

# LEE COUNTY

NORTH CAROLINA

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

JUNE 24, 2013

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The recessed meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Kirk D. Smith, and James K. Womack. Commissioner Robert T. Reives was not present at the beginning of the meeting but joined the meeting at 6:08 p.m.

Chairman Parks called the meeting to order.

Commissioner Frazier delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the Agenda. Commissioner Smith asked the Board to consider a Resolution in Support of HB-490. Chairman Parks asked the Board to designate a voting member for the NACo National Conference, add a Closed Session, and consider an additional budget amendment. With no other changes made, Commissioner Womack moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Smith, and Womack  
Nay: None  
Absent: Reives

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 June 10, 2013 joint committee meeting between the County of Lee and City of Sanford to review interlocal agreements, and
- Minutes from the June 10, 2013 budget work session

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Smith, and Womack  
Nay: None  
Absent: Reives

The Chairman ruled the motion had been adopted unanimously.

At this time the Board conducted a public hearing for the creation of seven fire service districts in Lee County. Emergency Services Director Shane Seagroves stated that in order to improve the fire protection class ratings of all parcels in Lee county when the new annual ratings are established, officers of the Fire Advisory Board, property owners, residents and the seven Rural Fire Protection Districts in Lee County have requested the Board of Commissioners transfer, by July 1, 2013, the responsibility of providing fire protection services and emergency medical response in each of the Lee County's seven districts from Rural Fire Protection Districts to Rural Fire Service Districts. A report has been prepared, notices of the public hearing were mailed to each property owner on May 24, 2013, and a notice of the public hearing was published in *The Sanford Herald* on June 15, 2013. Copies of all above referenced documents are attached to these Minutes and by this reference made a part hereof.

Commissioner Reives joined the meeting at this time (6:08 p.m.).

Chairman Parks opened the public hearing for the Cape Fear Fire Protection District. No one spoke for or against the creation of the fire service district.

Chairman Parks closed the public hearing.

Chairman Parks opened the public hearing for the Carolina Trace Fire Protection District. No one spoke for or against the creation of the fire service district.

Chairman Parks closed the public hearing.

Chairman Parks opened the public hearing for the Deep River Fire Protection District. No one spoke for or against the creation of the fire service district.

Chairman Parks closed the public hearing.

Chairman Parks opened the public hearing for the Lemon Springs Fire Protection District. No one spoke for or against the creation of the fire service district.

Chairman Parks closed the public hearing.

Chairman Parks opened the public hearing for the Northview Fire Protection District. No one spoke for or against the creation of the fire service district.

Chairman Parks closed the public hearing.

Chairman Parks opened the public hearing for the Northwest Pocket Fire Protection District. No one spoke for or against the creation of the fire service district.

Chairman Parks closed the public hearing.

Chairman Parks opened the public hearing for the Tramway Fire Protection District. The following spoke and had questions/concerns:

- Mr. Ken Simpson, 5812 Minter Avenue,
- Ms. Nedella Wilson, 2816 Brookhaven Drive, and
- Mr. Gerald Smith, 7722 Villanow Drive

Emergency Services Director Shane Seagroves responded to the above individuals and answered questions.

Chairman Parks closed the public hearing.

Commissioner Smith moved to approve the Resolution Establishing and Defining the Cape Fear Fire Protection and Emergency Response Service District, 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, Parks, Reives, Smith, and Womack  
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the Resolution Establishing and Defining the Carolina Trace Fire Protection and Emergency Response Service District, 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, Parks, Reives, Smith, and Womack  
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the Resolution Establishing and Defining the Deep River Fire Protection and Emergency Response Service District, 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, Parks, Reives, Smith, and Womack  
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the Lemon Springs Fire Protection and Emergency Response Service District, 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, Parks, Reives, Smith, and Womack  
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the Northview Fire Protection and Emergency Response Service District, 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, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the Northwest Pocket Fire Protection and Emergency Response Service District, 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, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to approve the Tramway Fire Protection and Emergency Response Service District, 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, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered adoption of the FY 2013-14 Budget Ordinance. County Manager John Crumpton outlined the proposed budget establishing the tax rate at 72 cents per one hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2013. The Board was presented a revised budget by Purpose and Function for the K-12 Education budget due to not receiving information Commissioners had requested two times in writing on how much money the Board of Education planned on spending for technology for the upcoming year. The Purpose and Function budget would limit what they could spend – within 10%, without coming before the Commissioners and asking for approval. Commissioner Dalrymple explained to the public why Commissioners were asking for more information on upcoming technology purchases and that the Board of Education had not complied with the request. Commissioner Reives asked if anyone from the schools was present to answer questions. He stated he thought Commissioners had been fair in their requests to the Board of Education. Commissioner Womack discussed what the Board of Commissioners asked for during their December 3, 2012 meeting from the Board of Education which was as follows:

1. Purpose and Function Budget - Requested the Superintendent and School Board to submit their FY 2013-14 budget in Purpose and Function format. Directed that no more than 10% of funds may be diverted among functional line items without Commissioner approval,
2. School Resource Officers (SRO) – Transfer DPI funding for SRO salaries and benefits, and decrement the public school current operations budget to make up any difference in the \$450,000 required for the salaries and benefits of seven staff to the Sheriff's Department,
3. Evergreen Financial Review Recommendations – Notify the Superintendent and Board of Education that the Board of Commissioners expects Lee County High School to achieve at least \$600,000 in annual savings identified by the Evergreen Financial Review of early 2012. The Outsourcing of custodial services is one area in which more than \$300,000 can be saved in a single year.

4. Technology Purchases – Notify the Superintendent and Board of Education that K-12 technology purchases, including bulk purchases of devices, software, or networking expense that exceed \$100,000 in any fiscal year shall require clear identification in the school budget submission and be subject to prior approval of the Board of Commissioners.

Commissioner Womack further stated he thinks the Board of Commissioners still needed to require the schools to provide the information as requested. Commissioner Frazier stated he thought it would be wise to request their presence at a meeting to find out what the problem is; need to sit down with us and explain the problem. Commissioner Smith addressed a box of letters he sent as a citizen to the schools before his election to the Board of Commissioners that were returned and never responded to. Chairman Parks addressed the \$500,000 the schools were given for two years to assist with Teacher Assistant's but never used – the money was used for technology purchases. Commissioner Womack stated the Purpose and Function budget would give a lot of “wobble room” to move money around, up to 10%, but project codes could not be moved, and they could not switch federal funds around. County Attorney Neil Yarborough addressed the General Statute for school funding and stated the Commissioners had been correct in the way they had requested information. Commissioner Womack moved to approve the FY 2013-14 Budget Ordinance using the Purpose and Function budget for the Schools as presented by the County Manager, 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: Knecht, Parks, Smith, and Womack  
 Nay: Dalrymple, Frazier, and Reives

The Chairman ruled the motion had been adopted by a 4 to 3 vote. Commissioner Reives stated he was not voting against staff receiving a COLA but in opposition to the decrease in the tax rate.

The Board considered the FY 2013-14 Fire Department Budget Ordinance. County Manager John Crumpton presented the proposed budget appropriating the following amounts:

Carolina Trace Fire Department	\$335,789
Northview Fire Department	\$500,670
Cape Fear Fire Department	\$336,477
Northwest Pocket Fire Department	\$224,961
Lemon Springs Fire Department	\$314,727
Tramway Fire Department	\$391,299
Deep River Fire Department	\$260,459
Clearwater Fire Service District	\$ 39,436

Commissioner Smith moved to approve the FY 2013-14 Fire Department Budget Ordinance 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, Parks, Reives, Smith, and Womack  
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a recommendation from the Planning Board for the Pedley Group, LLC to rezone 4 developed lots and 1 vacant lot (approximately 11.44 acres of land) located at 3905, 3913,

3915 and 3917 Hawkins Avenue from Highway Commercial (HC) district to Light Industrial (LI) district. A public hearing was held on June 17<sup>th</sup> with the Lee County Planning Board in reference to this rezoning request. Planner Althea Thompson stated that the Planning Board unanimously recommended approval of the rezoning request as referenced above. Commissioner Dalrymple moved to approve the recommendation of the Planning Board 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, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an Amendment to the Health Services Agreement with Southern Health Partners. Cpt. Kent Everett asked Commissioners to approve Amendment #4 to the Health Service Agreement with Southern Health Partners for inmate medical services at the Lee County Jail. The amended contract will be effective June 1, 2013 through May 31, 2014, with a one percent (1%) increase for this fiscal budget year. After discussion, Commissioner Reives moved to approve Amendment #4 to the Health Services Agreement with Southern Health Partners 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, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an Amendment to the Aramark Food Service Operation Agreement for the Lee County Jail. Cpt. Kent Everett presented Amendment #7 to the Food Service Agreement with Aramark for inmate food services at the Lee County Jail. Cpt. Everett stated there would be no cost increase for this fiscal budget year. After discussion, Commissioner Frazier moved to approve Amendment #7 to the Aramark Food Service Agreement 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, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time the Board discussed the "priority list" of items created during the budget work sessions by Commissioners should there be extra money in the budget for additional projects. The following were discussed:

1. Completion of Phase 1 for the pay classification study,
2. Additional position in the Tax Office,
3. A Consumer Science Agent for Cooperative Extension,
4. Storage space and a Jury Room for the Clerk of Court,
5. Moving 2 part-time deputies to full time positions,
6. Upgrades to Horton Park,
7. Offsite storage for IT,
8. Roof replacement at the Government Center (added to the budget due to recent heavy rains and leaking issues at the Government Center),

9. Renovations to the Civic Center (sliding doors and a storage building).

General Services Manager Russell Spivey was asked to contact someone to view the sliding doors at the Civic Center and get a price for repairs.

The Board considered Budget Amendment #06/24/13/20 that had been provided in the agenda package and Budget Amendment # 06/24/13/21 that had been added at the beginning of the meeting. Finance Director Lisa Minter presented Budget Amendment # 06/24/13/20 which appropriated funds for the Sheriff's Department, Clerk of Court, Other Revenue, and Fire Departments, and Budget Amendment # 06/24/13/21 for Health and Administration. After discussion, Commissioner Dalrymple moved to approve Budget Amendments 06/24/13/20 and 06/24/13/21 as presented, 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, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution in Support of HB-490 – Lee County Elections. Commissioner Smith read the proposed Resolution and moved for approval, 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: Knecht, Parks, Smith, and Womack  
Nay: Dalrymple, Frazier, and Reives

The Chairman ruled the motion had been adopted by a 4 to 3 vote. Commissioner Frazier stated he thought the Resolution was only a political move and was not good for Lee County; therefore he could not vote for it. Commissioner Dalrymple stated she could not support it because we need to get people back to work – Resolution was too political.

The Board considered a voting delegate for the National NACo Conference scheduled in July. The North Carolina Association of County Commissioners has notified the office that Lee County needs to appoint a voting delegate. At this time, Commissioner Amy Dalrymple and Commissioner Ricky Frazier are registered to attend said conference. Commissioner Smith moved to approve Commissioner Dalrymple as Lee County's voting delegate for said conference and Commissioner Frazier as the alternate voting delegate. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton reminded Board members of the 3 Community Town Hall meetings scheduled for Tuesday evening at 7 p.m. at the Deep River Elementary School Gym, 7 p.m., Wednesday at the McSwain Center, and 7 p.m., Thursday at the Broadway Community Building to get feedback from the public on a Lee County Economic Strategic Plan. He further stated that Dan Parks and Ted Abernathy would have a "draft" Strategic Plan ready by August 1<sup>st</sup> but wanted to give the Board a chance to review before final approval. The formal roll-out of the Strategic Plan will be in September.

Commissioner Womack asked the County Manager to study a recent case on Lee Avenue where a tree on county property fell onto a private citizen's property. According to the County's insurance policy, "Acts of God" from storms are not covered and the citizen will be responsible for removal of the tree and cleanup. Commissioner Womack moved that the County Manager see if the taxpayer could be reimbursed for the cleanup and to take whatever means necessary to rectify the situation. County Attorney Neil Yarborough was not in favor of this; stated a uniform policy needed to be in place; not on a case-by-case basis. Commissioner Womack withdrew his motion and asked for the County Attorney and County Manager to work on a solution to the problem.

Commissioner Smith addressed several upcoming dates for Commissioners to meet with 12 students that have signed up for the Lee County Youth Commissioners Leadership Program.

Commissioner Smith moved to go into Closed Session to discuss matters relating to the location or expansion of a business in the area per North Carolina General Statute § 143-381.11(a)(4). Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, 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, with all members present, the recessed meeting resumed.

Commissioner Reives moved that the Economic Development Policy be placed on the July agenda for discussion. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives also moved that letters of appreciation be sent to members of the Board of Equalization and Review for the outstanding job they did on the 2013 Revaluation Project. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

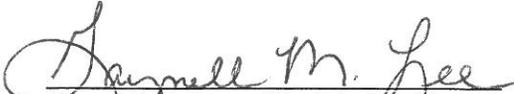
The Chairman ruled the motion had been adopted unanimously.

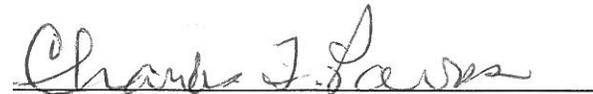
With no further business to come before the Board, Commissioner Frazier moved to adjourn the meeting. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack  
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 9:02 p.m.

ATTEST:

  
Gaynell M. Lee, Clerk to the Board

  
Charles T. Parks, Chairman  
Lee County Board of Commissioners