

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

**MINUTES**

**Scotland County Board of Commissioners  
Regular Meeting, July 10, 2006  
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: County Manager John A. Crumpton, Finance Officer/Assistant County Manager Kevin Patterson, County Attorney Edward Johnston and Clerk to the Board Ann W. Kurtzman. Commissioner McDow delivered the opening prayer. The Pledge of Allegiance was recited.

**Public Forum**

**Mr. Marcus Norton, Marston Road, North Laurel Hill:** Mr. Norton said the site identified for a landfill is the worst because of the way it would impact Gum Swamp Creek. He asked the Commissioners to think about the hundreds of trucks using the rural roads, the same roads in which school buses travel. Mr. Norton said most landfills are located directly off an interstate — so trucks do not have to travel as far — and not in a rural neighborhood.

**Mr. Zachary Barnes, Lauder Street, Laurel Hill:** Mr. Barnes said the landfill would hurt the local economy, damage property values and lessen the chances for further economic development. He said the County would have to enforce the littering problem and trucking speeds on the area roads. He said accidents could happen that would affect the soil and water and hurt the quality of life. Mr. Barnes said citizens want a clean place for their children and children’s children.

**Mr. Jim McMillan, 12900 Woodbridge Drive, Laurinburg:** Mr. McMillan said he is concerned about the affect a landfill would have on the Black Creek Aquifer, which is shallow. He said it is the responsibility of the County to protect the State’s watershed programs. Mr. McMillan said he feels like he has no say on the landfill issue, and a small group of people seems to have all the say. Mr. McMillan said he would like to attend a community forum so citizens could dispute the landfill issue.

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

Chairman Willis presented a plaque to Ms. Judy Riggins, Board of Elections Director, for 18 years of service to the community. Ms. Riggins thanked the citizens and the Board of Elections for their support through the years.

**Item 1. Public Hearing: Arvin Meritor Incentive Agreement**

County Attorney Johnston discussed the particulars of the proposed incentive agreement

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

with Arvin Meritor, which would secure the continued operation and expansion of the company. Mr. Johnston discussed the incentives over the next six years based on a \$3 million capital investment by the company and the creation of 130 new jobs.

Chairman Willis opened the Public Hearing and asked if anyone wished to speak in favor of or against the incentive agreement.

Chamber of Commerce President Jim Frank Henderson said he favors the incentive agreement because retention and expansion of existing industry is the lifeblood of the community.

No one else came forward, and the Public Hearing was closed.

**Motion was made by Commissioner Jordan and duly seconded by Commissioner McDow to approve the incentive agreement with Arvin Meritor. Vote: Motion unanimously approved.**

**Item 2. Public Hearing: Planning and Zoning**

Planning and Zoning Board Chairman Henry McLeod presented the following rezoning application:

**Rezoning Application Number 436-06 –(REVISED)– Joe R. Warwick, Jr. – Request to rezone 34.6 acres in accordance with the Scotland County Zoning Ordinance, Article IV from RA (Residential Agriculture) and R1 (Residential Single Family) to C1 (Neighborhood Commercial) with conditional use for a Produce Market. The property is located on US 15-501/Aberdeen Hwy. And is better described as Scotland County Tax Map Number 0315 Block 01 Parcel 068 A & B.**

Mr. McLeod said because of the precarious location of the property to be rezoned, the Planning and Zoning Board recommends a revised rezoning application, which would use about six acres of the 35-acre tract for a produce market. Mr. McLeod described where the six acres was located.

Mr. McLeod said the Planning and Zoning Board recommends that the six acres be rezoned with a produce market as a conditional use of the property.

Chairman Willis opened the Public Hearing and asked if anyone wished to speak in favor of or against the rezoning application. 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 436-06 as recommended by the Planning and Zoning Board. Vote: Motion unanimously approved.**

**Conditional Use Application Number 437-06 – Alltel Communications - Request for**

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

a Conditional Use Permit to construct a telecommunications antenna support structure on 7,290 square foot portion of property located on Nashville Church Road, Marston, NC and is better described as Scotland County Tax Map Number 431, Block 01, Parcel Number 001.

Mr. McLeod said the conditional use application would utilize the same hold harmless agreement that the County has used for similar cell tower sites. He said the Planning and Zoning Board recommends approval of the application. Mr. McLeod added that the Planning and Zoning Board was notified by Fort Bragg that it is against the placement of a cell tower on the property in question. He said that because of a delay in the mail, Fort Bragg was not able to respond to the application until after the Planning and Zoning Board met.

Chairman Willis opened the Public Hearing and asked if anyone wished to speak in favor of or against the conditional use application.

Mr. David Hockey, who represents Alltel, asked the Commissioners for conditional approval of the application pending a recommendation from the Fort Bragg installation. Mr. Hockey said this would give Alltel and Fort Bragg opportunity to amend the location and height without losing too much time.

Mr. Mike Larsen, an attorney representing Fort Bragg, asked the Commissioners not to give conditional approval at this time. Mr. Larsen said the cell tower could present a danger to low flying aircraft at Camp Mackall. He asked that the application be sent back to the Planning and Zoning Board for full recitation of the facts. He said Fort Bragg would like to examine the issue with Alltel to see if there is a technological and technical solution.

**Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to table Conditional Use Application Number 437-06 for 30 days until the Planning and Zoning Board has reviewed the application. Vote: Motion unanimously approved.**

**Item 3. Closed Session**

**Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to Closed Session held 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.**

**Closed Session was held in the Health Department Education room.**

**OPEN SESSION RESUMED**

**Item 4. Lumber River Council of Governments: Crisis Housing Assistance Fund Update**

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

LRCOG Regional Planning Director Jan Maynor said two of the 23 applicants for crisis housing assistance were eligible for funding — one for repair, the other for a replacement, which would be a doublewide mobile home.

Ms. Maynor asked the Commissioners to consider approval of the Optional Location Plan, consider acceptance of the bid for repair, the lowest of which was submitted by Robert Strickland, and make a recommendation on a replacement system.

**Motion was made by Vice Chair Gholston and duly seconded by Commissioner McDow to approve the Optional Coverage Relocation Plan for 2005 Crisis Housing Assistance Funds. Vote: Motion unanimously approved.**

**Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to award the repair contract to Robert Strickland. Vote: Motion unanimously approved.**

**Motion was made by Commissioner McPhatter to award the replacement system to Crestline, which is a local company.**

Ms. Maynor said the Commissioners need only approve a sum the applicant would be able to spend, but the applicant could go to any dealer, not necessarily Crestline.

**Commissioner McPhatter withdrew the motion.**

**Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to approve the cost of a replacement housing unit at a maximum of \$60,000. Vote: Motion unanimously approved.**

**Item 5. Consent Agenda**

- a) Approve minutes of the Board of Commissioners May 31, 2006 reconvened meeting; June 5, 2006 regular meeting; June 19, 2006 special meeting and June 29, 2006 special meeting.
- b) Approve Tax Department request to release funds in the amount of \$983.79 and refunds in the amount of \$2,051.10.
- c) Authorize the Tax Collector to collect the taxes set forth in the tax records filed in the office of the Scotland County Tax Department.
- d) Approve Kermit Humphrey, Jr. tax valuation in the amount of \$135,200 as recommended by NC Department of Revenue, Property Tax Division.
- e) Approve request by NCDOT to increase the right of way on Turnpike Road from 30 ft to 50 ft. *(The request is made to increase the road width for a turning lane into the new Recreational Complex and replace the existing open ditch drainage system with underground piping from Scotland Place to the intersection of West Boulevard. This project will be done by NCDOT without any cost to the County. It also will improve the appearance and safety in this area.)*
- f) Approve Debarment Certification for CDBG grant

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

g) Approve 2007 regular meeting schedule for the Scotland County Board of Commissioners as follows: January 8, 2007, February 5, 2007, March 12, 2007, April 2, 2007, May 7, 2007, June 4, 2007, July 2, 2007, August 6, 2007, September 10, 2007, October 1, 2007, November 5, 2007 and December 3, 2007.

h) Declare as surplus a 1991 Ford ambulance VIN# 1FDKE30M6MHA53386, a 1996 Dodge van VIN# 2B7KB31Z0TK171143 and a 1989 Chevrolet Cavalier VIN# 1G1JC5110K7187971.

i) Approve compensation for Kevin Patterson to cover the period for which he assumes the additional responsibilities as Interim Health Director.

j) Budget Amendments:

- 1) **Health:** Approve receipt of additional funding in the amount of \$33,825, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 2) **General Fund:** Approve appropriation in the amount of \$6,000 for Borderbelt AIDS Resources Team (BART).
- 3) **General Fund:** Approve appropriation in the amount of \$13,913 for Hospice of Scotland County.

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

**Item 6. Parks and Recreation bid information**

Parks and Recreation Director Shannon Newton said Bliss Products submitted the lowest bid for playground and picnic shelters. She said Innova Disc Golf was the only bid to be submitted for disc golf. Ms. Newton asked the Commissioners to award the contract to Innova because so few businesses are disc golf developers.

Ms. Newton said there was only one bid submitted for the ball field, and a rebid is in the process, which will be opened 2 p.m. July 19.

**Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to award the contract for the playground and picnic shelters to Bliss Products and to award the contract for disc golf to Innova Disc Golf. Vote: Motion unanimously approved.**

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

Finance Officer/Assistant County Manager Kevin Patterson said the planning amount in the budget for school capital funding was \$550,000. Mr. Patterson said the corrected amount is \$675,188. Mr. Patterson asked the Commissioners to consider approval of a budget amendment in the amount of \$125,188 to be funded out of restricted fund balance.

**Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to approve \$125,188 for school capital funding to be funded out of restricted**

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

fund balance. **Vote: Motion unanimously approved.**

Mr. Patterson said another budget amendment is for Chamber of Commerce marketing, which was funded in 2003 at \$117,500. He said unexpended funds have been carried forward each year, and the residual from last fiscal year is \$6,656.48.

**Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to approve \$6,656.48 for the Chamber of Commerce. Vote: Motion unanimously approved.**

Mr. Patterson said the peer review for Gustaf C. Lundin was tentatively approved pending technical corrections. The opinion will be unqualified with a letter of comment. Mr. Patterson asked the Commissioners to consider awarding the audit contract to Gustaf C. Lundin.

**Motion was made by Vice Chair Gholston and duly seconded by Commissioner McPhatter to award the audit contract to Gustaf C. Lundin. Vote: Motion unanimously approved.**

Mr. Patterson said he would present an end-of-the-year financial report at the August meeting when the report would be more accurate, since significant accruals still remain.

#### **Item 8. Appointments to Boards and Committees**

**Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Mr. John O. McDonald to the Four County Community Action Board. Vote: Motion unanimously approved.**

**Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Mr. John Stewart, Ms. Sherry McQuage and Mr. David Young to the Historic Properties Commission. Vote: Motion unanimously approved.**

**Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to reappoint Ms. Becca Hughes, Mr. Chris Wood and Ms. Doris Douglas and to appoint Ms. Sallye McLaurin to the Parks and Recreation Advisory Board Vote: Motion unanimously approved.**

**Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to reappoint Ms. Joyce McDow to the Scotland Memorial Library Board. Vote: Motion unanimously approved.**

**Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Mr. Nick Sojka, Mr. John Stewart and Mr. James "Sunbeam" Sutherland to the Scotland County Tourism Development Authority. Vote: Motion unanimously approved.**

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

**Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to appoint Randy Jones, Laura Smith, Kendrick Smith and Donna Miller to the Juvenile Crime Prevention Council. Vote: Motion unanimously approved.**

#### **Item 9. County Manager's Report**

County Manager Crumpton said the BRAC bylaws are included in the agenda package for consideration by the Commissioners. He said the bylaws designate Scotland County as Tier Two, which means the net effect to the County once the base realignment is completed would be less than 500 troops. He said a Tier Two county does not have individual voting rights.

**Motion was made by Commissioner Alford and duly seconded by Commissioner McDow to approve the BRAC Regional Task Force Bylaws. Vote: Motion unanimously approved.**

Mr. Crumpton presented a PowerPoint analysis of where military personnel would reside off base between 2006 and 2011. He said not much change is predicted in military and civilian personnel living in Scotland County with a projected increase of about 234 people out of 12,500 soldiers, civilians and their dependents locating to the County.

County Manager Crumpton said the County received a premium rebate in the amount of \$11,000 from FirstCareCarolina. He asked that \$5,500 of the rebate be used for gifts, door prizes and other incentives to improve attendance at an upcoming employee health fair. He said the remainder of the rebate would be placed in the General Fund.

**Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to approve the use of \$5,500 from the FCC premium rebate for the upcoming employee health fair. Vote: Motion unanimously approved.**

County Manager Crumpton said the NCDOT denied a request by the County and the City to reduce the speed limit on X-Way Road and to install a pedestrian crosswalk between the John Blue House and County Museum. He said the State agency did agree to put up pedestrian crossing signs.

Mr. Crumpton asked the Commissioners to select a voting delegate for the September NCACC conference.

**Motion was made by Commissioner Alford and duly seconded by Commissioner Jordan to appoint Commissioner Joyce McDow as voting delegate at the 2006 NCACC Annual Conference. Vote: Motion unanimously approved.**

County Manager Crumpton said the City has listed what it considers priority funding needs for transportation improvement projects. He asked the Commissioners if the County would like to add additional projects to the list.

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

Commissioner Alford suggested that the downtown area on Main Street be extended north of the railroad on 15-501 to McGirts Bridge Road.

Commissioner Butler said he there is a need for a stop light at the intersection of US74 and Old Wire Road.

Mr. Crumpton said Dr. Thomas French is the new Medical Examiner, replacing Dr. Harley Davidson, who passed away.

Mr. Crumpton asked the Commissioners to consider updating the County's land use plan. He said the project would require hiring consultants.

Mr. Crumpton said a black Labrador police dog with the Sheriff's Department has a chronic knee problem. He asked the Commissioners to consider surplusing the black Labrador and selling the canine to handler Rick Hammonds for \$1.

**Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to surplus the black Labrador police dog and sell it to its handler Rick Hammonds for \$1. Vote: Motion unanimously approved.**

The County Manager said the Housing Authority's tax credit application on Central School was approved, and preliminary work on the building would begin this month.

County Manager Crumpton said the County has been selected to receive the 2006 Employer Award from the Employment Security Commission of North Carolina.

County Attorney Ed Johnston presented two items for consideration by the Commissioners.

Mr. Johnston discussed the Lions Club lease, explaining that its renewal involves minor changes, and the smoking resolution, which would prohibit smoking within 50 linear feet of the Health Department and DSS.

**Motion was made by Commissioner Butler and duly seconded by Commissioner McPhatter to approve the Laurel Hill Lions Club lease agreement. Vote: Motion unanimously approved.**

**Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to approve the Resolution Expanding Area in Which Smoking is Prohibited at Scotland Governmental Complex. Vote: Motion unanimously approved.**

**RESOLUTION EXPANDING AREA IN WHICH SMOKING IS  
PROHIBITED AT SCOTLAND COUNTY GOVERNMENTAL COMPLEX**

**WHEREAS, on October 5, 1993 the Scotland County Board of Health adopted the Scotland County Smoking Control Rules; and**

*Scotland County Board of Commissioners July 10, 2006 meeting  
Commissioners Chamber, 1405 West Boulevard, Laurinburg*

**WHEREAS, by virtue of said Rules smoking was prohibited, among other places, in buildings owned by Scotland County; and**

**WHEREAS, the Scotland County Health Department and the Scotland County Department of Social Services are located in and are the sole occupants of the Scotland County Governmental Complex, which is a building owned by Scotland County; and**

**WHEREAS, N. C. G. S. § 143-599 (5) was amended in 2005 to provide that smoking could be prohibited on the grounds where local health and social services departments are located; and**

**WHEREAS, the Directors of the Scotland County Health Department and Department of Social Services believe their clientele to be composed of vulnerable populations, including, but not limited to, children, elderly people, individuals with impaired respiratory function, pregnant women and others suffering from medical conditions which may be exacerbated by exposure to environmental tobacco smoke; and**

**WHEREAS, the Scotland County Board of Health endorses the expansion of the area in which smoking is prohibited in accord with the herein referenced statute; and**

**WHEREAS, the Scotland County Board of Commissioners determines it will protect the health, safety and welfare of the citizenry to expand the area in which smoking is prohibited at the Scotland County Governmental Complex;**

**NOW, THEREFORE, BE IT RESOLVED THAT:**

- 1. Smoking (meaning inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe or other combustible tobacco product in any manner or form) is prohibited, in addition to those areas to which a ban already applies, to the grounds of the Scotland County Governmental Complex.**
- 2. As used herein, the term “grounds” means the area located within 50 linear feet of the Scotland County Governmental Complex.**
- 3. Nothing herein shall preempt, overrule or invalidate the Scotland County Smoking Control Rules adopted by the Scotland County Board of Health on October 5, 1993.**
- 4. This Resolution shall be effective upon passage.**

**Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to recess until 5 p.m. Wednesday, July 19, 2006 in the County Annex conference room. Vote: Motion unanimously approved.**

Respectfully Submitted,

Ann W. Kurtzman  
Clerk to the Board

J.D. Willis  
Chairman