

MINUTES
Scotland County Board of Commissioners
Regular Meeting, June 7, 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, Joyce McDow and Clarence McPhatter. Commissioners not in attendance: Commissioner Guy McCook. 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. Chairman Willis said Commissioner McCook was absent due to a medical issue. He asked for a moment of silence for Commissioner McCook's speedy recovery.

Public Forum

Chairman Willis called on Mr. Robbie Lowery, DSS, who was recognized as recipient of the "Thank You" award for going home for a gas can so he could put fuel in the vehicle of a DSS client who had run out of gas.

Mr. John Stewart, former Historic Properties Commission member, thanked the Commissioners for their support of Historic Properties. Mr. Stewart said the support enabled the group to bring things to the John Blue property that might not have been possible. He said the search for grants and other funds for projects were looked upon favorably because Historic Properties had the local support. He identified a number of successful projects and programs.

Item 2. Public Hearing: Issuance of \$3 million debt for Wagram School expansion

County Manager Patterson explained how the Wagram School expansion would support space for more classrooms. He outlined the payment and reimbursement schedule. Mr. Patterson said there would be 0 percent interest on financing with continued repayment over a 10-year period. The County Manager added that lottery proceeds would be dedicated toward funding, and the expansion remains on schedule.

Mr. Patterson said another public hearing would be scheduled for June 21, 2010. The LGC will meet July 26, 2010 to determine final approval on the project, which was put out to bid. A bid opening is set for June 14.

Chairman Willis called the Public Hearing and asked if anyone wished to speak for or against the issuance of the \$3 million debt for the Wagram School expansion. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner McDow and duly seconded by Commissioner McPhatter to move forward with the plan to issue \$3 million debt for the Wagram School expansion. Vote: Motion unanimously approved.

*Scotland County Board of Commissioners regular meeting
June 7, 2010, 1405 West Boulevard, Laurinburg, NC*

Item 1. Public Hearing: FY 2010-2011 Proposed Budget

County Manager Patterson, in his official duty as Budget Officer, presented the proposed FY 2010-2011 Budget Ordinance.

Mr. Patterson described the year as “tight” with a significant reduction in revenues. The General Fund budget is \$41.6 million. The tax rate will not increase and will remain at \$1.02 per \$100 valuation. Salaries make up 57 percent of the budget, operations is at 37 percent and the remainder appropriated for capital debt.

In enterprise funds, Mr. Patterson recommended a \$4 per ton increase in MSW and C&D tipping fees. The recommended closure of Palmer Road convenience center would save the County more than \$9,000.

Mr. Patterson recommended fee increases in the water districts to \$19 for the first 1,000 gallons with an eventual goal of \$23. Standardizing the fees would assist in the County’s move to consolidate the water districts. Mr. Patterson said future increases would be recommended in order for the water districts to reach a benchmark level. Mr. Patterson discussed the consolidation process for the water districts with an intended merger completed by June 2011.

The budget was balanced using \$1,289,118 of general fund balance. This amount includes \$608,000 in capital. The remaining amount of \$681,118 of fund balance will cover operations. This amount assumes that if revenues meet projections, the County will not spend 100 percent of expenditures. Mr. Patterson said this was an aggressive budgetary move since the Board is not interested in raising taxes unless necessary.

Mr. Patterson said the State could experience a \$2.5 billion budget gap next year and significant cuts to counties in FY 2012 are expected as a result.

Mr. Patterson said new revaluation values for the County are expected by January 2011. While residential values would likely increase, the industrial and commercial tax base are expected to decrease. The valuation might not decrease the tax rate but keep the County where it is now.

Chairman Willis called the Public Hearing and asked if anyone wished to speak for or against the proposed budget.

Mr. Charles Parker, a Scotland County citizen, asked Mr. Patterson that if home values declined because of the economic downturn, why residential tax rates increase.

Mr. Patterson said since the last revaluation in 2003, property values increased up until the economic downturn in 2008. Mr. Patterson explained that properties still are valued higher in 2010 than they were in 2003, and that will be reflected in the revaluation. He said the average value of homes countywide is likely to increase.

No one else came forward, and Chairman Willis said the Public Hearing would recess to June 21 when the Commissioners continue budget discussions.

Item 3. Chairman J.D. Willis: landfill discussion

Chairman Willis said the landfill project had its origins 10 or 15 years ago when Scotland County was looking for revenue opportunities either through landfill, industry or raising property taxes. Chairman Willis said a regional landfill was discussed but found to not be cost-effective. Chairman Willis said it also was believed a lined landfill placed in the location of the existing unlined landfill would be a better option.

He said it became apparent the climate was not conducive to expand the current existing landfill since it would further divide the community. Chairman Willis added that he chose not to respond to citizen demands to tell them which way he would vote on the issue because if he said he would vote against it, the community would not believe him anyway.

Motion was made by Chairman J.D. Willis and duly seconded by Commissioner McDow to stop all operations and resources as it relates to expanding the existing landfill and channel efforts into resources that would support the community.

