

# LEE COUNTY

*Committed Today for a Better Tomorrow*

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

MAY 3, 2010

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 3 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:

Commissioner Shook delivered the invocation.

The pledge of allegiance was recited.

The Board considered additions/changes to the agenda. With no changes made, Commissioner Kelly moved to approve 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 Oldham moved to approve the Consent Agenda which consisted of the following items:

- Minutes from the April 19, 2010 joint work session with the Lee County Board of Education;
- Minutes from the April 19, 2010 regular meeting;
- Minutes from the April 22, 2010 recessed regular meeting;
- Resolutions to add Twin Bridge Circle and Persimmon Path (Villanow Subdivision) to the NCDOT State System (copies attached); and
- Budget Amendment # 05/03/10/12 (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.

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. Mr. Keith Clark, 212 Acorn Drive, Sanford

The Board considered documents pertaining to the financing of the Lee County High School renovation project. County Manager John Crumpton stated that as the County continues to move forward with the financing for the high school project, there are several agreements that have to be considered by the Board and a resolution must be approved authorizing the execution of said agreements at the loan closing. Documents to be considered include the following:

1. Financing Agreement and Deed of Trust between the County and BB&T;
2. Project Fund Agreement between the County and BB&T;
3. Construction, Rehabilitation and Acquisition Agreement between the County and the Board of Education;
4. Lease Agreement between the County and the Board of Education; and
5. Resolution Authorizing Execution and Delivery of a Financing Agreement and Deed of Trust and Related Documents in Connection with the Financing of Public School Improvements for the County of Lee, North Carolina

After discussion, Commissioner Kelly moved to approve a *Resolution Authorizing the Execution and Delivery of a Financing Agreement and Deed of Trust and Related Documents in Connection with the Financing of Public School Improvements for the County of Lee, North Carolina, not to exceed \$23,000,000* and to appoint County Attorney K. R. Hoyle as Deputy Clerk the week of May 10, 2010 to use the county seal and sign required documents in the Clerks absence. After discussion, Commissioner Kelly amended the motion to include Deputy Attorney Dale Talbert as back-up Deputy Clerk should Mr. Hoyle be unavailable. Copy of said resolution 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.

Strategic Services Director Don Kovasckitz presented an update on the 2010 Census. Mr. Kovasckitz stated we are in the middle of the census process with 72% of the surveys returned to date. Beginning on May 1<sup>st</sup> teams of two began the field work going house-to-house from mid-afternoon to dusk to try and collect information from citizens that did not respond by returning their surveys. No action was taken.

Mr. Tommy Brooks from Soil and Water Conservation was recognized for a *National Professional Organization Award* presented to him at a recent conference. Mr. Brooks was recognized for his technical and educational expertise that has served his local district. He is a 30-year employee of the Lee Soil and Water Conservation District. No action was taken.

County Manager John Crumpton presented his recommended FY 2010-11 Budget. Mr. Crumpton asked that the Board hold a public hearing on Monday, May 17, 2010, to hear comments from the public concerning the recommended budget. Copies of the budget are located at the Main Library on Hawkins Avenue, the Clerks Office, and on the county website. During budget discussion, Commissioner Reives moved that the Tax Office furnish an audit of companies eligible to receive incentive payments each year before incentives are paid. 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.

After further discussion, Commissioner Dalrymple moved to accept the County Manager's recommended budget and schedule a public hearing for 6 p.m., Monday, May 17, 2010 in the Commissioners' Room, Lee County Government Center, with another work session to be scheduled after the public hearing if needed. 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 Reives moved that the public be made aware the budget is subject to change on any given day based on what the State does with funding issues. 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 newly published "*Model Code of Ethics for North Carolina Local Elected Officials*" provided by the School of Government. General Statute 160A-83 requires all North Carolina counties to adopt a resolution or policy containing a code of ethics to guide actions by the governing board members in the performance of their official duties. The resolution/policy must be adopted on or before January 1, 2011. Five areas must be addressed in the resolution/policy which includes the following:

1. The need to *obey all applicable laws* regarding official actions taken as a board member;
2. The need to *uphold the integrity and independence* of the board member's office;
3. The need to *avoid impropriety* in the exercise of the board member's official duties;
4. The need to *faithfully perform* the duties of the office; and
5. The need to *conduct the affairs of the governing board in an open and public manner*.

The statute also requires all members of local governing boards to receive a minimum of 2-hours of ethics education training within 12 months after initial election or appointment to office AND again within 12 months after each subsequent election or appointment of office. A record verifying receipt of the ethics education must be kept on file with the Clerk to the Board. Mr. Crumpton stated the Board adopted an ethics policy in February 1990, and in July 2006 the Board passed an ethics policy which was placed in the County's Personnel Policy that covered both employees and elected officials. The issue has been on hold, waiting for the School of Government to complete a sample policy for Boards

to review. After discussion, Board members agreed that each Commissioner would provide the County Manager with suggestions for him to draft a policy for review. Commissioner Dalrymple moved that all suggestions be presented to the County Manager so a draft policy can be reviewed at the August 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.

With no further business to come before the Board, Commissioner Oldham 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



*Gaynell M. Lee*  
Gaynell M. Lee, Clerk

*Richard B. Hayes*  
Richard B. Hayes, Chairman  
Lee County Board of Commissioners