

MINUTES
Scotland County Board of Commissioners
Regular Meeting, January 7, 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: Interim County Manager/Finance Officer Kevin Patterson, County Attorney Ed Johnston, Interim Assistant County Manager/County Engineer Jim Blackwell and Clerk to the Board Ann W. Kurtzman. Chairman Willis delivered the opening prayer. The Pledge of Allegiance was recited.

Public Forum

Ms. Jan Schmidt and Ms. Brenda Gilbert provided an update on the activities and benchmarks of the newly State-incorporated Storytelling Arts Center of Southeast (SACS). It also was reported that SACS was approved by the IRS for 501(c)(3) charitable status. Ms. Schmidt discussed SACS fund-raising events and plans for the upcoming Storytelling Festival. Ms. Schmidt said that it is hoped Scotland County would be recognized as a center for storytelling activities, which would be a growth tool in attracting visitors and a quality of life event for citizens of the County.

Item 1. Public Hearing: North Carolina Community Transportation Program

EMS Director Roylin Hammond said no citizen comments were received on the North Carolina Community Transportation Program application for funding.

Chairman Willis called the Public Hearing and asked if anyone wished to speak in favor or against the County applying for funds through the North Carolina Community Transportation Program. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to approve the Resolution authorizing the Interim County Manager to submit the application for State funding to provide rural public transportation service through the Community Transportation Program. Vote: Motion unanimously approved.

Item 2. Public Hearing: Planning and Zoning

Planning and Zoning Vice Chairman Sam Cribb introduced Rezoning Application 444-07. Mr. Cribb said the Planning and Zoning Board recommends the application be approved.

Rezoning Application Number 444-07 – Stewartsville Enterprise, Inc. – Rezone approximately 11.10 acres in accordance with Scotland County Zoning Ordinance, Article IV from I-1 (Light Industrial) to R-2 (Residential District). The property is located on Old Maxton Road and is also described as Scotland County Tax Map Number 260, Block 02, Parcel 011.

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Chairman Willis opened the Public Hearing and asked if anyone wished to speak in favor of or against the application. No one came forward and the Public Hearing was closed.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to approve rezoning application 444-07 in accordance with the Section 38 Standards of the Scotland County Zoning Ordinance. Vote: Motion unanimously approved.

Mr. Cribb introduced Rezoning Application 445-07 and said that the Planning and Zoning Board recommends that it be approved.

Rezoning Application Number 445-07 – The Morgan Company of Laurel Hill – Rezone approximately 23.68 acres in accordance with Scotland County Zoning Ordinance, Article IV from RA (Residential Agriculture) to R-2 (Residential District). The property is located on Old Wire Rd and is also described as Scotland County Tax Map Number 155, Block 01, Parcel 002

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

Mr. Bill Purcell, Attorney representing the Morgan Company, spoke in favor of the application. Mr. Purcell said the Morgan Company wishes to rezone an existing building so it might be used as a private lodge for corporate entertainment and retreats. Mr. Purcell said hopefully such a lodge would attract CEOs from outside Scotland County who might begin to show an interest in the area.

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

Motion was made by Commissioner McDow and duly seconded by Commissioner Butler to approve rezoning application 445-07 in accordance with the Section 38 Standards of the Scotland County Zoning Ordinance. Vote: Motion unanimously approved.

Item 3. Prison Update: Scotland Correctional Institution

Administrator Fredrick Hubbard said 185 of the 410 employees at Scotland Correctional Institution are Scotland County residents. The current inmate population is 933. Mr. Hubbard said the State is reviewing expansion plans, which is expected to create 60 to 70 new jobs. There are also plans for the construction of a medium custody facility after the completion a the three-year expansion plan.

Vice Chair Gholston asked why more Scotland County citizens are not employed at the facility.

Mr. Hubbard said there is a test similar to a psychological exam that many applicants from Scotland and neighboring counties do not pass.

Mr. Hubbard said there are no classes yet designed to prepare potential candidates for employment at the prison, but the State is looking at developing classes for that purpose.

Item 4. Status Report: 2008 Community Development Block Grant Program Update

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LRCOG Administrator Adrian Lowery said the 2008 CDBG process has begun. He said 120 applications were mailed and 43 have been received. Mr. Lowery said he expects to distribute to the Commissioners in March a five-unit list with an alternate list of eight. He said once he has met with the State regarding the 2008 program, the actual application process would begin. Mr. Lowery asked the Commissioners to review the list of 43 applicants and to let him know if there was anyone else who should receive an application.

Item 5. Consent Agenda:

- a) Approval of minutes of the Board of Commissioners December 3, 2007 regular meeting.**
- b) Approval 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

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 2008-2009 Funding in the amount of \$151,325;

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 2008-2009 funding by the Scotland and Hoke Counties Criminal Justice Partnership Board.

This the 7th day of January 2008.

- c) Approve Tax Department request to release funds in the amount of \$79.95 and in the amount of \$4,443.32 and to make refunds in the amount of \$235.30 and in the amount of \$8,631.26.**
- d) Approve request by Scotland County Schools for release of Public School Capital Fund (Lottery Distribution) in the amount of \$229,322.**
- e) Approve request by Scotland County Schools for release of Public School Capital Fund (Lottery Distribution) in the amount of \$178,000.**
- f) Approve request by Scotland County Schools for release of Public School Capital Fund (Lottery Distribution) in the amount of \$72,077.**
- g) Budget Amendments:**

- 1) **Health: Approve receipt of additional funds in the amount of \$833, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.**
- 2) **Health: Approve receipt of \$500, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money.**

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

Item 6. Cooperative Extension 2008 Plan of Work

Cooperative Extension Director Cathy Graham discussed the three strategic initiatives in the agency's 2008 Plan of Work. Dr. Graham then discussed the seven needs determined through environmental scan – need for economic development opportunities, overweight/obese youth and adults, natural resources protected, need for structured activities and positive role models for youth, high teenage pregnancy rate, lack of parenting skills/family management, need for family financial management skills -- and provided a brief summary for each of those needs.

Dr. Graham said that only one-quarter of the Extension's \$600,000 budget is funded by the County. She said the remainder of the funds comes from NC State and NC A&T University. Dr. Graham said all available resources will be used to address the Extension's long-range plan of work.

Item 7. Progress Energy Memorandum of Agreement

EMS director Roylin Hammond said that in late summer 2006 the Commissioners accepted a \$400,000 Homeland Security grant, which would be passed through the County and returned to the State Highway Patrol to place the VIPER radio system on the County's Progress Energy Tower. The Highway Patrol, in return, agreed to place Scotland County emergency radio equipment on the Progress Energy Tower the same time the State's VIPER system was installed at no expense to the County. Mr. Hammond said the Highway Patrol also agreed to allow the placement of County radio equipment inside the new State-owned radio building at the Progress Energy tower site and to provide electricity and a back-up generator to power the radio equipment.

Mr. Hammond added that the Highway Patrol also agreed to include the proposed Scotland County emergency radio equipment in the tower study, required of Progress Energy of any party placing communication equipment on their tower, at no cost to the County.

Mr. Hammond said the County must have a Memorandum of Agreement with Progress Energy regarding the placement of the radio equipment on the tower. A draft MOA is included for review by Commissioners and, if approved, would be replaced with an executable copy for signatures when appropriate.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to approve the draft Memorandum of Agreement between Scotland County and Progress Energy allowing the placement of Scotland County emergency radio equipment on the Progress Energy Communication Tower. Vote: Motion unanimously approved.

Item 8. Update from the Interim County Manager/Finance Officer

Interim County Manager/Finance Officer Kevin Patterson said the floodplain mapping program received federal monies to fly the State for new orthophotography, and this region is scheduled to fly this year. Contracts will be let in January. The program requests a 50/50 split in expenses with the counties. Cost would be approximately \$58,000 with the County's half at \$29,000. Payment would not be due until the photos are accepted by the State and County in November. Mr. Patterson said funding is available in the revaluation fund and the 911 fund.

Mr. Patterson asked the Commissioners to approve the attached Memorandum of Agreement with the State.

Motion was made by Commissioner McCook and duly seconded by Vice Chair Gholston to move forward with the Memorandum of Agreement and to authorize County staff to ask the City of Laurinburg if it would consider some cost-share. Vote: Motion unanimously approved.

Mr. Patterson said that Scotland County Schools asked that \$250,000 in current expense funding be used for capital funding for the construction of the new culinary center. Although this does not affect the total dollars appropriated to the schools, the Commissioners must approve this transfer.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner McDow to approve the transfer of \$250,000 from School Current Expense to School Capital Funds. Vote: Motion unanimously approved.

Mr. Patterson said the School Board is asking the County to consider replacement of a generator at the high school, which serves as an emergency shelter. The generator would cost \$12,500 to repair or \$18,600 to replace. The high school was last activated in 1999 as an emergency shelter for a mass population during Hurricane Floyd.

The Commissioners in general discussed the school capital fund. Chairman Willis said it is not the place of the Commissioners to dictate how the school might spend its capital. Commissioner Alford said that the schools probably use the generator all the time, while the County has had a need for it once since 1999.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to not approve the generator funding request by the schools. Vote: Motion unanimously approved.

Mr. Patterson said the County submitted its 21st Century application to the State and copied the local delegation on the application. Mr. Patterson said successful applicants receive technical assistance through the Department of Commerce.

Mr. Patterson reported that the County collected \$21.7 million in revenues and expended \$20.3 million so far. Mr. Patterson will present an updated financial report at the January 29, 2008 retreat.

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Mr. Patterson said there would be a BRAC Housing Fair. Each of the 11 counties would be responsible for sending a delegation of three people to make a small presentation over a two-day period. A specific Fair date has not yet been determined but it will be in May. Chairman Willis asked that the topic be put on the January 29 Planning Retreat agenda.

NCACC will meet with federal legislators, and the Association asks to be informed of any issues the Commissioners might want discussed with the federal legislators.

Commissioner McDow said she is concerned about the future of road construction and maintenance, the financial responsibility of which might fall to the counties in the future.

Mr. Patterson discussed the draft vehicle policy. Mr. Patterson said most of the draft policy is based on the Richmond County Policy. The main issue of concern was vehicles available for 24-hour assignments where the vehicle would be driven home at night. One item not addressed in the policy is whether a vehicle could be taken home with employees who live outside the County, said Mr. Patterson. He explained that it wasn't included in the policy because the Personnel Policy approved in July identified Department Heads as an exception.

Commissioner McCook asked about driving under the influence in County vehicles and that the outcome was not addressed in the vehicle policy. Mr. Patterson explained that driving under the influence would point back to the Personnel Policy.

The Commissioners agreed to study the draft policy further and discuss it again at the Planning Retreat.

Mr. Patterson said he received a request for DSS asking the Commissioners to accept receipt of \$43,916 in crisis intervention funds for heating assistance. There are no County dollars involved.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner McPhatter to approve receipt of \$43,916 for heating assistance and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. Vote: Motion unanimously approved.

Mr. Patterson said the County received \$45,000 from Rural Development for the study of the WestPoint Stevens wastewater plant. Hoke County and the LRCOG agreed to pay the match.

Motion was made by Commissioner McCook and duly seconded by Vice Chair Gholston to approve receipt of \$45,000 and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. Vote: Motion unanimously approved.

Springs Update

Chairman Willis said the State Public Utilities agency is attempting to schedule a public hearing regarding the Springs wastewater plant abandonment. Chairman Willis also asked a Springs representative if the company would give the County \$75,000 so it could be distributed to Springfield Community residents to offset the cost of the residents installing septic tanks.

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The Springs representative asked if the County would accept the sewer treatment facility until all the septic tanks were installed after which time, Springs would maintain the wastewater treatment facility. Chairman Willis said he declined the offer because the County is not in the sewer and waste treatment business.

Chairman Willis suggested that Springs develop contracts with the individual Springfield residents stating that Springs would no longer be liable once septic tanks were in place. Chairman Willis said he is waiting for a response from Springs on his suggestions.

Chamber of Commerce Funding Request

County Attorney Ed Johnston said of the 10 different Chamber projects listed, five or six might be funded because they serve a public purpose. Mr. Johnston said Laurinburg After Five, Litter Sweep, the Visitor Center, Transportation and Leadership Scotland might fall in the category of serving a public purpose while Academic Achievement Awards, Junior Leadership Scotland, New Teacher Orientation and Job Shadowing would fall in the category of education and might be better served through Board of Education involvement.

Mr. Johnston said the Commissioners could develop a resolution where the Commissioners would determine what programs would be funded because they are considered programs for the provision of a public purpose. The Board could specify through a resolution how the funds could be spent.

Mr. Johnston also suggested that the Chamber present a report at the end of the fiscal year outlining exactly how the funds were expended. Any funds not used would be returned to the County and any funds used in a way not specified as public in the resolution would be returned to the County.

The Commissioners discussed in general what Chamber programs they considered serving a public purpose and what role the Tourism Development Authority might play in the Visitor Center.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to provide \$25,000 to the Chamber for the rest of the year to be used for the public purpose listed as the Visitor Center, Litter Sweep, Transportation Committee, Leadership Scotland and Laurinburg After Five and that any unused funds from the \$25,000 be returned to the County at the end of the year. Vote: For: Commissioners Alford, Butler and McCook. Vote: Against: Chairman Willis, Vice Chair Gholston and Commissioners McDow and McPhatter. Vote: Motion failed.

Item 9. Appointments to Boards and Committees

Motion was made by Vice Chair Gholston and duly seconded by Commissioner McPhatter to appoint Daniel Dockery to a four-year term on the Planning and Zoning Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to appoint Ruthie McDowell to a four-year term on the Scotland County/Maxton Planning Board. Vote: Motion unanimously approved.

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Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to reappoint 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 Butler and duly seconded by Commissioner McCook to appoint Dr. William Stroud to a three-year term as the Optometrist representative on the Board of Health. 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.

OPEN SESSION RESUMED

Motion was made by Chairman Willis and duly seconded by Commissioner McDow to offer Mr. Kevin Patterson the position of Scotland County Manager contingent on the development of a financial package. Vote: Motion unanimously approved.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 9:05 p.m.

Respectfully Submitted,

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman