

LEE COUNTY

NORTH CAROLINA

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

NOVEMBER 19, 2012

The regular meeting of the Lee County Board of Commissioners for the County of Lee, State of North Carolina, convened at 2 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, 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.

Chairman Shook called the meeting to order.

Commissioner Richard Hayes delivered the invocation.

The pledge of allegiance was recited.

Commissioner Charlie Parks was sworn into the Marine Corps League of Lee County for his work with the annual Christmas Toys for Tots Program.

At this time the Board recognized Commissioner's that will be leaving the Board. Chairman Shook presented resolutions (copies attached to these minutes and by this reference made a part hereof), and plaques to Commissioner Ed Paschal for 20 years of service, Commissioner Doc Oldham for four years of service, and Commissioner Richard Hayes for four years of service.

The Board considered additions/changes to the agenda. County Manager John Crumpton asked the Board to consider a Resolution of Appointment and Employment Contract for the hiring of a new County Attorney. With no other changes made, Commissioner Oldham 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 Hayes moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the November 5, 2012 regular meeting,
- Minutes from the November 12, 2012 special called meeting;
- Appointment of Ms. Kathi Smith to the Rest Home-Nursing Home Advisory Board;
- Tax Releases and Refunds for October 2012 (copy attached);
- FY 2013-14 Community Transportation Grant for Senior Services (copy attached);
- Purchase of a utility vehicle for the Sheriff's Department in the amount of \$12,198;
- Purchase of seven new vehicles for the Patrol Division of the Sheriff's Department in the amount of \$159,978;
- Sanford-Lee County Airport Authority request to utilize the County's fueling facility for their vehicles and equipment;
- Resolution opposing Progress Energy rate increases (copy attached);
- Budget Amendment # 11/19/12/05 (copy attached);
- Purchase of replacement vehicle for the Sheriff's Department in the amount of \$22,854; and
- Adoption of the 2013 Schedule of Values and the 2013 Use-Value Schedule.

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 three minutes for comments:

1. Ms. Neadella Wilson, 2816 Brookhaven Drive, Sanford (tax rate increase),
2. Mr. Kirk Smith, 3108 Avents Ferry Road, Sanford (George Washington's Thanksgiving address), and
3. Mr. Donald Jackson, 1025 Washington Avenue, Sanford (violence in his neighborhood).

Ms. Susan Laudate from the Friends of the Lee County Library completed the required paperwork to appear before the Board to present a check in the amount of \$7,000.00 to the Commissioners for the first installment of a three-year contract to provide e-books to the Lee County Library. Commissioner Reives moved to accept the \$7,000.00 donation, and 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.

Assistant County Manager/Finance Director Lisa Minter presented a power-point overview regarding the County's finances for the fiscal year ended June 30, 2012. Paula Hodges from Martin Starnes & Associates complemented Lee County on receiving an unqualified audit opinion which means there were no areas of concerns found during the audit.

The Board considered a *Resolution of Appointment* for Mary C. Yow as the new Lee County Tax Administrator. County Manager John Crumpton stated the appointment would be effective November 19, 2012 through June 2015. Commissioner Oldham moved to approve the Resolution 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: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a late listing appeal from Wake Stone Corporation. Tax Administrator Mary Yow stated that according to N.C. General Statute 105-312(h) the county assessor must add a penalty of 10% to property not listed during the regular listing period. The listing period begins the first business day of January and ends on January 31st. The Business Listing for Wake Stone Corporation was postmarked by the US Postal Service on February 1, 2012. Therefore, the statutory 10% penalty was added to the tax bill. Ms. Yow stated that Wake Stone Corporation is asking for abatement of the penalty, stating the form was signed on January 28th and placed in the mail that same day. The amount of county and fire district tax is \$3,544.85. After much discussion, Commissioner Womack moved to reduce the penalty for Wake Stone Corporation from 10% to 1%. 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.

Ms. Yow presented a second late listing penalty from RAI Services Company. Ms. Yow stated the original Business Listing for American Snuff Company was received on March 30, 2012, and postmarked March 29, 2012. An amended return was filed with the Tax Office and received on April 19, 2012. The taxpayer is asking for abatement of penalty in the amount of \$363.92. The County penalty is \$211.58 and the City of Sanford penalty is \$152.34. Commissioner Womack moved to deny the request for abatement of County penalty to RAI Services Company in the amount of \$211.58. 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.

Ms. Yow presented a third late listing penalty from Dr. Parinez B. Nasser. Ms. Yow stated the Business Listing for Dr. Nasser was received on May 18, 2012, and therefore the statutory 10% penalty was added for 2012. In addition to the 2012 listing an additional discovery was also made for the tax years 2009-2010 and 2011. An additional 10% penalty per listing period was added based on N. C. General Statute 105-312 (h). The taxpayer is asking for abatement of all penalties in the amount of \$840.90. The amount of County penalty for both bills is \$444.15 and the amount of City of Sanford penalties is \$396.75. Commissioner Parks moved to deny the request for abatement of County penalty to Dr. Parinez Nasser in the amount of \$444.15. 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.

Ms. Yow presented the fourth late listing penalty for Mr. Thomas Kelley Burch. Ms. Yow stated that Northampton County had notified the Tax Office in June of a 2006 MB Sports Boat that is located in Lee County and owned by Mr. Burch. Northampton County discovered the boat through the NC Wildlife Registration and sent a discovery notice to Mr. Burch in accordance to N.C. General Statute 105-312. Mr. Burch responded to Northampton County indicating that this boat was listed for property taxes in Lee County. Upon receipt of the response, Lee County researched and did not find a listing for the boat. Mr. Burch was notified of a discovery per N.C. General Statute 105-312 for years 2007-2012 by letter dated July 12, 2012. Mr. Burch is asking for abatement of penalty in the amount of \$1,008.54, with the County penalty being \$584.74 and the City of Sanford penalty at \$423.80. Commissioner Womack moved to deny the request for abatement of County penalty to Thomas Kelley Burch in the amount of \$584.74. 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.

At this time, Ms. Kelley Richardson from the Lee County Health Department gave a power-point presentation on the NC Community Transformation Grant Project. The grant is help citizens reduce chronic diseases, improve health status, reduce health disparities and control health care spending. The approach is to educate, put procedures and protocols in place, and study the environment. Discussion followed the presentation but no action was taken.

County Manager John Crumpton presented a *Resolution of Appointment and Employment Contract* for Ms. Kerry Schmid who has been selected as the new Lee County Attorney. Mr. Crumpton stated until Ms. Schmid receives her North Carolina law license transfer, Mr. Neil Yarborough, Interim County Manager, will continue to attend Commissioner meetings and assist with training during the transition. Commissioner Parks moved to approve the Resolution of Appointment and Employment Contract, 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: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Assistant County Manager/Finance Director Lisa Minter presented the October 2012 *Financial Report*. No action was taken.

County Manager John Crumpton presented his *Monthly Report* for November 2012, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

Commissioner Reives moved to hold the December 3, 2012 swearing in ceremony for newly elected Commissioners at 9 a.m. in the Commissioners' Room at the Lee County Government Center, begin the regular meeting at 11 a.m., and hold an advertised public hearing at 6 p.m. His motion also included to not hold the second meeting of the month on December 17th unless a special called meeting should be required. Upon a vote, the results were as follows:

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

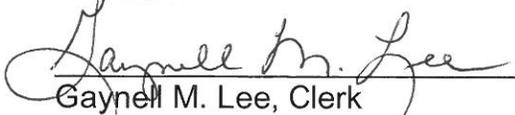
The Chairman ruled the motion had been adopted unanimously.

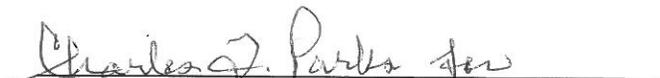
With no further business to come before the Board, Commissioner Paschal moved to adjourn the meeting. Upon a vote, the results were as follows:

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 4:55 p.m.

ATTEST:


Gaynell M. Lee, Clerk


Linda A. Shook, Chairman
Lee County Board of Commissioners