

Approved: 12/5/2011

Minutes of  
Union County Board of Commissioners  
February 7, 2011

The Union County Board of Commissioners met in a regular meeting on Monday, February 7, 2011, at 7:00 p.m. in the Board Room, first floor, Union County Government Center, 500 N. Main Street, Monroe, NC. The following were

**PRESENT:** Chairman Jerry Simpson, Vice Chairman Todd Johnson, Commissioner Tracy Kuehler, Commissioner Kim Rogers and Commissioner Jonathan Thomas

**ABSENT:** None

**ALSO PRESENT:** Cynthia A. Coto, County Manager; Wes Baker, Interim Assistant Manager; Lynn G. West, Clerk to the Board of Commissioners; Jeff Crook, Senior Staff Attorney; members of the press, and interested citizens

**OPENING OF MEETING:**

The Chairman convened the meeting. He apologized for the delay in opening the meeting promptly at 7:00 p.m. but explained the delay was caused by the Closed Session running a little longer than had been anticipated.

***Invocation:*** Chairman Simpson recognized the Rev. Jack Hildreth, Pastor of Emmanuel Baptist Church, to present the invocation.

***Pledge of Allegiance:*** Chairman Simpson led the Commissioners and the audience in reciting the Pledge of Allegiance to the American flag.

***Recognition of Chad Anthony Gombar for attaining the rank of Eagle Scout:*** The Chairman recognized Chad Anthony Gombar for attaining the rank of Eagle Scout in the Boy Scouts of America. He said that having worked as Scoutmaster for seven years and continues to be an assistant and having had three sons attain the Eagle Scout rank, he knew the work that is required to reach that degree. He reminded that this is not the end of Eagle Scout Gombar's career but is the beginning of being a leader to other scouts to bring them up to soar with him.

**INFORMAL COMMENTS:**

The Chair explained the rules to be followed during this segment of the meeting. He then recognized Walker Davidson, a resident of Weddington. Mr. Davidson spoke in support of the 2012 county revaluation process. He reminded that one of the

primary goals of the tax system is to make sure that each property owner pays his or her fair share for the services provided by the county. He said that the County cannot have a fair tax system without having an accurate property evaluation but questioned what is considered accurate. He explained the industry standard used to measure the accuracy of the county tax values to market values is called co-efficient of dispersion. He said he realized that term makes the process seem confusing. Mr. Davidson explained that simply put he takes it to mean that if the co-efficient of dispersion is at 20 percent then the tax values are 80 percent accurate. He said that in 2007, the County Commissioners voted to move up the revaluation to 2008 because the Commissioners thought the tax system was not fair enough because the values were only 85 percent accurate.

Mr. Davidson said that when a student in the Union County Public School System scores 85 percent in a course, the grade assigned to the student is a B. He said today the property evaluation numbers are roughly 82 percent accurate and the Union County Public School system scores 82 percent as a C.

He asked if a C is good enough for the Board of Commissioners and if that is the quality of work that each came to the County Board to perform. He questioned why the issue of who would be required to pay more taxes should even be an item for discussion as it was several weeks ago during a meeting of this Board. He said he believed that with another evaluation the system would be more equitable for everyone.

Mr. Davidson said that he had asked the Town of Weddington to submit a resolution to the County in support of the 2012 revaluation on the basis that it will improve the level of fairness in our County's tax system for all taxpayers.

He thanked the Board for the opportunity to speak.

**ADDITONS, DELETIONS AND/OR ADOPTION OF AGENDA:**

Commissioner Kuehler moved that Item 4p – Resolution for Wesley Chapel Volunteer Fire Department - be removed from the consent agenda and added to the regular agenda for consideration.

Commissioner Thomas requested to move 4q – Rules of Procedure - Commissioner's Ability to Add Item to Agenda to the regular agenda for consideration.

The Chairman stated that Item 4p – Resolution for Wesley Chapel VFD – will be added to Old Business as Item 1 and Item 4q- Rules of Procedure – will be added as 5a.

Vice Chairman Johnson asked that Item 9a on the Regular Agenda – Appointments to Boards and Committees – Library Board of Trustees - be moved closer to the front of the agenda since there is a staff member present. The Chair moved Item 9a to Item 2 under Old Business.

The Vice Chair moved to add a new item to the agenda which would be discussion of health benefits that the Commissioners receive.

The Chair asked for confirmation that there is a motion to add the health benefit item to the agenda tonight. The Vice Chair agreed that it was. The Chair called for a vote on the motion. The motion passed by a vote of three to two. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted for the motion and Commissioners Kuehler and Rogers voted against the motion.

The Chair stated that the discussion of health benefits for Commissioners would be added as Item 5b.

The Chairman moved to approve the agenda as amended. The motion passed by a vote of three to two. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the motion, and Commissioners Kuehler and Rogers voted against the motion.

**CONSENT AGENDA:**

Commissioner Simpson moved to approve the items on the Consent Agenda as amended. The motion passed unanimously.

***Agreements and Purchase Orders Over \$20,000 and Associated Budget Amendments:***

**Sheriff's Office – School Security Contract** – Authorized County Manager to approve an Interlocal Agreement between Union County Public Schools and Union County Sheriff's Office for security officers, pending legal review

**Library:** Authorized County Manager to approve Purchase Order for renewal of Library Automation Software Maintenance in the amount of \$29,341

**Central Administration:** Authorized the County Manager to approve an Amendment to Copy Service Agreement with Sharp Business System to extend agreement by two months, pending legal review

**Finance:** Authorized the County Manager to approve a Contract with TRS Sales Tax Reallocation Project, pending legal review

**Transportation/DSS:** Authorized the County Manager to approve an Amendment to Home and Community Block Grant Agreement and adopted associated budget amendment #27 to increase Transportation /DSS Operating Expense by \$11,375 and Federal Revenue in the same amount as received for HCCBG fund for FY2011

**BUDGET AMENDMENT**

BUDGET                      Transportation/DSS                      REQUESTED BY                      Gayla Woody

FISCAL YEAR                      FY2011                      DATE                      February 07, 2011

**INCREASE**

**DECREASE**

Description

Description

Operating Expenses                      11,375                      \_\_\_\_\_                      \_\_\_\_\_

Federal Revenue                      11,375                      \_\_\_\_\_                      \_\_\_\_\_

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Explanation:                      Appropriate additional federal revenue for Centralina Council of Governments - HCCBG funding for FY 2011.  
\_\_\_\_\_  
\_\_\_\_\_

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_

Bd of Comm/County Manager  
Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

**DEBIT**

**CREDIT**

| <u>Code</u>        | <u>Account</u>        | <u>Amount</u> | <u>Code</u>        | <u>Account</u>          |       |
|--------------------|-----------------------|---------------|--------------------|-------------------------|-------|
| 10558100-5126-1680 | Part Time Wages       | 5,688         | 10458100-4396-1680 | Federal Revenue - HCCBG | 5,688 |
| 10553160-5381-1501 | Professional Services | 5,687         | 10453160-4339-1501 | Federal Revenue - HCCBG | 5,687 |
| _____              | _____                 | _____         | _____              | _____                   | _____ |
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|-------------|--------|--------|--------|
| Total       | 11,375 |        |        |
| Prepared By | bl     | Total  | 11,375 |
| Posted By   |        |        |        |
| Date        |        | Number | 27     |

**Public Works:** Authorized County Manager to approve utility rate study contract with Red Oak Consulting pending legal review.

**FY2011 Audit Contract:** Approved the Contract to Audit Accounts between Potter & Company, P.A., and the Board of Commissioners of Union County for the period beginning July 1, 2010 and ending June 30, 2011, in the amount of \$82,700 per the terms of the agreement and authorized Chairman of the Board of County Commissioners to execute same.

**Budget Amendment #22- Crisis Intervention:** Adopted Budget Amendment #22 to increase DSS Operating Expenses in the amount of \$119,533 and Federal Revenue by the same amount to appropriate additional federal funds (authorization #5) for the DSS, Crisis Intervention LIHEAP (Low Income Home Energy Assistance Program).

**BUDGET AMENDMENT**

|             |        |              |                   |
|-------------|--------|--------------|-------------------|
| BUDGET      | DSS    | REQUESTED BY | Dontae Latson     |
| FISCAL YEAR | FY2011 | DATE         | February 07, 2011 |

| <b><u>INCREASE</u></b> |         | <b><u>DECREASE</u></b> |  |
|------------------------|---------|------------------------|--|
| <u>Description</u>     |         | <u>Description</u>     |  |
| Operating Expenses     | 119,533 |                        |  |
| Federal Revenue        | 119,533 |                        |  |

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Explanation: Appropriate additional federal funds (authorization #5) for the DSS, Crisis Intervention LIHEAP  
(low income home energy assistance program)

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_  
 Bd of Comm/County Manager  
 Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

**DEBIT**

**CREDIT**

| <u>Code</u>        | <u>Account</u>    | <u>Amount</u> | <u>Code</u>        | <u>Account</u>  |         |
|--------------------|-------------------|---------------|--------------------|-----------------|---------|
| 10553160-5399-1509 | Public Assistance | 119,533       | 10453160-4340-1509 | Federal Funding | 119,533 |
|                    |                   |               |                    |                 |         |
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Total 119,533

Total 119,533

Prepared By JLL

Posted By \_\_\_\_\_

Date \_\_\_\_\_

Number 22

**2011 Emergency Management Performance Grant:** Authorized the County Manager, Finance Director, and the Emergency Management Coordinator to execute the 2011 Emergency Management Performance Grant Agreement.

**Budget Amendment #20 in the amount of \$47,500 for Balance of Fire Study Contract:** Adopted Budget Amendment #20 to appropriate \$47,500 to Operating Expense in the Fire Marshal’s Budget from fund balance outstanding Fire Study Project from FY2010 to FY2011.

**BUDGET AMENDMENT**



BUDGET Fire Marshal's Office

REQUESTED BY Neal Speer, David Cannon

FISCAL YEAR FY2011

DATE February 07, 2011

**INCREASE**

**DECREASE**

Description

Description

Operating Expense 47,500

Fund Balance Appropriated 47,500

Explanation: To appropriate fund balance for outstanding Fire Study project from FY2010 to FY2011.

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_

Bd of Comm/County Manager  
Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

**DEBIT**

**CREDIT**

Code Account Amount

Code Account

10543400-5381 Professional Services 47,500

10499100-4991 Fd Balance Appropriated 47,500

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|-------------|-------------------|--------|---------------|
| Total       | <u>47,500</u>     | Total  | <u>47,500</u> |
| Prepared By | <u>dhc</u>        |        |               |
| Posted By   | <u>          </u> | Number | <u>20</u>     |
| Date        | <u>          </u> |        |               |

2011 Jail Medical Plan: Adopted the Union County Jail Medical Plan for 2011.

Tax Administrator:

- A. Approved Eighth Motor Vehicle Billing in the total amount of \$1,022,559.20
- B. Approved Departmental Monthly Report for Month of December 2010.

Budget Amendments – Health Department:

- A. Adopted Budget Amendment #23 to appropriate \$1,000 to Health – Operating Expense from revenue received from the American Diabetes Association to be used for self management education.

**BUDGET AMENDMENT**

|             |               |              |                          |
|-------------|---------------|--------------|--------------------------|
| BUDGET      | <u>Health</u> | REQUESTED BY | <u>Phillip Tarte</u>     |
| FISCAL YEAR | <u>FY2011</u> | DATE         | <u>February 07, 2011</u> |

**INCREASE**

**DECREASE**

Description

Description

|                          |       |  |  |
|--------------------------|-------|--|--|
| Operating Expenses       | 1,000 |  |  |
| Misc Revenue - Donations | 1,000 |  |  |
|                          |       |  |  |
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Explanation: Appropriate revenue from the American Diabetes Association. These funds will be used for self management education. No county funding required.

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_  
 Bd of Comm/County Manager  
 Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

**DEBIT**

**CREDIT**

| <u>Code</u>        | <u>Account</u>         | <u>Amount</u> | <u>Code</u>        | <u>Account</u> |       |
|--------------------|------------------------|---------------|--------------------|----------------|-------|
| 10551152-5395-1364 | Education Expenditures | 1,000         | 10451152-4840-1364 |                | 1,000 |
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| Total       | <u>1,000</u> | Total  | <u>1,000</u> |
| Prepared By | <u>bl</u>    | Number | <u>23</u>    |
| Posted By   | <u></u>      |        |              |
| Date        | <u></u>      |        |              |

B. Adopted Budget Amendment #24 to appropriate \$2,383 to Health – Operating Expense from additional federal revenue for the WIC Breast Feeding program.

**BUDGET AMENDMENT**

|             |               |              |                          |
|-------------|---------------|--------------|--------------------------|
| BUDGET      | <u>Health</u> | REQUESTED BY | <u>Phillip Tarte</u>     |
| FISCAL YEAR | <u>FY2011</u> | DATE         | <u>February 07, 2011</u> |

**INCREASE**

**DECREASE**

Description

Description

|                    |              |  |  |
|--------------------|--------------|--|--|
| Operating Expenses | <u>2,383</u> |  |  |
| Federal Revenue    | <u>2,383</u> |  |  |

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Explanation: Appropriate additional federal revenue for the WIC Breast Feeding program. No county funding required.

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_  
 Bd of Comm/County Manager  
 Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

| <u>DEBIT</u>               |                                     |               | <u>CREDIT</u>              |                                    |              |
|----------------------------|-------------------------------------|---------------|----------------------------|------------------------------------|--------------|
| <u>Code</u>                | <u>Account</u>                      | <u>Amount</u> | <u>Code</u>                | <u>Account</u>                     |              |
| <u>10551152-5260-13603</u> | <u>Office and Printing Supplies</u> | <u>350</u>    | <u>10451152-4316-13603</u> | <u>Federal - WIC Breastfeeding</u> | <u>2,383</u> |
| <u>10551152-5311-13603</u> | <u>Travel</u>                       | <u>159</u>    | _____                      | _____                              | _____        |
| <u>10551152-5312-13603</u> | <u>Travel Subsistence</u>           | <u>504</u>    | _____                      | _____                              | _____        |
| <u>10551152-5395-13603</u> | <u>Education</u>                    | <u>710</u>    | _____                      | _____                              | _____        |
| <u>10551152-5397-13603</u> | <u>Incentives</u>                   | <u>660</u>    | _____                      | _____                              | _____        |

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| Total       | <u>2,383</u>      | Total  | <u>2,383</u> |
| Prepared By | <u>bl</u>         | Number | <u>24</u>    |
| Posted By   | <u>          </u> |        |              |
| Date        | <u>          </u> |        |              |

C. Adopted Budget Amendment #25 to appropriate \$16,000 to Health – Operating Expense from additional federal revenue received for the H1N1 Bioterrorism Program.

**BUDGET AMENDMENT**

|             |               |              |                          |
|-------------|---------------|--------------|--------------------------|
| BUDGET      | <u>Health</u> | REQUESTED BY | <u>Phillip Tarte</u>     |
| FISCAL YEAR | <u>FY2011</u> | DATE         | <u>February 07, 2011</u> |

**INCREASE**

Description

Operating Expenses                      16,000

Federal Revenue                      16,000

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**DECREASE**

Description

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Explanation:                      Appropriate additional federal revenue for the H1N1-Bioterrorism program. No additional county funding required.

\_\_\_\_\_

\_\_\_\_\_

DATE                      \_\_\_\_\_

APPROVED BY                      \_\_\_\_\_

Bd of Comm/County Manager  
Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

**DEBIT**

Code

Account

Amount

**CREDIT**

Code

Account

10551150-5381-1337                      Professional Services

10451150-4313-1337                      Federal Revenue - Bioterrorism



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|  |  | 16,000 |  |  | 16,000 |
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Total 16,000

Total 16,000

Prepared By bl  
 Posted By \_\_\_\_\_  
 Date \_\_\_\_\_

Number 25

D. Adopted Budget Amendment #26 to appropriate \$64,000 to Health – Operating Expense from additional federal revenue for the H1N1 Bioterrorism program.

**BUDGET AMENDMENT**

BUDGET Health REQUESTED BY Phillip Tarte  
 FISCAL YEAR FY2011 DATE February 07, 2011

**INCREASE**

**DECREASE**

Description

Description

|                    |        |  |  |
|--------------------|--------|--|--|
| Operating Expenses | 64,000 |  |  |
| Federal Revenue    | 64,000 |  |  |
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Explanation: Appropriate additional federal revenue for the H1N1-Bioterrorism program. No additional county funding required.

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_

Bd of Comm/County Manager  
Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

| <u>DEBIT</u>       |                  |               | <u>CREDIT</u>      |                                |               |
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| <u>Code</u>        | <u>Account</u>   | <u>Amount</u> | <u>Code</u>        | <u>Account</u>                 |               |
| 10551150-5290-1337 | Tools & Supplies | 58,000        | 10451150-4313-1337 | Federal Revenue - Bioterrorism | 64,000        |
| 10551150-5383-1337 | Medical Services | 6,000         |                    |                                |               |
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|                    | Total            | <u>64,000</u> |                    | Total                          | <u>64,000</u> |

Prepared By \_\_\_\_\_ **bl** \_\_\_\_\_  
Posted By \_\_\_\_\_  
Date \_\_\_\_\_

Number \_\_\_\_\_ **26** \_\_\_\_\_

**Amendment to Resolution to Create Parks and Recreation Advisory Committee:** Approved amendment to the Resolution to Create Parks and Recreation Advisory Committee to (1) reduce the number of “at large” committee members from nine to five and (2) establish that the election of officers will be made in February of each year.

**Prospect Athletic and Recreation Association FY2010 Grant Request:** Approved deletion of the Infield Lighting Project Element from the approved projects for Prospect Athletic and Recreation Association FY2010 Union County Athletic Council Grant Application as requested by Prospect Athletic and Recreation Association.

**Library Services and Technology (LSTA) 2012 Grant Application:** Approved submission of the LSTA 2012 Grant Application

**Employee Benefits Consulting Services:** (1) Waived the Request for Proposal (RFP) provision of the Union County Purchasing Policy Section VII (B) required for the purchase of services; and (2) authorized the County Manager to approve a renewal of the expiring three-year employee benefit consulting service agreement with Aon consulting, pending legal review.

**Library:** Adopted Budget Ordinance #18 to increase Library – Operating by \$10,704 to appropriate State Grant received.

**BUDGET AMENDMENT**

BUDGET \_\_\_\_\_ **Library** \_\_\_\_\_ REQUESTED BY \_\_\_\_\_ **Martie Smith** \_\_\_\_\_

FISCAL YEAR \_\_\_\_\_ **FY2011** \_\_\_\_\_ DATE \_\_\_\_\_ **February 07, 2011** \_\_\_\_\_

**INCREASE**

Description

**DECREASE**

Description

|                   |        |  |  |
|-------------------|--------|--|--|
| Operating Expense | 10,704 |  |  |
| State Grant       | 10,704 |  |  |
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Explanation: Adjust appropriation for funds received from the State.

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DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_  
 Bd of Comm/County Manager  
 Lynn West/Clerk to the Board

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**DEBIT**

**CREDIT**

| <u>Code</u>        | <u>Account</u>      | <u>Amount</u> | <u>Code</u>        | <u>Account</u> |        |
|--------------------|---------------------|---------------|--------------------|----------------|--------|
| 10561100-5321-1800 | Telephone & Commun. | 10,704        | 10461100-4468-1800 | State Grant    | 10,704 |
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| Total       | <u>10,704</u>               | Total  | <u>10,704</u> |
| Prepared By | <u>awl</u>                  |        |               |
| Posted By   | <u>                    </u> |        |               |
| Date        | <u>                    </u> | Number | <u>18</u>     |

**Library:** Authorized the County Manager to submit the Smart Start Family Literacy Grant Pre-Application for FY2012

**Resolution Approving the Incurrence by Wesley Chapel VFD:** Moved to Regular Agenda at the Request of Commissioner Kuehler

**Rules of Procedure – Commissioner’s Ability to Add Item to Agenda:** Moved to Regular Agenda at the Request of Commissioner Thomas

**Rules of Procedure -** Informal Public Comments: Approved Revision to Rule 10. Informal Public Comment as recorded below:

**Rule 10. Informal Public Comments.** In compliance with G.S. 153A-52.1, the board establishes the following policy for informal public comment at all regular meetings of the board. The clerk shall provide a sign-up sheet at the entry to the meeting room not later than thirty minutes prior to each meeting for persons who desire to address the board. The chair will recognize speakers in the order in which their names appear on the sign-up sheet. The purpose of the time for informal public comments is to allow for public input to the board on issues germane to Union County. It is not intended to compel board members or staff to answer questions in an impromptu manner without adequate opportunity for preparation or consideration. Action on issues raised during the comment period, if any, will be at the sole discretion of the board.

Each speaker must address the board from the lectern and begin their remarks by giving their name, ~~address,~~ stating whether they are residents of Union County, indicating the municipality within which they reside, if any, and stating the topic about which they intend to speak. Each speaker will have three (3) minutes to make remarks. A speaker may not yield any of his or her time to another speaker. Speakers may not discuss matters which are the subject of public hearings, and they must be courteous in their language and presentation. Personal attacks will not be tolerated. Speakers may leave written comments and/or supporting documents, if any, with the clerk to the board.

If at the beginning of the public comment period, the chair determines that the time required to hear all speakers on the sign-up sheet would unduly disrupt the conduct of County business or cause undue inconvenience to citizens in attendance for other items on the agenda, the chair may require the designation of spokesman, or the selection of delegates, for groups of persons supporting or opposing the same positions. The chair may also move the period for public comment to sometime later in the meeting.

**Minutes:** Approved the minutes of January 4, 2011

**OLD BUSINESS:**

**RESOLUTION APPROVING THE INCURRENCE BY WESLEY CHAPEL VOLUNTEER FIRE DEPARTMENT, INC., OF UP TO FOUR MILLION DOLLARS (\$4,000,000) INDEBTEDNESS TO FINANCE A NEW FIRE STATION:**

The Chair announced that the first item is Item 5p moved from the Consent Agenda. He stated this is the Resolution Approving the Incurrence by Wesley Chapel Volunteer Fire Department of up to Four Million Dollars (\$4,000,000) Indebtedness to finance a new volunteer fire department building. He recognized Commissioner Kuehler who had asked this item be transferred to the Regular Agenda.

Commissioner Kuehler stated that she had pulled this item from the Consent Agenda because she had been talking about this for a while and she had not heard anything that has changed her mind. She explained she did not want to be on record in the consent action as approving this resolution. She said for the last several meetings she had heard speeches from the Board about duplication of services and being fiscally conservative and principle over preference and she did not disagree with those philosophies. She said that in addition the Board spent two days discussing a \$14,000,000 budget shortfall and the Commissioners have been brainstorming ways to cut spending to increase efficiencies, to consolidate services, and to do more with less money. She stressed that there is a difference between want and need and there is even a difference between what is deserved and what is feasible. Commissioner Kuehler agreed with the philosophy that one of government's most important roles is to provide safety for its citizens, and said she had not heard anyone question the need for a replacement fire station. She said it is not about safety, firefighting equipment, increased coverage, more paid fire fighters in the district: things that directly affect public safety, but it is about a price tag for a building that is double the cost of many other stations in the entire county. She said she had not seen a study or space planning guidelines showing that the scale or expense of this large a facility is needed. Commissioner Kuehler noted that in fact that the County has a fire study that states the opposite and the trend is going toward better strategically placed smaller locations to better serve because of traffic and density and such issues. Commissioner Kuehler stated that the station is being proposed and to vote in favor of an endorsement of that station is basically to endorse an expenditure that includes duplication of services. She also noted that the proposed station is larger and more expensive than the recent fire study identified. She also noted that it increases the monthly operational costs and expenses of the station. She stressed that when, not if, there is a need for a new truck, new equipment, better technology, or paid staff, or increased service coverage, the things that actually do provide better service to the citizens and firefighters and enhance the ability to put out fires and save lives, there will most likely be a tax increase to cover those expenses.

Commissioner Kuehler noted that the County currently subsidizes fire service to the tune of one-half million dollars which is in addition to the taxes and fees that the citizens already pay. She said there is a station in this district, the second largest station in this county, and others in the immediate area that could provide office space, etc. She said she thought the fiscally responsible thing to do is to build a reasonable and quality station for the \$2 million plus or minus that was given within the fire study and is comparable to several new stations that have been built within the last several years and could provide either a tax reduction to the people in the district or an investment in life-saving equipment or paying emergency personnel for increased citizens' safety. She said she had not heard anybody question the need; however, a station of this size, cost and duplication of services is a preference that in this economic climate and after talking about the jail and officer safety due to the need for additional inmate facilities, and also the ongoing challenge of providing quality education, she did not believe a facility of this size at this time is feasibly responsible and she will not be supporting it.



Hearing no additional comments, Commissioner Simpson moved adoption of the Resolution Approving the Incurrence by Wesley Chapel Volunteer Fire Department, Inc. of up to \$4,000,000 in Indebtedness to Finance a New fire Department Building.

Commissioner Rogers interjected that she had a question. She stated that back when the County was discussing the sewer part of the fire department there was a concern expressed by many citizens within the district that no additional taxes would be incurred to the county residents as a result of this fire station. She said she believed that the Wesley Chapel Fire Department submitted to the County a resolution stating that there would be no tax increases to the people of that district as a result of the new fire station.

Butch Plyler, President of the Wesley Chapel Volunteer Fire Department Board of Directors, introduced himself and said that he did not know of such a resolution and did not know what Commissioner Rogers is referencing. He said he did not think the Board would have ever introduced that resolution. He stressed he did not think the Board of Directors would have taken that action.

Commissioner Rogers said her big concern is a tax increase since the taxes were increased in that district this year. She said she wanted to be sure that this loan did not cause an increase. She asked the term of the loan.

Mr. Plyler responded that the loan is for 15 years. Commissioner Rogers asked if it would be correct to say that you have enough with your 15-year revenue forecast to pay this loan.

Mr. Plyler replied that he would hope that it would be but in reference to Commissioner Kuehler's comment of decreasing taxes that if the Board had given the approval of a 360 gallons of water over a year ago the department would have saved over one percent of its loan. He said since that time interest rates have increased. He said that cost the taxpayers in the district a good deal of money. He reminded that this is a 50-year building and is not something dreamed up but was planned with lots of thoughts for the future and three architectural drawings were submitted before one was selected. He said the money set aside from the truck payment is almost sufficient to make the loan payment. He said had it been approved a year ago, the amount would have been more than enough to have made the payment.

Commissioner Rogers asked in seeking a yes or no answer—does the Board of Directors, based on your current fiscal information over 15 years, and considering the payment reallocation of the truck, would it be safe to say “no, this building will not cause a tax increase.”

Mr. Plyler replied that it would not be safe to say that. He said had the permits been obtained last year when the Wesley Chapel Volunteer Fire Department first made its request, it would have been safe to make that statement. He replied that he could not make the statement that this would be the fact in years to come.

Commissioner Rogers said if it is that close over that 15-year period and if the department needed a truck or other fire fighting apparatus, it would have had a negative impact; thereby, causing an increase to the taxes. She noted there is not a lot of wiggle room between the amount owed and the amount of taxes received. Mr. Plyler agreed with that statement.

Commissioner Rogers asked the Staff Attorney if by approving this resolution is there any liability to the County. She further asked the purpose of the county approving it.

Mr. Crook, Staff Attorney, stated that he could not give a tax opinion but he has had correspondence with the County's bond counsel who states that the Fire Department is able to get tax exempt financing if the County is aware of their loan and approves the loan and the project. He said it is his understanding that this is a provision in the IRS code; and, thereby, results in a lower interest rate for the loan.

Commissioner Rogers next asked if the Wesley Chapel VFD compared the department near the Arboretum as to cost and size.

Mr. Plyler responded that representatives of the Wesley Chapel Board of Directors looked at three or four departments but he was not sure that was one of the buildings studied.

Commissioner Thomas stated there had been some discussion about the size of the department and asked what statistics were used to formulate the size of the building.

Mr. Plyler explained that several board members discussed, even prior to appointing a committee, how much room would be needed, storage, etc. He said the department had gone through this process when designing Station 31 on New Town Road. He said the size determined in this method was approximately 5,000 more square feet than the one being proposed for construction. He said the square footage was reduced. He said that after responding to a call when someone is deceased one wants a fireman to be able to come back to an environment that is familiar such as a home. He stressed the existing building served its purpose but is now unsuitable for the density of the area that it serves. He said that seven members on the committee spent a considerable amount of time working with the architect to design the building. He said this is a fifty-year project and resulted only after three renderings.

Commissioner Rogers asked if Wesley Chapel VFD studied phasing the building.

Mr. Plyler responded that the department did not study that possibility. He said that the Board of Directors thought that at the time it was happening would be the best time for construction. He explained the need and said it would have been hard to have done the construction in phases.

Commissioner Rogers stated there had been discussion that this construction project would not result in a tax increase within the Wesley Chapel Fire District and pointed out that what she is hearing tonight is that scenario is no longer the case because the operational costs is so close to the revenues so this could result in some type of tax increase. She said this is different from previous discussion.

Mr. Plyler stated that the citizens should also know that Wesley Chapel VFD has the lowest tax rate of any department in the county at 2.2 cents per one hundred dollar valuation. He said the citizens are truly getting bargain for their dollars.

The Chairman asked for any additional discussion. With there being none, he asked for a vote on the motion to approve the requested resolution.

**RESOLUTION APPROVING THE INCURRENCE BY WESLEY CHAPEL VOLUNTEER FIRE DEPARTMENT, INC., OF UP TO \$4,000,000 IN INDEBTEDNESS TO FINANCE A NEW FIRE DEPARTMENT BUILDING**

WHEREAS, Union County has been advised that Wesley Chapel Volunteer Fire Department, Inc. (the “Department”)intends to borrow up to \$4,000,000 (the “Loan”) to finance the construction of a new fire department building (the “Project”); and

WHEREAS, the Board of Directors of the Department, on behalf of the Board of Commissioners, pursuant to public notice duly given (the “Notice”), held a public hearing on February 1, 2011, on the proposed Loan and Project and considered the comments of persons who requested to be heard; and

WHEREAS, (i) neither the County nor any agency thereof shall be liable in any event for the repayment of the Loan, (ii) the Loan does not constitute an indebtedness of the County or any agency thereof, and (iii) the Loan does not constitute or create in any manner a debt or liability of the County or any agency thereof; and

WHEREAS, the Board desires to approve the Loan and approve the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Union County, North Carolina, as follows:

- (1) The publication of the Notice and the designation of the meeting held by the Department on February 1, 2011, as a public hearing on the Loan and the Project is hereby ratified and approved.
- (2) The incurrence by the Department of indebtedness of up to \$4,000,000 to finance the Project is hereby approved.

(3) The Project is hereby approved.

(4) This resolution shall take effect immediately upon its passage.

Chairman Jerry Simpson moved the passage of the foregoing resolution, and the resolution was passed by the following vote:

AYES: Chairman Jerry Simpson, Vice Chairman Todd Johnson, Commissioner Kim Rogers, and Commissioner Jonathan Thomas

NAYS: Commissioner Tracy Kuehler

**APPOINTMENTS TO BOARDS AND COMMITTEES:**

a. Library Board of Trustees:

Vice Chairman Johnson explained that he had asked that this item be accelerated and brought to the front of the agenda because the Library Director sat through the entire last meeting. He recommended and moved that Mrs. Carolyn Braswell be reappointed to Library Board of Trustees to represent the Marshville region; that Mrs. Karen Bowman be appointed to represent the Weddington region and that Valerie H. Gromlovits be reappointed to represent the Waxhaw region. He also noted that the Town of Weddington had sent a letter in support of Mrs. Bowman.

The Chairman called for a vote on the motion which passed unanimously.

**LOCAL FOOD BUSINESS INCUBATOR PROPOSAL:**

The Chair recognized Jeff Rieves of Cooperative Extension. Mr. Rieves, Horticulture Agent, stated that this presentation is in response to a request about a year ago from Commissioner Rogers. He apologized for the delay in his response to the Board. He said that North Carolina ranks third in North Carolina among all the counties in farm income which is a \$4.9 billion dollar industry. He said Union County is part of the Metrolina Food Shed because of its proximity to Mecklenburg County. He noted that informal surveys have indicated to Cooperative Extension that about 95 percent of Union County's produce is sold in Mecklenburg County so the question becomes who feeds Union County. He said that there are lots of grocery stores and even the drug stores are selling groceries. He noted there are lots of people who come to the office asking for opportunities in food production. Mr. Rieves said as part of the design he came up with three opportunities to create a food system in Union County.

He summarized these as follows:

- 1.) Develop a 21<sup>st</sup> century Farmers Market
- 2.) Increase home food production
- 3.) Create more community gardens

He said his goal is to try to get a community garden established at every elementary school in Union County.

Mr. Rieves said, for sake of time, he is only going to discuss option one – Develop a 21<sup>st</sup> Century Farmers market. He pointed out that the demand for local foods is higher than in the past in the WIC program and the Food Stamp (SNAP) program. He noted that the 21<sup>st</sup> Century Farmers’ Market Program would provide support for setting up USDA EBT card readers, which will also accommodate debit/credit cards. He said discussions are under way with Union County DSS to promote the purchase of fresh foods for SNAP clients. He said if the county could produce more of its own food, the community would be more self sufficient.

He said he thought the better way to take advantage of the opportunities would be to create a **food business incubator**. Mr. Rieves said he thought a partnership could be developed between Cooperative Extension and South Piedmont Community College. He said they will be in discussions tomorrow with South Piedmont regarding a possible partnership, and he hoped that the municipalities and county governments will be a part of the partnership.

Mr. Rieves explained that a **Business Incubator** is a tool designed to accelerate new business development. He said that according to a statistic from the University of Michigan, 87 percent of incubator graduates stay in business. He briefly reviewed some of the facilities that could be provided along with marketing of the business. Mr. Rieves said that there would be some upgrades needed at the Union County Farmers Market Facility and that he would hope the upgrades would include enclosure of the facility. He also noted that a commercial kitchen would be a great asset and that he was pleased to learn that South Piedmont Community College had a commercial kitchen available in Anson County that SPCC has said could be used by Union County’s residents as well. He also addressed food safety issues including walk-in coolers as well as sanitized sales areas. He also noted that classrooms at the Farmers Market would also be an asset to help teach the growers the good grower rules. Mr. Rieves briefly mentioned a virtual farmers’ market.

He also noted that a full-time manager at the facility would help with management, because there are many agencies that deal with these issues now.

Mr. Rieves reviewed many upgrades that would benefit the Farmers Market and noted that he could not provide a detailed list of cost but reported that figures from the Finance Department reported that the 2009-2010 expenditures would be roughly \$59,000 but he thought that included repairs to the façade. He said that regardless of the outcome tonight that there will be

maintenance involved. He said that all of the facility upgrades would total approximately \$1 million plus. Mr. Rieves estimated the annual salary of the market manager would be approximately \$40,000 plus benefits and the marketing plan would cost about \$10,000 annually.

He said he had already written a grant and the Board of County Commissioners had approved it to RAFI for a \$30,000 upgrade, but reported that no decision has been given on this request. He said he is already working on other grants because there are a lot of grant monies available. He said communications with the Governor's Office has provided some other opportunities. Mr. Rieves also noted there are partnerships out there as well, but a 501(c) status will be essential for the incubator; however, if a partnership is formed with SPCC, the operation could use their 501(c) status. He assured there would be some fees generated. He said the county now subsidizes the fees for the growers, and the growers approached him and said that if seed money is needed, they would be willing to pay fees.

He further stated the fee to use the commercial kitchen in Anson County is about \$20 per hour but the fee is based on a sliding scale that can be reduced to as low as \$12 per hour.

Mr. Rieves said that in the expansion budget being prepared that money is included should the grant from RAFI not be received for purchasing tables. He noted that he believes the County will be required to do something about the tables because of the FDA requirements.

He said that the Waxhaw market had about \$10,000 of volunteer service returned to the County and stated he could foresee the same thing happening at the Union County market.

Mr. Rieves reminded that there will be more opportunities for the County as the incubator is up and running, the County will generate more new jobs and the County will have a stronger local business community with an increase to the tax base.

Mr. Rieves asked for direction and approval to continue to develop this proposal as presented in the draft proposal. He said he wanted to make sure that the information detailed in the draft proposal is as the Board wishes him to proceed.

Commissioner Rogers asked Mr. Rieves if when he spoke of the Marketing Plan being \$10,000 a year had he spoken with Wingate University about undertaking such a project as a class assignment.

Mr. Rieves responded that an analysis was done by the senior level marketing class and some of its recommendations and suggestions were included in this draft marketing plan.

Commissioner Rogers asked if Mr. Rieves could foresee using them or some of the students at SPCC as the plan progresses. Mr. Rieves stated that he could definitely see both as an asset and reported that he had received an email from Dr. Von Freymann offering the services next semester of the senior level or master's marketing class. He said he had a very good relationship with Wingate University.

Commissioner Rogers stated that she supported having gardens at all the elementary school and voiced some of the opportunities that could prevail with such action. She also said that she thought this would be another economic development driver in Union County. She noted this could be a good way to unite the different areas of Union County.

Motion was made by the Chairman to allow Jeff Rieves to continue in the direction as he presented and outlined in his draft proposal. The motion passed unanimously.

The Chair declared a recess at 8:05 p.m.

At 8:15 p.m., Chairman Simpson reconvened the meeting. He stated the next item of business is the item requested by Commissioner Thomas to be added to the regular agenda regarding the Rules of Procedure – Commissioner's Ability to Add Item to Agenda.

**RULES OF PROCEDURES – COMMISSIONER'S ABILITY TO ADD ITEM TO AGENDA:**

Commissioner Thomas stated that he wanted to see a clause added to the Rules of Procedure that would allow the Chairman the prerogative after something has been pulled from the agenda a certain number of times, to add it to the agenda. He said that Commissioner Rogers is familiar from the past that when something has been added to the agenda and removed multiple times that it becomes a political football. He said he wanted to prevent this Board from having such a situation. He said he did not want to prevent a Commissioner from putting an item on the agenda, but if it is not going to be heard after twice being placed on the agenda, the Chair should have the discretion as to whether or not this item should be placed on the agenda. He said his recommendation is to add a clause to give the chair prerogative as to whether or not he/she is going to add it after it has been removed twice.

Commissioner Kuehler thanked Commissioner Thomas for working with the Staff Attorney to clear up this matter because it has been an issue. She said she did not know if there is a magic number, because that too could be considered political, but stated that it might be more helpful to make it a prerequisite for anyone who wants to add an item to the agenda that the item be timely and is county business with proper documentation or includes enough information with it so the other members can clearly understand the item.

Commissioner Thomas asked if the issue could be discussed more to give a clearer understanding.

Jeff Crook, Staff Attorney, stated that he thought Commissioner Thomas's approach would be somewhat objective and very clear to apply. He said if an item has been on the agenda two or three times, or whatever number the board chooses, then it would be up to the Chair in his/her discretion as to its placement; and, if the Chair opts to keep it off, the Commissioner could always have the opportunity to add it with two other votes. He said what Commissioner Kuehler is suggesting is interesting but he is not sure how those determinations would be made. He asked if she is saying that if sufficient documentation is included that an item will always be added and then asked for a definition of what is timely and what is sufficient.

Commissioner Kuehler stated that to be clear she was addressing the proposed agenda and did not mean that it will automatically be included on the actual agenda.

Commissioner Rogers responded that she thought Rule 9b of the Rules of Procedure deals with what Commissioner Kuehler is talking about in that it specifies that items without sufficient documentation will not be added to the agenda. She said there is also Rule 9C which discourages Commissioners from adding items to the agenda the night of the meeting. She said she thought these were good for transparent government. Commissioner Rogers said that her only hesitation in Commissioner Thomas' suggestion is that statutorily the role of the Chair is very clear and the Chair has no more singular authority than does any other Commissioner. She said in her mind that would give the Chair more authority than what she would consider appropriate or would the School of Government. Commissioner Rogers reported that she had learned this through her conversations with staff members at the School of Government. She said with that being said that she understood what Commissioner Thomas is saying because she lived through it and some items kept going on and on. Commissioner Rogers said the reason she voted to pull those particular items from the agenda was because there was no documentation; therefore, it was in violation of the Rules of Procedure. She said she would rather see an item if it comes up multiple times on the agenda that on the third or fourth time the Board as a whole, when it meets, should say enough of this, and it will not be added to the agendas for future meetings.

Commissioner Thomas said he is fine with that but he did not want the agenda to be a political football. He said he did not think this is the place for petty politics and that this Board is here to be a public servant and not for its members to be professional politicians.

Chairman Simpson said this discussion came up during the last meeting, and he got up at 5:00 a.m. the next morning and drove to Durham and attended a day-long orientation for county board chairs entitled "Leading Your County Governing Board" conducted by Fleming Bell of the School of Government. He said two scenarios started the session: one was a livid, irate commissioner because his item had not been placed on the agenda by the Chairman and the second was a contentious public



hearing on a proposed animal control ordinance. He said he knew that he was at the right place. Chairman Simpson said he learned there was a book entitled ***Suggested Rules of Procedure***. He said in talking with a number of county chairmen he tried to get a handle on how each conducted his/her meetings. He read Rule 9A of Union County's Rule: "The Chairman of the Board of Commissioners will consult with each commissioner prior to the agenda being completed." He said he had instructed Lynn West, Clerk to the Board, to share with everyone well ahead of time when that meeting is going to take place and to ask each to please provide items that each wants on the agenda so the items can be given sufficient discussion and work to put the background material together. Chairman Simpson said a second booklet received was ***Leading Your Governing Board: A Guide for County Board Chairs***. He said the booklet states "that typically the Board chair works with the County Manager to create the meeting agenda. The Board chair should make sure that there is a process in place for all members of the board to get their issues on the meeting agenda. However, he/she must also insure that the Board's priorities are honored."

He said he felt that the Board is moving in the right direction and with Mr. Crook's help that the Board will work on Item 9a and bring it back to the Board.

Jeff Crook stated that the Board's Rules have been in effect for a number of years and they are based on the publication referenced. He said the Board's rules may be somewhat outdated because the Statutes have changed. He said this is not a statutory item but there are other Statues that have changed pertaining to closed sessions, etc., and the Rules of Procedure do need an update and there will be one coming to the Board this year hopefully.

Commissioner Kuehler moved to adopt the amendment that Commissioner Thomas and Mr. Crook had worked to develop and, in the event that other board members feel that the policy is being abused, it could be revisited and the item addressed.

#### **Rule 9. Agenda**

(a) The Clerk to the Board of Commissioners, after consulting and meeting with the County Manager and the Chair and/or Vice Chair, shall prepare the agenda for each regular, special, and emergency meeting. The Chairman of the Board of Commissioners will consult with each commissioner prior to the agenda being completed. Any board member may, by a timely request, have an item placed on the agenda. A request by the public or staff to have an item on the agenda for a regular meeting must be received by the Clerk at least seven working days before the meeting date; provided however that under special circumstances and upon timely request, the County Manager or Clerk can grant an extension until 12:00 noon on Tuesday preceding the regular Monday meeting. In preparing an item for placement on the agenda, a board member may request that the County Manager provide information on the subject prepared by staff for distribution with the agenda packet.

The motion passed unanimously.

## **DISCUSSION OF COMMISSIONERS' HEALTH BENEFITS:**

Vice Chairman Johnson stated that he had requested this item be added to the agenda. He said there is quite a gap in the budget where funds will have to be found and services cut. He said in thinking of the current economy many folks have lost their jobs or have had their health benefits reduced. He said during discussion it was noted that even the County's staff had gone without compensation increases over the last three years. Vice Chairman Johnson noted that the Board is going to have to go to the departments and request cuts so, in his opinion, this Board needs to also find places to cut. He said that most citizens may not realize that the Commissioners receive two forms of compensation. One of which is a salary and the other is health insurance benefits. He said a Commissioner can opt in to the County's health program and the taxpayers, as part of the general fund, would pay the Commissioners' portion of the health insurance. The Vice Chair said that a problem that he has with this is that he does not know any part-time position in which the employer pays for health insurance benefits. He said he believes in leading by example so his challenge to this Board is let's show our staff and let's show the citizens of this County that the cuts start with this Board.

He moved to direct the staff to research or search the ability to discontinue funding of the health insurance for the sitting county commissioners. He asked that this report be completed by the February 21<sup>st</sup> agenda. He stressed he was not taking away the Commissioners' ability to participate in health insurance but simply did not think it is the taxpayer's responsibility to pay for the Commissioners' health insurance.

Mrs. Coto requested the completion date be set as March 7<sup>th</sup> to allow her and staff an opportunity to look at all aspects of the request.

Vice Chairman Johnson agreed to amend his motion that the report be completed by the March 7<sup>th</sup> meeting.

Commissioner Kuehler offered an alternate motion to table the issue until the County Attorney is present. She said that this is one of the perils of adding an item to the agenda at the last minute without having documentation submitted. Commissioner Kuehler stated she had researched it and she thought the staff would be sent down a road that would require staff time and money on something that is not legal to do.

The Vice Chairman clarified that the motion is not to remove the payment of health insurance but is directing staff to check the legalities to discontinue funding of the health care benefits.

The Chairman recognized Jeff Crook, Staff Attorney, to make a ruling.

Mr. Crook said that the motion to defer consideration is a procedural motion and should be voted on first.

Commissioner Rogers said that she too had done some research on this item because this is one item that Commissioner Baucom continually tried to add to the agenda without documentation. She agreed that she is not opposed to having staff check out the item but that she thought deferring action until the County Attorney can render advice would be prudent.

Vice Chairman Johnson said that he had spoken with people inside the county as well as outside the County and that he believes there are ways that it can be done. He said he is simply stating that it is not the taxpayers' duty to pay the Commissioners' health insurance. He said the Manager has been challenged to make up a deficit in the budget and everybody is being requested to make cuts, but the Commissioners are not willing to cut its own budget.

Commissioner Kuehler asked if the motion includes a full cost analysis of how much it will save the County.

The Vice Chairman said it does not include those details but that information would be based at a rate of \$550 per month, per Commissioner.

She asked if that includes Commissioners who have families on the plan whose coverage is paid by the Commissioners.

The Vice Chairman responded that a Commissioner could still opt into the insurance plan and pay his/her own policy including family coverage.

Commissioner Kuehler said she did not believe that the Board has authority to alter a sitting Commissioners' benefits or pay.

Commissioner Thomas said he did not think the Board should complicate matters and the question should be easy to solve: the County Manager can contact Mr. Bundy, the County Attorney, and receive an answer to the question. If he says no, there will be no more work on the question. If he says yes, the staff can follow through the directive of the motion.

Commissioner Kuehler requested to be a part of that discussion.

The Chair called for a vote on the motion to table action. The motion failed by a vote of two to three. Commissioners Kuehler and Rogers voted in favor of the motion, and Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted against the motion.

Chairman Simpson called for a vote on Vice Chairman Johnson's motion. He requested the Clerk to read the motion: to direct the staff to research the ability to discontinue funding health insurance for sitting county commissioners, not taking away the ability of the Commissioners to participate in the health benefits. The Chair asked Vice Chairman Johnson if this was his motion, and he agreed that this was correct. Mrs. West added that the motion had included bringing the report to the Board on February

21; however, Mrs. Coto had requested that the report be brought on March 7, which the Vice Chairman had indicated was acceptable.

The motion passed by a vote of three to two. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the motion and Commissioners Rogers and Kuehler voted against the motion.

**STALLINGS VOLUNTEER FIRE DEPARTMENT UTILITY CONNECTION FEES:**

The Chairman called the next item and recognized Commissioner Rogers.

Commissioner Rogers moved adoption of Budget Amendment #21 to transfer \$13,050 from General Fund Contingency to Fire Services Operating Expenses to pay for the increase from a one-inch meter to a one and one-half meter in an attempt to increase the needed water pressure. The motion passed unanimously.

**BUDGET AMENDMENT**

|             |                      |              |                          |
|-------------|----------------------|--------------|--------------------------|
| BUDGET      | <u>Fire Services</u> | REQUESTED BY | <u>Neal Speer</u>        |
| FISCAL YEAR | <u>FY2011</u>        | DATE         | <u>February 07, 2011</u> |

**INCREASE**

**DECREASE**

Description

Description

|                           |               |                    |               |
|---------------------------|---------------|--------------------|---------------|
| <u>Operating Expenses</u> | <u>13,050</u> | <u>Contingency</u> | <u>13,050</u> |
| <u> </u>                  | <u> </u>      | <u> </u>           | <u> </u>      |
| <u> </u>                  | <u> </u>      | <u> </u>           | <u> </u>      |
| <u> </u>                  | <u> </u>      | <u> </u>           | <u> </u>      |
| <u> </u>                  | <u> </u>      | <u> </u>           | <u> </u>      |

Explanation: Appropriate funding for Stallings VFD utility connection fees.

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_

Bd of Comm/County Manager  
Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

**DEBIT**

**CREDIT**

| <u>Code</u>   | <u>Account</u>                        | <u>Amount</u> | <u>Code</u>   | <u>Account</u> |        |
|---------------|---------------------------------------|---------------|---------------|----------------|--------|
| 10543400-5299 | Miscellaneous-<br>Land & Improvements | 13,050        | 10592000-5920 | Contingency    | 13,050 |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |
| _____         | _____                                 | _____         | _____         | _____          | _____  |



It was noted that the staff recommends that the Board of County Commissioners approves the Parks and Recreation Advisory Committee's recommended changes to the Union County Athletic Council Grant Application Guidelines and Procedures.

Commissioner Rogers reiterated for clarification that the issues going to the Union County Board of Education are the three recommendations that are highlighted from UCPS. Mr. Whitley agreed that those are the ones that they are taking to the school board.

Commissioner Rogers asked what would happen if there is a stalemate on the ones chosen by the two bodies.

Mr. Whitley said that he and staff would like to get one of the options approved.

After discussion, Commissioner Rogers moved to adopt the UCPS Recommendations.

Chairman Simpson said he thought there were two separate items. One has to do with the recommended changes to the grant application guidelines and procedures and the second one is to select one of the other options.

Commissioner Thomas said that this Board has the privilege of looking at recommendations and being able to judge the merits of both. He asked if the Parks and Recreation Advisory Board was privileged to the UCPS recommendations.

Mr. Whitley stated that the UCPS's recommendations were taken to the Parks and Recreation Advisory Board at the last meeting.

Commissioner Rogers amended her motion to adopt the Parks and Recreation Advisory Committee's recommended changes to the Union County Athletic Council (UCAC) Grant Application Guidelines and Procedures and adopt UCPS's recommendation relating to capital improvements to real property. The motion passed unanimously.

The Chair announced that Commissioner Kuehler is not feeling well and asked to be excused. He said she voted in the affirmative.

Commissioner Rogers asked for clarification as to whether Commissioner Kuehler asked to be recused.

The Chairman stated that it was not really clear but that she had stated she was not feeling well and could he excuse her or vote for her in the affirmative.

The Staff Attorney stated that under the Board's rule if a member is absent without a vote of the Board then that member's vote is counted in the affirmative.

**Union County Athletic Council (UCAC)**

**Grant **Guidelines and Procedures****

**For FY-2011**

**February 8, 2011**

Grant application now available on-line for FY-2011 cycle.

Following updates required from each association by 11:00am:

- (1) List of all Association's Elected Officials
- (2) Updated Family Membership List
- (3) Updated Association Profile

Matching Funds breakdown e-mailed by Staff to associations

Based on updated Family Membership Lists by 3:00PM

**February 15, 2011**

**Mandatory Grant Workshop.** A minimum of (1) elected

Association Official must attend to be eligible for grant funding.

It is suggested that two elected officials attend.

**March 13, 2011**

Deadline for associations with grant applications requesting



an early review from Parks and Recreation Staff.

**March 31, 2011** Final Applications are due by 3:00 P.M. to the Union County Parks & Recreation Department. Late applications

**WILL NOT** be accepted.

**April 20, 2011** Review of applications by Parks & Recreation Department (**3rd Wednesday**) and Advisory Committee.

**May 2011** Parks & Recreation Department and Advisory Committee

**(1st Monday)** make recommendations for funding of grant awards to the Union County Board of Commissioners.

**June 1, 2011** Target date to award project funding.

**December 1, 2011** 1<sup>st</sup> progress report due from associations updating status with bi-monthly reports due thereafter.

THE UNION COUNTY BOARD OF COMMISSIONERS WILL MAKE FINAL DECISIONS AND AWARD GRANTS TO RECIPIENTS.

*(If, for any reason, applications are not available to distribute as indicated, this date, along with all other deadline dates, will be extended by the number of days needed to make the application available.)*

### PROGRAM SUMMARY

#### PURPOSE:

The Union County Board of Commissioners recognizes the need for assistance in providing recreational facilities and land for the general recreational use by the citizens throughout the County. For this reason, the County Commissioners have allotted funds to be applied for, by way of Grant Applications, through the Parks and Recreation Department. These Grants are available under the **percentage allocation** approved by the Board of County Commissioners for acquisition and development of park and recreation projects to serve the general public. **Since all facilities must meet ADA requirements**, grants are also available for modifications to comply with ADA (Americans with Disabilities Act)

requirements on Park projects which already exist. To reduce the need to build new facilities, associations can request grant dollars for “rental-fee assistance” to be used at county-owned facilities under this program.

**ELIGIBILITY:**

1. Any Athletic Association that has a purpose which includes the expansion of parks and recreation in Union County is eligible.
2. The Athletic Association must submit to the basic requirement that all programs, facilities, and areas will be open for participation or use by any Union County resident.
3. No Athletic Association with outstanding grant projects will be eligible to be considered for a new grant.
  - a) A project is considered active until completion (as stated in the signed agreement).
  - b) A project will be considered complete only after the final report has been received in the Union County Parks and Recreation Office, an audit has been completed, the site inspected for completion, and a close out report has been submitted to and approved by Union County.
  - c) All Athletic Associations administered by a common board or council will be considered a single entity for the purpose of administering this program.
4. Grant application requests must meet the required guidelines and procedures to ensure that grant funds are distributed appropriately and in a proper time frame. Any grant application which is incomplete or submitted by ineligible groups will not be accepted for review by the Parks and Recreation Advisory Committee, and will be returned with a letter stating reason(s) for ineligibility. March 13, 2011 is the due date for early review with Park Staff (optional). This will allow adequate time to make any changes before March 31, 2011, the Final Due Date of the application.

**NOTE:** Upon a request for an “early review” by an association, staff will supply brief written notes on the “draft application” of any missing items to ensure that the application packet is complete. However, staff will not make the determination if the application will be approved for funding.

**ELIGIBLE PROJECTS FOR FUNDING:**

Any of the following parts of a project directly related to parks and recreation **and located in Union County** may be funded. The Board of County Commissioners reserves the right to reject any or all grant applications. **NO RETROACTIVE FUNDING WILL BE CONSIDERED.**

1. Purchase of Real Property

Real Property must be appraised by a certified appraiser, with a copy of the report submitted to the Parks and Recreation Advisory Committee. The value of the real property cannot be less than the dollar amount being requested plus the dollar amount invested by the Athletic Association. Except as stated below, the Athletic Association cannot hold title to the real property prior to receiving grant approval.

Appeal of Urgency: If purchase of real property is a matter of urgency, an Athletic Association can request permission to acquire land before applying for a grant. The Advisory Committee will consider a written request that identifies the proposed site and explains why the property must be acquired early. If the Advisory Committee approves the request, the purchase is eligible for grant funding only if the Association submits a grant application within one year from the date of the approval. Prior purchase approval does not guarantee funding or the give the applicant preferential treatment in funding decisions.

2. Capital Improvements to Real Property

Capital projects must be on real property owned by the athletic association, by a municipality, or by Union County Public Schools, or must be leased by the athletic association pursuant to a lease that meets the requirements of this section. If a capital project will be on real property owned by a municipality or by the Union County Public Schools, the municipality's governing council or the Union County School Board, as appropriate, must provide written consent to the full project, and accept responsibility, ownership, and liability for project improvements.

If a project is located on property owned by a municipality or by the Union County Public Schools, the applicant must provide acceptable documentation that the municipality or the Union County Public Schools agrees to the minimum use periods as listed below. A minimum use period is the minimum period during which the property at issue (the property on which the capital improvement will take place) will be dedicated to public recreation uses and any development will be maintained and managed for public recreational use. The minimum use period begins upon the date that **the grant contract is executed by Union County** (see below **note**):

(Advisory Committee Recommendation)

New Construction= Minimum of 5 Year agreement

Renovations of less than \$10,000 = Minimum 3 Year agreement

Renovations over \$10,000 = Minimum of 5 Year agreement

(UCPS Recommendation)

New Construction or Renovations over \$10,000= 3 Year Agreement with optional 2 Year rollover

New Construction or Renovations less than \$10,000= 3-Year Agreement with optional 1 year rollover

The rollover extension would be mutually agreed upon by both parties.

**Note:** Grant contracts between Union County and the Athletic

Association normally take up to 120 days to complete after the application deadline.

Associations may request grant funds for capital projects on land leased from a person or entity other than Union County Public Schools or a municipality if the property to be leased will be dedicated to public recreation uses and any development will be maintained and managed for public recreation use for a minimum of 25 years. However, if the project is a renovation project of a cost of less than \$20,000 in County assistance, only a 7-year lease extension or a minimum of 7 years remaining on the current lease is required. The BOCC may require a full return of County funds contributed to capital request projects if the lease-agreement is cancelled or terminated for any reason prior to the completion of the applicable minimum use period.

Included in this category will be modifications to existing buildings and grounds to comply with ADA requirements. Information can be obtained by calling the ADA Office at 1-800-514-0301.

3. Purchase of Capital Equipment

This equipment must have an expected life of three (3) years or more (excluding safety equipment). Items must have purchase value of at least \$300.00 to qualify as a capital purchase, but are not guaranteed approval. Items such as fixtures, cash registers, and other small items do not qualify.

4. Rental of facilities for games and practices:

To assist associations with proper facilities for both practices and games, without incurring the expense of building new indoor or outdoor facilities, associations may request that grant funds be allocated for **County-Owned facility** rental fees for a **one-year period**. However, matching funds for facility rentals must be a “dollar for dollar” match based on the “renter’s normal fee schedule” (no discounts except for Jesse Helms Park Soccer Complex through June 2012). Any rental fees that are not used at the end of the “contracted year” will be returned to Union County as part of the close-out report. “Front-loading” funds for the following year is not authorized.

**Note:** Union County has designated certain county-owned athletic fields as practice fields and certain athletic fields as game fields and/or limited practice fields. This will limit the amount of use for these fields.

#### AMOUNT OF FUNDING

Amounts of membership funds available for each Athletic Association will be adjusted each year according to membership numbers and County funds appropriated. If the full membership allotment is not requested in the application by each Association, those dollars will be available to the remaining Athletic Associations and distributed pursuant to a rated point system (See the “Project Scoring System” discussed later in these procedures : starting on page 19).

#### MATCHING OF FUNDS RECEIVED BY THE ASSOCIATION

The athletic association will be required to match County funds received as per the following table:

| Families within the Association | Purchase of Real Property,<br>Capital Improvements to Real Property,<br>or the Purchase of Capital Equipment | Rental of County-owned<br>practice or game<br>facilities. |
|---------------------------------|--|---|
| 200-499 Families                | \$5 (County) to \$2 (Association)  | \$5 to \$5  |
| 500-999 Families                | \$5 (County) to \$3.5 (Association)  | \$5 to \$5  |
| 1000 and above Families         | \$5 (County) to \$5 (Association)  | \$5 to \$5  |

**THE FOLLOWING CONDITIONS MUST BE AGREED TO PRIOR TO FUNDING:**

Each Athletic Association must allow any resident of Union County to participate in any program or use any facility that involves County Grant money without regard to sex, race, religion, color, national origin, or age. The administration of programs, facilities, and land areas shall be the responsibility of the Athletic Association.

Each Athletic Association shall maintain general liability insurance in an amount not less than \$300,000 combined single limit for bodily injury and property damage. In the event the project, which is the subject of the grant, involves construction of a building, the Athletic Association

shall maintain Builder's Risk insurance for the full replacement value of the structure. Copy of certificates or accord of insurance must be attached to application.

Written documentation of matching percentage allocations must be supplied by the Athletic Association prior to the County entering into any agreement.

The grant contract will require the Association to submit compiled financial statements that are completed by an accountant who is independent with respect to the Association and that are prepared in conformity with Statements on Standards for Accounting and Review Services issued by the American Institute of Certified Public Accountants. Further details regarding this requirement will appear in the grant contract.

Any Grant Project will only receive a one fiscal year commitment from the County; therefore, any Athletic Association cannot expect continuous funding of one specific project.

The Athletic Association must publicize their project, naming Union County as a funding source by posting a sign (supplied by the Parks and Recreation Department) on the property indicating the County's support.

Provisions shall be made by the Athletic Association for proper maintenance and supervision of any County funded project.

A report on any projects using Union County funds must be submitted to the Parks and Recreation Department within six (6) months after the grant contract has been approved by the Board of County Commissioners. Reports will be required bi-monthly thereafter, with a final report upon completion of the project.

A properly executed agreement shall be required of each Athletic Association. The agreement shall require compliance with the grant guidelines. If the primary purpose of the project is changed without written consent of the Board of County Commissioners, a full refund of any grant funds provided will be required by Union County.

Written documentation must be provided and signed by the authorized official of each Athletic Association stating there are no safety concerns on the existing property or involved in the proposed project. If safety concerns are involved, a statement will be required of how and when the safety concerns will be addressed. (All safety issues must be completed prior to the awarding of the Grant.)

The Project must be open to inspection by any member of the Parks and Recreation Advisory Committee or the Parks and Recreation Department staff.

### **GRANT SELECTION CRITERIA**

In addition to the Project Scoring System, the following criteria will be used by the Parks and Recreation Advisory Committee to determine the suitability of funding a project:

1. Does the proposed project fit into the overall scheme of the County's Parks and Recreation Master Plan? Will it assist the County in providing facilities in quadrants that are lacking in recreational facilities?
  
2. If the proposed project is funded by the Grant process, will it have adequate personnel to perform the necessary maintenance? (A copy of the maintenance schedule must be included with application.) Grant Funds are not awarded for routine maintenance. Safety issues must be identified as such with specific documentation.
  
3. Is the proposed project currently being funded by the County, or have any County funds been involved in the past? If so, will the awarding of this grant complete the project?
  
4. Does the applicant have any outstanding grants which are not yet completed?  
  
If so, what is the status of the project, and when will it be completed?
  
5. Is the need immediate? Can the need be documented?
  
6. Does the project overlap or duplicate existing facilities - public or private?
  
7. How will the Athletic Association assure the right of use by any Union County resident?

The enclosed Project Scoring System **may be** used as needed to assist in determining the ranking of projects to be awarded.

### **PROCEDURES FOR SUBMITTING THE APPLICATION:**



A Union County Parks and Recreation Grant Application must be completed in full by the requesting agency. Two (2) copies must be submitted to the Parks and Recreation Department with required documentation as outlined on the application. The attached "**CHECKLIST**" form must be completed as part of this application.

1. There will be one application period this year that will begin **February 8, 2011 and end March 31, 2011**. An Association may request an early review by the Park Staff up **to March 13, 2011 to ensure that all guidelines and application requirements are met and that a "complete application" is being forwarded for consideration**. An early review is optional. (Adjustments may be made in this application schedule as deemed necessary by the Parks and Recreation Department.) **AS PREVIOUSLY STATED, LATE AND INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED FOR REVIEW BY THE ADVISORY COMMITTEE.**

During the application period, any Union County Athletic Association that offers at least three youth sports on a non-discriminatory basis and has served a minimum of 200 families for two consecutive years may submit applications. Site plans or other description of the project or purchase shall be submitted with the application in clear and concise detail. Unclear or incomplete applications will not be considered and will be returned to the applicant.

2. The following time lines must be met by the association in completing grants that have received funding from Union County:
  - Grant recipients will have eighteen (18) months from the date of award to complete the project as outlined on the approved application form.
  - However, if the current project has not been completed one year from the date of award, the Association will not be eligible to apply for funding the following year.
  - In addition, if the Association has not started the project within six (6) months of the award date, and has not submitted a report to the Parks and Recreation Department, a representative of the group will be asked to appear before the Parks and Recreation Advisory Committee and explain why the project has not been started and why no report has been filed.

- If the project has not been started and proper reports filed within twelve (12) months of award, the Parks and Recreation Advisory Committee may (unless just cause can be shown to continue the project) notify the Board of County Commissioners who may request repayment of all County funds involved.
3. A grant extension beyond the original eighteen (18) month contract will be considered on a case-by-case basis by the Parks and Recreation Advisory Committee.
  4.
    - (a) An extension of the eighteen (18) month contract requires a written appeal to the Parks and Recreation Advisory Committee at a regularly scheduled meeting.
    - (b) The award of an extension makes the Athletic Association ineligible for review of any further grant applications until the current project is completed.

Note: The time periods indicated above begin upon the date in which the County executes the grant contract.

5. Variance Request from the Athletic Association:

**Under extreme situations**, the Advisory Committee can carefully consider recommending to the Board of County Commissioners (BOCC) that a variance be considered for the previously mentioned guidelines. Without the Advisory Committee's recommendation for approval of a variance, the request will not be forwarded to the BOCC. The following steps would apply:

**Step 1:** Any request for a "variance / exemption" shall be made in person by the President and/or Vice-President of an athletic association at a regularly scheduled Parks and Recreation Advisory Committee meeting at least 60 days prior to the grant application deadline. (This requires the athletic association to plan well ahead for upcoming projects.) A written request with supporting information, providing a clear/full picture of the request, will be provided to the Advisory Committee at this meeting.

**Step 2:** If the Advisory Board recommends approval of the "variance / exemption" to the Board of County Commissioners, an elected official for the association must be available to review the request at the next available Commissioners' meeting. (Note: The variance

does not approve the grant application request but rather allows the application request to be considered for funding by the Advisory Committee.)

**Step 3:** If a variance is approved by the BOCC, the association will not be eligible to apply for another variance for a period of five years from that year's grant cycle (Example: If applied for during the FY-2010 grant cycle, the association would not be eligible for a variance request until FY-2015.) Furthermore, if the request seeks a variance for an allocation of funding, the funding covered by the variance will be subtracted from the following year's grant allowance.

Variances cannot be considered for the following;

- (1) Location of the property within Union County.
- (2) The minimum use periods for property not owned by the association.
- (3) Completion of the project within a one-year period from the date of award to be eligible for funding the following year.
- (4) The attendance requirements for the Union County Athletic Council (UCAC) meetings as per the UCAC By-Laws.

**Note: To save paper and reduce the size of the application packet, please do not attach the Union County Athletic Council (UCAC) Grant Guidelines and Procedures with the application request.**

**UNION COUNTY GRANT APPLICATION  
FOR**

**PARKS AND RECREATION ASSISTANCE**

**FOR FISCAL YEAR 2011**

**Due No Later Than 3:00 PM, March 31, 2011**

**GRANT APPLICATION / CERTIFICATION PACKET**

Name of  
Athletic Association

Date:

1. Legal Name:

2. Mailing Address: Street

City:

Zip:

3. Chief Official:

Title:

Day Phone:

Fax:

E-mail:

4. Contact Person:

(Must be elected official other than Chief Official)

Title:

Day Phone:

Fax:

E-mail:

5. Project Title:

5a. Does this project require a variance or exception to the Grant Guidelines?  Yes  No

If yes, has the variance or exception been approved by the BOCC so that this application can be

Considered by the Advisory Committee for possible funding?  Yes  No  NA

Date of BOCC Meeting that variance was approved: \_\_\_\_\_ or  N/A

6. Project Narrative: Include no more than a two (2) page description of the entire project in the space provided. (Please do not state "see attached".)

7. Is the organization listed above non-profit?  Yes  No

(If non-profit, taxes should be **excluded** in all quotes.)

8. Non-profit Name: \_\_\_\_\_ I.D. #: \_\_\_\_\_

9. Grant Type (check all that apply)

a.  Acquisition only

b.  Development

New Construction

Renovation

ADA Compliance Project on existing facility.

c.  Acquisition and Development

10. Land Control

a.  Land owned by Municipality (Requires agreement document from owner with application submittal to meet the required minimum use periods. See page 3)

b.  Land owned by Athletic Association

c.  Land owned by Union County Public Schools (Requires agreement document from School Board with application submittal to meet the required use periods. See page3)

d.  Other (explain)

11. Project Site location. Give physical address and directions to site (Only one site permitted for equipment or construction projects. However rental fees for games and practices as described on page 4 are allowed at multiple locations).

11a: I have completed an inventory of the site for this project request and the following infrastructure elements are available: (Note: Answering “no” does not disqualify this grant application.)

Adequate restroom facilities, to include ADA standards:  Yes  No

Adequate parking for projected customers, to include ADA

standards:  Yes  No

Adequate lighting (if used at night)  Yes  No

12. I have attached a proposed grant project/cost elements form as indicated on page 11. (All elements must also be listed in the Project Narrative and on the Site Plan.)  yes  no

13. Is this a new project or one that is ongoing?  New  On-going

If ongoing, please explain:

14. When is your project scheduled to start? End?

(include month and year)

15. What is your geographical area of service?

16. Will there be a fee charged for use? Yes No

17. If maintenance is required, what group of people will provide it?

A maintenance schedule must be included in the space provided:

18. Are there any safety concerns on the property involved in the proposed project?  Yes  No  
If so, give details (be specific).

19. How and when will the safety concerns listed above be corrected?

20. Specific information about your project.

a) Project Description: (In detail: provide the purpose, who is affected, where operated, and the personnel used).

|  |                           |
|--|---------------------------|
| b) Supportive Aid in to completing the project:          | Total Cost of Project: \$ |
| Association's funds allocated for project:               | \$                        |
| Local municipality contributions to this year's project: | \$                        |
| Local Business contribution to the project:              | \$                        |
| Any other contributions over \$1,000.                    | \$                        |
| Union County dollars being requested for this project:   | \$                        |



c) Provide financial proof indicating matching dollars are available and “earmarked” for project (if awarded). Attach a copy of your latest financial statement. (Ex.: Notarized treasurer’s report or bank statement.)

d) Other data that would support the above project:

21. Cost Estimates: (List only the items for which you are requesting funding.)

a) Purchase of Land or Buildings

(A full property description and certified appraisal are required.)

b) Capital Improvements to Land or Buildings

(Include complete description of improvements to be made (with separate site plan of location no larger than 8 1/2 x 11) and indicate on map where improvements are located. Include cost for each improvement identified. Building renovations must submit a separate floor plan (8 ½ x 11). All improvements must meet ADA compliance.

The association is responsible to review the project with the local “permitting agency” to ensure that the project complies with all laws, regulations, ordinances, codes, standards, and orders of any and all governmental bodies, agencies, authorities, and courts having jurisdiction.

Date(s) meeting(s) held: \_\_\_\_\_

Name of inspector: \_\_\_\_\_, Department: \_\_\_\_\_

Office Name and Telephone Number: \_\_\_\_\_

Note: List required permit costs on the Cost Estimates and Project Elements Sheet since it will be a cost for the project.

c) Purchase of Capital Equipment

(Give detailed description of equipment to be purchased and how the equipment will be used. Be specific and include three written quotes.)

Note: A five percent contingency may be requested as part of the cost estimates to help cover any unforeseen construction costs or price increases. These funds cannot be used for new project elements and must be returned if not used.

22. Application Certifications by Athletic Association:

On behalf of the applicant, I hereby certify the information contained in the attached application is true and correct. I understand this application will be evaluated on the basis of the information submitted and the submissions of incorrect data or an incomplete application can result in this application being withdrawn from consideration for funding.

I hereby certify the applicant shall comply with all laws, regulations, ordinances, codes, standards, and orders of any and all governmental bodies, agencies, authorities, and courts having jurisdiction.

I hereby certify the applicant's required percentage allocation of matching funds are available to pay the local share of the total project cost, without obtaining any possible additional County funding.

I hereby certify that any property acquired with Union County Grant assistance will be dedicated in perpetuity to public recreation uses and/or any development will be maintained and managed for public recreation use for the applicable minimum periods set forth in Section 2 of the Program Summary. The required lease term agreement has been agreed to in the attached letter as part of the grant application packet. Early termination or cancellation of any lease-agreement prior to completion of the applicable minimum use/dedication period may require a full reimbursement of any and all County funds provided for the capital expense project.

I hereby certify compliance with the Sedimentation Pollution Control Act of 1973, if deemed necessary during local environmental review.

I warrant that I have the corporate or other organizational power and authority to execute and deliver this Application. I further warrant that the execution and delivery by me of this Application has been duly authorized by all requisite action of the Athletic Association management and appropriate governing body.

Adopted this        day of        , 20        .

(Certification Form requires governing board approval)

---

(Signature)

(Typed Name)

(Title)

Attach Seal Here

(IF MORE THAN ONE ORGANIZATION IS INVOLVED IN A PROJECT, EACH MUST COMPLETE A CERTIFICATION FORM.)

23. Project Funding

A. Athletic Association

This amount must be at least equal to the percentage allocation

approved by the Board of Commissioners. \$

B. Union County's Share Requested \$

**TOTAL COST \$**

**TWO (2) ORIGINALS OF THIS APPLICATION ARE TO BE SUBMITTED TO THE UNION COUNTY PARKS AND RECREATION DEPARTMENT NO LATER THAN 3:00PM MARCH 31, 2011 FOR CONSIDERATION DURING THIS FISCAL YEAR. (ORIGINALS MUST HAVE ORIGINAL SIGNATURES.)**

**ALL APPLICATIONS WILL BE REVIEWED BY THE PARKS AND RECREATION ADVISORY COMMITTEE WITH CONSIDERATION BEING GIVEN TO ALL ON THE BASIS OF THEIR BENEFIT TO THE ENTIRE COMMUNITY.**

---

**(Signature of Chief Official)\***

**(Date)**

\*This signature assures the Parks and Recreation Advisory Committee that the *Athletic Association* is committed to the program services as described on this application.

### **Cost Estimates and Project Elements**

Use the form below to list project elements and associated costs with your project. All items listed below must be included in the project narrative and on the site plan.

**Project Title:**

**Association's Name:**

**Date:**

| Project Elements (Include specific units- sizes,<br>Numbers, lengths, etc. - for each item.) | Unit | Unit<br>Cost | Total<br>Item Cost |
|--|------|--------------|--------------------|
| <b>Building and/or Renovation</b>  |      |              |                    |
|  |      |              |                    |
|  |      |              |                    |
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|  |      |              |                    |
|  |      |              |                    |
|  |      |              |                    |
|  |      |              |                    |
| <b>Required Permit Costs: List all applicable permits here.</b>                              |      |              |                    |
| <b>Cost to Develop Project</b>   |      |              |                    |
| <b>Costs Related to Planning</b>   |      |              |                    |
| Planning - Site planning and preliminary design  |      |              |                    |
| Contingency <b>(Not to exceed 5% of construction and/or material costs)</b>                  |      |              |                    |

|                                     |  |  |  |
|-------------------------------------|--|--|--|
| <b>Cost To Acquire Land</b>         |  |  |  |
|                                     |  |  |  |
| Appraisal Costs                     |  |  |  |
| Equipment Purchases                 |  |  |  |
|                                     |  |  |  |
|                                     |  |  |  |
|                                     |  |  |  |
|                                     |  |  |  |
| Facility Rental Fees                |  |  |  |
| Location:                           |  |  |  |
| Location:                           |  |  |  |
| Location:                           |  |  |  |
| Location:                           |  |  |  |
|                                     |  |  |  |
| <b>Total Project/Rental Costs</b>   |  |  |  |
| <b>Total Grant Amount Requested</b> |  |  |  |
|                                     |  |  |  |

|                                       |  |
|---------------------------------------|--|
| <b>Association's Share of Project</b> |  |
|---------------------------------------|--|

**Checklist to Submit a Complete U.C.A.C. Grant Application**

Place a check mark in the appropriate box to indicate that you have included the designated number of copies for each document with your application. Use a paper clip to keep the copies of each type of document together. For example, keep all copies of the cost estimates clipped together. Place all required information in the order as listed on this checklist and secure with a large rubber band. Please do not staple forms or place in binders. Retain a complete copy of the application for your files.

**Applicant:**

**Project Title:**

| <u>All Applications</u>                            | Line Item<br>Or Page* | # of copies | Included?<br>(Yes, No,<br>or N/A) |
|--|-----------------------|-------------|-----------------------------------|
| 1. Checklist for Submitting a Complete Application | Page 7                | 2           |                                   |
| 2. Application Form                                | Page 9-13             | 2           |                                   |
| 3. Cost Estimates and Project Element Form         | Page 14               | 2           |                                   |



|   |                                |          |  |
|---|--------------------------------|----------|--|
|   |                                |          |  |
| 4. Notarized Treasury Report/Financial Statement  | <b>Item 20c<br/>on page 11</b> | <b>2</b> |  |
|   |                                |          |  |
| <b><u>Projects to Construct or Renovate Facilities</u></b>                                    |                                |          |  |
| 5. Site Plans (if applicable)   | <b>Item 21b on<br/>page 11</b> | <b>2</b> |  |
| 6. Floor Plans  | <b>Item 21b on<br/>page 11</b> | <b>2</b> |  |
| 7. Written Quotes   | <b>Item 21 c<br/>page 11</b>   | <b>2</b> |  |
| 8. Written Consent Letter from Municipality or Union<br>County Public Schools (if applicable) | <b>Page 3<br/>Page 10</b>      | <b>2</b> |  |
| 9. Copy of certificate or accord of insurance   | <b>Page 5</b>                  | <b>2</b> |  |
|   |                                |          |  |

|  |               |          |  |
|--|---------------|----------|--|
| <b><u>Projects to Acquire Land</u></b>         |               |          |  |
| 10. Certified Appraisals                       | <b>Page 3</b> | <b>2</b> |  |
|  |               |          |  |
|  |               |          |  |
| <b><u>Documents for the Scoring System</u></b> |               |          |  |
| 11. Master Plan (if phased project)            | <b>N/A</b>    | <b>2</b> |  |
| 12. Documentation of Surveys or Meetings       | <b>N/A</b>    | <b>2</b> |  |

\* See page number from original grant application.

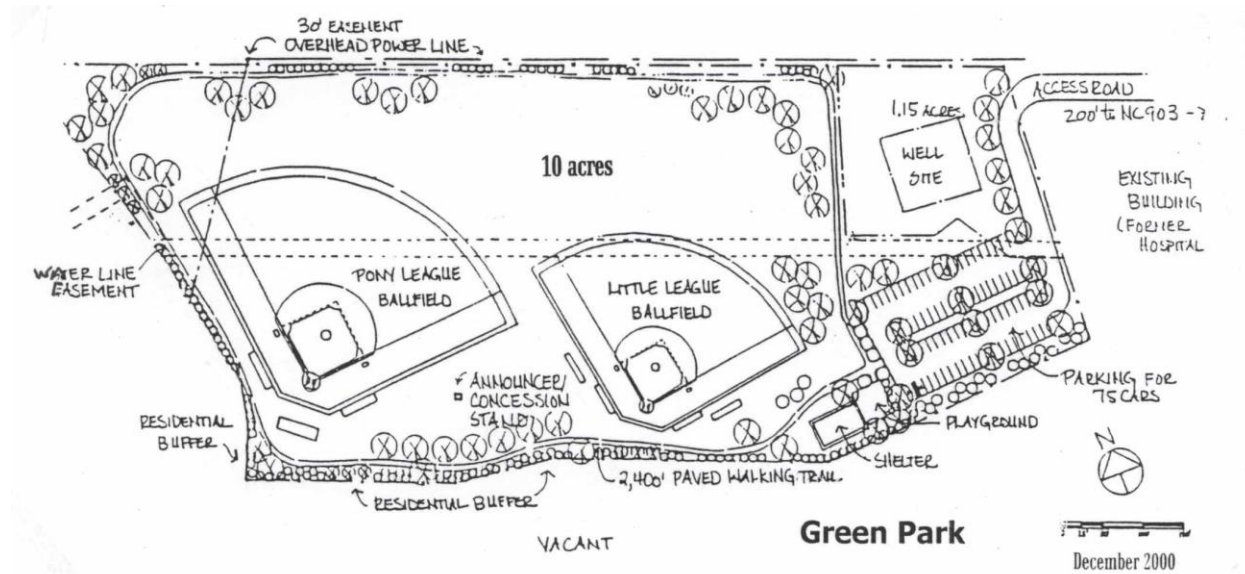
**Information following this page is for reference only and should not be forwarded as part of the original application packet.**

**Staff to remove as necessary.**

**EXAMPLE: Site Plan**

A site plan is a very important part of your application. Include a separate site plan of the location, no larger than 8 ½ X 11, and indicate on the plan where improvements are located. A separate floor plan (8 ½ X 11) must be submitted for building renovations. NOTE: Site plan can be hand-drawn, but must provide required information for the application.

## Green Park Parkland, N.C.



(Please use as detailed scale as possible to provide clear picture of project.)

Project Scoring System for

**Athletic Association Applications for Additional Funding**

(For use by the Parks and Recreation Advisory Committee)

Applicant: \_\_\_\_\_ Project Name: \_\_\_\_\_

The applicant for grant funds shall complete the below listed questionnaire to become eligible for additional funding when available. The Advisory Committee will determine how to distribute additional funds so as to best serve the greatest need(s) of Union County. There may only be enough additional funds to assist with a few projects. In certain cases, there may be only one project that is selected to receive all the additional funds.

**Process:**

Each Advisory Committee Member present will grade each applicant in the following areas based on their determined value as listed below. Then all sheets will be collected and final scores will be calculated. Unless otherwise determined by the Advisory Committee, the funds will be divided as follows:

Highest Score: Minimum of 50% of remaining funds

Second Highest Score: Minimum of 30% of remaining funds (if available)

Third Highest Score: Minimum of 20% of remaining funds (if available)

Note: Additional comments for each question below cannot exceed FOUR lines of text.

1. What is the size of your organization?

- 200-499       500-999       1,000 or more

Maximum allowed points (20)

Advisory Committee's Score: \_\_\_\_\_

2. My association received additional funds:

- 5 years ago  
 4 years ago  
 3 years ago  
 2 years ago  
 Last grant cycle.  
 Association has not received additional funds.

If the association received additional funds last year, they become ineligible for additional funds unless it is determined by the Advisory Committee that it is in the best interest of Union County that they receive additional funds.

Amount of last time's additional funding: \$ \_\_\_\_\_

Maximum allowed points (10)

Advisory Committee's Score: \_\_\_\_\_

3. The project is for the acquisition of property that will be set aside for recreation by the athletic association. Additional comments from association:

[Redacted]

Maximum allowed points (10)

Advisory Committee's Score: \_\_\_\_\_

[Redacted]

4. A Three-Year Master Plan has been developed for the property to be purchased.  Yes  No

Additional comments from association:

[Redacted]

Maximum allowed points (5)

Advisory Committee's Score: \_\_\_\_\_

5. The governing body has adopted the above master plan for the property.

Maximum allowed points (5)

Advisory Committee's Score: \_\_\_\_\_

6. Is the association requesting these funds to bring their properties into compliance with a code requirement or other regulation?

[Redacted]

Maximum allowed points (25)

Advisory Committee's Score: \_\_\_\_\_

7. Does the association have the required matching funds for a request for additional funds for an additional project?  Yes If yes, briefly explain the project.

[Redacted]

Maximum allowed points (15)

Advisory Committee's Score: \_\_\_\_\_

8. These funds will help with the overmatch of the primary grant request? Explain:

[Redacted]

Maximum allowed points (10)

Advisory Committee's Score: \_\_\_\_\_

9. Need for support. Please explain:

Maximum allowed points (25)

Advisory Committee's Score: \_\_\_\_\_

10. If additional funds are approved, when will this project be completed:

Within 3 months

Within 6 months

Within 9 months

Maximum allowed points (10)

Advisory Committee's Score: \_\_\_\_\_

### Union County Athletic Council By-Laws

Adopted 1992

Revised 10/26/1997

Revised 2/20/2002

Revised 2/5/07

1. The Union County Athletic Council will consist of two representatives from each Athletic Association.



2. In order for an Athletic Association to be represented on the council, the Association must serve at least 200 families and offer at least (3) youth sports on a non-discriminatory basis.
  - A. Associations must submit a family membership list annually. Lists should be submitted using the designated computer program, no later than January 15. (Detailed information is available from the Parks and Recreation Department at Cane Creek Park, 704-843-3919).
  - B. An Athletic Association profile will be provided for acquiring updated Association information on a yearly basis and will be submitted no later than February 15.
  - C. If an Association fails to serve the minimum 200 families for two consecutive years this Association will not be considered in (good standing) and will not be eligible for funding until the required criteria are met.
3. Each Association represented on the Council must have an established bank account.
4. There will be one representative from the Union County Parks and Recreation staff and one representative from the Union County Parks and Recreation Advisory Committee on the council (non-voting representative).
5. Each Association has one vote per Association.
6. Monies allotted to the Council by Union County will be distributed to each Association in (good standing) according to the total number of family memberships represented. Any additional monies will be awarded based on a uniform project scoring system.
7. Money may only be used for items specified in the Application Guidelines. (Fixed assets are considered items used at least three (3) years.)
8. The Athletic Council will meet once a month from September through April. Each Association must have an elected representative in attendance a minimum of five of the eight meetings scheduled, to be considered for grant funding.
9. No group may receive funding through the UCAC unless they are a member in good standing by April 1<sup>st</sup> of that budget year.
10. A mandatory Grant Workshop must be attended by at least one elected member of each Association to receive Grant Funding.

**UCAC Grant Feedback Report**

**For**

**(Name of Association/Municipality)**

**Project Title:**            for **FY-20**            **Date of Report:**

Type of Report (Check one):  Project Update Report  Grant Close Out Report

**Project Update Report Information**

Project is:  25% Complete  50% Complete  75% Complete

Estimated completion date is:

The following project elements have been completed:

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Copies of receipts and checks for the above items have been obtained to attach to the "Grant Close Out Report".

Yes  No

---

**Grant Close Out Report Information**

I am pleased to report that the FY- [redacted] Grant Project is completed. I acknowledge the following:

Yes  No I have reviewed the Cost Elements Sheet from my original packet and verified that all items have been completed as specified in the contract.

Yes  No I verified that any changes were authorized through a contract amendment prior to installation/purchase.

Yes  No All receipts and cancelled checks are stapled in order as per the project's cost elements sheet for verification. your review and

Yes  No **Compiled financial statements have been completed and submitted as required by the contract.**

This is the association's breakdown of the funds used for the project:

**CONTRACT'S COST INFORMATION**

**ACTUAL COST INFORMATION**

Association's Requested Share: \$

Association's Actual Share: \$

Union County's **Authorized Max.** Share: \$

Union Co.'s Actual Share: \$

Total Estimated Cost of Project: \$

Actual Total Cost of Project: \$

Is there a refund due the County?  Yes  No If yes, amount \$

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Name of Official:            Signature: \_\_\_\_\_ Title:            Day Phone #:

**Please attach in following order** *(Close Out Report Only)*

- (1) Project's Cost Elements Worksheet
- (2) All Check/Receipts for each element in order.
- (3) A copy of the required audit as per the contract.

Note: Keep a complete copy of your report in your records.

**Athletic Association's Profile Statement**

**Date:**

1. Legal Name:

2. Mailing Address:

Street:

City:

Zip Code:

3. Chief Official: Name:  
Title: Daytime Phone:  
E-Mail Address:

4. Contact Person: (Must be elected official other than Chief Official)  
Title: Daytime Phone:  
E-Mail Address:

5. Youth Sports Offered: *(A minimum of three (3) are required by the By-Laws)*  
**(1)**  
**(2)**  
**(3)**  
(4)  
(5)  
(6)

6. Total **Union County** Families served:

7. Total **Union County** Children served:

I have reviewed my association's records and the above information is correct to the best of my knowledge.

Name:

Signature: \_\_\_\_\_

(Chief Elected Official)

**ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES:**

The Chair announced the following vacancies on standing boards and committees:

- a. Adult Care Home Community Advisory Committee
- b. Agricultural Advisory Board (one vacancy for an unexpired term ending June 2011)
- c. Board of Equalization and Review (two vacancies)
- d. Fire Commission (three vacancies)
- e. Juvenile Crime Prevention Council (one vacancy for each of the following: Substance Abuse Professional, a member of the Business Community, a member representing United Way or other Non-profit, one (1) Commissioner appointee, and two (2) vacancies for persons under the age of 18)
- f. Nursing Home Advisory Committee (members cannot have a financial connection with or have an immediate family member in a nursing home)
- g. Parks and Recreation Advisory Committee [vacancies include one member with a physical disability]
- h. Home and Community Care Block Grant Advisory Committee [three 3 vacancies for community representatives as of December 2010]
- i. Board of Health [three (3) vacancies, one representing each of the following categories: a dentist, a pharmacist, and a veterinarian]
- j. Planning Board [five (5) vacancies which include one regular member with an unexpired term ending April 20, 2011; one (1) term ending April 20, 2012, and an alternate whose term expires April 20, 2011]

**APPOINTMENTS TO BOARDS AND COMMITTEES:**

The Chairman stated that the appointments to the Library Board of Trustees have been handled.

**Historic Preservation Commission:**

He stated the next is appointment of an individual to the Historic Preservation Commission. He said that Carolyn Funderburk is not eligible for reappointment and announced there are seven applications to fill this position.

Chairman Simpson nominated John Dickerson and briefly reviewed his qualifications.

Commissioner Rogers nominated Virginia Bjorlin.

The Chairman called for a vote on Virginia Bjorlin. Mrs. Bjorlin received one vote: Commissioner Rogers.

Chairman Simpson then called for a vote on John Dickerson. Mr. Dickerson received three votes.

The Chair declared John Dickerson to be the new member of the Union County Historic Preservation Commission.

[Commissioner Kuehler had left the meeting.]

**COUNTY MANAGER'S COMMENTS:**

Mrs. Coto expressed condolences to the family of Bill Maynard who was a part-time employee who manned the convenience site at Parkwood School. She announced that he passed away unexpectedly this weekend.

She next stated that she had sent electronically the responses that she had received with respect to joint meetings with municipalities. She updated the Commissioners that as of today she had heard from all municipalities with the exception of Hemby Bridge and Lake Park.

**COMMISSIONERS' COMMENTS:**

The Chair recognized Commissioner Rogers. Commissioner Rogers congratulated all the athletes who did so well with the scholarship signings over the last week or two. She said she had always been a proponent of athletics to academics in that it is proven that it works.

She also thanked the citizens for their support via emails or telephone calls letting her know that they are pleased with her work. She also thanked a group of ladies in Monroe who have been praying for her; she thanked them for their prayers.

Commissioner Thomas offered congratulations to Chad Gombar for obtaining his Eagle Scout award. He also thanked the staff and particularly County Manager Coto for her leadership in the open meetings. He said during the last three work session this Board has had an opportunity to lay forth its priorities and its desire to not raise taxes. Commissioner Thomas said that the citizens will see what is being considered and agreed that the cuts will hurt but assured that the County will come out leaner and better. He

said he was not sure whether or not the health insurance question will be legally acceptable or not but that he truly believes this Board should lead by example. He said he would call upon the other commissioners to refuse the health insurance benefit as he had done. He said that County Attorney Bundy is not sitting beside Mr. Crook, not because he is sick, but because his services were not needed tonight and that is another way to save taxpayers' dollars. He wished everyone a good evening.

Vice Chair Johnson also extended his congratulations to Chad Gombar for achieving the Eagle Scout Award. He said he serves as the District Commissioner for the Boy Scouts of America in Union County and announced that the Boy Scouts will be holding their annual banquet on February 24, 2011, at 6:00 p.m. at Lee Park Baptist Church.

Chairman Simpson offered his congratulations to Chad Gombar for achieving the Eagle Scout Award. He also congratulated Vice Chairman Johnson for working with the Boy Scouts of America.

At 9:00 p.m., Chair Simpson moved to adjourn the meeting. The motion passed unanimously. Commissioner Kuehler had left the meeting without having been recused; therefore, in accordance with the Board's Rules of Procedure, her vote was recorded in the affirmative.]