

# LEE COUNTY

NORTH CAROLINA

*Committed Today for a Better Tomorrow*

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

FEBRUARY 15, 2016

---

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 5 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present when the meeting was called to order were Amy M. Dalrymple, Dr. Ricky D. Frazier, Larry "Doc" Oldham, Robert T. Reives, Timothy S. Sloan, and Kirk D. Smith. Commissioner Dr. Andre Knecht arrived later in the meeting

Chair Dalrymple called the meeting to order.

Commissioner Tim Sloan 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 consider an application for Lottery funds from the Board of Education and a funding request from SAGA for the Central Carolina Enterprise Park. Commissioner Reives asked the Board to consider sending a letter to the Carolina Trace Fire Department Board of Directors, a letter to the owner of the Carolina Panthers, and a letter to Central Carolina Community College. With no other changes made, Commissioner Frazier moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Oldham, Reives, Sloan, and Smith  
Nay: None  
Absent: Knecht

The Chair ruled the motion had been adopted unanimously.

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

- Minutes from the February 1, 2016 regular meeting,
- Minutes from the January 28, 2016 Joint Work Session with the Sanford-Lee County Environmental Affairs Board,
- Minutes from the January 29, 2016 Board Retreat,
- FY 2015-16 Home and Community Care Block Grant additional funding request,
- Resolution to name the new conference room at the Lee County Library in honor of retired Library Director Michael Matochik (copy attached), and

- Tax Releases and Refunds for January 2016 (copy attached).

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Oldham, Reives, Sloan, and Smith  
Nay: None  
Absent: Knecht

The Chair ruled the motion had been adopted unanimously.

Chair Dalrymple read aloud the Resolution to name the new conference room at the Lee County Library in honor of retired Library Director Michael Matochik.

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

The Board considered an upset bid on surplus property located at 138 Black Road and offers to purchase surplus property located at 0 Black Road and 140 Black Road. County Attorney Kerry Self stated the above referenced properties were acquired as a result of tax foreclosures. Ms. Self stated that Michael D. Talbott submitted an original offer of \$3,723.17, plus advertng costs, to purchase the property located at 138 Black Road. The offer was advertised in *The Sanford Herald* on January 22<sup>nd</sup>. Ryan Johnson submitted an upset bid of \$4,005.00 within the 10-day upset bid period. Tax value for this parcel is \$50,100.00.

Ms. Self presented two offers on the property located at 0 Black Road, plus advertising costs that had been received from Michael Talbott (\$1,446.84) and Ryan Johnston (\$1,500.00). Tax value of this parcel is \$4,300.00.

Ms. Self presented an offer from Ryan Johnson for property located at 140 Black Road in the amount of \$4,700.00, plus advertising costs. Tax value of this parcel is \$42,800.00.

After discussion, Commissioner Frazier moved to approve a Resolution accepting the upset bid offer from Ryan Johnson for property located at 138 Black Road in the amount of \$4,005.00, and directed staff to advertise for further upset bids, 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, Oldham, Reives, Sloan, and Smith  
Nay: None  
Absent: Knecht

The Chair ruled the motion had been adopted unanimously.

Commissioner Frazier moved to approve a Resolution accepting the upset bid offer from Ryan Johnson for property located at 0 Black Road in the amount of \$1,446.84, and directed staff to advertise for further upset bids, 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, Oldham, Reives, Sloan, and Smith  
Nay: None  
Absent: Knecht

The Chair ruled the motion had been adopted unanimously.

Commissioner Reives moved to approve a Resolution accepting the upset bid offer from Ryan Johnson in the amount of \$4,700.00 for property located at 140 Black Road, and directed staff to

advertise for further upset bids, 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, Oldham, Reives, Sloan, and Smith  
Nay: None  
Absent: Knecht

The Chair ruled the motion had been adopted unanimously.

The Board considered bids for the Bob E. Hales Center Renovation Project. This project is the result of a joint effort between the City of Sanford and Lee County to renovate the storage bay area at the Bob E. Hales Center (old Armory) into program space that will positively impact the community. The City of Sanford, with help from Lee County, will provide space for programming for vulnerable young adult males on Friday and Saturday nights as well as weeknight programming for younger youth. Parks & Recreation Director John Payne presented the following bids for the above referenced project:

<u>CONTRACTOR</u>	<u>BASE BID</u>
G & G Builders, Inc. Wendell, NC	\$222,321.00
H. M. Kern Corporation Greensboro, NC	\$212,800.00
M & R Associates of Sanford Sanford, NC	\$227,500.00
Progressive Contracting, Inc. Sanford, NC	\$247,300.00

Commissioner Knecht arrived during this presentation at 5:12 p.m.

Mr. Payne stated Architect Tim Sherman reviewed the low bid and value engineered some items and the low bid from H. M. Kern can be reduced to \$207,700. With Architectural fees (\$16,500) and a small 5% contingency (\$10,385) the total project cost is now \$234,335. The original estimate and amount used for the FY 2015-16 Parks & Recreation budget is \$164,000. Parks & Rec can add \$8,000 from their existing budget to help with the shortfall. If this is done the shortfall is \$62,335.00. County Manager John Crumpton stated the Board has two options. First, reject all bids and bid again or second, award bid to H. M. Kern Corporation at \$207,700 and cover the shortfall from fund balance. Architect Tim Sherman was present and answered questions from the Board. After discussion, Commissioner Reives moved to reject all bids and ask the City of Sanford to contribute funds toward the \$62,000 shortfall. The motion further stated that if the City did not comply with the request, the project would be re-bid. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented Budget Amendment #2/15/16/13 to appropriate funds for the following departments:

Senior Services – appropriate \$1,512 in additional funding by Triangle J Area Agency on Aging to be allocated to professional services for additional classes on Health Promotion/Disease Prevention.

General Fund Departments – appropriate \$278,564 from the General Fund Balance to adjust for accruals and \$82,288 for the pay plan adjustments.

Solid Waste – appropriate \$7,018 from the Solid Waste Fund Balance for accruals.

Commissioner Frazier moved to approve *Budget Amendment #2/15/16/013* 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, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Board considered a Lottery Application for the Board of Education that had been added at the beginning of the meeting. Finance Director Lisa Minter stated the FY 2015-16 budget includes \$784,000 of lottery proceeds of which \$84,000 is a rollover of funds to complete the air handler and electric heat project at East Lee Middle School. Earlier this year the Board of Education and Board of Commissioners approved an application to draw \$700,000 of Lottery proceeds for Phase 1 of the air handler and electric heat project at West Lee Middle School. The Board of Education has now submitted an application for \$300,000 for Phase 2 of the West Lee project. Commissioner Reives moved to approve the Lottery Application in the amount of \$300,000 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, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

County Manager John Crumpton shared with the Board a request, for information only, from the Sanford Area Growth Alliance (SAGA). The Alliance is requesting assistance with two major components of their Program of Work. Two of the major goals are new Business Recruitment and Product Development. Specific strategies have been identified to achieve each of these goals. Activities currently underway are to fulfill the Business Recruitment goal to actively market Lee County to external customers that includes a redesigned website, and marketing through publications. A second major goal is to accelerate the development of their product. Ongoing strategies being utilized include the county's broadband initiative, development of a competitive inventory of quality buildings and sites, and the extension of water and sewer lines to areas where development can occur. The development of Central Carolina Enterprise Park (CCEP) is an essential component of both above goals. After acceptance in the Duke Site Readiness Program, consulting firm McCallum Sweeney performed a technical review of CCEP and recommended this 350-acre site as the superior site in Lee County for small to mid-size, shovel ready projects. It was recommended by McCallum Sweeney to assemble the properties under common ownership and completion of critical elements of a master concept plan. Private investors have assembled at least 235 acres under common ownership on the south side of Colon Road and have worked with the owners of Triassic LLC, who own the 400 acres north of Colon Road that is already a State Certified Site to create what will now be called Central Carolina Enterprise Park. With these two significant land holdings totaling approximately 635 acres and growing will allow SAGA to have site product to market to small, medium and large, campus-type users. A critical element for marketing CCEP is an

attractive entrance that will include a well-lighted monument sign to instantly and effectively communicate the style, professionalism and overall presence of this asset. It is felt that signage is the first perception of quality and the first opportunity to make a positive impression on potential customers. The entrance will contain state-of-the art signage, grading of the tracts visible from US #1 and effectively lighting this intersection will give a scene equal to any commercial park anywhere and a competitive edge which will help brand the product in the minds of internal and external customers. The signage entrance will present the image of a 21<sup>st</sup> Century business destination. The proposal has been reviewed and recommended by the Economic Development and Product Committees of the SAGA Board and are on board with its importance to future success for this site. The following breakdown for the project was also provided:

Engineering and Design	\$ 15,000.00
Electrical and Lighting	\$ 20,000.00
Road and Sign Construction	<u>\$287,675.00</u>
Total Budget	\$322,675.00

Mr. Crumpton stated all of the above information was being provided as information only. Representatives from SAGA will be at the March 7<sup>th</sup> Commissioners meeting to formally make their request for the above \$300,000 funding.

The Board considered appointments to the Board of Equalization and Review. Action on this item was deferred at the February 1<sup>st</sup> meeting until ballots could be provided for voting. The deadline period to accept applications was also extended in order to accept additional applications. Ballots were provided prior to the meeting for each Commissioner to complete and sign. Clerk to the Board Gaynell Lee reported the following 4 applicants received the most votes and were appointed as full-time members of the Board of Equalization and Review:

1. Brandon Atkins
2. Al Rushatz
3. Gary Thomas, Sr.
4. John Ramsperger

The following 4 applicants were appointed as alternate members of the Board of Equalization and Review:

1. Mike McDonald
2. Ed Angel
3. Rockie Barnes
4. Brian Davis

Commissioner Sloan moved to accept the above referenced individuals to the Lee County Board of Equalization and Review. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
 Nay: None

The Chair ruled the motion had been adopted unanimously.

Commissioner Reives moved to appoint Commissioner Tim Sloan as an alternate member to the SAGA Board of Directors. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
 Nay: None

Commissioner Reives moved to appoint Commissioner Tim Sloan as an alternate member to the SAGA Board of Directors. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

Commissioner Reives moved that a letter be sent to the Carolina Trace Fire Department Board of Directors (added at the beginning of the meeting) thanking them for their handling of the recent situation concerning their former Fire Chief. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

Commissioner Reives moved that a letter be sent to the owner of the Carolina Panthers thanking them for keeping the team in North Carolina (added at the beginning of the meeting). Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

Commissioner Reives moved that the County Manager forward a letter to Central Carolina Community College asking them to provide Commissioners with a written monthly update on their building project (added at the beginning of the meeting). Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Monthly Financial Report for month ending January 2016 was presented. No action was taken.

County Manager John Crumpton gave an update on the Colon Road-Osgood Community water testing. As of February 12, 2016, 78 letters have been received, 44 samples taken (22 wells). Nine samples are scheduled to be taken in the coming days; some pending verification have not been received to date. The biggest update is that DHHS will no longer provide a risk recommendation going forward concerning the private well baseline sampling if a constituent exceeds the allowable limit. Chair Dalrymple discussed a meeting she attended on Thursday, February 11<sup>th</sup> with Senator Ron Rabin, Representative Robert Reives, II, Representative Brad Salmon, Tom Reeder (Deputy Health Director), and Dr. Randall Williams (State Health Director) in reference to the water testing issue. It was stated the State will be sending letters to the seventeen (17) residents in the Colon Road area rescinding they recommendation from previous letters on the drinking water issue. The State now thinks the water is safe to drink and cook with. Dr. Williams and Mr. Reeder will be at the Commissioners March 7<sup>th</sup> meeting to explain their position on the baseline water testing issue.

At this time County Manager John Crumpton discussed with the Board a memo received from the Joint Environmental Affairs Board (EAB) addressing additional action they would like Commissioners to consider regarding current coal ash baseline water testing. Assistant to the County Manager Terrell Jones gave a power-point presentation on leach aid collected at the Sanford Wastewater Treatment Plant and the Brickhaven Coal Ash site in Moncure.

County Attorney Kerry Self gave a report on legal requirements for drinking water and presented solutions the Board might want to consider to address the situation surrounding water in the Colon Road area, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

County Manager John Crumpton presented his *Monthly Report for February 2016*, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

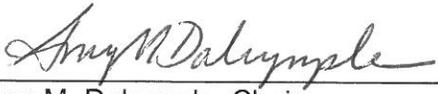
Commissioner Frazier moved to go into Closed Session to instruct staff concerning the negotiation of the price and terms of a contract concerning the acquisition of real property located at 1503 Elm Street per North Carolina General Statute 143-318.11(a) (5). Upon a vote, the results were as follows:

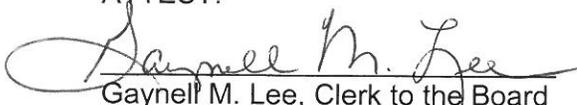
Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith  
Nay: None

After returning from Closed Session, with all members present, the regular meeting resumed. With no other 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, Oldham, Reives, Sloan, and Smith  
Nay: None

The Chair ruled the motion had been adopted unanimously and the meeting adjourned at 7:30 p.m.

  
\_\_\_\_\_  
Amy M. Dalrymple, Chair  
Lee County Board of commissioners

ATTEST:  
  
Gaynell M. Lee, Clerk to the Board