

*Scotland County Board of Commissioners regular meeting
March 14, 2005, 1405 West Boulevard, Laurinburg*

MINUTES

**Scotland County Board of Commissioners
Regular Meeting, March 14, 2005
Scotland County Complex, 1405 West Boulevard, Laurinburg, NC**

At 7 p.m., Chairman J.D. Willis called the regular meeting to order. Commissioners in attendance: Chairman Willis, Vice Chair Betty Blue Gholston and Commissioners John Alford, Leon Butler, Charles "Scoofer" Jordan, Joyce McDow and Clarence McPhatter. Staff in attendance: Finance Officer/Assistant County Manager Kevin Patterson, County Attorney Ed Johnston and Clerk to the Board Ann W. Kurtzman. Commissioner McDow delivered the opening prayer. The Pledge of Allegiance was recited.

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

Item 1. Fort Bragg/Pope Air Base Regional Land Use Advisory Commission (RLUAC) Fee Structure and Revised Bylaws

Mr. Jim Dougherty, Executive Director for the Regional Land Use Advisory Commission (RLUAC) explained the Commission's transition to incorporation. He said RLUAC works closely with local governments to protect and preserve the natural environment, the Fort's training missions and to work with developers, realtors and homeowners to ensure private homes are not located in high noise areas. Mr. Dougherty discussed past and future projects conducted by RLUAC.

He said since RLUAC is transitioning to incorporation, a "start up" budget for January to June 2005 was developed. He said that \$5,250 in dues has been committed thus far from member governments. Mr. Dougherty asked that the Board to consider a \$1,000 dues payment for January to June 2005 and to consider approval of the revised RLUAC bylaws, which are included in the Agenda package.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to approve the \$1,000 dues for January to June 2005 and to approve the revised RLUAC bylaws. Vote: Motion unanimously approved.

Item 2. Scotland County Probation Annual Report for FY 2004

Judicial District Manager Frank Davis presented the 2004 annual report for the Division of Community Corrections, Division 16A. Mr. Davis discussed the roles and responsibilities of Probation and Parole. Division 16A, he said, took in \$243,000 in fines, restitutions and supervision fees.

Item 3. Closed Session held 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 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.

Motion was made by Commissioner Jordan and duly seconded by Commissioner McPhatter to go into Closed Session held 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 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

Item 4. County Animal Response Team (CART) Report and PowerPoint Presentation

Ms. Tiffanee Conrad, Cooperative Extension Area Livestock Agent and County Animal Response Team Coordinator, gave a PowerPoint presentation on CART and why it was formed. CART consists of a team of volunteers who serve the community to minimize animal suffering in the event of an animal emergency.

Ms. Conrad and EMS Director Roylin Hammond introduced the Scotland County Animal Response Team plan, which addresses how the animal population would be handled in the event of a disaster involving domestic and farm animals. Ms. Conrad said the plan is subject to review by various organizations following a review by all participants. After that, the plan would be brought to the Commissioners for approval.

Motion was made by Commissioner McDow and duly seconded by Vice Chair Gholston to approve the concept of the plan with final approval coming before the governing body at a later date. Vote: Motion unanimously approved.

Item 5. Community Child Protection Team 2004 Annual Report

DSS Director Jan Elliott discussed the background of the Community Child Protection Team (CCPT) and explained that it was established to provide a community wide approach to the problem of child abuse, neglect and dependency. Ms. Elliott provided 2004 statistics. She said the factors that contribute to child abuse remain much the same as the previous year. They are parenting skills and support, poverty, drug abuse and domestic violence services and support.

She said the availability of preventive services as a result of budget cuts as well as the lack of inpatient/outpatient services and the increased need for mental health services is a concern to the Team.

Item 6. Public Building FY 2004-2005 Update and Budget Request

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Mr. Hyder Massey, Public Buildings Superintendent, asked that \$25,000 be added to his budget for FY 2004-2005. Mr. Massey explained that there has been a need for drastic repairs, particularly in the Courthouse and Jail, and funds have been moved from other line items in his department to try to offset the costs. He said there are roof leaks, and a need also exists for air conditioner repairs.

Vice Chair Gholston recalled meeting with Mr. Massey as a member of the Finance Committee, which asked him to drastically cut his budget for FY 2005. Vice Chair Gholston said that at the time Mr. Massey was concerned with the cut but would attempt to work within the budget although he could not assure there wouldn't be a need for more funding before the end of the fiscal year.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Jordan to approve the addition of \$25,000 to the Repair and Maintenance/Building and Grounds line item and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. Vote: Motion unanimously approved.

Item 7. Consent Agenda:

- a) Approve minutes of the Board of Commissioners: February 3, 2005 recessed meeting and February 7, 2005 regular meeting
- b) Approve Resolution Allowing New Hanover County, NC, to Join the Southeastern Economic Development Commission.

**A RESOLUTION ALLOWING NEW HANOVER COUNTY, NC, TO JOIN THE
SOUTHEASTERN ECONOMIC DEVELOPMENT COMMISSION**

WHEREAS, the Counties of Bladen, Brunswick, Columbus, Cumberland, Harnett, Hoke, Pender, Robeson, Sampson and Scotland joined together to mutually assist one another in the various endeavors of these Counties in their economic development, and

WHEREAS, the County of New Hanover has officially submitted a resolution to join the Southeastern Economic Development Commission, with said resolution being adopted on March 14, 2005, and

WHEREAS, the Executive Director of the Southeastern Economic Development Commission has recommended the membership of New Hanover in the Commission as beneficial to the Commission and its existing membership, and

WHEREAS, it is necessary for the membership of the Commission to approve the membership of new members, and the Commissioners of Scotland County accept and congratulate New Hanover County on its request for membership,

BE IT THEREFORE RESOLVED, that the Commissioners of Scotland County, sitting in the Regular Session of March 14, 2005, do invite and hereby allow the membership of New Hanover County into the Southeastern Economic Development Commission as a member County with all the rights and appurtenances thereof.

This the 14th day of March, 2005.

c) Budget Amendments

- 1) **General Government:** Approve transfer of \$1,500 from lapsed manager salary to supplement \$2,000 in General Government Special Projects for County Government Week, and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money; and declare April 18 to April 24, 2005 as County Government Week.
- 2) **DSS:** Approve additional funding in the amount of \$5,835 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No County dollars required.
- 3) **DSS:** Approve additional funding in the amount of \$2,294 and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. No County dollars required.
- 4) **Water District II:** Approve appropriation of \$18,800 from the unrestricted Water District II Fund Balance into Water District II and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.
- 5) **Water District I:** Approve appropriation of \$91,200 from the unrestricted Water District I Fund Balance into Water District I and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.
- 6) **Medical Examiner:** Approve appropriation of an additional \$4,500 to cover expenditure for the remainder of the year and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money.

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

Item 8. Report from the EMS Director

EMS Director Roylin Hammond said Fire Chief Ernest Strickland requested that Stewartsville Volunteer Fire Department be dispatched to all fires in that district, regardless of type. In a letter to Mr. Hammond and Laurinburg Interim Fire Chief Harold Smith, Mr. Strickland said a caller who reports a woods or grass fire might have limited information as to whether a structure is involved.

Mr. Hammond said North Carolina Forest Service Ranger Mac McDougald had no problem with the requested change provided the responding volunteer fire departments understood that the State Forestry Service, by law, assumes Incident Command.

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Mr. Hammond said the County Fire Commission at its February 23, 2005 meeting recommended that both the Stewartsville and Gibson Fire Departments be dispatched to all fires reported to 911 in their respective Fire Response Districts.

Mr. Hammond asked the Board of Commissioners to approve a resolution stating as such.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to approve a Resolution Authorizing a Change in Fire Dispatch Protocol for Stewartsville Fire Department and Gibson Fire Department. Vote: Motion unanimously approved.

**RESOLUTION AUTHORIZING A CHANGE IN FIRE DISPATCH PROTOCOL
FOR STEWARTSVILLE FIRE DEPARTMENT AND GIBSON FIRE
DEPARTMENT**

WHEREAS, the Chief of the Stewartsville Volunteer Fire Department would like to see the department provide the best possible fire protection available to the citizens of the district, which means the department also should be dispatched to all woods and grass fires, and

WHEREAS, the Chief of the Stewartsville Volunteer Fire Department is concerned when the department is not dispatched to woods and grass fires because limited information occasionally provided does not always disclose the possibility that structures might be endangered, and

WHEREAS, the Board of Commissioners of Scotland County on February 2, 1981, authorized that “only the Forest Service would be dispatched and respond to fields and woods fires unless a structure was in danger,” and

WHEREAS, the North Carolina Forest Service Ranger for Scotland County is in agreement with the requested change providing the responding volunteer fire departments understand that, by law, the North Carolina Forestry Service assumes Incident Command of any Wild Land Fire, and

WHEREAS, the Scotland County Fire Commission recommends that Stewartsville Fire Department and Gibson Fire Department be dispatched to all fires reported to 911 in their respective Fire Response Districts, which would include grass and woods fires to which the North Carolina Forest Service also would be dispatched, and

WHEREAS, the Scotland County Fire Commission also recommends the other five county fire departments would only be dispatched to grass and woods fires when the 911 callers advise that a structure would be in danger from said fire.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the County of Scotland authorizes the dispatch of Stewartsville Fire Department and the Gibson Fire Department to all fires reported to 911 in their respective Fire Response Districts regardless of nature.

Approved this 14th day of March 2005.

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Mr. Hammond then asked the Board of Commissioners to consider approval of a Resolution in Opposition to FY 2005 Homeland Security Grant Funding Distribution Methods.

Mr. Hammond said that Department of Homeland Security funding has been restructured in FY 2005 with all funds targeted toward those projects that are regionally based and VIPER compliant. Mr. Hammond said this area does not have the VIPER system, which is little help to Scotland County in securing funds.

Mr. Hammond said NCACC, the League of Municipalities and the North Carolina Sheriffs' Association endorse the new FY 2005 distribution of Homeland Security funding. Mr. Hammond said that most small counties like Scotland County, who do not have the VIPER 800 systems, have little to gain from the new distribution method.

Motion was made by Commissioner Jordan and duly seconded by Commissioner Alford to approve a Resolution Opposition to FY 2005 Homeland Security Grant Funding Distribution Methods. Vote: Motion unanimously approved.

**RESOLUTION IN OPPOSITION TO FY2005 HOMELAND SECURITY GRANT
FUNDING DISTRIBUTION METHODS**

WHEREAS, the various Counties of this State, each having its own distinction, have unique safety and security requirements and obligations, and each County must fully and immediately respond to whatever emergency or disaster occurrence may happen upon that County, and

WHEREAS, the State of North Carolina has chosen to restrict the whole of FY2005 Homeland Security Grant funding to those projects that are regionally based and VIPER compliant, and

WHEREAS, emergencies and disaster occurrences require an immediate response from within the county, as well as a response from other agencies in the region, and

WHEREAS, Scotland County has already chosen to develop an interoperable communications system that is cost-efficient, is not restricted to a sole vendor, and is thereby not VIPER compliant, and

WHEREAS, based on the selection methods specified by the North Carolina Department of Crime Control and Public Safety, the aforementioned grant award process does not offer the citizens of Scotland County the same level of preparedness afforded other counties in the State, and therefore does not meet the intentions of the local government to offer its citizens the maximum level of preparedness available.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the County of Scotland opposes the FY2005 Homeland Security Grant Award funding process until such process is modified to give both fair and equitable consideration to all counties in the State of North Carolina.

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Item 9. Health Department Report

Health Director Jane Murray asked the Board of Commissioners to consider approval of a Vicious Dog Community Watch Program. Ms. Murray said development of the program is the result of citizen input, many of which reported concern about the increase in dog bites and the number of aggressive dogs running loose.

Ms. Murray described the procedure the Animal Control Officer would take in responding to a report through the Vicious Dog Community Watch Program. She said 30 signs, at a price of about \$40 each, would be placed countywide alerting citizens to the existence of the program.

She said the signs would cost between \$1,500 and \$2,000 and could be purchased with unspent environmental health mosquito control money. She asked the Commissioners to consider authorizing transfer of the money from mosquito control to the animal control equipment line item.

Motion was made by Vice Chair Gholston and duly seconded by Commissioner Alford to approve the Vicious Dog Community Watch Program and to authorize the transfer of funds to purchase 30 signs from environmental health mosquito control to animal control equipment and authorize the Finance Officer to make necessary budget arrangements to receive and expend this money. Vote: Motion unanimously approved.

Ms. Murray asked the Commissioners to consider approving Scotland County's participation in the Public Health Incubator Project, which is funded by the State. Ms. Murray said the incubators allow for resources and shared activities necessary to provide essential public health services that are otherwise unavailable to many of the under sourced local health districts that are Incubator participants.

Motion was made by Commissioner Jordan and duly seconded by Commissioner McDow to support Scotland County's participation in the Public Health Incubator Project. Vote: Motion unanimously approved.

Item 10. County Engineer's Report

County Engineer Jim Blackwell made the following report.

Water District II: Water lines are being installed on Rockingham Road and Palmer Road. The Palmer Road line will connect Water District I with Water District II, which gives two sources of water for each district, the City of Laurinburg and Laurinburg Maxton Air Base, which creates redundancy and flexibility in providing service to customers.

Solid Waste: Success in removing abandoned mobile homes and dilapidated structures continues. The 401 South Truck Stop has been cleaned up, and a number of other

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structures have been properly removed. It is my understanding that legislation is being written to provide money for proper disposal of manufactured homes, and Scotland County's program is being used to provide documentation and backup for the bill. Our program is one of the most cost effective and enforceable programs in the state with almost 100 structures removed in the last six months. Photos are attached to the report, which show three "before and after" conditions. They are: Hillcreek Road outside of Wagram, 401 north between Laurinburg and Wagram and Highland Road across from Carter Lumber. The sites were cleaned and left in a usable condition.

Community Recreation Center/Splash Pad: Final contracts for the Splash Pad have been awarded. Water, sewer and electrical have been connected with the test start up scheduled for March 28. The facility is now operational with remaining work consisting of paving, fencing and landscaping. The grand opening will be in May as scheduled.

Item 11. Monthly Update from the Finance Officer/Assistant County Manager

Finance Officer/Assistant County Manager Kevin Patterson presented two financial reports for review by the Commissioners. The first is a department summary of expense broken down by salaries and fringe, operating expenses and capital outlay for the current years and prior three years. The second report shows a breakdown of expenses by department for the current year. Revenues generated by the departments and net cost to the County also is shown.

Mr. Patterson said the County received a query from the LRCOG concerning interest in a shared contracted inspections services in the Lumber River region. Mr. Patterson said that County Engineer Jim Blackwell and Inspections Director Tony McQuage are of the opinion that such a position would be a duplication of services and would not provide for the best use of County dollars.

Mr. Patterson asked the Board to consider setting dates for the following meetings: Annual Retreat, County Manager Search and Budget Meeting with Department Heads.

Chairman Willis asked the Commissioners to consider moving the April 4 regular meeting to April 11 since he would be attending a conference April 4. ***The Board of Commissioners by consensus agreed to move the April 4 regular meeting date to 7 p.m. April 11, 2005 in the Commissioners Chamber.***

April 13 at 12 p.m. in the Commissioners Chamber was scheduled for the Annual Retreat. Chairman Willis asked each Commissioner to submit five subjects of interest for Retreat discussion to the Administration office by March 21, 2005. He said the list would then be prioritized for the Retreat. He said landfill expansion, budget and County Manager search should be included on the agenda.

The Budget meeting with Department Heads was scheduled for 1 p.m. March 30, 2005 in the Commissioners Chamber.

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Item 12. Appointments to Boards and Committees

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Mr. Kimothy Monroe and Mr. David Kang to the Parks and Recreation Advisory Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Mr. David Bjorlin and Judge Richard T. Brown to the Criminal Justice Partnership Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Ms. Nancy Shelley to the Cable Access Advisory Committee. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Mr. Walter Neil Currie to the Scotland Planning and Zoning Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Jordan to reappoint Ms. Annie Cureton, Ms. Mary Neill Morris and Mr. Roylin Hammond to the Scotland County Adult Care Home Community Advisory Committee. Vote: Motion unanimously approved.

Commissioner Butler said that Mr. Ricky Pearson, who was appointed to the Laurinburg/Scotland Planning and Zoning Board at the February 7, 2005 Commissioners meeting, would not be eligible to serve because he does not live in the Extra Territorial Jurisdiction.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to appoint Mr. Larry Lanier to a three-year term on the Laurinburg/Scotland Planning and Zoning Board. Vote: Motion unanimously approved.

Attorney Ed Johnston was asked by Chairman Willis to review the bylaws of the Scotland Development Corporation and report back to the Commissioners on how individuals are appointed. Former Commissioners David Burns and Nancy Shelley currently serve on the Corporation.

Motion was made by Commissioner Butler and duly seconded by Chairman Willis to appoint Ms. Betty Blue Gholston as the Commissioner representative to the Scotland/Hoke Criminal Justice Partnership Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McPhatter to appoint Mr. John Alford as the Commissioner representative on the LRCOG Community Development Block Grant Advisory Committee, replacing

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Vice Chair Gholston, who is not able to continue serving on the Committee. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to reappoint Mr. Sam Snowdon, Mr. Walter Rogers, Mr. Pat Dozier, Mr. David Guy, Mr. Charles “Scoofer” Jordan and Mr. Sam Cribb to the Board of Equalization and Review for 2005 and to appoint Mr. Ken Haney as a new member on the Board of Equalization and Review for 2005 and to appoint Commissioner Jordan as Chairman of the Board of Equalization and Review for 2005. Vote: Motion unanimously approved.

Commissioner Butler said that Commissioner Jordan, as Chairman of the Board of Equalization and Review, would determine the meeting dates for publication in *The Laurinburg Exchange*.

Item 13. Other Information/Comments from the Chairman and Commissioners

Commissioner Jordan distributed information to the Commissioners. He asked the governing body to read the information for possible consideration at the April or May meeting.

Chairman Willis said Pemo Stewart officials said that because the organization’s budget was cut it is in need of funds and has had difficulty raising monies to make up the difference.

Chairman Willis asked the governing body for its opinion on making a one-time appropriation of \$5,000 each to the following organizations using what is left of the lapsed County Manager’s salary: Pemo Stewart, Historic Properties Commission, Indian Museum, African-American Heritage Committee and Literacy Council.

Vice Chair Gholston said she would consider \$1,000 each.

Commissioner Butler asked about the request for \$2,000 by Parks and Recreation to conduct criminal background checks.

Chairman Willis said the \$2,000 could be added to the list for the Commissioners’ consideration.

Commissioner Alford defended the funding needs of Historic Properties, which requires about \$12,000 annually just to pay for utilities. He added that local historic properties also require regular repair and maintenance, and fundraising alone cannot support that.

Vice Chair Gholston said to consider such appropriations at this time after cutting the budget for FY 2005 does not send the right message.

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Commissioner Jordan said he would rather use the funds to provide all County employees with a one-time bonus of \$100.

Commissioner Alford said the governing body has a vested interest in the John Blue property, and it should be maintained since it attracts tourists with income to spend.

Motion was made by Commissioner Alford and duly seconded by Commissioner McPhatter to approve the one-time appropriations.

Discussion: Commissioner Butler agreed with Vice Chair Gholston that it sends the wrong message that the County now has money to give away. He suggested that if there is money available, it should be considered during budget preparations.

Chairman Willis directed Mr. Patterson to provide a report on the financial impact of giving County employees a one-time bonus using the \$55,000 to \$60,000 lapsed County Manager salary in time for the Annual Retreat.

Motion was made by Commissioner McDow and duly seconded by Vice Chair Gholston to table the discussions until the Annual Retreat.

Chairman Willis asked Commissioner Alford and Commissioner McPhatter if they wished to withdraw the motion and second, respectively.

Commissioner McPhatter withdrew the second. Commissioner Alford said he would not withdraw his motion. Chairman Willis said the motion died for lack of a second.

Motion was made by Commissioner McDow and duly seconded by Vice Chair Gholston to table any action until the Annual Retreat. Vote: Motion unanimously approved.

Motion was made by Commissioner Jordan and duly seconded by Commissioner Butler to recess to 1 p.m. March 30, 2005 in the Commissioners Chamber. Vote: Motion unanimously approved.

Respectfully Submitted,

Ann W. Kurtzman
Clerk

J.D. Willis
Chairman