



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

OCTOBER 30, 2006

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 W. Chad Adams, Robert H. Brown, Herbert A. Hincks, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, and Amy L. Stevens.

Chairman Hincks presided and the following business was transacted:

County Attorney K. R. Hoyle delivered the invocation.

Chairman Hincks led the pledge of allegiance.

The Board considered changes/amendments to the agenda. Commissioner Reives asked the Board to consider a resolution honoring the grand opening of the W. B. Wicker Business Campus. Commissioner Lemmond asked that item II. I. (Amendment to Lee County Pay Classification Schedule) be pulled from the Consent Agenda and discussed in closed session as a personnel matter. Commissioner Lemmond moved to approve the agenda as amended. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens

Nay: None

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes of the October 16, 2006 regular meeting
- Minutes of the October 16, 2006 closed session meeting

- Request from Sheriff's Department to receive funds from the 2006 Edward Byrne Memorial Justice Assistance Grant in the amount of \$7,632
- Approval of Social Services *2007-2009 Lee County Work First Plan* (per attached copy)
- Approval to increase COLTS trip rates by 25 cents for local trips and 50 cents for out-of-town medical trips
- Resolution to abandon portion of Rocky Fork Church Road (per attached copy)
- Budget amendment # 10/30/06/#06 (per attached copy)
- Revised preliminary plat for Cottage Village Phase I (Carolina Trace)
- Preliminary plat for new subdivision by Van Harris off John Garner Road
- *Resolution Honoring the Grand Opening of the W. B. Wicker Business Campus* (per attached copy)

Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
 Nay: None

The Chairman ruled the motion had been adopted unanimously.

At this time, Commissioner Reives read the *Resolution Honoring the Grand Opening of the W. B. Wicker Business Campus*. The resolution will be framed and presented at the grand opening to be held on Friday, November 3, 2006.

The following individuals spoke during the "Public Comments" section of the meeting:

1. Mr. Robert Gamble, 214 Peele Lane, Sanford, discussed with the Board an issue involving sand trucks driving too fast on Sheriff Watson Road and Edwards Road.
2. Mr. Keith Clark, 233 Chris Cole Road, Sanford, distributed a letter to Board members from Sheriff's candidate Tracy Carter in reference to using part-time Bailiffs for Courthouse security requirements.

The Board considered a request from Sheriff Billy Bryant to hire two additional Courthouse Security Officers. As discussed at the October 16, 2006 Commissioners meeting, new courthouse entrance procedures were scheduled to be implemented in October; however, the Sheriff's Department stated an inability to provide staffing resources due to lack of personnel. Capt. James Estes furnished a job description, job requirements, cost of two full-time Security

Officers and cost per hour for part-time deputies, along with the cost from a private security agency. Part-time Bailiff Jimmy Davis appeared before the Board, along with Capt. Estes, to discuss the need for two additional staff and the make-up of the different courts and number of Bailiff's required to man the courtrooms. It was stated that on some days as many as seven bailiffs are required to provide courthouse security when all courts are in session. Deputies are pulled from road duty to work the courts as needed. After much discussion, Commissioner Reives moved to add one Bailiff position to the Sheriff's Office and allow the Sheriff to decide whether that position be a full-time position or two part-time positions. Upon a vote, the results were as follows:

Aye: Brown, Lemmond, Reives, and Stevens
Nay: Adams, Hincks, and Paschal

The Chairman ruled the motion had been adopted by a four to three vote.

Appraisal Manager Lisa Faulkner and Tim Cain from Assessment Solutions gave the Board an update on the 2007 Revaluation Project. Ms. Faulkner stated the Tax Office is working on new construction permits at this time. Mr. Cain presented the *Schedule of Values* to Commissioners and stated a work session will be conducted on Monday, November 13, 2006 immediately following the regular meeting of the Board. Mr. Cain stated the *Schedule of Values* would be covered in detail at the work session. Any changes to the *Schedule of Values* will be presented to Commissioners prior to the work session. The Board took no action on this matter.

The Board considered a request for a pay increase for members of the Board of Equalization and Review (Board of E & R). Mr. Albert Adcock, Chairman of the Board of E & R submitted a written request stating the Board of E & R was established and appointed in February 1995, and paid \$15.00 per hour when the Board convened for business. Mr. Adcock asked that member's pay be increased to \$20.00-\$25.00 per hour. In June 1995, the Commissioners approved mileage reimbursement for members of the Board of E & R, in addition to their \$15.00 hourly rate. Chairman Hincks refrained from discussion and voting since he will be serving as an alternate member on this Board effective January 2007. Mr. Adcock stated the board was made up of dedicated workers that spend a lot of time researching and studying property issues. He further stated he felt members should be compensated for their meeting time and any site visits they have to make. After some discussion, Commissioner Reives moved to approve a salary increase for members of the Board of E & R from \$15.00 per hour to \$20.00 per hour. Upon a vote, the results were as follows:

Aye: Brown, Lemmond and Reives
Nay: Adams, Paschal and Stevens
Abstained: Hincks

Vice-Chairman Brown ruled the motion failed due to a tie vote. Commissioner Adams moved to pay members of the Board of E & R \$15.00 per hour, to include meetings and site visits, in addition to mileage reimbursement. Upon a vote, the results were as follows:

Aye: Adams, Brown, Lemmond, Paschal, Reives, and Stevens
Abstained: Hincks

Vice-Chairman Brown ruled the motion had been adopted unanimously.

Mr. Alan Leonard on behalf of Carrolton Home Care, Inc. d/b/a Community Home Care and Hospice addressed the Board concerning plans to build an inpatient hospice facility in Lee County. Mr. Leonard told Board members he is working on a Certificate of Need Application to the State of North Carolina to build a nine-bed hospice inpatient facility in Sanford. The application is consistent with the need determination in the 2006 State Medical Facilities Plan. Mr. Leonard stated that typically most hospice care can be effectively managed within the home of the patient; however, there are circumstances in which patient management becomes a major challenge for caregivers and a higher care level is required to effectively manage acute symptoms or uncontrolled pain associated with the specific patient diagnosis. In such circumstances, care must be provided in a hospital, skilled nursing facility, or directly by the hospice agency in a free standing inpatient hospice facility. Funding for the facility will be provided by private funds, funding from a foundation, and billing from Medicaid and Medicare. Three sites are currently being considered for construction of the 8,000 square foot facility. Mr. Leonard asked the Board for support for the Certificate of Need that must be completed and submitted by November 15, 2006. After some discussion, Commissioner Adams moved to approve a resolution of support for the above referenced project, 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: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the County's financial statement to the Board for the fiscal year ended June 30, 2006. Ms. Minter presented a power point presentation stating that in FY 2006, total revenues and transfers into the County budget increased by 11.9 percent over 2005. Property taxes, which made up the majority of County revenue, increased by 23.7 percent over FY 2005 and exceeded \$30 million. Ms. Minter stated the increase resulted from a combination of a higher tax rate and properties have been assessed at a higher value. The Board took no action on this matter.

The Board considered the FY 2007-2008 Community Transportation Program Grant Application for Senior Services. Senior Services Director Debbie Davidson told the Board a public hearing had been advertised for this date and time to hear comments from the public concerning the FY 2007-2008 Community Transportation Program Grant Application. The grant will include funding of \$156,728 for Administrative and Employee Development, \$99,123 for three lift equipped vans, and \$122,648 for four conversion raised roof 13 passenger vans.

Chairman Hincks opened the public hearing.

No one present spoke in favor of or in opposition to the grant application as presented.

Chairman Hincks closed the public hearing.

Commissioner Lemmond moved to approve the *FY 2007-2008 Community Transportation Program Grant Application*, 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: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered appointments to the Board of Equalization and Review. Commissioner Brown moved to reappoint Mr. Johnny Mack Burns as a regular member of the Board of E & R for one additional year. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Commissioner Adams moved to appoint Mr. Bert McDonald and Mr. Allen Sloan as alternate members to the Board of E & R for a three-year term, effective January 2007. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the Monthly Financial Statement for September 2006. The Board took no action on this matter.

Strategic Initiatives Director Lesa Price gave the Board an update on the BRAC Project. Ms. Price announced that Paul Dordal, Executive Director of the Base Realignment and Closure (BRAC) plan that will relocate U.S. Army Forces Command and Reserve Command from Georgia to Fort Bragg, will give a talk at 7:00 p.m., Monday, November 13, 2006, at the Dennis Wicker Civic Center outlining the potential impact of BRAC on Lee County. The Board took no action on this matter.

County Manager David Smitherman told the Board he did not have a recommendation to date concerning the Caremark Prescription Drug Card Program. Mr. Smitherman stated Health Director Mike Hanes is conducting a survey of all one-hundred counties as to how they handle this program.

Chairman Hincks asked for a status report from Environmental Health in reference to inspections since the department has limited staff at this time.

County Manager David Smitherman was asked to verify why Central Carolina Community College is delaying advertising for roof repair bids at this time.

Commissioner Paschal asked that a letter be forwarded to the Department of Transportation requesting a survey and cost estimate to widen Pendergrass Road due to new construction in that area and an increase in traffic.

Commissioner Stevens asked that a letter be forwarded to the City of Sanford in reference to a water rate study that was referenced in the final purchase contract.

Commissioner Reives asked for a status report from Economic Development Director Bob Heuts concerning the wetland issues at the new Lee County Industrial Park and a status report and final wrap-up of the Hummingbird Project.

Chairman Hincks recessed the meeting for fifteen minutes prior to going into closed session to discuss a personnel matter per N.C. General Statute 143-318.11(a)(6).

Upon returning from closed session, with all members present, Commissioner Reives discussed a modification for the current sign located at the W. B. Wicker Business Campus. After some discussion, Commissioner Brown moved to approve a sign modification at the W. B. Wicker Business Campus once a written request is received from Brick Capital Community Development. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Chairman Hincks moved to approve an amendment to the Lee County Pay Classification Schedule that had been removed from the Consent Agenda at the beginning of the meeting. Upon a vote, the results were as follows:

Aye: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

The Chairman ruled the motion had been adopted unanimously.

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: Adams, Brown, Hincks, Lemmond, Paschal, Reives, and Stevens
Nay: None

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

Herbert A. Hincks, Chairman

ATTEST:

Gaynell M. Lee, Clerk