

MINUTES
Scotland County Board of Commissioners
Regular Meeting, March 1, 2010
Scotland County Complex, 1405 West Boulevard, Laurinburg NC

At 7 p.m. Chairman J. D. Willis called the meeting to order. Commissioners in attendance: Chairman Willis, Vice Chair Betty Blue Gholston and Commissioners John Alford, Bob Davis, 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.

No one came forward to speak at Public Forum.

Item 1. Public Hearing: Community Transportation Program Application

Chairman Willis opened the Public Hearing for the Community Transportation Program Application 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 McCook and duly seconded by Commissioner Alford to approve the FY 2011 Community Transportation Program Resolution. Vote: Motion unanimously approved.

Item 2. FY 2008-2009 Audit

Mr. Carl Head, Lundin & Company, provided an unqualified opinion of the FY 2008-2009 audit. Fund Balance had a \$1,082,000 decrease, which had to do with transfers from the General Fund to Capital Projects. The Public Works Fund decreased \$286,000. Water Districts I and II both had losses of roughly \$150,000. Findings are three deficiencies — one significant and two material. Two deficiencies are the same as last year.

Mr. Head said the Public Works Fund and Courthouse Project Fund are in deficit. The County should make the scheduled transfers from the General Fund to the Courthouse Project Fund and search for new revenue streams to reduce the deficit in the Public Works Fund.

The second material deficiency is that financial statements and journal entries are still being prepared because the County is without a full-time Finance Officer. This makes it difficult for the County to produce financial statements and prepare the necessary information to complete the audit.

Submission and completion of the audit was submitted late to the LGC because the County failed to have its actuarial study related to other post employment benefits completed in a timely manner. The recommendation is the Acting Finance Officer should ensure that all reports are filed in a timely manner and accounting personnel supervised and delegated to ensure likewise.

Item 3. Cooperative Extension Annual Report

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Cooperative Extension Director Cathy Graham provided program highlights for the agency. She said in agriculture, 2008 cash receipts of \$100 million ranked the County 34th in the State and 25th in the State in livestock, dairy and poultry.

Ms. Graham discussed the significance of the \$125,000 community garden grant from NC A&T University and the positive feedback for the agency's hospitality training. She discussed the variety of programs available to youth this summer and the expanding programs in 4-H.

Item 4. Consent Agenda:

- a) Approval of minutes of the Board of Commissioners January 25, 2010 joint meeting, February 1, 2010 regular meeting and February 4, 2010 planning retreat.**
- b) Approve Tax Department request to release funds in the amount of \$244.85 and in the amount of \$28,693.43 and to make refunds in the amount of \$202.67 and in the amount of \$3,514.49.**
- c) Approve Water Shortage Response Plan Resolution.**

Resolution Supporting a Water Shortage Response Plan

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall either individually or together with other units of local government, prepare and submit a Water Shortage Response Plan; and,

WHEREAS, as required by the Statute and in the interests of sound local planning, a Water Shortage Response Plan for Scotland County has been developed and submitted the Scotland County Board of Commissioners for approval; and

WHEREAS, the Scotland County Board of Commissioners finds the Water Shortage Response Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for Scotland County, as well as useful information to the Department of Environment and Natural Resources for the development of a State water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Scotland County that the Water Shortage Response Plan entitled Water Shortage Response Plan dated September 22, 2009 is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Scotland County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This 1st day of March, 2010

- d) Approve request by the Health Department to add the Gardasil vaccination to the fee schedule.**
- e) Approve resolution supporting continued State funding for the Criminal Justice Partnership Program**

**RESOLUTION SUPPORTING CONTINUED STATE FUNDING
FOR THE CRIMINAL JUSTICE PARTNERSHIP PROGRAM**

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, the Criminal Justice Partnership Program is in danger of being cut from the State budget entirely despite its successes in general and the successes of the Scotland-Hoke Criminal Justice Partnership Program, in particular; and

WHEREAS, Scotland-Hoke currently receives \$155,850 a year in CJPP funding and the average cost per offender per day is \$11.46 for the Scotland/Hoke Program compared to the average cost per offender per day is \$14.96 for CJPP Statewide; and

WHEREAS, the Scotland-Hoke Program served 70 offenders as of the 14th of February The program served 110 offenders in FY 2008-2009 where approximately 53 percent of offenders were less likely to have their probation revoked when compared to the non-CJPP intermediate offenders; and

WHEREAS, the alternative to the Criminal Justice Partnership is far more costly when the average cost per offender per day is \$73.85 for an offender in prison and the average cost per offender per day is \$55.00 for offenders in county jails statewide.

WHEREAS, without this program there will not be free substance abuse counseling available for the intermediate offender who will live in the community and will continue to commit crimes if their drug problems are not addressed; 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

NOW THEREFORE BE IT RESOLVED THAT the Scotland County Board of Commissioners urges its local legislators to vigorously support continued funding for the administration of the statewide Criminal Justice Partnership Program.

This the 1st day of March 2010

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

Item 5. Solid Waste Enforcement Presentation

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County Engineer Jim Blackwell updated the Commissioners of the activities of Solid Waste Enforcement Officer J.R. "Bobby" Horne, whose job is to enforce the solid waste ordinance and educate the public on the importance of proper solid waste disposal and on recycling.

Mr. Blackwell discussed how recycling programs have been expanded to all County offices, the public school system and through the Chamber of Commerce Beautification programs, all with successful results.

Mr. Blackwell gave a PowerPoint presentation and provided a report on the enforcement of illegal dumping, improper storage and abandoned homes. Mr. Blackwell said Mr. Horne works to resolve the issues without having to go through the court system, whenever possible. Mr. Blackwell praised the work of Mr. Horne explaining that without him, the solid waste enforcement program would not be as effective as it now is.

Mr. Blackwell said that a majority of littering occurs within proximity of fast food restaurants and convenience stores where people in vehicles just toss the trash out. He said there is more litter than there is the ability to pick it up, especially using inmates in a litter sweep program.

Item 6. Appointments to Boards and Committees

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to appoint Mr. Charles "Scoofer" Jordan as Chairman and Mr. Walter Rogers, Mr. Ken Haney, Mr. Sam Cribb, Mr. Aubrey L. Jones and Mr. Bob Davis, as Commissioner-representative to the 2010 Board of Equalization and Review. Vote: Motion unanimously approved.

Item 7. Update from the County Manager

County Manager Patterson said officials in the region discussed the possibility of securing funds for studying a regional water system or interconnectivity at WestPoint Stevens. The LRCOG agreed to sponsor a grant application. The County is asked to provide a letter of support for the grant application.

Motion was made by Commissioner McCook and duly seconded by Commissioner McDow to provide the LRCOG with a letter in support for a partnership to study a regional water system. Vote: Motion unanimously approved.

Four County Community Services reapplied for \$1.3 million in CSBG funding. Mr. Patterson said the grant will serve seven counties and Scotland County will receive about \$300,000 of the total amount.

Mr. Patterson said the quarterly fiscal report from Southeastern Regional Mental Health was included in the agenda package along with two more resolutions opposing the transfer of secondary road maintenance to the counties and a resolution opposing allowing illegal aliens in the community college system. Mr. Patterson reminded the Commissioners the State Litter Sweep is April 17 through May 1.

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Mr. Patterson said the Parks and Recreation Advisory Board agreed to support a request by the City Recreation Center Committee asking the County to participate in a recreation center study. The City has a bid on this study for \$9,700. The Parks and Recreation Advisory Board supports the County paying for half of the study not to exceed \$5,000.

Chairman Willis suggested the Board consider the request during planning for the FY 2010-2011 budget.

The County Manager discussed BB&T documents that outline financing of the Wagram school expansion using Qualified School Construction Bonds. The interest rate is not to exceed 2.5 percent. The expected rate is 2 percent. The documents signify the County's intent to issue the debt with BB&T and authorize the Chairman and County Manager to execute documents for the loan.

Mr. Patterson explained further that the loan must be approved by the Local Government Commission. The LGC will not give final approval until there is a bid on the project. Before the final project can be approved there must be building plans. Architectural and engineering fees are associated with this work. This is the reason for the reimbursement resolution. This will allow the County to finance the cost of the plans after the fact. If there is a decision to not issue this debt, the County can stop up until the debt is issued and construction bids awarded. Resolution approval does not lock the County into future actions.

Motion was made by Commissioner McPhatter and duly seconded by Commissioner Davis to approve the Declaration of Official Intent to Reimburse and the Resolution Providing Final Approval of Terms and Documents for QSCB School Improvement Financing. Vote: Motion unanimously approved.

The County Manager gave an update on the conceptual landfill: *The concept landfill is shown as 240 feet tall. To put this in perspective the stacks at Pilkington are approximately 400 feet tall. The landfill would excavate five feet below grade. The landfill liner would be six feet thick. A groundwater intercept system could be installed that would allow for lowering depth of landfill approximately 10 feet.*

Through December 2009 the County spent \$14,424 on studying the potential for a landfill. Revenue projections on a 3,000-ton a day landfill would show \$2.3 million annually in profit after the breakeven point, which equates to approximately 13 cents on the tax rate. To generate this revenue, a necessary investment would be \$229 million. This does not mean there would be a tax rate decrease. Revenues would not be available for several years. There would be significant changes in the budget in that time frame. A landfill would provide future revenues for future needs.

The Commissioners then discussed tipping fees and the possibility they might increase to cover closure and post-closure costs of the current C&D landfill. The Commissioners expressed concern that a tipping fee increase would cause the City of Laurinburg, the largest customer, to seek another service.

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Commissioner McPhatter said the City also would have to look at the cost of long-distance hauling if local tipping fees increased.

Commissioner Davis asked why the County would choose to lose money year after year when, instead, the C&D landfill could have been closed earlier.

County Manager Patterson said the landfill had positive cash flow until the economic downturn. He explained that it would be more expensive to close the landfill early because a larger unused space would have to be closed. Mr. Patterson added that now, if tipping fees are not addressed, it would fall to property taxes, and there is no simple solution.

Mr. Patterson said that a 500-ton a day landfill would cost \$11 million while the development of 3,000-ton a day would cost \$16 million.

Chairman Willis said the Board would probably have to make a decision on the tipping fees between now and budget time.

Commissioner Davis said that with 12 years remaining on the C&D landfill and eight years remaining on the MSW contract, he did not see a need to jump into an immediate decision. Commissioner Davis reiterated that he is not in favor of a landfill. He asked why the issue has been brought back since it was his understanding there would be no more landfill talks if counties received Medicaid relief.

Mr. Patterson said the bid sheet is attached for the CDBG program, and the lowest bidder is Prevatte's Homes in Lumberton at \$68,975. The next lowest bidder was lower by \$966. The County Manager said if the Board approves the contract, work could begin this month on the first two units.

Motion was made by Commissioner Davis and duly seconded by Commissioner Alford to approve awarding the 2008 CDBG contract for replacement units to Prevatte's Homes in Lumberton. Vote: Motion unanimously approved.

The County Manager said NCRBI Broadband deployment project that involves the Kenan Institute at UNC Chapel Hill and MCNC, a nonprofit, would establish long haul fiber connections between public institutions from Charlotte to Wilmington. A similar project has already begun in the northern part of the State. The County is asked to provide a letter of support for the project. No County dollars are requested.

Motion was made by Commissioner McDow and duly seconded by Commissioner McPhatter to approve a letter of support for the long haul fiber connections project. Vote: Motion unanimously approved.

Mr. Patterson said the State Fire Marshal inspected all the fire departments in the County in January and each fire department passed inspection.

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Commissioner McCook suggested the Commissioners send a letter of commendation to the fire chiefs for doing a good job keeping the community safe.

Commissioner Davis added that a letter of appreciation also be sent to Mr. J.R. Horne for doing a good job in solid waste enforcement.

The County Manager recommended filling two vacancies at the Health Department. The first is for a processing assistant for the switchboard operator. The Health Department has rearranged staff to cover the position as thoroughly as possible. Mr. Patterson said the second position is a Public Health Nurse. The Health Department was without this position for most of last year. The position was filled last October but the person left in January due to unexpected reasons.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to approve the recruitment of a Processing Assistant and a Public Health Nurse at the Health Department. Vote: Motion unanimously approved.

Item 8. Closed Session

Motion was made by Commissioner Alford and duly seconded by Commissioner Davis to go into Closed Session 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

Other Information/Comments from the Chairman and Commissioners

Commissioner Alford said counties more heavily involved in industry suffer for a longer period of time during a recession. Commissioner Alford said it is important for the County to create jobs that could withstand recession.

Commissioner McDow suggested the Commissioners have a joint session with the Board of Education with invite Kendall Jordan as guest to discuss the ability of counties to pay for education.

Chairman Willis asked Mr. Patterson to contact Superintendent Rick Stout for possible joint meeting dates.

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

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman