

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 4, 2013

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6 p.m., in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack.

Chairman Parks called the meeting to order.

Commissioner Amy Dalrymple delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the Agenda. Chairman Parks stated the Resolution for naming a portion of the Hwy. 421 By-Pass in memory of Mr. Don Buie would be moved to the first item of business. County Manager John Crumpton asked that an upset bid for the Jonesboro Library building be added to the Agenda. Commissioner Reives asked that the Board discuss the current Communications Policy and discussion on having a bi-lingual staff person present at Board meetings to assist citizens. Commissioner Womack moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from the October 21, 2013 regular meeting,
- Minutes from the February 4, 2013 closed session meeting, and
- Minutes from the May 20, 2013 closed session meeting.

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution to name a portion of the Hwy. 421 Bypass in memory of Mr. Don Buie. Commissioner Smith presented and read said Resolution asking that the portion of the 421 Bypass from US #1 north to the Cumnock merge be named the *Don Buie Highway*. Commissioner Reives moved to approve the Resolution, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Members of Mr. Buie's family were present and thanked the Board for their actions.

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

At this time the Board conducted a Public Hearing to consider a loan to the Lee County Economic Development Corporation (LCEDC). County Manager John Crumpton stated the LCEDC had requested to borrow \$150,000 from the County, with \$30,000 to be disbursed immediately upon contract approval for the cost of a fundraising assessment. Action on this matter was deferred at the October 21st meeting until a Promissory Note could be reviewed by County Attorney Neil Yarborough and language could be inserted that would better protect the County from any possibility of a loan default. Mr. Crumpton stated the EDC will contract with a firm to assess fundraising efforts. The loan will pay for that assessment and a campaign to raise funds for the new organization. The EDC/Chamber will repay the loan through the fundraising efforts. Commissioners have discussed this matter at previous meetings and voted to support the new EDC/Chamber effort to privatize Economic Development.

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

No one present spoke for or against the loan to the Lee County Economic Development Corporation.

Chairman Parks closed the public hearing.

After discussion, Commissioner Womack moved to approve the request from EDC to borrow \$150,000 and a Promissory Note and Loan Agreement, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the FY 2014-15 Community Transportation Program Grant. Senior Services Director Debbie Davidson stated a public hearing had been held during the October 21st meeting at which time no one spoke for or against the requested grant. A total of \$422,867 is

requested from the grant, with a 10% local match of \$42,286. The grant will be used for Administrative and Employee Development (\$157,558.00) and the balance to purchase and/or replace a total of 27 vehicles, replacement of 3 computers, one new lap top and data projector, and staff training. After discussion, Commissioner Reives moved to approve the FY 2014-15 Community Transportation Program Grant 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Section 5310 Elderly and Disabled Federal Grant Application for Senior Services. Senior Services Director Debbie Davidson stated a public hearing had been held during the October 21st meeting at which time no one spoke for or against the requested grant. The grant application under the 5310 Elderly and Disabled Transportation Program is funded through the Federal Transit Administration to improve and enhance transportation services to elderly and disabled citizens. The grant will be used to continue offering the circular route called DASH with scheduled stops and connections to the Lemon Springs and Broadway communities to provide additional mobility options and affordable transportation for Lee County residents. If approved, the application will be submitted to the North Carolina Department of Transportation for consideration and submission to the Federal Transit Administration for final approval. The grant cycle is from July 1, 2014 through June 30, 2015. Ms. Davidson stated the grant was for \$71,156.00, with a 50% local match of \$35,578.00 and will be used for operating expenses. The grant will also cover salary for 2 part-time drivers, 25% administrative salary and vehicle operation expenses for one year. After discussion, Commissioner Reives moved to approve the application for Section 5310 Elderly and Transportation Grant, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton reported on a recent bid for the old Jonesboro Library building located at 309 W. Main Street. MacAdell & Associates, Inc. and WXKL 1290 AM Radio made an original offer to purchase the property for \$65,000. That offer was advertised in the *Sanford Herald* on Friday, October 11, 2013. Jonesboro Baptist Church upset the bid in the amount of \$68,300. On October 30, 2013 MacAdell & Associates made a second upset bid in the amount of \$72,000 and together with the original deposit, made a bid deposit of \$3,600 (in addition to the advertising cost of \$90.00). If the Board accepts this upset bid, the property will be advertised once again in the *Sanford Herald* for a third upset bid within 10 days from the date of the advertisement. The third upset bid must be no less than \$75,650, with a deposit of \$3,783.50. Commissioner Reives moved to accept the upset bid from MacAdell & Associates and approve a Resolution Approving the Upset Bid of Property Located at 309 W. Main Street, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board discussed the Lee County Communications Policy adopted by the Board in September 2013 that had been added to the Agenda at the beginning of the meeting. Commissioner Reives discussed the current policy and stated that a Commissioner should state they are not speaking for the Board of Commissioners, but only for themselves, if they are requesting information not authorized by the full Board. The discussion centered on a recent request made by Commissioner Womack to the Golden Leaf Foundation. Commissioner Womack stated he had made a simple request for information to the Golden Leaf Foundation. Commissioner Reives stated he did not feel it was right for one Commissioner to ask for information – it needed to be stated that information is being requested for by a private citizen and not as a member of the Board. County Attorney Neil Yarborough had reviewed the Communications Policy and stated Mr. Womack was not in violation of the Policy. Mr. Yarborough further stated there was nothing wrong with stating you are a County Commissioner when requesting information. After further discussion, Commissioner Reives made a motion to remove the change made at the September meeting to the Communications Policy (stating all Commissioners may speak on their own individual position with the media and general public but must make it clear they are speaking for themselves and not the Board). Upon a vote, the results were as follows:

Aye: Reives
Nay: Dalrymple, Frazier, Knecht, Parks, Smith, and Womack

The Chairman ruled the motion failed with a 6 to 1 vote.

