

# LEE COUNTY

*Committed Today for a Better Tomorrow*

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

DECEMBER 6, 2010

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 10 a.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Richard B. Hayes, Larry "Doc" Oldham, Charles T. Parks, Nathan E. Paschal, Robert T. Reives, Linda A. Shook, and James K. Womack, Jr.

County Attorney K. R. Hoyle called the meeting to order during the process of the Boards' re-organization.

Commissioner Linda Shook delivered the invocation.

At this time, Mr. Hoyle discussed the selection of a Chairman and Vice-Chairman for a one-year term. Commissioner Reives moved that Commissioners select the Chairman and Vice-Chairman by a show of hands. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

Mr. Hoyle ruled the motion had been adopted unanimously.

Commissioner Reives moved to nominate Commissioner Linda Shook as Chairman for the upcoming year and Commissioner Doc Oldham as Vice-Chairman. Commissioner Hayes nominated himself for Chairman and Commissioner Oldham as Vice-Chairman. Upon a vote of Commissioner Hayes motion, the results were as follows:

Aye: Hayes and Paschal  
Nay: Oldham, Parks, Reives, Shook, and Womack

Mr. Hoyle ruled the motion failed with a five-to-two vote.

Upon a vote of Commissioner Reives original motion, the results were as follows:

Aye: Oldham, Parks, Reives, Shook and Womack  
Nay: Hayes and Paschal

Mr. Hoyle ruled the motion had been adopted by a five-to-two vote and Commissioner Linda Shook had been selected to serve as Chairman for the upcoming year and Commissioner Doc Oldham was selected as Vice-Chairman.

Mr. Hoyle asked the Board to consider a *Resolution to Set the Meeting Schedule for 2011 Regular Meetings*. Commissioner Reives moved to approve the above-referenced resolution with the meeting schedule of 3 p.m. for the first Monday of each month and 6 p.m. for the third Monday of each month. Joint public hearings with the Lee County Planning Board will be held, if required, during the second meeting of the month at 6 p.m., or as soon thereafter as can be reached on the agenda. A copy of the adopted Resolution is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook and Womack  
Nay: None

Mr. Hoyle ruled the motion had been adopted unanimously.

Mr. Hoyle told the Board each year at the first meeting in December, the Board must approve official bonds for the following employees:

- Sheriff (\$25,000)
- Register of Deeds (\$50,000)
- Every other officer of the county who is required by law to give a bond for the faithful performance of his/her duties, which in our case are the following:
  1. Tax Administrator (\$100,000)
  2. Finance Officer (\$100,000)
  3. Any employee who handles \$100.00 or more at any one time

Commissioner Oldham moved to approve the above bonds as recommended by the County Attorney. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook and Womack  
Nay: None

Mr. Hoyle ruled the motion had been adopted unanimously.

At this time, the meeting was turned over to Chairman Shook who thanked members for their vote and support.

The Board considered additions/changes to the Agenda. County Manager John Crumpton asked the Board to consider, under the Consent Agenda, a request from the Cape Fear Fire Department to purchase a tanker for said department and a Closed Session to discuss a personnel matter. With no other changes made, Commissioner Hayes moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from the September 20, October 4, and November 1, 2010 closed session meetings;
- Minutes from the November 15, 2010 regular meeting;
- Minutes from the November 17, 2010 joint meeting with the Lee County Economic Development Corporation, Sanford City Council and Broadway Town Commissioners;
- Annual software maintenance renewal for Tax Appraisal system in the amount of \$34,590;
- Revised fee schedule for computer recycling program;
- Acceptance of \$80,000 in bioterrorism/preparedness monies to the Health Department;
- Acceptance of 360 Petfinder Foundation *Hide, Perch & Go* cat boxes for the Animal Shelter (valued at \$1,400);
- Increase in Immunization funds for the Health Department in the amount of \$1,856.00;
- Proclamation honoring Social Services retiree Gail Beasley (copy attached) ;
- Proclamation honoring Social Services retiree Linda McArthur (copy attached);
- Budget Amendment # 12/06/10/07 (copy attached);
- Application for Lottery funds from the Lee County Board of Education for the following projects (copies attached):
  1. J. Glenn Edwards Elementary School - \$18,165.80; and
  2. East Lee Middle School - \$4,134.00
- Acceptance of labor and equipment from Mr. Donn Otte for the San-Lee Park mountain bike trail; and
- Purchase of a tanker for the Cape Fear Fire Department

Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

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

1. Dr. Katherine Settle, 460 Sheriff Watson Road, Sanford (concern about animals that are picked up twice that are then spayed or neutered); and
2. Ms. Yvonne Sovereign, 228 Key Road, Sanford (same concern as above)

Mr. Russell Noel, 1413 Cherokee Trail, Sanford, completed the required paperwork to appear before the Board of Commissioners. Mr. Noel congratulated new Commissioners and re-elected Commissioners and stated he was pleased to see new people and new faces on the Board. He further shared some of his following concerns with the Board:

- Reduce spending and not raise taxes;
- Create a realistic budget and operate within those bounds with no exceptions;
- Eliminate unnecessary spending;
- More effectively control the spending activities of the Board of Education

and Economic Development (these boards have been given too much freedom to spend taxpayer money with little, or no accountability to either the Board of Commissioners or the taxpayers).

Board members responded verbally to Mr. Noel's above requests.

At this time Chairman Shook read proclamations honoring retirees Linda McArthur and Gail Beasley from the Department of Social Services.

The Board conducted a public hearing and considered a resolution for the Lee Iron & Metal Company Project. Bond Attorney Mary Nash Rusher stated that Lee Iron & Metal were applying for up to \$10,000,000 in Recovery Zone Facility Bonds that are issued to private businesses, with no county or state money being pledged. The Bonds will be purchased by BB&T and loaned to Lee Iron & Metal to finance the acquisition, construction, and equipping of a metal shredding facility located on approximately 18 acres of land located at 1600 Colon Road, Sanford, and to pay certain costs of issuance of the Bonds. The project is expected to create approximately 12 new jobs in Lee County. Ms. Rusher further stated that the Lee County Industrial Facilities and Pollution Control Financing Authority has approved the project and will assist in the financing under the North Carolina Industrial and Pollution Control Facilities Financing Act. The proposed project constitutes "recovery zone property" because it is a depreciable property located in a recovery zone which is used in the company's trade or business. Ms. Rusher further stated the Local Government Commission (LGC) will approve the proposed project once Commissioners have approved the resolution for the project. Mr. Scott Carpenter, President of Lee Iron & Metal was also present and answered questions from the Board.

Commissioner Shook opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the proposed Lee Iron & Metal project:

Mr. Scott Carpenter, President, Lee Iron & Metal – stated the project will continue to grow in the future and provide service for Lee County

No one present spoke in opposition to the proposed project.

Chairman Shook closed the public hearing.

Commissioner Reives moved to approve a Resolution, the title of which read, *Approval in Principle of Special Purpose Project for Lee Iron and Metal Company, Inc. and the Financing Thereof with Recovery Zone Facility Bonds in the Principal Amount of up to \$10,000,000*, 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: Hayes, Oldham, Parks, Paschal, Reives, Shook and Womack  
Nay: None

Chairman Shook ruled the motion had been adopted unanimously.

The Board discussed the proposed new Animal Control Ordinance. Health Director Howard Surface told Commissioners that the Board of Health approved recommendations for the revised Animal Control Ordinance presented by the Animal Control Committee at their November meeting. He asked Commissioners to review the "draft" ordinance provided to them and schedule public hearings

before adoption of the final Ordinance. Dr. Diane Schaller discussed changes made to the Ordinance and concerns expressed by citizens during the public comments section of the Board of Health's November meeting. After discussion, County Manager John Crumpton recommended that public hearings be held, beginning in January, in the Deep River, Broadway and Lemon Springs area with a follow-up public hearing at the Government Center, to make sure the public is aware of the changes before final adoption of the Ordinance. Commissioner Oldham thanked the Animal Control Committee for their time and work on the new Ordinance. No action was taken at this time.

The Board considered a request to enter into a contract with Tax Management & Associates for an Electronic Business Listing Program. Tax Administrator Dwane Brinson stated that the county's business auditing firm, Tax Management Associates, had developed a one-of-a-kind electronic listing program for businesses. Mr. Brinson stated the program was free for counties, but the end user must pay a small fee to use the program and deliver listings electronically to the tax office. Mr. Glenn Cutrell from Tax Management & Associates was also present and answered questions from the Board. After discussion, Commissioner Womack moved to approve the contract with Tax Management & Associates and resolution for said program, pending review by the IT Director. Copies of the agreement and resolution are attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the 2013 Revaluation Project. Tax Administrator Dwane Brinson stated that North Carolina State Law dictates that counties must conduct a revaluation at least every eight (8) years. Many counties have chosen to conduct more frequent revaluations. Lee County falls into that category as it has opted to follow a four-year revaluation cycle. Since the last revaluation in Lee County was in 2007, the county has until 2015 before a revaluation is mandatory. However, a 2013 revalue has been scheduled for Lee County. Mr. Brinson stated that in February 2008 the Commissioners voted to hold the next revaluation beginning in 2011. In March 2009 the Board of Commissioners approved delaying the 2011 revaluation until 2013. Mr. Brinson shared a 2010 sales/assessment ratio report and other tax information during his powerpoint presentation to the Board. Mr. Brinson also discussed the need to hire an additional Appraisal for his department if the 2013 cycle is approved. After discussion, Commissioner Oldham suggested the Board wait until the January 3, 2011 meeting to discuss further and make a final decision, which was also the census of the entire Board.

Mr. Brinson also discussed with the Board the current tax collection situation. Mr. Brinson stated that we are currently 3% behind collections from this time last year. He is hopeful that payments will pick up by the end of the month and delinquent accounts will be paid. He advised the Board he might have to ask for additional services to collect unpaid taxes such as foreclose on property and towing of vehicles for unpaid vehicle taxes. Commissioner Reives asked for a list of measures the Tax Office might have to use to collect delinquent taxes and would like to see a public announcement made before such measures were taken.

At this time, Chairman Shook called for a 5-minute recess.

Upon returning from recess, with all members present, the meeting resumed.

The Board discussed their meeting schedule for the remainder of December 2010. It was decided, by census of the Board, to cancel the December 20<sup>th</sup> meeting and not hold another meeting until January 3, 2011.

County Manager John Crumpton asked Board members to start thinking about the annual Retreat held by the Board each year and submit items of interest to him that they might wish to discuss during a Retreat. Mr. Crumpton also stated the Board would need to appoint a delegate at the January 3<sup>rd</sup> meeting for the Legislative Goals Conference scheduled for January 20-21, 2011 in Durham.

Commissioner Hayes read a prepared statement, a copy of which is attached to these minutes and by this reference made a part hereof.

Commissioner Reives moved to go into closed session to discuss a personnel matter, per North Carolina General Statute § 143-318.11(a) (6). Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the Board was in closed session. Upon returning from closed session the meeting of the Lee County Board of Commissioners resumed in open session, with all members present.

Commissioner Hayes moved that the Board of Commissioners pay a one-time bonus in the amount of \$10,000 to County Manager John Crumpton on December 10, 2010, and pay Mr. Crumpton an \$800 per month housing allowance beginning January 5, 2011. The allowance will continue for at least six months unless his house in Laurinburg, North Carolina, sells in less time. The Board of Commissioners should review the allowance after six months. Upon a vote, the results were as follows:

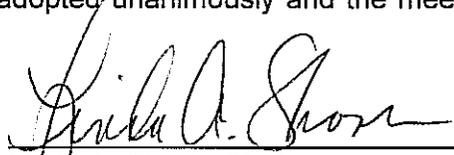
Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

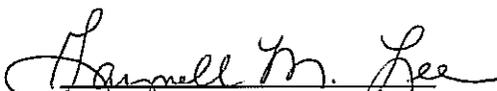
With no further business to come before the Board, Commissioner Oldham moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 1:30 p.m.

  
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Linda A. Shook, Chairman  
Lee County Board of Commissioners

ATTEST:

  
Gaynell M. Lee, Clerk