

LEE COUNTY

NORTH CAROLINA

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

AUGUST 15, 2016

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 5 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, Timothy S. Sloan, and Kirk D. Smith. Commissioner Robert T. Reives arrived at 5:35 p.m.

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

Commissioner Frazier delivered the invocation.

The pledge of allegiance was recited.

The Board considered changes/additions to the Agenda. County Manager John Crumpton asked the Board to add for consideration the FY 2016-17 Rural Operating Assistance Grant for Senior Services (Consent Agenda). With no other changes made, Commissioner Smith moved to approve the *Agenda* as amended. Upon a vote, the results were as follows:

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

The Chair ruled the motion had been adopted unanimously.

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

- Minutes from the July 18, 2016 regular meeting,
- Tax Releases and Refunds for July 2016 (copy attached),
- Appointment of Ms. Patricia Cameron to the Americans with Disabilities Act Board,
- FY 2016-17 State Aid Library Grant,
- FY 2017 Emergency Management Performance Grant Application,
- Amendment #7 to the Health Services Agreement with Southern Health Partners for Inmate Medical Care (copy attached),

- Proclamation Honoring Manufacturing Day in Lee County (copy attached),
- Fire Work Permits for Downtown Streetscape Project (copies attached),
- Resolution Delegating Authority to Issue Fire Work Permits to Lee County Municipal Governing Bodies (copy attached), and
- Purchase of a new 2017 F250 truck for the Maintenance Division of General Services from Piedmont Truck Center, Greensboro.

Upon a vote, the results were as follows:

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

The Chair ruled the motion had been adopted unanimously.

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

1. Keely Wood, 363 Angel Road, Sanford (Fracking)
2. Steve Malloy, 2615 Bellaire Drive, Sanford (Sanford Tours)

The Board considered a recommendation from the Lee County Planning Board in reference to the “Sanford Soccer Field & Complex District” that had been tabled at the last meeting. Commissioner Smith moved to take the item off the table for discussion. Upon a vote, the results were as follows:

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

The Chair ruled the motion had been adopted unanimously and discussion continued.

Sanford/Lee County Planning & Development Design Review Coordinator Amy McNeill discussed the application by Toribo Herandez to rezone from Residential Agricultural (RA) district to a conditional zoning district to be known as “Sanford Soccer Field Complex District”, an 8.75 acre ± portion of land located off Airport Road. The matter was tabled at the July 18th meeting until more information could be obtained from NCDOT. Ms. McNeill provided responses to the following questions by Commissioners at the last meeting:

Traffic Data – The Board was interested in the volume of vehicular and pedestrian traffic in the area. DOT traffic studies for three locations along Tramway Road were provided but there are no numbers for pedestrians walking along the roadway. DOT contacted the Division of Bicycle and Pedestrian Transportation but was told they do not keep this type of information.

Future Plans for Tramway Road – The Board was interested in any future plans to alter the road or add sidewalks or other improvements in this area. It was noted that last year Lee County submitted 15 projects through the Triangle Area Rural Planning Organization (TARPO) for funding by NCDOT through SPOT 4.0, which is the funding formula used to identify construction funding for and scheduling of transportation projects for funding from 2018-2027 through the State Transportation Improvement Program (STIP). Funding has been requested through the STIP to widen NC

78/Tramway Road from US 1 to Lemon Springs Road and to install sidewalks along one side of the public street in this area. At this time, it is still a general request and no drawings have been created for reference. This request for road improvements was made prior to receiving the Sanford Soccer Field Complex rezoning request, but is not funded at this time. Since submittal of the 15 projects last year, NCDOT scored the projects along with projects from the other 3 counties in the Triangle Area Rural Planning Organization (TARPO): Orange, Chatham, and Moore counties. Projects were scored at the Division level, the Regional level if applicable, and the State level if applicable. The NC 78/Tramway Road project scored a 25.77 out of a possible 50 points at the Division level and a 33.24 out of a possible 70 points at the Regional level, and was not deemed to be a State level project. Staff is awaiting NCDOT's statewide release of list of projects that will receive actual funding, which will be released in December 2016, and adopted by June 2017 (by the Board of Transportation). Based on information received by DOT, it appears that there is a consensus and acknowledgement that NC 78/Tramway Road has a high volume of vehicular traffic and should be widened to better accommodate the ever increasing traffic levels; however, with possible final approval for this project by the Board of Transportation in June 2017 at the earliest and with the construction date of any project that is funded being typically at least five to ten years out from the date of final approval, this project may begin by the year 2022 at the earliest.

Policy for Installation of Improvements – The Board inquired if there were funds available for improvements that are requested by a local board. Staff confirmed that there are no funds available for improvements that are simply requested by a local board.

Turn-Lane Information – The Board requested information regarding the right turn lane off NC 87/Tramway Road that would be required at full build out or Phase III of this project. Staff verified that NCDOT would allow the right turn lane to be installed during Phase I or Phase II, but would require it as part of Phase 3. Given the phasing of this project as market driven, the turn lane may or may not be installed. Also, if the design changes, this could impact the required improvements.

Airport Road (SR 1213) Information – Airport Road is an unlined short dead-end road off Tramway Road. Any development proposed beyond the NCDOT maintained area may require a roadway extension for which the developer would bear the burden of the construction. NCDOT is not requiring improvements to Airport Road for this project.

Accident Reports – The Board was interested in any data for accidents in this area. A copy of the accident report for this area was provided

Ms. McNeill further stated that staff has requested vehicle traffic counts during the active school year since this will provide the most accurate information regarding the high volume of traffic in the area and traffic concerns for the residents in the area, even if the soccer field complex is not developed. This study will have to be completed by DOT in September or October and staff will forward information upon receipt. It was noted the Board of Commissioners may choose to continue to table the item until more sufficient information can be obtained, or choose to approve the rezoning request with/without conditions (with a conditional zoning request, the conditions must be accepted by the applicant), or choose to deny the request along with the rationale for doing so.

Commissioner Reives arrived at this time and participated in discussion (5:35 p.m.).

Commissioner Frazier moved to table the matter until the next meeting and all information is received (from DOT). Ms. McNeill stated the additional information requested from DOT wouldn't be available until October or November. Commissioner Reives asked about the tax value of Phase I after completion. Tax value is not known at this time because the applicant is working with a professional

investment group out of Mexico on the project. It was stated the entire project will cost approximately a half million dollars after completion. It was stated by the applicant that if the Commissioners did not make a decision on the rezoning request soon, they would be looking at other land for the project (been working on this site for the past 6 months). Applicant Toribibo Hernandez and translator Carlos Flores answered questions from the Board. Chair Dalrymple offered conditions to be included in the Ordinance such as no loitering signage and traffic control with the Sheriff's Department for major events. After further discussion, Commissioner Frazier withdrew his motion to table to the matter. Ms. McNeill reminded the Board that the applicant would have to agree with any additional conditions placed on the Ordinance. Conditions addressed were offered to Mr. Hernandez who agreed to have no loitering signage installed and traffic control for major events. Mr. Hernandez stated he had tried to work out traffic control with Lee County deputies for other events with but many did not want to work on the weekend. After further discussion, Commissioner Frazier moved to approve the *Ordinance Amending the Official Zoning Map of Lee County to be known as "Sanford Soccer Field Complex District", with amendments for added signage for no loitering and traffic control for major events in Phases I & II*, 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: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously. Mr. Hernandez was asked to keep a log of events and his attempt to secure traffic control and report to the County Manager.

The Board took a 5-minute recess at this time. Upon returning from recess, with all members present, Chair Dalrymple called the meeting back to order.

The Board considered a recommendation from the Planning Board for a preliminary plat off Farrell Road. Planning Technician Holly Marosites asked the Board to consider a proposal of a 3-lot major subdivision off Farrell Road that had been approved by the Planning Board. The subject property is currently a vacant 33.6-acre tract owned by Eutophia Medlin and being developed by Neil Medlin, Ms. Medlin's Power of Attorney. Ms. Marosites stated a total of six lots have been subdivided out of the tract as a minor subdivision. A minor subdivision is limited to a maximum of six (6) lots from a parent tract. Therefore, the creation of the proposed lots shall be considered and approved as a major subdivision. The preliminary plat shall be valid for two (2) years after its final approval by the Board of Commissioners. Commissioner Oldham moved to approve the preliminary plat of "Subdivision for Owner Eutophia Medlin" as presented. 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.

At 6 p.m. the Board of Commissioners held a joint public hearing with members of the Lee County Planning Board to consider a rezoning request by Abdalfataha Abutaha to rezone a 1.08± acre parcel of land located at 2205 Tramway Road from Residential Agricultural (RA) district to Highway Commercial (HC) district. Zoning Administrator Althea Thompson outlined the proposed rezoning request.

Chair Dalrymple opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the rezoning request:

1. Attorney Woods Doster, representing Mr. Abutaha
2. Kim Riddick, 1112 Post Office Road, Sanford (employee of JT Automart)

The following spoke in opposition to the rezoning request:

1. Attorney Jimmy Love, Sr., representing the Lee County Board of Education (asked the petition be denied).

Chair Dalrymple closed the public hearing.

At this time Planning Board members and Planning Department staff retired to the Wicker Conference Room to continue deliberation. Commissioners will take action on the Planning Board's recommendation at the September 19th meeting.

The Board considered an Amendment to a Building Reuse Grant for GKN Industries. County Manager John Crumpton stated the County has been asked to approve an amended grant agreement with the NC Department of Commerce Rural Economic Development Division. If approved, the Grant Agreement will extend GKN's grant period from May 15, 2016 to February 1, 2017. This will allow GKN to complete their renovations and hire the required number of employees stipulated in the agreement. It was noted the Board of Commissioners approved the Grant Agreement with GKN Industries in August 2014. Commissioner Reives moved to approve the *Building Reuse Grant Amendment with GKN Industries*, 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: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Board considered the Annual Microsoft Enterprise Agreement. IT Director Kyle Edwards asked the Board to approve payment 2 of 3 to Microsoft for Enterprise Agreement cost. Mr. Edwards stated that in FY 2015-16 the Board approved a 3-year agreement between the County and Microsoft for the County's required Enterprise Agreement, which is renewed every 3 years. The Agreement provides access, support, future version upgrades, enhancements, and licensing for compliance to Microsoft licensing agreements for server operating systems, desktops/laptops, and the County email system. Commissioner Frazier moved to approve *year 2 payment in the amount of \$90,608 to Microsoft for Enterprise Agreement cost*. 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.

The Board considered the annual Enterprise Data Storage License/Support Renewal. IT Director Kyle Edwards asked the Board to approve a funding request for the Enterprise Data Storage License and Support Renewal that ensures Lee County has 24X7 access to support services and licensing that allows the IT department to continue to maintain and deploy a secure, efficient and

optimal storage area network for critical County data. Commissioner Frazier moved to approve the *Annual Support/Licensing Renewal for Storage Area Equipment*, copies of which are attached to these Minutes and by this reference made a part hereof. 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.

The Board considered the annual Software Maintenance Renewal for the Finance/HR Software System. IT Director Kyle Edwards asked the Board to approve payment to Tyler Technologies for the MUNIS Financial/HR Management Software System that includes all necessary applications for the Finance and Human Resource departments to operate internal/external accounting, billing, human resource, timekeeping, and payroll procedures. Money for this renewal was approved in the FY 2016-17 budget. Commissioner Reives moved to approve the *Annual Payment to Tyler Technologies* as referenced above. 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.

The Board considered an Agreement for the 2016 Cycle North Carolina "Mountains to Coast" event at O.T. Sloan Park. Parks & Recreation Director John Payne asked the Board to approve an agreement between Cycle NC, Sanford Area Growth Alliance, and Downtown Sanford, Inc. to use O.T. Sloan Park as an overnight stopover for the "Mountains to Sea" bicycle ride on October 5, 2016. This event previously stopped in Sanford in 2008 and was staged at the Lions Club Fairgrounds. O.T. Sloan Park has been chosen as the site for this year's event due to proximity to hotels and restaurants in the area. The Boys and Girls Club at O.T. Sloan will house some of the riders in their gym. After discussion, Commissioner Frazier moved to approve the *Agreement between Cycle NC, Sanford Area Growth Alliance, and Downtown Sanford, Inc.* as presented, 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: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Board next considered the purchase of four (4) new vehicles for the School Resource Officers (SRO). Major Carlton Lyles stated the Sheriff wished to purchase four new Dodge Chargers from Ildeton Dodge under the State Contract as listed below:

(4) 2017 V-8 Dodge Chargers with Police package @ \$26,612.00 each = \$98,448.00

Funding for these vehicles were approved in the FY 2016-17 budget.

Commissioner Smith moved to approve the purchase of the above 4 vehicles as presented for the School Resource Officers. 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.

The Board considered the purchase of six (6) new vehicles for the Sheriff's Office. Lt. Don Cole stated the Sheriff's Office had received the following State Contract prices from Ildeton Dodge and Asheville Ford Lincoln:

(4) 2017 V-8 Dodge Chargers @ \$24,612 each	= \$98,448.00
(1) 2017 Dodge Durango @ \$31,892 each	= \$31,892.00
(1) 2016 Ford F-15 4 x 2 @ \$28,102.41 each	= <u>\$28,102.41</u>
TOTAL	\$158,442.41

It was also noted a budget amendment for \$10,176.41 from Drug Seizure funds had been submitted to cover the difference in the amount budgeted. Commissioner Smith moved to approve the purchase of the above six vehicles as presented. 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.

The Board considered Budget Amendment # 08/15/16/03 for the following departments:

Elections – rollover \$3,650 to cover adding handicap sidewalk accesses at various schools used for polling sites.

Recreation – rollover \$36,490 to complete the Horton and Dalrymple Park projects, \$3,190 in donated funds for the O.T. Sloan Dog Park, and \$1,408 in donated funds for the new San-Lee Nature Center.

Social Service Programs – rollover funds not used in FY 2015-16.

Drug Seizure Funds – appropriate funds to cover Sheriff Department salary adjustments, contracted services and capital equipment purchases from Drug Seizure Fund Balance.

Commissioner Frazier moved to approve *Budget Amendment # 08/15/16/03*, 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: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

County Manager John Crumpton stated the groundbreaking ceremony for the new San Lee Nature Center would be held on Monday, August 22, 2016, at 11 a.m. at San Lee Park. Mr. Crumpton continued with his *Monthly Report for August 2016*, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

With no further business to come before the Board, Commissioner Reives 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 7:40 p.m.



Amy M. Dalrymple, Chair
Lee County Board of Commissioners

ATTEST:


Gaynell M. Lee, Clerk to the Board