LEE COUNTY

Committed Today for a Better Tomorrow

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

JUNE 21, 2010
6 P.M.

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

County Attorney K. R. Hoyle delivered the invocation.

The pledge of allegiance was recited.

At this time the Board conducted a joint public hearing with members of the Lee County Planning Board. Planner Althea Thompson outlined the proposed rezoning request submitted by E. Stephen Stroud Triassic LLC, Linda B. Wicker, Jimmie L. Thomas and Hobert and Sandra Wicker to rezone from Residential Agricultural district 19 tracts of land on approximately 491.48 acres of land located northeast of Colon Road, east and west of Jefferson Davis Highway, east of Deep River Road and south of Zion Church Road.

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

The following spoke in favor of the rezoning request:

- Bob Heuts, Director of the Lee County Economic Development Corporation – spoke on behalf of the Lee County Economic Development Corporation
- Tony Tate, 5011 S. Park Drive, Durham – architectural engineer for the project

The following spoke in opposition to the rezoning request:

- Mandy Moss, 299 Perry Pond Road, wants to keep the area peaceful and quite, asked that the widest buffer possible be installed if project is approved, and asked that no loud trucks/loading docks be placed near residential areas
- Hubert Wall, 363 Perry Pond Road, concerns about the now quite Deep River community, heavy traffic that might be generated and the increase of property taxes

Chairman Hayes closed the public hearing.

A recommendation from the Planning Board will be presented to Commissioners at their July 19, 2010 meeting for approval.

The Board considered additions/changes to the Agenda. With no changes made, Commissioner Reives moved to accept the Agenda 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.

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

- Closed session Minutes from the April 5, May 17, and June 7, 2010 meetings;
- Minutes from the June 3, 2010 budget work session;
- Minutes from the June 7, 2010 regular meeting;
- Resolution honoring retiree Barbara Miller (copy attached);
- Resolution honoring retiree Kathy Backlund (copy attached);
- Resolution honoring Tax Administrator Dwane Brinson (copy attached);
- Tax Releases and Refunds for May 2010 (copies attached);
- Proclamation to declare July as Parks and Recreation month (copy attached);
- Bid for paving of Colon Road Convenience Center from RDU Paving, Raleigh, in the amount of $32,370.00;
- Budget Amendment # 06/21/10/15 (copy attached);
- Bid for stream repair at the Lee County Industrial Park from McQueen Construction, Bahama, in the amount of $83,600.00; and
- Purchase of 12 computer software licenses for patrol deputies in the amount of $21,592.00

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.

Chairman Hayes read and presented resolutions for retirees Barbara Miller and Kathy Backlund. A resolution was also presented to Tax Administrator Dwane Brinson for being recognized as one of the 2010 winners of the Triangle Business Journal *40 Under 40 Awards.*

Commissioner Pascal read the proclamation to declare July as *Parks and Recreation Month.*

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

The Board considered a contract and resolution between Lee County and the Lee County Economic Development Corporation. Commissioner Dalrymple stated that in April Chairman Hayes appointed a sub-committee of Commissioners Dalrymple and Reives (Oldham – alternate member) to serve with two City Council representatives and two Broadway Commissioners to study and make recommendations for a revised contract/agreement for services with the Lee County Economic Development Corporation. The Committee met on three occasions and charged the County Manager with drafting a new contract and resolution for said services. County Manager John Crumpton presented the revised contract and resolution to Board members at the June 7, 2010 meeting for review. Mr. Crumpton stated that the County would also need to enter into written interlocal agreements with the City of Sanford and the Town of Broadway. After much discussion, Commissioner Reives moved to approve the contract and resolution as presented with one amendment that would require the Economic Development Director to meet with the County Manager and review the upcoming meeting agendas for the Board of Commissioners and if determined that the EDC Director needs to be present for a meeting, then either the Director or the Chairman of the Lee County Economic Development Board will attend the meeting, 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, Paschal, and Reives
Nay: Shook

The Chairman ruled the motion had been adopted by a six to one vote.

At this time the Board conducted a public hearing in reference to the FY 2010-11 Fire Department budgets. At the June 7, 2010 meeting, Donald Andrews, Chairman of the Lee County Fire Advisory Board presented recommended fire district tax rates for the upcoming year for all volunteer fire departments. A public hearing is required prior to adoption of the budget ordinance.

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

The following spoke in favor of the recommended fire tax rates:

1. Donald Andrews, Chairman of the Lee County Fire Advisory Board

The following spoke in opposition to the recommended fire tax rates:

1. Tony Ragan, 4507 Lower River Road – questioned why Deep River's taxes were higher than other departments – thinks they are too high

Chairman Hayes closed the public hearing.

Commissioner Oldham moved to approve the *FY 2010-11 Fire District Budget Ordinance*, 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, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board conducted a public hearing in reference to an amendment to the 2008 CDBG Scattered Site Housing Project. Community Development Manager Karen Kennedy presented changes to the original application and answered questions from the Board.

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

No one present spoke in favor of or in opposition to the amendment as presented.

Chairman Hayes closed the public hearing.

Commissioner Oldham moved to approve the *Program Amendment Resolution for the FY 2008 Scattered Site Housing Project* 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, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Community Development Manager Karen Kennedy introduced Ulises Luviano, President of the Sanford-Lee County Youth Council who presented the Council's annual report to the Board. No action was taken.

The Board recognized the first landowners to enroll in the Lee County Voluntary Agriculture District (VAD) program. Tommy Brooks from Soil and Water Conservation stated that the VAD program is designed to encourage the preservation and protection of family farms, increase the visibility of agricultural, forestry and horticultural operations and to protect and promote these land uses. He further stated the ordinance seeks to preserve open space

and increase the visibility of agricultural operations and to alert new or potential landowners of the potential for dust, noise, and smells associated with agriculture. Donald Nicholson, Chairman of the Voluntary Agriculture Advisory Board stated the following landowners had entered into conservation agreements and were presented VAD signs for their property:

Worth and Nancy Pickard – 53.17 acres – Pocket Township
Bridge Road Farm Family Limited Partnership, Jane Barringer – 629.21 acres – Deep River Township
Alan Cox – 26.43 acres – Greenwood Township
Barbara and Reevis Alphin – 55.97 acres – Pocket Township
William and Gail Logan – 54.4 acres – Pocket Township
Tony and Martha Ragan – 304.36 acres – Deep River Township
Eunice Cameron – 144.62 acres – Cape Fear Township
Faye and Cecil Cameron – 249-72 acres – Cape Fear Township

Total land enrolled in the Voluntary Agriculture District (VAD) program at this time is 1,658.47 acres.

Health Director Howard Surface and Dr. David Fisher, Chairman of the Health Board discussed Animal Control services with the Board at this time. At the last meeting on June 7, 2010, Commissioner Dalrymple questioned the Animal Control budget and the fact that a position had been budgeted for some time but never filled. Mr. Surface presented strengths, weaknesses, opportunities and threats handled by Animal Control officers from his department. Mr. Surface stated the Animal Control department had many new issues to come up over the past year and are being worked out at this time. A committee has been formed to rewrite the County's Animal Control Ordinance which should be ready for approval by September. No action was taken on the matter.

County Manager John Crumpton presented the FY 2010-11 Budget Ordinance with a 75 cent per one hundred dollars ($100) valuation of property listed for taxes as of January 1, 2010. Commissioner Shook had concerns where a non-profit agency received more funding than was originally requested. Commissioner Hayes moved to approve the *FY 2010-11 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, Hayes, Kelly, Oldham, Paschal, and Reives
Nay: Shook

The Chairman ruled the motion had been adopted by a six to one vote.

County Manager John Crumpton presented the Capital Improvements Program (CIP) for FY 2010/11 – FY 2014/15. Commissioner Kelly moved to approve a *Resolution Adopting the Lee County Capital Improvements Program for FY 2010/11 – FY 2014/15* 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, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time, the Board addressed annual appointments to various boards and commissions. Clerk to the Board Gaynell Lee presented a list of all vacancies, along with applications for consideration. Ballots were passed out for Commissioners to select their nominations for boards/commissions with the following being appointed:

BOARD/COMMISSION	TERM	APPOINTED
Agriculture Advisory Board	3-year terms	Donald Nicholson * Ed Angel * George Watson * Jane Barringer * Tony Ragan * A. K. Griffin, Jr.
Cemetery Board	No term limit	Patrick Kelly Keosha Bland Molly Whitaker
Central Carolina Community College Board of Trustees	4-year terms	Julian Philpott *
Economic Development Corporation	3-year terms	Donnie Oldham David Nestor
Fire Advisory Board	4-year terms	Worth Pickard * Larry Kelly *
Board of Health	3-year terms	Dr. David Fisher * Dr. William Hall Tamara Brogan Charles Clifford * Steve Brewer *
Industrial Facilities & Pollution Control Financing Authority	6-year terms	Richard Huff
Juvenile Crime Prevention Council	2-year terms	Patrick Kelly Donese Pulley
Lee County Planning Board	3-year terms	Kathy Woodell Huck Heiser

		Roy Cox * Herman Morris * Tamara Brogan
Library Board	3-year terms	Charles Sutherland Edgar Underwood Blaine Sutton
Parks and Recreation Commission	3-year terms	Butch Saunders * Justin Coggins * Mark Cline * Keith Clark
Sanford Planning Board	3-year terms	Bill Norris *
Senior Services Advisory Board	3-year terms	Brenda Ingram * Janet Fasick * Donese Pulley
Rest Home-Nursing Home Advisory Board	3-year terms	Deloris Jenkins * Theresa Howard * Ismael Rivera * Carole Philbin Eileen Cook Betty Lou Godfrey Vera Cothran Fran Edmonds Bobby Hurley
Triangle South Local Workforce Development Board	4-year terms	Tony Lett * Cherise Williams
COLTS Transportation Board	2-year terms	Fenton Wells

** Reappointments

Finance Director Lisa Minter presented *the Monthly Financial Report* for month ending May 31, 2010. No action was taken.

Ms. Minter asked the Board to approve a budget amendment for an increase of $484.00 to the Energy Neighbor Funds that is used to provide assistance to families that are in a heating and cooling related crisis (through Social Services). The budget amendment also includes investment earnings for the Industrial Park capital projects. Commissioner Kelly moved to approve budget amendment #06/21/10/16 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 follow:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

With no further business to come before the Board, Commissioner Kelly 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 8:50 p.m.

Richard B. Hayes, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk