

LEE COUNTY

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

JULY 21, 2014

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, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Amy M. Dalrymple, Dr. Ricky D. Frazier, Dr. Andre Knecht, Charles T. Parks, Robert T. Reives, Kirk D. Smith, and James K. Womack.

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

Commissioner Smith delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the Agenda. Chairman Parks stated the item concerning the sale of property at 1626 Stonegate (under New Business) would be moved up to the first item of New Business. With no other changes made, Commissioner Knecht moved to approve the Agenda as amended. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Womack moved to approve the *Consent Agenda* which consisted of the following items after two minor corrections were referenced to the Minutes from the June 16, 2014 regular meeting:

- Minutes from the June 16, 2014 Closed Session meeting,
- Minutes from the June 16, 2014 Budget Work session,
- Minutes from the June 16, 2014 Regular meeting, and
- Tax Releases and Refunds for June 2014 (copy attached).

Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

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

At this time the Board held a public hearing upon the orders entitled "Order Authorizing \$9,000,000 Community College Bonds" to acquire, construct and equip a new health science building for Central Carolina Community College (CCCC), "Order Authorizing \$5,000,000 Community College Bonds" to expand and renovate the veterinary medical technology facility, "Order Authorizing \$4,000,000 Community College Bonds" to expand and renovate the emergency services training center and various other main campus facilities at CCCC, and "Order Authorizing \$5,000,000 Community College Bonds" to expand and renovate the civic center and an existing building to be used as a business incubator for CCCC.

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

The following spoke in favor of the bonds:

1. Julian Philpott, 1920 Lakespur Drive, Sanford
2. Keith Clark, 212 Acorn Drive, Sanford
3. Terri Clark, 212 Acorn Drive, Sanford
4. James Kelly, 937 Valley Road, Sanford
5. Bobby Powell, 909 Gilmore Drive, Sanford
6. Richard Hayes, 2004 Vantage Point, Sanford
7. William Carver, 104 Steel Bridge Road, Sanford

The following spoke in opposition to the bonds:

1. Dale Marks, 1258 Black Road, Cameron

Mr. Ed Underwood, 3309 Westcott Circle, Sanford, stated he was not in opposition but just giving observations.

Chairman Parks closed the public hearing.

Commissioner Reives moved to approve the order introduced entitled "*Order Authorizing \$9,000,000 Community College Bonds*", 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to approve the order introduced entitled "*Order Authorizing \$5,000,000 Community College Bonds*", 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to approve the order introduced entitled "*Order Authorizing \$4,000,000 Community College Bonds*", 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to approve the order introduced entitled "*Order Authorizing \$5,000,000 Community College Bonds*", 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to approve a *Resolution Calling for a Bond Referendum*, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Womack stated the Board was misleading the community because the CCCC bonds ignore a number of other capital expenses the County needs to address, especially the need for a new elementary school. He didn't feel it was fair to put the CCCC bonds before taxpayers without sharing the need for another school in the near future. Commissioner Reives stated the Board of Education has not requested a new school at this time because they feel the community college has waited long enough to make their request, therefore he does not feel he is misleading the community on anything.

Mr. Marty Tillman from the North Carolina Department of Transportation (DOT) gave a presentation on the upcoming Hawkins Avenue and US #1 round-about project that has an anticipated construction date of the first of September at an estimated construction cost of \$1.8 million. Various questions and answers followed the presentation. No action was taken.

The Board considered a recommendation from the Lee County Planning Board in reference to the application by Connie & Judy Deal and Laws Family Trust to rezone 3 tracts of land totaling 3.125 acres of land located at 7273 Lemon Springs Road from Neighborhood Community (NC) district to Highway Commercial (HC) district. Planner Althea Thompson stated that the Planning Board recommended approval of the above referenced application. After discussion, Commissioner Reives moved to approve the recommendation of the Planning Board and an *Ordinance Amending the Official Zoning Map of Lee County, North Carolina*, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered board appointments for the upcoming year that were not completed at the June meeting. Clerk to the Board Gaynell Lee presented applications for the following Boards:

Rest Home-Nursing Home Advisory Board – Ms. Ilona Brown
Agricultural Advisory Board (Cape Fear Township) – Mr. Cecil Cameron
Environmental Review & Advisory Committee – Ms. Karen Glaser
Sanford Board of Adjustments – Mr. Paul Kelly
Sandhills Center Board of Directors – Commissioner Kirk Smith

Commissioner Womack moved to approve the appointments of the above referenced individuals to the referenced boards. Upon a vote, the results were as follows;

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Ms. Lee presented two applications for consideration to the Social Services Board. It was stated that Ms. Elizabeth Oberkirsch was appointed to fill the vacant position during the June 16th meeting but due to the fact she serves as a guardian ad litem, which is a conflict of interest, so she cannot serve on the Board. Ms. Lee and asked the Board to consider waiving their policy on the number of term limits individuals may serve. The Board was asked to reappoint Mr. Paul Utlely who has served two terms of office but is willing to serve an additional 3-year term. After discussion, Commissioner Reives moved to waive the Boards' policy on term limits and moved to reappoint Mr. Paul Utlely to the Social Services Board. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Ms. Lee presented an application from Mr. Cy Richardson for appointment to the Lee County Fire Advisory Board. It was noted this appointment is a recommendation of the Lee County Fire Chiefs' Association. It was also noted that Mr. Richardson is the Assistant Chief of the Northview Fire Department but does not live in Lee County. According to the Boards' policy, all individuals serving on boards must live in Lee County. Ms. Lee asked the Board to consider waiving their policy and allow Mr. Richardson to serve as no other applications were received for the vacancy. It was also noted that Mr. Richardson participated, as an observer, during budget discussions for the fire departments this year to get a better understanding of the process. After discussion, Commissioner Reives moved to waive the Boards' policy on out-of-county residents serving on this board and moved to appoint Mr. Cy Richardson to the Fire Advisory Board as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered an offer to purchase property that had been moved up on the Agenda at the beginning of the meeting. County Attorney Kerry Schmid stated the County acquired ownership of property located at 1626 Stonegate (Carolina Trace) at a foreclosure sale in July 2013. Prior to the sale, the subject property and the adjacent property located at 1627 Stonegate were held in common ownership and secured by one Deed of Trust. The subject property serves as a yard or outdoor space for 1627 Stonegate. Wells Fargo, N.A., former mortgagee for the property and current mortgagee for 1627 Stonegate, contacted the office with an offer to purchase subject property (1626 Stonegate). North Carolina General Statute §105-376(c) allows the county through its governing board, to resell the property by private sale to a former interested owner for no less than the amount of the county's interest. That interest, as of July 7, 2014, is \$1,351.59 plus \$403.00 in Homeowner Association fees. The total tax value of the foreclosed parcel is \$5,000.00. The amount of the offer covers the full amount of fees and costs expended by the County as a result of the foreclosure proceeding and sale. Ms. Schmid asked the Board to approve a Resolution Authorizing the private Sale of said property to Wells Fargo, N.A. After discussion, Commissioner Reives moved to approve the *Resolution Authorizing the Private Sale of Property Located at 1626 Stonegate North in the County of Lee to Wells Fargo, N.A.*, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the FY 2014-15 Juvenile Crime Prevention Council (JCPC) Annual Plan and Funding Request. Ms. Pamela Glover, Chairperson of the JCPC outlined the funding request. The N.C. Department of Public Safety partners with Juvenile Crime Prevention Councils in each county to galvanize community leaders, locally and statewide, to reduce and prevent juvenile crime. JCPC members are appointed by the county Board of Commissioners and meet monthly in each county. A written plan must be presented annually to Commissioners for approval along with a summary of the funded programs. Ms. Glover stated the following funding decisions have been approved by the JCPC for FY 2014-15:

Maggie's Outreach Mentoring Program	\$30,000
Hope Thru Horses (Kickn Back)	\$51,161
Communities in Schools	\$20,000
ReEntry, Inc. (Psychological Evaluations)	\$ 4,000
Project Challenge North Carolina, Inc. (Restitution Program)	\$50,000

After discussion, Commissioner Frazier moved to approve the *FY 2014-15 Juvenile Crime Prevention Council Annual County Plan and Funding Plan*, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the FY 2014-15 Addendum for Home and Community Care Block Grant. Seniors Services Director Debbie Davidson asked the Board to approve the FY 2014-15 Addendum for Home and Community Care Block Grant Title IIID Evidence Based Health Promotion and Disease Prevention. The total allocation for Lee County is \$2,617.00 with a local match of \$291.00, which is available in the current budget. Funds will be used to train staff for Tai Chi (designed for Arthritis patients), the Silver Sneakers Program, and additional classes for Powerful Tools for caregivers. After discussion, Commissioner Frazier moved to approve the *FY 2014-15 Addendum for Home and Community Care Block Grant* 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the purchase of a replacement vehicle for COLTS (County of Lee Transit System). Senior Services Director Debbie Davidson asked the Board to approve a capital purchase in the amount of \$48,400.00 to purchase one lift equipped vehicle for COLTS using remaining ARRA funding via NC DOT. Lee County applied for and received approval to purchase a lift equipped vehicle earlier than the remaining replacements which will not arrive until spring, 2015. NC DOT had funds to purchase eight vans statewide through the original ARRA funding. Due to extensive mileage and maintenance cost, Lee County was approved for one of the early replacements. After discussion, Commissioner Smith moved to approve the purchase of a replacement lift equipped vehicle for COLTS as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time Management Fellow Michael James presented to the Board a power-point presentation showing results of the recent *2014 Employee Survey*. County staff conducted the 2014 Employee Survey in May that had previously been conducted by the Employment Security Commission. The survey was designed to solicit employee opinions on a variety of issues including job satisfaction, compensation and organizational leadership among other items. With the exception of employees from the Sheriff's Department and Register of Deeds, all County employees were eligible to participate in the survey. A total of 220 employees (out of 237 eligible employees) completed the survey, with a response rate of 92.8 percent. No action was taken.

At this time the Board took a 10-minute recess. Upon returning from recess, with all members present, the meeting resumed.

The Board considered bids for the Lee County Government Center and Courthouse parking lot resurfacing projects. Deputy General Services Director Larry Bridges stated six bids were received for the above referenced project. Due to budget constraints only one of the three items on the bid form could be considered. Each bidder bid the three items as one project

instead of three individual projects. For that reason, the low bidder sent a letter withdrawing their original bid and the second lowest bidder was unable to perform the work for the bid amount quoted. To avoid confusion, the project was re-bid with the understanding that each item on the bid form be quoted as a stand-alone project. The following two bids were received:

Ruston Paving Co., Inc., Durham, NC	\$25,145.00
	\$16,581.25
	\$39,600.00
RDU Paving, Inc., Raleigh, NC	\$30,857.76
	\$25,256.00
	\$46,368.00

After discussion, Commissioner Reives moved to approve the low bid from Ruston Paving Co., Inc. for the Government Center and Courthouse parking lot resurfacing projects. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Mr. Bridges gave the Board an update on the Clyde Rhyne Road paving project at the Lee County Industrial Park. It is anticipated the project will be completed by the end of the week or the following week. The County will have to get DOT approval before they take over maintenance of the road.

The Board considered the Tax Collector's Annual Settlement. Tax Administrator Mary Yow stated that each year the Tax Collector must make settlement with the governing board per North Carolina General Statute §105-373. As part of that settlement the governing board charges the Tax Collector with collecting taxes for the current fiscal year (FY 2015) and prior fiscal years with unpaid taxes. This "charge" gives the Tax Collector authority to use enforced collection measures and gives legal notice that the tax lien is first in priority. Ms. Yow asked the Board to accept the *Settlement*, adopt a *Resolution Approving the Tax Collector's Annual Settlement for FY 2014 and Prior Years*, and *Charge the Tax Collector with Collecting FY 2015 Taxes*. After discussion, Commissioner Dalrymple moved to approve the above referenced documents, 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, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the Annual Contract for Forestry Services. County Manager John Crumpton stated that the County annually enters into an agreement with the State of North Carolina Department of Agriculture and Consumer Services for the protection, development, and improvement of forestlands in Lee County. The County agrees to pay 40% of the total cost of the Forester or Forest Ranger salaries and expenses and other proper expenditures with the remaining 60% being paid by the State. For FY 2014-15, the cost to Lee County is \$100,194.00 which was included in the current budget. It was noted by Commissioner Smith that the

Agreement misquoted the amount of funding the County would receive on Part II of the Agreement. After discussion, Commissioner Smith moved to approve the *Agreement for the Protection, Development, and Improvement of Forest Lands in Lee County*, with the change to Part II of the Agreement, 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, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a voting delegate for the upcoming North Carolina Association of County Commissioners (NCACC) conference in Buncombe County. County Manager John Crumpton stated that the Association has provided paperwork to delegate a voting individual for the August 14-17, 2014 conference. Three Commissioners, along with the County Manager, are registered for the conference. Commissioner Smith moved to appoint Commissioner Charles Parks as Lee County's voting delegate for said conference. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the appointment of a Deputy Clerk for the week of August 4, 2014. County Manager John Crumpton stated that normally Commissioners hold their meetings during the summer months of July, August and September on the third Monday of the month. This year, the meeting schedule for the month of August was rescheduled to the first Monday instead of the third Monday. Clerk to the Board Gaynell Lee has scheduled vacation that week and will therefore miss the August 4th meeting. Mr. Crumpton asked the Board to appoint Management Fellow Michael James to serve as Deputy Clerk for the week of August 4, 2014, to take notes during the meeting, complete Minutes, and other required after-meeting documents, and to use the County seal and sign required documents in the clerk's absence. Commissioner Reives moved to appoint Michael James as Deputy Clerk for the week of August 4, 2014. Upon a vote, the results were as follows:

Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution to the North Carolina Department of Commerce for a Building Reuse Grant. County Manager John Crumpton asked the Board to approve said Resolution for "Project Rainbow". By making the application, Lee County commits to provide the required 5% match, not to exceed \$25,000 if formally approved by all parties. This commitment is considered an incentive and at the appropriate time the company name will be announced and a public hearing will be held possibly in September. After discussion, Commissioner Dalrymple moved to approve a *Resolution by the Lee County Board of Commissioners Submitting to the North Carolina Department of Commerce an Application for a Building Reuse Grant*, 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, Parks, Reives, and Womack
Nay: Smith

The Chairman ruled the motion had been adopted by a 6 to 1 vote.

The Board considered Budget Amendment # 07/21/14/01. County Manager John Crumpton presented said Budget Amendment in the Finance Director's absence for the following departments:

General Services – rollover funds for paving projects and update of the operating system for HVAC controls that were not completed by June 30, 2014,

Jail – rollover funds for painting of the jail that was not completed by June 30, 2014.

COLTS – rollover insurance proceeds that were received in the prior year for damage to one of the vans. Repairs were not completed prior to June 30, 2014.

Solid Waste Fund – rollover funds for the purchase of a trash compactor that was not received prior to June 30, 2014.

After discussion, Commissioner Reives moved to approve *Budget Amendment # 07/21/14/01*, 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, Parks, Reives, Smith, 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 June 2014 in the Finance Director's absence. No action was taken.

County Manager John Crumpton presented his *Monthly Report for July 2014*, a copy of which is attached to these Minutes and by this reference made a part hereof. No action was taken.

Commissioner Smith moved to go into Closed Session to discuss matters relating to the location or expansion of a business in the area per N.C. General Statute §143-318.11(a) (4), and a personnel matter per N.C. General Statute §143-318.11(a) (6). Upon a vote, the results were as follows:

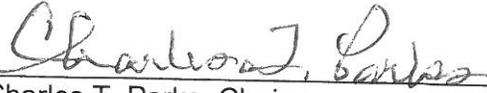
Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

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 regular meeting resumed.

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

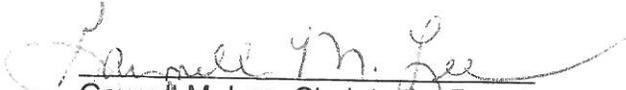
Aye: Dalrymple, Frazier, Knecht, Parks, Reives, Smith, and Womack
Nay: None

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 9:07 p.m.



Charles T. Parks, Chairman
Lee County Board of Commissioners

ATTEST:



Gaynell M. Lee, Clerk to the Board