

LEE COUNTY

NORTH CAROLINA

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ADJOURNED REGULAR MEETING
OF THE
LEE COUNTY BOARD OF COMMISSIONERS
106 HILLCREST DRIVE
SANFORD, NORTH CAROLINA 27330

JANUARY 21, 2009

The adjourned regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 6:00 p.m. in the Commissioners' Room, First Floor, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina, in keeping with the resolution of adjournment. Commissioners present were Amy M. Dalrymple, Richard B. Hayes, James C. Kelly, Larry "Doc" Oldham, Nathan E. Paschal, Robert T. Reives, and Linda A. Shook.

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

County Attorney K. R. Hoyle delivered the invocation.

The pledge of allegiance was recited.

Chairman Hayes introduced Lee County Schools new Superintendent Dr. Jeff Moss.

The Board considered additions/changes to the agenda. County Manager John Crumpton asked Commissioners to consider a Joint Resolution with the City of Sanford and Town of Broadway relative to the proposed stimulus package of 2009. Mr. Crumpton also asked the Board to hold a closed session relating to the location or expansion of a business in the area per N.C. Gen. Stat 143-381.11(a)(4). Chairman Hayes stated that Item No. 1 – *Presentation of Employee of the Year* would be held at another meeting. Commissioner Oldham moved to approve the amended agenda as presented. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook

Nay: None

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from the January 5, 2009 regular meeting;
- Tax Releases and Refunds for December 2008 (copy attached);
- Proclamation endorsing 2010 Census Project (copy attached);

- Renewal Lease Agreement between Lee County and the Broadway Optimist Club (copy attached); and
- Budget Amendment # 1/20/09/00#17 (copy attached)

Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
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 conducted a public hearing in reference to the Comprehensive Park & Open Space Plan. Parks and Recreation Director John Payne stated the City of Sanford is trying to purchase the Depot building and make renovations that would be conducive to recreation and leisure classes and activities. These activities could include instruction in art, music, health and fitness, as well as special events such as concerts, weddings, reunions, etc. Mr. Payne stated that a public hearing is required as part of the City's grant request.

Chairman Hayes opened the public hearing.

The following spoke in favor of the purchase of the Depot building:

- David Montgomery, Downtown-Sanford Inc.

No one present spoke in opposition to the grant request.

Chairman Hayes closed the public hearing.

The Board considered an amendment to the Comprehensive Park & Open Space Plan as outlined by Mr. Payne. Commissioner Kelly moved to approve the amendment as presented, 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: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a Request for Proposal for Administrative Services for the FY 2008 Scattered Site Community Development Block Grant (CDBG) Housing Project. Planner Karen Kennedy told the Board that Requests for Proposals were mailed to eight firms in mid December 2008, with responses received from Holland Consulting Planners, Inc. of Wilmington and The Wooten Company of Raleigh. The not-to-exceed fee provided by The Wooten Company was \$53,634, and later resubmitted at \$51,134. The fee submitted by Holland Consulting Planners was \$48,900. Reference calls were made on both firms and information gathered on work products, staff comparisons, and administrative capacity. Ms. Kennedy stated The Wooten Company administered Lee County's 2005 SSH project in record time and helped the county recover from inadequacies and issues surrounding the 2002 project. The Wooten Company prepared the FY 2008 SSH application pro-bono, a cost savings of \$7,000 and has administered urgent Repair

Projects for both the City and County. Ms. Kennedy stated it was the recommendation of Community Development staff to recommend the Request for Proposal be awarded to The Wooten Company at a cost not to exceed \$51,134. After discussion, Commissioner Oldham moved to approve the Request for Proposal from The Wooten Company to administer services for the FY 2008 Scattered Site CDBG Housing Project and see if a lower negotiated price, below the \$51,134 submitted, could be agreed upon. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered a 911 Contract between the County and the City of Sanford. County Manager John Crumpton stated that the City of Sanford and Lee County have been discussing the new 911 regulations covering the disbursement of 911 fees since April of last year. The State Legislature passed new regulations in January 2008 changing the way the 911 Board operates. Under the new rules the 911 Board can only disburse funds to the Primary Public Answering Point (PSAP). However, the State Treasurer recognizes the County as the recipient of the 911 funds and the responsible party for PSAP operations in Lee County. The 911 Board is holding the 911 funds because the City and County do not have a signed contract for the City to provide these services on behalf of the County. Once a signed contract is in place, funds will be released to the County. The County could receive \$470,000 a year in 911 funds once a contract is in place. Mr. Crumpton stated in the late 1990's the City and County agreed – verbally – that the City would operate the Primary Public Answering Point (PSAP) and the County would operate a secondary PSAP. At that time the City already had a communications department in place and was receiving approximately 80% of the 911 calls. Funds disbursed by the State were held by the County and allocated to both the City and County as allowed by law. Through the years several changes to the laws and the use of 911 funds became more restrictive. The basis for the agreement remained in affect even with all the changes that have taken place. Discussion began in early 2007 for the County to establish a Primary PSAP at a County facility with Central Communications. The project was tabled because the City of Sanford was not interested in Central Communications under County control. Mr. Crumpton further stated with the change in 911 laws in January 2008, this is the same law that allowed the County to transfer over \$500,000 to the General Fund from the wire-line fund. The City has issues with the transfer of those funds. Currently there is over \$800,000 in the fund that cannot be disbursed until a signed contract has been obtained between the County and City. At this time, the City has refused to consider an agreement presented to them from the County. Without an agreement, funds cannot be disbursed to the City for 911 operations. Mr. Crumpton presented an Interlocal Agreement between the County of Lee and the City of Sanford for 911 services for consideration. After discussion, Commissioner Oldham moved to approve the *Agreement for 911 Services between the County of Lee and the City of Sanford*, a copy of which is attached to these minutes and by this reference made a part hereof, with a 30-day time frame for a response from the City. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, and Shook
Nay: Reives

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

The Board considered a Joint Resolution with the City of Sanford and Town of Broadway in reference to the proposed stimulus package of 2009. County Manager John Crumpton presented the resolution and discussed the County's following stimulus requests:

- San-Lee Dam Restoration \$2,000,000
- Lee County Industrial Park \$3,500,000
- Lee County High School Renovations \$25,707,925
- Central Carolina Community College Education Building \$9,603,600
- Central Carolina Community College Parking Lot and Truck Entrance \$500,000
- Lee County Emergency Operations \$3,652,000
- New Elementary School \$20,120,612
- Rural Waterline Extension \$2,000,000

After discussion, Chairman Hayes moved to approve a *Joint Resolution with the City of Sanford and Town of Broadway Relative to the Proposed Stimulus Package of 2009*, 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: Dalrymple, Hayes, Kelly, Oldham, and Paschal
 Nay: Reives and Shook

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

Finance Director Lisa Minter presented the *Monthly Financial Report* for month ending December 2008. Tax Administrator Dwane Brinson discussed the 2008 and 2009 Revenue Budgets. No action was taken.

County Manager John Crumpton discussed possible dates of March 4th and 5th for a Board Retreat. Commissioners were asked to check their calendars and let Mr. Crumpton know if these dates worked for them.

Mr. Crumpton discussed the unfreezing of the Deputy Attorney position from the January 5th meeting. Mr. Crumpton advised that several applications had been received and he asked for direction from the Board on how to proceed. Commissioner Kelly suggested that a search committee be appointed to work with the County Attorney and Human Resource Director to make a recommendation to the full Board. Mr. Crumpton was asked to make a recommendation on the hiring procedure and report to the Board at the February 2nd meeting on the process to be taken.

Commissioner Oldham moved to go into closed session to discuss matters relating to the location or expansion of a business in the area per N. C. Gen Stat. 143-318.11(a) (4). Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
 Nay: None

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

After completing business in closed session, Chairman Hayes reconvened the regular meeting.

Commissioner Reives moved that the January 21, 2009 meeting of the Lee County Board of Commissioners be dedicated to the first African-American President Barack Hussein Obama. Upon a vote, the results were as follows:

Aye: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
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: Dalrymple, Hayes, Kelly, Oldham, Paschal, Reives, and Shook
Nay: none

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 8:10 p.m.

Richard B. Hayes, Chairman
Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk