

Approved: April 19, 2010

Minutes of the Regular Meeting of  
Monday, March 15, 2010  
7:00 P.M.

The Union County Board of Commissioners met in a regular meeting on Monday, March 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; Matthew Delk, Assistant County Manager; Lynn G. West, Clerk to the Board of Commissioners; Jeff Crook, Senior Staff Attorney; Keith Merritt, County Attorney; members of the press, and interested citizens

**OPENING OF MEETING:**

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

a. **Invocation:**

Commissioner Baucom 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:**

Kathy Bragg, Executive Director of the Union County Chapter of the American Red Cross, stated that her presence tonight is especially timely because March is the time of year that municipalities all across the country recognize the American Red Cross in their communities as American Red Cross month.

Mrs. Bragg shared a brief profile of the Union County Chapter of the American Red Cross. She said that she would venture to say that the Red Cross is one of the oldest non-profit organizations in Union County. She shared that in 2009, the Union County Red Cross provided 19,736 services.

She stated that the Red Cross has a number of events coming up in the future, including the Rhapsody in Red Gala on April 17, 2010, at Rolling Hills Country Club. She said that Sheriff Eddie Cathey and Monroe Fire Chief Ron Fowler are Chairs of the Heroes for the American Red Cross Campaign, which will take place during the months of April and May. She stated that there would be a Heroes Community Breakfast in May to honor those in the community who have saved lives or performed heroic acts. She said that the Commissioners would receive invitations to this breakfast.

d. **Employee Service Award Recognitions:**

On behalf of the Board, Chairwoman Rogers recognized the following employees for their years of service with Union County Government:

**5 YEARS OF SERVICE**

SOMMER REDFEARN  
ELAINA WOLFE  
SHARON BOYETTE  
GREGORY FULTZ  
DEBORAH PATTERSON  
KAREN PARKER

**DEPARTMENT**

HEALTH  
LIBRARY  
SOCIAL SERVICES  
SOCIAL SERVICES  
SOCIAL SERVICES  
TAX COLLECTIONS

**10 YEARS OF SERVICE**

BILL WHITLEY

**DEPARTMENT**

PARKS AND RECREATION

SHARON GUILLEN  
CLAUDIA LOVE  
MARILYN VAUGHN  
JOYCE COOK

PUBLIC WORKS  
SOCIAL SERVICES  
SOCIAL SERVICES  
TAX ASSESSOR

**20 YEARS OF SERVICE**

DAVID WOMACK  
STEWART MARSH

**DEPARTMENT**

ENVIRONMENTAL HEALTH  
SHERIFF'S OFFICE

**25 YEARS OF SERVICE**

VERNON BURNS  
PATRICIA CHAMBERS

**DEPARTMENT**

SHERIFF'S OFFICE  
SOCIAL SERVICES

e. **Communications Staff Recognition of National Accreditation in Emergency Medical Dispatch and Emergency Fire Dispatch:**

Al Greene, County Manager, stated that on January 4, 2010, the National Academies of Emergency Dispatch formally awarded accreditation to the Union County Communications Center as an Emergency Medical Dispatch Center of Excellence. He shared that Union County's Emergency Communications Center is one of 132 communities that hold that designation.

He stated that on February 1, 2010, the National Academies of Dispatch awarded accreditation as an Emergency Fire Dispatch Center of Excellence to the County's Communications Center. He pointed out that Union County's Communications Center is only one of 13 communities that has received that award. Further, he said that the Union County Emergency Dispatch Center is one of 11 communities worldwide that has received both of these accreditations.

Mr. Greene stated that five of the County's Communications employees are present: Amanda Helms, Sharon Crooke, Amanda Smith, Kimberly Latson, and Susan Furr. He asked the Communications employees to come forward to receive the accreditation award from Chairwoman Rogers.

f. **Earth Day Logo Contest Winners Recognition:**

Chairwoman Rogers recognized Nikki Hatch from General Services to explain the recognitions. She said that she had sent information to several local schools, colleges, all high schools and some middle schools seeking Earth Day logos that captures the essence of Union County. She shared that she had received 157 entries which were judged by a panel of six judges. Ms. Hatch said that there were a total of seven students who submitted entries with three students having submitted one entry.

She recognized the following winners:

- |                            |  |
|----------------------------|--|
| Winner:                    | Stephen Lopez (Present)<br>SPCC<br>Teacher: Linda Ward<br>Dean – Vicki Holt  |
| 1 <sup>st</sup> Runner up: | Kendra Kummerer (not present)<br>Marvin Ridge High School<br>Teacher: Meryl Baumgarten (present)<br>Principal: Bill Cook (present)                   |
| 2 <sup>nd</sup> Runner up: | Corey Nance (present)<br>Porter Ridge High School<br>Teacher: Mrs. Ellis-Johnson (present)<br>Principal: Sam Bastin (present)                        |
| 3 <sup>rd</sup> Runner Up: | Sarah Plascyk (present)<br>Marvin Ridge High School<br>Teacher: Meryl Baumgarten (present)<br>Principal: Bill Cook                                   |
| 4 <sup>th</sup> Runner Up  | Joyce Rodriguez, (present) Miles Laney, (present) Emily Davis (not present)<br>Parkwood High School<br>Teacher: Bill Harril<br>Principal: Jan Hollis |

Chairwoman Rogers presented Certificates of Recognition to the winner and runners up.

Ms. Hatch stated that the winner of the Logo contest received a season's pass to the White Water Rafting Center in Charlotte. She shared that all of the entries would be on display during the Earth Day Events on Saturday, April 17, 2010.

**Informal Comments:**

Chairwoman Rogers stated that two persons had registered to speak during the informal comments and explained that they would each have three minutes in which to present their comments.

The first speaker recognized was Tom Williams, who resides at 3205 Chancellor Lane, Monroe, North Carolina. Mr. Williams stated that he has been a citizen of Union County for 69 years. He said that perhaps one of the most remarkable changes in Union County over the last 15 years has been that of the hospital. He said that he served nine years as a member of the Hospital's Community Trustee Council. He stated that the Board of Commissioners made a wise decision in 1995 to lease Union Regional Medical Center to the Carolinas Healthcare System.

Mr. Williams stated that at the time the lease was approved, the local hospital had fallen far behind the times and many of the County's citizens had lost confidence in the hospital and were going elsewhere for care. He said that Union County leadership recognized that it would require substantial resources and expertise to reinvigorate the hospital and found the ideal partner in Carolinas Healthcare System.

He stated that the citizens of Union County and surrounding counties have benefited from the progress that the hospital has made over the past 15 years as witnessed by CMC-Union being named last year as one of the top 100 hospitals in the entire country in both heart attack and pneumonia care.

Mr. Williams said that CHS has invested more than \$170 million in capital improvements including many improvements to the hospital in Union County. He stated that through physician recruitment and medical staff development, the medical staff has grown to more than 400 physicians from less than 100 in 1995, including many specialists. He said that there are more than 1,400 dedicated employees making CMC-Union one of the largest and best employers in Union County.

He stated that the service enhancements provided by CMC-Union over the past 15 years are almost too numerous to mention ranging from cancer treatment, out-patient services, and new medical offices to obstetrical care, cardio vascular and long-term care. He said that equally important are the investment plans for the future at CMC-Union that will ensure that it can meet the ever changing healthcare needs of a growing population by adding tertiary level services and keeping more residents in Union County for their medical care.

Mr. Williams stated that Carolinas Healthcare Systems has proven time and again that it is committed to continuously re-investing in facilities, service, and people. He said that Carolinas Healthcare System is ready, willing, and able to help CMC-Union transform itself once again by finding an equitable solution with the County's leadership but more importantly for the advancement of healthcare for the citizens of Union County. He stated that the process of trying to sell the hospital is incredibly disruptive to the employees and physicians of CMC-Union and to healthcare in Union County, and all the citizens deserve better.

He said that Carolinas Healthcare System has made amazing progress in enhancing the quality, care, and services of CMC-Union. He stated that today the County has a hospital that the residents have confidence in and one in which the employees and physicians have tremendous pride in. He said that Carolinas Healthcare System should be the only organization that the County should be discussing the future of CMC-Union with, and they deserve the opportunity to keep dancing with CMC-Union.

John Roberts said that he has been a resident of Union County for the past 14 years and resides in Weddington. He stated that currently he is the Assistant Vice President and Administrator of Carolinas Rehabilitation Hospitals. He said that he served as President and Chief Executive Officer of CMC-Union from 1996 to 2007 and could, therefore, attest to the track record of Carolinas Healthcare System and CMC-Union and to the many accomplishments as well as to the clinical, programmatic, and facility improvements as noted by Mr. Williams.

Mr. Roberts said that prior to 1995, the year that CHS was awarded the lease of the hospital, Union County received one dollar per year as lease payment by those who were operating Union Memorial Hospital at the time. He stated that in the ensuing 13 years of the current lease, Carolinas Healthcare System and CMC-Union have paid Union County over \$31 million in lease payments versus the \$13 that it would have received otherwise. Mr. Roberts stated that during the same 13 years, over \$177 million have been invested in new construction, equipment, and program development transitioning Union Memorial Hospital into a full-service, state-of-the-art facility, now known as Carolinas Medical Center-Union. He said that all of this was done without investment by Union County and at no expense to Union County residents.

He stated that he has always thought it is a societal responsibility to meet the healthcare needs of the poor and the indigent. Mr. Roberts said that CMC-Union has provided healthcare and hospital services to the poor of Union County without requesting any financial contributions from Union County's citizens. He stated that the management team of CHS and CMC-Union is doing a lot of things right.

Mr. Roberts said that it is in Union County's best interest to lock down a long-term relationship with Carolinas Healthcare System. He stated that he understood that the Board was interested in selling CMC-Union or having a different relationship with Carolinas Healthcare System. He said that the current lease, with more than 10 years remaining, would make it very difficult to sell the facility to other suitors. He stated that for this reason, it makes it very obvious that Kaufman Hall should be negotiating directly and aggressively with Carolinas Healthcare Systems' representatives.

He said that he thought it was important to document publicly the efforts that Carolinas Healthcare System has made to meet with Union County representatives. He stated that CHS has sent several letters to the County offering to meet with the Union County Commissioners or their representatives and its consultant, Kaufman Hall, to negotiate in good faith. He said that the first letter was sent in November 2009 to all Commissioners as well as the County's Administrative Staff and the County's legal counsel. He stated that two other letters were sent to Union County's legal counsel and one was sent directly to Kaufman Hall over the last three weeks indicating Carolinas Healthcare Systems' desire to meet with Union County Commissioners and the consultant. Mr. Roberts said that until late Friday afternoon, there had not been an acknowledgement of these letters.

At this time, Chairwoman Rogers reminded Mr. Roberts that his three minutes were up and asked he conclude his comments.

Mr. Roberts requested that the Board add an item to tonight's agenda and to pass a motion directing Kaufman Hall to contact Carolinas Healthcare Systems' representative tomorrow and ask them to have a meeting scheduled within a week. He said that he was confident that the results of that meeting would bring a recommendation back that will meet the County's needs and that the Board would be able to approve quickly.

In closing, Mr. Roberts reiterated his request to add an agenda item to tonight's meeting for a motion to request that Kaufman Hall meet with Carolinas Healthcare System immediately.

Chairwoman Rogers asked Mr. Roberts for clarification if he were an employee of CHS. Mr. Roberts stated that this was correct.

**Additions, Deletions and/or Adoption of Agenda:**

Chairwoman Rogers requested to move Item 9 – Local Area Regional Transportation Plan (LARTP) on the regular agenda to become Item 6b. She said that Mr. Hanson is present from the Centralina Council of Governments.

Also she requested to move Item 8 – Community Proclamation of American Red Cross Month - to become Item 3b so this item can be considered prior to the Board’s returning to closed session.

The third request was to add a closed session to the agenda. (Chairwoman Rogers assigned this item to become 3b on the Regular Agenda.)

Commissioner Openshaw requested the addition of an agenda item to the Regular Agenda to appoint two Commissioners to meet with and to communicate with Carolinas Healthcare System concerning the Waxhaw emergency department. (Chairwoman Rogers assigned this item to become Item 13a on the Regular Agenda.)

Commissioner Mills requested to add an item, as requested by John Roberts in informal comments, to direct representatives of Kaufman Hall and members of County staff to contact Carolinas Healthcare leadership tomorrow to schedule a meeting to continue their discussions. (Chairwoman Rogers assigned this item to become 13b on the Regular Agenda.)

Vice Chairwoman Kuehler moved approval to:

1. Move Item 9 on the Regular Agenda to become Item 6b on the Regular Agenda.
2. Move Item 8 on the Regular Agenda to become Item 3b on the Regular Agenda.
3. Add an item to the agenda for a closed session as Item 3b on the Regular Agenda.

The motion was passed unanimously.

Al Greene, County Manager, suggested that approval of the items on the Consent Agenda be considered by the Board prior to going into closed session, due to a number of people in the audience being present for the consent agenda items. Chairwoman Rogers



stated that the Closed Session would now become Item 4b on the Regular Agenda and asked if there were a motion to amend the order of the agenda, which was previously voted on by the Board.

Vice Chairwoman Kuehler moved to amend the motion previously voted on as follows, in order for the Consent Agenda to be considered prior to the closed session, for approval to:

1. Move Item 9 on the Regular Agenda to become Item 6b on the Regular Agenda.
2. Move Item 8 on the Regular Agenda to become Item 3b on the Regular Agenda.
3. Add an item to the agenda for a closed session as Item 4b on the Regular Agenda.

The motion was passed unanimously.

Chairwoman Rogers stated that the next item would be to vote on adding an Item 13a to the Regular Agenda to appoint two Commissioners to meet with and to communicate with Carolinas Healthcare System concerning the Waxhaw emergency department.

Commissioner Mills moved approval to add an Item 13a to the Regular Agenda as stated. The motion passed by a vote of four to one. Vice Chairwoman Kuehler, Commissioner Baucom, Commissioner Mills, Commissioner Openshaw voted in favor of the motion. Chairwoman Rogers voted against the motion.

Chairwoman Rogers stated that the next item would be a vote on adding an Item 13b to the Regular Agenda to direct representatives of Kaufman Hall and members of County staff to contact Carolinas Healthcare leadership tomorrow to schedule a meeting to continue their discussions.

Vice Chairwoman Kuehler questioned this item being added to tonight's agenda. She said that this is the third time this request has been on the agenda, and it is the third time that Kaufman Hall has been requested to contact Carolinas Healthcare to have discussions with Carolinas Healthcare System.

Chairwoman Rogers asked Commissioner Mills if his motion were to force this to happen tomorrow. Commissioner Mills responded "tomorrow or as soon as possible."

Commissioner Baucom moved to add an item to the agenda as 13b to direct representatives of Kaufman Hall and members of County staff to contact Carolinas Healthcare leadership tomorrow to schedule a meeting to continue their discussions. The motion failed by a vote of two to three. Commissioner Baucom and Commissioner Mills voted in favor of the motion. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted against the motion.

Chairwoman Rogers explained her opposition to the motion was because the Board has already taken this action.

Vice Chairwoman Kuehler moved adoption of the Agenda as amended. The motion was passed unanimously.

**Community Proclamation of American Red Cross Month (This item was moved from Item 8 on the Agenda to become Item 3a):**

Kathy Bragg, Executive Director of the Union County Chapter of the American Red Cross, presented the request for adoption of a Proclamation of American Red Cross to proclaim March as Red Cross month in Union County.

Chairwoman Rogers read the proposed proclamation into the record, as recorded below:

**AMERICAN RED CROSS MONTH 2010  
Union County Proclamation**

The American Red Cross fulfills a unique and vital role in our state, providing help and hopes in the face of emergencies and disaster, and is a true reflection of the humanitarian and volunteer spirit of the American people.

For nearly 100 years, Presidents have called on the American people to support the Red Cross and its humanitarian mission. In World War I, President Woodrow Wilson ordered the Red Cross to raise funds to support emergency aid to the military, as mandated by the Red Cross Congressional Charter. At that time, the American Red Cross set a goal of \$125 million and in less than six weeks donations totaled nearly \$146 million – a tribute to the overwhelming generosity of the American public.

In 1943, during World War II, President Franklin D. Roosevelt became the first president to proclaim March as Red Cross Month and called on Americans to “rededicate themselves to the splendid aims and activities of the Red Cross.” President Roosevelt’s call to action nearly 70 years ago started a tradition of designating March as Red Cross Month, a time to recognize and support the valuable

work of the American Red Cross by making a financial contribution, donating blood, taking a life-saving class, or volunteering to help the Red Cross perform its mission.

Every day, through its network of employees and volunteers across Union County, North Carolina, America and the world, the American Red Cross is there to save the day when disaster strikes or when a neighbor's house burns down. It is there when someone needs life-saving blood, or the comfort of a helping hand. It connects military families with their loved ones in service, and provides training in CPR, aquatics safety, and first aid. It spreads humanitarian aid and goodwill to people around the world.

Our county depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times for the Red Cross and all Americans.

NOW, THEREFORE, the Union County Board of Commissioners, does hereby proclaim March 2010 as American Red Cross Month and encourages all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of March, in the year of our Lord two thousand ten.

ATTEST:

S/Lynn G. West, Clerk to the Board

s/Kim Rogers, Chairwoman

Following the reading of the proclamation, Commissioner Baucom moved adoption of the Proclamation as read. The motion was passed unanimously.

**Consent Agenda:**

Commissioner Mills moved approval of the items listed on the Consent Agenda. The motion was passed unanimously.

**Minutes:** Approved minutes of the regular meeting of March 1, 2010, and the special meeting of May 13, 2009.

**Tax Administrator:** Approved the ninth motor vehicle billing in the grand total of \$849,865.94.

**Tax Administrator:** Approved the eighth motor vehicle refund register for the period of February 1, 2010 – February 28, 2010, in the net grand total of \$1,611.59-.

**Tax Administrator:** Approved the eighth motor vehicle release register for the period of February 1, 2010 – February 28, 2010, in the net grand total of \$5,013.12-.

**Tax Administrator:** Approved releases for February 2010 in the grand total of \$68,173.84, as recorded below:

RELEASES FEBRUARY 2010  
2010

Acct #	Name	Release #	Totals
09381005A	BROOKS DALE ROY II	6252	424.87
09381005A	BROOKS DALE ROY II	6253	292.50
<b>Totals-2010</b>			<b>717.37</b>

**2009**

Acct #	Name	Release #	Totals
50101911	SCOTT TURF COMPANY	6244	382.58
50070718	TUCKER BRIAN KEITH	6245	109.05
50102443	ROSS SARAH SMITH	6246	63.43
50102571	GATEWOOD CAROLYN MORRISON	6247	96.18
50102571	GATEWOOD CAROLYN MORRISON	6247	569.61
N7027327 02	HUNTLEY F W	6248	280.47
50094035	MCKAY WOODROW M	6249	128.82
50101328	LEONARD JAMES EDWARD	6251	259.69
07018013K	RITCH RAMELLE H	6254	10.58
50096705	CLARK RUBY C	6256	9.55
50096742	PRUDENTE JOHN ANTHONY	6257	12.66

09075003	THOMAS DAVID & RONALD MCCOLLUM TRUSTEES	6258	<b>216.46</b>
06135003A	PACE/DOWD PROPERTIES LTD	6259	<b>7,832.12</b>
50088855	MONROE GENERAL RENTAL INC	6261	<b>3,667.93</b>
04258009E	PINNACLE HOMES USA LLC	6267	<b>1,539.53</b>
50068165	CARNES RANDY AUTOMOTIVE	6269	<b>87.20</b>
50101945	B & H VENDING INC	6270	<b>78.57</b>
50063363	WALL BRENT LEE	6271	<b>45.15</b>
09321091	MCHAN JOHN & BRANDY L	6272	<b>889.17</b>
07021451	BONTERRA BUILDERS LLC	6274	<b>1,581.60</b>
09112006A02	PINE KNOLL ESTATES LLC	6275	<b>109.79</b>
50066457	MEDLIN'S TOWING & AUTO REPAIR	6278	<b>665.52</b>
07042003A	HOUSTON BILLY R & MICHAEL KESSLER & CLIFTON	6280	<b>515.22</b>
50068654	RIOS MARTIN & JOCELYN RIOS	6281	<b>151.68</b>
06102112	SILVA JOSE	6282	<b>5,813.07</b>
05117069	HILL LAND CORPORATION	6284	<b>2,609.24</b>
09157010	PIEDMONT BEHAVIORAL HEALTHCARE	6285	<b>582.94</b>
09157003	PIEDMONT BEHAVIORAL HEALTHCARE	6286	<b>6,304.20</b>
50100882	BROKEN J'S FENCING	6287	<b>182.88</b>
50070597	MANNING COMPANIES LLC	6288	<b>2,107.03</b>
50091281	JACKSON'S EMPORIUM LLC	6289	<b>371.57</b>
50070061	LOOSE MOOSE ANTIQUE EMPORIUM % R LEWIS	6290	<b>10.02</b>
50094881	ASCENSION R FRAMING CORP	6292	<b>182.88</b>
50066016	LAMON RECORDS CORP	6293	<b>137.38</b>
50102307	CARRIAGE FNIE DRY CLEANER	6294	<b>192.68</b>
50100549	BRYANT WILLIAM S	6295	<b>405.65</b>
50001029	WAXHAW FURNITURE FACTORY OUTLET WORLD I	6297	<b>4,937.02</b>

50001029	WAXHAW FURNITURE FACTORY OUTLET WORLD I	6297	127.09
50101026	BEDAZZLED SALON	6298	181.57
<b>Totals-2009</b>			<b>43,447.78</b>

<b>2008</b>				-
<b>Acct #</b>	<b>Name</b>	<b>Release #</b>	<b>Totals</b>	
N7027327 02	HUNTLEY F W	6250	280.47	
03114004A	AUTRY RILLA	6255	752.52	
06135003A	PACE / DOWD PROPERTIES LTD	6260	7,832.12	
50088855	MONROE GENERAL RENTAL INC	6262	3,384.88	
04258009E	PINNACLE HOMES USA LLC	6268	1,539.53	
50063363	WALL BRENT LEE	6273	47.53	
09112006A02	PINE KNOLL ESTATES LLC	6276	109.79	
50066457	MEDLIN'S TOWING & AUTO REPAIR	6279	578.69	
50070061	LOOSE MOOSE ANTIQUE EMPORIUM % R LEWIS	6291	8.73	
50091281	JACKSONS EMPORIUM LLC	6296	323.10	
<b>Totals-2008</b>			<b>14,857.36</b>	

<b>2007</b>				-
<b>Acct #</b>	<b>Name</b>	<b>Release #</b>	<b>Totals</b>	
50088855	MONROE GENERAL RENTAL INC	6263	2,805.57	
09112006A02	PINE KNOLL ESTATES LLC	6277	193.85	
<b>Totals-2007</b>			<b>2,999.42</b>	

<b>2006</b>				-
<b>Acct #</b>	<b>Name</b>	<b>Release #</b>	<b>Totals</b>	
50088855	MONROE GENERAL RENTAL INC	6264	2,452.31	
<b>Totals-2006</b>			<b>2,452.31</b>	

<b>2005</b>				-
<b>Acct #</b>	<b>Name</b>	<b>Release #</b>	<b>Totals</b>	

50088855	MONROE GENERAL RENTAL INC	6265	<b>1,864.41</b>
50015142	OPTOMETRIC EYE CARE CENTER PA	6283	<b>381.79</b>
<b>Totals-2005</b>			<b>2,246.20</b>

<b>2004</b>				-
<b>Acct #</b>	<b>Name</b>	<b>Release #</b>		<b>Totals</b>
50088855	MONROE GENERAL RENTAL INC	6266		<b>1,453.40</b>
<b>Totals-2004</b>				<b>1,453.40</b>

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**GRAND TOTALS** **68,173.84**

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**Contracts/Purchase Orders Over \$20,000:** Authorized the County Manager to approve the following contracts/purchase orders, pending legal review: 1) Risk Management: Broker of Record Letters and Agreement with Wells Fargo Insurance Services for Property and Casualty Insurance Consulting Services; 2) Health Department: Consolidated Agreement between the State of North Carolina and the Union County Health Department for FY 2010/2011; 3) Public Works: Amendment to Agreement with U. S. Tire Recycling; and 4) Interlocal Agreement with Participating Municipalities for Carolina Threadtrail Planning Grant.

**Motor Vehicle Tax Refunds for February 2010:** Approved motor vehicle tax refund overpayments for February 2010 in the amount of \$8,652.97

**February 2010 Budget Transfers Report:** Approved budget transfers report for February 2010

**Extension of Term of Member on the Union County Home and Community Care Block Grant Advisory Committee:** Approved extending term of Beatrice Colson on the Union County Home and Community Care Block Grant Advisory Committee from May 2011 to December 2011.

**Medicaid Rates and Health Department Fee Schedule:** Adopted the Medicaid Rates and approved the Health Department's Fee Schedule for 2009-2010 (All fees have been approved by the Board of Health) as recorded below:

<u>FEE</u>	<u>CPT</u>	<u>REQD</u>	<u>SERVICE DESCRIPTION</u>	<u>CURRENT</u>
<u>SLIDES</u>	<u>CODE</u>	<u>MOD.</u>		<u>FEE</u>
				<u>FY 09-10</u>
<b><u>New Patient Preventive Health Visits - Child Health</u></b>				
*	99381C	EP	Age under 1 year	\$ 110.00
*	99382C	EP	Age 1-4 years	\$ 120.00
*	99383C	EP	Age 5-11 years	\$ 164.00
*	99384C	EP	Age 12-17 years	\$ 184.00
*	99385C	EP	Age 18-21 years	\$ 183.00
*	99383	FP	Age 5-11 years	\$ 164.00
*	99384	FP	Age 12-17 years	\$ 110.00
*	99385	FP	Age 18-39 years	\$ 183.00
*	99386	FP	Age 40-64 years	\$ 214.00
*	99387	FP	Age >65 years	\$ 230.00
<b><u>New Patient Evaluation &amp; Management Visits</u></b>				
*	99201		Office Visit Brief	\$ 70.00
*	99202		Office Visit Problem Focused	\$ 100.00
*	99203		Office Visit Expanded	\$ 138.00
*	99204		Office Visit Detailed	\$ 198.00
*	99205		Office Visit Comprehensive	\$ 246.00
<b><u>Established Patient Preventive Health Visits - Child Health</u></b>				
*	99391C	EP	Age under 1 year	\$ 100.00
*	99392C	EP	Age 1-4 years	\$ 115.00
*	99393C	EP	Age 5-11 years	\$ 136.00
*	99394C	EP	Age 12-17 years	\$ 161.00
*	99395C	EP	Age 18-21 years	\$ 157.00
<b><u>Established Patient Preventive Health Visits - Women's Health</u></b>				



*	99393		Age 5-11 years	\$	136.00
*	99394		Age 12-17 years	\$	161.00
*	99395		Age 18-39 years	\$	157.00
*	99396		Age 40-64 years	\$	173.00
*	99397		Age 65 > years	\$	195.00
<b>Established Patient Evaluation &amp; Management Visits</b>					
*	99211		Office Visit Brief	\$	43.00
*	99212		Office Visit Problem Focused	\$	65.00
*	99213		Office Visit Expanded	\$	86.00
*	99214		Office Visit Detailed	\$	128.00
*	99215		Office Visit Comprehensive	\$	186.00
*	59425		Antepartum Care Global (4-6 visits) *BCBS	\$	-
*	59426		Antepartum Care Global (7 or > visits)*BCBS	\$	-
<b>Outpatient Consultation</b>					
	99241		Outpatient/Consult, Minor	\$	104.00
	99242		Outpatient/Consult, Moderate	\$	163.00
	99243		Outpatient/Consult, Severe (40 min)	\$	194.00
	99244		Outpatient/Consult, Severe (60 min)	\$	239.00
	99245		Outpatient/Consult, Complex	\$	308.00
	CASE9		CMEP Case Conference	\$	18.75
<b>Immunizations/ Injections</b>					
	86580		Tuberculin Skin Test	\$	20.00
	90632		Hepatitis A Vaccine	\$	60.00
	90656		Influenza (Preservative Free)	\$	25.00
	90658		Influenza Vaccine (3 years and older)	\$	25.00

*	90658MH	Influenza Vaccine (MH Patients)	\$ 25.00
	90649	Gardasil (HPV)	\$ 160.00
	90636	Twinrix - Hep A * B Vaccine	\$ 105.00
	90660	Flu Vaccine (Nasal)	\$ 30.00
	90660NC	Flu Vaccine (Nasal) Pres. Free	\$ -
	90716	Varivax (Child Health)	\$ -
*	90716MH	Varivax	\$ 72.44
*	90718	Adult TD	\$ -
	90732	Pneumonia	\$ 35.00
	90733	Adult Meningitis	\$ 115.00
	90746	Hepatitis B Adult	\$ 70.00
end 12/31/08	90772	Administration Fee-therap/prophy/diag. Injection	\$ 25.00
* 1/1/09	96372	Administration Fee-therap/prophy/diag. Injection	\$ 25.00
	90471	Administer Single Vaccine (Adult)	\$ 27.42
	90472	Administer Single Dose/Each Additional	\$ 14.15
	90471EP**	Administer Single Vaccine (Children)	\$ 27.42
	90472EP**	Administer Two + Vaccines (Children)	\$ 14.15
	90473EP**	Administer/Intranasal-Oral	\$ 12.74
	90474EP**	Administer Single Vaccine/Each Additional	\$ 11.27
	EP**	This is a modifier attached to administration code	
		for Medicaid billing for recipients less than 21 y/o.	
	G0008	Administration Fee - Flu (Medicare only) \$17.49	
	G0009	Administration Fee - Pne(Medicare only) \$17.49	
	G9141	Administration Fee - H1N1 (Medicare	



*	11976		Norplant Removal	\$ 200.00
*	11981		Insertion, Implanon	\$ 120.00
*	11982		Removal, Implanon	\$ 146.00
*	11983		Removal & reinsert of Implanon	\$ 211.00
*	12001		Repair Laceration 0-2.5cm	\$ 175.00
*	12002		Repair Laceration 2.6-7.5cm	\$ 200.00
*	17000	Must Use	Destruction of One Lesion - "Wart"	\$ 65.00
*	17003	Together	Destruction of Two-14 Lesions - "Warts"	\$ 15.00
*	17250		Silver Nitrate to Cord	\$ 70.00
*	51701		Catherization, Bladder	\$ 75.00
*	54050		Destruction of lesion, penis (condyloma)	\$ 104.78
*	56405		I & D of abscess, vulva/perineal	\$ 93.84
*	56441		Lysis of labial adhesions	\$ 128.40
*	56820		Colposcopy of vulva	\$ 95.18
*	56821		Colposcopy of vulva w/biopsy	\$ 128.01
*	57000		Drainage of pelvic lesion	\$ 160.97
*	57170		Diagphragm Insertion	\$ 95.00
*	57452		Colposcopy w/o Biopsy	\$ 130.00
*	57454		Colposcopy with Biopsy	\$ 170.00
*	57511		Cryosurgery	\$ 160.00
*	58300		Insert IUD	\$ 150.00
*	58301		IUD Removal	\$ 120.00
*	59025		NST	\$ 60.00
*	69200		Removal of Foreign Body, External Auditory Canal	\$ 115.00
*	69210		Cerumen Removal/Irrigation	\$ 65.00
*	65205		Removal of Foreign Body from Eye	\$ 55.00
*	65220		Removal of Foreign Body, External Eye	\$ 55.00
*	76815		Limited Ultrasound	\$ 85.00
*	76830		Ultrasound of the Vagina	\$ 100.52

*	81025		Pregnancy Test	\$	20.00
*	88305		Biopsy Lab Fee (PER SPECIMEN)	\$	100.00
*	92551		Audiometry	\$	20.00
*	90784		IV Start & Infusion	\$	50.00
*	92587		OAE (Hearing Test)	\$	40.45
*	94640		Nebulizer Treatment	\$	40.00
*	94760		Pulse Oximetry	\$	3.00
*	96110		Developmental Test	\$	20.00
	99173		Vision	\$	-
	PPDREAD		"Outside" PPD Test Read	\$	10.00
			<b>Special Clinic/Home Visiting Services</b>		
	97802		Medical Nutrition Therapy	\$	-
	97803		Medical Nutrition Therapy- Re-Assessment	\$	-
	96152		Intensive Psycho-social Counseling	\$	-
	99070		Supplies	\$	15.00
	99501		Post-Partum Home Visit	\$	-
	99502		Newborn Assessment Screening Home Visit	\$	-
	T1001		Maternity Skilled Home Visit	\$	-
	T1002		TB/STD RN Services	\$	-
	T1016		CSC Contact	\$	-
	T1017		MCC Initial/ Subsequent Contact	\$	-
	CF Test		Cystic Fibrosis Tests	\$	-
			<b>Dental Services/Child Health Clinic</b>		
			<b>Initial Oral Screening</b>		
*	D0145CH		Oral Evaluation - 3 and under	\$	38.07
*	D1206CH		Topical Application Fluoride	\$	18.52

<b>Dental Services/Dental Clinic</b>				
*	HSSCR		Head Start Screening	\$ 10.00
*	D0120		Periodic Oral Exam	\$ 35.00
*	D0140		Limited Oral Exam	\$ 40.00
*	D0150		Initial Oral Exam	\$ 48.00
*	D0170		Re-Evaluation Exam/Emergency Only	\$ 32.00
*	D0210		Intraoral Complete Films Series	\$ 80.00
*	D0220		Intraoral - Periapical, 1st	\$ 18.00
*	D0230		Intraoral - Periapical, each additional	\$ 15.00
*	D0240		Occlusal Periapical	\$ 18.00
*	D0270		Bitewing - Single Film	\$ 12.00
*	D0272		Bitewing - Two Film	\$ 23.00
*	D0273		Bitewing - Three Films	\$ 29.35
*	D0274		Bitewing - Four Film	\$ 40.00
*	D0330		Panoramic X-rays	\$ 65.00
*	D1110		Prophylaxis - Adult (13+)	\$ 50.00
*	D1120		Prophylaxis - Child	\$ 35.00
*	D1203		Flouride - Child	\$ 19.00
*	D1204		Flouride Adult (13+)	\$ 25.00
*	D1351		Sealant - Per Tooth	\$ 35.00
*	D1510		Space maintainer - fixed - unilateral	\$ 220.00
*	D1515		Space maintainer - fixed - bilateral	\$ 440.00
*	D2140		Amalgam - 1 Surface Prim & Perm	\$ 69.00
*	D2150		Amalgam - 2 Surface Prim & Perm	\$ 87.00
*	D2160		Amalgam - 3 Surface Prim & Perm	\$ 110.00
*	D2161		Amalgam - 4+ Surface Prim & Perm	\$ 124.00
*	D2330		Resin - 1 Surface, Anterior, Prim. & Perm.	\$ 70.00
*	D2331		Resin - 2 Surface, Anterior, Prim. & Perm.	\$ 87.00
*	D2332		Resin - 3 Surface, Anterior, Prim. & Perm.	\$ 110.00
*	D2335		Resin - 4 Surface, Anterior, Prim. & Perm.	\$ 130.00

*	D2391	Resin -1 Surface, Post Prim & Perm	\$ 85.00
*	D2392	Resin - 2 Surface,Post Prim. & Perm.	\$ 125.00
*	D2393	Resin - 3 Surface, Post & Perm. Only	\$ 155.00
*	D2394	Resin - 4 Surface, Post Prim. & Perm.	\$ 200.00
	D2750	Crown - Porcelain fused to high noble metal	\$ 500.00
	D2790	Crown - Full cast high noble metal	\$ 500.00
*	D2920	Dental Recement Crown	\$ 25.00
*	D2930	Prefab. Stainless Steel Crown, Prim.	\$ 153.00
*	D2931	Prefab. Stainless Steel Crown, Perm.	\$ 165.00
*	D2932	Prefab. Resin Crown (anterior only)	\$ 175.00
*	D2940	Sedative Filling	\$ 42.00
*	D2950	Core Build-Up	\$ 105.00
*	D2951	Pin Retention - per tooth/in add. To perm rest.	\$25.00
*	D2952	Post & Core(Add. To crown)Indirectly Fabricated	\$ 300.00
*	D2954	Prefabricated Post & Core (in add. To Crown)	\$ 250.00
*	D2970	Temporary Crown (Fractured tooth)	\$ 152.00
*	D3220	Therapeutic Pulpotomy	\$ 90.00
*	D3310	Root Canal Therapy - anterior	\$ 310.00
*	D3320	Root Canal Therapy - pre-molar (bicuspid)	\$ 365.00
*	D3330	Root Canal Therapy - molar	\$ 445.00
*	D4341	Perio Scale per Quad	\$ 106.00
*	D4342	Perio Scaling/Root Planing-1 to 3/Quadrant	\$ 62.00
*	D4355	Full Mouth Scale	\$ 75.00
*	D4910	Periodontal Maintenance	\$ 58.50
*	D5110	Complete Denture - Maximillary	\$ 615.00
*	D5120	Complete Denture - Mandibular	\$ 615.00
*	D5130	Immediate Denture - Maxillary	\$ 665.00

*	D5140		Immediate Denture - Mandibular	\$	665.00
*	D5211		Maxillary Partial Denture - Resin Base	\$	460.00
*	D5212		Mandibular Partial Denture - Resin Base	\$	460.00
*	D5213		Maxillary Partial Denture-Cast Metal w/Resin	\$	660.00
*	D5214		Mandibular Partial Denture - Cast Metal w/Resin	\$	660.00
	D5281		Unilateral Cast/Partial	\$	300.00
*	D5410		Adjust Complete Denture - Maxillary	\$	59.00
*	D5411		Adjust Complete Denture - Mandibular	\$	59.00
*	D5421		Adjust Partial Denture - Maxillary	\$	59.00
*	D5422		Adjust Partial Denture - Mandibular	\$	59.00
*	D5510		Repair Broken Complete Denture Base	\$	82.00
*	D5520		Replace Missing/Broken Teeth - Denture	\$	70.00
*	D5610		Repair Resin Denture Base	\$	82.00
*	D5630		Repair or Replace Broken Clasp	\$	156.00
*	D5640		Replace Broken Teeth - Per Tooth	\$	70.00
*	D5650		Add Tooth to Existing Partial Denture	\$	85.00
*	D5660		Add Clasp to Existing Partial Denture	\$	183.00
*	D5730		Reline Complete Maxillary Denture (Chairside)	\$	145.00
*	D5731		Reline Complete Mandibular Denture (Chairside)	\$	145.00
*	D5740		Reline Maxillary Partial Denture (Chairside)	\$	145.00
*	D5741		Reline Mandibular Partial Denture (Chairside)	\$	140.00
*	D5750		Reline Complete Maxillary Denture (Lab)	\$	182.00
*	D5751		Reline Complete Mandibular Denture (Lab)	\$	182.00
*	D5760		Reline Maxillary Partial Denture (Lab)	\$	177.00
*	D5761		Reline Mandibular Partial Denture (Lab)	\$	177.00
*	D5810		Interim Complete Denture (Maxillary/Temp)	\$	275.00





*	82270		Hemocult	\$	15.00
*	82947		Blood Glucose Serum	\$	8.00
*	82948		Glucose, Finger Stick	\$	18.00
*	82950		Glucose, One Hour	\$	20.00
*	82951		Glucose, Three Hour	\$	50.00
*	85018QW		Hemoglobin	\$	15.00
*	86592		RPR Quantitative	\$	-
*	86593		RPR Titer	\$	-
*	87081		GC Culture	\$	-
*	87205		Urethral Smear	\$	-
*	87210		Wet Mount	\$	-
*	87880		Group A Strep	\$	25.00
<b>FEES FOR COPYING MEDICAL RECORDS</b>					
	MEDREC1		\$10.00 for under 25 pages		
	MEDREC2		\$15.00 for 25-50 pages		
	MEDREC3		\$20.00 for 50 or more pages		
<b>REFERENCE LAB (REFERENCE LAB BILLS MEDICAID)</b>					
*	86900MH		ABO & RH (Blood Group & Type)	\$	6.00
*	86900RL		ABO & RH (Blood Group & Type)	\$	6.00
*	80074MH		Acute Hepatitis Panel - A, B, C	\$	66.00
*	80074RL		Acute Hepatitis Panel - A, B, C	\$	66.00
*	82105MH		Alpha-fetoprotein, serum	\$	25.00
*	84460MH		ALT	\$	8.50
*	84460RL		ALT	\$	8.50
*	82150MH		Amylase	\$	11.00
*	82150RL		Amylase	\$	11.00
*	86038MH		ANA	\$	22.00

*	86038RL		ANA	\$	22.00
*	87076MH		Anaerobic Culture	\$	13.25
*	87076RL		Anaerobic Culture	\$	13.25
*	86850MH		Antibody Screening (Atypical Antibodies)	\$	37.00
*	86850RL		Antibody Screening (Atypical Antibodies)	\$	37.00
*	86870MH		Antibody Titer/ID	\$	35.00
*	86870RL		Antibody Titer/ID	\$	35.00
*	86147MH		Anticardiolipin Antibodies	\$	22.00
*	86147RL		Anticardiolipin Antibodies	\$	22.00
*	86060MH		ASO Titer	\$	16.00
*	86060RL		ASO Titer	\$	16.00
*	82677MH		Asay of Estriol	\$	35.00
*	82677RL		Asay of Estriol	\$	35.00
*	83540MH		Assay of Iron	\$	15.00
*	83540RL		Assay of Iron	\$	15.00
*	84450MH		AST	\$	8.50
*	84450RL		AST	\$	8.50
*	87205MH		Bact. Culture Gram Stain	\$	8.00
*	87205RL		Bact. Culture Gram Stain	\$	8.00
*	87070MH		Bact. Culture Screen (Culture General)	\$	14.00
*	87070RL		Bact. Culture Screen (Culture General)	\$	14.00
*	87081MH		Beta Strep (cervix)	\$	14.00
*	87081RL		Beta Strep (cervix)	\$	14.00
*	82239MH		Bile Acids	\$	28.00
*	82239RL		Bile Acids	\$	28.00
*	86592MH		Blood Serology - RPR	\$	8.00
*	86592RL		Blood Serology - RPR	\$	8.00
*	84520MH		BUN (serum)	\$	8.00
*	84520RL		BUN (serum)	\$	8.00
*	85027MH		CBC without diff	\$	20.00

*	85027RL		CBC without diff	\$	20.00
*	88180MH		CD4	\$	82.00
*	88180RL		CD4	\$	82.00
*	80053MH		Chem 13	\$	14.00
*	80053RL		Chem 13	\$	14.00
*	80048MH		Chem 7 (Basic Met Panel)	\$	14.00
*	80048RL		Chem 7 (Basic Met Panel)	\$	14.00
*	82465MH		Cholesterol Panel	\$	22.00
*	82465RL		Cholesterol Panel	\$	22.00
*	87230MH		Clostridium difficile toxin A	\$	29.00
*	87230RL		Clostridium difficile toxin A	\$	29.00
*	82565MH		Creatinine (serum)	\$	15.00
*	82565RL		Creatinine (serum)	\$	15.00
*	87110MH		Culture Chlamydia	\$	29.00
*	87110RL		Culture Chlamydia	\$	29.00
*	87040MH		Culture, Bacteria (Blood)	\$	17.30
*	87040RL		Culture, Bacteria (Blood)	\$	17.30
*	86644MH		Cytomeglovirus IGG	\$	22.00
*	86644RL		Cytomeglovirus IGG	\$	22.00
*	86645MH		Cytomeglovirus IGM	\$	22.00
*	86645RL		Cytomeglovirus IGM	\$	22.00
*	80185MH		Dilantin-bound Serum	\$	20.00
*	80185RL		Dilantin-bound Serum	\$	20.00
*	85007MH		Differential	\$	5.00
*	85007RL		Differential	\$	5.00
*	80186MH		Dilantin-free Serum	\$	27.00
*	80186RL		Dilantin-free Serum	\$	27.00
*	86880MH		Direct Combs	\$	10.00
*	86880RL		Direct Combs	\$	10.00
*	80101MH		Drug Screen	\$	20.00

*	80101RL		Drug Screen	\$	20.00
*	80051MH		Electrolytes	\$	12.00
*	80051RL		Electrolytes	\$	12.00
*	86663MH		Epsteing Barr Antibody	\$	22.00
*	86663RL		Epsteing Barr Antibody	\$	22.00
*	86664MH		Epsteing Barr Antibody	\$	22.00
*	86664RL		Epsteing Barr Antibody	\$	22.00
*	86665MH		Epsteing Barr Antibody	\$	24.00
*	86665RL		Epsteing Barr Antibody	\$	24.00
*	85651MH		ESR (Sed Rate)	\$	6.00
*	85651RL		ESR (Sed Rate)	\$	6.00
*	82731MH		Fetal Fibronectin	\$	95.00
*	82731RL		Fetal Fibronectin	\$	95.00
*	82728MH		Ferritin	\$	25.00
*	82728RL		Ferritin	\$	25.00
*	82746MH		Folate	\$	26.00
*	82746RL		Folate	\$	26.00
*	84481MH		Free T3 (unbound)	\$	27.00
*	84481RL		Free T3 (unbound)	\$	27.00
*	84439MH		Free T4 (unbound)	\$	15.00
*	84439RL		Free T4 (unbound)	\$	15.00
*	83001RL		FSH	\$	30.00
*	87102MH		Fungus Culture	\$	15.00
*	87102RL		Fungus Culture	\$	15.00
*	82977MH		GGT	\$	12.00
*	82977RL		GGT	\$	12.00
*	82947MH		Glucose	\$	8.00
*	82947RL		Glucose	\$	8.00
*	87205RL		Gram Stain	\$	8.00
*	87880MH		Group A Strep	\$	22.00

*	87880RL		Group A Strep	\$	22.00
*	83036MH		Hbg A1C (Hemoglobin A1C)	\$	16.00
*	83036RL		Hbg A1C (Hemoglobin A1C)	\$	16.00
*	84703MH		HCG, Qual.	\$	13.00
*	84703RL		HCG, Qual.	\$	13.00
*	84702MH		HCG, Titer	\$	14.00
*	84702RL		HCG, Titer	\$	14.00
*	83718MH		HDL	\$	14.00
*	83718RL		HDL	\$	14.00
*	80076MH		Hepatic Function (Liver Profile)	\$	16.00
*	80076RL		Hepatic Function (Liver Profile)	\$	16.00
*	86709MH		Hepatitis A Antibody IGM	\$	18.00
*	86709RL		Hepatitis A Antibody IGM	\$	18.00
*	86708MH		Hepatitis A Antibody Total	\$	20.00
*	86708RL		Hepatitis A Antibody Total	\$	20.00
*	86707MH		Hepatitis ABC - Hep B BE AB	\$	22.00
*	86707RL		Hepatitis ABC - Hep B BE AB	\$	22.00
*	87340MH		Hepatitis ABC - Hep B Surf AB	\$	16.00
*	87340RL		Hepatitis ABC - Hep B Surf AB	\$	16.00
*	86803MH		Hepatitis ABC - Hep C AB	\$	22.00
*	86803RL		Hepatitis ABC - Hep C AB	\$	22.00
*	86704MH		Hepatitis ABC-Hep Core AB	\$	23.00
*	86704RL		Hepatitis ABC-Hep Core AB	\$	23.00
*	86706MH		Hepatitis B Panel	\$	18.00
*	86706RL		Hepatitis B Panel	\$	18.00
*	87350MH		Hepatitis BE AG, EIA	\$	18.00
*	87350RL		Hepatitis BE AG, EIA	\$	18.00
*	86803MH		Hepatitis C Antibody	\$	22.00
*	86803RL		Hepatitis C Antibody	\$	22.00
*	87253MH		Herpes Culture	\$	73.00

*	87253RL		Herpes Culture	\$	73.00
*	86694MH		Herpes Simplex Typ I & II IGM	\$	22.00
*	86694RL		Herpes Simplex Typ I & II IGM	\$	22.00
*	86687MH		HIV	\$	58.00
*	86687RL		HIV	\$	58.00
*	83898MH		HIV RNA Viral Load Cytomm.	\$	237.00
*	83898RL		HIV RNA Viral Load Cytomm.	\$	237.00
*	87621RL		HIV Typing	\$	138.00
*	87621MH		HIV Typing	\$	138.00
*	82785RL		IGE, Gammaglobulin	\$	25.00
*	82785MH		IGE, Gammaglobulin	\$	25.00
*	86003MH		Immuno (Allergen Specific, Quant.	\$	9.00
*	86003RL		Immuno (Allergen Specific, Quant.	\$	9.00
*	83540MH		Iron (serum)	\$	15.00
*	83540RL		Iron (serum)	\$	15.00
*	83550MH		Iron Binding Test (TIBC)	\$	14.00
*	83550RL		Iron Binding Test (TIBC)	\$	14.00
*	83615MH		LDH	\$	15.00
*	83615RL		LDH	\$	15.00
*	83002RL		LH	\$	30.00
*	83690MH		Lipase	\$	11.00
*	83690RL		Lipase	\$	11.00
*	80061MH		Lipid Profile	\$	25.00
*	80061RL		Lipid Profile	\$	25.00
*	85597MH		Lupus Anticoagulant	\$	27.00
*	85597RL		Lupus Anticoagulant	\$	27.00
*	83735MH		Magnesium (serum)	\$	12.00
*	83735RL		Magnesium (serum)	\$	12.00
*	87207RL		Malaria Smear	\$	10.00
*	87207MH		Malaria Smear	\$	10.00

*	86308MH		Monospot	\$	10.00
*	86308RL		Monospot	\$	10.00
*	86735MH		Mumps IGG/IGM	\$	22.00
*	86735RL		Mumps IGG/IGM	\$	22.00
*	82270MH		Occult Blood	\$	6.00
*	82270RL		Occult Blood	\$	6.00
*	87077MH		Organism Identification	\$	14.00
*	87077RL		Organism Identification	\$	14.00
*	82951MH		Oral Glucose Tolerance (3 hr.)	\$	50.00
*	82951RL		Oral Glucose Tolerance (3 hr.)	\$	50.00
*	82952MH		Oral Glucose Tolerance (3 hr.)	\$	7.00
*	82952RL		Oral Glucose Tolerance (3 hr.)	\$	7.00
*	82950MH		O'Sul Tolerance (1 hr. GTT)	\$	17.00
*	82950RL		O'Sul Tolerance (1 hr. GTT)	\$	17.00
*	88142SL		Pap Smear	\$	30.00
*	88142RL		Pap Smear	\$	30.00
*	86747MH		Parvo B 19 IGG/IGM	\$	22.00
*	86747RL		Parvo B 19 IGG/IGM	\$	22.00
*	88305MH		Pathology	\$	110.00
*	88305RL		Pathology	\$	110.00
*	84146MH		Prolactin	\$	29.00
*	84146RL		Prolactin	\$	29.00
*	85610MH		PT	\$	8.00
*	85610RL		PT	\$	8.00
*	85730MH		PTT	\$	11.00
*	85730RL		PTT	\$	11.00
*	85044MH		Retic Count	\$	8.00
*	85044RL		Retic Count	\$	8.00
*	87425MH		Rotovirus ag, EIA	\$	18.00
*	87425RL		Rotovirus ag, EIA	\$	18.00



*	86762MH	Rubella IGG/IGM	\$ 22.00
*	86762RL	Rubella IGG/IGM	\$ 22.00
*	86765MH	Rubeolla IGG	\$ 20.00
*	86765RL	Rubeolla IGG	\$ 20.00
*	87210MH	Smear, Stain Interpret	\$ 7.00
*	87210RL	Smear, Stain Interpret	\$ 7.00
*	84436MH	T4	\$ 10.00
*	84436RL	T4	\$ 10.00
*	80156RL	Tegratol Level	\$ 23.00
*	80156MH	Tegratol Level	\$ 23.00
*	84479MH	T3	\$ 12.00
*	84479RL	T3	\$ 12.00
*	86777MH	Toxoplasmosis IGG	\$ 22.00
*	86777RL	Toxoplasmosis IGG	\$ 22.00
*	82491MH	Triliptal Level	\$ 32.00
*	82491RL	Triliptal Level	\$ 32.00
*	84478MH	Triglycerides	\$ 10.00
*	84478RL	Triglycerides	\$ 10.00
*	84443MH	TSH	\$ 25.00
	84443RL	TSH	\$ 25.00
*	84550MH	Uric Acid (serum)	\$ 9.00
*	84550RL	Uric Acid (serum)	\$ 9.00
*	82575MH	Urine 24 hr. for Prot/Creat.	\$ 17.00
*	82575RL	Urine 24 hr. for Prot/Creat.	\$ 17.00
*	87491RL	Urine Chlamydia	\$ 34.26
*	87591RL	Urine Gonorrhea	\$ 34.26
*	87088MH	Urine Culture	\$ 17.00
*	87088RL	Urine Culture	\$ 17.00
*	87186MH	Urine Sensitivity	\$ 16.00
*	87186RL	Urine Sensitivity	\$ 16.00

*	86787MH		Varicella-Zoster IGG/IGM	\$	22.00
*	86787RL		Varicella-Zoster IGG/IGM	\$	22.00
*	87252MH		Viral Culture	\$	85.00
*	87252RL		Viral Culture	\$	85.00
*	82607RL		Vitamin B-12	\$	23.00
			ADDED NO CHARGE CODES:		
	USPROC		Unspecified Dental Procedure		
	85027NC		CBC		
	85007NC		Differential		
	80048NC		Chem 7		
	80053NC		Chem 13		
	87088NC		Urine Culture		
	87081NC		Beta Strep		
	83036NC		HGB A1C		
	84550NC		Uric Acid		
	84443NC		TSH		
	83615NC		LDH		
	84702NC		HCG Titer		
	88142NC		Pap Smear		
	86787NC		Varicella Titer		
	82150NC		Amylase		
	86147NC		Anticardiolipin antibodies		
	87040NC		Culture, bacteria (blood)		
	82731NC		Fetal Fibronectin		
	86003NC		Immuno (Allergen specific, Quant)		
	83690NC		Lipase		
	85597NC		Lupus Coagulant		

***Wingate and Marshville Agreements Revised Timeline:*** Accepted timeline as set out below and directed staff to work with Chair to develop letters to Marshville and Wingate:

## Marshville/Wingate Wastewater Agreements

### Renegotiation Schedule

<u>Activity</u>	<u>Duration</u>	<u>End Date</u>
* Provide written notification to Town Managers of the desire to renegotiate agreements	1 week	March 1, 2010
* County Commissioners communicate desire to negotiate new agreements to Mayor and Town Councils asking Councils to agree to move forward and direct their Manager and staff accordingly	1 month	April 1, 2010
* Actions by Town Councils to move forward	1 month	May 2010
* Reach consensus with town staff on the major issues and interests that a new agreement needs to address. (See note)	1 month	June 2010
* Obtain concurrence from Town Councils and our Board on major points / positions for this agreement and direction to proceed with negotiations	2 months	August 2010
* Negotiate terms and conditions	2 months	October 2010

- |   |   |         |               |
|---|---|---------|---------------|
| * | Draft agreement                         | 1 month | November 2011 |
| * | Review and approval by governing boards | 1 month | December 2010 |

Estimated time:  
approximately 9  
months

Note: Major issues and interests would include updated rates and charges and equitable methods for computing capital and consumption charges, term of agreement, committed capacity, inflow and infiltration reduction, allocation method and timing for new capacity, etc.

***Amendments to Bylaws of Library Board of Trustees:*** Referred the Bylaws to the Library Board of Trustees for further consideration to include suggestions of the Chair.

***2010 Board of Equalization and Review Chairmanship:*** Appointed Dutch Hardison as the 2010 Board of Equalization and Review Chairman.

***Fiscal Year 2010-2011 Grant Application for the Criminal Justice Partnership Program:*** Authorized staff to sign and submit the Criminal Justice Partnership Program Application for continuation of implementation funding.

***Information Only – No Action Required:*** The following information was included in the agenda package with no action required: 1) Union County Personnel Department’s Monthly Report for February 2010; 2) Union County Department of Inspections’ Monthly Report for February 2010; and 3) Update from Communications Regarding Implementation of Radio System.

**Closed Session (Added to the Agenda):**

At approximately 7:50 p.m., Chairwoman Rogers moved that the Board go into closed session to consult with an attorney in order to preserve the attorney-client privilege in accordance with G.S. 143-318.11(a)(3); and 2) discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations in accordance with G.S. § 143-318.11(a)(4).

The motion was passed unanimously.

The Commissioners moved to the Conference Room, first floor, Union County Government Center, where the Chairwoman convened the closed session.

At the conclusion of the closed session, at approximately 8:40 p.m., Commissioner Mills moved that the Board go out of closed session. The motion was passed unanimously.

The Commissioners returned to the Board Room, and at approximately 8:50 p.m., the Chairwoman reconvened the regular meeting.

**Public Information Officer's Comments:**

Chairwoman Rogers recognized Brett Vines, Public Information Officer, for his comments.

Mr. Vines stated that the Census Bureau began mailing its forms. He said that if the forms are not completed and returned to the Census Bureau, they would send a representative to the residences to assist in completing the information.

He said that the North Carolina Department of Health and Human Services now has a toll free information referral services (1-800-662-7030). He shared that this department has specialists available to assist from 7:00 a.m. to 11:00 p.m., 365 days a year. Mr. Vines stated that office could answer questions about Veterans Services, Child Support, Mental Health, Substance Abuse, etc.

He said that for military service members who have had their enlistment extended or their retirement suspended due to stop loss are eligible for retro stop loss special pay if they served on active duty between September 11, 2001, and September 30, 2009. He explained that stop loss is a tool used by the military that allows the Department of Defense to retain critical service members needed in a time of war to meet the demands of war. He said that those service members eligible for the retro active stop loss special

payments have until now to October 21, 2010, to submit their applications to their respective services. He stated that through December 2009, approximately 15,000 veterans and current members had applied for the stop loss payment. He said that the average lump sum payment made to eligible Army veterans is \$4,500. Mr. Vines encouraged anyone who has questions regarding the stop loss payment to contact the Union County Veterans Services Offices.

He shared that some UNC-Charlotte students are assisting the County in developing a programming strategy and a plan for the County's Government Channel (UCTV 16), and part of the information that they are gathering is from a survey. He said they have conducted some telephone surveys with citizens and some in-person surveys in Union County. He stated that the survey is posted on the County's website, and he encouraged everyone to complete the survey online.

Mr. Vines stated that a Shining Star Showcase for Union County youth will be held on Saturday, March 27, from 5:00 p.m. to 8:00 p.m. at the Union County Agricultural Center. He said that the cost is \$10, and former Carolina Panther player, Mike Mintor, will be the keynote speaker. He stated that anyone wanting tickets for the event can contact Lisa Eubanks at the Ag Center.

He shared that the Union County Smart Start will be having a dog walk on Saturday, April 10, 2010, from 9:00 a.m. to 12:00 p.m. in downtown Monroe and sponsors and vendors are welcome. He stated that anyone wanting more information can call Kim Wolfe at Smart Start in Monroe. He said that all of the proceeds from the event will benefit children's programs supported by Union Smart Start.

Commissioner Baucom asked Mr. Vines for additional information regarding the Shining Star Showcase. Richard Melton, County Extension Agent, explained that it is a 4-H event.

Commissioner Mills stated that there are people in the schools who have won some State championships, and he asked for a concurrence of the Board to request Mr. Vines to contact those recipients and request that they attend a future Board of Commissioners' meeting to be recognized for their achievements. There was a consensus from the Board regarding this request.

### **Old Business:**

### **Recommendation for Agenda Software:**

Chairwoman Rogers recognized Al Greene, County Manager, for his comments regarding this item.

Mr. Greene explained the process followed by staff in developing its recommendation to the Board and the benefits that is anticipated to be derived from the recommended software. He stated that staff was recommending Sire Technologies. He introduced Winona Harlow, Web Page Manager for Union County, to demonstrate the indexing feature of the software.

Mrs. Harlow explained that the recommended software by Sire Technologies is a comprehensive approach. Mrs. Harlow demonstrated Frisco, Texas, website which utilizes the Sire Technologies software showing the agenda and meeting videos.

Chairwoman Rogers offered Mrs. West the opportunity to comment. Mrs. West stated that she believed the recommended software would be helpful not only in the minutes preparation but also would provide much benefit to the agenda process.

Vice Chairwoman Kuehler asked for clarification of the amounts shown for retrofitting the Board's Conference Room and the Personnel Training Room. Barry Wyatt, General Services Director, responded that the cost is basically \$5,000 per room to place sound capabilities in the rooms. Vice Chairwoman Kuehler questioned why install the sound capabilities in both rooms, and noted the Personnel Training Room is the one that accommodates more people.

Mr. Greene explained that the reason that the Personnel Training Room was used more was not only to accommodate the number of attendees but also because of the its technology capabilities for PowerPoint presentations.

Chairwoman Rogers said personally for now she would say to not install sound capabilities in the Conference Room, as it could be added at a later time.

Commissioner Baucom asked Mrs. West would it help to have the same recording equipment in the Conference Room. Mrs. West stated that the current recording equipment used in the closed sessions works fairly well and the tapes of the closed sessions are not retained for a long period of time. Mr. Wyatt added that there would be better sound through the use of the microphones that drop from the ceiling. Commissioner Baucom stated that the two advantages of installing the sound capabilities in both rooms, would be better sound and the use of an additional meeting room.

Commissioner Openshaw commented that he was a little shocked at the price of the software. He said that he did not have a problem approving action minutes and making the recordings part of the official records. He asked if this would take care of the vast majority of the savings.

Commissioner Openshaw questioned the cost of the Granticus software utilized by the Town of Indian Trail. Mrs. Harlow explained that five Requests for Proposals were received which included the agenda process software and the video taping. She said that there were two proposals that required the County to contract separately with Granticus. She stated that staff was looking for a turn-key system in order not to have two separate systems and not have to deal with more than one vendor.

Commissioner Openshaw moved to table action on this item until such time as there can be some feedback from the towns of Indian Trail and Stallings, who now both use the software. He said that he would like to see the cost of the software in order to be able to compare it to the recommended software.

Chairwoman Rogers questioned if the County chooses to purchase the Granticus software, does it also provide assistance with the agenda process. Mrs. Harlow responded that Granticus only provides the video and minutes indexing but does not offer the agenda process software.

Chairwoman Rogers asked what percentage of staff's workload is relative to the agenda. Mr. Greene responded that it was difficult to estimate the percentage on time spent on the agenda process, but his primary concern is the impact on Mrs. West for the keeping the minutes.

Chairwoman Rogers said that she supported the purchase of some type of software wholeheartedly, but suggested if there could be a similar result by having another system other than the Sire Software, it would be worthwhile to consider.

Commissioner Baucom offered as a friendly amendment, in addition to the motion on the floor proposed by Commissioner Openshaw, to direct the Clerk to prepare action-oriented minutes to keep it on a timely fashion since the Board would not be meeting in a regular meeting until April 19.

Mr. Greene stated that he thought the motions offered are a good approach but he needed to point out that what has been recommended is through the Request for Proposals, and there is a certain formality to the process with deadlines. He suggested that staff work through these issues at staff level.



Commissioner Openshaw said he was fine with the amendment by Commissioner Baucom but added that the video recordings are to be made a part of the official record. He also offered as a further amendment to the motion that when there are technical difficulties, then the minutes be prepared with more detail.

Following the discussion, the motion as amended was passed unanimously.

**Local Area Regional Transportation Plan:**

Chairwoman Rogers introduced Bjorn Hansen, a transportation planner with Centralina Council of Governments to present the item.

Mr. Hansen reviewed the results of the four-town Local Area Regional Transportation Plan (LARTP) (Marvin, Waxhaw, Weddington, and Wesley Chapel). He stated that one of the most important components in the study is that it identified intersections throughout the study area and identified the priority ones and suggested improvements. Further, he said that the recommended improvements were tied to the funding sources.

He stated that the Mecklenburg-Union Metropolitan Planning Organization (MUMPO) contributed \$80,000 to help implement the plan and expects that the communities will submit the recommendations as a part of the overall MUMPO Comprehensive Transportation Plan process and the same consultant that prepared the plan does Comprehensive Transportation Plans throughout the state.

Mr. Hansen stated that primarily the key implication for Union County is that as the Comprehensive Transportation Plan is developed, NCDOT and MUMPO will be asking for local input. He said that the presentation is for informational purposes only.

No action was taken.

**Public Works Department – Task Orders:**

- a. *Task Order #8 with Black & Veatch for the Comprehensive Water and Wastewater Master Plan*

Ed Goscicki, Public Works Director, explained the task order. He said that during the Capital Improvement Program (CIP) work session, the major elements of the Water and Wastewater CIP were identified, which included the development of an updated Comprehensive Water and Wastewater Master Plan and the development of a high-level fiscal plan to accompany it showing how to implement the master plan.

Mr. Goscicki stated that four engineering consultants submitted proposals. He said that Black & Veatch was the number one ranked firm by all members of the selection committee.

He noted that this task order is a significant expenditure but because of staff's negotiations, the cost is within the budget. He reviewed the key components included in the plan: 1) Development of an integrated water resources management plan that optimizes water supply alternatives with wastewater reuse and disposal and demand management strategies within the framework of the inter basin transfer restrictions; 2) Development of system growth projections based on planning from serving communities within the County, on the updated County-wide Land Use Plan, and on other independent economic and area-wide growth assessments; 3) Development of reliable and cost-effective water and wastewater system capacity solutions for Union County in accordance with the recently updated County-wide Land Use Plan and the development plans of the municipalities they serve; 4) Development of water and wastewater system development plans to establish the major improvements necessary for each system to meet the level of service needs and future growth; 5) Development of a comprehensive, high-level fiscal plan that evaluates and recommends funding alternatives for the implementation of the Master Plan; and 6) Development of a Capital Improvement Plan (CIP) for the first 10 years that matches long-term capacity needs.

Mr. Goscicki stated that the timeframe for the plan is compressed and is scheduled to be completed within one year.

Following the presentation by Mr. Goscicki, Commissioner Openshaw moved to authorize the County Manager to approve Task Order #8 with Black and Veatch for a Comprehensive Water and Wastewater Master Plan in the amount of \$870,000, subject to legal review.

Following discussion, the motion was passed unanimously.

***b. Task Order #50 with HDR Engineering in Connection with the Eastern Union County Water Supply Project***

Mr. Goscicki, Public Works Director, stated that as part of the Capital Improvement Program (CIP) reviewed with the Board, one of the next steps was to move forward with the conceptual design, permitting identification, and identification of potential partners for the new eastern water treatment plant. He explained that HDR Engineering has done most of the County's water treatment plant's construction over the years. He said that it is staff's intent, once the phase of conceptual design has been completed and it is ready to go to the final permitting and design phase, that separate Requests for Proposals would be sent out. He explained that Task Order #50 is being requested to continue moving forward with the project.

He stated the total cost of the Task Order is \$198,307 which is split between a lump sum portion of \$53,415 dealing with the conceptual design and a not-to-exceed amount of \$144,892 to meet to identify partners and begin the permitting requirements.

Following the presentation, Commissioner Baucom moved to authorize the Manager to approve Task Order #50 with HDR in connection with the eastern Union County Water Supply project, subject to legal approval.

Commissioner Baucom asked if the \$144,892 included identification of potential partners and an unlimited amount of limited partners. Mr. Goscicki responded that was why this amount was a not to exceed amount, and if the process involved a very protracted and extended program of identifying partners requiring many more meetings and outreach, more dollars would need to be appropriated.

Commissioner Openshaw commented that he could agree with proceeding with some portions of the task order scope but did not see proceeding with all portions. He said he raised this objection in October, and he was maintaining his position now. He suggested that potential partners should be identified first.

He said that one of his concerns is that it would be logical to try and locate a water plant that would tie into the County's master plan at the lowest possible cost, because the numbers that have been shown thus far do not include one penny for the first inch of pipe to serve anyone in Union County. He stated that until it is determined what the master plan has to say about potential use and need, it would be putting the cart before the horse by locating a plant.

Mr. Goscicki responded that there is some integration that staff recognizes will need to be done. He said that in order to keep the projects moving, staff recognizes that Black and Veatch will be performing population flow projections for the service area which will feed forward to HDR. He said this will determine what the County's needs are as discussions are taking place with partners as they are performing site evaluations of what would be the best site.

Following further discussion, Commissioner Openshaw suggested that Mr. Goscicki bring recommendations to the Board and steps that would have to be done versus the speculative step portions. Mr. Goscicki responded that the speculation part would be how large the plant would need to be, which is based on what is learned from the master plan, who the partners are, and at some point in the future, there might be additional interbasin transfer. He said that he thought the process could move forward now.

Chairwoman Rogers asked if it were possible to break down the task order in several more phases. She said that she did have some concern as had been expressed by Commissioner Baucom that there are six potential partners shown in the task order and asked if that limited the partners to six.

Commissioner Baucom said that some of the potential partners are ready, willing, and able to come to the table, and they want to know where the County is on this matter and until the study is done and the partners are identified, he did not know how to phase the work any differently. He expressed his concern about piecemealing the process which could result in delays. He said he was in favor of moving forward with the task order.

Commissioner Mills expressed appreciation for the work that Mr. Goscicki has done on this task order. He said that he thought the task order should move forward, as outlined. He stressed the importance of planning.

Commissioner Openshaw addressed his concern about all the moving parts and the unknowns.

Mr. Greene commented that he and Mr. Goscicki met and discussed this matter, and the tasks that are identified within the scope of work are necessary as part of bringing in the partners. He said that they have talked with potential partners, but there is nothing to talk with them about, since the location of the plant or what the permitting process will be are not known. He said these are all preliminary parts of the project. He stated that the question would be “What does the Board want to cut out of the scope of services?”

Commissioner Openshaw asked how a plan could be developed for a plant when it is unknown what capacity from which to draw. He reiterated that he thought the process should move forward in a logical way and know what the master plan will find, identify who the partners will be, how much water can be taken out of the river, etc. He reiterated there are too many moving parts.

Mr. Goscicki suggested that if any step could be delayed in the process, it would be the cost-estimating portion. He said that the permitting process would go hand in hand with the partnering. He stated that Commissioner Openshaw had raised a good point about the amount of water that can be withdrawn from the Yadkin River. He said that would be dependent upon what can be justified of the need and also balance against the capabilities of the eco system. He stated they had tried to keep the scope as minimal as possible.

Commissioner Mills moved to call the question on the motion. The motion passed by a vote of four to one. Vice Chairwoman Kuehler, Commissioner Baucom, Commissioner Mills, and Commissioner Openshaw voted in favor of the motion. Chairwoman Rogers voted against the motion.

Chairwoman Rogers called for a vote on the original motion. The motion failed by a vote of two to three. Commissioners Baucom and Mills voted in favor of the motion. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted against the motion.

Chairwoman Rogers said that she thought this was an important issue, and she would like to see it on the next work session agenda. She suggested that Commissioner Openshaw send his questions to Mr. Goscicki and commented that it could possibly be added to the work session.

### **Urban Forester Funding Formula:**

Al Greene, County Manager, recognized Matthew Delk, Assistant County Manager, to explain the request.

Mr. Delk asked that the Board direct staff to draft an interlocal agreement for distribution to the municipalities based upon the suggested approach of the County paying \$30,671 of \$60,671 in direct costs and the remaining \$30,000 to be paid by the municipal participants based on municipal populations. The request further included authorization for the County Manager to approve interlocal agreements with the municipalities subject to legal review.

Mr. Delk said that it was determined to be unfeasible to divide the costs based on services actually provided. He stated that staff is proposing premium service options. He said that staff would like to be able to negotiate with the municipalities through a premium service option. He explained that this would involve a municipality having a need that is unique to the town that would require a level of service not covered under a shared arrangement.

Following Mr. Delk's explanation, Commissioner Baucom moved that the County fund the Urban Forester position with the exception of the special service needs by the municipalities.

Commissioner Openshaw said that he did not know why the ETJ areas would be excluded. He said that if the municipalities have ETJ over an area, then it should have to pay the additional costs associated with that area. Commissioner Baucom clarified that his motion was for the County to fund the position except for the special service needs, which Commissioner Openshaw said he was not in favor of.

Commissioner Openshaw said that he would have made a motion to direct staff to prepare an interlocal agreement as recommended with a couple of exceptions: 1) that if municipalities have some or a single suggestion on funding the position, that those suggestions be brought to the Board; and 2) that it be written in the agreement with the urban forester that he may not give an opinion on any action that may influence County-owned property without consulting with this Board first. He said that he was delighted to see this moving forward and believes it should be funded by the municipalities, some of whom use the services a lot more than others, and he was glad to fund the County's share of it.

Chairwoman Rogers asked if the municipalities that do not sign an interlocal agreement, would receive forestry service. Richard Melton, County Extension Agent, responded that staff had discussed this possibility and with the Extension mandate, the Extension must provide some level of service to any County resident. As an example, he said if a resident of a municipality asked to have a tree check done on a particular site, they could do that, but if the municipality needs an ordinance development, that would be a whole another issue.

Commissioner Mills asked if it would streamline the process for the County to fund the whole position.

Chairwoman Rogers asked for a vote on the motion by Commissioner Baucom. The motion failed by a vote of two to three. Commissioner Baucom and Commissioner Mills voted in favor of the motion. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted against the motion.

Commissioner Openshaw moved to direct staff to draw up an interlocal agreement for distribution to the municipalities; authorized the County Manager to approve interlocal agreements, subject to legal review, unless there is a different criteria received back from the municipalities, and, at that point, the item will return to the Board for review. The motion further included that a

provision be included in the agreement that the urban forester may not give an opinion on any action that might influence County-owned property without first consulting with the Board of Commissioners.

He commented about integrating language in the agreements that any municipality that chooses not to enter into an interlocal agreement for urban forestry services should be charged for premium services.

Mr. Greene requested clarification of the portion of Commissioner Openshaw's motion regarding trees on County-owned property. Commissioner Openshaw responded that there had been a recent incident where a municipality in a conditional use hearing referenced a tract of land owned by the County where it was going to reduce the buffer, and unfortunately they quoted the forester. He said that he wanted to make sure that this did not occur again, and he thought there needed to be more understanding.

Mr. Greene cited an example of the County's asking the urban forester to look at trees at Cane Creek Park that might need to be cut for disease. He asked if this would be acceptable under Commissioner Openshaw's motion if the County initiated the request. Commissioner Openshaw agreed that would be acceptable and said that he wanted to address when municipalities are making decisions that influence County assets.

There was discussion that the estimate for the position including both direct and indirect costs is \$81,000. Commissioner Baucom questioned whether the current motion was based on the \$81,000 or \$61,000 cost.

Mr. Delk explained that the direct costs are based on salary and direct expenses to include benefits of the positions, and the indirect costs are based on estimates through the County's indirect cost report. He said that one cost that was not included in the \$61,000 figure was a vehicle. He stated the reason this cost was not included was because it is not anticipated to replace a vehicle in the near future.

Following the discussion, the motion by Commissioner Openshaw passed by a vote of four to one. Chairwoman Rogers, Vice Chairwoman Kuehler, Commissioner Baucom, and Commissioner Openshaw voted in favor of the motion. Commissioner Mills voted against the motion.

### **Financial Policies:**

Chairwoman Rogers recognized Kai Nelson, Finance Director, to explain the item.

Commissioner Openshaw moved to table action on the item based on the information sent to him today containing Mr. Nelson's comments.

Chairwoman Rogers asked if Commissioner Openshaw's motion was to table the item until the work session. Commissioner Openshaw responded it was to table until whenever convenient. He said he was not ready to address the item right now, as he has not had an opportunity to review the information at all.

Chairwoman Rogers asked if any other Commissioner wanted to review her comments. No one requested to review those comments.

The motion was passed by a vote of three to two. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted in favor of the motion. Commissioners Baucom and Mills voted against the motion.

#### **Discussion Regarding Communication:**

Chairwoman Rogers explained that she had requested that this item be included on the agenda, because no single individual Commissioner can give direction to staff. She said that she wanted to have a discussion about what the County is doing about communicate with the public and to discuss ideas of how to communicate more effectively. She said that in her mind, she thought the County was doing all the right things, but she is surprised by comments in the newspaper where people do not realize that agendas are available prior to meetings and not being familiar with the County's website.

Brett Vines, Public Information Officer, said there are four major tools that he uses to disseminate information about the County: 1) County's website; 2) the Government television channel; 3) news releases; and 4) the weekly newsletter. Chairwoman Rogers said that there is the addition of the school newsletter to distribute information about vacancies on boards and committees.

Chairwoman Rogers suggested for staff to come back to the Board with some ideas, to have on the website tabs designated as "open issues" with sub tabs such as "current water expansion projects", "capacity projects underway for sewer"; "odor control project"; the "Waxhaw Emergency Department,"; the "fire study status."



Chairwoman Rogers asked if there was consensus for her suggestion or was a motion needed. Mr. Greene suggested that the Board have a motion directing him to take care of it.

Commissioner Openshaw suggested that an advertisement be placed in the newspaper announcing the fact that the agendas are available and giving directions on how to access them. Commissioner Baucom suggested that the announcement could be done by way of a news release.

Chairwoman Rogers moved to direct the County Manager to work with Mr. Vines to look at ways to provide status reports to the public on the various projects such as including tabs on the website showing open or current issues with sub tabs for the various items and to bring their recommendations to the Board for consideration.

Following the discussion, the motion was passed unanimously.

**Consideration of Resolution to the North Carolina Turnpike Authority:**

Commissioner Baucom provided the Board with the following memorandum from the Union County Farm Bureau:

“To: Whom it May Concern

From: Brad Hargett, President  
Union County Farm Bureau

Don Kerr, Legislative Director  
Union County Farm Bureau

Date: March 4, 2010

The Union County Farm Bureau Board of Directors representing approximately nine-thousand (9,000) member families in Union County duly assembled and voted unanimously to request that the proposed by-pass around Monroe, North Carolina be named “The Union County Parkway”.

Also, the undersigned groups and organizations support this undertaking.

Union County Agricultural Advisory Board           s/Everette Medlin, Chairman

Union County Cattlemen’s Association           s/Dale King, President

Union Soil & Water Conservation Board           s/Kenneth Mills, Chairman”

Commissioner Baucom stated that “bypass” insinuates that one is going around something or leaving something out.” He said that the Union County Parkway by its nomenclature gives a little alliteration and a naming that it is a nice place to be rather than leaving something out. He stated that a draft resolution was not available tonight for the Board’s consideration.

Commissioner Baucom moved to authorize staff to develop a resolution asking the North Carolina Turnpike Authority to use the name of “Union County Parkway” in identifying the proposed bypass for Monroe.

Chairwoman Rogers offered that the bypass will be used by all the citizens of Union County, and she would like to receive input from citizens on suggested names for the bypass.

Keith Merritt, County Attorney, offered a non-legal opinion that he thought that the Indian Trail Town Council had adopted a resolution several meetings ago recommending a name for the bypass along the lines of “Union County Parkway.”

Vice Chairwoman Kuehler said that she at least wanted to receive buy-in from the towns through which the bypass will be going.

Commissioner Openshaw said he liked the name “Union County Parkway” and was glad that the Farm Bureau had brought it forth; however, he said he agreed that he thought there should be buy-in from the community.

Chairwoman Rogers offered an amendment to Commissioner Baucom’s motion to seek input from the municipalities regarding a name for the bypass and to place on the County’s website a method by which the County could receive input from the community on naming the bypass.

Chairwoman Rogers called for a vote on the amendment as stated. The amendment passed by a vote of three to two. Chairwoman Rogers, Vice Chairwoman Kuehler and Commissioner Openshaw voted in favor of the amendment. Commissioners Baucom and Mills voted against the motion.

She then called for a vote on the main motion as amended and to bring the recommendations to the Board at the May 3, 2010, Board of Commissioners' meeting.

Commissioner Baucom asked if the motion included authorizing staff to draft a resolution to bring to the Board for consideration. Chairwoman Rogers agreed that this authorization was included in the motion if staff could prepare the draft resolution with the data received.

The motion was passed unanimously.

**Designation of Two Commissioners to Communicate with CHS and CMC Regarding the Waxhaw Emergency Department:**

Chairwoman Rogers recognized Commissioner Openshaw for his comments.

Commissioner Openshaw moved to appoint two Commissioners to interact with CHS in connection with negotiations on the Waxhaw Emergency Department and that the Board discuss which Commissioners to appoint or whether to appoint Commissioner Openshaw and Chairwoman Rogers.

Keith Merritt, County Attorney, suggested that the Board appoint whichever two Commissioners it chooses.

Chairwoman Rogers stated that if the motion passes, then as a part of that motion the Board would choose which two Commissioners to appoint. Jeff Crook, Senior Staff Attorney, recommended that the Board designate the two Commissioners as liaisons instead of appointing them.

Chairwoman Rogers stated that she had voted against adding this item to the agenda; therefore, she did not know if she would be the right choice to designate.

Commissioner Openshaw moved to designate himself and Vice Chairwoman Kuehler as liaisons to meet with representatives of CHS/CMC to discuss the Waxhaw Emergency Department.

Vice Chairwoman Kuehler said that the proposal on the Waxhaw Emergency Department was reviewed and assessed by staff and experts, and it was based on their opinion that what was being proposed was not in the best interests of the County. She said that she did not possess the skills to have that conversation with the people who possess the skills to have that conversation. She stated that she did not understand why as a non-expert she would put herself in a position to negotiate. She said she would like to continue the negotiations but did not see the value of having a lay person involved.

Commissioner Baucom offered a friendly amendment to the motion that the County Manager be included in the discussions along with Commissioner Openshaw and Vice Chairwoman Kuehler. Commissioner Openshaw accepted the friendly amendment to his motion.

Mr. Merritt stated that he thought it should be clear that any meeting that the two Commissioner liaisons attend that any staff members who need to attend also be included in the discussions.

Commissioner Openshaw said that he was interested in hearing what CHS/CMC has to say, but there is no intent for the discussions to be negotiations where the liaisons are making representations for the Board.

Commissioner Mills disagreed explaining that it does need to be negotiations. He said lawyers have already been heard so there should be negotiations.

Chairwoman Rogers stated that Vice Chairwoman Kuehler had been nominated to serve as one of the liaisons, and if she was not willing to do that, to let it be known.

Commissioner Baucom stated that he thought it was important for two of the majority of the Board attend the meeting, and that the two Commissioners understand the ultimate objective.

Chairwoman Rogers stated that she thought Vice Chairwoman Kuehler had agreed to serve as one of the Board's liaisons to communicate with CHS regarding the Waxhaw Emergency Department and repeated that the motion was to designate Commissioner Openshaw and Vice Chairwoman Kuehler and staff. The motion was passed by a vote of four to one. Vice Chairwoman Kuehler,

Commissioner Baucom, Commissioner Mills and Commissioner Openshaw voted in favor of the motion. Chairwoman Rogers voted against the motion.

**Announcement of Vacancies on Boards and Committees:**

Chairwoman Rogers announced vacancies on the following Boards and Committees:

- a. Adult Care Home Advisory Committee (at least 4 Vacancies)
- b. Nursing Home Advisory Committee (at least 3 Vacancies)
- c. Juvenile Crime Prevention Council:
  - 1. Substance Abuse Professional
- d. Union County Industrial Facilities and Pollution Control Financing Authority (2 Vacancies for unexpired terms and 3 vacancies for terms expiring May 2010)
- d. Parks and Recreation Advisory Committee (one vacancy for a member with a physical disability)
- e. Union County Home and Community Care Block Grant Advisory Committee (at least 2 vacancies for unexpired terms)

**Appointments to Boards and Committees:**

- a. *Nursing Home Advisory Committee:*

Commissioner Baucom nominated Dorothy Fumo to serve on the Nursing Home Advisory Committee.

Vice Chairwoman Kuehler nominated Suzanne Emory to serve on the Nursing Home Advisory Committee.

Vice Chairwoman Kuehler asked Commissioner Baucom if he knew Ms. Fumo. He responded that he had information indirectly regarding Ms. Fumo.

Chairwoman Rogers called for a vote on the nomination of Dorothy Fumo. The motion failed by a vote of two to three. Commissioners Baucom and Mills voted in favor of the motion. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Rogers voted against the motion.

A vote was taken on the nomination of Suzanne Emory. The motion passed by a vote of three to two. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted in favor of the motion. Commissioners Baucom and Mills voted against the motion.

Commissioner Openshaw questioned if the Nursing Home Advisory Committee could be expanded. He stated that the County has a new nursing home that opened today, and the information in the agenda package indicates that there is one appointment for each nursing home.

Mrs. West offered to find out if there are other vacancies on this committee.

*b. Fire Commission:*

Vice Chairwoman Kuehler nominated David McDonald and Susan Diane Connolly to serve on the Fire Commission.

There were no other nominations, and the motion passed unanimously.

*c. Parks and Recreation Advisory Committee*

Vice Chairwoman Kuehler stated that one of the vacancies on the Parks and Recreation Advisory Committee is for a person with a physical disability, and neither of the two applications received indicate that there is a physical disability.

Vice Chairwoman Kuehler nominated Brian Clark to serve on the Parks and Recreation Advisory Committee.

There were no other nominations, and the motion passed unanimously.

*d. Health Board*

Vice Chairwoman Kuehler nominated Michael Kraykowski and Dr. Kristine C. Diggins to serve as citizen representatives on the Health Board.

There were no other nominations, and the motion passed unanimously.

*f. Planning Board:*

Vice Chairwoman Kuehler nominated John Darsey and Patricia L. Freeman for reappointment as regular members on the Planning Board and Orvel R. Schrum, III to serve as an alternate member.

Commissioner Baucom nominated Brian Clark to serve as the alternate. It was noted that Mr. Clark was appointed earlier in the meeting to the Parks and Recreation Advisory Board.

Chairwoman Rogers asked if Thomas Steffen had reapplied for this Board. Mrs. West responded that he had not reapplied.

Chairwoman Rogers called for a vote on the nominations for regular members: John Darsey and Patricia L. Freeman.

There were no other nominations for regular members, and the motion passed unanimously.

Commissioner Baucom withdrew his nomination of Brian Clark as an alternate member.

Chairwoman Rogers called for a vote on the nomination of Orvel R. Schrum, III, as an alternate member.

There were no other nominations, and the motion was passed unanimously.

*g. Adult Care Home Community Advisory Committee:*

Vice Chairwoman Kuehler nominated Alicia Thomas to serve on the Adult Care Home Community Advisory Committee.

There were no other nominations, and the motion passed unanimously.

Commissioner Openshaw stated that Donnie Melton had submitted an application stating that he would serve on any board to which he was appointed. Vice Chairwoman Kuehler noted that the Home and Community Care Block Grant Advisory Committee has three vacancies.

*h. Home and Community Care Block Grant Advisory Committee:*

Chairwoman Rogers stated that there are three vacancies on this board.

Vice Chairwoman Kuehler nominated Kathleen Domanski and Donnie Melton to serve on the Home and Community Care Block Grant Advisory Committee.

There were no further nominations, and the motion was passed unanimously.

*i. Juvenile Crime Prevention Council:*

Chairwoman Rogers announced that there is one vacancy for a Substance Abuse Professional and one vacancy for a Commissioner Appointee.

Vice Chairwoman Kuehler nominated Robin Houston Stitt to serve as a Commissioner Appointee on the Juvenile Crime Prevention Council.

There were no further nominations, and the motion was passed unanimously.

*j. Criminal Justice Partnership:*

Chairwoman Rogers asked what length of time the vacancy for a member at large on this Partnership has been advertised. Mrs. West responded that this vacancy was rather recent.

By consensus, the Board agreed to postpone an appointment to this board tonight.

*k. Board of Adjustment:*



Vice Chairwoman moved to reappoint Neil Forrest, Jr. to serve as a regular member on the Board of Adjustment and to reappoint Richard M. Davis to serve as an alternate member.

There were no further nominations, and the motion was passed unanimously.

**Manager's Comments:**

There were no comments by Mr. Greene.

**Commissioners' Comments:**

Commissioner Baucom offered congratulations to all the athletes in the County. He said that there were state champions in three events and he looked forward to those recipients being present at a future Board meeting to be recognized.

He stated that March 14<sup>th</sup> thru 20<sup>th</sup> is National Agriculture Week. He said that National Agricultural Day is March 20<sup>th</sup> and invited everyone to hug their farmer today and especially on March 20<sup>th</sup>.

He said that he would be remiss if he did not promote agriculture, as it generates better than 20 percent of the nation's gross domestic product. He said that Union County ranks fourth in the state in agricultural production. Commissioner Baucom said that agriculture is America's number one export and it creates a positive balance of trade. He stated he was proud to be a part of the agricultural segment of the economy.

Commissioner Openshaw said that he was very pleased with the quantity and quality of the applicants for the boards and committees included in the agenda package tonight. He stated that he did not know if he had ever seen that number of qualified applicants at any one time presented to the Board.

He offered congratulations to Monroe High School for winning the State Basketball Championship. He said it was a great story because their football team received a bad call in the state and it cost them their chance at the title. He stated that the coach handled it gracefully and in a very mature way setting a good example for the players. Commissioner Openshaw said that the same coach also coaches the basketball team, and every member on the basketball team also played football. He said it was a great

exhibition of character by the coach and that team. He stated as a footnote to the football team, the referee that made the call that cost the team the game admitted his mistake.

Commissioner Openshaw offered congratulations to the Union County Public Schools for being awarded one of 20 grants in the United States to start a Chinese language program. He also offered congratulations to Commissioner Baucom for winning the agriculture award for producing the highest yield of corn per acre.

He thanked Commissioner Mills for the great job that he did with auction items for the Republican Convention.

Commissioner Openshaw said that some comments were made tonight about some decisions that the Board made to defer action. He stated that if he did not feel comfortable with decisions, he would not rubber stamp those items.

Commissioner Mills congratulated Coach Johnny Sowell and the players at Monroe High School. He said that Coach Sowell was a great football player and had played at Appalachian University while he was there.

He said that his nine-year-old daughter volunteered him to drive her school bus to and from school, and he did not realize that he had to have a Commercial Drivers License (CDL). He said that he took the classes and got a good look at the Union County Public Schools' Transportation Department. He stated that they do a great job and have an outstanding staff. He congratulated them on all of the donations that they contributed to Haiti after the earthquake.

Vice Chairwoman Kuehler clarified her vote on the CHS/Kaufman Hall agenda item. She explained that she had voted against adding the item to tonight's agenda because the Board had officially given that direction at least three times. She said that she spoke with a representative of Kaufman Hall last week and was notified that they have had contact with CHS. She stated that she did not seek the point of pushing something that was already occurring. She said that the County has been open to the lease negotiations on the record for over a year, and she wanted to put that issue to rest.

Chairwoman Rogers said that her husband was following the Red Hawks in their championship.

With there being no further comments or action, at approximately 11:00 p.m., Commissioner Baucom moved to adjourn the regular meeting. The motion was passed unanimously.