

*Scotland County Board of Commissioners regular meeting
July 7, 2008, 1405 West Boulevard, Laurinburg*

**MINUTES
Scotland County Board of Commissioners
Regular Meeting, July 7, 2008
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 and Commissioners John Alford, Leon Butler, Guy McCook, Joyce McDow and Clarence McPhatter. Commissioners not in attendance: Vice Chair Betty Blue Gholston. Staff in attendance: County Manager Kevin Patterson, County Attorney Edward Johnston and Clerk to the Board Ann W. Kurtzman. Chairman Willis delivered the opening prayer. The Pledge of Allegiance was recited.

Public Forum

County Attorney Johnston read a proclamation recognizing Hyder Massey, who retired June 30, 2008.

A PROCLAMATION IN RECOGNITION OF HYDER MASSEY

WHEREAS, Hyder Massey served the County of Scotland for 33 years and eight months before retiring June 30, 2008, and

WHEREAS, Hyder Massey dedicated his career to public service where he put the health, safety and welfare of citizens of Scotland County first, and

WHEREAS, Hyder Massey demonstrated impeccable leadership and a commitment to excellence in determining the direction of Parks and Recreation in the County and in providing an uncommonly high standard of quality in the care of grounds and facilities as Public Buildings Superintendent, and

WHEREAS, Hyder Massey will remain a proven role model for his staff and colleagues because of his resourcefulness, calm and ability to deliver the best possible results even when faced with numerous challenges, great and small, to get the job done and to do it well and in a timely manner.

NOW, THEREFORE, BE IT PROCLAIMED that the Scotland County Board of Commissioners, Scotland County employees and the citizens of Scotland County are indebted and grateful to Hyder Massey for his lifetime contributions, personal and professional, and for his ambition fulfilled to make Scotland County a better place to live.

Presented this 7th day of July 2008.

Item 1.2nd Public Hearing: FY2008 CDBG/SSH Application Process

LRCOG Housing Administrator Adrian Lowery said it is necessary to conduct a second and final Public Hearing as part of the FY 2008 CDBG/SSGH application process in order to solicit comments from the public.

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Chairman Willis called the second Public Hearing and asked if anyone wished to speak for or against the FY 2008 CDBG/SSGH application process. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner McDow and duly seconded by Commissioner McPhatter to approve the FY 2008 CDBG/SSH Program application. Vote: Motion unanimously approved.

Item 2. Public Hearing: FY09 NCDOT Rural Operating Assistance Program Application

EMS Director Roylin Hammond said that as part of the Rural Operating Assistance Program, it is required that the Commissioners seek comment from the community.

Chairman Willis called the Public Hearing and asked if anyone wished to speak for or against the FY 2009 NCDOT Rural Operating Assistance Program Application. No one came forward, and the Public Hearing was closed.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to approve the FY09 NCDOT Rural Operating Assistance Program Application. Vote: Motion unanimously approved.

Item 3. Report: Staffing Issues at Scotland County Jail

Mr. John Harkins, NCDHHS, Division of Health Services Regulation, Jail and Detention Services, said a Jail issue that has continued for two fiscal years must be corrected.

Mr. Harkins quoted the Supervision Section of NCAC: *“Officers shall make supervision rounds and directly observe each inmate in person at least twice per hour on an irregular basis. The supervision rounds shall be documented. If remote electronic monitoring is used to supplement supervision, it shall not be substituted for supervision rounds and direct visual observation.”*

Mr. Harkins said that Jail officers are not entering into the housing areas twice an hour to make security checks and to monitor safety and sanitation. Mr. Harkins said the checks in the case of the Scotland County Jail require two officers. He explained the procedure that the two officers should follow. Mr. Harkins said a lack of staffing was the explanation he received as to why the security checks were not being conducted in this manner.

Mr. Harkins gave the County 30 days to begin to develop a plan to resolve this “most immediate, significant problem” or closure proceedings on part or all of the Jail would commence. Mr. Harkins added that the Jail cannot substitute electronic monitoring for direct inmate observation.

Chairman Willis said that the Sheriff and County staff will meet to develop a plan to get the Jail in compliance. Chairman Willis noted that the State often imposes regulations on the County but rarely provides the financial resources for implementation.

Mr. Harkins said he is looking for a working plan within 30 days. He offered his assistance if it is needed.

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Item 4. FY 2006-2007 Audit Report

Mr. Carl Head, CPA, Gustav C. Lundin & Company, provided the Commissioners with an unqualified opinion on the FY 2006-2007 financial statements.

Mr. Head said two deficiencies were noted. Mr. Head said there is a deficiency in net assets related to the Landfill, and the County has not generated enough revenue to offset the closure and post closure costs.

Mr. Head said it is recommended that the County Manager continue to search for new revenue streams and cost cutting measures to reduce the deficit.

An internal control problem was noted in the audit for the lack of a full-time Finance Officer. Mr. Head said since the County has since hired an accountant, this deficiency is expected to be removed in the next audit.

Item 5. John Blue Cotton Festival Incorporation and Financial Update

Mr. Jim Blue, a representative for the John Blue Festival Board of Directors, reported that the Cotton Festival incorporated in the past few months, which will help the entity in seeking grants.

Mr. Blue asked the Commissioners to consider transferring to the John Blue Cotton Festival the account it holds for the entity in the amount of \$40,747. Mr. Blue said none of that is County money since it has been generated from the revenues of previous John Blue Cotton Festivals. Mr. Blue added that the Cotton Festival never asked for nor received County funds.

Chairman Willis suggested that the County Manager have some time to research the account before the revenues are turned over to the John Blue Cotton Festival.

Commissioner McCook commended the John Blue Cotton Festival Board of Directors for its work doing what it is supposed to do, make the Festival self-sufficient.

Item 6. Consent Agenda:

- a) **Approval of minutes of the Board of Commissioners June 2, 2008 regular meeting.**
- b) **Approve Tax Department request to release funds in the amount of \$186.84 and in the amount of \$1,260.26 and to make refunds in the amount of \$133.35 and in the amount of \$417.62.**
- c) **Authorize the Tax Collector to collect the taxes set forth in the tax records filed in the office of the Scotland County Tax Department.**
- d) **Approve citizen petition request to include Pie Lane as part of the state-maintained road system.**

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

Item 7. Update from the County Manager

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County Manager Patterson asked the Commissioners to select a voting delegate for the NCACC annual conference in August. Mr. Patterson said Commissioners Gholston and McDow plan to attend.

Motion was made by Commissioner McCook and duly seconded by Commissioner Alford to designate Commissioner Joyce McDow as the 2008 voting delegate. Vote: Motion unanimously approved.

Mr. Patterson said the County's letter commenting on the State acquiring more acreage for game lands and the State response are in the agenda.

The County Manager said Avery County is seeking support from other counties in its opposition to the State legislation that would eliminate the ability of counties to exercise a land transfer tax referendum. The Commissioners discussed the land transfer tax versus the quarter percent sales tax option. It was the opinion of several Commissioners that Scotland County would benefit revenue-wise from the sales tax option rather than the land transfer tax should there be a referendum.

Mr. Patterson noted a resolution from Perquimans County opposing proposed storm water rules. Mr. Patterson said the legislation for the most part affects coastal counties.

Mr. Patterson said the BRAC-RTF housing fair is scheduled for September 10 and 11 in Atlanta and that BRAC-RTF scheduled a public forum August 26 in Scotland County. The kickoff of the 21st Century Communities program is scheduled for August 19.

Mr. Patterson said there has been some talk that Scotland County might wish to host the Scottish highland games. Mr. Patterson said they were held annually in Red Springs but the primary sponsor has discontinued its sponsorship.

Motion was made by Commissioner McCook and duly seconded by Commissioner Butler to write a letter supporting the local effort to relocate the highland games to Scotland County. Vote: Motion unanimously approved.

Item 8. Appointments to Boards and Committees

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Bettie McNair, Jim Blue and John Schmidt to four-year terms on the Historic Properties Commission. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to reappoint June Harrell, Nan Johnson and Katherine Allen to three-year terms on the Aging Advisory Council, appoint William Bruce Ezell, Jr., to a three-year term on the Aging Advisory Council, and to appoint Frances Dunn to an unexpired term on the Aging Advisory Council. Vote: Motion unanimously approved.

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Motion was made by Commissioner Butler and duly seconded by Commissioner McCook to make the Senior Tar Heel Legislator a permanent agency appointment on the Aging Advisory Council. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to close out one of the two pharmacist slots on the Aging Advisory Council. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McDow to reappoint John Alford as the Commissioner-representative to the Social Services Board and to reappoint Evelyn Thomas to the Social Services Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner Alford to reappoint Lisa Blalock and Doris Douglas to three-year terms on the Parks and Recreation Advisory Board and to appoint Cleon Robinson to a three-year term on the Parks and Recreation Advisory Board and to appoint Jeff Maidment to an unexpired term on the Parks and Recreation Advisory Board. Vote: Motion unanimously approved.

Commissioner Butler said the Laurinburg City Council appointed Mayor Matthew Block as the City-Council representative to the Parks and Recreation Advisory Board.

Commissioner Butler said Charles Parker is eligible for reappointment to the Laurinburg/Scotland County Planning and Zoning Board. Commissioner Butler said applications were received from Allen Gates and Carol A. Gibson and all three individuals live in the Extra Territorial Jurisdiction, which is required for the appointment.

Motion was made by Commissioner McCook to appoint Carol Gibson to the Laurinburg/Scotland County Planning and Zoning Board.

The motion died for lack of a second.

Motion was made by Commissioner Butler and duly seconded by Commissioner McPhatter to reappoint Charles Parker to a two-year term on the Laurinburg/Scotland County Planning and Zoning Board. Vote: Motion unanimously approved.

Motion was made by Commissioner Butler and duly seconded by Commissioner McPhatter to reappoint Betty Blue Gholston as the Commissioner-representative to the Transportation Advisory Committee. Vote: Motion unanimously approved.

Commissioner Butler said the Four County Community Services Board of Directors is asking that the Commissioners appoint an individual to the Board to replace Caesar Blue, who has not attended the last six meeting.

The Board of Commissioners by consensus agreed to table this appointment for further consideration until the August 4, 2008, meeting.

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

OPEN SESSION RESUMED

Motion was made by Commissioner McCook and duly seconded by Commissioner Butler to adjourn. Vote: Motion unanimously approved. Meeting adjourned at 8:30 p.m.

Ann W. Kurtzman
Clerk to the Board

J.D. Willis
Chairman