

# LEE COUNTY

NORTH CAROLINA

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MINUTES OF THE REGULAR MEETING  
OF THE  
BOARD OF COMMISSIONERS  
FOR THE  
COUNTY OF LEE, STATE OF NORTH CAROLINA

SEPTEMBER 18, 2006

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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 W. Chad Adams, Robert H. Brown, Herbert A. Hincks, Jerry M. Lemmond, Nathan E. Paschal, and Amy L. Stevens. Commissioner Robert T. Reives was absent.

Chairman Hincks presided and the following business was transacted:

County Attorney K. R. Hoyle delivered the invocation.

Commissioner Amy Stevens led the pledge of allegiance.

One new employee from the Sheriff's Department was introduced to the Board along with two from the Parks and Recreation Department.

Mr. Joe Cherry, Chairman of the Employee Selection Committee, presented Ms. Vivian Taylor, Human Resource Technician with Lee County Human Resources as the *September 2006 Employee of the Month*. Chairman Hincks presented Ms. Taylor with her awards, which included a day off with pay, a "*Star Award*" a framed certificate, a pizza from Papa John's Pizza, Coca Cola products, and a movie rental from Movie Gallery.

The Board considered additions/changes to the agenda. Commissioner Adams asked to discuss a matter concerning Kiwanis Park. Commissioner Lemmond asked that the appointment to the Mid-Carolina Work Force Development Board be pulled from the agenda and discussed again at the first meeting in October, and that a longevity pay issue be discussed under New Business. Commissioner Adams moved to approve the agenda as amended.

Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

Commissioner Adams moved to approve the Consent Agency as presented, which consisted of the following items:

- Closed session minutes from the July 17, 2006 meeting
- Finance Committee minutes from the August 14, 2006 meeting
- Minutes from the regular August 14, 2006 meeting
- Application for State Aid to Public Libraries (copy attached)
- Proclamation for "*J. Fletcher Rosser Day*" (copy attached)
- Resolution of offer to purchase two lots on Wall Street (copy attached)
- Parks and Recreation request to accept a \$2,000 NFL grant to be used for the Youth Football Program
- Sheriff's Department request to accept a 4x4 all terrain utility vehicle and trailer as awarded by the court system
- Renewal Support Agreement for financial software package (copy attached)
- Tax Releases and Refunds for August 2006 (copy attached)
- Budget amendment # 09/18/06/#04 (copy attached)
- FY 2006-07 Family Caregiver Support Grant for Senior Services
- Resolution recognizing the National Incident Management System (NIMS) for reporting purposes (copy attached)
- Amendment to Lease Agreement with Brick Capital Community Development for space at the Children's Dental Clinic (copy attached)

Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

Commissioner Adams read the proclamation approved by the Board proclaiming September 22, 2006 as "*J. Fletcher Rosser Day in Lee County*".

The Board heard an update from Community Development Director Bob Bridwell and Senior Planner Karen Kennedy concerning the FY 2002 CDBG Project. Mr. Bridwell stated his department was working diligently to close out the project. There are still issues staff is working on with one client but hopefully all matters will be resolved shortly. A final report on the project will be presented to the Board at the first meeting in October. Ms. Kennedy stated she is working on the FY 2005 CDBG Project and is finalizing paperwork for submission of this project once the FY 2002 Project is complete. Commissioner Adams asked for a breakdown of total time spent by staff on the current project. Mr. Bridwell stated that much time had been spent on the project and it had taken a toll on staff and everyone involved. It was further stated the Division of Community Assistance (DCA) has not worked well with staff on this project. After some discussion, Ms. Kennedy was asked to work with the County Manager and Community Development Director Bob Bridwell to try and resolve matters with DCA in order to complete the FY 2002 Project. The Board took no action on this matter.

Commissioner Lemmond discussed with the Board a matter concerning longevity pay for retiring Sheriff Billy Bryant. Mr. Lemmond stated Mr. Bryant will retire on December 4, 2006, and according to the new Lee County Personnel Policy will not be eligible for longevity pay because he will not be employed on the regular payday in December. Commissioner Lemmond moved to refer this longevity matter to the Finance Committee for a recommendation. County Manager David Smitherman stated that Lee County employees are normally paid approximately one week early in December due to the holidays; therefore, Sheriff Bryant would only be deducted approximately fifteen to eighteen days of longevity pay. After some discussion, Commissioner Lemmond amended his motion to award retiring Sheriff Billy Bryant prorated longevity pay for December 2006. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

Commissioner Adams discussed a matter concerning soccer practice that is held regularly in the evenings and Saturday's at Kiwanis Park. It was noted the pasture area used for soccer practice is not a soccer field but is continually used as such. Commissioner Adams questioned whose responsibility it is to enforce park rules since the rules are broken regularly. The matter in question not only involves soccer practice but also trash and traffic issues. Commissioner Adams stated citizens using the Park for walking and other recreational activities feel crowded because the rules are not being enforced. Parks and Recreation Director John Payne stated he is aware of the problems and will have a

conversation with individuals that use the Park for soccer practice to see if the issue can be resolved. Staff can enforce the rules but once they leave the Park, practice resumes. Mr. Payne stated the Parks and Recreation Commission is aware of the concerns and is working on the problem. The Board took no action on this matter.

The Board considered a request from the Lee County Fire Advisory Board to hire a Fire Inspector for the Fire Marshal's Office. Mr. Donald Andrews, Jr., Chairman of the Fire Advisory Board told Commissioners the Fire Advisory Board met on August 30, 2006, and continued discussion of goals for the Lee County Fire Service as directed by the Rural Fire Protection Task Force. Mr. Andrews stated Fire Marshal Derrick Clouston had furnished that Board with the current status of his office, and what resources he needs. It was noted that statutory inspection requirements at this time are not being met due to lack of personnel. It was noted that no inspections for foster care homes, daycare centers, commercial buildings, churches, businesses or schools had been completed in 2004. Therefore, Mr. Andrews stated the Fire Advisory Board was asking the Commissioners to approve the employment of a Fire Inspector for the Fire Marshal's Office, using \$39,000 of unused funds from FY 2005-06 and \$20,000 that has been approved in the current budget. Currently two part-time inspectors are assisting with inspections and will continue until all overdue inspections are completed. Fire Marshal Derrick Clouston discussed various inspections that haven't been completed since 2003. Mr. Clouston stated his goal is to have all schools inspected within the next two weeks. After much discussion, Commissioner Brown moved to accept the recommendation of the Lee County Fire Advisory Board to hire a Fire Inspector for the Lee County Fire Marshal's Office and assign a Grade 66 (\$34,752 - \$48,651) to the Lee County Pay Plan for the subject position. Commissioner Lemmond moved to table the request because he had concerns and felt the request for an additional employee was moving too fast. Upon a vote, of the tabled motion, the results were as follows:

Aye: Lemmond  
Nay: Adams, Brown, Hincks, Paschal, and Stevens  
Absent: Reives

The Chairman ruled the motion had been defeated by a five to one vote.

Upon a vote of Commissioner Brown's original motion to approve the request, the results were as follows:

Aye: Adams, Brown, Hincks, Paschal, and Stevens  
Nay: Lemmond  
Absent: Reives

The Chairman ruled the motion had been adopted by a five to one vote.

At this time the Board heard a report from Tax Department staff concerning the 2007 Revaluation Project. Ms. Lisa Faulkner, Tax Appraisal Manager and Mr. Tim Cain from Assessment Solutions updated the Board on current progress of the project. Both stated progress had been made over the past couple of months. Approximately one hundred and eighty (180) parcels of exempt property are left to complete. Staff is also completing their follow-up of new construction and all information is being keyed and sent to Mr. Cain and his staff. It was noted that staff completed the backlog of keying three (3) weeks earlier than anticipated. Mr. Cain stated the Schedule of Values would be presented to the Board at the second meeting in October. He also stated the project is going very well and he commended staff for their hard work and dedication. He also stated that Lee County is now on a four-year revaluation cycle instead of an eight-year cycle. It was also noted the Board of Equalization and Review will meet September 20<sup>th</sup> to address a variety of issues. No action was taken on this matter.

The Board considered a budget request from the Lee County Schools for the new middle school and Floyd Knight construction projects. Superintendent Dr. James McCormick and School Board Chairman Bill Tatum told Commissioners they were presenting their best estimate for the two above-mentioned projects. Two resolutions were presented to the Commissioners from the Board of Education asking that a total of \$1,616,116 be approved for the Floyd Knight School project and \$24,339,700 for the new middle school project. Mr. Tatum stated bids would be received around October 25<sup>th</sup> for both projects. Bids are to be opened on November 1, 2006, in order to keep bids active for 45-days. Various Commissioners had concerns approving a total amount for the projects before bids have been opened. County Manager David Smitherman told the Board the Local Government Commission (LGC) would approve a total amount, not what each project will cost individually. After much discussion, Commissioner Brown moved to table the matter until the first meeting in October and for the County Manager to furnish a total detailed amount requested for all projects, which include the new middle school, Floyd Knight School project, and all projects related to Central Carolina Community College. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

The Board heard discussion from Health Director Mike Hanes and Pharmacist Charles Clifford in reference to the *Caremark Prescription Drug Cards* administered through the Lee County Health Department. Mr. Hanes stated the Board of Health had voted unanimously to withdraw support of the

above-mentioned program. Mr. Clifford shared some of his concerns with the program and stated the Helping Hands Clinic will assist citizens that cannot afford to purchase certain types of medication. After much discussion, Commissioner Adams suggested that Commissioner Stevens, and Health Director Mike Hanes study the issue and report on the impact the prescription drug card program will have on the citizens of Lee County. Commissioner Brown asked for a written letter from the Board of Health addressing their concerns. After still further discussion, Chairman Hincks asked Commissioner Stevens, County Manager David Smitherman, and Health Director Mike Hanes to present a recommendation to the Board of Commissioners at the first meeting in October. No action was taken on this matter.

