

*Scotland County Board of Commissioners regular meeting
December 3, 2007, Commissioners Chamber, 1405 West Boulevard, Laurinburg*

MINUTES

**Scotland County Board of Commissioners
Regular Meeting, December 3, 2007
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, Guy McCook, Joyce McDow and Clarence McPhatter. Staff in attendance: Interim County Manager/Finance Officer Kevin Patterson, County Attorney Ed Johnston, Interim Assistant County Manager/County Engineer Jim Blackwell and Clerk to the Board Ann W. Kurtzman. Chairman Willis delivered the opening prayer. The Pledge of Allegiance was recited.

The meeting was then turned over to Attorney Johnston for the purpose of Board reorganization. County Attorney Johnston asked for nominations for the office of Chairman of the Scotland County Board of Commissioners for the year 2008.

Commissioner McPhatter nominated Commissioner Willis. There were no other nominations. Commissioner McDow moved to close nominations.

Motion was made by Commissioner McDow and duly seconded by Commissioner Gholston that nominations for Chairman be closed and J.D. Willis be elected Chairman by acclamation. Vote: Motion unanimously approved.

Chairman Willis nominated Commissioner Gholston as Vice Chair. Commissioner Butler seconded the nomination.

Motion was made by Commissioner McDow and duly seconded by Commissioner McPhatter that Betty Blue Gholston be elected Vice Chair by acclamation. Vote: Motion unanimously approved.

Public Forum

Mr. John Cooley, 21441 Old Wire Road, Wagram: Mr. Cooley said he is concerned about loud and disruptive conditions in Wagram caused by training exercises at the old prison. He said there are low hovering aircraft and explosions can be heard for a lengthy period of time. Mr. Cooley said the exercises are being carried out close to the general population, and it shows little consideration for the citizens of Wagram. Mr. Cooley said he heard the exercises were being conducted with the blessing of the Commissioners, which is why he brought his concerns to the Board meeting.

Vice Chair Gholston agreed that it is loud and she, too, is concerned with how it might affect the citizens of Wagram.

Chairman Willis said the negative impact was not explained to the Board when the exercise was approved and the Commissioners might wish to rethink the issue the next time Ft. Bragg makes its request.

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Ms. Carol Watford, Springfield Community: Ms. Watford asked for an update on the Springs sewer situation. Ms. Watford asked if residents would receive enough advance notice from Springs on the abandonment procedure and how long it would take.

Chairman Willis said Springs was contacted by the County to see if it would assist homeowners with the expense of installing septic systems. Chairman Willis said Springs has yet to contact the County, and there is not much that could be done until Springs contacts the County.

Health Director Ron Sapp said that most lots in the community would support septic systems.

Attorney Johnston said perhaps the agency with which Springs made the application could be contacted to find out the status of the abandonment process.

Before continuing with the business meeting, Chairman Willis recognized former Commissioners D.B. Quick and John Cooley, who were in attendance.

Chairman Willis commended Lee Howell of Scotland Motors for the loan of the vehicles for use in the Christmas Parade.

Item 1. Memorandum of Understanding: Wagram Recreation Center

Interim County Manager/Finance Officer Kevin Patterson presented the Commissioners with a working copy of the Memorandum of Understanding between the County and the Town of Wagram. Mr. Patterson reviewed the document and explained Wagram's responsibilities and the County's responsibilities to the yet-to-be built Wagram recreation facility.

Mr. Patterson said the Commissioners pledged the \$500,000 as a match to the PARTF grant but no formal appropriation has been made. He said the \$500,000 could be incorporated in the capital improvement plan.

Mr. Patterson said the MoU incorporates items required by the PARTF grant.

Commissioner Butler said if the cost of building construction is below \$1 million, perhaps the remaining monies could be used to purchase equipment for the center.

Motion was made by Commissioner McPhatter and duly seconded by Vice Chair Gholston to approve the framework of the Memorandum of Understanding pending review by the County Attorney. Vote: Motion unanimously approved.

Motion was made by Commissioner McPhatter and duly seconded by Vice Chair Gholston to appropriate \$500,000 for the Wagram Recreation Center project. Vote: Motion unanimously approved.

Mr. Patterson said PARTF indicated grant approval would be facilitated if the County agreed to be a secondary sponsor of the grant.

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Motion was made by Commissioner McDow and duly seconded by Commissioner McPhatter to co-sponsor the Parks and Recreation Trust Fund grant application. Vote: Motion unanimously approved.

Item 2. Consent Agenda:

- a) Approval of minutes of the Board of Commissioners November 5, 2007 regular meeting; November 8, 2007 reconvened meeting.
- b) Approval of fidelity bonds for various County officials and employees as per G.S. 58-72-10.
- c) Approve Tax Department request to release funds in the amount of \$427.12 and in the amount of \$1,094.74 and to make refunds in the amount of \$232.92 and in the amount of \$651.09.
- d) Approve Lumbee River EMC right-of-way easement on land situated in Stewartsville Township.
- e) Budget Amendments:
 - 1) **DSS:** Approve receipt of additional funds in the amount of \$80,190, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money. No County dollars involved.
 - 2) **Healthy Carolinians:** Approve receipt of \$12,084, and authorize the Finance Officer to make the necessary arrangements to receive and expend the money.

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

Commissioner McCook asked that the November 5, 2007, minutes be corrected to reflect that he was in attendance.

Item 3. Discussion: Scotland County Economic Development

Chairman Willis said it was originally believed the Scotland Development Corporation would be used as the tool for the Economic Development Commission. He said that will not be the case because it might jeopardize the SDC's 501(3)c status.

Motion was made by Commissioner McPhatter and duly seconded by Commissioner Alford authorizing the Interim County Manager to take the appropriate steps to begin the process of forming a Scotland County Economic Development Corporation. Vote: Motion unanimously approved.

Chairman Willis said the County and the City of Laurinburg would continue its partnership in economic development as planned and the bylaws would be the same as those used by the SDC.

Mr. Patterson was asked to review an earlier action by the Commissioners regarding how the \$300,000 was appropriated to support the economic development project because a budget amendment might be necessary.

Item 4. Update from the Interim County Manager/Finance Officer

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Interim County Manager/Finance Officer Kevin Patterson said Precision Contractors was awarded a contract to work on the gutter system on the sloped portion of the Courthouse roof. Mr. Patterson said the cost of the project is well under the informal range at \$17,995. Mr. Patterson said the gutter work would correct the leaks at the Courthouse and reduce the amount of water on the roof.

Mr. Patterson said State-required cable work within the Courthouse will cost about \$4,600 to switch a portion of the traditional phone system to a VOIP phone system. Mr. Patterson said it is not yet known what, if any, electrical changes would have to be made.

Mr. Patterson said now that changes in the Annex have been made for court offices, the next project is to move offices for the District Attorney and the Judges within the Courthouse. Final plans and building changes will occur soon to facilitate the move.

Mr. Patterson asked the Commissioners to consider using capital project funds appropriated for the Courthouse roof project to move the offices of the District Attorney and Judges and to pay for any electrical services needed for the new phones system.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to use Courthouse roof capital project funds for the move of offices within the Courthouse and for electrical work for the new phone system. Vote: Motion unanimously approved.

Mr. Patterson presented a resolution received from Catawba County asking that the income level for Homestead Exemption be increased from \$25,000 to \$35,000. The State increased the income level from \$20,000 to \$25,000. Mr. Patterson said it is not yet known what impact this would have in Scotland County.

Mr. Patterson said another resolution received from Warren County opposes legislation that would negatively impact counties that selected the data terminal voting system. Mr. Patterson said since the Scotland County system uses paper ballots, no negative affect from the legislation is expected locally.

Mr. Patterson said the Robin Sage event would begin December 11 and would continue for two to three weeks. Mr. Patterson said Robin Sage would take place in several counties and would not be disruptive since the purpose of the exercise is to try not to be observed.

Mr. Patterson said it is time for the County to consider rejoining the Debt Set-off Program. The County's previous participation resulted in the collection of \$9,000.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to continue participation in the Debt Set-off Program. Vote: Motion unanimously approved.

Mr. Patterson presented the Commissioners with a Memorandum of Understanding between the City of Laurinburg and the County for a 911 Public Safety Answering Point. Mr. Patterson said that for funding purposes for the PSAP, the MoU puts into affect what is already being done.

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Motion was made by Commissioner McCook and duly seconded by Vice Chair Gholston to approve the Memorandum of Understanding between the City of Laurinburg and the County for a 911 Public Safety Answering Point. Vote: Motion unanimously approved.

Mr. Patterson said the distribution of a Citizen Comment Card in County offices and attached to County permits would formalize the process of citizen input. He asked the Commissioners to review the card.

Commissioner McCook suggested that a space be included where a citizen could date the card.

Mr. Patterson said some modifications would be made to the CDBG loan application since the County has a five-year lease on the land where the shell building is located and does not own the land.

Mr. Patterson said he and Interim Assistant County Manager/County Engineer Jim Blackwell are distributing information on Rural Center Business Enterprise Grants that might assist small businesses in the County with start-ups or expansions.

Mr. Patterson said vehicle policies from neighboring counties were included in the agenda package for review by the Commissioners. Mr. Patterson and the Department Heads have begun to draft a policy for the County. Mr. Patterson plans to present a draft policy to the Commissioners at the January meeting.

The Commissioners agreed to hold the Planning Retreat 12 p.m. Tuesday, January 29, at 507 West Covington Street.

Item 5. Appointments to Boards and Committees

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to appoint Ms. Claire Graham to a three-year term as the Pharmacist representative to the Board of Health effective January 1, 2008. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Chairman Willis to reappoint Mr. David Bridgeman to a three-year term as a Public-Spirited Citizen to the Board of Health effective January 1, 2008. Vote: Motion unanimously approved.

Commissioner Butler said a vacant seat remains on the Health Board for an Optometrist. Commissioner Butler said if the Commissioners cannot appoint an Optometrist, a Public-Spirited Citizen should be appointed. He asked the Commissioners to consider an individual who might be a good fit for the Health Board.

Motion was made by Commissioner Butler and duly seconded by Vice Chair Gholston to reappoint Mr. Rembert Deberry to a four-year term on the Southeastern Economic Development Commission as an elected official representative. Vote: Motion unanimously approved.

Commissioner Butler said with the retirement of Chamber President Jim Frank Henderson, the Commissioners would have to consider an economic developer appointment or interim appointment until an economic developer is hired.

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Motion was made by Commissioner McPhatter and duly seconded by Commissioner McDow to appoint Mr. J.D. Willis to a first full three-year term on the ABC Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to appoint Mr. Rodney McCarter to a two-year term on the Parks and Recreation Advisory Board and to reappoint Mr. Ken Nichols to a two-year term on the Parks and Recreation Advisory Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to appoint Mr. James Pegues as Law Enforcement Member of the Child Fatality Prevention Team. Vote: Motion unanimously approved.

Commissioner Butler said the Golden LEAF Foundation has begun its search for a new President. The Foundation is seeking advice from counties on individuals who might assume the leadership role.

Chairman Willis reminded the Commissioners that they could serve continuously on a board and not limit that service to two terms during their tenure as an elected official

Motion was made by Chairman Willis and duly seconded by Commissioner McDow to appoint Mr. Wayne Evans as ABC Board Chairman for 2008. Vote: Motion unanimously approved.

Item 6. Chamber of Commerce funding request

Mr. Patterson distributed a letter and spreadsheet from Chamber-elect Chairman Harry Yeatman. Mr. Patterson said the spreadsheet lists Chamber activities suited for public funding.

Motion was made by Commissioner Butler to fund the Chamber of Commerce for the amount the Commissioners appropriated for 2007 and 2008.

Chairman Willis said the Board must be careful how it funds the Chamber because the funding must be used for a specific purpose and a specific need.

County Attorney Johnston said State laws govern how a Chamber is funded in that public monies be budgeted and spent only for public purposes, although the public purposes are not specifically defined.

Adding an additional layer to State legislation is a 1977 lawsuit in which the Amalgamated Clothing and Textile Workers Union sued the City of Laurinburg, Scotland County and area Chamber, explained Mr. Johnston. He added that the lawsuit resulted in a specific procedure to be used when funding the Chamber of Commerce.

Chairman Willis asked Mr. Johnston and the Budget Officer to review the Chamber's funding request and develop guidelines that would make the funding comply with the State law and local judgment and then report back to the Commissioners.

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Commissioner McDow said that she would like to review the Chamber revenues alongside the spreadsheet expenditures.

Commissioner Butler asked how funding the Chamber differs from funding requests from other agencies. Mr. Johnston explained that the Commissioners approved a policy in which the other agencies would be funded, and the governing board relies on the Budget Officer to ensure the agencies comply with the policy in how the funding is used.

Commissioner Butler withdrew his motion.

Commissioner McPhatter was excused at 8:15 p.m.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow 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 Closed Session held 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 and Closed Session held in accordance with §143-318.11(a)(3) to consult with an attorney. Vote: Motion unanimously approved.

OPEN SESSION RESUMED

Other Information/Comments from the Chairman and Commissioners

The Commissioners by consensus authorized the Interim County Manager to send a letter to the Chamber of Commerce informing its leadership of what the governing board discussed at the meeting regarding the Chamber's funding request.

Motion was made by Commissioner Alford and duly seconded by Commissioner Butler to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:50 p.m.

Respectfully Submitted,

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman