment.

	Policy Title		
	Substance Abuse Policy		
<div style="border: 1px solid black; padding: 5px; display: inline-block; font-weight: bold; font-size: 1.2em;">DRAFT</div>	Policy Number	Policy Date	Revision Date
	HR003	Est 1995	06/08/15

Transfers to Safety Sensitive Positions

Current employees who are transferring to a Safety Sensitive Position will be required to undergo a drug screen test before actual placement in the position.

A positive test result or refusal to submit to testing will both result in disqualification to transfer. The employee would be subject to disciplinary action, as defined in the Scotland County Personnel Policy.

Random Screening

Employees serving in any of the identified Safety Sensitive Positions are subject to random drug testing. Prior to the screen, the employee will be required to sign a consent form.

Refusal to submit to testing or a positive test result will subject the employee to disciplinary action.

Random drug screenings will be conducted quarterly based on a predetermined percentage of the random selection pool for the calendar year. Our third party administrator performs the random selection. The random selection is based on the entire pool population so that each employee has an equal chance of selection without regard to any previous testing.

Commercial Driver License (CDL)

Any positions requiring a CDL are placed into a separate selection pool based on Department of Transportation (DOT) guidelines. The random drug and alcohol screens for this group will be conducted quarterly based on the DOT published rate for the current year. The random selection is based on the entire pool population so that each employee has an equal chance of selection without regard to any previous testing.

Post-Accident Screening

In some situations, employees may be required to take a post-accident drug and/or alcohol test. It is the County's discretion to deem a situation, falling outside of these guidelines, such that drug and/or alcohol testing is required.

Refusal to submit to testing or a positive test result will subject the employee to disciplinary action.

All Employees

All employees, regardless of position will be required to take a drug test in the following situation:

- Any accident resulting in death/fatality
- Any accident with bodily injury requiring medical attention away from the scene of the accident, or personal injury requiring immediate medical attention.

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Safety Sensitive Positions

In addition to the above situation, employees in Safety Sensitive Positions will be required to take a drug test for the following situations:

- Motor vehicle accidents with property damage estimated to exceed \$1000, provided circumstances suggest that an employee may have contributed to the accident.

A Safety Sensitive Position Employee, performing tasks not usually considered safety sensitive in nature, might be excused from a post-accident test, but will be subject to Reasonable Suspicion testing depending upon the circumstance of the accident.

Commercial Driver License (CDL)

In addition to the above situations, employees in CDL positions will be required to undergo both a drug and alcohol test for the following situations involving a Motor Vehicle Accident:

- Human fatality
- Citation and Bodily injury with immediate medical treatment away from the scene
- Citation and Disabling Damage to any motor vehicle requiring tow away

Testing Timeliness

Post-Accident drug and/or alcohol testing should occur as immediately as possible after the accident. Otherwise the following guidelines should be observed. If a required drug and/or alcohol test is not performed within these guidelines, reasons for failure to test must be documented and submitted to Human Resources.

Alcohol Testing

Ideally, post-accident alcohol testing should occur within two (2) hours of the accident. However, if the test cannot be performed within eight (8) hours of the accident, it will not be given at all.

Drug Testing

Drug testing should be performed within thirty-two (32) hours of the accident. Otherwise, it will not be given at all.

Reasonable Suspicion Screening

All employees are subject to reasonable suspicion drug and/or alcohol testing. A reasonable suspicion referral will be made on the basis of documented objective facts and circumstances which are consistent with drug and alcohol use. In general, reasonable suspicion must be based on the following:

- First hand observations seen or heard by supervisors or department heads
- Specific, clearly stated observations concerning the appearance, behavior, speech or body odor of the employee
- Observations made just before, during or just after performance of job duties



Policy Title

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06/08/15

Reasonable suspicion referrals must be made by a supervisor who is trained to detect the signs and symptoms of drug and alcohol use. The supervisor must reasonably conclude that an employee has consumed, is under the influence, or is impaired while on duty.

The “*Substance Abuse Reasonable Suspicion Determination*” form will be used to guide the supervisor and document all behaviors and observations to support suspected drug and/or alcohol use. Where possible the supervisor should have the employee observed by another member of management prior to the referral.

An employee who is asked to submit to a reasonable suspicion drug and/or alcohol test will be driven to the testing site.

Refusal to submit to testing or a positive test result will subject the employee to disciplinary action.

Testing Timeliness

Reasonable Suspicion testing should occur as soon as a determination is made. Otherwise the following guidelines should be observed.

Alcohol Testing

Ideally, reasonable suspicion alcohol testing should occur within two (2) hours of the determination. However, if the test cannot be performed within eight (8) hours of the determination, it will not be given at all.

Drug Testing

Drug testing should be performed within thirty-two (32) hours of the determination. Otherwise, it will not be given at all.

Testing

All drug and alcohol testing shall be conducted in a manner to assure a high degree of accuracy and reliability, using techniques, equipment and laboratory facilities that meet federal and state guidelines.

Consent

Prior to testing, employees and applicants will be asked to sign a “Consent and Release” form. By consent, the employee or applicant is willingly submitting to the required drug and/or alcohol test and permitting the release of the test results to the County.

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Test Panel

Drug Testing

The minimum drug screen panel will test for Cocaine, Marijuana (THC), Phencyclidine (PCP), Amphetamines, Opiates, Benzodiazepines, Barbiturates, Methadone, Propoxyphene, and Oxycodone.

A DOT screen panel will test for Cocaine, Marijuana (THC), Phencyclidine (PCP), Amphetamines, and Opiates.

In instances, where there is a reasonable suspicion that an employee is abusing a substance other than the drugs listed, the County reserves the right to test for additional drugs under the County's own authority.

Alcohol Testing

If the initial breath alcohol concentration (BAC) indicates an alcohol concentration of 0.02 or greater, a second test will be performed 15 minutes later to confirm. If the second BAC test indicates an alcohol concentration of 0.02 or greater the employee will be removed from his or her position for eight (8) hours.

Collection Process

Employees or applicants submitting to a drug and/or alcohol test will be directed to a certified collection site. Individuals will be required to present proper identification at the site. Chain of Custody protocols will be followed by the collection site and the individual.

The collection site is responsible for the submission of samples to the certified laboratory.

Medical Review Officer (MRO)

An independent MRO will review positive drug test results and evaluate the laboratory test results in conjunction with an employee's or applicant's medical history. The MRO may contact the individual prior to release of the results to the County in order to determine if the positive screen is related to prohibited drug use or current medical condition.

Positive Test Results

Drug Test

A laboratory confirmed positive drug test result will be review by an independent MRO (Medical Review Officer). The MRO will make the final determination a screen is positive.

Alcohol Test

A confirmed breath alcohol concentration (BAC) of 0.04 or greater will be considered a positive alcohol test.

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Right to Re-Test

An employee who questions a positive drug screen result may request a re-test of the original sample. Upon notification of a positive drug test result, the employee has 72 hours to make the request for retest to the Medical Review Officer (MRO). All costs for such testing are paid by the employee.

Employee Assistance and Rehabilitation

An employee with a confirmed positive drug and/or alcohol test will be removed from his or her position, informed of the rehabilitation program and referred to the Scotland County Employee Assistance Program (Substance Abuse Professional - SAP).

A referral to the Employee Assistance Program or entrance into a Rehabilitation Contract will not preclude any determined disciplinary action.

The cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider. Employees will be allowed to take accumulated sick, vacation or compensatory leave in order to participate in the prescribed rehabilitation program.

If an employee is allowed to return to work, he or she must adhere to the following conditions:

- Follow the rehabilitation program as prescribed by the SAP
- Have a confirmed negative drug and/or alcohol test prior to or at return
- Submit to random follow-up tests

Re-Entry Agreements

Employees who re-enter the workforce must consent to a Re-Entry Agreement. The agreement will include, but is not limited to, the following elements:

- A release to work statement from the SAP
- A negative drug and/or alcohol test result(s)
- Unannounced frequent follow-up testing for a period of one to five years with at least six (6) tests performed the first year.
- A statement of expected work-related behaviors
- A statement of expectation to follow specific after-care requirements
- A statement acknowledging that violation of the Re-Entry Agreement is grounds for termination

The Re-Entry Agreement is a last chance opportunity. An employee with a positive drug and/or alcohol test after such an agreement will not be afforded another Re-Entry opportunity.

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Disciplinary Action

The following are subject to disciplinary action, up to and including termination, in accordance with the Scotland County Personnel Policy. The following are representative and not meant to be an exclusive list:

- Engagement in any of the “Prohibited Conduct” activities expressed in this policy
- Failure to notify of a Criminal Drug Conviction
- Failure or refusal to fully comply with the Substance Abuse Policy
- Intentional falsification of information, test sampling or test results
- Failure to provide sample for testing upon request
- Refusal to submit to a requested test
- Positive results of a test
- Violation of a Re-Entry Agreement

Special Note

Breathe Alcohol Concentration (BAC) of 0.02 or greater, but less than 0.04, will be considered a “personal conduct infraction” and will be addressed as such under the Scotland County Personnel Policy.

References

Federal/State

N.C. General Statute 95-230, as amended
 49 CFR Part 40 (Drug and Alcohol Regulations) as amended
 Federal Drug-Free Workplace Act of 1988, as amended
 Substance Abuse and Mental Health Services Administration (SAMHSA), as amended

Scotland County

Substance Abuse Policy Appendix A, Safety Sensitive Positions (HR003-AA)
 Substance Abuse Reasonable Suspicion Determination form (HR-F001)
 Consent and Release; Drug and/or Alcohol Screening (HR-F003)



Policy Title

Substance Abuse Policy Appendix A
Safety Sensitive Positions

DRAFT

Control Number
HR003-AA

Policy Date
06/18/2015

Revision Date
new

Purpose

To identify specific positions that are subject to drug and/or alcohol testing as outlined in the Substance Abuse Policy

Safety Sensitive Positions

E-911 Center			
Telecommunicator			
EMS			
EMS-Part Time	EMT-P Crew Chief	EMT-P Shift Supervisor	EMT-Paramedics
Health Department			
LPN II	Med Lab Tech I	Med Lab Tech II	PHN I
PHN II	PHN III	PHN Supervisor I	PHN Director I
Physician Extender II	Animal Control Officer		
Sheriff's Department			
Bailiff	Captain	Chief Deputy	Deputy I
Deputy II	Deputy III	Investigator	Lieutenant
Patrol Lieutenant	Sheriff		
Transportation			
Van Driver	Mechanic		

Other Positions

This positions listed below are not considered Safety Sensitive Positions, but are subject to specific drug and/or alcohol testing requirements as outlined in the Substance Abuse Policy by directive of the Department of Transportation.

Solid Waste (CDL Holders only)		
Director of Public Works	Foreman	Heavy Equipment Operator (Truck Driver)



Substance Abuse Reasonable Suspicion Determination

This form is used to substantiate and document objective facts and observations for reasonable suspicion testing determination. In direct observation of the employee's appearance, behavior, speech, body odors, and/or performance, check **ALL** indicators that raise your suspicion that the employee may have engaged in conduct which violates in the Substance Abuse Policy.

Employee Name: _____ Title: _____

Date: _____ Time _____ Witness(es): _____

Appearance or Physical Indicators

- _____ Flushed or very pale complexion
- _____ Excessive sweating or skin clamminess
- _____ Bloodshot or watery eyes
- _____ Dilated or constricted pupils
- _____ Nystagmus (jerky eye movement)
- _____ Unfocused, blank stare
- _____ Runny/bleeding nose
- _____ Disheveled clothing
- _____ Unkempt grooming
- _____ Possible puncture marks on arms
- _____ Dry mouth, wetting lips frequently

Behavioral Indicators

- _____ Stumbling, unsteady gait
- _____ Poor coordination
- _____ Hyperactivity, fidgety, agitated
- _____ Nervous, disorderly
- _____ Irritable, moody, belligerent
- _____ Shaking, tremors, twitches
- _____ Dizziness or fainting
- _____ Nausea or vomiting
- _____ Breathing irregularly or with difficulty
- _____ Extreme fatigue or sleeping on the job
- _____ Depressed, withdrawn

Speech or Body Odors

- _____ Slurred, thick, slowed
- _____ Incoherent, nonsensical, silly
- _____ Loud, boisterous
- _____ Repetitious, rambling
- _____ Cursing, inappropriate language
- _____ Rapid, pressured
- _____ Excessive talkativeness
- _____ Exaggerated enunciation
- _____ Odor of alcohol
- _____ Distinctive pungent aroma

Performance Indicators*

- _____ Delayed or faulty decision making
- _____ Impulsive, unusual risk taking
- _____ Inability to concentrate
- _____ Lack of motivation
- _____ Impaired mental functioning
- _____ Decreased alertness
- _____ Significant increase in errors
- _____ Reduced quality/quantity of work
- _____ Inappropriate response to instructions
- _____ Excessive absences or use of sick time
- _____ Lackadaisical, apathetic attitude

*Must be combined with other indicators

Other Observations not listed above: _____

Date/Time of Test: _____ Test Refused? _____ No _____ Yes

Manager/Supervisor: _____ Date: _____
Signature



Substance Abuse Reasonable Suspicion Determination

Instructions

1. Conduct the employee interview in a private setting. Maintain the dignity and confidentiality of the employee.
2. Give the employee an opportunity to explain the reason(s) for the indicators you have observed. Expect denial. Note explanation given by the employee (if any) below.

3. Arrange to have the employee escorted to the collection site for testing without delay.
4. Federal regulations require that reasonable suspicion testing for alcohol be administered within two (2) hours following the determination to refer the employee for testing. If alcohol testing is not conducted within two hours, document the reason for the delay. If the test is not administered within eight (8) hours, cease all attempts to test and document the reason the inability to test.

5. Complete and sign this document and send the original to the Human Resources Manager.

DO NOT ATTEMPT TO DIAGNOSE ABUSE, ADDICTION, OR SPECIFIC DRUGS ASSOCIATED WITH THE EMPLOYEE'S BEHAVIOR OR APPEARANCE.



DRAFT

Consent and Release Drug and/or Alcohol Screening

The goal of Scotland County is to provide a safe, healthy work environment that is free from the adverse effects of drug and alcohol abuse. All employees and post-offer candidates are subject to the Scotland County Substance Abuse Policy.

Acknowledgment

In accordance with the County's Substance Abuse Policy, I understand that I am subject to drug and/or alcohol testing requirements.

I hereby consent to the testing request and authorize the release of the results to the County.

Employee/Candidate Name (Print)

Employee/Candidate Signature

Date

Witness

Date

Scotland County (Proposed) Fund Balance Policy

SECTION 1. Purpose

- 1.1 This policy establishes guidelines for preserving an adequate fund balance in each of Scotland County's (County) operating funds in order to sustain financial stability and to provide prudent management of the County's financial reserves.

SECTION 2. Definitions Fund Balance - General Fund

- 2.1 Fund balance is the difference between a fund's assets and liabilities.
- 2.2 An accounting distinction is made between the portions of governmental fund balance that is spendable and non-spendable. These are broken up into five categories.
 - a. **Non-spendable Fund Balance** – includes amounts that are not in a spendable form or are required to be maintained intact. *Examples include inventory and prepaid items.*
 - b. **Restricted Fund Balance** – includes amounts that can be spent only for the specific purposes stipulated by external resource providers either constitutionally or through enabling legislation. *Examples include grants and debt proceeds.*
 - c. **Committed Fund Balance** – includes amounts that can be used only for specific purposes determined by a formal action of the County's highest level of decision making authority which is the Board of Commissioners. Commitments may be changed or lifted only by the Board of Commissioners taking the same formal action that imposed the commitment originally.
 - d. **Assigned Fund Balance** – comprises amounts intended to be used by the County for specific purposes. Intent can be expressed by the Board of Commissioners by the approval of a budget appropriation. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed. This indicates that resources in other governmental funds are, at a minimum, intended to be used for the purpose of that fund. *An example includes funds assigned by the Board of Commissioners for specific capital projects.*
 - e. **Unassigned Fund Balance** – is the residual classification of the general fund and includes all amounts not contained in other classifications. The County uses the term available fund balance when referring to unassigned fund balance. Available fund balance (or unassigned fund balance) is the amount that is available for appropriation for public purposes.

SECTION 3. Fund Balance - Enterprise Fund

- 3.1 ~~2.3~~ ~~**clarify that this is not part of other fund balances:~~ Enterprise funds are used to account for utility operations. Enterprise funds are also known as proprietary funds and business-type funds.
- 3.2 Enterprise funds have a totally separate fund balance that is not to be co-mingled with the general fund fund balance.
- 3.4 Enterprise funds have separate terminology for fund balance termed as net position in financial reports. The County most commonly uses the term fund balance when referring to the enterprise funds net position.
- 3.4 The fund balance of all enterprise funds including, water and solid waste, is designated as unrestricted fund balance (or unrestricted net position).
- 3.5 Restricted fund balance has externally imposed limitations on use from creditors, grantors, laws/regulations, or constitutional provisions. Generally, enterprise funds are business-type funds that do not have those types of restrictions and therefore, the fund balance is termed as unrestricted.
- 3.6 ~~However,~~ The fund balance of each enterprise fund is used for the operating purpose of the fund. Appropriations for non-operating purposes and transfers will be clearly indicated in the annual budget and transfers will be subject to applicable statutory restrictions.

SECTION 34. Objectives

- 34.1 The County recognizes that it is essential to maintain adequate unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and similar circumstances. Fund balance also provides cash flow liquidity for the County's operations.
- 34.2 Fund balance enhances short-term and long-term financial credit by helping to achieve the highest credit and bond ratings possible.
- 34.3 Fund balance promotes long-term financial stability by establishing clear and consistent guidelines.
- 34.4 Fund balance will provide funding flexibility during unanticipated emergencies, and natural disasters and economic development opportunities.

SECTION 45. Guidelines

- 45.1 The County will maintain reserves required by law, ordinance, and/or bond covenants. The North Carolina Local Government Commission prescribes that a minimum of at least eight (8) percent of annual budgeted expenditures be maintained for unassigned fund balance. Higher levels may be set based on the current operating needs of the individual fund and future funding needs.

- 45.2 The County's goal is to have a ~~minimum-target range of unassigned~~ unassigned fund balance of at least ~~fifteen (15) percent (15%) up to a maximum of twenty-four percent (24%)~~ of annual budgeted expenditures for each operating fund. ~~**input-range. The optimal unassigned fund balance shall be 18% to 24%.~~
- 45.3 All expenditures drawn from unassigned fund balance will require Board of Commissioner approval unless previously authorized by the Board of Commissioner's for expenditure within the County's annual budget.
- 45.4 The County will maintain adequate unassigned fund balance in all operating funds and have a goal for each fund that will be reviewed at least annually and a ~~target-target~~ level set by the Finance Officer and the County Manager. The level of unassigned fund balance will be determined based on anticipated future funding needs, historical trends, growth patterns, the economy and contractual obligations, including bond covenants. ~~The target minimum level can be no less than ten (10) percent (10%) of annual budgeted expenditures for each operating fund.~~
- 45.5 If unassigned fund balance falls below annually set levels, the Finance Officer and County Manager shall implement a plan to restore unassigned fund balance within twenty-four (24) months and include within its annual budget the plan to restore fund balance to required levels.
- 45.6 The Board of Commissioners may, from time to time, appropriate unassigned fund balances that will reduce available fund balance below the ~~ten-fifteen percent (1015%)~~ goal for the purpose of a declared fiscal emergency or other such global purpose as to protect the long-term fiscal security of the County. In such circumstances, the Board of Commissioners will adopt a plan to restore the available unassigned fund balance to the policy level within twenty-four (24) months from the date of the appropriation. If restoration cannot be accomplished within such a time period without severe hardship to the County, then the Board of Commissioners will establish a different appropriate time period.
- 45.7 In the event that funds are available over and beyond the targeted amount, those funds may be transferred to the capital reserve fund and/or the economic development funds at the discretion of the Board of Commissioners.

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SCOTLAND COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

ITEM NO. 3

 Information

 Action Item

 X Consent Agenda

Meeting Date January 4, 2016

SUBJECT: Consent Agenda

- a) Approve minutes of the December 7, 2015, regular meeting.
- b) Approve Records Retention and Disposition Schedule for the Sheriff's Office.
- c) Approve DSS request to reclassify a Social Worker II position to Social Worker III.
- d) Approve request by Health Department to add Sickle Cell testing to Maternal and Child Health Programs.
- e) Budget amendments
 - a) Health: Approve receipt of funds in the amount of \$20,000 for Child Health and Maternal Health Enhancement Programs, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars.

DEPARTMENT: Administration/Multiple

RECOMMENDATIONS: Receive recommendations and consider action

*Scotland County Board of Commissioners regular meeting
December 7, 2015, 322 South Main Street, Laurinburg, NC*

**Scotland County Board of Commissioners
December 7, 2015, A.B. Gibson Center, 322 South Main Street, Laurinburg, NC**

Commissioners in attendance: Commissioners John Alford, Bob Davis, Betty Blue Gholston, Whit Gibson, Carol McCall, Guy McCook and Clarence McPhatter. Staff in attendance: County Manager Kevin Patterson, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman.

At 7 p.m. County Attorney Johnston called the meeting to order. Commissioner Gibson delivered the invocation. The Pledge of Allegiance was recited. Mr. Johnston explained that this is the time when the Board reorganizes each December by statute. Mr. Johnston asked for nominations for the office of Chairman of the Scotland County Board of Commissioners for the year 2016.

Commissioner Alford nominated Commissioner McCall. There were no other nominations. Commissioner Alford moved and Commissioner Gibson seconded to close nominations and elect Commissioner McCall Chair by acclamation. Commissioner McPhatter voted against the motion.

Commissioner Gibson nominated Commissioner Alford as Vice Chair.

Commissioner Alford thanked Commissioner Gibson but declined the nomination.

Commissioner Davis nominated Commissioner Gibson as Vice Chair. There were no other nominations. Commissioner Gholston moved and Commissioner Alford seconded to close nominations and elect Commissioner Gibson Vice Chair by acclamation.

Motion was made by Vice Chair Gibson and duly seconded by Commissioner Alford to approve the December 7, 2015 agenda as presented. Vote: Motion unanimously approved.

Public Forum

Mr. Lee Gaunt said Boy Scouts Troop 420 was attending the meeting to work toward their communications merit badge and ultimately obtain their Eagle. This is one of the last requirements where the Scouts report back on what they observed in County government. Each Scout introduced themselves and their rank.

Commissioner Davis congratulated 11 and 12 year olds for winning the State championship Saturday.

Mr. Monroe and **Mr. McLeod**, who live in the Spring Hill/Marston area, asked the Commissioners for assistance in acquiring high speed internet in their community. Mr. Monroe said there are homes less than one quarter mile from his home that receive internet. Mr. Monroe said he has a petition with about 100 signatures requesting some help. Commissioner Gholston said she and Mr. Patterson have been working on the issue, and she will keep trying to get information.

Department of Transportation report on US 15-501 and US 144

NCDOT District Maintenance Engineer Chuck Dumas gave an accident analysis on the 15-501 and NC 144 intersection known as five points. Mr. Dumas said from May 1, 2010 to April 30, 2015 there were 63 accidents with one fatality. Mr. Dumas said since the installation in August 2015 of the all-way stop as a

***Scotland County Board of Commissioners regular meeting
December 7, 2015, 322 South Main Street, Laurinburg, NC***

short-term measure, there have been three crashes at relatively slow speed and minor injuries. Mr. Dumas said the severity of the accidents have been greatly reduced.

Mr. Dumas recommended leaving the all-way stop through fall 2016 so the DOT could evaluate how it does. Mr. Dumas said a roundabout at \$1.1 million would be the intermediate solution. If there is a roundabout, the DOT could get it into construction in July 2017 with four months to build it.

Commissioner McCook asked the DOT to place rumble strips farther back because people travel fast through the area.

Mr. Dumas showed a concept of the roundabout, which would be placed on the northeast quadrant at the intersection.

On another DOT matter, Commissioner Davis said he is grateful the DOT would not turn Morgan Street and St. John's Road into a right turn only intersection, but he is concerned about the right turn only planned at Spring Mill and Ida Mill roads because of visual limitations. Commissioner Davis said he also is concerned about people who live in subdivisions who would have to go back almost to 144 to get anywhere or cross eight lanes to get to the Post Office. Mr. Dumas said he would look into the concerns.

Report from Scotland County Schools

Schools CFO Jay Toland provided a financial recap from last fiscal year and where the schools currently are in fund balance, capital outlay, capital outlay reconciliation for 14/15, revenue from all sources in 14/15, expenditures by purpose in 14/15, fines and forfeitures, budget by purpose in 15/16, capital outlay in 15/16, personnel summary and budget challenges.

ABC Store improvements

ABC Chair Dee Hammond discussed how the \$120,000 was used to replace the roof and remodel the store in fiscal years 14/15 and 15/16. Total project cost was \$121,479.85. Ms. Hammond said the store, which includes Scotland County décor, will be finished by March when it is landscaped.

Tax: Requests for exclusions/exemptions

Tax Administrator Mary Helen Norton discussed two late application requests, one for a permanent exemption and one for an exclusion. Ms. Norton said the late application policy approved by the Board on January 6, 2014, and included in the agenda was created for the purpose of being consistent. Ms. Norton asked for guidance on the two requests. Ms. Norton said both applications could be submitted for next year.

Commissioner McCook said while it's unfortunate the applications are late the Board might not want to get in the habit of granting special treatment for late applications.

Motion was made by Commissioner McCook and duly seconded by Vice Chair Gibson to decline the two applications and use the applications for the coming year. Vote: Motion unanimously approved.

Consent Agenda:

- a) Approve minutes of the Board of Commissioners November 2, 2015 regular meeting.
- b) Approve fidelity bonds for various County officials and employees as per G.S. 58-72-10.
- c) Approve release of funds in the amount of \$80.10, release of funds in the amount of

*Scotland County Board of Commissioners regular meeting
December 7, 2015, 322 South Main Street, Laurinburg, NC*

\$133,452.75, refunds in the amount of \$30 and discoveries in the amount of \$1,185,115.60 (incorporated by reference).

d) Approve disposal of assorted office furniture and Parks and Recreation equipment currently housed in Gibson Gym.

e) Approve DSS Pre-Placement Assessment/Reports to the Court Policy and Fee Schedule.

f) Approve DSS Request for Information and/or Documentation Policy and Fee Schedule.

g) Budget Amendments:

1) E-911 Center: Approve receipt of NC 911 Board funds in the amount of \$107,030, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars.

2) Parks and Recreation: Approve receipt of grant from Lumber River Council of Governments, Area Agency on Aging, in the amount of \$6,300 for material purchases for ramp construction, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars.

3) DSS: Approve receipt of funds in the amount of \$13,149 for LIEAP (energy assistance), and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars.

Motion was made by Commissioner Gholston and duly seconded by Vice Chair Gibson to approve the Consent Agenda. Vote: Motion unanimously approved.

Capital and Facilities Committee report

Commissioner Davis said the Capital and Facilities Committee recommended that the County Manager contract services of an engineering firm to report on the actual cost of renovating the Morgan Center.

County Manager Patterson discussed some expenditures required for the renovation. He estimated a cost of \$1.2 million not including architectural fees or furniture and technology. Mr. Patterson discussed what offices would move to Covington Street and what offices would move to the Morgan Center.

Motion was made by Commissioner Gholston and duly seconded by Commissioner Alford to approve \$25,000 in architectural fees for the Morgan Center. Vote: Motion unanimously approved.

Policy Committee report

Chair McCall said the Policy Committee reviewed the Substance Abuse Policy, and County Attorney Johnston would review it before it returns to the full Board for discussion.

Chair McCall said the Vehicle Use Policy has an added paragraph where the County Manager and Department Head would determine assignment of a vehicle based on make, model and cost.

Motion was made by Vice Chair Gibson and duly seconded by Commissioner Alford to approve the Vehicle Use Policy as presented. Vote: Motion unanimously approved.

Chair McCall said the draft Fund Balance Policy is presented to the Commissioners for review and discussion, questions and possible approval at the January meeting or mid-year retreat.

