

Approved: 6/21/2010  
Correction Approved 8/6/2010

Regular  
Meeting of the Union County Board  
of Commissioners of Monday,  
June 7, 2010

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

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

ABSENT: None

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

**OPENING OF MEETING:**

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

***a. Invocation***

Commissioner Mills 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***

Chairwoman Rogers introduced Katie Greene of Katie's Kidz, which is an organization that provides presents to children who are hospitalized. She stated that Katie began raising money to buy Christmas presents for sick children in 2007 at the age of six. She shared that in 2009, Katie raised over \$11,000 and provided gifts to children in six area hospitals.

A video was shown of Katie and her project, which was designed by Levine Hospital.

Katie shared that in addition to monetary donations, citizens could also donate toiletries and other items. She introduced her mother and father, Liz and Dean Greene.

She stated that the goal for Katie's Kidz this year is \$15,000.

***d. Employee Service Award Recognitions for June 2010***

Chairwoman Rogers recognized the following service award recipients for June 2010:

**5 Years of Service**

**Department**

Joey Gantt  
Timothy Harrell  
Kelly Parker

Public Works  
Public Works  
Public Works

**10 Years of Service**

**Department**

Ralph Baker  
Benjamin Baker  
John Young

Public Works  
Sheriff's Office  
Sheriff's Office

**15 Years of Service**

Vickie Deese

**Department**

Board of Elections

**20 Years of Service**

Robert Rollins

**Department**

Sheriff's Office

***e. Union County Public Schools (UCPS) State Champions Recognition***

Chairwoman Rogers stated that six of the County's schools have won state championships this year. She asked that the athletes who were present to come forward as she read the names along with any coaching and/or teaching staff.

The following athletes were recognized with certificates:

**Monroe High School:**

***1A State Champions in Men's Basketball:***

Issac Blakeney (present) (also won the 1A State Championship in Track for the Triple Jump and Long Jump) and will be attending Duke University on a football scholarship; QuayShaun Chambers (present); Jamison Crowder (present), and Qwadarius Deboise (present).

Chairwoman Rogers recognized Johnny Sowell, who coaches track, basketball, and football at Monroe High School.

***1A State Champions in Track:***

**Triple Jump**

Jamie Glenn (present)

Chairwoman Rogers read the names of other athletes who were part of the state championship awards but were not present for tonight's meeting:

*1A State Champions in Track:*

**4x100 Relay:**

Creston Mobley, Shamiir Hailey, Ricardo White, and Steven Robinson

Coach: Nichole Jackson

*1A State Champions in Men's Basketball:*

Bryan Cureton, Chris Thomas, Coleman Kress, Donnard Covington, Eric Horne, Jamison Crowder, Justin Jones, Mason Sledge, Quonn Threatt, Shamiir Hailey, and Wesley Mungo

Coaches: David Presson and Leroy Osborne

**Central Academy of Technology & Arts State Champions:**

*1A/2A State Champions in Wrestling*

**103 lb.**

Daniel Gregorich (present)

**Heavyweight**

Will Robinson (present)

Coaches: Del Bradshaw (present) and Mike Jacobus (present)

**Cuthbertson High School:**

*2A State Championship in Tennis*

*Doubles:*

*Kalli Karas and McKenna Karas*

**Weddington High School:**

*3A State Champions in Swimming:*

**200 Yard Individual Medley Relay:**

Katherine Plevka (present)

Coach: Ann Lee (present) and Mike Lee (present)

*3A State Champions in Indoor and Outdoor Track:*

**4x400m Relay**

Brittany Sturdivant (present), Breahna Morrison (present) (4x400m Relay, 300m Dash (Indoor Track) and 400m Dash (Outdoor Track), Carly Griffith (not present), and Haley Kapheim (present)

Coaches: Rick Spencer (not present)

**Marvin Ridge High School**

*3A State Champions in Indoor and Outdoor Track:*

***3A State Champions in Men's Soccer:***

Danny Cooper, Daniel Hilsin, Cullen Kelleher, Cleo Kontoulas, Andrew Cevallos, Garrett Condon, Harry Hockham, Tucker Axhoj, J. D. Kahn, Kole Patterson (present), Matt Risher (present), Kyle Parker, Zach Phillipe, Zach Young (present), Nick Mills, Nick Cevallos, Michael Patetta, Michael Flint, and Matt Frein

Head Coach: Ray Fumo and Assistant Coaches Octavian Paul & Eric Vansickle

***3A State Champions in Women's Soccer:***

Toni Lashley, Marissa Hartert, Madison Martin, Katie Page, Kathleen Papa, Kailey Filter, Kaitlyn Sulser (present), Jillian Frein, Jessica Walters, Jessica Richburg, Helen Butler, Christina Giusto, Chelsey Horan, Alyssa Clark, Ali Dove, Allie Kahn, Taylor Dover, Ashley Hartert (present), Ashley Aragona (present), Aerial Griffin, Amy Schmitt, and Amanda Clark (present)

Head Coach: Ray Fumo and Assistant Coaches: Juliet Lauricella, Mary Dempsey and Octavian Paul

Commissioner Openshaw noted that two of the athletes from Marvin Ridge High School also had received scholarships: Matt Risher and Ashley Aragona.

***3A State Champions in Swimming:***

**200 Yard Freestyle Relay:**

Evan White, Jacob White (200 Yard Freestyle Relay and 50 Yard Freestyle), McKee Christiansen, and Lane Bretschneider

Coach: Lori Lester

***3A State Champions in Indoor and Outdoor Track:***

Coach: Cameron Starr

**4x800m Relay:**

Alyssa Clark, Kailey Buckley, Caitlyn Colo, and Brittan Fritz

**Long Jump and 55m:**

Tori Tillman

***3A State Champions in Tennis:***

**Doubles:**

Andrew Treske and Joey Hatala

Coach: Wade Liles

**Parkwood Middle School National Champions:**

***US Finals National Cheerleading Champions/Orlando, Florida:***

Brooke Pridgen, Celeste Luther, Casie Thompson, Alex Frederick, Allison Elms, Bethany Greene, Dominique Miller, Hannah Killian, Megan Wells, Nyjah Ingram, Morgan McAllister, Kynnydy Robinson, Hannah Maynor, Jessie Ortiz (present), Kayla Alexander (present), and Kennedy Nunn

Coaches: Connie Trowbridge (present) and Brittony Trowbridge

Commissioner Mills recognized Doug Jones, the Athletic Director for the middle and high schools in Union County. He thanked Brett Vines and the Board for recognizing these athletes. He said that the athletes have had a tremendous year and at last count, there were 60 athletes from the county who have received scholarships.

At approximately 7:45 p.m., Chairwoman Rogers called for a short recess in the meeting.

The meeting was reconvened by the Chairwoman at approximately 7:55 p.m.

**PUBLIC HEARING – 2010-2011 MANAGER’S RECOMMENDED BUDGET:**

At approximately 7:55 p.m., Chairwoman Rogers opened the public hearing on the proposed budget for FY 2010-2011. She announced that one person had registered to speak, Mr. Werner Thomisser.

Mr. Thomisser stated his address as 2008 Kings Manor Drive, Weddington, North Carolina, and said he currently serves on the Weddington Town Council. He said that his views presented tonight are echoed by three other council members on Weddington’s Town Council.

He referred to Page 59 of the Manager’s recommended budget. He said the County’s Capital Improvement Program (CIP) contains \$3.6 million for the Waxhaw area regional library for FY 2011 and \$2 million for FY 2012. Mr. Thomisser said that the Weddington Town Council is unanimous in its opposition to spending these dollars for the following reasons:

1. Population of western Union County is 22,600 with 75 percent of that population residing in Weddington, Wesley Chapel, and Marvin and only 25 percent of that population lives in Waxhaw and Mineral Springs. Mr. Thomisser questioned why build a library that only 25 percent of the population would go to.
2. Cost – He said some members of the Board of Commissioners say these numbers are incorrect. He challenged the Board to come forth and show the correct numbers. Mr. Thomisser said as recently as two and one-half months ago, he checked with the library, and they still feel the same as the Board of Trustees that the former majority wanted to construct a 40,000 square foot library between Weddington and Waxhaw. He stated that the capital cost to build such a library would be \$9.7 million and the operating cost would be \$1.2 million per year. He said that if a library is built in Waxhaw, then another municipality is going to want a library. He questioned how many libraries are needed in a six-mile radius. He stated that if two libraries are built, the construction cost would be \$12.4 million, and the operating costs would be \$1.9 million. He stated that the construction costs and operating cost for the two libraries would be \$10 million.

Mr. Thomisser said that Laura Einstein, an Arizona library consultant, told Mecklenburg County looking out to 2025 to build four more 40,000 to 60,000 square foot libraries.



Chairwoman Rogers asked Mr. Thomisser to conclude his comments as his three minute time limit was almost over.

Mr. Thomisser pointed out that currently Mecklenburg County is on the verge of closing 12 small libraries.

He said that there is a coalition in western Union County and asked that the Board defer this decision and allow the municipalities to decide on a location for a library, as it did with its transportation plan last year.

Chairwoman Rogers stated that one other person had signed up to speak during the public hearing; however, she was unable to read the name and address of that person. She asked if there was someone else in the audience who had signed to speak during the public hearing. With no one coming forward, at approximately 8:00 p.m., Chairwoman Rogers closed the public hearing.

**INFORMAL COMMENTS:**

There were no informal comments.

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

Chairwoman Rogers moved to delete regular agenda Item 11 – Disposition of County-Owned Portion of Belk Tonawanda Park from the agenda, since no supporting documentation or new information was provided. She stated that she was not against discussing this matter in the future if the City of Monroe would like to do so.

Commissioner Baucom moved to add two items to the regular agenda:

- 1) Report from the County Attorney regarding the ethics investigation. Commissioner Baucom stated that this report has been completed, and he wanted to see a public presentation of that report tonight.
- 2) Discussion regarding fire fees. He stated that time is of the essence if the Board is going to request any action during this year's legislative session.

Chairwoman Rogers asked Commissioner Baucom if he was stating that there is some action that the Board would need to take tonight regarding the fire fees due to a deadline. She questioned if it were action that the Board could consider at its next Board meeting.

Commissioner Baucom responded that he thought the Board needed to discuss fire fees tonight to determine whether it wants to take action or give some direction. He said that the legislature would only be in session for the next three to four weeks, and the Board would need to consider action at its next Board meeting.

With there being no further requests for additions or deletions to the agenda, Chairwoman Rogers stated that she would call for a vote on these items separately.

She called for a vote on the motion to remove Item 11 from the regular agenda. The motion passed by a vote of three to two. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted in favor of the motion. Commissioner Baucom and Commissioner Mills voted against the motion.

Chairwoman Rogers called for a vote on the motion by Commissioner Baucom to add an item for a report by the County Attorney regarding the ethics investigation.

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

Chairwoman Rogers next called for a vote on Commissioner Baucom's motion to add an item to the agenda for discussion of fire fees. The motion failed by a vote of two to three. Commissioner Baucom and Commissioner Mills voted in favor of the motion. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted against the motion.

Chairwoman Rogers moved adoption of the agenda as amended. The motion passed by a vote of three to two. Chairwoman Rogers, Vice Chairwoman Kuehler, and Commissioner Openshaw voted in favor of the motion. Commissioner Baucom and Commissioner Mills voted against the motion.

#### **CONSENT AGENDA:**

Commissioner Openshaw requested that the minutes of the regular meeting of May 17, 2010, be removed from the Consent Agenda, because he had not had a chance to review them.

Commissioner Mills asked when, if not tonight, is the report on the ethics investigation going to be included on the agenda.

Chairwoman Rogers said that she would be happy to answer Commissioner Mills' question, but she did not want to get into a discussion since it has already been voted on. She said she did want to have a point of order. She stated that she spoke with the County Attorney today, and he had told her he received the report and was sending it to all the Commissioners. She said that she had told Mr. Merritt her request would be to have Mr. Cooney, the attorney who had handled the investigation, to be available for presentation of the report and to answer any questions. Mr. Merritt stated that he sent the report to the Commissioners today sometime around 1:00 p.m. Chairwoman Rogers said that was her only objection to adding the report to tonight's agenda, and she had asked Mr. Merritt to have it included on the June 21, 2010, meeting.

Mr. Merritt stated that he had talked with Mr. Cooney and informed him that the Board might want him to present the report at a meeting; Mr. Cooney understands that and does not have a problem with attending the meeting. He said he needed to know which meeting the report would be presented, and he would contact Mr. Cooney and confirm his availability.

Commissioner Baucom commented that he thought it was fine for Mr. Cooney to be present, but the Board has the report, and he did not want the report to be delayed because Mr. Cooney might not be available. Chairwoman Rogers reiterated that she did not want to get into a discussion about this item. She stated that the direction to Mr. Merritt had been for him to contact Mr. Cooney and ask him to present the report as soon as possible.

Commissioner Mills asked if the report was a public document, and Mr. Merritt indicated that it was a public document.

Following the discussion, Vice Chairwoman Kuehler moved approval of the items listed on the Consent Agenda as amended with the removal of the regular minutes of the May 17, 2010, meeting. The motion passed unanimously.

**Minutes:** Approved the minutes of the special meetings of May 20, 2009, at 9:00 a.m., June 15, 2009, at 4:00 p.m., September 30, 2009, and regular meeting of June 15, 2009. [The minutes of the regular meeting of May 17, 2010, included in the package were removed from the agenda at the request of Commissioner Openshaw.]

**Union County Transportation – System Safety Program Plan (SSPP):** Approved the plan as submitted. [Note: The Union County Drug and Alcohol Free Workplace Policy was adopted by the Board on June 2, 2008, and the Vehicle Use Policy was adopted by the Board on September 15, 2008.]

**Amendment to Procurement Policy:** Adopted Amendment to Procurement Policy as follows:

AMENDMENT TO UNION COUNTY PROCUREMENT POLICY

Amend Section I by inserting the following at the end of the first paragraph:

Federally and State Funded Projects and Programs

In accordance with the provisions of the U.S. Office of Management and Budget (OMB) Circular A-102, entitled “Grants and Cooperative Agreements with State and Local Governments,” and all related provisions and laws, all County Departments shall comply with all federal and state procurement regulations when procuring goods and services funded in whole or in part with any federal or state grant. Further, such regulations shall supersede all local purchasing provisions to the extent of any conflict. Without limiting the generality of the foregoing, purchases made by the Union County Department of Transportation with federal transit funds shall comply with the current version of FTA (Federal Transit Administration) Circular 4220.1.

All sub-recipient agencies receiving federal or state funds through the County of Union shall also comply with the federal or state granting agency procurement regulations, which supersede all local purchasing resolution provisions.

**Contracts and/or Purchase Orders Over \$20,000:** Authorized the County Manager to approve the following, subject to legal review:

1. Social Services: Agreement with Employment Security Commission for Work First Services for the period of July 1, 2010, through June 30, 2011.
2. Social Services: Renewal Agreement with South Piedmont Community College for Work First Services.
3. Social Services: Amendment with Neighborhood Nurses, Inc. increasing the contract amount from \$42,500 to \$66,600.
4. Public Works: Amendment to Weddington Interlocal Agreement to increase the Not-to-Exceed Amount for engagement of non-staff consultants
5. Sheriff’s Office/Jail: Renewal Agreement with Simplex Grinnel for Alarm, Intercom, and Door Locking Systems within the Jail Facility
6. Legal/Sheriff’s Department: Agreement with Thomas Reuters for Online Legal Research

7. Sheriff's Office: Purchase Order for Dell Computer Corp. for purchase of computer servers and other related equipment that will provide backup storage and redundancy for the Sheriff's Office Internal Network

**Resolution to Affirm the Union County Land Use Plan:** Adopted Resolution to Reaffirm the Union County Land Use Plan as recorded below:

**A RESOLUTION TO REAFFIRM THE UNION COUNTY LAND USE PLAN**

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 adopted the Comprehensive Transportation Plan on April 19, 2010; 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 to comply with N.C.G.S. § 136-66.2(b1); 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 purpose of complying with N.C.G.S § 136-66.2(b1).

Adopted this 7th day of June, 2010.

**Sheriff’s Office – Justice Assistance Grant FY 2010:** Authorized the County Manager to submit the grant application in the amount of \$52,729 and authorized Captain Steve Simpson to act as the grant administrator (No County match required).

**Request for Refund by Julie McDowell:** Approved request from Julie McDowell in the amount of \$34 from a money order sent to the Register of Deeds’ Office in the total amount of \$4 for a certified copy of her birth certificate. The cost of the certified copy was \$10 and the extra \$34 was sent to cover overnight mail, but the certified copy was not sent to Ms. McDowell by overnight mail.

**DJJDP State Grant Funding for FY 2009-2010:** Approved the revised DJJDP County funding plan for FY 2009-2010 which reflects a decrease in funding of \$1,878 for a total funding amount of \$275,100 for FY 2009-2010, and adopted Budget Ordinance Amendment #49 as recorded below:

**BUDGET AMENDMENT**

BUDGET	<u>DJJDP</u>	REQUESTED BY	<u>Jim Bention</u>
FISCAL YEAR	<u>FY2010</u>	DATE	<u>June 07, 2010</u>

**INCREASE**

**DECREASE**

Description

Description

Operating Expenses 1,878

Operating Expenses 1,878

State Revenue 1,878

State Revenue 1,878


Explanation: Decrease of DJJDP Program Funding for FY 2010

DATE \_\_\_\_\_

APPROVED BY \_\_\_\_\_

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

FOR POSTING PURPOSES ONLY

**DEBIT**

**CREDIT**

<u>Code</u>	<u>Account</u>	<u>Amount</u>	<u>Code</u>	<u>Account</u>	
10457800-4496-1607	Daymark Recovery	3	10557800-5699-1607	Daymark Recovery	3
10457000-4496-1611	Psychologiocial Service	1,875	10557000-5699-1611	Psychologiocial Service	1,875
10557100-5920-1601	Contingency	1,878	10457100-4920-1601	Contingency	1,878


Total 3,753

Total 3,753

Prepared By bl

Posted By \_\_\_\_\_

Date \_\_\_\_\_

Number 49

**Tax Administrator – Monthly Departmental Report for April 2010:** Approved Departmental Monthly Report for April 2010

**Resolution to Revise Board’s Regular Meeting Schedule for July 2010:** Adopted resolution revising meeting schedule to delete regular meeting of Tuesday, July 6, 2010



RESOLUTION TO REVISE THE REGULAR MEETING SCHEDULE FOR 2010  
OF THE UNION COUNTY BOARD OF COMMISSIONERS

WHEREAS, on Monday, January 19, 2010, the Union County Board of Commissioners adopted a Resolution Adopting its Regular Meeting Schedule for 2010, which included a regular meeting on Tuesday, July 6, (Monday, July 5, is a holiday and the County offices are closed, and in accordance with the Board's Rules of Procedure, the first regular meeting of July 2010 would be held on Tuesday, July 6); and

WHEREAS, the Board desires to revise its regular meeting schedule for 2010 by canceling the regular meeting of Tuesday, July 6.

