

Approved 3/1/2010

Minutes of the Regular Meeting
of Monday, February 15, 2010

The Union County Board of Commissioners met in a regular meeting on Monday, February 15, 2010, at 7:00 p.m. in the Commissioners' Board Room, first floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

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

ABSENT: None

ALSO PRESENT: Al Greene, County Manager; Lynn G. West, Clerk to the Board of Commissioners; Jeff Crook, Senior Staff Attorney; Keith Merritt, County Attorney, Kai Nelson, Finance Director; members of the press, and interested citizens

Opening of Meeting:

a. Invocation

Vice Chair Kuehler offered the invocation.

b. Pledge of Allegiance

Chairwoman Rogers led the body in reciting the Pledge of Allegiance to the United States flag.

c. Featured Community Benefit Organization: Friends of the Union County Public Libraries:

Anne Stewart, President of The Friends of the Union County Public Libraries, shared information about the organization. She said that the group consists of 23 very hard working women who are devoted to promoting the library services and to bringing cultural activities to the library that would benefit the citizens of Union County.

Ms. Stewart introduced Jill Peth, Reader Services Librarian, who works closely with the Friends of the Union County Public Libraries as a liaison between the library staff and the Friends of the Libraries. Ms. Stewart said that the Friends of the Libraries raise funds by sponsoring two annual events: the Ladies Spring Tea and the Annual Fall Author's Dinner. She stated that the profits from those two events are used to fund programs at the library.

Ms. Stewart and Ms. Peth presented a Power Point presentation showing some of the activities of the Friends of the Libraries. She said that the first event for the group is the winter's author event, which is a free event for the community. She stated that one of the big activities that the group sponsors is the summer reading program for children and teens. She shared that last year 991 children registered for that program, and 6,210 children attended and checked out a total of 103,991 books. Ms. Stewart said that the teen program was also well attended and 183 teens participated in the program and checked out a total of 15,866 books.

She stated that the Ladies Spring Tea is always a sold out event. She said that this year's tea will be on April 14 at Rolling Hills Country Club. She stated that in 2008, the Friends of the Libraries raised and gave to the Union County Libraries for programs \$17,926.23, and in 2009, during a very weak economy, the group raised \$12,688.24.

She provided the Board with a packet of information which included an annual report of the Friends of the Union County Libraries. She said that another source of the Friends of the Libraries' funding is membership dues.

d. Employee Service Award Recognitions:

Chairwoman Rogers recognized the following employees for their full-time continuous service to Union County Government:

5 YEARS OF SERVICE
NERISSA ALLEN
RUSSELL LEGAULT
CAROLYN CAPEL
SUZANNE MOOSE

DEPARTMENT
LIBRARY
PUBLIC WORKS
SOCIAL SERVICES
SOCIAL SERVICES

ANGELA CRUMP

TAX ASSESSOR

10 YEARS OF SERVICE

MARVIN SNEAD
GYPSY HOUSTON

DEPARTMENT

INSPECTIONS
LIBRARY

15 YEARS OF SERVICE

CARL LUCAS

DEPARTMENT

INFORMATION SYSTEMS

Informal Comments:

Chairwoman Rogers recognized Todd Johnson to address the Board. She explained the informal comments process.

Todd Johnson, who resides at 3118 Lawyers Road in Unionville, said as he has spoken with many people across the County, the two issues that are always mentioned are the hospital and jobs. He said that he, like many other people he has spoken with in the County, does not want to see the hospital sold. He stated that from a business and financial standpoint, it does not make sense. Mr. Johnson said from a quality of health care standpoint, it does not make sense. He noted that the hospital employs 1,400 people.

Mr. Johnson said that he has not been pleased with the focus of the Board on the County's unemployment rate. He said that the County's current unemployment rate is 10.5 percent. He stated that he thought the Board should be focused on and have a plan in place that would create an environment that would encourage the creation of jobs. He said that tomorrow he plans to file as a Republican candidate for the Board of Commissioners. He stated that his campaign focus would be these two issues, which he believes are very important to the citizens of the County.

Additions, Deletions, and/or Adoption of Agenda:

Chairwoman Rogers said that an addition to the agenda has been brought to her attention for clarification of the appointments of Commissioners to the Union County Transportation Advisory Board. She requested that Item 7 – Library Board Bylaws be removed from the Agenda. Chairwoman Rogers said she had spoken earlier with the Manager and advised him that she had quite a few comments about the bylaws, and she thought it would be more efficient for the Board if she were able to submit those comments to him and the Library Director to address the comments and prepare for them.

Commissioner Openshaw requested to move Item 2c – Public Works: Task Order No. 5C with Camp Dresser & McKee for design, bidding, and construction services for the east side sewer improvement project, from the Consent Agenda to the Regular Agenda.

With there being no further additions or deletions, Commissioner Openshaw moved approval of the items listed on the Consent Agenda as modified. The motion was passed unanimously.

Chairwoman Rogers stated that the Transportation Advisory Board item would become Item 9b on the Regular Agenda, Consent Agenda Item 2c - Task Order No. 5C with Camp Dresser & McKee was assigned as Item 7 on the Regular Agenda.

Consent Agenda:

Vice Chair Kuehler moved approval of the items listed on the Consent Agenda as amended. The motion was passed unanimously.

Minutes: Approved minutes of the special meetings of March 9, 2009, at 6:00 p.m., March 17, 2009, at 7:15 p.m., and July 14, 2009, and minutes of the regular meeting of June 1, 2009.

Contracts/Purchase Orders Over \$20,000: Authorized the County Manager to approve, pending legal review, Agreement with Carter Goble Associates, Inc. for updating Jail Needs Assessment and Population Projections for Sheriff's Office

Contracts/Purchase Orders Over \$20,000: Authorized the County Manager to approve, pending legal review, Task Order No. 9 with McKim & Creed for Self-Help Water Design for Wellington Woods II and III, Greylyn and Lake Providence Subdivisions.

Contracts/Purchase Orders Over \$20,000: Public Works: Task Order No. 5C with Camp Dresser & McKee for design, bidding, and construction services for east side sewer improvements project – This item was moved to the regular agenda at the request of Commissioner Openshaw.

Contracts/Purchase Orders Over \$20,000: Authorized Manager to approve, pending legal review, Purchase Order #262 with West Chatham Warning Devices, Inc. for the purchase of flashers, sirens, speakers, barlights, and bluelights for law enforcement vehicles purchased in this fiscal budget. This requisition represents the lowest bid for these items.

Contracts/Purchase Orders Over \$20,000: Authorized Manager to approve, pending legal review, Purchase Order #280 to Circuit Werks to install equipment used in Sheriff’s Office vehicles

Health Department: Budget Ordinance Amendment #36 to Accept Additional \$1,250 in Federal Funding: Approved Budget Ordinance Amendment #36

| BUDGET AMENDMENT | | | | | | | |
|--------------------|---|--|-------|--------------------|-------------------|--|--|
| | | | | | | | |
| BUDGET | Health | | | REQUESTED BY | Phillip Tarte | | |
| FISCAL YEAR | FY2010 | | | DATE | February 15, 2010 | | |
| | | | | | | | |
| <u>INCREASE</u> | | | | <u>DECREASE</u> | | | |
| <u>Description</u> | | | | <u>Description</u> | | | |
| Federal Revenue | | | 1,250 | | | | |
| Operating Expenses | | | 1,250 | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Explanation: | Appropriate additional federal funding for the Family Planning Program for the Health Department. | | | | | | |

| | |
|--------------------|-----------------|
| Totals-2009 | 2,500.85 |
|--------------------|-----------------|

2008

| | | | |
|-----------|-------------------------------------|------|--------|
| 5015005 | ROLLINS JUNE R TRUSTEE | 6190 | 980.74 |
| 08099018A | PHILEMON HELEN P & RODGELL | 6215 | 388.22 |
| 09381005 | RONNIE LANEY CONSTRUCTION CO INC | 6218 | 459.65 |

| | |
|--------------------|-----------------|
| Totals-2008 | 1,828.61 |
|--------------------|-----------------|

2007

| | | | |
|----------|------------------|------|------|
| 50030149 | MOSLEY FARMS INC | 6222 | 5.03 |
|----------|------------------|------|------|

| | |
|--------------------|-------------|
| Totals-2007 | 5.03 |
|--------------------|-------------|

| | |
|---------------------|-----------------|
| GRAND TOTALS | 4,334.49 |
|---------------------|-----------------|

Tax Administrator: Approved releases for January 2010 in the grand total of \$42,138.51 as recorded below:

January 2010 Releases

| Acct # | Name | Release # | Totals |
|-------------|------------------------------------|-----------|--------|
| 2010 | | | |
| 09381005A | BROOKS DALE ROY II | 6219 | 963.13 |
| 09232057A | MAIN STREET USA INVESTMENTS LLC | 6220 | 723.72 |

| | |
|--------------------|-----------------|
| Totals-2010 | 1,686.85 |
|--------------------|-----------------|

-
-

| | | | |
|-------------|--|------|-----------------|
| 2009 | | | - |
| 02167003A | OLLIS MARK & LISA | 6179 | 1,028.01 |
| 07042003A | HOUSTON VILLY R & MICHAEL KESSLER & CLIFTON | 6180 | 1,021.20 |
| 07042003B | HOUSTON VILLY R & MICHAEL KESSLER & CLIFTON | 6181 | 1,063.64 |
| 09268054 | UNION ELECTRIC MEMBERSHIP CORP | 6182 | 111.72 |
| 09268055 | UNION ELECTRIC MEMBERSHIP CORP | 6183 | 98.49 |
| 06162023A | UNION ELECTRIC MEMBERSHIP CORP | 6184 | 7,203.59 |
| 02223026 | FAULKS BAPTIST CHURCH | 6187 | 531.79 |
| 01060013 | MILLS LETHA B | 6188 | 946.96 |
| 05006015B | KRAUSS FRANK A IV | 6191 | 57.80 |
| 08126081 | D BALLARD CONSTRUCTION INC | 6192 | 420.00 |
| 50098537 | PENTECH FUNDING LLC | 6193 | 166.25 |
| 50101997 | NATIONAL PROPERTY INSPECTIONS | 6196 | 77.62 |
| 50075368 | MEDLIN DOROTHY T | 6198 | 144.66 |
| 50101589 | DC MORGAN | 6203 | 194.05 |
| 50074947 | T S WOODWORKS LTD | 6205 | 92.87 |
| 50069732 | TOTAL SCOPE RENOVATIONS | 6206 | 39.43 |
| 50071540 | WINDOWS OF WONDERS | 6207 | 15.36 |
| 50099081 | P A W S PUBLIC ANIMAL WASTE SERVICE | 6212 | 86.55 |
| 09384011K | FARACI GLENN & FRANCES PRESTIPINO | 6213 | 241.17 |
| 07048090 | CREEKSIDE BIBLE CHURCH INC | 6216 | 1,641.62 |
| 50102873 | SMITH WILLIAM DAVID | 6234 | 187.84 |
| 50098310 | SHOUP JANIE M | 6235 | 109.83 |

| | | | |
|--------------------|--|------|------------------|
| 09387048 | C-3 HOMES INC | 6223 | 869.50 |
| 50050839 | WESTERN SIZZLIN | 6226 | 234.73 |
| 04231024B | THERRELL TOMMY L & WF BOBBY M | 6227 | 1,585.56 |
| 02015007 | STEELE MARION BIVENS JR | 6228 | 1,206.70 |
| 50099298 | SUNSET WOODWORKING LLC | 6229 | 197.14 |
| 50102710 | STARNES MELVIN DBA MCCAIN GROCERY | 6230 | 182.88 |
| 50073803 | HINES PENNY RENAY | 6231 | 118.27 |
| 09387048 | C-3 HOMES INC | 6232 | 2,251.19 |
| 07090463 | MATEUS ROBERTO & ANA MARIA PALACIOS | 6238 | 40.21 |
| 0311404A | AUTRY RILLA | 6242 | 268.69 |
| 09298366 | NOVANT HEALTH INC | 6243 | 13,386.90 |
| 09381005 | RONNIE LANEY CONSTRUCTION CO INC | 6217 | 459.65 |
| Totals-2009 | | | 36,281.87 |

| | | | |
|--------------------|----------------------------|------|-----------------|
| 2008 | | | - |
| 50070040 | WITMORE MICHAEL & BEVERLY | 6197 | 131.17 |
| 50075368 | MEDLIN DOROTHY T | 6199 | 96.60 |
| 50090421 | HEMBY BRIDGE AUCTION HOUSE | 6208 | 61.82 |
| 50098310 | SHOUP JANIE M | 6236 | 15.48 |
| 09387048 | C-3 HOMES INC | 6224 | 869.50 |
| Totals-2008 | | | 1,174.57 |

| | | | |
|-------------|----------------------------|------|--------|
| 2007 | | | - |
| 50075368 | MEDLIN DOROTHY T | 6201 | 159.27 |
| 50090421 | HEMBY BRIDGE AUCTION HOUSE | 6209 | 62.60 |

| | | | |
|--------------------|--|------|-----------------|
| 50098310 | SHOUP JANIE M | 6237 | 365.59 |
| 09387048 | JARNAR-SECRET/HOUSTON DEVELOPMENT LLC | 6225 | 512.19 |
| Totals-2007 | | | 1,099.65 |

| | | | |
|--------------------|--------------------------------------|------|---------------|
| 2006 | | | - |
| 50075368 | MEDLIN DOROTHY T | 6200 | 147.55 |
| 50090421 | HEMBY BRIDGE AUCTION HOUSE | 6210 | 49.68 |
| 07027328 02 | UNIVERSAL LAND & DEVELOPMENT CORP | 6239 | 518.34 |
| Totals-2006 | | | 715.57 |

| | | | |
|--------------------|--------------------------------------|------|---------------|
| 2005 | | | - |
| 50075368 | MEDLIN DOROTHY T | 6202 | 145.00 |
| 50090421 | HEMBY BRIDGE AUCTION HOUSE | 6211 | 42.40 |
| 07027328 02 | UNIVERSAL LAND & DEVELOPMENT CORP | 6240 | 508.71 |
| Totals-2005 | | | 696.11 |

| | | | |
|--------------------|--------------------------------------|------|---------------|
| 2004 | | | |
| 07027328 02 | UNIVERSAL LAND & DEVELOPMENT CORP | 6241 | 483.89 |
| Totals-2004 | | | 483.89 |

| | | | |
|---------------------|--|--|------------------|
| GRAND TOTALS | | | 42,138.51 |
|---------------------|--|--|------------------|

Tax Administrator: Seventh Motor Vehicle Release Register for the Period of January 1, 2010 – January 31, 2010: This report was included on the Consent Agenda but the amount of the releases was shown as \$1,783.51-, and the correct total is \$10,418.01-. The amount of the releases shown was actually the amount of the refunds, and this item will be brought back to the Board on March 15, 2010, for correction.

Tax Administrator: Seventh Motor Vehicle Refund Register for the Period of January 1, 2010 – January 31, 2010: This report was included on the Consent Agenda but the amount of the refunds was shown as \$10,418.01, and the correct total is 1,783.51-. The amount of the refunds shown was actually the amount of the releases, and this item will be brought back to the Board on March 15, 2010, for correction.

Motor Vehicle Tax Refund Overpayments for January 2010 in the Amount of \$3,746.52: Approved the motor vehicle tax refund overpayments for January 2010 in the amount of \$3,746.52.

Federal Forfeiture and Controlled Substance Tax Funds: Approved General Special Revenue Ordinance Amendment #10 appropriating federal forfeiture and controlled substance funds

| CAPITAL PROJECT ORDINANCE AMENDMENT | | | | | | | |
|-------------------------------------|------------------|-----------|---------|----------------------|-------------------|-----------|---------|
| | | | | | | | |
| BUDGET | General SRO Fund | | | REQUESTED BY | Kai Nelson | | |
| FISCAL YEAR | FY 2009-2010 | | | DATE | February 15, 2010 | | |
| | | | | | | | |
| PROJECT SOURCES | | | | PROJECT USES | | | |
| Source | Project | Requested | Revised | Project | Project | Requested | Revised |
| Description and Code | To Date | Amendment | Project | Description and Code | To Date | Amendment | Project |
| General Special Rev Ord Fund | | | | | | | |
| | | | | | | | |

| Federal Forfeited Property Program | | | | | | | |
|---|--|-----------|-----------|-----------------------|------------------------------|-----------|-----------|
| Federal Forfeited Property | 384,513 | 332,489 | 717,002 | Contingency | 170,163 | 315,842 | 486,005 |
| Investment Earnings | 607 | 25,260 | 25,867 | Capital Outlay | 199,777 | 39,312 | 239,089 |
| IFT from General Fund | 96,596 | - | 96,596 | Operating Expenditure | 111,776 | 2,595 | 114,371 |
| Controlled Substance Tax Program | | | | | | | |
| Controlled Substance Tax | 210,964 | 40,854 | 251,818 | Contingency | 145,157 | (75,214) | 69,943 |
| Investment Earnings | 459 | 19,959 | 20,418 | Capital Outlay | - | 24,284 | 24,284 |
| IFT from General Fund | 45,722 | - | 45,722 | Operating Expenditure | 111,988 | 111,743 | 223,731 |
| | | | | | | | |
| | 738,861 | 418,562 | 1,157,423 | | 738,861 | 418,562 | 1,157,423 |
| | | | | | | | |
| EXPLANATION: | To appropriate federal forfeited property and controlled substance tax revenue received to budget accounts. The | | | | | | |
| | Manager is authorized to transfer funds from Federal Forfeited Property and Controlled Substance Tax contingency | | | | | | |
| | accounts to expenditure budget accounts, and these transfers will be reported within the monthly budget transfers to | | | | | | |
| | the BOCC. | | | | | | |
| DATE: | | | | APPROVED BY: | | | |
| | | | | | Bd of Comm/County Manager | | |
| | | | | | Lynn West/Clerk to the Board | | |
| | | | | | | | |
| FOR FINANCE POSTING PURPOSES ONLY | | | | | | | |
| PROJECT SOURCES | | | | PROJECT USES | | | |
| Source | Project | Requested | Revised | Project | Project | Requested | Revised |
| Description and Code | To Date | Amendment | Project | Description and Code | To Date | Amendment | Project |

| | | | | | | | | |
|-------------|-----|--|---------|----------------------------|-------|--------|---------|--------|
| | | | | 31543130-5312-1052 | | | | |
| | | | | Telephone and Comm | - | 15,190 | | 15,190 |
| | | | | 31543130-5321-1052 | | | | |
| | | | | Maint and Repairs - Equip | 1,200 | 782 | | 1,982 |
| | | | | 31543130-5352-1052 | | | | |
| | | | | Maint and Repairs - Fuel | - | 382 | | 382 |
| | | | | 31543130-5353-1052 | | | | |
| | | | | Maint and Repairs Land Imp | - | 1,159 | | 1,159 |
| | | | | 31543130-5356-1052 | | | | |
| | | | | Professional Services | - | 13,583 | | 13,583 |
| | | | | 31543130-5381-1052 | | | | |
| | | | | Medical Services | - | 75 | | 75 |
| | | | | 31543130-5383-1052 | | | | |
| | | | | Education Expenses | - | 8,010 | | 8,010 |
| | | | | 31543130-5395-1052 | | | | |
| | | | | Vehicles | - | 13,796 | | 13,796 |
| | | | | 31543130-5540-1052 | | | | |
| | | | | Other Equipment | - | 10,488 | | 10,488 |
| | | | | 31543130-5550-1052 | | | | |
| | | | 418,562 | | | | 418,562 | |
| | | | | | | | | |
| Prepared By | JLL | | | | | | | |
| Posted By | | | | | | | | |
| Date | | | | | | | Number | SRO 10 |

Public Information Officer's Comments:

Brett Vines, Public Information Officer, offered the following comments:

1. Volunteer Income Assistance Tax Program – This program is for individuals or households whose gross income is less than \$49,000 per year. There are two opportunities for this program: a) Monroe Library – provided by the Family

Financial Leaders Coalition going on now through mid April on Monday and Tuesday nights and Saturday afternoons; and b) Department of Social Services.

2. The Rocky River Rural Planning Organization is seeking comments on the Union County Comprehensive Transportation Plan from February 22, 2010, through March 23, 2010. There will be two public open houses on March 4, 2010: 1) at Lanes Creek Volunteer Fire Department from 12:00 noon until 2:00 p.m.; and 2) at the Marshville Community Building from 3:30 p.m. to 5:30 p.m. Citizens can review the plan at www.rockyriverrpo.org or for more information, they can contact Rueben Crummy with NCDOT at 919-715-5737.

2010 UCAC Grant Recommendation for Porter Ridge Athletic Association:

Chairwoman Rogers recognized Al Greene, County Manager, to explain this item.

Mr. Greene stated that several months ago, all other athletic association grant recommendations were presented to the Board and were approved. He said at that time, it was recommended that the application for Porter Ridge Athletic Association be delayed until the athletic association could review the ADA design of some of the proposed improvements. He said that Porter Ridge Athletic Association has completed that work and the association's revised grant application was presented to the Parks and Recreation Advisory Board. Mr. Greene noted one deletion from the application's scope was renovation of its concession stand. He said that after review of the ADA requirements, Porter Ridge has decided to delay this improvement.

He stated that the scope of improvements which remain in the Porter Ridge's application is to define its parking area, pave and stripe the parking area to include handicapped parking, construct paved pathways from the parking area to each of the fields. He said that this issue is an ADA compliance issue. He stated that its front ballfield is in very bad shape, and they would like to resod and replant grass on that ballfield and replace old dugouts. Mr. Greene said that the grant application is for \$32,672.50 in grant funds, and the Parks and Recreation Advisory Board recommends that five percent contingencies be included in that amount bringing the total to \$34,306, and the match from the athletic association would be in the same amount. He stated that it was recommended that the award be approved with the following contingencies: 1) that the five percent contingency be included; 2) that all improvements be included; 3) that all improvements be ADA compliant; 4) that Union County Public Schools provide acceptable assurances that the improvements can be made and that the facilities will remain available for public use through the required term; 5) that all construction permits be obtained; and 6) that the association also pursue a complete audit of all of its existing facilities.

Commissioner Openshaw pointed out that the agenda package indicated that the Board should receive a letter from the Board of Education by tonight's meeting. Mr. Greene stated that there is not a letter. He said that he and Wanda Smith, Director of Parks and Recreation, spoke earlier today and some of the associations have been trying to work with the principals of the schools, and the County has received notice from Union County Public Schools that this was not the proper process. He stated that staff is now notifying all athletic associations that they should submit their requests to Dr. Webb. He explained that this process would take a little time, and in the meantime, no grant applications would be processed until notification has been received from the schools.

Commissioner Openshaw said that he was somewhat disturbed to read that a part of the grant funding would be used in areas where trailers were located on the schools' property. He questioned what would happen if it were necessary for the mobile units to be again used on the property. He described the area as a high-growth area. He said he was concerned about this issue and he is on the committee that is supposed to meet and address it.

Chairman Openshaw said that he wanted to make a partial approval to award the Porter Ridge Athletic Association grant funds. He stated that he would like to remove Ballfield #1 from the application. He stated that there are a number of improvements listed in the application that would not be impacted by trailers, such as the paved paths, the gravel drive, and the paved parking entrance area, and he was agreeable to those improvements progressing. However, he said he wanted to see some resolution with the schools. He stated that there needed to be a decision whether the County would hold to the Parks and Recreation's current policy of 25 years or is it a two to three year deal. He said that he thought there were a couple of options on this matter: 1) wait a while or 2) unilaterally decide that a 25-year commitment is not needed but could decide on a short-term commitment, which could be expensive in the long range; or 3) adopt a partial approval of the grant funds. He said there was no motion at this time.

Vice Chair Kuehler said that the current policy is a 25-year requirement. She referred to Contingency #3 which states "That proper documentation be received from the UCPS Board that the project can be completed on school property." She asked if this contingency is stipulating that until Porter Ridge Athletic Association reaches an agreement with the schools, it cannot go ahead with the improvements. Mr. Greene responded that was correct unless they get permission from the schools that would allow the use of these facilities for 25 years. He said that as Commissioner Openshaw had mentioned, the 25-year requirement would also affect other applications.

Vice Chair Kuehler asked if Porter Ridge Athletic Association would be spending the grant funds if the Board approves this request. Mr. Greene said that he could envision that Porter Ridge might spend some of its own funds for planning work, but he would not think it would be a significant amount. Vice Chair Kuehler said that she had visited the Hemby Bridge Complex, and it is a great

asset. She stated that unless and until the proper documentation is received from the schools, the athletic association would not be able to do anything.

Chairwoman Rogers asked Vice Chair Kuehler if it were her desire that action on this matter be tabled until the documentation is received from the schools. Vice Chair Kuehler responded that she was trying to determine whether giving them permission was allowing them to move forward with some aspects of the project with the full understanding that until these issues are worked out, the money could not be spent. Mr. Greene pointed out that staff's recommendation is that the Board approve the application with the contingencies.

Vice Chair Kuehler asked if the committee studying the requirement with the schools reaches an agreement on the terms, then Porter Ridge would not have to come back to the Board. Mr. Greene responded that he would defer to Mr. Crook and Mrs. Smith as to whether or not the grant guidelines would have to come back to the Board for approval. Mr. Crook stated that if the guidelines changed, then they would need to be brought to the Board.

Vice Chair Kuehler said that she did not understand why this item would be approved at this time, because it seemed that Porter Ridge Athletic Association would not be able to do anything toward the improvements at this time. Commissioner Openshaw stated that was why he had offered the other alternative of making the improvements around Fields 2, 3, and 4, so they could get some of the work completed rather than doing nothing. However, he stated that it seems that the big improvement they want to do is Field 1. Vice Chair Kuehler noted that the athletic association would not be able to complete the other improvements, as had been suggested by Commissioner Openshaw, until they had reached an agreement with the schools.

Chairwoman Rogers said the problem that she sees is if they work on Fields 2, 3, and 4, and are doing the work based on the assumption they will get \$34,000, and one of the contingencies is not met, then it leaves them hanging. She stated that based on the discussion, she thought there were two issues: 1) Union County Public Schools documentation for the 25-year requirement; and 2) some type of commitment that if Field #1 is used for athletic purposes, that they will not put trailers on that property after the fact.

Commissioner Openshaw said that he would recommend tabling this matter and then moved to do so. He amended his motion to add that Porter Ridge Athletic Association be contacted to let them know of the Board's concerns. The motion was passed unanimously.

Public Works: Task Order No. 5C with Camp Dresser & McKee (Moved from the Consent Agenda at the Request of Commissioner Openshaw):

Chairwoman Rogers recognized Commissioner Openshaw for his comments regarding this item.

Commissioner Openshaw stated that this was the project that staff had presented to the Board as a phased project. He said that this Task Order is for the engineering work for the part of the project that was not approved but the Board had said it would look at it depending on the estimates that were received. He noted that some of the services that the task order is agreeing to are that Camp Dresser & McKee would do permitting, bidding, construction phase services, start-up and training services, and some of those services would not necessarily be needed should the Board decide not to proceed. He said that the services seem to be broken down into two parts: 1) one part for \$103,000; and 2) one part for \$305,000. He asked if the \$103,000 is for the engineering and bidding services.

Mr. Greene responded the \$103,000 are for those two services as well as other services. He explained that amount was for all the work that would have to be done whether or not that portion of the line is awarded to include completing the redesign so that it could be bid, the permitting, the bidding and grant application assistance and contract award. He said that all of those functions would be at the same cost regardless of whether the Board awards that section of the force main.

Commissioner Openshaw said that was his concern, and he wanted to make sure that the County was not paying for services that it was not going to receive. Mr. Greene noted that the quote for construction and administrative services is on an hourly basis.

Following the explanation, Commissioner Openshaw moved to authorize the Manager to approve Task Order No. 5C with Camp Dresser & McKee for design, bidding, and construction services for the East Side Sewer Improvements Project. [The total engineering fee is \$409,455 divided into two sub parts: a lump sum of \$103,783 for the redesign, permitting, bidding, grant application assistance and contract award and a per diem cost not to exceed \$305,672 based on hourly rates for the Construction Administration Services.] The motion was passed unanimously.

Presentation Regarding Debt Restructuring:

Chairwoman Rogers recognized Kai Nelson, Finance Director, for his comments. He stated that in September or October 2008, his world changed and prior to that time, his world was generally characterized by predictability in the capital markets; the concept of too big to fail was little talked about; liquidity was plentiful; and the market place was full of high credit quality financial

institutions. He stated that turbulence and volatility in the capital markets were concepts that generally did not exist. Mr. Nelson said that his world and the Board's changed on September 15, 2008, with the Lehman Brothers' bankruptcy and the cascading of events including widespread global government intervention in financial markets to restore predictability, liquidity, and credit quality. He reviewed that Union County's response to the credit crisis was swift and measured and by December and into the first calendar quarter of 2009, the County repositioned portions of its debt portfolio. He stated that during this period County staff also communicated extensively with rating agencies regarding their evolving and maturing perspectives on appropriate debt mixes. He said that although the market place experienced turbulence and volatility in the fall of 2008, by January 2009, short-term interest rates were below one percent, by late January below one-half of one percent, and by October 2009, below 30 basis points.

Mr. Nelson commented that also today municipal bond market yields are their lowest in over 20 years. He said that given Union County's debt portfolio, given its size, it is structured in a manner to provide over time a lower cost of funds when compared to traditional fixed rate debt and to provide for asset and liability management which arises when there are mismatches between the County's cash and investment returns and its liabilities. He stated that in spite of the volatilities that occurred in the fall of 2008, the County's debt portfolio, as measured by total costs, performed well even in 2009. He said that this year's debt service expenditures are projected to be about \$2 million under budget. He stated that although the portfolio has performed well since September or October of 2008, the Board will hear shortly from FirstSouthwest, the County's financial advisor, that there are measured opportunities in the market place to further mitigate some of the risks associated with the County's variable swapped debt.

He explained that the Board would be asked to take two actions tonight. He introduced Walter Goldsmith, a Senior Vice President with the FirstSouthwest Financial Advisory Firm. He said that Mr. Goldsmith will be sharing the County's current portfolio mix between traditional and variable swapped debt. He explained that the first action requested of the Board is to hear the presentation and make a decision with regard to that portfolio mix. Secondly, he said that having refined the County's portfolio mix in the future, staff would be seeking authorization to proceed with a further refinement of the County's debt portfolio mix to meet the Board's objectives in terms of the mix.

Mr. Goldsmith described FirstSouthwest as an independent financial advisory firm that has worked with Union County for a number of years. He assured the Board that FirstSouthwest was not present to sell the County a product but serves as the County's independent advisor. He presented a Power Point presentation.

Mr. Goldsmith stated that there are two sides of the County's debt portfolio: the tax supported [general obligation bonds and Certificates of Participation (COPS)] and the revenues (the enterprise utility side) and within each portfolio, there are three types of

debt: 1) traditional fixed rate debt; 2) variable rate debt, where the interest rate resets every week; and 3) synthetic fixed rate debt, which is where variable rate debt is issued and then enters into a swap contract with a counter party to lock in the cost on that variable rate debt for some time period. He stated that each of the three types of debt has traditionally different levels of costs in terms of interest rate and different levels of risks.

He said that his presentation would include an update of the market status and a recommendation that now might be an appropriate time to shift more debt into fixed rate. He noted the importance that in November 2008, the County evaluated potential restructuring options and decided to: 1) utilize liquidity provided by BB&T for the 2004A&B and 2007 AB&C; 2) refund the 2005 AB&C variable rate bonds with traditional fixed rate debt; and 3) continue to evaluate the market for opportunities to unwind swap positions and to rebalance the debt portfolio with a heavier weighting towards traditional fixed rate debt.

Mr. Goldsmith reviewed the 25-year history of municipal interest rates. He said in answer to the question of “Why do many cities and counties issue variable rate bonds?”, it is because over the last 25 years, almost without exception, interest rates have always been lower in the variable rate market than in the fixed rate market. He stated that because of the volatility, it has always been viewed that there should be some exposure in variable rate markets, one would not want to put all of their debt in variable rate market debt.

He said that in September of 2008, variable rates spiked to eight percent, and that is when the banks started to be downgraded, and the Board took actions in November. He stated that as Mr. Nelson had mentioned, since that time variable rates have declined dramatically, and fixed rates are also at relatively low levels in comparison to where they have been in the last 25 years. He said this is a reason why they were going to recommend that this might be an opportune time to shift some more of the County’s debt into the fixed rate market.

Mr. Goldsmith reviewed the County Synthetic Fixed Rate Swap Portfolio totaling approximately \$167 million. He said that on the enterprise revenue system, there is approximately \$37 million in Synthetic Fixed Rate Debt. He explained that the interest cost on Fixed Rate Debt is the highest, Swapped Variable, at medium, and the lowest on Variable Rate debt. Mr. Goldsmith said that the risks on fixed rate debt are very low, medium on Synthetic Swapped Variable Rate, and highest on Variable Rate Debt.

Through the use of pie charts, Mr. Goldsmith reviewed for the Board where the County’s debt was in November 2008, where it is today in January 2010, and how they are recommending now the Board should consider allocating the County’s debt. He said that in November 2008, approximately 50 percent of the County’s debt was in traditional fixed rate; approximately 18 percent was in

variable rate debt; and 33 percent was in Synthetic Fixed Rate. He said that in November 2008, the Board refunded a portion of the variable rate debt and transitioned that into fixed rate debt. Mr. Goldsmith said that the recommendation today is that the Board consider reducing the Synthetic Fixed Rate Debt of \$167 (tax supported) million to \$117 million. He said that in 2008 the view of the rating agencies and many highly rated cities and counties was to diversify and have some debt in each market. He stated that this view was predicated on the assumption that the banks that were providing liquidity would always be there, and the ones serving as swap counter parties would always be there.

Mr. Goldsmith said that in November of 2008, they looked at moving all of the County's debt to 100 percent traditional fixed rate. He explained that the cost to make this transition at that time would have been so expensive in terms of tax rate increase and debt service cost that the Board made the decision to do a little bit now and to watch to see what happens in the market. Further, he said that during that time, the rating agencies really refined their view as well. Mr. Goldsmith said that the recommendation tonight is that the Board set a target to have the County's debt portfolio to be 70 to 80 percent in traditional fixed rate debt and then the balance of a 20-30 percent range being in a combination of Synthetic Fixed Rate and Variable Rate Debt.

He then reviewed information regarding the Enterprise System. He said that the proposal is to terminate swaps on approximately \$14 million of Synthetic Debt and to issue it as fixed rate which would make it 68 percent in Traditional Fixed Rate with 20 percent remaining in the Synthetic Fixed Rate Market.

Mr. Goldsmith explained that the blue lines used in the presentation graphs represent taxable swap rates and the red lines represent tax exempt municipal bond rates. He said that the decision to issue Synthetic Fixed Rate is largely a function of the relationship between the blue line and the red line, and explained that when the spread between those two lines is at its greatest would be the opportune time to issue Synthetic Fixed Rate Debt. He said that when the spread between those two lines are the closest or negative, it is not a good time to issue Synthetic Fixed Rate Debt. He stated that he thought the graphs validate the decision that the Board made in 2008, that it was not the right time to get out of the interest rate swaps and the County has benefited by waiting. He said the County's cost of funds would be 5.08 percent versus almost 7 percent.

He addressed the question of whether the County would be better off waiting to get out of the interest rate swaps. He said that they do not know, but it is a better time now, and they are not recommending that the County move totally out of the Synthetic Fixed Rate market at this time. He stated that of the County's \$167 million in the Synthetic Fixed Rate, it was recommended that \$55 million be issued as fixed rate which gives the potential of continuing to execute on the strategy of completing small amounts at a time as opportunities present themselves.

Mr. Goldsmith reviewed that the recommendation is that the County terminate \$55 million of the 2007 general obligation (GO) bonds and \$14 million on the 2003B Revenue Bonds and issue those as traditional fixed rate debt. He said that debt service would increase by approximately \$170,000 per year.

Commissioner Baucom asked if the actual projected debt service costs for full termination of the 2007 A, B, and C GO bonds was based on today's rates projected forward or is it based on today's rates going forward. Mr. Nelson said it was really the historical basis. He stressed that he thought this was a very critical point. He reminded the Board that during its work session on February 10, 2010, he had commented about the current year end budget projection and had made several statements. He said one of those statements was that on the revenue side, he had indicated that it looks that the County's financial performance through the current fiscal year was favorable and would not be using fund balance of approximately one million; and, hopefully, the County would be to the good by approximately four million dollars. He reviewed where the favorable projection is coming, and stated it was clear it was not from revenues coming in over budget. He said that it is occurring where expenditures are coming in under budget and approximately two million of that amount is occurring with this particular swap. He stated that in this particular case, there is approximately \$9.4 million budgeted, but the actual amount is \$8.9, which is roughly \$400,000 under budget. He said it is important for the Board to understand while there is an estimate for the budget, the debt service is coming in under budget which creates a structured year-end budget for the Board.

Mr. Goldsmith explained that for the portion of the Synthetic Fixed Rate Debt (\$55 million) that is recommended to be terminated, the debt service was budgeted for 4.95 percent, and the actual percentage where it is thought to likely come in is 4.54 percent. He said that if the transition is approved for the fixed rate, the locked in rate would be 4.38 percent. He said the important point is the benefit of doing the partial termination.

Commissioner Baucom asked if an additional buffer has to be budgeted with the Synthetic Fixed Rates moving forward. Mr. Goldsmith responded that he thought the amount of buffer that has historically been budgeted has been appropriate. He said that what has changed are the fees that the banks charge to provide liquidity on the variable rate bonds. He stated that historically the banks charged very little for these fees, but these fees have doubled, tripled, and in some cases quadrupled. He said that the increased fees will have to be factored into the budget.

Vice Chair Rogers asked if the annualized \$39,000 cash flow savings through 2021, takes into account any termination fees from the variable rates into the fixed rates. Mr. Goldsmith responded that this amount takes into consideration all of the costs of

issuance, and the swap termination payment which would be \$4.3 million. She asked the total termination cost. Mr. Goldsmith stated that it would be \$4.3 million and that would not be locked in until the date it is terminated, so there would be some volatility associated with it. He clarified that the swap would be going from synthetic fixed rate to fixed rate.

Vice Chair Rogers asked Mr. Goldsmith if he had a comparison of Union County to other governments with high debt. Mr. Goldsmith said that they do track that information but he did not have the information with him but could follow up with it. He said that he could share with the Board antidotely that many local governments are making these similar type transitions.

Vice Chair Rogers asked how quickly the transition could take place. Mr. Goldsmith responded that it would be approximately 60 days from the time that the Board approves it. Vice Chair Rogers asked if the prepayment penalties on the variable synthetic fixed rates are similar to the fixed rate. Mr. Goldsmith said that on the variable rate issues, the bonds can be prepaid at any time without penalty, but the swap is what the termination payment is paid on.

Mr. Nelson stated that the reason that they had been focusing on the GO Series 2007A, 2007B and 2007C is because those three provide the County with the lowest amount of increased costs. He said that if the Board wanted to terminate all the swaps in order to be 100 percent fixed rates, then it would be in for a budget shock. He stated that the Board has already indicated that the new budget will be based on a no tax rate increase. He said that if the entire swap were to be refunded, the County would have to come up with another \$173,000 in debt service each and every year in the budget over actual debt service. Mr. Nelson stated that they have not even addressed the 2004A and B's because the cost to terminate these are even greater. He said that from his perspective, given the size of the County's debt portfolio, an appropriate mixture of fixed and non-fixed debt is reasonable, because over the long term, it will provide the lowest cost of funds. Mr. Nelson said that he thought the first decision of the Board is not to focus on the transactions but to make the decision relative to the mix. He stated that it is believed that a 70 – 80 percent fixed and 20 – 30 percent variable is appropriate given the size of the County's debt that is outstanding and its substantial cash and investments. He said that if that mix is acceptable to the Board, then the most cost effective way to reach that objective is to partially terminate 2007 A, B, and C's. He stressed that to do anything more would add cost to the budget.

Chairwoman Rogers questioned if the \$55 million and the \$14 million were moved to fixed rate debt would there be any flexibility of negotiating the prepayment terms or penalties. Mr. Goldsmith responded there is flexibility and this is part of what the County pays his firm to do to help negotiate that payment. He explained that the termination payment is comprised of two components. The first component described by Mr. Goldsmith was whatever the mark to market value is on the swap, and the counter party will calculate a number that they see the mark to market value as and FirstSouthwest, as the County's independent financial

advisor, will calculate an independent number of what it anticipates the number to be, and the two should be able to agree. Secondly, Mr. Goldsmith said there would be a fee that the counter party would want to charge to cover its cost, which will also be calculated. He stated that the second fee is the smaller component of the termination payment. He said that is FirstSouthwest's role to make sure that the County gets the best transaction possible. He stated that his firm would provide a fairness opinion to the County to support that the termination payment was indeed fair.

Chairwoman Rogers asked if the termination payment would come back to the Board for action. Mr. Nelson responded by way of further clarification that the Local Government Commission will require the County to hire a financial advisor in connection with the swap termination payment. He said that the counter party is going to ensure that it obtains compensation pursuant to the contractual obligation. Mr. Goldsmith said that the termination payment is a number that is moving minute to minute. He said a time would be set for a conference call among FirstSouthwest, the County's representatives, and the swap counter party, and then the County would verbally commit on that call to terminating the interest rate swap. He stated that although this number is verbal, it is very binding.

Chairwoman Rogers said that she wanted to make sure that when FirstSouthwest is negotiating for the County, that it has a clear understanding of the Board's desire as far as prepayment penalties and terms especially since it would not be coming back to the Board. Mr. Nelson commented that representatives of the Local Government Commission would also participate on the conference call, and based on the termination payment, the new bond issue is sized accordingly.

Following the discussion, Commissioner Baucom moved to accept the debt portfolio mix recommendation of 70 – 80 percent fixed and 20 – 30 percent variable/swapped.

Commissioner Baucom added to his motion the adoption of a Resolution Approving the Financing Team.

Chairwoman Rogers said she was trying to clarify that she thought they were looking for a specific amount on the fixed and variable rate debt. Mr. Goldsmith suggested a better action would be to adopt a resolution to terminate \$55 million of the 2007 A, B, and C's and also to terminate the revenue bond side of \$14 million.

Commissioner Baucom stated that he would amend his motion to state what Mr. Goldsmith had recommended. Chairwoman Rogers asked that Mr. Goldsmith restate the recommended motion. Mr. Goldsmith said that his suggestion had been for a motion to

terminate approximately \$55 million of the 2007 A, B, and C GO Bonds and a motion to terminate approximately \$14 million of the 2003 B Revenue Bonds.

Vice Chair Kuehler asked if a motion were also needed to adopt the Resolution Approving the Financing Team.

Chairwoman Rogers asked Mr. Nelson for assistance on the actions needed. Mr. Nelson referred the Board to the Manager's recommended actions. He said that these actions would be sufficient.

Commissioner Baucom agreed to go back to his original motion. Chairwoman Rogers repeated the original motion to be: Receive the presentation and accept the debt portfolio mix recommendation of 70 – 80 percent fixed and 20 – 30 percent variable/swapped and to adopt the Resolution Approving the Financing Team as recorded below.

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, NORTH CAROLINA, APPROVING THE FINANCING TEAM FOR UPCOMING BOND RELATED TRANSACTIONS.

WHEREAS, the Board of Commissioners (the "*Board*") of the County of Union, North Carolina (the "*County*") has determined to proceed with the planning and implementation for (1) the refunding in advance of their maturities all or a portion of four series of County's General Obligation Bonds issued in 2007 (the "*2007 Bonds*") and the termination of interest rate swap agreements related to the variable rate 2007 Bonds and (2) the conversion or refunding of the County's Variable Rate Water and Sewer System Revenue Bonds, Series 2003B (the "*2003B Bonds*") to a fixed rate and the termination of the interest rate swap agreement related to the 2003B Bonds;

WHEREAS, in addition to the transactions related to the 2007 Bonds and the 2003B Bonds contemplated above, the Board has determined that it would like to proceed with the planning and implementation for the refunding of any other bonds issued by the County or obligations of the County that would produce a net present value savings to the County of 3% or more (together with the transactions related to the 2007 Bonds and the 2003B Bonds, the "*2010 Bond Transactions*");

WHEREAS, the Board has determined to retain Parker Poe Adams & Bernstein LLP, as bond counsel to the County for the 2010 Bond Transactions, and First Southwest Company, as financial advisor to the County for the 2010 Bond Transactions;

WHEREAS, the Board has determined to direct the County Manager and the Finance Director to pursue the direct placement of any bonds that the County may issue related to the 2010 Bond Transactions with a financial institution;

WHEREAS, the Board has determined (1) to direct the County Manager and Finance Director to retain any or all of Banc of America Securities LLC, BB&T Capital Markets, a division of Scott & Stringfellow, LLC, and Wells Fargo Securities to serve as underwriters for bonds to be issued by the County related to the 2010 Bond Transactions that it is determined to not otherwise be advantageous to directly place with a bank and (2) to approve the selection of Robinson, Bradshaw & Hinson, P.A., as underwriters' counsel for the 2010 Bond Transactions;

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, NORTH CAROLINA, AS FOLLOWS:

Section 1. That Parker Poe Adams & Bernstein LLP. shall hereby be retained to serve as bond counsel to the County for the 2010 Bond Transactions and First Southwest Company shall hereby be retained to serve as financial advisor to the County for the 2010 Bond Transactions.

Section 2. That (1) the County Manager and the Finance Director are each hereby directed to negotiate with any financial institution for the placement of the County's bonds related to the 2010 Bond Transactions that he determines to be in the best interest of the County, (2) the County Manager and Finance Director are hereby directed to retain any or all of Banc of America Securities LLC, BB&T Capital Markets, a division of Scott & Stringfellow, LLC, and Wells Fargo Securities to serve as underwriters for bonds to be issued by the County related to the 2010 Bond Transactions that it is determined to not otherwise be advantageous to directly place with a bank and (3) Robinson, Bradshaw & Hinson, P.A., shall hereby be approved as underwriters' counsel for the Bonds.

Section 3. That the County Manager and the Finance Director of the County are each hereby authorized and directed to retain other members of the financing team that may be necessary to carry out the intentions of the Board set forth in this Resolution.

Section 4. That this Resolution shall become effective on the date of its adoption.

After discussion on prepayment penalties and Mr. Nelson's explanation of the Resolution Approving the Financing Team, etc., the motion was passed unanimously.

Discussion of Wingate and Marshville Utility Agreements:

Chairwoman Rogers stated that she had asked to have this item placed on the agenda. She said that at the last meeting the Mayors of both Wingate and Marshville were present when the Board discussed the eastern sewer project. She said the Board had impressed upon them the need for current contracts and contracts that address the different challenges and issues that the two towns

have and that the County might have. She said that what she wanted the Board to consider tonight is to direct the County Manager to establish a timeline to have the contracts with the Towns of Wingate and Marshville in place. She stated that the County Manager could establish that timeline and work with Marshville and Wingate. She said that she thought it was important for all parties to have a buy-in on getting the contracts completed for the benefit of all.

Commissioner Baucom asked if the Chairwoman were offering her suggestion in the form of a motion. She stated that she would offer this as a motion.

She said that the agreements have been discussed for a long time.

She stated that her motion would be to have the County Manager establish a timeline with whomever he feels he needs to help him with the timelines and bring that timeline to the Board of Commissioners for consideration.

Commissioner Mills said that he assumed that Chairwoman Rogers was suggesting that the County Manager contact staff in Wingate and Marshville to work out a timeline. Mr. Greene said that he would be happy to do that. He asked that the Board keep in mind that negotiating utility agreements often has a life of its own. He said that Union County is only one side of the parties that are at the table and cannot control how long it will take to reach an agreement or consensus with the other parties. He stated that staff could provide the Board with what it believes would be a reasonable timeline with both parties to the Agreements working together.

He said the Board had an excellent opportunity in these matters for a couple of reasons. He explained that Marshville and Wingate are working on their inflow and infiltration issues, and the County is working on upgrading its infrastructure. Mr. Greene stated that the combination of those two efforts would provide some room for the parties to look at possibly a small amount of future capacity, either as a result of the reduction of the inflow and infiltration and the infrastructure improvements. He said that he thought Marshville and Wingate also see an opportunity for growth in the future with the bypass coming and other changes that have occurred over the past couple of years. He stated that he thought there is an opportunity to undertake a positive process with Marshville and Wingate. He said that he also believed it would require buy in by those two governing boards for their managers to sit down at the table with the County. He stated that those managers could not unilaterally make that decision to sit down and negotiate agreements with the County. Mr. Greene said that he thought it would be very helpful to have some type of communication from this Board to Marshville and Wingate's boards. He said that the agreements need revisions. He said he thought buy in at the governing boards' level would make the process go more smoothly.

Chairwoman Rogers said that the Board had heard comments from the two towns that they felt like they had not been invited to the table and they had not been communicated with. She stated that she was not saying they had not but the perception was there for whatever reason. She said that by establishing the timeline and asking them to be a part of it and obtaining the buy in are positive steps forward.

Commissioner Baucom agreed with the Manager's comments. He suggested that in light of the Manager's comments, that Chairwoman Rogers write letters to the two towns to let them know of the County's intent and to change the timeline for the Manager to report back to the second meeting in March. He said this would provide an opportunity for both town councils to meet and to have discussions.

Chairwoman Rogers said that she was fine with Commissioner Baucom's comments except that she would prefer that the County give the Board its timeline at the next meeting and then request Marshville and Wingate's timeline a month from now. Commissioner Baucom responded that he wanted to obtain Marshville's and Wingate's buy in and cooperation as much as possible.

Commissioner Openshaw requested that the Board receive monthly reports from staff on the contacts and an update on the progress concerning these agreements. Chairwoman Rogers asked Commissioner Openshaw if he wanted that request to be a part of the motion. He agreed he wanted this request to be included in the motion, Chairwoman Rogers agreed to amend her motion accordingly.

The Chairwoman asked if the Board was clear on the motion as amended or if the Board wanted the motion restated. By consensus, the Board agreed that there was clarity on the motion.

The motion as amended passed unanimously.

Transportation Advisory Board (Added to Agenda at the Request of Chairwoman Rogers):

Chairwoman Rogers stated that the purpose of this item was to clarify the appointments of the Commissioners on the newly formed Transportation Advisory Board (TAB) are Vice Chair Kuehler and Commissioner Baucom. She said that she thought the discussion at the time that board was established was that it would be the Board's MUMPO representative and its RPO representative.

Vice Chair Kuehler stated that she would forward the list and communications to Commissioner Baucom that she has had regarding an organizational meeting of that board on Thursday, February 25.

Chairwoman Rogers moved that Vice Chair Kuehler and Commissioner Baucom serve as the Board's appointees to the Transportation Advisory Board (TAB). The motion was passed unanimously.

Announcement of Vacancies on Boards and Committees:

Chairwoman Rogers announced vacancies on the following Boards and Committees:

- a. Adult Care Home Advisory Committee (2 Vacancies)
- b. Criminal Justice Partnership Program Advisory Board (1 Member at Large)
- c. Nursing Home Advisory Committee (1 Vacancy)
- d. Juvenile Crime Prevention Council:
 - 1. Substance Abuse Professional
- e. Union County Industrial Facilities and Pollution Control Authority (2 Vacancies for Unexpired Terms Ending May 2014)
- f. Parks and Recreation Advisory Committee (2 Vacancies as of February 2010 includes one vacancy for a member with a physical disability)
- g. Union County Home and Community Care Block Grant Advisory Committee (3 vacancies for unexpired terms)
- h. Fire Commission (Two Vacancies)
- i. Planning Board (Two Vacancies for Regular Members and One Vacancy for Alternate Member as of April 20, 2010)
- j. Health Board (Two Citizen Representatives)

Appointments to Boards and Committees:

a. *Region F Aging Advisory Committee:* Commissioner Openshaw moved to appoint Judy Boyce Chapman to fill an unexpired term on the Region F Aging Advisory Committee. The motion was passed unanimously.

b. *Nursing Home Advisory Committee:* Vice Chairwoman Kuehler moved to appoint Juanita McCalvin to serve on the Nursing Home Advisory Committee. The motion was passed unanimously.

c. Union County Home and Community Care Block Grant Advisory Committee (One Full-Term Vacancy and One Unexpired Term): Chairwoman moved to appoint Joan B. Kocsis to fill the full-term vacancy and Bonnie Rushing to fill the unexpired term on the Home and Community Care Block Grant Advisory Committee. The motion was passed unanimously.

d. Adult Care Home Advisory Committee: Vice Chairwoman Kuehler moved to appoint Carl Cooper to serve on the Adult Care Home Advisory Committee. The motion was passed unanimously.

Manager's Comments:

Mr. Greene said that staff had sent an e-mail to the Board about a week and a half ago proposing dates for potential work sessions of the Board. He stated that there are a number of issues that the Board needs to work through this winter and early spring. He said that the next item that the Board needs to focus on is a work session with representatives of Kaufman Hall. He noted that one date that was not included on the list of potential dates was Wednesday, February 24. He said that the reason that date had not been included was because it was thought there would be an MCIC meeting on February 25, and staff did not want to overload that week. Mr. Greene said that the MCIC meeting has been cancelled. He asked about the Board's interest in holding a work session on February 24 with the Board, staff, and representatives of Kaufman Hall. He said that if the Board could not meet on February 24, then it could possibly be early to mid March before a work session could be held with representatives of Kaufman Hall.

Chairwoman Rogers asked that the Board members review their calendars and respond to Mr. Greene tomorrow about their availability to meet on February 24.

Vice Chairwoman Kuehler stated that she would be available to meet on February 24.

Commissioners' Comments:

Commissioner Openshaw congratulated New Salem Elementary School for its various awards for innovation and student achievement and Piedmont High School's wrestling team for being the State Finalist in the team competition. He also offered congratulations to Hemby Bridge and Lane Creek Volunteer Fire Departments for the grants that they received.

Commissioner Baucom had no comments.

Vice Chairwoman Kuehler expressed appreciation to the Town Council of Mineral Springs for the very enlightening meeting last week and extended an invitation to other municipalities which the Board has not held joint meetings to schedule a meeting.

Commissioner Mills had no comments.

Chairwoman Rogers had no comments.

With there being no further comments or discussion, at approximately 8:50 p.m., Commissioner Baucom moved to adjourn the regular meeting. The motion was passed unanimously.