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

NOVEMBER 7, 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 Oldham delivered the invocation.

The pledge of allegiance was recited.

The Board considered changes/additions to the Agenda. County Attorney Whitney Parrish asked the Board to consider a Resolution Designation of Applicant's Agent for reimbursement from FEMA for Hurricane Matthew. County Manager John Crumpton asked the Board to consider an Interlocal Agreement with the City of Sanford for water lines on Colon Road. 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, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously.

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

- Minutes from the June 20, 2016 closed session meeting,
- Minutes from the October 12, 2016 joint meeting with SAGA, Sanford City Council and Broadway Town Commissioners,
- Minutes from the October 17, 2016 regular meeting,
- Resolution for Cape Fear Regional Hazard Mitigation Plan (copy attached)
- 2016 NASPHV Rabies Compendium,
- Acceptance of additional STD funding for the Health Department,

- Appointed County Attorney Whitney Parrish as the voting member of the Hidden Lakes Property Owners Association at Carolina Trace, and
- Amendment to the Health Department Pharmacy Contract.

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*. No one signed up to speak during this time.

The Board considered a recommendation from the Lee County Planning Board for a rezoning request from Wake Stone Corporation to rezone a total of 1.15 acres of land formerly addressed as 6631 Deep River Road from Residential Agricultural (RA) district to Heavy Industrial (HI) district. Zoning Administrator Amy McNeill stated the Planning Board approved the rezoning application by a 5 to 2 vote. After discussion, Commissioner Oldham moved to approve an *Ordinance Amending the Official Zoning Map of Lee County,* 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:

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

The Chair ruled the motion had been adopted unanimously.

The Board considered a Resolution Designating Applicant's Agent to receive FEMA funding from Hurricane Matthew that had been added at the beginning of the meeting. County Attorney Whitney Parrish stated Emergency Services Director Shane Seagroves will be the primary agent and County Manager John Crumpton will be second agent for the project. Commissioner Reives moved to approve the *Resolution Designating Applicant's Agent from Hurricane Matthew*, 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 Proclamation for Farm-City Week. County Extension Director Bill Stone and 4-H member Ashley Guerrero from Magesti 4-H Club presented the Proclamation and discussed Farm-City Week which will be observed the week of November 17-24. Commissioner Sloan moved to approve the *2016 Farm-City Proclamation*, 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. Victoria Whitt, Executive Director from the Sandhills Center, along with Ms. Trish Blackmon (ACT Associates, LLC) gave a presentation on the new Sandhills Center Access2Care Screening Kiosks. The Access2Care screening program is designed to provide access to anonymous, online, evidence-based behavioral health self-screenings, educational resources and referral information in English and Spanish twenty-four hours a day, seven days a week. Harnett and Guilford counties have kiosks in place at this time. No action was taken.

The Board considered bids for the Carbonton Road Convenience Center Rehabilitation Project. Solid Waste Superintendent Joe Cherry stated the following five qualified bids were received to provide services related to the rehabilitation project:

Sanford Contractors, Sanford, NC	$236,844.54*
NC Beal & Sons, Inc., Sanford, NC	$168,753.98
Sandhills Contractors, Inc., Sanford, NC	$178.448.00
RDU Paving, Inc., Raleigh, NC	$219.769.15
Ellington Contracting, LLC, Siler City, NC	$208,200.00*

* The bids from Ellington Contracting and Sanford Contractors were both rejected due to an incomplete bid package.

All bids were reviewed to ensure the Bid Form was accurate and all required items were included. As indicated above, the bids from Ellington Contracting and Sanford Contractors were rejected due to incomplete bid packages. The reason for the rejection was discussed with both contractors.

The total bid amount from NC Beal ($168,753.98) was 29% higher than the engineer's estimate for the construction cost ($131,060.00). Because the bid amount exceeded the County's budget for the project, it was decided to not accept the bid and enter into negotiations with NC Beal to look at options to reduce the project scope and cost. The scope of the site work was reduced by slightly reducing the footprint of the asphalt and concrete, re-routing a portion of the storm drainage by ditch instead by pipe, and re-designing the concrete retaining wall to reduce the amount of concrete required. Through the revised site design the unit bid amount was reduced from $168,753.98 to $155,307.00. To further reduce the total cost, it was agreed upon that the County would provide the permanent seeding and the final contract amount was negotiated to $150,000.00. This final contract amount will be considered a lump sum amount and not a unit price amount as originally bid. It was noted the convenience center may be closed for approximately 6-weeks for renovations. The Board asked that public service announcements be made and posted so citizens will be advised of other centers they can use during the renovation project.

After discussion, Commissioner Oldham moved to approve the bid from *NC Beal and Sons, Inc. for the Carbonton Road Convenience Center Rehabilitation Project* in the negotiated amount of $150,000.00. 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 request from the IT Department to purchase a new Data Center HVAC System for that department. IT Director Kyle Edwards stated the current system (Liebert Challenger) is in need of replacement. Availability of parts for the system is more of a challenge than ever and more replacement/maintenance and downtime has occurred to the system. Currently there is a backup unit

in the Data Center but this will only work for a short period of time and is not a long term solution. Mr. Edwards asked the Board to allow him to move forward with replacing the Data Center with another Liebert Challenger since the old unit has more than 30 years of service and is a testament to the quality that can be expected from another Liebert Challenger system. Funds in the amount of $23,979 are in the current budget for the system. An additional cost for installation of $3,352 has not been budgeted. After discussion, Commissioner Frazier approved the purchase of a new HVAC system for the Lee County Data Center as presented from CDW, Vernon Hills, Illinois. 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 request from the Health Department to apply for a grant. Health Director Heath Cain asked the Boards' permission to apply for the Association of Food and Drug Officials (AFDO) year 3 Retail Program Standards Grant. Mr. Cain stated the Environmental Health department is interested in applying for this funding opportunity to conform to Standard 7 which involves Industry and Consumer Interaction, along with education outreach. If approved, up to $20,000 will be awarded in full (Category 2) for Environmental Health. Commissioner Sloan moved to approve the request to apply for the *Association of Food and Drug Officials Year 3 Retail Program Standards Grant* as presented. 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 heard a presentation from the City of Sanford on the Action Plan for the Building Integrated Communities (BIC) Immigrant Integration initiative in partnership with the University of North Carolina at Chapel Hill. Community Development Director Marshall Downey stated the grant is now at the end of the 3-year collaboration between the City of Sanford, Lee County and the statewide BIC initiative. Mr. Downey stated the actions outlined aim to leverage existing community and local government structures, expertise, and relationships to improve several community-identified issues with respect to government-community communications, police, and public transportation, as well as to specifically support Hispanic/Latino leadership and representation within local government. The plan was developed by the Planning Committee, as well as by several dedicated sub-committees. The assessment incorporated a survey of more than 300 diverse members of Lee County's foreign-born and Hispanic/Latino communities, including foreign-born residents from 14 countries of origin as well as U.S. born children of Latin American descent; three bilingual public meetings and discussion groups with 225 Hispanic/Latino residents; analysis of data from the US Census, the NC Department of Commerce, and Lee County Schools; and reviews of both community resources and existing reports. Plan development was further informed by a subsequent public strategy session with an additional 125 Hispanic/Latino residents. Rev. Erika Martinez Flores Pastor, Refuge Family Resource Center at Jonesboro United Methodist Church, and Dr. Oscar Roberto, Refuge Family Resource Center of Jonesboro United Methodist Church also spoke and thanked everyone for their assistance and support of the Plan. After the presentation and question/answer period, Commissioner Oldham moved to endorse the *Building Integrated Communities (BIC) Action Plan for Immigrant Integration* as presented. 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 Budget Amendment # 11/07/16/05 for the following departments:

Health – appropriate $5,000 received from the State to be used in the Pregnancy Care Management Program for Zika Virus related expenses.

Senior Services – appropriate $5,802 in funding from the Home & Community Care Block Grant to be used for Health Promotion & Disease Prevention and $5,375 in NC Vocational Rehabilitation reimbursement funds to cover internship wages.

Drug Seizure Fund – appropriate $30,000 from Drug Seizure Fund balance for vehicle maintenance, capital outlay and technology equipment.

Commissioner Smith moved to approve *Budget Amendment # 11/07/16/05* 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 *Monthly Financial Report for September 2016* was presented. No action was taken.

The Board considered an Interlocal Agreement with the City of Sanford for possible water lines on Colon Road that had been added to the Agenda at the beginning of the meeting. County Manager John Crumpton stated the City of Sanford has agreed to loan the County $350,000.00 to be used in the development, design, construction, and completion of the Colon Road water lines project. The purpose of the loan is to advance the county funds to provide water to the residents who will border the proposed Green Meadows coal ash structural fill site off Colon Road. If the structural fill is constructed and coal ash comes to the site, Lee County will repay the loan to the City once the initial payment is made to Lee County. If for any reason, coal ash does not come to Lee County and the County is not paid any funds by Duke Energy, the city will consider forgiving the loan. Commissioner Knecht moved to table the matter for further review. After discussion, Commissioner Knecht withdrew his motion. After further discussion, Commissioner Reives moved to approve the *Interlocal Agreement Between the City of Sanford and Lee County for Colon Road Water Lines*, 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 change orders for the San Lee Park Nature Center Project. County Manager John Crumpton stated the change order is an amendment to the architecture contract with HH Architecture. HH is recommending the hiring of S&ME to conduct materials testing at the San Lee

Nature Center site in an amount not to exceed $28,000. The County was also notified that to run three phase power to the site, Duke Energy has to run a line a considerable distance. The cost for that line is $25,000. The architect is currently reviewing the A/C systems to see if a single phase solution can be used. If this can be done, the cost to the County will be zero. However, the decision to run the line needs to be made before the November 21st meeting. It was noted that Duke Energy has agreed to run the power line for $25,000. A total of $53,000 will come out of contingency funds for the power issue. After discussion, Commissioner Frazier moved to approve *Amendment # 2 to the architecture contract with HH Architecture and the change order for three phase power* as presented. 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 request from the Sanford/Lee County Regional Airport Authority. County Manager John Crumpton stated the Airport Authority has two economic development projects that will require the Authority to expand the corporate hangar area at the airport. The proposed $3.85 million local match will require a local match of $350,000. The airport property tax reserve fund is down to $83,000. The Authority also has other projects that are forthcoming that will require $35,000 of the reserve to be used. These projects involve expanding the sewer capacity at the airport. In addition to the $3.5 million grant from the State, the Authority is also seeking $2 to $4 million in grants for sewer line extension to the airport. The County's agreement with the City requires that the City and County fund any capital projects where the reserve fund does not have the money at 50 percent. After discussion, Commissioner Oldham moved to approve the *capital grant funding to the Airport Authority for $175,000 and the release of $35,000 from the Airport Reserve Fund*. 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 Frazier moved to go into Closed Session to consult with the county attorney to protect the attorney-client privilege per North Carolina General Statute §143-318.11(a) (3) in reference to Deborah Hamilton vs. Lee County Department of Social Services, and to consider a personnel matter per North Carolina General Statute §143-318.11(a) (6). 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 Board was in Closed Session. Upon returning from Closed Session, with all members present, the regular meeting resumed.

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 8:15 p.m.

Amy M. Dalrymple, Chair
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk to the Board