



REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

OCTOBER 6, 2008

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 9:00 a.m., in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, James C. Kelly, Jerry M. Lemmond, Nathan E. Paschal, John T. Quiggle, Robert T. Reives, and Linda A. Shook.

Chairman Brown presided and called the meeting to order. The following business was transacted:

Commissioner Quiggle delivered the invocation.

The pledge of allegiance was recited.

Ms. Brenda Potts from the Employee Selection Committee introduced Mrs. Marilyn McKinney with the Lee County Administrative Office, as the *October 2008 Employee of the Month*. Chairman Brown awarded Mrs. McKinney with her awards which include a day off with pay, a *Star Award*, a framed certificate, a pizza (compliments of Papa John's Pizza), Coca Cola products from Sanford Coca Cola Bottling Company, and a movie rental from the Movie Gallery.

The Board considered additions/changes to the agenda. With their being no additions or changes, Commissioner Kelly moved to approve the agenda as presented. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered approval of the Consent Agenda. Commissioner Lemmond moved to approve the Consent Agenda as presented which consisted of the following items:

- Minutes from the September 15, 2008 regular meeting;
- Lee County Forestry budget for FY 2008-09 (copy attached);

- FY 2008-09 Seniors Health Insurance Information (SHIIP) grant (copy attached);
- Recommendation from the Planning Board in reference to a text amendment to the Unified Development Ordinance (UDO) for Group Homes/Residential Care Facilities (copy attached);
- Proclamation to proclaim October 14, 2008 as “Miss North Carolina Day” in Lee County in support of ALS (Lou Gehrig’s disease) (copy attached);
- Budget Amendment # 10/06/08/#09 (copy attached);
- Changes to the Lee County Personnel Policy; and
- Appointments of Ms. Margaret Reddick and Ms. Sylvia Morgan to the Juvenile Crime Prevention Council

Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

The following signed up to speak during the *Public Comments* section of the meeting:

1. Mr. Russell Noel, 1413 Cherokee Trail, Sanford (Tax matters)
2. Mr. Keith Clark, 233 Chris Cole Road, Sanford (Thank you for material readily available on the internet. Would like to see a joint web-page for city-county government)

The Board considered the second reading of an *Ordinance to Provide Emergency Management in the Unincorporated Areas of Lee County*. Action on this item was deferred at the September 15, 2008 meeting when Commissioners asked that various changes be made to the Ordinance. Commissioner Lemmond moved to bring the Ordinance off the table for discussion. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

The proposed Ordinance was discussed along with a *Rate and Fee Schedule for Hazardous Materials Response*. After discussion, Commissioner Kelly moved to approve the second reading of the *Ordinance to Provide Emergency Management in the Unincorporated Areas of Lee County*, and the *Rate and Fee Schedule for Hazardous Materials Response* that will be part of the *Oil and Hazardous Substance Ordinance of Lee County* that was adopted at the September 15, 2008 meeting. A copy of the *Ordinance to Provide Emergency Management* is attached to these minutes and by this reference made a part hereof. The Rate and Fee Schedule will be included as part of the *Oil and Hazardous Substance Ordinance of Lee County*. The Board also asked Emergency Management Director Eric Griffin to track the overall costs based on the rate and fee schedule and update annually if necessary. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered requests of relief from paying interest earned on unpaid 1998 tax bills. This item was pulled from the agenda at the September 15, 2008, meeting by a request of the County Manager. Tax Administrator Dwane Brinson told the Board that North Carolina Gen Stat §105-378 gives the Tax Collector authority to use enforced collection remedies for a period of ten years from the due date of a tax. In accordance with this statute, the Tax Collector is able to use enforced collection on the 1998 tax bills up to August 31, 2008. In an effort to collect these delinquent tax bills, tax office staff has diligently searched to locate individuals still owing almost ten-year-old unpaid tax bills. While being successful, some individuals wish not to pay interest that has been accruing over the last ten years. Commissioner Kelly moved to accept the recommendation of the Tax Administrator to deny the requests to relieve interest charges on unpaid 1998 tax bills. County Attorney K. R. Hoyle stated that the statute of limitation had expired and taxpayers should be asked to pay only what they wished to pay. After further discussion, Commissioner Kelly withdrew his motion. Commissioner Reives moved that taxpayers owing 1998 taxes would be asked to make any payment they wished to make, with no interest charged. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a resolution presented by the Lee County Bar Association concerning additional office space at the courthouse. Attorney Rick Hager asked that an advisory committee be established to work on future space needs requests for the courthouse. Mr. Hager stated there are no conference rooms available for private attorney's to consult with one another, and with clients. He further stated the Lee County Bar Association would like to be involved with space needs suggestions. He recommended that a seven-member committee be formed that would be composed of a representative from the Clerk of Court's office, Register of Deed's office, Judge Jimmy Love, Jr., Sheriff's Department, District Attorney's office, a representative from the private bar, and the County Manager. After some discussion, Commissioner Reives moved to appoint an advisory committee to study space needs at the Lee County Courthouse and bring a recommendation back to the Commissioners for consideration. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a joint resolution with the Town of Broadway Board of Commissioners, City of Sanford City Council, Sanford Area Chamber of Commerce Board of Directors, and the Lee County Economic Development Corporation for the *Transportation Improvement Program (TIP) for 2011-2017*. Community Development Director Bob Bridwell presented the joint resolution and stated the top priority is the completion of the US 421 bypass. After some discussion, Commissioner Lemmond moved to approve the *Joint Resolution for the Transportation Improvement Program (TIP) for 2011-2017*, a copy of which is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton gave an update on current BRAC projects. No action was taken.

County Manager John Crumpton presented a request to the Board from Central Carolina Hospital to utilize the County's fueling facility, in emergency situations, for their ambulances. Mr. Crumpton stated at the current time the hospital operates nine ambulances, seven using diesel fuel and two using regular fuel. If approved, the hospital will be charged and billed as other users. After some discussion, Commissioner Lemmond moved to approve the request for Central Carolina Hospital to use the County's fueling facility for ambulances, during emergency situations, and to amend the contract between Lee County and Central Carolina Hospital to incorporate fuel purchases. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Chairman Brown stated he had appointed Commissioner Paschal to serve on a site selection committee with the Lee County Board of Education to hire a new school superintendent. Commissioner Reives was concerned that Commissioner Shook, who is currently the Commissioners liaison to the Board of Education, had not been asked to serve on the selection committee. After discussion, Commissioner Reives moved that Commissioner Shook serve on the site selection committee. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

With no further business to come before the Board, Commissioner Kelly moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Quiggle, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 10:25 a.m.

Robert H. Brown, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk