

**MINUTES  
Scotland County Board of Commissioners  
December 3, 2012 Regular Meeting  
A.B. Gibson Education Center, 322 South Main Street, Laurinburg NC**

At 7 p.m. County Attorney Edward Johnston called the regular meeting to order. Commissioners in attendance: Commissioners John Alford, John Cooley, Bob Davis, Whit Gibson, Carol McCall and Guy McCook. Commissioners not in attendance: Commissioner Clarence McPhatter. Staff in attendance: County Manager Kevin Patterson, County Attorney Edward Johnston, Finance Officer Charles Nichols and Clerk to the Board Ann W. Kurtzman. Commissioner Gibson delivered the invocation. The Pledge of Allegiance was recited.

Mr. Johnston explained the reorganization process. Mr. Johnston asked for nominations for the office of Chairman of the Scotland County Board of Commissioners for the year 2013.

**Commissioner Alford nominated Commissioner McCook. Commissioner McCall seconded the nomination. There were no other nominations. Commissioner Cooley moved and Commissioner Alford seconded to close nominations. Vote: Motion unanimously approved. Commissioner McCook was elected Chairman by acclamation.**

**Commissioner Alford nominated Commissioner McCall as Vice Chair. Commissioner Cooley seconded the nomination. There were no other nominations. Nominations were closed and Commissioner McCall was elected Vice Chair by acclamation.**

**Motion was made by Vice Chair McCall and duly seconded by Commissioner Cooley to approve the December 3, 2012 agenda. Vote: Motion unanimously approved.**

Chairman McCook asked if anyone wished to speak at Public Forum. No one came forward. Chairman McCook invited Chamber of Commerce President Tonia Stephenson to introduce herself. Once the introduction was made, Public Forum was closed.

**Public Hearing: Planning and Zoning**

Planning and Zoning Board Chairman Henry McLeod presented the following conditional use application 473-12:

ENLight Solar LLC – Request for a conditional use permit to construct solar arrays to produce clean renewable energy. The properties are better described as Scotland County Tax Map Number 176- Block 01- Parcel 036; Tax Map Number 175- Block 01- Parcel 021; Tax Map Number 175- Block 01 – Parcel 022 located at 8621 Gibson Road, Laurinburg, NC and is owned by Aubrey McCormick.

Mr. McLeod said the conditional use application is a carbon copy of the application made in July. The Planning and Zoning Board recommends approval of conditional use application 473-12 for the acreage and three tracts.

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Chairman McCook called the Public Hearing and asked if anyone wished to speak in favor of or against the application. No one came forward, and the Public Hearing was closed.

**Motion was made by Commissioner Davis and duly seconded by Commissioner Alford to approve conditional use application 473-12. Vote: Motion unanimously approved.**

**Public Hearing: Economic incentive grant**

Economic Development Director Greg Icard said the Commissioners received the incentive agreement for Service Thread for consideration and action.

Chairman McCook called the Public Hearing and asked if anyone wished to speak in favor of or against the incentive agreement for Service Thread. No one came forward and the Public Hearing was closed.

**Motion was made by Commissioner Davis and duly seconded by Vice Chair McCall to approve the incentive agreement as presented. Vote: Motion unanimously approved.**

**FY 2012 Audit**

Mr. Carl Head, Gustaf Lundin & Company, provided the County with an unqualified opinion on the FY 2011-2012 audit.

Mr. Head said the General Fund fund balance increased \$825,529, or 16.10 percent, which was attributable to cost cutting measures by the County. Mr. Head said the unassigned fund balance as percentage of General Fund expenditures is 9.8 percent, which improved on the eight percent recommended by the LGC (Local Government Commission).

Mr. Head said while Water District I had a revenue increase, Water District II had a decrease of \$35,267, which is an improvement compared to one year ago when it was \$238,709.

Mr. Head said the Public Works negative cash flow from operations of \$61,093 is primarily due to decrease in revenues. Mr. Head said depreciation, post closure costs and projected post employment benefits are a significant factor in the net decrease in Public Works.

*Chairman McCook directed County Manager Patterson and Finance Officer Nichols to develop a correction plan for the negative cash flow and report back to the Commissioners at the January 2013 meeting.*

**Proposed Regional Hazard Mitigation Plan**

EMS Director Roylin Hammond said the 2012 Regional Hazard Mitigation Plan for Scotland, Richmond, Anson and Montgomery counties is completed and will replace the 2005 Plan. Known as the 2012 Pee Dee Lumber Region Hazard Mitigation, it would allow all participating jurisdictions to be eligible for any Mitigation Funding made available as a result of a natural disaster and a Presidential Disaster Declaration.

Mr. Hammond said the County bears no financial obligation and is asked to approve the resolution, which would give the County access to funding should a natural disaster occur.

**Motion was made by Commissioner Alford and duly seconded by Commissioner Gibson to adopt the 2012 Pee Dee Lumber Region Hazard Mitigation Plan and approve the resolution. Vote: Motion unanimously approved.**

**RESOLUTION TO ADOPT THE  
PEE DEE LUMBER REGIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, Scotland County is vulnerable to an array of natural hazards that can cause loss of life and damages to public and private property; and

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

**WHEREAS**, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

**WHEREAS**, it is the intent of the of the Scotland County Board of Commissioners to protect its citizens and property from the effects of natural hazards by preparing and maintaining a local hazard mitigation plan; and

**WHEREAS**, it is also the intent of the Scotland County Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Scotland County; and

**WHEREAS**, Scotland County, in coordination with Anson County, Ansonville, Lilesville, McFarlan, Morven, Peachland, Polkton, Wadesboro, Montgomery County, Biscoe, Candor, Mount Gilead, Star, Troy, Richmond County, Dobbins Heights, Ellerbe, Hamlet, Hoffman, Norman, Rockingham, East Laurinburg, Gibson, Laurinburg, and Wagram has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

**WHEREAS**, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Pee Dee Lumber Regional Hazard Mitigation Plan for legislative compliance and has approved the plan pending the completion of local adoption procedures;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Scotland County hereby:

1. Adopts the Pee Dee Lumber Regional Hazard Mitigation Plan; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Adopted on 3<sup>rd</sup> day of December, 2012.

**Consent Agenda**

- a) Approve minutes of the Board of Commissioners November 5, 2012 regular meeting.
- b) Approve fidelity bonds for various County officials and employees as per G.S. 58-72-10.
- c) Approve Register of Deeds records and retention schedule.
- d) Approve Department of Public Health FY 2010-2012 Bad Debt Write Off in the amount of \$2,596.03.
- e) Approve Department of Public Health FY 2010-2012 Bad Debt Setoff in the amount of \$4,773.51.
- f) Approve Department of Public Health FY 2010-2012 Insurance and Private Pay Adjustments in the amount of \$236,863.55.
- g) Approve Department of Public Health FY 2010-2012 Medicaid Adjustments in the amount of \$243,585.60.
- h) Approve Department of Public Health fee adjustment to offset Hepatitis B Vaccine and Pneumonia Vaccine as well as administration fee.
- i) Budget Amendments:
  - 1) **Health:** Approve receipt of additional funds in the amount of \$7,658 for Family Planning TANF, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
  - 2) **Health:** Approve receipt of additional funds in the amount of \$3,346 for Immunizations, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
  - 3) **DSS:** Approve receipt of additional funds in the amount of \$158,502 for child daycare, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
  - 4) **DSS:** Approve receipt of additional funds in the amount of \$3,000 for LINKS foster care program, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.

**Motion was made by Vice Chair McCall and duly seconded by Commissioner Alford to approve the incentive agreement as presented. Vote: Motion unanimously approved.**

#### **Late application request from solar energy systems**

Tax Administrator Mary Helen Norton said SMB Holdings and ARGAND SPPC, two solar energy systems facilities, asked for approval of late application for exclusion. Ms. Norton said application for property tax exclusion must be filed between January 1 and January 31. Ms. Norton said both companies were unaware an application was necessary, according to the State, in order to receive exclusion or exemption.

Ms. Norton said she consulted the Department of Revenue. It was recommended the applications be filed, but late application may only be approved by the Board of Commissioners if good cause is shown as to why the applications were not filed on time.

**Motion was made by Commissioner Alford and duly seconded by Vice Chair McCall to approve the late applications filed by SMB Holdings and ARGAND SPPC. Vote: Motion unanimously approved.**

**Appointments to Board and Committees**

**Motion was made by Commissioner Davis and duly seconded by Commissioner Alford to appoint Ms. Dee Hammond as Chair of the ABC Board for 2013. Vote: Motion unanimously approved.**

**Motion was made by Commissioner Cooley and duly seconded by Commissioner Alford to appoint Ms. Loretta J. Baranek to a three-year term on the Aging Advisory Council. Vote: Motion unanimously approved.**

**Update from the County Manager**

Mr. Patterson said Tax Administrator Mary Helen Norton is working on a brochure for new property owners that would contain information they need to know about taxes. The information also would be on the website, in the Tax office, Register of Deeds and provided to attorneys and realtors.

Mr. Patterson said another means of protecting the land owner and the County is to require tax certificates before a deed is recorded by the Register of Deeds. Under the current law, certain people have the ability to request a written certification of taxes owed.

Mr. Patterson said as of 2011 there are 73 counties where the Register of Deeds can refuse to accept ID transferring real property without a tax certificate. Scotland County is not one of those counties in a local bill amended over the years to cover more counties. To make this change, a local bill would have to be passed by the legislature.

*The Board of Commissioners by consensus agreed to put the issue on the agenda for the planning retreat.*

The County Manager said he and EMS Director Roylin Hammond will meet with the architect to discuss the scope of the EOC 911 Center project within the current budget. Mr. Patterson said the \$600,000 grant for the EOC was for three years. It took two years before Homeland Security released the funds and the County could hire an architect. Mr. Hammond is working on an extension request for the EOC grant.

Mr. Patterson recommended that a small delegation from the County travel to Washington, D.C. to meet with the County's members, particularly new Representative Richard Hudson.

Recorded is the resolution regarding the Scotland Historic Properties Commission Major Events Policy approved by the Commissioners November 5, 2012.

**Resolution Approving the Removal of  
The John Blue Complex from the Scotland County Major Events Policy**

**WHEREAS**, the Chairman of the Historic Properties Commission appeared before the Scotland County Board of Commissioners at its regular meeting November 5, 2012 to request that the John Blue Complex be removed from the Scotland County Major Events Policy, and;

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**WHEREAS**, each Commissioner was presented for review a copy of the Historic Properties Commission Application and Contract for Use of Facilities at the John Blue Complex and the Scotland County Major Events Policy, and;

**WHEREAS**, the Historic Properties Commission Chairman presented a compelling argument for why the John Blue Complex should be removed from the Scotland County Major Events Policy based on redundancies and differences between the two documents.

**NOW, THEREFORE BE IT RESOLVED**, that the Scotland County Board of Commissioners approves the removal of the John Blue Complex from the Scotland County Major Events Policy.

Adopted this 5th day of November, 2012

**Comments from the Chairman and Commissioners**

Commissioner Davis said it was an honor to serve as Chairman for the past two years, and he looks forward to working with the new Board. Chairman McCook said he appreciates Commissioner Davis' commitment to the County, not just as Chairman, but as Commissioner two years prior to that. Chairman McCook said he hopes he can move the Board along as well as Commissioner Davis did.

**Closed Session**

**Motion was made by Commissioner Alford and duly seconded by Vice Chair McCall to go into 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. Vote: Motion unanimously approved.**

**OPEN SESSION RESUMED**

**Motion was made by Commissioner Davis and duly seconded by Commissioner Cooley to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:25 p.m.**

Ann W. Kurtzman  
Clerk to the Board

Guy McCook  
Chairman