

February 1, 2010

Minutes of  
Union County Board of Commissioners

The Union County Board of Commissioners met in regular session on Monday, February 1, 2010, at 7:00 p.m. in the Commissioners' Board Room, first floor, Union County Government Center, Monroe, NC.

The following were:

**PRESENT:** Chairwoman Kim Rogers, Vice Chair Tracy Kuehler, Commissioner Allan Baucom, Commissioner A. Parker Mills, Jr., and Commissioner Lanny Openshaw

**ABSENT:** None

**ALSO PRESENT:** County Manager Al Greene, Lynn West, Clerk to the Board, Kai Nelson, Finance Director, Matthew Delk, Assistant County Manager, and Jeff Crook, Senior Staff Attorney

**OPENING OF MEETING:**

Chairwoman Rogers convened the meeting and welcome everyone.

***Invocation:*** At the Chairwoman's request, Commissioner Baucom presented the invocation.

***Pledge of Allegiance:*** The Chairwoman led the body and audience in reciting the Pledge of Allegiance.

***Recognition:*** The Chairwoman stated that the audience always sees Mrs. West, who has been Clerk to the Board for many years and who has worked with several boards throughout the years, and announced that tonight she wanted to give recognition to Mrs. West for her work. She stated that two weeks ago, Mrs. West attended training through the North Carolina School of Government and was one of 38 clerks out of 100 counties who received the designation of North Carolina Certification for County Clerks. She presented Mrs. West with a plaque and congratulated her for her work and dedication to the boards of county commissioners and the citizens of Union County. She said that this achievement is a reflection of Mrs. West's professionalism and her commitment to her career, Union County government, and the community she serves.

Mrs. West expressed her gratitude for the plaque and stated that she appreciated the opportunity to work with this Board.

***Featured Community Benefit Organization: JobReady Partnership*** – Linda Smith

The Chairwoman recognized Mrs. Linda Smith, Job Broker and the only employee of JobReady Partnership. Mrs. Smith thanked the Board for an opportunity to talk about this organization.

Mrs. Smith stated that JobReady Partnership is a nonprofit organization that enhances school-to-work training for students of Union County Public Schools. The main goal, she explained, is to create stronger links between the business community and education by providing training that better prepares students with technology skills they will need as they seek employment in Union County's local business community.

She explained that all program funding is donated by community businesses and individuals through fundraising, foundation grants, and in-kind donations. The Partnership is led by a volunteer council consisting of 37 members who represent key leadership positions in Union County.

She stated the Partnership initiated many programs, such as workplace tours, internships, job shadowing, and career guidance efforts that work directly with students preparing to enter the workforce. Another initiative is the New Century Scholars program that provides scholarships for eligible students to attend South Piedmont Community College.

She thanked the citizens of Union County for helping to grow the students within this program.

**PUBLIC HEARINGS – Planning Department:**

a. Petition #001095 – Allison's Custom Construction

At approximately 7:21 p.m., the Chairwoman opened the Public Hearing for Petition No. 001095 – Allison's Custom Construction – Requesting Rezoning Classification from B-4 (General Commercial) to RA-40 (Residential Agricultural) containing 3.02 acres, being on Tax Map #04-198-004B, located on Griffith Road (SR#2139) and being within Buford Township. She recognized Ray Belk, who had registered to speak.

Ray Belk, 4124 Griffith Road, stated he lived next door to this property and had lived there his whole life. He said he lives in a residential area and does not want a business near his house.

With there being no other persons wishing to address the Board during the public hearing, at approximately 7:25 p.m., the Chairwoman closed the public hearing.

b. Amend Article XXIV Flood Damage Prevention Section 384 of the Union County Land Use Ordinance

At approximately 7:25 p.m., Chairwoman Rogers next opened the public hearing on amendment to Article XXIV Flood Damage Prevention Section 384 of the Union County Land Use Ordinance entitled Definitions “Essential Services” by deleting stormwater facilities from the current wording. She stated that no one had registered to address this amendment.

Richard Black, Planning Director, explained that the Board’s original motion was to exclude stormwater detention from the floodplain from essential services. He said they first thought it was a simple kind of an amendment of just going to the definition of essential services that lists the things that are essential services. He said one of the items is Stormwater Facilities and he and the staff thought that could be excluded from both the flood plain and the essential services by taking it out of the definitions for essential services. He said they took this action and presented it to the Planning Board and the Planning Board unanimously endorsed and approved that amendment. He said that when he and the staff were working up the information for the agenda package, there was more discussion and it became evident that perhaps the action was too broad. He said the removal of the definition of Stormwater Facilities removed every type of stormwater facility, pipes, outfalls, wet lines, rain gardens, and detention ponds. He said he and his staff were uncertain if they wanted to go too broad and wanted to get clarification if it is only the detention ponds the Board wanted removed or is it removal of stormwater altogether. He said the other question raised is that by taking it out of essential services, not only did it not allow the essential services, but if someone could install one and show a no rise, it was still excluded. Mr. Black said that he wanted to get those two things clarified before the process developed any farther.

Mr. Greene apologized for the confusion and explained that if it is the intent of the Board to remove all stormwater facilities that he thought the amendment suffices as approved by the Planning Board.

Jim King, Planning Board Chair, interjected that if it is of any interest to the Board he learned of this yesterday that there was some confusion. He said he knew what he voted for so he called the majority of the Planning Board and asked them their interpretation and what was their understanding of the item on which they voted. He said that when the Planning Board voted, they voted for stormwater facilities that would include anything having to do with the project. He assured the Planning Board was quite aware of what it was voting for and that was the members’ intent. He reminded that the Board of Commissioners could change or modify this in anyway, but what the Planning Board voted to send to the Board of Commissioners was a recommendation to amend the ordinance to delete Stormwater Facilities, which included pipes, ditches, trenches and so forth. He said this definition meant anything having to do with the stormwater project.

The Chairwoman asked Jeff Crook, Senior Staff Attorney, if when the Board conducts a public hearing and there is action to be taken, is the action to be taken during the public hearing or should an item be added to the agenda after the public hearing is closed.

Mr. Crook replied that the Board's action should take place after the public hearing is closed.

She next asked if during the public hearing could there be discussions and questions from the Commissioners to the people making the presentation.

Commissioner Baucom stated that for clarification purposes he was asking if RA-40, which is a residential-agricultural zone, remains the same as it was before the amendment.

Mr. Black responded that it was. In response to a follow-up question by Commissioner Baucom, Mr. Black assured that from the action proposed tonight there would be no change to agricultural uses allowed under the zoning. He further stated that the action would prevent stormwater facilities from being built in a flood plain. Commissioner Baucom said he wanted to be certain because there would be questions asked by the public and he wanted to avoid any confusion.

Mr. Black said that the way the Ordinance is now written, a recreational pond or an agricultural pond will be allowed because it is one of the permitted uses.

The Vice Chairwoman said she wanted to make sure of what she is hearing. She restated her understanding of the comments that at the point this item was put on the agenda and being discussed by the staff, the staff had a question as to whether the Planning Board understood the action taken was so broad.

She further asked if it were the staff's intention to seek that definition from the Board of Commissioners as well as the Planning Board.

Mr. Black reminded that Mr. King has stated that the Planning Board knew exactly how broad the action was that it took. Vice Chairwoman Kuehler asked the staff's intention in seeking clarification of the definition.

County Manager Al Greene offered to explain the issue. Mr. Greene stated that the Planning staff in presenting the request from the Commissioners to the Planning Board, presented elimination of stormwater facilities under the belief that stormwater detention facilities were stormwater pipes, ditches, and other stormwater related facilities and could be considered as part of detention. He said it was only as the agenda was being developed that the staff looked at the motion and wanted to make sure before the Commissioners took action that the intent of the Board was presented to the Planning Board.

Vice Chairwoman Kuehler stated the staff's question is to determine if the broad approach was the intent of the Board of Commissioners when it previously took action. She said that what she understands from Mr. King is that the broad approach was the intent of the action taken by the Planning Board.

The Chairwoman closed the public hearing at approximately 7:35 p.m.

Chairwoman Rogers stated the next item and reported that there are several people who have registered to speak. She provided the rules to be followed by the speakers.

**INFORMAL COMMENTS:**

She recognized Denise Whitley of Marshville. Mrs. Whitley stated she lives at 514 South White Street, Marshville, and reported that she serves on the Marshville Town Council but is also present tonight as a citizen of Marshville. She stated that she is speaking to the Eastern Union County Sewer Project. She said she thought it was through a lack of communication that the Town Council and staff were not aware the project was on-going until the council learned that the Commissioners had voted unanimously to proceed with it and then it voted to halt the project. She requested a better way for the towns to be notified of what is going on in their areas. She said she thought as a citizen and council member that this is an important project and knew that \$2 million had been allocated for this particular project and the County had to appropriate money. She said she knew comments had been made by at least one of the Commissioners that a lot of the problems were within the municipalities. Mrs. Whitley explained that the Town of Marshville had spent hundreds of thousands of dollars in an attempt to upgrade its sewer lines. She said it could not be completed all at one time, but it is worked on daily. She reported that grants are applied for on a regular basis and stressed the eastern side of Union County is going to grow as the Monroe By-pass comes through the area. Mrs. Whitley said it is important and asked the County Commissioners to reconsider this project because as she understood from the County's staff and from reading the newspapers, this project is the only one that qualified for the grant. She stressed this project is an investment in the future of the County—not only Marshville but also Wingate and the eastern side of Union County as a whole. Mrs. Whitley said she had not known it was on the last meeting's agenda but knew that the Commissioners were bombarded from the Mayors of the western end who are against this project. She said she did not think that the comments from those leaders truly represented the feelings of the citizens on the western side because there had always been a good relationship with these citizens. She said she thought if the citizens of that area were asked, they would say they are very much concerned about the eastern section of the county and would like to see the project go forward. She said the town would not be getting free sewer capacity because it paid for its capacity.

Frank Deese, Mayor of Marshville, stated that he resides at 314 West Main Street, Marshville. He said that before making his comments he wanted to congratulate Mrs. West who is a Forest Hills Alumna. He stated it occurred to him that during this time of year that if it doesn't have a W-2 Form, it doesn't get his attention; however, he said it did get his attention when he learned that the Board of Commissioners was discussing the Eastern Union County Sewer Project. He reported that the eastern part of Union County is the future of Union County and

anything that this Board of Commissioners does for the eastern part of Union County is an investment in the future of Union County. He said he could not imagine why this Board would consider not doing something that would improve the sewer capacity and Inflow and Infiltration in the eastern part of the county. Mayor Deese said that Marshville is a small part of the County and it does continually, as Councilwoman Whitley said, work on the project. He said they allocate money and apply for grants. He said Marshville has spent approximately one-half million dollars over the last couple of years in an attempt to improve its system. He explained that to receive grants that most of the time the town has to partner with Anson County because Union County's median income is so high that it prevents Marshville from qualifying for grants on its own. He said that is not a result of the median income of the citizens of Marshville and Wingate but that is the plight of Marshville. Mayor Deese said that anytime the County can do something to improve the system or make an investment in eastern Union County that he would hope the Board would consider doing so for the good of the county and not listen to people who have only the best interest of other parts of Union County in mind. He said he was speaking on behalf of the Marshville Town Council and the citizens of Marshville.

Bill Braswell, Mayor of Town of Wingate, stated he lives at 101 East Elm Street, Wingate, and is addressing the Eastern Union County Sewer Project. He asked the Board to help Wingate address its immediate needs and the growth that is coming its way. He said for almost eight years, the Marshville to Monroe sewer plant line has been undersized relative to the needs. He said that Wingate has been under a sewer moratorium during these eight years. He said meanwhile outside of Wingate and Marshville that other neighborhoods and the jail have been added to the flow of this main sewer line. Mayor Braswell said the under sizing of this main sewer pipe is becoming painfully obvious to everyone. He stated that a week ago, workers began to update 30 percent of Wingate's sewer lines. He said their ambition is that within months, the town could significantly reduce its inflow and infiltration problems and will continue to address these problems. Mayor Braswell said even if the town were able to stop all the inflow and infiltration problems, the main pipe is often completely or almost filled to a point before it traverses to Wingate. He said when this occurs an illegal spill is a certainty. He said the town is excited by its future. He noted that Wingate University has made a huge commitment to Union County and more specifically to the Town of Wingate.

Brent Moser, Mayor Pro Tem of Wingate, stated he lived at 132 Oak Leaf Lane, Wingate. He said that as Mayor Pro Tem of Wingate he has been authorized by Wingate University to present a letter to the Board. He read the letter from Wingate University outlining its offerings to the County and encouraged the Commissioners to support Wingate and the Eastern Union County Sewer Project. He said that Wingate University had made the decision to either locate the new Levine School of Health Sciences in Mecklenburg County where it would be near clinical facilities or in Union County. He said the Board of Trustees of Wingate University chose to invest in Union County and specifically in Wingate. Mayor Pro Tem Moser said that Wingate University's decision was based in part on the assumption that County leaders are and will be willing to set up and provide adequate infrastructure. Mayor Pro Tem Moser said as the University continues to grow that adequate water and sewer will be vital.

Scott Byrum stated he lives at 5014 Highway 205, Marshville, within the town limits of Marshville as well as owns a business in Marshville. He said he currently serves as the President of the Marshville Chamber of Commerce. He explained his purpose in being present tonight is to ask all Commissioners to honor their commitment to be fair and equal to all the citizens of Union County. Mr. Byrum said tonight

the Board has an opportunity to do so. He said he, as most people, realizes that most of the money in Union County goes to where the growth is in the County; however, Marshville cannot grow until the infrastructure is fixed. He noted that if Marshville can't grow, there is no money. He said if there is no money, there is no growth. Mr. Byrum said that the pump stations in Marshville and Wingate almost always overflow when there is heavy rainfall. He said it is a very disgusting, unsanitary situation as well as an illegal one. He said he understood that the Union County Board of Commissioners passed a motion by a unanimous vote to use EPA grant money to fix the problems on those two projects. Mr. Byrum said that tonight the Board has an opportunity to put into action its promise to be fair to all citizens of Union County by allowing this money to be used for what the Board had unanimously approved it to be used for. He said it is his belief that the citizens of Wingate and Marshville are a vital part of this county and should be treated as such and encouraged the Board to do what is right and help these citizens.

The Chairwoman announced that this concluded the Informal Comments' segment of the meeting.

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

Chairwoman Rogers requested that Item 7A, Waxhaw Emergency Department, be added to the agenda, that Item 12, Draft Transportation Plan for RPO, be moved to Item 7B, that the update on the Fire Study be Item 7C, that the Rezoning Petition #001095 be added as Item 8A, the Stormwater Amendment on which the public hearing was held will be 8B, and the Eastern Union County Sewer Project will be 8C.

Commissioner Openshaw asked to remove 5.7, Delinquent Tax Lien Advertisement, from the Consent Agenda and to add it to the Regular Agenda as Item 10A and that the request for funding for Detention Officers become Item 10b on the Regular Agenda.

The Chairwoman asked for a motion to approve the agenda as amended.

Vice Chairwoman Kuehler moved to adopt the Agenda as amended. The motion passed unanimously.

**CONSENT AGENDA:**

The Chairwoman requested a motion to approve the items included on the amended Consent Agenda. Vice Chairwoman Kuehler moved to approve the items listed on the Consent Agenda as amended. The motion passed unanimously.

**Minutes:** Approved minutes of the January 12, 2010 – Special Meeting

**Budget Amendment:** Adopted Budget Amendment #33 to increase Federal Revenue by \$1,640 and Operating Expense by the same amount to appropriate additional federal funding for the Breast and Cervical Cancer Program, as recorded below:

**BUDGET AMENDMENT**

BUDGET Health REQUESTED BY Phillip Tarte  
 FISCAL YEAR FY2010 DATE February 01, 2010

**INCREASE**

**DECREASE**

<u>Description</u>		<u>Description</u>	
Federal Revenue	1,640		
Operating Expenses	1,640		

Explanation: Appropriate additional federal funding for the Breast and Cervical Cancer Program for the Health Department.  
These funds will be used for mammograms.

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>	
10551150-5383-1323	Medical Services	1,640	10451150-4366-1323	Federal Grant	1,640




Total	1,640		Total	1,640
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Prepared By	bl			
Posted By				
Date			Number	33

**Departmental Reports:** Approved:

- a. Tax Collector’s monthly/year to date collections report from the month ending December 31, 2009.

**Library -- Smart Start Family Literacy Grant Application:** Authorized the County Manager to execute the grant application due on Friday, February 12, as applied for by the Union County Public Library to continue the Smart Start Family Literacy Program.

**Sheriff -- Printrak Livescan Station:** Authorized the County Manager to approve Purchase Order to purchase a "Lifescan" fingerprint station in the amount of \$28,939 that will be placed in the Records section of the Sheriff's Office.

**Library:** Authorized the County Manager to approve a purchase order to The Library Corporation in the amount of \$24,034 to purchase the annual support for the Library's automation system that provides troubleshooting support, regular maintenance and upgrades to the software that runs the Library's cataloging, circulation and on line public catalog.

**NC Department of Transportation Supplemental Funding FY2010:** Approved Budget Amendment #35 to appropriate \$141,736 from State Revenue and to increase Operating Expenses by the same amount for the NC Department of Transportation Rural Operating Assistance Program for FY2010, as recorded below:

### BUDGET AMENDMENT

BUDGET	<u>Transportation/DSS</u>	REQUESTED BY	<u>Annette Sullivan</u>
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FISCAL YEAR	<u>FY2010</u>	DATE	<u>February 01, 2010</u>
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**INCREASE**

Description

State Revenue	<u>141,736</u>
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Operating Expenses	<u>141,736</u>
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**DECREASE**

Description

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Explanation: Appropriate additional state grant funding for the NC Department of Transportation Rural Operating Assistance Program for FY 2010.

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>	
10558100-5121-1680		1,736	10458100-4485-1680		50,768
10558100-5126-1680		59,226	10458100-4495-1680		82,495
10558100-5134-1680		65	10453101-4485-1450		8,473
10558100-5181-1680		3,513			
10558100-5182-1680		78			
10558100-5183-1680		401			
10558100-5190-1680		691			
10558100-5211-1680		490			
10558100-5212-1680		1,515			
10558100-5311-1680		100			
10558100-5321-1680		104			
10558100-5321-1680		565			
10558100-5353-1680		6,075			
10558100-5357-1680		24,541			
10558100-5358-1680		3,992			
10558100-5359-1680		4,821			
10558100-5360-1680		350			
10558100-5451-1680		25,000			
10553101-5396-1450		8,473			
		Total			Total
		141,736			141,736

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

Number \_\_\_\_\_ 35 \_\_\_\_\_

***Delinquent Tax Lien Advertisement:*** Transferred to the Regular Agenda (at the request of Commissioner Openshaw)

**PUBLIC INFORMATION OFFICER'S COMMENTS:**

Brett Vines, Public Information Officer, announced that he had learned this afternoon via email that the Health Department is going to have a flu clinic Friday, February 5, 2010, from 6:00 p.m. until 8:00 p.m., inside Monroe Mall in front of Sears. He said this clinic will be free to anyone who would like to have an H1N1 flu shot. He requested if anyone needed any additional information to call the Health Department.

He next announced that the Union County Master Gardeners is having a rain barrel sale and announced the dates of the sale, sizes and prices of the barrels.

Mr. Vines said that on February 27 The Master Gardeners will also be hosting a tree seedling sale and announced information concerning these events.

He stated that the Bee Keepers class was canceled last Saturday due to the weather and has been rescheduled for February 20<sup>th</sup> from 8:00 a.m. until 5:00 p.m. at the Ag Center. Mr. Vines gave the cost of the class to be \$10 and announced how to make necessary contacts for registering.

The Public Information Officer next announced that the IRS offers the Volunteer Income Tax Assistance Program for individuals and families who have income of \$49,000 or less per year. He said this is free tax preparation and is offered at two locations in the county. He gave the locations and times of the program. He said that all preparers are certified by the IRS and all tax returns will be filed electronically.

Mr. Vines announced that candidate filing for anyone interested in running for offices begins February 8<sup>th</sup> and ends February 26<sup>th</sup> at noon. He reported the listed seats are on the Union County Web Site or individuals can call the Board of Elections.

He next reported on the statistics for 2009 pertaining to the use of the Prescription Discount Drug Card. He stated that last year the card was used 5,667 times in Union County and 10,348 prescriptions were discounted for individuals who use the cards. Mr. Vines said that the users saved \$194,942. Mr. Vines further reported that the cards can be used by all county residents who have no insurance or can be used for

prescriptions that are not covered by their insurance and also for pet medications. He said the cards are accepted at most all the pharmacies in Union County and if someone needs to know where the cards can be obtained that information is on the website under Human Services.

Mr. Vines further stated that Gloria Haney had submitted statistics for the Christmas Bureau and said that for Christmas 2009, the Christmas Bureau accepted 2,111 applications, which were nine more than last year. He said there were 412 households sponsored, which is 36 more than last year. The Public Information Officer said that there were 1,123 gift sponsorships, which were 34 less than in 2008 and 1,093 non-sponsored households were served. He said these would be families that came to distribution days immediately before Christmas. He said this number represents 51 more than last year. He emphasized that in total there were 2,074 households served, which is 78 more than in 2008 but there were 8,277 individuals served and that number is 2,000 less than served in 2008.

**WAXHAW EMERGENCY DEPARTMENT:**

The Chairwoman announced that this item was mostly housekeeping. She recognized Vice Chairwoman Kuehler who moved to authorize the County's Attorneys and staff to continue discussions with CHS regarding the Waxhaw Emergency Department. The motion passed unanimously.

**DRAFT COMPREHENSIVE TRANSPORTATION PLAN FOR THE ROCKY RIVER RURAL PLANNING ORGANIZATION PORTION OF UNION COUNTY:**

The Chairwoman recognized the County Manager who stated that Mr. Rueben Crummy with the North Carolina Department of Transportation is attendance tonight to make the presentation. In the introductory material, Mr. Crummy explained that the CTP is a long-range, multi-modal transportation plan with no fiscal constraints that is used to identify a broad range of improvements for a 25-30 year planning period. It was noted that highway, public transportation, rail, bicycle, and pedestrian elements are included in the plan with analysis on current and future conditions, deficiencies, and recommended improvements which are used by the RRPO as a basis for project prioritization. Mr. Crummy introduced Mr. J. S. Alavi, Supervisor for the Metrolina Planning Group. Mr. Crummy presented the draft Rural Comprehensive Transportation Plan and said his purpose tonight is to outline the recommendations included in the plan. He further explained that a focus group has been working monthly on the plan for about 18 months. He said the recommendations that are going to be reviewed are included on the highway map. He said there are three major improvements – Highway 601, Southern Connection I, and Southern Connector II. He said the minor connectors are Old Pageland-Monroe Road (SR 1941) Extension, and Pleasant Hill Church Road (SR 1710) Realignment and noted that one particular recommendation is the Marshville CTP Planning Area, which is the Old Pageland-Marshville Road. By use of the maps, Mr. Crummy explained these recommendations.

Mr. Greene stated that the Comprehensive Transportation Plan is being presented as information only tonight and DOT would like the Board's input but the intent is to take the plan out to community meetings in the near future to obtain input, possibly make revisions, and bring it back to the Board for adoption.

The Chairwoman thanked Mr. Crummy and Mr. Alavi for attending the meeting and outlining the plan.

**UPDATE ON THE FIRE STUDY:**

The Chairwoman stated the next item and noted that Dr. Bill Jenaway and Neal Speer are present to discuss the study.

Dr. Bill Jenaway thanked the Commissioners for allowing him to update them on the Fire Study. He said he thought he would present the information in three short segments: (1) actions that have been taken to date, (2) what has been evaluated up to this point and (3) some of the items that in a global sense will be the outcome of the study.

Dr. Jenaway stated that first of all the actions to date have included a number of meetings with the County Manager, the Fire Marshal, dispatch center, visits to all fire stations and meetings with representatives of all fire departments, EMS Director, and also has completed as part of this initial process a self-assessment by each of the agencies. He said the purpose of the self-assessment is for him to understand the individual department's perspectives of their own performance, to gauge those against national standards, and then to his own observations, investigations, and discussions to be able to gauge whether there are gaps or overlaps on the performance levels. He said during this trip, in addition to this presentation tonight, he will be meeting with the County Planner, Fire Training Coordinator, Educational Representative, and also will be discussing financial programs that have opportunities to be used within the County. He explained that future meetings will be determined as a result of the meetings conducted this week.

He said that he typically evaluates ten specific areas which are consistent with the Commission on Fire Accreditations Business Model for a Fire Department operation and those include: management and governance of emergency response agencies. He said in this case he is referring to the North Carolina State Fire Marshal's Office and the Insurance Services' requirements for protecting property within the State of North Carolina. He said he further evaluates a Standard of Cover and Response Times. Dr. Jenaway said that this is using data that is provided by the County's dispatch center and allows him to better understand how long department's take from the time of dispatch to their time of arrival. He said this allows for comparisons and time analogies on the ability of departments to do an appropriate integration with a fire based on the time it takes a department to respond.

Dr. Jenaway explained that part of that analysis will evaluate suburban and urban districts versus the rural districts. He noted that this County has a somewhat unique makeup because it has so much property considered rural versus what is considered urban and suburban. He said that typically in these types of communities there are multiple standards of cover. He said that would be defined in the next step. He explained that interestingly enough when one looks at the urban and suburban areas there is a significant transition of population into those areas. Dr. Jenaway said what he sees around the country is that when there are influxes of population from other portions of a State and other

portions of the country that there are different levels of expectations on the part of the general public for the delivery of public safety services. He said he did not expect that outcome to be any different here in Union County.

He said he also looked at all the facilities and apparatus that exists and graded and evaluated those based upon an objective standard as well as using input from the individual department's chiefs as to what they believe is their level of facilities and apparatus. Dr. Jenaway said he also asked each to do a risk analysis which is essentially taking a look at those properties or facilities or operations in their fire districts that they believe posed unique problems. He said as a result of that these departments were asked not only to tell him what these were but to also help him to understand how they believe they could provide adequate water supply in the event of a major event in those properties. With this information, Dr. Jenaway said they matched what is called target hazards and risks to available water supply and their ability to provide that via tankers, etc.

Dr. Jenaway said he also looked at the financing models being used by each department and found significant similarities between those financing models. He said this issue will be given additional study this week.

He said that he also reviewed the training standards that are used, the recruitment and retention techniques that are being used for the volunteers, and the personnel models that are being used for the individuals in these departments. Dr. Jenaway reported that there is an opportunity for enhanced recruitment and retention. He said that is one of the reasons that he would like to talk with the schools' personnel to determine what opportunities exist to get youths involved as early as possible. He said his organization actually did the study for the United States Fire Administration that evaluated volunteerism in the 21<sup>st</sup> century in public safety and found that the earlier people are involved in some kind of training program and get them involved in potential career opportunities, the longer these individuals will stay within the services. Dr. Jenaway said that he is looking forward to that discussion.

He further explained that North Carolina has what is known as Voluntary Training Standards and throughout the country these standards are being enhanced. Dr. Jenaway said that is a good and bad situation: the good being that fire fighters become better trained and are better able to perform their jobs. He said from a volunteer standpoint the negative is that it takes more time for them to accomplish that task. He said he would be talking to the Fire Training Coordinator tomorrow about the opportunities to enhance these standards so the delivery of service can be enhanced over time.

Dr. Jenaway said that he also looked at operations and found, as one would expect in an environment like Union County, the fire departments have grown up on their own or with their mutual aid departments. He pointed out that this is typical throughout the United States but to some degree limits the opportunity for consistent operations within the County. Dr. Jenaway said what he is finding in more and more areas of the United States are that major incidents will involve multiple fire department responses primarily because of staffing, because of new techniques and rehabilitation. He stressed this is a driving need for standardized operating procedures county-wide. He said he understood that since the study has been authorized that there have been significant changes that have occurred and a number of Standard Operating

Guidelines that have been advanced through the Fire Chief's Association that are getting closer to the goal of county-wide based standard operating guidelines, which is a good thing.

He said they also looked at the mutual and automatic aid practices that are used and found that the new dispatch system does have the ability to do some additional design work to enhance the automatic mutual aid system. He assured that he would be talking with individuals about that as well.

Dr. Jenaway said the last issue is that he is in the process of evaluating is the services of the Fire Marshal's Office particularly those that interface with the fire departments. He said one of the things that the Fire Marshal's Office is doing on a regular basis is evaluating properties. He said as they evaluate the properties there is a great opportunity to provide information to the departments for pre-emergency planning activities, which is a natural extension of the traditional Fire Marshal's role and can easily be facilitated to enhance the understanding of properties, potential hazards within those properties, and then better determine what the delivery system needs to be to manage potential emergencies.

He pointed out at this time there are some opportunities to be seen. One of these is the opportunity for benchmarking and consistency of practices county-wide. He noted that many counties throughout the United States are in the same position that Union County is in and the area is growing department by department and not necessarily from a county-wide perspective on how the citizens or the Board of County Commissioners would expect the delivery of service to be provided. He described how some of this information will be derived. Dr. Jenaway said another area of opportunity is training and how to provide the next level of expectation in training and how long it will take to provide the training county-wide.

He said the next area is the continued expansion of risk analysis, water supply, and standard operating guidelines to make sure that when multiple departments are needed at an emergency scene that they are functioning under a common set of operating guidelines which improves efficiency and reduces potential safety challenges.

Dr. Jenaway said there are a couple of other opportunities. He noted that one would be in group purchasing and explained the benefit when it applies to standardized products such as large diameter hose. He said other costs savings are in fire apparatus and almost everything can realize a cost savings through a group purchasing contract.

He next mentioned the consistency in bench marking and stated he thinks that to this point in his and his staff's evaluation that is the biggest issue that has been noted. Dr. Jenaway said that he believes at this point he is better than half way through the overall project and gave praise to the staff of the Fire Marshal's office for gathering the fire insurance reports and many other documents.

The Chairwoman thanked Dr. Jenaway for his update.



**CONSIDERATION OF PETITION 001095 – Allison’s Custom Construction:**

The Chairwoman stated the next item of business and asked if there was a motion.

Commissioner Openshaw moved to approve the recommendation of the Planning Board to approve the rezoning petition (#001095) submitted by Allison’s Custom Construction, and rezone property appearing on Tax Map #04-198-004B and located on Griffith Road (SR 3139) in the Buford Township from B-4 (General Commercial) to RA-40 (Residential Agriculture.)

The Staff Attorney interjected that approval of an amendment to the Land Use Ordinance requires a consistency statement and asked the Board to approve the consistency statement as well.

Commissioner Openshaw moved to amend his motion to include approval of the following Consistency Statement:

Pursuant to N. C. G. S. 153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed map amendment is consistent with the adopted Union County Land Use Plan, and that the adoption of the proposed map amendment is reasonable and in the public interest because: the amendment confirms with the Land Use Plan’s projected future use of this area (residential use with 0 to 1 dwelling per acre); the predominant surrounding land use is single family residential with one dwelling unit per acre; and the predominant surrounding zoning is RA-40 (Residential Agriculture).

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

**CONSIDERATION OF AMENDMENT TO SECTION 384, DEFINITIONS OF ARTICLE XXIV, FLOOD DAMAGE PREVENTION OF THE UNION COUNTY LAND USE ORDINANCE:**

Commissioner Openshaw moved to approve the amendment to Section 384, Definitions of Article XXIV, Flood Damage Prevention of Union County Land Use Ordinance, as recorded below and to approve the following Consistency Statement:

AMENDMENT: To amend Article XXIV Flood Damage Prevention Section 384 of the Union County Land Use Ordinance entitled Definitions “Essential Services” by deleting stormwater facilities from the current wording. The following is the Article as amended and adopted:

“ESSENTIAL SERVICES” means an activity or structure that is required to provide safe movement of traffic and the provision of utilities. Specifically, these services are: street, road, highway, and railroad crossings, overhead and underground utility crossings where crossings are made perpendicular to the stream, municipal and county-owned sanitary sewers and stream restoration activities.”

Whereas, pursuant to N.C.G.S. 153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan and that adoption of the proposed text amendment is reasonable and in the public interest because of the cumulative effect of obstructions in Special Flood Hazard Areas is an increase in stormwater runoff, flood heights, velocities, and losses, and this amendment will reduce additional development inside the Special Flood Hazard Areas thereby reducing the aforementioned cumulative effects.

With there being no additional discussion, the motion passed unanimously.

**EASTERN UNION COUNTY SEWER PROJECT:**

The Chairwoman announced the next item and stated its purpose is to provide guidance to staff in response to the Notices of Violation (NOV). Chairwoman Rogers recognized Ed Goscicki, Public Works Director, and Al Greene, County Manager, to make the presentation.

Mr. Greene explained that a number of questions have been proposed to the staff. He reported that he and Mr. Goscicki met with Commissioners Openshaw and Kuehler last Thursday. Mr. Goscicki has consulted with CDM Design Engineer Jeff Payne and reported that the Public Works Director and the Design Engineer are both present tonight.

The Public Works Director stated that he had only a few slides to detail the recommended changes. Mr. Greene said that after the presentation, the staff will be glad to answer questions.

Mr. Goscicki stated that the project being discussed is the Eastside Wastewater Improvement Project which has been a part of the Public Works CIP for a number of years. He explained that it is a separate system isolated from the remainder of the County's wastewater collection program. He said the improvements that were brought forward earlier as part of the grant funding scenario was a project that involved three wastewater pump stations: one in Marshville, one in Wingate, and one just outside of Monroe. He further stated the way the current system operates is that wastewater collected in the Town of Marshville and the surrounding area including Pilgrim's Pride is pumped through pump station number three (3) through an existing force main. He said the force main then drops into a gravity sewer; the gravity sewer feeds into pump station two (2). Mr. Goscicki explained that this flow combines with the flow that comes from Wingate and the combined flow is then pumped into a 12-inch force main, drops into a gravity section which feeds pump station one (1). He explained that pump station one (1) also picks up the flows from the outside of Monroe as well as the combined flow from pump stations two and three and pumps it all to the City of Monroe's Wastewater Treatment Plant. He reiterated that pump station three pumps to pump station two and that combined flow is pumped to station one, which is a series operation. He stated the problem keeps cascading as the flow gets closer into town. Mr. Goscicki said that the improvements suggested were to essentially parallel the force main. It was noted that action would allow the system to take the flow from wastewater pump station three and flow it through a combined 12-inch line and a new sixteen-inch force main. He said these would network

together at this point and bypass pump station two and flow into a new 24-inch force main that would bypass pump station one and flow directly to the Monroe Wastewater Treatment Plant. He summarized that essentially what the staff did in those improvements is to bypass the flow from pump station three, and bypassed both pump stations two and one. He said that pump station two had only to pump its flow into the force main; pump station one pumps its flow directly to Monroe. Mr. Goscicki said that is the project that was presented to the Board several weeks ago as part of the grant.

He said in discussion with the Commissioners at the recent workshop, the Board members requested that the staff look at the project and determine if there is any way the County could phase this project and were there any other opportunities for implementing this project. Mr. Goscicki said what is being requested to be considered now is essentially to eliminate the construction of the 18-inch force main from the point where the existing 12-inch force main drops into the gravity line and eliminate construction back to pump station three for the immediate future. The Public Works Director said that pump station three will still be upgraded with new pumps and higher capacity and these pumps will have to pump through the small 12-inch pipe line but getting new pumps on, and the fact that they will not have to pump to station two will improve the condition of pump station three. The Director reported that in pump station two the plan is to install new pumps, same capacity, but replacing them with newer pumps because the existing ones are getting worn. He said the advantage of pump station two is that it is not receiving the flow from pump station three in this plan, which will alleviate that problem. He said pump station one is not going to have to pump the flow from pump station two and so the plan alleviates the congestion problem there. He said this revised plan will save this project approximately \$2 million in initial funds. Mr. Goscicki noted that instead of an \$8 million project, it will bring it nearer to a \$6 million project estimate. He said this proposal will provide some increased capacity in pump station three, and the staff thinks this will be enough to deal with the current peak flow capacity condition that the system is now having plus some additional capacity beyond that. He said the plan also relieves the problem in pump stations two and one mostly because this plan does not take all the flow and cascade it but it is able to run through a new force main.

Mr. Goscicki said the staff recommends that the County still design and bid the entire project, but that it also bid the section described as a bid alternate and have the contractor bid a price including that additional three miles of pipe and submit a bid without the three miles of pipe. He said if the bid conditions are as good as the bids were for the eastern water improvement projects recently awarded, the Board might choose to go ahead with the entire project.

The Director said that another concern is that the County is trying to match the grant funds. He said that the County needs a project that totals about \$4.4 million to come up with the County's matching part of the \$1.9 million grant from EPA. Mr. Goscicki said that although the staff has estimated the project at \$8 million, the bid climate, as you recall, was exceedingly favorable only a few months ago when the County bid the Anson project. He said that project came in at about half the estimated project cost. He said the bid on this project could easily come in at the \$6 million range or lower and that keeping the alternate in there would be good practice so if the project comes in exceedingly low, the County might need to add a little of the project to be able to move forward and keep it within the EPA requirements.

Mr. Goscicki reported that it is staff's recommendation to move forward with the EPA grant for this project and modify the bid documents as they are brought to the Board. He said staff would be bringing this to the Board within the next two agendas to allow the engineering services to complete the design and provide for service during construction. He stressed these documents will be brought to the Board as another agenda item shortly. He said with that recommendation he would make himself available to answer questions.

Vice Chairwoman Kuehler asked Mr. Goscicki to explain the causes of the violations.

Mr. Goscicki explained that what caused the violations were overflows in pump stations two and one.

Vice Chairwoman Kuehler further asked what caused the overflow.

The Director explained the overflow was caused by a combination of two factors. He said at this time the County has a firm pumping capacity in this system of 1.9 million gallons per day. Mr. Goscicki said that amount is literally what can be pumped with all the pumps running at capacity; it can pump 1.9 million gallons per day, perhaps 2.1 depending upon the hydraulic conditions. He said of the design capacity if the largest pump is taken out of service at both pump stations, the system is down to less than one million gallons per day. He said that is the basic problem the County is trying to fix. Mr. Goscicki said there are peaks regularly within that two million gallons per day range and he is trying to make sure there is secure capacity to deal with that peak. He said that part of the flow is due to infiltration and inflow. The Director said that Marshville has taken some steps in an effort to curtail it and Wingate has just started a multi-million dollar program to further reduce its inflow and infiltration. He said he could not say tonight how much of it is infiltration and inflow and how much is base flow. He said the prudent practice from the Master Plan indicates that the County recognizes that it does not have anywhere near the capacity that it should have for the flows that have existed for years. Mr. Goscicki said that even correcting the infiltration and inflow the County would need to move forward with the project to meet the County's short and long-term needs.

Vice Chairwoman Kuehler asked if increasing the line size and pumping capacity is basically the ability to transfer or carry the flow to the treatment plant. She said that she did not see this project as solving the described situation to add additional users to the system.

Mr. Goscicki responded that this plan will allow the County to utilize more of the capacity that is in the City of Monroe's Wastewater Plant. He reminded that the County has a contract with Monroe for capacity of 2.65 million gallons per day on an average day and stated that at this time on an average day, the County would be utilizing about one million gallons per day and on a peak day perhaps two million gallons per day. He reported that these improvements would bring that number to about 2.2 million gallons per day. He said the County currently has flows on the order of 1.9 million gallons per day. He said there would be some additional capacity generated but not the full 2.65 gallons per day, but there would be some additional capacity that would be available for use.

The Vice Chairwoman asked if he were referring to additional capacity assignable to new users.

Mr. Goscicki responded yes.

Vice Chairwoman Kuehler asked if on a peak day these new users would not put the county over capacity again.

Mr. Goscicki stated that was correct.

She said she thought there had been a moratorium at this point because there is not any additional capacity and the County is not actually creating more capacity but is transferring what it is using more effectively to the plant.

Mr. Goscicki responded that is true but the capacity at the treatment plant has been there; it is that the County did not have the ability to get the flow to the plant. He said the County has 2.65 million gallons capacity per day at the Monroe Wastewater Plant that the County has been paying for through the years. He said that through the existing pump stations, the County could not reliably get that flow there but these improvements will get the County closer to that contracted number.

Vice Chairwoman Kuehler said she did not understand in that she thought it was hammered out last Thursday that on a peak day (the information that she had) Wingate pushes through somewhere around two million gallons which is three and half times their average daily capacity. She said if you take that number across the Board and if everybody puts three and a half times their capacity in the system on the same day because of a rain event, the County would be at six million gallons and this amount could not be treated.

Mr. Goscicki responded that the numbers get a little daunting when one starts dealing with peak days and firm pumping capacity, and average annual capacity in treatment plants. He said there are different sets of numbers depending on what one is looking at. He said the wastewater treatment plant is looking at an annual average number of 2.65 million gallons per day. Mr. Goscicki said that when one is building a pumping station and force main, the State requires that one looks at, if you take the largest pump in station out of service on an instantaneous basis, what can physically get through the system. Therefore, he said there are two different sets of number. He said the contract with Monroe addresses both. He said the contract states on an annual average basis, the County has capacity of 2.65 million gallons per day. He said this is the amount that would be allocated because when his department talks with developers that his staff talks about average demand that the development will have on the system. He said the contract also addresses peak day or instantaneous peak and that is in the order of 6.5 million gallons per day. He said that the Vice Chairwoman is correct in that there is the ratio of average flow of 2.65 million gallons per day and the max day of 6. something million gallons per day.

Vice Chairwoman Kuehler stated that on the water side, the County designs to the peak day and asked if the County designs to the peak day on sewer flow as well.

Mr. Goscicki stated that on the sewer side the County would design the plant to maximum month and design the treatment collection system to the peak day. He said that in this system when one talks about having a firm capacity of 2.2 million gallons per day with these improvements, the County will have an instantaneous capacity of 5.8 million gallons per day.

Commissioner Openshaw said that the way he looked at this item, the County has three issues: one is the violations, the second is the EPA grant and the third is inflow and infiltration (I and I). He said his original question was and still is: What can the County do to help Wingate and Marshville with their infiltration and inflow problems? He said that is what got him involved in this project. He further stated that this project addresses a symptom and does not correct the cure. He said he was glad to see Wingate and Marshville, after many years, finally stepping up and doing something about this issue, but as the State tells him, there is still a long way to go. He said rather than wasting precious capacity, he is interested in seeing what can be done to work with the towns, if anything, to help move along the infiltration and inflow projects because this is essentially the only sewer that is left in Union County. He said one thing that should have been learned is that the County needs to be efficient in what it does have.

He said one thing that disturbed him in this process is that in October 2008, the Manager asked that the Board extend the contract with Wingate for a year to expire in October 2009, hoping that the County would enter into a new contract, but that has not happened. Commissioner Openshaw emphasized the County needs to enter into a new Contract with Wingate. He pointed out that Wingate is either at or above its peak for the month of December while Marshville is below. Commissioner Openshaw pointed out that it can be seen by the numbers that the infiltration and inflow during the wet months plays a significant part in the treatment capacity. He said he did not have a problem approving this with a few caveats and one is that the County needs to continue to communicate with the municipalities to work out new contracts in which infiltration and inflow issues are addressed, if possible. He said that if these contracts cannot be worked out with the municipalities that the Commissioners need to know about this situation. He said this is a major capital expenditure that is supported and carried by all the current users of sewer in Union County. He said he would like to confirm the statement that Union County makes no profit on Wingate's and Marshville's flow.

Mr. Goscicki responded that is a correct statement. He explained the way the contract is written the County charges these municipalities the cost for both capital and operating.

Commissioner Openshaw said that one question is: who is going to pay for it? He said he believed the answer would be the current users in Union County's system not Wingate and Marshville.

Mr. Goscicki stated that Wingate and Marshville is part of the current contract and, hopefully, in the new negotiated contracts these municipalities would pay their proportionate share and calculating their share is part of that negotiation.

Commissioner Openshaw said that this statement leads him to the question: Has either Wingate or Marshville asked for new user treatment capacity?

The Public Works Director reported that he had not received such requests recently.

Commissioner Openshaw said that in looking at the numbers he is surprised that Marshville's numbers are not higher, but Wingate does have a problem but hopefully what they are doing on the system will improve some of their infiltration and inflow problems. He said that Pilgrim's Pride's use is between 500,000 and 600,000 gallons per day and Union County has been fairly consistent using 200,000 gallons per day. He said this project is coming forth now because of the EPA grant and it is one of the biggest projects that the numbers could be put together for to meet the \$2 million grant. He asked if this project is being put forth first because the County wants the \$2 million grant.

Mr. Goscicki replied, no. He explained the project was included in the CIP and moving forward as part of this year's CIP. He said that when the staff looked at the EPA grant, it decided that the grant could be lost if the County could not find a project to apply it to. Since this project was 90 percent completed at the time, it is being modified to meet the grant requirements.

Mr. Greene stated that if this is a project that was being moved forward only in order to obtain the EPA grant, the County would not have 90 percent of the grant completed and rights of way acquired.

Commissioner Openshaw said he did not want to go off on his normal rants on putting the pipe and the money where the current demand is versus where there is no demand or little demand. He said he understood fixing the problem but wanted the staff to understand that the users of the system are paying for this in three ways: (1) in the contracts that Mr. Goscicki mentioned with Wingate and Marshville, each town pays a percentage of capital improvements, excluding a gift, which is this grant. He said Wingate and Marshville directly benefit from it at the exclusion of the rest of the county, (2) He said that citizens and users of the Union County Sewer System have invested in the sewer infrastructure that is currently being wasted on infiltration and inflow treatment. He said that is a cost to the citizens of the County who use the County's sewer system, and it needs to be addressed. (3) Since there is no demand currently, it will be the users of the systems who will be paying exclusively for the capital improvement until everything is worked out. He also said that in the meantime the users in Wingate and Marshville will be paying higher than necessary rates until the infiltration and inflow issues are resolved.

Commissioner Openshaw returned to his original question of how can the County help with infiltration and inflow. He said he would like for the Board to give direction to staff to not only talk with Wingate and Marshville about contracts but also include infiltration and inflow in that discussion.

In response to a question from the Chairwoman, Commissioner Openshaw moved to approve the project earlier described by Mr. Goscicki, which he referred to as the \$4.35 million project [later clarified in the discussion that the project is estimated to be \$6 million and the \$4.35 is the amount needed in EPA grant money], and to include the bids for the alternates.

Vice Chairwoman Kuehler moved to amend Commissioner Openshaw's motion to include that contracts with Wingate and Marshville should be executed prior to expending any funds and perhaps a working plan developed with the two municipalities to help them take care of their infiltration and inflow needs. She said there should also be some agreement or understanding with the municipalities of what their capital contribution will be to this number. She further added that there should be an indication from Monroe that until the situation is fixed that the County will be sending more rain water to its plant. She said she understood that Monroe has had an issue with that in the past and she wanted to make sure that Monroe does not have an issue with it now.

Mr. Goscicki stated that a letter of acceptance from Monroe is in the file based upon the current design.

Chairwoman Rogers restated that Commissioner Openshaw's motion was to approve the phased approach of \$4.35 million project [clarified in the next paragraph that the project is estimated to be \$6 million and the \$4.35 is the amount needed in EPA grant money],

Mr. Goscicki clarified that the project is estimated to be around \$6 million and the \$4.35 million is the amount needed in EPA grant money.

Chairwoman Rogers stated that Vice Chairwoman Kuehler had added to include in the motion that there be new contracts with Wingate and Marshville put in place, and a plan for the infiltration and inflow to be addressed. Vice Chairwoman Kuehler stated that she had also included a determination as to what would be the capital cost contributions from the municipalities for this project. Chairwoman Rogers noted that it sounds as if the letter of acceptance from Monroe has been received.

Commissioner Openshaw accepted the Vice Chairwoman's amendment to his motion.

The County Manager asked two questions. He said one is for clarification. He said it may take a considerable amount of time to negotiate agreements with Wingate and Marshville and that he does not believe the State will accept as a response that the County is going to delay. Mr. Greene said he wanted to clarify that going ahead with the improvements is not predicated on having an agreement in advance.

The response from Vice Chairwoman Kuehler was no.

The second question was should the staff interpret the motion as approval to proceed with the legal and administrative work required to obtain the grant.



The response from Commissioner Openshaw and Vice Chairwoman Kuehler was yes.

Commissioner Mills said that the County Manager addressed his first question in that he wanted to make sure that the staff's hands were not tied until municipal agreements were in place. He said his second question addressed the Public Works Director's statement that the County had 2.65 million gallons of daily capacity with the City of Monroe and he understood that the whole project will be designed, which is almost completely designed, and the entire project will be bid out and the force main will be bid separately.

Mr. Goscicki responded that the one section of approximately three miles of force main would be bid as an alternate. He said that they would ask the contractor to provide two prices: one for the whole project and one without that section of the force main.

Commissioner Mills asked if the force main had anything to do with bringing the capacity to Monroe.

Mr. Goscicki replied that it does. He said the additional section of force main will bring the County from the maximum 5.8 million gallons capacity to over six million gallons and would bring the capacity in the overall system up from an average of 2.6 million gallons per day to match the capacity in Monroe. He said if the pipe line is built, it will provide additional peak capacity.

Commissioner Mills said that as he understood the presentation if the County does not build the force main the County will not be receiving any additional capacity.

Mr. Goscicki said the County would be getting only a little capacity but not as much as the County would get if it built the force main. The County would be going from a current average of 1.27 million gallons up to 1.9 million gallons capacity per day.

Commissioner Mills asked what would happen if the County received additional capacity from Monroe.

The Public Works Director said if additional capacity were received from Monroe, the County would need to look at where the demand for that capacity is coming from and who the County is trying to serve. He said the preliminary planning at this time is, based on the five-year old plan, and, if additional capacity was needed in the eastern section of the County, the County would have to build not only a force main but go beyond the 2.5 million gallons of capacity per day, the County would also have to build a booster pump station and perhaps even another force main depending upon where the capacity demand is and how it is going to feed. He said that the force main would definitely need to be built and a booster pump station would be needed as a minimum.

Commissioner Mills asked if staff has looked at where the need is coming from and why would the County not look at building a bigger line now. Mr. Goscicki said all of this has been sized in anticipation of growth of up to five million gallons per day, but would require another booster pump station.

Commissioner Mills further asked if when the force main is built, will it be able to be modified to drop in a pump station. Mr. Goscicki responded no, because they do not know where the new pump station would be located. He said that a new booster pump station has not been sited.

Mr. Goscicki introduced Mr. Jeff Payne from CDM. Mr. Payne stated the booster pump station has not been sited yet but would likely be located in the area near where the 16-inch force main would be. It was pointed out that it was discussed that this option would be deferred if good bids are not received.

Commissioner Baucom asked if the size of the force main that is being suggested to be bid separately is 16 inches. He asked for clarification that this project had been in the CIP for several years and at what capacity was it included in the CIP.

Mr. Goscicki replied that the original capacity in the CIP was configured to handle a maximum of the 2.65 million gallons of average daily flow. He said as the staff looked at the plan and as a result of the Board's direction on the eastern water supply effort where the Board told staff to go back and look at the size of the pipes and to not only size it for the immediate project but to also size it for future projects so the pipes would not have to be dug up or new ones installed. He said at that time the staff went back and looked at this project from the same venue. He said the original master plan assumed that the County would maximize the existing contract capacity with Monroe and any new wastewater flow beyond that would go to a new facility. The Public Works Director said that based on discussion at the Board level it was determined to maximize this eastern area. He reminded that Monroe has said that it was interested in selling more capacity and the County has an old master plan that said that the County has about five million gallons of potential need. He said as a result of this, the staff worked toward putting the pipe in the ground to match up to the potential five million gallons capacity per day. He said he would give CDM the credit because the County went from a project that was paralleling pipe and would have to parallel pipe in the future to one that is a much simpler solution: booster pump station in the future, to get the pipe in the ground now, keep it to the minimum size possible and save some money now and do a more elegant solution in the future.

Commissioner Baucom asked if when this project was put on the CIP, was it prior to the actual determination of the Monroe Bypass completion date. Mr. Goscicki responded this project has been on the CIP for at least five years.

Commissioner Baucom said that 2013 is the projected completion date given by the Turnpike Authority for the Monroe Bypass and there is no doubt that growth will occur – commercial and industrial. He said had this capacity been available he thought that Pilgrim's Pride would have already expanded its operation. He said his point is that this is a long-range plan, and he had heard everyone on this Board talk about

wanting to look long range and focus long range and make long range plans. He said this is the one area of the County that has not been compromised; this is an area of the County that the Board and citizens have an opportunity via a land use plan, via utilization of sewer and water to determine how it looks for their descendants. He said that commercial and industrial irrespective of where it goes in the County will help the entire county. Commissioner Baucom said this has a tremendous opportunity; this is a project that is long overdue and the eastern part of the county needs it. He suggested to make sure that the project is sized adequately now.

Commissioner Openshaw stated that infiltration and inflow has been an issue for him with Crooked Creek and his take is that it is the County's responsibility to take care of its system. He said that is also Wingate's responsibility to take care of its system and Marshville's responsibility to take care of its system. He said that with that in mind the last project on the CIP that comes up next year is Marshville's Flow Monitoring Station and Pipe Rehabilitation. He said he would like to add to his motion that the County add that project.

Mr. Goscicki responded that he had talked with his staff because he too had questioned adding this project, but he had learned that the flow meter is owned by Marshville and the pipe line that needs to be rehabilitated is also owned by Marshville so the County does not have the legal authority to repair it until the contract with Marshville is modified. He said that is another complication in moving forward with it, but agrees the County needs to move expeditiously on it.

Chairwoman Rogers asked Commissioner Openshaw if he were fine with this statement not being a part of his motion. He agreed not to add his last statement.

Commissioner Mills addressed the low bids received on the water line bids coming from Anson County and asked how much it would cost the County to include an alternate bid for this project.

Mr. Goscicki responded that it is not a direct cost to the County. He said the bid document was structured to provide for two alternatives.

Commissioner Mills asked if there could be a third alternative to add the 24-inch force main and to add the pump station that was mentioned by Mr. Payne. He said that if the climate is as good as is thought, the County has one chance to do the project right and, if the bid comes in low, that is another alternative that could be considered.

Mr. Goscicki said the challenge with that option is that the County does not know how big the booster pump station would need to be designed or where it would be located. He said nothing has been done but the statement that if the County goes beyond the 2.65 million gallons per day and if growth continues and there is more flow, the County will need a booster pump station of some size in the general area. He said staff and engineers have looked at pipe sizing and are comfortable with going from an average of 2.65 million gallons per day up to 5 million

gallons per day flowing to Monroe through the piped network by installing an additional booster pump station and by putting new pumps in these existing pump stations.

Commissioner Mills next asked how much time would be required to design a pump station.

The Public Works Director stated that the question is: how big should the pump station be, to serve who and where? He said he could not answer that question because it would be ready for future consideration.

Commissioner Mills asked what would be wrong with not stopping the project, moving forward with it, but to increase that line and to determine where the other pump station could go.

Again, the Public Works Director responded that he thought it would slow the project down and it would be very speculative. He suggested that be included in the next Master Plan.

Commissioner Mills asked if this project would correct the problem and remove the Notice of Violations.

Mr. Goscicki responded that he thought that it would.

The Chairwoman stated there has been a motion and lots of good discussion. Commissioner Mills asked that the motion be read. She asked the Clerk to repeat the motion and friendly amendments.

Mrs. West stated that Commissioner Openshaw's motion was to approve the phased approach as outlined by the Public Works Director and read the amendments as put forth by Vice Chairwoman's Kuehler.

Commissioner Baucom noted that the amendments seem to be convoluting the process.

The Chairwoman said that she would speak for Mr. Greene. He asked at question concerning the amendments and explained the amendments are not all tied in with the original motion. She explained that it is not that the Marshville and Wingate contracts have to be in place before the Public Works staff and County can move forward. She said the amendments made by Commissioner Kuehler are separate but they are not totally linked. She stressed that the amendments will not stop the project or the EPA paperwork.

Commissioner Baucom said he wanted to make sure that nothing is being done to deter and nothing is being done to jeopardize the response on the notice of violations in any manner.

Mr. Goscicki said that motion is sufficient for him to move forward and to address the EPA grant and the project.

Vice Chairwoman Kuehler moved to call the question. The Chairwoman called for a vote on the motion to call the question, and the motion passed by a vote of three to two. Chairwoman Rogers, Vice Chairwoman Kuehler and Commissioner Openshaw voted to call the question. Commissioners Baucom and Mills voted against calling the question.

The Chairwoman called for a vote on the motion as amended and detailed. The motion as amended passed unanimously.

At approximately 9:02 p.m., the Chairwoman called for a recess in the meeting to reconvene at approximately 9:10 p.m. At approximately 9:10 p.m., the Chairwoman reconvened the meeting and stated the next item.

**REAFFIRMATION OF RESOLUTION (ADOPTED BY THE BOARD OF COMMISSIONERS ON APRIL 21, 2008) FOR VETERAN GOVERNMENT BOND, STAMP, AND COIN PROGRAM:**

After reviewing the information concerning Garland Denning's prior appearances before the Board and the Commissioners' action on April 21, 2008, to adopt a resolution in support of Veteran Government Bond, Stamp and Coin Program, Commissioner Baucom moved to adopt the revised resolution to reaffirm its support to implement a new Veteran Government Bond, Stamp and Coin Program and to include within the resolution the organization's website address which is *veteranspetition.com*. The motion passed unanimously.

RESOLUTION  
BY THE UNION COUNTY BOARD OF COMMISSIONERS  
FOR  
VETERAN GOVERNMENT BOND, STAMP, AND COIN PROGRAM  
(Reaffirming the Resolution Adopted on April 21, 2008, and to Include the Website Address  
For *veteranspetition.com*)

THAT WHEREAS, the nation is blessed with men and women who voluntarily swear an oath to defend the Constitution of the United States of America against all enemies, foreign and domestic;

THAT WHEREAS, these men and women make great personal sacrifices in the name of our Constitution thereby ensuring the perpetuation of our individual liberties;

THAT WHEREAS, these same men and women voluntarily make great personal sacrifices to carry democracy and extend the freedoms we enjoy to the underprivileged of the world;

THAT WHEREAS, some of these men and women will incur great personal hardships and catastrophic injury in the performance of their duties;

THAT WHEREAS, we feel duty bound to honor, support, and provide relief to these warriors, and their families;

THAT WHEREAS, the Union County Board of Commissioners on April 21, 2008, adopted a resolution supporting a government bond, stamp and coin program, and the current Board of Commissioners wishes to reaffirm that resolution and to include in this resolution the website address for veteranspetition.com.

NOW, THEREFORE, THE UNION COUNTY BOARD OF COMMISSIONERS does hereby resolve to reaffirm its total and unequivocal support of an initiative implementing a new government bond, stamp and coin program, the proceeds from which shall be used exclusively for those warriors and their families who have borne the brunt of preserving our freedoms and extending those freedoms throughout the world.

Adopted this 1<sup>st</sup> day of February 2010.

ATTESTED:

\_\_\_\_\_  
Lynn G. West, Clerk to the Board

\_\_\_\_\_  
Kim Rogers, Chairwoman

\_\_\_\_\_  
Tracy Kuehler, Vice Chairwoman

\_\_\_\_\_  
Allan Baucom, Commissioner

\_\_\_\_\_  
A Parker Mills, Jr., Commissioner

\_\_\_\_\_  
Lanny Openshaw, Commissioner

**DELINQUENT TAX ADVERTISEMENT:**

The Chairwoman explained that at the request of Commissioner Openshaw this item had been moved from the Consent Agenda.

During discussion on the rate of collections revealed in the report submitted by John Petoskey, Tax Administrator, and Vann Harrell, Assistant Collector of Revenue, in accordance with N. C. G. S. 105-369, it was explained that on January 29, 2010, the unpaid 2009 taxes that constitute liens on real estate total \$11,221,180.33. It was noted by the Finance Director that during the period after the advertisement and before June 30 that Union County will continue to send delinquent notices. Mr. Petoskey stated it is anticipated that Union County will remain in the top 10 or 15 counties in the State for collection of taxes as it has in the past.

Motion was made by Commissioner Mills to accept the report of the Tax Administrator of the total amount of unpaid taxes for the current fiscal year that are liens on real estate and order that the Tax Administrator advertise the 2009 tax liens in a local newspaper in accordance with N. C. G. S. 105-369. The motion passed unanimously.

**REQUEST FOR FUNDING FOR DETENTION OFFICERS:**

The Chairwoman announced the next item on the agenda and recognized Sheriff Eddie Cathey to present his Staffing Analysis of the Union County Jail. He presented briefly the jail characteristics and the basic staff requirements. He explored the major staffing issues explored and the need for additional manpower. He said that 35 to 40 inmates are sleeping on a mattress each night, which causes there to be three inmates per cell. He said the crowded conditions create a more hazardous condition for his staff.

The Sheriff asked the Board of Commissioners to restore the five positions inactivated last fiscal year.

Chairwoman Rogers reiterated that what should be stressed are the hazardous conditions in which the County's staff is required to work.

She next asked if the State is still reimbursing the County for the inmates that are being held for the State's prisoners. Chief Cathey replied that payment was eliminated and to compound the problem because the State Prisons are full, the County is required to hold, without pay, the prisoners for a longer period of time.

Sheriff Cathey stated the problems of having one woman incarcerated because of the number of the cells that cannot be used because of that one incarceration. He also described the problems associated with a female inmate under the age of 16.

In response to a question concerning overtime pay, the Sheriff explained that he is trying to pay in comp time in lieu of monetary pay.

Motion was made by Vice Chairwoman Kuehler that Budget Amendment #37 be approved to allocate \$92,933 to Sheriff's Office, Personnel Expenses, from General Fund Contingency to fund five jail detention officers' positions not funded in the FY 2010 budget. The motion passed unanimously.

**BUDGET AMENDMENT**

BUDGET Sheriff's Office REQUESTED BY Sheriff Eddie Cathey  
 FISCAL YEAR FY2010 DATE February 01, 2010

**INCREASE**

**DECREASE**

Description

Description

<u>Personnel Expenses</u>	<u>92,933</u>	<u>General Fund Contingency</u>	<u>92,933</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 5 Jail Detention Officer positions not funded in the FY 2010 budget.

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>	
10543135-5121	Salary Wages FT	62,818	10592000-5920	General Fund Contingency	92,933
10543135-5122	Salary Wages PT	1,183			
10543135-5132	Separation Allowance	966			
10543135-5134	401K	3,200			
10543135-5181	FICA/FICM	4,896			
10543135-5182	Ret Contr	3,130			
10543135-5183	Health Ins	14,599			
10543135-51842	OPEB	1,262			
10543135-5187	Dental Ins.	879			

Total	<u>92,933</u>	Total	<u>92,933</u>
Prepared By	<u>JLL</u>		
Posted By	<u>                    </u>		
Date	<u>                    </u>	Number	<u>37</u>

Chairwoman Rogers expressed her appreciation to the Sheriff and his staff for always coming prepared to present the necessary statistics so this Board can take action.

**JESSE HELMS PARK PASSIVE AREA DESIGN:**

The Chairwoman announced the item to be next discussed and recognized the County Manager to make the presentation.

Al Greene, County Manager, reminded that the staff has been working on two projects related to the continued development of Jesse Helms Park. He said the first is a bridge across Lynches Creek that will provide construction access and ultimately public access to the passive area of the park. He explained that the bridge design was begun several years ago and the County has struggled to have the design completed and the project permitted by both FEMA and the City of Monroe. He reported the design is now completed and all permits are in hand.

He further stated that plans for the bridge have been revised to incorporate stormwater requirements of the City of Monroe and the project has been let for bids. He announced that bids will be opened next Thursday and that he hoped to have a recommendation for award on the Board’s agenda of February 15.

The County Manager stated that the County was also awarded a \$500,000 PARTF grant for the initial phase of development of the passive area of the park. He said that award was in July 2008 and matching County funds are programmed in the amount of \$611,000. He further reported that last year the County solicited proposals for the design of the first phase of the passive area in anticipation of the completion of the bridge. He said it is anticipated with award of construction of the bridge later this month, the bridge will be completed about the same time as the County is ready to begin construction of the passive area. He said the timing is working out well. He said the primary concern now is that the passive area construction be completed by the expiration date of the grant and that is June of 2011. Mr. Greene said the project schedule indicates that the design and construction of the passive area will take approximately 18 months so the County is getting close to the point in time that it must act on the design.

Mr. Greene announced that after reviewing the qualification-based process to solicit proposals for design bidding and construction administration work related to the passive area work and that based on the review of the responses and subsequent interviews with firms proposed for the work, it was determined that the firm of Capital Management and Engineering in cooperation with Cole, Jenest and Stone, Landscape Architect/Engineering Firm, demonstrated that they are best qualified to provide the Architectural/Engineering service. He further stated that CM&E has demonstrated that it is best qualified to perform the work. CM&E has submitted a fee proposal to perform the work based on man-hour projections of the various tasks and the staff believes the proposal is reasonable in light of the work to be accomplished. He said the State limits the amount of grant funds that can be used for engineering to 10 percent of the total project cost. He said for a number of reasons 10 percent is not sufficient to cover the required engineering work associated with the project and the County will need to supplement the project's budget from funds that the County has set aside for the camp store at Cane Creek Park.

He said the staff is recommending several steps be taken given concerns with the budget and the scope of activities to be accomplished, or a number of steps to protect the County to help ensure that ultimately the project provides good value to the taxpayers. He said the staff is concerned that the estimates from the 2004 Master Plan, from which the County based all subsequent estimates, might have been low in comparison to the work to be performed. As a result, Mr. Greene stated, the Task Order is structured so that work will progress to the point where accurate schematic drawings and cost estimates can be established. He said at that point in the process, the County will rescope the project, if necessary, to bring it within the established construction budget before any further design work is authorized. He further stated that staff believes that it is likely that the scope will have to be reduced after schematic design to meet the budget constraints.

He explained that the County has drafted Capital Project Ordinance Amendment #130 to transfer and appropriate necessary funds. He said that he and the staff recommend the Jesse Helms Passive Park Project, Phase II, be awarded to CM&E for architectural/engineering services and adopt Capital Project Ordinance #130, and authorize the County Manager to approve Task Order 2 with Capital Management and Engineering pending legal review and further that the amendments be approved within the stated contract amounts after the schematic design has been completed.

The County Manager stated that he and Mrs. Wanda Smith, Parks and Recreation Director, are available to answer any questions.

Vice Chairwoman Kuehler stated that she is seeking history since this item spans past her time on the Board. She asked if the grant being discussed, that has to be executed by 2011, is the one that was applied for in 2007. The County Manager said he thought that was accurate as the one in December 2008 was not applied for at that time.

The Vice Chairwoman asked how many phases are in this project. Mr. Greene replied that the original passive area design is shown in the 2004 Master Plan. He said that at the time the County applied for the grant, the County realized that the \$500,000 grant was not sufficient to do all the work in the passive area and divided the passive area project. He said the passive area is called phase II because it comes after the bridge, which was originally included in Phase II.

Mr. Greene responded that it was decided in 2008 not to pursue another grant until such time as the bridge was nearer to its completion.

Vice Chairwoman Kuehler asked if the work or action now would be applicable in the future. Mr. Greene assured that the work taking place now will still be needed in the future.

The Vice Chairwoman said that she thought the action tonight would be piece milling the project and she would like to look at the whole project at one time.

Mr. Greene said that he and the staff would prefer that as well, and he would have liked to have the bids for the bridge tonight but it was not possible. He said the reason for adding this item tonight instead of delaying until February 15 is because the timeline is very tight on getting the passive area designed and constructed. He agreed that the engineering costs are higher than anticipated several years ago but what has been determined is that possibly the scope that was projected several years ago was too broad for the price that was envisioned. He said that based on the total project, the fee is going to be higher than was first given to the Board of Commissioners. Mr. Greene said that was why the staff recommended an hourly basis fee so the firm is only paid for the work completed. He said if after more accurate cost estimates are received and the project needs to be scaled back, it could be scaled back at that time.

In response to a question from the Vice Chairwoman, Mrs. Smith responded that in 2004, the total estimated cost of the project was approximately \$12 million. She further said in 2002 the land was purchased for approximately \$2.2 million and that about the same amount was spent on development of the soccer complex. She said when the County applied for the grant in 2007 the County was looking at a 2004 number. She said that three and a half percent was added for each year to try to compensate for the lack of information.

Mr. Greene said the only work that the County has to date in terms of engineering is a very broad conceptual master plan and that is what the 2004 figures are based on. He said that is part of the problem with this project. He said the County is trying to develop a program it can afford and can make work.

Mr. Nelson interjected that the \$12 million figure was based on an estimate from a drawing on a napkin. He stressed it is a conceptual master plan.

Mrs. Smith also noted that the land purchased was farmland, barren from any utilities and that is part of the large cost of the project.

In discussing road options for accessing the Soccer Complex, it was noted that accessing it from a farm road could be hazardous to the youth playing in the area.

Mr. Nelson stated that it was determined that this project would be developed through bond issues and the economic climate has not been to the County's advantage to seek a bond issue voted upon by the citizens of the County.

Chairwoman Rogers asked if the State has been approached for an extension due to the economic conditions.

Mrs. Smith responded that she has talked with the consultant in Raleigh and was told that this was once a two-year project deadline but because the State is having difficulty getting projects completed within that deadline, the State extended it to a three-year period. She said the consultant had said to ask for additional time would probably not be approved.

Mr. Greene said it is anticipated that the project size will be diminished when the CM&E work is completed and the project will probably be divided into at least one additional project.

The Chairwoman said it is her wish that the County update the Master Plan so the Board will have an overall \$12 million project that can be studied and reviewed.

The Manager stated that he and staff share the frustration of the Commissioners because everything is being based on conceptual information and estimates. He said he thought the keys are: that the engineering is an hourly contract with a not to exceed amount, and if the Board awards that contract tonight, and then decides not to award the bridge bids when they come in, the Task Order contains very favorable termination provisions.

Commissioner Baucom asked who is responsible for the security of this area or any area of the park.

Mrs. Smith responded that Parks and Recreation staff will be responsible for security there in the same way as it provides security at Cane Creek Park but will be on a smaller scale. She said that Park Rangers have been very vigilant with security and one of the main problems has been with alcohol. She said that Parks and Recreation has hired some part-time security to work when the highest problems with alcohol occur. She said that the rate of problems have decreased considerably. She assured that the system has worked well for the Park operation.

Commissioner Openshaw asked about the timeframe for completion of the area covered by the grant. Mrs. Smith responded that it would be June 30, 2011.

Commissioner Mills agreed with the Chairwoman that staff should request an extension on the grant. Mrs. Smith responded that she would be willing to write the letter as a request from the Board or would be glad for the Board to write the letter.

The County Manager stated that he would write the letter but what he anticipated would be that as the County moves more into the project and gets in a bind that the State will work with it, but will now tow a line to make sure the County is moving forward.

Commissioner Openshaw asked how the maintenance facility is accessed. Mrs. Smith stated that there is an old farm road that is only accessible to one vehicle.

Commissioner Openshaw further stated that he would like to see the County scrap the bridge for at least one year. He stressed the capital expenditure is a lot of money and if the passive area can be accessed from the Soccer Complex, the County could defer the costs of the bridge.

Mrs. Smith stated that there is not adequate room for construction vehicles and that traversing the road would possibly do damage to the Soccer Complex. In response to a question by Commissioner Openshaw about approaching the farmer who is farming corn adjacent to the property about a temporary easement, Mrs. Smith stated that had been discussed and could be a possibility.

Bill Whitley, Assistant Parks and Recreation Director, interjected that one problem with using that road is that it could be hazardous to the soccer players.

Mrs. Smith said there is also an identified historic cemetery on this property where the County has installed a chain link fence and she feels it needs to be protected.

Commissioner Openshaw reiterated his view that the County should look at an optional road to access the site. He said in looking at the project, it appears to be about \$1,250,000 in a year and that has financial challenges. He said he thought it best to delay the cost of the bridge construction.

Mr. Greene replied that staff understands the concern and that several engineers have looked at the issue. He said he and staff are not prepared to discuss bridge construction tonight but will be able to do so in two weeks and discuss what work has been done to explore other options.

The Chairwoman asked if the action being requested tonight has anything to do with the bridge construction. The County Manager responded that it does not.

Vice Chairwoman Kuehler stated that she had studied the bridge project development and that as she understood the comments tonight the County is considering an engineering agreement at an hourly, not-to-exceed figure. She said the Commissioners do not know what the bids for the bridge will be in two weeks when these are considered. She reminded that when Commissioner Baucom made the motion to

receive bids on the bridge, it was with the understanding that the funding might not be available but the Board wanted hard figures to discuss. She said with the understanding that there are other legal issues to be addressed, she would move to award Jesse Helms Park Passive Area Phase II Project to Capital Management & Engineering for Architectural/Engineering Services, authorize the County Manager to approve Task Order 2, subject to legal review, and approve Project Ordinance 130 as recorded below:

CAPITAL PROJECT ORDINANCE  
**RECEIVED  
 UNION COUNTY**

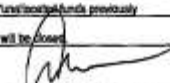
BUDGET General Capital Project Ordinance Fund REQUESTED BY Kel Nason  
 FISCAL YEAR FY 2009-2010 DATE February 1, 2010

**FINANCE OFFICE**  
 PROJECT 0315

PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
<b>PR043 - Jesse Helms Park Passive Area Phase II (FY08 PARTF)</b>							
IFT From General Fund	-	803,948	803,948	Land and Improvements	-	1,303,948	1,303,948
FY08 PARTF Grant	-	800,000	800,000				
<b>PR033 - North District Park</b>							
IFT From General Fund	100,000	(85,000)	15,000	Architectural & Engineering Srv	100,000	(85,000)	15,000
<b>PR034 - West District Community Parks</b>							
IFT From General Fund	100,000	(85,000)	15,000	Architectural & Engineering Srv	100,000	(85,000)	15,000
<b>PR040 - Campground Welcome Store</b>							
IFT From General Fund	332,000	(191,883)	140,117	Building & Improvements	332,000	(191,883)	140,117
	<u>332,000</u>	<u>841,863</u>	<u>1,473,963</u>		<u>332,000</u>	<u>841,863</u>	<u>1,473,963</u>

EXPLANATION: To establish CPO for FY08 PARTF Grant for the Jesse Helms Park Passive Area Phase II project and to reduce CPO's for the North District Park, West District Community Parks and the Campground Welcome Store projects. At the completion of this capital project, all excess funds will be returned to the "unallocated funds previously transferred from the General Fund" account and this Capital Project Ordinance will be closed.

DATE: 2-1-10

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

PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
<b>PR043 - Jesse Helms Park Phase II (FY08 PARTF)</b>							
IFT From General Fund	-	803,948	803,948	Land and Improvements	-	1,303,948	1,303,948
45481374-4010-PR043				43561374-5270-PR043			
FY08 PARTF Grant	-	800,000	800,000				
43481374-4414-PR043							
<b>PR033 - North District Park</b>							
IFT From General Fund	100,000	(85,000)	15,000	Architectural & Engineering Srv	100,000	(85,000)	15,000
45481372-4010-PR033				43551372-5394-PR033			
<b>PR034 - West District Community Parks</b>							
IFT From General Fund	100,000	(85,000)	15,000	Architectural & Engineering Srv	100,000	(85,000)	15,000
45481372-4010-PR034				43551372-5394-PR034			
<b>PR040 - Campground Welcome Store</b>							
IFT From General Fund	332,000	(191,883)	140,117	Building & Improvements	332,000	(191,883)	140,117
45481371-4010-PR040				43551371-5245-PR040			
	<u>332,000</u>	<u>841,863</u>	<u>1,473,963</u>		<u>332,000</u>	<u>841,863</u>	<u>1,473,963</u>

Prepared By lkn  
 Posted By \_\_\_\_\_  
 Date \_\_\_\_\_

133ch  
 2-3-2010

Number CPO - 133



The motion was passed unanimously.

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

The Chairwoman announced the following vacancies on Boards and Committees:

- a. Adult Care Home Advisory committee (three vacancies)
- b. Nursing Home Advisory Committee (two vacancies)
- c. Region F Aging Advisory Committee (one vacancy)
- d. Juvenile Crime Prevention Council:
  - (1) Substance Abuse Professional
- e. Union County Industrial Facilities and Pollution Control Authority (2 vacancies for unexpired term ending May 2014)
- f. Parks and Recreation Advisory Committee (two vacancies as of February 2010)
- g. Union County Home and Community Care Block Grant Advisory Committee
- h. Fire Commission (two vacancies)
- i. Planning Board (two vacancies for regular members and one vacancy for alternate members as of April 20, 2010)
- j. Health Board (two citizen representatives)

**APPOINTMENTS TO BOARDS AND COMMITTEES:**

**Board of Equalization and Review:** Chairwoman Rogers announced that there are two vacancies on the Board of Equalization and Review.

Commissioner Baucom nominated and moved that Vernard Littleton and Samuel O. Starnes, Jr. be reappointed to the Board of Equalization and Review. The motion passed by a unanimous vote.

***Nursing Home Advisory Committee:***

Commissioner Openshaw moved that Sarah T. Nash be appointed to serve a term on the Nursing Home Advisory Committee. The motion passed unanimously.

***Parks and Recreation Advisory Committee:***

Vice Chairwoman Kuehler moved to reappoint Eric T. Little, Nicholas Peth, and Glendora Bention to the Parks and Recreation Advisory Board. The motion passed unanimously.

**Union County Home and Community Care Block Grant Advisory Board:**

Commissioner Baucom nominated and moved to appoint Angie Oliver and Patricia Kindley to the Union County Home and Community Care Block Grant. The motion passed unanimously.

**COUNTY MANAGER'S COMMENTS:**

The County Manager stated that the Chairwoman had provided him with a letter that she had received in the last couple of days from the Department of Commerce notifying Union County that it has been awarded a \$225,000 CDBG grant for the Dodge City water line. He said this was great news.

Also, he stated that Mr. Nelson provided him with a memo today discussing the purpose of a February 10, 2010, work session. He asked the Commissioners to review this information.

**COMMISSIONERS' COMMENTS:**

Commissioner Mills reported that his father's surgery has been rescheduled to February 10 and announced that he would be unavailable to attend the work session.

He congratulated Matthew Delk, Assistant County Manager, and his staff for working on the Dodge City water line. He told Chairwoman Rogers that he thought she had conducted a good meeting.

Commissioner Openshaw referenced action taken in the consent agenda to authorize the purchase of fingerprinting equipment which will be paid for through forfeiture funds.

Commissioner Openshaw asked to add to the Commissioners-Mayors Issue Conference discussion of the allocation of sewer and water capacity equitably to municipalities, how to do it, and is it implemental.

Commissioner Openshaw thanked Mrs. West for her work and for her accomplishment in obtaining the accreditation that she received.

Commissioner Baucom also extended his appreciation to Mrs. West and congratulated her for obtaining the accreditation and for her hard work. He expressed his appreciation for all of her work and accomplishments.

Vice Chairwoman Kuehler stated that it is with great pride that she announced that the MUMPO Vice Chair was named, and it is Mayor Linda Paxton of Stallings. She reported that Mrs. Paxton received unanimous support from the MUMPO representatives as well as a unanimous vote by the entire MUMPO board. She said this is acknowledgement from the region that Union County is an integral part of the overall planning needs of the region. She also announced that the Chair is from Mint Hill and Charlotte has passed the gavel on both positions.

She also thanked Waxhaw for inviting the Commissioners to their meeting in an effort to understand all sides of the issue as it relates to the hospital. The Vice Chairwoman said Waxhaw chose not to adopt any resolutions as to the matter and she believed the invitation and the ensuing dialogue helped to clear up many of the misconceptions and provided a better understanding of the challenges and goals involved in moving forward in this process.

Chairwoman Rogers echoed the comments shared tonight about Mrs. West. She said it had been a pleasure to work with her and her professionalism is boundless and she put up with a “crazy bunch of kids up here” and commended her for that.

With there being no further comments or discussion, at approximately 10:25 p.m., motion was made by Commissioner Baucom that the meeting be adjourned. The motion passed unanimously.