

*Scotland County Board of Commissioners regular meeting
March 8, 2004, 1405 West Boulevard, Laurinburg*

MINUTES

**Scotland County Board of Commissioners Regular Meeting, March 8, 2004
Scotland County Complex, 1405 West Boulevard, Laurinburg, NC**

At 7 p.m., Chairman David Burns called the regular meeting to order. Commissioners in attendance: Chairman David Burns, Vice Chair Nancy J. Shelley, Betty Blue Gholston, Charles “Scoofer” Jordan, Sam Snowdon, Clint Willis and J.D. Willis. Staff in attendance: County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Commissioner J.D. Willis delivered the invocation. The Pledge of Allegiance was recited.

Chairman Burns opened Public Forum.

Mr. Charles Parker, Scotland County resident: Mr. Parker questioned why the former County Manager would be paid for six months at the taxpayers’ expense since he resigned and was not let go.

Chairman Burns explained that it was written in the contract with the former County Manager.

Mr. Parker asked when the torn up condition at the Turnpike and Blues Farm Road intersection would be repaired.

Commissioner Clint Willis said the recent bad weather delayed BellSouth from moving its utilities, and BellSouth would complete its job when the weather turns favorable.

Mr. Mark English, Central Neighborhood Historical District Committee representative: Mr. English provided an update on funding possibilities and future options for the use of Central School. He asked the Board of Commissioners to allow the Committee 60 to 90 additional days to develop more options before the property is transferred to the group.

Mr. Wilburn Newman, retired school employee: Mr. Newman also questioned the former County Manager’s severance pay, especially since he resigned and was not let go.

No one else spoke at Public Forum.

Item 1. Planning and Zoning

Katherine Currie rezoning application is also referred to as Rezoning Application #440. The applicant requests to rezone 40 acres identified as tax map 247, Block 01, Parcel 003 from Residential Agricultural (RA) to Heavy Industrial (I2) to allow any of the permitted uses specified in Scotland County Zoning Ordinance, Heavy Industrial District, Permitted Uses, Section 30.2.

Planning and Zoning Board recommendation is that the Katherine Currie – Case #440, rezoning application from Residential Agricultural (RA) to Heavy Industrial (I2) be approved.

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Staff recommendation is that the rezoning application from Residential Agricultural (RA) to Heavy Industrial (I2) be approved.

Motion was made by Commissioner J.D. Willis and duly seconded by Vice Chair Shelley to approve Rezoning Application #440 with the provision that an appropriate buffer be added at a later date. Vote: Motion unanimously approved.

John Cannon Harmon rezoning application is also referred to as Rezoning Application #441. The applicant requests to rezone 127 acres identified as tax map 332, Block 01, Parcel 001 from Open Space (OS) to Residential Agricultural (RA) to allow **any** of the permitted uses specified in Scotland County Zoning Ordinance, Residential Agricultural, Permitted Uses, Section 24.2.

Planning and Zoning Board recommendation is that the John Cannon Harmon – Case #441, rezoning application from Open Space (OS) to Residential Agricultural (RA) be denied. Staff recommendation is that the rezoning application from Open Space (OS) to Residential Agricultural (RA) be denied.

Planning Director Marcus Norton explained the reasons for the recommendations by the staff. They include (1) inconsistency with the County Land Use Map; (2) rezoning analysis; (3) safety concerns for rural section of highway; (4) stated goals and objectives for the appearance of highway corridors that extend into and through the County; (5) determination of a reasonable use of the property; (6) current interest to afford some protection for the Sand Hills Game Lands regional setting; (7) perception of tourists and other visitors; and (8) implications of the costs of services associated with the development of rural land.

Commissioner Gholston said she would not like to see anyone denied the opportunity to have a home in that area. She asked if the safety issue could be addressed further before the Board made a decision.

Mr. Norton said that the applicant did not submit a development plan, which would address that and other issues such as access.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner J.D. Willis to deny Rezoning Application #441. Vote: Motion unanimously approved.

Mr. Norton said the Planning and Zoning Board discussed the issue of the placement of buildings across property lines and that the Board had no recommendation for a change in procedure.

Motion was made by Commissioner Snowdon and duly seconded by Commissioner Jordan directing the Planning and Zoning Board to look at the issue positively in an attempt to make it work.

Discussion:

Commissioner Jordan said there must be a way to minimize the cost to the buyer and the seller without compromising the integrity of the ordinance.

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County Attorney Johnston said that language could be put in a deed that merges the two properties into one, and a deed would avoid the surveying costs.

Attorney Charles Hicks spoke on behalf of his client and discussed the inability of the applicant to get a permit.

Mr. Norton said that the issue was resolved when the applicant decided to locate his home on one site rather than straddle two properties.

Chairman Burns said a deed protects the buyer while a land sales contract does not.

Commissioner Snowdon withdrew the motion, and Commissioner Jordan withdrew the second on the motion.

Chairman Burns directed the County Attorney and the Planning Director to look at the issue again and bring options for resolution of the issue to that Board at its regular meeting in April.

Mr. Norton reported that English Fence and Window Company has been removed as code enforcement on dilapidated buildings continues.

Item 2. Consent Agenda:

- a) Approval of minutes of the Board of Commissioners, February 2, 2004 regular meeting; February 9, 2004 weekly meeting; February 10, 2004 joint meeting; February 16, 2004 weekly meeting; February 20, 2004 planning retreat.**
- b) Approve Resolution Supporting Submittal of State Funding Application for Scotland-Hoke Counties Criminal Justice Partnership Board**

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

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

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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 2004-2005 Funding in the amount of \$137,361;

NOW THEREFORE BE IT RESOLVED THAT the Scotland County Board of Commissioners endorses the application to the North Carolina Department of Correction, Division of Community Corrections for Fiscal Year 2004-2005 funding by the Scotland and Hoke Counties Criminal Justice Partnership Board.

c) **Appoint Commissioner Clint Willis as Interim County Budget Officer according to G.S. 159-9, effective March 8 2004 and until such time as a new County Manager is hired.**

d) **Appoint Ms. Anne Tindall as Interim County Finance Officer according to G.S. 159-24, effective March 16, 2004 and until such time as a new Finance Officer is hired.**

e) **Budget Amendments**

1) **Scots for Youth: Approve transfer of \$856 from Scots for Youth to Teen Court to be used for Teen Court Summit Funds.**

2) **Health Department: Increase State grant funding \$2,259 in Immunizations for the purchase of equipment.**

3) **Health Department: Reduce County appropriations by \$4,402.72 in Environmental Health due to increase in State grant funding by the same amount.**

f) **Approve request by Scotland County Forestry to enter into a lease-purchase of a 4X4 Fire Control Truck rather than an outright purchase a 4X4 Fire Control Truck.**

g) **Public Works: Accept receipt of North Carolina Department of Environment and Natural Resources White Goods Management Program grant in the amount of \$37,801.**

h) **Public Works: Accept receipt of North Carolina Department of Pollution Prevention and Environmental Assistance grant in the amount of \$20,000.**

Chairman Burns said that items g) and h) had been added as an addendum to the agenda.

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

Item 3. Appointments to Boards and Committees

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Clint Willis to appoint Ms. Kris Horne, Mr. Ray Oxendine and Dr. Matthew Block to the Healthy Carolinans Steering Committee. Vote: Motion unanimously approved.

Item 4. Other Information

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Chairman Burns said he would get a list to the Commissioners on agreed-upon consolidation efforts the County and City plan to discuss in the near future.

Chairman Burns directed the DSS Director and the Clerk to develop a response to the State with regard to DSS space issues.

The Board agreed that the April 5, 2004 regular meeting would be an appropriate time to discuss the draft assessment/efficiency recommendations with MGT Consultant Mark Curfman.

Commissioner Clint Willis discussed his recent visit to Washington, D.C. as part of a lobbying effort to make the I 73/74 corridor a priority project.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Jordan 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 and in accordance with N.C. General Statute 143-318.11(a)(6) to consider qualifications, competence, performance, character, fitness, conditions of appointments, or conditions of initial employment of a present or prospective public officer or employee. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Motion was made by Commissioner Jordan and duly seconded by Vice Chair Shelley to authorize a refund for overpayment of taxes for 2001 and 2002 on the vehicle owned by Mr. Wiley Luther, which includes interest for each refund to be calculated by the Tax Office, and authorizing the Tax Office to review the 2003 valuation on the vehicle owned by Mr. Luther, and there will be no attorney fees or mileage paid to Mr. Luther. Vote: Motion unanimously approved.

Motion was made by Commissioner Jordan and duly seconded by Commissioner Snowdon authorizing the Search Committee to negotiate a contract for the office of Tax Assessor. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner J.D. Willis to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 9:20 p.m.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

David L. Burns
Chairman