Discussion: Commissioner Alford asked that the motion also include wording that a landfill would not be considered anywhere in Scotland County.

Motion was made by Chairman J.D. Willis and duly seconded by Commissioner McDow to stop all operations and resources as it relates to expanding the existing landfill or locating a landfill anywhere in Scotland County and to channel efforts into resources that would support the community. Vote: Motion unanimously approved.

Commissioner Davis then read the following resolution, which Attorney Johnston said he had reviewed.

**A RESOLUTION CLARIFYING THE POSITION OF THE COUNTY OF SCOTLAND
AS TO WASTE DISPOSAL**

WHEREAS, the Scotland County Board of Commissioners recognizes its duty to provide for responsible disposition of locally generated waste; and

WHEREAS, consideration has been given to potential plans to allow disposition within Scotland County of waste generated on a regional, multi-state or national basis; and

WHEREAS, the Scotland County Board of Commissioners has determined that it is not in the best interest of the County or its citizens nor is it consistent with protection of public health, safety and welfare to allow for or engage in more expansive plans for local disposition of waste generated on a regional, multi-state or national basis; and

WHEREAS, the continued use of County resources to pursue more expansive potential plans would not be proper stewardship of public funds;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Scotland County cease all efforts to plan for or locate a facility within Scotland County for the disposition of waste generated on a regional, multi-state or national basis.
2. Scotland County terminate any and all efforts to condemn additional property adjacent to or in the vicinity of its existing landfill on Patterson Road.
3. Scotland County discontinue the employment of engineering firms, outside legal counsel and all other firms or companies engaged to assist with the condemnation and/or more expansive plans for disposition of waste.
4. Scotland County's Manager shall instruct staff to proceed with mandatory efforts to provide for continued responsible disposition of locally created waste and shall report to the Scotland County Board of Commissioners at least quarterly on these efforts.
5. Scotland County's Manager shall inform Waste Management Advance, Waste Industries and all other waste management companies with which the County has had communication of this resolution and the intent of the County.

Commissioner Bob Davis made a motion to adopt this resolution on June 7, 2010 at a regular meeting of the Scotland County Board of Commissioners. The motion was duly seconded by Commissioner John Alford. The motion was passed upon the following vote: For: Commissioners J.D. Willis, Betty Blue Gholston, John Alford, Bob Davis, Joyce McDow and Clarence McPhatter.

Against: N/A

Adopted this 7th day of June, 2010

Item 4. Wagram Recreation Center activities report

Mr. Tommy McVicker of Koonce, Nobel and Associates, Inc., and Parks and Recreation Director Shannon Newton, gave a PowerPoint presentation on the Wagram Recreation Center project from start to current day.

Ms. Newton discussed features of the Center, which would require minimal maintenance. She said the facility will house a fitness center. A small fee would be charged for people to use it.

Item 5. Governor's Highway Safety Program update

Lt. Tommy Butler of the Sheriff's Office gave an update on activities through the Governor's Highway Safety Program from its inception in October 2009. He distributed a monthly enforcement data report and discussed some highlights of the report. He said to date the program resulted in 529 traffic and other charges and a total of 753 traffic and criminal charges.

*Scotland County Board of Commissioners regular meeting
June 7, 2010, 1405 West Boulevard, Laurinburg, NC*

Lt. Butler said incentive points accumulated through the program for hosting safety events earned \$4,000 from the State. Lt. Butler said the funds were used to purchase stop sticks.

Item 6. Consent Agenda:

- a) **Approval of minutes of the Board of Commissioners May 3, 2010 regular meeting and May 24, 2010 Budget Work Session.**
- b) **Approve Tax Department request to release funds in the amount of \$302.17 and in the amount of \$3,680.10 and to make refunds in the amount of \$161.14 and in the amount of \$4,116.82.**
- c) **Approve request by Public Buildings to surplus a Kubota 4572 mini backhoe implement and a John Deere 20-horsepower riding mower JD 335 with grass bagging attachment.**
- d) **Approve Home and Community Block Care Agreement for Older Adults and the County Funding Plan.**
- e) **Approve SCATS Transportation Advisory Board for FY 2010-2011.**
- f) **Approve the 2011 holiday schedule, which coincides with the holiday schedule observed by the State.**
- g) **Budget Amendments:**
 - 1) **Library: Approve receipt of Gates grant funding in the amount of \$9,100, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money.**

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

Item 7. Scotland County Schools ARRA funding application request

Assistant Superintendent Stuart Blunt asked Commissioners to approve application for \$1.8 million in ARRA (American Recovery and Reinvestment Act) funds to expand Washington Park Primary School by eight to 10 classrooms. Mr. Blunt said Board of Education approval by resolution for the application process will be requested June 14. Mr. Blunt said repayment would be made with lottery funds similar to the repayment plan for Wagram School expansion. Mr. Blunt said Washington Park School expansion would put all the students in one connected building and eliminate the mobile units.

Several Commissioners expressed concern about repayment through lottery funds since the funds would be used for Wagram School expansion repayment, too. The Commissioners asked what would happen if lottery funds were not sufficient to cover repayment of both projects.

Mr. Blunt said he did not anticipate that would happen.

County Manager Patterson said approval tonight would allow the Schools to make application for funding only. He said a Memorandum of Agreement, similar to the one developed for the Wagram School expansion, would have to be signed.

Motion was made by Commissioner Alford and duly seconded by Commissioner McPhatter to move forward with the application contingent upon approval of a resolution by the Board of Education. Vote: Motion unanimously approved.

Item 8. Chairman J.D. Willis: Fire Department report

Chairman Willis said at the May 26 joint meeting between the City and County, he asked whether the City had reviewed the updated fire contract. Chairman Willis said the City is looking for increased fire funding to retire debt and make additional equipment purchases. Chairman Willis said there must be equity in funding the fire departments. Chairman Willis asked the County Manager to distribute financial information for all fire departments.

Item 9. Appointments to Boards and Committees

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to appoint Mr. Jimmy Bennett and Mr. Leon Butler to first full terms on the Historic Properties Commission and to appoint Mr. David Young to a second full term on the Historic Properties Commission. Vote: Motion unanimously approved.

Motion was made by Commissioner McDow and duly seconded by Commissioner McPhatter to appoint Mr. Donald Rainer to a first full term on the Social Services Board. Vote: Motion unanimously approved.

Item 10. Update from the County Manager

County Manager Patterson said the LRCOG wishes to apply to the Rural Center for a grant to study using the WestPoint Stevens plant as a regional water asset.

LRCOG Executive Director James Perry, who was in attendance, said a number of partners in the region are interested in the facility. He said the one piece of information still missing is the cost of transmission lines and what would it cost partners per 1,000 gallons.

Mr. Perry said funding is available through the Rural Center for this type of planning grant. He asked the Commissioners and Scotland County to take the lead in requesting \$39,000 from the Rural Center. He said that the LRCOG and the other jurisdictions will provide the match.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Alford to move forward with the Rural Center application. Vote: Motion unanimously approved.

Mr. Patterson said since the Commissioners and City Council agreed to move ahead with consolidation of the water systems, he plans to schedule meetings in July with USDA to discuss consolidation and assign the debt from Water District II to Water District I.

Mr. Patterson said a local act will have to be passed to transfer control from the County to the City. He said the State Legislature could accomplish this in the long session next year with transfer completed by June 30, 2011.

*Scotland County Board of Commissioners regular meeting
June 7, 2010, 1405 West Boulevard, Laurinburg, NC*

Mr. Patterson asked the Commissioners to approve a resolution to re-task existing wire line 911 funds for the construction of the EOC. He said the funds are in the 2011 budget but approval is needed as a requirement for reporting purposes.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Alford to approve the Resolution Authorizing the Transfer of E911 Funds to a Capital Project in the Scotland County Budget. Vote: Motion unanimously approved.

**Resolution Authorizing the Transfer of E911 Funds to a
Capital Project in the Scotland County Budget**

WHEREAS, the Scotland County Board of Commissioners wishes to construct an Emergency Operations Center in a new location at the Emergency Medical Services Building; and

WHEREAS, \$265,517 are available in the E911 account and an additional \$650,000 in a federal Homeland Security Grant have been earmarked for the development of a new EOC in Scotland County.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Scotland authorizes the transfer of \$265,517 from the E911 account to a Capital Project and that the federal Homeland Security Grant of \$650,000, when received, will be placed in the Special Projects line item for the construction of a new Emergency Operations Center.

Adopted this 7th day of June, 2010.

Mr. Patterson reported that legal services are overspent by \$56,683.36 due to the tax appeal of Red Bluff, Manis Homes. The County is waiting on the written ruling from the Tax Court to ensure there would be no additional legal costs. Mr. Patterson said in June the Budget Officer has the authority to transfer monies between departments to cover budget shortfalls, and this shortfall can be covered in the current budget.

The County Manager said Commissioners provided a letter of support for the Storytelling Arts Center for a grant application to the National Endowment for the Arts Fast Track Grant. A copy of the letter is attached. The support and does not bind the County to any action.

Mr. Patterson said resolutions received from other counties include the following:

- Chowan Co. Freedom to Choose Health Care and Health Insurance
- Rowan Co. Opposition to current Forced Annexation laws
- Restore pre 1959 Annexation Law in Rowan Co.
- Support S494 to amend Annexation Law
- Support legislation against involuntary annexation

Other Information/Comments from the Chairman and Commissioners

*Scotland County Board of Commissioners regular meeting
June 7, 2010, 1405 West Boulevard, Laurinburg, NC*

The County Manager informed the Commissioners that the Library would open at 9:30 a.m. instead of 10 a.m.

Motion was made by Chairman Willis and duly seconded by Commissioner Alford to recess to 1 p.m. Monday, June 21 at 507 West Covington Street. Vote: Motion unanimously approved.

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman