

Approved May 16, 2011

Minutes of Monday, April 18, 2011
REGULAR MEETING

The Union County Board of Commissioners met in a regular meeting on Monday, April 18, 2011, at 7:00 PM in the Commissioners' Board Room, First Floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

PRESENT: *Chairman Jerry Simpson, Vice Chairman Todd Johnson, Commissioner Jonathan Thomas*

ABSENT: *Commissioner Tracy Kuehler, Commissioner Kim Rogers*

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

General Business:

At approximately 7:00 p.m., the Chairman opened the meeting and welcomed everyone present.

a. Invocation

Vice Chairman Todd Johnson offered the invocation.

b. Pledge of Allegiance

Chairman Simpson led the body in reciting the Pledge of Allegiance to the United States flag.

c. Employee Recognition for April 2011

On behalf of the Board of Commissioners, Chairman Simpson recognized the following County employees who have reached

certain milestones in their years of dedicated and loyal service to the citizens of Union County:

5 YEARS OF SERVICE

AMANDA HELMS
REBECCA HUTSON
JON COFFEY

DEPARTMENT

COMMUNICATIONS
HEALTH
PARKS AND RECREATION

10 YEARS OF SERVICE

PATRICIA GOODWIN
CHARLES MCKOY
JAMES HILTON
DONNA CAUDLE
JANET COX
JERRY MCCLANAHAN
GUS NICHOLS
CINDY ORR

DEPARTMENT

HEALTH
PUBLIC WORKS
SHERIFF'S OFFICE
SOCIAL SERVICES
TAX ADMINISTRATION
TAX ADMINISTRATION
TAX ADMINISTRATION
TAX ADMINISTRATION

15 YEARS OF SERVICE

BETTY KING

DEPARTMENT

INSPECTIONS

25 YEARS OF SERVICE

SUSAN PARSONS

DEPARTMENT

SOCIAL SERVICES

30 YEARS OF SERVICE

TERESA MCRORIE

DEPARTMENT

INFORMATION SYSTEMS

- d. Recognition - Unionville Odyssey of the Mind Team Members

Chairman Simpson stated that tonight there was a special recognition of a group from Unionville Elementary School. He explained that three Unionville Elementary School teams participated in the Central Region Odyssey of the Mind Competition on Saturday, March 5. He said that Odyssey of the Mind promotes creative thinking and going "outside the box."

The Chairman shared that each team competed against other elementary school groups from across the region including several others in Union County. He said that each team also went in for their spontaneous problem and that was calculated into their overall score to help determine first, second and third places.

He stated that the first problem, Extreme Mousemobile, coached by Eric Hinson, Susan Long and Michelle Helms achieved every one of their marks in the vehicle problem and was awarded first place. He said in the third problem, Le Tour Guide, the Unionville team coached by Robin Stegall, Sharon Williams, and Ramona Seegars won first place. He said the last team from Unionville was coached by Jill Fagala, Lindsey Gallagher and Heather Kiser. He stated the problem was Full Circle and they were also awarded first place. He noted that never have all three Unionville teams placed first to move on to the State competition.

He stated that the two teams finished first and one team finished third at State competition held in Asheville on April 2. He shared that the two first place teams will go to Maryland on May 26 - May 30 to compete in the World competition. The Chairman shared the teams are currently working to raise \$18,000 for the trip.

He introduced Bryan Lynip, Assistant Principal. Mr. Lynip stated that many of the students were on a well-deserved spring break and unable to attend tonight's meeting. He said that others were making a presentation to the Unionville Town Council tonight in an attempt to raise funds for their trip to Maryland to compete in the World competition. He recognized Harper McGraw, a member of the Full Circle Team, who was in attendance tonight. The Chairman presented a certificate to Mr. Lynip for each of the team members and coaches.

The members of the first place teams are:

Le Tour Guide – Coached by Robin Stegall, Sharon Williams, Ramona Seegars

Lydia Stegall, Lanie Hibbs, Jennifer Stevens, Tyler Gentry, Joey Inge, Meredith Shank, Chandler Blackburn

Extreme Mousemobiles – Coached by Eric Hinson, Susan Long

Issac McKenzie, Kaitlyn Farrar, Buddy LeFluer, Rhianna Becker, Victoria Dennehy, Katie Dennehy, Wyatt Brown

Members of the third place team are:

Full Circle – coached by Lindsey Gallagher, Jill Fagala

Micah Fagala, Kelli Fagala, Caleb Baucom, Harper McCraw, Riley Outen, Ally Yeno, Madison Blackburn

Commissioner Thomas commented that raising \$18,000 in today's economy is not an easy feat. He encouraged citizens to support the group's endeavor and make contributions to the Unionville Elementary School. Mr. Lynip added that any businesses that wanted to provide corporate sponsorship would have an opportunity to have their corporate logos on t-shirts.

2. Informal Comments

Chairman Simpson reminded everyone of the guidelines for Informal Comments and recognized Lindsay Morris as the first person to address the Board during Informal Comments tonight.

Mr. Morris stated that he resides in Wingate and his comments addressed the Charlotte Area Transportation System (CATS) 74 Express Service. He provided the Board with a handout showing ridership statistics for the 74 Express. He said that the annual ridership for 2010, as shown on the information provided, was 53,379 riders which represent a bus capacity of approximately 60 percent compared to Mecklenburg County's ridership of 45 percent. Mr. Morris stated that if the cost per rider was annualized, it would be \$2.34 per rider. He said that according to CATS, there was a reduction in ridership in 2010, because CATS has stated that they have seen a consistent reduction in ridership due to job losses and the economy. He stated that CATS has said that year to date for 2011 there has been a two percent increase in ridership over prior years.

Mr. Morris stated that factoring these numbers in for 2011 brings the cost per citizen in the County to forty-three cents per year. In closing, Mr. Morris strongly encouraged the Board to preapprove the funding in the new budget year for the 74 Express services. He asked those in the audience who were in attendance supporting the 74 Express service to raise their hands. He stated that this service is really needed for the 53,000 residents who ride the bus.

Chip Harris stated that he lived in the unincorporated area of the county between Unionville and New Salem. He also addressed the CATS 74 Express service in the County. He expressed appreciation for the County's past support of the bus service. He described it as a partnership between Union County, CATS, and the citizens who utilize the bus service. He said that each partner shares in both the costs and benefits of the services and each partner contributes approximately one-third of the cost for the service. He stated that while the riders receive a direct benefit from riding the bus to and from work in Charlotte, he thought the County also benefitted. He said that he thought the County would stand to lose if the service is eliminated. He shared that on average there are approximately 100 riders per day and suggested that a loss of service would likely result in a loss of approximately \$360,000 from people who would have to spend that amount on gas and parking which they are currently spending

with Union County businesses. In addition, he stated that he has noticed that the service is not just for those who choose to use it, but also there are a significant number of riders who are dropped off at the bus stop and who may not have alternative transportation to Charlotte. He also noted that a number of the riders are students attending Central Piedmont Community College (CPCC) furthering their education. In closing, Mr. Harris asked that the Board strongly consider in its budget discussions the continued support of the bus service.

Jodie Antone stated that she resides in Pinedell, and she spoke regarding the CATS 74 Express service. Ms. Antone said that from having worked for a City government in the past, she understood the rigors of planning a budget. She said that also as a homeowner she understood planning a budget and the difficult choices that have to be made.

She stated that if the 74 Express Bus Service were discontinued, not only would it affect the riders who use the service every day, but also it would affect the environment, the riders' families, the local retailers, and businesses. She cited as an example when the riders get off the bus in the evenings and need items such as groceries, etc., they buy from the retailers outside the bus stop. She stated that if the riders are forced to carpool and take a van, 90 percent of that business would be transferred to Matthews, and this would take sales tax revenues from Union County and move those dollars to another county.

Ms. Antone suggested that if there is a set amount in the budget planning for the CATS funding, and if the amount that CATS is requesting is more than that amount, that the Board consider alternatives rather than saying that the bus service will not be funded. She said that the service provides four runs in the mornings and four runs in the afternoons. She questioned if three runs would be sufficient and suggested either to adjust the times or stop the route at Indian Trail to reduce some of the time and mileage to make the service more cost effective. She suggested that the people here tonight in support of the bus service as well as others who use the service who were not present would rather have reduced service than no service at all. She shared her personal need for the bus service, and said without the bus service, she did not know how she would be able to travel to and from her job. She noted that if the people who utilize the bus service were not able to get to their jobs and lost their jobs, they would then have to utilize other County services such as food stamps and financial services. She said that although the bus service might not be funded by the County next year, the County would be spending money on other services that people would be required to use because they do not have jobs. In closing, she encouraged the Board to consider not discontinuing the service, but offered in the alternative, if the service is not funded fully, that a solution be found to help those citizens who need this valuable service.

Mary Wooten was the next speaker who also spoke about the 74 Express Service. Ms. Wooten stated that she resides in Lake Park. She provided a handout which indicated some of the reasons for using the bus service. She cited one of the reasons stated one of the reasons stated in the information for using the bus service is socializing with each other. She said that she had attended sports events because someone on the bus had a child that played on a certain team, and she had wanted to support the parent and

child. She stated that she would not have met half of the people that she has met since she moved to Union County four years ago had it not been for riding the bus.

She stressed that the bus was a great service. She too suggested if the service could not be fully funded, that something else be done. She reiterated that many businesses would lose revenue because the riders would be buying from retailers in another county. She said that the riders often refer each other to small businesses in the County for services that they need. Ms. Wooten said that she hoped the Board would consider funding the service. She said that the service was not only for those who ride the bus but also for others as well as to help the environment.

At approximately 7:20 p.m., Commissioner Thomas requested a short recess. At approximately 7:21 p.m., the Chairman reconvened the meeting.

The next speaker was Jessica Febus, who resides in Monroe. Ms. Febus also spoke regarding the 74 Express Service. She said that she has been utilizing the bus service since November 2007, and during that time, she has noticed more and more people riding the bus. She stressed that the bus service is a wonderful resource for the county. She said that if this service was discontinued, approximately 100 people would have to start driving to work making the roads that are already congested more so. She stated that if the 74 Express bus service is discontinued, the riders will be shopping in Matthews where they get off the bus. She said that this would not help promote shopping in Union County.

She stated that the bus route to Charlotte is the reason a number of people felt comfortable moving to Union County. Ms. Febus said that she thought if the route is cut, there will be people who will choose to live closer to Charlotte, because of the inaccessibility.

Chris Pulley stated that he resides in Indian Trail, and has been riding the bus since moving to Indian Trail. He said that riding the bus is a great option for individuals who are in wheelchairs or have disabilities. He stated that to his knowledge, there is no service that will transport him all the way into downtown Charlotte other than the bus. He stressed that from that perspective, it is very important for him to have an alternative. He said that ride sharing or carpooling are really not options for him. The 74 Express offers that service to him and it is accessible. He stated that the bus service saves time and gas for him. He said if the service is discontinued, it will put more vehicles on the road and there will be more wear and tear on the roads.

In closing, he suggested that a solution be found for the bus service. He said that he thought the Board needed to consider all of

this information when deciding on the funding for the bus service.

Debra Sherman stated that she resides in Monroe and her concern is the possible discontinuation of the 74 Express services. She said that many of the speakers before her have discussed a number of the issues that she was going to bring up. She reiterated that there are 200 riders per day on the bus route. She stated that part of her concern is that there would be an extra 200 cars on the road per day, which will cause wear and tear on the road surfaces. Ms. Sherman said that by utilizing the bus service, she saves money, wear and tear on her car, and the cost of gasoline. She stated her other concern is losing sales tax revenue in the county because the riders will be shopping in other areas.

In closing, she expressed appreciation to the Board for its time and consideration of funding of the bus service. She suggested that perhaps there could be a compromise that instead of four routes per day there could possibly be three routes.

Libby Long, Mayor of the Town of Fairview, said she was intrigued by the recent article in *The Monroe Enquirer* entitled "Town Tells County to Ante Up." She stated that if it is true that the squeaky wheel gets the grease, then she was here tonight to squeak for the Town of Fairview and the northern end of the County. Mayor Long said that all of Union County had an increase in population, and as the Indian Trail Town Councilman pointed out in the joint meeting with the Board of Commissioners on April 12 something needs to be done to bring business into the area for the sake of the county. She stated that local and state governments have an obligation to help. She said she had approached the Board of Commissioners over a year ago about how sewer to the northern end of the county could definitely add to the County's economy. She further said that because of Fairview's proximity to Cabarrus and Mecklenburg Counties, residents are shopping in these other two counties and not spending their money in Union County.

Mayor Long stressed that Fairview needs sewer in order to attract retail to the area. She said that the Town is not looking to become an Indian Trail or Stallings, but it is looking to have some kind of amenities for its citizens. She noted that Indian Trail's transportation problem was Old Charlotte Highway, and Fairview's transportation problem is Highway 218. She said that as long as the Monroe Bypass continues to be delayed, Highway 218 is becoming the bypass. She stated that Fairview needs water lines extended, and that end of the county has a high incident of arsenic in the water.

Mayor Long said at Fairview Town Council's last meeting, it was approached by Fairview Elementary School asking for assistance in purchasing computers and also by Piedmont High School asking for assistance in purchasing an irrigation system for their athletic fields. She questioned if it were not the County's responsibility to see that the schools' needs are met. She asked why

these would be issues for the Town of Fairview and not for the County. She said that it could be argued that certain entities have responsibilities to provide for the schools in Union County.

In summary, Mayor Long said she had two words "equitable distribution." She stated that Fairview has been on the low end of the totem pole for too long. She reiterated the need for water lines and sewer and now they need help in the schools. She asked if there was anything the County could or would do to help the Town.

Robert Heath stated that he resides in Monroe and he wanted to underscore some of the comments made tonight by his fellow riders of the 74 Express Bus service. He stated that they believe there is a great deal of interest and benefit from having that service between Monroe and Charlotte four times daily. He said that last week a public hearing was held in Charlotte where CATS heard many of the riders' grievances and comments. Mr. Heath stated that 45 of the bus riders attended that hearing, and the CATS' representatives remarked that for most public hearings, five to ten people attend, but they were impressed by this number of attendance.

He shared how the bus service has benefitted him in transporting him to and from his employment in Charlotte. He said that having the bus service available is very important to his livelihood. Mr. Health recommended that the County continue supporting and funding the bus service.

Stacey Perdentae stated that she lived in Indian Trail. Ms. Perdentae spoke regarding the 74 Express Bus Service. She said that she recently learned of the possible discontinuance of the 74 Express Bus route. She stated that as a resident of Union County for approximately five years, she regularly uses the bus service to travel to and from work. She said that since last Friday, she has gathered a significant amount of signatures from Union County residents who ride the bus on a daily basis who do not want this service to be taken away.

Ms. Perdente said over the last few years she has noticed a dramatic increase in traffic on Highway 74 and Monroe Road. She stated that discontinuance of the bus service would mean more cars on the highway which would result in the need for additional road repairs and longer commute times. She suggested that with the rising gasoline prices, that the County provide an eco-friendly option for its residents. She said that at its meeting on April 12th with the Indian Trail Town Council, the Board discussed shopping locally. Ms. Perdente said that if the 74 Express Bus service is discontinued, the local businesses at the Indian Trail Food Lion and Monroe K-Mart Shopping Center will suffer. She stated that if the riders on the bus are forced to drive, they are more likely to shop in Mecklenburg County and will have less disposable income with which to shop locally if they have to pay

for gasoline, parking, and wear and tear on their vehicles. She suggested that if a change is needed in the bus service, perhaps the route could be shortened to run from Monroe or Indian Trail to the Transportation Center or the stop after that, which are the most popular stops, or possibly discontinue one bus in the morning and one in the evening.

Ms. Prudente said that one of the major reasons that she chose to move to Union County was to be away from the City and to enjoy a quiet rural life with a benefit of a hassle-free commute to Charlotte through public transportation. She stated that if the bus service is taken away, perhaps less people would move to Union County. She questioned with Union County being the fastest growing county in the State, how could it not have a public transportation system. She said discontinuing the only alternative to driving would be a step in the wrong direction. In closing, Ms. Prudente urged the Board to reconsider continuing funding for the bus service and exploring other ways to save the County money.

She presented a petition to the Clerk to the Board which Ms. Prudente reported contained more than 150 signatures regarding the bus service.

Mick Goodfellow spoke about the 74 Express Bus Service. Mr. Goodfellow said that the price of gasoline would probably not decrease, and several years ago, when the hurricanes occurred in the Gulf, gasoline was extremely high and very scarce, and the riders had to stand on the bus ride both to and from Charlotte. He said that he thought that same situation would occur again at some point in time, and when that happens, many people will not be able to get to their jobs in Charlotte. He said that from the County's perspective, it is the fastest growing County in the State. He stated that several people had mentioned that they moved to Union County because of the quality of life, and, he, too, loved living in Union County. Mr. Goodfellow stressed that the bus service is needed and there needs to be an alternative for going into Charlotte.

He said that all of the speakers thus far tonight have said the same things, but he wanted to leave the Board with this thought: in order for the County to grow and prosper, some kind of alternative transportation is needed to carry the residents to and from where the jobs are.

Leona Brewer stated that she resides in the Bakers area in Union County and teaches at Forest Hills High School. Ms. Brewer spoke in favor of maintaining full funding for the K-12 public education system. She said that she could not envision how the North Carolina House could imagine that every North Carolina student will receive a quality education when they propose cutting Union County's funding that supports approximately 70 teachers, 80 teachers' assistants, 24 non-instructional support persons, and 10 bus drivers. Ms. Brewer said they are proposing to eliminate the funds for mentoring, technology, staff development, early

learning programs, and the North Carolina Teaching Standards Commission along with other support programs. She stated also they want to eliminate the Teacher Academy. In closing, Ms. Brewer urged the Board to maintain full funding of public education in Union County, one way or another.

