

# LEE COUNTY

NORTH CAROLINA

*Committed Today for a Better Tomorrow*

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

DECEMBER 1, 2008

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 10:00 a.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, Richard B. Hayes, James C. Kelly, Larry "Doc" Oldham, Nathan E. Paschal, Robert T. Reives, and Linda A. Shook.

County Attorney K. R. Hoyle called the meeting to order during the process of the Boards' re-organization.

County Attorney Hoyle delivered the invocation.

At this time, Mr. Hoyle discussed the selection of a Chairman and Vice-Chairman for a one-year term. The Board agreed to vote by using signed ballots. Ballots were distributed and tabulated with the following votes recorded:

<u>COMMISSIONER</u>	<u>VOTED FOR</u>
Dalrymple	Hayes
Hayes	Hayes
Kelly	Hayes
Oldham	Hayes
Paschal	Hayes
Reives	Hayes
Shook	Hayes

Mr. Hoyle announced that Commissioner Richard B. Hayes had been selected Chairman for the coming year by a unanimous vote.

Mr. Hoyle called for the election of a Vice-Chairman for a one-year term. Ballots were distributed and tabulated with the following votes recorded:

COMMISSIONER

VOTED FOR

Dalrymple	Oldham
Hayes	Oldham
Kelly	Oldham
Oldham	Oldham
Paschal	Oldham
Reives	Oldham
Shook	Oldham

Mr. Hoyle announced that Commissioner Larry "Doc" Oldham had been selected Vice-Chairman for the coming year by a unanimous vote.

Mr. Hoyle asked the Board to consider a *Resolution to Set the Meeting Schedule for 2009 Regular Meetings*. Commissioner Dalrymple moved to approve the above-referenced resolution with the meeting schedule of 3:00 p.m. for the first Monday of each month and 6:00 p.m. for the third Monday of each month. Joint public hearings with the Lee County Planning Board will be held, if required, during the second meeting of the month at 6:00 p.m., or as soon thereafter as can be reached on the agenda. A copy of the adopted 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, Reives, and Shook  
Nay: None

Mr. Hoyle stated the motion had been adopted unanimously.

Mr. Hoyle told the Board each year at the first meeting in December, the Board must approve official bonds for the following employees:

- Sheriff (\$25,000)
- Register of Deeds (\$50,000)
- Every other officer of the county who is required by law to give a bond for the faithful performance of his/her duties, which in our case are the following:
  1. Tax Administrator (\$100,000)
  2. Finance Officer (\$100,000)
  3. Any employee who handles \$100.00 or more at any one time

Commissioner Paschal moved to approve the above bonds as recommended by the County Attorney. Upon a vote, the results were as follows:

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

Mr. Hoyle stated the motion had been adopted unanimously.

At this time, the meeting was turned over to Chairman Hayes.

Ms. Mary Yow from the Employee Selection Committee introduced Mrs. Cantina Lucas, Employee Development Coordinator with the Human Resource Office as the *December 2008 Employee of the Month*. Chairman Hayes presented Mrs. Lucas 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 include a closed session to discuss the purchase of real property, per N. C. Gen Stat 143.318.11 (a) (5). With no other additions or corrections to the agenda, Commissioner Kelly moved to approve the revised agenda. 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 Paschal moved to approve the Consent Agenda which consisted of the following items:

- Minutes from the November 17, 2008 regular meeting;
- Minutes from the November 17, 2008 closed session meeting;
- A list of automobiles and other items to be declared surplus for auction (copy attached);
- Recommendations from the Lee County Planning Board on the following matters:
  1. Amendment to the Unified Development Ordinance (UDO) regarding sales of motorized scooters, motorcycles, and ATV's (copy attached);
  2. Amendment to UDO regarding exemption of certain government-owned public safety telecommunication towers (copy attached);
  3. Preliminary Plat of Franklin Chase Subdivision, Phase II;
  4. Amendment to the Lee County Zoning Map regarding a rezoning petition submitted by Ms. Faye Baker (copy attached); and
  5. Amendment to the Lee County Zoning Map regarding a rezoning petition submitted by Mr. Bobby Branch (copy attached)
- Social Services Work Plan; and
- Budget Amendment # 12/01/08/#14 (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.

Mr. Eugene Barufkin of 376 Kittery Point, Sanford, signed up to speak during the *Public Comments* section of the meeting.

The Board considered a *Resolution for Lease-Purchase of Modular Pod Units for Lee County High School*. County Attorney K. R. Hoyle stated that the Commissioners, during their regular meeting on October 20, 2008, approved a request from the Board of Education for a total of \$693,365 for the lease-purchase of two pod units, demolition of the foreign language building, art annex, and canopies, asbestos abatement, new furniture for the modular units, new technology upgrades for the units, and mold remediation at Lee County High School. Board of Education Attorney Jimmy Love, Sr., later advised Mr. Hoyle that bids would have to be taken for

the pod units and a resolution approved by the Board of Commissioners before the project could begin. The Board of Education, at their November 20, 2008 meeting, approved a contract for \$830,614.56 to Modular Technologies, Inc. of Kinston to build two pod classroom units for Lee County High School. One pod unit will hold 11 classrooms and the other will house 15 classrooms. The proposed resolution states Lee County will make four annual payments on February 1, 2009, 2010, 2011, and 2012, for a total of \$830,614.56. After some discussion, Commissioner Reives moved to approve the Resolution for the lease-purchase of modular pod units for Lee County High School, a copy of which is attached to these minutes and by this reference made a part hereof. After further discussion, Commissioner Reives amended his motion for Lee County to have the first right of refusal should the Board of Education not wish to use the pod units at any time. Upon a vote of the amended motion, 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.

Upon a vote of the original motion to approve the Resolution as presented, 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 2008 Community Development Block Grant (CDBG) Scattered Site Grant Agreement. Planner Karen Kennedy informed the Board that Lee County had been awarded a \$400,000 grant to provide improved housing and suitable living environments for low and moderate income residents in the Sanford and Lee County area. Ms. Kennedy stated that Scattered Site Housing grants are made to county governments in the amount of \$400,000, with no matching requirements, on a rotating basis, every three years. Activities may include housing rehabilitation, acquisition, relocation, demolition, and addressing urgent housing needs. An application was submitted in July 2008 detailing a plan for how the funds would be distributed to meet housing needs. Funds will be used for housing rehabilitation, acquisition, relocation, clearance and urgent housing needs. Ms. Kennedy stated that twenty applications were received earlier this year, but only about eight of the homes would be addressed. Commissioner Kelly moved to accept the \$400,000 grant from the NC Department of Commerce, Division of Community Assistance and Grant Project 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, Reives, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered relief of discovery penalties for Carolina Wood Products and M & C Laundromat. Tax Administrator Dwane Brinson told the Board the tax listing division of the tax office conducts routine audits of businesses in Lee County. During the audits, unlisted taxable property is sometimes discovered. North Carolina General Statutes indicates the amount of penalty that should be applied to discovered taxable property. The taxpayers from Carolina Wood Products and M & C Laundromat are requesting relief of the penalty which amounts to \$44.65 for

Carolina Wood Products and \$562.98 for M & C Laundromat. Mr. Brinson stated these amounts only reflect what is owed to the County, and the taxpayers must appeal to the City of Sanford for relief of taxes owed to them. After much discussion, Commissioner Kelly moved to defer action on the matter until more information could be obtained from the Tax Office. 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 their meeting schedule for the month of December 2008. County Manager John Crumpton stated no public hearings were scheduled with the Planning Board for the December 15<sup>th</sup> meeting but if the Board wished to meet he could discuss financial matters. Commissioner Paschal moved to cancel the regular meeting scheduled for December 15, 2008. 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 Shook asked for Board members to be prepared to discuss legislative goals at the January 5, 2009 meeting.

The Board considered a voting delegate for the January Legislative Goals Conference. Commissioner Kelly moved for Chairman Hayes to represent Lee County as the voting delegate for the January Legislative Goals Conference. 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 capital purchase of four replacement vans for the County of Lee Transit System (COLTS). Senior Services Director Debbie Davidson asked the Board to approve a capital purchase in the amount of \$133,849 for the purchase of four vehicles, with a 10% county match of \$13,385.00. The total cost of the vehicles will be covered 90% by NC DOT funding with delivery of the vehicles scheduled for the Spring of 2009. Commissioner Reives moved to approve the capital purchase of four vans 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.

County Manager John Crumpton shared with the Board a weekly update of the top five issues facing Lee County which include the following:

1. Community college situation at the Jonesboro Campus;
2. Current financial situation;
3. FY 2009-10 budget;

4. Employee health insurance; and
5. Completion of 2006 COPS Projects

Other issues discussed included joint agreements with the City of Sanford and capital needs. No action was taken.

Mr. Crumpton also discussed the Sales Tax Report for 2008 that had been distributed at the November 17, 2008 meeting. No action was taken.

Commissioner Kelly moved to go into closed session, per N. C. Gen Stat 143.318.11 (a) (5) to discuss the purchase of real property. 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 Board was in closed session. After completing business in closed session, the regular meeting resumed.

Commissioner Reives moved to authorize the County Manager and Chairman to bid on the Boards' behalf to purchase real property owned by DA Pher located at 1019 S. 5<sup>th</sup> Street, Sanford, North Carolina. The purpose of the property would be for additional storage space for General Services and an impound area for the Sheriff's 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.

County Manager John Crumpton was asked to contact surrounding property owners in the 5<sup>th</sup> Street area to see if any other property was available for sale.

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 in keeping with the motion at 11:55 a.m.

ATTEST:

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Richard B. Hayes, Chairman  
Lee County Board of Commissioners

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Gaynell M. Lee, Clerk