

Scotland County Board of Commissioners regular meeting March 11, 2019, Small Business Innovation Center (SBIC) 16800 A Hwy 401 Bypass, Laurinburg, NC

Scotland County Board of Commissioners regular meeting February 4, 2019, Small Business Innovation Center (SBIC), 16800A Hwy. 401 Bypass, Laurinburg, NC

Commissioners in attendance: Chair Bob Davis, Vice-Chair Carol McCall, Commissioners John Alford, Betty Blue Gholston, and Tim Ivey. Staff in attendance: County Manager Kevin Patterson, County Attorney Ed Johnston, Deputy Clerk to the Board Jason Robinson.

Commissioners not in attendance: Commissioners Whit Gibson, and Clarence McPhatter

Call to Order, Invocation, Pledge of Allegiance

Chairman Bob Davis called the regular meeting of the commissioners to order, and asked Vice-Chair McCall to deliver the invocation, and Chairman Davis lead the pledge of allegiance.

Approval of the Agenda

Chairman Davis then stated that he would entertain a motion to approve the agenda.

Motion was made by Commissioner Gholston to approve the agenda and the motion was duly seconded by Vice-Chair McCall. Vote to approve agenda: Unanimous

Public Forum

The Board first heard from Dr. Kathy Cummings with KV Consultants and Associates. Dr. Cummings thanked the Board for the opportunity to speak before them. Dr. Cummings informed the Board that the North Carolina State Department of Health and Human Services (DHHS) is encouraging an in-patient treatment center in Scotland County. According to Dr. Cummings, the sheriff and chief of police is very supportive of this program. Dr. Cummings stated that the nearest in-patient center is in Lumberton. According to Dr. Cummings, the center will have a detox facility and have a medical doctor on staff that has experience in opioid abuse. Also according to Dr. Cummings, integrated care will be utilized at the center. This care deals with mind, body, and spirit (not religion). The center will provide medical care and transitional care. Dr. Cummings also stated that the facility doesn't currently have sprinklers in each room and that is something that has to be done. This will cost about \$130,000. Dr. Cummings informed the Board that there was also going to be Alcoholics Anonymous(AA), Alanon, and maybe Alateen. Vice-Chair McCall asked about a certificate of need and how far along they are in obtaining the certificate. According to Dr. Cummings they are in the process of obtaining this certificate and just need to be inspected by DHHS. Commissioner Ivey inquired as to where the facility is located and Dr. Cummings stated that it is the former Willowhaven. Commissioner Alford inquired if they intended on using the entire facility and Dr. Cummings stated that they were going to use the entire facility. Chairman Davis asked about the number of beds and Dr. Cummings stated that about 70 beds would be utilized. Commissioner Gholston stated how exciting this news is for Scotland County and that whatever the commissioners can do to help to let them know. The Board next heard from Mr. Brian Gibson, Chairman of the Crime and Drug Committee. Mr. Gibson stated that he was coming before the Board to gauge the interest in a crime tip line. According to Mr. Gibson the sheriff's department and police department have their own way of receiving tips. This is something that has been done in the past but it has fallen by the wayside. Mr. Gibson stated that he has spoken with Crimestoppers and to have a

Scotland County Board of Commissioners regular meeting March 11, 2019, Small Business Innovation Center (SBIC) 16800 A Hwy 401 Bypass, Laurinburg, NC

Crimestoppers affiliate it has to be a 501(c)(3) nonprofit. Mr. Gibson stated that he would like to see a separate committee apart from the Crime and Drug committee to look at this issue. He would also like for it to be representative of the entire county with folks from Gibson and Wagram too. Mr. Gibson asked the Board if a crime tip line is something that they would be supportive of letting him explore. The Board was in agreement that this was something that they were supportive of exploring.

Consent Agenda

The Board next considered the consent agenda. On the consent agenda for March was the approval of the January 29, 2019 recessed minutes, the February 4, 2019 regular meeting, and the February. Also on the consent agenda was a request from the health department to approve an addendum revision #2 to shorten the service and payment period for mosquito abatement for funds distributed by the State. The consent agenda also contained a request from the Solid Waste Department to surplus a 1996 Hyundai LC Excavator Serial #E104CE14203 Unit #430. The consent agenda also had a request from the Public Buildings Department to surplus a 2009 Chevy Colorado VIN #1GCCS149398120248. Also on the consent agenda was a request to surplus a 2007 Ford Expedition XLT VIN #1FMK15557LA11854 and a 2008 Ford Crown Victoria VIN#2FAFP71V98X168831, as well as 31 other vehicles which are incorporated into the minutes as Attachment A. The March consent agenda also contains a request from the tax department for releases and discoveries. These are incorporated as part of the minutes as Attachment B. The consent agenda also contained three requests from the Scotland County Area Transportation System(SCATS). The first request was to affirm the procurement policy for SCATS and to affirm the elimination of the \$1 fee for rural general public (RGP). The second request was to approve the surplus property revenue policy for rolling stock. The third request was to approve the SCATS Grants and Financial Management Policies and Procedures. **Motion was made by Commissioner Ivey to approve the consent agenda.** **Motion was duly seconded by Vice-Chair McCall. Vote to approve consent agenda: Unanimous.**

Discussion of moving regular meeting place to the Emergency Operations Center (EOC)

The Board next moved to the discussion of moving the regular meeting place to the EOC. Commissioner Gholston stated that she would like for the EOC to look nice and be representative of the commissioners. She also shared that she did not like having to go through the Walmart intersection but that she was in favor of whatever the Board decides to do. Vice-Chair McCall asked if action was needed and it was noted that action was needed to approve the resolution. Vice-Chair McCall also stated that the EOC was a great building and it would be good for the Board to have their own space and not have to worry about the AB Gibson Center having a conflict when the commissioners need a meeting room. Commissioner Gholston raised the issue of parking for visitors and Commissioner Alford stated that he didn't feel you would have much trouble at 7:00 pm at night. County Manager Kevin Patterson stated that there were some minor adjustments that could be done without expending significant funds and that the feedback is generally positive when the Board has had meetings there. Discussion followed about opportunities and challenges that the site might present. Upon conclusion of discussion, **Motion was made by Vice-Chair McCall to adopt the resolution to move the regular monthly meeting location of the Scotland County Commissioners from The AB Gibson Center to the Emergency Operations Center (EOC) effective July 1 assuming no large**

Scotland County Board of Commissioners regular meeting March 11, 2019, Small Business Innovation Center (SBIC) 16800 A Hwy 401 Bypass, Laurinburg, NC

expenditure to the County. Motion was duly seconded by Commissioner Alford. Vote to adopt resolution: Unanimous. Resolution is incorporated into the minutes as Attachment C.

2019-20 Budget Calendar

The Board next heard from County Manager Kevin Patterson concerning the 2019-20 budget calendar. Mr. Patterson stated that there were some of the events on the calendar have a direct impact on the Board. Mr. Patterson reviewed the dates that were on important on the budget calendar including May 9th when the school system must submit their budget. This budget is for the local funding only not the State and Federal funding. Mr. Patterson also informed the Board that there were two days scheduled for budget work sessions but this may be done in one day but two are there just in case.

Discussion and appointment of two Commissioners to committee to discuss recreation opportunities with the City of Laurinburg and the Scotland County Board of Education

Chairman Davis stated that the City of Laurinburg had already appointed two representatives to this committee that was discussed at the joint meeting on January 29th. Chairman Davis asked for volunteers from among the Board to join this committee. Commissioner Alford stated that he felt that the referendum that was voted down was the best solution to finance a recreation center. Commissioner Alford further stated that Mayor Block's proposal is still out there but need a way to pay for it and that he refused to be on this committee. Commissioner Alford said that this has been discussed for 16 years and when the voters had an opportunity they voted against the method of funding it. Chairman Davis stated that from how he understood it two members from each organization were to come up with a plan. Chairman Davis further stated that the hospital has agreed to give funding. Commissioner Alford stated that this was going to have to be an ongoing funding. Commissioner Gholston stated that no one has time to meet just to be meeting and maybe not get anything accomplished. Vice-Chair McCall declared that she was torn and understands what everyone is saying. She further elaborated that she doesn't want the County not to be a stakeholder especially considering that the County is the entity that does recreation and would love to look at opportunities but don't want to say who is not going to do what. No commissioners volunteered to serve on the committee so it was tabled until a later date.

Transfer of Calhoun Road and Dorset Drive water system to the City of Laurinburg

The Board next heard from County Manager Kevin Patterson concerning the water systems. According to Mr. Patterson the State says that the two water districts should never have been permitted the way they were and the State is looking to break them into seven distinct systems. With each of these systems there are still required testing that must be done. Two systems are very small. Dorset Drive has 28 residences and Calhoun Road has 50 residences. Both systems have more eligible people who could attach to the system but in the last several years they have chosen not to do so. To do minimum testing on each system is about \$13,000 each. If you look at the water sales in each system it isn't enough to cover the testing that is required for the system. Mr. Patterson stated that his recommendation is to transfer these systems to the City of Laurinburg. Mr. Patterson also informed the Board that he has had discussions with the city manager as well as the city's water program and they do not foresee a problem with receiving these systems. By adding these two systems to the city system would not require the city to do any additional testing. Mr. Patterson also explained that there is debt

Scotland County Board of Commissioners regular meeting March 11, 2019, Small Business Innovation Center (SBIC) 16800 A Hwy 401 Bypass, Laurinburg, NC

attached with these systems but the system itself is not the collateral for the debt. Customers would not see any difference in services. Vice-Chair McCall inquired if the city council would have to act on this as well. Mr. Patterson explained that they would have to act to accept the systems. **Motion was made by Commissioner Ivey to authorize the county manager to present the opportunity to the City of Laurinburg to take over ownership of the Calhoun Road and Dorsett Drive water systems. The motion was duly seconded by Commissioner Alford. Vote to approve the transfer of ownership: Unanimous.**

Jail Inspection Report

The Board next heard from County Manager Kevin Patterson concerning the recent jail inspection performed on the Scotland County Detention Facility. Mr. Patterson informed the Board that this was for informational purposes only and that there were only three findings for the jail this time. One of those finding was that the female population was over their limit and the two other findings were maintenance related having to do with lights that were out and a sink that wasn't functional. Discussion followed about how this was a significant improvement over years past. Chairman Davis commended Public Buildings Director, Mike McGirt for his hard work as well as his crew.

Change in meeting place for the City of Laurinburg/Scotland County Crime and Drug Committee

The Board next heard from County Manager Kevin Patterson concerning a change in the bylaws of the Crime and Drug Committee. Because the city hall is moving and the Crime and Drug Committee meet in city hall the bylaws had to be changed to reflect that move. Upon hearing from Mr. Patterson, **motion was made by Commissioner Ivey to approve the change the meeting address of the Crime and Drug Committee. Motion was duly seconded by Vice-Chair McCall. Vote to approve the meeting address change: Unanimous.**

Water and sewer contract for new school extension

Mr. Patterson then moved to the water and sewer line extension bids. According to Mr. Patterson, the County had requested supplemental information from all the bidders on the project. Also according to Mr. Patterson, Frank Horne Construction included more detailed information but it was not submitted on time. Step construction supplied less detailed information but it was timely. The third bidder did not submit supplemental information that was asked for by the County. Commissioner Ivey inquired of County Attorney Johnston if the County could indeed pick the second lowest bidder if there were concerns about the low bidder. Mr. Johnston reviewed the statute requirements of awarding the contract to the lowest responsible bidder and it would be incumbent upon the County to show facts that show that Step Construction would not be the lowest responsible bidder, that are legally responsible. Willis engineers also recommended Step Construction. Chairman Davis inquired about the amount of time that is required, if the County is running out of time, that the County wants to be sure that the right firm is chosen to avoid any legal troubles. Commissioner Alford stated that it seems that there has been a name change. Commissioner Ivey stated that is one thing that bothers him because it seems they have gotten into some trouble and changed their name. Commissioner Ivey further stated that he would be the first one to want to save \$20,000 but he doesn't want that \$20,000 to cost \$200,000 down the road and he feels that the key word in the statute is responsible and he doesn't feel this group is that. Mr. Patterson updated the Board that the status

Scotland County Board of Commissioners regular meeting March 11, 2019, Small Business Innovation Center (SBIC) 16800 A Hwy 401 Bypass, Laurinburg, NC

had changed a little bit since he last checked it and the annual report for Step Construction, LLC is under review for fiscal year 2016-17. Vice-Chair McCall inquired what might happen if there is no Step Construction after the contract is signed. Mr. Patterson responded at that point the County would have to go back out for bids again. Discussion followed about if the bonding company would cover the remainder of the contract if Step is unable to perform as contracted. County Attorney Johnston stated that if he felt that legally if the County went with anyone other than the lowest bidder, you need to be sure that you can substantiate that they are not the lowest responsible bidder. Commissioner Gholston stated that she felt the County should go with what it knows to be legal and inquired of County Attorney Johnston if Step Construction could sue the County if the contract wasn't awarded to them. Mr. Johnston stated that they could indeed, but it is unknown whether they would or not. Commissioner Gholston further stated that she appreciates all the work that Commissioner Ivey has done to investigate the situation and that all of the commissioners should be like him and research but feels that we have to do what is known to be legal. **Motion was made by Commissioner Gholston to award the contract to Step Construction as the lowest bidder. Motion was duly seconded by Commissioner Alford stating that no disqualifying information was confirmed and that on the advice of the attorney to award to the lowest bidder.** Chairman Davis once again inquired about the amount of time that is required and Mr. Patterson stated that the biggest problem is that the bids are not going to be any good if the County continues to delay awarding the contract. If rebidding took place, would not be guaranteed to get three bidders and the price could be higher. **Vote 4-1 to award the contract to Step Construction with Commissioner Ivey voting nay.** Chairman Davis asked Mr. Patterson and Mr. Johnston to follow up with the corporation paperwork for Step Construction.

Appointments to Boards and Committees

Vice-Chair McCall informed the Board that there was no appointments to boards and committees this month and that she and the deputy clerk were going to work on updating the spreadsheet. Also she informed the Board that a member of the Board of Equalization and Review was coming up soon so if the Board had any names.

County Manager Report

Mr. Patterson updated the Board concerning the National Association of Counties (NACO) legislative conference. Mr. Patterson informed the Board that he, Vice-Chair McCall, Commissioner Ivey, and Commissioner Alford attended the conference this year and they were able to meet with Senator Burr and Tillis' staffs as well as hear presentations from a number of administration officials. Commissioner Gholston asked what good information they heard about this year. Commissioner Ivey stated that the biggest thing they heard about was rural broadband. Vice-Chair McCall also stated that the County is not as in bad of a shape when it comes to broadband as other places across the United States. Commissioner Alford mentioned economic development and that the commissioners asked both senators' offices to designate 74 as an actual interstate and according to Vice-Chair McCall all of the counties along the 74 corridor want this designation. Mr. Patterson also informed the Board that members of the governor's Hometown Strong program will be in Scotland County on March 20th. Mr. Patterson also update on historic properties and the tourism development authority. Mr. Patterson stated that a meeting was held with these two groups. Commissioner Ivey stated that he had just come from an historic properties meeting and that there was a motion made to close the museum except maybe once

Scotland County Board of Commissioners regular meeting March 11, 2019, Small Business Innovation Center (SBIC) 16800 A Hwy 401 Bypass, Laurinburg, NC

per month. The motion was tabled however. Commissioner Gholston stated that the next time there is a vacancy that the Board needs to consider the ethnic background and makeup of Scotland County. Commissioner Alford stated that minorities had tried to be recruited for the historic properties board but it is hard to get people to serve. There was consensus amongst the Board to try to find a minority member for the historic properties board. Mr. Patterson updated the Board on the animal control situation and stated that a meeting was trying to be set up between the sheriff's department and the health department to improve animal control. Mr. Patterson also informed the Board that grinding is soon going to begin at the landfill and that there are over 9,000 tons of debris to grind. When this starts happening it will impair the ability of the staff at the landfill to do anything else. Mr. Patterson stated that he would like to advertise and hire an equipment operator in next year's budget but also to include it in this year's as well, which would cost \$3,500 per month. Mr. Patterson further stated that this equipment operator would ultimately be used to demolish foreclosed and abandoned properties. Upon hearing from Mr. Patterson, **Motion was made by Commissioner Alford to authorize the County Manager to advertise for an equipment operator at the landfill. Motion was duly seconded by Vice-Chair McCall. Vote to approve: Unanimous.**

Commissioner Comments

Commissioner Gholston presented County Manager Kevin Patterson and county staff a framed certificate in appreciation for all of their hard work during Hurricane Florence and all of the Board members echoed those kind words.

Commissioner Ivey mentioned that there were folks that were asking him about the ability to watch the meetings on the internet and if this could be looked into.

Adjournment

Having no further business, **Motion was made to adjourn by Commissioner Ivey. Motion was duly seconded by Commissioner Alford. Vote to adjourn: Unanimous.**

J. Jason Robinson
Deputy Clerk to the Board

Bob Davis
Chair

(county seal)