

*Scotland County Board of Commissioners August 7, 2006 Regular Meeting
Commissioners Chamber, 1405 West Boulevard, Laurinburg NC*

MINUTES

**Scotland County Board of Commissioners
Regular Meeting, August 7, 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, and Charles "Scooter" Jordan. Commissioners absent: Joyce McDow and Clarence McPhatter. Staff in attendance: County Manager John A. Crumpton, Finance Officer/Assistant County Manager Kevin Patterson, County Attorney Edward Johnston. Staff absent: Clerk to the Board Ann W. Kurtzman. Chairman Willis delivered the opening prayer. The Pledge of Allegiance was recited.

Public Forum

Ms. Dianna Johnston, 13421 Wesleyan Dr., Laurinburg: Ms. Johnston appeared on behalf of The Reverend Harry Abernathy and Penny Muse Abernathy. She read a letter from the Abernathys who are landowners of a family farm that fronts Snead's Grove Road. The letter addressed concerns that the Abernathys have with the proposed siting of a large, privately run landfill in the northern part of the county. Among those concerns are the affect on the quality of life for all county residents, as well as neighbors in adjacent Moore and Richmond counties; the risk of permanent ecological damage to the Sandhills; and affect on the long-term economic growth of Scotland County.

Ms. Carol Hardee, 23780 Ed McNair Rd., Laurinburg: Ms. Hardee reminded the Commissioners of the County's Mission Statement. She reviewed the voting history of the Commissioners since the landfill issue was first discussed. She presented each Commissioner, the County Manager and the County Attorney with a Conflict of Interest statement and asked if each of them would be willing to sign such a statement.

Mr. Jim McMillan, 12900 Woodbridge Drive, Laurinburg: Mr. McMillan stated that the opponents of the landfill felt as though all of the information presented by them had fallen on deaf ears. He said that the only two commissioners who could be believed were the two who voted against the landfill siting. He referred to the landfill moratorium passed by the State Legislature and noted that the Commissioners continue to proceed toward siting of a landfill. He stated that there was an attitude of no confidence in the Board of Commissioners by opponents and asked the Board to cease doing business as Commissioners.

Mr. Robert Currie, North Laurel Hill: Mr. Currie stated he was speaking on behalf of his sister, a chemist, who owns 160 acres next to Gum Swamp. Her main objection to siting a landfill concerns what happens to pesticides that are developed and found not marketable. She wanted the Board of Commissioners to be aware that companies who develop pesticides generally do not dump those not marketable in their own backyard; they send them far away from the company site.

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Chairman Willis presented a plaque to Mr. Bunny Anderson for his service to Soil and Water Conservation as he retired from Scotland County after 11 years while also recognizing his previous 36 years in both North and South Carolina.

Item 1. Public Hearing: Planning and Zoning

Planning and Zoning Board Chairman Henry McLeod presented the following rezoning application noting change in the number of acres from information found in the agenda package. He also stated that the rezoning was for a Sand MINING Operation not a sand drying operation as noted in the agenda package description:

Rezoning Application Number 438-06 – (REVISED) Marston Land Company by James Morgan, Partner – Request to rezone approximately 148.62 acres in accordance with the Scotland County Zoning Ordinance, Article IV from RA (Residential Agriculture) to I2 (Heavy Industrial) with a Conditional Use for a sand mining operation. The property is located on Sneads Grove Road and is better described as Scotland County Tax Map Number 0328 Block 01 Parcel 008 Tract 1 which is 97.12 acres and Scotland County Tax Map 0326 Block 01 Parcels 009 and 010.

Mr. McLeod said that the number of acres was reduced because all of the 357.7 acres in this area and owned by Marston Land Company would not be used for the sand mining operation.

Chairman Willis called 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 Butler and duly seconded by Commissioner Jordan to approve Rezoning Application Number 438-06 as recommended by the Planning and Zoning Board. Vote: Motion unanimously approved.

Item 10: Closed Session

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to hold a Closed Session 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; and N. C. General Statute § 143-318.11.(a)(3) to consult with an attorney; and N. C. General Statute § 143-318.11.(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. Vote: Motion unanimously approved.

Closed Session was held in the Health Department Education Room of the Scotland County Complex.

OPEN SESSION RESUMED

Item 2. Cooperative Extension: Family and Consumer Position Proposal

Cooperative Extension Director Dr. Cathy Graham requested reinstatement of the Family and Consumer position, which was closed two years ago due to budget constraints. She stated that the cost to the County would be approximately \$2,500 with NC A&T University, NC State University and grant funds providing the remainder of the proposed annual salary of \$38,500. She noted that the County would not be asked to increase the cost-share next year.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Jordan to approve reinstating the Family and Consumer Position in Cooperative Extension. Vote: Motion unanimously approved.

Item 3. FY 2007-2009 Work First Biennial County Planning

Department of Social Services Director Jan Elliott noted that the State required planning for the Work First program for the next two years. She referenced the documents contained in the agenda package for the Commissioners' review to assist in making these planning decisions.

Ms. Elliott requested that the Board indicate their preference for Scotland County to choose to be an Electing or Standard County. The Social Services Board has voted to recommend remaining a Standard County.

Motion was made by Commissioner Jordan and duly seconded by Vice Chair Gholston to approve remaining a Standard County in the FY 2007-2009 Work First Biennial County Planning. Vote: Motion unanimously approved.

Ms. Elliott requested that the Board authorize DSS to put the FY 2007-2009 Work First Biennial County Planning Committee together based on the state requirements and not bring those names back to the Commissioners for approval.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to authorize DSS to appoint members of the FY 2007-2009 Work First Biennial County Planning Committee based on the State requirements without returning to the Board of Commissioners for approval of those appointees. Vote: Motion unanimously approved.

Ms. Elliott noted that one of the state requirements is that a Commissioner be appointed to the FY 2007-2009 Work First Biennial County Planning Committee.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to appoint Vice Chair Gholston as the Commissioner representative on the FY 2007-2009 Work First Biennial County Planning Committee. Vote: Motion unanimously approved.

Item 4. Wagram Cable Update

County Manager John Crumpton reported the cable company serving Wagram and Deercroft was no longer operating and he recommended a letter be sent notifying G. W. Cable that they were in

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default of their franchise agreement. County Attorney Johnston reminded the Board that the Town of Wagram has their own franchise agreement with G. W. Cable and that the franchise agreement with Scotland County only covers the Deercroft area.

Motion was made by Commissioner Alford and duly seconded by Commissioner Jordan to authorize the County Manager to send a 30-day notice of cancellation of the franchise agreement with G. W. Cable as they are in default of the franchise agreement to provide cable service to Deercroft. Vote: Motion unanimously approved.

Item 5. Consent Agenda

- a) **Approve minutes of the Board of Commissioners July 10, 2006 regular meeting and July 19, 2006 reconvened meeting.**
- b) **Approve Current Year Tax Settlement and Settlement for Delinquent Taxes for FY 2005-2006.**
- c) **Authorize Fall 2006 Litter Sweep Proclamation.**
- d) **Approve Sheriff's Department request for Administrative Assistant step increase from 62-6 (\$28,512) to 62-7 (\$29,220)**
- e) **Approve reclassification of Local Health Director from Grade 80 to Grade 82**
- f) **Approve Tax Department request to refund \$274.82 and release \$864.73.**
- g) **Budget Amendments:**
 - 1) **Sheriff: Appropriate an additional \$10,100 for uniforms to adjust for a data entry error.**
 - 2) **Drug Fund: Appropriate \$10,500 from restricted fund balance for the purchase of equipment for the Sheriff's Department.**

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Butler to approve the consent agenda. Vote: Motion unanimously approved.

Item 6. Discussion: Solid Waste Company

County Manager John Crumpton referred to additional information in the agenda package regarding the two companies (Waste Management and Republic Services) interested in providing a landfill in Scotland County. Discussion of which company to initiate negotiation of a franchise agreement included Commissioner Jordan's question – "Once we make a choice do we have any obligation prior to the signing of the Franchise Agreement?" Mr. Crumpton stated there was no obligation prior to execution of franchise agreement.

Motion was made by Commissioner Alford and duly seconded by Commissioner Jordan to authorize the County Manager to initiate negotiations for a landfill in Scotland County with Waste Management. Vote: Motion approved by four to one vote. In favor of the motion were Chairman Willis, Commissioners Alford, Butler and Jordan. Against the motion was Vice-Chair Gholston.

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

Finance Officer/Assistant County Manager Kevin Patterson referred the Commissioners to the agenda package containing information on the proposed Scotland County Prescription Discount Card. He explained that the National Association of Counties (NACo) is offering this program

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to counties to assist citizens in a 20% to 30% savings on prescriptions. He noted that most pharmacies in Scotland County are participating and the ones who are not at this time are in negotiations. Mr. Patterson asked the Commissioners to examine the proposed card to be used in Scotland County and make any suggestions for changes.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to approve the design of the Scotland County Prescription Card as submitted. Vote: Motion unanimously approved.

Mr. Patterson presented an unaudited Fiscal Year Ended June 30, 2006. The report showed revenues exceeding expenditures in the amount of \$3,206,027. Restricted Fund Balance increased by \$675,188. An increase in Designated Fund Balance of \$1,578,348 resulted in an increase of Undesignated Fund Balance of \$952,491.

Item 8. Appointments to Boards and Committees

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to appoint Vice Chair Gholston as the Board of Commissioners representative to the LRCOG Transportation Advisory Committee. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to appoint Ms. Nancy Shelley to a full three-year term to the Tourism Development Authority and Commissioner Alford and Ms. Linda Tindall to the two replacement terms for one-year. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Mr. Fred Fox to the Cable Access Advisory Committee. Vote: Motion unanimously approved.

Item 9. County Manager's Report

County Manager John Crumpton announced several dates of meetings he would be attending: BRAC Regional Task Force for Fort Bragg and Camp Mackall in Atlanta - September 13 and 14
Annual Chamber Fly-In event in Washington – September 25 and 26
NCACC in Winston Salem – September 7 – 10

Vice Chair Gholston asked for clarification on the legislative Medicaid cap as passed by the General Assembly. Mr. Crumpton stated that the NCACC was recommending that counties not spend any funds over the cap until actual Medicaid costs are known.

Mr. Crumpton asked Tax Administrator Ms. Mary Helen Norton to inform the Board of the L&M Properties (formerly Old Woodard Plant) tax settlement. Ms. Norton stated that all outstanding Property Tax Commission appeals have been settled or withdrawn except L & M Properties. The NC Department of Revenue, Property Tax Division has examined the file, visited the site and contacted the appellant. After much deliberation and several necessary adjustments, both value increases and decreases, John Lipscomb of L&M Properties, has agreed to settle the appeal upon approval of a recommended valuation of \$2,555,580 which represents

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\$877,480 decrease in valuation and approximately \$9500 decrease in tax revenue. Ms. Norton stated that the Scotland County Tax Department concurs with the recommendations.

Motion was made by Commissioner Alford and duly seconded by Vice Chair Gholston to approve the recommended valuation of \$2,555,580 for L&M Properties (formerly the old Woodard Plant) listed as Parcel ID# 010250 01025. Vote: Motion unanimously approved.

County Manager Crumpton reported that several groups of employees have visited the Covington Street location in preparation of moving offices from the County Annex. He noted that Probation, Judges, and Attorneys will be moving into the Annex building. Vice Chair Gholston commended the County Manager for his brilliant solution to a space problem for the Courthouse judicial offices. She noted that ever since she has been on the Board of Commissioners the request for additional space for these offices in the Courthouse has been persistent.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to adjourn. Vote: Motion unanimously approved.

Respectfully Submitted,

Anne G. Tindall
Recorder

J. D. Willis
Chairman