



Committed Today for a Better Tomorrow

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

JANUARY 22, 2007

A work session of the Board of Commissioners, select members of the Lee County Tax Office and members of the Lee County Board of Equalization and Review, met in the Gordon Wicker Conference Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date to hear a presentation from staff from the North Carolina Department of Revenue in reference to the 2007 Revaluation Project. The work session was conducted from 12:00 noon to approximately 2:15 p.m. Commissioners present were Robert H. Brown, Jerry M. Lemmond, Nathan E. Paschal, Linda A. Shook, and Amy L. Stevens. Commissioner's Jamie C. Kelly and Robert T. Reives were absent.

The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 3:00 p.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, on said date. Commissioners present were Robert H. Brown, Jamie C. Kelly, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, Linda A. Shook, and Amy L. Stevens.

Chairman Brown presided and the following business was transacted:

County Attorney K. R. Hoyle delivered the invocation.

Chairman Brown led the pledge of allegiance.

Ms. Lesa Price, member of the Employee Enhancement Committee introduced the twelve Employees of the Month for 2006 and announced Ms. Brenda Weaver, Income Maintenance Caseworker with the Medicaid Unit in the Department of Social Services, as the *2006 Employee of the Year*. Chairman Brown presented Ms. Weaver with her awards which included a framed certificate, a Star Trophy, and her selection of a \$300.00 prize.

The following new employees were introduced to the Board:

- Bill Rogers, Fire Marshal's Office
- Carlton Lyles, Sheriff's Office
- Charles Dew, Sheriff's Office
- Keith Clark, Sheriff's Office
- John Holly, Sheriff's Office
- Jeff Johnson, Sheriff's Office
- Delvera Smith, Jail
- David Prevatte, Sheriff's Office
- Van Holly, Sheriff's Office
- Mel Haines, Sheriff's Office
- Kent Everett, Sheriff's Office
- Brenda Fletcher, Sheriff's Office

The Board considered additions/changes to the agenda. County Manager David Smitherman asked the Board to consider a resolution submitted by Central Carolina Community College in support of a one-cent local sales tax increase to be used for the local schools and community college. Mr. Smitherman also asked the Board to consider a Regional Homeland Security Grant project request from the Emergency Services Department. Commissioner Lemmond asked that the County Seal be forwarded to the National Association of Counties (NACo), and that he be excused from voting on Tax Releases and Refunds for December 2006 due to a personal conflict concerning one of the tax releases. Chairman Brown moved to approve the agenda as amended. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

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

- January 8, 2007 regular meeting minutes
- Sheriff's Office request to apply for and receive grant funding from the North Carolina Governor's Crime Commission
- Proclamation for *Central Carolina Junior Chamber Week* (copy attached)
- Hillcrest Youth Shelter request to apply for grant from St. Luke Methodist Church
- Budget Amendment # 01/22/07/#11 (copy attached)
- Annual Audit Contract with Martin Starnes & Associates
- Approval for THANKS Program at Hillcrest Youth Shelter to apply for \$1,000 United Way grant

- Amendment to Budget Ordinance for Floyd Knight School addition (copy attached)

Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Chairman Brown moved to approve Tax Releases and Refunds for December 2006, 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, Kelly, Paschal, Reives, Shook, and Stevens
Nay: None
Abstained: Lemmond

The Chairman ruled the motion had been adopted unanimously.

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

The Board considered Christmas grocery checks that had been tabled from the January 8, 2007 meeting so staff could bring alternate solutions and a financial analysis as to how this would affect the budget to the Board for consideration. It was recommended by the County Manager at the last meeting that Christmas grocery check cards that are normally passed out in the month of December be discontinued. It was further recommended by the County Manager that \$50 be distributed to employees that have not been employed five-years and do not meet eligibility for longevity pay. This check would be paid in the same time frame as longevity pay the Wednesday before Thanksgiving. HR Director Joyce McGehee furnished a budget analysis of cost for \$25 and \$50 gift/grocery cards, or the purchase of Chamber gift certificates. Ms. McGehee told the Board the County currently purchases \$25 grocery cards from Lowe's Foods for every Lee County employee. A total of 466 cards Lowe's Foods gift cards were purchased in December 2006 at a cost of \$10,951.00 which included a 6% discount. The following analysis was presented for the Board's consideration:

- **VISA Cards** – there is a \$1.75 per card charge;
- **Chamber of Commerce Gift Certificates** – No additional charge for the Chamber gift certificates. Mr. Bob Joyce, President of the Chamber of Commerce told HR Director Joyce McGehee that by the end of the year (2007) all businesses that are Chamber members will be participants in the Chamber gift certificate program.

County Manager David Smitherman recommended the Grocery check program be discontinued and instead provide a \$25.00 "Chamber Check" to all employees not qualifying for the longevity program. After further discussion, Commissioner Reives moved to deny the County Manager's recommendation and continue with all employees receiving a \$25.00 Christmas check/card. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Economic Development Director Bob Heuts presented to the Board a detailed five-year analysis of his department showing appropriations from the County, City and Town of Broadway. Mr. Heuts discussed companies that have completed various changes in one way or the other at their facility whether it was an increase in employees, expansion, of some other type change. It was stated that these companies in question did not necessarily receive incentives from the County/City. Also discussed were various companies that did receive any type incentive through the EDC Office. It was noted that Lee County has advanced from a Tier 3 County to a Tier 2 County. This matter will be discussed in more detail at the upcoming Commissioners Retreat to be held February 12-13, 2007. Commissioner Reives had questions of Mr. Heuts in reference to the recent Hummingbird Project and wetland issues at the new Industrial Park. Mr. Heuts stated the County had provided funding for some work completed in the wetland area but there are still issues that need to be addressed and finalized. Mr. John Daniel, Chairman of the Economic Development Corporation addressed the Board and stated the EDC Board wants to be proactive and have a good working relationship with the Board of Commissioners. Mr. Daniel also stated he would like the EDC Board and the Board of Commissioners to hold a work session to discuss the incentive process. No action was taken on this matter.

The Board considered an amendment to the Rural Fire Department contracts. Fire Marshal Derrick Clouston told the Board that in May 2003 all Rural Fire Departments entered into agreements with the County of Lee for fire and rescue protection in their designated district. Mr. Clouston stated that all fire department are now providing emergency medical response, in addition to fire and rescue protection, for and within their districts; therefore an amendment to the Original Agreement needs to be approved by the Board. County Attorney K. R. Hoyle had drafted necessary documents for signature by each volunteer fire department once approved by the Board of Commissioners. Mr. Clouston stated that Fire Department Charter's will need to be updated and revised to incorporate revisions. After some discussion, Commissioner Stevens moved to approve the *First Amendment to the Original Agreement* and a *Resolution Authorizing Execution and Delivery of First Amendment to the Original Agreement Between Lee County and Various Fire Departments*, copies of which are attached to these

minutes and by this reference made a part hereof. Upon a vote, results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Resolution for support of a one-cent local sales tax increase to be used for school capital needs. Mr. Bill Tatum, Chairman of the Lee County Board of Education told Commissioners, the Board of Education, at their January 9, 2007 meeting, adopted a Resolution Requesting an Increase in Local Sales Tax for School Capital Needs. The Central Carolina Community College Board of Trustees also submitted a resolution in support of the resolution adopted by the Board of Education requesting the addition of a one-cent sales tax. In a letter to the Commissioners, signed by Mr. Bobby Powell, Chairman of the CCCC Board of Trustees, it asked the Commissioners to consider approving a resolution for funds to be used exclusively for capital needs of the public schools and the community college. After some discussion, Commissioner Lemmond moved to approve a *Resolution Requesting an Increase in Local Sales Tax to be used for Local School Capital Needs and Central Carolina Community College Capital Needs*, a copy of which is attached to these minutes and by this reference made a part hereof. The approved resolution will be forwarded to local legislative representatives Senator Bob Atwater and Representative Jimmy Love, Sr. for legislative action in the North Carolina General Assembly. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Shook asked for back-up information from the Board of Education in reference to the following items listed on the Resolution adopted by the School Board at their January 9, 2007 meeting:

1. Increased student enrollment;
2. Mandated decreases in class size;
3. Unfunded mandates imposed upon local boards by State and Federal legislation;
4. Expanding requirements for children with special needs;
5. Second language programs; and
6. Computer technology demands.

Commissioner Reives requested from the Board of Education a list of minority contractors used on the new high school construction project and a list of minority contractors who apply for the upcoming new middle school project. Mr.

Reives also asked for clarification as to why some children were not allowed to take books home because there are not enough in the classroom to go around. Mr. Tatum stated he would research both matters and furnish information to the Commissioners.

Commissioner Shook discussed two recent Mental Health articles published in the News & Observer that Commissioner Reives had discussed at the January 8, 2007 meeting. Mr. Reives stated he mentioned the articles because it involved Sandhills Mental Health Director Mike Watson and he felt the Commissioners needed to be aware of the matters since it could result in additional funding requests. Mr. Reives further stated he would have appreciated it if Mr. Watson had notified Commissioners before the articles in question appeared in the newspaper.

Commissioner Stevens left the meeting at this to attend a school meeting that Chairman Brown asked her to attend in his absence.

Commissioner Shook had placed on the agenda a request for the Board to discuss policies for submitting legislative goals and voting procedures for such. She asked the item be tabled until the February 5, 2007 meeting since Commissioner Stevens had to leave the meeting early and is one of the Lee County Legislative delegates.

Commissioner Lemmond discussed the growing methamphetamine problems. He stated that farmers sometimes use anhydrous ammonia to fertilize fields, but it is also a key ingredient for the highly addictive drug methamphetamine. Although security measures are taken by the fertilizer industry, including installing locks on the tanks, meth makers have been largely undeterred. Commissioner Lemmond asked the Board's support to seek legislation to address stricter security measures by the fertilizer industry. After some discussion, Commissioner Lemmond moved that a resolution of support addressing stricter security measures by the fertilizer industry be drafted and submitted to legislative delegates in Raleigh and Washington, DC, for support. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Lemmond stated the National Association of Counties (NACo) does a monthly article on County Seals. He further stated he was very proud of Lee County's Seal and therefore moved that a copy of the Lee County Seal and information explaining the Seal be forwarded to the National Association of Counties (NACo) Newsletter for possible publication. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request from Emergency Services Director Eric Griffin in reference to a Homeland Security grant project. Mr. Griffin asked the Board for permission to enter into a grant project with the North Carolina Emergency Response Commission for the FY 2007 Department of Homeland Security State Grant program. Mr. Griffin stated that Lee, Harnett, Chatham, Moore, Orange and Johnston counties, along with support of the emergency management directors from Wake and Durham counties, decided on a combination project centered on interoperable data communications. The project entails the purchase of two compatible computer systems; the first is an alert and notification system utilizing text/email formats that are appropriate for wireless telephones and pagers. The second would be a sole source computer system called WebEOC, utilized by the North Carolina Division of Emergency Management, to coordinate with counties during disaster situations. The grant purchase of the WebEOC system would allow it to be used on the local level. The regional cost for the alert and notification system is a one-time estimated fee of \$650,000, and \$300,000 for the WebEOC program. Mr. Griffin further stated there are no matching funds required for the grant, and Harnett County will be submitting the grant application on behalf of the eight counties. After some discussion, Commissioner Lemmond moved to approve approval of the grant application for the above referenced Homeland Security grant project. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Ms. Terry Johnson, Administrative Assistant at General Services gave a report on County surplus property sold on eBay since January 2006. Ms. Johnson stated that \$23,403.63 worth of surplus property has been sold. A listing of property sold was furnished for the Board to review. No action was taken.

Finance Director Lisa Minter presented the Monthly Financial Report for the month ending December 31, 2006. Ms. Minter answered questions from Board members. No action was taken.

Commissioner Lemmond gave the Board an update on the Buchanan Park project grant he is working on with the Environmental Impact Resource

Conservation & Development (RC&D) that will assist with stream restoration, He stated the project could run between \$100,000 and \$110,000, with a 10% local match. A survey of the project is being completed.

Commissioner Reives asked County Manager David Smitherman for a report on the 911 Communication issues recently brought to the Board's attention by the Lee County Fire Advisory Board. Mr. Smitherman stated that a Committee has been formed and has met four times to discuss options that will hopefully be presented to the Board at the February 5, 2007 meeting.

Mr. Smitherman told the Board a work session will be held immediately following the regular meeting on February 5, 2007, to hear a presentation in reference to a recent "space needs" study pertaining to all County buildings.

Chairman Brown asked for a motion to go into closed session per North Carolina General Statute 143-318.11(a)(3) to protect the attorney-client privilege. Commissioner Paschal moved to go into closed session per the Statute recited by Chairman Brown. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously and the Board was in closed session.

After completing business in closed session, Commissioner Kelly moved to go out of closed session. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously and the Board was out of closed session.

Chairman Brown recessed the meeting until 7:00 p.m. at the old Lee County Courthouse for joint public hearings with the Lee County Planning Board.

Upon returning at 7:00 p.m. in Courtroom #4 at the old Lee County Courthouse, Chairman Brown called the meeting back to order. Commissioner's present was Robert H. Brown, Jamie C. Kelly, Jerry M. Lemmond, and Nathan E. Paschal. Commissioner Robert T. Reives, Linda A. Shook, and Amy L. Stevens were absent.

Planner Althea Thompson presented to the Commissioners and Planning Board members background information for the rezoning petition by Mr. Larry Godfrey to rezone approximately 1.16 acres of land east of Old Jefferson Davis Highway from Residential Agricultural (RA) district to Highway Commercial (HC) district.

Mr. Larry Godfrey of 1796 Pine Forest Road, Cameron, North Carolina, spoke in favor of the rezoning petition.

No one present spoke in opposition to the petition.

Chairman Brown closed the public hearing.

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

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

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned in keeping with the motion.

ATTEST:

Robert H. Brown, Chairman
Lee County Board of Commissioners

Gaynell M. Lee, Clerk