



*Committed Today for a Better Tomorrow*

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

APRIL 16, 2007

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The regular meeting of the Board of Commissioners for the County of Lee, State of North Carolina, convened at 3:00 p.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, and Linda A. Shook.

Chairman Brown presided and the following business was transacted:

Commissioner Shook delivered the invocation.

Chairman Brown asked for a moment of silence in memory of the students and facility members that had been killed earlier in the day at Virginia Tech.

Chairman Brown led the pledge of allegiance.

The following new employees were introduced to the Board:

Jennifer Edwards, Health Department  
Linda Henderson, Health Department  
Suzanne Shue, Tax Office  
Candace Gust, Tax Office

The Board considered changes/additions to the agenda. Commissioner Lemmond asked to be excused from voting on Tax Releases and Refunds due to a family member being listed on the report. Commissioner Shook asked the Board to consider appointing an Interim Fire Marshal. Chairman Brown asked that discussion concerning the resignation of Commissioner Amy Stevens be moved to the first order of business under New Business. Interim Manager Lisa Minter asked the Board to consider, on the Consent Agenda, an agreement between the Board of Education, Sheriff Tracy Carter, and the County of Lee for extra school security for the remainder of the school year. Commissioner Reives

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

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Paschal moved to approve the consent agenda as amended, which allowed Commissioner Lemmond to abstain from voting on Tax Releases and Refunds, and consisted of the following items:

- Minutes from March 14, 2007 special meeting;
- Minutes from March 19, 2007 closed session;
- Minutes from March 29, 2007 special meeting;
- Minutes from April 2, 2007 regular meeting;
- Minutes from April 2, 2007 closed session;
- Tax Releases and Refunds for March 2007 (copy attached);
- Application to request \$511,541 from the FY 2006-07 Public School Building Capital Fund for construction of Broadway Elementary School (copy attached);
- Budget Amendment # 04/16/07/#17 (copy attached);
- Renewal Lease Agreement for the Probation and Parole Office located at the old Lee County Courthouse (copy attached); and
- Agreement between the Lee County Board of Education, Sheriff Tracy Carter, and the County of Lee for extra school security for the remainder of the school year (copy attached)

Upon a vote, the results were as follows:

Aye: Brown, Kelly, Paschal, Reives, and Shook  
Nay: None  
Abstained: Lemmond (from voting on Tax Releases and Refunds)

The Chairman ruled the motion had been adopted unanimously.

Mr. Eugene Bareufkin of 376 Kittery Point, Carolina Trace, addressed the Board during the *Public Comments* section of the meeting in reference to Mental Health as it relates to BRAC issues.

The Board considered an agreement with Southern Health Partners for jail health services that had been tabled at the April 2, 2007 meeting. Interim Manager Lisa Minter told the Board that a meeting was held on April 3, 2007, to resolve issues addressed by the Board at their April 2, 2007 meeting. All parties involved in the meeting agreed to amend the draft of the agreement as follows:

- Base compensation                   \$169,800.00 annually  
  \$ 14,150.00 monthly

- Adjust the inmate population to \$1.85 per inmate over the average daily inmate population of 125.
- Terms of the agreement will be changed to begin on June 1, 2007, and expire on May 31, 2008, with the option to extend with mutual consent.
- Base compensation will increase by 3.5% each year.
- Up to \$50,000 will be paid by Southern Health Partners for inmate medical services rendered outside the jail with the remainder being paid by Lee County.

Commissioner Reives requested the Board be furnished with a six-month follow-up on savings for the program. After some discussion, Commissioner Kelly moved to approve the amended agreement between Southern Health Partners Inc. and the County of Lee, effective June 1, 2007, 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, and Shook  
Nay: None

The Chairman ruled the motion had been adopted unanimously.

The Board considered the resignation of Commissioner Amy L. Stevens as a member of the Lee County Board of Commissioners, effective April 15, 2007. Commissioner Reives moved to accept Commissioner Stevens letter of resignation dated April 5, 2007. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Paschal moved that the Board elect a new Vice-Chairman to replace the position held by former Commissioner Stevens. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Reives nominated Commissioner Jerry Lemmond to serve as Vice-Chairman. With no other nominations submitted, Commissioner Reives moved that Commissioner Lemmond be accepted as Vice-Chairman by acclamation. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Kelly moved that Commissioner Lemmond be placed on the Lee County Manager's Search Committee to replace former Commissioner Amy Stevens. Commissioner Shook stated she wanted a balanced committee and felt it was only fair to have both political parties represented on the Search Committee, and therefore asked that she be placed on said Committee. Commissioner Paschal moved that Commissioner Shook be placed on the Lee County Manager's Search Committee to replace former Commissioner Amy Stevens. Upon a vote of Commissioner Paschal's motion for Commissioner Shook, the results were as follows:

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

The Chairman ruled the motion failed by a four to two vote and Commissioner Lemmond would be a member of the Lee County Manager's Search Committee.

The Board considered a proclamation to be presented to the North Carolina House of Representatives and Senate for Lee County's Centennial Celebration. Ms. Lynn Sadler, Chairperson of the 2007 Centennial Committee had been asked by Representative Jimmy Love to draft a proclamation to be read in the House and Senate in recognition of Lee County's 100<sup>th</sup> Birthday Celebration. Ms. Sadler presented a proclamation for the Board's review, a copy of which is attached to these minutes and by this reference made a part hereof. No action was taken.

The Board considered a request from the 2007 Centennial Committee for a donor contribution to help offset expenses for the 2007 Centennial Celebration. Ms. Lynn Sadler presented a list of projects and funding totaling \$11,819.51. After some discussion, Commissioner Kelly moved to table the matter and forward to the Finance Committee for a recommendation at the regular May 7, 2007 meeting. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

The Board considered a request of change to the health insurance coverage for County employees. Human Resource Director Joyce McGehee told the Board that Mark III had notified her that the current health insurance carrier

had submitted a 23% renewal increase for FY 2007-2008. A quote from Blue Cross Blue Shield of North Carolina was obtained with a 12% increase over CIGNA's current rate. The savings would be approximately \$196,517 to the County if coverage is changed. Ms. McGehee stated that co-pays would be minimal with the most significant being a 75% co-pay on certain drugs not to exceed \$100. The plan also offers free generic drugs for the first six months of the plan year. After careful review, Ms. McGehee recommended the Board approve a change to the County's health insurance plan from CIGNA to Blue Cross Blue Shield of North Carolina. After some discussion, Commissioner Lemmond moved to accept Ms. McGehee's recommendation to change the County's health insurance plan from CIGNA to Blue Cross Blue Shield of North Carolina, effective August 1, 2007. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Commissioner Shook stated she would like the Board to appoint an Interim Fire Marshal since the position has been vacant for a couple of months. Ms. Shook stated this position carries a lot of responsibility and addresses safety issues; along with being the liaison to all volunteer fire departments. Ms. Shook stated she felt someone with decision-making authority should be appointed at this time. After some discussion, Commissioner Shook moved that the Interim County Manager, Assistant County Manager, and Human Resource Director appoint an Interim Fire Marshal until a County Manager is hired. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had failed by a four to two vote.

Strategic Initiatives Director Lesa Price gave the Board an update on BRAC activities. No action was taken.

Interim Manager Lisa Minter presented the Monthly Financial Report for the month ending March 31, 2007. No action was taken.

Chairman Brown reminded Finance Committee members there would be a meeting immediately following the regular meeting in the Small Conference Room next to the Commissioners' Room.

Chairman Brown stated he thought the Board of Commissioner's should authorize the Interim County Manager, Assistant County Manager, and Human Resource Director to hire a Fire Marshal. After some discussion, Commissioner

Shook moved to authorize the above-mentioned individuals to review the recent applications for the Fire Marshal's position and hire a Fire Marshal as soon as possible. Upon a vote, the results were as follows:

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

The Chairman ruled the motion had been adopted unanimously.

Chairman Brown recessed the meeting until 7:00 p.m.

The meeting resumed at 7:00 p.m. in Courtroom #4 at the old Lee County Courthouse. A public hearing had been advertised for this date and time to consider text amendments to the Unified Development Ordinance (UDO). Commissioners present were Robert H. Brown, Jerry M. Lemmond, Nathan E. Paschal, Robert T. Reives, and Linda A. Shook. Commissioner James C. Kelly was absent.

Chairman Brown called the meeting to order.

Assistant Community Development Director Marshall Downey discussed an amendment to Section 5.1 to the Unified Development Ordinance (UDO) that would allow for accessory structures with the issuance of a Special Use Permit to be located on a parcel without a principle structure within the Residential Agricultural (RA) and Restricted Residential (RR) zoning districts. The amendment, as proposed, would only apply to the unincorporated areas of Lee County's zoning jurisdiction.

Chairman Brown opened the public hearing.

No one present spoke in favor of or in opposition to the above-referenced amendment to Section 5.1 of the UDO.

Mr. Downey discussed an amendment to delete Section 6.4 - Cluster Subdivision in its entirety from the UDO. Mr. Downey stated that as the community continues to see increased demands for development, UDO policies need to be monitored constantly to ensure that such policies promote desired outcomes. Because of the desire for higher density and the need for urban infrastructure, this issue is primarily an issue for the two municipalities. Mr. Downey further stated the Joint Planning Commission had considered this issue and recommends the Board of Commissioners, City of Sanford, and Town of Broadway amends the UDO to delete Section 6.4 as it relates to Cluster Subdivisions in its entirety.

No one present spoke in favor of or in opposition to the above-referenced amendment to delete Section 6.4 - Cluster Subdivision's in its entirety from the UDO.

Chairman Brown closed the public hearing.

With no further business to come before the Board, Commissioner Lemmond moved to adjourn the meeting of the Lee County Board of Commissioners. Upon a vote, the results were as follows:

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

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