NOW, THEREFORE, be it resolved by the Union County Board of Commissioners as follows:

The Board does hereby revise its regular meeting schedule for 2010 to delete the regular meeting of Tuesday, July 6. Except as herein amended, the Board's regular meeting schedule for 2010 shall remain in full force and effect.

Adopted this the 7th day of June, 2010.

**Motor Vehicle Tax Refunds for May 2010:** Approved motor vehicle refund overpayments for May 2010 in the amount of \$5,235.15.

**Information Only – No Action Required:** Included in the agenda package with no action required were the following: 1) Addition of Name of CPL James L. Walden to Vietnam Marker (Located on the Grounds of the Historic Courthouse); 2) Report of Health Hazard Sewer Tap Allocations at: a) 4208 Fincher Road, Matthews, North Carolina (in Union County) and b) 4301 Indian Trail-Fairview Road; and 3) Report on Fire Fees and Fire Tax Levies (Requested by Board at June 1, 2010, Budget Session)

**PUBLIC INFORMATION OFFICER'S COMMENTS:**

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

Mr. Vines made the following comments:

1. A second primary or runoff election will be held on Tuesday, June 22, 2010. Anyone registered Democrat must vote the Democratic ballot, and anyone registered Republican must vote the Republican ballot. He stated that the Democrats would be voting countywide. He said that for the U.S. Senate, there would be a runoff between Elaine Marshall and Cal Cunningham. He stated that for the Republicans, there are specific precincts in the County voting for the U.S. House of Representatives District 8 (between Harold Johnson and Tim D'Annunzio).

Commissioner Baucom interjected that he thought voters registered as unaffiliated, who declared a party in the primary, could vote the same way in the runoff. Mr. Vines stated that he had not received that information, but he would confirm this with the Board of Elections Supervisor and include the information on the County's website.

Mr. Vines stated that early voting has begun and ends on June 19 (Monroe Library from 8:30 a.m. – 6:00 p.m., Monday through Friday).

Commissioner Baucom interjected that absentee voting is available as well. Mr. Vines confirmed that this was correct.

2. The Library has summer reading programs for children and teens. He said there is also a family reading program at the Marshville Library. He explained that the children and teens' reading programs are occurring at all libraries throughout the County. The programs begin June 12 and run through mid August.

3. There will be a comic book convention at the Union West Regional Library on June 25, 2010, and on June 26 at the Monroe Library from 1:00 p.m. to 6:00 p.m. both days. Mr. Vines said this will be an opportunity to meet some of the brightest and best comic book artists and cartoonists. He stated that a number of the artists and cartoonists reside in the Carolinas.

4. The Community Health Services of Union County is offering Health Screenings on Friday, June 18, from 9:00 a.m. to 11:00 a.m. The screenings will take place at the Literacy Council of Union County's office, 105-A East Jefferson Street, Monroe. Mr. Vines stated that the screenings would include weight, pulse, blood pressure, blood sugar, hemoglobin and cholesterol breakdown. A donation of five dollars is requested.

5. The Union County Red Cross will be offering dog and cat first aid on Saturday, June 19, from 9:00 a.m. to 1:00 p.m. The cost is \$50.

6. Mr. Vines stated that all of the County's meetings and events are listed on a calendar on the County's website.

Chairwoman Rogers complimented Mr. Vines for the certificates that were presented to the student athletes earlier in the meeting. She asked that he also thank everyone who was involved in preparing the certificates.

### **LIGHTING TEXT AMENDMENT:**

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

Mr. Greene stated that during the May 17, 2010, meeting, Commissioner Openshaw expressed a desire to modify the lighting amendment by adoption of Subsection d only and to include certain additional provisions such as applicability within residential areas, street lights and amenities. He said that he thought that Commissioner Openshaw and Jeff Crook, Senior Staff Attorney, had conferred during the recess regarding the proposed amendment, and one of the primary concerns was shielding of fixtures such that no light would be emitted out of the fixture above the horizontal plane. Mr. Greene stated that the draft amendment requires full shielding but eliminates the requirement that fixtures be classified as full cutoff fixtures. He explained that staff's understanding from talking with a lighting consultant that terminology will not be used in the very near future.

Commissioner Openshaw said that he did not mind referring the text amendment back to the Planning Board for the appropriate language, but he did want to pursue the concept of the horizontal plane only.

Commissioner Openshaw moved to send this matter back to the Planning Board to work out language for a lighting text amendment applicable to residential, street lights, parking lots, and amenity centers, to have no light to be emitted higher than the horizontal plane, which shall also include schools and commercial properties.

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

### **CONTINUE TIER 1 RATE SCHEDULE:**

Al Greene, County Manager, reviewed that in June 2009, the Board discussed the water conservation measures and water rate structure in effect at that time. He said that the Water Conservation Ordinance requires consultation with the Board on conservation measures. He stated that as a result of the discussion at that time, the Board recommended that the Manager revise the Water Conservation Declaration in effect at that time and to relax some of the conservation measures particularly to begin to allow under Stage II the filling of new pools, washing vehicles, washing outdoor facilities, dust control, flushing hydrants, and a general relaxation of some of the more stringent requirements that had been in effect for some time in recognition of the fact that the drought conditions had been easing over the previous few months.

In addition, Mr. Greene said that while the County remained under Stage II conservation measures, the Board had approved that the rate structure would reflect the Tier I rates as opposed to the more punitive rates typically in effect during Stage II. He said that of those two actions, the relaxation of the conservation measures did not have a sunset; however, the Tier I rate structure had a sunset of May 2010. He stated that staff recommends that the Board consider approving continuance of the Tier I Rate Schedule until circumstances warrant further consideration by the Board.

Following the explanation by the Manager, Commissioner Openshaw moved to approve continuation of the Tier I Rate Schedule until circumstances warrant further consideration by the Board. The motion passed unanimously.

**ELDERLY OR DISABLED PROPERTY TAX HOMESTEAD EXCLUSION (Discussed at May 17, 2010, Meeting):**

Al Greene, County Manager, stated that several Commissioners were contacted by a local couple who were both on Social Security, and both of whom received a cost of living increase on their Social Security. He said that this increase placed them above the income limit that allowed them to be eligible for the elderly and disabled exclusion, which shelters 50 percent of the appraised value of the homestead from local property taxes. He stated that at the May 17, 2010, meeting, the Board directed staff to draft a resolution to be forwarded to the members of the County's legislative delegation to seek an amendment to the legislation that would automatically provide inflationary adjustments to the elderly or disabled exclusion to help prevent adjustments in Social Security payments from being the primary or sole cause of residents' losing their ability to take advantage of the elderly or disabled exclusion.

Following the explanation by the Manager, Commissioner Baucom moved adoption of a Resolution to Recommend Increasing the Income Limit in Order to Qualify for Elderly or Disabled Property Tax homestead Exclusion and to authorize the Clerk to send the Resolution to the County's legislative delegation.

Commissioner Baucom pointed out for the record that there is nothing the County can do in regards to this matter. He said that this resolution would not help in the situation that had been mentioned by the Manager or anyone else in this situation at present, but, hopefully, the legislators in Raleigh will try to rectify this situation in the future.

Vice Chairwoman Kuehler referenced the sixth whereas clause in the resolution which states “a taxpayer.” She offered a friendly amendment to the motion to revise the language to delete “a” and use “taxpayers” rather than “taxpayer.”

Jeff Crook, Senior Staff Attorney, agreed that the resolution could be revised in accordance with Vice Chairwoman Kuehler’s amendment, which was accepted by Commissioner Baucom as a friendly amendment to his motion.

Following the discussion, the motion as amended passed unanimously.

The Resolution, as revised, is recorded below in its entirety.

**RESOLUTION TO RECOMMEND INCREASING THE INCOME LIMIT  
IN ORDER TO  
QUALIFY FOR ELDERLY OR DISABLED PROPERTY TAX HOMESTEAD EXCLUSION**

WHEREAS, it is provided pursuant to G.S. 105-277.1 that a permanent residence owned and occupied by a “qualifying owner” is designated a special class of property under Article V, Sec. 2(2) of the North Carolina Constitution such that the greater of \$25,000 or 50% of the appraised value of the residence is excluded from taxation; and

WHEREAS, a qualifying owner for the Elderly or Disabled Property Tax Homestead Exclusion is an owner who meets all of the following requirements as of January 1 preceding the taxable year for which the benefit is claimed: (i) is at least 65 years of age or totally and permanently disabled; (ii) has income for the preceding calendar year of not more than the income eligibility limit; and (iii) is a North Carolina resident; and

WHEREAS, the income eligibility limit is the amount for the preceding year, adjusted by the same percentage of this amount as the percentage of any cost-of-living adjustment made to the benefits under Titles II and XVI of the Social Security Act for the preceding calendar year, rounded to the nearest one hundred dollars; and

WHEREAS, the income eligibility limit for tax year 2010 is \$27,100; and

WHEREAS, for married applicants residing with their spouses, the income of both spouses must be included, whether or not the property is in both names; and

WHEREAS, it has come to the attention of the Union County Board of Commissioners that taxpayers previously eligible for the Elderly or Disabled Property Tax Homestead Exclusion pursuant to G.S. 105-277.1 have been disqualified for tax year 2010 due to the 2009 cost of living increase to Social Security benefits; and

WHEREAS, the General Statutes provide for increasing the income limit for eligibility for the Elderly or Disabled Property Tax Homestead Exclusion on the basis of a single cost of living adjustment to Social Security benefits, but not for doubling the adjustment as would be needed to ensure the continued eligibility for married applicants.

NOW, THEREFORE, BE IT RESOLVED that the Union County Board of Commissioners hereby requests that the North Carolina General Assembly revise the income eligibility limit of G.S. 105-277.1 such that a qualifying owner is not made ineligible for the Elderly or Disabled Property Tax Homestead Exclusion solely on the basis of a cost-of-living adjustment in such owner's spouse's Social Security benefits.

ATTEST:

\_\_\_\_\_  
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

**EMERGENCY MEDICAL SERVICES (UNION-EMS) CONTRACT EXTENSION:**

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

Mr. Greene stated that since 1997, Union County has been contracting with Carolinas Healthcare doing business as Union-EMS to provide emergency medical service countywide. He said that a renewal agreement is included in the agenda package for the Board's consideration that would extend the current agreement for two additional years with some modification in that it would allow for the parties to cooperate in the transfer of the delinquent accounts of Union-EMS for submission by the County to the State's Debt Setoff Collection Program. He explained that it is believed by using the debt setoff program for some of Union-EMS's unpaid bills, it might assist in the collection of those amounts and improve the bottom line for Union-EMS and Union County.

Following the explanation by the Manager, Commissioner Baucom moved to authorize the County Manager to approve a Renewal and Amendment extending emergency medical services by Union-EMS for a two-year period.

Chairwoman Rogers recognized Scott Shew, Director of Union-EMS, in the audience and invited him to come forward to the podium if he wished to do so. She expressed appreciation to him for the presentation that the Board received during a recent work session regarding the services of Union-EMS and its willingness to listen and act on the Board's comments. She stated that the collections were one of her biggest concerns when she first saw the emergency medical services agreement.

Following the discussion, the motion passed unanimously.

**DISPOSITION OF COUNTY-OWNED PORTION OF BELK TONAWANDA PARK:**

This item was removed from the agenda at the request of Chairwoman Rogers.

June 7, 2010 - Excerpt

**CONSIDERATION OF SALE OF RADIOS TO TOWN OF STALLINGS: (Correction Approved 8/6/2010)**

Al Greene, County Manager, explained that over the past several years, the County has applied for grants to acquire 800 MHz capable radios, mobiles, and portables specifically. He said that in the Spring of 2007, the County began accumulating a number of the radios, and rather than have the radios remain in boxes in storage, it was decided to loan the radios to various emergency service agencies and municipalities in the County to be used between that time and when the 800 MHz system comes online. Mr. Greene said that in anticipation of the 800 MHz becoming operational, the County began asking last winter that the loaned units be returned to the County in accordance with an agreement which covered the loan of the equipment. He explained that one of the provisions of the agreement was that the County, at its sole discretion, could offer to sell the loaned units to an agency rather than to require that the units be returned. He said that all of the loaner units have been returned to the County with the exception of the units loaned to the Town of Stallings.

He stated that the Town of Stallings has formally requested that the County consider a price for those radios so that it could consider purchasing the units at possibly a lower price than new units would cost the Town. He said that the Town was loaned nine mobile and 21 portable radios. He stated that under the allocation formula that was developed to guide the distribution of all of the

radios that were purchased with grant funds, the Town of Stallings would be eligible to receive free of charge one mobile and four portable radios. Therefore, the number of radios that the Town wants to discuss purchasing would be eight mobile units and seventeen portables. Mr. Greene said that the unit cost of the mobiles new was \$3,665; and the unit cost of the portables when new was \$2,550. He stated that staff has contacted two Motorola dealers to determine the life expectancy of mobiles and portables, and based on the information received, staff believes the useful life of a mobile radio is 12 years, and the useful life of a portable radio is 9 1/2 years. Mr. Greene said that based on this information, the County's Finance Department calculated the depreciation that has occurred to the units to date, and staff recommends for the Board's consideration that the 8 mobiles and 17 portable radios be offered for sale to the Town of Stallings at the depreciated value of \$1,676 for each portable radio and \$2,670 for each mobile radio. He stated that this excludes the mobile and four portables that Stallings would receive under the allocation formula for all radios purchased under grant funding.

Mr. Greene stated that should the Board agree, the purchase price that staff would offer the radios to the Town of Stallings would be \$49,852. He said that it is recommended that these radios be offered to the Town of Stallings, and the County would acquire that same number of mobiles and portables under the lease purchase agreement authorized by the Board several months ago.

Commissioner Openshaw questioned whether there are warranties on the radios. Dawn Hinkle, Interim Communications Director, responded that there is a one-year warranty on the radios from the date the County acquired them. Commissioner Openshaw asked if there should be a further reduction in the sales price due to the fact that there is no warranty. Mr. Greene responded if that was what the Board wanted to do.

Commissioner Openshaw asked if the sales price was calculated by depreciating the amount by one-third or if the sales price allowed for the fact there is no warranty. Mr. Greene responded that there was no allowance due to the fact there was no warranty, but he added that it was not exactly one-third but was based on the life of the radios that had been expended compared to the useful life, which he said was not quite one-third.

Following the discussion, Vice Chairwoman Kuehler moved to authorize staff to offer the 8 mobiles and 17 portables to the Town of Stallings for the price of \$49,852, and, if accepted, authorized staff to take steps to effect the sale. The motion passed unanimously.



## **FY 2010 U.C.A.C. GRANT RECOMMENDATIONS FOR ADA PROJECTS FROM PARKS AND RECREATION:**

Al Greene, County Manager, stated that earlier this year, following approval of the athletic grant awards for the current year, there was a balance remaining in this year's budget for athletic grant funding of a little over \$34,000. He said that the Parks and Recreation Advisory Board and staff had recommended that those funds be used for another round of grants targeted specifically for ADA improvements and those grant applications would be open to all athletic associations in the County. He shared that the grant application process had been completed, and one application was received for handicapped accessible trails and other handicapped improvements from one of the associations. However, he stated that the required match was not offered on that application, and, therefore, that application was considered by the Advisory Board and staff to be incomplete and not in compliance with the grant award guidelines.

Mr. Greene stated that the only remaining application received for the ADA projects was from South Union Athletic Association. He said the total project cost for that application was \$7,250, and its proposed project was to add ADA compliant handicapped accessible parking as well as repairing walkways leading to the gym that are cracked and broken. He said that the state of disrepair of those walkways is causing problems for those with disabilities. Mr. Greene stated that South Union offered the required match. He explained that the numbers included on the application were slightly different from those being presented to the Board. He stated that due to the small size of the association, it was actually eligible for a match of two dollars for every five dollars of grant funds. He noted that the requirement is a match for every five dollars of grant funds provided. He said that under the proper match formula for South Union, the grant amount is actually higher than the association requested, and it would be eligible for \$5,175 in grant funds with a local match of \$2,071. He said that this amount would cover the projected cost of the project, and it is recommended that the grant award be approved for South Union Athletic Association based on its application.

Commissioner Openshaw said that he would like to put on the table that the Board consider exempting the handicapped parking from the grant submitted by Piedmont Recreational Association, since trails become difficult to quantify, and they could be expensive. He stated that he thought there was a ratio for parking spaces to handicapped parking spaces, and the purpose of the grant is to create a better environment for handicapped individuals.

He moved approval to award the U.C.A.C. grant for ADA projects for South Union Athletic Association, as recommended by the Parks and Recreation Committee, in the amount of \$5,175.57, and to refer back to the Parks and Recreation Committee or have staff work with Piedmont Recreation Association about getting it some funding for handicapped parking.

Chairwoman Rogers restated her understanding of the motion as follows: To award the U.C.A.C. grant for ADA projects to South Union Athletic Association in the amount of \$5,175 and to ask the Parks and Recreation Advisory Board to relook at Piedmont Recreation Association's request for handicapped accessible parking and to try to assist it, if possible.

Commissioner Openshaw said that the restatement of the motion by the Chairwoman was correct.

Mr. Greene asked for clarification that the motion included only the handicapped portion of Piedmont Recreation Association's application. Commissioner Openshaw agreed that this was correct.

Mr. Greene stated that the project cost would presumably be lower for the parking portion of the application, and it is possible that the Association would be able to meet the match for the lower cost. He asked if it would be acceptable to the Board for staff to work with Piedmont Recreation Association to identify the lower cost and determine if the Association could potentially meet the match at the lower cost, so as not to set a future precedent.

Commissioner Baucom offered a friendly amendment to authorize the Manager to work with Piedmont Recreation Association to identify the lower cost in regards to the parking portion of its application and to determine if the Association could meet the required match for the grant funds, if that is acceptable.

