

*Scotland County Board of Commissioners regular meeting
March 5, 2012, A.B. Gibson Center, 322 South Main Street, Laurinburg, NC*

MINUTES
Scotland County Board of Commissioners
March 5, 2012 Regular Meeting
A.B. Gibson Education Center, 322 South Main Street, Laurinburg NC

At 7 p.m. Chairman Bob Davis called the meeting to order. Commissioners in attendance: Chairman Davis, Vice Chair Joyce McDow and Commissioners John Cooley, Carol McCall, Guy McCook and Clarence McPhatter. Commissioners not in attendance: Commissioner John Alford. Staff in attendance: County Manager Kevin Patterson, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Vice Chair McDow delivered the invocation. The Pledge of Allegiance was recited.

Public Forum

Mr. David Adcox, American Legion Post 50, said the Legion Post is working on a project to develop a veterans' garden on Post property. The Legion Post will build a wall of engraved bricks and plant flowers. Mr. Adcox said this will honor all veterans who served their country.

Mr. Fred McQueen, 27-year resident and retired law enforcement officer, asked the Commissioners not to prohibit the carrying of permitted concealed weapons in parks. Mr. McQueen discussed the extensive background check people must go through in order to receive a permit. Mr. McQueen said posting signs that prohibit conceal/carry weapons only assures criminals that they are the only ones carrying weapons in parks.

Chairman Davis then thanked former Commissioner Nancy Shelley for attending the meeting.

Mr. Charles Parker said in November he came before the Commissioners with concerns about the school floor. He asked for an answer or movement on the issue. Mr. Parker said if the school floor is such a good thing, why haven't other counties come on board with similar legislation. He said other County departments have as much right to the tax dollar as the school system does.

Commissioner McPhatter reminded Mr. Parker that the Commissioners alone have no authority to change the law on how the schools are funded and that consensus would be needed from the Board of Education and State Legislators.

Chairman Davis agreed and encouraged Mr. Parker to also speak to elected officials on the Board of Education and to the County's legislative delegation.

No one else spoke, and Public Forum was closed.

Item 1. Public Hearings: Planning and Zoning

Planning and Zoning Chairman Henry McLeod presented the following rezoning applications:

Rezoning Application Number 465-12 – Daniel A. Alvarado – Request to rezone 10.0 acres of an approximate 49.49 acre tract in accordance with Scotland County Zoning Ordinance Article IV from (I1) Light Industrial to (R2) Residential District. The property is located at the intersection of Airport Road and Old Lumberton Road. The property is better known as Scotland County Tax Map Number 250 Block 01 Parcel 052.

Mr. McLeod said the Planning and Zoning Board recommends the application be approved.

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Chairman Davis called the Public Hearing, and asked if anyone wished to speak for or against Rezoning Application Number 465-12. No one spoke, and the Public Hearing was closed.

Motion was made by Commissioner McPhatter and duly seconded by Commissioner McCook to approve Rezoning Application Number 465-12. Vote: Motion unanimously approved.

Rezoning Application Number 466-12 – William McKinley Locklear - Request to rezone 0.56 acres in accordance with Scotland County Zoning Ordinance Article IV from RA (Residential Agriculture) to HC (Highway Commercial). The property is located on 21740 Wagram Road and better known as Scotland County Tax Map Number 414 Block 01 Parcel 007.

Mr. McLeod said the Planning and Zoning Board recommends the application be approved.

Chairman Davis called the Public Hearing, and asked if anyone wished to speak for or against Rezoning Application Number 466-12. No one spoke, and the Public Hearing was closed.

Motion was made by Commissioner McCook and duly seconded by Commissioner McPhatter to approve Rezoning Application Number 466-12. Vote: Motion unanimously approved.

Rezoning Application Number 467-12 – Laurinburg Maxton Airport Commission – Request to rezone approximately 322.24 acres in accordance with Scotland County Zoning Ordinance Article IV from I1 (Light Industrial) and OS (Open Space) to I2 (Heavy Industrial). The property is located on Pell Road (SR1495) and better known as Scotland County Tax Map Number 262 Block 01 Parcel 003.

Mr. McLeod said the Planning and Zoning Board recommends the application be approved.

Chairman Davis called the Public Hearing, and asked if anyone wished to speak for or against Rezoning Application Number 467-12. No one spoke, and the Public Hearing was closed.

Motion was made by Commissioner Cooley and duly seconded by Commissioner McCall to approve Rezoning Application Number 467-12. Vote: Motion unanimously approved.

Item 2. NCDOT 2011-2013 Secondary Improvement Program

NCDOT District Engineer Kevin Hedrick summarized the 2011-2013 Secondary Improvement Program. Mr. Hedrick said total funds available are just under \$1.6 million. He said all rural paved roads were paved except for those with unavailable right of way. He said NCDOT will cape seal and slurry seal on 123 sections of road, which makes up about 29 miles.

Motion was made by Commissioner Cooley and duly seconded by Commissioner McPhatter to approve the NCDOT 2011-2013 Secondary Improvement Program. Vote: Motion unanimously approved.

Item 3. Tourism Development Authority 2011 report

Tourism Development Authority (TDA) Director Cory Hughes provided an update on 2011 finances and activities. Mr. Hughes said funding comes from a hotel occupancy tax paid by visitors to the County and not taxpayers. Mr. Hughes said the TDA uses the funds to market the County for tourism in general and to market specific events. He said TDA website traffic increased 25 percent in the last three years. \$35.62 million was generated from Scotland County tourism in 2010, a 4.2 percent increase from 2009.

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Mr. Hughes said future projects include installing exits lights, placing kiosks in hotels, advertising on trip advisor, development of a John Blue marketing program and providing golf packages and podcasts.

Chairman Davis suggested the TDA feature Laurel Fest on its website.

Item 4. County/City 911 Call Center consolidation resolution

EMS Director Roylin Hammond said the North Carolina 911 Board is offering grant funds for the consolidation of multiple PSAPs operating in a single jurisdiction. The funds allow for both 911 facility construction and 911 equipment purchase. Scotland County currently falls in that category. Applications are due by April 1, 2012. A resolution supporting the consolidation of all 911 PSAPs within a jurisdiction is part of the application package.

Motion was made by Commissioner McCook and duly seconded by Commissioner Cooley to approve the Resolution Supporting the Application for a Grant from the North Carolina 911 Board. Vote: Motion unanimously approved.

WHEREAS, the current Public Safety Answering Points or PSAPs providing services and answering 911 calls for Scotland County are handled through a system financed, in part , from 911 funds provided by the North Carolina 911 Board under G.S. 62-A-46(c); and

WHEREAS, Scotland County and the City of Laurinburg currently operate PSAPs; and

WHEREAS, the Scotland County Emergency Response community, consisting of local Law Enforcement agencies, local Fire departments, local EMS and Rescue agencies, and other emergency response personnel within the jurisdiction of Scotland County has recommended the consolidation of 911 communication services throughout Scotland County in an effort to establish an integrated management structure to better serve the population of Scotland County; and

WHEREAS, the North Carolina 911 Board will soon commence a grant cycle which will include the E-911 Consolidation Program intended to provide funding for those jurisdictions seeking to consolidate 911 emergency services; and

WHEREAS, the Scotland County Board of Commissioners and the City Council of the City of Laurinburg support the consolidation of the existing PSAPs into an integrated management structure and by Resolution intend to authorize and support an application for grant funding under the E-911 Consolidation Program adopted by the North Carolina 911 Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Scotland County and the City Council of the City of Laurinburg, each being a government body located in Scotland County, North Carolina, that:

1. Individually and jointly each of the governmental bodies expresses its support for the consolidation of communication services (PSAPs) into a single PSAP as recommended by the Scotland County Emergency Response community, and
2. To facilitate and finance, or partially finance, the consolidation of communications services, the application of a grant under the E-911 Consolidation Program is authorized and may be submitted to the North Carolina 911 Board when the application for funding becomes available, and

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3. In order to facilitate the application and granting process, the application shall be submitted and any grant funds received shall be administered with Scotland County acting as the lead agency for such purposes or as a joint effort by the two governmental bodies, as may be required by the E-911 Consolidation Program Guidelines, and

This Resolution is adopted by each of the governmental bodies set out below, but executed in counterparts pursuant to authority duly given by official action of the governing body on the date indicated below.

Adopted this the 5th day of March, 2012

Item 5. Investment Grade Energy Audit Contract

Finance Officer Charles Nichols asked the Commissioners to approve the Investment Grade Energy Audit Contract with Johnson Controls. Mr. Nichols said if the contract is approved, the only financial liability to the County would be for \$75,000 if the County chooses at any time to withdraw from the contract. Otherwise, Mr. Nichols said, the \$75,000 will be built into the energy savings.

Motion was made by Commissioner McCall and duly seconded by Vice Chair McDow to approve the Investment Grade Energy Audit Contract with Johnson Controls. Vote: Motion unanimously approved.

Item 6. Finance Officer report: tax collections and department expenditures

Mr. Nichols provided an update on revenues/expenditures budget projections for the remainder of 2012. Mr. Nichols said while revenues are \$36.3 million, expenditures are \$36.5 million, which is a shortfall of about \$225,000. Mr. Nichols said this is a “best guess” on where the County will be by the end of the fiscal year. Mr. Nichols said a budget amendment in the Consent Agenda, if approved, would correct the projected shortfall.

Item 7. Consent Agenda:

- a) **Approve minutes of the Board of Commissioners February 6, 2012 regular meeting and February 13, 2012 budget retreat/reconvened meeting.**
- b) **Approve citizen petition request to include Daves Road as part of the State-maintained road system.**
- c) **Budget Amendments:**
 - 1) **Parks and Recreation: Approve receipt funding in the amount of \$7,514 for the Seniors Health Insurance Information Program and for programs to improve adult health, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.**
 - 2) **Health: Approve receipt funding in the amount of \$9,283 for Family Planning, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.**
 - 3) **Health: Approve receipt funding in the amount of \$6,319 for the Family Planning Bonus Funds, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.**
 - 4) **Health: Approve receipt funding in the amount of \$312 for Child Lead, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.**
 - 5) **Health: Approve receipt funding in the amount of \$2,220 for Mosquito Control, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.**
 - 6) **Health: Approve receipt funding in the amount of \$2,220 for Infection Control, and**

- authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
- 7) **Health:** Approve receipt funding in the amount of \$3,181 for Pregnancy Care Management, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
 - 8) **Health:** Approve receipt funding in the amount of \$17,754 for Care Coordination for Children, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
 - 9) **Health:** Reduce funding in the amount of \$48,354, \$2,829 of which would have been from the State for immunizations and \$45,535 of which would have been for health promotion.
 - 9) **Criminal Justice Partnership Program:** Approve additional fund in the amount of \$3,190, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
 - 10) **General Fund:** Approve interfund transfer of \$151,449 from Elections to General Fund, and authorize the Finance Officer to make the necessary arrangements to receive the money. No County dollars involved.
 - 11) **General Fund Operating Expense:** Approve 10 percent reduction across the board in the amount of \$251,462 as a result of current tax collections projections.
 - 12) **Inmate Jail Trust Fund:** Approve receipt of \$150,000 into the County's accounting system. No County dollars involved.
 - 13) **DSS:** Approve receipt funding in the amount of \$526 for Energy Neighbors, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
 - 14) **School Fund:** Approve reduction in Fines and Forfeitures pass through funds in the amount of \$125,000.

Chairman Davis noted the Consent Agenda is presented with a clarification to the number 9 Budget Amendment for the Health Department. The clarification breaks out where Health Department reductions would be.

Motion was made by Vice Chair McDow and **duly seconded** by Commissioner McCall to approve the Consent Agenda with the clarification noted. **Vote:** Motion unanimously approved.

Item 8: Aged receivables and foreclosure update

Tax Administrator Mary Helen Norton said revenues collected from tax foreclosures spanning two years is about \$400,000. Ms. Norton also provided the Commissioners with aged receivables since 2000 for real property and motor vehicles.

Item 9. Policy Committee recommendations: Guns in Parks and Board of Equalization and Review appointments

Commissioner Carol McCall, who is Chair of the Policy Committee, said a draft ordinance prepared by the County Manager is included in the agenda for review. Commissioner McCall asked the Board to defer any action until all Commissioners are present for a vote. County Attorney Johnston asked for additional time to prepare and present a more formal draft.

Commissioner McCall asked the Board if it was prepared to take action on the Board of Equalization and Review resolution and conflict of interest policy.

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Commissioner McCook asked the County Attorney to bring a Board of Equalization and Review document back to the Commissioners that outlines the staggering of terms for appointed members and that the Policy Committee review the document before the April meeting.

Item 10. Appointments to Board and Committees

Motion was made by Vice Chair McDow and duly seconded by Commissioner McCook to appoint Laurinburg City Council Member Herbert Rainer to a two-year term on the Transportation Advisory Committee as the municipalities-representative. Vote: Motion unanimously approved.

Item 11. Update from the County Manager

Mr. Patterson said EMS investigated contracting medical billing services and asked three companies for proposals. The most inexpensive proposal was from AMB, which currently has no operation in North Carolina. Mr. Patterson said one concern was how Medicaid, Medicare and insurance regulations vary from state to state, and it was staff opinion that North Carolina experience would be necessary. Ram, a current EMS software provider, presented the highest proposal. The third company, EMS MC, is established in North Carolina. Current projections show that enhanced collections would cover the cost of the commission for EMS MC. Staff recommends the County continues to negotiate with EMS MC for ambulance service billing and that the County Attorney reviews the contract.

Motion was made by Commissioner McCook and duly seconded by Commissioner McCall to continue to negotiate with EMS MC for ambulance service billing with contract review by the County Attorney. Vote: Motion unanimously approved.

Mr. Patterson said the privatization of EMS services is more complicated than billing services. Privatization done well could provide efficiencies as well as cost savings. Mr. Patterson recommended the County develop specific performance measurements for EMS and appropriate benchmarks from other counties for more detailed conversation in the midyear retreat.

Motion was made by Commissioner McCall and duly seconded by Vice Chair McDow authorizing staff, EMS and other agencies to set performance measurements and benchmarks for the existing service. Vote: Motion unanimously approved.

Mr. Patterson invited Commissioners to attend a state of the City/County community forum 5:30 p.m. Thursday, March 8, at Scotland Place. Dedication of the Wagram school expansion is 5 p.m. Thursday, March 15, at the Wagram school.

Mr. Patterson said the Department of Correction reviewed the two additions the County requested in the inmate labor contract, and the DOC said it was fine with prohibiting sex offenders but indicated the contract would not move forward with a hold harmless clause.

County Attorney Johnston said without the clause there is some element of risk, but it was inserted with an over abundance of caution. Mr. Johnston said other counties that use inmate labor agreed to the contract without a hold harmless clause.

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Motion was made by Commissioner Cooley and duly seconded by Vice Chair McDow to move forward with the inmate labor contract without the hold harmless clause. Vote For: Chairman Davis, Vice Chair McDow and Commissioners John Cooley, Carol McCall and Guy McCook. Vote Against: Commissioner McPhatter. Motion approved.

Item 12. Southeastern Regional Mental Health Merger Agreement

Commissioner McCall, who serves on the regional Mental Health Board, said the merger agreement with Southeastern Regional Mental Health, Eastpointe and Beacon Center LMEs has been reviewed by attorneys for each of the LMEs and was approved by the Southeastern Regional Mental Health Board.

The merger, which will become effective July 1, was approved by Bladen County and will be presented to Columbus and Anson counties later this month. Commissioner McCall said the merger would create a 27-member board and contributions from each county would be maintained at the level in which they now are.

Motion was made by Vice Chair McDow and duly seconded by Commissioner Cooley to accept the Beacon Center, Eastpointe and Southeastern Regional Mental Health merger agreement. Vote: Motion unanimously approved.

Item 13. Closed Session

Motion was made by Commissioner Cooley and duly seconded by Commissioner 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 and 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

Motion was made by Chairman Davis and duly seconded by Commissioner Cooley to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 9:35 p.m.

Ann W. Kurtzman
Clerk to the Board

Bob Davis
Chairman