

LEE COUNTY

NORTH CAROLINA

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

FEBRUARY 20, 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, Nathan E. Paschal, Robert T. Reives, Linda A. Shook, and James K. Womack.

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

Commissioner Womack delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the agenda. Commissioner Womack asked that the Budget Amendment item listed on the Consent Agenda be moved to Old Business for discussion. Commissioner Reives asked that the letter of support to the Chamber of Commerce be moved from New Business to the Consent Agenda for approval. With no other changes made, Commissioner Hayes moved to approve the Agenda as amended. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from the January 23, 2012 closed session meeting,
- Minutes from the February 6, 2012 regular meeting,
- Minutes from the February 8, 2012 adjourned regular meeting,
- Tax Releases and Refunds for January 2012 (copy attached),
- Agreement between Lee County and Stanley Convergent Security Solutions for the Jail security project (copy attached),
- Agreement and resolution with DOT for paving of Deep River Fire Department lot (copies attached),
- Capital Project Budget Ordinance for Courthouse Renovation project (copy attached),

- Renewal lease agreement for USDA Farm Service Agency (copy attached), and
- Letter of Support to the Sanford Area Chamber of Commerce for a \$20,000 grant application with The NC Rural Center for a program known as New Generation Leaders.

Upon a vote, the results were as follows:

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

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. Ms. Martha Underwood, 3309 Westcott Circle, Sanford (discussed Economic Development concerns)

At this time the Board of Commissioners conducted joint public hearings with the Lee County Planning Board. Planner Althea Thompson outlined the first application from Abdalfatah Mohamed Abutaha to rezone approximately 5.2 acres of land located at 3132 Jefferson Davis Highway from Light Industrial Conditional Use (LI-CU) district to Highway Commercial (HC) district.

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

The following spoke in favor of the rezoning request:

1. Mr. Abdalfatah Mohamed Abutaha, 2004 Beachwood Drive, Sanford, owner of the property in question, stated he bought the property and would like to have it rezoned.

The following spoke in opposition to the rezoning request:

1. Ms. Phyllis Venrick, adjacent property owner on Jefferson Davis Highway, concerned the value of her property would decrease because she doesn't know what Mr. Abutaha plans on doing with the property in question.

Chairman Shook closed the public hearing.

Assistant Community Development Director Marshall Downey presented seven (7) proposed amendments to the Unified Development Ordinance (UDO) that include proposed amendments for sign regulations, permitted use matrix, and amendments to the section for agricultural animals. During discussion of the amendment in reference to political signs placed in right-of-ways on State maintained roads, Commissioner Reives moved to table discussion and allow the legal departments from the County, City and Town of Broadway to review and make sure everything is in compliance with State rules. Upon a vote of the tabled motion, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Mr. Marshall continued presenting the remaining amendments and answered questions.

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

No one present spoke for or against the amendments presented.

Chairman Shook closed the public hearing.

At this time Planning Board members and Planning Department staff adjourned to the Gordon Wicker Conference Room to continue discussion. A recommendation from the Planning Board will be brought before the Commissioners at the March 5th meeting for consideration.

The Board discussed Budget Amendment # 02/20/12/09 that had been pulled from the Consent Agenda earlier in the meeting. Commissioner Womack asked for clarification on Health Department funds that will be routed through the Health Department to the schools for nurses. Health Director Terrell Jones explained the General Statute related to this matter and also stated the Health Department contracts with the schools for nurses. After further discussion, Commissioner Womack moved to approve Budget Amendment # 02/20/12/09, 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, Paschal, Reives, Shook, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously.

Lt. David Prevatte presented to the Board a power-point presentation on Animal Control Enforcement since the Sheriff's Office assumed animal control duties a year ago. Mr. Prevatte stated the department received 2,972 calls for services in 2011 and picked up 679 animals. Mr. Prevatte stated the agency issued almost 100 criminal charges, embarked on 3 felony investigations and arrested 38 people in response to calls. In 2011, an average of 85 animals was picked up monthly in the city and county.

The Board considered contracts for engineering and architectural services for the Clyde Rhyne Road Paving project and the Lee County Innovation Center Renovation project. County Manager John Crumpton stated this was a continuation process associated with the Caterpillar Incentive/Expansion project. EDA required the County to use a competitive process for the selection of the Architect and Engineer for any project where their funds were to be used. Due to this fact, we had to wait for review of the process before awarding contracts. The County is dealing with limited grant funds for the project and will make sure the paving project is covered by the grant funds before architecture fees are incurred at the Innovation Center. Budget impact for the projects is \$1.8 million for the total project budget with Engineering and Architecture fees estimated not to exceed \$180,000. The road project will begin first due to all the environmental issues addressed earlier in the project. It is anticipated that bids will go out in May. After discussion, Commissioner Hayes moved to approve contracts for engineering services with The Wooten Company and architectural services with 310 Architecture as presented, 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: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack

Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton presented the Monthly Financial Report for month ending January 2012. No action was taken.

Mr. Crumpton presented the County Manager's Monthly Report, a copy of which is attached to these minutes and by this reference made a part hereof.

Mr. Crumpton discussed a letter received from the Johnston-Lee-Harnett Community Action for the release of \$6,500 requested in the FY 2011-12 budget. As part of the budget agreement, Commissioners voted to award the funds contingent upon Community Action holding a conference at the Dennis A. Wicker Conference Center in January 2012. The letter stated they did not receive the funding for the conference and would like to request consideration for the County to still fund the agency for this year. Commissioner Womack stated he didn't think the money should be released because they did not meet their obligation and did not present measurable service for the request. After discussion, Commissioner Reives moved to approve the release of \$6,500 to Johnston-Lee-Harnett Community Action as requested. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted by a 4 to 3 vote.

Commissioner Parks moved to go into closed session to discuss a personnel matter per N.C. General Statute 143-318.11(a) (6). Upon a vote, the results were as follows:

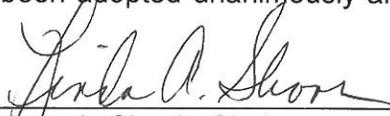
Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the Board was in closed session. Upon returning from closed session, with all members present, the meeting resumed.

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

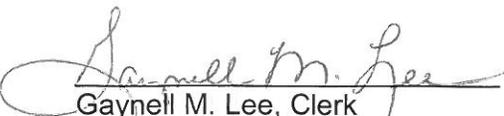
Aye: Hayes, Oldham, Parks, Paschal, Reives, Shook, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 8:50 p.m.



Linda A. Shook, Chairman
Lee County Board of Commissioners

ATTEST:


Gaynell M. Lee, Clerk