Appointments to Boards and Committees

*Scotland County Board of Commissioners regular meeting
December 7, 2015, 322 South Main Street, Laurinburg, NC*

Motion was made by Commissioner Gholston and duly seconded by Commissioner McPhatter to appoint Ms. Doretha Swann to a three-year term on the ABC Board.

Discussion: Commissioner Davis suggested Mr. Wilson McCall should be reappointed to the ABC Board since the ABC Store is still going through its remodeling project.

Vote: Votes For: Chair McCall and Commissioners Alford, Gholston, McCook and McPhatter.
Vote: Against: Commissioners Davis and Gibson. Motion approved.

Motion was made by Vice Chair Gibson and duly seconded by Commissioner Alford to reappoint Ms. Dee Hammond as ABC Board Chair for 2016. Vote: Motion unanimously approved.

Motion was made by Chair McCall and duly seconded by Vice Chair Gibson to reappoint Dr. Magid Labib to a three-year term on the Board of Health as the veterinarian representative. Vote: Motion unanimously approved.

Motion was made by Chair McCall and duly seconded by Commissioner Davis to appoint Ms. Tiffany Graves to a three-year term on the Board of Health as the nurse representative. Vote: Motion unanimously approved.

Motion was made by Chair McCall and duly seconded by Vice Chair Gibson to reappoint Mr. William Matthews and appoint Ms. La'Tanta McCrimmon to three-year terms on the Board of Health as public members.

After clarification was made that only one seat was currently available on the Board of Health for a public member. The motion and second to the motion were withdrawn.

Motion was made by Chair McCall and duly seconded by Vice Chair Gibson to reappoint Mr. William Matthews to a three-year term on the Board of Health as a public member. Vote: Motion unanimously approved.

Update from the County Manager

Mr. Patterson said he has had conversations with internet providers about expanding services and none have current plans to do so until they can turn a profit on expansion. Mr. Patterson said there is a demarcation line where people can get cable but not DSL bundled with it. Commissioner McCook asked the County Manager to check with Electronic Service in Hamlet or a satellite service and report back.

Mr. Patterson said The Nature Conservancy is purchasing 195 additional acres. It has a total ownership of 1,003 acres and sold 3,800 to the State.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gibson to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:45 p.m.

Ann W. Kurtzman
Clerk to the Board

Carol McCall
Chair

County Sheriff's Office Records Retention and Disposition Schedule

The records retention and disposition schedule and retention periods governing the records series listed herein are hereby approved. In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement. The local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed. However, records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule. **Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.**

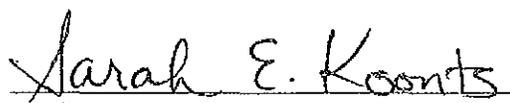
This local government agency and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when "reference value ends." The local government agency hereby agrees that it will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction "destroy when reference value ends." If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction "destroy when reference value ends."

The local government agency and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. The agency agrees to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

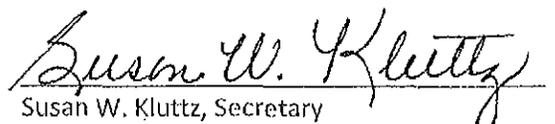
County Sheriff



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Chairman, Bd. County Commissioners



Susan W. Kluttz, Secretary
Department of Natural and Cultural Resources

County: _____

SCOTLAND COUNTY DEPARTMENT OF SOCIAL SERVICES
P.O. Box 1647 • Government Complex • 1405 West Boulevard
Laurinburg, North Carolina 28353-1647

April Snead, MPM
Director

Telephone: (910) 277-2500
Fax: (910) 277-2402

Request for Position Reclassification

12/29/15

The Adult Services Unit is in the process of redistributing the workload, specifically program areas, among the three social work staff within the unit. At this time the unit has two Social Work III positions and one Social Work II position. Due to the caseload sizes of the two Social Work III positions it is necessary to transfer assignment of all Adult Protective Services investigations to the remaining position in the unit. This, however, requires the position to be a Social Worker III. I have outlined the additional cost for reclassifying the position from a Social Worker II to a Social Worker III. The salary for this position is partially reimbursed through the Social Services Block Grant and Medicaid Administration Claiming.

Current Position Title	Current Salary	Requested Position Title	Requested Salary	Annual County Cost After Reimbursement	Annual Difference from Current County Cost
Social Worker II	\$37,032	Social Worker III	\$40,512	\$20,256	\$1740

Sincerely,

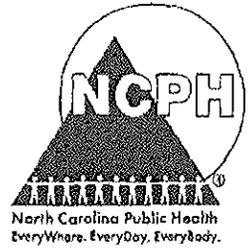
April Snead, MPM
Director



SCOTLAND COUNTY HEALTH DEPARTMENT

1405 West Boulevard • Post Office Box 69
Laurinburg, North Carolina 28353-0069
Phone (910) 277-2440 Fax (910) 277-2450

Wayne Raynor, MPH
Health Director



December 16, 2015

To: Kevin Patterson
County Manager

From: Wayne Raynor, MPH
Health Director

*WRP
3/2*

Subject: Budget Request

On December 15, 2015 the Board of Health approved the following:

- A. Request to add Sickle Cell testing to Maternal and Child Health Programs
- B. Request approval of the receipt of \$20,000.00 for Child Health and Maternal Health Enhancement Programs

Thank you for your consideration.

AWR/bcm

CC: Ann Kurtzman, Clerk to the Board
Beth Hobbs, Business Officer
Tim Martin, Fiscal Management, Health Department

SCOTLAND COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

ITEM NO. 4

 Information

 X Action Item

 Consent Agenda

Meeting Date January 4, 2016

SUBJECT: Appointments to Boards and Committees

DEPARTMENT: Governing body

PUBLIC HEARING: No

CONTACT PERSON: Vice Chair Whit Gibson

PURPOSE: Fill vacancies on various boards and committees as necessary.

ATTACHMENTS: Monthly update
Health Board application
G.S. regarding Health Board appointments

BACKGROUND: N/A

PRIOR BOARD ACTION: N/A

RECOMMENDATIONS: Make appointments as necessary



County of Scotland

507 West Covington Street
Laurinburg, North Carolina 28352
Telephone: (910) 277-2406
Fax: (910) 277-2411
www.scotlandcounty.org



Kevin Patterson
County Manager

Ann W. Kurtzman
Clerk to the Board

Board of Commissioners
Carol McCall, Chair
Whit Gibson, Vice Chair
John T. Alford
Bob Davis
Betty Blue Gholston
Guy McCook
Clarence McPhatter II

TO: SCOTLAND COUNTY BOARD OF COMMISSIONERS
FROM: ANN W. KURTZMAN *AWK*
DATE: December 29, 2015
SUBJECT: VACANCIES ON BOARDS AND COMMITTEES

SCOTLAND COUNTY BOARD OF HEALTH

There is an available seat for an unexpired term for a physician representative. If there is not yet an interested physician-representative, State Statute permits the Commissioners to appoint a member of the public until a physician becomes available. An application has been received from Ms. La'Tanta McCrimmon, a public member.

Below is a list of Boards and Committees where vacancies currently are or will become available through April 2016.

AGING ADVISORY COUNCIL

One seat is available.

BOARD OF EQUALIZATION AND REVIEW

Ms. Elizabeth Cooley and Ms. Dee Hammond will complete their first terms in March 2016.

HISTORIC PROPERTIES COMMISSION

One vacancy for an unexpired term is available.

LAURINBURG/SCOTLAND COUNTY PLANNING & ZONING BOARD

One seat is available. Appointee must live in the ETJ.

LAURINBURG/SCOTLAND COUNTY ZONING BOARD OF ADJUSTMENT

Two seats will be available in May 2015. Appointees must live in the ETJ.

LRCOG SCOTLAND COUNTY ADULT CARE HOME COMMUNITY ADVISORY COMMITTEE

Two seats available.

LRCOG SCOTLAND COUNTY NURSING HOME COMMUNITY ADVISORY COMMITTEE

Five seats are available.

MAXTON/SCOTLAND COUNTY BOARD OF ADJUSTMENT AND APPEALS

One seat is open. Appointee must reside in the Maxton extraterritorial jurisdiction.

PARKS AND RECREATION ADVISORY BOARD

One seat becomes available in March 2016.

SCOTLAND COUNTY BOARD OF HEALTH

There will be an available seat for an unexpired term for a physician representative.

SCOTLAND COUNTY ZONING BOARD OF ADJUSTMENT

One seat and one alternate seat is available. Five more seats will become available in October.

SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION

There is one vacancy for a private sector representative and one vacancy for an elected official who is a minority.

WAGRAM/SCOTLAND COUNTY ZONING BOARD OF ADJUSTMENT

Two seats are available. The appointee must reside in the extraterritorial jurisdiction of Wagram.

NOTE: The above Board and Committee vacancies are advertised on the Scotland County website and the application form also is available on the webs

Ann Kurtzman

From: notifications@scotlandcounty.org
Sent: Monday, September 14, 2015 9:13 PM
To: Akurtzman@scotlandcounty.org
Subject: Form Submission Received: Online Application Form

From Url: <http://www.scotlandcounty.org/online-application-form.aspx>
From IP Address: 98.74.183.188

Name:
La'Tanta McCrimmon

Mailing Address:
12776 Pea Bridge Rd Laurinburg, NC 28352

Physical Address (if different from mailing address):

Daytime Phone:
919.332.8599

Evening Phone:
910.276.8721

Email:
latanta@gmail.com

I wish to be considered for appointment to the following Board(s)/Commission(s):
Scotland County Board of Health/

List any experience/qualifications you have relevant to the above Board/Commission:
Served as formal Congressman Bob Etheridge lead staffer on health care reform, successfully negotiated with House Tri-Committee staff to include language pertaining to skilled nursing facilities in H.R. 3962 manager's amendment. I also initiated, authored and ushered through Congress H.Con.Res. 158 Early Detection of Breast Cancer in order to increase awareness of early cancer screening.

List current service on other Board(s)/Commission(s):

List past service on other Board(s)/Commission(s):

A form has been submitted, click the link below to view the submission:
<http://www.scotlandcounty.org/FormWizard/ViewSubmission.aspx?mid=170&pageid=146&rid=e81ea102-eba3-4395-a01b-51e9e3bd6569>

§ 130A-35. County board of health; appointment; terms.

(a) A county board of health shall be the policy-making, rule-making and adjudicatory body for a county health department.

(b) The members of a county board of health shall be appointed by the county board of commissioners. The board shall be composed of 11 members. The composition of the board shall reasonably reflect the population makeup of the county and shall include: one physician licensed to practice medicine in this State, one licensed dentist, one licensed optometrist, one licensed veterinarian, one registered nurse, one licensed pharmacist, one county commissioner, one professional engineer, and three representatives of the general public. Except as otherwise provided in this section, all members shall be residents of the county. If there is not a licensed physician, a licensed dentist, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer available for appointment, an additional representative of the general public shall be appointed. If however, one of the designated professions has only one person residing in the county, the county commissioners shall have the option of appointing that person or a member of the general public. In the event a licensed optometrist who is a resident of the county is not available for appointment, then the county commissioners shall have the option of appointing either a licensed optometrist who is a resident of another county or a member of the general public.

(c) Except as provided in this subsection, members of a county board of health shall serve three-year terms. No member may serve more than three consecutive three-year terms unless the member is the only person residing in the county who represents one of the professions designated in subsection (b) of this section. The county commissioner member shall serve only as long as the member is a county commissioner. When a representative of the general public is appointed due to the unavailability of a licensed physician, a licensed dentist, a resident licensed optometrist or a nonresident licensed optometrist as authorized by subsection (b) of this section, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer, that member shall serve only until a licensed physician, a licensed dentist, a licensed resident or nonresident optometrist, a licensed veterinarian, a registered nurse, a licensed pharmacist, or a professional engineer becomes available for appointment. In order to establish a uniform staggered term structure for the board, a member may be appointed for less than a three-year term.

(d) Vacancies shall be filled for any unexpired portion of a term.

(e) A chairperson shall be elected annually by a county board of health. The local health director shall serve as secretary to the board.

(f) A majority of the members shall constitute a quorum.

(g) A member may be removed from office by the county board of commissioners for:

- (1) Commission of a felony or other crime involving moral turpitude;
- (2) Violation of a State law governing conflict of interest;
- (3) Violation of a written policy adopted by the county board of commissioners;
- (4) Habitual failure to attend meetings;
- (5) Conduct that tends to bring the office into disrepute; or
- (6) Failure to maintain qualifications for appointment required under subsection (b) of this section.

A board member may be removed only after the member has been given written notice of the basis for removal and has had the opportunity to respond.

(h) A member may receive a per diem in an amount established by the county board of commissioners. Reimbursement for subsistence and travel shall be in accordance with a policy set by the county board of commissioners.

(i) The board shall meet at least quarterly. The chairperson or three of the members may call a special meeting. (1901, c. 245, s. 3; Rev., s. 4444; 1911, c. 62, s. 9; C.S., s. 7604; 1931, c. 149; 1941, c. 185; 1945, c. 99; c. 1030, s. 2; 1947, c. 474, s. 3; 1951, c. 92; 1957, c. 1357, s. 1; 1963, c. 359; 1967, c. 1224, s. 1; 1969, c. 719, s. 1; 1971, c. 175, s. 1; c. 940, s. 1; 1973, c. 137, s. 1; c. 1151; 1975, c. 272; 1979, c. 621; 1981, c. 104; 1983, c. 891, s. 2; 1985, c. 418, s. 1; 1987, c. 84, s. 1; 1989, c. 764, s. 2; 1995, c. 264, s. 1; 2009-447, s. 1.)

SCOTLAND COUNTY BOARD OF COMMISSIONERS

ITEM ABSTRACT

ITEM NO. 5

Information

Action Item

Consent Agenda

Meeting Date January 4, 2016

SUBJECT: Update from the County Manager

DEPARTMENT: Governing body

PUBLIC HEARING: No

CONTACT PERSON: County Manager Kevin Patterson

PURPOSE: Provide monthly update on County business and activities.

ATTACHMENTS: Monthly report
NACo registration information

BACKGROUND: N/A

PRIOR BOARD ACTION: N/A

RECOMMENDATIONS: Take action as necessary



Kevin Patterson
County Manager

Ann W. Kurtzman
Clerk to the Board

County of Scotland

507 West Covington Street
Laurinburg, North Carolina 28352
Telephone: [910] 277-2406
Fax: [910] 277-2411
www.scotlandcounty.org



Board of Commissioners
Carol McCall, Chair
Whit Gibson, Vice Chair
John T. Alford
Bob Davis
Betty Blue Gholston
Guy McCook
Clarence McPhatter II

December 30, 2015

To: Board of County Commissioners

From: Kevin Patterson

Re: Monthly Report

NACO Legislative Conference – The conference this year is Saturday, February 20 through Wednesday, February 24 in Washington DC. The main conference sessions are on Monday 22nd and Tuesday 23rd. This is the first time in a number of years that this meeting did not conflict with the March regular Commissioner meeting.

Information only

Annual Retreat – The Board generally has its retreat in February. I am requesting a date for the retreat and to see if there are specific topics the Board would like discussed. This will be the budget kickoff also. We will hold this meeting in the EOC as a primary location and SBIC as secondary. If you would like we can invite Patrick Carey with the Rural Utility Services Telecommunication Program to speak about funding available for extension of Internet Service into rural areas at the retreat.

Request date for annual retreat. Recommend February 10th or 17th.

State of the Community Event – will be held on February 12th at Laurinburg Presbyterian Church. I am currently looking for topics to discuss at this event.

Information only.



registration form

2016 NACo LEGISLATIVE CONFERENCE
FEBRUARY 20-24
WASHINGTON, D.C.

Please type or print clearly all applicable information requested below. Information following asterisks (*) will appear on your Conference badge. Please make a copy for your records. If you require hotel accommodations, complete the Hotel Reservation Form.

*LAST NAME		*FIRST NAME		*TITLE	
*NICKNAME		*COUNTY/ORGANIZATION			
ADDRESS				*CITY	
*STATE	ZIP CODE	TELEPHONE	CELL PHONE	FAX	EMAIL

OPT OUT. PLEASE CHECK HERE IF YOU DO NOT WANT YOUR INFORMATION SHARED

FAMILY/GUEST INFORMATION (IF APPLICABLE)

Spouse/Guest and Youth registration fees include admission to all General Sessions, Monday's Luncheon, and the President's Reception.

**if you are a county or corporate employee you may not register as a guest*

SPOUSE/GUEST*

YOUTH(S)

FULL NAME

FULL NAME

NEW TO NACo? (Check any of the statements below that apply to you)

- MY COUNTY IS A NEW NACo MEMBER**
- THIS IS MY FIRST NACo CONFERENCE**
- I AM A MEMBER OF THE**

AFFILIATE

REGISTRATION FEES (CHECK BOX THAT APPLIES)

**** SPECIAL OFFER:** If you register ON-LINE for the 2016 Legislative Conference your registration fee is \$25 less than the fax or mail-in price. Go to the NACo web site to register: www.naco.org

	EARLY BIRD (FAX/MAIL) BY 1/8	ADVANCE (FAX/ MAIL) 1/9-2/19	ON SITE IN WASHINGTON, D.C.
NACo Board of Directors	<input type="checkbox"/> \$515	<input type="checkbox"/> \$540	<input type="checkbox"/> \$650
NACo County Member	<input type="checkbox"/> \$515	<input type="checkbox"/> \$540	<input type="checkbox"/> \$650
State Association of Counties Staff	<input type="checkbox"/> \$515	<input type="checkbox"/> \$540	<input type="checkbox"/> \$650
NACo Corporate Member	<input type="checkbox"/> \$515	<input type="checkbox"/> \$540	<input type="checkbox"/> \$650
County Non-Member	<input type="checkbox"/> \$740	<input type="checkbox"/> \$765	<input type="checkbox"/> \$850
Corporate Non-Member	<input type="checkbox"/> \$790	<input type="checkbox"/> \$840	<input type="checkbox"/> \$1,010
Government (Federal or State employees only)	<input type="checkbox"/> \$565	<input type="checkbox"/> \$615	<input type="checkbox"/> \$745
Spouse/Guest	<input type="checkbox"/> \$150	<input type="checkbox"/> \$170	<input type="checkbox"/> \$180
Full Time Student	<input type="checkbox"/> \$150	<input type="checkbox"/> \$150	<input type="checkbox"/> \$150
Youth	<input type="checkbox"/> \$150	<input type="checkbox"/> \$170	<input type="checkbox"/> \$180
Working Press (Editorial Staff ONLY)	<input type="checkbox"/> Complimentary		

CONFERENCE TOTE BAG

NACo will only provide bags to attendees who select to receive one. Please indicate if you would like to receive a conference bag and one will be ordered for you.

- YES** **NO** **SPOUSE/GUEST**

NACo 2016 LEGISLATIVE CONFERENCE

Additional Session Requiring Advance Sign Up

Technology Summit:

(included in your registration fee) Saturday, February 20
8:30 a.m. – 5:00 p.m.

- YES, I WOULD LIKE TO ATTEND THIS SESSION**

Total Amt. Due: _____

Payment Method: (select one)

- AMERICAN EXPRESS VISA MASTERCARD
 DISCOVER CHECK P.O. BOX

Card Number: _____

Cardholder's Name: _____

Exp. Date: _____ Sig: _____

Your signature authorizes NACo to charge your credit card for the total amount due.

Please return your completed registration form to:

NACo
PO Box 79007
Baltimore, MD 21279-0007

Or fax your completed forms to: 866.741.5129
On-Line registration available at: www.naco.org
Questions? Please call: 202.942.4292
or email: nacomeetings@naco.org

DIETARY RESTRICTIONS

Please let us know if you have any of the following dietary needs: (check each that apply)

- GLUTEN FREE** **VEGAN** **LOW SODIUM** **VEGETARIAN (LACTO-OVO)**

LIST ANY ALLERGIES:

SPECIAL SERVICES (CHECK IF APPLICABLE)

- I WILL REQUIRE SPECIAL ASSISTANCE**

Please let us know your requirements by emailing us at nacomeetings@naco.org

Payment Policy: Conference registration fee must accompany this form. Send check or company purchase order, made payable to the National Association of Counties, to the Conference Registration Center at the address listed below. A purchase order will only HOLD a registration. All fees must be paid in full in order to obtain your badge and registration materials at the conference.

Cancellation Policy: Refund of conference registration fee, less an administrative fee of \$75 will be made if a written notice of conference registration cancellation is postmarked no later than January 22, 2016. Cancellation requests postmarked January 23, 2016 - February 12, 2016 will be subject to an administrative fee equal to one-half of the registration fee (this applies to all registration types including guest and spouse fees) **NO REFUND REQUESTS WILL BE HONORED** for registrations canceled after

February 12, 2016 or for "no-shows". Sorry, no telephone cancellations will be accepted. Cancellations must be requested in writing. You may fax your written cancellation request to 866.741.5129 or email nacomeetings@naco.org

Note: if you cancel your registration prior to January 30, 2016 any hotel reservation associated with your registration will also be canceled. However, if you cancel after January 30, 2016, you will need to call the hotel directly to cancel your reservation.

**2016 NACo LEGISLATIVE
CONFERENCE**

FEBRUARY 20-24
WASHINGTON, D.C.

hotel reservations



You must register for the Conference in order to request a room reservation. Please return your hotel reservation preference with your conference registration.

LAST NAME		FIRST NAME		TITLE	
COUNTY/ORGANIZATION		ADDRESS			
CITY	STATE	ZIP CODE	TELEPHONE	EMAIL	
		/ / 2016		/ / 2016	
FAX	ARRIVAL DATE			DEPARTURE DATE	

HOSPITALITY SUITES:

If you desire to reserve a hospitality suite, please contact the official NACo Housing Bureau, ConferenceDirect, directly for availability and pricing. Call 888.751.5182 or email naco@conferencedirect.com.

SPECIAL SERVICES (CHECK IF APPLICABLE)

I WILL REQUIRE SPECIAL ASSISTANCE

 Please let us know your requirements by emailing us at nacomeetings@naco.org

Please number your preferences in order starting with "1" for your first choice.
If your first choice is unavailable, a reservation will be made at the second choice hotel unless space is not available at which time you will be notified immediately.

Each reservation requires a one-night deposit at the time of booking in order to secure/guarantee reservations.
Please note: A one-night deposit may be charged to your credit card by the hotel at the time the reservation is made.

PLEASE INDICATE YOUR ORDER OF PREFERENCE:

RANK	HOTEL	SINGLE	DOUBLE
_____	MARRIOTT WARDMAN PARK	\$ 251	\$ 251
_____	CONCIERGE LEVEL	\$ 286	\$ 286
_____	OMNI SHOREHAM HOTEL	\$ 250	\$ 250

PLEASE CHECK ONE OF THE FOLLOWING: SINGLE (one person) DOUBLE (two people)

***NOTE:** Your preference will be honored based on availability. There are no guarantees. If you are requesting a double room, please let us know your roommate's name:

FIRST: _____ LAST: _____ **Hotel Rates do not include taxes currently at 14.5%.**

HOTEL AVAILABILITY:

The above room rates are guaranteed until January 14, 2016, as long as there are rooms remaining in the NACo room block. After January 14, 2016, hotel room or rate availability cannot be guaranteed. Please submit your hotel reservation request as soon as possible.

Please return your completed registration form to:

NACo Conference Registration Center
PO Box 79007
Baltimore, MD 21279-0007

Or fax your completed forms to: 866 741 5129
On-Line registration available at: www.naco.org
Questions? Please call: 202 942 4292 or
email: nacomeetings@naco.org

HOTEL DEPOSIT & PAYMENT BY CHECK:

Within one week of receipt of this form, the NACo Housing Center will send you an email acknowledging your room request. A one night's room deposit is required to guarantee your room, so please provide a credit number below. A check can be provided upon check-in and the card will be refunded, if charged. If you register on-line you can print your acknowledgement immediately.)

If you are submitting a check to cover your deposit or payment of your stay, **your check must be mailed directly to the hotel on or after January 29, 2016. DO NOT mail your hotel deposit check to the registration center or to NACo's office.**

In late February you will receive a confirmation number from your assigned hotel. Please bring your confirmation to the hotel for prompt check-in.

OFFICIAL USE ONLY

REGISTERED: _____ SUB-BLOCK: _____

CREDIT CARD AUTHORIZATION

VISA MASTERCARD AMERICAN EXPRESS

Card Number: _____ Exp. Date: _____

Cardholder's Name: _____

The NACo Housing Center is authorized to use the above card to guarantee my hotel reservation. I understand that one night's room charge will be billed through this card if I fail to arrive for my assigned housing on the confirmed date, or if I depart earlier than I have confirmed. Deposits will be credited or refunded for cancellations if the hotel receives notice at least 72 hours prior to the arrival date and a cancellation number is obtained. I also understand that one night's room charge may be billed immediately to hold my reservation.

Signature _____



**A RESOLUTION
CONDEMNING THE ACTION
OF THE NORTH CAROLINA MARINE FISHERIES COMMISSION
TO USE THE SUPPLEMENT PROCESS TO RESTRICT SOUTHERN FLOUNDER**

WHEREAS, during their November 2015 meeting at Jennette's Pier, the North Carolina Marine Fisheries Commission (NCMFC) approved using a controversial "Supplement Process" to close down most of the state's fishing for southern flounder; and

WHEREAS, the established procedure for responsible fisheries governance is through the use of a Fisheries Management Plan (FMP), which is designed to incorporate peer reviewed science, stakeholder input, and other pertinent facts to establish fisheries policies in a deliberate, open, and transparent way; and

WHEREAS, instead of relying on a thoroughly vetted Amendment Process to the southern flounder Fisheries Management Plan, the NCMFC chose instead to invoke the use of the Supplement Process in spite of the fact that there is no scientific evidence to support such a drastic measure that will have draconian consequences; and

WHEREAS, when the NCMFC adopted the Supplement Process they violated and misused the statutory authority granted them in NCGS 113-182.1 which requires that the NCMFC provide a position on the supplement based on science from the Division of Marine Fisheries or from independent experts; and

WHEREAS, the North Carolina Marine Fisheries Commission also chose to ignore the will of the people as expressed in resolutions it received prior to their November meeting from the Counties of Bertie, Camden, Carteret, Currituck, Dare, Hyde, Pasquotank, and Tyrrell opposing the use of the Supplement Process to restrict southern flounder; and

WHEREAS, the arbitrary and capricious action taken by NCMFC at its November 2015 meeting threatens to harm North Carolina's commercial fishermen by depriving them of a traditional source of income that is fundamental to sustaining local economies throughout North Carolina's coastal communities without cause; and

WHEREAS, the Dare County Board of Commissioners stands ready to vigorously support our Working Watermen in their efforts to prevent the implementation of the Supplement Process and asks all coastal communities to join in this endeavor; and

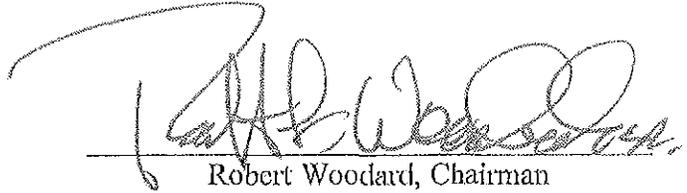
WHEREAS, the Dare County Board of Commissioners calls on the North Carolina Marine Fisheries Commission to determine if any changes are in fact needed for the southern flounder Fisheries Management Plan through the established Amendment Process whereby scientific and accurate stock assessment can properly be determined with the benefit of peer review and public input from all stakeholders including elected officials of coastal communities and commercial fishermen.

NOW, THEREFORE, BE IT RESOLVED, that the Dare County Board of Commissioners strongly urges the North Carolina Marine Fisheries Commission to immediately suspend the use of the Supplement Process for southern flounder and undertake a deliberate, thoughtful, and methodical review of the Fisheries Management Plan to determine what, if any, changes are needed based on peer reviewed science and stakeholder input.

BE IT FURTHER RESOLVED, that the Dare County Board of Commissioners calls on all coastal communities to adopt similar resolutions supporting North Carolina's working watermen who vitally depend on the southern flounder fishery to provide jobs, generate incomes, provide a freshly caught public trust resource to the tables of North Carolina families, and bolster the economy of North Carolina.

This the 7th day of December, 2015




Robert Woodard, Chairman

Attest: 
Gary Gross, Clerk to the Board