The Board considered bids for the construction of a house at 208 Midland Avenue as part of the 2011 Scattered Site Rehabilitation Housing Grant Program. Community Development Manager Karen Kennedy stated the following bids had been received for the above referenced project:

S & S Home Improvements, Maxton	\$ 97,300.00
The Groce Companies, Sanford	107,500.00
Robert Strickland Construction, Lumberton	128,180.00
Touch Construction, Sanford	123,230.00
Riddle Residential Construction, Sanford	97,744.99
D & A Construction, Shannon	96,050.00

All expenses for the project will come from the 2011 Community Development Block Grant (CDBG) Scattered Site Rehabilitation Grant. Ms. Kennedy's recommendation was for the Board to approve the low bid of \$96,050 from D & A Construction, Shannon, NC, for the project. Commissioner Womack questioned why the recommendation was not given to a local bidder since there was only a few hundred dollars difference in the bids. Ms. Kennedy stated CDBG regulations stated the bid had to be awarded to the lowest responsible bidder. After discussion, Commissioner Dalrymple moved to accept the low bid from D & A Construction in the amount of \$96,050.00 as recommended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request for forgiveness of late list penalty for Quality Home Health Care, Inc., Magneti Marelli, Lee H. Johnston, Inc., and RR Automatic Group. After discussion, Commissioner Frazier moved to deny the request for forgiveness of late list penalty for Quality Home Health Care (which was the first case outlined by Tax Administrator Mary Yow). Commissioner Womack stated he would like for the four late tax listings to be referred to the Board of Equalization and Review. County Attorney Neil Yarborough stated a policy could be developed that would assist the Board in deciding on whether to approve or deny late list penalties for the four companies, and future requests. After further discussion, Commissioner Frazier withdrew his motion. Mr. Yarborough recommended that he, the County Manager and Tax Administrator get together to discuss and draft a Policy for late list penalty cases and bring to the Board for consideration at the November 18th meeting. Commissioner Reives moved to defer action on the late tax listings for Quality Home Health Care, Magneti Marelli, Lee H. Johnston, Inc., and RR Automatic Group until the November 18th meeting. Upon a vote, the results were as follows:

Aye: Dalrymple, Knecht, Parks, Reives, Smith, and Womack
Nay: Frazier

The Chairman ruled the motion had been adopted by a 6 to 1 vote.

The Board considered Budget Amendment # 11/04/13/03. Finance Director Lisa Minter presented said Budget Amendment for the following departments:

Sheriff – \$35,000 to cover salaries for two part-time dispatchers along with reserve deputies working court, civil division, patrol and security for Commissioner meetings.

Senior Services – \$4,058 for FY 2014 Seniors Health Insurance Information (SHIIP) grant.

Youth & Adult Services – \$7,140 in Juvenile Crime Prevention Council (JCPC) grant funding to be used to set up new office for JCPC.

E-911 – \$29,812 to cover operating costs of connectivity between back-up 911 system and the main 911 system at the Police Department.

Commissioner Dalrymple moved to approve Budget Amendment #11/04/13/03, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board discussed an item that had been added to the Agenda at the beginning of the meeting in reference to having a bi-lingual staff person attend all Board meetings to assist individuals at the podium if needed. No action was taken, but County Manager John Crumpton stated he would take care of the matter.

The Board considered Post-65 Retiree Health Insurance. County Manager John Crumpton stated that on January 1, 2010, the County moved all Post-65 Retirees from the County's base health insurance plan to a Medicare Supplement provided by Blue Cross & Blue Shield of North Carolina (BCBS). It has recently been brought to the County's attention that BCBS did not re-apply for the prescription drug program that currently covers retirees and this has caused a major

problem with renewal. Mark III, the County's Broker, has been able to find two additional Medicare Supplement programs similar to the current program at a similar cost. Mr. Crumpton stated there are currently fifty-seven (57) Post-65 Retirees at an annual cost to the County of \$163,216.00. It was Mr. Crumpton's recommendation that the Board approve an application to Aetna Insurance and move the Post-65 Retirees to this plan beginning January 1, 2014. After discussion, Commissioner Reives moved to approve the County Manager's recommendation to approve an application with Aetna Insurance for the above referenced Post-65 Retiree insurance effective January 1, 2014. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton passed out a copy of a Resolution to Authorize Economic Development Planning and Organizational Activity that had been prepared by Commissioner Womack. Mr. Crumpton asked the Board to review the Resolution for the next meeting on November 18th. No action was taken.

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

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 8:20 p.m.



Charles T. Parks, Chairman
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk to the Board