

# 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 6, 2013

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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, Charles T. Parks, Kirk D. Smith, and James K. Womack. Commissioners' Dr. Ricky D. Frazier, Dr. Andre Knecht, and Robert T. Reives were not present at the beginning of the meeting but did join 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. COMMISSIONER'S FRAZIER AND REIVES JOINED THE MEETING AT THIS TIME. Commissioner Womack moved to approve the Agenda as presented. Chairman Parks asked that Item IV. B (Request by Ken Armstrong to appear before the Board), be moved further down on the agenda for discussion. 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 April 15, 2013 regular meeting,
- Minutes from the April 22, 2013 special called meeting,
- Renewal contract for inmate labor between Lee County General Services and NC Department of Public Safety (copy attached),
- Changes to the Consolidated Agreement between the State and the Lee County Health Department, and
- Resolution in opposition to Senate Bill 385 (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.

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

1. Ms. Tamara Brogan, 2520 Waterford Court, Sanford (Caterpillar Youth Program)
2. Mr. Bill Stone, 2127 Carthage Street, Sanford (Young Commissioners Leadership Program)

Ms. Victoria Whitt, Executive Director of the Sandhills Center completed the required paperwork to appear before the Board to present their budget funding request for the upcoming year. Ms. Whitt also updated the Board on program updates for the Sandhills Center. No action was taken.

Senior Services Director Debbie Davidson updated the Board on recent sequestration cuts to the Home and Community Care Block Grant for Senior Services which amounts to \$12,305.00 through the federal fiscal year ending September 30, 2013. Forty percent (40%) or \$4,922.00 must be decreased by June 30, 2013 and an additional \$7,383.00 must be decreased from July 1 to September 30, 2013. The Administration on Aging stated the cuts must come from the five funding acts designated in the Older American's Act. The NC Division of Aging and Adult Services are absorbing the Family Caregiver and Health Promotion decrease within their budget. The remaining Lee County 40% cut is as follows:

IIIB	\$1,986.00
IIIC Congregate	\$2,165.00
IIIC Home Delivery	\$ 771.00

Ms. Davidson stated Senior Services will absorb these cuts by reducing the Home Repair Ramp Service by \$1,986.00 and the Congregate Meal Site and Home Delivered Meal Services by closing the meal site on Wednesdays beginning May 15 through June 30. The remaining 60%, or \$7,383, will be cut in the same manner through September 30, 2013. No action was taken.

Commissioner Knecht joined the meeting during this discussion.

Ms. Davidson further stated she had received a total of \$ 2,750 from individuals to assist with the above referenced shortfall. After discussion, Commissioner Reives moved to approve the donations from private citizens in the amount of \$2,750 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 a request from the Sheriff's Office to accept two grants from the NC Governors Crime Commission. Lt. David Prevatte asked the Board to approve two grant applications to

the North Carolina Governors Crime Commission (NCGCC) submitted in January 2013. The NCGCC selected both applications submitted with funding to start July 1, 2013. The first grant would allocate \$10,000 for Safe Schools Critical Training with no local match. The second grant would allocate \$78,705.40, with a 25% local match, to fund two deputy positions for School Resource Officer/Gang Prevention Coordinators for one year. Commissioner Womack moved to approve the acceptance of the above two referenced grants from the NC Governors Crime Commission 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 a request from the Sheriff's Office to submit grants to the U.S. Department of Justice to hire School Resource Officers. Lt. David Prevatte asked the Board for approval to submit an application to the US Department of Justice COPS Office (USDOJ) for funding of two deputies to serve as School Resource Officers at the elementary schools within Lee County. The grant would cover up to \$125,000 per position for three (3) years. Lt. Prevatte stated the grants would cover 75% of salary and benefits cost each year. After discussion, Commissioner Smith moved to approve request to submit the application to USDOJ 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 bids for the Lee County Sheriff's Office Evidence Room Project. Chief Deputy Randall Butler stated the following bids had been received for the Evidence Room Project:

MTM Business Systems Tustin, CA	No Bid
aads Office Solutions Tempee, AZ	\$39,200.00
Patterson-Pope Morrisville, NC	\$53,890.00
Nationwide Shelving.com	No Bid
Industrial Naperville, IL	No Bid
Gregory Grier, Inc. Kernersville, NC	\$35,159.00

Mr. Butler asked the Board to approve the low bid from Gregory Grier, Inc. and stated the project would be paid for by using drug asset funds. After discussion, Commissioner Reives moved to approve the low bid of \$35,159.00 from Gregory Grier, Inc., Kernersville, NC. 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 Solid Waste Services. Solid Waste Superintendent Joe Cherry discussed proposals received from qualified firms to provide solid waste services for Lee County. Proposals were received from the following:

Waste Connections Inc., Charlotte, NC  
Waste Industries, LLC, Raleigh, NC  
Waste Management of Carolinas, Inc., Morrisville, NC

County Manager John Crumpton stated that County staff would like to keep the business in house but his recommendation to the Board was to go with Waste Industries. The result of the cost proposals shows that the County's cost and Waste Industries proposal are very close. The County's proposal does not take into consideration the purchase of new vehicles. Due to the age and mileage of the County's vehicles, the department will need to purchase two newer vehicles at an estimated capital cost of \$300,000.00. Mr. Crumpton further stated that by privatizing this service the County can avoid the capital cost to stay in the business. In addition, the County is now placing the responsibility for finding a disposal location on the contractor. Mr. Crumpton recommended the Board award the service contract to Waste Industries, with the county providing and maintaining the containers for service. The County will also maintain ownership of the containers and operations of the Convenience Centers so that the County maintains quality control over the service and also will be able to bid the services in the future without the consideration of who owns the containers. After discussion, Commissioner Reives moved to accept the County Manager's recommendation to award the solid waste service contract to Waste Industries, with the county providing and maintaining the containers for service. 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 space needs study for County facilities. County Manager John Crumpton presented a proposal from local Architect Tim Sherman to update the Space Needs Study he completed in 2007. Mr. Crumpton further stated with the moratorium placed on the Capital Improvement Program, the Board of Commissioners asked that a Space Needs Study be completed on County buildings. The proposal by Mr. Sherman updates the plan that he completed in 2007 and adds any new facilities the County has acquired or built in that time frame. Mr. Sherman's proposal also offers to review the Community College and Board of Education's space needs requests and related studies they provided us as part of their capital request. Mr. Sherman has quoted a price of \$30,000 for the County study and an estimated \$7,500 each for the CCCC and Board of Education space needs plans. Mr. Sherman was present and answered questions from the Board. After discussion, Commissioner Womack moved to approve the proposal from Tim Sherman to update the 2007 Lee County Facility Needs Study (\$30,000 for the County and \$15,000 for reviewing education space needs assessments) contingent upon receiving documentation from Central Carolina Community College and Lee County Schools that were sufficiently detailed to warrant a professional review. 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 service contract for lifeguard and CPR/first aid instruction. Parks and Recreation Director John Payne asked the Board to approve a service contract with Harold Morcombe of Health and Safety Consultants of North Carolina to provide lifeguard, CPR, and first aid classes to certify aquatics staff for the upcoming pool season. Mr. Payne stated that in past years, the department has been able to arrange for lifeguard, CPR/first aid classes through the local chapter of the American Red Cross. This year however the process changed and the department was told that Red Cross could not provide the services. Mr. Payne stated Mr. Morcombe can provide the service at a lower cost than what the Red Cross had been providing in the past. After discussion, Commissioner Frazier moved to approve the service contract for lifeguard and CPR/first aid training with Harold Morcombe of Health and Safety Consultants of North Carolina 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.

Mr. Ken Armstrong from the Sanford Housing Authority discussed with the Board the recent purchase of the Wilrik Hotel located at 152 S. Steele Street. Mr. Armstrong stated an agreement had been reached with Progress Energy to purchase the Hotel, who currently owns the building, The Housing Authority intends to invest between \$25,000-\$75,000 to renovate the building with new HVA, painting, camera upgrades, exterior work such as new lighting, and pressure cleaning. The property is currently tied up in tax credits and regulations that are being worked out. Restrictions will have to continue to use if for low-income or affordable housing. After five-years, if the Housing Authority can move the forty-one (41) low-income units to another area, work can begin to restore the Wilrik Hotel to be used for higher-end apartments. The Housing Authority recently purchased two lots on Linden Avenue from the County that will be used to construct 3 units for low-income housing. It was noted that \$331,000 is due in notes to the County that have never been paid. Mr. Armstrong asked the Board to approve a discounted payoff in the amount of \$34,000 that would be used at closing. Taxes are current but no payments have been made to the County and City since the building was purchased in 1996. After discussion, Commissioner Reives moved for the County Manager and County Attorney to meet with Mr. Armstrong and begin work on an agreement to present to the Board for consideration. Upon a vote, the results were as follows:

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

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

At this time the Board took a 10-minute recess. Upon returning from recess, with all members present, the meeting resumed.

The Board considered Interlocal Agreements with the Town of Broadway. County Manager John Crumpton asked the Board to consider 3 Interlocal Agreements with the Town of Broadway for Sheriff's Patrol, Animal Control, and Tax Collections. Mr. Crumpton stated Commissioners first met with the Town of Broadway to discuss these agreements on March 31, 2013 during a joint meeting in

Broadway. At that meeting the Board instructed the two Managers to meet and discuss the agreements and the services that are exchanged between the two agreements. These 3 agreements are where fees will be exchanged for services. In the Animal Control and Sheriff's Patrol agreements the Town of Broadway is providing services to the Sheriff's department. The County up to now had been receiving these services free of charge. The Tax Collection agreement is the only Interlocal Agreement currently in use between the two governments. In this case, the Town pays the County to collect their real and personal taxes for a fee. After discussion, Commissioner Dalrymple moved to defer action on the Interlocal Agreements with the Town of Broadway until the May 20<sup>th</sup> 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.

The Board considered a Resolution to establishment seven rural fire service districts. Emergency Services Director-Fire Marshal Shane Seagroves gave a brief history on where the fire districts are from the 2005/06 TriData study. By approving the Resolution 100% of Lee County taxpayers will be in a rated fire district. Mr. Seagroves stated it was a win-win situation for the taxpayers and fire departments, and would be effective July 1, 2013. After discussion, Commissioner Smith moved to approve The Resolution and Order Making Findings Concerning the Establishment of Seven Fire and Emergency Response Service Districts within the Existing Rural Fire Protection Districts of Lee County and Directing Staff to take all Actions that will Allow this Board to Make a Final Legal Decision Concerning Whether to Establish the Same, 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 Economic Development Task Force Memorandum of Understanding (MOU). County Manager John Crumpton stated that for several months a Task Force of representatives from the Lee County Economic Development Corporation, the Sanford/Lee County Chamber of Commerce, Lee County, City of Sanford, Town of Broadway, and members of the business community have been meeting to discuss the future of Economic Development efforts in Lee County. The Task Force met several times and developed several different versions of a Memorandum of Understanding. If approved, Lee County will pay \$190,000 per year for the next 2 budgets to fund economic development operations and loan the new organization \$150,000 so that private fund raising efforts can begin. The MOU states the loan agreement will include a clause that allows for a future request that the loan, or part of the loan, be forgiven but the County is under no obligation to forgive the loan. After discussion, Commissioner Womack moved to approve the MOU as presented with representation on the Board to be proportional based on financial support as among governmental participants and private parties with ratio being revised on a biannual basis, 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 Budget Amendment # 05/06/13/16. Finance Director Lisa Minter presented the above referenced Budget Amendment which appropriated \$1,000 of additional SHIIP Grant revenue to Senior Services and a \$300 donation to the Library from the Rotary Club for the purchase of bilingual books. Commissioner Dalrymple moved to approve Budget Amendment # 05/06/13/16 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 Agreement with all volunteer fire districts to waive the sales tax distribution. Finance Director Lisa Minter presented the Agreement with the seven (7) volunteer fire districts wherein they agree to waive the sales tax distributions under the "ad valorem method" of sales tax distribution, and the County agrees not to adjust the property tax rates within the fire protection districts based on the County's election of the "ad valorem method" of local option sales tax revenue distribution. After discussion, Commissioner Womack moved to approve an Agreement with the Volunteer Fire Districts, 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 go into closed session to discuss negotiation and price for the acquisition of real property located at 130 Wicker Street for the purpose of relocating the joint City-County departments of Community Development, Planning, Zoning, Code Enforcement and Environmental Health into one location. Upon a vote, the results were as follows:

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

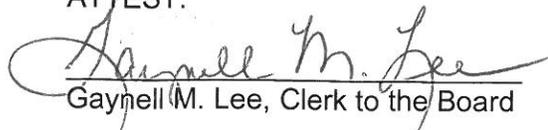
The Chairman ruled the motion had been adopted unanimously and the Board was in closed session. Upon returning from closed session, with all members present, the regular meeting resumed.

With no further business to come before the Board, Commissioner Reives 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 8:20 p.m.

ATTEST:

  
Gaynell M. Lee, Clerk to the Board

  
Charles T. Parks, Chairman  
Lee County Board of Commissioners