Commissioner Openshaw accepted the friendly amendment to his motion.

The motion as amended passed unanimously.

**AMENDMENT TO UNION COUNTY PERSONNEL POLICY:**

Chairwoman Rogers recognized Mark Watson, Personnel Director, to explain this item.

Mr. Watson stated that the request is for the Board to consider a revision on the effective date of the Personnel Resolution Amendment #1, which provides for severance compensation for individuals that have been separated due to a reduction in force. He explained that the only revision is the change in the effective date from June 30, 2010, but before July 31, 2010.

In response to a question by Commissioner Mills, Mr. Watson stated that it is possible that seven employees would go through a reduction in force. He stated that the amendment provides those employees severance compensation in addition to a stipend to help defer the cost of health insurance.

Following the explanation and discussion, Commissioner Baucom moved adoption of the revised effective date of June 30, 2010 – July 31, 2010, for the Union County Personnel Resolution: Addendum #1. The motion passed unanimously.

#### **ADDENDUM # 1**

#### **SEVERANCE COMPENSATION FOR EMPLOYEES SEPARATED DUE TO REDUCTION IN FORCE AFTER JUNE 30, 2010, BUT BEFORE JULY 31, 2010**

An employee who meets the following criteria shall be eligible for a severance payment in accordance with the terms of this Addendum to the Union County Personnel Resolution:

- (1) The employee is involuntarily separated from employment with the County after June 30, 2010, but before July 31, 2010, due to a reduction in force; and
- (2) The employee is (i) a full-time, permanent employee or (ii) a regular part-time employee; and
- (3) The employee is not on probationary status pursuant to Article IV, Section 10 of the Union County Personnel Resolution. (Employees subject to the State Personnel Act who have not reached career status pursuant to N.C.G.S. § 126-1.1 shall be eligible for a severance payment in accordance with the terms of this Addendum provided that they are not on probationary status pursuant to Article IV, Section 10 of the Union County Personnel Resolution and that they otherwise satisfy the eligibility criteria of this Addendum.)

The amount of severance to be provided under this Addendum shall be calculated as set forth on the following page. The County will deduct from such severance payments all applicable withholding taxes and any other mandatory deductions.

<u>Hours Worked</u> <u>Annually</u>	<u>% of</u> <u>Standard</u>	<u>Years of Service</u> <u>Based on Most Recent Date of Hire</u>	<u>Severance Hours</u> <u>to be paid</u>	<u>Severance Health</u> <u>Insurance Stipend</u>
2080	Standard	Less than 2 years	96	\$ 500.00
2080	Standard	2 but less than 5 years	112	\$ 1,000.00
2080	Standard	5 but less than 10 years	136	\$ 1,500.00
2080	Standard	10 but less than 15 years	160	\$ 2,000.00
2080	Standard	15 but less than 20 years	184	\$ 2,500.00
2080	Standard	20 years or more	208	\$ 3,000.00
2184	105%	Less than 2 years	101	\$ 500.00
2184	105%	2 but less than 5 years	118	\$ 1,000.00
2184	105%	5 but less than 10 years	143	\$ 1,500.00
2184	105%	10 but less than 15 years	168	\$ 2,000.00
2184	105%	15 but less than 20 years	193	\$ 2,500.00
2184	105%	20 years or more	219	\$ 3,000.00
1768	85%	Less than 2 years	82	0
1768	85%	2 but less than 5 years	95	0
1768	85%	5 but less than 10 years	116	0
1768	85%	10 but less than 15 years	136	0
1768	85%	15 but less than 20 years	156	0
1768	85%	20 years or more	177	0
1560	75%	Less than 2 years	72	0
1560	75%	2 but less than 5 years	84	0
1560	75%	5 but less than 10 years	102	0
1560	75%	10 but less than 15 years	120	0
1560	75%	15 but less than 20 years	138	0
1560	75%	20 years or more	156	0

1325	65%	Less than 2 years	62	0
1325	65%	2 but less than 5 years	73	0
1325	65%	5 but less than 10 years	88	0
1325	65%	10 but less than 15 years	104	0
1325	65%	15 but less than 20 years	120	0
1325	65%	20 years or more	136	0

1144	55%	Less than 2 years	53	0
1144	55%	2 but less than 5 years	60	0
1144	55%	5 but less than 10 years	75	0
1144	55%	10 but less than 15 years	88	0
1144	55%	15 but less than 20 years	101	0
1144	55%	20 years or more	114	0

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

Chairwoman Rogers announced vacancies on the following boards and committees:

- a. Adult Care Home Advisory Committee (at least 3 Vacancies)
- b. Agricultural Advisory Board (1 Vacancy Expiring June 2010)
- c. Union County Industrial Facilities and Pollution Control Financing Authority (2 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)

**APPOINTMENTS TO BOARDS AND COMMITTEES:**

- a. Region F Advisory Committee

Commissioner Openshaw moved reappointment of Judy B. Chapman to serve as a regular member and reappointment of Ruth Helms to serve as an alternate member on the Region F Advisory Committee. The motion passed unanimously.

b. Centralina Workforce Development Board

Commissioner Baucom moved reappointment of Mary Ann Rasberry, representing Community Based Organizations, and reappointment of Mary Walls, representing Vocational Rehabilitation, to serve on the Centralina Workforce Development Board. The motion passed unanimously.

c. Agricultural Advisory Board

Commissioner Baucom moved reappointment of Don Kerr and reappointment of Brad Hargett to serve on the Agricultural Advisory Board.

Chairwoman Rogers stated that she would separate the nominations.

She called for a vote on the nomination of Brad Hargett. The motion passed unanimously.

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

**MANAGER'S COMMENTS:**

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

Mr. Greene shared that on May 28, 2010, Chairwoman Rogers, Bill Braswell, Mayor of the Town of Wingate, Wingate Councilman Brent Moser, Town Manager Dryw Blanchard, Ed Goscicki, Union County Public Works Director, and he met to discuss the Wingate utility agreement. He said he thought it was a very productive meeting. Mr. Greene stated that he thought the group reached a consensus on the broad topics that need to be dealt with in the agreement including service area boundaries and how those may be affected by future annexations, the amount of treatment capacity to be reserved, which is not addressed in the current

agreement, amount of peak flows that would be acceptable, other compliance issues related to the County's Sewer Ordinance that need to be incorporated into an agreement, rates and fees based on actual capacity for infrastructure so that there is a rational basis for the rates to be charged, and a method for annually monitoring adjustments to those rates and charges based on changes in costs for providing treatment and infrastructure capacity. He said that there are a number of historic issues with the Town of Wingate that need to be resolved through an agreement.

He deferred to Chairwoman Rogers for her comments regarding the meeting.

Chairwoman Rogers agreed that it was a good meeting with good dialogue. She said she thought the group had accomplished quite a bit during the meeting.

Mr. Greene said that he thought Mr. Goscicki had volunteered to prepare an initial draft of an agreement.

#### **COMMISSIONERS' COMMENTS:**

Commissioner Baucom explained that Item 12, which was removed from the agenda, was related to Belk Tonawanda Park. He said that the item was included on the agenda for discussion. He reviewed that a small portion of the park is owned by the County and said the reason that the item had been on the agenda tonight was Lee Park Baptist Church and the City of Monroe are going to hold a joint July 4<sup>th</sup> celebration, and because of space constraints, Lee Park needed to set up on the County's side of the park. He stated that the park, as far as the public has known and understood, has been part of the City of Monroe. He said that it is costing the County money to keep up its portion of the park, and he would like for the Board to have a genuine, sincere discussion and consider giving the County's portion to Monroe and let all the citizens of Union County continue to use it.

He reported that the County will be receiving some recommendations regarding fire fees as a result of the fire study that has been completed. He said he had hoped to have some discussion tonight about asking fire chiefs to bring forward their recommendations as to what they believe would be appropriate action to help fund the volunteer fire departments in the future. Commissioner Baucom said that this might require some assistance from the State legislators, and because of the short session of the General Assembly, there is a short timeframe. He stressed that the Board needed to have discussion on this matter tonight and take action to try and get something done for consideration during the next Board meeting. He said he was disappointed that there had not been a discussion on this matter tonight.

Commissioner Baucom said that the third item was that the Board did not have a discussion on the ethics investigation. He stated he looked forward to that presentation at the June 21<sup>st</sup> meeting.

Commissioner Mills read a portion from the report on the ethics investigation as follows: “This inherent ambiguity and these exchanges weigh strongly against a conclusion that these commissioners were acting unethically. Additionally and significantly is the fact that none of these commissioners were found to have engaged in any criminal conduct, criminal behavior, criminal wrongdoing as a result of this investigation. In short, these allegations made of criminal behavior proved to be unsupported and these allegations which appear to have been related to litigation instituted by a hostile former employee who was engaged in an extended adversarial contest with the Board of Commissioners carried with this a question of bias from the outset. Commissioners Mills, Pressley, and Baucom committed no crimes nor engaged in any wrongdoings.” He stated that he eagerly awaited the report when Mr. Cooney was available to present it to the public.

Commissioner Openshaw shared events from his weekend spent at Fort Bliss in El Paso, Texas, with his son who is a Captain in the Army. He said it was a nice event.

He said that Matthew Delk, Assistant County Manager, was being deployed. He wished Mr. Delk the best of fortune, and expressed appreciation to Captain Delk for his service to our country.

In conclusion, Commissioner Openshaw shared that John Wooden had passed away, a former basketball coach at UCLA. He stated that Coach Wooden was a great role model, and as a player and coach, he only had one losing season in his career, which was the first year he was coaching. He said that Coach Wooden’s record was 885 wins and 203 losses. He stated that Coach Wooden had some interesting quotes, and shared the following: “Be more concerned with your character than your reputation, because your character is what you really are, while your reputation is merely what people think of you.” The second quote read by Commissioner Openshaw was “Be true to yourself, help others, make each day your masterpiece, make friendship a fine art, drink deeply from good books, especially the Bible, build a shelter against a rainy day, give thanks for your blessings, and pray for guidance every day.”

Vice Chairwoman Kuehler reiterated how special Katie Greene was tonight.

She said that she had spoken with Mr. Cooney, the attorney for the ethics investigation, on December 9, 2009, and the reason that the investigation has taken this long is because three of the Commissioners involved in the process hired attorneys and did not speak with Mr. Cooney until April. She stated that she finds it a little humorous that now it has to be done, when originally the



investigation began in December. She said that she has had many conversations with Mr. Cooney, and she had a pretty good idea of the overall ruling of the report as well as the concerns raised in the report. She stated since there has been no rush, she has not had an opportunity to read the report, and that is why she voted not to add the report to the agenda tonight.

Vice Chairwoman Kuehler said that she also wanted to continue having a discussion about Belk Tonawanda Park, but she did not believe a discussion between the sitting Board members was going to move the matter anywhere. She said that she thought the discussion needed to take place with the City of Monroe officials and hoped that avenue could be opened up again.

Chairwoman Rogers said that there was a comment made tonight about Lee Park Baptist Church needing to set up for the July 4<sup>th</sup> celebration on the County's side of the park. She stated that she did not believe there was a reason why the church could not use the park.

Mr. Greene responded that staff would be able to work with the church for use of the property.

Chairwoman Rogers continued her comments regarding the park and stated that she was more than happy to discuss this matter when the Board has some new information or when the officials of the City of Monroe want to have that discussion with the Board.

She addressed the fire fees and said that she had tried to refrain from adding items to the agenda on the night of the meetings. She stated that the Board's Rules of Procedures states that items should not be added to the agenda on the night of the agenda for various reasons. She said that she did not disagree with having the fire chiefs involved, but it is her understanding of the fire study that the fire chiefs have actively participated in the fire study.

Chairwoman Rogers said she was much in awe, not only of Katie Greene, who was at the meeting earlier tonight, but also of the many students who were commended tonight for their athletic talent. She said she has always stated that the schools are the reason people move to Union County. She stated that it has always been her contention that athletics get better grades, make better students, and teach many valuable lessons. She directed her comment to all the County's athletes, whether state champions or not, that they are all champions in her mind.

She stated that Mr. Delk was in her thoughts and prayers and will continue to be so as he serves our great country.

With there being no further discussion, at approximately 8:55 p.m., Vice Chairwoman Kuehler moved to adjourn the meeting. The motion passed unanimously.