

*Scotland County Board of Commissioners regular meeting
May 3, 2004, 1405 West Boulevard, Laurinburg*

MINUTES

**Scotland County Board of Commissioners Regular Meeting, May 3, 2004
Scotland County Complex, 1405 West Boulevard, Laurinburg, NC**

The Board of Commissioners at 5:30 p.m. met for dinner with Department Heads in the Conference Room of the Health Department. The dinner concluded Scotland County Government Week.

At 7 p.m., Chairman David Burns called the regular meeting to order. Commissioners in attendance: Chairman David Burns, Vice Chair Nancy J. Shelley, Betty Blue Gholston, Charles "Scoofer" Jordan, Sam Snowdon, Clint Willis and J.D. Willis. Staff in attendance: County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Commissioner Gholston delivered the opening prayer. The Pledge of Allegiance was recited.

Chairman Burns introduced Finance Officer Kevin Patterson and Tax Assessor Mary Helen Norton to those in attendance.

Chairman Burns opened Public Forum.

Mr. Scott Miller, Scotland County Parks and Recreation Advisory Board:
Discussed the athletics program fee schedule recommended by the Advisory Board. Mr. Miller said the recommendations were not arrived at easily, and the intention of the Advisory Board was to keep the fees at a minimum. He said the Board took a necessary step to do its part to help reduce the budget.

No one else came forward to speak, and Public Forum was closed.

Item 1. DSS: Report on Multiple Response System

Mr. Tony Troop, Child Protective Services Policy Consultant, NC Division of Social Services, Family Support and Child Welfare Section, discussed the North Carolina's Multiple Response System (MRS) in which the Scotland County DSS is now a participant.

Mr. Troop said MRS focuses on a family friendly, family-centered approach and does not require additional staff; rather, it shifts the workload by approaching families in a different way.

Questioned by Commissioner J.D. Willis as to the financial impact, Mr. Troop said the long term financial impact to the County is yet to be known.

Item 2. Planning and Zoning

The Burroughs E./Scotland County rezoning request is also referred to as Rezoning Application #442. Scotland County initiated the rezoning and is the applicant. The

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request is to rezone 1.3 acres identified as tax map 200, Block 01, Parcel 45.01 from Residential Single Family (R-1) to Residential Agricultural (RA) to allow any of the permitted uses specified in Scotland County Zoning Ordinance, Residential Agricultural, Permitted Uses, Section 24.2.

Planning and Zoning Board recommendation is that the Burroughs E./Scotland County – Application #442, rezoning application from Residential Single Family (R-1) to Residential Agricultural (RA) for a class “A” manufactured home be approved.

There is no staff recommendation due to a permitting error resulting in a use not allowed within the Residential Single Family R-1 District.

Motion was made by Commissioner Snowden and duly seconded by Commissioner Jordan to approve rezoning application #442. Vote: Motion unanimously approved.

Item 3. Mental Health Reform Update

Ms. Sharon Prevatte, Interim Area Director, Southeastern Regional Mental Health, Developmental Disabilities and Substance Abuse Services, said that Mental Health Reform in the area is not on the fast track as it had been originally.

She said services currently are being divested to private providers who will offer services equal to or better than what was provided before privatization.

In Scotland County a children’s treatment center in Wagram and the psychosocial rehabilitation service known as Shining Star, which is across the street from the John Blue house, are being divested.

Ms. Prevatte said Mr. Lee Wallace, Clinical Supervisor at Scotland Center, would come before the Board at its June 7, 2004 meeting with a formal proposal concerning additional space opportunities through the use of the County’s Covington Street facility.

Ms. Prevatte said she would contact Commissioner Clint Willis to provide him with detailed information on the SRMH/DD/SAS local budget request for FY 2004-2005.

Commissioner Gholston thanked Mr. Wallace and Ms. Prevatte with assisting her in developing a local faith-based substance abuse rehabilitation program.

Chairman Burns said that Mr. Brad Allen, LRCOG Area Aging Administrator, would arrive late to the meeting. The Commissioners continued with the next item.

Item 5. Presentation of the FY 2004-2005 Scotland County School Budget

Dr. Shirley Prince, School Superintendent, discussed how local funds are used via a PowerPoint presentation. She provided statistics on class size, comparative classroom ratios and measures of student performance compared to State levels.

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Dr. Prince said the school's local current expense budget for FY 2004-2005 is \$9,208,297, a \$427,000 increase over last fiscal year. She explained how the \$9.2 million was arrived at based on the amended "school floor" funding formula.

Much of the \$427,000 would fund a 3% salary increase for locally paid employees, which would reflect salary increases at the State level, and benefits increases, which have increased sharply.

The remainder would be used for JROTC and coaching supplements, National Boards expense, incentives for principals, equipment, supplies, maintenance and athletic start-up funds.

Dr. Prince said that the local school system would receive \$226,000 less from the State, the result of budget cuts.

Board of Education Chairman Buck Carter said a capital outlay request would be presented to the Board shortly, and that the governing body might consider funding it out of the half-cent sales tax.

Commissioner J. D. Willis said that if sales tax were on the downside the taxpayer would eventually wind up paying for the debt service.

Commissioner J.D. Willis said that if the local salary increase of 3% were based on the State salary increase, it would only be fair to consider that increase for County employees, too. He asked Dr. Prince to inform Commissioner Clint Willis of the actual percentage increase once legislators acted on a salary increase at the State level.

Dr. Prince said she also would provide Commissioner Clint Willis on the specifics of all grant funds.

Item 6. Consent Agenda:

- a) **Approve minutes of the Board of Commissioners, April 5, 2004 regular meeting.**
- b) **Approve request by the City of Laurinburg for public exhibition with use of pyrotechnics pursuant to NCGS 14-413.**
- c) **Approve KORDSA bond resolution**

Resolution approving in principle the issuance by the County's Industrial Facilities and Pollution Control Financing Authority of industrial revenue bonds for the benefit of KORDSA USA, Inc.

WHEREAS – KORDSA USA, Inc. (the "Company"), has requested that The Scotland County Industrial Facilities and Pollution Control Financing Authority (the "Authority") agree to issue its industrial facilities revenue bonds (the "Bonds") to finance the Company's acquisition of additional manufacturing equipment for the Company's use at its existing facility in Laurel Hill, North Carolina.

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The Authority has adopted a resolution agreeing, in principle, to work with the Company toward the issuance of such bonds. The Authority and the Company have requested that the Scotland County Board of Commissioners adopt a resolution expressing the County's approval of the issuance of such bonds in principle. This approval is required under the provisions of the North Carolina General Statutes as a condition to the Authority's issuance of such bonds. The issuance of the Bonds will not take place until further approval by the Board of Commissioners and approval by the North Carolina Local Government Commission.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Scotland County, North Carolina, as follows:

1. The Board approves in principle the issuance by the Authority of industrial revenue bonds for the benefit of KORDSA USA, Inc., in the maximum principal amount of \$3,150,000.

2. The Board approves and ratifies any previous requests made by Authority or County representatives that the North Carolina Federal Tax Reform Allocation Committee allocate to the above-described project and Bonds up to \$3,150,000 of the State of North Carolina Unified Volume Limitation of tax-exempt private activity bonds imposed by the Tax Reform Act of 1986. The County acknowledges that this allocation will revert in whole or in part to the statewide allocation if the Bonds for this project are not issued prior to the termination date of the allocation. The County authorizes and directs the Authority, through its officers, to complete an application to the Secretary of the North Carolina Department of Commerce for such allocation, and in connection therewith to certify under penalties of perjury that this approval and application is not made in consideration of any bribe, gift, gratuity, or direct or indirect contribution to any political campaign.

3. All County officers and employees are authorized and directed to take all reasonable steps, as may be necessary, to cooperate with the Company and the Authority in the issuance of such bonds.

4. The Clerk to this Board is directed to file a certified copy of this resolution with the North Carolina Department of Commerce.

5. This resolution takes effect immediately.

d) Approve the Youth Center Task Force Project Ordinance to reflect a \$600 increase, the result of a gift from Adams Photography.

Youth Center Task Force Grant Project Ordinance

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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
TOTAL REVENUES	\$1,513,552

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

Architectural/Engineering Plan	\$100,000
Site Plan	\$30,000
Construction	\$1,383,552
TOTAL EXPENDITURES	\$1,513,552

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

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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.

Adopted this 7th day of October 2002.

Revised this 2nd day of June 2003

Revised this 4th day of August 2003

Revised this 8th day of September 2003

Revised this 3rd day of May 2004

e) Approve the FY03 Community Development Block Grant Project Ordinance in the amount of \$400,000.

County of Scotland FY03 Community Development Block Grant Project Ordinance

BE IT ORDAINED by the County Commissioners of the County of Scotland, North Carolina, that pursuant to Section 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 County of Scotland FY03 Community Development Block Grant project described in the work statement contained in the grant agreement between the County of Scotland and the North Carolina Department of Commerce.

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SECTION 2. The County of Scotland staff is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained herein.

SECTION 3. The following revenues and resources are anticipated to be available to complete the project activities:

S1 and L1 Scotland County FY03 Scattered Housing Site Project

CDBG GRANT	\$400,000
Total Project Resources	\$400,000

SECTION 4. The following amounts are appropriated for the project activities:

S1 and L1 Scotland County FY03 Scattered Housing Site Project

Project Budget	\$400,000
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SECTION 5. The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient detailed accounting records to provide the accounting to the North Carolina Department of Commerce required by the grant agreement(s) and federal and state 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 North Carolina Department of Commerce in an orderly and timely manner.

