



LEE COUNTY BOARD OF COMMISSIONERS
MCSWAIN EXTENSION EDUCATION AND AGRICULTURE CENTER
2420 TRAMWAY ROAD
SANFORD, NC 27330

March 4, 2024

MINUTES

Roll Call

Present: Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick, Taylor Vorbeck

Absent: Bill Carver

CALL TO ORDER

Chairman Kirk Smith called the meeting to order at 6:00 p.m.

INVOCATION

Commissioner Cameron Sharpe called for a moment of silence and led the Board and attendees in the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

I. ADDITIONAL AGENDA

Commissioner Taylor Vorbeck asked that item VI.A Lee County Schools Purchase Request - Broadway Presbyterian Church Parking Lot be moved to the Consent Agenda.

Motion: Motion to approve the Agenda as amended

Mover: Robert Reives

For: 6 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick, Taylor Vorbeck

Absent: 1 - Bill Carver

Motion Result: Passed

II. APPROVAL OF CONSENT AGENDA

Motion: Motion to approve the Consent Agenda as amended.

Mover: Taylor Vorbeck

For: 6 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick,
Taylor Vorbeck

Absent: 1 - Bill Carver

Motion Result: Passed

II.A Minutes from the February 19, 2024 Regular Meeting

BOC Regular Meeting Minutes_2-19-24_final.pdf

II.B County of Lee Transit System Safety Plan Annual Update

ADOPTED 2024 Lee County Drug and Alcohol-Free Workplace
Policy.pdf Lee_County_Safty_Plan_Policy_Statement_BOC.pdf

II.C County of Lee Transit System Americans with Disabilities - ADA Plan

COLTS ADA Packet Feb 2024.pdf

II.D 165 Reducing Infant Mortality in Communities

165-2 FY24 Lee.pdf

II.E Memorandum of Understanding (MOU) between the Lee County Health Department
and the Cumberland County Health Department

MOU_Cumberland_County_HD_2024.pdf

Exhibit 1-ARPA.pdf

DG6011 - Lee County, NC - DG Care Advise 1YR - Budgetary (1).pdf

Department_Grant_Information_Form_ARPA_Public_Health_IT (1).pdf

II.F Request to Accept the National Environmental Health Association (NEHA)-Food and
Drug Administration (FDA) Retail Flexible Funding Model Grant Program Standards

Lee Co._NEHA-FDA Retail Grant Award Letter 01Jan2024.pdf

II.G Budget Amendment 03/04/24/11

Budget Amendment Packet 3-4-24.pdf

II.H Amend MOA with Mr. O.T. Sloan and allow staff to file a modification to declaration
with the Lee County Register of Deeds

Amended MOA OT Sloan Park_Final_2.20.24 signed by Mr. Temple.pdf

Exhibit B MOA August 8, 2022.pdf

Library Plat.pdf

Modification to Declaration Final.pdf

II.I Approval of Application for the Capacity Building Competitive Grant Program

2024 CBCG_NOFO_Final.pdf

CBCG application v1.0 (read only).pdf

III. PUBLIC COMMENTS

- Hannia Benitez, The Hispanic Liaison, 1225 N Horner Blvd, Sanford (Bulls & Saints film screening invitation)

IV. PROCLAMATION PRESENTATION

IV.A Proclamation Honoring the Southern Lee High School State Championship Bowling Team

Commissioner Mark Lovick read aloud and presented a proclamation honoring the Southern Lee High School State Championship Bowling Team.

Motion: Motion to approve the proclamation honoring the Southern Lee High School State Championship Men's Bowling Team and proclaim March 5, 2024 as Southern Lee High School Men's Bowling Team Day in Lee County.

Mover: Mark Lovick

For: 6 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick, Taylor Vorbeck

Absent: 1 - Bill Carver

Motion Result: Passed

V. OLD BUSINESS

V.A Planning Board Recommendation for a Rezoning Request

Chairman Smith first asked if there were any conflicts of interest related to the rezoning request. None were indicated. Senior Planner for Long Range Planning David Montgomery presented the Planning Board's recommendation for a rezoning request submitted by Michael L. Cranford to rezone 3.38 acres of two tracts of land addressed as 2909 Jefferson Davis Highway from Highway Commercial (HC) to Light Industrial (LI). Mr. Montgomery said the Planning Board voted unanimously to approve the request and noted that there was no opposition to the request. The Planning Board also voted unanimously that the request was not consistent with the Plan San-Lee Land Use Plan designation of countryside, but did note the surrounding area was more rural in nature.

001-RECO-REZ@2909 JEFFERSON DAVIS-BINDER.pdf

Motion: Motion that the proposed rezoning request is not consistent with the Plan San-Lee Long-Range Plan designation of countryside because Light Industrial Zoning is typically not found on agricultural and undeveloped land.

Mover: Taylor Vorbeck

For: 6 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick, Taylor Vorbeck

Absent: 1 - Bill Carver

Motion Result: Passed

Motion: Motion to approve the rezoning request submitted by Michael L. Cranford to rezone 3.38 acres of two tracts of land addressed as 2909 Jefferson Davis Highway from Highway Commercial (HC) to Light Industrial (LI).

Mover: Taylor Vorbeck

For: 6 - Dr. Andre Knecht, Robert Reives, Mark Lovick, Taylor Vorbeck, Cameron Sharpe, Kirk Smith

Absent: 1 - Bill Carver

Motion Result: Passed

V.B Planning Board Recommendation-UDO Text Amendment-Revising the Approval Process for a Preliminary Major Subdivision Plat

Senior Planner Amy McNeill presented a UDO text amendment to revise the approval process for a preliminary major subdivision plat. The Planning Board met on February 19, 2024 after the public hearing was held and recommended by a six to one vote that the Commissioners approve the proposed text amendment to allow major subdivision plats to be reviewed for compliance with the UDO subdivision regulations and all applicable policies/regulations by the Technical Review Committee (TRC) and then also approved by the TRC, which, removes the Planning Board and Commissioners from the review and approval process for major subdivision preliminary plats. The Board member who cast the dissenting vote expressed interest in revisiting this text amendment in the future when/if the volume of subdivisions proposed in the County increased. Commissioner Robert Reives asked if preliminary major subdivision plats could be placed on the Consent Agenda for approval if this amendment is not approved. Ms. McNeill said that is allowed.
002-TA-TRC Approval of Subd Plats-BINDER-v2.pdf

Motion: Motion to recuse Commissioner Cameron Sharpe from items V.B Planning Board Recommendation-UDO Text Amendment-Revising the Approval Process for a Preliminary Major Subdivision Plat and V.C Planning Board Recommendation-UDO Text Amendment-Major Subdivision Preliminary Plat Extension due to a conflict of interest.

Mover: Cameron Sharpe

For: 6 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick, Taylor Vorbeck

Absent: 1 - Bill Carver

Motion Result: Passed

Motion: Motion to not approve a UDO text amendment to revise the approval process for a Preliminary Subdivision Plat.

Mover: Taylor Vorbeck

For: 4 - Dr. Andre Knecht, Robert Reives, Mark Lovick, Taylor Vorbeck

Against: 1 - Kirk Smith

Abstain: 1 - Cameron Sharpe

Absent: 1 - Bill Carver

Motion Result: Passed

V.C Planning Board Recommendation-UDO Text Amendment-Major Subdivision

Preliminary Plat Extension

Senior Planner Amy McNeill presented a UDO text amendment to revise the period of time that a preliminary major subdivision plat is valid after approval from two to five years. The Planning Board met on February 19, 2024 after the public hearing was held and recommended by unanimous vote that the Commissioners approve the proposed text amendment to extend the original approval period for major subdivision preliminary plats from two to five years, with two years allowed for all subsequent extensions. Also, any plat that was approved between January 1, 2021 - December 31, 2023 will receive an automatic extension not to exceed five years. County Attorney Whitney Parrish said the Commissioners could determine a different period for this, Ms. McNeill said this is mostly occurring within the City limits. The development projects are bigger than they used to be and require more approvals, which can extend time beyond the two-year approval time.

003-TA-Plat Extension-BINDER-v2.pdf

Motion: Motion to revise the period of time that a Major Subdivision Preliminary Plat is valid after approval from two to three years.

Mover: Robert Reives

For: 4 - Dr. Andre Knecht, Robert Reives, Mark Lovick, Taylor Vorbeck

Against: 1 - Kirk Smith

Abstain: 1 - Cameron Sharpe

Absent: 1 - Bill Carver

Motion Result: Passed

VI. NEW BUSINESS

VI.A Lee County Schools Purchase Request - Broadway Presbyterian Church Parking Lot *This item was moved to the Consent Agenda and is now item II.J.*

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VII. MANAGERS' REPORTS

County Manager Lisa Minter noted that the meeting location for the March 18, 2024 Board of Commissioners meeting will be at the Dennis Wicker Civic Center (located at 1801 Nash Street, Sanford), not the Ruby McSwain Center (located at 2420 Tramway Road). Ms. Minter also mentioned a recent visit by Lee County Government and Lee County Schools staff and elected officials to Chatham County's Joint Use Transportation Facility. The Board will hear more about such a facility for Lee County and Lee County Schools as the Capital Improvement Plan is developed. Commissioner Reives asked what the acreage was for the facility. Ms. Minter said it was part of the 250 acres that Chatham County acquired to build their government campus, and that Lee County could build such a facility at the Jonesboro Elementary site, as well as a County warehouse/storage facility. There would not be gas pumps at the new site, since General Services already has gas pumps and the County works with the school district to provide gas for their vehicles.

VIII. COMMISSIONERS' COMMENTS

County Attorney Whitney Parrish noted that she and Assistant County Manager of Governmental Support Angelina Noel presented an update on the opioid settlement funds to the Board of Commissioners last week. Chairman Smith mentioned a meeting earlier in the day with the volunteer fire department chiefs, in which they discussed VIPER radios. County Manager Lisa Minter said the radios will be a part of the Capital Improvement Plan and are intended to be financed with the new Library funding this summer. Commissioner Reives asked if the VIPER radios will be compatible with the City of Sanford. Ms. Minter noted that there will be 12 consolettes installed as a part of the infrastructure portion of the project at the Sanford 911 Communications Center. Assistant County Manager of Operational Services Jennifer Gamble mentioned that there is a patch that can be utilized; however, she would need to get information on the status and reliability of the patch. She also said that many of the fire departments are acquiring dual and tri band radios that will continue to maintain communications with the analog UHF/VHF systems along with the 800 MHz/VIPER system. The analog system is what is currently utilized by fire, law enforcement, EMS, COLTS, and General Services for communications. The County has also continued to invest funds to maintain the UHF/VHF systems for the foreseeable future.

ADJOURN

Motion: Motion to adjourn. The Board adjourned at 6:43 p.m.

Mover: Robert Reives

For: 6 - Dr. Andre Knecht, Robert Reives, Cameron Sharpe, Kirk Smith, Mark Lovick, Taylor Vorbeck

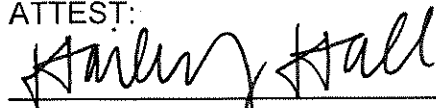
Absent: 1 - Bill Carver

Motion Result: Passed



Kirk Smith, Chair
Lee County Board of Commissioners

ATTEST:



Hailey Hall, Clerk to the Board



County of Lee Transit System Safety and Security Plan

The County of Lee Transit System seeks input from both our governing board and staff in the development of the following Safety and Security Plan (SSP). We value this input and feel it adds assurance that a culture of safety is a high priority at the County of Lee Transit System. Our governing board provides input annually as part of their approval of the SSP. Staff is involved in reviewing various sections of the SSP throughout the year during monthly safety meetings or at the time an issue needs their input, enhancements are made to the plan. All agency staff implement the plan through their various roles and responsibilities.

