

LEE COUNTY

Committed Today for a Better Tomorrow

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

APRIL 5, 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 Amy M. Dalrymple, Richard B. Hayes, James C. Kelly, Larry "Doc" Oldham, Nathan E. Paschal, and Linda A. Shook. Commissioner Robert T. Reives was absent but joined the meeting later.

Chairman 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.

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

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

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from the March 1, 2010 closed session meeting;
- Minutes from the March 15, 2010 Special Board Retreat;
- Minutes from the March 15, 2010 regular meeting;
- Recommendations from the Lee County Planning Board (copies attached)
 1. Rezoning application submitted by Mr. Carl Bunnell and
 2. Text amendments to the Unified Development Ordinance
- Proclamation declaring April 17 – May 1, 2010 as *spring LITTER SWEEP in Lee County* (copy attached);
- Proclamation to declare *April as County Government Month* (copy attached);
- *Resolution in Support of the NC Deferred Compensation Plan (457)* (copy attached);

- Declared dental equipment surplus from the Children's Dental Program and donated said equipment to Central Carolina Community College (copy attached);
- Budget Amendment # 04/05/10/10 (copy attached); and
- Resolution granting name change of local Workforce Development Board to the Triangle South Local Workforce Development Board (copy attached)

Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives joined the meeting at this time.

Pursuant to N.C. General Statute § 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. Curtis Ezzell, 201B Timberwood Place, Sanford
2. Mr. Keith Clark, 212 Acorn Drive, Sanford

The Board considered changes to health insurance coverage for county employees and retirees for FY 2010-11. Human Resource Director Joyce McGehee discussed changes to the Lee County health insurance plan that was deferred from the March 1st meeting to give Commissioners more time to review proposed changes. It is the recommendation of staff that the health insurance plan be changed from the current PPO Plan to a Blue Options 1, 2, 3 Plan that would change co-pay amounts, specialist co-pay amounts and pharmacy benefit co-pay amounts. The monthly cost to the employee would remain the same at \$34.64 (or \$17.32 per pay period). The HSA Plan, with a \$750 contribution and a one-time additional contribution of \$250 by the county, with the higher deductible of \$1,500, will remain the same. Employees and retirees that are under age sixty-five will not pay any premium for the HSA Plan. After discussion, Commissioner Reives moved to accept the recommendation of the County Manager to enter into an agreement for the Blue Options 1, 2, 3 Plan for health insurance coverage for FY 2010-11 and to include a one-time contribution of \$250 to HSA participants. 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 a recommendation from the Parks and Recreation Advisory Board in reference to vending at Kiwanis Park. At a previous meeting, Mr. Curtis Ezzell appeared before the Board and asked permission to vend in Kiwanis Family Park. The Commissioners referred the matter to the Parks and Recreation Board for a recommendation. Mr. Ezzell presented his request to the Parks and Recreation Board and that Board decided not to allow vendors in the park with the exception of special events where designated areas for this activity could be established. Commissioner Oldham moved to approve the recommendation of the Parks and Recreation Advisory Board to not allow vendors in county parks with the exception of special events. 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 discussed material/notes obtained from the March 15, 2010 Commissioners Planning Retreat. County Manager John Crumpton stated that he and Chairman Hayes had met with the facilitators from the Economic Development Retreat and discussed notes developed from discussion during the Retreat which were shared with Board members. Based on summary documents from the Retreat, Mr. Crumpton presented suggestions for the basis for a new agreement with the Lee County Economic Development Corporation (LCEDC) and the development of inter-local agreements with the City of Sanford and Town of Broadway. It is hoped that a new contract with LCEDC can be developed and signed before June 30, 2010, using the suggested outline points and any others that may be developed in discussions with the economic development partners. Chairman Hayes appointed Commissioner Amy Dalrymple and Commissioner Robert Reives to serve with two elected officials from the City of Sanford and the Town of Broadway to work on a new economic development plan.

The Board considered a Revised Resolution for Appointments to Boards/Commissions/Committees appointed by the Lee County Board of Commissioners. Action on this item was deferred at the February 1, 2010 meeting until appropriate wording could be established to cover one of the sections (Terms of Office). County Manager John Crumpton presented the revised resolution for consideration. After discussion, Commissioner Oldham moved to approve the Amended Resolution for Appointments to Boards/Commissions/Committees 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, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time the Board conducted a public hearing on the recommended Capital Improvements Program (CIP) for FY 2010-11 as recommended by the County Manager during the March 15, 2010 regular meeting.

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

No one present spoke for the recommended Capital Improvements Program.

The following spoke in opposition to the recommended Capital Improvements Program:

1. Mr. James Womack, 1615 Boone Trail Road, Sanford
2. Mr. Keith Clark, 212 Acorn Drive, Sanford

Chairman Hayes closed the public hearing.

