



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

NOVEMBER 5, 2007

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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 Kirk D. Smith.

Chairman Brown called the meeting to order and the following business was transacted:

Commissioner Linda Shook delivered the invocation.

The pledge of allegiance was recited.

Ms. Andrea Currin from the Employee Selection Committee introduced Mrs. Mary Barbour, Business Personal Property Appraiser, with the Lee County Tax Department, as the *November 2007 Employee of the Month*. Chairman Brown presented Mrs. Barbour 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 following new employees were introduced to the Board and presented with a Lee County pin by Chairman Brown:

Matt Rosser (Crime Scene Investigator)	Sheriff's Department
Mark Melton	Sheriff's Department
Jacqueline Morin	Social Services
Kristi Shaw	Youth & Family Services
Gerald Bridges	General Services

The Board considered additions/changes to the agenda. Commissioner Lemmond asked the Board to discuss the disposing of old voting equipment that is taking up needed storage space at the Lee County Government Center. Commissioner Reives asked to discuss a matter where directors and/or department heads attend meetings when they have an item on the agenda. County Attorney K. R. Hoyle asked the Board to conduct an advertised public hearing and consider a resolution for the System- Plast financing project. Commissioner Smith asked that the

Consent Agenda item concerning a VIPER equipment grant for Emergency Management be pulled for discussion. Commissioner Reives moved to approve the above additions/revisions to the agenda. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Lemmond moved to approve the agenda as amended. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

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

- Minutes from the October 15, 2007 regular meeting;
- Emergency Management Performance Grant Supplemental Funding request;
- Budget Amendment # 11/5/07/#10 (copy attached);
- Proclamation for *Family Caregivers Month* (copy attached);
- Proclamation for *Farm-City Week* (copy attached);
- Bids for the replacement of sixty-five windows at the Lee County Government Center from Ken Moser Inc., Raleigh, North Carolina, in the amount of \$782.92 per window

Upon a vote, the results were as follows:

Aye: Brown, Kelly, Lemmond, Paschal, Reives, Shook, and Smith  
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 considered a resolution to call for a vote on the sale of beer and wine in the Deep River, Lemon Springs, and Cape Fear Townships. County Attorney K. R. Hoyle presented a "draft" resolution for the Board to consider per Mr. Don Godfrey's written request dated October 19, 2007, a copy of which is attached to these minutes and by this reference made a part hereof. Mr. Hoyle advised Board members they would need to consider what type sales they wished the public to vote on and if they wished to hold a public hearing before the election. Commissioner Lemmond stated he approved of holding a countywide vote to let the public vote in their individual townships, and not hold a public hearing prior to the election. After further discussion, Commissioner Kelly moved to give the voters the opportunity to vote on all options (on-premises and off-premises sale of malt beverages and wine). Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Smith moved to allow the sale of malt beverages in restaurants. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives moved to approve all the requests outlined in the resolution prepared by County Attorney K. R. Hoyle, 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, Lemmond, Paschal, Reives, Shook, and Smith  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

Mr. Hoyle stated the resolution will be forwarded to the Board of Elections so they may schedule a date for the election which must be held within 60 to 120 days after receiving notification from the Board of Commissioners.

Mr. Dargan Moore, immediate past President of the Kiwanis Club read the *Farm-City Week* Proclamation that was approved on the Consent Agenda. Mr. Wayne Watson, President of the Lee County Area Farmers Association discussed various activities that will be held during Farm-City Week which will be observed the week of November 16 – 22, 2007.

Commissioner Paschal read the proclamation approved on the Consent Agenda to proclaim November 2007 as "*Family Caregivers Month*" in Lee County.

The Board considered a request from Parks and Recreation to enter into a three-year lease agreement for a new gymnastics facility. Parks and Recreation Director John Payne told the Board the County currently leases an un-air-conditioned 7,500 square feet facility in the old Ford building located on Carthage Street for the department's gymnastics programs. The current facility is leased on a month-to-month basis for \$1,000 per month. Mr. Payne stated that Mr. Jackson Dean with Moore Business Park has offered an air-conditioned 7,700 square feet facility off South Horner Blvd., across from the Holiday Inn Express, with ample parking, for \$2,500 per month. Mr. Dean is asking the County to enter into a three-year lease for the facility. Mr. Payne further stated if the program moves to the new location in January 2008, an additional \$9,000 would be needed in FY 2007-08 to cover rental expenses. Gymnastics fees are scheduled to increase by \$10 per session/hour in January 2008 and will produce \$6,200 in additional revenue based on prior year's participation numbers. Also, \$3,267 was budgeted for equipment in the current budget than can be used to make up the remaining difference in this fiscal year's budget. It is also felt that participation will increase as a result of the move. If participation should remain the same, an additional \$5.00 per session/hour would be required to fully recapture the increased rent payments in future years. After some discussion, Commissioner Reives moved to enter into

a three-year agreement with Mr. Jackson Dean for a 7,700 square feet facility to house the County's gymnastics program. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered the purchase of new vehicles for the Sheriff's Department. Chief Randall Butler presented the following quotes to purchase seven (7) new 2008 Dodge Chargers for the department:

Ilderton Dodge, High Point	\$21,347.00 per vehicle
Chrysler Dodge, Sanford	\$23,906.00 per vehicle
Damon Darden Crown Dodge, Fayetteville	\$28,529.00 per vehicle

Mr. Butler stated that \$21,825.00 per vehicle had been approved in the FY 2007-08 budget. Commissioner Reives moved to approve the purchase of seven (7) 2008 Dodge Chargers from Ilderton Dodge, High Point, North Carolina, for a total of \$149,429.00. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered a meeting date for the month of December 2007. Commissioner Reives moved to hold only one meeting in December at 9:00 a.m., Monday, December 3, 2007. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Should a joint public hearing with the Planning Board be required, it will be held at 7:00 p.m. on this date

The Board considered a request from Emergency Management Director Eric Griffin to apply for a \$20,596.00 grant with the North Carolina Department of Crime Control and Public Safety for the specific purchase of interoperable communications equipment compatible with the State VIPER system. The grant would be for equipment only and the grant stipulates the County must sign the allocated funds over to the State for them to purchase the radio equipment on behalf of the county. After some discussion, Commissioner Kelly moved to approve the VIPER equipment grant as presented. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Lemmond discussed old voting machines (from the 50's and 60's) that are still in storage behind the Lee County Government Center. Mr. Lemmond suggested the machines be advertised for sale or sent to Lee Iron and Metal (for scrape purposes) in order to free up storage space. It was suggested that one machine be kept for historical purposes and salvage the remainder. After some discussion, County Manager John Crumpton and General Services Director Russell Spivey were asked to look into the matter and dispose of the machines.

Commissioner Reives moved that in the future directors and/or department heads be present for Commissioner's meetings when they have an item to be discussed on the agenda or keep the County Manager up-to-date on matters so he can handle the discussion if the department head is unable to attend. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

County Attorney K. R. Hoyle discussed a public hearing that had been advertised for this date and time in reference to the System-Plast, LLC project. Mr. Hoyle stated the project had been amended three (3) times, with the last resolution approving in principle at \$7.7 million dollars. The project is still having changes considered which will expand the investment in the local facility and for that reason all concerned have agreed to amend the documents to permit the issuance of bonds up to \$10 million dollars. It is contemplated the final issue will be less than that amount and the project should be ready to go before the Local Government Commission at their December 2007 meeting. System-Plast, LLC has several subsidiary companies, namely Nolu Plastics, Inc., Solus Industrial Innovation, LLC; and Gemini One, LLC.

Chairman Brown opened the public hearing.

Mr. Bob Heuts, Director of the Lee County Economic Development Corporation spoke in favor of the project and stated it would be good for Lee County.

Chairman Brown closed the public hearing.

Commissioner Lemmond introduced the resolution entitled *Approval in Principle of Industrial Project for Solus Industrial Innovations, LLC, and Gemini One, LLC, and the Financing Thereof with Industrial Development Revenue Bonds in the Principal Amount of up to \$10,000,000*, a copy of which is attached to these minutes and by this reference made a part hereof. Commissioner Lemmond moved the passage of the foregoing resolution and Commissioner Reives seconded the motion. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the Sandhills Center Quarterly Fiscal Report. Commissioner Reives moved to accept the report as presented. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented the Sales Tax Distribution Report for FY 2007-08. Commissioner Reives moved to accept the Sales Tax Distribution Report as presented. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Finance Director Lisa Minter presented a report from the Lee County Jail in reference to the Jail Medical Contract with Southern Health Partners for the months of June, July, and August 2007. The report was presented for information only; no action was taken.

County Manager John Crumpton discussed the following matters:

- (1) Letter received from Ms. Janet Smith, Attorney for Patel Partnerships (Days Inn Hotel) in reference to payment of the occupancy tax penalties the Board discussed at the November 15, 2007 meeting. The agreement for a payment plan presented by Ms. Smith was being presented to the Board for approval. Commissioner Smith moved to approve the agreement plan as presented by Attorney Janet Smith on behalf of Patel Partnerships. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

- (2) The County received a 90-day extension for the 2005 CDBG Scattered Site Project. A request for extension had been requested and accepted, changing the completion deadline from December 20, 2007, to March 20, 2008.
- (3) After discussing the 2008 Urgent Repair Program grant with the City Manager, it has been decided to apply for this grant money as a joint application. In the past, the County has competed with the City, and they have won the last two awards. It has been agreed to split the grant awards evenly if awarded to our community. It was noted the City of Sanford will pay the \$50 registration fee.
- (4) A revised construction schedule for Lee Senior High School was presented by the Board of Education. Mr. Crumpton was asked to obtain a priority list and cost estimates from school administration so the Board of Commissioners Finance Committee can review the project.
- (5) A resolution had been received from the Board of Elections that proposes a change to the voting precincts, a copy of which is attached to these minutes and by this reference made a part hereof.

- (6) The KRONOS Time and Attendance program is being implemented with the change to a bi-weekly payroll from a once a month payroll. In the future we will no longer pay "in advance" and move everyone to a pay "in arrears" situation. Changes will also be made so the pay period matches the twenty-eight (28) day work cycle for law enforcement employees. The formal plan will be presented to the Board of Commissioners at their December meeting for approval.
- (7) Risk Management duties have been transferred from Human Resources to Ms. Lesa Price, Strategic Initiatives Director. The Risk Management position in Human Resources will be reduced to a support position.
- (8) Mr. Crumpton reminded the Board that County offices will be closed Monday, November 12, 2007, in observance of Veterans' Day and November 22-23, 2007, for Thanksgiving.

County Attorney K. R. Hoyle discussed with the Board property previously approved by the Board for Brick Capital Community Development to build office space on vacant land located at the W. B. Wicker Business Center. Mr. Hoyle discussed a discrepancy in maps that had been furnished regarding the location of where the proposed new building will be constructed. After some discussion, Commissioner Reives moved to approve the maps prepared by Mr. Hal Siler showing the combination/re-combination of Brick Capital Community Development property at the W. B. Wicker Business Center, copies of which are attached to these minutes and by this reference made a part hereof. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Kelly moved to go into closed session to discuss matters relating to the location or expansion of business in the area served by this body, per North Carolina General Statute 143-318.11(a)(4). Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously and the Board was in closed session. After completing business in closed session, the regular meeting resumed in the Commissioners' Room, with all members present.

Commissioner Reives moved to hold a public hearing on December 3, 2007, to consider economic development incentives for Moore's Machinery. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

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

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

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

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Robert H. Brown, Chairman  
Lee County Board of Commissioners

ATTEST:

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Gaynell M. Lee, Clerk