The Safety and Security Plan includes:

- Fare Collection Policy
- Training Manual
- New Hire Policies and Procedures
- Data Security
- Safety and Security Evaluations
- Personnel Files – annual driver evaluations
- Hazardous Material Safety Data Sheets (and their physical location)

Other Plans Included with possible impact of SSP

- Local or regional emergency management plan
- Continuity of Operations Plan (COOP)
- County Asset Management Plan
- Other agency evacuation plans that included transit

Accountable Executive/Senior Management

- ◆ Has final authority over how the Safety Program is developed and implemented
- ◆ Controls financial resources required for system's operation in collaboration with the Lee County Finance Director
- ◆ Collaborates with the Lee County Human Resources Director to conduct the system's operation
- ◆ Retains ultimate responsibility for the safety performance of the system's operation

Communication of Plan to Staff

The County of Lee Transit System staff review a copy of the SSP during their initial new hire training program and updates to the plan are conveyed through the Transportation Coordinator via the following:

- ◆ memorandums to each staff
- ◆ notices posted on bulletin board in staff room
- ◆ notices attached to each paycheck envelope
- ◆ safety meetings
- ◆ trainings on Safety and Security Plan (SSP)
- ◆ SSP page updates requiring employee signature
- ◆ other

Any changes to the plan are discussed with employees to ensure they fully understand the change, policies or procedures effected and impacts to their daily responsibilities. A copy is given to staff that includes items such as the updates to the Drug and Alcohol Policy.

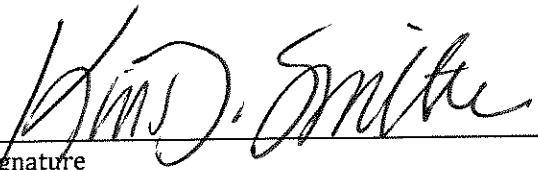
SAFETY POLICY STATEMENT

The Management Team of the County of Lee Transit System recognizes that an effective Safety Management System (SMS) is vital to the success and longevity of the transit system. Therefore the Executive Management is committed to implementing and maintaining a fully functional SMS and to the continuous improvement of the level of safety throughout the County of Lee Transit System.

- ◆ The County of Lee Transit System Management Team will establish specific safety-related objectives and will periodically publish and distribute to all employees those objectives and plans.
- ◆ These safety objectives will be monitored, measured, and tracked to ensure overall corporate safety objectives are met. All employees and individuals in the company have the responsibility to perform their duties and activities in the safest practical manner.
- ◆ The County of Lee Transit System Management Team is committed to providing the necessary financial, personnel, and other resources to establish and maintain a fully functional SMS.
- ◆ The County of Lee Transit System Management Team is dedicated to establishing a confidential employee reporting system to report all hazards, accidents, incidents, and safety issues without fear of reprisal.
- ◆ Activities involving intentional disregard for FTA and NCDOT regulations, organization policies and procedures, illegal activities, and/or drugs or alcohol may be subject to disciplinary action.
- ◆ As a component of the SMS, the County of Lee Transit System Management Team is committed to establishing, maintaining, and periodically exercising an emergency response procedure and plan that provides for the safe transition from normal to emergency operations.

The Management Team will convey this expectation to all employees through postings, safety meetings, organization newsletter, and any other means to ensure all employees are aware of the organizations SMS, their duties and responsibilities, and our safety policy.

The Lee County Board of Commissioners will periodically review this safety policy and the Management Team will ensure it remains relevant and appropriate to the organization.



Signature
Chair - Lee County Board of Commissioners

3/4/2024

Date

Policy Statement

The management of safety is one of our core business functions. The County of Lee Transit System is committed to developing, implementing, maintaining, and constantly improving processes to ensure that all our transit service delivery activities take place under a balanced allocation of organizational resources, aimed at achieving the highest level of safety performance and meeting established standards.

All levels of management and all employees are accountable for the delivery of this highest level of safety performance, starting with the Chair of the Lee County Board of Commissioners, Lee County Manager and Director of Lee County Senior Services.

The County of Lee Transit System is committing to safety standards through:

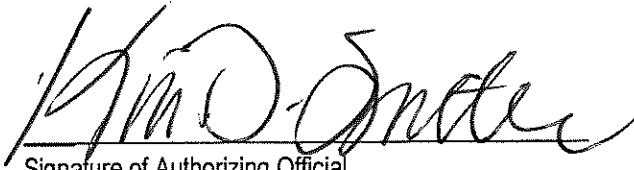
- **Support** the management of safety through the provision of appropriate resources, that will result in an organizational culture that fosters safe practices, encourages effective employee safety reporting and communication, and actively manages safety with the same attention to results as the attention to the results of the other management systems of the organization;
- **Integrate** the management of safety among the primary responsibilities of all managers and employees;
- **Clearly define** for all staff, managers and employees alike, their accountabilities and responsibilities for the delivery of the organization's safety performance and the performance of our safety management system;
- **Establish and operate** hazard identification and analysis, and safety risk evaluation activities, including an employee safety reporting program as a fundamental source for safety concerns and hazard identification, in order to eliminate or mitigate the safety risks of the consequences of hazards resulting from our operations or activities to a point which is consistent with our acceptable level of safety performance;
- **Ensure** that no action will be taken against any employee who discloses a safety concern through the employee safety reporting program, unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures;
- **Comply** with, and wherever possible exceed, legislative and regulatory requirements and standards;
- **Ensure** that sufficient skilled and trained human resources are available to implement safety management processes;
- **Ensure** that all staff are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills;
- **Establish and measure** our safety performance against realistic and data-driven safety performance indicators and safety performance targets;
- **Continually improve** our safety performance through management processes that ensure that appropriate safety management action is taken and is effective; and
- **Ensure** externally supplied systems and services to support our operations are delivered meeting our safety performance standards.


Signature - Chair Lee County Board of Commissioners

3/4/2024
Date

County of Lee Transit System Americans with Disabilities – ADA Plan Review and Adoption

On behalf of the Lee County Board of Commissioners, I hereby acknowledge receipt of the County of Lee Transit System Americans with Disabilities - ADA Plan. We, the Lee County Board of Commissioners, have **reviewed and hereby adopt** this Plan. We are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, to the end that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any County of Lee Transit System (COLTS) services and activities on the basis of race, color, national origin, sex, age, creed (religion), or disability, as protected by the Americans with Disabilities Act and the nondiscrimination provisions of the Federal Transit Administration.



Signature of Authorizing Official
Kirk D. Smith, Chair

3/4/2014
DATE

Americans with Disabilities Act of 1990 (ADA) Policy and Procedures

Date: March 4, 2024

Purpose: This policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the American with Disabilities Act of 1990 (ADA), the U.S. Department of Transportation regulations for implementing ADA (49 CFR Parts 27, 37 and 38), and applicable North Carolina laws and regulations. All services operated by the County of Lee Transit System are operated on a non-fixed route basis and the system complies with ADA requirements with respect to such services.

Policy: It is the policy of the County of Lee Transit System to comply with all the legal requirements of Federal and State laws and regulations as they pertain to individuals with disabilities. The transit system provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by transit system employees will not be condoned or tolerated.

Goals: Service is provided in a manner that meets these goals to:

1. provide individual, dignified services to all persons including individuals with disabilities.
2. expedite the safe and efficient boarding, securing, transporting and alighting of all passengers, regardless of mobility status.
3. accommodate the wide range of mobility aids within the confines of available vehicles and commercial standard equipment.

Applicability: This policy applies to all transit system employees, services, facilities and vehicles. It applies equally to all persons needing and/or using the services provided by the system.

Definitions:

Wheelchair: A mobility aid belonging to any class of three or four-wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered. Transportation providers are required to carry a simple wheelchair and its user, as long as the lift can accommodate the size and weight of the wheelchair and its user, and there is space for the wheelchair on the vehicle.

Disability: A physical or mental impairment that substantially limits one or more major life activities.

Mobility Aid/Non Wheelchair Mobility Device: A device used by a person with a mobility impairment to assist with mobility but does not meet the requirements of a wheelchair as

defined by ADA. These include but are not limited to canes, crutches, walkers and "segways" when used by a person with a mobility related disability.

Securement Equipment: Equipment used for securing wheelchairs against uncontrolled movement during transport.

Securement Station: Space specifically designed to secure and stabilize wheelchairs on transit vehicles.

Service Animal: An animal that is individually trained to perform a task or tasks for people with disabilities.

Recruitment and Employment: As stated in the transit systems personnel policies, the agency is an Equal Opportunity Employer and fully complies with ADA in its recruitment, hiring and continued employment practices.

Facility and Vehicle Accessibility: The transit system administrative facility, passenger facilities and vehicles shall meet or exceed the requirements of 49 CFR Parts 27, 37 and 38 and the State of North Carolina. Vehicles purchased for non-fixed-route service will only be non-accessible to the extent that the system, when viewed in its entirety, provides the same level of service to disabled persons as non-disabled persons.

Vehicle and Route Assignment: To the extent possible, the assignment of particular types of vehicles will be based upon rider needs. However, in the interest of preparedness, standard operating procedures shall be to station accessible vehicles first on runs that operate on a daily basis and have the potential for accessibility needs on a given day, second on runs that have a history of higher accessibility needs and third on all other runs. The transit system will make all reasonable efforts to make an accessible vehicle available whenever requests are made. Trip denials will be tracked by disability to monitor whether trips are disproportionately denied to individuals with disabilities because an accessible vehicle is not available. Should this be found to be the case, inaccessible vehicles will be replaced with accessible vehicles until the system, when viewed in its entirety, is accessible.

Boarding: Drivers will provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary to accommodate slower passengers and waiting for passengers to be seated before moving the vehicle. It is the responsibility of the driver to determine the safest location for passenger boarding based on conditions and individual needs upon arrival at the pick-up site. The passenger and/or their guest, escort or attendant will maneuver the passenger and mobility aid to the vehicle. Only a properly trained transit system employee can operate the lift, secure the wheelchair on the lift and in the securement station.

Priority Seating: With the exception of the wheelchair securement stations, the transit system does not require any passenger to sit in designated seating. However, this does not supersede the transit system's right to require any passenger who has caused a disruption in the safe travel

of other passengers and/or driver to be required to sit in a specific area of the vehicle as a condition of transportation.

Appropriate seating for people with disabilities is available in each vehicle. In cases where a person with a disability requests use of specific seating that is currently occupied by another passenger, the driver will ask that passenger to allow the person with a disability to use of the seat.

Driver Assistance: Drivers will make themselves available for assistance to persons with disabilities and will assist upon request of the passenger. Drivers will leave their seat to assist a passenger with using the vehicle ramp, lift and/or securement systems.

Securement: Securement of the wheelchair class of mobility devices is the responsibility of the driver and drivers will be trained in the proper operation of all securement equipment based on manufacturer specifications. Non-wheelchair aids are the responsibility of the individual passenger; however, it must be secured in a manner that does not interfere with the safe operation of the vehicles and the transport of other passengers. Drivers should not allow a passenger to ride if they are not secured properly unless the securement system will not accommodate the wheelchair. If the tie-down system is not compatible for the wheelchair the passenger is using, the driver will still make an attempt to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger will need to procure a compatible wheelchair to ride the vehicle. Drivers must contact dispatch to deny a passenger a ride based on the inability to secure the type of wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service. Drivers must secure wheelchairs in the designated securement area only, even if the passenger wants their mobility device to be secured in a non-designated area.

Seat belts and shoulder harnesses are required for all passengers. A second waist belt is recommended for wheelchair passengers.

Transfer to Fixed Seating: All passengers using seated mobility devices have an option of transferring to fixed seating once on board the vehicles. Drivers may recommend, but never require, users of seated mobility devices to transfer to fixed seating.

Service Animals: In compliance with 49 CFR Part 37, the transit system allows trained service animals to accompany passengers with disabilities. The driver will not ask for proof of the qualifications of the animal, but may ask what tasks the animal has been trained to perform. However, any animal which is not under the passenger's control or which becomes a threat to other passengers may be restricted from riding.

Alighting: It is the responsibility of the driver to determine that the location for passenger alighting is safe. However, the driver will allow a passenger who uses the lift to disembark at any location, unless the lift cannot be deployed, the lift will be damaged if deployed; or conditions at the stop would present unsafe conditions for all passengers. The driver will only unsecure the wheelchair and operate the lift to return the passenger to the ground level. Only a

properly trained transit system employee can operate the lift, secure the wheelchair on the lift and in the securement station.

Use of Accessibility Devices by Persons Not Using a Wheelchair: A person who is not using a wheelchair or other seated mobility aid may use the lift to board or alight the vehicle upon request.

Maintenance of Accessible Features: Accessibility features on vehicles, including lifts and wheelchair securement devices, will be maintained in operative condition. This includes providing preventive maintenance on lifts as recommended by the equipment manufacturers, cycling the lift as part of each pre-trip inspection*, taking vehicles with inoperative lifts out of service, and repairing inoperative equipment promptly. Drivers are required to report lift failures as soon as possible. (**Note: lift cycling as part of the pre-trip inspection is not required by ADA but is recommended as a way to comply with the federal ADA requirement that transit system conduct regular and frequent lift checks, sufficient to determine if lifts are actually operative*).

Accommodation of Portable Oxygen: Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. Department of Transportation rules on the transportation of hazardous materials.

Staff Training: All drivers and transit system staff are trained to proficiency in use of accessibility equipment, the operating policies related to each of the service requirements described, and in properly assist and treat individuals with disabilities with sensitivity. Mechanics are also trained to properly maintain lifts and other accessibility equipment.

Rider Information: All printed informational materials are made available in accessible formats upon request, for example, large print for persons with low vision or audio for blind persons, as well as accessible electronic formats.

Complaint Procedure: All complaints of discrimination on the basis of disability will be promptly and objectively investigated and forwarded to the County of Lee Transit System Transportation Coordinator. Corrective or disciplinary action will be taken for behavior prohibited by this policy, up to and including termination of employment. (*Note: may want to attach complaint form*)

Modification of Policy: If a passenger requires modification of any of these policies to accommodate their disability, they may request such a modification by contacting Melanie Rodgers – Director. The transit system will work with the individual to find an accommodation solution.

County of Lee Transit System Reasonable Modification Policy

1. Purpose

The purpose of the reasonable modification policy is to ensure that the County of Lee Transit System offers equal and effective opportunities and access to public transportation services for persons with disabilities and full compliance with the provisions of the Title II of the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973.

2. Policy

The County of Lee Transit System is committed to providing equal access and opportunity to qualified individuals with disabilities in all programs, services, and activities. The County of Lee Transit System recognizes that in order to have equally effective opportunities and benefits, individuals with disabilities may need reasonable modifications to policies and procedures. The County of Lee Transit System will adhere to all applicable federal and state laws, regulations, and guidelines with respect to providing reasonable modifications, as necessary, to afford equal access to programs for persons with disabilities. The County of Lee Transit System does not discriminate on the basis of disability in admission to, participation in, or receipt of services and benefits under any transit program or activity. The County of Lee Transit System will take appropriate steps to ensure that persons with disabilities have an equal opportunity to participate.

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of The County of Lee Transit System, or be subject to discrimination by The County of Lee Transit System.

3. Reasonable Modifications

A reasonable modification is a change or exception to a policy, practice, or procedure that allows disabled individuals to have equal access to programs, services, and activities. The County of Lee Transit System will make reasonable modifications to policies, practices, and procedures when necessary to ensure access to transit services for qualified individuals with disabilities, unless:

- Making the modification would fundamentally alter the nature of the public transportation service.
- Making the modification would create a direct threat to the health or safety of other passengers.
- The individual with a disability is able to fully use the County of Lee Transit System's service without modification being made.

For the purposes of this section, the term reasonable accommodation shall be interpreted in a manner consistent with the term "reasonable modifications" as set forth in the Americans with Disabilities Act Title II regulations at 28 CFR 35.130(b)(7), and not as it is defined or interpreted for

the purposes of employment discrimination under Title I of the ADA (42 U.S.C. 12111–12112) and its implementing regulations at 29 CFR part 1630.

4. Eligibility Criteria

An individual is eligible to be considered to receive a reasonable modification if that individual has: a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment; or been regarded as having such impairment.

5. Requests for Reasonable Modifications

The County of Lee Transit System shall make information about how to contact the County of Lee Transit System to make requests for reasonable modifications readily available to the public through its website and rider policy guidelines. The County of Lee Transit System shall follow these procedures in taking requests:

- Individuals requesting modifications shall describe what they need in order to use the service.
- Individuals requesting modifications are not required to use the term “reasonable modification” when making a request. Personnel at the County of Lee Transit System will determine if the request represents a reasonable modification and proceed in accommodating the request accordingly.
- Whenever feasible, the County of Lee Transit System requests that individuals make such requests for modifications before the County of Lee Transit System is expected to provide the modified service.
- Where a request for modification cannot practicably be made and determined in advance (*e.g.*, because of a condition or barrier at the destination of a paratransit, demand response, or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with the County of Lee Transit System’s management before making a determination to grant or deny the request.

Requests for modification may be made either orally or in writing. The reasonable modification process begins as soon as the request for modification is made.

The request can be submitted in any written format. Alternative means of filing a request, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities if unable to communicate their request in writing or upon request.

6. Interactive Process

When a request for modification is made, the County of Lee Transit System and the individual requesting a modification must engage in a good faith interactive process to determine what, if any, modification shall be provided. The individual and the County of Lee Transit System must

communicate with each other about the request, the process for determining whether a modification will be provided, and the potential modifications. Communication is a priority throughout the entire process.

7. Time Frame for Processing Requests and Providing Reasonable Modification

The County of Lee Transit System will process requests for reasonable modification and then provide accommodation, where appropriate, in as short a time frame as reasonably possible. The County of Lee Transit System recognizes, however, that the time necessary to process a request will depend on the nature of the modification(s) requested and whether it is necessary to obtain supporting information.

8. Granting a Reasonable Modification Request

As soon as the County of Lee Transit System determines that a reasonable modification will be provided, that decision shall be immediately communicated to the individual. This notice must be in writing in order to maintain the required information for reporting purposes. Upon request, alternative means of response will be provided.

In choosing among alternatives for meeting nondiscrimination and accessibility requirements with respect to new, altered, or existing facilities, or designated or specified transportation services, the County of Lee Transit System shall give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate to the needs of individuals with disabilities.

9. Denying a Reasonable Modification Request

As soon as the County of Lee Transit System determines that a request for reasonable modification will be denied, the County of Lee Transit System will communicate the basis for the decision in writing to the individual requesting the modification. The explanation for the denial will clearly state:

- a. The specific reasons for the denial;
- b. Any alternative accommodation that may create the same access to transit services as requested by the individual; and
- c. The opportunity to file a complaint relative to the County of Lee Transit System's decision on the request.

10. Complaint Process

The County of Lee Transit System has a process for investigating and tracking complaints from qualified individuals. These procedures shall be posted on the County of Lee Transit System's website and will be provided to any individual where the County of Lee Transit System has denied a request for modification. The process and any forms necessary to file a complaint are readily available from the website. Alternative means of filing complaints, such as personal interviews, phone calls, or taped requests, will be made available for persons with disabilities who may be unable to communicate their request in writing or upon request.

Any person who believes she or he has been discriminated against in obtaining a reasonable modification may file a complaint by completing and submitting the County of Lee Transit System's Reasonable Modification Complaint Form. The County of Lee Transit System investigates complaints received no more than 30 days after receipt. The County of Lee Transit System will process complaints that are complete. Once the complaint is received, the complainant will receive an acknowledgement of receipt. If more information is needed to resolve the complaint, the County of Lee Transit System may contact the complainant. The complainant has 30 business days from the date of the letter to send the requested information to the County of Lee Transit System.

If the County of Lee Transit System is not contacted by the complainant or does not receive the additional information within 30 business days, the County of Lee Transit System may administratively close the complaint. In addition, a complaint may be administratively closed if the complainant no longer wishes to pursue their case.

After the County of Lee Transit System investigates the complaint, a decision will be rendered and given in writing to the complainant. The County of Lee Transit System will issue either a Letter of Closure or Letter of Finding.

- a. *Letter of Finding* – This letter will summarize the complaint, any interviews conducted regarding the complaint, and explain what actions will be taken by the County of Lee Transit System to address the complaint.
- b. *Letter of Closure* – This letter will explain why the County of Lee Transit System has determined that the complaint does not merit accommodation under the Americans with Disabilities Act and that the complaint will be closed.

11. Appeals

If the Complainant disagrees with the decision of the County of Lee Transit System, the Complainant may appeal by giving written notice to the County Manager within twenty one (21) days after issuance of the Letter of Closure or Letter of Finding. If appealed, the County Manager shall conduct a hearing within seven (7) calendar days and may take additional time to investigate. The Complainant will have the opportunity to speak directly to the Manager and Transportation Coordinator. After the hearing, the County Manager shall render a decision no more than seven (7) calendar days following the hearing and a written decision will be given to the Complainant.

12. Designated Employee

The County of Lee Transit System shall designate one official within the organization responsible for processing reasonable modification requests and handling complaints. This individual is:

The County of Lee Transit System
Tonya Surratt, Transportation Coordinator
1615 S Third Street
Sanford NC 27330
919-776-7201

tsurratt@leecountync.gov

13. Record Retention

The County of Lee Transit System will maintain all records related to reasonable modification requests and denials for at least three (3) years.

AGENCY NAME: COUNTY OF LEE TRANSIT SYSTEM EFFECTIVE DATE: MARCH 4, 2024
APPROVED BY: LEE COUNTY BOARD OF COMMISSIONERS APPROVAL DATE: MARCH 4, 2024

SUBJECT: NO-SHOW AND TRIP CANCELLATION POLICY – PUBLIC ACCESS PASSENGERS

PURPOSE

This policy is intended to address the actions by habitual abusers of service scheduling, and provide clear protocols for addressing passengers who fail to show for their scheduled trip without properly canceling the trip. This policy is intended to address those repeat offenders, and not the occasional incident that may occur with some passengers.

DEFINITIONS

No-show – Any passenger who is unavailable for pick-up of a scheduled trip that hasn't notified the County of Lee Transit System to cancel that trip. Trips in which passengers will not be picked up due to circumstances related to service will not be considered a no-show.

NO-SHOW PROCEDURE

The transit operator will wait for passengers for 5 minutes beyond the early arrival pick-up time window. The transit operator will make reasonable attempts to locate the passenger. If the passenger cannot be located within the established 5 minutes, the transit operator must contact the Dispatcher with the no-show. Passengers who do not make themselves available within that window will be considered a no-show. The Dispatcher has the responsibility to determine if the transit operator is to continue without the passenger.

Upon permission to continue without the passenger, the transit operator is to record the arrival time, departure time and vehicle mileage on the Daily Manifest.

Scheduled trips are to be cancelled within 24 business hours of the time of the trip request. Any scheduled trip not cancelled within that window will be considered a no-show and will be logged as such. A no-show designation for a trip will be monitored to determine the habitual nature of no-shows associated with a passenger.

Exceptions may be made for passengers who are unduly delayed due to medical appointments or procedures and other circumstances beyond their control. The passenger will be required to contact the County of Lee Transit System as soon as practicable following the missed trip and a new driver will be dispatched as soon as possible if applicable.

HABITUAL NO-SHOW PROCEDURE

Passengers who have no-shows equal to or greater than one (1) of the scheduled trips in a 30-day period will be provided a verbal warning and charged the fee for the ride. The verbal warning will identify the dates and times of no-shows or late cancellations and include a notice that additional no-shows or late cancellations in the next 30 days may result in transportation privileges being suspended for up to 30 days.

All penalties imposed under this policy are first subject to the appeals process listed below.

Before any suspension, the potentially affected individual will receive verbal notice that transportation service will be suspended immediately from the date of notice. The verbal notice of suspension will contain dates and times of No-Show trips to challenge or appeal the suspension decision. Any fares owed due to no-show trip result(s) must be paid prior to resuming transport.

The County of Lee Transit System will continue to serve passengers appealing pending suspensions until all appeals have been settled. For passengers who do not choose to appeal, suspensions will commence on the date specified in the verbal notice.

Subscription/Standing Order reservations may be denied upon a second suspension in any consecutive 12-month period. Privileges may be reinstated without guarantee of the original subscription/standing order.

TRIP CANCELLATION

A scheduled trip must be cancelled at least 24 business hour(s) prior to the scheduled pick-up time. Cancellations made less than 24 business hour(s) prior to the scheduled pick-up time will be considered a no-show and charged the trip fare. Late cancellations within a thirty (30) day period may result in suspension of riding privileges for up to thirty (30) days. A copy of the appeal

process will be provided with any notice to the passenger suspending service in accordance with this no-show and cancellation policy.

AGENCY NAME: COUNTY OF LEE TRANSIT SYSTEM EFFECTIVE DATE: MARCH 4, 2024
APPROVED BY: LEE COUNTY BOARD OF COMMISSIONERS APPROVAL DATE: MARCH 4, 2024

SUBJECT: APPEAL SUSPENSION OF SERVICE

PURPOSE

The purpose of this policy is to provide procedures for handling the suspension of service and the appeals process for those passengers who have had their use of the service with The County of Lee Transit System suspended. The purpose of the suspension may include violations of passenger behavior rules, violation of the no-show policy, or for inappropriate or disruptive behavior. Regardless of the reason for suspension each and every passenger has a right to appeal the decision through this appeals process.

PROCEDURE

Appeals must be submitted in writing to the Transportation Coordinator within 14 days of notification of suspension.

All passengers will be permitted to continue using service during the appeals process. The Transportation Coordinator will inform all schedulers/dispatchers that the suspension is pending an appeal and to allow service to continue for the affected passenger.

The Transportation Advisory Board comprised of passengers, members of the community, local officials, and transit personnel will review all applicable information from the County of Lee Transit System and the involved passenger. All passengers will be offered the opportunity to speak directly with the Transportation Advisory Board and/or the Transportation Coordinator Manager regarding the submitted appeal and/or circumstances that led to the suspension and subsequent appeal.

After a thorough review of all available information and testimony, the Transportation Advisory Board will have 72 hours in which to issue a recommendation to sustain or reverse the suspension. The Board recommendation will be forwarded to the Transportation Coordinator for final review and implementation.

The Transportation Coordinator will have three (3) calendar days to issue a final suspension decision in writing to the passenger involved. **All final decisions will be implemented within seven calendar (7) days of passenger notification.**

The passenger may appeal this decision to the County Manager by giving written notice to the County Manager within five (5) calendar days of the issuance of the final decision notice. If appealed, the County Manager shall conduct a hearing within seven (7) calendar days and may take additional time to investigate. After the hearing, the County Manager shall render a decision no more than seven (7) calendar days following the hearing and a written decision will be given to the passenger. No further appeal rights are available.

All communications will be made available in alternate format upon request.

POLICY ACKNOWLEDGEMENT

Acknowledgment of receipt of this policy is required of all applicable staff, and it requires staff to sign the policy and procedure manual receipt form.

**The County of Lee Transit System
ADA Reasonable Modification Request Form**

Requests for modifications to the policies, practices, or procedures of [Insert name of transit provider] in order to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. Whenever feasible, requests for reasonable modifications shall be made and determined in advance. A reasonable modification related to the service is ***a change or exception to a policy, practice, or procedure that allows people with disabilities to have equal access to transportation***. Please provide details about your modification request and how it relates to your disability.

Reasonable modification requests can be made by using this form, contacting us by phone, an online request, or in person. To request a modification by phone, please call the following number: 919-776-7201

Modification Requested By: _____ Date: _____

Address: _____ Phone: _____

Email Address: _____

Modification for (Name) _____ Date of Trip: _____

Describe the modification request for ADA demand response transportation including why the modification is necessary:

Signature of ADA Passenger or Guardian

Date

Please send this form via US Mail, or email using the contact information below. You may attach any written materials or other information that you think is relevant to your request to this form.

Once completed, please mail or email this form to:

County of Lee Transit System

ATTN: Reasonable Modification Officer – COLTS Transportation Coordinator Tonya Surratt

1615 S Third Street

Sanford NC 27330

tsurratt@leecountync.gov

Requests for reasonable modifications may be denied on the following grounds:

1. It is a fundamental alteration to the nature of the program, service, or activity,
2. It is a direct threat to the health or safety of others,
3. It is not a requirement by the requester to use the service, or
4. The modification creates an undue financial / administrative burden.

The County of Lee Transit System will strive to acknowledge and approve or deny requests within three (3) business days of receipt. All riders who are denied a request have the ability to appeal. For a copy of our Compliant Form, Appeal Process, and the complete Reasonable Modification Policy, please visit https://leecountync.gov/community/colts_public_transportation/index.php

All information is kept confidential. All materials are available in accessible format and in languages other than English upon request.

Reasonable Modification Program Complaint Form

| | | | |
|--|-------------|-------------------|------------|
| Section I: | | | |
| Name: | | | |
| Address: | | | |
| Telephone (Home): | | Telephone (Work): | |
| Electronic Mail Address: | | | |
| Accessible Format Requirements? | Large Print | | Audio Tape |
| | TDD | | Other |
| Section II: | | | |
| Are you filing this complaint on your own behalf? | | Yes* | No |
| *If you answered "yes" to this question, go to Section III. | | | |
| If not, please supply the name and relationship of the person for whom you are complaining: | | | |
| Please explain why you have filed for a third party: _____ | | | |
| Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. | | Yes | No |
| Section III: | | | |
| Date that Reasonable Modification was Denied (Month, Day, Year): _____ | | | |
| Explain as clearly as possible what happened and why you believe you should have received the modification request. Describe all persons who were involved. Include the name and contact information of the person(s) (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. You may also attach other items that you think are relevant. _____ _____ _____ | | | |
| Section IV | | | |
| Have you previously filed a complaint with this agency? | | Yes | No |

Signature and date required. Please submit the form in person or via mail/e-mail.

| | |
|---|---------------|
| _____ Signature County of Lee Transit System Attn.: Tonya Surratt, Transportation Coordinator tsurratt@leecountync.gov | _____ Date |
|---|---------------|

Discrimination American with Disabilities Act (ADA) Complaint Form

| | | |
|--|--------------------------------------|---|
| Section I: | | |
| Name: | | |
| Address: | | |
| Telephone (Home): | | Telephone (Work): |
| Electronic Mail Address: | | |
| Accessible Format Requirements? | <input type="checkbox"/> Large Print | <input type="checkbox"/> Audio Tape |
| | <input type="checkbox"/> TDD | <input type="checkbox"/> Other |
| Section II: | | |
| Are you filing this complaint on your own behalf? | | <input type="checkbox"/> Yes* <input type="checkbox"/> No |
| <i>*If you answered "yes" to this question, go to Section III.</i> | | |
| If not, please supply the name and relationship of the person for whom you are complaining. | | |
| Please explain why you have filed for a third party: | | |
| Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Section III: | | |
| If you believe you were discriminated against based on a disability, please provide as much detail concerning the alleged discrimination. | | |
| Date of Alleged Discrimination (Month, Day, Year): _____ | | |
| <p>Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. Any details related to time of day, transit route/line, vehicle ID or Name. If more space is needed, please use the back of this form.</p> <hr/> <hr/> | | |
| Section VI: | | |
| Have you previously filed a Discrimination Complaint with this agency? | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If yes, please provide any reference information regarding your previous complaint.

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes No

If yes, check all that apply:

- Federal Agency: _____
- Federal Court: _____ State Agency: _____
- State Court: _____ Local Agency: _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name: _____

Title: _____

Agency: _____

Address: _____

Telephone: _____

Section VI:

Name of agency complaint is against: _____

Name of person complaint is against: _____

Title: _____

Location: _____

Telephone Number (if available): _____

You may attach any written materials or other information that you think is relevant to your complaint.
Your signature and date are **required** below:

Signature

Date

Please submit this form in person at the address below, or mail this form to:
County of Lee Transit Agency
Melanie Rodgers - Director
1615 S Third Street Sanford NC 27330
919-776-0501
mrodgers@leecountync.gov
A copy of this form can be found online at
https://leecountync.gov/community/colts_public_transportation/index.php

If you need assistance completing this form contact Melanie Rodgers 919-776-0501
mrodgers@leecountync.gov

ADA Complaint Process

In compliance with the U.S. Department of Transportation Americans with Disabilities Act (ADA) of 1990 (49 CFR Parts 27, 37, 38 and 39), and Section 504 of the Rehabilitation Act of 1973, as amended, the County of Lee Transit System ensures its services, vehicles, and facilities are accessible to and usable by individuals with disabilities. Anyone who believes he or she has been discriminated against on the basis of disability may file an ADA complaint.

Complaints may be submitted by filing a Customer Service Report/ADA Complaint Form online, by downloading an ADA Complaint Form at https://leecountync.gov/community/colts_public_transportation/index.php or by calling 919-776-0501 (1-800-735-2962 - TTY/TDD 1-800-735-8262 - TTY). If the complainant is unable to write a complaint, a representative may file on his or her behalf, or the County of Lee Transit System staff will provide assistance. Complaints must be filed within 180 calendar days of the alleged incident.

1. Melanie Rodgers, Director will contact the complainant within 10 business days of receipt of complaint. Any requested information must be received by the County of Lee Transit System within 5 days of request*.
2. The County of Lee Transit System will begin the investigation within 15 business days of receipt of complaint if the alleged discrimination is found to be a violation of ADA regulations.
3. An investigation into the complaint will be conducted and documented to determine whether the County of Lee Transit System failed to comply with ADA regulations.
4. The County of Lee Transit System will complete the investigation within 60 calendar days of receipt of complaint. If additional time is needed for the investigation, the complainant will be notified.
5. The County of Lee Transit System will promptly communicate its response to the complainant, including its reasons for the response. The complainant will have 5 business days from receipt of the County of Lee Transit System response to file an appeal. If no appeal is filed, the complaint will be closed. The County of Lee Transit System process and investigate all complaints that meet the requirements of ADA discrimination. If the complainant fails to provide required information within the required timeframe, the complaint may be closed.

County of Lee Transit System

Combined Civil Rights Complaint Form

| | | | |
|---|-------------|-------------------|------------|
| Section I: | | | |
| Name: | | | |
| Address: | | | |
| Telephone (Home): | | Telephone (Work): | |
| Electronic Mail Address: | | | |
| Accessible Format Requirements? | Large Print | | Audio Tape |
| | TDD | | Other |
| Section II: | | | |
| Are you filing this complaint on your own behalf? | | Yes* | No |
| *If you answered "yes" to this question, go to Section III. | | | |
| If not, please supply the name and relationship of the person for whom you are complaining: | | | |
| Please explain why you have filed for a third party: _____ | | | |
| Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party. | | Yes | No |
| Section III: | | | |
| I believe the discrimination I experienced was based on (check all that apply): | | | |
| Title VI: <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin | | | |
| ADA: <input type="checkbox"/> Disability | | | |
| Date of Alleged Discrimination (Month, Day, Year): _____ | | | |
| Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form. _____ _____ | | | |
| Section IV | | | |
| Have you previously filed a Title VI or ADA complaint with this agency? | | Yes | No |

| | |
|---|---|
| Section V | |
| Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court? | |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| If yes, check all that apply: | |
| <input type="checkbox"/> Federal Agency: _____ | |
| <input type="checkbox"/> Federal Court _____ | <input type="checkbox"/> State Agency _____ |
| <input type="checkbox"/> State Court _____ | <input type="checkbox"/> Local Agency _____ |
| Please provide information about a contact person at the agency/court where the complaint was filed. | |
| Name: | |
| Title: | |
| Agency: | |
| Address: | |
| Telephone: | |
| Section VI | |
| Name of agency complaint is against: | |
| Contact person: | |
| Title: | |
| Telephone number: | |

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

Signature Date

Please submit this form in person at the address below, or mail this form to:

County of Lee Transit System
Melanie Rodgers – Director
1615 S Third Street
Sanford NC 27330

Discrimination ADA/Title VI Complaint Form

Section I:

Name:

Address:

Telephone (Home):

Telephone (Work):

Electronic Mail Address:

Accessible Format Requirements?

Large Print

Audio Tape

TDD

Other

Section II:

Are you filing this complaint on your own behalf?

Yes*

No

**If you answered "yes" to this question, go to Section III.*

If not, please supply the name and relationship of the person for whom you are complaining.

Please explain why you have filed for a third party:

Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.

Yes

No

Section III:

I believe the discrimination I experienced was based on (check all that apply):

Race

Color

National Origin

Date of Alleged Discrimination (Month, Day, Year): _____

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.

Section VI:

Have you previously filed a Discrimination Complaint with this agency?

Yes

No

If yes, please provide any reference information regarding your previous complaint.

Section V:

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?

Yes

No

If yes, check all that apply:

Federal Agency: _____

Federal Court: _____

State Agency: _____

State Court : _____

Local Agency: _____

Please provide information about a contact person at the agency/court where the complaint was filed.

Name:

Title:

Agency:

Address:

Telephone:

Section VI:

Name of agency complaint is against:

Name of person complaint is against:

Title:

Location:

Telephone Number (if available):

You may attach any written materials or other information that you think is relevant to your complaint.

Your signature and date are required below:

Signature

Date

Please submit this form in person at the address below, or mail this form to:

County of Lee Transit System
Melanie Rodgers - Director
1615 S Third Street
Sanford NC 27330
919-776-0501 mrodgers@leecountync.gov

A copy of this form can be found online at:
https://leecountync.gov/community/colts_public_transportation/index.php

Trip Denial Log

Month/Year

| Date of Call | Time of Call | Name | Requested P/U | Requested D/O | Date and Time Requested | Disabled Years | Accessible Vehicle Requested | Reason For Denial/Trip Neg. | Initial of Scheduler |
|--------------|--------------|------|---------------|---------------|-------------------------|----------------|------------------------------|-----------------------------|----------------------|
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|--|--|---|
| <p>TRIP TURNDOVNS: Trip requests that are refused by a passenger. For example, a passenger requests an 8:00 a.m. pick-up time and the system cannot provide it. However, the system is able to provide a later trip and offers an 8:30 a.m. pick-up time. If the passenger declines the 8:30 a.m. trip, the trip is documented as a turn-down. This is a system is able to provide the trip within the one hour window required by ADA.</p> | <p>TRIP REFUSALS: Trip refusals are trips requested outside the systems service area and the transit system is unable to provide the service.</p> | <p>TRIP DENIALS: Trip denials are trips that cannot be provided within the one hour window before or after the requested trip time. For example, a passenger requests an 8:00 a.m. pick-up time and the system cannot provide it. However, the system is able to provide a later trip and offers a 9:30 a.m. pick-up time. If the passenger accepts the 9:30 a.m. trip, the trip is documented as a trip denial. This is still a trip denial even though the system is able to provide the trip. A record of all trip denials MUST be maintained identifying the trips denied for ADA eligible passengers.</p> |
| <p>NOTE: Trips negotiated and provided outside the one hour window MUST be counted as a trip denial according to ADA requirements.</p> | | |

MEMORANDUM OF UNDERSTANDING
BETWEEN
LEE COUNTY HEALTH DEPARTMENT
AND
CUMBERLAND COUNTY HEALTH DEPARTMENT

THIS MEMORANDUM OF UNDERSTANDING (the “MOU”) is made and entered into the 4th day of March, 2024 by and between Lee County Health Department and Cumberland County Health Department. Lee County Health Department and Cumberland County Health Department shall collectively be referred to as the “Parties” to MOU.

Whereas Cumberland County Health Department is the fiscal agent for Region 6, for funding received from the NC Division of Public Health to fill critical gaps in Public Health Infrastructure in order to respond to the COVID-19 pandemic and Lee County Health Department is included in Region 6.

Now, therefore, in consideration of the foregoing and the mutual agreements contained herein, the Parties hereby agree to this Memorandum of Understanding and the following responsibilities:

1. Responsibilities of Cumberland County Health Department:

- Provide grant funding to the Lee County Health Department not to exceed, \$72,533 to fund the purchase of equipment listed on Exhibit 1. Payment will be made upon receipt of an invoice and copies of receipts for items received by the Lee County Health Department.
- Provide any needed grant reporting as required by NC Division of Public Health.

2. Responsibilities of Lee County Health Department:

- Apply grant funds toward the purchase of equipment listed on Exhibit 1.
- Provide invoices to Cumberland County Health Department showing payment for approved equipment.

3. Miscellaneous:

A) **Amendments.** No amendment of any provision of this MOU will be valid unless the amendment is in writing and signed by both Parties hereto.

B) **Entire Agreement.** This MOU constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior agreements (Whether written or oral and whether express or implied) between the Parties to the extent related to such subject matter.

C) **Notices.** Any notice pursuant to this MOU must be in writing and will be deemed effectively given to the other Party upon the actual receipt thereof via certified mail, return receipt requested.

D) **Governing Law.** This MOU will be governed by the laws of the State of North Carolina without giving effect to any choice or conflict of law principles of any jurisdiction.

E) **Counterparts.** This MOU may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same agreement.

F) **E-VERIFY:** CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR utilizes a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

G) **IRAN DIVESTMENT ACT CERTIFICATION:** Contractor hereby certifies that Contractor, and all subcontractors, are not on the Iran Final Divestment List ("List") created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.55-69. Contractor shall not utilize any subcontractor that is identified on the List.

The term of the Memorandum of Understanding shall be 1/1/2024 through 5/31/2024.

IN WITNESS WHEREOF, the Parties hereto have executed and delivered this MOU as of the date first written above.

LEE COUNTY HEALTH DEPARTMENT

Kirk P. Smith

Name: Kirk P. Smith

Title: Chair, Board of Commissioners

CUMBERLAND COUNTY HEALTH DEPARTMENT

Name: _____

Title: _____

This instrument has been pre-audited in the manner Required by the local government budget and fiscal Control act.

Candace Deeman
County Finance Director

Approved for legal sufficiency

Whisper
County Attorney's Office

MEMO TO: LEE COUNTY BOARD OF COMMISSIONERS
 FROM: LISA MINTER, LEE COUNTY MANAGER
 SUBJECT: BUDGET AMENDMENT:# 3/04/24/11
 DATE: March 04, 2024

SECTION I. THE FOLLOWING GENERAL FUND (1100) REVENUE INCREASES ARE HEREBY APPROVED:

| DEPARTMENT | ACCOUNT # | DESCRIPTION | CURRENT BUDGET | CHANGE | NEW BUDGET |
|-----------------|-----------------|---------------------------|----------------|------------------|------------|
| SENIOR SERVICES | 1100-3582-34640 | SHIIP GRANT | 11,237 | 4,161 | 15,398 |
| FUND BALANCE | 1100-3990-39900 | FUND BALANCE APPROPRIATED | 2,389,546 | 785,000 | 3,174,546 |
| OTHER REVENUE | 1100-3930-38410 | NONRECURRING STATE GRANT | | 294,108 | 294,108 |
| TOTAL CHANGES | | | | <u>1,083,269</u> | |

SECTION II. THE FOLLOWING GENERAL FUND (1100) EXPENSE INCREASES ARE HEREBY APPROVED:

| DEPARTMENT | ACCOUNT # | DESCRIPTION | CURRENT BUDGET | CHANGE | NEW BUDGET |
|-----------------------------|-----------------|---------------------------------|----------------|------------------|------------|
| SENIOR SERVICES | 1100-5826-43530 | ADVERTISING | 16,739 | 2,161 | 18,900 |
| SENIOR SERVICES | 1100-5826-44660 | PROGRAM SUPPLIES | 57,369 | 2,000 | 59,369 |
| SCHOOLS CAPITAL OUTLAY | 1100-5912-48450 | SPECIAL ALLOCATION PROJECTS | - | 785,000 | 785,000 |
| HUMAN SERVICES-STATE GRANTS | 1100-5817-48389 | NONRECURRING STATE GRANTS | 503,428 | 104,108 | 607,536 |
| HUMAN RESOURCES | 1100-4125-43100 | PROFESSIONAL SERVICES | - | 10,000 | 10,000 |
| FINANCE | 1100-4130-41200 | SALARIES AND WAGES | 418,838 | 50,000 | 468,838 |
| COUNTY ATTORNEY | 1100-4150-46411 | CAPITAL OUTLAY \$5000 AND ABOVE | - | 30,000 | 30,000 |
| SOCIAL SERVICES | 1100-5313-47412 | KINSHIP PLACEMENT | - | 100,000 | 100,000 |
| TOTAL CHANGES | | | | <u>1,083,269</u> | |

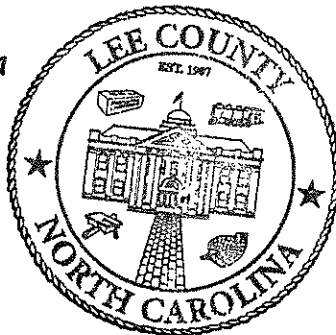
SECTION III. THE FOLLOWING LIBRARY/LEC FUND (4840) REVENUE INCREASES ARE HEREBY APPROVED:

| DEPARTMENT | ACCOUNT # | DESCRIPTION | CURRENT BUDGET | CHANGE | NEW BUDGET |
|---------------|-----------------|---------------------------|----------------|----------------|------------|
| OTHER REVENUE | 4840-3930-38410 | NONRECURRING STATE GRANTS | - | 255,892 | 255,892 |
| TOTAL CHANGES | | | | <u>255,892</u> | |

SECTION IV. THE FOLLOWING LIBRARY/LEC FUND (4840) EXPENSE INCREASES ARE HEREBY APPROVED:

| DEPARTMENT | ACCOUNT # | DESCRIPTION | CURRENT BUDGET | CHANGE | NEW BUDGET |
|----------------|-----------------|-----------------------|----------------|----------------|------------|
| C4 LIBRARY/LEC | 4840-8100-43100 | PROFESSIONAL SERVICES | 875,000 | 255,892 | 1,130,892 |
| TOTAL CHANGES | | | | <u>255,892</u> | |

Kirk Smith
 KIRK SMITH, CHAIR



Hailey Hall
 HAILEY HALL, CLERK TO THE BOARD

**AMENDED MEMORANDUM OF AGREEMENT
BETWEEN LEE COUNTY AND O. TEMPLE SLOAN, JR.
TO MODIFY THE USE OF A PORTION OF O.T. SLOAN PARK**

This Agreement is made and entered into this 4th day of March, 2024, between LEE COUNTY, one of the counties of the State of North Carolina, and a body both politic and corporate (the "County"), and O. Temple Sloan, Jr.

