

*Scotland County Board of Commissioners regular meeting
July 11, 2005, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

MINUTES

**Scotland County Board of Commissioners
Regular Meeting, July 11, 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 and Clerk to the Board Ann W. Kurtzman. Chairman Willis delivered the opening prayer. The Pledge of Allegiance was recited.

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

Dr. Calvin Newton: Dr. Newton said he is concerned about dog dumping as a result of the new Animal Control Ordinance, especially to those who live about seven miles out of town like he does.

Ms. Doris Douglas, Scotland County resident: Ms. Douglas said she was not aware the County no longer had a school floor. She asked the Commissioners for an explanation.

Chairman Willis briefly outlined the history of the school floor, the 1975 uniform system for funding all schools, where the Commissioners agreed to exempt the County, and the 2002 school funding amendment. Chairman Willis said since citizens did not vote in 1975 or in 2002, there is an amended school floor. Chairman Willis said a school floor exists because the Commissioners are required to fund the schools according to a certain formula. The Commissioners cannot negotiate a budget with the Board of Education.

Item 1. Public Hearing: Planning and Zoning

Attorney Johnston said he received a call from the attorney for rezoning applicant R-Group. The attorney said that R-Group withdrew the rezoning application.

Item 2. Closeout Public Hearing: Community Development Block Grant

LRCOG Housing Administrator Adrian Lowery distributed images of units completed in the FY 2003 Community Development Block Grant program.

Mr. Lowery said five of the units were replaced with modular homes, which appreciate in value.

Chairman Willis said he received calls from applicant Mae Belle Carmichael with regard to unfinished landscaping on her property. Mr. Lowery said everything the State required has been done with regard to Ms. Carmichael’s property. He said an existing drainage problem on the property could still be addressed.

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

Mr. Walter Rogers thanked the Commissioners for support of the program, which allowed five families to get a new home.

Ms. Willie Mae Davis, daughter of Mr. Willie Davis, said she is grateful to the Lumber River Council of Governments, Mr. Lowery and the Board of Commissioners for supporting a good project, which allowed her father to receive a new home. She said she hopes the program continues so it might benefit other families.

A woman, who did not identify herself, said she was speaking on behalf of Ms. Carmichael. She said she is worried about two trees on the property that were damaged in the process.

Mr. Lowery discussed the next CDBG funding timeline and said the Commissioners could elect to closeout the program now, and remaining issues would be corrected.

Chairman Willis closed the Public Hearing. He said he would like all the remaining issues to be resolved before signing off on the program. The Scotland County CDBG Committee agreed to meet July 12, 2005 at Ms. Carmichael's home to address any outstanding issues regarding the program.

The Commissioners then discussed the benefits of rehabilitation versus replacement for the next funding cycle. Vice Chair Gholston said the funding would be put to greater use and benefit more people if it were used solely for rehabilitation. Chairman Willis said those who need a replacement home rather than rehabilitation have the most critical need and should not be overlooked. Chairman Willis said the program should continue based on the current point system regardless of whether the applicant would require home rehabilitation or replacement.

Motion was made by Commissioner Jordan and duly seconded by Commissioner McPhatter to closeout the public hearing for the Scotland County CDBG Program pending the committee's findings and corrections following its July 12, 2005 meeting. Vote: Motion unanimously approved.

Item 3. Joint Resolution and Settlement Agreement with Scotland County Schools and Joint Resolution Regarding ADM Funds

The Commissioners skipped this item and proceeded to the next item on the agenda.

Item 4. 4H Expanded Food and Nutrition Program Summer 2005 Update

Ms. Hazel McPhatter, 4H EFNEP Program Assistant, discussed program highlights of the Nutritional Fun and Activities for Children Summer 2005 program. Ms. McPhatter said

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the purpose of the program was to reach out to more young people in order to increase their physical activity and to teach them how to prepare food in a healthy way. She said the program served an estimated 195 County youth on sites in Laurinburg, Laurel Hill, Gibson and Wagram. Ms. McPhatter distributed a cookbook to the Commissioners.

Item 5. 2005 Multi-jurisdictional Hazard Mitigation Plan

EMS Director Roylin Hammond presented the Commissioners information regarding the revised 2005 Scotland County Multi-jurisdictional Hazard Mitigation Plan, which replaces the one adopted in 2001.

Mr. Hammond said FEMA and the federal government as a result of the affects of Hurricane Floyd imposed additional requirements for county hazard mitigation plans. The requirements were tied to access of the 10 percent federal mitigation funding that is available as part of the FEMA disaster relief funding.

Mr. Hammond said one of the requirements is that the plan be a multi-jurisdictional one, which would include and be approved by all governing bodies within the respective county. He said each jurisdiction listed in the plan must approve and sign a Resolution of Adoption in order to receive federal approval.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to approve the Resolution of Adoption of the 2005 Scotland County Multi-jurisdictional Hazard Mitigation Plan allowing Scotland County to be eligible for state and federal relief funding. Vote: Motion unanimously approved.

Scotland County Multi Jurisdictional Hazard Mitigation Plan

WHEREAS, the citizens and property within Scotland County are subject to the effects of natural hazards and man-made hazard events that pose threats to lives and cause damages to property, and with the knowledge and experience that certain areas, i.e., flood hazard areas, are particularly susceptible to flood hazard events; and

WHEREAS, the County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Section 1 Part 166A of the North Carolina General Statutes (adopted in Session Law 2001-214—Senate Bill 300 effective July 1, 2001), states in Item (a) (2) “For a state of disaster

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proclaimed pursuant to G.S. 166A-6(a) after November 1, 2004, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act”; and

WEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local government must develop an All-Hazards Mitigation Plan in order to receive future Hazard Mitigation Grant Program Funds, and

WHEREAS, it is the intent of the Board of Commissioners of Scotland County to fulfill this obligation in order that the County will be eligible for state assistance in the event that a state of disaster is declared for a hazard event affecting the County;

NOW, therefore, be it resolved, that the Board of Commissioners of Scotland County hereby:

1. Adopts the Scotland County Hazard Mitigation Plan; and
2. Vests the County Manager with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - (c) Adjust the boundaries of County and municipal planning jurisdictions whenever a municipal annexation or extraterritorial jurisdiction revision results in a change whereby a municipality assumes or relinquishes the authority to adopt and enforce floodplain management regulations for a particular area in order that all Flood Hazard Boundary Maps (FHBMs) and Flood Insurance Rate Maps (FIRMs) accurately represent the planning jurisdiction boundaries. Provide notification of boundary revisions along with a map suitable for reproduction, clearly delineating municipal corporate limits and extraterritorial jurisdiction boundaries to all concerned parties.
3. Appoints the County Manager to assure that the Hazard Mitigation Plan is reviewed annually and in greater detail at least once every five years to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Scotland County Board of Commissioners for consideration.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Hazard Mitigation Plan.

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Adopted on this the 11 day of July, 2005

Item 6. Consent Agenda:

- a) Approve minutes of the Board of Commissioners: May 3, 2005 reconvened meeting; June 1, 2005 reconvened meeting; June 6, 2005 regular meeting; June 7, 2005 reconvened meeting; June 14, 2005 special meeting; June 14, 2005 FY 2005-2006 budget public hearing; June 16, 2005 emergency meeting; June 19, 2005 emergency meeting; June 21, 2005 mediation with the School Board; June 21, 2005 special meeting and June 28, 2005 special meeting.
- b) Approve petition to add Fairfield Drive and Southwood Drive to the State maintenance system.
- c) Approve petition to add Aubrey Drive, Austin Circle and Parker Circle to the State maintenance system.
- d) Authorize the Tax Collector to collect the taxes set forth in the tax records filed in the office of the Scotland County Tax Department.
- e) Approve petition by the Town of Dobbin Heights for membership in the Lumber River Council of Governments.
- f) Approve recommendation by the NC Department of Revenue, Property Tax Commission to change the tax valuation of parcel # 010012 01005 from \$16,880 to \$13,130; parcel # 010245 01081 from \$44,570 to \$25,350; parcel # 010436 01011 from \$39,750 to \$26,500; and parcel #010436 01040 from \$45,000 to \$45,000 (*no change*).
- g) Approve of the Board of Commissioners 2006 regular meeting schedule as follows: January 9, February 6, March 13, April 3, May 1, June 5, July 10, August 7, September 11, October 2, November 6, December 4.
- h) Approve receipt of laptop computer from the NC Department of Insurance, Senior Health Insurance Information (SHIIP) Program.
- i) Budget Amendments
 - 1) **Parks and Recreation:** Approve receipt of \$1,000 from the State, and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No County dollars required.

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

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

Finance Officer/Assistant County Manager Kevin Patterson asked that a voting delegate be designated for the NCACC Annual Conference in August.

Motion was made by Commissioner Alford and duly seconded by Commissioner Jordan to designate Commissioner Joyce McDow as the voting delegate for the 2005 NCACC Annual Conference. Vote: Motion unanimously approved.

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Mr. Patterson said a District Director should be selected to represent the District for a two-year term.

Motion was made by Commissioner McPhatter and duly seconded by Vice Chair Gholston to designate Commissioner Joyce McDow as the NCACC District Director for a two-year term. Vote: Motion unanimously approved.

Item 8. Appointments to Boards and Committees

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to appoint Ms. Pam Riemer, Dr. Matthew Block and Mr. Jim Blue to the Historic Properties Commission. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Ms. Sallyanne Clark and Mr. Charles Campbell to the Cable Access Advisory Committee. Vote: Motion unanimously approved.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner McDow to reappoint Mr. Bob McNair to the Jury Commission. Vote: Motion unanimously approved.

Commissioner Butler said Rev. Russell Baker resigned from Four County Community Services where he served as a Commissioner-designee for former Commissioner Nancy Shelley.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner McDow to appoint Mr. Jim Kirby as the Commissioner designee to Four County Community Services.

Commissioner Jordan said he might be interested in serving on Four County Community Services.

Vice Chair Gholston withdrew the motion, and Commissioner McDow withdrew the second to the motion. The Commissioners agreed to postpone appointment to Four County Community Services until the August 1, 2005 regular meeting.

Motion was made by Commissioner McDow and duly seconded by Commissioner Alford to reappoint Ms. Betsy Dendy and Mr. Rick Singletary to the Scotland Memorial Library Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Ms. Janna Wegner to the Criminal Justice Partnership Board. Vote: Motion unanimously approved.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Jordan to reappoint Ms. June Harrell, Mr. Andy Ingram, Mr. Clint Willis, Ms. Nan

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Johnson, Ms. Mary Lou Dunsford, Ms. Katherine Allen and Ms. Margaret Kelly to the Aging Advisory Council and to appoint Dr. Ben Tatum, Mr. Alexander Fairley and Ms. Margaret Uncapher to the Aging Advisory Council. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to appoint Mr. Clarence McPhatter to the Scotland County Nursing Home Community Advisory Committee. Vote: Motion unanimously approved.

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

Health Director Jane Murray said the agency introduced some larvacides to some areas of a drainage ditch in the Laurel Hill community. Ms. Murray said she had no recommendations although she understood why the Laurel Hill citizens were concerned. Chairman Willis suggested the possibility of jail inmates working on clearing the ditch.

Commissioner McPhatter said he received a call from Rep. Garland Pierce regarding a ditch on Bronco Drive where recent heavy rains resulted in backflow problems. Commissioner McPhatter said he reported the problem to Environmental Health Supervisor Mike Norton, who would check into the problem.

Motion was made by Commissioner Jordan and duly seconded by Commissioner McDow to go into Closed Session held in accordance with N.C. General Statute 143-318.11(a)(3) to consult with an attorney. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Commissioner Jordan asked about the search for a Solid Waste Supervisor explaining it is important to continue plans for the landfill expansion. Commissioner Jordan said Inspector interviews are scheduled for July 14, 2005.

Motion was made by Commissioner Alford and duly seconded by Commissioner McPhatter to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

J.D. Willis
Chairman