

# LEE COUNTY

NORTH CAROLINA

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

APRIL 6, 2015

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 4 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present when the meeting was called to order were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Larry "Doc" Oldham, Robert T. Reives, and Timothy S. Sloan. Commissioner Kirk D. Smith joined the meeting at 5:33 p.m.

Chair Dalrymple called the meeting to order and the following business was transacted:

Commissioner Oldham delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the Agenda. Commissioner Knecht asked the Board to move the item listed on the Consent Agenda for changes to the Lee County Personnel Policy to New Business for further discussion. With no other changes made, Commissioner Reives moved to approve the *Agenda* as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, and Sloan  
Nay: None  
Absent: Smith

The Chair ruled the motion had been adopted unanimously.

Commissioner Reives moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the March 16, 2015 regular meeting,
- Minutes from the March 23, 2015 recessed meeting,
- Minutes from the March 25, 2015 recessed meeting,
- Removal of member from the Juvenile Crime Prevention Council (JCPC) for non-attendance,
- Proclamation for DOT *Spring Litter Sweep* (copy attached),
- Acceptance of FY 2015 Seniors Health Insurance SHIIP Outreach Grant, and

- Agreement and Bill of Sale to the City of Sanford for the Colon Road Lift Station (copy attached).

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, and Sloan  
 Nay: None  
 Absent: Smith

The Chair ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute §153A-52.1, the Chair opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments;

1. Rev. Bruce MacInnes, 1611 Carbonton Road, Sanford (Personnel Policy change for Family Medical Leave)
2. Ed Underwood, 3309 Westcott Circle, Sanford (Personnel Policy change for Family Medical Leave)

The Board considered a Subdivision Street Maintenance Policy that had been presented and discussed at the March 16<sup>th</sup> meeting. Staff were instructed to provide a policy for the Board to consider. County Manager John Crumpton stated that General Statute 153A-205 authorizes counties to levy special assessments to finance road improvements to subdivision and residential streets in order to bring those streets up to NCDOT standards so they may become part of the State-maintained system. Staff drafted a policy that would allow property owners to petition the Board of Commissioners to use this special assessment authority. The policy is restricted to streets that were publicly dedicated, but have not yet been accepted by NCDOT for maintenance. It would not cover privately dedicated streets. The policy lists other factors the Board may consider in its evaluation of petitions for special assessments. It was noted a Policy must be approved and in place before further steps can be taken to assist the residents. Commissioner Reives stated he would like to hear from the citizens present on the matter. The following spoke in reference to the Subdivision Street Maintenance Policy and/or issues surrounding the development:

1. Bob Bridwell, former Community Development Director who worked on the issue for 4 years prior to his retirement in 2014,
2. Susan Frost, 639 Buckroe Drive – resident – single mother that can't afford assessment if one is put in place, disappointed the contractor did not complete the road as promised, original contractor should be held responsible, why did County not step in to make sure contractor fulfilled his obligation.
3. Rebecca Little, 123 Buckroe Drive – resident – not in a position to give money for the road project at this time, feels the County let the residents down, doesn't feel there is 75% of the residents willing to undertake this project, doesn't want to keep coming to Commissioner meetings to discuss the matter.
4. Joyce Buzinski, 460 Buckroe Drive – resident – all lots are sold except one at this time. A few years ago 85% of the residents signed a petition to have the road repaired. Price will continue to go up the longer it takes to get something resolved.
5. Robert Buzinski, 460 Buckroe Drive – resident – price keeps going up, need to have an engineering study completed first, would like to see the community come together to get the issue resolved.

6. Marshall Downey, current Community Development Director discussed the current Subdivision Ordinance that was adopted after this development was started and therefore does not fall under the Ordinance.

Commissioner Reives stated the Board needed to study the matter further (maybe with the City) and come up with a solution to assist the 25% of residents that will not be able to pay the assessment charges and/or are not willing to pay. He felt more research needed to be done before a Policy is adopted. After further discussion, Commissioner Reives moved to defer action on the Subdivision Street Maintenance Policy until more research can be completed. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, and Sloan  
 Nay: None  
 Absent: Smith

The Chair ruled the motion had been adopted unanimously.

Ms. Victoria Whitt, CEO of the Sandhills Center provided the required paperwork to appear before the Board and present her FY 2015-16 budget funding request and program updates. Ms. Whitt stated the Sandhills Center was not asking for an increase in County General Funding from Lee County for the upcoming year. The total funding request for Lee County is \$240,000, which has not been increased during the past eleven years. All funding received is directed in support of local County Behavioral Health Urgent Access/Crisis Clinics, unless otherwise designated. It was further stated that County General Funding is critical to sustaining the current level of crisis/psychiatric services for the consumers and families in Lee County. Any reduction in funding will result in a reduction in the services offered locally. No action was taken.

The Board considered Audit service proposals for the fiscal years ending June 30, 2015 – June 30, 2016. Finance Director Lisa Minter stated the County is required to have an audit of its financial statements each year. The following proposals were presented for consideration:

<b>Fiscal year ended</b>	<b>Martin Starnes &amp; Associates</b>	<b>Thompson, Price, Scott, Adams &amp; Co., P.A.</b>	<b>Elliott Davis Decosimo</b>
2015	\$42,250	\$35,500	\$41,500
2016	\$43,500	\$35,500	\$42,750
2017	\$44,800	\$35,500	\$43,500
2018	\$46,150	\$35,500	\$44,500
2019	\$46,150	\$35,500	\$45,750

After discussion, Commissioner Oldham moved to approve Thompson, Price, Scott, Adams & Co., P.A. as the County’s auditors for the fiscal years ending June 30, 2016 through June 30, 2019, in the amount of \$35,500 per year. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, and Sloan  
 Nay: None  
 Absent: Smith

The Chair ruled the motion had been adopted unanimously.

The Board considered modifications to the existing Environmental Health water sample fee structure. Health Director Terrell Jones stated the State Lab of Public Health in Raleigh has

traditionally subsidized the costs to process water samples, but beginning in FY 2014-15 they decreased the subsidies for processing these water samples. As an example, bacteriological water sample previously cost a Lee County applicant \$33.09. That cost is now \$53.00. However, Environmental Health has continued to charge the \$33.09 fee because they have been using a shipment of water bottles from the earlier pricing. More water bottles need to be purchased in the near future which will be at the increased rate. Mr. Jones asked the Board to allow the Health Department to integrate the new water bottle sampling fee schedule from the State Laboratory of Public Health into Environmental Health's existing water sampling fee. After discussion, Commissioner Frazier moved to approve the request of the Health Department to modify water sample fees based on rates set forth by the State Lab of Public Health. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, and Sloan  
Nay: None  
Absent: Smith

The Chair ruled the motion had been adopted unanimously.

The Board considered a modification to the Environmental Health fee schedule. Health Director Terrell Jones stated new rates will go into effect July 1<sup>st</sup> for modifications in Environmental Health fees that will match the direct costs to services provided. Currently, Environmental Health fees are less than the direct cost of providing the service. While the total cost of providing services can never be fully recovered, due to indirect personnel costs and additional services which do not generate revenue, the percentage of revenues collected can be increased from approximately 30%–34% when compared with expenditures. The proposed fee schedule modifications are based on a projected workload estimated from activity in recent years. Commissioner Smith joined the meeting at 5:33 during discussion of this matter. County Manager John Crumpton stated this modification to the fee schedule is a recommendation from the Board of Health and no vote is needed by the Board of Commissioners. It will be added as part of the upcoming budget message from the County Manager and incorporated as part of the FY 2015-16 budget. The Board recommended the Health Department notify the State that it cost counties more to administer the programs than what the State mandates. No action was taken.

The Board considered changes to the Lee County Personnel Policy as it relates to Family and Medical Leave (FMLA) that had been pulled from the Consent Agenda at the beginning of the meeting. Human Resource Director Joyce McGehee stated this is a Federal law and the County has no choice in the matter. Changes were made to FMLA by the Department of Labor in February 2015 to be effective March 27, 2015. This change extends FMLA rights to eligible workers in same-sex marriages and redefines the term spouse. Also, changed in the Policy is that employees will be allowed to request the use of compensatory time along with sick and vacation leave while on Family Medical Leave. After further discussion, Commissioner Oldham moved to approve changes to the Lee County Personnel Policy in reference to Family and Medical Leave as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, and Sloan  
Nay: Smith

The Chair ruled the motion had been adopted by a 6 to 1 vote.

County Manager John Crumpton asked the Board how and if they wished to hear budget requests from non-profit organizations. An individual from one of the non-profit organizations has requested to appear before the Board to present their budget request. After discussion, it was agreed

these presentations needed to be done during a budget work session and not during a regular Board meeting.

Mr. Crumpton recommended the Board keep the Law Office of Bryan Brice and Engineering Firm Smith & Gardner under contract until all coal ash permits are received. After discussion, Commissioner Reives moved to keep the two above referenced firms under contract as recommended by the County Manager. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

Commissioner Frazier discussed concerns he had received from the Cumnock and Forestwood Park neighborhoods where at least 15 homes and a church have been damaged, and wells collapsing, due to recent blasting for the new by-pass. Chair Dalrymple asked for a list of affected homes and businesses. It was agreed that the County Manager would contact DOT to see if the contractor is bonded in order to assist with the issue. It was felt this was a DOT matter and not the County's responsibility. No action was taken.

Chair Dalrymple discussed the upcoming Board's Planning Retreat scheduled for Friday, April 17<sup>th</sup>, and Saturday, April 18<sup>th</sup>. An Agenda will be completed this week and sent to all Board members for review.

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

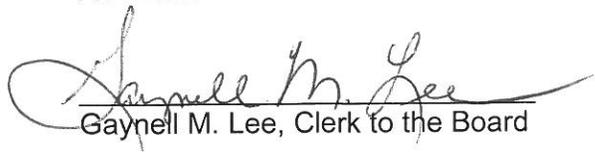
Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously and the meeting adjourned at 6 p.m.



Amy M. Dalrymple, Chair  
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk to the Board