



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

AUGUST 17, 2009

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, 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, Robert T. Reives, and Linda A. Shook.

Chairman Hayes presided and called the meeting to order. The following business was transacted:

County Attorney K. R. Hoyle delivered the invocation.

Ms. Brenda Potts from the Employee Selection Committee introduced Ms. Denette Fitzpatrick, Tax Collections Manager with the Lee County Tax Department as the *August 2009 Employee of the Month*. Chairman Hayes presented Ms. Fitzpatrick with her awards which include a framed certificate, a *Star Award*, a pizza, compliments of Papa John's Pizza, Coca Cola products from Sanford Coca Cola Bottling Company, a movie rental from the Movie Gallery, and a day off with pay.

The Board considered additions/changes to the agenda. County Manager John Crumpton asked the Board to consider an amendment to the Food Service Agreement between Lee County and ARAMARK Correctional Services, LLC. Commissioner Shook asked that Consent Agenda "Item D" (Acceptance of WIC money for the Health Department), and "Item I" (application for 2009-10 Lottery proceeds for the Lee County Board of Education) be removed for further discussion. With no other changes made, Commissioner Oldham moved to approve the agenda as amended. 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.

Pursuant to North Carolina General Statute 153A-52.1, Chairman Hayes opened the floor for *Public Comments*. With no one signing up to speak, the meeting resumed.

The Board at this time approved unanimously a Resolution of recognition for the 10-and-under Boys Baseball State Championship Team sponsored by the Lee County Parks and Recreation

Department. It was noted that a State championship in this age group, from Lee County, has not been won since 1989. Chairman Hayes read and presented the Resolution to coaches and members of the team in attendance. A copy of the resolution is attached to these minutes and by this reference made a part hereof.

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

- Minutes from the July 20, 2009 closed session meeting;
- Minutes from the July 20, 2009 regular meeting;
- Acceptance of \$8,727.00 from the 2009 Justice Assistance Grant (JAG) to be used for training and equipment in the Sheriff's Department;
- Recommendations from the Lee County Planning Board on the following rezoning petitions presented at the July 20, 2009 meeting (Ordinances Amending the Lee County Zoning Map attached):
 1. Approved petition submitted by Jerry Adkins, 2912 Jefferson Davis Highway; and
 2. Approved petition submitted by Randall Godfrey, 2915 Tramway Road;
- Budget Amendment # 08/17/09/01(copy attached);
- Tax Releases and Refunds for July 2009 (copy attached);
- Proposal from *Clean Harbor Environmental Services* for the October 17, 2009 household hazardous waste collection day to be held at the Dennis Wicker Civic Center; and
- Amendment to Food Service Agreement between Lee County and ARAMARK Correctional Services, LLC (copy attached)

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 presented to the Board an update on debt capacity and other financial matters related to the vote at the July meeting in reference to holding the ¼-cent sales tax referendum and the beginning of construction and repairs at the Lee County High School campus. Mr. Crumpton stated that he had been reviewing the County's budget, revenue forecasts and financial models since the July meeting, along with the impact of recent decisions made to the State's new budget. It was also stated the County does not have any debt capacity at the current tax rate of 75 cents due to the amount of tax rate that has gone into debt service over the past two years. The County took a recent loss of ADM money (\$520,000) and this has also reduced debt capacity. Mr. Crumpton further stated our ability to borrow money had been reduced due to the economy and debt capacity. No action was taken after considerable discussion.

The Board considered a Resolution stating the intended uses if the ¼-cent sales tax passes during the November referendum. After discussion, Commissioner Oldham moved to approve a *Resolution by the Lee County Board of Commissioners Stating the Intended Uses of the ¼-Cent Sales Tax Revenue if the Advisory Referendum for the Levy of a Local Sales Tax Passes by Majority Vote*, 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, and Paschal
Nay: Reives and Shook

The Chairman ruled the motion had been adopted by a five to two vote.

The Board considered a *Capital Project Budget Ordinance for the Lee Senior High School* renovation project. Finance Director Lisa Minter presented the Budget Ordinance and stated \$400,000 was appropriated for the period August 18, 2009 to December 31, 2012 with funds being advanced from the General Fund for project cost and intended to be reimbursed from the financing proceeds. After discussion, Commissioner Kelly moved to approve a *Capital Project Budget Ordinance for Lee County High School Renovations in the amount of \$400,000*, 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, and Paschal
Nay: Reives and Shook

The Chairman ruled the motion had been adopted by a five to two vote.

Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending July 2009. No action was taken.

The Board considered the second and final reading for an *Ordinance Granting a Franchise for a LCID Landfill*. County Attorney K. R. Hoyle stated the first reading of the Ordinance took place at the July 20, 2009 regular meeting and per North Carolina General Statute 153A-46 a franchise may not be adopted until it has been passed at two regular meetings. The Ordinance will authorize a franchise for a landfill for land clearing and inert debris (LCID) for Mr. Michael Barbour and Mr. Johnny Knight (Northwest Pocket LCID) to be located on Pickard Road. Commissioner Reives moved to approve the *Ordinance Granting a Franchise for a LCID Landfill and Franchise Agreement*, 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: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Ms. Grace Lawrence completed the required paperwork to appear before the Board and present information related to the BRAC RTF Working Lands Protection Program. Ms. Lawrence presented a power-point presentation and discussed the "Farmland Preservation" program that is made up of numerous individuals throughout Lee County who will be making recommendations to keep farm land in operation. No action was taken.

The Board considered matters pertaining to the H1N1 (swine flu) implementation plan and proposed budget costs. Health Director Howard Surface discussed the H1N1 proposed campaign and matters relating to the acceptance of the vaccine that will be provided by the Federal and State Government. Mr. Surface discussed the need for volunteers and staff to assist with administering shots and other tasks that will be required on a daily basis during the period shots will be given. It is anticipated that direct costs for the program will be approximately \$180,570, with support provided by staff in the Health Department including Environmental Health, Animal Control, Administration and Health Education. Mr. Surface stated the State has committed \$45,000 for the campaign and the County is asked to approve a request of \$51,757. After further discussion, Commissioner Reives

moved to approve the acceptance of \$45,000 in State funding for the H1N1 campaign and \$51,757 in county funding to the Health Department. 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 the acceptance of WIC money for the Health Department that had been pulled earlier from the Consent Agenda. After discussion, Commissioner Kelly moved to approve the acceptance of WIC money for the Health Department as presented. 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 the application of 2009-10 Lottery proceeds for the Lee County Board of Education for various projects that had been pulled earlier from the Consent Agenda. After discussion, Commissioner Shook moved to approve the application of 2009-10 Lottery proceeds, 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: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton presented a *Certificate of Achievement for Excellence in Financial Reporting* to Lee County Finance Director Lisa Minter and staff. This is the 13th consecutive year Lee County has won this award.

With 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, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

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

ATTEST:

Richard B. Hayes, Chairman
Lee County Board of Commissioners

Gaynell M. Lee, Clerk