SECTION 7. The Grant 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 Grant Finance 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.

SECTION 9. Copies of this grant project ordinance shall be made available to the Grant Finance Officer for direction in carrying out this project.

SECTION 10. The Grant Finance Officer may make Budget Amendments to this Project Ordinance as necessary to facilitate timely project completion within existing grant funds.

Adopted this 3rd day of May 2004.

f) Budget Amendments

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- 1) **DSS**: Approve additional funding in the amount of \$38,945. No County dollars involved.
- 2) **Scotland Memorial Library**: Accept receipt of LSTA Strengthening Library Collections Grant in the amount of \$13,300 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this grant.
- 3) **CJPP**: Accept \$20,000 in reallocated funds from the State for the Hoke/Scotland Criminal Justice Partnership Program.
- 4) **Water District II**: Increase the Water District II budget by \$61,000 due to increased revenue. No General Fund monies or fee increases are involved.
- 5) **Health Department**: Approve receipt of \$2,750 in funding from the NC Department of Insurance.

Motion was made by Commissioner Clint Willis and **duly seconded** by Vice Chair Shelley to approve the Consent Agenda. **Vote**: Motion unanimously approved.

Item 7. Parks and Recreation

Parks and Recreation Director Shannon Newton said that the Parks and Recreation Advisory Board is recommending for FY 2004-2005 a \$5 per player per sport fee and a \$15 per household maximum cost per sport. She said that this was an emotional subject for the Advisory Board who, despite the recommendations, also shared concerns that children would be unable to play.

She said there are similar fees in the municipalities and counties that surround Scotland. She said Scotland County Parks and Recreation estimates the fees would bring \$16,000 in revenue.

Commissioner J.D. Willis said the \$16,000 would result in \$1.6 million worth of headaches. He, Vice Chair Shelley and Commissioner Gholston said charging fees would turn away children and families who would most benefit from County-sponsored athletic programs. Commissioner J.D. Willis said he found a savings of \$16,000 difficult to justify, and he was against imposing any fees for youth.

Motion was made by Commissioner Scoofer Jordan and **duly seconded** by Commissioner Clint Willis to approve the fees for Parks and Recreation youth athletic programs. **Vote: For**: Commissioners Jordan and Clint Willis. **Vote: Against**: Chairman Burns, Vice Chair Shelley and Commissioners Gholston, Snowdon and J.D. Willis. Motion failed.

Ms. Newton discussed the Scotland Stadium/Civic Center, Inc. Memorandum of Understanding, which had been tabled at the April 5, 2004 regular meeting until the issue of liability could be researched.

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Ms. Newton said that the liability clause had been removed from the Memorandum of Understanding. She said the Memorandum of Understanding requires a \$3,000 annual rental fee from the County, which at this point would be paid for from State funds.

Commissioner J.D. Willis said there is still a problem with liability. He asked if there was any difference between an event sponsored by the County and one held by an outside group.

Commissioner Clint Willis suggested that individuals who rent the facility take responsibility for securing liability insurance.

Ms. Newton said that might cause the facility to be used less, and the annual rent would likely increase.

County Attorney Johnston said in the case of liability, the County would be held accountable regardless.

Motion was made by Commissioner Snowdon and duly seconded by Commissioner J.D. Willis to approve the Memorandum of Understanding, which would state that the renter would submit a document that certifies liability.

The County Attorney said that would not protect the County from being sued.

Chairman Burns said he felt that such a motion, if approved, would only turn people away.

Commissioner Snowdon withdrew the motion, and Commissioner J.D. Willis withdrew the second.

Commissioner Snowdon said that the Memorandum Of Understanding would help the Civic Center group, which built the facility the County did not pay for but now uses.

Motion was made by Commissioner Gholston and duly seconded by Commissioner Snowdon to approve the Scotland County Stadium/Civic Center, Inc. Memorandum of Understanding. Vote: Motion unanimously approved.

Commissioner Gholston asked Commissioner Clint Willis to talk with transportation officials in order to expedite paving of the road to Lumber River State Park.

**Item 4. a) Home and Community Care Block Grant for Older Adults
b) Award In-Home Aide services contract**

Chairman Burns said that LRCOG Aging Advisory Administrator Brad Allen was now present and prepared to give his report.

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Mr. Allen outlined recommendations by the Aging Advisory Council on the Home and Community Care Block Grant for Older Adults for FY 2005. He said the providers remain the same.

Motion was made by Commissioner Clint Willis and duly seconded by Vice Chair Shelley to approve the Scotland County Funding Plan for the Home and Community Care Block Grant for Older Adults for FY 2005. Vote: Motion unanimously approved.

Mr. Allen said the Aging Advisory Council also recommended that Hospice of Scotland County provide In-Home Aide services utilizing funding from the Home and Community Care Block Grant for Older Adults. He said based on an evaluation by the Aging Advisory Council, Hospice has performed in an exemplary manner for FY 2004.

Motion was made by Commissioner Clint Willis and duly seconded by Vice Chair Shelley to award the In-Home Aide contract to Hospice of Scotland County for the time period July 1, 2004 through June 30, 2007. Vote: Motion unanimously approved.

Motion was made by Commissioner Clint Willis to approve Resolution Proclaiming May 2004 as Older Americans Month in Scotland County.

Commissioner Clint Willis read the Resolution.

WHEREAS, there are over 5,900 persons age sixty (60) and greater residing in Scotland County;

WHEREAS, older adults provide invaluable resources to the social, cultural, civic, religious, governmental and economic foundations of Scotland County;

WHEREAS, older persons serve as the curators of the cultural heritage of our richly diverse County through the preservation of oral, written and artistic traditions;

WHEREAS, older adults serve their communities as teachers, volunteers, pastors, caregivers, workers, advocates and in many other vital roles;

WHEREAS, Scotland County is dedicated to providing a healthy living environment for all persons as they age and for ensuring a system of support services for the most frail elderly, including homebound persons and residents of long term care facilities;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Scotland County, in recognition of the importance of the aging population and in support of the efforts of the Administration on Aging Service Providers declare May 2004 *Older Americans Month* with the theme of "Aging Well, Living Well" and honor the significant contributions of older persons to the daily life of Scotland County.

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Adopted this 3rd day of May 2004.

Commissioner J.D. Willis duly seconded the motion. Vote: Motion unanimously approved.

Item 8. County Engineer's Report

County Engineer Jim Blackwell said both the Health Department expansion and the Accelerated Academy sewer project have been completed under budget.

Construction of the main entrance to the Recreation Complex has been completed with the exception of paving. Grading for the splash pad, parking and adjoining areas is complete. The contract for the splash pad construction has been awarded to Jim Hager Construction Company of Sylva, NC. Construction should start in late May with July as the completion date. A majority of the work by staff has saved the County more than \$50,000 to date.

Mr. Blackwell introduced new Solid Waste Enforcement Officer J.R. Horne. He said enforcement by Mr. Horne since April 5, 2004 resulted in the issuance of 35 violations and the transport to the landfill of nearly 38 tons of solid waste that had been illegally dumped or stored.

Mr. Blackwell said there are proposed revisions to the Solid Waster Ordinance, which include abandoned mobile homes as construction and demolition waste, prohibited activities, littering and updates for the latest solid waste rules. Mr. Blackwell requested that the Public Hearing be held at the June 7, 2004 regular meeting.

Costs associated with the April Free Day report exceeded \$30,000, according to Mr. Blackwell. About 700 tons, the equivalent of four days of waste, were received at the landfill. Mr. Blackwell said the original concept of the four free days a year was an attempt to clean up the County. Mr. Blackwell said it appears that weeks of waste are being stored so individuals can take advantage of Free Day. Mr. Blackwell recommended that Free Day be reduced to no more than once a year and that all large loads be taken directly to the landfill.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Jordan to reduce Free Day to once a year with all large load trucks to be taken directly to the landfill. Vote: Motion unanimously approved.

Item 9. Appointments to Boards and Committees

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Gholston to reappoint Mr. Clint Willis to the Scotland County Board of Social Services. Vote: Motion unanimously approved.

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Motion was made by Vice Chair Shelley and duly seconded by Commissioner Snowdon to reappoint Mr. Clint Willis to the Transportation Advisory Committee. Vote: Motion unanimously approved.

Item 10. Other Information

Chairman Burns and Commissioners Snowdon and J.D. Willis said they would attend the May 19 NCACC Legislative Briefing and Reception. Chairman Burns directed the Clerk to handle registration.

The Board set a Budget Work Session for May 26 at 6 p.m. in the Commissioners Chamber.

Vice Chair Shelley recognized Board of Elections Supervisor Judy Riggins for her organization skills that resulted in a successful County Government Week.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Jordan to 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 143-318.11(a)(3) to consult with an attorney. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Motion was made by Commissioner Clint Willis and duly seconded by Commissioner Gholston authorizing Mr. Kevin Patterson to assume the duties of IT Department Manager with specifics on personnel and salaries to be determined at a later date. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Snowdon to recess until 7 p.m., May 10 for the joint municipal meeting in the Health Department Conference Room. Vote: Motion unanimously approved.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

David L. Burns
Chairman