



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

JUNE 5, 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:

Rev. Al Hocutt, Associate Pastor of St. Luke United Methodist Church delivered the invocation.

Chairman Hincks led the pledge of allegiance.

The Board considered changes/additions to the agenda. Commissioner Brown asked that Consent Agenda Item II. M. be pulled for further discussion (reclassification of Safety and Emergency Management Officer position to Risk Management/Safety Coordinator position). Commissioner Lemmond asked that (1) Consent Agenda Item II. K. be pulled for further discussion (ratify action taken by the County Manager for the hiring of a Fire Marshal), (2) discussion concerning funding for the Sandhills Mental Health Center, and (3) a closed session are added to discuss personnel matters. Commissioner Reives asked that the Board discuss Horton Park. Commissioner Adams 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 Adams moved to approve the Consent Agenda as amended, which consisted of the following items:

- Minutes of the May 15, 2006 regular meeting
- Minutes of the May 18, 2006 recessed budget work session
- Request from the Sheriff's Department to accept a bulletproof vest from Patriot Performance Materials, Inc., valued at \$1,617.51
- Approval of County Management 2006 Records Retention Schedule (copy attached)
- Approval of Sheriff's Office 2006 Records Retention Schedule (copy attached)
- Commercial Equipment Direct Assistance Program for Emergency Services
- Emergency Management Program Grant
- Approval for Youth and Family Services to apply for Pentair grant
- Budget amendment # 06/05/06/#23 (copy attached)
- Approval for Parks and Recreation to fill Athletic Supervisor position
- Interlocal Agreement between the City of Sanford and County of Lee for collection of city taxes (copy attached)
- Resolution to establish accounts at First Citizens Bank

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.

Mr. Larry Kelly of 53 Phil Johnson Road, Sanford, signed up to speak during the Public Comments section of the meeting. Mr. Kelly spoke on behalf of the Lee County Fire Service and expressed concerns in reference to the hiring of a Fire Marshal, which in their opinion did not meet the advertised job description. Mr. Kelly stated the individual selected to fill the Fire Marshal position did not have Level III certification to perform business fire inspections and conduct fire arson investigations. The Board took no action.

Mr. Joe Cherry, Chairman of the Workplace Enhancement Committee, told the Commissioners that Ms. Katie Petty, Housekeeping Assistant with General Service had been selected as the June 2006 Employee of the Month. Chairman Hincks presented Ms. Petty her awards, which included a day off with pay, a "Star Award", a framed certificate, a pizza from Papa John's Pizza, Coca Cola products from Sanford Coca Cola, and a movie rental from Movie Gallery. Ms. Petty will be considered for the Employee of the Year award in December.

Emergency Services Director Jim Groves presented copies of the *Emergency Preparedness Response Guideline* and *Mass Care Comprehensive Shelter Guideline* for discussion. Numerous questions and concerns were shared and expressed by various Board members. The Board took no action on either matter.

The Board considered an offer from Johnson Real Estate, on behalf of Mr. and Mrs. Elmer Davis to purchase two parcels of land located at 406 and 408 Wall Street,

which is owned by the County. County Attorney K. R. Hoyle told the Board that Mr. and Mrs. Davis have made an offer of \$1,800.00 (\$900.00 for each lot) for the above-mentioned property and the Board is asked to declare the property surplus and begin the upset bid process. Mr. Hoyle stated that a resolution outlining the upset bid process had been prepared for consideration. After some discussion, Commissioner Reives moved to reject the offer from Mr. and Mrs. Davis and begin the bid process with a minimum bid of the tax value. After further discussion, Commissioner Reives withdrew his motion. After still further discussion, Commissioner Adams moved to approve the resolution presented by the County Attorney to declare the property surplus and begin the upset bid process, 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, and Paschal

Nay: Reives and Stevens

The Chairman ruled the motion had been adopted by a five to two vote.

The Board considered meeting dates for the month of July 2006. After discussion, consensus of the Board was to hold one meeting on Monday, July 17, 2006. The meeting will be held at 9:00 a.m. if no public hearings are advertised by the Planning Department, or 3:00 p.m. if public hearings are required.

The Board considered the proposed FY 2006-07 Budget Ordinance. Commissioner Lemmond discussed the \$250,000 appropriation recommended by the County Manager for Sandhills Mental Health. Mr. Lemmond stated he would like to reduce funding for Sandhills Mental Health from \$250,000 to \$200,000 and transfer the \$50,000 to the Sheriff's Department for the hiring of one additional staff person for the Target Team. Commissioner Adams stated that the Sheriff's Office did not request additional staff for the upcoming year and he feels that Sandhills needs the full funding as requested. After some discussion, it was suggested that Sandhills Mental Health be contacted to see how a \$50,000 reduction would affect the Lee County programs. Commissioner Stevens discussed building and development fee schedules as acknowledged in the Budget Ordinance. After some discussion, Commissioner Stevens moved to approve the FY 2006-07 Budget Ordinance with an exception to the building and development fee schedules. County Manager David Smitherman stated that amendments to the fee schedule could be addressed later if necessary without affecting the proposed Budget Ordinance. After further discussion, Commissioner Stevens amended her motion to approve the FY 2006-07 Budget Ordinance, 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.

Commissioner Reives discussed a concern in reference to Horton Park. Mr. Reives stated that the Park needed to be cleaned and he also asked that park permits

be checked into. The Board took no action but Parks and Recreation Director John Payne stated he would check into both matters.

Strategic Initiatives Director Lesa Price updated the Board on the recent “all employee” meeting that was held at the Lee County Arts Center. Ms. Price passed out a copy of the agenda for the meeting and briefly discussed survey results that were sent to all Commissioners in their previous “Friday Mailing”.

County Manager David Smitherman stated that the revised Lee County Personnel Policy would be distributed to Commissioners on June 9th in order for it to be reviewed and approved at the June 19th meeting. The new policy will be affective July 1, 2006.

County Manager David Smitherman told the Board he would send all Commissioners a listing of county-owned property for them to review make a decision as to whether they would like to dispose of any parcels.

Chairman Hincks updated the audience on the recent \$1.15 billion investment “Hummingbird Project” (Bristol-Myers Squibb) that was not selected for the Lee County Industrial Park. The biologics plant would have brought 550 employees to the area with an average salary of approximately \$57,000. Bristol-Myers selected a site in Massachusetts over Lee County. Mr. Hincks stated that if the company had selected Lee County, the tax base would have risen by 26 percent over 20 years. Using a 73-cent tax rate, this would have brought in \$68 million to Lee County. County Manager David Smitherman stated that one of the factors that ultimately tipped the balance in favor of the Massachusetts site was that the company could begin construction sooner than in Lee County.

Commissioner Reives asked that a list of local individuals/company’s be furnished if they are interested in entering into a contract to assist with disaster cleanup.

Commissioner Lemmond moved to go into closed session to discuss personnel matters per N.C. General Statute 143-318.11(a)(6). 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 stated the closed session would be held in the Small Conference Room (#124), Lee County Government Center.

At this time the Board took a 10-minute recess. Upon returning from recess, with all members present, the meeting resumed in the Small Conference Room (#124), Lee County Government Center. Chairman Hincks called the closed session to order. Upon completing business in closed session, Commissioner Brown moved to go out of closed session. 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 resumed their meeting once again in the Commissioners' Room, Lee County Government Center, with all members present. Chairman Hincks called the meeting to order.

Chairman Hincks moved to ratify terms offered by the County Manager to the individual selected to serve as Lee County's Fire Marshal effective June 18, 2006, which addressed years of public service, transfer of accumulated sick leave, local government service for vacation accrual rate, waiver on six-month required waiting period for participation in the Local Government Retirement Plan, and up to \$1,000 toward moving expenses. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted by a six to one vote.

The Board considered the reclassification of the Safety and Emergency Management Officer to Risk Management/Safety Coordinator position. Commissioner Stevens moved to accept the County Manager's recommendation to reclassify the above-mentioned position as presented with a pay grade of 67 and add the position to the Lee County Pay Plan. The position will also report to the HR Director. Upon a vote, the results were as follows:

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

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

With no further business to come before the Board, Chairman Hincks 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