

Approved: May 3, 2010

Minutes of Regular Meeting  
of April 19, 2010

The Union County Board of Commissioners met in a regular meeting on Monday, April 19, 2010, at 7:00 p.m. in the Board Room, first floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

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

ABSENT: None

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

**Opening of Meeting:**

Chairwoman Rogers convened the regular meeting at approximately 7:00 p.m. and welcomed everyone present.

***a. Invocation***

Vice Chairwoman Kuehler offered the invocation.

***b. Pledge of Allegiance***

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

***c. Featured Community Benefit Organization: Hospice of Union County, Inc.***

Chairwoman Rogers introduced Mike Linker, Executive Director of Hospice of Union County, Inc.

Mr. Linker introduced Jimmy Tice, Vice President of the Board of Directors of Union County Hospice; Max Melton, Board Member and former Chair of the Board of Directors; Wayne Berg, Resource Development Director; Dr. Chad Howard, Hospice Medical Director; and Pam Collins, Volunteer Services Coordinator for Hospice and Community Relations Coordinator.

Mr. Linker shared information about the organization and its programs. He read the mission statement of Hospice: to provide compassionate, quality care to those suffering life-limiting illnesses, regardless of ability to pay, and to serve as a clinical, ethical and spiritual resource for family members as well as others in our community affected by death and dying.

He stated that the philosophy of Hospice's care is to supply its patients with comfort, dignity, choice, and control. He said they treat the person, not the disease, with an emphasis on the quality of life, not the duration. He stated that the patients, family members, and caregivers are the primary focus.

Mr. Linker stated that Hospice House I in Union County was the first residential hospice facility in North Carolina.

He introduced Wayne Berg, who shared information about Hospice of Union County's capital campaign for its most recent Hospice house and the memorial garden park. He said that they are at 85 percent of their capital campaign goal.

*d. Employee Service Award Recognitions*

Chairwoman Rogers recognized the following employees who have full-time continuous service at the following intervals: 5 Years, 10 Years, 15 Years, 20 Years, 25 Years, and 30 Years of Service:

**5 Years of Service**

**Department**

|                |                  |
|----------------|------------------|
| Lissell Currie | Communications   |
| Bethany Greene | Communications   |
| Tyler Mills    | Sheriff's Office |
| Karen Crowder  | Social Services  |
| Peggy Redfern  | Social Services  |

Sherry Gamble

Transportation/Nutrition

**10 Years of Service**

**Department**

John Hahn

Public Works

Angelia James

Public Works

Lora McManus

Public Works

Dana Pastores

Social Services

Philip Every

Tax Assessor

Jody Fowler-Lemmond

Tax Assessor

**20 Years of Service**

**Department**

Jean Hart

Sheriff's Office

Lula Mills

Tax Assessor

**25 Years of Service**

**Department**

Edwin Webb

Sheriff's Office

Amy McCoy

Social Services

Ruth Sturdivant

Social Services

**PUBLIC HEARING – RE: ECONOMIC DEVELOPMENT INCENTIVE TO GREINER VACUETTE NORTH AMERICA, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$126,464:**

At approximately 7:25 p.m., Chairwoman Rogers opened the public hearing on the proposed economic incentive grant to Greiner Vacuette North America, Inc. in a total amount not to exceed \$126,464. The public hearing was properly advertised in a local newspaper with general circulation. She stated that no one had registered to comment during the public hearing. She recognized Michael Trotter of the Union County Partnership for Progress. He introduced Maurice Ewing, President and Chief Executive Officer of the Union County Partnership for Progress, and Chris Platé, Director, and Ron Mahle, Assistant Director of Economic Development for the City of Monroe. He stated that Rick McInnis with Greiner Bio One was also present.

Mr. Trotter stated that Greiner Bio One is located in the Monroe Corporate Center and is a manufacturer of test tubes and sample collection products that are used in the medical industry. He said that Greiner is considering the construction of a 100,000 square foot warehouse adjacent to its current facility and is also considering adding approximately 70,000 square feet to its manufacturing facility. He stated that it is anticipated that the company will invest \$21 million and hire 85 people over the term of the project.

Mr. Trotter said the Partnership for Progress has worked closely with Union County's staff to develop a proposed incentive grant for the project. He stated that if an incentive were offered, the proposed grant would total \$126,464 to be paid in five installments as follows: 1) \$31,616 in the year 2013; 2) \$37,014 in the year 2014; 3) \$42,154 in the year 2015; 4) \$10,539 in the year 2016; and 5) \$5,141 in the year 2017. He said that the \$21 million investment is broken down as follows: \$12,000 for an expansion to its current building and an additional building to be constructed in 2010; and b) additional machinery and equipment of \$9 million to be added in the following years; \$3 million each in the years 2012, 2013, and 2014.

He explained the break down of the 85 additional new jobs over the five-year grant period: 1) 10 jobs in year 2010; 21 jobs in year 2011; 20 jobs in 2012; 17 jobs in year 2013; and 17 jobs in year 2014. Based on the projected investment of \$21 million, Mr. Trotter said that Greiner Bio One would pay over the five-year grant period \$594,311 in property taxes based on the current tax rate. He said that the estimated net revenue to the County during the grant period is \$467,847.

Mr. Trotter stated that the company is located within the city limits of the City of Monroe, and the Partnership for Progress has been working closely with the City's Economic Development representatives, and the City approved a grant on March 23, 2010, to support the project in an amount of \$495,000 over a five-year period.

He introduced Rick McInnis, Vice President of Finance for Greiner Bio One. Mr. McInnis expressed appreciation to the Board for its consideration and support of the project. Mr. McInnis stated that as a life-long resident of Union County, he believes that Union County is a great place to expand. He said that he had never envisioned as a student at Monroe High School and Wingate College of working for a major global partner at home, but, with the presence of Greiner Bio One, he has had the opportunity to do so. He stated that when he joined the organization in 2001, they had approximately 45 employees at the Monroe location, and it currently has over 180 employees with 230 employees across the country including the sales people.

Mr. McInnis said that they were able to produce a certain volume of blood collection tubes at the time he joined the organization and now they are able to produce in three days what they were able to produce in one month in 2001. He stated that the technology and the investment that the company has made in the community have paid dividends. Mr. McInnis said that the company is pretty much at its maximum capacity, and Greiner worldwide has also developed a very rigid investment program. He said that last year they completed a new production facility in Rhinebeck, Austria, and two years ago they invested in a new production facility in Thailand. He stated the company also has production facilities in Brazil, Germany, and Hungary and some of these locations are supplementing the County's production because of its current limited capabilities to expand.

He emphasized that as a citizen of Union County, he thought Union County would be a great place for Greiner to expand. He said they were looking forward to approval from their board for the expansion and expressed appreciation to the Board of Commissioners for its consideration of the incentives.

Mr. Trotter stated that on March 10, 2010, the Board of Directors for the Union County Partnership for Progress unanimously agreed for the staff to seek incentives to support this project. He said, therefore, it requests that that Board at the appropriate time on tonight's agenda consider approval of an incentive grant for this project as recommended.

With there being no further comments during the public hearing, at approximately 7:24 p.m., Chairwoman Rogers closed the public hearing.

#### **PUBLIC HEARING – RE: DRAFT UNION COUNTY COMPREHENSIVE TRANSPORTATION PLAN (CTP):**

At approximately 7:25 p.m., Chairwoman Rogers opened the public hearing regarding the draft Union County Comprehensive Transportation Plan (CTP). Said public hearing was properly advertised in a newspaper of general circulation. She recognized Reuben Crummy of the Metrolina Planning Group of the North Carolina Department of Transportation.

Mr. Crummy presented the draft Union County Comprehensive Transportation Plan. He asked if the Board had any questions in regards to the plan. Chairwoman Rogers responded that this item was on the Board's agenda later in the evening for action, and questions would occur during that period of time.

Mr. Crummy reminded the Board that the Comprehensive Transportation Plan is basically a multi-modal of series of maps depicting the transportation needs of the area and consists basically of the adoption map, highway, public transportation and rail,

bicycle, and pedestrian maps. Mr. Crummy stated that the designations for the facility consists of either existing, needs improvement, or new location. He briefed the Board regarding the Comprehensive Transportation Plan process.

He explained the benefits of the Comprehensive Transportation Plan which will give the collaborative effort of the Rocky River Rural Planning Organization, NC Department of Transportation, Union County, and Marshville and the vision for the recommended cross sections. Further, he said that it gives authority to protect the right of way, and allows the public to become more involved in the process.

Mr. Crummy reviewed the highway map and the recommendations for major improvements:

- US 601 (TIP Project #R2616)  
US 601 is a Strategic Highway Corridor (SHC) and is designated as an expressway. He said that US 601 is scheduled to be completed hopefully by the end of April with a final inspection on April 27, 2010. He stated that currently it is shown as needs improvement, and if it is completed by the end of the month, it can be changed to show existing before the Board of Transportation adopts the map.
- Mr. Crummy stated that the other three major improvement recommendations are the Southern Connector I, Southern Connector II, and the Grade Separation of the intersection of Landsford Road and US 601.
- He reviewed the minor connectors shown on the map to be:

Old Pageland-Monroe Road (SR 1941) Extension – it is within the Marshville Planning Area.

Pleasant Hill Church Road (SR 1710) Realignment which is in the northern part of the County above NC Highway 218 at the intersection of Jerusalem Church Road.

Mr. Crummy stated that there are 24 minor widening improvements within the planning area.

- He stated that the last recommendations are for the Marshville area. He said that those recommendations are as follows:

- Old Lawyers Road (SR 1736) Extension be extended and connected on new location to Old Lawyers Road (SR 1736) in the MUMPO planning area.
- Stegall Street Connector which connects Stegall Street to Olive Branch Road.
- Thomas Helms Road Extension in the Union County Thoroughfare, is shown connected to the intersection to make a five-legged intersection. He said that in order to prevent having a five-legged intersection, it has been realigned to Hamilton Road.
- Godwin Street/Franklin Street Connector - it is recommended that Godwin Street connect at new location to Franklin Street.
- Glennie Street Extension recommended - it is Glennie Street extend on new location to Austin Grove Church Road (SR 1751)
- Austin Road/Lakeview Drive Connector - it is recommended that Austin Road connect on new location to Lakeview Drive
- Phillip Sanders Road Extension - it is recommended that Phillip Sanders Road be extended on new location to the Hasty Road (SR 1901)/Old Highway 74 (SR 1740) intersection and the US 74.
- Old Pageland-Marshville Road - it is recommended that Old Pageland-Marshville Road (SR 1937) be widened to 2-12 foot lanes from proposed new location to Faulks Church Road (SR 1947).

Mr. Crummy stated that for the Public Transportation and Rail Map, the area within Marshville was basically adopted in 2009 for the existing public transportation and the rail, which is active. He said that there is a small portion of an existing bicycle route toward the western part of the planning area on the bicycle map. He stated that on the pedestrian map, there are recommendations for this map that are scheduled to be adopted in May. Mr. Crummy stated that Marshville is also going through this same presentation to hopefully adopt the Union County Comprehensive Transportation Plan for the rural portion.

With there being no one registered to comment during the public hearing, at approximately 7:35 p.m., Chairwoman Rogers closed the public hearing.

### **INFORMAL COMMENTS:**

Chairwoman Rogers explained the purpose of the Informal Comments portion of the meeting. She stated that each speaker would have three minutes in which to make their comments and reviewed the guidelines for making informal comments.

The first speaker was Pinkie Marsh and his subject was entitled “Thank you Note 2008.”

Mr. Marsh stated that he resides in Marshville, North Carolina. He said that he had not come to the meeting to speak tonight but a copy of a letter to the editor in 2008 had been presented to him entitled “Thank you.” He read a letter to the Editor which had been written by Commissioner Kim Rogers thanking those who had supported her in the 2008 election.

Chairwoman Rogers called the next speaker who had registered, Frank Deese. Scott Byrum, who lives at 5014 Highway 205, Marshville, North Carolina, came forward and stated that Mr. Deese had requested that he speak in his stead. Mr. Byrum said that the Town of Marshville had adopted a resolution opposing the sale of CMC-Union which he read into the record:

“WHEREAS, the Marshville Town Council understands that the Union County Board of Commissioners are exploring options regarding the sale of the hospital CMC-Union, formerly Union Memorial Hospital and Union Regional Medical Center, once the current lease agreement expires in 2020 to pay down a portion of the debt that the County has accrued; and

WHEREAS, the hospital currently and for many years provides the residents of Monroe-Union County and its surrounding areas such as Anson County, Lancaster, and Chesterfield Counties in South Carolina with quality medical and healthcare services and is one of the hospitals of choice for the residents for the Town of Marshville and Union County; and

WHEREAS, the Town Council believes by exploring the sale of the hospital and selling the hospital, the citizens of Union County release control of vital healthcare facilities to the purchaser and residents are thereby adversely impacted and may ultimately result in the entire loss of critical medical facilities for use by the public; and

WHEREAS, the hospital in one capacity or another has served the residents of Marshville and surrounding areas since it became county owned in 1950 after the land was given to Union County by the City of Monroe for the purpose of providing a county public hospital; and

WHEREAS, the Town of Marshville’s main objective is the best possible healthcare for its citizens at a fair and affordable cost.



NOW, THEREFORE, BE IT RESOLVED, that I, Frank Deese, by the authority vested in me as Mayor and on behalf of the Town Council do hereby express our opposition to the sale and/or exploration of sale of the hospital, CMC-Union, a valuable public asset.

BE IT FURTHER RESOLVED that this resolution be entered upon the permanent minutes of the Town Council.”

Mr. Byrum said that since most of the towns, the Democratic Party, and the Republican Party have adopted similar resolutions, he thought they deserved some honest answers. He stated that he would like to know why the majority of the Board of Commissioners continues to ignore the voice of the people it serves.

Nancy Anderson, Mayor of the Town of Weddington, stated that she has consistently opposed the sale of CMC-Union, but she is beginning to rethink that position. She stated that four years ago, the Chairman of the Hospital Trustee Council, at that time Tommy Tucker, proposed selling the hospital to the current leaseholder. She said that had the sale been completed at that time, the County would not find itself in the mess that it is in now. She commented about the recent newspaper article involving an interview with Commissioner Kuehler.

Mayor Anderson said that she was a former nurse, a former CMC-Union employee, and former Community Trustee Council board member for over seven years, and she knew that the residents were receiving excellent care from the hospital. She said that she also knows that five of the six seats on the Community Trustee Council which the Board of Commissioners appoints are vacant, one of which has been vacant over 16 months. She stated that she knew the Board of Commissioners has not included the Chief of the Medical Staff or any medical staff in the deliberations and decision making process.

Amy Line, a resident of Holly Park in Indian Trail, stated that this is the first Board of Commissioners’ meeting that she has attended. She said she thought it was very important as a citizen and mother that she tell the Board not to sell the hospital. She stated that she has been following the debate over the hospital, and she cannot understand the Board’s desire to sell the hospital. Ms. Line said that she is the mother of a special needs child and knows a few things about healthcare. She stated that the County is extremely lucky to have the facility. She said that last week she opened *The Enquirer Journal* to read about a meeting that took place last fall which was attended by Commissioner Kuehler. She stated that she watches the Commissioners’ meetings on television and does not see any debates going on about the hospital. She asked that the Board pay attention to the community and not sell the hospital.

Crystal Coleman was the next speaker. Ms. Coleman stated that she is a resident of Marshville and the purpose of her attending tonight's meeting is to send a message in regards to the hospital. She stated that as a wife and the mother of three children, all of whom were born at CMC-Union, it makes no sense to sell the hospital asset. Ms. Coleman said that she helps her husband operate a small business, and they understand the bottom line, and the bottom line is that the hospital sale should be taken off the table. She said that this was her first county commission meeting, but she felt this issue for the hospital was too important for her not to come and speak tonight. She questioned why a meeting had taken place in Ballantyne and said that she has yet to meet anyone who thinks the sale of the hospital is a good idea. She addressed Commissioner Kuehler's comments which were written in a recent newspaper article.

Jimmy H. Bention, Sr., 302 Tucker Street, Monroe, North Carolina, stated that he stood tonight not as a citizen as he did in January, but tonight he stood as the Chairman of the Union County Republican Party. He presented and read the following resolution into the record as adopted by the Executive Committee of the Union County Republican Party:

**Resolution to the Union County Republican Party  
Opposing the Sale of CMC-Union  
April 1, 2010**

*Whereas*, Union County contractually entered into a lease agreement with Carolina Healthcare System (CHS) in August of 1995 to manage and provide quality healthcare to all Union County citizens and

*Whereas*, CHS has invested more than \$175 million into upgrading existing facilities, new construction and expansion of services at no cost to taxpayers, and

*Whereas*, CMC-Union must pay \$1.4 million dollars to the county annually in the form of lease payments or ten percent of net operating profits, whichever is higher, and

*Whereas*, CMC-Union provided in excess of \$21 million dollars in charitable/indigent care in 2009 and millions in previous years, as required by the lease in 1995 between CHS and Union County, at no cost to taxpayers; and

*Whereas*, the Republican Party abides by the U.S. Constitution and upholds the rule of law, breaking the remaining 10-year term on the current lease would violate such law, and

*Whereas*, the current majority of the Union County Board of Commissioners has contractually engaged Kaufman Hall at a minimum cost to Union County taxpayers of \$300,000 to serve as the county’s broker to sell the hospital; and

*Whereas*, the current Union County Commission majority has ignored the county’s Chief Financial Officer’s advice in a letter dated January 19, 2010, that “paying down existing county debt with rather large penalties, to then only issue new, replacement debt to fund the CIP, would be financially imprudent.”

*Whereas*, the Republican Party believes that sound money management should be our goal and not expansion of new government;

*Now therefore be it resolved*, that the executive committee of the Union County Republican Party does hereby proclaim its opposition to the sale of the CMC-Union facilities.

*In Witness Whereof*, the Union County Republican Party executive committee, upon action through its chairman, Jim H. Bention Sr., has executed this resolution on the 1<sup>st</sup> Day of April, 2010.

---

Jim H. Bention, Sr., Chairman  
Union County Republican Party

Attest:

---

Secretary

Jerry Simpson, who resides at 9512 Simpson Road, Waxhaw, North Carolina, stated he is a candidate for County Commissioner and is opposed to the sale of the hospital. Mr. Simpson stated that in the last several weeks he has spoken with people from a variety of backgrounds and communities throughout the county regarding the Board’s consideration of a sale of the hospital property. He said that with few exceptions all have said they opposed this effort. He stated that as a long-time resident of Union County, he would ask that the Board consider these people and their feelings in the Board’s desire to provide quality healthcare for everyone. He asked that the Board reconsider its plans to sell the hospital property and move quickly to secure an equitable contract extension.

Michelle Phifer from Marshville, North Carolina, stated that she came tonight as a concerned citizen. Ms. Phifer said that she was born and reared in Union County and, after high school, she left and went to college and was away from Union County for 19 years. After she moved to the eastern part of the State, she said she recently moved back to Union County within the last six months. She stated that she has been involved in the healthcare industry for over 12 years and specifically in the pharmaceutical industry. She said she has been inside some of the State's best hospitals as well as some of the nation's leading hospitals. Ms. Phifer said she was here tonight to tell the Board that it does not understand the gem of a hospital that Union County has. She said that CMC-Union is growing stronger every day. She stated that like many others here tonight she has been reading and researching the Board's decisions to propose a sale of the hospital.

Ms. Phifer stated that she had been reading in the newspapers about the meeting that took place last fall attended by Commissioner Kuehler and Commissioner Openshaw. She questioned why the meeting was not held in Union County.

Jonathan Thomas, who resides at 3204 Lawyers Road East, Monroe, North Carolina, said that he has declared his candidacy for County Commissioner. He said he comes tonight as a father and a husband to let the Board know that he cares about his family, which has benefited from the hospital. He said as he has traveled across the county and talked with people from one end to the other, these people are saying "don't sell our hospital." He stated that he was not coming tonight to condemn the Board but to ask the Board to listen to the people who have come to talk tonight.

Louis Phillipi, who resides at 2628 Coastdale Lane in Stallings, said that he had a particular problem with some of the Commissioners regarding the sale of the hospital. He stated that it has been said all along that Kaufman Hall would act as the County's agent to sell or renegotiate the lease and questioned the terms of that contract. He commented regarding the meeting that has been written about in newspaper articles that took place last fall attended by Commissioners Kuehler and Commissioner Openshaw.

Vice Chairwoman Kuehler said that she had a point of clarification that she would like to ask Mr. Phillipi. Chairwoman Rogers reminded the Board to keep in mind that this is not a time for discussion.

Vice Chairwoman Kuehler said that there was information imparted by Mr. Phillipi that was not included in the newspaper articles and was news to her. She asked where he heard the information. Mr. Phillipi responded that he would speak with Vice Chairwoman Kuehler after the meeting.

Chairwoman Rogers introduced Richard Alexander as the next speaker. She said that she appreciates the audience's enthusiasm and applause but asked that the audience hold the applause to about ten seconds so the Board could move through the comments.

Richard Alexander, who resides at 2811 Arrowhead Court in Monroe, said that toward the end of December he opened a Facebook page on stopping the sale of the hospital. He said that within four days over 1,000 people had signed up on that page. He stated that he had heard members of the Board state that they have never heard people in opposition to the sale. He said those people are here and asked the Board to look around at the people in attendance. He stated that he comes before the Board in opposition to the sale of the hospital. He said that as everyone is now aware, the profits from the sale of the hospital will not be used to pay down the debt without substantial penalty. He stated that the sale of the hospital is a bad idea and will only cost the County more money through legal bills and increased spending. He noted that there are 10 years remaining on the lease and any talk about a sale of the hospital only hurts the healthcare that the citizens receive. He said that healthcare cannot stay up with the times if the current lessee cannot recruit, which affects the quality of care.

Mr. Alexander asked that the Board stop the sale of the hospital and focus on the County's real needs: commercial growth and jobs.

Todd Johnson, who resides in Unionville, said he comes before the Board tonight to challenge it to listen to what the people have to say. He said that what the people have said is they do not want the hospital sold. He stated that he came here tonight to again take the stand against the sale of the hospital.

The last speaker registered to speak tonight was Mark DiBiasio, who resides in Wesley Chapel. He addressed the resolution adopted by the Executive Committee of the Republican Party. He stated that prior to the meeting, when the resolution had been adopted, there had been a number of meetings and one where the resolution was brought up. He said that when the full Executive Board was present, the resolution was brought up and tabled because there was not interest in adopting the resolution. He stated that the day before Good Friday, there was a stacked room to put the resolution forward. He said that as a Republican he was offended by the resolution.

Mr. DiBiasio said the idea about not doing the homework and not finding out the value of the property, is not about healthcare; it is about money. He said that by not going through the process to find out what the hospital is worth, it is not known what the lease should be.

With there being comments from the audience that Mr. DiBiasio's three-minute comment period had concluded, Chairwoman Rogers stated that she was very well aware that the time period was up and she was getting ready to ask Mr. DiBiasio to conclude his comments.

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

Vice Chairwoman Kuehler said that Mr. Linker had made a very appropriate comment during his presentation for the Community Benefit Organization when he said that Hospice of Union County does not want other people telling its story, so they have chosen to tell it themselves. She stated that because the resolution that was presented to the Board by the Republican Party Board states facts that are definitely not the Board's story, she moved to add an item to tonight's agenda for discussion of the Resolution and clarification.

Commissioner Mills stated that several meetings ago, Commissioner Openshaw left before a vote was taken on the item involving the Child Support Enforcement Program and the next item following that discussion was the appointments to the Community Trustee Council. Commissioner Mills said that he had been informed that this item would be scheduled for the next meeting. He stated that this item has not been on an agenda and has not been handled at a work session since that time. He respectfully moved that the appointments to the Community Trustee Council be included on tonight's agenda.

Chairwoman Rogers responded that this item could be added to tonight's agenda, but pointed out it was discussed at the last work session, and the Board had requested that CMC-Union provide resumes on the candidates. She said that the Board has not received those resumes. She stated that she would be glad to include the item on tonight's agenda, but that is the reason why it was not on the agenda.

Commissioner Mills stated that he understood Chairwoman Rogers' comments, but stressed that the Board does not receive resumes from any other applicants to Boards. He said that this matter has been ongoing since the time that Dr. Jerry McGee left the Trustee Council in 2008. He said it is an issue that needs to be settled and completed. Therefore, he said he would respectfully ask that it be included on tonight's agenda and that the Board move forward with the appointments.

Commissioner Openshaw moved that Items 3a and 3b from the Consent Agenda under Contracts/Purchase Orders Over \$20,000 be removed from the Consent Agenda and placed on the Regular Agenda: a. Sheriff's Office: Purchase Order to Iron Brigade

Armory for purchase of Universal Night Sights and Mounts and b. Sheriff's Office: Purchase Order to Kopter Supply for purchase of rifles.

Chairwoman Rogers stated that she would call for a vote on each of the items as requested.

Vice Chairwoman Kuehler stated that she had made a motion earlier to add the Resolution presented by the Republican Party Board to tonight's agenda for discussion and clarification. The motion was passed by a vote of four to one. Chairwoman Rogers, Vice Chairwoman Kuehler, Commissioner Mills, and Commissioner Openshaw voted in favor of the motion. Commissioner Baucom voted against the motion.

Chairwoman Rogers stated that Commissioner Mills had requested the addition of the Community Trustee Council Appointments. She asked whether Commissioner Mills wanted the item added for discussion purposes, because the resumes had not been received. 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 called for a vote on the motion by Commissioner Openshaw to move Items 3 a and 3 b from the Consent Agenda and place them on the Regular Agenda. 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.

Chairwoman Rogers placed the additional items on the agenda in the following order:

1. Discussion of the Republican Party Board Resolution – will become Item 8c on the Regular Agenda
2. Consent Agenda Items 3 a and b for the Sheriff's Office – will become Item 10b on the Regular Agenda

With there being no further additions or deletions to the agenda, Vice Chairwoman Kuehler moved to adopt the agenda as amended. The motion was passed unanimously.

**CONSENT AGENDA:**

Vice Chairwoman Kuehler moved to remove the minutes of the regular meeting of November 16, 2009, for corrections and to approve the items listed on the Consent Agenda as amended. The motion was passed unanimously.

**Minutes:** Approved minutes of the special meetings of February 24, 2010, March 25, 2010, March 30, 2010, and the minutes of the regular meeting of March 15, 2010. [Minutes of the regular meeting of November 16, 2009, included in the package were deferred to allow for a correction to be made at the request of Vice Chairwoman Kuehler.]

**Tax Administrator:** Approved the Tenth Motor Vehicle Billing in the Grand Total of \$913,283.96.

**Tax Administrator:** Approved the Ninth Motor Vehicle Refund Register for the Period of March 1, 2010 – March 31, 2010, in the net grand total of \$1,649.77-.

**Tax Administrator:** Approved the Ninth Motor Vehicle Release Register for the Period of March 1, 2010 – March 31, 2010, in the net grand total of \$7,235.89-.

**Tax Administrator:** Approved the Releases for March 2010 in the grand total of \$51,828.88.

RELEASES MARCH 2010

| Acct #             | Name                                 | Release # | Totals          |
|--------------------|--------------------------------------|-----------|-----------------|
| <b>2010</b>        |                                      |           |                 |
| 50015142           | EYECARECENTER OD PA                  | 6299      | <b>398.99</b>   |
| <b>Totals-2010</b> |                                      |           | <b>398.99</b>   |
| <b>2009</b>        |                                      |           |                 |
| 07090002A          | FUNDERBURK MARY EVELYN B<br>TRUSTEE  | 6300      | <b>293.88</b>   |
| 09226013           | HIDALGO JULIO & BRIDGETT P           | 6306      | <b>239.67</b>   |
| 06168054           | ASSOCIATES FINANCIAL SER CO INC      | 6307      | <b>478.65</b>   |
| 04105011           | LANEY WANDA J                        | 6313      | <b>903.74</b>   |
| 09396156           | ADAMS SCOTT D & SANDRA L<br>WILLIAMS | 6314      | <b>1,099.82</b> |



|                    |  |      |                  |
|--------------------|--|------|------------------|
| 02176009A          | UNITED STATES COLD STORAGE INC         | 6317 | 32,264.80        |
| 09031008           | SMITH ETHEL L                          | 6323 | 587.99           |
| 50100495           | SUNBRIDGE CAPITAL                      | 6325 | 1,531.99         |
| 50092845           | SMALL TOWN HANDYMAN SERVICE<br>(THE)   | 6326 | 57.66            |
| 50101580           | MOSER TRAVIS G                         | 6327 | 320.59           |
| 50101378           | LA TIENDA LATINA MISCELANEA            | 6329 | 182.88           |
| 50035829           | S & G QUICK STOP                       | 6330 | 68.29            |
| 50090518           | AMERICA'S TREE SERVICE INC             | 6333 | 4.78             |
| 50072351           | MARTIN EDDIE JAMES                     | 6336 | 334.74           |
| 50093655           | J & J AUTO & RADIATORS                 | 6338 | 8.18             |
| 50102926           | UNION PULMONARY & SLEEP<br>SPECIALISTS | 6337 | 203.76           |
| 50074766           | BRANTLEY DENNIS JR                     | 6339 | 141.73           |
| 02058001C          | SMITH CAROLYN T                        | 6342 | 517.12           |
| 02058001D          | SMITH CAROLYN T                        | 6343 | 517.65           |
| 09222031           | BENNETT BLAKE                          | 6345 | 356.24           |
| <b>Totals-2009</b> |  |      | <b>40,114.16</b> |
| <b>2008</b>        |  |      | -                |
| 06168054           | ASSOCIATES FINANCIAL SER CO INC        | 6308 | 478.65           |
| 09396156           | ADAMS SCOTT D & SANDRA L<br>WILLIAMS   | 6315 | 1,099.82         |
| 03126018           | TREMBLAY JANE S % JANE LEMMON          | 6318 | 665.34           |
| 09031008           | SMITH ETHEL L                          | 6324 | 587.99           |
| 50098444           | S & D PAINT MADE EASY INC              | 6328 | 194.05           |
| 50035829           | S & G QUICK STOP                       | 6331 | 59.41            |
| 50090518           | AMERICA'S TREE SERVICE INC             | 6334 | 4.15             |
| 50074766           | BRANTLEY DENNIS JR                     | 6340 | 92.87            |
| 05042016A          | GRANT LEON C                           | 6344 | 2,852.75         |
| <b>Totals-2008</b> |  |      | <b>6,035.03</b>  |
| <b>2007</b>        |  |      | -                |
| 07090002A          | FUNDERBURK MARY EVELYN B<br>TRUSTEE    | 6301 | -                |

|                     |                                      |      |                  |
|---------------------|--------------------------------------|------|------------------|
| 06030004            | EASTHAMPTON HOMEOWNERS<br>ASSOC INC  | 6304 | 6.09             |
| 06168054            | ASSOCIATES FINANCIAL SER CO INC      | 6309 | 465.52           |
| 09396156            | ADAMS SCOTT D & SANDRA L<br>WILLIAMS | 6316 | 1,083.41         |
| 03126018            | TREMBLAY JANE S % JANE LEMMON        | 6319 | 625.44           |
| 50035829            | S & G QUICK STOP                     | 6332 | 57.11            |
| 50090518            | AMERICA'S TREE SERVICE INC           | 6335 | 0.93             |
| 50074766            | BRANTLEY DENNIS JR                   | 6341 | 116.29           |
| <b>Totals-2007</b>  |                                      |      | <b>2,354.79</b>  |
| <b>2006</b>         |                                      |      | -                |
| 07090002A           | FUNDERBURK MARY EVELYN B<br>TRUSTEE  | 6302 | -                |
| 06030004            | EASTHAMPTON HOMEOWNERS<br>ASSOC INC  | 6305 | 5.48             |
| 06168054            | ASSOCIATES FINANCIAL SER CO INC      | 6310 | 413.99           |
| 03126018            | TREMBLAY JANE S % JANE LEMMON        | 6320 | 565.76           |
| <b>Totals-2006</b>  |                                      |      | <b>985.23</b>    |
| <b>2005</b>         |                                      |      | -                |
| 07090002A           | FUNDERBURK MARY EVELYN B<br>TRUSTEE  | 6303 | -                |
| 06168054            | ASSOCIATES FINANCIAL SER CO INC      | 6311 | 434.68           |
| 03126018            | TREMBLAY JANE S % JANE LEMMON        | 6321 | 560.38           |
| <b>Totals-2005</b>  |                                      |      | <b>995.06</b>    |
| <b>2004</b>         |                                      |      | -                |
| 06168054            | ASSOCIATES FINANCIAL SER CO INC      | 6312 | 413.31           |
| 03126018            | TREMBLAY JANE S % JANE LEMMON        | 6322 | 532.31           |
| <b>Totals-2004</b>  |                                      |      | <b>945.62</b>    |
| <b>GRAND TOTALS</b> |                                      |      | <b>51,828.88</b> |
|                     |                                      |      | -                |

***Tax Administrator:*** Approved corrected releases for February 2010 (approved on March 15, 2010) adjusting the grand total of the releases from \$68,173.84 to \$67,768.19 for a decrease of \$405.65. When the releases for February were reported to the Board of Commissioners, they had not been reconciled to the Outstanding Balance Report. When the Outstanding Balance Report was reconciled, corrections had to be made to comply with the transactions that had occurred on the accounts up until that point in time. These adjustments were made and are shown on the report.

***Contracts/Purchase Orders Over \$20,000:*** Sheriff's Office: Purchase Order to Iron Brigade Armory for the purchase of Universal Night Sights and Mounts (funding to be taken from Sheriff's Federal Forfeiture Funds) – This item was moved to the Regular Agenda at the request of Commissioner Openshaw.

***Contracts/Purchase Orders Over \$20,000:*** Sheriff's Office: Purchase Order to Kopter Supply for purchase of rifles – This item was moved to the Regular Agenda at the request of Commissioner Openshaw.

***Contracts/Purchase Orders Over \$20,000:*** Authorized the Manager to approve Agreement with Ernest B. Abbott for Legal and Regulatory Services Regarding FEMA Issues in an amount not to exceed \$16,500.

***Contracts/Purchase Orders Over \$20,000:*** Authorized Manager to approve Purchase Order with Davenport Group for Public Works Department for the purchase of software for photographing the sewer lines. The purchase order covers the drives and necessary storage and software for installation and backup and is in the amount of \$21,870 after receipt of a \$2,000 discount by adding to current Storage Area Network (SAN) system.

***Lease for Office Space for Child Support Enforcement Office:*** Authorized the County Manager to approve a lease between Union County and Dickerson Realty Corporation for 4,185 square feet of office space in the Dickerson Office Building for the Child Support Enforcement Office, pending legal review.

***Sheriff's Office/Jail – Food Service Contract:*** Authorized the County Manager to send written notice to Aramark Correctional Services, LLC, stating that the County is exercising its unilateral right to extend the County's food services agreement under the same terms and conditions for an additional term of one year that will begin on July 1, 2010, and end on June 30, 2011.

***Motor Vehicle Tax Refunds for March 2010:*** Approved motor vehicle tax refund overpayments for March 2010, in the Amount of \$8,851.84.

**Tax Administrator’s Monthly Report for February 2010:** Approved Tax Administrator’s Monthly Report for February 2010.

**Tax Administrator – Tax Billing and Collection Software Change:** a) Authorized the County Manager to terminate the Software Support Services component of Union County’s Agreement with Manatron, Inc., dated June 17, 2002, as amended by amendments dated February 13, 2004, April 14, 2004, June 16, 2004, August 31, 2004, July 19, 2006, and December 19, 2008; and b) authorized the County Manager to approve the billing and collection contract with Cox and Company subject to legal review.

**Athletic Field Use Fee Schedule for Athletic Fields Managed by the Union County Parks and Recreation Department:** Approved the Athletic Field Use Fee Schedule as set out below:

**ATHLETIC FIELD USE FEE SCHEDULE**

| <u>Non-Tournament Fees</u>  | <u>Fee</u>  |
|---|---|
| County-Wide Annual Athletic Field Use Entrance Permit .....                         | \$20  |
| Three Game Rental Fee for Non-Tournament Play .....                                 | \$110 for UC Residents<br>\$220 for Non-Residents   |
| All previously approved fees remain in effect for “Non-Tournament Play”.            |   |
| <u>Tournament &amp; Play-Off Fees</u>   |   |
| <u>Standard Agreement or Contract (Union County Residents)</u>                      |   |
| Events for up to 100 people and/or 2 games .....                                    | \$200   |
| Events for between 101-200 people and/or three games .....                          | \$250   |
| Events for between 201-300 people and/or up to six games (Jesse Helms Park HP Only) | \$400   |
| Union County Approved Resident Sponsored Events.....                                | Rate Calculated at 50% of<br>Fee listed in this section.  |
| <u>Specialized Agreement or Contract</u>  |   |
| Union County “Friendly” 2-Day Tournament *.....                                     | <p style="text-align: center;"><b><u>Appropriate Fees Yet To Be Determined.</u></b></p> <p>Staff will work directly with the Union County Soccer League to negotiate appropriate field rental and concessions fees for tournaments. Staff will bring those recommended fees back to the BOCC at a later date.</p> |
| Non-Union County “Friendly” 2-Day Tournament *..                                    |   |
| Union County Sanctioned Tournament *.....   |   |
| Non-UC Sanctioned Tournament *.....   |   |
| UC 501C3 Non-Profit Tournaments .....   |   |
| Special Contract Late Agreement Submittal Fee (5 Working Days Required.).....       | \$100 / Day   |

|   |   |
|---|---|
| Set-Up/Tear Down Fee for Extras Days of Field Use .....   | 10%/Day of Agreement Fee  |
| Vehicle Entrance Permit (Max Capacity: 14) for Entire Tournament .....  | \$6.00 Each   |
| <b>Other Athletic Field Related Items</b>   |   |
| Concession Stand Partnership Fees .....   | <i>Appropriate Fees Yet to be Determined</i>                            |
| Additional After Hours Charge per Hour (Max. 4 Hours) .....   | \$50  |
| Tent (Approx. 20' x 30') Rental at Jesse Helms and Fred Kirby Parks .....   | \$150   |
| Hourly rate per person of additional requests (non-prorated) .....  | \$25  |
| Hourly rate for additional machinery tasks .....  | \$25  |
| Any other unforeseen requests will be negotiated with approval of the .....   | Case by Case Basis  |
|   |   |
| <b>Fee Schedule For Jesse Helms Park Athletic Fields<br/>(Tournament and Non-Tournament Play) Through June 2012</b> |   |
|   | <b>Fee</b>  |
| <b>UCAC and UC Local School Teams</b> .....   | Rate Calculated at 50% of Approved Fee thru June 2012.                  |
| <b>Other Non-Profit Teams (Must have a Non-Profit ID Certificate)</b> .....   | Rate Calculated at 50% of Approved Fee thru June 2011.                  |
|   | Rate Calculated at 75% of Approved Fee between July 2011 and June 2012. |
| <b>For Profit Teams</b> .....   | Rate Calculated at 50% of Approved Fees thru June 2011.                 |

**Health Department: Performance-Based Distribution of 2008-2009 Food and Lodging Fees Budget:** Adopted Budget Amendment #44 accepting \$15,608.03 from the North Carolina Department of Environment and Natural Resources.

| BUDGET AMENDMENT   |  |        |                    |   |  |
|--------------------|--|--------|--------------------|---|--|
| BUDGET             | Environmental Health   |        | REQUESTED BY       | Phillip Tarte   |  |
| FISCAL YEAR        | FY2010   |        | DATE               | April 19, 2010  |  |
| <b>INCREASE</b>    |  |        | <b>DECREASE</b>    |   |  |
| <u>Description</u> |  |        | <u>Description</u> |   |  |
| Operating Expenses |  | 15,608 |                    |   |  |
| State Revenue      |  | 15,608 |                    |   |  |
| Explanation:       | Appropriate additional funding for the Environmental Health Food & Lodging Program |        |                    |   |  |
| DATE               |  |        | APPROVED BY        | Bd of Comm/County Manager<br>Lynn West/Clerk to the Board |  |

| FOR POSTING PURPOSES ONLY |                               |               |                    |                         |        |
|---------------------------|-------------------------------|---------------|--------------------|-------------------------|--------|
| <b>DEBIT</b>              |                               |               | <b>CREDIT</b>      |                         |        |
| <u>Code</u>               | <u>Account</u>                | <u>Amount</u> | <u>Code</u>        | <u>Account</u>          |        |
| 10551154-5212-1392        | Wearing Apparel               | 5,000         | 10451154-4413-1392 | State Grant -<br>NCDENR | 15,608 |
| 10551154-5220-1392        | Food & Provisions             | 1,000         |                    |                         |        |
| 10551154-5232-1392        | Audio Visual Supplies         | 500           |                    |                         |        |
| 10551154-5260-1392        | Printing & Office<br>Supplies | 1,050         |                    |                         |        |
| 10551154-5270-1392        | Inventory                     | 3,000         |                    |                         |        |
| 10551154-5290-1392        | Tools & Supplies              | 1,058         |                    |                         |        |
| 10551154-5312-1392        | Travel Subsistence            | 1,000         |                    |                         |        |
| 10551154-5321-1392        | Telephone &<br>Communications | 1,000         |                    |                         |        |
| 10551154-5325-1392        | Postage                       | 1,000         |                    |                         |        |
| 10551154-5395-1392        | Education Expenses            | 1,000         |                    |                         |        |
|                           |                               |               |                    |                         |        |
|                           |                               |               |                    |                         |        |
|                           |                               |               |                    |                         |        |

|  |  |             |        |  |  |        |        |
|--|--|-------------|--------|--|--|--------|--------|
|  |  |             |        |  |  |        |        |
|  |  |             |        |  |  |        |        |
|  |  |             |        |  |  |        |        |
|  |  |             |        |  |  |        |        |
|  |  |             |        |  |  |        |        |
|  |  | Total       | 15,608 |  |  | Total  | 15,608 |
|  |  | Prepared By | bl     |  |  |        |        |
|  |  | Posted By   |        |  |  |        |        |
|  |  | Date        |        |  |  | Number | 44     |

**Call for Public Hearing Regarding Designating the Stallings United Methodist Church as a Historic Landmark:** Approved calling for a Joint Public Hearing with the Union County Historic Preservation Commission regarding the designation of the Stallings United Methodist Church as a Historic Landmark, and directed the Clerk to schedule the hearing at such time as the matter is ready to be heard.

**Social Services: Piedmont Natural Gas “Share the Warmth” Funds:** Adopted Budget Amendment #42 to accept an additional allocation of \$1,585 in “Share the Warmth” Funds.

| BUDGET AMENDMENT   |        |  |  |                 |                |  |  |
|--------------------|--------|--|--|-----------------|----------------|--|--|
|                    |        |  |  |                 |                |  |  |
| BUDGET             | DSS    |  |  | REQUESTED BY    | Dontae Latson  |  |  |
| FISCAL YEAR        | FY2010 |  |  | DATE            | April 19, 2010 |  |  |
|                    |        |  |  |                 |                |  |  |
| <b>INCREASE</b>    |        |  |  | <b>DECREASE</b> |                |  |  |
| Description        |        |  |  | Description     |                |  |  |
| Operating Expenses |        |  |  |                 |                |  |  |



|                           |  |               |                      |   |       |  |
|---------------------------|--|---------------|----------------------|---|-------|--|
|                           |  | 1,585         |                      |   |       |  |
| State Revenue             |  | 1,585         |                      |   |       |  |
|                           |  |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |
| Explanation:              | Appropriate additional State funds for Share the Warmth Fund used to assist families with emergency heating needs. |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |
| DATE                      |  |               | APPROVED BY          |   |       |  |
|                           |  |               |                      | Bd of Comm/County Manager<br>Lynn West/Clerk to the Board |       |  |
| FOR POSTING PURPOSES ONLY |  |               |                      |   |       |  |
| <b><u>DEBIT</u></b>       |  |               | <b><u>CREDIT</u></b> |   |       |  |
| <u>Code</u>               | <u>Account</u>   | <u>Amount</u> | <u>Code</u>          | <u>Account</u>  |       |  |
| 10-553160-5399-1514       | Public Asst-Share the Warmth   | 1,585         | 10-453160-4442-1514  | State Grant-Share the Warmth                              | 1,585 |  |
|                           |  |               |                      |   |       |  |
|                           |  |               |                      |   |       |  |



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

*WHEREAS*, the Board of Commissioners (the “*Board*”) of the County of Union, North Carolina (the “*County*”) adopted a resolution on February 15, 2010, approving a financing team related to (1) the refunding in advance of its maturities all or a portion of four series of County’s General Obligation Bonds issued in 2007 (the “*2007 Bonds*”) and the termination of interest rate swap agreements related to the variable rate 2007 Bonds, (2) the conversion or refunding of the County’s Variable Rate Water and Sewer System Revenue Bonds, Series 2003B (the “*2003B Bonds*”) to a fixed rate and the termination of the interest rate swap agreement related to the 2003B Bonds and (3) the refunding of any other bonds issued by the County or obligations of the County that would produce sufficient net present value savings to the County (collectively, the “*2010 Bond Transactions*”);

*WHEREAS*, among other members of the financing team for the 2010 Bond Transactions, the Board approved First Southwest Company, as financial advisor to the County;

*WHEREAS*, due to certain personnel changes, the Board has determined to replace First Southwest Company with Davenport & Company LLC, as financial advisor to the County for the 2010 Bond Transactions;

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

***Section 1.*** That Davenport & Company LLC, in lieu of First Southwest Company, shall hereby be retained to serve as financial advisor to the County for the 2010 Bond Transactions.

***Section 2.*** Except as otherwise set forth in this Resolution, the Resolution adopted by the Board on February 15, 2010, approving the financing team for the 2010 Bond Transactions is hereby ratified.

***Section 3.*** That this Resolution shall become effective on the date of its adoption.

***Information Only – No Action Required:*** Included in the agenda package with no action required were the following: 1) Union County Department of Inspections’ Monthly Report for March 2010; and 2) Union County Personnel Department’s Monthly Report for March 2010.

## **PUBLIC INFORMATION OFFICER'S COMMENTS:**

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

Mr. Vines commented regarding the following matters:

1. Early voting has begun and is open Monday-Friday through May 1, 2010, at the Monroe Library from 8:30 a.m. until 6:00 p.m. and on Saturdays from 9:00 a.m. until 1:00 p.m. He stated that beginning April 22, 2010, there will be four satellite locations: Wesley Chapel Volunteer Fire Department; Hemby Bridge Volunteer Fire Department; Stallings Volunteer Fire Department; and the Wingate Community Center. Mr. Vines stated that the satellite locations are opened Monday through Friday from 10:00 a.m. to 6:00 p.m. and on Saturdays from 9:00 a.m. until 1:00 p.m.
2. Rain Barrels are for sale by the Master Gardeners. The price for the 60-gallon rain barrels is \$85 and the price for 80-gallon rain barrels is \$100. The rain barrels must be pre-ordered by May 3 and can be picked up on May 8 from 9:00 a.m. to 1:00 p.m. at the Ag Center located on Presson Road. A plant sale will be held on the same date.
3. Rabies clinics will begin on May 1 and will be held on May 1, May 5, May 13, May 15, May 22, and May 26. The cost is \$10 per vaccination. The locations and times are shown on the County's website at [www.co.union.nc.us](http://www.co.union.nc.us).
4. There will be a 4-H Foundation Spring Charity Sale on Saturday, May 1, 2010. Any clubs in Union County that want to earn extra money can sell tickets for five dollars, and three dollars of the five dollars will go to 4-H and two dollars will go to the individual clubs. The tickets will allow the ticket holder access to Belk at the Monroe Mall from 6:00 a.m. to 10:00 p.m. on May 1, and there will be store discounts for 20 to 70 percent with \$5.00 off the first purchase. Anyone wanting tickets can contact Laura Byrd at 704-283-3740.
5. The Sheriff's Office is holding an auto show on the weekend of May 14 with a cruise-in on Friday, May 14, 2010, at 6:00 p.m. at the Motorama Classic Cars on Skyway Drive. The car show will be held on Saturday, May 15 from 8:00 a.m. until. Early registration is \$15 and the date of the show registration will be \$25. For more information, please call the Sheriff's Office at 704-283-3765 or call Deputy Chad Evans at 704-320-4700. All proceeds from the auto show will benefit the Sheriff's Youth Programs.
6. Mr. Vines stated that the Union County Spotlight is showing everyday on UCTV Channel 16, the government channel, which is now featuring Turning Point. He said that "This is Your Court" is also showing on this channel with Judge Chris Bragg. He said that the current shows are interviews with candidates for the North Carolina Court of Appeals. He said that these shows are being aired daily, and the schedule can be accessed on the County's website.

At approximately 8:15 p.m., Chairwoman Rogers called for a short recess in the meeting. At approximately 8:30 p.m., the Chairwoman reconvened the regular meeting.

**OLD BUSINESS:**

**LEGISLATIVE ISSUES:**

*a. Resolution to Adopt Legislative Positions for the Remainder of the 2009-2010 Session of the North Carolina General Assembly*

Al Greene, County Manager, explained that last year Union County and the 14 municipalities coordinated legislative goals to be sent to the County's legislative delegation in Raleigh and to be used at the federal level, if necessary. He said that this year all 14 municipalities have adopted similar resolutions. He stated that staff has drafted a resolution for the Board's consideration that is very similar to last year's resolution. He pointed out that there is a goal regarding municipal annexation authority, and he reminded that last year the Board deleted that goal from the adopted resolution. He noted that the other difference in this year's resolution was the addition of a goal to request that the delegation and legislators respect the local process that has been established to build consensus regarding the future structure of the Board of County Commissioners. He said that with those two exceptions, the resolution included in the agenda package is the same as last year's.

Commissioner Mills asked as a point of clarification the status of the fire fees legislation. He asked if this legislation should be separate or should it be a part of the resolution.

Jeff Crook, Staff Attorney, responded that he thought the fire fees legislation should be separate, and he thought it was still in committee.

Commissioner Openshaw requested that the goal involving municipal annexation be deleted from the resolution.

Mrs. West, Clerk to the Board, stated that she had a draft resolution that did not include the annexation provision. Copies of this resolution were provided to the Board.

Following discussion, Commissioner Mills moved adoption of the Resolution to Adopt Legislative Positions for the Remainder of the 2009-2010 Session of the North Carolina General Assembly as amended with the annexation provision being deleted. The motion was passed unanimously.

**RESOLUTION TO ADOPT LEGISLATIVE POSITIONS FOR THE REMAINDER OF THE 2009-2010 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY**

**THAT WHEREAS**, the clerks, managers, staff and elected leaders of Union County developed a list of legislative positions for Union County local governments for the short session of the 2009-2010 North Carolina General Assembly, and

**WHEREAS**, the fourteen municipal bodies approved resolutions regarding issues important to Union County local governments as well as local governments across North Carolina, and

**WHEREAS**, the Union County Board of Commissioners, after careful consideration, declare the following positions:

- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and counties for transportation funding and maintenance.
- Mental Health – Continue to protect State resources for the provision of mental health, developmental disability, and substance abuse services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that municipalities and counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.

- Diverse Funding for Local Governments – Authorize local governments to utilize various methods of funding in addition to the property tax, and to protect authorized sources of revenue. Specifically protect local revenues from ABC sales, and protect local privilege license tax revenues.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.
- Union County Governance – Respect the local process established by the Union County Commissioners to determine the composition, terms, and governance style of the Union County Board of Commissioners.

**NOW, THEREFORE, BE IT RESOLVED** that the Union County Board of Commissioners hereby adopts this list of legislative positions for the remainder of the 2009-2010 Session of the North Carolina General Assembly.

**BE IT FURTHER RESOLVED** that a copy of this Resolution will be forwarded to all municipal governments in Union County, to Governor Beverly Perdue, to the members of the Union County Legislative Delegation, to the North Carolina Association of County Commissioners, and to the North Carolina League of Municipalities.

Adopted this 19<sup>th</sup> Day of April, 2010.

Attest:

\_\_\_\_\_  
Lynn West, Clerk to the Board  
Union County Board of Commissioners

\_\_\_\_\_  
Kim Rogers, Chairwoman  
Union County Board of Commissioners

*b. Resolution Opposing the Transfer of Responsibility for Secondary Roads to County Governments*

Al Greene, County Manager, explained that for several years, there have been discussions in Raleigh about the idea of passing the responsibility for secondary road maintenance to counties across the State. He said that North Carolina is one of the few states that does not provide authority to counties to own and maintain road systems. He explained the concern for counties' ability to maintain roads is that staff does not have road maintenance experience, equipment, facilities, or revenue source. He stated that it is unclear that if that responsibility was passed down to counties, whether adequate revenue would be provided to the counties to accomplish that goal. He explained that one of the goals that the Board established by resolution states that the County would oppose adding additional requirements or responsibilities to municipalities and counties for transportation funding and maintenance. He stated a large number of counties around the State have adopted specific resolutions on the secondary road issue, because it is such an important issue. Mr. Greene stated that staff has drafted a similar resolution for the Board's consideration opposing the transfer of responsibilities for maintaining secondary roads to the counties.

Following the explanation, Commissioner Baucom moved adoption of the Resolution Opposing the Transfer of the Secondary Road Program to County Governments. The motion was passed unanimously.

#### **RESOLUTION OPPOSING THE TRANSFER OF THE SECONDARY ROAD PROGRAM TO COUNTY GOVERNMENTS**

**THAT WHEREAS**, since 1931, the State of North Carolina has provided a quality program for building, improving, and maintaining interstate, primary, and secondary roads, and

**WHEREAS**, Union County Government has no experience, facilities, equipment, or financial resources to assume responsibility for those transportation functions that have been traditionally provided by the State of North Carolina, and

**WHEREAS**, S758 (Transfer Secondary Roads to Counties) was filed in 2009 and, if enacted, would require counties to assume maintenance costs for secondary roads, and a 2007 Justification Review by the General Assembly's Fiscal Research Division recommended that Trust Funds designated for secondary roads be redirected to the state's strategic or highest priority roads, resulting in a system whereby county officials would bear taxing responsibility for a program that would offer little accountability to those same county officials, and

**WHEREAS**, 1,415 miles of secondary roads require maintenance, resurfacing, paving, and other enhancements in Union County, currently requiring an estimated \$9.9 million annually with no additional program enhancements, and



**WHEREAS**, if the State transferred the overall management and oversight of this program to Union County, additional funds would be required from the public in order for the County to initially procure equipment, skilled employees and management, maintenance facilities, legal and administrative support; resulting in a much more expensive program overall for the first 10 years of Union County's management of the secondary road system, and

**WHEREAS**, the Union County Board of Commissioners share the same budget pressures that face the State of North Carolina, and additional mandates, programs, or funding requirements will reduce the County's ability to properly fund and manage traditional county services, such as public safety, public utilities, and education.

**THEREFORE BE IT RESOLVED** that the Union County Board of Commissioners strongly opposes transferring responsibility for funding and/or managing the Secondary Road Program from the State and the Department of Transportation to county governments.

**BE IT FURTHER RESOLVED** that a copy of this Resolution will be forwarded to all municipal governments in Union County, to Governor Beverly Perdue, to the members of the Union County Legislative Delegation, to the North Carolina Association of County Commissioners, and to the North Carolina League of Municipalities.

Adopted this 19<sup>th</sup> Day of April, 2010.

Attest:

---

Lynn West, Clerk to the Board  
Union County Board of Commissioners

---

Kim Rogers, Chairwoman  
Union County Board of Commissioners

At this time, Commissioner Mills pointed out that representatives of Greiner Vacquette were present and asked the Chairwoman if it were possible to accelerate this item on the agenda from #14. Chairwoman Rogers said if there were no objections from the Board, that item would be moved to Item 10 a on the agenda, and Item 10a and 10b, moved from the Consent Agenda, would be moved accordingly.

Chairwoman Rogers asked Mr. Crook, Senior Staff Attorney, if a motion were necessary to suspend the rules for placement of the items on the agenda. Mr. Crook responded that a motion was not necessary, and it was the Chair's prerogative.

**DISCUSSION OF RESOLUTION OPPOSING THE SALE OF THE HOSPITAL ADOPTED BY THE REPUBLICAN PARTY (This item was added to the agenda at the request of Vice Chairwoman Kuehler):**

Vice Chairwoman Kuehler said that the Republican Board's resolution as presented includes statements that she has trouble with accepting. She reviewed in detail the inaccuracies within each clause, except for the first one, which was acceptable.

Following her comments, Chairwoman Rogers as well as all other Commissioners fully addressed their issues and concerns of the resolution and were given the opportunity to counter statements and express their opinions with the Chairwoman maintaining discussion to the subject.

Vice Chairwoman Kuehler said that the Commissioners could split hairs about everything that has happened outside the resolution, but the resolution, for the reasons she had stated, is not factually correct, and, therefore, she would move that the Board reject acceptance of the resolution.

Chairwoman Rogers said she did not know if there should be any rejection of the resolution, but she would not object to taking the position of opposing the resolution because of the inaccuracies contained therein.

Chairwoman Rogers repeated that there is a motion on the floor to oppose the Republican Board's Resolution outlining its position based on the inaccuracies within the resolution.

Commissioner Baucom questioned whether this was the only resolution that was being objected to.

Vice Chairwoman Kuehler stated only two resolutions have been presented to the Board, both of which were presented tonight, and she did not find any factual inaccuracies in the resolution presented by Marshville.

Chairwoman Rogers stated that from her perspective not rejecting Marshville's resolution is not an acceptance of it, but to have a resolution with so many inaccuracies and incorrect information coming from the Republican Party, of which she is a member, is why she would support the motion.

Vice Chairwoman Kuehler stated that Marshville's resolution was based more on the Council's feelings as the citizenry, and she was not going to argue with how they feel, but they did not state any flat out inaccuracies. She said that she respected what they had to say.

Commissioner Mills said that he thought there had been a statement in the Democratic Party's resolution that was being researched that the hospital land was given by the United States Government to the City of Monroe based on the 1945 Reclamation Act. He asked if this had been confirmed to be factual.

Chairwoman Rogers questioned whether Commissioner Mills wanted to make a motion to reject the Democratic Party's resolution. Commissioner Mills questioned whether the same scrutiny was being made to all the resolutions coming forth or just to the one presented by the Republican Party's Board.

Vice Chairwoman Kuehler responded that the Democratic Party's resolution had not been presented in an open meeting, and it was e-mailed to the Board as many of the others had been. She said that the Republican Party Board's Resolution and Marshville's Resolution were presented in an open meeting which was why she had been focused on these two.

Chairwoman Rogers asked Mr. Merritt if he wanted to respond to Commissioner Mills' question about the information contained in the Democratic Party's resolution. Mr. Merritt stated that there are statements in those deeds with respect to how the property was transferred. He said the property was originally transferred to Monroe and then to Union County, and with respect to a discussion of the legal effect of those documents, he thought that would be a closed session discussion for the Board if he were to give his legal opinion with respect to how they operate.

Commissioner Openshaw added that even though he had his doubts about the Republican Board's Resolution, it did pass the Executive Committee. He said that he did not believe it is the Board of Commissioners' place to tell them that it is invalid. He stated

that while it is full of factual inaccuracies, and that goes to the level of credibility that the Board of Commissioners gives to it, he said that he did not feel comfortable condemning the Republican Board for its action from the perspective that the resolution was passed at that meeting.

Following the lengthy discussion, the motion made by Vice Chairwoman Kuehler failed by a vote of two to three. Chairwoman Rogers and Vice Chairwoman Kuehler voted in favor of the motion. Commissioners Baucom, Mills and Openshaw voted against the motion.

### **RECOMMENDATION FOR AGENDA SOFTWARE:**

Prior to the presentation of this item, Commissioner Baucom asked if Greiner Bio One could be moved ahead of this item. Chairwoman Rogers responded that Greiner Bio One would be the next item after this one.

Al Greene, County Manager, explained that staff has been looking for software alternatives that would assist in the efficiency of the agenda development and the minutes preparation process and the ease with which citizens can view meetings on the website by assessing items of specific interest discussed during the meetings without having to watch the entire meeting.

He stated that a Request for Proposals was developed, and it was important to have an integrated turnkey solution where one vendor provides the software. He recapped that at the March 15, 2010, meeting, the staff had recommended the purchase of the software package offered by SIRE Technologies. He stated that action was deferred and staff was asked to look at a competing software package that is in use in North Carolina. He said that staff had looked at that software and has spoken with jurisdictions in Union County and in North Carolina that use the software. He stated that particular software does not offer the agenda development. He said that based on the comments received, it is not believed that the software would be extremely helpful for the County's purposes.

Mr. Greene noted that two of the proposals received offer the other software alternative, but when adding the full-loaded cost of the software, their cost was more than the SIRE Technologies proposal. He stated the cost of the SIRE Technologies software with the first year maintenance is \$71,534, and there would also be additional purchases of hardware and license agreements.

Mr. Greene reviewed the proposed costs of the software with first year maintenance of \$71,534; hardware and license at an estimated cost of \$73,000; and some audio and video work that would need to be completed in both the first floor Conference Room

and the Personnel Training Room in order to have improved audio recordings of the work sessions at an estimated cost of \$10,000. He said that the total acquisition costs are estimated at \$154,000 plus some change. He stated that \$33,000 had been budgeted with a shortfall of \$121,676. He said that the five-year costs with annual maintenance of the SIRE Technologies software are \$113,930. He stated that to hire additional staff or to hire a court stenographer would easily cost more than the proposal over time. Mr. Greene stated that after looking at the alternate technology, as requested by the Board at the March 15, 2010, meeting, staff is asking that the Board consider approving the original recommendation.

Vice Chairwoman Kuehler moved to: 1) Direct the Clerk to prepare action-oriented minutes; 2) Direct staff to record and provide audio recordings of the Board’s work sessions on the Internet via the minute index feature; 3) Adopt Budget Ordinance Amendment #41, as recorded below; 4) Authorize the Manager to approve license and software maintenance agreements with SIRE Technologies pending legal review; 5) authorize the Manager to approve the purchase of additional equipment, as necessary, to accommodate the SIRE Technologies’ Agenda and Meeting Management System, including but not limited to hardware, software and licenses; and 6) provide that this action supersedes the action regarding this matter taken on March 15, 2010, which action is hereby rescinded. The motion was passed unanimously.

| <b>BUDGET AMENDMENT</b>   |                               |         |                           |                       |         |
|---------------------------|-------------------------------|---------|---------------------------|-----------------------|---------|
|                           |                               |         |                           |                       |         |
| <b>BUDGET</b>             | <b>Central Administration</b> |         | <b>REQUESTED BY</b>       | <b>Kai Nelson</b>     |         |
| <b>FISCAL YEAR</b>        | <b>FY2010</b>                 |         | <b>DATE</b>               | <b>March 15, 2010</b> |         |
|                           |                               |         |                           |                       |         |
| <b><u>INCREASE</u></b>    |                               |         | <b><u>DECREASE</u></b>    |                       |         |
| <b><u>Description</u></b> |                               |         | <b><u>Description</u></b> |                       |         |
| Capital Expenditures      |                               | 121,676 | Debt Service              |                       | 121,676 |
|                           |                               |         |                           |                       |         |
|                           |                               |         |                           |                       |         |





**CONSIDERATION OF ECONOMIC INCENTIVE GRANT AWARD – GREINER VACUETTE NORTH AMERICA, INC. IN A TOTAL AMOUNT NOT TO EXCEED \$126,464 (The placement of this item on the agenda was accelerated from Item 14):**

Chairwoman Rogers stated that the public hearing on the proposed incentive award was held earlier in the meeting. She recognized Al Greene, County Manager, to explain the recommended action.

Mr. Greene explained that typically when the Board authorizes staff to develop agreements for economic development incentives, one of the agreement provisions would be if the company does not reach its targeted investment goal, which in this situation would be \$21 million, if it achieves no less than 75 percent of that goal, there would still be an economic development incentive grant to be prorated based on the investment. He said that at 75 percent of its goal, Greiner would still have a substantial investment in the County should it not be able to reach its original goal of \$21 million. He stated the recommended action for the Board to consider would be to direct staff to draft an agreement with Greiner Vacuette and to authorize the Manager to approve the grant agreement with the provision that if the company achieves 75 percent of the targeted investment of \$21 million that the incentive grant would be prorated based on the lower amount.

Following the explanation, Commissioner Baucom moved to approve an economic incentive grant award to Greiner Vacuette North America, Inc. in a total amount not to exceed \$126,464 and to authorize the County Manager to approve a grant agreement with Greiner Vacuette with the parameters requiring that the company achieve and maintain a net taxable increase in equipment value of at least \$21 million over a three-year period beginning in 2011 and provide up to 85 new jobs over a five-year period beginning in 2010, and to maintain investment levels and jobs created throughout the grant period. The motion further provided that the grant agreement include a provision that in the event the Company is unable to achieve its full investment goal of \$21 million but achieves 75 percent of the targeted investment of \$21 million, the incentive grant would be prorated based on the lower amount.

Vice Chairwoman Kuehler offered congratulations to Greiner Vacuette for being able to grow in today's economy.

Chairwoman Rogers thanked Greiner Vacuette for being a part of Union County.

Commissioner Openshaw expressed appreciation to the company for creating 85 jobs in Union County.



Commissioner Baucom expressed appreciation to Rick McInnis, a representative of Greiner Vacuette, for all the contributions of Greiner Vacuette. He also expressed appreciation to the Union County Partnership for Progress and Monroe Economic Development for their unified work on this project.

Following the discussion, the motion was passed unanimously.

**CONSIDER PROCLAMATION HONORING MS. ELSIE CHAMBERS ON HER 105<sup>TH</sup> BIRTHDAY AND PROCLAIMING APRIL 28, 2010, AS “ELsie CHAMBERS DAY” IN UNION COUNTY:**

Chairwoman Rogers recognized Commissioner Baucom to read the proposed proclamation into the record.

Following the reading of the proclamation, Commissioner Baucom moved to adopt the following proclamation, which was passed unanimously:

***Elsie Chambers Proclamation***

WHEREAS, Mrs. Elsie Chambers was born in Union County one hundred five years ago on April 28, 1905;

WHEREAS, Mrs. Elsie Chambers has lived through more than a full century that included the Great Depression, World War I, World War II, the first moon landing and a multitude of technological advancements;

WHEREAS, to all who know her, Mrs. Chambers has always believed strongly in doing what is right and has always been a humble, kind and loving lady;

WHEREAS, for more than 50 years, Mrs. Chambers has been a member of Flintridge Baptist Church where she served as Head Usher until the age of 90 and is recognized as the Mother of the Church;

WHEREAS, Mrs. Elsie Chambers, daughter of Joe and Mary Caudle; sister of seven siblings; and wife of Joe Chambers is cherished by a host of family and friends near and far;

WHEREAS, a celebration of her one hundred fifth birthday with family and friends is scheduled for Saturday, April 24, 2010, at Flintridge Baptist Church, Marshville, North Carolina;

NOW, THEREFORE, we, the Union County Board of Commissioners, do hereby congratulate Mrs. Elsie Chambers on her 105<sup>th</sup> Birthday and proclaim April 28, 2010 as Elsie Chambers Day in Union County.

ATTEST:

By:

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

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

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

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

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

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

Commissioner Baucom stated that he has been invited to speak at the celebration in honor of Ms. Chambers on Saturday, April 24, 2010, at 5:00 p.m. at Flintridge Baptist Church and was asked to invite the other Commissioners to attend. He expressed appreciation to the other Board members for the unanimous vote on this item.

**CONTRACTS/PURCHASE ORDERS OVER \$20,000 (These items were moved from the Consent Agenda to the Regular Agenda at the Request of Commissioner Openshaw):**

- a. *Sheriff's Office: Purchase Order to Iron Brigade Armory for the Purchase of Universal Night Sights and Mounts (Funding to be taken from Sheriff's Federal Forfeiture Funds)*
- b. *Sheriff's Office: Purchase Order to Kopter Supply for the purchase of rifles*

Chairwoman Rogers recognized Commissioner Openshaw for his comments regarding these items, since he had requested that they be moved from the Consent Agenda to the Regular Agenda.

Commissioner Openshaw said he had requested that these items be brought forward on the regular agenda because these were expenditures for night vision equipment and rifles for the Sheriff's Office, and these purchases were at no expense to the taxpayer and requested that Sheriff Cathey address these items.

Sheriff Cathey stated that an anonymous donor had contributed \$50,000 to the Sheriff's Office Special Response Team to update its weaponry. He explained that the night vision equipment was being funded through the Sheriff's Federal Forfeiture Funds. He said the remainder of the funds will be used to rework the existing weapons so they can be used out in the field.

Following the explanation, Commissioner Mills moved to authorize the County Manager to approve: a) Purchase Order to Iron Brigade Armory for the purchase of Universal Night Sights and Mounts; and b) Purchase Order to Kopter Supply for the purchase of rifles. The motion was passed unanimously.

**REQUEST FROM NATIONAL ALLIANCE ON MENTAL ILLNESS FOR PROCLAMATION PROCLAIMING MAY AS MENTAL HEALTH MONTH:**

Chairwoman Rogers stated that a proposed proclamation was included in the agenda package and asked if the County Manager had any comments. Mr. Greene responded that Rebecca Kramis, President of the Union County National Alliance on Mental Illness, was present tonight.

Following the reading of the proposed proclamation by Chairwoman Rogers, Vice Chairwoman Kuehler moved adoption of the following proclamation, which was passed unanimously:

**MAY AS MENTAL HEALTH MONTH  
2010**

**BY THE UNION COUNTY BOARD OF COMMISSIONERS**

**A PROCLAMATION**

WHEREAS, severe mental illnesses such as schizophrenia, bipolar disorder, major depression, obsessive-compulsive disorder, severe anxiety disorders, borderline personality disorder, and post-traumatic stress disorders affect a total of 6% of North Carolina’s adult population each year; and

WHEREAS, North Carolina’s Local Management Entities (LME) served a total of 96,296 children and 145,572 adults with severe mental illnesses in 2009 making mental illness more common than cancer, diabetes, and heart disease; and

WHEREAS, at least 30 to 40% of Iraq veterans, or about half a million people, will face a serious psychological wound, including depression, anxiety, or PTSD while less than 40% of these troops are getting treated.

WHEREAS, the best treatments for serious mental illnesses today are highly effective with 70-90% of individuals having a significant reduction of symptoms and improved quality of life with a combination of pharmacological and psychosocial treatments and supports; and

WHEREAS, Citizens of North Carolina should work together to help fight the stigma surrounding mental illness and discrimination from societal prejudice

NOW, THEREFORE BE IT RESOLVED, that the Union County Board of Commissioners does hereby proclaim the month of May, as “MENTAL HEALTH MONTH” in UNION COUNTY to increase public awareness of severe mental illnesses and their treatments that can result in recovery.

Adopted this 19<sup>th</sup> day of April, 2010.

ATTEST:

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

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

Ms. Kramis approached the podium and expressed appreciation to the Board for adopting the proclamation. She stated that the number one goal of National Alliance on Mental Illness (NAMI) is to educate the community. She said that mental illness is going to be the next largest disease by 2020 other than heart disease.

### **UPDATE BY PRESBYTERIAN HOSPITAL MATTHEWS:**

Roland Bibeau, President of Presbyterian Hospital Matthews, introduced Paula Vincent, Chief Nursing Officer and Senior Vice President of Operations.

Mr. Bibeau and Ms. Vincent presented the 2010 Annual Update for Presbyterian Hospital Matthews. The presentation included updates on the following areas:

- Presbyterian Physician Practices within Union County (presented by Roland Bibeau)
- Charity Care (presented by Paula Vincent)
- Designations (presented by Paula Vincent)
  - Primary Stroke Center for Excellence
  - Level III Chest Pain Center
  - Magnet Designation: Nation's Highest Honor for Nursing Excellence
- Awards (presented by Paula Vincent)
  - 197 Awards for Excellence in Healthcare for employee satisfaction, patient and physician satisfaction
  - Recognized by *The Charlotte Business Journal* as one of the top five "Best Places to Work"
- How Presbyterian Hospital Matthews is reaching out to those in need: (presented by Paula Vincent)
  - Mobile pediatric health clinic treating uninsured and underinsured children in Union County
  - J. Ray Shute Center on the second Monday of every month
  - Treated over 300 children at the J. Ray Shute Center
- Community Partnerships (presented by Roland Bibeau)
  - City of Monroe Employee Health Clinic
    - ❖ Medical care on a walk-in basis for City of Monroe employees
  - Monroe Aquatics & Fitness Center

- ❖ Presbyterian Hospital Matthews Wellness Center
  - ❖ Health & wellness education, free screenings
  - ❖ Diabetes support group (held at Ellen Fitzgerald Center)
- Wingate University
  - ❖ Pharmacy and Physician Assistant Programs
  - ❖ Medical directorship
  - ❖ Community Health Alliance membership
  - ❖ Wellness program partnership
- Union County School System
  - ❖ Sports screenings
  - ❖ Community services benefit – Certified Athletic Trainers
  - ❖ Athletic Trainer Program
- Involvement with Union County Schools (presented by Roland Bibeau)
  - Sports Physicals Day
    - ❖ May 30, 2009
    - ❖ 159 free sports physicals provided to students in need
    - ❖ This year's event scheduled for May 22 9:a.m. to 2:00 p.m. at Monroe High School
  - Life-Saving Medical Equipment Donations
    - ❖ 7 automated External Defibrillators (AEDs)
    - ❖ Spineboards and other medical supplies
  - Education and Training
    - ❖ Sports injuries Seminar and AED Training provided to nearly 300 coaches and first responders
- Partnering with Local Organizations to Give Back (presented by Roland Bibeau)
  - Festival of Trees
    - ❖ Featured 37 Trees
    - ❖ Included 35 vendors/organizations; four from Union County including the Union County Red Cross and Wingate University
    - ❖ Raised \$3,399 for the PHM Foundation
    - ❖ Seven needy families in the Matthews and Monroe were recipients of a decorated holiday tree
- Staying involved and being active in Union County Organizations such as the Union County Chamber of Commerce Board of Directors, Rotary Club, Union County Community Arts Council, etc.

Following the conclusion of the presentation, time was allowed for questions by the Commissioners.

No action was taken.

**DRAFT ROCKY RIVER COMPEHENSIVE TRANSPORTATION PLAN:**

- a. A Resolution for Adoption of Union County Comprehensive Transportation Plan (Rural Section)*
- b. Resolution to Reaffirm the Union County Land Use Plan for the Purpose of Adoption of the Union County Comprehensive Transportation Plan (Rural Section)*

Chairwoman Rogers stated that a public hearing was held earlier in the meeting regarding the Draft Rocky River Comprehensive Transportation Plan.

Commissioner Baucom moved to adopt in block the following: a) A Resolution for Adoption of Union County Comprehensive Transportation Plan (Rural Section); and b) Resolution to Reaffirm the Union County Land Use Plan for the Purpose of Adoption of the Union County Comprehensive Transportation Plan (Rural Section). The motion was passed unanimously.

**A RESOLUTION FOR ADOPTION OF UNION COUNTY COMPREHENSIVE TRANSPORTATION PLAN (RURAL SECTION)**

WHEREAS, the Union County Board of County Commission is the duly recognized policy board for Union County; and

WHEREAS, the North Carolina Department of Transportation Planning Branch has completed the Union County Comprehensive Transportation Plan (Rural Section) in March 2010; and

WHEREAS, the Union County Comprehensive Transportation Plan (Rural Section) is consistent with the local use of plans, the Rocky River Rural Planning Organizations transportation needs and the statewide transportation plan; and

WHEREAS, the Union County Board of County Commission has provided for a public comment period for the proposed Comprehensive Transportation Plan based on the Rocky River Rural Planning Organization's Public Participation Plan adopted on November 15, 2007; and

NOW, THEREFORE BE IT RESOLVED that the Union County Board of County Commission hereby adopts the Union County Comprehensive Transportation Plan (Rural Section).

Adopted this the 19<sup>th</sup> day of April, 2010.

Attest:

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

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

**A RESOLUTION TO REAFFIRM THE UNION COUNTY LAND USE PLAN FOR THE PURPOSE OF ADOPTION OF THE UNION COUNTY COMPREHENSIVE TRANSPORTATION PLAN (RURAL SECTION)**

WHEREAS, the Union County Board of Commissioners (the “Board”) adopted the Union County Land Use Plan on September 21, 1998 (the “Land Use Plan”); and

WHEREAS, the Land Use Plan remains in effect pending development and adoption of a new land use plan; and

WHEREAS, the North Carolina Department of Transportation Planning Branch completed the Union County Comprehensive Transportation Plan (Rural Section) (the “Comprehensive Transportation Plan”) in March 2010; and

WHEREAS, the Board is considering adoption of the Comprehensive Transportation Plan; and

WHEREAS, it is provided by N.C. Gen. Stat. § 136-66.2(b1) that the “Department of Transportation may participate in the development and adoption of a transportation plan or updated transportation plan *when all local governments within the area covered by the transportation plan have adopted land development plans within the previous five years,*” [Emphasis Added]; and

WHEREAS, the Department of Transportation has indicated that this requirement will be satisfied upon adoption by the Board of a resolution reaffirming the Land Use Plan; and

WHEREAS, the Union County Board of Commissioners desires to reaffirm its Land Use Plan for the limited purpose of adopting the Comprehensive Transportation Plan; and



WHEREAS, this reaffirmation of the Land Use Plan shall apply only to adoption of the Comprehensive Transportation Plan and shall not have any application beyond adoption of such plan; and

WHEREAS, the Land Use Plan shall remain in effect until such time as the Board resolves otherwise.

NOW, THEREFORE BE IT RESOLVED BY THE UNION COUNTY BOARD OF COMMISSIONERS that the Land Use Plan is reaffirmed for the limited purpose of adopting the Comprehensive Transportation Plan.

Adopted this 19th day of April, 2010.

ATTEST:

By:

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

\_\_\_\_\_  
Kim Rogers, Chair of the Union County  
Board of Commissioners

**UNION COUNTY PARTNERSHIP FOR PROGRESS QUARTERLY UPDATE:**

Maurice Ewing, President and Chief Executive Officer of Union County Partnership for Progress, stated that tonight's presentation is based largely on questions that they received several months ago from the Board of Commissioners. Mr. Ewing and Michael Trotter, Interim Director of Client Services with the Union County Partnership for Progress, presented the quarterly update. The presentation included an overview of the Union County Labor Force, marketing activities, community development activities, performance of companies receiving incentives, economic development strategic planning in Union County, and client activity (new client activity and business retention and expansion).

Mr. Ewing extended an invitation to the Commissioners to attend the Investors Forum on Thursday, April 29, 2010, at 12:00 noon at Rolling Hills Country Club with John Connaughton as the speaker.

Mr. Ewing stated that the last time the Partnership for Progress had updated the Board, Chairwoman Rogers asked for a report on how the companies that had received incentives from the County had performed financially. He stated that he had thought this

project would be simple; however, it has turned out to be more complicated in the data gathering stages than expected. He said that he hoped to have that report available for the Board in two weeks.

Mr. Trotter presented the Board with an overview of the client services.

At the conclusion of the presentation, Mr. Ewing and Mr. Trotter answered questions asked by the Commissioners.

Vice Chairwoman Kuehler asked Mr. Trotter and Mr. Ewing for a listing of the business leaders involved with the Partnership for Progress. Mr. Ewing responded that he has a list and he would be happy to provide that listing to the Board. He stated that there were 22 names on that list.

Mr. Ewing said that some time ago he heard a comment that Union County had never been studied for Economic Development. He stated that he had been involved in at least one of the studies. He presented the Board with a binder which included copies of all of the economic development studies related to economic development in Union County that he has been able to locate. He said the issue at this time is not the lack of buildings but the lack of quality buildings such as the one that Greiner Bio One is going to expand on its site.

No action was taken by the Board regarding the presentation.

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

Chairwoman Rogers read vacancies on the following boards and committees:

- a. Adult Care Home Advisory Committee (at least 3 Vacancies)
- b. Agricultural Advisory Board (3 Vacancies Expiring June 2010)
- c. Union County Industrial Facilities and Pollution Control Financing Authority (3 vacancies for terms expiring May 2010)
- d. Juvenile Crime Prevention Council:
  1. Substance Abuse Professional
- e. Nursing Home Advisory Committee (at least 1 Vacancy)

- f. Parks and Recreation Advisory Committee (1 vacancy for a member with a physical disability and 1 vacancy for a term expiring February 2011)
- g. Region F Advisory Committee (1 Vacancy for a regular member and 1 vacancy for an alternate member, both as of June 30, 2010)
- h. Social Services Board (1 Vacancy as of June 2010)
- i. South Piedmont Community College (SPCC) Board of Trustees as of June 30, 2010

**APPOINTMENTS TO BOARDS AND COMMITTEES:**

- a. Nursing Home Advisory Committee*
- b. Adult Care Home Community Advisory Committee*

Commissioner Openshaw moved to appoint Dorothy Fumo and Mary Marshall for the Nursing Home Advisory Committee. Commissioner Openshaw further moved to appoint Mary Edith Bradley to serve on the Adult Care Home Community Advisory Committee.

Chairwoman Rogers called for a vote on the nominations of Dorothy Fumo and Mary Marshall to serve on the Nursing Home Advisory Committee. With there being no further nominations, the motion passed unanimously.

Chairwoman Rogers called for a vote on the nomination of Mary Edith Bradley to serve on the Adult Care Home Community Advisory Committee. With there being no further nominations, the motion passed unanimously.

- c. Criminal Justice Partnership*

Chairwoman Rogers nominated Marcella Savage to serve on the Criminal Justice Partnership to fill a member at large position. With there being no further nominations, the motion passed unanimously.

***Motion to Reconsider Appointments to the Nursing Home Advisory Committee and the Adult Care Home Advisory Committee:***

Commissioner Openshaw moved to reconsider the vote on the appointments of Mary Marshall to the Nursing Home Advisory Committee and the appointment of Mary Edith Bradley to the Adult Care Home Community Advisory Committee to reverse the

appointments of Mary Marshall to serve on the Adult Care Home Community Advisory Committee and the appointment of Mary Edith Bradley to serve on the Nursing Home Advisory Committee. He stated that in reviewing the application of Mary Edith Bradley, she had indicated a preference to serve on the Nursing Home Advisory Committee. The motion was passed unanimously.

*d. Industrial Facilities and Pollution Control Financing Authority (Two Vacancies for Unexpired Terms Ending in May 2014)*

Chairwoman Rogers nominated Nicholas Paquette and Patricia Ann Terwilliger to serve on the Industrial Facilities and Pollution Control Financing Authority.

Commissioner Baucom nominated Hoss Hinson and Don Kerr to serve on the Industrial Facilities and Pollution Control Financing Authority.

Chairwoman Rogers called for a vote on the nominations of Nicholas Paquette and Patricia Ann Terwilliger. Nicholas Paquette and Patricia Ann Terwillinger received three votes: Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw.

With Mr. Paquette and Ms. Terwillinger having received three votes, a vote was not taken on the nominations of Hoss Hinson and Don Kerr.

*e. Home and Community Care Block Grant Advisory Committee*

Commissioner Openshaw nominated Richard Gardner to serve on the Home and Community Care Block Grant Advisory Committee. With there being no further nominations, the motion passed unanimously.

**MANAGER'S COMMENTS:**

Al Greene, County Manager, stated that the Commissioners were sent an invitation recently from CMC-Union to visit the CMC-Steele Creek Emergency Department facility in Mecklenburg County on Friday, April 23, 2010. He said that if a majority of the Board plans to attend, there would need to be a special meeting notice prepared. He asked that if the Commissioners planned to attend, that they notify either Mrs. West or him by Tuesday morning.

Vice Chairwoman Kuehler pointed out that an agenda review meeting was scheduled for that time and asked if that meeting would be rescheduled. She said that she had been designated to participate in the discussions about the Waxhaw Emergency Department and that she thought it was important that she visit the Steele Creek facility, but pointed out she was also supposed to attend the agenda meeting.

Chairwoman Rogers agreed that the agenda meeting could be rescheduled and asked that the staff let her and Vice Chairwoman Kuehler when the meeting could be rescheduled.

### **COMMISSIONERS' COMMENTS:**

Commissioner Mills requested a copy of the tape from the Board's regular meeting of October 19, 2009. He said that Mr. Phillipi had pointed out that comments had been made that Commissioner Kuehler and Commissioner Openshaw did not attend a meeting or denied meeting regarding the hospital in October. He stated that he wanted to hear that for himself prior to asking that the Board move forward with an ethics violation investigation due to the trustworthiness Cannon No. 2 in the Board's Ethics Policy.

Commissioner Baucom encouraged everyone to vote. He said that early voting has begun. He said it is a right, a privilege, and a responsibility for the citizens to vote. He stated there are a lot of important decisions to be made that will have an impact on the County for a long time.

Commissioner Openshaw commented about the dirty politics that were taking place. He said that he was misquoted in the article which appeared recently in *The Union County Weekly*. He stated that his conversation with the reporter was that he knew it was an issue because he had received a telephone call from Commissioner Kuehler who was angry about the misrepresentation. Commissioner Openshaw said he had no comment; they are just trying to make us look like the bad guys. He stated that he did not know how the rest had evolved. He said that other than that, the article in *The Union County Weekly* was very well researched, and Brian Carlton had done a good job talking with the School of Government and the County Manager in debunking the dirty politics. He stated that the real story should be the history of dirty politics.

He addressed the Republican Board's resolution. He said it was impossible to ignore the lack of accuracy of the facts that have been heard in this campaign. He stated that as far as the meeting with Regional Care, the person from Regional Care was directed to him as the Chairman of the Board of Commissioners by the Chairman of the Board of Trustees for the hospital. He said he thought

the representative of Regional Care had asked to meet with him to talk about a hybrid program where they could offer a situation where they could be a capital partner with the County. He stated that yes, they had met at Ballantyne Resort, and he has gotten into the habit of taking another Commissioner with him when he attends these types of meetings. He assured that there was no corporate jet involved; there was no secret meeting. Commissioner Openshaw said that at the October 19, 2009, regular Board of Commissioners' meeting, Commissioner Baucom asked questions about the meeting. He said that he did not meet with an advisory board company, and the audio tape of the meeting would bear that out.

He concluded by concurring with Commissioner Baucom's comments about early voting.

Vice Chairwoman Kuehler said that she meets with citizens, business owners, sales people, homeowners association's representatives, and that gathering information and talking with people are a part of a Commissioner's position. She said that she did meet with Regional Care and had never denied meeting with them. She stated that it certainly was not a secret meeting, and she was asked by the Chair of the Community Trustee Council to meet with Regional Care. She said that was the main reason she had met with them, and the second reason she had met with them was, as Commissioner Openshaw had stated, they were offering some information that was not a sale or not necessarily a long-term lease but some type of capital partnership that they had not heard as a scenario. She said that needless to say it is campaign season in Union County and the same anonymous packets are being sent to the newspaper. She said that she was confused as to why those packets are being sent now, because she is not running for office. She stated that there had been comments tonight about information being sent from her personal e-mail address, but that never happened. Vice Chairwoman Kuehler said that what was interesting to her was while all this information was false, it has never been released to the press, but Mr. Phillipi knew everything about it. She said as far as the October 19, 2009, meeting, the Board was talking about the consulting firms, KaufmanHall, Juniper, and Navigant, and Commissioner Baucom asked the question if that was who she had met with. She said that she and Commissioner Openshaw had not met with representatives from any of the companies that they were talking about. She stated that if Commissioner Baucom wanted to know who they had met with, all he had to do was ask.

Chairwoman Rogers said that she was not going to go through the erroneous statements. She stated that there had been references made tonight that the minutes of the Board's work sessions are not on the website. She said that Mrs. West does detailed minutes and puts the minutes on the website. She stated that the Board has a lot of meetings, and it takes a lot of time to prepare the minutes. She said that for anyone who has an interest in knowing about the Board meetings, audio tapes can be made available by calling Mrs. West.

With there being no further comments or discussion, at approximately 10:30 p.m., Commissioner Baucom moved to adjourn the regular meeting. The motion was passed unanimously.