

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

MINUTES

**Scotland County Board of Commissioners
Regular Meeting, November 7, 2005
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, Charles “Scoofer” Jordan, Joyce McDow and Clarence McPhatter. Staff in attendance: County Manager John A. Crumpton, Finance Officer/Assistant 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.

Chairman Willis asked if anyone wished to speak at Public Forum.

Mr. Bob Davis, Laurel Hill: Mr. Davis said he opposes the landfill proposed by Waste Management. Mr. Davis said he is concerned about the environmental impact to the fragile sandhills, increased traffic and the possibility of trash spills.

Mr. Ron Riggins: Mr. Riggins said his family has been doing business in the area for 60 years, and he is in favor of the proposed regional landfill. He said there would be a positive economic impact, the County would have the ability to handle its own garbage, 120 jobs would be made available, and the tax rate would be helped. Mr. Riggins said a regional landfill would attract more businesses to the area.

Mr. Leroy Watford, Springfield: Mr. Walker gave Chairman Willis a petition signed by 60 Springfield area residents who are concerned that a mobile home park might soon be locating in the neighborhood. He said the residents fear this would cause a drop in home values.

Mr. Bill Grogan: Mr. Grogan asked how Waste Management proposes to control hazardous waste from winding up in the landfill. He said hazardous materials could be found in household waste. He said more research is necessary. Mr. Grogan said he is concerned about increased traffic.

Mr. Jerry Gattis: Mr. Gattis said \$4 million in revenue by locating a regional landfill in the County would not compare to some 50 negatives. He said a regional landfill would wind up at somebody’s back door. Mr. Gattis suggested that the revenue could be raised by other means, especially by working hard to recruit industry.

Item 1. Public Hearing: Planning and Zoning

Planning and Zoning Board Chairman Henry McLeod said Rezoning Application Number 428-05 submitted by James and Teresa Lawrence requests to rezone 5.010 acres

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

from Open Space to Residential Agricultural. Mr. McLeod said the applicants wish to place a storage shed, well and a barn for horses on the property and anticipate placing a retirement home there in the future. Mr. McLeod said the Planning and Zoning Board felt the request was reasonable since the bulk of the property would remain Open Space. He said the Planning and Zoning Board recommends the Commissioners consider approving the request.

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

Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to approve rezoning application 428-05. Vote: Motion unanimously approved.

Item 2. Closed Session

Motion was made by Commissioner Butler and duly seconded by Commissioner McPhatter to go into 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 and 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

Item 3. Waste Management Presentation

Mr. Greg Peverall, Waste Management Project Manager, provided an overview of the proposal to locate a regional landfill in Scotland County. He discussed the benefits, particularly in income and operation control a regional landfill would bring to the County. He said the presentation is in the early phase of a public awareness campaign.

Mr. Peverall said that if the regional landfill accepted 5,000 tons a day, it could represent about \$2.5 million in revenue paid quarterly to the County. He said a regional transportation hub also would be located in the County, which would bring 100 jobs.

Mr. Peverall discussed the construction of a lined modern landfill and how it is regulated by the State to ensure it is environmentally safe. He said the landfill would not accept hazardous waste only municipal waste generated from households and businesses.

He discussed the timeline for locating a regional landfill, which is five years minimum. If successful, the project would be equivalent to bringing a \$500 million industry to Scotland County. He said public involvement is welcomed and encouraged throughout the lengthy process.

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

Mr. Peverall said the downside is increased traffic, although Waste Management would work with the State to upgrade roads to support the traffic increase.

A question and answer session ensued between Mr. Peverall and the County Commissioners.

Chairman Willis stressed that additional revenue as a result of operating a regional landfill does not mean the tax rate would automatically be reduced. He said the mandates for funding Medicaid and local school operating expenses continue to increase. He said if Waste Management did not locate in Scotland County and the tax base continues to decrease, the taxpayers would have to bear that burden. Chairman Willis said the governing body would not base its decisions on the revenue the proposed project would bring. Its decisions would be based on what it feels is best for the County.

Motion was made by Commissioner Alford and duly seconded by Commissioner Jordan to approve the County Solid Waste Disposal Services Ordinance on second reading. Vote: Motion unanimously approved.

Vice Chair Gholston said she would like more time to study the proposal and asked if approval on the host agreement could be postponed 30 days.

County Manager Crumpton said it could be postponed. He added that even the Commissioners approved the host agreement tonight, it would be on first reading only, and approval on a second reading would be required.

Chairman Willis directed the County Manager to arrange an informal information meeting between the Commissioners and Waste Management and a possible tour of Waste Management landfill sites as soon as possible.

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to approve the Franchise/Host Agreement with Waste Management on first reading. Vote: Motion unanimously approved.

Item 4. Sports Complex Bid Update

Parks and Recreation Director Shannon Newton said the bid received on the Sports Complex was substantially more than the amount allocated in the grant. She said although the bid submitted by Hudson Paving was negotiated downward, it still was not within the parameters of what was allocated for the project.

Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to reject the one bid submitted by Hudson Paving, Inc. Vote: Motion unanimously approved.

County Manager Crumpton said the County is asking the State to approve a six-month extension. Mr. Crumpton said the single high bid and the lack of receipt of other bids

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

might be attributed to the short time frame with which the project would have to be completed.

Mr. Crumpton said bids also were received for the concession/restroom area, and the low bid was \$113,000 on a \$75,000 budget.

He said he would have a better idea on where the County was going with the project at the December 5 Commissioners meeting.

Item 5. Local Government Debt Setoff Program Resolution

Finance Officer/Assistant County Manager Kevin Patterson said the debt setoff program allows government agencies to garnish State tax refunds for legal debts owed the County. He said the debts also would include monies owed the Landfill and EMS. He added that the debt setoff program helps improve vehicle and personal property tax collections.

Motion was made by Commissioner McDow and duly seconded by Commissioner Butler to Local Government Debt Setoff Program Resolution. Vote: Motion unanimously approved.

WHEREAS, NCGS Chapter 105A, Setoff Debt Collection Act, authorizes the North Carolina Department of Revenue to cooperate in identifying debtors who owe money to local governments and who qualify for refunds from the Department of Revenue; and

WHEREAS, the law authorizes the setting off of certain debts owed to local governments against tax refunds; and

WHEREAS, the North Carolina Association of County Commissioners and the North Carolina League of Municipalities have jointly established a clearinghouse to submit debts on behalf of Scotland County, as provided by law;

NOW THEREFORE, BE IT RESOLVED by the Scotland County Board of Commissioners that Scotland County will participate in the debt setoff program and hereby designates the Finance Officer as the person to hold hearings and conduct necessary proceedings.

The Chairman of the Board and the County Manager are hereby authorized to execute such documents and agreements as necessary to participate in the debt setoff program.

Adopted by the Scotland County Board of Commissioners this 7th day of November 2005.

Item 6. Consent Agenda:

- a) **Approve minutes of the Board of Commissioners October 3, 2005 regular meeting.**

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

- b) Approve agreement between the Town of Gibson and the Gibson Southwest District Fire Department, Inc.**
- c) Approve amended Youth Center Task Force Grant Project Ordinance, which reflects an additional \$5,000 grant from the State General Assembly Discretionary Fund.**

Youth Center Task Force Grant Project Ordinance

Be it ordained by the Board of Commissioners of the County of Scotland that, pursuant to 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted.

Section 1: The project authorized is the Youth Center Task Force Grant Project Fund described in the work statement contained in the grant agreement between this unit and the US Department of Housing and Urban Development, the NC Parks and Recreation Trust Fund, Scotland Tourism Development Authority and Land and Water Conservation Fund. This project is more familiarly known as the Youth Center Task Force Project.

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the US Department of Housing and Urban Development, the NC Parks and Recreation Trust Fund and the budget contained herein.

Section 3: The following revenues are anticipated to be available to complete this project:

| | |
|---|--------------------|
| Housing and Urban Development Grant | \$100,000 |
| Parks and Recreation Trust Fund Grant | \$250,000 |
| Local Match-County Appropriation | \$250,000 |
| Housing and Urban Development Grant | \$312,952 |
| Tourism Development Authority | \$100,000 |
| Land and Water Conservation Fund | \$500,000 |
| Adams Photography Gift | \$600 |
| Housing and Urban Development Grant | \$149,115 |
| NC General Assembly Discretionary Fund | \$5,000 |
| TOTAL REVENUES | \$1,667,667 |

Section 4: The following amounts are appropriated for the project:

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

| | |
|---------------------------------------|---------------------|
| Architectural/Engineering Plan | \$100,000 |
| Site Plan | \$30,000 |
| Construction | \$1,5 37,667 |
| TOTAL EXPENDITURES | \$1,667,667 |

Section 5: The Finance Officer is hereby directed to maintain within this Youth Center Task Force Grant Project Fund sufficient detailed accounting record to provide the accounting to the grantor agency and required by the grant agreement(s) and federal regulations.

Section 6: Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the grantor agency in an orderly and timely manner.

Section 7: The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board. He may transfer amounts between objects of expenditure, without limitations and without a separate report.

Section 9: The Budget Officer, with the approval of the Finance Officer, may transfer funds between line items within the project amount approved to insure timely payment of expenses.

Section 10: Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out the project.

d) Approve request by the Health Department to increase the agency vaccine administration fee from \$10 to \$18.

e) Budget Amendments

- 1) Administration: Approve receipt of \$5,000 for the Wagram Volunteer Fire Department, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money.**
- 2) DSS: Approve receipt of \$48,285 in Smart Start funding, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars required.**

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

Item 7. Resolution Declaring Certain Property as Surplus

Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to approve a Resolution Declaring Certain County Property to be Surplus

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

and Authorizing the Disposition of Said Property. Vote: Motion unanimously approved.

WHEREAS, the Board of Commissioners of the County of Scotland, North Carolina, has determined that the County owns certain personal property that is no longer needed or usable by the County; and

WHEREAS, the property consists of equipment that is old and beyond repair, some of which has not been used since (**year**); and

WHEREAS, the property is described in attachments to this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Scotland County Board of Commissioners that the County Manager is hereby authorized to dispose of the aforementioned property by any means allowable to include offering for sale at public auction, donation to a nonprofit organization, Internet on-line offering, private negotiation and sale, upset bid process or destruction. The County Manager shall report the result of the disposition of the items listed above at the next regular meeting of the Board of Commissioners following said disposition.

Adopted this 7th day of November 2004.

Item 8. Tax Office: Pilkington Real Estate Appeals

County Manager Crumpton said Pilkington appealed its real estate value to the Department of Revenue, and negotiations with the Department of Revenue and the County ensued. He said the tax valuation of \$19.84 million was negotiated to \$19 million. Mr. Crumpton asked the Commissioners to consider the negotiated tax valuation recommendation for 2003 to 2005 as well as Pilkington's late recycling exemption for the 2005 year.

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to approve Pilkington's real estate valuation for 2003, 2004 and 2005 and approve Pilkington's late recycling exemption application for 2005. Vote: Motion unanimously approved.

Item 9. Risk Management Policy

County Manager John Crumpton presented the Commissioners with the Risk Management Policy for review and eventual approval.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner McDow to appoint Ms. Ann Kurtzman, Mr. Kevin Patterson, Mr. Jim Blackwell, Mr. Roylin Hammond and Ms. Shannon Newton to the Risk Management Policy Review Committee. Vote: Motion unanimously approved.

Item 10. Update from the Finance Officer/Assistant County Manager

Finance Officer/Assistant County Manager Patterson distributed the monthly financial report dated October 31, 2005, which includes current revenue, cash balances and expenditures.

Item 11. Appointments to Boards and Committees

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Mr. Jeff Maidment to a four-year term on the Southeastern Regional Mental Health Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler to appoint Mr. Buddy McCarter and Mr. Ken Nichols to the Parks and Recreation Advisory Board.

Commissioner McDow asked that the Parks and Recreation Advisory Board appointments be delayed until the next meeting, and the motion died for lack of a second.

Vice Chair Gholston said she would like to see if there are other people in the community who would like to serve. Commissioner McPhatter said there used to be an application process, and perhaps the Board should return to that.

Chairman Willis directed the Clerk to the Board to alert all Commissioners a month in advance of pending appointments and to resume seeking applications.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to appoint County Manager John Crumpton, Laurinburg City Manager Craig Honeycutt and Roylin Hammond to the Transportation Coordinating Committee. Vote: Motion unanimously approved.

Commissioner Jordan said he would be unable to continue to serve on the Four County Community Action Board due to scheduling conflicts.

Motion was made by Commissioner McPhatter and duly seconded by Vice Chair Gholston to appoint Mr. John Alford as the Commissioner representative on the Four County Community Action Board, replacing Commissioner Scoofer Jordan. Vote: Motion unanimously approved.

Item 12. County Manager's Report

County Manager Crumpton said notification was received by Adelphia of a pending rate increase.

He said the Laurinburg City Council would like to have a joint meeting with the Commissioners to discuss long-term planning and consolidation issues. He said a joint meeting with the Board of Education also might be scheduled in the near future.

*Scotland County Board of Commissioners regular meeting
November 7, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

The County Manager said the issue of refunding money to the State for a 1998 housing rehabilitation project was resolved. He said the Lumber River Council of Governments and a consultant would be responsible for refunding the money.

Mr. Crumpton invited the Commissioners to a November 23 drop-in in his office where refreshments would be served to Department Heads and employees in the Annex.

Mr. Crumpton said the County did not apply for an urgent repair grant because it might jeopardize the grant received by Four County Community Services.

Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 9:35 p.m.

Respectfully Submitted,

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman