

*Scotland County Board of Commissioners regular meeting
June 6, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

**MINUTES
Scotland County Board of Commissioners
Regular Meeting, June 6, 2005
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, Leon Butler, Charles “Scoofer” Jordan, Joyce McDow and Clarence McPhatter. Staff in attendance: Finance Officer/Assistant County Manager Kevin Patterson, County Attorney Ed Johnston, Finance Technician Anne Tindall and Clerk to the Board Ann W. Kurtzman. Commissioner Jordan delivered the opening prayer. The Pledge of Allegiance was recited.

Chairman Willis asked if anyone wished to speak at Public Forum.

Ms. Nina Ingram, 8900 Old Wire Road, Laurel Hill: Ms. Ingram said she represents the concerned neighbors of the Laurel Hill community who seek assistance with a drainage problem associated with a ditch that runs across the neighborhood. She said for many years the neighborhood has tried to manage the canal ditch, but the problem has become bigger than the homeowners. She said the canal is a potential health threat. She asked for assistance from the County Commissioners in resolving the ditch problem.

Commissioner Alford said he inspected the canal ditch, which has not been cleaned since the 1960s. He said there is a major drainage problem as a result.

Chairman Willis directed County Engineer Jim Blackwell and Health Director Jane Murray to see if assistance could be secured from the State or the Army Corps of Engineers. Chairman Willis told Ms. Ingram that any information would be forwarded to her regarding the County’s findings.

Ms. Twilla Chavis, LRCOG Regional Long Term Care Ombudsman: Ms. Chavis discussed the Scotland County Adult Care Home Community Advisory Committee and the Scotland County Nursing Home Community Advisory Committee. She explained the objective of each committee and requirements of appointees. She distributed explanatory brochures.

Mr. Charles Parker: Mr. Parker asked the Commissioners to raise the taxes because budget preparation every year would be a struggle until the Board of Education is willing to join with Commissioners in discussions on what must be done in the best interest of the taxpayers. He described the school floor as “antiquated.” He said the Commissioners should stop balancing the budget on the backs of the County employees.

Item 1. Public Hearings: Planning and Zoning

County Attorney Johnston said the attorneys for R-Group, LLC, rezoning application 424-05 have asked that the application be tabled and continued at the July 11, 2005 meeting while talks continue with property owners.

*Scotland County Board of Commissioners regular meeting
June 6, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

Planning and Zoning Board Chairman Henry McLeod said Rezoning Application Number 425-05 from Mr. Jerry Peele is a request to Rezone 23.45 acres in accordance with Scotland County Zoning Ordinance, Article IV from R1 (Residential Single Family) to RA (Residential Agricultural). The property is located on US401 (Wagram Road- Hwy 401) seven miles north of Laurinburg. Mr. McLeod said a cluster of manufactured homes surrounds the site in question. He said the Planning and Zoning Board recommends approval.

Chairman Willis opened the Public Hearing and asked if anyone wished to speak in favor or against Rezoning Application 425-05. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to approve Rezoning Application Number 425-05 from R1 (Residential Single Family) to RA (Residential Agricultural). Vote: Motion unanimously approved.

Mr. McLeod said Rezoning Application Number 426-05 Springfield Convenience Store is a request to rezone 0.351 acres in accordance with the Scotland County Zoning Ordinance, Article IV from RA (Residential Agricultural) to HC (Highway Commercial). The property is located along NC 79 (Gibson Road) and is better described as Scotland County Tax Map Number 161, Block 01, Parcel 021. Donald F. and Mary M. Norton own the property. Mr. McLeod said the property should have been zoned HC to begin with because of its location. Mr. McLeod said the Planning and Zoning Board recommends the Rezoning Application be approved.

Chairman Willis opened the Public Hearing and asked if anyone wished to speak in favor or against Rezoning Application 426-05. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to approve Rezoning Application Number 426-05 from R1 (Residential Single Family) to RA (Residential Agricultural) and to refund the \$300 rezoning fee to the applicant. Vote: Motion unanimously approved.

Mr. McLeod said the proposed amendment to Scotland County Zoning Ordinance Section 15 is a procedural amendment, which pertains to the requirement of property owner consent forms. He said the Planning and Zoning Board recommends approval of the amendment.

Chairman Willis opened the Public Hearing and asked if anyone wished to speak in favor or against the proposed amendment to Scotland County Zoning Ordinance Section 15. No one came forward, and the Public Hearing was closed.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Alford to approve the amendment to Scotland County Zoning Ordinance Section 15. Vote: Motion unanimously approved.

Item 2. Public Hearing: Economic Incentive Grant

Chairman Willis said the Public Hearing for the economic incentive grant would not be held.

Item 3. Mental Health Reform Update

Ms. Sharen Prevatte, Area Director, Southeastern Regional Mental Health, Developmental Disabilities and Substance Abuse Services, introduced Mr. Fred Surgeon, CFO and Associate Director of Scotland Center, and Mr. Lee Wallace, Clinical Director of Scotland Center.

Mr. Wallace read a letter to the Commissioners thanking the Board and the Public Buildings staff for support received in the move by Mental Health to 507 West Covington Street.

Ms. Prevatte provided the Commissioners with an update on Mental Health Reform. She discussed the receipt of a Kate B. Reynolds grant, which would allow the agency add a 16-bed facility to the hospital in Lumberton, which would reduce the amount of time area law enforcement spend on out-of-county transport.

Ms. Prevatte said as part of Mental Health Reform, staff would be downsized from the current 316 to 125 by 2007. She said Mental Health Reform would mean that SRMH/DD/SAS would oversee services provided by private providers.

Item 4. Health Department Updates

Ms. Barbara Mack, Health Promotion Supervisor, said the Health Department is seeking support by the Commissioners to pursue two grant initiatives, which require no County dollars.

Ms. Mack said the agency wishes to apply for an Eat Smart Move More grant of up to \$20,000 for the development of an initiative with the County's Middle Schools. Ms. Mack said the Health Department used last year's grant to promote increased physical activity among school children.

Motion was made by Commissioner Jordan and duly seconded by Commissioner Butler to approve application for the Eat Smart Move More grant by the Health Department. Vote: Motion unanimously approved.

Ms. Mack said a second grant opportunity, if approved by the Fullerton Foundation, would provide the Health Department with funds to promote healthy eating in the community. She said the amount of the grant depends on the project.

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to approve application by the Health Department for a Fullerton Foundation grant. Vote: Motion unanimously approved.

Health Department Director Jane Murray and Animal Control Officer Larry Herring presented the Commissioners with a draft Animal Control Ordinance, which Ms. Murray described as very aggressive. She said the ordinance would require owners to keep their dogs maintained on the property. Mr. Herring discussed fines associated with violation of the Ordinance. Ms. Murray

*Scotland County Board of Commissioners regular meeting
June 6, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

said the Health Department would need between 30 and 60 days to communicate specifics of the Ordinance to the community.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Alford to approve the Scotland County Animal Control Ordinance effective September 1, 2005.

Vote: Motion unanimously approved.

Item 5. Consent Agenda:

- a) Approve minutes of the Board of Commissioners: May 2, 2005 regular meeting; May 10, 2005 budget work session and May 25, 2005 special meeting.
- b) Approve petition to add Hobbiton Road in Laurel Hill Township to the State maintained road system
- c) Approve request by the City of Laurinburg to hold an Independence Day fireworks celebration pursuant to NCGS 14-413.
- d) Approve Resolution Directing the Tax Collector Not to Collect Ad Valorem Taxes When the Original Principal Amount Due is under \$5.00.

**RESOLUTION DIRECTING THE TAX COLLECTOR NOT TO COLLECT
AD VALOREM TAXES WHEN THE ORIGINAL PRINCIPAL AMOUNT
DUE IS UNDER \$5.00**

WHEREAS, N.C.G.S. §105-321(f) has authorized the governing body of a taxing unit that collects its own taxes to direct, by resolution, its tax collector not to collect minimal taxes charged on the tax records and receipts;

AND WHEREAS, minimal taxes are the combined taxes and fees of the taxing unit and any other units for which it collects taxes, due on a receipt or on a tax notice in a total original principal amount set by the governing body which is the estimated cost to the taxing unit of billing the taxpayer, such amount not to exceed FIVE AND NO/100 (\$5.00) DOLLARS;

AND WHEREAS, the Scotland County Board of Commissioners has determined that the estimated cost to the County of billing a taxpayer for the amounts due on a tax receipt or notice is FIVE AND NO/100 (\$5.00) DOLLARS;

NOW, THEREFORE, BE IT RESOLVED by the Scotland County Board of Commissioners that the Tax Collector for the County is directed not to collect the combined taxes and fees of the County and any other unit of Government for which it collects taxes, due on a tax receipt pursuant to N.C.G.S. §105-320 or on a tax notice prepared pursuant to N.C.G.S. §105-330.5, when the total original principal amount is FIVE AND NO/100 (\$5.00) DOLLARS or less;

AND BE IT FURTHER RESOLVED that the Tax Collector shall not bill the taxpayer for, or otherwise collect, such minimal taxes but shall keep a record of all such minimal taxes by receipt number and amount and shall make a report of the amount of these taxes to the Scotland County Board of Commissioners at the time of settlement;

AND BE IT FURTHER RESOLVED that this Resolution shall be in effect with respect to the fiscal year beginning July 1, 2005, and shall remain in effect until amended or repealed by resolution of the Scotland County Board of Commissioners.

ADOPTED this the 6th day of June 2005.

- e) Approve Lumbee River EMC right-of-way easement on McGirts Bridge Road five miles northeast of Laurinburg.
- f) Approve contract with Scotland County Public Works to install remaining Water District II water lines.
- g) Approve new Environmental Health fees, which include expansion for septic tank, \$50; and certification of existing system, \$50.
- h) Approve FY 2005-2006 Clinical Services fee schedule.
- i) Approve request to temporarily suspend lateral transfers within the Department of Social Services for one year, effective June 15, 2005. *Approval by the Commissioners will only be requested if approved June 2, 2005 by the DSS Board.*
- j) Budget Amendments
 - 1) **Soil and Water Conservation:** Approve receipt of State grant in the amount of \$1,000 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No County dollars required.

DSS Director Jan Elliott referred to Consent Agenda Item i.), which was approved by the DSS Board to read as follows: “*Approve request to temporarily suspend lateral transfers within the Department of Social Services for one year, effective June 15, 2005, unless it is determined by management that it can end sooner.*”

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

Item 6. National Incident Management System (NIMS) Concept

EMS Director Roylin Hammond asked the Commissioners to consider approval of the NIMS concept as the method by which Scotland County manages its emergency response to any and all disaster situations affecting the citizens of Scotland County. He asked that the Commissioners also consider approval of the NIMS program as it applies to the Incident Command System (ICS) and the County’s Emergency Operation Plan (EOP), which was revised and updated in 2004.

Mr. Hammond explained that along with adoption of the NIMS system, all first responders must complete an online FEMA course, IS 700, related to an overview of the NIMS system and how it relates to the ICS. He said local Emergency Management also must complete a NIMSCAST survey, which addresses the overall capability of the County to respond to disaster situations.

Mr. Hammond said approving the adoption of the NIMS system would allow Scotland County to continue to be eligible for federal disaster relief and any future Homeland Security funding.

Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to approve adoption of the National Incident Management System (NIMS) as the accepted method of managing any disaster situation that affects the Citizens of Scotland County. Vote: Motion unanimously approved.

Item 7. Monthly Update from the Finance Officer/Assistant County Manager

Finance Officer/Assistant County Manager Kevin Patterson said the State DOT would either rework or breach the X-Way Mill Bridge or spillway and put a second bridge through the area. The State would like to know whether the County would take control of the dam, said Mr. Patterson. He said there would be no immediate cost, although it would cost the State around \$2.5 million to fix the dam. If the County took control of the dam in the future, it would be responsible for maintaining it, Mr. Patterson said. If anything happened, the County would be responsible for replacing or repairing the spillway, which could lead to an unknown amount of dollars in the future, explained Mr. Patterson.

The Scotland County Board of Commissioners by consensus agreed that it would not want to take control of the spillway at X-Way Mill Bridge.

Mr. Patterson then discussed the proposed two percent reduction in funding to the Library, which would result in a total State and County funding reduction of about \$8,500. Mr. Patterson said the State is looking at increasing its funds, and Scotland County could receive approximately \$7,000 of that, although any increase probably would be reduced by the two percent.

Mr. Patterson provided updated information on the budget request by the Rescue Squad. Mr. Patterson said the Rescue Squad would lease rather than purchase a new vehicle, which would place the County appropriation at an increase of \$11,340.

Item 8. Appointments to Boards and Committees

Chairman Willis reported that an appointment recommendation was made to the Economic Development Corporation.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Ms. Margaret Herring and Mr. Andy Ingram to the Scotland County Nursing Home Community Advisory Committee. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Mr. John Alford to the Scotland County Juvenile Crime Prevention Council. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Ms. Demetris Strickland to the Scotland County Juvenile Crime Prevention Council. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to reappoint Mr. Caesar Blue to the Four County Community Services Board. Vote: Motion unanimously approved.

*Scotland County Board of Commissioners regular meeting
June 6, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

Commissioner Butler said the Commissioners received a letter from Mr. Clint Willis, which states he would resign from the DSS Board effective July 1, 2005. Commissioner Butler said Mr. John Alford would succeed Mr. Willis on the DSS Board as the Commissioner-appointee. Commissioner Butler said a recommendation was made that Ms. Evelyn Thomas of Wagram replace Mr. Eulice Langford on the DSS Board when his term expires.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Mr. John Alford as the Commissioner appointee on the Social Services Board and appoint Ms. Evelyn Thomas to the Social Services Board replacing Mr. Eulice Langford. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McPhatter to appoint Mr. Tony Wooten and Mr. Jay Todd and reappoint Ms. Jan Elliott and Ms. Cathy Poole to the Lumber River Work Force Development Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Ms. Elizabeth Cooley to the Wagram/Scotland County Board of Zoning Adjustment. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Mr. Carl Clark to the Maxton/Scotland County Board of Adjustment and Appeals. Vote: Motion unanimously approved.

Item 9. Other Information/Comments from the Chairman and Commissioners

Commissioner McDow suggested that the Board as a group visit with legislators in Raleigh to advocate for Medicaid relief.

Commissioner Jordan said the Commissioners received facts and figures from the Board of Education. He asked the Finance Officer to research the accuracy of the figures.

Chairman Willis asked the Commissioners to consider reinstating the two percent budget reductions to the Chamber of Commerce and Scotland Memorial Library. Vice Chair Gholston asked the Commissioners to consider increasing the allocation to the African American Heritage Committee from \$1,200 to \$2,000.

Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to restore the two percent budget reductions to the Chamber of Commerce and Scotland Memorial Library and to increase the allocation to \$2,000 for the African American Heritage Committee. Vote: Motion unanimously approved.

Chairman Willis suggested the Commissioners continue to consider budget requests made by the Rescue Squad, Historic Properties and Literacy Council.

*Scotland County Board of Commissioners regular meeting
June 6, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to go into 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. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Mr. Patterson distributed for review and possible action a list of State recommended reclassifications requested by Department Heads for inclusion in the FY 2005-2006 Proposed Budget.

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to accept the information and consider the requests. Vote: Motion unanimously approved.

Mr. Patterson said one County Manager applicant has asked the interview appointment be rescheduled and that alternate dates for the interview be provided.

Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to recess to 1 p.m. June 7, 2005 in the Commissioners Chamber. Vote: Motion unanimously approved.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

J.D. Willis
Chairman