

MINUTES

**Scotland County Board of Commissioners
Regular Meeting, December 1, 2003
Scotland County Complex, 1405 West Boulevard, Laurinburg, NC**

At 7 p.m., Vice Chair Nancy Shelley called the regular meeting to order. Commissioners in attendance: Vice Chair Nancy J. Shelley, Betty Blue Gholston, Charles “Scoofer” Jordan and J.D. Willis. Commissioners not in attendance: Chairman David Burns and Commissioners Sam Snowdon and Clint Willis. Staff in attendance: County Manager Scott Sauer, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Commissioner Jordan delivered the opening prayer. The Pledge of Allegiance was recited.

County Attorney Johnston asked for nominations for the office of Chair of the Scotland County Board of Commissioners for the year 2004.

Commissioner Shelley nominated David Burns. Commissioner Gholston seconded the nomination.

Motion was made by Commissioner Shelley and duly seconded by Commissioner Gholston that nominations be closed and David Burns be elected Chairman by acclamation. Vote: Motion unanimously approved.

Mr. Johnston asked for a nomination for Vice Chair. **Motion was made by Commissioner J.D. Willis to nominate Nancy Shelley as Vice Chair. Commissioner Jordan seconded the nomination.** Mr. Johnston asked if there were other nominations. There were none. **Vote: Motion unanimously approved.**

Vice Chair Shelley led the meeting in the absence of Chairman Burns, who had been excused.

Public Forum:

Mr. Brad Allen, LRCOG Aging Program Administrator: Mr. Allen said the LRCOG, which includes Scotland County, celebrates 30 years as a designated Area Agency on Aging. The LRCOG commissioned cotton throws in honor of the occasion. He presented the throw to the Board of Commissioners.

Item 1. Planning and Zoning

a. Public Hearing – Conditional Use Application #439

The Thomas Strickland Auto Recyclers Conditional Use Application is also referred to as Conditional Use Case #439. The applicant requests to establish a Junked Auto and Salvage Yard under Scotland County Zoning Ordinance Section 30.3 “Conditional Uses” allowed within an I-2, Heavy Industrial zoning district. The Conditional Use Application

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#439, pertains to approximately 11.5 acres located at the intersection of Old Lumberton Road and Rocky Ford Road.

Planning and Zoning Board recommendation: Approval upon completion of the following conditions and ordinance requirements:

1. Scotland County Zoning Ordinance Section 16.4 Buffers In all commercial and industrial districts, buffers are required for the enclosure of open storage vehicles, materials and/or equipment. Section 30.3 Heavy Industrial Conditional Uses, and Section 36 Application for Conditional Use; and
2. Scotland County Ordinance 29 An Ordinance Regulating the Operating or Maintenance of Automobile Graveyards and Junkyards in Scotland County; and
3. North Carolina Fire Prevention Code, Volume V, Fire Prevention; and
4. National Pollutant Discharge Elimination System North Carolina General Permit NCG100000.
5. All conditions are to be shown on the site plan required by Scotland County Zoning Ordinance Section 15.1.1 "Site Plan Required" prior to the issuance of a Zoning Permit.

Vice Chair Shelley opened the Public Hearing and asked if anyone wished to speak against or in favor of the conditional use application.

Mr. Stewart Thomas, a principle in Thomas/Strickland Auto Recyclers, distributed information about the proposed business. He said it is the intent of the business to be environmentally safe. He said initial employment would be four and could grow to 15 by 2008. He said the business will look much like an automobile sales lot, and it would be maintained in an orderly fashion. Mr. Thomas said the business would provide usable car parts when possible. The business would help clean up the County by removing abandoned and junk cars.

No one else came forward to speak at the Public Hearing.

Motion was made by Commissioner Jordan and duly seconded by Commissioner J.D. Willis to approve the Conditional Use Application #439 upon completion of the abovementioned conditions and ordinance requirements. Vote: Motion unanimously approved.

Mr. Thomas thanked Planning Director Marcus Norton for the assistance he provided through the process and described Mr. Norton as an asset to the County.

Item 2. Tourism Development Authority Annual Report

Tourism Development Authority Chairman Bo Butler discussed activity highlights, frequently in conjunction with the Laurinburg Downtown Redevelopment Corporation, to promote tourism in Scotland County.

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He thanked Parks and Recreation Director Shannon Newton, Finance Officer Charles Williams, County Manager Scott Sauer and County Engineer Jim Blackwell for their support.

Item 3. Consent Agenda:

- a) **Approval of minutes of the Board of Commissioners, November 3, 2003 regular meeting and November 12, 2003 joint meeting.**
- b) **Approval of fidelity bonds for various County officials and employees as per G.S. 58-72-10.**
- c) **Budget Amendments**
 - 1) **Tourism Development Authority: Increase the room occupancy revenue line item and contingency expenditure line item in the amount of \$25,000. There are no County dollars involved.**
 - 2) **Administration: Approve transfer of \$3,500 from Fund Balance to Administration in order to acquire computer equipment from the Adolescent Wellness Council.**
 - 3) **Register of Deeds: Approve transfer of \$7,167 from Fund Balance to Register of Deeds. The \$7,167 will be paid back to the County over a number of years via fees from the Automation Preservation Funds.**
 - 4) **Public Buildings: Approve increase in Public Buildings in the amount of \$11,992.52. The funds are a gift from Ms. Nettie Hammond for a “permanent improvement” to Hammond Park. *(The funds currently are in Fund Balance).***
 - 5) **DSS: Accept additional funding in the amount of \$11,339. There are no County dollars involved.**

Motion was made by Commissioner J.D. Willis and duly seconded by Commissioner Jordan to approve the Consent Agenda. Vote: Motion unanimously approved.

Item 4. Health Department

- a. **Bioterrorism Exercise Follow-up Report**
- b. **Introduction of new Animal Control Officer**
- c. **Leash law follow-up**

Health Department Director Jane Murray provided a summary of the November 14 Bioterrorism Exercise. She said feedback was positive from the State consultant on how the exercise was conducted. A more thorough review from the State on the exercise is expected in February. She said the exercise provided an effective measure of what went well and helped identify areas that need improvement. The Department hopes to conduct a similar exercise in the spring.

Environmental Health Supervisor Teddy Locklear introduced Animal Control Officer Larry Herring. Mr. Herring worked at the County Jail for five years before transitioning to the new position.

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Mr. Locklear provided a statistical summary of Animal Control for 2003. As a follow-up to a query about the possibility of developing a leash law, Mr. Locklear said such a law could not be enforced with the current staffing.

Item 5. County Engineer's Report

- a. Water District II Update**
- b. Health Department expansion update**
- c. Accelerated Academy sewer project update**
- d. Recreation Complex update**

WATER DISTRICT II -- The tap crew should finish all customer connections to the water system this week. Upon completion of taps we will start installing short extensions to the system with our staff. This will be a significant cost savings from using contractors.

HEALTH DEPARTMENT EXPANSION -- Work is continuing on the expansion but the schedule has slipped approximately a month from the original schedule. The contract is still within budget.

ACCELERATED ACADEMY SEWER -- The contractor has delivered pipe to the job and construction is expected to restart this week. Work should progress rapidly if the weather cooperates.

RECREATION COMPLEX -- The timber has been harvested and we are awaiting the preliminary drawings from the consultant. Once the drawings have been received we will start clearing the splash pad site and construction of the drive.

SOLID WASTE ENFORCEMENT

November 2003

Complaints Received & Responded	17
Court Summons issued	10
Cases pending in Court	3
Hours Community Service	78
Hours Jail Road Crew	24

Item 6. Appointments to Boards and Committees

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Gholston to appoint Mr. David Raley to the Board of Health. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Jordan to appoint Dr. Olivia Guzman to the Board of Health. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Gholston to appoint Ms. Hattie McCallum to the Board of Health. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Jordan to appoint Mr. John Ingram to the Scotland County Planning and Zoning Board. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Gholston to appoint Mr. Cleo Graham to the Scotland County Planning and Zoning Board. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Gholston to appoint Mr. John Ferguson to the Southeastern Economic Development Commission. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Jordan to appoint Mr. Bob McNeill to the ABC Board. Vote: Motion unanimously approved.

Vice Chair Shelley said that a new appointment to the Human Relations Commission to replace Ms. Shirley Stuart would be made at the January 2004 meeting. She said Ms. Stuart chose not to be considered for reappointment because of scheduling conflicts. Vice Chair Shelley said the remaining County appointees to the Commission are as follows: Mr. Doug Edge, one more year; and Mr. Carl Clark and Ms. Vernie Joye, two more years.

Item 7. County Manager's Report

County staff contributed \$11,991.28 to the United Way Campaign, which represents 41% participation and an increase in giving of \$254 over last year.

Ms. Debbie Clifton, Associate Director of Scotland Center (Mental Health), resigned and has accepted a position with Social Security.

The County Manager introduced Mr. Mark Curfman of MGT of America. Mr. Curfman is one of the consultants conducting the efficiency review of County operations.

The LRCOG Ground Water Study is 4 p.m., January 13, 2004 at the Farmer's Market on US74 in Lumberton. The County Manager encouraged the Commissioners to attend as results from the study have long reaching implications regarding water supply.

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The County Manager asked once again for clarification as to whether the Board would contract a facilitator for the February 20 to 21 Planning Retreat.

The Board, by consensus, agreed not to contract facilitator services for the 2004 Planning Retreat.

Chairman Burns received a recent telephone call from Rep. Robin Hayes, who said the Youth Center Task Force would receive \$150,000 in federal funds. Additional funds also were made available to Scotland County Schools.

Item 8. Other Information

Vice Chair Shelley said she had received several calls from County employees opposed to the proposed mandatory Direct Deposit program. Vice Chair Shelley said she is not opposed to Direct Deposit but took issue with making it mandatory.

County Manager Sauer said now that the appropriate software is in place it allows for a paperless transition to Direct Deposit. He said the County program mirrors the State's mandatory Direct Deposit plan for retirees.

Vice Chair Shelley said she does not agree with the plan's lack of choice method.

Commissioner J.D. Willis suggested that Direct Deposit might be phased in so that it would be optional for a year or two.

Finance Officer Charles Williams said the Direct Deposit was in response to numerous employees who asked for the program. He said a mandatory program is more efficient, and he would prefer Direct Deposit backed 100 percent by employees or not do it at all.

Commissioner Gholston said since Direct Deposit seems like an administrative issue, perhaps administration should deal with and attempt to resolve it.

Commissioner Jordan agreed that a "wait and see" attitude might be helpful once the orientation meetings are conducted.

Commissioner J. D. Willis directed the County Manager and Board of Elections Supervisor Judy Riggins to restart County Government Week.

Commissioner Jordan said progress on the Scattered Housing Program has been delayed at least until February because the contact in Raleigh has resigned and a replacement is being recruited.

Closed Session

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Motion was made by Commissioner Jordan and duly seconded by Commissioner J.D. Willis to go into closed session held in accordance with N.C. General Statute §143-318.11(a)(3) to consult with an attorney on Gilbert Johnson v. Scotland County. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

The Board of Commissioners directed the County Attorney to contract out foreclosure proceedings to other attorneys in order to speed the process.

Motion was made Commissioner Jordan and duly seconded by Commissioner J.D. Willis authorizing the settlement in the amount of \$122,650 to Gilbert Johnson, et al, as payment on the 44.6 acres of condemned property at \$2,750 per acre, which includes payment in “new money” in the amount of \$74,650 as appropriated General Fund fund balance, to be reimbursed by the Public Works fund. Vote: Motion unanimously approved.

Motion was made Commissioner Jordan and duly seconded by Commissioner J.D. Willis to recess until 6 p.m., December 2 for the joint session with the City of Laurinburg in City Chambers. Vote: Motion unanimously approved.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

David L. Burns
Chairman