

*Scotland County Board of Commissioners regular meeting
7 p.m., February 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

MINUTES

Scotland County Board of Commissioners Regular Meeting, February 7, 2005 Scotland County Complex, 1405 West Boulevard, Laurinburg, NC

Prior to the regular meeting the Board of Commissioners attended a dinner and 2004 annual report hosted by DSS. The event began at 5:30 p.m. at Scotland Place on Turnpike Road. Commissioners Leon Butler, Charles "Scoofer" Jordan and Joyce McDow attended.

At 7 p.m., Chairman J.D. Willis called the regular meeting to order. Commissioners in attendance: Chairman Willis, Vice Chair Betty Blue Gholston and Commissioners John Alford, Leon Butler, Charles "Scoofer" Jordan, Joyce McDow and Clarence McPhatter. Staff in attendance: Finance Officer/Assistant County Manager Kevin Patterson, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Commissioner McPhatter delivered the opening prayer. The Pledge of Allegiance was recited.

Chairman Willis asked if anyone wished to speak at Public Forum. No one came forward, and Public Forum was closed.

Item 1. Closed Session

Motion was made by Commissioner McDow and duly seconded by Commissioner McPhatter to go into Closed Session held in accordance with N.C. General Statute §143-318.11(a)(4) to discuss matters relating to the location or expansion of business in the area served by this body. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Chairman Willis recognized Mr. Lou Johnson, African American Heritage Committee Vice President. Mr. Johnson wished to speak but was late for Public Forum. He said Mr. Otis James had been on the Public Forum agenda to speak, but he was not feeling well. Mr. James asked Mr. Johnson to come before the Commissioners instead.

Mr. Johnson asked the Board of Commissioners to consider a \$1,200 donation to support efforts by AAHC to involve itself in the No Child Left Behind program. Mr. Johnson said the children of Scotland County would have no future if steps were not taken to help educate them, and the AAHC takes education very seriously.

Chairman Willis agreed with Mr. Johnson explaining this is demonstrated by the total amount of funding it provides to Scotland County schools. He asked Mr. Johnson to consider approaching the school board since the AAHC proposal might best dovetail with school programs.

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The Commissioners also suggested that the AAHC might pursue grant opportunities. Commissioner Alford invited Mr. Johnson to attend the Closing the Achievement Gap Committee meetings because it might offer additional resources.

AAHC President Bettie McNair said although the African American Heritage Committee is best known as sponsor of the annual Kuumba Festival, it would like to focus efforts on other additional enrichment activities in the County.

Item 2. FY 2003-2004 Audit Report

Mr. Carl Head, Lundin & Company, said Lundin expressed an unqualified opinion for Scotland County for FY 2003-2004, which is the best opinion the County can get.

In a brief summary, Mr. Head said in general operations there was a cash decrease by about \$35,000. Mr. Head referred to the audit's balance sheet. Total assets decreased by about \$455,000. Liabilities increased to \$3.6 million, which is an increase of \$746,000. Total Fund Balance decreased by about \$1.2 million.

Mr. Head explained that liabilities are mainly due to the deferred revenue. He said deferred revenue is not considered a problem.

**Item 3. Fire Service Report and Critical Incident Stress Management (CISM)
Insurance Funding**

EMS Director Roylin Hammond said at the request of Commissioner Butler he is presenting the Fire Service report and the report on the two-cent sales tax, and where it now stands.

Mr. Hammond reviewed line item by line item the Fire Service Program expenditures and revenues. Mr. Hammond said income generated by the two-cent fire tax can be used only for fire services and fire-related programs. He said since the inception of the fire tax, all but two of 14 trucks were funded by the County out of the Capital Reserve. He said after debt service is satisfied the fire tax is expected to generate about \$50,000 a year, which means that in 10 years, the County might be able to replace more trucks.

Chairman Willis said in the past the County would set aside one cent of the tax rate for capital equipment, but when the County got into a crunch, the practice was eliminated.

Mr. Hammond reported on Scotland County fire calls made in 2004 and the types of fires the volunteer fire departments respond to.

Mr. Hammond said the Fire Commission would meet to review a request for a change in dispatch. He said the Fire Commission would then make a recommendation to the governing body at its March 14 regular meeting.

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Mr. Hammond displayed a map of Scotland County, which features a six-mile fire insurance district. Mr. Hammond said Scotland County currently is a five-mile district, which affects the homeowner's insurance within five miles. The lower the rating of the fire department, the lower the insurance is for the homeowner. He said the six-mile map is the result of a request by the insurance carrier. He said a six-mile district, compared to the current five-mile district, would help reduce insurance rates.

He said the change would require a legal written description of where the six-mile fire districts are and a mutual aid agreement signed by all fire departments. Once reviewed and approved by the Department of Insurance, the six-mile fire district description will be presented to the Board of Commissioners for approval.

Mr. Hammond provided update information on the Critical Incident Stress Management team. He said he mistakenly requested liability support for CISM when the Board of Commissioners had already voted in favor of supporting CISM liability in February 2004.

He said the liability insurance would cover the CISM team members en route or at a scene. He said the Board of Commissioners in Robeson and Bladen counties responded favorably to the request. Scotland County's share, he said, is estimated at a maximum of \$500, which would be assessed in July along with LRCOG dues.

Mr. Hammond said the CISM successfully pursued grants, which required no County dollars, which address interoperability for area fire departments and law enforcement. They will receive data terminals as a result.

He said insuring the CISM through the County's insurance would not be feasible because the team is made up of people from different counties in government and non-government jobs.

Motion was made by Commissioner McPhatter and duly seconded by Commissioner Alford to approve funding a portion of the CISM liability at a maximum of \$500, which would be included in the annual LRCOG dues assessed each year in July. Vote: Motion unanimously approved.

Item 4. Tax Collections Update in accordance with NCGS 105-369(a)

Tax Assessor Mary Helen Norton said as of February 1, 2005 unpaid taxes that are liens on real property total \$2,188,006. Ms. Norton said according to State statute, the governing body must order and set the date for advertisement of such liens. The Tax Office requests the week of March 21, 2005 for such advertisement. Ms. Norton said the same time last year the liens on real property were reported at \$2,315,000.

Motion was made by Commissioner McDow and duly seconded by Commissioner Jordan to order and set the date for advertising liens on real property as the week of March 21, 2005. Vote: Motion unanimously approved.

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Item 5. Consent Agenda:

- a) **Approval of minutes of the Board of Commissioners, January 3, 2005 regular meeting; January 18, 2005 meeting with the Board of Health; and January 24, 2005 joint session with the City of Laurinburg**
- b) **Approve Resolution Supporting State Assumption of the County Share of Medicaid.**

Resolution Supporting State Assumption of the County Share of Medicaid

WHEREAS, Scotland County expended \$2,397,855 for fiscal year ended 2004 on services to Medicaid eligible citizens; and

WHEREAS, Scotland County increased its Medicaid budget by more than \$500,000 to \$2,900,000, or 21 percent, for the 2005 fiscal year; and

WHEREAS, the share of Medicaid reimbursements among all 100 North Carolina counties has increased more than 67 percent in the last five years and now totals approximately \$440 million; and

WHEREAS, North Carolina is one of only two states in the nation that requires its counties to pay a share of all Medicaid services costs; and

WHEREAS, in Scotland, 17 cents of the FY 2004-05 tax rate of \$1.10 is budgeted for Medicaid; the per capita cost of Medicaid is \$80.56 based on the 2000 census population figures; there has been 52.6 percent growth in the local Medicaid budget since FY 2000; and in FY 2004, 33 percent of the Scotland County population was Medicaid eligible.

NOW, THEREFORE, BE IT RESOLVED that the Scotland County Board of Commissioners urges the North Carolina General Assembly to provide immediate Medicaid relief to Scotland County.

BE IT FURTHER RESOLVED that copies of this resolution will be transmitted to the members of the General Assembly representing Scotland County.

Adopted this the 7th day of February 2005

- c) **Approve Resolution Supporting Submittal of State Funding Application for the Scotland-Hoke Counties Criminal Justice Partnership Board.**

**RESOLUTION SUPPORTING SUBMITTAL OF STATE FUNDING
APPLICATION FOR SCOTLAND-HOKE COUNTIES CRIMINAL JUSTICE
PARTNERSHIP BOARD**

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WHEREAS, Scotland and Hoke Counties joined together in 1996 to form the Criminal Justice Partnership Board to provide services to probationary offenders with substance abuse problems, and;

WHEREAS, the Criminal Justice Partnership Board for Scotland and Hoke Counties has obtained State grant funds since its beginning to provide these services which include intensive outpatient substance abuse counseling to offenders on probation referred by the Court system; and

WHEREAS, Scotland and Hoke Counties through the Criminal Justice Partnership Program have experienced strong indications which reflect successful behavior modification, educational achievement and life skill development for these individuals; and

WHEREAS, the Scotland and Hoke Counties Criminal Justice Partnership Program has operated entirely without cost to either County; and

WHEREAS, the Scotland and Hoke Counties Criminal Justice Partnership Board is applying to the State Department of Correction, Division of Community Corrections, for Fiscal Year 2005-2006 Funding in the amount of \$137,361;

NOW THEREFORE BE IT RESOLVED THAT the Hoke County Board of Commissioners endorses the application to the North Carolina Department of Correction, Division of Community Corrections for Fiscal Year 2005-2006 funding by the Scotland and Hoke Counties Criminal Justice Partnership Board.

This the 7th day of February 2005.

d) Approve Memorandum of Participation in the Upper Lumber River Water Source Plan -- 2005.

e) Budget Amendments

- 1) Sheriff's Department: Approve transfer of \$4,800 from the Emergency Management Homeland Security budget to the Sheriff's Department and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.**
- 2) Public Works: Approve receipt of State grant in the amount of \$17,500 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No County funds are required.**
- 3) Parks and Recreation: Approve increase in revenues and expenditures in the amount of \$6,168 for fees collected and paid out for cheerleading uniforms.**
- 4) DSS: Approve additional funding in the amount of 14,712, which is 10 percent of the County match, due to a rate increase by the State and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.**

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- 5) **DSS: Approve additional funding in the amount of \$5,571 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No County dollars required.**
- 6) **Criminal Justice Partnership Program: Approve additional funding in the amount of \$6,265 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No County dollars required.**
- 7) **Authorize Finance Officer to prepare budget amendment to receive and expend monies for acquisition of Sheriff Vehicle previously authorized by Board.**

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

Item 6. Parks and Recreation Updates

Mr. Christopher Wood, Parks and Recreation Advisory Board, asked the Commissioners to consider putting in place a system, which would provide criminal background checks for Parks and Recreation coaches and assistant coaches. He said such a system would address Advisory Board concerns about a lack of means to identify individuals serving in a volunteer capacity with youth athletic programs who might have a criminal record. There is no system in place to address those concerns.

Mr. Wood said after a check of what other counties are doing, the Advisory Board developed a recommendation for the Board to consider, which would be the implementation of criminal background checks on volunteer coaches and assistant coaches working with Scotland County's youth athletic programs.

He asked the Board to consider approving a uniform criminal background check plan, which he described to the governing body, and to provide \$2,000 for the remainder of FY 2004-2005 to support plan and distribution of identification tags. Mr. Wood said the tags would be worn both at practices and at games. Mr. Wood said this is consistent with what other counties are doing across the state and the nation.

He said the Advisory Board recommends that if the governing body approves the plan, it would cover Parks and Recreation youth programs and co-sponsoring agencies such as youth soccer and Pemo Stewart. Mr. Wood discussed the agencies that do private searches of criminal background checks. He said the recommended system would reduce the liability to the County.

He said the Advisory Council is asking for \$2,000 for FY 2004-2005 to address record checks for the balance of the fiscal year, which would be the baseball program, football, basketball, cheer leading and youth soccer. Mr. Wood asked that the program be funded in the succeeding fiscal year in the amount of \$4,000. He said the background checks

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would be done each year to cover volunteer coaches and assistant coaches for a 12-month period.

Chairman Willis said that the FY 2004-2005 budget has been set, and he asked Parks and Recreation to look at its own budget for the \$2,000. He said the Board would consider the \$4,000 when it starts the FY 2005-2006 budget process.

Director Shannon Newton said Parks and Recreation would do whatever the Board decides. Mr. Wood said there would be a possibility of conducting random checks, but they would lack the detail.

Commissioner McPhatter suggested that perhaps volunteers pay for the background checks in order to coach since children now must pay \$10 to participate in Parks and Recreation athletic programs. Mr. Wood said that issue was discussed, but making people pay to volunteer seemed to defeat the purpose.

Mr. Wood said that if the Board is unable at this time to approve the \$2,000 that the Commissioners at least adopt the plan as far as implementation of the manual and screening device for consideration for FY 2005-2006. It also would allow for a search through the limited resources on the Internet, which are not as detailed.

Motion was made by Commissioner Alford and duly seconded by Commissioner Jordan to approve the criminal background checks plan and authorizing the Parks and Recreation Advisory Board to work out all details before it requests funding for FY 2005-2006. Vote: Motion unanimously approved.

Boy Scout Thomas Brigman said he proposes to construct a gated entrance for the Recreation Complex as his Eagle Scout Project. Mr. Brigman distributed the plans to all members of the Board and discussed proposal specifics. Mr. Brigman discussed the material he would use to complete the project, which he plans to get from within the community and not from outside sources. He said Commissioner Jordan and Mr. John Thames would provide project guidance and assistance.

Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to approve the Eagle Scout Project of constructing an entrance gate to the Recreation Complex at no cost to the County. Vote: Motion unanimously approved.

Ms. Newton invited the Commissioners to attend any one of the four Parks and Recreation Master Plan Steering Committee meetings scheduled in March.

Ms. Newton said the Tourism Development Authority requests a budget increase in revenues and expenditures in the amount of \$21,000. Since the TDA is funded by a 3 percent hotel-motel occupancy tax, there is no cost to the County.

Motion was made by Commissioner McDow and duly seconded by Commissioner Butler to approve an increase in expenditures and revenues in the amount of

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\$21,000 for the Tourism Development Authority. Vote: Motion unanimously approved.

Ms. Newton said that TDA Chairman Bo Butler has been running the Tourism Authority since the Executive Director position became vacant November 1, 2004. She said the County Commissioners, according to Tourism Authority enacting legislation, might set compensation for TDA members. She asked that the Board of Commissioners approve compensation for Mr. Bo Butler in the amount of \$250 a week from November 1, 2004 until a staff person is hired. There would be no cost to the County, said Ms. Newton.

Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to approve compensation of \$250 a week from November 1, 2004 to Tourism Development Authority Chairman Bo Butler until a staff person is hired, and at no cost to the County. Vote: Motion unanimously approved.

Ms. Newton said the Scotland County Recreation Foundation is considering raising funds to complete the current phase of the Recreation Complex.

Ms. Newton said the Recreation Foundation requests the ability to name any and all components of the complex should they determine the project is feasible, and this would include the entire complex, buildings, fields, benches and other items.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston giving the Recreation Foundation naming authority over all facilities in the Recreation Complex. Vote: Motion unanimously approved.

Commissioner Butler asked who would be responsible for maintaining the Recreation Complex once it is complete. Ms. Newton said she expected maintenance to be conducted by Public Buildings. She predicted it would take at least two years of operation before there would be enough revenues to support maintenance.

Item 7. Monthly Update from the Finance Officer/Assistant County Manager

Finance Officer/Assistant County Manager Kevin Patterson said the State provided Richmond and Scotland counties with a preliminary boundary map. The map is overlaid with parcel information from both counties, and staff from both counties would review the map to determine if any changes must be made. Mr. Patterson said he expected the map to be brought to the Commissioners for review in March.

Mr. Patterson said after June 30, 2005 NCACC would offer discounts to agencies with current safety policies and active safety committees. He said a list of Scotland County staff that wish to serve on the safety committee is being compiled. The committee would establish a safety policy and training regimen for the County along with a procedure for investigating accidents and possible risks on County property.

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Mr. Patterson said notification was received of the placement of Central School on the National Register of Historic Properties.

Mr. Patterson distributed a new Scotland County Revenue Summary as of December 1, 2004 in order to correct two errors. He said the motor vehicle portion of the school tax was included in the prior year tax collection. This was removed and placed in current year collection. This was the first year the school tax was specifically levied, so there was no prior year collection in the School Fund.

Item 8. Appointments to Boards and Committees

Motion was made by Commissioner Jordan and duly seconded by Vice Chair Gholston to appoint Mr. Ricky Pearson to the Laurinburg/Scotland County Zoning Board of Adjustment to fill the term vacated by Mr. Ron Riggins. Vote: Motion unanimously approved.

Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to reappoint Mr. Bob Davis to a three-year term on the Scotland County Zoning Board of Adjustment. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Mr. John Bullard to a three-year term on the Laurinburg/Scotland Planning and Zoning Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to reappoint Ms. Penny Myers Craner to a three-year term on the Laurinburg/Scotland County Zoning Board of Adjustment. Vote: Motion unanimously approved.

Motion was made by Commissioner McPhatter and duly seconded by Commissioner Alford to appoint Commissioner McDow as the Commissioner representative to the Fort Bragg/Pope Air Force Base Rural Land Use Advisory Commission. Vote: Motion unanimously approved.

Motion was made by Commissioner Alford and duly seconded by Chairman Willis to appoint Commissioner Butler as the Commissioner representative to the Cable Access Advisory Committee. Vote: Motion unanimously approved.

Motion was made by Commissioner McPhatter and duly seconded by Vice Chair Gholston to appoint Commissioner McDow as the Commissioner representative to the Scotland County Partnership for Families and Children. Vote: Motion unanimously approved.

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Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to appoint Chairman Willis as the Commissioner representative to the Southeastern Regional Mental Health Board. Vote: Motion unanimously approved.

Motion was made by Vice Chair Gholston and duly seconded by Chairman Willis to appoint Commissioner McPhatter as the Commissioner representative to the Lumber River Rural Transportation Planning Organization. Vote: Motion unanimously approved.

Item 9. Other Information

Chairman Willis discussed the budget planning and asked for input from the Commissioners on how to proceed. The Commissioners discussed the possibility of working on the budget as an entire board or in smaller committees.

Chairman Willis said whatever is done; the entire Board should be involved. Chairman Willis said the governing body seems to agree that it would not raise taxes.

Commissioner Jordan questioned how that could be achieved, although he didn't want to raise taxes. Commissioner Jordan said he didn't see any practical way not to raise taxes because the mandates alone are expected to add an additional six cents to the tax rate.

Chairman Willis said he would prefer to cut government and cut services to keep the tax rate where it is or even reduce it because the average citizen can't afford to see the tax rate go up every year.

Commissioner Jordan questioned how six cents could be cut from eight cents, which would leave two cents to run the County.

Chairman Willis said he would prefer to cut the taxes and let the Commissioners Chamber fill up with people saying, "raise my taxes," versus complaints by citizens that the Commissioners raised the taxes. With the tax base decreasing, the County cannot afford the luxuries it had 10 or 15 years ago, said Chairman Willis.

Chairman Willis said he would meet with Mr. Patterson to discuss the budget timeline. Chairman Willis would notify the Board of Commissioners of the timeline in the next few days.

Commissioner Butler asked when the governing body would screen County Manager applicants. Chairman Willis suggested the Board set a date at its March 14 regular meeting in which it could meet to review and prioritize applications.

Chairman Willis said he would not go to the NACo conference this summer in Hawaii because he has other things to do.

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Commissioner Jordan suggested that the Chairman meet with Board of Education Chairman Buck Carter in order to revisit the critical situation facing Scotland County.

Chairman Willis suggested instead that the Chairman, Vice Chair and County Manager meet with Board of Education Chairman, Vice Chair and Superintendent and report back to the Board of Commissioners the result of the discussion.

Motion was made by Commissioner Alford and duly seconded by Commissioner McPhatter to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:55 p.m.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

J.D. Willis
Chairman