

LEE COUNTY

NORTH CAROLINA

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

MAY 20, 2013

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 4:30 p.m., in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack. Dr. Andre Knecht was absent at the beginning of the meeting but joined the meeting later.

Chairman Parks called the meeting to order.

Commissioner Kirk Smith delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the Agenda. County Manager John Crumpton asked the Board to add a closed session to discuss matters relating to the location or expansion of a business in the area and to confer with the County Attorney on a legal matter. Commissioner Frazier moved to approve the Agenda as amended. Upon a vote, the results were as follows:

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

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 May 6, 2013 closed session,
- Minutes from the May 6, 2013 regular meeting,
- Tax Releases and Refunds for April 2013 (copy attached),
- Three-year renewal of ATM machine located at the Lee County Courthouse,
- 2013 County Management Records Retention Schedule (copy attached),
- 2013 Tax Office Records and Retention Schedule (copy attached), and
- Renewal contract for inmate labor between the NC Department of Public Safety and Animal Control (copy attached).

Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

No one signed up to speak during the *Public Comments* section of the meeting.

The Board considered Interlocal Agreements with the Town of Broadway that had been deferred from the May 6, 2013 meeting. County Manager John Crumpton presented Interlocal Agreements with the Town of Broadway for Sheriff's Patrol (\$60,000), Animal Control (\$15,000), and Tax Collections (\$4,500). After discussion, Commissioner Reives moved to approve the three Interlocal Agreements 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, Parks, Reives, Smith, and Womack
Nay: None
Absent: Knecht

The Chairman ruled the motion had been adopted unanimously.

The Board considered a public hearing date for the establishment of seven fire service districts. County Manager John Crumpton stated the Board of Commissioners, at their May 6, 2013 meeting, adopted a Resolution concerning a proposal to establish seven fire service districts and directed staff to take all steps necessary to enable the process. The second step in the process is to conduct a public hearing. County Attorney Neil Yarborough stated per North Carolina General Statute, the hearing must be held 30 days from the date the Board approves the hearing with notices going out to property owners. Given the timeline, the public hearing will need to be held at 6 p.m., June 24, 2013 in order to meet the July 1st deadline. After discussion, Commissioner Dalrymple moved to set the public hearing for the fire service districts for 6 p.m., Monday, June 24, 2013, in the Commissioners' Room at the Lee County Government Center. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Mr. Donald Andrews, Chairman of the Lee County Fire Advisory Board presented the FY 2013-14 Lee County fire district budgets. Mr. Andrews stated the Fire Advisory Board met with each of the seven volunteer fire departments to discuss and review their budgets. Mr. Andrews stated the budget increases this year were mainly for operations, personnel, and grant matches. Of the seven departments, there is only one department where the tax rate will remain the same; four departments are seeing a decrease in their tax base as a result of the new service districts or losses from the revaluation process; and three departments will gain tax base from the new service district, and two will have a rate increase. After discussion, Commissioner Smith moved to accept the fire district budget presentation and set a public hearing for 6 p.m., June 3, 2013. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Mr. Matthew Day from the Triangle Area Rural Planning Organization (TARPO) at Triangle J Council of Governments presented the Locally Coordinated Human Service Transportation Plan for Lee, Chatham, Moore, and Orange counties. Mr. Day stated that Lee County must be included in an approved Local Plan for organizations in order to apply for various federally funded grant programs and must be revised every 5 years. After discussion, Commissioner Womack moved to defer action on the plan until the June 3rd meeting in order to give him time to review the document. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Knecht joined the meeting at 5:08 p.m.

The Board considered the write-off of 10-year delinquent taxes. Tax Administrator Mary Yow stated that per N.C. General Statute 105-378 precludes the tax collector from using enforced collection remedies for taxes greater than 10 years past due. 2002 taxes became due September 1, 2002 and unenforceable as of September 1, 2012, 10 years after the original due date. Per NC General Statute 105-373 and 105-378, permission is requested to write off all 2002 taxes that still have a balance. After discussion, Commissioner Womack moved to approve the write off of 10-year delinquent taxes as presented. 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 revised fees and charges for the Parks and Recreation Department. Parks and Recreation Director John Payne asked the Board to consider minimal increases to fees and charges for department programs for two reasons. One, customer service will be enhanced through more efficient registration operations. Two, increased field rental fees will better provide resources necessary for facility maintenance and upkeep at Tramway Road Park due to heavy demand for weekend travel tournaments. If approved, the increases will add approximately \$7,600 in revenue to the department. The Board had concerns that out-of-county teams pay the same as in-county teams. After discussion, Commissioner Womack moved to defer action on the revised fees and charges until the Board could be provided with a full range of fees, with changes highlighted, and the Parks and Recreation Commission reconsiders the out-of-county fees across the board. 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 changes to Environmental Health Fees. Health Director Terrell Jones presented revised fee changes for on-site re-evaluations, non-documented re-inspections requiring a site visit, water sample fees, and temporary food establishment fees. After discussion, Commissioner Womack moved to defer action on the revised fees until the Board could be provided with a full range of fees, with changes highlighted. 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 Chairman Parks called for a 10-minute recess. Upon returning from recess, with all members present, the meeting resumed.

At this time County Manager John Crumpton presented his recommended FY 2013-14 budget. After the presentation and question period, the budget was accepted as presented with a public hearing scheduled for 6 p.m., June 3, 2013 in the Commissioners' Room, Lee County Government Center.

The Board considered a Resolution in opposition to recording of closed session meetings. Clerk to the Board Gaynell Lee outlined House Bill 870 which states that all closed sessions, with the exception of personnel matters, held by a public body shall be recorded in the form of sound or video and sound recordings. The recordings must also be retained for at least two years from the date of the public release of the recording. The recording will also be in addition to the general written account of the closed session. The County Clerks' Association, at their recent annual conference, voted to oppose the Bill and sent letters to all North Carolina delegates and the County Commissioners Association. After discussion, Commissioner Reives moved to approve the Resolution in Opposition to House Bill 870 as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, and Reives
Nay: Knecht, Parks, Smith, and Womack

The Chairman ruled the motion failed with a 4 to 3 vote.

The Board considered bids for Property and Liability Insurance renewal. County Manager John Crumpton asked the Board to approve a renewal quote from the North Carolina Association of County Commissioners (NCACC) for FY 2013-14 Property and Liability Insurance. Mr. Crumpton stated that the NCACC provides comprehensive coverage to counties that is uniquely designed to cover the County's needs and operations. The cost of the renewal is \$381,986. After discussion, Commissioner Frazier moved to approve the renewal quote with the North Carolina Association of County Commissioners for Property and Liability Insurance, a copy of which is attached to these Minutes and by this reference made a part hereof, and authorize the County Manager to sign required documents. 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 bids for Workers' Compensation Insurance renewal. County Manager John Crumpton asked the Board to approve a renewal quote from the North Carolina Association of County Commissioners (NCACC) for FY 2013-14 Workers' Compensation Insurance. Mr. Crumpton

stated that NCACC provides comprehensive coverage to counties that is uniquely designed to cover the County's needs and operations. The cost of the renewal is \$335,504, with a savings from last year of \$11,653. After discussion, Commissioner Smith moved to approve the renewal quote from the North Carolina Association of County Commissioners for Workers' Compensation Insurance, a copy of which is attached to these Minutes and by this reference made a part hereof, and authorize the County Manager to sign required documents. 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 Budget Amendment #05/20/13/17. Finance Director Lisa Minter presented said amendment which appropriates funds for the following departments:

- Other Revenue – insurance refunds in the amount of \$7,108 to pay for damages to the Animal Control Shelter due to flooding, and
- Drug Seizure Funds - \$35,159 appropriated for the purchase of a mobile storage system to be located in the Sheriff's department evidence storage room.

Commissioner Dalrymple moved to approve Budget Amendment # 05/20/13/17 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 the award of banking services. Finance Director Lisa Minter asked the Board to award banking services to First Citizens Bank for the period July 1, 2013 through June 30, 2018. Ms. Minter stated that on April 4th a banking services request for proposal was forwarded to several local banks, with proposals due on May 3rd. Two proposals were received from BB&T and First Citizens. Both bids were reviewed and analyzed with clarifications resolved on some issues from both banks. The County has been with First Citizens Bank since July 1, 2006 and have avoided fees since that time by maintaining a non-interest bearing CD with them in the amount of \$206,000. With interest rates at an all-time low, a compensating balance is no longer a reasonable option. Ms. Minter stated she asked for projected monthly fees from each bank for a five-year term. First Citizens is willing to honor the quoted fees for five years; however, BB&T is only honoring a portion of their fees for one-year and others will be subject to market changes. BB&T is offering a .33% earnings credit to offset fees where First Citizens is offering a .10% interest payment on our account. Even though BB&T appears to be a lower net cost, Ms. Minter recommended the County stay with First Citizens because of the guaranteed pricing for five years. After discussion, Commissioner Womack moved to approve banking services with First Citizens Bank for the period July 1, 2013 through June 30, 2018 as presented. 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.

Finance Director Lisa Minter presented the Monthly Financial Report for month ending April 2013. No action was taken.

County Manager John Crumpton presented the May 2013 County Manager's Report to the Board. Before his report, Mr. Crumpton introduced Mr. Shakeel Harris who will be working for five-weeks as an intern to learn more about county government. Mr. Crumpton discussed his Monthly Report, a copy of which is attached to these Minutes and by this reference made a part hereof. Various changes were made to the budget work session dates to accommodate some of the Commissioners. No action was taken.

Commissioner Reives moved to approve the summer meeting schedule of 6 p.m., July 15th, 6 p.m., August 19th, and 6 p.m., September 16th. 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 go into closed session to discuss matters relating to the location or expansion of a business in the area per North Carolina General Statute 143-318.11(a)(4), and to consult with the County Attorney to protect the attorney-client privilege per North Carolina General Statute 143-318.11(a)(3). 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 regular meeting resumed.

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

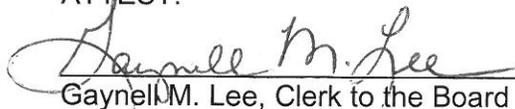
Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 8:30 p.m.



Charles T. Parks, Chairman
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk to the Board