



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

NOVEMBER 3, 2008

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, John T. Quiggle, Robert T. Reives, and Linda A. Shook.

Chairman Brown 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.

Ms. Mary Yow from the Employee Selection Committee introduced Mrs. Lora Kelley, Accounting Technician III with Lee County Parks & Recreation as the *November 2008 Employee of the Month*. Chairman Brown awarded Mrs. Kelley 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. Commissioner Reives asked that the County Manager be allowed to present a financial report based on action taken by the Finance Committee at their October 20, 2008 meeting. Commissioner Kelly moved to approve the addition of the above item to the agenda. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

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

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered approval of the Consent Agenda. Commissioner Lemmond moved to approve the Consent Agenda as presented which consisted of the following items:

- Minutes from the October 20, 2008 Finance Committee meeting;
- Minutes from the October 20, 2008 regular meeting;
- Resolution for *Mutual Aid Agreements* between law enforcement agencies in North Carolina (per attached copy);
- Recommendation from the Planning Board to approve a rezoning request from the Cape Fear Volunteer Fire Department to rezone land located at 5725 Buckhorn Road (per attached amended Zoning Ordinance);
- Annual software maintenance renewal with Tyler Technologies for the Tax Appraisal System (copy attached); and
- Resolution supporting DOT repairs near Colon Road on US #1 (copy attached)

Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The following signed up to speak during the *Public Comments* section of the meeting:

- Keith Clark, 233 Chris Cole Road, Sanford

The Board considered the second vote for an application from Mr. Johnny Knight and Mr. Mike Barbour dba Northwest Pocket LCID, LLC for a franchise to develop and operate a LCID landfill on property located on Pickard Road that will cover 1.99 acres of land. The facility will accept land clearing and inert debris including uncontaminated soil, stumps, brush and limbs, rock and gravel, bricks, concrete and concrete block, road asphalt, and unpainted and untreated wood waste. At the October 20, 2008 meeting, the Board approved the application for a ten-year exclusive franchise for the area covering the west side of US #1, preliminary site plan, preliminary plat, \$500.00 annual application fee, and a fee schedule of \$15.00 per pickup truck load, \$35.00 single axle load, \$55.00 tri-axle load, and \$65.00 quad or trailer load. **Per N.C. Gen Stat 153A-46 a franchise may not be adopted until it has been passed at two regular meetings.** Mr. Johnny Knight spoke on behalf of the proposed landfill project and stated he had been trying for approximately two years to get the landfill started. He further stated that a landfill was needed due to the illegal dumping that is taking place all over the county. Mr. Knight further stated he thinks it will take longer than five years to fill the two acre site based on what Harnett and Chatham Counties are doing with their LCID landfills. Commissioner Reives questioned why a ten-year exclusive franchise was needed – why not go with a five-year franchise. Chairman Brown called for a vote of the motion that was still on the table from the October 20, 2008 meeting which was to approve a ten-year exclusive franchise for property located west of US #1. Upon a vote, the results were as follows:

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

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

Commissioner Reives stated that at the last Finance Committee meeting, steps were taken to address needs for Lee Senior High School. He stated there was a lot of bad information going around as to how much available money the county had. County Manager John Crumpton and Tax Administrator Dwane Brinson discussed financial issues. Mr. Crumpton stated he had met with department heads to discuss the year to date financials, FY 2008-09 budgets, and the development of financial contingency plans for the remainder of the year if revenues fall short. He has also started looking at next year's budget. Mr. Crumpton stated he also has concerns with the excise tax receipts, environmental services fees, other fee revenue, and revenue from the City's building inspection fees. All of these revenues are critical to the operation of the Register of Deeds, Environmental Health and the City's Inspection offices. Any loss in revenue will require either a reduction in expenses or an increase in fund balance appropriated. He will continue to work with departments to limit the financial impact to the County. Cost cutting measures have been put in place by freezing all open employment positions, eliminating out of state and overnight travel where possible, and holding back the purchasing of some capital items. All departments have been asked to develop two and four percent expense reduction plans. During the budget process this year, \$1.2 million in expenses were cut from County operations to balance the budget. These reductions, along with savings from the Medicaid swap, went to increase the School's current expense funding by \$2.1 million. Most departments are already lean with fat previously cut. To produce a two to four percent cost reduction plan would require the permanent elimination of all open positions plus an additional reduction of force for current positions and reduction of programs/hours. These cuts would have an adverse effect on the County's ability to provide basic core services to our citizens. Tax Administrator Dwane Brinson stated a major concern is the automobile tax base that is declining rapidly due to the fact that people aren't trading for new vehicles and the value of existing vehicles is declining. The loss of vehicle tax revenue will be offset by increases in prior year tax collections, conservative budgeting in the real property tax collections and under-estimating business personal property taxes. Mr. Brinson stated even though it is projected we will meet our ad valorem tax budget; there is a major decline in personal property values (including individual and corporate values). This year the County will experience releases and refunds from the revaluation appeals. The Property Tax Commission is scheduled to hear two large-value cases for Lee County – Wyeth and Central Carolina Hospital. No action was taken on this matter.

County Manager John Crumpton stated the Health Department had requested that an Animal Control Officer position and Physician Assistant position be filled as soon as possible in lieu of hiring a new Nursing Director. Commissioner Reives moved to approve the above request from the Health Department. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Mr. Michael Watson, Executive Director of the Sandhills Center completed the required paperwork to appear before the Board and present the *Quarterly Mental Health Report*. Mr. Watson stated the major responsibilities of the Sandhills Center include:

- Providing the public with access to core services such as screening, triage and referral, 24 hours per day, seven days per week;
- To endorse and monitor private providers of a wide variety of treatment options;
- To determine the appropriate level and intensity of services for each Sandhills consumer being served with State dollars;
- To authorize admissions to State psychiatric facilities;
- To manage the adequacy of services within communities and assist families to understand their options;
- To assure the availability of effective services while protecting individual's safety and welfare;
- To solicit the advice of clients and their families, protect client rights, and resolve complaints; and
- To effectively manage and account for State and local funds

The Center is currently working on their National Accreditation that must be completed by the end of 2009. No action was taken.

Board of Elections Director Nancy Kimble gave the Board an update on one-stop-voting. Ms. Kimble stated that as of 5:00 p.m., Saturday, November 1, 2008, 17,638 voters had cast their vote in the 2008 election, with over 50% of the 32,487 registered voters have voted.

County Manager John Crumpton stated he had recently received a request from the City of Sanford to place "No Loitering" signs in the parking lot of the Planning-Inspections Department on Woodland Avenue. Commissioner Reives stated the signs should be bi-lingual.

County Attorney K. R. Hoyle stated that the City of Sanford and Town of Broadway had passed resolutions in support of restricting the use or smoking of tobacco products in county government buildings and county owned vehicles in their municipalities. Mr. Hoyle further stated the "No Smoking Ordinance" for Lee County could now be enforced.

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

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

The Chairman ruled the motion had been adopted unanimously and the meeting adjourned at 10:15 a.m.

Robert H. Brown, Chairman
 Lee County Board of Commissioners

ATTEST:

Gaynell M. Lee, Clerk