

*Scotland County Board of Commissioners regular meeting
January 3, 2011, 1405 West Boulevard, Laurinburg*

MINUTES
Scotland County Board of Commissioners
January 3, 2011 Regular Meeting
1405 West Boulevard, Laurinburg NC

At 7 p.m. Chairman Bob Davis called the regular 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, County Attorney Edward Johnston and Clerk to the Board Ann W. Kurtzman. Chairman Davis delivered the opening prayer. The Pledge of Allegiance was recited.

Public Forum

Chairman Davis asked if anyone wished to speak at Public Forum. No one came forward, and the Public Forum was closed.

Item 1. Update from the County Manager

County Manager Patterson said the Commissioners each received a summary of Community Assistance Grants donations for the current fiscal year.

Motion was made by Chairman Davis and duly seconded by Commissioner McCook to dissolve the discretionary donation policy as it now stands and return it to the budget where non-profits would make application for funds before the entire Board of Commissioners.

Discussion: Chairman Davis said the motion should apply to any funds where a Commissioner does not have a signed request in hand by the end of January.

Commissioner Alford said he is not opposed to the motion but he would like to have opportunity to distribute his remaining funds through the end of FY 2011 as budgeted. Commissioner Alford said he did not want to feel rushed in his decision making on funding requests from non-profits.

Chairman Davis said the policy could continue until June 30 and then cease, but how funds, if any, would be distributed to agencies moving forward should be part of upcoming budget discussions.

Commissioner McPhatter said he has not received calls from anyone who is against the current Community Assistance Grants policy. Commissioner McPhatter said other counties have similar funding programs. He added that some agencies seeking grants are so small that a grant program like this is the difference between doors staying open and doors closing.

Chairman Davis said it is important to plan for the next budget, and he agreed the policy could extend through June 30 while the planning process takes place. Chairman Davis then called for a vote on the motion.

*Scotland County Board of Commissioners regular meeting
January 3, 2011, 1405 West Boulevard, Laurinburg*

Vote in favor of eliminating the Community Assistance Grant policy with the close of FY 2010: Chairman Davis, Vice Chair McDow and Commissioners Alford, Cooley, McCall and McCook. Vote against: Commissioner McPhatter. Motion approved.

Mr. Patterson corrected an error made at the December meeting where it was stated that 14 years of life remained at the C&D facility. Mr. Patterson explained the County received approval in 2010 for a vertical expansion of the landfill, which extends its life to approximately 30 years. Mr. Patterson said the extension will positively impact the closure costs of the C&D landfill.

County Manager Patterson said Mr. Harvey Edge wishes to purchase, or rent with an option to purchase, the property behind the old LDIC landfill near Carter Lumber. Mr. Edge previously sold the property to the County so that final closure for the old LCID landfill could be made. Mr. Patterson said the property is zoned OS or an agricultural use, and transfer of the land would not pose a liability issue for the County.

The Board of Commissioners, by consensus, agreed the County Manager should move forward with the land transfer.

Mr. Patterson discussed abandoned cemeteries and referred to State legislation §65-113, which states the County could oversee abandoned public cemeteries but only to protect them from encroachment and to ensure that the boundaries are properly marked. He said the Commissioners could establish a board of trustees to accept private monies for maintenance of cemeteries, but statutes do not give the County authority to provide maintenance of cemeteries. Mr. Patterson said there are more than 100 known cemeteries and many more unknown throughout the County.

Mr. Patterson asked the Commissioners to appoint a voting delegate for the January 2011 legislative goals conference. Vice Chair McDow will attend this year.

Motion was made by Commissioner Alford and duly seconded by Commissioner McCook to designate Vice Chair Joyce McDow as the NCACC legislative goals voting delegate for 2011. Vote: Motion unanimously approved.

Mr. Patterson said the County received a request for a proclamation honoring an individual. Normally the Chairman has the authority to issue proclamations, which are generally issued for government activities and established groups. The request for proclamation for an individual is unusual, Mr. Patterson said. He asked if the Board would like to establish guidelines for issuing proclamations, particularly to individuals.

Chairman Davis suggested the issue be discussed at the January 18 planning retreat. Commissioner McCook asked the County Manager to present a standard policy regarding proclamations at that time.

Mr. Patterson said the County received a request for a letter of support from Ms. Jan Schmidt of the Storytelling Arts Center, who is seeking a grant for a multicultural event to be held in the summer. Mr. Patterson said there would be no other obligation from the County.

*Scotland County Board of Commissioners regular meeting
January 3, 2011, 1405 West Boulevard, Laurinburg*

Mr. Patterson asked the Commissioners how they would like requests for such letters of support to be handled from now on.

Chairman Davis said it is important to get support of the Board either by formal approval or polling of Commissioners. Commissioner Alford agreed. He said he would like to be made aware of support letters written on behalf of the governing body.

There was a brief discussion among Commissioners regarding the temporary one-cent sales tax, which is set to expire at the end of this fiscal year. The sales tax generates approximately \$1.3 billion in revenues. This is part of the \$3.5 billion shortfall in the State's budget. Senator Purcell asked the Governor for support in extending the sales tax to help manage the deficit. The State's budget has dramatic impacts on the County's budget. Mr. Patterson asked if the Board would like to officially support an extension of the sales tax.

Motion was made by Commissioner Alford and duly seconded by Commissioner Cooley to approve the Resolution Supporting the Extension of the Temporary Sales Tax. Vote: Motion unanimously approved.

Resolution Supporting the Extension of the Temporary Sales Tax

WHEREAS, continuation of the temporary one percent sales tax would ensure an additional \$1 billion in revenue for the State of North Carolina; and

WHEREAS, the State of North Carolina is anticipating a budget shortfall in 2011 in excess of \$3.5 billion; and

WHEREAS, the State of North Carolina as a result of the budget shortfall is looking for possible budget cuts ranging from five to 15 percent in order to balance the FY 2011-2012 budget and, in all likelihood, will be forced to make additional cuts again in FY 2012-2013; and

WHEREAS, the quality of life for all North Carolinians in general and all resident of the 100 counties in particular will be significantly diminished largely due to State budget cuts being passed on to counties in the way of unfunded mandates; and

WHEREAS, a one percent sales tax is equitable in that all people share the burden of narrowing the gap in \$3.5 billion shortfall and not just property owners; and

WHEREAS, signs of an economic recovery will be slow but become evident statewide in the next two years.

NOW, THEREFORE, BE IT RESOLVED that the Scotland County Board of Commissioners respectfully asks State legislators to consider extending the one cent sales tax until economic recovery is fully realized so any additional burden on counties would be minimal.

BE IT FURTHER RESOLVED by the Scotland County Board of Commissioners that a copy of this Resolution will be forwarded to representatives in all counties in North Carolina and to all elected representatives in the North Carolina Senate and House.

Adopted this 3rd day of January, 2011

*Scotland County Board of Commissioners regular meeting
January 3, 2011, 1405 West Boulevard, Laurinburg*

Mr. Patterson reminded the Board it will hold a work session 9 a.m. January 18 at Covington Street to discuss procedural policies, landfill and space needs. Mr. Patterson suggested the Board might tour facilities with available space. After some discussion, it was agreed that the Commissioners would tour several buildings on January 14, prior to the planning session.

The County Manager asked for approval of a budget amendment submitted by the Library, which is receipt of funds in the amount of \$1,408.

Motion was made by Vice Chair McDow and duly seconded by Commissioner Alford to approve additional funding for the Library in the amount of \$1,408 and authorize the Finance Officer to receive and expend the funds. Vote: Motion unanimously approved.

Item 2. Consent Agenda:

- a) **Approval of minutes of the Board of Commissioners December 6, 2010 regular meeting.**
- b) **Approve Tax Department request to release funds in the amount of \$5,699.69 and in the amount of \$249.02 and to make refunds in the amount of \$183.72 and in the amount of \$3,188.33.**
- c) **Approve Resolution Opposing Transfer of Secondary Roads to Counties.**

A Resolution Opposing Transfer of Secondary Road Program to Counties

WHEREAS, Scotland County opposes: **1)** the transfer of the Secondary Road Program funding to the Primary Road Program or any other program that would reduce funding for secondary road construction, improvement and maintenance; **2)** any efforts by the General Assembly or NCDOT to shift any transportation costs formerly paid by the State to counties; and **3)** any efforts by the General Assembly to appropriate local revenues, whether property tax, sales tax or any other revenue for State transportation programs or any other State programs; and

WHEREAS, legislation has been introduced in the past that would transfer responsibility of maintenance of secondary roads from the State to the counties and there is a likelihood similar legislation will be introduced once again; and

WHEREAS, in Scotland County there are only six roads **NOT** considered secondary roads; and

WHEREAS, without the continuation of existing State revenue streams to pay for road upkeep and construction, Scotland County would be forced to raise property taxes by at least 20 cents in order to keep up the current level of funding needed to maintain existing secondary roads; and

WHEREAS, Scotland County does not have the equipment or the capital to take on this massive additional responsibility.

NOW, THEREFORE, BE IT RESOLVED that the Scotland County Board of Commissioners:

1. Strongly opposes any legislation that would transfer responsibility for and maintenance of secondary roads from the State to counties.

*Scotland County Board of Commissioners regular meeting
January 3, 2011, 1405 West Boulevard, Laurinburg*

2. Strongly urges all counties to contact their local delegation to solicit their support in defeating any proposed legislation of this nature.
3. Directs that a copy of this resolution be transmitted to the members of the NC General Assembly representing Scotland County and to all members of the General Assembly as an expression of heartfelt concern about the transfer of this and of future State costs to counties.
4. Directs that a copy of the resolution be sent to the North Carolina Association of County Commissioners and all other North Carolina Counties.

Adopted this 3rd day of January, 2011

d) Approve Health Department Bad Debt Write Off for FY 2009-2010 in the amount of \$96,496 for insurance and private pay adjustments and \$241,947 for Medicaid adjustments.

e) Approve surplus of Sheriff Department vehicles: a 1995 Chevrolet S10 VIN# 1GCCS144XS8161664 and 1991GMC Van VIN# 2GJGG39K1M451194.

f) Budget Amendments:

- 1) **JCPC: Approve receipt of funds in the amount of \$3,097, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.**

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

Item 3. Appointments to Board and Committees

Motion was made by Vice Chair McDow and duly seconded by Commissioner Alford to reappoint Mr. Jim Graham to a four-year term on the Southeastern Economic Development Commission. Vote: Motion unanimously approved.

Motion was made by Vice Chair McDow and duly seconded by Commissioner Cooley to reappoint Mr. Guy McCook to a two-year term as the Commissioner-representative on the Transportation Advisory Committee. Vote: Motion unanimously approved.

Item 4. Closed Session

Motion was made by Chairman Davis 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. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Chairman Davis asked the Commissioners to consider an alternate meeting site for the regular Board meetings. He said the Commissioners Chamber could be retrofitted into a larger waiting room for DSS and Health. Chairman Davis suggested RCC Scotland Campus, 507 West

*Scotland County Board of Commissioners regular meeting
January 3, 2011, 1405 West Boulevard, Laurinburg*

Covington Street, Courthouse, A.B. Gibson Center and the Cronly Street Annex as possible locations for regular meetings.

The Commissioners agreed to discuss space options for regular meetings at the January 18 planning retreat.

Motion was made by Commissioner Alford and duly seconded by Commissioner McCook to recess to 9 a.m. January 14 at 507 West Covington Street. Vote: Motion unanimously approved. Meeting recessed at 9:10 p.m.

Ann W. Kurtzman
Clerk to the Board

Bob Davis
Chairman