WITNESSETH

WHEREAS, on August 8, 2022, the County and Mr. O. Temple Sloan Jr. entered into a Memorandum of Agreement modifying the use of a portion of O.T. Sloan Park, and all terms of the MOA remain in full force and effect; and,

WHEREAS, the Memorandum of Agreement stated the Parties' desire to allow the County to use a portion of the O.T. Sloan Park for a new library; and,

WHEREAS, the County has conducted a survey, recorded in Plat Cabinet 2023, Slide 239 in the Lee County Registry, and has determined the necessary portion of the property to house the library building and parking and other outdoor space is 10.96 acres which is designated as Lot 1 on plat; and,

WHEREAS, both Parties agree to allow 10.96 acres as shown on the survey to be used as a public library for the residents, citizens and visitors of Lee County.

NOW, THEREFORE, the parties hereto, each for valuable consideration as acknowledged by both parties, do hereby covenant and agree to the following:

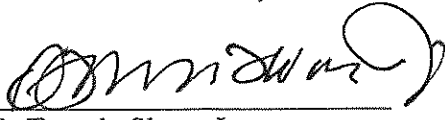
1. O. Temple Sloan, Jr. hereby consents to removing the recreational restriction to the 10.96 acres of land shown as Lot 1 on a survey entitled "Lee County for Future Library," found at Plat Cabinet 2023, Slide 239 for a public purpose with the intent of constructing and operating a public library. In the event that a library is not constructed on the above described property the County shall be required to seek the consent of O. Temple Sloan Jr. for any use of the property other than for construction of a library; in the event that O. Temple Sloan Jr. cannot provide such consent (whether because of death, incapacity or otherwise) the consent of O. Temple Sloan, III will be required.

2. The recreational restriction shall remain in full force and effect on the remaining property as previously established.

3. The County shall execute and record a modification to the above-mentioned Declaration for the property shown in Lot 1 designated for a public library.


IN WITNESS WHEREOF, this parties do hereby agree to this Memorandum of Agreement.

O. TEMPLE SLOAN, JR



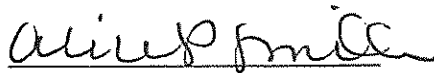
O. Temple Sloan, Jr.
Date: 2.20.2024

LEE COUNTY

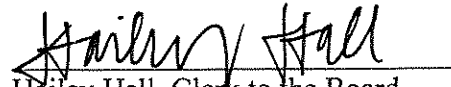


Kirk D. Smith, Chairman
Lee County Board of Commissioners
Date: 3/9/2024

WITNESS:



ATTEST:



Hailey Hall, Clerk to the Board



NORTH CAROLINA)
)
LEE COUNTY)

MODIFICATION TO DECLARATION

THIS MODIFICATION TO DECLARATION made and entered into this 4th day of March, 2024 by LEE COUNTY, one of the counties of the State of North Carolina, and a body both politic and corporate (the "County").

RECITALS

The County executed a Declaration on December 4, 2007 recorded on December 5, 2007 in Deed Book 1114, Page 696, Lee County Registry, and hereby attached at "Exhibit A" restricting a portion of its property for recreational purposes.

The County and O. Temple Sloan, Jr. entered a Memorandum of Agreement on August 8, 2022, hereby attached as "Exhibit B", and an amended Memorandum of Agreement on March 4, 2024, hereby attached as "Exhibit C" removing the recreation restriction from portion of the property designated to be used by the County to construct and operate a public library.

The County conducted a survey of 10.96 acres of the property located in Lee County, North Carolina as shown on a plat entitled "Lee County for Future Library" dated December 11, 2023, prepared by Garrett J. Dorsett, Professional Land Surveyor and recorded in Plat Cabinet 2023, Slide 239, Lee County Registry.

The County desires to use the subject property shown as Lot 1 in the above described survey for the purpose of constructing and operating a public library.

DECLARATION

NOW THEREFORE, the County does hereby declare and covenant as follows:

1. Subject to the terms contained herein, the recreational restrictions shall be removed from the portion of property shown as Lot 1 in the above described survey.
2. The County shall use the property in Lot 1 for a public purpose with the intent to construct and operate a public library. In the event that a library is not constructed on the above described property the County shall be required to seek the consent of O. Temple Sloan Jr. for any use of the property other than for construction of a library; in the event that O. Temple Sloan Jr. cannot provide such consent

(whether because of death, incapacity or otherwise) the consent of O. Temple Sloan, III will be required or in the event of the death of both of them, the direct lineal descendants of O. Temple Sloan III.

3. All restrictions as applied to the remaining portion of the property not included in Lot 1 of the above described survey shall remain in full force and effect under the terms and conditions previously established.

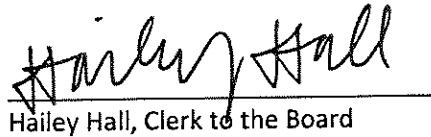
IN WITNESS WHEREOF, the County has caused this Modification to Declaration to be executed by the Chairman of the County's Board of Commissioners and attested to by the Clerk to the Board pursuant to authority and action of the Board of Commissioners of Lee County, North Carolina.

LEE COUNTY



Kirk D. Smith, Chairman
Lee County Board of Commissioners

ATTEST:


Hailey Hall, Clerk to the Board

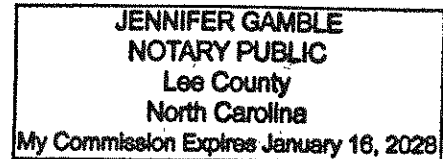
State of North Carolina

County of Lee

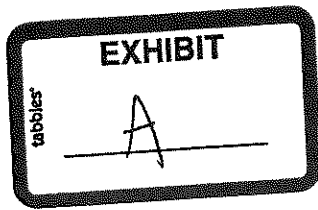
This the 4th day of March, 2024, personally came before me, a Notary Public in and for the said County of Lee and State aforesaid, Hailey Hall, who being by me duly sworn, says that she is Clerk to the Board of Commissioners for the County of Lee, a body both politic and corporate existing under the laws of the State of North Carolina and acting through its Board of Commissioners, and by authority duly given and as the act of said County, the foregoing instrument was signed in its name by Kirk D. Smith, as the Chairman of its Board of Commissioners, sealed with its seal, and attested by herself as the Clerk to the Board of Commissioners.

Witness my hand and notarial seal this 4th day of March, 2024

Jennifer Gamble
Notary Public
Jennifer Gamble



My commission expires: 1/16/2028



BK:01114 PG:0696

FILED
LEE COUNTY
MOLLIE A. MCINNIS
REGISTER OF DEEDS

FILED Dec 05, 2007
AT 09:38:28 am
BOOK 01114
START PAGE 0696
END PAGE 0698
INSTRUMENT # 11224

Prepared by and Return to:
Samuel T. Oliver, Jr.
Manning, Fulton & Skinner, P.A.
PO Box 20389
Raleigh, NC 27619-0389

NORTH CAROLINA)
LEE COUNTY)

DECLARATION

THIS DECLARATION made and entered into this the 4th day of December 2007 by LEE COUNTY, one of the counties of the State of North Carolina, and a body politic and corporate (the "County").

RECITALS

The County has acquired that certain 9.45 acres located in Lee County, North Carolina as shown on plat entitled "Recombination Survey For: Harrington Properties & Lee County" dated October 31, 2007, prepared by Michael A. Cain, Professional Land Surveyor and recorded in Plat Book 2007, Page 232, Lee County Registry (the "Property").

O. Temple Sloan, Jr., a citizen and resident of Wake County, North Carolina, provided the funds for the County to acquire the Property on the understanding that the Property would only be used as an addition to the County's existing recreational area named for Mr. Sloan's father that adjoins the Property.

The County desires to subject the Property to this Declaration to confirm that Property shall only be used for recreational purposes subject to the terms and conditions set forth herein.

DECLARATION

NOW THEREFORE, the County does hereby declare and covenant the Property shall only be used for public recreational purposes subject to the terms and conditions hereof:

1. This restriction shall last for fifty (50) years from the date hereof and shall automatically expire at that time unless renewed in writing by the County prior to such time.

2. This restriction may only be modified or terminated prior to its expiration with the consent of O. Temple Sloan, Jr. or, in the event of his death, his son, O. Temple Sloan III, or in the event of the death of both of them, the direct lineal descendants of O. Temple Sloan III.

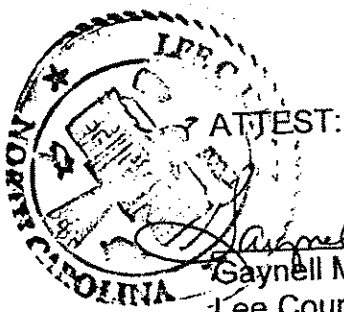
3. This restriction shall run with the title to the Property and shall be binding on successors in title to the Property.

4. This restriction may be enforced by O. Temple Sloan, Jr., and/or his direct lineal descendants by an action for specific performance in addition to such other remedies as may be available at law or in equity.

IN WITNESS WHEREOF the County has caused this Declaration to be executed by the Chairman of the County's Board of Commissioners and attested to by the Clerk to the Board pursuant to authority and action of the Board of Commissioners of the County.

LEE COUNTY

By: Robert H. Brown
ROBERT H. BROWN, Chairman
Lee County Board of Commissioners



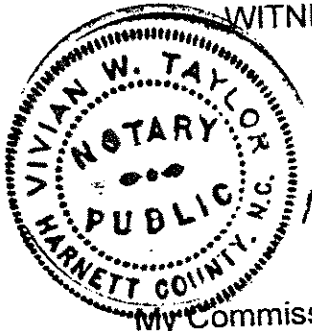
Gaynell M. Lee
Gaynell M. Lee, Clerk
Lee County Board of Commissioners

STATE OF NORTH CAROLINA

COUNTY OF HARNETT

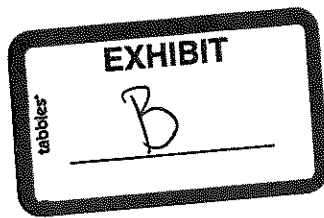
This 4th day of December 2007, personally came before me, a Notary Public in and for the said County of Harnett and State aforesaid, Gaynell M. Lee who, being by me duly sworn, says that she is the Clerk to the Board of Commissioners for the County of Lee, a body both politic and corporate existing under the laws of the State of North Carolina and acting through its Board of Commissioners, and by authority duly given and as the act of said County, the foregoing instrument was signed in its name by ROBERT H. BROWN as the Chairman of its Board of Commissioners, sealed with its seal, and attested by herself as the Clerk to the Board of Commissioners.

WITNESS my hand and notarial seal this 4th day of December 2007.



Vivian W. Taylor
Vivian W. Taylor
Notary Public

My Commission Expires: August 25, 2011



**MEMORANDUM OF AGREEMENT
BETWEEN LEE COUNTY AND O. TEMPLE SLOAN, JR.
TO MODIFY THE USE OF A PORTION OF O.T. SLOAN PARK**

This Agreement is made and entered into this 8th day of August, 2022, between LEE COUNTY, one of the counties of the State of North Carolina, and a body both politic and corporate (the "County"), and O. Temple Sloan, Jr.

WITNESSETH

WHEREAS, the County has acquired that certain 9.45 acres located in Lee County, North Carolina as shown on plat entitled "Recombination Survey For: Harrington Properties & Lee County" dated October 31, 2007, prepared by Michael A. Cain, Professional Land Surveyor and recorded in Plat Book 2007, Page 232, Lee County Registry, and;

WHEREAS, O. Temple Sloan, Jr., a citizen and resident of Wake County, North Carolina, provided the funds for the County to acquire the Property on the understanding that the Property would only be used as an addition to the County's existing recreational area named for Mr. Sloan's father that adjoins the property, and;

WHEREAS, the County executed a Declaration on December 4, 2007 recorded in Deed Book 1114, Page 696, Lee County Registry, and hereby attached as "Exhibit A", and;

WHEREAS, said Declaration sets forth the terms and conditions applied to the subject property including the terms related to modification, and;

WHEREAS, it is the County's desire to use approximately two (2) acres, more or less, of the subject property for the purpose of constructing and operating a public library, and;

WHEREAS, on June 6, 2022, the Board of Commissioners approved 'Site Plan B' as the preferred site for the proposed public library, a concept illustration depicting the site is hereby attached as "Exhibit B".

NOW, THEREFORE, the parties hereto, each in valuable consideration as acknowledged by both parties, do hereby covenant and agree to the following:

1. O. Temple Sloan, Jr. hereby consents to removing the recreational restriction to a portion of the property as described in "Exhibit B" and in consideration of the County's use of

approximately two (2) acres, more or less, for a public purpose with the intent of constructing and operating a public library. In the event that a library is not constructed on the above described property the County shall be required to seek the consent of O. Temple Sloan Jr. for any use of the property other than for construction of a library; in the event that O. Temple Sloan Jr. cannot provide such consent (whether because of death, incapacity or otherwise) the consent of O. Temple Sloan, III will be required.

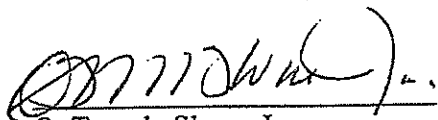
2. The recreational restriction shall remain in full force and effect on the remaining property.

3. The County shall conduct a survey of the property with the intent to construct and operate public library.

4. Upon the recording of the survey, the County shall execute and record a modification to the above mention Declaration detailing the unrestricted property.

IN WITNESS WHEREOF, this parties do hereby agree to this Memorandum of Agreement.

O. TEMPLE SLOAN, JR



O. Temple Sloan, Jr.

Date: July 19, 2022

LEE COUNTY



Kirk D. Smith, Chairman

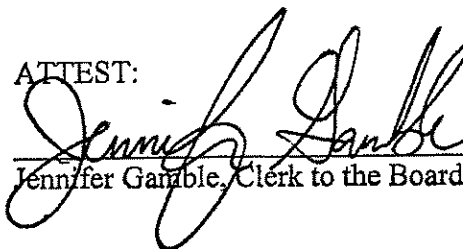
Lee County Board of Commissioners

Date: 8-8-2022

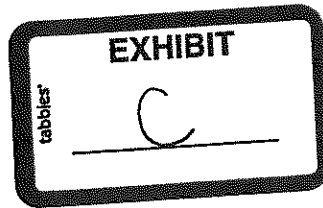
WITNESS:



ATTEST:



Jennifer Gamble, Clerk to the Board



**AMENDED MEMORANDUM OF AGREEMENT
BETWEEN LEE COUNTY AND O. TEMPLE SLOAN, JR.
TO MODIFY THE USE OF A PORTION OF O.T. SLOAN PARK**

This Agreement is made and entered into this 4th day of March, 2024, between LEE COUNTY, one of the counties of the State of North Carolina, and a body both politic and corporate (the "County"), and O. Temple Sloan, Jr.

WITNESSETH

WHEREAS, on August 8, 2022, the County and Mr. O. Temple Sloan Jr. entered into a Memorandum of Agreement modifying the use of a portion of O.T. Sloan Park, and all terms of the MOA remain in full force and effect; and,

WHEREAS, the Memorandum of Agreement stated the Parties' desire to allow the County to use a portion of the O.T. Sloan Park for a new library; and,

WHEREAS, the County has conducted a survey, recorded in Plat Cabinet 2023, Slide 239 in the Lee County Registry, and has determined the necessary portion of the property to house the library building and parking and other outdoor space is 10.96 acres which is designated as Lot 1 on plat; and,

WHEREAS, both Parties agree to allow 10.96 acres as shown on the survey to be used as a public library for the residents, citizens and visitors of Lee County.

NOW, THEREFORE, the parties hereto, each for valuable consideration as acknowledged by both parties, do hereby covenant and agree to the following:

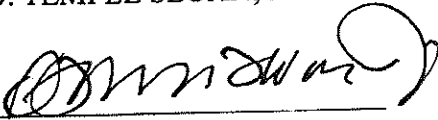
1. O. Temple Sloan, Jr. hereby consents to removing the recreational restriction to the 10.96 acres of land shown as Lot 1 on a survey entitled "Lee County for Future Library," found at Plat Cabinet 2023, Slide 239 for a public purpose with the intent of constructing and operating a public library. In the event that a library is not constructed on the above described property the County shall be required to seek the consent of O. Temple Sloan Jr. for any use of the property other than for construction of a library; in the event that O. Temple Sloan Jr. cannot provide such consent (whether because of death, incapacity or otherwise) the consent of O. Temple Sloan, III will be required.

2. The recreational restriction shall remain in full force and effect on the remaining property as previously established.

3. The County shall execute and record a modification to the above-mentioned Declaration for the property shown in Lot 1 designated for a public library.


IN WITNESS WHEREOF, this parties do hereby agree to this Memorandum of Agreement.

O. TEMPLE SLOAN, JR



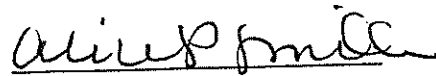
O. Temple Sloan, Jr.
Date: 2.20.2024

LEE COUNTY




Kirk D. Smith, Chairman
Lee County Board of Commissioners
Date: 3-4-2024

WITNESS:



ATTEST:



Hailey Hall, Clerk to the Board





**PROCLAMATION RECOGNIZING THE ACHIEVEMENTS OF
THE SOUTHERN LEE HIGH SCHOOL MEN'S BOWLING TEAM**

WHEREAS, the Southern Lee High School Men's Bowling Team, the Cavaliers, exhibited hard work, dedication, and exceptional talent in the North Carolina High School Athletic Association (NCHSAA) bowling tournament; and,

WHEREAS, the Cavaliers won the 2024 State Championship on February 11th after winning against teams from Scotland County Schools and Pinecrest High School in the State Finals; and,

WHEREAS, the team format is a rotation of five players per team roll two frames each, with Mark Lovick as the leadoff bowler for the Cavaliers, followed by Tucker Maria, Landon Lovick, Blane Downing, and Mar'kel Brown, under the leadership of Head Coach Vicki Wilkins and Assistant Coaches Peggy Gunter and Wayne Gamble; and,

WHEREAS, the Cavaliers drew Scotland in the semifinals and defeated the Scots 216-183 in the first set of the best two out of three rounds after a four-bagger hot streak – four consecutive strikes – in frames two through five before going into the second and final round, with the Cavaliers winning 187-167 and securing a spot in the State Finals; and,

WHEREAS, after struggling in the first game against Pinecrest and losing 205-162, the Cavaliers rallied and won the second game 204-203, forcing a third game; and,

WHEREAS, the Cavaliers fought for each frame, with eight strikes and numerous spares, resulting in another win against Pinecrest with a final score of 223-202 and the State Championship title; and,

WHEREAS, bowlers from both the men's and women's teams also saw success individually, with the men's top bowler, Mar'kel Brown, winning the individual men's championship title and Tucker Maria taking third place with a 187, and Peyton Johnson of the women's team finishing 19th in the State; and,


WHEREAS, without the efforts of former Southern Lee Athletic Director Ernie Purnsley, the bowling program would not be what it is today, as he was instrumental in starting the program up in 2021-22 and coached the first two years; and

WHEREAS, the Cavaliers represented Lee County admirably in the NCHSAA Men's State Bowling Tournament to close out the 2024 bowling season; and,

NOW, THEREFORE, the Lee County Board of Commissioners hereby proclaim Tuesday, March 5th, 2024 as *Southern Lee High School Men's Bowling Team Day* in Lee County, North Carolina and call upon residents to observe this day recognizing and celebrating the Team and their contributions to and successes shared with the Lee County community.

Presented this 4th day of March, 2024.

ATTEST:


Hailey Hall, Clerk to the Board




Kirk D. Smith, Chair
Lee County Board of Commissioners

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE LEE COUNTY, NORTH CAROLINA**

WHEREAS, a request to amend the Official Zoning Map has been received from Michael L. Cranford to rezone 3.38 +/- acres comprised of two (2) tracts of land addressed as 2909 Jefferson Davis Hwy, further identified as 9630-27-6451-00 and 9630-27-4548-00, from Highway Commercial (HC) zoning district to Light Industrial (LI) zoning district; and,

WHEREAS, said request has been presented to the Planning Board of Lee County; and

WHEREAS, the Lee County Board of Commissioners conducted a public hearing on February 19, 2024 to receive citizen input on the requested zoning map amendment; and

WHEREAS, the Lee County Board of Commissioners approves the request to amend the Official Zoning Map of Lee County;

NOW, THEREFORE, BE IT ORDAINED BY THE LEE COUNTY BOARD OF COMMISSIONERS:

The Official Zoning Map is hereby amended to rezone 3.38 +/- acres of two (2) tracts of land addressed as 2909 Jefferson Davis Hwy further identified as 9630-27-6451-00 and 9630-27-4548-00, from Highway Commercial (HC) zoning district to Light Industrial (LI) zoning district. See Exhibit A included for reference.

In making this decision, the Lee County Board of Commissioners hereby determined that the request was not consistent with the Plan SanLee long range plan designation of Countryside because light industrial zoning was typically not found on agricultural and undeveloped lands.

ADOPTED this the 4th day of March 2024




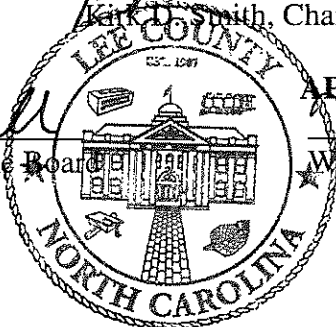
Kirk D. Smith, Chairman, Lee County Board of Commissioners

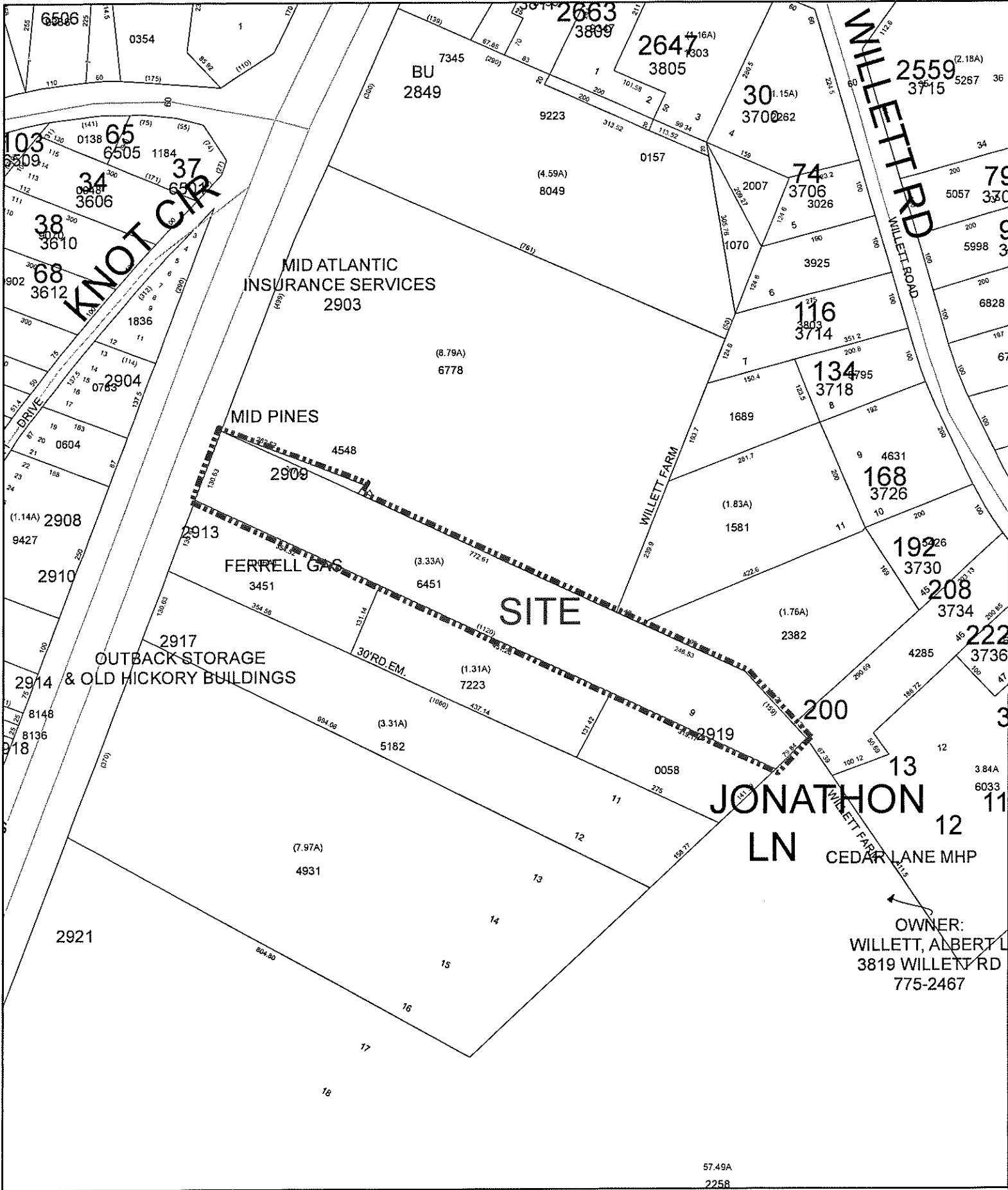
ATTEST:


Hailey Hall, Clerk to the Board

APPROVED AS TO FORM:


Whitney Parrish, Lee County Attorney





OWNER:
 WILLETT, ALBERT L
 3819 WILLETT RD
 775-2467

REZONING APPLICATION

Rezone from Highway Commercial to Light Industrial

This is a graphic illustration and not a legal document.
 All information is comprised of layers of data that may or may not align correctly.



**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF LEE COUNTY, NORTH CAROLINA**

BE IT ORDAINED by the Board of Commissioners of Lee County, North Carolina that the Unified Development Ordinance be, and it hereby is, amended as follows:

Section 1. That Article 6 Subdivision Regulations be amendment to extend the period of major subdivision preliminary plat approval from two (2) to three (3) years.

6.1.3 AUTHORITY AND JURISDICTION

6.1.3.1 (Unincorporated Lee County and the Town of Broadway) The Governing Body is vested with the authority to review, approve, conditionally approve, and disapprove applications for preliminary plats in accordance with NCGS § 160D-803(c).

6.3.3 PRELIMINARY PLAT

6.3.3.1 PURPOSE (Unincorporated Lee County and the Town of Broadway)

The preliminary plat application involves an examination of the proposal in much greater detail than at the sketch plat stage, since this stage determines whether the project will be approved, and if so, the conditions that will be required. Preliminary plat approval is the key discretionary decision-making point in the approval process. The applicant is required to submit, as applicable, detailed information as to all aspects of the development, including street layout, preservation of natural site features, and recreational and parking facilities, in order to assure that the decision-makers and all parties interested in the project have the opportunity to review all significant facets of the project.

6.3.3.2 APPLICABILITY (Unincorporated Lee County and the Town of Broadway)

Approval of a Preliminary Plat is required for any tract where the eventual platting of the property involves a major subdivision. No final plat shall be approved until a Preliminary Plat for the property has been approved.

6.3.3.3 INTIATION (Unincorporated Lee County and the Town of Broadway)

After the Department of Community Development has approved a sketch plat for a major subdivision, then the subdivider may file an application for approval of a preliminary plat. The application shall be filed with the Department of Community Development.

6.3.3.4 DECISION (Unincorporated Lee County and the Town of Broadway)

After the application for preliminary plat approval is certified as complete, the Department of Community Development shall place the plat on the agenda of the next regular-scheduled meeting of the appropriate local Planning Board.

The Department of Community Development shall refer copies of the plat and any accompanying materials to those public officials and agencies Concerned with new development, including, but not limited to, the building inspector, the appropriate jurisdiction's Fire Marshal, the appropriate jurisdiction's Public Works Department, Lee County Environmental Health Department, Lee County School Borad, the district engineer of the North Carolina Department of Transportation, the appropriate county soil conservation service office, and any consulting engineer retained by the jurisdiction, for review and recommendation. Such agencies may review can comment as to whether the application satisfies the requirements of this Ordinance or any requirements of state and federal law applicable to subdivision plats. A preliminary plat shall not be placed on the local Planning Board agenda until it has been deemed complete by the Department of Community Development.

The Planning Board shall recommend to approve, disapprove, or conditionally approve the application for a preliminary plat subject to the following:

- Approval shall be noted on a least two copies of the preliminary plat. One (1) copy shall be retained by the Department of Community Development, and one (1) copy shall be given to the subdivider.
- If the preliminary plat is recommended for disapproval, the minutes shall specify reasons for such action in writing. One (1) copy of such reasons shall be retained by the Department of community Development, and one (1) copy of such reasons shall be given to the applicant. If the preliminary plat is disapproved, the subdivider may make the recommended changes as submit a revised preliminary plat.
- If the preliminary plat is conditionally approved, the minutes shall specify the reasons for such action in writing. One (1) copy of such reasons shall be retained by the Department of Community Development, and one (1) copy of such reasons shall be given to the applicant. If the preliminary plat is conditionally approved, the subdivider may make the recommended changes and submit a revised preliminary plat to the Zoning Administrator or his/her designee for review.
- A timely recommendation of the Planning Board to approve, disapprove, or conditionally approve the application for a preliminary plat shall be referred to the appropriate Governing Body for review and final approval.

For preliminary plats that require a Subdivision Exception pursuant to Section 6.3.6 of this Ordinance, the Planning Board shall consider this matter with their recommendation. Final review and approval of a preliminary plat with a subdivision exception, however, shall be determined by the Governing Body.

6.3.3.5 SCOPE OF APPROVAL (Unincorporated Lee County and the Town of Broadway)

6.3.3.5.1 Approval of the preliminary plat by the Governing Body shall allow a subdivider to proceed with the preparation of the final plat.

6.3.3.5.2 Approval of the preliminary plat by the Governing Body without approved construction plans shall not constitute the necessary approval for submittal of the final plat.

6.3.3.5.3 Should the plat be approved subject to conditions or labeling corrections, the plat shall be revised and resubmitted to the Department of Community Development with all corrections within 60 days of the Governing Body's approval. Failure to return a corrected plat within this time period shall constitute a violation. Additionally, no final plat may be approved until a corrected copy of the preliminary plat has been filed with the Department of Community Development.

6.3.3.5.4 The preliminary plat shall serve as a guide in the preparation of the final subdivision plat, which must be submitted for final approval and recordation upon fulfillment of the requirements of this Article.

6.3.3.5.5 The preliminary plat shall be valid for three (3) years after its final approval. A preliminary plat shall become void if a final plat is not approved within this time period. Final Approval of a phase or portion of a preliminary plat shall re-establish the effective date for measuring the time period of a preliminary plat approval.

6.3.3.6 REVISING APPROVED PRELIMINARY PLAT (Unincorporated Lee County and the Town of Broadway)

6.3.3.6.1 Minor Amendments. The Department of Community Development shall have the authority to approve the following deviations from an approved preliminary plat:

- A change in the location of not more than ten percent (10%) of the number of lots;
- A change in the location of any part of open space acreage by not more than ten percent (10%) of the gross acreage of the proposed subdivision; or
- A change in the location of any part of proposed street alignment and lot configuration of more than ten percent (10%) of the gross acreage so long as the number of external access points is not decreased and the minimum street connectivity ratio as set forth in Article 10 is maintained.
- Changes to within parcel boundaries which do not affect external property lines.

6.3.3.6.2 Major Amendments. All other changes to an approved Preliminary Plat that do not meet the standards of this Section shall require the filing and approval of a new Preliminary Plat.

6.3.3.7 PHASING OF PRELIMINARY PLAT (Unincorporated Lee County and the Town of Broadway)

6.3.3.7.1 A preliminary plat may be approved with multiple phases where it is the intent of the landowners to proceed to final plats covering only a portion of the tract at any one time.

6.3.3.7.2 For each approved phase, the developer shall have up to three (3) years to submit the final plat for that respective phase.

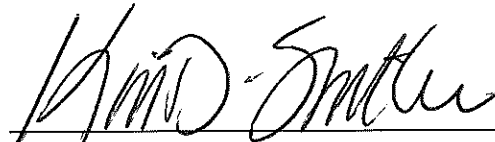
6.3.3.7.3 The applicant may submit for an extension of the approved phase beyond the three (3) year limit. All subsequent extensions will be for two (2) years. Application shall be submitted to the Department of Community Development. Failure to record a plat for any phase within the

aforementioned three-year period shall result in the expiration of the preliminary plat's approval. Expired preliminary plats shall not be subject to an extension of their approval, but the applicant must instead submit a new application for a preliminary plat and begin a new preliminary plat review and approval process.

6.3.3.7.4 Any plat that was approved within the years of January 1, 2021 – December 31, 2023, will receive an automatic extension not to exceed three (3) years.

Section 3. This ordinance shall be in full force and effect from and after the date of its adoption.

ADOPTED this the 4th day of March 2024.



Kirk D. Smith, Chairman
Lee County Board of Commissioners

ATTEST:



Hailey Hall, Clerk to the Board



APPROVED AS TO FORM:



Whitney Parrish, Lee County Attorney

NORTH CAROLINA, LEE COUNTY
Presented for registration on this 15th day
of April 20, 24 at 8:35 AM, PM
recorded in Book 37 Page 117
Pamela G. Britt, Register of Deeds