



MINUTES OF THE REGULAR MEETING
OF THE
BOARD OF COMMISSIONERS
FOR THE
COUNTY OF LEE, STATE OF NORTH CAROLINA

MAY 5, 2008

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 9:00 a.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, Jerry M. Lemmond, John T. Quiggle, Robert T. Reives, and Linda A. Shook. Commissioners James C. Kelly and Nathan E. Paschal were absent.

Chairman Brown presided and called the meeting to order. The following business was transacted:

Rev. John Sauls, Pastor of Crossroads Church, Broadway, delivered the invocation.

The pledge of allegiance was recited.

Ms. Andrea Currin from the Employee Selection Committee introduced Mr. Marc Clark, Engineering Technician, with Lee County General Services, as the *May 2008 Employee of the Month*. Chairman Brown awarded Mr. Clark with his awards which include a day off with pay, a *Star Award*, a framed certificate, a pizza (compliments of Papa John's Pizza), Coca Cola products from Sanford Coca Cola Bottling Company, and a movie rental from the Movie Gallery. Mr. Clark accepted his awards in memory of his father, Marcus Clark, who passed away two years ago on this date with cancer.

The Board considered changes/additions to the agenda. County Manager John Crumpton asked the Board to consider a Resolution of Appreciation to the Sanford Area Chamber of Commerce and members of the Fair Tax Committee who helped promote the ¼-cent sales tax. Commissioner Shook asked that the Budget Amendment listed on the Consent Agenda be pulled for discussion. Commissioner Reives moved to approve the above changes to the agenda. Upon a vote, the results were as follows:

Aye: Brown, Lemmond, Quiggle, Reives, and Shook

Nay: None

Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously.

Commissioner Lemmond moved to approve the Consent Agenda as amended, which consisted of the following items:

- Minutes from the April 21, 2008 regular meeting;
- Minutes from the April 28, 2008 joint meeting with the Central Carolina Community College Board of Trustees;

- Resolution opposing House Bill 1513 (copy attached);
- 3-year renewal agreement with the Boys and Girls Club for the Bob Hales Center located on McIver Street (copy attached);
- Recommendation from the Planning Board to approve an Ordinance Amending the Lee County Zoning Map for property located at 283 Saw Mill Road (copy attached); and
- Resolution of Appreciation to the Sanford Area Chamber of Commerce and members of the Fair Tax Committee for their work on the ¼-cent sales tax referendum (copy attached)

Upon a vote, the results were as follows:

Aye: Brown, Lemmond, Quiggle, Reives, and Shook
 Nay: None
 Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously.

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

Tax Administrator Dwane Brinson gave a presentation on legislative updates as it relates to the Tax Office and changes in the foreclosure program. Mr. Brinson discussed time lines his staff has set in place for the 2011 revaluation project. Commissioners will be given updates as the revalue process advances. Mr. Brinson discussed new legislation that increased the Homestead Exemption from \$20,500 to \$25,000 and the county's current policy on foreclosure procedures. Lee County currently does in-rim foreclosures but is thinking about going with the mortgage-style method that would have to be completed by a qualified attorney and take liability and legal issues away from the Tax Office. Mr. Brinson stated he and County Attorney K. R. Hoyle had met with representatives from Zacchaeus Legal Service (ZLS) that has more than twenty-three years experience in representing local government in tax foreclosure matters. It was suggested that a committee of City, County, and the Town of Broadway representatives be formed to discuss this matter and also contact local attorneys' to see if they would be interested in handling this type of foreclosure process. After some discussion, Mr. Brinson was asked to bring a list of suggested committee members to the Board at their May 19, 2008 meeting for consideration, along with a list and number of parcels and the dollar amount Lee County is facing. No action was taken.

Human Resource Director Joyce McGehee presented minor changes to the *Lee County Personnel Policy* due to new payroll guidelines and also to clarify some sections of policy with more explanation. Minor revisions were discussed and recommended. After discussion, Commissioner Reives moved to approve the revised Lee County Personnel Policy, pending revisions discussed. Upon a vote, the results were as follows:

Aye: Brown, Lemmond, Quiggle, Reives, and Shook
 Nay: None
 Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton discussed an engineering proposal from McKim & Creed for the San-Lee Dam Modification Project. Mr. Crumpton stated that San-Lee Park has a drainage basin of approximately 2,200 acres that drains into an upper and lower reservoir. The lower reservoir consists of a 30' high earth embankment dam with a 3' high wall and concrete spillway. The NCDENR, Division of Land Resources, Land Quality Section has classified the dam as a Class C, high-hazard, small dam. In 2006 Lee County received a *Notice of Deficiency* from Dam Safety for having insufficient capacity to pass the required storm event for high-hazard dams and the principal

spillway was noted as being severely deteriorated. The Dam Safety Division has directed Lee County to retain the services of an experienced engineering firm to modify the existing dam and outlet structure. A request of \$104,416 has been requested in the FY 2008-2012 Capital Improvements Program for planning and design modifications. Mr. Crumpton stated that five bids were received and after negotiations, a proposal of an amount not to exceed \$99,957.00 was submitted by McKim & Creed for this project. In 2004 the Board approved an Application for Project Assistance and Project Agreement with RC&D Environmental Impact to pursue a grant for engineering technical analysis and design. After some discussion, Commissioner Reives moved to accept the engineering proposal from McKim & Creed in an amount not to exceed \$99,957.00 for the San-Lee Park Dam Modification Project. Upon a vote, the results were as follows:

Aye: Brown, Lemmond, Quiggle, Reives, and Shook
Nay: None
Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton presented a balanced budget for FY 2008-09 using the existing \$0.75 cents per \$100 of property valuation tax rate. The Board decided not to hold any budget work sessions until after the public hearing that will be held at 7:00 p.m., Monday, May 19, 2008, in Courtroom #4 at the old Lee County Courthouse, 1408 S. Horner Blvd., Sanford, North Carolina. No action was taken.

County Manager John Crumpton presented a *Resolution Supporting Qualified Zone Academy Bond (QZAB) School Financing Agreement* to the Local Government Commission and to set a public hearing for May 19, 2008. Mr. Crumpton stated that on May 21, 2007, the Board of Commissioners approved for the Board of Education to apply for QZAB funding for various capital items. On July 6, 2007, the Lee County Schools were notified they had been approved for \$1,622,021 of funding. Since that time, the County has been looking for a bank that would participate in the QZAB program at 0% interest to the County. In March 2008 the County contracted with North by Northwest Capital to find a financial partner that would participate in the program, which has now been established. The first step of the process is to approve a resolution and set a public hearing for 7:00 p.m., Monday, May 19, 2008. The financing would be for fourteen years with an annual payment of \$115,858.64. The majority of funds will be used to re-roof Greenwood, J. Glenn Edwards, and J. R. Ingram schools and to provide technology switches at various school sites. After some discussion, Commissioner Quiggle moved to approve a *Resolution Supporting Qualified Zone Academy Bond (QZAB) School Financing 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: Brown, Lemmond, Quiggle, Reives, and Shook
Nay: None
Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously.

The Board considered Budget Amendment # 05/05/08/#23 that had been pulled from the Consent Agenda. Commissioner Shook questioned why workers compensation rates were so high. Mr. Crumpton stated that the rates are set by the County Commissioners Association. After some discussion, Commissioner Shook moved to approve Budget Amendment # 05/05/08/#23, a copy of which is attached to these minutes and by this reference made a part hereof.

Aye: Brown, Lemmond, Quiggle, Reives, and Shook
Nay: None
Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously.

County Manager John Crumpton stated that a public hearing will be held on Monday, May 19, 2008, to hear comments from the public in reference to the county applying to the NC Department of Commerce for Small Cities Community Development Block Grant (CDBG) funds for FY 2008. No action was taken.

The Board considered a meeting schedule for the month of July 2008. After some discussion, Commissioner Quiggle moved to hold one meeting at 3:00 p.m., Monday, July 21, 2008, with joint public hearings at 7:00 p.m. Upon a vote, the results were as follows:

Aye: Brown, Lemmond, Quiggle, Reives, and Shook
Nay: None
Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously.

Mr. Crumpton presented a monthly update on the Community Development Block Grant (CDBG) Program which is almost complete.

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

Aye: Brown, Lemmond, Quiggle, Reives, and Shook
Nay: None
Absent: Kelly and Paschal

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 10:50 a.m.

ATTEST:

Robert H. Brown, Chairman
Lee County Board of Commissioners

Gaynell M. Lee, Clerk