

LEE COUNTY

NORTH CAROLINA

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

MARCH 19, 2012

The regular meeting of the Lee County Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 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, Larry "Doc" Oldham, Charles T. Parks, Robert T. Reives, Linda A. Shook, and James K. Womack. Commissioner Nathan E. Paschal was absent due to health issues.

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

Attorney Dale Talbert delivered the invocation by asking for a moment of silence. Chairman Shook asked that everyone remember former Commissioner Bert Matthews whose husband passed away earlier on this date.

The pledge of allegiance was recited.

The Board considered additions/changes to the agenda. With no changes made, Commissioner Parks moved to approve the agenda as presented. Upon a vote, the results were as follows:

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

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 February 6th, February 20th, and March 5, 2012 closed session meetings,
- Minutes from the February 28, 2012 joint meeting with Environmental Affairs Board,
- Minutes from the March 5, 2012 regular meeting,
- Minutes from the March 8, 2012 Budget Kickoff Work Session,
- Tax Releases and Refunds for February 2012 (copy attached),

- Resolution and offer of \$40,000 from the Sanford Housing Authority for property located at 226 Linden Avenue (copies attached),
- NC Cardinal Grant with the Lee County Library (copy attached),
- Budget Amendment # 03/19/12/11 (copy attached)

Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute 153A-42.1, Chairman Shook opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Kirk Smith, 3108 Avents Ferry Road, Sanford (prayer issue)
2. Keith Clark, 212 Acorn Drive, Sanford (prayer issue)
3. Bobby Adams, 415 Farmington Lane, Sanford (EMS services)
4. Frank Del Palazzo, 425 Rolling Hill Road, Sanford (tax distribution)

The Board conducted the second and final required public hearing for the *2011 Scattered Site Housing CDBG Grant* application. Planner Karen Kennedy stated two public hearings were required for submission of a CDBG grant application. The first public hearing was held during the January 9, 2012 regular meeting of the Board. Ms. Kennedy introduced Mr. Warren Wooten from The Wooten Company who assisted with writing the application. Mr. Wooten stated the purpose of the second hearing is to discuss the activities to be addressed in the grant application which include the following:

- Applications have been received, reviewed, rated and ranked,
- Housing inspections completed with property owners and meetings held with the Housing Selection Committee,
- Selection Committee approved three units to be rehabilitated and two units for on-site reconstruction,
- Ten alternate units were selected by the Selection Committee

The total grant amount for the application is \$400,000 with activities including:

- Housing Rehabilitation – 3 units (\$165,000.00)
- Housing Reconstruction – 2 units (\$160,000.00)
- Temporary Relocation – 4 units (\$26,000.00)
- Demolition – 2 units (\$9,000.00)
- Administrative Fees (\$40,000.00)

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

The following spoke in favor of the grant application:

1. Jerry Lemmond, 1403 Spring Lane, Sanford (serves on Johnston-Lee-Harnett Community Action Board of Directors)
2. Keith Clark, 212 Acorn Drive, Sanford (will increase tax value on renovated projects)

No one present spoke in opposition to the grant application.

Chairman Shook closed the public hearing.

Commissioner Oldham moved to approve submission of the *2011 Scattered Site Housing CDBG Grant* application as presented. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Dr. Linda Recio from Evergreen Solutions appeared before the Board to present the final performance audit for Lee County Government and financial review for the Lee County Schools. After the presentation, and discussion, Commissioner Womack moved to accept the performance audit for Lee County Government and financial review of the Lee County Schools as presented. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request from the Agriculture Advisory Board and Cooperative Extension Office for a letter of support for the Lee County Farm Service Agency (FSA). Donald Nicholson, Chairman of the Agriculture Advisory Board told Board members one of the duties of the Agriculture Advisory Board is to advise the Commissioners on projects, programs or issues affecting the agricultural economy. USDA announced in January that it intends to close 259 offices, facilities and laboratories across the United States as part of an effort to save about \$150 million a year in the agency's \$135 billion budget. North Carolina is slated to lose 6 county FSA offices, one Food and Nutrition Services office and three Rural Development offices. As a result of this, Moore County's FSA office has been cited for closure. Mr. Nicholson stated a public hearing was held on February 1, 2012 in Moore County and all who spoke were adamant about not closing Moore County's office. During the hearing, several speakers suggested that USDA look at closing Lee County's office instead. The Lee County Area Farmers, Livestock Producers, and Farm Bureau will be writing letters of support for keeping Lee County's FSA office open. The Agriculture Advisory Board will also be sending a letter of support and are asking the Lee County Board of Commissioners to also send a letter of support. After discussion, Commissioner Womack moved to authorize the Chairman to sign, on the Boards' behalf, a Resolution in support of the Sanford FSA office and allow the Agriculture Advisory Board to send letters of support also. A copy of the resolution 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, Reives, Shook, and Womack
Nay: None
Absent: Paschal

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request from the Sheriff's Office to apply for a 2012 COPS Hiring Program Grant. Lt. David Prevatte stated the Sheriff's Office has a pending grant application from 2011 from the COPS Office for approximately \$250,000 over three years to pay for two new deputy positions. The department would be required to match 25%, approximately \$62,500, over three budget years. The grant will cover the cost of salary and benefits only, operating cost will be assumed from the Sheriff's budget line items for fuel, uniforms, etc. The department would use existing vehicles for the officers transportation needs. Mr. Prevatte stated the 25% match, if approved, would begin in January 2013. Beginning in January 2016, the match would be paid from the Sheriff's Federal Asset Forfeiture Funds. At the end of the grant award, or the fourth year, the grant would require that the county pay for 12 months of salary and benefits. After discussion, Commissioner Hayes moved to approve the COPS Application Agreement as presented. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered bids for the Courthouse basement renovation project. County Manager John Crumpton stated the project consists of renovating the Courthouse basement by making expansions to the Sheriff's Office; building a new Emergency Operations Center; backup 9-1-1 Center; and Emergency Management Office Suite. A total of ten sealed bids were received on February 23, 2012 and the low bidder was Racanelli Construction South, Inc. of Cary, North Carolina. Mr. Crumpton stated the base bid was \$1,022,000 with alternate bids for day-lighting (\$10,450) and padded cells (\$37,000) for the Jail. Total construction costs will consists of the revised base bid of \$821,952 and day-lighting alternate item. After discussion, Commissioner Oldham moved to approve the low bid of \$832,375 from Racanelli Construction South, Inc. for the Courthouse basement renovation project, with a copy of the bid sheet attached to these minutes as reference. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered appointments and a resolution establishing the Board of Equalization and Review. Tax Administrator Dwane Brinson stated the Commissioners have created a separate Board of Equalization and Review per N.C. General Statute 105-322. An advertisement ran in *The Sanford Herald* and on the county's social media sites advertising two vacancies on the Board. Two applications have been submitted for the vacant positions. After discussion, Commissioner Parks moved to approve a *Resolution Amending the Composition of the Board of Equalization and Review* and the reappointment of Mr. Herman Morris and Mr. Mike McDonald to said Board, 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, Reives, Shook, and Womack
Nay: None
Absent: Paschal

The Chairman ruled the motion had been adopted unanimously.

The Board considered appointments to the Lee County Rest Home-Nursing Home Advisory Board. Clerk to the Board Gaynell Lee presented applications for consideration for said Board. At the February 6, 2012 Commissioner's meeting, the Clerk was instructed to advertise vacant positions on the Rest Home-Nursing Home Advisory Board. *The Sanford Herald* ran a front-page article on February 16, 2012 that generated numerous calls for applications. A total of eight applications were presented for consideration along with a request from the alternate member to be moved to a full-time regular position. Commissioner Womack moved to appoint the following citizens to the Lee County Rest Home-Nursing Home Advisory Board:

Norman Findley
Nancy Hall
Linda Perkins
Betty Lou Godfrey
Donnie Thomas
Carol Martindale
Tim Smith
Tamara Barlow
Leon Hooker (moved from alternate position to full-time position)

Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request to schedule a public hearing for refinancing of the 2004 Certificates of Participation (COPs). County Manager John Crumpton stated that on March 8, 2012, during the Budget Kickoff Work Session, Commissioners heard a proposal from Davenport & Company LLC regarding the potential savings the County could realize by refunding a portion of the outstanding debt related to the 2004 Certificates of Participation that were issued to build Southern Lee High School and the Emergency Services Training Center for Central Carolina Community College. Mr. Crumpton stated that based on market conditions as of February 28, the County could refund \$15,440,000 of the outstanding debt and potentially see a gross savings of \$1,114,041. The first step in the refinancing process is to call for a public hearing. After discussion, Commissioner Hayes moved to schedule a public hearing for the 6 p.m., April 16, 2012 meeting to consider the above referenced matter. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Womack discussed his proposed "Budget Advanced Planning Guidance" to the County Manager for his guidance in developing the 2012-13 budget. Commissioner Womack stated he believes it appropriate for the Board to provide consensus-driven planning guidance to the County Manager to help him develop his budget and not be caught off guard with questions he might not be able to answer but would have to "assume". Commissioner Hayes stated he was comfortable with the way things are done now. Commissioner Womack moved to issue guidance to the County Manager for

areas still up in the air such as the sales tax distribution, property tax reduction and staffing for a county planning department. Commissioner Reives stated he appreciated the recommendation for change but feels suggestions offered are political items that will affect this Board. The Board of Commissioners needs to study and come to a consensus and leave staff out of the process. Commissioner Reives further stated he thinks the Board needs to meet jointly with the other elected Boards to discuss the sales tax distribution before making a final decision. Upon a vote of Commissioner Womack's motion, the results were as follows:

Aye: Parks, Shook, and Womack
Nay: Hayes, Oldham, and Reives
Absent: Paschal

The Chairman ruled the motion failed due to a tie vote.

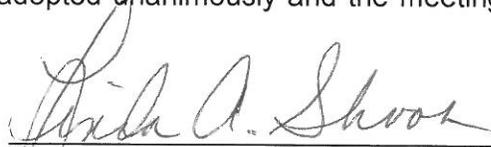
Assistant County Manager/Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending February 2012. No action was taken.

County Manager John Crumpton presented his *Monthly Report* to the Board, 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 Parks moved to adjourn the meeting. Upon a vote, the results were as follows:

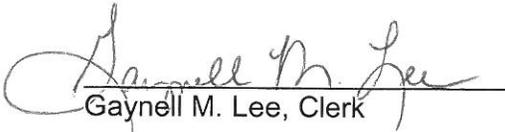
Aye: Hayes, Oldham, Parks, Reives, Shook, and Womack
Nay: None
Absent: Paschal

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 9:32 p.m.



Linda A. Shook, Chairman
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk