

Scotland County Board of Commissioners regular meeting October 6, 2008
1405 West Boulevard, Laurinburg

MINUTES
Scotland County Board of Commissioners
Regular Meeting, October 6, 2008
Scotland County Complex, 1405 West Boulevard, Laurinburg, NC

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, Guy McCook, Joyce McDow and Clarence McPhatter. Staff in attendance: County Manager Kevin Patterson, County Attorney Edward Johnston and Clerk to the Board Ann W. Kurtzman. Chairman Willis delivered the opening prayer. The Pledge of Allegiance was recited.

Public Forum

Ms. Brenda Gilbert introduced Chamber of Commerce President Theresa Lamson. Ms. Gilbert reviewed Ms. Lamson's credentials and background. Ms. Lamson discussed what she has been doing since she arrived eight weeks ago and future plans for the Chamber, which call for the development of a vision to benefit Scotland County and business owners and push it forward.

Item 1. Public Hearing: Conditional Use Application Number 449-08

All individuals who planned to comment on Conditional Use Application 449-08 were sworn in by the Clerk to the Board.

Planning and Zoning Board Chairman Henry McLeod discussed the application as follows:

A request for a Conditional Use Permit was made by Mr. Robie Currie to construct a motor cross track on property located on McGirts Bridge Road, Laurinburg, NC and better described as Scotland County Tax Map Number 255, Block 01, Parcel 005 & 003. Edgar Marvin Johnson owns the property.

Mr. McLeod said the 650-acre tract of land is located on McGirts Bridge Road on the back side of Laurinburg Maxton Airport. Mr. McLeod said the applicant wishes to construct a motor cross track for sanctioned competitive events, trails for ATVs, dry camping facilities and in the future a caretaker's residence.

Mr. McLeod said the Planning and Zoning Board discussed at length the responsibility of the applicant to provide a paved road into the property, which would be adequate to support the ability of emergency vehicles to move in and out of the property.

Mr. McLeod said the Board recommended that the application be approved along with two provisions; that the owners exercise all means possible to prevent ATVs from moving on to neighboring properties and that the Board retain authority to establish additional conditions in the future if necessary.

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Commissioner Alford asked if there would be an appropriate buffer to protect neighboring properties.

Mr. Tony Morgan, who was present on behalf of applicant Mr. Robie Currie, said there are already ditches and fences surrounding the property. Mr. Morgan added that one farmhouse and hog farms neighbor the property.

Commissioner McCook asked who would determine whether the paved road into the facility meets specifications.

Mr. McLeod said he expects EMS and the Rescue Squad to have input in that.

Attorney Ed Johnston said the Commissioners could impose road specification requirements as part of the recommendations attached to approval of the application.

Mr. Morgan assured the road would meet specifications since its paving must support heavy equipment and RVs in the price range of \$100,000 to \$200,000.

Chairman Willis called the Public Hearing and asked if anyone wished to speak in favor of or against the application.

Mr. Morgan spoke in favor of the application. He said the motor cross events would attract several hundred people every weekend and up to 1,400 people for district events. Mr. Morgan said the applicant intends to transition the operation into a national event, which would bring thousands of people to the area.

Mr. McLeod said property owners surrounding the site were made aware of the application and there were no objections.

Mr. Davis, sworn in by the Clerk to the Board, said he supported the application and saw it as a positive for the community.

No one else came forward to speak, and the Public Hearing was closed.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to approve Conditional Use Application Number 449-08 with the provision that the applicant make every effort to keep patrons off neighboring property and that the Scotland County Planning and Zoning Board retain the right to add more constraints at a later date if necessary. Vote: Motion unanimously approved.

Item 2. 2009 Single Family Rehabilitation Grant

County Manager Patterson said the County is eligible to apply for a \$400,000 rehabilitation-only grant. Mr. Patterson said if the County agrees to match the grant up to \$5,000, it would make the application more competitive. Mr. Patterson asked that the Commissioners allow the Lumber River Council of Governments to make the application on behalf of the County.

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to authorize the Lumber River Council of Governments to apply for the \$400,000 rehabilitation grant and to allocate \$5,000 as matching funds. Vote: Motion unanimously approved.

Item 3. Work First County Plan

DSS Director Joe Knott said the 2009-2011 Work First Plan developed by the Work First Committee awaits approval by the Board of Commissioners.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Butler to approve the 2009-2011 Scotland County Work First Plan. Vote: Motion unanimously approved.

**Item 4. a. Health Department FY 07-08 Annual Report
b. Request for a Health Educator Position**

Health Director Ron Sapp said Kitty Johnson has been named Director of Nursing.

Mr. Sapp distributed a brochure with the Health Department's FY 2007-2008 annual report and discussed some highlights of the report. Mr. Sapp reported that many services increased this year compared to last year. He said education and prevention are vital to public health.

Recently, complaints about mosquitoes have increased, said Mr. Sapp. He said mosquito control will change next year as a result.

Mr. Sapp asked the Commissioners to consider approval of a second Health Educator position. He said the Health Department will receive \$48,000 in recurring funds from the State, and those funds would be used to pay for the salary of the second Health Educator.

Vice Chair Gholston asked that the Health Educator respond to requests for presentations by churches.

Item 5. Consent Agenda:

a) Approval of minutes of the Board of Commissioners September 2, 2008 regular meeting and September 18, 2008 reconvened meeting.

b) Approve 2009 Rural Operating Assistance Program application. (A Public Hearing notice was published September 17, 2008. No written comments were received).

c) Approve Tax Department request to release funds in the amount of \$587.02 and in the amount of \$3,963.38 and to make refunds in the amount of \$426.15 and in the amount of \$3,564.55.

d) Approve Health Department request for a 10 percent increase for some of the CPT codes with proposed increase retroactive to September 3, 2008.

e) Budget Amendments:

1) School Fund: Approve transfer of \$372,725 from Other Funding Sources/Fund Balance Carryover to Other Expenditures/Contribution to

Capital Improvements.

- 2) **Public Buildings:** Approve transfer of \$41,437.60 from the 2007-2008 Public Buildings budget to the 2008-2009 Public Buildings budget where replacement of several a/c units was actually completed in FY 2008-2009.
- 3) **DSS:** Approve receipt of \$35,000 in and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 4) **Health:** Approve receipt of \$9,238 of TANF funds and authorize the Finance Officer to make the necessary arrangements to receive and expend the money.
- 5) **Health:** Approve receipt of \$48,000 General Aid to Counties funds and authorize the Finance Officer to make the necessary arrangements to receive and expend the money.

Chairman Willis called the Public Hearing and asked if anyone wished to speak in favor or against the 2009 Rural Operating Assistance Program application. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to approve the Consent Agenda and authorize the addition of a new Health Educator position with the \$48,000 General Aid to Counties. Vote: Motion unanimously approved.

Item 6. Scotland Memorial Library: Request for Full-time Youth Services Librarian

Library Director Leon Gyles asked the Commissioners to reclassify a part-time Children's Services Coordinator, which requires two years of college, to a Full-Time Youth Services Librarian, which requires a Master's degree. Mr. Gyles said the Youth Services Librarian would focus on programs that would improve the reading skills of children and young adults countywide.

Mr. Gyles said the new position would be 69-2 with a salary of \$37,536. If approved, the Library would hope to fill the position January 15, 2009 using lapsed salary and with the remaining cost of the reclassification absorbed by reprogramming funds within the budget. Mr. Gyles said in future fiscal years, the salary for the position would require an additional \$25,000 in the County budget for the Library.

Chairman Willis suggested that the request be made at budget time when the Commissioners review personnel.

Motion was made by Commissioner Butler and duly seconded by Commissioner McPhatter to wait and consider the request for a Youth Services Librarian during budget preparation.

Discussion: Mr. Gyles said he had hoped to have the position filled in time for the summer reading program.

Commissioner Alford said the Commissioners committed to this when the Library became a

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County department.

Commissioner McDow explained that the Library position was originally full-time and became a part-time position a few years ago.

Chairman Willis suggested that Mr. Gyles contact the school system to see if there is interest in sharing the funding of the position. Chairman Willis added that he would prefer not to make any commitment until next fiscal year.

Vote: Motion unanimously approved.

Item 7. John Blue Cotton Festival, Inc. Funding Request

County Manager Kevin Patterson said the John Blue Cotton Festival requests that the Festival's accumulated funds be transferred from the County to its own Festival account. Mr. Patterson said the Committee has applied for and is awaiting response on its non-profit incorporation status. Mr. Patterson said it is the desire of the John Blue Cotton Festival to be a self-supporting entity.

Motion was made by Commissioner McCook and duly seconded by Commissioner Alford to transfer all accumulated funds the County holds for the John Blue Cotton Festival to John Blue Cotton Festival, Inc. Vote: Motion unanimously approved.

Item 8. Update from the County Manager

County Manager Patterson said the County will close on the installment loan October 31 regarding the refinance of the 1998 school bond. Mr. Patterson said since the County will close on the loan before the bond is redeemed, the County is required to use an escrow agent to hold the funds. Mr. Patterson asked the Commissioners to approve the escrow agreement.

Motion was made by Commissioner McCook and duly seconded by Commissioner McDow to the escrow deposit agreement. Vote: Motion unanimously approved.

County Manager Patterson discussed three options to resolve the issue of outstanding accounts in the Water Districts.

1. Contracts of customers in breach would be canceled. If the customer decides to connect to the system, the current tap fee would have to be paid.
2. Outstanding accounts with a balance over a certain amount could be made inactive. When the customer wants to have water turned on, arrangements would have to be made to get the account current. This would mean a number of customers would never financially be able to connect to the water system.
3. The County could take the customers to small claims court. The County would spend a lot of time and money and create a lot of ill-will and still not collect much.

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County Manager Patterson estimated there is about \$100,000 worth of delinquent accounts that will never be collected. He advised against the third option as a possible solution.

Commissioner McCook addressed the subject of equitability since there are customers who pay the monthly fee but have not yet connected to the water system. Commissioner McCook suggested that those in breach of the contract pay double the connection fee when they wish to connect to the system.

Chairman Willis added that those customers whose billing is suspended could be required to pay the City's connection fee, which is more than double that of the County's.

Motion was made by Commissioner Alford and duly seconded by Commissioner McCook to suspend billing for all delinquent customers in the Water Districts and authorize that when the customers wish to connect at a later date, they must pay whatever the City of Laurinburg charges for the connection fee. Vote: Motion unanimously approved.

County Manager Patterson said Scotland County might have the right demographics for a small Sears franchise store. Mr. Patterson said Sears will host an open house some time in October for individuals who might be interested in making an investment in a Sears franchise.

Mr. Patterson distributed an amendment in the Personnel Policy, which changes the pay plan in the event of a declared emergency. Mr. Patterson said the amendment was made to coincide with action taken by FEMA and its change in reimbursements.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Alford to approve the amendment to the Personnel Policy with regard to FEMA reimbursements during a declared emergency. Vote: Motion unanimously approved.

County Manager Patterson asked the Commissioners to approve the resolution accepting the WestPoint Stevens engineering report, which is required as part of the grant closeout process.

Motion was made by Commissioner McCook and duly seconded by Commissioner Butler to approve the Resolution Accepting Engineering Report on WestPoint Stevens Surface Water Intake and Waste Treatment Plant. Vote: Motion unanimously approved.

**Resolution Accepting Engineering Report on WestPoint Stevens
Surface Water Intake and Waste Treatment Plant**

WHEREAS, the Scotland County Board of Commissioners and the partnering governmental units of Hoke County, City of Raeford, Robeson County, Town of Red Springs, Town of Maxton, City of Laurinburg and the Lumber River Council of Governments desired to study the feasibility of purchasing and utilizing the WestPoint Stevens water intake and treatment facility as a regional water supply; and

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WHEREAS, the NC Environmental Management Commission and Division of Water Resources, through agreement with these and other water users in the Southern Coastal Plain, have encouraged these partners to explore alternate water sources for the future; and

WHEREAS, Scotland County was designated as the lead government for this planning effort; and

WHEREAS, Scotland County received a grant (No. 02-76-11) from the North Carolina Rural Economic Development Center to go along with local funds to undertake the above study; and

WHEREAS, the WPS Water Study has been completed and reviewed by representatives of the various partners and through the Lumber River Council of Governments have indicated their acceptance of the study.

NOW, THEREFORE BE IT RESOLVED THAT the Scotland County Board of Commissioners do hereby accept the WPS Water Study conducted by the Wooten Company for the purpose of completing the requirements of the Rural Center grant and the related Scope of Work.

Accepted this 6th day of October, 2008.

Item 9. Appointments to Boards and Committees

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Evelyn Allen, Charles “Pinky” Odom, Walter Rogers, LRCOG Housing Coordinator Adrian Lowery, Commissioner John Alford and County Manager Kevin Patterson and to appoint Susan Covington and Rev. Terence Williams to the Community Development Block Grant Advisory Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Brian Bounds to two-year term on the Laurinburg Downtown Revitalization Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Philip McRae to the unexpired term of Pam Riemer and George Clay Creed to the unexpired term of Lisa Canada on the Historic Properties Commission. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McCook to appoint Mary Neill Morris to the Juvenile Crime Prevention Council. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to appoint Wagram Councilman Jackie Lavinier as the municipal representative to the Transportation Advisory Committee and Gibson Mayor Ronnie Hudson the municipal

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alternate to the Transportation Advisory Committee. Vote: Motion unanimously approved.

Item 10. Closed Session

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford 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 Closed Session held 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 Vice Chair Gholston and duly seconded by Commissioner Butler authorizing that a trailer on the Scotland County School grounds be moved to the grounds of Legion Park. Vote: Motion unanimously approved.

Motion was made by Commissioner McCook and duly seconded by Commissioner Butler to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:35 p.m.

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman