LEE COUNTY

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

JANUARY 4, 2010

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 3 p.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Richard B. Hayes, James C. Kelly, Larry "Doc" Oldham, Nathan E. Paschal, Robert T. Reives, and Linda A. Shook. Commissioner Amy M. Dalrymple was absent but joined the meeting later.

Chairman Richard Hayes called the meeting to order and the following business was transacted:

County Attorney K. R. Hoyle delivered the invocation.

The pledge of allegiance was recited.

Commissioner Dalrymple joined the meeting at this time.

The Board considered additions/changes to the agenda. Chairman Hayes asked that two items be pulled from the Consent Agenda for further discussion, those being Item II. C. (Tax Releases and Refunds for November 2009), and Item II. H. (Service Agreement with County Tax Services, Inc.). With no other changes made, Commissioner Oldham moved to approve the agenda as revised. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to revise the Agenda by moving Item VI. A. from New Business (revision to Resolution Levying Additional One-Quarter Cent (1/4¢) Sales and Use Tax) to the Consent Agenda. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from May – December 2009 closed session meetings;
- Minutes from the December 7, 2009 regular meeting;
- Resolution of Support for Environmental Impact RC&D, Inc. (copy attached);
- Resolution of Support for the Endor Iron Furnace to be designated as a State Park (copy attached);
- Interlocal Agreement for COLTS (for Automated Demand Response and Para Transit Scheduling and Routing Software);
- Appointment of Rev. Robert (Bob) Brown and Ms. Pamela Glover to the Juvenile Crime Prevention Council (JCPC);
- Budget Amendment # 01/04/10/06 (copy attached);
- Trustee for Certificates of Participation from First Citizens Bank (copy attached);
- Revision to the Drug and Alcohol Policy located in the Lee County Personnel Policy; and
- Revised Resolution Levying Additional One-Quarter Cent (1/4¢) Sales and Use Tax (copy attached)

Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. Gen Stat 153A-52.1, Chairman Hayes opened the floor for public comments. The following signed up to speak and were allowed 3 minutes for comments:

1. Mr. Russell Noel, 1413 Cherokee Trail, Sanford (thanked the Board for adopting a Graffiti Ordinance and questioned when an Ethics Policy would be adopted).

At this time the Board conducted a public hearing to consider an economic development incentive project between the Lee County Economic Development Corporation and Parkdale America LLC. Economic Development Director Bob Heuts asked the Board to consider a grant sharing up to $34,781.00 of the cost of the project to be paid out over a 5-year period based on the value of the project to the County. The project included the movement of equipment from the Hanesbrands yarn spinning facility located in the Jonesboro community to the Parkdale plant located on Boone Trail Road, and the creation of approximately 60 positions. Value of the equipment is set at $2.5 million.

Chairman Hayes opened the public hearing that had been advertised for this date and time.

The following spoke in favor of the incentive project:

1. Mr. Bob Heuts (on behalf of EDC and the citizens of Lee County)

No one present spoke in opposition to the economic development project.

Chairman Hayes closed the public hearing.

The Board agreed to move discussion of the economic development project from New Business at this time. Commissioner Reives asked that EDC track the number of Lee County employees for this project and make an effort to follow through at the end of the year on all projects. Mr. Reives further stated "this is a new year and we need to work with EDC and track more information from businesses". Commissioner Shook stated she did not see this as an economic development project. After further discussion, Chairman Hayes moved to approve the economic development incentive agreement between the Lee County Economic Development Corporation and Parkdale America, 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, Hayes, Kelly, Oldham, Paschal, and Reives
Nay: Shook

The Chairman ruled the motion had been adopted by a six to one vote.

County Manager John Crumpton presented to the Board an update on the Brookhaven community project. At the December 7, 2009 meeting, representatives from the Brookhaven community appeared before the Board and addressed issues concerning sewer, streets in need of repair and repaving, utility lines that should be buried, lots and homes in need of being cleaned up and maintained, clean-up of pond area, and removal of large trash items, and community clean-up of debris. Mr. Crumpton stated that county staff had been tasked to work on issues which included a septic tank survey and illegal dumping issues at five locations within the community. Community Development is also working on some issues, with the street issues being addressed separately. Mr. Crumpton stated another update would be given to the Board in February 2010. Commissioner Reives stated he would like discussion with the City of Sanford for possible extension of sewer lines to the area. No action was taken.

The Board considered Tax Releases and Refunds for November 2009 that had been pulled from the Consent Agenda earlier in the meeting. Tax Administrator Dwane Brinson answered questions of the Board. After discussion, Commissioner Kelly moved to approve Tax Releases and Refunds for November 2009, 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, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an agreement with County Tax Services, Inc. that had been pulled from the Consent Agenda earlier in the meeting. Tax Administrator Dwane Brinson stated that Lee County currently has an agreement with Tax Management Associates to conduct business audits and his office would like to consider adding an additional firm at this time. Mr. Brinson proposed entering into an agreement with County Tax Services, Inc., along with Tax Management Associates, which would increase the workload to two audit forms. It was stated that most counties have one or more services for business audits. Ms. Tonya Bowen and Mr. Bill Connolly from County Tax Services were present and discussed their firm and answered questions from the Board. After discussion, Commissioner Kelly moved to approve the agreement with County Tax Services, Inc. After further discussion, Commissioner Kelly amended his motion to approve the agreement with County Tax Services, Inc. and include the agreement with the existing firm of Tax Management Associates. A copy of the agreement with County Tax Services, Inc. is attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending November 2009. No action was taken.

County Manager John Crumpton presented a recent *Employee Survey* conducted by Lee County staff. No action was taken.

County Attorney K. R. Hoyle presented an update on the recent lawsuit against MS Consultants. It was stated the executed Settlement Agreement had been received and Lee County will be paid a total of $107,000 ($17,833.33 payments between January 2010 and April 2011). The County will also receive a $30,000 credit from MS Consultants on any future work completed within five years from the date of the Agreement. It was also noted the lawsuit had been dismissed.

Commissioner Dalrymple moved to go into closed session to instruct staff concerning the negotiation of the price and terms of a contract concerning the acquisition of real property per N.C. Gen Stat § 143-318.11(a) (5). Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
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, Chairman Hayes called the regular meeting back to order.

Commissioner Oldham moved for the County Manager to negotiate up to $24,000 for the purchase of the Virginia Partington property located next to San Lee Park. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
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: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 4:50 p.m.

Richard B. Hayes, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk