

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

June 6, 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. Andrew Knecht, Larry "Doc" Oldham, Robert T. Reives, Timothy S. Sloan, and Commissioner Kirk D. Smith.

Chair Dalrymple called the meeting to order.

Commissioner Frazier delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the *Agenda*. County Manager John Crumpton recommended removing item A under new business – *Transfer of attorney duties from Neil Yarborough to Whitney Parish* due to Mr. Yarborough's absent at the meeting. Chair Dalrymple proposed removing item I under the Consent Agenda – *Letter to DOT for intersection study at Carbonton Road and Steel Bridge Road* – to item E under new business due to the item involving a resolution and not a letter. With no other changes made, Commissioner Oldham moved to approve the amended Agenda 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.

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

- A. Minutes from the May 16, 2016 Regular Board Meeting
- B. Minutes from the May 23, 2016 Budget Work Session
- C. Acceptance of LSTA EZ Technology Grant for the Library
- D. Renewal Inmate Labor Contracts with NC Department of Correction
 1. General Services
 2. Animal Services
- E. Renewal of ATM Machine Located at Lee County Courthouse
- F. Acceptance of Walmart Foundation Grant for the Library
- G. Amendment to the Lee County Personnel Policy for Emergency Response Plan
- H. Approval of Town of Broadway Interlocal Agreements (copies attached)
- I. Acceptance of Lowe's Home Improvement Donation for Buchanan Park

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 the public comment period.

Ms. Althea Thompson with the Lee County Planning Board presented a recommendation for an amendment to the Official Zoning Map of Lee County (ordinance amending the Official Zoning Map of Lee County attached). The Planning Board, by a unanimous vote, recommended the application by AGA Corporation to rezone from Residential Restricted (RR) district to General Commercial (C-2) district approximately 1.53-acres of vacant land located east of NC Highway 87 South and formerly addressed as 4953 and 4957 NC Highway 87 South. Commissioner Sloan moved to approve the Planning Board's recommendation. 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. Thompson with the Lee County Planning Board then presented a recommendation for an amendment to the Official Zoning Map of Lee County (ordinance amending the Official Zoning Map of Lee County attached). The Planning Board, by a unanimous vote, denied the zoning request by Copper Ridge Development LLC to rezone from Residential Agricultural (RA) district to Residential Restricted (RR) district approximately 26-acres of vacant land located east of Farrell Road and south of Rod Sullivan Road. The consensus of the Planning Board was that the density of the RR district would not be consistent with the existing land use density in that area of the subject property, and that the request does not conform to the 2020 Land Use Plan or the Deep River Small Area Plan. Commissioner Frazier moved to approve the Planning Board's recommendation. After a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, and Sloan
Nay: Smith

The Chair ruled the motion had been adopted by a 6-1 vote.

Ms. Thompson presented the final recommendation for an amendment to the Official Zoning Map of Lee County (ordinance amending the Official Zoning Map of Lee County attached). The Planning Board, by a unanimous vote, recommended the application by Charles Brown to rezone from Highway Commercial Conditional Use (HC-CU) district to Residential Agricultural (RA) district a 4.44± acre tract located at 304 Country Estates Drive. Commissioner Sloan moved to approve the Planning Board's recommendation. After 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 then considered the approval of the FY 2016/2017 Capital Improvements Program (CIP). Mr. Crumpton stated that a public hearing on the FY 16-17 CIP was held on April 18th and that it is his

recommendation to approve the FY 16-17 CIP as presented. Commissioner Frazier moved to approve the FY 2016-2017 2017 CIP (copy attached) 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.

For the Board's approval, County Manager John Crumpton recommended the approval of the refunding of a bid bond to M&R Construction. On May 10, 2016, the County opened bids for the San Lee Nature Center. At the time, M&R was the low bidder. After review of their bid, M&R decided to withdraw their bid due to an adding/clerical error. Since the notice of withdrawal was done within 72 hours of the bid, the commissioners can consider refunding the bid bond back to M&R. Mr. Rhodes, with M&R Construction, explained the error to the Board and expressed his sincerest apologies for the oversight. After discussion, Commissioner Oldham moved to approve the refunding of the bid bond to M&R Construction. 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 the Elementary School Facility Capital Project Budget Ordinance, presented by Assistant County Manager/Finance Director Lisa Minter. On May 2, 2016, the Board of Commissioners approved an agreement for the purchase and sale of real property from the Brick Capital Community Development Corporation and an option agreement to purchase real property located on Vance Street for a future elementary school. To move ahead with these agreements a capital project budget ordinance needs to be approved for the project. The estimated total cost of the project is \$27,750,000 which would be funded through debt issuance. Commissioner Reives moved to approve the Elementary School Facility Capital Project Budget Ordinance 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, and Sloan
Nay: Smith

The Chair ruled the motion had been adopted by a 6-1 vote.

Chair Dalrymple then presented and read to the Board a Resolution for placement of a 4-way stop sign at the intersection of Carbonton Road and Steel Bridge Road. After discussion, Commissioner Smith moved to approve the Resolution as presented (copy attached).

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

The Chair ruled the motion had been adopted unanimously.

Ms. Debbie Davidson presented to the Board contract amendment #10 with Aramark Food Services for FY 2017. She explained that negotiations with Aramark resulted in no increases to the cost of meals for Senior Services and the Lee County Jail. Commissioner Frazier moved to approve contract amendment #10 with Aramark Food Services 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.

Ms. Davidson then presented for the Board's approval the FY 2016/17 Home and Community Care Block Grant. She explained the total proposed funds allocated from the Home and Community Care Block Grant for FY 16/17 Services for Lee County Senior Services through Triangle J Area Agency on Aging is \$371,899 with a required local match of \$41,323. Funds are proposed to be used in the following services: General and Medical Transportation, Congregate and Home Delivered Meals, Information and Options Counseling, Senior Center Operations, Minor Home Repair. Funding for the National Family Caregiver Program is \$36,053.00 with no match requirement. Title IID Health Promotion and Disease Prevention is \$5,802.00 with a matching requirement of \$644.00. Commissioner Frazier moved to approve the Home and Community Care Block Grant, Lee County Funding Plan, Caregiver Program, and Health Promotion and Disease Prevention 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.

Ms. Davidson then presented the contract agreement between Central Carolina Community College (CCCC) and COLTS for FY 2017. CCCC contracts with COLTS for education day services to the Wicker Center for their Adult Basic Education students. CCCC receives some grant funding through NC DOT section 5310 for the services, as well as other funding sources. This agreement brings in approximately \$36,000 in revenue. Commissioner Reives inquired about the COLTS route schedule and if it would include the Innovation Center, located at the Industrial Park, where the basic education course is being relocated. He also requested enrollment numbers for the basic education course at the current location to compare with enrollment numbers at the new location at the Innovation Center. After discussion, Commissioner Frazier moved to approve the contract for transportation services 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.

Health Director Heath Cain presented to the Board the new water sampling fees for FY 2017. Mr. Cain stated the fee modifications are due to the State Laboratory of Public Health revising the cost of water sample bottles, and that his department is also requesting Board of Health to review/approve new types of water samples the State Laboratory of Public Health now offer. With the State Laboratory of Public Health revising their fees to local health departments beginning July 1, 2016 to purchase water sample bottles, Lee County Environmental Health must modify county fees to compensate for the new fee schedule from the State. Mr. Cain also explained that there will be a negative impact to the 2016/2017 Environmental Health budget if the county assumes the difference in the increased water sample fees. After discussion, Commissioner Reives requested a public service announcement be sent out regarding the new fee schedule. Commissioner Reives then moved to approve the request to approve the revised fee schedule from the State Laboratory of Public Health into Environmental Health's water sample fee and new fee schedule effective July 1, 2016 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 then considered the recommended Schedule of Fees and Charges, including a non-residential annual household membership fee, from Parks and Recreation Director John Payne. The recommendations come after a feasibility study performed by Brailsford and Dunlavey indicated that the current fees and charges for programs were below neighboring communities' rates. After discussion, Commissioner Frazier moved to approve the recommended Schedule of Fees and Charges, including a non-residential annual household membership fee, 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.

For the Board's authorization, Tax Administrator Mary Yow presented the write-off for 10 year delinquent taxes in the amount of \$109,398.81. Ms. Yow stated that a report of all uncollected taxes is in the Clerk's office for review and is also posted on the Commissioner's page of the county website. Commissioner Reives moved to authorize the write off of 10 year delinquent taxes 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.

DSS Director Brenda Potts presented to the Board the FY 2016/17 contract with Christian Healthcare Adult Day Care. She stated the program is a day care for adults that are unable to stay alone during the day, and that the county has been contracting with them since the program began in 1988. The contract states that slots are contingent on funding, and that the allocation for the program is \$60,725 with a county match of \$7,591. Commissioner Reives moved to approve the contract with Christian Health Care as presented. Upon a vote, the results were as followed:

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

The Chair ruled the motion had been adopted unanimously.

Ms. Potts then presented for the Board's approval three contracts for non-emergency Medicaid transportation. She explained that currently, three (3) vendors provide Non-Emergency Medicaid Transportation for Lee County Medicaid recipients; COLTS, Fleming's Taxi and Right Transportation. The determination of which vendor provides the service is based on the least expensive cost and availability of the services needed. Fleming's made no changes in their contract and both COLTS and Right Transportation increased their rate by ten cent (10¢). She also explained that prior to January 2017, transportation providers will bill Medicaid directly, and the cost of this non-emergency Medicaid transportation included in the FY 16-17 budget totals \$105,000. This cost is 100% reimbursed. Commissioner Frazier moved to approve the contracts with COLTS, Fleming's Taxi, and Right Transportation 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.

Ms. Potts then presented for the Board's approval contracts with Jalaram of Sanford, LLC doing business as Value Mart #2. She explained that Social Services has two programs where gas vouchers are

used: (1) The Work First Program uses gas vouchers for individuals receiving TANF (Temporary Assistance for Needy Families) services when there is a need for transportation. The Work First expense allocation is capped at \$22,500. (2) The Non-Emergency Transportation (NEMT) also uses gas vouchers when a recipient of Medicaid has their own transportation but is in need of gas for transportation to a Medicaid covered service. This expense is covered under the \$105,000 budgeted NEMT. After discussion, Commissioner Frazier moved to approve the contracts with Jalaram of Sanford, LLC doing business as Value Mart #2 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.

For her final item on the agenda, Ms. Potts presented to the Board for their approval the Home Energy Supplier Agreements for FY 2016/17. Ms. Potts explained the two energy programs and noted that each is funded on a federal and state level; the County is reimbursed 100% by the state through the 1571 process. Furthermore, she explained that the Crisis Intervention Program (CIP) is a program that provides assistance to eligible households that are in a heating or cooling related emergency. The goal of the CIP program is to help families stay warm in the winter and cool in the summer. By doing so, this reduces the risk of health and safety problems such as illness, fire, or eviction. Regarding the Low Income Energy Assistance Program (LIEAP), she explained that this program provides for a one-time vendor payment to help eligible households pay their heating bills. Only households containing an elderly person age 60 and above or a disabled persons receiving services through the Division of Aging and Adult Services (DAAS) are eligible to potentially receive benefits from December 1st through January 31st or until funds are exhausted. If funds are still available after January 31, any household can potentially receive benefits from February 1st through March 31st or until funds are exhausted. Commissioner Smith moved to approve the Home Energy Supplier Agreements 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 then heard from County Manager John Crumpton regarding an amendment to the Memorandum of Understanding (MOU) with the North Carolina Cooperative Extension. For the Board's approval, Mr. Crumpton explained the amendment arose when NC State University approved the new funding arrangement for Cooperative Extension, taking into account that the Director would also run one of the program areas. With the recent retirement of Susan Condlin and the promotion of Bill Stone, the Family and Consumer Programing will no longer be covered by the Director. The new Director, Bill Stone will still have responsibility over 4-H, but the department now will need a Family and Consumer Science Agent. In addition, with the new responsibilities added to Mr. Stone, it was decided to add a 4-H assistant to help with the program. These changes were all made within the upcoming budget due to changes in salaries for new positions. Commissioner Smith moved to approve the MOU amendment 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.

Mr. Crumpton then presented to the Board the transfer/sell of property to the Lee County Arts and Community Center. He explained that the Lee County Arts and Community Center approached the County to ask for the transfer of the grassy area along Horner Blvd. that is used mainly for parking at events at the

Center. Tom Snell spoke about the importance of the Arts Center and introduced Mr. Kevin Brown to speak to the request more specifically. Mr. Brown explained that the Arts Center already owns the old school and paved parking areas and that the Center has received a large cash donation and wants to use the funds to add additional paved parking to improve the existing parking areas. There was discussion involving the basketball court and if it would be disturbed during the parking area improvements. Mr. Brown noted that it wasn't an immediate issue, but attention would need to be given to it in the future, while also mentioning an issue with basketball court users and the lack of access to water and restroom facilities. Mr. Reives recommended that Parks and Recreation Director John Payne look into that issue. Lastly, Mr. Crumpton reminded the Board that the basketball court was not included in this transfer and is a separate issue. After discussion, Commissioner Frazier moved to approve the sale of property to the Lee County Arts and Community Center for \$10.00 and authorize the county attorney and Chair Dalrymple to execute the proper closing documents for the transaction. 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.

Chair Dalrymple then suspended the regular meeting at 6:01 pm to move into the public hearing for the FY 2016-2017 Fire Department Budgets. Donald Andrews, Chairman of the Lee County Fire Advisory Board noted that on May 16th, the Fire Advisory Board made their recommendations on the fire district budgets. At 6:03 pm, Chair Dalrymple opened the public hearing that had been advertised for this date and time. Chairman Andrews spoke in favor, stating that the Fire Advisory Board voted unanimously to approve the budgets. No one spoke in opposition. At 6:04 pm, Chair Dalrymple closed the public hearing. Commissioner Smith then moved to approve the Fire Department Budget Ordinance as presented (copy attached). 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.

At 6:05 pm, the regular meeting resumed and the Board then heard from Mr. Crumpton regarding the renewal of property and liability insurance with the NCACC. For the record, Mr. Crumpton stated that he serves on the Board of Trustees for the Risk Management Pool. He explained that for FY 2016/17, the cost of renewal is \$367,955. Mr. Crumpton also noted that the County will be awarded \$12,565 as an incentive for participating in more than one Pool, which will be refunded after the contracts have been issued following July 1, 2016. Commissioner Reives moved to approve the renewal quote for property and liability insurance and authorize the county manager to sign the required documents, a copy of which is attached to these minutes and by this reference made a part hereof. After 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.

Next, Mr. Crumpton presented the renewal quote for worker's compensation insurance. The quote from the NCACC for FY 2016/17 is \$387,814, a \$3,700 decrease. Commissioner Reives moved to approve the renewal quote for worker's compensation insurance and authorize the county manager to sign required documents, a copy of which is attached to these minutes and by this reference made a part hereof. After 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.

Assistant County Manager/Finance Director Lisa Minter presented to the Board for their approval a Resolution Designating the Finance Director of the County of Lee, North Carolina to Declare Official Intent to Reimburse Expenditures under United States Department of Treasury Regulations on Behalf of Said County. Ms. Minter explained that Bond Counsel has recommended that the Board of Commissioners consider adopting a resolution designating the Finance Director the ability to declare the County's official intent to reimburse expenditures under United States Department of Treasury Regulations. This would allow us to avoid the cost of having bond counsel draft a reimbursement resolution on each project. Commissioner Frazier moved to approve the Resolution Designating the Finance Director of the County of Lee, North Carolina to Declare Official Intent to Reimburse Expenditures under United States Department of Treasury Regulations on Behalf of Said County 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.

Ms. Minter then presented Budget Amendment #06/06/16/19 for the Board's approval, which appropriates \$5,000 from LSTA EZ Edge Tech Grant funds and \$2,000 from Walmart Foundation Grant funds to purchase computers and books for the library. Commissioner Frazier moved to approve Budget Amendment #06/06/16/19 as presented, a copy of which is attached to these minutes and by this reference made a part hereof. After 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.

Mr. Crumpton then presented the Board with a memo from Joy Thrash, SAGA Director. At the May 16th meeting, the Board requested information from SAGA regarding their accomplishments and plan of work for the last two years. While pleased with industry expansions, Commissioner Reives expressed wanting more information regarding new industry business. Commissioner Knecht mentioned wanting to see budget numbers, and Chair Dalrymple noted that per the County's agreement with SAGA, a copy of their audit should be provided. There was also mention of the upcoming annual joint meeting between the City, County and SAGA. No action was taken.

Mr. Crumpton then presented to the Board the FY 2016-17 Budget Ordinance (copy attached). Though in support of the budget, Commissioner Sloan expressed his disappointment with the lack of funding for SAGA and stressed the importance of a global economy and enhanced marketing efforts. With no other discussion, Commissioner Reives moved to approve the FY 2016-17 Budget Ordinance as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Oldham, Reives, and Sloan
Nay: Knecht and Smith

The Chair ruled the motion had been adopted by a 5-2 vote.

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

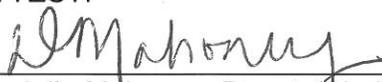
Aye: Dalrymple, Frazier, Knecht, Oldham, Reives, Sloan, and Smith
Nay: None

The Chair ruled the motion had been adopted unanimously and the meeting adjourned at 6:26 pm.



Amy M. Dalrymple, Chair
Lee County Board of Commissioners

ATTEST:



Danielle Mahoney, Deputy Clerk to the Board