The Board considered an application for the *2007 Urgent Repair Program*. Senior Planner Karen Kennedy discussed with the Board a program where Lee County can receive up to \$75,000 for emergency home repairs and would require a local match of \$2,000 - \$3,000. Ms. Kennedy stated that up to \$5,000 could be used for emergency home repairs and modifications for elderly homeowners and others with special needs whose income does not exceed 50% of median. It was suggested The Sanford Housing Authority be contacted to see if they had maintenance staff qualified to assist with such repairs since it is hard sometimes to get qualified individuals to complete minor projects. It was further stated the City of Sanford had recently received the above-mentioned grant and would be administering the same program within the City of Sanford. After some discussion, Commissioner Brown moved to approve the application for the *2007 Urgent Repair Program* with a \$2,000 local match. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

The Board considered meeting schedules for the months of October and November 2006. County Manager David Smitherman recommended the Commissioners meet on October 16, 2006, October 30, 2006, and November 13, 2006. Time of meetings will depend on joint public hearings with the Lee County Planning Board. Chairman Hincks moved to accept the above meeting schedule for October and November 2006 as recommended by the County Manager. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

At this time Chairman Hincks recessed the meeting for fifteen minutes. Upon returning, with all Commissioners present, except Reives, the meeting resumed.

The Board considered appointments to the Sanford-Lee County Airport Authority, and Mid-Carolina Regional Development Authority. Chairman Hincks recommended the above vacancies be advertised in the local newspaper and applications be considered at the next regular meeting, along with applications to the Mid-Carolina Work Force Development Board that Commissioner Lemmond had removed from the agenda at the beginning of the meeting. Commissioner Lemmond moved to advertise all of the above vacancies and consider appointments at the October 16, 2006 meeting. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

County Manager David Smitherman stated for informational purposes only, the Board of Equalization and Review will begin meeting on September 20, 2006 for approximately one month. Mr. Smitherman stated there are only two alternates on the Board of E & R and therefore the Commissioners may be asked to appoint additional alternate members. This would be necessary in order to rotate members since they will be meeting for such a long period of time and may not be able to be absent from work for this extended time. No action was taken on this matter.

Mr. Joe Cherry, Solid Waste Superintendent discussed with the Board the Environmental Stewardship Committee. Mr. Cherry stated Lee County Government established an Energy Conservation Committee in late 2005 to deal with what appeared at that time to be a looming energy crisis. A policy was issued on September 9, 2005 outlining some short-term opportunities for substantial progress toward sustainability with the plan for an employee committee to research long-term energy conservation programs. As a result of this committee an Environmental Stewardship Committee (ESC) was established to develop a long-term strategy to meet challenges, improve operational efficiency and control and to provide a safer and healthier workplace for its employees. The ESC consists of a steering committee responsible for leading and coordinating five (5) subcommittees charged with specific areas of concern. Mr. Cherry further stated the areas of concern that are being addressed at this time include the following:

- Construction and Renovation

- Energy Consumption
- Purchasing Practices
- Transportation and Fuel Conservation and
- Waste Reduction and Recycling

Mr. Cherry told Board members once the consolidation of each subcommittee's work is presented and approved into a single Environmental Stewardship Policy, it will be presented to the Board of Commissioners for approval. The Emergency Management Office will serve as the tool for implementing, monitoring and evaluating the programs and procedures resulting from the adopted Environmental Stewardship Policy. No action was taken on this matter.

Strategic Initiatives Director Lesa Price updated the Board on the BRAC Initiative. Ms. Price told Board members that Lee County has been moved from a Tier II County to a Tier I County which means we will now be eligible, as one of seven (7) counties, to receive funds from authorized grants. Ms. Price stated that in order to receive grants, Lee County would have to contribute approximately \$8,300 per year as part of our local match. Ms. Price presented details from the September 13-14, 2006, North Carolina Relocation Fair that was held in Atlanta, Georgia and viewed the DVD presented to interested individuals at the Atlanta booth presenting Sanford-Lee County. Commissioner Amy Stevens updated the Board on events that took place in Atlanta, as she was one of four representatives from the area who attended the Relocation Fair. Commissioner Stevens stated that overall; Lee County did very well at the Relocation Fair and Lee County received many compliments concerning material presented and their presentation. Ms. Price further stated that sub-committees would be formed to address various issues involving the BRAC Initiative. No action was taken on this matter.

Strategic Initiatives Director Lesa Price discussed with the Board future challenges discussed earlier in the year at the Commissioners Planning Retreat. The three (3) top initiatives that will be undertaken in FY 2006-07 include Employee Health Clinic/Benefits, Aging Population Outreach, and Workforce Development. Sub-committees have been formed and are working on the above-mentioned initiatives. No action was taken on this matter.

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

Aye: Adams, Brown, Hincks, Lemmond, Paschal, and Stevens  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

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Herbert A. Hincks, Chairman

ATTEST:

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Gaynell M. Lee, Clerk