

LEE COUNTY

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

JULY 18, 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, Dr. Andre Knecht, Larry "Doc" Oldham, Robert T. Reives, Timothy S. Sloan, and Kirk D. Smith.

Chair Dalrymple called the meeting to order and the following business was transacted:

Commissioner Kirk Smith delivered the invocation.

The pledge of allegiance was recited.

The Board considered changes/additions to the Agenda. Commissioner Dalrymple asked the Board to discuss a possible community meeting/forum under New Business. With no other changes made, Commissioner Reives moved to approve the *Agenda* as amended. 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 Oldham moved to approve the *Consent Agenda* which consisted of the following items:

- Minutes from the June 20, 2016 regular meeting,
- Minutes from the July 6, 2016 special called meeting,
- Tax Releases and Refunds for June 2016 (copy attached),
- Application submitted by Mr. Thomas Haislip, Jr. to serve on the Agriculture Advisory Board (Pocket Township),
- Memorandum of Agreement with NC Cardinal for Lee County Library's ILS Automation System,
- Job Title Change to Pay and Classification Pay Plan for Senior Insurance & Volunteer Services Specialist, and
- Budget Amendment # 07/18/16/01 (copy attached).

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.

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

1. Keely Wood, 363 Angel Road, Sanford (water-air quality)
2. Dan Wood, 343 Chapman Drive, Sanford (water-air quality)
3. Karen Wood, 343 Chapman Drive, Sanford (water-air quality)
4. Elsie Stovall, 1909 Tramway Road, Sanford (Soccer Complex)
5. Debbie Hall, 957 Cumnock Road, Sanford (EnvironmentalLee)

Ms. Amy McNeill, Design Review Coordinator with the Sanford/Lee County Planning and Development Office presented the Lee County Planning Board's recommendation for the Lee County "Sanford Soccer Field & Complex District". Ms. McNeill stated the Planning Board unanimously voted to recommend approval of the application submitted by Toribo Hernandez to rezone from Residential Agricultural (RA) district to a conditional zoning district to be known as "Sanford Soccer Field Complex District", an 8.75 ± acre portion of a larger 9.95 ± acre tract off Airport Road. The following conditions were placed on the recommendation:

- No alcohol to be served or allowed on site and signs posted stating no alcohol,
- No drugs and/or weapons allowed, and
- Security for all non-practice games.

The Planning Board also included within their motion a recommendation that NCDOT consider requiring a turn lane/stacking lane on Tramway Road when entering Airport Road from the south as part of the approval for Phase I. It was also noted the City of Sanford held a public hearing on this matter and tabled the request until traffic issues/concerns could be studied (DOT road widening and reducing the speed limit). After discussion, Commissioner Oldham moved to table the matter until the August 15th meeting and see if answers could be obtained from DOT in reference to the above matters. 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.

Mr. Marshall Downey, Community Development Director with the Sanford/Lee County Planning and Development Office presented a recommendation from the Lee County Planning Board to approve amendments to Article 11 Sign Regulations, Section 11.8.2: Wall Signs. Mr. Marshall stated the proposed amendment will add a new Subsection 11.8.2.6 Additional Wall Sign permitted in NC, CBD, TNC, and PUD Zoning Districts and amended Table 11.2: Standards for Permanent Signage in the NC, CBD, TND, and PUD Zoning Districts to reflect that change. Commissioner Reives moved to approve an *Ordinance Amending the Lee County Unified Development Ordinance for Sign Regulations*, 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.

Ms. Althea Thompson, Zoning Administrator with the Sanford/Lee County Planning and Development Office presented the third and final recommendation from the Lee County Planning Board for an amendment to the Unified Development Ordinance (UDO) for a proposed amendment to add a definition of a "Yard Sale". Ms. Thompson stated the Planning Board recommended approval of the amendment to clarify that yard sales shall be permitted as an accessory to any residential use and shall not require a zoning permit. Design standards shall be included within the definition. Commissioner Reives moved to approve an *Ordinance Amending the Lee County Unified Development Ordinance for Yard Sales*, 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 the Tax Collector's Annual Settlement. Tax Administrator Mary Yow stated that each year the Tax Collector must make settlement with the governing body per North Carolina General Statute §105-373. As part of the settlement the governing board charges the Tax Collector with collecting taxes for the current fiscal year (FY 2017) and prior fiscal years with unpaid taxes. This "charge" gives the Tax Collector authority to use enforced collection measures and it gives legal notice that the tax lien is first in priority. After discussion, Commissioner Reives moved to approve the *Affidavit of the Tax Collector, Tax Collector's FY 2016 Report, Resolution Approving Tax Collector's Annual Settlement for FY 2016 and Prior Years, and Order for Tax Collector to Collect Taxes*, 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, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

The Board next heard a report from County Attorney Whitney Parrish on the sale of property located at 109 South Third Street. Ms. Parrish told the Board that at the August 28, 2015 tax foreclosure sale, Lee County and the City of Sanford were the higher bidder in the amount of \$6,883.50 for property located at 109 South Third Street. After the sale, Mr. Charles Brown contacted the County and asked to have the county's bid assigned to him. The approval to have the bid assigned to Mr. Brown was placed on the November 2, 2015 Commissioners agenda. The item was deferred at that meeting until the City made a decision. Two other individuals have also requested to have the county's bid assigned to them (Mr. Cecil Williams and Mr. Anthony Hall). Due to the time period that has lapsed, and after discussion with the City Attorney, it has been decided to go through the foreclosure process and then sell the property as surplus property. The three individuals interested in the property will be notified of the decision to move forward with the foreclosure process. No action was taken.

The Board considered a voting delegate for the upcoming August North Carolina Association of County Commissioners (NCACC) Conference in Forsyth County. The Association asks each county to appoint a voting delegate to take care of business during the business session. Commissioner's

Dalrymple and Frazier are registered to attend the conference. Commissioner Frazier moved to appoint Commissioner Amy Dalrymple as the *Lee County Voting Delegate for the upcoming NCACC Conference*. 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 presented *Budget Amendment # 07/18/16/02* for the following departments:

IT – appropriate \$180,000 for the Broadband/Telecommunications Expansion to the Industrial Park by Randolph Telephone Telecommunications. Also rolling over \$43,600 for projects not completed in FY 2015-16.

Social Services – appropriate \$37,465 awarded through the Duke/Progress merger for income-qualified Duke Energy customers for heating/cooling emergencies.

Commissioner Oldham moved to approve *Budget Amendment # 07/18/16/02*, 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.

Chair Dalrymple discussed a request that had been added at the beginning of the meeting in reference to requests from several citizens in the community asking for a community meeting/forum with law enforcement, political leaders and community members to discuss police relations and the recent police murders in Dallas, Texas. Ms. Dalrymple stated that Mr. Solomon McAuley is trying to get an organized and structured community discussion/forum together possibly the first week in August. Mr. McAuley has also reached out to elected officials with the City of Sanford and Town of Broadway to participate. At this time Mr. McAuley is trying line up a moderator for the event. Commissioner Reives stated he wanted more information on exactly what is expected at the meeting/forum. Chair Dalrymple stated she would discuss the matter with Sheriff Carter and Police Chief Ronnie Yarborough. No action was taken.

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

At 6:05 p.m. the Board held a public hearing that had been advertised for this date and time to consider an *Amendment to the Temporary Moratorium on Oil and Gas Development and Mining within Lee County*.

Chair Dalrymple opened the public hearing.

The following spoke in favor of the Amendment:

1. Mr. Tom Oxholm, Vice President of Finance and Administration with Wake Stone Corp.

No one present spoke in opposition to the Amendment.

Chair Dalrymple closed the public hearing.

At this time the Board considered the second reading of the request to amend the Temporary Moratorium on Oil and Gas Development and Mining within Lee County. Commissioner Smith moved to approve *Amendment #1 to the Ordinance Instituting a Temporary Moratorium on Oil and Gas Development and Mining within Lee County, North Carolina*, 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 presented the *Monthly Financial Report* for month ending June 2016. No action was taken.

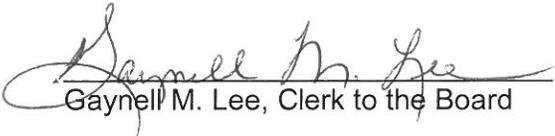
County Manager John Crumpton presented his *Monthly Report for July 2016*, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

With no further 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 6:27 p.m.

ATTEST:


Gaynell M. Lee, Clerk to the Board



Amy M. Dalrymple, Chair
Lee County Board of