

LEE COUNTY

NORTH CAROLINA

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

FEBRUARY 5, 2007

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, James 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.

Mr. Joe Cherry, Chairman of the Employee Selection Committee introduced Ms. Carolyn Petty, Communications Dispatcher with the Lee County Sheriff's Office as the *February 2007 Employee of the Month*. Chairman Brown presented Ms. Petty with her 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.

The Board considered additions/changes to the agenda. Chairman Brown asked the Board to consider (1) a grant request for the Cooperative Extension Office to apply for Smart Start funding (Consent Agenda), and (2) a request from the Board of Education for funding to hire an architect for the Lee County High School renovation project (New Business). Commissioner Paschal moved to approve the above-referenced items to the agenda as specified by Chairman Brown. 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 Stevens moved to approve the Consent Agenda as amended, which consisted of the following items:

- January 22, 2007 regular meeting minutes
- January 29, 2007 special meeting minutes
- Request from Cooperative Extension to apply for a Partnership for Children (Smart Start) grant for a 30-hour per week position to administer the Expanded Foods and Nutrition Education Program

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.

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

The Board discussed policies for submitting legislative goals and voting procedures. Commissioner Shook asked this item be placed on the agenda for discussion. Commissioner Shook stated she had concerns with the deadline time frame for submitting goals, which was in the Fall before new Commissioners took office; therefore, not allowing new Commissioners the opportunity to submit legislative goals. Further discussion centered around two goals she submitted at the recent Legislative Goals Conference at Pinehurst, one of which was referred to the Education Committee. It is Commissioner Shook's hope the Board of Education and Commissioners can meet and work together to discuss school needs. This item was presented for information purposes only; no action was taken.

The Board considered a request from members of the 2007 Centennial Committee. Dr. Lynn Sadler, Chairperson of the Centennial Committee and committee member Mr. Marvin Gaster appeared before the Board with a request to have the body of Mr. Jacob Gaster, Revolutionary veteran, moved to the grounds of the Lee County Courthouse. Mr. Gaster is the only known grave of a Revolutionary veteran in Lee County. Dr. Sadler stated the current grave site will be destroyed with the construction of a new housing development. The Committee has discussed the project with Economic Development Director Bob Heuts, and funds for moving the body are being dealt with. It was also stated it was the Committee's hope that all arrangements could be finalized by March in order to stay on schedule as printed in the Centennial calendar. Commissioner Reives asked County Attorney K. R. Hoyle to check with the State Cemetery Commission to see if there are any legal aspects that need to be handled

concerning this project. After some discussion, Commissioner Stevens moved to approve the request of the Centennial Committee to have the body of Mr. Jacob Gaster moved to the grounds of the Lee County Courthouse once legal aspects are met with the State Cemetery Commission. Commissioner Reives asked if there were any other known veterans/persons who might qualify for future burial at the Lee County Courthouse. Upon a vote of Commissioner Stevens' motion, 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.

The Board considered a recommendation from the Lee County Planning Board in reference to a rezoning petition by Mr. Larry Godfrey to rezone approximately 1.16 acres of land located east of Old Jefferson Davis Highway from Residential Agricultural (RA) district to Highway Commercial (HC) district. Planner Althea Thompson stated the Planning Board unanimously approved the above-referenced rezoning petition. Commissioner Reives moved to approve the recommendation of the Planning Board in the above-referenced rezoning petition for Mr. Larry Godfrey. 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.

The Board considered a preliminary plat for "Copper Ridge", a new 53-lot subdivision to be located off Farrell Road (SR 1466). Planner Althea Thompson stated the Planning Board approved the preliminary plat for "Copper Ridge" with a variance to allow one entrance. Commissioner Reives moved to approve the recommendation of the Planning Board for the preliminary plat of "Copper Ridge" and a variance for one entrance into the development. 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.

The Board discussed revenue options submitted by Chatham County Commissioner Mike Cross. Mr. Cross furnished information as it relates to a 1% Land Transfer Tax vs. Education Lottery. Commissioner Stevens stated she didn't have a problem endorsing such a fee and Commissioner Shook stated she was not in favor of such a tax for Lee County. Commissioner Kelly stated he liked the option of having a Land Transfer Tax if it should be needed down the

road. After further discussion, Commissioner Stevens moved the Board ask for the ability to implement a Land Transfer Tax should it be needed in future years. County Attorney K. R. Hoyle was asked to draft a resolution for consideration at the February 19, 2007 meeting, at which time it will be forwarded to local legislative delegates Senator Bob Atwater and Representative Jimmy Love, Sr. 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.

The Board considered meeting schedules for March 2007. Chairman Brown stated a change in meeting schedule is required since some of the Commissioners will be attending the Annual NACo Conference in Washington, DC, on March 5, 2007. Chairman Brown moved that one meeting be held at 3:00 p.m., Monday, March 19, 2007. 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 Stevens asked the meeting time for the February 19, 2007, meeting be changed from 3:00 p.m. to 9:00 a.m. 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.

The Board considered a request from the Lee County Board of Education for funds to pay for a Facility Plan for renovations to Lee County High School. Dr. Jim McCormick, Superintendent of the Lee County Schools appeared before the Board and asked for \$80,000 to enter into an agreement with Hite Associates to fund a Facility Plan for renovations at Lee County High School. Mr. McCormick stated the \$80,000 will be reimbursed should the bond referendum be approved. Commissioner Shook expressed concern over a recent newspaper article concerning the drop-out rate in Lee County. She further stated she felt there needed to be more planning and facility studies before new schools are constructed and/or renovated. Commissioner Reives had concerns that a reference check had not been completed for Hite Associates for this type work. After further discussion, Commissioner Stevens moved to approve the request from the Lee County Board of Education for \$80,000 to cover expenses for a

Facility Plan for renovations to Lee County High School. Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Shook, and Stevens
Nay: Reives

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

County Manager David Smitherman stated him, along with Chairman Brown and other staff met with the Local Government Commission last week to discuss a school bond referendum.

Commissioner Reives moved that public hearings scheduled for February 19, 2007, be held during the 9:00 a.m. meeting instead of 7:00 p.m. as normally handled. 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 when a replacement for former Fire Marshal Derrick Clouston would be hired. The County Manager stated several applications had been received and were being reviewed.

Commissioner Lemmond moved to go into closed session per North Carolina General Statute 143-318.11(a) (3) to protect the attorney-client privilege. 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 and the Board was in closed session. Upon completing business in closed session, Commissioner Paschal moved to go out of closed session. 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.

With no further business to come before the Board, Commissioner Shook moved to adjourn the meeting. 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 and the meeting adjourned in keeping with the motion.

Robert H. Brown, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk