

*Scotland County Board of Commissioners May 4, 2009 regular meeting
1405 West Boulevard, Laurinburg, NC*

MINUTES

**Scotland County Board of Commissioners
Regular Meeting, May 4, 2009
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, Bob Davis, Guy McCook, Joyce McDow and Clarence McPhatter. Staff in attendance: County Manager Kevin Patterson, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Chairman Willis delivered the opening prayer. The Pledge of Allegiance was recited.

Chairman Willis recognized Board of Education Chairman Jimmy Bennett and Board of Education Member Terrence Williams and thanked them for attending the meeting.

Public Forum

Mr. Walter Rogers on behalf of Baptist Mission Men asked the Commissioners to consider developing a policy where tipping fees and permit fees would be waived when two non-profits, one of which is a 501(3)c, work together cooperatively on a project. As an example, Mr. Rogers said when Four County does home repair and Baptist Mission Men provide the labor, it is requested that the permit and tipping fees be waived.

Mr. Carlton Miller, a Scotland County resident, asked the Commissioners for help with a right of easement established in 1943. Mr. Miller said when he purchased the land the right of easement did not show up on any title searches or surveys. Mr. Miller said the easement, which is Old Rockingham Road, showed up recently on a topographical map. Mr. Miller said dirt bikes and four-wheelers use Old Rockingham Road, which is on his property. Mr. Miller asked the DOT for assistance and the DOT told him the road was reverted to Scotland County. Mr. Miller said a neighbor uses the road although the neighbor has access via Gum Swamp Road.

Chairman Willis directed the County Manager, County Engineer and County Attorney to review the issue and determine what the Commissioners might be able to legally do and report back to the Board with a recommendation.

Ms. Rena McNeil, NAACP Youth Council Advisor, asked the Commissioners to consider Community Assistance Grant funding to benefit ACT-SO (Afro-Academic, Cultural, Technological and Scientific Olympics), a program that helps educate youth at a higher level and has produced two national winners from Scotland County. Ms. McNeil explained ACT-SO and its mission. She said 100 to 150 students a year are involved in ACT-SO.

Commissioner Alford said ACT-So is open to youth of all races. Commissioner Davis said he is familiar with ACT-SO and commended Ms. McNeil for the work she does.

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Item 1.2008 Community Child Protection Team end of year report

CCPT Chair Joe Knott provided the 2008 annual report. He discussed what CCPT does and how DSS partners with other agencies in the County to focus on things CCPT could do in the future to prevent child fatalities.

Mr. Knott said CCPT reviewed seven families, which included 16 children. Contributing factors are identified with each case reviewed. Neglect rated highest with 85 percent of the cases reviewed while abuse followed with 15 percent. Among cases reviewed in 2007, substance abuse was a contributing factor.

Mr. Knott said the CCPT will increase community awareness on Purple Crying, Shaken Baby Syndrome and Safe Surrender.

Mr. Knott said as part of the annual report, it is requested that the Commissioners the CCPT members for 2009.

**Motion was made by Commissioner Alford and duly seconded by Commissioner McCook
Child Community Protection Team members as presented. Vote: Motion unanimously approved.**

Item 2.Child Fatality Prevention Team annual report

CFPT Chair Kitty Johnson reviewed CFPT accomplishments and outlined the 2009 action agenda. She said a main focus of CFPT is to make recommendations at the State level regarding child fatality prevention.

Ms. Johnson said CFPT reviewed 15 cases of child fatalities in 2007 – one case related to assault, one related to abuse, one related to drowning, one related to a motor vehicle accident, two related to prenatal complications resulting in preterm delivery, two related to congenital birth defects, two related to extreme prematurity, four related to carbon monoxide poisoning and one case related to brain anoxia.

Ms. Johnson discussed past accomplishments and the 2009 action agenda regarding Shaken Baby Syndrome and Purple Crying.

Item 3. Funding Request: Juvenile Crime Prevention Council

Mr. Randy Jones, Juvenile Crime Prevention Council Chair, asked the Commissioners to consider approving \$3,000 in funding for the remainder of FY 2008-2009.

Mr. Jones said there is no good time to ask for funds but the provision of services to youth at risk is still necessary. Mr. Jones asked for the \$3,000 because seven percent of JCPC funding will revert back to the State so North Carolina can balance its budget.

