LEE COUNTY

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

OCTOBER 18, 2010

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, Larry "Doc" Oldham, Nathan E. Paschal, Robert T. Reives, and Linda A. Shook. Commissioner James C. Kelly had been excused from the meeting and was not present.

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 to consider the following five (5) proposed amendments to the Unified Development Ordinance (UDO):

Amendment # 1: Sections 3.2.3.3 and 3.2.3.4 – widely used by staff as they establish the rules by which a tenant or property owner must comply with UDO development standards when they are either doing an addition/expansion or just a change of use. Section 3.2.3.3 sets forth the rules for additions or expansions to existing developments.

Amendment # 2: Section 4.7.3.2 provides language for setbacks on lots that have more than one street frontage.

Amendment # 3: Section 5.20 of the UDO includes additional design standards that are applied to proposed new sanitary landfills. Section 5.20.2.4 specifically addresses standards for ingress and egress.

Amendment # 4: Section 6.7.1 of the UDO addresses certain street designs as it relates to new subdivisions. More specifically, Section 6.7.1.4 addresses cul-de-sac street design.

Amendment # 5: Section 10.7 of the UDO regulates new non-residential development along our major thoroughfares and highways. It provides minimum standards for the exterior design and appearance for such new buildings.

Assistant Community Development Director Marshall Downey outlined each amendment and answered questions from Commissioners.

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

No one present spoke in favor of the proposed amendments.

The following spoke in opposition to the proposed amendments:

1. Van Groce, Jr., 915 Gilmore Drive, Sanford (on behalf of Groce Development) – spoke in opposition to the cul-de-sac amendment
2. Albert Adcock, 1414 Gormly Circle, Sanford, - spoke in opposition to the cul-de-sac amendment
3. Keith Clark, 212 Acorn Drive, Sanford – addressed the cul-de-sac amendment and the amendment addressing development along major thoroughfares and highways

Chairman Hayes closed the public hearing.

At this time Planning Staff and Planning Board members adjourned to the Gordon Wicker Room for further deliberation. A recommendation will be made to the Commissioners at their November 1st meeting for consideration. No action was taken.

The Board considered additions/changes to the Agenda. With no changes/additions made, Commissioner Dalrymple moved to approve the Agenda as presented. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from the September 20, 2010 closed session meeting;
- Minutes from the October 4, 2010 regular meeting;
- Tax Releases and Refunds for September 2010 (copy attached);
- COLTS (County of Lee Transportation System)Safety Operations Plan;
- FY 2010/11 Senior Center General Purpose Funding Plan; and
- Budget Amendment # 10/18/10/05 (copy attached)

Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Pursuant to N.C. General Statute 153A-52.1, Chairman Hayes opened the floor for *Public Comments*. The following signed up to speak and were allowed 3 minutes for comments:

1. Keith Clark, 212 Acorn Drive, Sanford (discussed proposed ethics matter)

The Board considered appointments to the Parks and Recreation Commission. Clerk to the Board Gaynell Lee reported to the Board that a full-time member had recently submitted their resignation from said Board. A recommendation by the Clerk was made to move alternate #1 to the regular position, alternate #2 to the alternate #1 position and appoint a new member for the alternate #2 position. After discussion, Commissioner Paschal nominated Jamie Norton to fill the vacant alternate #2 position. After further discussion, Chairman Hayes moved to appoint Mark Kline (alternate #1) to the full-time position, move Keith Clark (alternate #2) to the alternate #1 position, and appoint Mr. Jamie Norton as alternate #2. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered appointments to the Fire Department Relief Fund Board. Fire Advisory Board Chairman Donald Andrews reported that two individuals needed to be appointed to serve on the Firemen's Relief Fund Board to work with each volunteer fire department to assist with disbursing funds set out in the Firemen's Relief Fund. Each department is made up of three local members and two members appointed by the Board of Commissioners. Each fire department will forward annual funds that are not appropriated to the North Carolina State Firemen's Association. Two appointments need to be made to serve on all the volunteer fire department boards and one to serve on the Cape Fear Fire Department Board. Mr. Andrews stated that currently Commissioner Shook and he serve on the Fire Department Relief Fund Board, with Commissioner Dalrymple and Commissioner Shook serving on the Cape Fear Board. (Mr. Andrews is currently the Treasurer of the Cape Fear Department and therefore cannot serve on that Board). After discussion, Chairman Hayes moved to appoint Commissioner Linda Shook and Donald Andrews to serve on the Fire Department Relief Fund Board and Commissioner Amy Dalrymple to serve on the Cape Fear Department Board along with Commissioner Shook. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Assistant County Manager/Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending September 2010 along with the *Sales Tax Distribution* report for FY 2010/11. No action was taken.

At this time County Manager John Crumpton presented a power point presentation on the *State of Lee County Report*. No action was taken.

County Manager John Crumpton informed the Board that Lee County is under option to purchase the old Transmatic building located at the Lee County Industrial Park. The building will be used as a training facility for Central Carolina Community College to train new Caterpillar employees.

The building will also house a small business incubator, and office space for CCCC staff and Lee County Economic Development staff.

Commissioner Dalrymple moved to go into closed session to (1) consider a personnel matter per North Carolina General Statute 143-318.11(a) (6), and (2) to discuss matters relating to the location or expansion of a business in the area per North Carolina General Statute 143-318.11(a) (4). Upon a vote, the results were as follows:

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

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 except Commissioner Kelly, the meeting resumed.

With no further business to come before the Board, Commissioner Oldham moved to adjourn the meeting. The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 8 p.m.

Richard B. Hayes, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk