

*Scotland County Board of Commissioners regular meeting
September 13, 2004, Government Complex, 1405 West Boulevard, Laurinburg*

MINUTES

**Scotland County Board of Commissioners Regular Meeting, September 13, 2004
Scotland County Complex, 1405 West Boulevard, Laurinburg, NC**

At 7 p.m., Chairman David Burns called the regular meeting to order. Commissioners in attendance: Chairman David Burns, Vice Chair Nancy J. Shelley, Betty Blue Gholston, Charles "Scoofer" Jordan, Sam Snowdon and Clint Willis. Commissioners not in attendance: J.D. Willis. Staff in attendance: County Attorney Ed Johnston, Finance Officer/Assistant County Manager Kevin Patterson and Clerk to the Board Ann W. Kurtzman. Vice Chair Shelley delivered the opening prayer. The Pledge of Allegiance was recited.

Item 20. Central School Update

Chairman Burns said the Central School Update would be addressed first so Housing Authority representatives could continue on to another scheduled meeting.

Mr. Dan Dean, Housing Authority attorney, said there is an interest in converting Central School to a housing facility for the elderly. He said the first step, a feasibility study, could take a year to complete. Mr. Dean asked that the Board of Commissioners not take any action with respect to Central School for at least 12 months.

Mr. Dean said he does not believe Central School's possible inclusion on the National Register of Historic Places would affect attempts by the Authority to convert Central School to an elderly housing facility.

Vice Chair Shelley said that Commissioner J.D. Willis indicated he supports the effort of the Housing Authority.

Mr. Stuart Shrum said he is a representative for a private group of citizens who would like to see Central School listed on the National Register of Historic Places. He said the school is scheduled for presentation to the North Carolina National Register Advisory Committee, which would decide whether to sign the nomination and submit it to the U.S. Department of Interior, National Parks Service, for final review and listing in the National Register.

Vice Chair Shelley asked that the citizen group and the Housing Authority have discussions in the next month about Central School to assure all parties are working toward the same objective.

Public Forum

Ms. Elizabeth Morgan: She and her husband, lifelong Scotland County residents, have lived in other states before returning to the area. She said in comparison to other states, the County tax rate is not unreasonable. She said she would support a higher tax rate, which she believes is inevitable, if it would mean

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preserving such County services as Parks and Recreation and EMS. She said recent cuts to Parks and Recreation included the elimination of transportation to the Senior Games in Raleigh. She said the seniors are looking for donations to fund their transportation to the Raleigh games.

No one else wished to speak, and Public Forum was closed.

Item 19. Public Hearing: Rename Springs Mill Road to Springfield Road

Chairman Burns said that the petitioner, Mr. Jimmy Morgan, was not feeling well and could not attend the meeting. Chairman Burns said the Public Hearing on the renaming of Springs Mill Road to Springfield Road would continue as advertised.

Chairman Burns called the Public Hearing and asked if anyone wished to speak against or in favor of the renaming.

Mr. Wayne Gibson: He opposes the renaming of Springs Mill Road to Springfield Road. He said the name change would be inconvenient for those who live on Springs Mill Road and would incur some personal expense in order to make notification of address changes and driver's license changes. Mr. Gibson said he has a petition with signatures from 54 Springs Mill Road residents who oppose the name change.

Ms. Dee Hammond: Ms. Hammond said each of the Commissioners received a letter she wrote voicing her concerns about changing the name of Springs Mill Road to Springfield Road. She said that she has always known it as Springs Mill Road and the plat identifies the road as a number. She never knew the area as Springfield Road. She added that there were financial concerns with the possibility of bills not being paid on time because of late mail deliveries.

Chairman Burns asked if anyone else wished to speak at the Public Hearing. No one came forward, and the Public Hearing was closed.

The Board of Commissioners by consensus agreed to table the issue until the October 4, 2004 regular meeting when Mr. Morgan would be present to defend his petition.

Item 21. Jail Facility Update

The Sheriff was not present, and the Board of Commissioners received the report included on the Agenda packets.

Item 22. Consent Agenda:

- a) **Approve minutes of the Board of Commissioners, August 2, 2004 regular meeting; August 9, 2004 reconvened meeting; August 16, 2004 reconvened meeting; and August 23, 2004 reconvened meeting.**

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b) Approve Resolution Exempting Scotland County Area Transit System Building Addition Project from G.S. 143-64.31.

**Resolution Exempting Scotland County Area Transit System Building Addition Project
from G.S. 143-64.31**

WHEREAS, G.S. 143-64.31 requires the initial selection of firms to perform architectural, engineering, and surveying services without regard to fee; and

WHEREAS, Scotland County proposes to enter into one or more contracts for such services for work on the addition of the Emergency Services building for the purpose of providing necessary office space for the Scotland County Area Transit System operations; and

WHEREAS, Scotland County's County Engineer is a professional civil engineer who is limited in practice to the stamping of structural construction design and plans; and

WHEREAS, the above-mentioned addition also requires the services of an engineer to design and develop plans for the electrical and mechanical construction of the above-mentioned addition, Scotland County Area Transit System wishes to employ the services of Coastal Plain Engineering in Pembroke, NC, to provide the necessary mechanical design, electrical designs, plan development and stamping of construction documents for this project.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE COUNTY OF SCOTLAND RESOLVES that the above-described project is hereby made exempt from the provisions of G.S. 143-64.31 for the reasons stated in this resolution.

BE IT FURTHER RESOLVED that this resolution upon passage shall become effective retroactively to January 1, 2004 according to a directive provided by the North Carolina Department of Transportation.

Dated this 13th day of September, 2004

c) Approve Resolution in Support of Amendment One: Self Financing Bonds

**Resolution in Support of Amendment One: Self-Financing Bonds
*A Local Economic Development Tool to Create Quality Jobs, Revitalize Communities
and Attract New Economic Opportunities in North Carolina***

WHEREAS, the County of Scotland wishes to attract more jobs through economic development; and

WHEREAS, self-financing development bonds would directly impact the creation of new jobs, new investment, and strengthen the North Carolina tax base; and

WHEREAS, communities across the nation have used these bonds successfully to promote sound economic development; and

WHEREAS, self-financing bonds would positively affect every community -- urban, suburban and rural; and

WHEREAS, self-financing bonds would give local governments flexibility to pursue multiple types of economic development projects including industrial site development, redevelopment of existing industrial and Brownfield sites, affordable housing and community revitalization; and

WHEREAS, self-financing bonds allow local governments in North Carolina to use a new mechanism with which to invest in public improvements designed to attract private sector investment; and

WHEREAS, North Carolina is one of only two states in the nation that does not have this economic development tool; and

WHEREAS, self-financing development bonds have received broad bipartisan support from the General Assembly and the business community, as well as municipal, county and state government and former Governors Holshouser, Martin and Hunt; and

WHEREAS, North Carolina would have some of the strongest safeguards in the country to ensure self-financing bonds are used for good purposes; and

WHEREAS, these bonds are subject to voter approval on the November 2004 ballot and deserve rightful consideration by the citizens of the State; and

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners strongly supports self-financing development bonds as a viable method leading to job creation and community investment.

BE IT FURTHER RESOLVED that the Scotland County Board of Commissioners intends to educate and inform the citizens of Scotland County on the economic benefits of self-financing development bonds and pledges to encourage voters to approve Amendment One in November 2004.

Approved this 12th day of September 2004.

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d) Authorize waiver of the Construction Demolition tipping fee for all debris removed from the site of the “old hospital.”

The Scotland County Board of Commissioners on November 12, 2003 unanimously endorsed its support of the City of Laurinburg, Richmond Community College, Laurinburg/Scotland County Area Chamber of Commerce and Scotland Development Corp. to demolish the “old hospital” and construct a Richmond Community College facility on the same site.

To that end the Scotland County Board of Commissioners authorizes the waiver of the Construction Demolition tipping fee for all debris removed from this site with the following conditions:

- 1) A complete environmental assessment of the entire structure will be performed and approved by the North Carolina Department of Environmental Health and Natural Resources (NCDEHNR) to identify any asbestos or other hazardous material.
- 2) This waiver is limited to this site, the City of Laurinburg and/or Scotland Development Corp. and is in effect for two years from the date of adoption.
- 3) No individual or company may financially benefit from the waiver of the Construction Demolition tipping fee.
- 4) Scotland County will not accept any asbestos or other hazardous materials.
- 5) All materials must be separated at the site and transported in a like manner. Commingling of materials will not be allowed. The Scotland County Engineer or the Public Works Director will assist in identifying the separation of materials.
- 6) The preferred method of receiving brick, block, concrete or other inert material is crushed with no pieces larger than two inches.

Adopted this 13th day of September 2004

- e) Approve settlement for current taxes for Fiscal Year 2003-2004 and approve settlement for delinquent taxes for FY 2003-2004.
- f) Approve a total of \$140,388 in Health Department write offs for FY 2003-2004.
- g) Budget Amendments:
 - 1) **EMS:** Accept \$8,651 from a 2003 Phase I Homeland Security Grant and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No matching County dollars are required.
 - 2) **EMS:** Accept \$4,744 from a 2003 Phase II Homeland Security Grant and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No matching County dollars are required.
 - 3) **Fund Balance:** Approve carryover of \$24,416 in unexpended funds designated and received for Supplemental Planning from FY 2003-

2004 to the Emergency Management budget and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.

- 4) **Fund Balance:** Approve carryover of \$10,334 in unexpended funds from a Homeland Security Grant to the Emergency Management budget and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.
- 5) **Fund Balance:** Approve transfer of \$2,234 in unexpended Work First Fund Balance to the Scotland County Area Transit System budget and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.
- 6) **School Age Child Care:** Approve an amended budget for School Age Child Care for FY 2004-2005 in the amount of \$3,106 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.
- 7) **DSS:** Approve a \$72,759 increase in State funds for Day Care, which requires a \$320 local match and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.
- 8) **Parks and Recreation:** Approve increase in expenditures by \$8,000 and in revenues by \$8,000 at no cost to the County and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. *(It is the intention of Parks and Recreation to work directly with a company to provide uniforms instead of placing the responsibility on volunteer coaches as had been done previously.)*
- 9) **Cooperative Extension:** Reduce Fund Balance appropriated for unrealized revenue of \$94 and reduce operating expenses accordingly.

h) Approve the Youth Center Task Force Project Ordinance to reflect a \$149,115 increase, the result of a grant from the Department of Housing and Urban Development.

Chairman Burns said that the following Budget Amendments have been added to the Agenda as Item g numbers 10 and 11:

Item g. 10) **EMS:** Accept a Homeland Security Grant in the amount of \$79,077 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No matching County dollars are required.

Item g. 11) **JCPC:** Approve increase in sale of surplus property by \$1,000 and approve JCPC budget by \$1,000, which are the proceeds from the sale of a bus purchased with JCPC monies. Funds are required to be reinvested in the JCPC Program.

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Commissioner Gholston said she would like to remove Item g 9) from the Consent Agenda until the County Attorney could review more thoroughly Cooperative Extension contracts. She asked that the Cooperative Extension budget amendment be brought again before the governing body at its October 4, 2004 regular meeting.

Motion was made by Commissioner Gholston and duly seconded by Vice Chair Shelley to approve the Consent Agenda, which would also include Item g. 10 and 11 but would exclude Item g. 9. Vote: Motion unanimously approved.

Item 23. Planning, Zoning and Inspections Restructuring Update and Office Reorganization Plan

County Engineer Jim Blackwell said he would give a report on behalf of Planning, Zoning and Inspections Director Tony McQuage, who was assisting storm-damaged Haywood County with its assessment process.

Mr. Blackwell will be the primary office contact for zonings, rezoning and variances. He will review and approve all applications to verify compliance with the ordinances plus meet with customers personally to answer questions. Ms. Joy Nolan will serve the customers in Mr. Blackwell's absence.

Mr. McQuage will serve as primary Map Review Officer. Mr. Blackwell will review maps in the absence of Mr. McQuage. The inspections staff and Mr. McQuage will perform all zoning inspections and associated fieldwork.

Ms. Nolan will serve as Clerk to the Zoning Board and to the Board of Zoning Adjustments with technical support provided by Mr. Blackwell and Mr. McQuage at the Board meetings.

Solid Waste Enforcement Officer J.R. Horne will work to reduce the backlog of zoning violations.

Mr. Patterson presented a proposal to reorganize office space for efficiency purposes. The plan would include moving the Environmental Health staff to the Health Department; moving Mapping to the offices in Inspection vacated by Environmental Health; and moving the IT staff to the office vacated by Mapping.

Mr. Patterson said the move would improve the daily advisory relationship between supervisors and their staff and also enhance a customer friendly atmosphere. He said the supervisors support the proposed plan, which would be assessed for its effectiveness in December.

He said there would be little if any cost to the County other than staff time and resolving some cabling issues.

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Motion was made by Vice Chair Shelley and duly seconded by Commissioner Jordan to approve the office reorganization plan and authorize the Finance Officer/Assistant County Manager to implement the plan. Vote: Motion unanimously approved.

Mr. Patterson briefed the governing body on recent meetings with City of Laurinburg officials to discuss consolidation of tax services. He said such a consolidation would not result in any significant savings of tax dollars, but it would increase efficiency of service to the customer.

Mr. Patterson said the County, according to the proposed plan, would collect all future taxes plus those from the previous 10 years, and the City would withdrawal from the tax business but retain its levying authority.

A proposed contract would be in writing and renewed year to year with a nine-month to one-year notification of termination clause.

He said the City discount would be an issue that would have to be resolved. Staff would not be affected because the number of citizens being served would remain relatively constant.

Chairman Burns said the City still must study the proposed consolidation plan and decide whether it wants to participate.

Motion was made by Commissioner Gholston and duly seconded by Commissioner Jordan to continue consolidation talks with the City of Laurinburg. Vote: Motion unanimously approved.

Item 24. County Engineer's Report

County Engineer Jim Blackwell made the following report.

Solid Waste Ordinance: The proposed amendments to Solid Waste Ordinance #22 are in bold type and underlined. The major amendment is the definition for Construction and Demolition waste (pg2), which now includes abandoned mobile homes, dilapidated buildings and similar structures. This will expedite the removal process of these type structures. In addition, a violation for littering (pg 18) was added and solid waste disposal site and transfer station was redefined to agree with new regulations (pg 6&7). Other amendments added maximum length of time to remove Construction and Demolition waste after notification (pg8), asbestos added to banned materials for landfill (pg6) and authorize access to private property to correct violations (pg17).

The revisions would make the ordinance current with State regulations and create a mechanism to manage abandoned structures in a timely manner.

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Motion was made by Commissioner Jordan and duly seconded by Commissioner Clint Willis to approve the amendments to the Solid Waste Ordinance. Vote: Motion unanimously approved.

Solid Waste Report: August was another busy month for Mr. Horne with 49 cases resulting in 42 Notices of Violation and only three court summons. With 28 cases resolved this month it indicates that Mr. Horne is managing the enforcement by using the court system only as a last resort. In addition to Mr. Horne's solid waste duties he is assigned the backlog of zoning violations. He will assess each case individually, interview the residents and educate the individuals on how to avoid going to court. This assignment will take several months to complete, and a higher percentage may take court action since they have not been actively pursued in several years. After this backlog has been resolved the zoning enforcement workload will be minimal.

Recreation Center: Due to the amount of rain in the last month construction progress was limited. The slab for the concession building has been poured along with all of the underground utilities. The contractor will start block walls, and construction should progress in an orderly manner weather permitting. The rain slowed progress on work by County staff on the sedimentation basins. Drainage pipe is installed and dams will be complete as soon as it dries enough to get equipment on the site.

Department of Transportation Request: A few weeks ago Kevin Hedrick, Department of Transportation District Engineer, requested input on the closing of one of the rail crossings at either Fieldcrest Road or Elmore Road. The Department of Transportation is fairly certain that one of these crossings will be closed due to safety considerations. I have done a brief study, consulting with the chamber and TCC representatives. All parties agree that the preference would be to close the Elmore Road crossing. With your permission I will write Mr. Hedrick proposing to keep the Fieldcrest crossing and make necessary modifications to improve safety.

Following general discussion of both rail crossings, the Board of Commissioners by consensus directed Mr. Blackwell to write a letter to Mr. Hedrick expressing an opinion of the Board that neither crossing should be closed and request a written justification to the contrary from Mr. Hedrick.

Item 25. Appointments to Boards and Committees

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Clint Willis to appoint Dr. Paul Fuchs to the unexpired term of Dr. Matthew Block on the Board of Health. Vote: Motion unanimously approved.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Clint Willis to appoint Ms. Jessica Callahan to the Community Child Protection Team, replacing Ms. Patricia McDowell, who is no longer available to serve. Vote: Motion unanimously approved.

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Item 26. Other Information

Assistant County Manager Patterson discussed the need to appoint a three-person Special Boundary Commission to work with a Richmond County Special Boundary Commission to resolve an uncertain area on the county line between Richmond and Scotland.

Mr. Patterson said it involves around 206 acres in an area known as Scotland Lake. He said Scotland County never taxed that area. Richmond County did. Richmond County also provided all services to that area, and children living there attend Richmond County schools.

He said there now is a question as to whether that acreage is part of Scotland County. He said the Special Boundary Commission would negotiate the new boundary, and the State would survey the area at no cost to either county.

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Snowdon to appoint Ms. Nancy Hughes, Mr. Joe Wampler and Mr. Doug Edge to the Special Boundary Commission. Vote: Motion unanimously approved.

The Board also agreed that the three appointees would be notified to ensure their interest in serving on the Commission.

(Commissioner Sam Snowdon was excused)

Motion was made by Vice Chair Shelley and duly seconded by Commissioner Gholston to go into Closed Session held in accordance with N.C. General Statute 143-318.11(a)(6) to consider qualifications, competence, performance, character, fitness, conditions of appointments, or conditions of initial employment of a present or prospective public officer or employee. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Commissioner Jordan said there is a possibility the fourth floor of the Wachovia Building would be available for Probation and Parole Offices, which would free up space in the Courthouse. He said he would continue to study the feasibility of the move and report back to the Board.

Assistant County Manager Patterson said an issue arose where owners of property used by the Sheriff's Department for parking asked that the County pay rent. Mr. Patterson said that instead all vehicles used by or impounded by the Sheriff's Department have been moved off the property.

Mr. Patterson reported that the Department of Labor is investigating the Sheriff's Department for wage/hour violations, which involves 75 to 78 current and past employees. He said County staff is reviewing the records for the past two years and

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would report the findings to the Department of Labor, which would then provide an assessment.

Motion was made by Commissioner Jordan and duly seconded by Vice Chair Shelley to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 9 p.m.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

David L. Burns
Chairman