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Mr. Jones said looking ahead to FY 2009-2010, and to prevent gaps in services, Juvenile Crime Prevention Council requests funding in the amount of \$10,000. Mr. Jones said the funds would bridge the gap for many kids who would not otherwise benefit from the services provided. Mr. Jones said JCPC serves about 250 children a year.

Item 4. Rural Land Use Advisory Commission (RLUAC) Presentation

RLUAC Executive Director Jim Dougherty provided a PowerPoint presentation and update on RLUAC, its goals and objectives to the Ft. Bragg military training mission and to ensure civilian safety and environmental capability.

Mr. Dougherty said RLUAC operates on a modest budget comprised of dues from local governments, of which Scotland County is a member, and grants.

RLUAC achievements thus far include the completion of a Joint Land Use Study, a light pollution study and telecommunications tower study.

Mr. Dougherty said the All American Trail is currently 11 miles long but will be extended to 22 miles by August.

Item 5. Discussion: Development of an Advertising Policy

Chairman Willis distributed an outline of an advertising policy for Commissioners. He asked the Board to review the material and direct any input on the draft policy to the Clerk to the Board.

Commissioner Alford said he would like the Commissioners to consider a policy on a term limit for the Chair and also a policy regarding expectations of elected officials regarding the Chair.

Item 6. Consent Agenda:

- a) **Approval of minutes of the Board of Commissioners April 6, 2009 regular meeting.**
- b) **Approve Tax Department request to release funds in the amount of \$92.43 and in the amount of \$2,748.54 and to make refunds in the amount of \$190.66 and in the amount of \$4,080.98.**
- c) **Approve the following 2010 holiday schedule, which will be observed by the State: January 1, New Year's Day; January 18, Martin Luther King, Jr. Birthday; April 2, Good Friday; May 31, Memorial Day; July 5, Independence Day; September 6, Labor Day; November 11, Veteran's Day; November 25 and 26, Thanksgiving; and December 24 and 27, Christmas.**
- d) **Approve Health Department request to surplus a 1998 Crown Victoria VIN 2FAFP71W1WX186648, a 1996 Ford Crown Victoria VIN 2FALP71W8TX211401 and a 1996 Ford Ranger VIN 1FTCR10A4TUD70186.**
- e) **Approve EMS request to surplus a 1997 Ford Crown Victoria VIN 2FALP71W3V216072.**
- f) **Approve transfer of 2000 Chevy S-10 VIN 1GCCS1945YK120119 from the Health Department to Transportation.**

g) **Budget Amendments:**

- 1) **Health:** Approve receipt of additional funding in the amount of \$2,800 and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 2) **JCPC:** Approve disbursement of \$156,912 in State funds to the County for the FY 2009-2010 Juvenile Crime Prevention Program and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 3) **JCPC:** Approve receipt of additional funding in the amount of \$55,005 and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 4) **Criminal Justice Partnership Program:** Approve \$5,794 in additional funds for the Criminal Justice Partnership Program and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 5) **Soil and Water:** Approve receipt of additional funding in the amount of \$270 for Voluntary Agricultural District sign sales, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 6) **Soil and Water:** Approve receipt of additional funds in the amount of \$300 and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 7) **DSS:** Approve transfer of Work First funds from EMS in the amount of \$10,397 to DSS and authorize the Finance Officer to make the necessary arrangements to expend the money.
- 8) **DSS:** Approve additional funding in the amount of \$150,000 and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 9) **John Blue Cotton Festival:** Approve fund balance carry over in the amount of \$30,998, and authorize the Finance Officer to make the necessary arrangements to expend the money.

County Manager Patterson said the John Blue Cotton Festival carry over money is really designated for the Cotton Gin. Mr. Patterson said transfer of Work First funds to DSS comes from Transportation, not EMS.

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

Item 7. Appointments to Boards and Committees

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to reappoint Mr. William Foland to the Zoning Board of Adjustment. Vote: Motion unanimously approved.

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Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to appoint Mr. Dean Nichols to the Richmond Community College Board of Trustees effective July 1, 2009.

Discussion: Vice Chair Gholston said Ms. Mary Jo Adams, the current Scotland County appointed Trustee, asks that the Commissioners consider extending her appointment to the time when construction of the Scotland Richmond Community College Campus is complete.

Vote on the motion to appoint Mr. Nichols: Motion unanimously approved.

Speaking on the subject of two-term limits, Commissioner McCook said sometimes it is advantageous to keep people in appointed positions because of their experience, such as planning and zoning boards and the Richmond Community College Board of Trustees.

Chairman Willis said the two-term limit could be altered at anytime. He explained that a two-term limit was decided upon based on input by the community who believed the Board was showing favoritism in making appointments.

Item 8. Update from the County Manager

County Manager Patterson briefly reviewed capital needs that would be discussed in greater detail during budget work sessions. Some capital projects include an expansion at DSS and the 911 Communications Center.

The Commissioners Chamber would be converted into a combination waiting room and file storage room. The DSS expansion would be carried out based on funding availability. EMS has \$200,000 in 911 funds that could be used for the Communications Center expansion.

Mr. Patterson said the County could take possession of the Speller Building next summer. It could house the Tax Department and other select departments. Child Support would move from DSS into the Courthouse where the Tax Department once was.

Commissioner McPhatter asked that a security plan be made part of the Tax office move since it takes in revenue for the County.

County Manager Patterson said Elections would move from the Annex to 507 West Covington Street although the Annex would remain a polling precinct.

Mr. Patterson said an expansion at Scotland Place would house a permanent Commissioners Chamber, EOC, Parks and Recreation, Aging Services and Cooperative Extension.

Mr. Patterson said the Lumber River Rural Transportation Planning Organization (RPO), as required by the State Attorney General's Office, updated its Memorandum of Agreement (MOA) to reflect requirements of the Open Meeting Law. Amendments address adding a quorum requirement, declaring a seat vacant if the member misses two consecutive meetings and outlining how non-member municipalities can join.

Motion was made by Commissioner McCook and duly seconded by Commissioner Alford to approve the LRCOG Rural Transportation Planning Organization amendments as presented. Vote: Motion unanimously approved.

County Manager Patterson said several cooling/heating units in County buildings are in need of replacement or repair. Mr. Patterson said replacement value for all units would be an estimated \$35,000, the funds of which would come from Fund Balance. Mr. Patterson said the new units would be energy efficient. The County would put replacement of the units out for bid locally, Mr. Patterson said.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to approve the purchase of cooling/heating units for County Buildings as recommended by the County Manager. Vote: Motion unanimously approved.

Mr. Patterson said the Homeowners and Bank Protection resolution, as requested by the Board at the April 6 meeting, is attached.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to approve A Resolution Urging Congress to Implement the Homeowners and Bank Protection Act. Vote: Motion unanimously approved.

A Resolution Urging Congress to Implement the Homeowners and Bank Protection Act

WHEREAS, the onrushing financial crisis engulfing home mortgages, debt instruments of all types, and the banking system of the United States threatens to set off an economic depression worse than the 1930s; and

WHEREAS, millions of American citizens are threatened with foreclosure and loss of their homes over the upcoming months, according to studies released by Realty Trac and Moody's Economy.com; and

WHEREAS, this financial crisis is now threatening the integrity of both state and federally chartered banks, as typified by the run on deposits of Countrywide Financial in California during the month of August 2007; and such banking collapse would wipe out the life savings of American citizens, and drastically undermine the economic stability of our states and cities; and

WHEREAS, in a similar financial crisis in the 1930s, President Franklin D. Roosevelt intervened to protect banks and homeowners; for example, in April 1933, he introduced legislation as a "declaration of national policy ... that the broad interests on the Nation require that special safeguards should be thrown around home ownership as a guarantee of social and economic stability ..."; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF NORTH CAROLINA, BOTH HOUSES THEREOF CONCURRING, that we hereby endorse the Homeowners and Bank Protection Act of 2007. This crisis is such that it requires emergency action that only the United States Congress has the capability to enact. Congress must move quickly to keep people in their homes and avert social chaos. Congressional action must include the following provisions:

- 1) Congress must establish a federal agency to place the federal and state chartered banks under protection, freezing all existing home mortgages for a period of months or years which would be required to adjust the values to fair prices, and restructure existing mortgages at appropriate

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interest rates. Further, this action would also write off all of the speculative debt obligations of mortgage-backed securities, derivatives and other forms of Ponzi Schemes that have brought the banking system to the point of bankruptcy.

- 2) During the transitional period, all individual homeowner foreclosures shall be frozen, allowing American families to retain their homes. Monthly payments, the equivalent of rental payments, shall be made to designated banks, which can use the funds as collateral for normal lending practices, thus recapitalizing the banking systems. Ultimately, these affordable monthly payments will be factored into new mortgages, reflecting the deflating of the housing bubble, and the establishment of appropriate property valuations, and reduced fixed mortgage interest rates. This adjustment will take several years to achieve. In the interim period no homeowner shall be evicted from his or her property, and the federal and state chartered banks shall be protected so they can resume their traditional functions, serving local communities, and facilitating credit for investment in productive industries, agriculture, infrastructure, and other prudent financing needs.
- 3) State governors shall assume the administrative responsibilities for implementing the program, including the “rental” assessments to designated banks, with the federal government providing the necessary credits and guarantees to assure the successful transition.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to members of the North Carolina Delegation to Congress and also be delivered to the President of the United States for immediate implementation.

Adopted this 4th day of May, 2009

County Manager Patterson said numerous resolutions from other counties have been received including a Buncombe County resolution endorsing humane euthanasia in animal shelters, a Brunswick County resolution opposed to certain health department funding, a Dare County resolution in support of a marriage amendment and a resolution from Warren County supporting the local ABC Board and opposing “agency stores.”

Mr. Patterson said Senate Bill 758 addresses the transfer of funding for State-maintained secondary roads to counties. Mr. Patterson said with the exception of six roads, Scotland County is made up of secondary roads. Mr. Patterson said if Senate Bill 758 was passed, the legislation would add at least 20 cents to the Scotland County tax rate.

Motion was made by Commissioner Davis and duly seconded by Commissioner McCook to approve A Resolution Opposing Transfer of Secondary Road Program to Counties. Vote: Motion unanimously approved.

A Resolution Opposing Transfer of Secondary Road Program to Counties

WHEREAS, Scotland County opposes: **1)** the transfer of the Secondary Road Program funding to the Primary Road Program or any other program that would reduce funding for secondary road construction, improvement and maintenance; **2)** any efforts by the General Assembly or NCDOT to shift any transportation costs formerly paid by the State to counties; and **3)** any efforts by the General Assembly to appropriate local revenues, whether property tax, sales tax or any other revenue for State transportation programs or any other State programs; and

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WHEREAS, legislation has now been introduced (Senate Bill 758) that would transfer responsibility any maintenance of secondary roads from the State to the counties beginning in 2011; and

WHEREAS, in Scotland County there are only six roads **NOT** considered secondary roads; and

WHEREAS, without the continuation of existing State revenue streams to pay for road upkeep and construction, Scotland County would be forced to raise property taxes by at least 20 cents in order to keep up the current level of funding needed to maintain existing secondary roads; and

WHEREAS, Scotland County does not have the equipment or capital to take on this massive additional responsibility.

NOW, THEREFORE, BE IT RESOLVED that the Scotland County Board of Commissioners:

1. Strongly opposes SB 758, which, if ratified, would transfer responsibility for and maintenance of secondary roads from the State to counties.
2. Strongly urges all counties to contact their local delegation to solicit their support in defeating this proposed legislation.
3. Directs that a copy of this resolution be transmitted to the members of the NC General Assembly representing Scotland County and to all members of the General Assembly as an expression of heartfelt concern about the transfer of this and of future State costs to counties.
4. Directs that a copy of the resolution be sent to the North Carolina Association of County Commissioners and all other North Carolina Counties.

Adopted this 4th day of May, 2009.

Mr. Patterson reminded the Commissioners of the joint meeting May 14 with the City Council to discuss consolidation possibilities. Mr. Patterson said he and Department Heads would develop a list for review by Commissioners of consolidation issues which might be beneficial.

Mr. Patterson asked Commissioners to consider possible dates for budget work sessions. It was suggested that June 2 and 3 would be the best dates for the budget discussions.

Mr. Patterson said a Legion Park lease is nearing completion, one that would be 20 years in duration with five-year review schedules.

Chairman Willis suggested that when capital needs discussions continue the County Manager look into the possibility of moving the Veterans Service Office out of the Legion Park building.

Motion was made by Commissioner Davis and duly seconded by Vice Chair Gholston McCook to 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

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Commissioner McCook said he would be out of town during the May 14 joint session with the City Council. Commissioner McCook said he would favor any consolidation effort considered beneficial.

Motion was made by Commissioner Davis and duly seconded Commissioner McPhatter to recess to 7 p.m. Thursday, May 14, in the Laurinburg City Council Chamber. Vote: Motion unanimously approved.

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman