

*Scotland County Board of Commissioners regular meeting
July 10, 2012, A.B. Gibson Center, 322 South Main Street, Laurinburg, NC*

**MINUTES
Scotland County Board of Commissioners
July 10, 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 Alford, John Cooley, Carol McCall, Guy McCook and Clarence McPhatter. Staff in attendance: County Manager Kevin Patterson, Finance Officer Charles Nichols, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Chairman Davis delivered the opening prayer. The Pledge of Allegiance was recited.

Motion was made by Commissioner Cooley and duly seconded by Commissioner Alford to approve the July 10, 2012 agenda the excluding the item 2 presentation on the Community Foundation report, which will be postponed to the August meeting. Vote: Motion unanimously approved.

Public Forum

Mr. Hal Culberson, 13000 Blue Woods Road, Laurinburg, said the Commissioners, elected as “change agents,” should fix the budget. Mr. Culberson said the tax increase, the highest in the State, means less sales tax, decreases employment and deters attracting businesses to the County. He is not against education. He is against excess spending and spending in the wrong places. He said the issue with the “school floor” should be hammered out, and if it is such a good thing, why don’t the other 99 counties have a school floor. Mr. Culberson said the Commissioners are responsible for County employees, services and funding education. He said more money should be spent in the classroom instead of on administration. Mr. Culberson asked why the County spends \$1,400 per student when surrounding counties spend less than \$1,000 per student.

Item 1. Public Hearing

Planning and Zoning Board Chairman Henry McLeod presented the following conditional use applications:

Conditional Use Application Number 469-12 – Cellco Partnership d/b/a Verizon Wireless- Request for a conditional use permit to construct a wireless telecommunications facility on Nashville Church Road, Laurel Hill, NC. The property is better described as Scotland County Tax Map Number 431-Block 01- Parcel 001 and is owned by Z.V. Pate, Inc.

Mr. McLeod said the Planning and Zoning Board recommends approval.

Chairman Davis opened the Public Hearing and asked if anyone wished to speak in favor of or against Conditional Use application 469-12.

Ms. Dana Pellizzari and Mr. Nicholas Steinhaus of Pennington Law Firm, who represent applicant Verizon Wireless, asked the Commissioners to support the application.

No one else came forward, and the Public Hearing was closed.

Motion was made by Commissioner Alford and duly seconded by Vice Chair McDow to approve Conditional Use Application 469-12 in accordance with the Section 38 Standards of the Scotland County Zoning Ordinance. Vote: Motion unanimously approved.

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Conditional Use Application Number 470-12 – Patterson Calhoun – Request for a conditional use permit to construct a Solar Array to produce clean renewable energy. The property is better described as Scotland County Tax Map Number 175- Block 01- Parcel 020 and is owned by Aubrey McCormick.

Mr. McLeod said the property is 270 acres, and the company proposes to develop the property in 40-acre increments. Mr. McLeod said the Planning and Zoning Board recommends the Commissioners approve the conditional use request for the whole farm owned by Aubrey McCormick.

Chairman Davis opened the Public Hearing and asked if anyone wished to speak in favor of or against the Conditional Use application 470-12. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner Alford and duly seconded by Commissioner McCook to approve Conditional Use application 470-12 for the entire 270 acres in accordance with the Section 38 Standards of the Scotland County Zoning Ordinance. Vote: Motion unanimously approved.

Item 3. 2012 Scotland County Tax Bill proof

The Commissioners reviewed the larger, letter-size tax bill. County Manager Patterson said the information on the back side includes distribution of property and sales tax dollars in education and among County departments.

Motion was made by Commissioner Cooley and duly seconded by Commissioner McCall to approve the larger format tax bill as presented and to authorize its printing. Vote: Motion unanimously approved.

Item 4. Consent Agenda:

- a) Approval of minutes of the Board of Commissioners May 24, 2012 budget work session, June 4, 2012 Water Districts meeting, June 4, 2012 regular meeting, June 14, 2012 joint meeting, June 20, 2012 budget work session and June 25, 2012 public hearing.
- b) Approve change in designation of one furlough day from the Friday before Memorial Day to the Friday before Labor Day, which is August 31, 2012.
- c) Approve surplus of 2000 Dodge RAM 3500 van VIN# 2B67B31Z5YK160931
- d) Authorize the Tax Collector to collect the taxes set forth in the tax records filed in the office of the Scotland County Tax Department.
- e) Approve citizen-petition to add a portion of Luther Drive to the state-maintained road system.
- f) Adopt Grant Project Ordinance for the 2011 Single Family Rehabilitation Program.
- g) Approve 2013 Holiday Schedule: New Year's Day, January 1; Martin Luther King Day, January 21; Good Friday, March 29; Memorial Day, May 27; Independence Day, July 4; Labor Day, September 2, Veteran's Day, November 11, Thanksgiving, November 28 and 29; and Christmas, December 24, 25 and 26.
- h) Budget Amendments:
 - 1) **Health:** Approve receipt of funds in the amount of \$13,512 for Breastfeeding Peer Counselor Program, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
 - 2) **Health:** Approve receipt in funds in the amount of \$6,206 for Healthy Communities, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.

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Motion was made by Vice Chair McDow and duly seconded by Commissioner McCall to approve the Consent Agenda. Vote For: Chairman Davis, Vice Chair McDow and Commissioners Alford, McCall, McCook and McPhatter. Vote Against: Commissioner Cooley. Vote: Motion approved.

Commissioner Cooley said he took issue with State grant for the breastfeeding program.

Item 5. Appointments to Boards and Committees

Motion was made by Vice Chair McDow and duly seconded by Commissioner Alford to reappoint Mr. Ken Jackson to the Laurinburg/Scotland County Planning and Zoning Board with a term ending July 1, 2015. Vote: Motion unanimously approved.

Motion was made by Vice Chair McDow and duly seconded by Commissioner McCall to approve the designation of Ms. Diana Altman as alternate to the Senior Tar Heel Legislature. Vote: Motion unanimously approved.

Item 6. Report from the County Manager

The Board of Commissioners by consensus designated Chairman Bob Davis as voting delegate to the NCACC annual conference August 16 to 19.

Mr. Patterson said he will work with department heads to develop a new strategy for the use of County motor vehicles. Vehicles used for public safety and those used daily by departments will not be transferred to a motor pool. Vehicles used three days a week or less will be shared across departments in a motor pool. Mr. Patterson said creation of a motor pool would require the designation of a lead contact. Policies and cost-sharing would also have to be determined.

The County Manager said State Legislature did not take up the issue of concealed weapons in this session. The Commissioners previously tabled consideration of prohibiting concealed firearms in County parks and athletic facilities until the Legislature acted on the matter or adjourned.

Mr. Patterson asked the Board how it would like to proceed on the matter. He said the draft of the County ordinance prohibiting the carrying of concealed handguns in County recreational facilities is attached for review.

The Commissioners discussed whether to vote on the ordinance or wait for Legislature to act.

Commissioners McCall and McCook said the Commissioners should take action now rather than wait. Commissioner McCall said the issue has been reviewed and Commissioners received comments over the past six months. She said since citizens asked the Commissioners to respond to concealed carry handguns in parks the Commissioners owe it to the community to let their wishes be known.

Motion was made by Commissioner Alford and duly seconded by Commissioner McPhatter to leave the carrying of concealed handguns on County recreational facilities as it is. Vote For: Chairman Davis, Vice Chair McDow and Commissioners Alford, Cooley and McPhatter. Vote Against: Commissioners McCall and McCook. Vote: Motion approved.

Mr. Patterson said there would be no legislative action on the local bill to allow Scotland County to impose franchise fees on internet sweepstakes. Mr. Patterson said he was informed by Representative Garland Pierce that until the Legislature could get a statewide legislation they would not allow local bills

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to "open the floodgates." Mr. Patterson said Senate wishes to wait until outstanding litigation is finalized and there is a final ruling, which might be favorable for the State and deem internet sweepstakes illegal.

Mr. Patterson asked the Commissioners to approve a budget amendment, news of which was received late last week that the \$255,646 grant for the FCC sewer project was available.

Motion was made by Commissioner McCall and duly seconded by Commissioner Cooley to approve receipt of \$255,646 grant funds to be placed in the Water Districts line item, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. Vote: Motion unanimously approved.

Item 7. Closed Session

Motion was made by Commissioner Cooley and duly seconded by Commissioner Alford 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 to go into Closed Session 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

Motion was made by Commissioner Alford and duly seconded by Commissioner McCook to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:55 p.m.

Ann W. Kurtzman
Clerk to the Board

Bob Davis
Chairman