The Board conducted a public hearing on the installment financing agreement for renovations to Lee Senior High School. Commissioner Dalrymple asked to be allowed to abstain from voting since her husband serves on the BB&T Board of Directors. Commissioner Reives moved to allow Commissioner

Dalrymple from participating and voting on the installment financing agreement as stated above. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Mr. Hayes announced that a public hearing was scheduled for public comments on one or more proposed installment financing agreements to be entered into by the County of Lee pursuant to Section 160A-20 of the General Statutes of North Carolina in an aggregate principal amount not to exceed \$20,000,000 for the purpose of financing the costs of renovating and improving existing facilities and constructing and equipping an addition to Lee County High School. If the County enters into an agreement, its obligations will be secured by a deed of trust on the site of the project, together with all improvements and fixtures located or to be located thereon. The County will also acquire the site of the project, which site will be leased to the Lee County Board of Education to be used for school purposes. Such lease will be subordinate to the lien created by the deed of trust. County Manager John Crumpton and Mr. Ted Cole from Davenport presented facts and financing options and stated that two proposals had been received, one from BB&T and one from Bank of America. Mr. Cole presented financing options for the award to be presented to BB&T.

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

The following spoke in favor of the financing project with BB&T for renovations to Lee Senior High School:

1. Mr. Bill Tatum, 2511 Wellington Drive, Sanford, Chairman of the Lee County Board of Education; and
2. Mr. Keith Clark, 212 Acorn Drive, Sanford

No one present spoke in opposition to the financing project as presented.

Chairman Hayes closed the public hearing.

Commissioner Shook introduced and moved to approve a *Resolution Accepting the Proposal of Branch Banking & Trust (BB&T) in Connection with an Installment Financing for Various Governmental Equipment*, 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, Kelly, Oldham, Paschal, Reives, and Shook
 Nay: None
 Abstain: Dalrymple

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives introduced and moved to approve a *Resolution Making Certain Findings and Determinations Regarding the Proposed Financing of Public School Improvements for the County Pursuant to an Installment Financing Agreement and Requesting the Local Government Commission to Approve the Financing Arrangement*, 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, Kelly, Oldham, Paschal, Reives, and Shook
 Nay: None
 Abstain: Dalrymple

The Chairman ruled the motion had been adopted unanimously.

Ms. Victoria Whitt, CEO of the Sandhills Center provided the required paperwork to appear before the Board and present their Quarterly Report and budget funding request for the upcoming year. No action was taken.

County Manager John Crumpton gave the Board the following updates concerning the FY 2010-11 budget process:

- All budget requests have been received from internal departments and outside agencies with the exception of the Board of Education;
- Meetings have been held with all departments to review requests, along with outside agency requests;
- Discussed revenue projections from the North Carolina Association of County Commissioners (NCACC) for the upcoming year. It was noted that the General Assembly will convene May 12th for a "short" session designed to tweak the second year of the state's biennial budget along with Governor Perdue's release of her 2010-11 budget request;
- Recommended the CIP be approved after the Board holds a budget work session to discuss each project;
- COLA for county employees may have to be staggered;
- Two grant funded positions at the Sheriff's Department were discussed. The Gang and Drug Officer positions will no longer be funded through grants as of the end of June. The Board's current policy is to no longer fund grant positions once the grant is no longer available. Mr. Crumpton stated that Sheriff Carter wished these two positions to be funded in the upcoming budget; and
- Investment earnings are down – gap of approximately \$4 million in the budget at this time.

Commissioner Reives moved that the County Manager be allowed to use his discretion concerning Board policies while completing on the upcoming budget. 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.

County Manager John Crumpton asked that a budget work session be held on May 3, 2010, beginning at 12 noon to discuss the Capital Improvement Plan and then begin work on the FY 2010-11 budget.

Mr. Crumpton asked the Board to consider postponing requesting bids for banking services for one additional year. After discussion, Commissioner Dalrymple moved to approve the extension of our current banking services for one additional year. 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 Shook discussed a need of the volunteer fire departments for additional funding for radio equipment. The Board agreed that the County Manager would send a letter to the 9-1-1 Commission to see if local 911 funds could be used for said purchases.

Commissioner Reives stated he would like to see additional funding this year for Lee County Industries and new funding for the Boys and Girls Club.

Chairman Hayes asked that Commissioners encourage citizens to apply for vacant positions on boards and commissions that will be made at the second meeting in June.

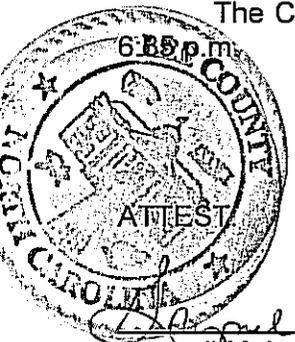
Commissioner Dalrymple moved that the Board go into closed session to discuss matters relating to the location or expansion of a business in the area per N. C. General Statute 143-318.11(a) (4). Upon a vote, the results were as follows:

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 completing business in closed session, Commissioner Paschal moved to adjourn the regular 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



Richard B. Hayes
Richard B. Hayes, Chairman
Lee County Board of Commissioners

Gayhell M. Lee
Gayhell M. Lee, Clerk