Dawn Moretz, who resides in Marshville, stated that she was representing the Union County Association of Educators and also supporting full funding for the Union County Public Schools. She said that she was not present tonight to gripe and complain but to offer a solution. She said that a penny could be such a powerful tool in helping to meet the needs in the upcoming budget crisis by extending the temporary sales tax and having support across the cities and county to maintain the temporary sales tax for one more cycle. She said this would assist in coming up with the one billion dollar shortfall that is part of the State's budget.

Further, Ms. Moretz said that the North Carolina Association of Educations, in conjunction with others, is coming together for the One Voice Rally to be held on Tuesday, May 3, in Raleigh to show their support for funding schools first at the state level. She stated that they are encouraging the parents, community, friends, businesses, and employees of the Union County Public Schools to attend the rally in Raleigh at 4:00 p.m. She invited the Commissioners to attend the rally.

3. Additions, Deletions and/or Adoption of Agenda

Commissioner Thomas requested to remove from the agenda Item 5 under Old Business - Litter Control.

With there being no further additions or deletions, the Chairman moved to adopt the agenda as amended. The motion passed by a vote of three to zero. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the motion. Commissioner Kuehler and Commissioner Rogers were not present.

4. Consent Agenda

Chairman Simpson moved to approve the items listed on the Consent Agenda as presented. The motion passed by a vote of three to zero. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the motion. Commissioner Kuehler and Commissioner Rogers were not present.

- a. Contracts and Purchase Orders Over \$20,000
 1. Emergency Communications: Renewal of Motorola Service Agreement (Funds for this Agreement are Included in the Budget) – Authorized the County Manager to approve the renewal of the Motorola Service

Agreement pending legal review.

- b. Minutes: Approved the Minutes of Regular Meeting of April 4, 2011
- c. Amendment to Union County Personnel Resolution – Approved Amendments to the Union County Personnel Resolution, Article XII, Section 1 and Section 3, Personnel Records and Reports as recorded below:

ARTICLE XII. PERSONNEL RECORDS AND REPORTS

SECTION 1

Personnel Records Maintenance

The following information on each County employee ~~shall be maintained and~~ is considered public information:

- a) Name
- b) Age
- c) Date of original employment or appointment to County service
- d) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the county has the written contract or a record of the oral contract in its possession
- e) Current position title
- f) Current salary
- g) Date and amount of most recent each change in salary
- h) Date and type of most recent each promotion, demotion, transfer, suspension, separation, or other change in position classification
- i) Date and general description of the reasons for each promotion

- j) Date and type of each dismissal, suspension or demotion for disciplinary reasons taken by the county. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the county setting forth the specific acts or omissions that are the basis of the dismissal.

- k) The office to which the employee is currently assigned.

SECTION 2

Access to Personnel Records

As required by NCGS Sec. 153A-98, any person may have access to the information listed in Section 1 of this article for the purpose of inspection, examination, and copying during the regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Board of Commissioners may adopt. Access to such information shall be governed by the following provisions:

- a) All disclosures of records shall be accounted for by keeping a written record (except for authorized persons processing personnel actions) of the following information: Name of employee, information disclosed, date information was requested, name and address of the person to whom the disclosure is made. This information must be retained for a period of two years.

- b) Upon request, records of disclosure shall be made available to the employee to whom it pertains.

- c) An individual examining a personnel record may copy the information;

SECTION 3

Confidential Information

The County does not furnish employee name and address lists.

All information contained in a County employee's personnel file, other than the information listed in Section 1 of this article, will be maintained as confidential in accordance with the requirement of NCGS Sec. 153A-98 and shall be open to public inspection only in the following instances:

- a) The employee or his/her duly authorized agent may examine all portions of his/her personnel file, EXCEPT
 - 1) letters of reference solicited prior to employment
 - 2) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his/her patient.
- b) A licensed physician designated in writing by the employee may examine the employee's medical records.
- c) A County employee having supervisory authority over the employee may examine all materials in the employee's personnel file.
- d) By order of a court of competent jurisdiction, any person may examine all material in the employees personnel file as may be ordered by the court.
- e) An official of any agency of the State or Federal government, or any political subdivision of the State may inspect any portion of a personnel file when such information is deemed necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employees tax liability as provided for in NCGS 153A-98. However, the name, address, and telephone number from a personnel file may be released for the purpose of assisting in a criminal investigation.
- f) As otherwise permitted by NCGS 153A-98.
- g) Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.
- h) A record shall be made of each disclosure and place in the employee's file (except disclosures to the employee and the supervisor).

SECTION 4

Records of Former Employees

The provisions for access to records apply to former employees as they apply to present employees.

SECTION 5

Remedies of Employees Objecting to Material in File

An employee who objects to material in his/her file may place in their file a statement relating to the material he/she considers to be inaccurate or misleading. The employee may seek the removal of such material in accordance with the established grievance procedures (Article VIII).

SECTION 6

Penalty for Permitting Access to Confidential File by Unauthorized Person

General Statute 153A-98 provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed five hundred dollars (\$500.00).

SECTION 7

Penalty for Examining and/or Copying Confidential Material without Authorization

General Statute 153A-98 provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove or copy any portion of a confidential personnel file, shall be guilty of a misdemeanor and upon conviction shall be fined in the discretion of the Court in an amount not to exceed five hundred dollars (\$500.00).

- d. Budget Transfer Report for March 2011 – Approved Budget Transfer Report for March 2011
- e. Report on Settlement of Lawsuits – Received report from County Attorney regarding the following matters: 1) Edward P. Bowers, Trustee vs. Union County, NC and Union County Public Works Case No. 09-31456 – Pending in United States Bankruptcy Court Western Division; and 2) William J. Nolan, III, Louise Hemphill-Nolan, and Hemphill Nolan Realty Group vs. Union County, North Carolina, and Union County Public Works – 08 CVS 03965 – pending in Union County Superior Court
- f. Information Only - No Action Required: Monthly Report for March 2011 from the Department of Inspections –

Included in the agenda package with no action requested was the monthly report for March 2011 from the Department of Inspections

Old Business:

5. Litter Control (From April 4, 2011, Regular Meeting)

This item was deleted from the agenda at the request of Commissioner Thomas.

New Business:

6. Police Week Proclamation (May 15 - 21)

Ms. Margaret Derenge, President of Monroe-Union Fraternal Order of Police Lodge #19, presented information regarding National Police Week. She stated that National Police Week is May 15 -21, 2011, and its purpose is to honor law enforcement officers who have lost their lives in the line of duty. She noted that this year 317 names will be added to the marble wall of the National Law Enforcement Memorial in Washington, DC, bringing the total number of officers killed in the line of duty in the United States throughout history to 19,299. She said of the 317 names to be added to the wall, 153 officers lost their lives in the line of duty in 2010, and to date, 55 officers have lost their lives in the line of duty in 2011.

Ms. Derenge said that the Monroe-Union Fraternal Order of Police Lodge #19 will reveal and dedicate the Union County Law Enforcement Memorial during a candlelight ceremony on the evening of Friday, May 20, 2011, at 7:00 p.m. honoring those who have lost their lives in the line of duty. She pointed out that Union County has lost three officers in the line of duty over the years: John Pearce (1888), Monroe Police Department; Richmond Edgar Williams (1917), Wingate Police Department; and Richard Belk (2010), Waxhaw Police Department. She stated that the memorial will be placed in the area left of the Union County Judicial Center. She said that construction of the memorial will begin on May 1.

Elizabeth Cooke, a member of the Union County Law Enforcement Memorial Committee, read the proposed Proclamation into the record.

National Police Week Proclamation

May 15-21, 2011

Union County

Whereas, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

Whereas, the members of the law enforcement agency of Union County play an essential role in safeguarding the rights and freedoms of Union County; and

Whereas, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

Whereas, the men and women of the law enforcement agency of Union County unceasingly provide a vital public service;

Now, therefore, the Union County Board of Commissioners calls upon all citizens of Union County and upon all patriotic, civic and educational organizations to observe the week of May 15 – 21, 2011, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

The Union County Board of Commissioners further calls upon all citizens of Union County to observe Sunday May 15, 2011, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

In witness thereof, we have hereunto set our hands and caused the Seal of the Union County to be affixed this the 18th day of April, 2011.

ATTEST:

Lynn G. West, Clerk to the Board

Jerry Simpson, Chairman

Following the reading of the proclamation, Vice Chairman Johnson moved adoption of the National Police Week Proclamation as presented. The motion passed by a vote of three to zero. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the motion. Commissioner Kuehler and Commissioner Rogers were not present.

7. Resolution in Support of Senate Bill 433 - Local Human Services Administration

Cindy Coto, County Manager, provided background information on this item. She explained that this is a legislative priority of the North Carolina Association of County Commissioners. She stated that there is current statutory authority via 153A-77 that permits counties whose population is in excess of 425,000 to reorganize county human services programs by having the Board of County Commissioners assume the duties and responsibilities of the Boards of Social Services, Health and Mental Health or at the Board's discretion appoint a consolidated human services board. Mrs. Coto noted that the passage of the bill would not mandate the County's restructuring or consolidating human services but provides the County with the flexibility and option to do so. She stated that both the County's Health Department and Social Services Department have separate boards that govern those departments. She said that while the Board of Commissioners has budgetary authority of the Health Department and Social Services, the employees, although they are employees of the County, are under the State Personnel System.

Mrs. Coto said that staff is bringing this resolution forward and asking the Board's consideration to support this legislative initiative.

Vice Chairman Johnson said when he first saw the proposed resolution, he had some concerns that the Board was actually deciding to consolidate. He stated his understanding was that this resolution allows the County to have that flexibility but the Board is not actually voting to consolidate.

Mrs. Coto responded that this was correct and said that the North Carolina Association of County Commissioners asked all North Carolina counties take a position in support of this legislative initiative. She assured that the resolution only grants the County the flexibility in the future.

Commissioner Thomas acknowledged Mr. Nathal Hailey, a member of the audience, who serves on the Social Services Board. Commissioner Thomas stated that the County has been a benefactor of good leadership not only at the board level but also at the department head level, and he assured that his support of the proposed resolution was no reflection on Mr. Hailey's service on the

Social Services Board or that of any other member. He stressed that he wanted to make that very clear. He said that the proposed legislation gives the County an option should it ever want to make changes in these departments. He stated that whether or not the legislation passes, he did not see a lot of changes happening very quickly in Union County in connection with the legislation.

Following the discussion, the Chairman moved adoption of a Resolution in Support of Senate Bill 433 – Local Human Services Administration. The motion passed by a vote of three to zero. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the motion. Commissioner Kuehler and Commissioner Rogers were not present.

RESOLUTION

IN SUPPORT OF SENATE BILL 433 – LOCAL HUMAN SERVICES ADMINISTRATION

WHEREAS, county governments across North Carolina are facing severe financial pressures during these difficult budget times;

WHEREAS, county governments are looking for ways to consolidate programs and services to offer a more streamlined and efficient government to minimize administrative costs and maximize services for its citizens;

WHEREAS, Union County is an active member in good standing of the North Carolina Association of County Commissioners;

WHEREAS, every two years, the membership of the NCACC develops and approves a package of legislative proposals designed to protect and enhance the interests of county governments and the citizens who live in our 100 counties;

WHEREAS, more than 200 county officials representing 83 counties gathered in Durham County on January 20-21, 2011, and debated and ultimately approved 54 proposals submitted by counties to be included in the legislative goals package;

WHEREAS, one of these goals is to “allow county flexibility to organize local human services”;

WHEREAS, SB433 permits those counties with populations of less than 425,000 to reorganize county human services programs by having the Board of County Commissioners assume the duties and responsibilities of the Board of Social Services,

Health and Mental Health, or at the Board’s discretion appoint a consolidated Human Services Board;

NOW, THEREFORE, BE IT RESOLVED that the Union County Board of Commissioners adopt this resolution in support of SB 433 “**allow county flexibility to organize local human services**”;

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Union County to let them know of our support for this issue.

Adopted this the 18th day of April, 2011.

ATTEST:

Lynn G. West, Clerk to the Board

Jerry B. Simpson, Chairman

8. Announcement of Vacancies on Boards and Committees

Chairman Simpson announced vacancies on the following Boards and Committees:

- a. Adult Care Home Community Advisory Committee
- b. Juvenile Crime Prevention Council [One (1) vacancy for each of the following: a Substance Abuse Professional and two (2) Vacancies for Persons under the Age of 18]
- c. Nursing Home Advisory Committee [Members cannot have a financial connection with or have an immediate family member in a nursing home]
- d. Parks and Recreation Advisory Committee [Vacancy for one member with a physical disability]
- e. Home and Community Care Block Grant Advisory Committee
- f. Board of Health [one (1) vacancy for a Dentist]
- g. Region F Aging Advisory Committee [(Two (2) Vacancies for Regular Members and One (1) Vacancy for an Alternate Member with Terms Ending June 30, 2011)]
- h. Jury Commission (One vacancy expiring June 2011)

9. Appointments to Boards and Committees

a. Planning Board

Chairman Simpson announced that there are five vacancies on the Planning Board which includes two (2) regular members with terms ending April 20, 2011; two (2) unexpired terms ending April 20, 2012; and an alternate whose term expires April 20, 2011.

Chairman Simpson nominated Jim Howie to serve as a regular member of the Planning Board to fill a vacancy for an unexpired term ending April 20, 2012. He discussed Mr. Howie's qualifications.

Commissioner Thomas nominated Russell Wing to serve as a regular member of the Planning Board for a term beginning April 20, 2011. Commissioner Thomas discussed Mr. Wing's qualifications.

In addition, Commissioner Thomas nominated Jeff Gerber to serve as a regular member of the Planning Board to fill an unexpired term ending April 20, 2012. He discussed Mr. Gerber's qualifications.

Vice Chairman Johnson nominated Frank Aikmus to serve as a regular member of the Planning Board for a term beginning April 20, 2011. He discussed Mr. Aikmus' qualifications.

With there being no further nominations and with no objection from the Board, the Chairman called for the Board to vote on the nominations in block. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the nominations and terms as specified. Commissioner Kuehler and Commissioner Rogers were not present.

b. Agricultural Advisory Board [One (1) Vacancy for an unexpired term ending June 2011 and two (2) Vacancies for Terms Ending June 2011]

Chairman Simpson announced that there was one (1) vacancy on this board for an unexpired term ending June 2011 and two (2) vacancies for terms ending June 2011.

The Chairman nominated Hunter Lathan to serve a three-year term on the Agricultural Advisory Board and nominated Travis Starnes and Richard Simpson for reappointment to this Board.

With there being no further nominations and with there being no objection from the Board, the Chairman called for a vote on these nominations in block. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the

nominations. Commissioner Kuehler and Commissioner Rogers were not present.

10. County Manager's Comments

Cindy Coto, County Manager, announced that the North Carolina City and County Communicators awarded Union County First Place for Excellence in Communications for its electronic newsletter for the second consecutive year.

11. Commissioners' Comments

Vice Chairman Johnson expressed appreciation to all who either watches tonight's Board meeting on television or who attended tonight's meeting. He stated that currently Union County and the State face some very serious budget constraints, and this Board has to make some unpopular and unexciting decisions. He stated, as had been heard tonight, there are individuals who have expressed concern about the schools as well as individuals who are concerned about their public transportation. In addition, he said there are many other issues that the County is facing, and he said that there are issues with attendance of Board members at meetings.

Vice Chairman Johnson said that he has a child who attends Unionville Elementary, and he left his wife and children at the beach this morning and came back to Union County so he could attend tonight's meeting. He stated that he could go into the specifics of attendance but would not.

He said that he is proud of Unionville Elementary School. He stated that his son, who attends the school, loves attending Unionville and loves his teachers and principal.

Vice Chairman Johnson pointed out that no decision has been made on the funding of the CATS services. He said that Mrs. Coto has done a good job of responding to concerns about the CATS service as well as the Commissioners have done a good job responding to the concerns. He assured that the Board would do its best but stressed he could not make any promises regarding funding of the CATS service.

He expressed his appreciation to all the members of law enforcement and fire protection. He said that he mentioned in the invocation the loss of Christy Black, who lost her battle with cancer. He stated that she and her husband were very active in the schools where their children attend.

Commissioner Thomas also expressed his condolences to Christy Black's family. He thanked everyone who spoke tonight about

the various issues. He said that he, too, regretted that there was not a full Commission present tonight. He said that this is spring break for the schools. He stated that he was attacked a number of times on the campaign trail that he did not have time to serve as a Commissioner, but he was missing his son's sixth birthday to attend tonight's meeting. He said that there were some important issues discussed tonight, and he would take the comments and information into consideration. He stated that he has said it for many weeks and would continue to say that the cuts that the Board has ahead of it are not fun and are unpopular, but again stressed that these are not discretionary cuts. He assured that the Board would take all the information presented tonight into consideration.

He offered his congratulations to the members of the Odyssey of the Mind teams from Unionville Elementary. He said that as a member of the Piedmont Behavioral Health Board (PBH), Union County has an opportunity to submit an item for the time capsule for PBH's new building. He said that he would like some suggestions for items to place in the time capsule.

In addition, Commissioner Thomas said since the Board of Commissioners' last meeting, the Fire Commission has met, and that meeting was the first of that commission to be televised. He said that tonight he wanted to send out a challenge to the Board of Education to also televise its meetings. He stated that he would call Chairman Arp this week and encourage the Board of Education to also televise its meetings.

Commissioner Thomas wished his son a very happy sixth birthday and shared his personal gratitude for his son having been healed from cancer.

Chairman Simpson thanked everyone for their time tonight.

Adjournment

With there being no further discussion or comments, at approximately 8:10 p.m., Commissioner Thomas moved to adjourn the regular meeting. The motion passed by a vote of three to zero. Chairman Simpson, Vice Chairman Johnson, and Commissioner Thomas voted in favor of the motion. Commissioner Kuehler and Commissioner Rogers were not present.