

LEE COUNTY

NORTH CAROLINA

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

JANUARY 19, 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, Robert T. Reives, and Timothy S. Sloan. Commissioner Kirk D. Smith arrived later in the meeting.

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 additions/changes to the Agenda. With no changes made, Commissioner Frazier moved to approve the *Agenda* as presented. 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 January 4, 2016 regular meeting,
- Tax Releases and Refunds for December 2015 (copy attached),
- Revision to the Lee County Pay Plan, and
- Minutes from the January 11, 2016 Joint Interlocal Sub-Committee Meeting.

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, Chair Dalrymple opened the floor for public comments. The following signed up to speak and were allowed 3 minutes for comments:

1. Dr. Joyce Hawkins, 426 Hawkinberry Lane, Sanford
2. Ms. Terica Luxton, 3616 Lee Avenue, Sanford

Commissioner Smith joined the meeting at 5:10 p.m.

Commissioner Reives moved that the County Manager's report on water testing in the Colon Road-Osgood Community be discussed at this time instead of at the end of the meeting as stated on the Agenda. 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 to date the County has received 69 letters from interested property owners to have their water sources tested. Some of the letters received still need verification to ensure that testable water features exist on their property. A total of 35 samples have been pulled and 11 are waiting to be taken. Environmental Health prioritizes properties with a private well used for drinking water when samples are taken. Of the 35 water sources sampled so far, Environmental Health has sampled 21 private wells. Results from the State Public Health Laboratory have been received concerning 13 private wells as of January 15th. Of the 13 private well sample results, 9 conveyed elevated Hexavalent Chromium levels and 12 conveyed elevated Vanadium levels. In all, 13 property owners have been informed of the recommendation from DHHS not to drink and/or cook with their well water. The EPA office has requested all testing data for the Colon Road area, which has been provided.

Mr. Crumpton stated that he and Chair Dalrymple met with representatives from Duke Energy to discuss the timeline on the development of the Colon Road Coal Ash Storage Facility. No construction activities have taken place for months at the site. Charah has concentrated the storage operations at the Brickhaven/Moncure facility in Chatham County. The timeline now is for the Lee County facility to be operational sometime during the summer of 2017. Due to the designations made on the 32 coal ash basins in the state, the Colon Road site will be needed to store ash that cannot be put in a lined facility at other duke locations.

Mr. Crumpton further stated he had received an estimate of \$147,000 to provide a water line to Old Colon Road and \$74,000 for Birchard Road (private road). Chair Dalrymple stated she was trying to schedule a meeting with local legislative delegates to discuss the water testing issue.

The Board considered an amendment to their Board Appointment Policy. County Attorney Kerry Self stated that per the Board's request at their January 4th meeting, changes were made to the Board Appointment Policy to reflect current appointment practice addressing expressed by the Board. Commissioner Reives stated when the Board waives their policy for non-Lee County residents to serve

on a Board that the Clerk check to make sure all taxes are paid in the county they reside in before approving their request to serve. After discussion, Commissioner Reives moved to approve the revised *Board Appointment Policy* as presented with the change referenced above, 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. Commissioner Oldham asked the Clerk to provide the Board with a copy of all boards they make appointments to at the next meeting.

The Board considered an Incentive Agreement for "Project Winter" that was approved at the January 4th meeting of the Board. County Attorney Kerry Self stated a public hearing was held before the Board of Commissioners during their January 4th meeting. After the public hearing the Board approved incentive funds for "Project Winter" in the amount of \$583,746.24 (over a 6-year term). "Project Winter" will, in return, create 25 new jobs at an average wage rate of \$45,000 and make at least \$30,200,000 in taxable investment. Staff worked with SAGA to incorporate these approved terms into the Agreement presented to the Board. After discussion, Reives moved to approve the Incentive Agreement for "*Project Winter*", 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, and Sloan
Nay: Smith

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

The Board considered an Incentive Agreement for "Project Core" (Core Mark) that was approved at the January 4th meeting of the Board. County Attorney Kerry Self stated a public hearing was held before the Board of Commissioners during their January 4th meeting. After the public hearing the Board approved incentive funds for "Project Core" (Core Mark) in the amount of \$26,354.25 (over a 5-year term). "Project Core" will, in return, create 25 new jobs at an average wage rate of \$31,800 and make at least \$1,500,000 in taxable investment. Staff worked with SAGA to incorporate these approved terms into the Agreement presented to the Board. After discussion, Commissioner Reives moved to approve an Incentive Agreement for "*Project Core*" 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, and Sloan
Nay: Smith

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

The Board considered a LSTA EZ Literacy and Lifelong Learning Grant Application for the Library. Library Director Susan Benning asked the Board's approval to apply for the above referenced grant in the amount of \$16,685 for equipment of two self-service checkouts, freight, and training plus \$1,900 for electrical and network cable work to reconfigure the service desk wiring at the main Library for a total of \$18,585. Ms. Benning stated part of the Library's mission is to help provide accurate speedy technology reducing wait time to check out library materials and increase the amount of time staff can spend providing one-to-one assistance to library patrons. The equipment will allow for better coverage and customer service at the service desk which also doubles as a reference desk. A 25% match of \$3,717 will be provided with State Aid to Public Libraries funds if the Friends of the Library do not approve the requested match funds. The Library Board approved the grant application at their last

meeting. After discussion, Commissioner Frazier moved approval for the Library Director to apply for the *LSTA EZ Literacy and Lifelong Learning Grant Application* 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 a grant application for the Library. Library Director Susan Benning asked the Board's approval to apply for a grant application to the Walmart Foundation in the amount of \$2,500 to fund the Summer Reading program and necessary materials for the special programs using the new 3D printer. According to Ms. Benning, Summer Reading Programs have a significant impact on student reading levels, ability, and enjoyment. No matching grant is required for the grant application. After discussion, Commissioner Oldham moved approval for the Library Director to apply for the *Walmart Foundation* grant in the amount of \$2,500 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 an offer to purchase surplus County property. County Attorney Kerry Self stated Mr. Michael Talbott made an offer to purchase surplus County property located at 138 Black Road which was acquired as a result of a tax foreclosure. Mr. Talbott submitted an offer of \$3,723.17, plus advertising costs. Taxable value of the property is \$50,100. After discussion, Commissioner Oldham moved to accept a *Resolution Authorizing the Sale of Property on Black Road*, to accept Mr. Talbott's offer to purchase the above referenced property, and authorize staff to begin the upset bid process. 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. A copy of said Resolution is attached to these Minutes and by this reference made a part hereof.

The Board considered a voting delegate for the South Landing Homeowners Association at Carolina Trace. County Manager John Crumpton stated the County foreclosed on property located in the South Landing HOA District at Carolina Trace. With that foreclosure, the Board of Commissioners is now the owner of said property and must appoint a proxy for the upcoming Annual Meeting. After discussion, Commissioner Frazier moved to appoint County Attorney Kerry Self as the voting delegate for the Carolina Trace South Landing Homeowners Association's upcoming 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.

The Board considered the FY 2016-17 Budget Procedure Calendar. Finance Director Lisa Minter presented said Budget Calendar and stated the calendar serves as a guideline for the budget

process. The calendar is subject to change especially with regard to budget work sessions the Board of Commissioners might hold. Commissioner Sloan moved to approve the *FY 2016-17 Budget Procedure Calendar*, 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 Budget Amendment # 01/19/16/11 to appropriate SHIIP Outreach Grant funds to cover advertising expenses for Senior Services. Commissioner Frazier moved to approve *Budget Amendment # 01/19/16/11* 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.

Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending December 2015. No action was taken.

County Manager John Crumpton presented his *Monthly Report for January 2016*, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

Commissioner Frazier moved to go into Closed Session to (1) consider a personnel matter per N.C. General Statute § 143-381.11(a) (6), and (2) to instruct staff concerning the negotiation of the price and terms of a contract concerning the acquisition of real properties located at 1500 S. Horner Blvd. and 1503 Elm Street per N.C. General Statute § 143-318.11(a) (6). 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 Board was in Closed Session. Upon returning from Closed Session, with all members present, the regular meeting resumed.

Commissioner Reives moved to accept the resignation of County Attorney Kerry Self, effective April 1, 2016, and directed the HR Director to advertise the position. 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.

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 6:57 p.m.



Amy M. Dalrymple, Chair
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk to the Board