

*Scotland County Board of Commissioners regular meeting
February 4, 2013, A.B. Gibson Center, 322 South Main Street, Laurinburg, NC 28352*

**MINUTES
Scotland County Board of Commissioners
February 4, 2013 Regular Meeting
A.B. Gibson Education Center, 322 South Main Street, Laurinburg NC**

At 7 p.m. Chairman Guy McCook called the meeting to order. Commissioners in attendance: Chairman McCook, Vice Chair Carol McCall and Commissioners John Alford, John Cooley, Bob Davis, Whit Gibson and Clarence McPhatter. Staff in attendance: County Manager Kevin Patterson, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Commissioner Alford delivered the invocation. The Pledge of Allegiance was recited.

Motion was made by Commissioner Alford and duly seconded by Vice Chair McCall to approve the February 4, 2013 agenda as presented. Vote: Motion unanimously approved.

Public Forum

Cooperative Extension Director Randy Wood introduced new **4-H Agent Angela Galloway**. Mr. Wood discussed Ms. Galloway's background and 4-H experience while Ms. Galloway discussed her 4-H curriculum.

Ms. Annie Steele asked the Commissioners for assistance with the electric service transfer in her new apartment. Ms. Steele said the transfer fee at \$115 for the electric service is costly. She is also concerned about her deposit and whether she would get it back.

Chairman McCook said the City of Laurinburg provides service for electricity. He said the Clerk to the Board would provide her with information on the City Council meeting and City contact. Commissioner McPhatter asked Ms. Steele to leave her address and telephone number with the Clerk.

Veteran Service Office 2012 report

Veteran Service Officer Mildred Williams discussed the services provided by her office. She said as of September 2011 there were 3,075 veterans in Scotland County. Ms. Williams said veteran population total expenditures were \$7 million in 2005 compared to \$19 million in 2011.

NC Division of Veterans Affairs District Representative Frank Hicks discussed how his office works with the local office. He praised Ms. Williams and the work she does explaining that Veteran Service offices across the State are doing much more with much less.

Sheriff's Department vehicle purchase request, surplus request and list of vehicles in use

Sheriff Shep Jones summarized what occurred in the timeline from September 2012 to January 2013 when eight new, fully-equipped vehicles were delivered to the department. He also discussed the communication between the Sheriff's Department and Bobby Jones Ford during that time. Sheriff Jones said a contract from the dealer was requested but never received. He said there was miscommunication within the Department and a lack of knowledge by the individual who eventually ordered the vehicles that a contract was required. Sheriff Jones took responsibility for his Department and said the purchasing procedure would be followed from now on and the person who ordered the vehicles would be disciplined.

County Manager Patterson provided comparables between the vehicle quote from the dealer and of State contract.

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Commissioner Cooley said if the plan was for the Sheriff’s Department to purchase three new vehicles a year, then purchasing seven vehicles now would leave the Department short two vehicles by the end of the third year. He questioned the condition in which the seven vehicles would be in the third year. Commissioner Cooley suggested the Commissioners consider approving the purchase of six vehicles for the next two years.

Commissioner McPhatter said he is concerned about the condition of the current fleet of Sheriff’s vehicles and that new ones are needed. He reminded the Commissioners that the Sheriff’s Department used to budget for five vehicles a year, and the number of vehicles purchased was reduced to three per year.

Commissioner Gibson said he was concerned as to how the entire process came about and questioned whether the Board was being manipulated into purchasing the vehicles. Sheriff Jones assured there was no manipulation rather, the department wished to address a need and mistakes were made unbeknownst to him.

Vice Chair McCall said it is important that the County is mindful of procedures and the process in making purchases so there is complete transparency.

County Manager Patterson said there is not enough money budgeted to purchase six vehicles, all of which are equipped with cameras, because the camera option was not figured in the equipment needs.

Commissioner Gibson suggested that if five vehicles with cameras were purchased, that might keep the department within budget.

Sheriff Jones said he would be willing to start the whole process over if necessary, but he stressed the need for cameras in vehicles as a protection from potential lawsuits.

Motion was made by Commissioner Cooley and duly seconded by Commissioner Alford to take six cars, which will be the purchase for two years for the Sheriff’s Department budget, paying for as much of the total as possible and financing the rest. Vote in favor: Chairman McCook, Vice Chair McCall and Commissioners Alford, Cooley, Davis and McPhatter. Vote against: Commissioner Gibson. Vote: Motion approved.

Sheriff Jones said of the six vehicles, two would be equipped for K9 and four would be for patrol.

County Manager Patterson said he would report back at the March meeting on the necessary adjustments and final financing.

Mr. Patterson said the Office of the Sheriff requests the surplus of the following nine vehicles:

2000	CROWN VIC (SIV)	WYH-6030	2FAFP71W5YX215779
2003	CROWN VIC (BLU)	FVR-107	2FAFP71W43X129727
2003	CROWN VIC	RZL-3749	2FAFP74W33X222590
2004	CROWN VIC	44086-S	2FAHP71W04X100588
2005	CROWN VIC	68050-S	2FAFP71W55X149729
2005	CROWN VIC	68048-S	2FAFP71W55X149728
2005	CROWN VIC	76849-S	2FAFP71W25X177522
2005	CROWN VIC	76847-S	2FAFP71W35X177514
2005	CROWN VIC	76846-S	2FAFP71W05X177521

Motion was made by Commissioner Alford and duly seconded by Commissioner McPhatter to surplus the nine vehicles listed by the Office of the Sheriff. Vote: Motion unanimously approved.

Tax Liens and Order to Advertise

Tax Administrator Mary Helen Norton reported the total amount of unpaid taxes for the current fiscal year that are liens on property. Ms. Norton said as of February 4, the amount is \$2,389,553.70, which includes County, fire, school, Wagram, Gibson and East Laurinburg taxes. Ms. Norton asked that the order to advertise be set for the week of March 18, 2013.

Motion was made by Vice Chair McCall and duly seconded by Commissioner Davis approving the order to advertise for the week of March 18, 2013. Vote: Motion unanimously approved.

Consent Agenda:

- a) Approve minutes of the January 7, 2013 Water Districts Board meeting, January 7, 2013 regular meeting and January 22, 2013 reconvened/joint meeting.
- b) Approve in accordance with NC General Statute 20-187.2, the awarding to Lieutenant Katherine Payne Medlin, who retired January 1, 2013, her service revolver, a Smith & Wesson M&P 40 caliber semi-automatic weapon #DVD6805 with (3) magazines, in exchange for consideration of \$1.00.
- c) Approve Tax Department request to release funds in the amount of \$2,725.76 and in the amount of \$224,519.10.
- d) Budget Amendments:
 - 1) **Health:** Approve receipt of additional funds in the amount of \$13,882 for Medicaid Child Services, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
 - 2) **Health:** Approve rollover from FY 2012 funds in the amount of \$9,633, and authorize the Finance Officer to make the necessary arrangements to expend the money.
 - 3) **Health:** Approve rollover from FY 2012 funds in the amount of \$2,940, and authorize the Finance Officer to make the necessary arrangements to expend the money.
 - 4) **DSS:** Approve reimbursable funds in the amount of \$40,000 for Medical Transport, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money.

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

Appointments to Board and Committees

Motion was made by Vice Chair McCall and duly seconded by Commissioner McPhatter to appoint Ms. Maria Bingham, Ms. Mary Draper and Mr. Vee Oxendine to two-year terms on the Juvenile Crime Prevention Council. Vote: Motion unanimously approved.

Motion was made by Vice Chair McCall and duly seconded by Commissioner Davis to reappoint Ms. Dora Abernethy, Ms. Bettie McNair and Ms. Hilda Lomax to three-year terms on the Scotland County Nursing Home Community Advisory Committee. Vote: Motion unanimously approved.

Motion was made by Vice Chair McCall and duly seconded by Commissioner McPhatter to reappoint Mr. John Ferguson to a four-year terms on the Southeastern Economic Development Commission. Vote: Motion unanimously approved.

Motion was made by Vice Chair McCall and duly seconded by Commissioner Gibson to appoint Ms. Joyce McDow to a four-year term on the Scotland County Memorial Library Advisory Board. Vote: Motion unanimously approved.

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Chairman McCook, exercising his authority as Chairman of the Board, appointed himself to the Scotland County Economic Development Corporation, and to serve as its Chairman.

Chairman McCook, exercising his authority as Chairman of the Board, appointed Commissioner Whit Gibson and Mr. John Ferguson to the Scotland Development Corporation.

Update from the County Manager

Mr. Patterson said the Rural Land Use Advisory Commission (RLUAC) is seeking support in changing the State laws that serve as bylaws of the entity. The changes have minimal impact in Scotland County. The amendments RLUAC is seeking include:

1. Eliminate the requirement that the notifications to the base commanders must be by "certified mail".
2. Broaden the notification options to include both the base commanders "or their designees".
3. Broaden the law to include (in addition to zoning actions) notification of proposed subdivisions, telecom towers and windmills.

RLUAC requests a resolution from each member board supporting changes by the State legislature.

Motion was made by Commissioner Davis and duly seconded by Commissioner Gibson to approve the resolution detailing the RLUAC amendments. Vote: Motion unanimously approved.

**A RESOLUTION TO SEEK THE AMENDMENT OF
NORTH CAROLINA SESSION LAW 2004-75 SENATE BILL 1161 ENACTED JULY 8, 2004**

WHEREAS, the North Carolina General Assembly adopted Session Law 2004-75 known as "*An Act to Require Counties and Cities Near Military Bases to Give Notice of Land-Use Planning Changes to the Military Bases*", and

WHEREAS, the law continues to be a very effective and important tool in facilitating communication between North Carolina's military bases and the surrounding local governments (cities and counties) concerning proposed zoning changes within five miles of the bases, and

WHEREAS, certain provisions of the existing law have proven to be burdensome for both the military and local governments to implement, and

WHEREAS, certain other potentially incompatible land uses were omitted from the law's notification requirements.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the County of Scotland hereby requests the North Carolina General Assembly to adopt the following amendments to North Carolina Session Law 2004-75:

A. Delete the requirement for a "certified mail" notification to the military base commanders [152A-323 (b) and 160A-364 (b)], and

B. Include the additional requirement for base commanders "or their designees" to be notified of proposed subdivisions, telecom towers, and windmills or any other activity requiring a conditional or special use permit within the five-mile area.

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Adopted this 4th day of February, 2013

Mr. Patterson said the Lumber River Rural Planning Organization (RPO) held a public hearing on the Highway Project Ranking Formula, which was required by the State. The ranking formula remains unchanged from last year and closely approximates the State ranking formula, Mr. Patterson said. The ranking formula was reviewed by the Transportation Coordinating Committee and approved by the Transportation Advisory Committee.

Commissioner Davis suggested the County contact the State DOT to see if there was any way to improve safety at five-points, where numerous accidents still occur. County Manager Patterson said he would discuss it with NCDOT District Engineer Kevin Hedrick.

The County Manager said the NCACC requests approval of a resolution from each County supporting the legislative goals.

Motion was made by Vice Chair McCall and duly seconded by Commissioner Gibson to approve the resolution in support of legislative goals adopted by the membership of NCACC. Vote: Motion unanimously approved.

**A RESOLUTION IN SUPPORT OF LEGISLATIVE GOALS
ADOPTED BY THE MEMBERSHIP OF THE
NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS**

WHEREAS, the North Carolina Association of County Commissioners was founded in 1908 as a membership organization to represent the interests of counties before the General Assembly;

WHEREAS, all 100 counties are voluntary members of the North Carolina Association of County Commissioners, making the NCACC the official voice of North Carolina counties;

WHEREAS, every two years, the membership of the NCACC develops and approves a package of legislative proposals designed to protect and enhance the interests of county governments and the citizens who live in our 100 counties;

WHEREAS, the process to generate this package of legislative goals is deliberate and inclusive and provides extensive opportunities for counties to be involved;

WHEREAS, Scotland County is an active participant within the NCACC and participated in the process to develop these legislative proposals;

WHEREAS, more than 200 county officials representing 88 counties gathered in Durham County on Jan. 24-25, 2013, and debated and ultimately approved 60 proposals submitted by counties to be included in the legislative goals package;

WHEREAS, the attached proposals represent the collective wishes of all 100 counties;

NOW, THEREFORE, BE IT RESOLVED that the Scotland County Board of Commissioners adopts this resolution in support of the legislative proposals adopted by the NCACC membership at its 2013 Legislative Goals Conference;

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Scotland County to let them know of our support for these issues.

Adopted this the 4th day of February, 2013.

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County Manager Patterson provided the Commissioners with a report on motor vehicle past due taxes, the blocking of license tag renewals for nonpayment of property taxes, and actions by the Tax Office and timeline for such a process.

Motion was made by Commissioner Gibson 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

County Manager Patterson discussed proposed grade and step reclassifications for employees in Public Works, Public Buildings and Zoning. Mr. Patterson said over the past year Mr. Bryant Higgins, Mr. Mike McGirt and Ms. Joy Nolan assumed greater job responsibilities. With the February 8 retirement of County Engineer Jim Blackwell, the three will assume even more responsibilities said the County Manager – Higgins in Public Works and Landfill, McGirt in Public Buildings and Grounds and Ms. Nolan in Zoning and Plat Review.

The Commissioners discussed at length how step and grade reclassifications are determined, the percentage of salary increase for each of the three employees and their respective responsibilities moving forward.

Chairman McCook suggested the Commissioners give the County Manager authority to do what is necessary regarding salary, but the Commissioners must establish the pay scale through reclassification.

The Commissioners agreed to continue to review the grade and step reclassification request for each employee, but took the following action regarding salary adjustments.

Motion was made by Commissioner Gibson and duly seconded by Vice Chair McCall that Bryant Higgins would receive a percentage increase of approximately 11 percent, that Mike McGirt would receive a percentage increase of approximately nine percent, that Joy Nolan would receive a percentage increase of approximately nine percent, that all three would be probationary periods and at the satisfactory conclusion of that period, they would advance to the next step. Vote: Motion unanimously approved.

County Manager Patterson said he would have a specific reclassification request at the February 28 mid-year retreat.

Motion was made by Vice Chair McCall and duly seconded by Commissioner Cooley to recess to 9 a.m. Tuesday, February 26 at 507 West Covington Street. Vote: Motion unanimously approved.

Ann W. Kurtzman
Clerk to the Board

Guy McCook
Chairman