

**AGENDA**  
**UNION COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting**  
**Monday, January 5, 2009**  
**7:00 P.M.**  
**Board Room, First Floor**  
**Union County Government Center**  
**500 North Main Street**  
**Monroe, North Carolina**

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[www.co.union.nc.us](http://www.co.union.nc.us)

6:00 P.M. - Closed Session

1. **Opening of Meeting**
  - a. Invocation - Rev. James A. "Sonny" Rogers, Back to Bethel Baptist Church
  - b. Pledge of Allegiance
2. **Informal Comments**
3. **Additions, Deletions and/or Adoption of Agenda**  
**ACTION REQUESTED:** Adoption of Agenda
4. **Consent Agenda**  
**ACTION REQUESTED:** Approve items listed on the Consent Agenda
5. **Public Information Officer's Comments**

**Old Business:**

6. **Appointments of Representatives of Town of Wingate's ETJ Area to Town's Planning Board (Two Regular Members and One Alternate) and Board of Adjustment (Two Regular Members and One Alternate)**  
**ACTION REQUESTED BY TOWN OF WINGATE:** Consider appointments to Town's Planning Board (Two Regular Members and One Alternate) and Board of Adjustment (Two Regular Members and One Alternate) from Applicants Who Submitted Applications Prior to Public Hearing Held on Monday, December 15, 2008

**New Business:**

7. **Schedule Joint Meeting with Town of Indian Trail**  
**ACTION REQUESTED:** Schedule Joint Meeting with Indian Trail Town Council for Tuesday, January 27, 2008, at 5:30 p.m. at Indian Trail Town Hall (Re: Letter of Invitation Sent to Towns to Hold Joint Meetings)

8. **Discussion on Limiting the Length of Board of Commissioners' Regular Meetings**

**ACTION REQUESTED:** Discussion and direction to staff

9. **Announcement of Vacancies on Boards and Committees**

- a. Juvenile Crime Prevention Council (JCPC): 1) District Attorney or Designee; 2) Substance Abuse Professional; 3) Two Persons Under Age of 18; and 4) Juvenile Defense Attorney
- b. Adult Care Home Community Advisory Committee
- c. Nursing Home Advisory Committee
- d. Board of Health (Vacancy for a Licensed Optometrist; Nurse, Engineer, and Citizen Representative)
- e. Union County Home and Community Care Block Grant Advisory Committee
- f. Farmers Market Committee (Vacancy for a member at Large)
- g. Library (Vacancies Representing: Marshville (1); Waxhaw (1); Weddington (1) and One Member at Large)

**ACTION REQUESTED:** Announce vacancies

10. **Manager's Comments**

11. **Commissioners' Comments**

**CONSENT AGENDA**  
**January 5, 2009**

1. **Minutes**

**ACTION REQUESTED:** Approve minutes

2. **Public Works Department**

- a. 2009 Community Waste Reduction and Recycling Grant (Maximum Award of \$25,000. Grant Recipients Must Provide a Cash Match Equivalent to 20 Percent of the Requested Grant Funding - Adequate Matching Funds are Available in the Current Solid Waste Operating Budget)

**ACTION REQUESTED:** Authorize staff to pursue the North Carolina Division of Pollution Prevention and Environmental Assistance 2009 Community Waste Reduction and Recycling Grant and authorize the County Manager to execute the grant application and agreement, if awarded

3. **Tax Administrator**

- a. Departmental Monthly Report for November 2008  
b. Refunds for December 2008 in the Grand Total Amount of \$12,879.84  
c. Releases for December 2008 in the Grand Total Amount of \$144,588.46

**ACTION REQUESTED:** Approve a-c above

4. **Contracts Over \$90,000 and Associated Budget Amendments**

- a. Union Smart Start - Smart Start In-Home Parenting Program (Reimbursement Agreement - Maximum Reimbursement \$34,200) and Budget Amendment #16  
b. Union Smart Start - Smart Start Eligibility Support Program (Reimbursement Agreement - Maximum Reimbursement \$21,200) and Budget Amendment #17  
c. Black & Veatch - Master Multi-Service Agreement for Engineering Services (Tri-Party Agreement to include Lancaster County Water & Sewer District)  
d. Black & Veatch - Preliminary Engineering Services for Catawba River Water Treatment Plant (CRWTP) Water Reservoir Expansion to 750 MG or Greater Volume and Environmental Permitting Assistance (NTE \$670,143.50 - Union County's Portion of the Task Order: Total Amount \$1,340,287)  
e. Hobbs, Upchurch & Associates, P.A. - Master Multi-Service Agreement for Engineering Services (Tri-Party Agreement to Include Lancaster County Water & Sewer District)  
f. Hobbs, Upchurch & Associates, PA - Preliminary Engineering Services for Catawba River Water Treatment Plant (CRWTP) Plan Expansion from 36 MGD to 54 MGD as Well as River Intake and River Pumping Station Capacity (NTE \$72,120 - Union County's Portion - Total Amount \$144,240)

**ACTION REQUESTED:** Authorize County Manager to approve contracts listed as a-f above, pending final legal review, and adopt budget amendments #16 in connection with Item a and #17 in connection with Item b

INFORMATION ONLY  
NO ACTION REQUIRED

1. Water Allocation Policy - UCPW Appeal Responses (Report)
2. Report the Sewer Allocation of 2,875 Gallons Per Day to the Preventech Project and include in the Sewer Allocation Policy Adopted by the Board on September 17, 2007. Project is located at 4330 Matthews-Indian Trail Road.



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## OFFICE OF THE COMMISSIONERS AND MANAGER

500 N. Main St., Room 921 • Monroe, NC 28112 • Phone (704) 283-3810 • Fax (704) 282-0121

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### PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN** that the Union County Board of Commissioners will hold a special meeting on Monday, January 5, 2009, at 6:00 p.m. in the Commissioners' Conference Room, first floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina, for the purpose of going into closed session: 1) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee pursuant to G.S. § 143-318.11(a)(6); and 2) to consult with an attorney in order to preserve the attorney-client privilege in accordance with G.S. 143-318.11(a)(3).

*Lanny Openshaw*

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Lanny Openshaw, Chairman  
Union County Board of Commissioners



**TOWN OF WINGATE**

P. O. BOX 367  
WINGATE, N. C. 28174

TELEPHONE: 704-233-4411  
FAX: 704-233-4412

**AGENDA ITEM**

# 6

1-5-09

**MEETING DATE** G. BRASWELL, JR. MAYOR

TOWN COMMISSIONERS  
BARRY GREEN  
JOHNNY JACUMIN  
JOHN MANGUM  
BRENT MOSER  
BLAIR STEGALL

November 5, 2008

Lynn West  
Union County Clerk  
500 N. Main St.  
Room 925  
Monroe, NC 28112

Dear Ms. West:

I recently contact Al Greene regarding this matter, and he directed me to you. Earlier this year, the Town of Wingate enacted extraterritorial jurisdiction (ETJ) for the purpose of regulating land uses up to one mile outside of the Town's municipal limits. Part of the process of enacting ETJ is that the Union County Commissioners have to appoint representatives from the ETJ to serve on the Wingate Planning Board and Board of Adjustments.

Enclosed, please find a copy of a resolution passed by the Wingate Board of Commissioners requesting the Union County Commissioners make those appointments. I am also enclosing a list of names for their consideration. During the public hearing process of enacting ETJ, the town collected the names of people from the ETJ area interested in serving on one of the two boards. The enclosed names are not necessarily preferred, or endorsed, by the Wingate Board of Commissioners. They are provided so as to assist the Union County Commissioners find people willing to volunteer their service.

Thank you for your assistance in bringing this before the Union County Commissioners. If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Bryw Blanchard  
Town Administrator

Enclosures

Cc: Al Greene, County Manager

RESOLUTION  
REQUEST UNION COUNTY BOARD OF COMMISSIONERS APPOINT ETJ  
MEMBERS

WHEREAS, the Wingate Town Board wishes to comply with NCGS 160A-362 which states that as a result of extraterritorial jurisdiction, a means of proportional representation based on population for residents of the extraterritorial area be provided, and;

WHEREAS, the Union County Board of Commissioners is the appointing authority for the extraterritorial jurisdiction area of Wingate; and

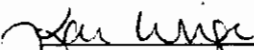
WHEREAS, three such representatives shall be appointed to the Wingate Planning Board (two regular members and one alternate) and three such representatives shall be appointed to the Wingate Board of Adjustments (two regular members and one alternate);

THEREFORE BE IT RESOLVED that the Wingate Town Board hereby requests the Union County Board of County Commissioners appoint three representatives from the extraterritorial jurisdiction area to the Wingate Planning Board and three representatives from the extraterritorial jurisdiction area to the Wingate Board of Adjustments, in accordance with NC GS 160A-362.

Adopted this fifteenth day of July, 2008.

  
\_\_\_\_\_  
Bill G. Braswell, Mayor

Attest:

  
\_\_\_\_\_  
Karen Wingo, Clerk



...the Union County Board of Commissioners...  
 ...jurisdiction (ETJ) area...  
 ...Board of Adjustment...  
 ...GIS...  
 ...500 North Main Street, Monroe, NC 28112...  
 ...704-283-8311...  
 ...December 9, 2008

NORTH CAROLINA,  
UNION COUNTY.

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths,

Pat Deese

personally appeared .....

who being first duly sworn, deposes and says: that he is .....

Principal Clerk .....

engaged in the publication of a newspaper known as The Enquirer-Journal, published, issued, and entered as second class mail in the City of Monroe in said County and etc; that he is authorized to make this affidavit and sworn statement; at the notice or other legal advertisement, a true copy of which is attached hereto, was published in The Enquirer-Journal on the following dates:

Dec. 2, 9, 2008

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This Pat Deese day of Dec 2008

Sworn to and subscribed before me, this 11 day of Dec 2008

Pat P. Clardy Notary Public

My Commission expires: May 11, 2013

Inches: 15"  
MONROE, N.C. Dec. 11 2008

M U.C. Bd of Commissioners Ad# 02.100828  
COST: \$ 2.91<sup>00</sup>

-IN ACCOUNT WITH-

The Enquirer-Journal

P.O. Box 5040  
500 W. Jefferson St.  
Monroe, N.C. 28111-5040

Important Legal Document, Please Retain



NORTH CAROLINA

UNION COUNTY

I, John Edmondson, Editor and publisher of *The Home News*, a newspaper published in Union County, do hereby certify the attached notice to have been published in said newspaper, once a week for

1 successive weeks, beginning with the issue of December 4, 2008, and ending with the issue of December 7, 2008

John Edmondson

Sworn to and subscribed before me, this the 11<sup>th</sup> day of December, 2008.



Brenda R. Thomas

My commission expires 2/18/2010

Marshville, N.C. December 11, 2008

M

In account with *The Home News*

**PUBLIC NOTICE - REFERENCE WINGATE, E**

**NOTICE IS HEREBY GIVEN** that in accordance with North Carolina General Statutes §160A-362, the Union County Board of Commissioners is seeking applications from citizens residing within the Town of Wingate's Extrajurisdictional Jurisdiction (EJJ) Area who are interested in serving on the Town of Wingate's Planning Board and/or Board of Adjustment. Wingate's EJJ area does not extend beyond one mile of its corporate limits. A more detailed description of the EJJ area is available in the County GIS office located on the 8th Floor of the Union County Government Center, 500 North Main Street, Monroe, NC. Anyone who wishes to apply to serve on these boards may obtain a profile sheet by calling Lynn West at (704) 283-3853 or from the County's website at [www.co.union.nc.us](http://www.co.union.nc.us). Please submit completed profile sheets by Friday, December 12, 2008, to the Office of the Clerk to the Board of Commissioners, 300 North Main Street, Room 22, Monroe, NC 28112, by fax at (704) 283-0121, or by email to [west@co.union.nc.us](mailto:west@co.union.nc.us).

**NOTICE IS HEREBY FURTHER GIVEN** that the Union County Board of Commissioners will hold a public hearing on Monday, December 15, 2008, at 7:00 p.m. in the Board Room located on the first floor of the Union County Government Center, 500 North Main Street, Monroe, North Carolina, to receive public comments regarding the selection of applicants who reside within the Town of Wingate's EJJ area to serve on the Town of Wingate's Planning Board and/or Board of Adjustment. The Board of County Commissioners shall select appointees only from those who apply at or before the public hearing.

Any person requesting a sign language interpreter, please call (704) 225-3554 and make a request at least 96 hours in advance. Any other special assistance needed by an individual due to a disability under the Americans with Disabilities Act should call (704) 283-3810 and make a request at least 96 hours in advance.



**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

Meeting Date: 1/5/2009

Action Agenda Item No. 8  
(Central Admin. use only)

**SUBJECT:** Discussion on Limiting the Length of Board of Commissioners' Regular Meetings

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**DEPARTMENT:** Board of Commissioners

**PUBLIC HEARING:** No

**ATTACHMENT(S):**

**INFORMATION CONTACT:**  
Commissioner Allan Baucom

**TELEPHONE NUMBERS:**

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**DEPARTMENT'S RECOMMENDED ACTION:** Discussion and direction to staff

**BACKGROUND:**

**FINANCIAL IMPACT:**

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:**



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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:**

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: 1-5-09**

**Action Agenda Item No.** 4/2  
(Central Admin. use only)

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**SUBJECT:** 2009 Community Waste Reduction and Recycling Grant

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**DEPARTMENT:** Public Works

**PUBLIC HEARING:** No

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**ATTACHMENT(S):**

**INFORMATION CONTACT:**  
Mark Tye

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**TELEPHONE NUMBERS:**

704 296-4215

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**DEPARTMENT'S RECOMMENDED ACTION:** Give permission for staff to pursue The North Carolina Division of Pollution Prevention and Environmental Assistance 2009 Community Waste Reduction and Recycling Grant and authorize the County Manager to execute the grant application and grant agreement if Union County is selected as a recipient.

**BACKGROUND:** NC Statute 130A-309.10 prohibits televisions from being disposed of by landfilling by 2010 and computer equipment by 2012. Union County is not currently recycling electronic equipment. UCPW, the General Services Department and the City of Monroe have been jointly exploring electronic recycling opportunities. Considerable research has been conducted on the topic and as a result a Request for Proposal (RFP) for electronics disposal services is being developed and will be placed on the street in early 2009. Infrastructure and educational efforts will need to be in place in order to have an effective program. The North Carolina Division of Pollution Prevention and Environmental Assistance is offering a 2009 Community Waste Reduction and Recycling Grant. The grant monies may be used for equipment purchases and public awareness/education. Applicants are eligible for a maximum award of \$25,000.00. Grant winners must provide a cash match equivalent to 20 percent of the requested grant funding.

Infrastructure needs – In order to be marketable, electronic equipment must be stored out of the weather. Approximately nine (9) modest storage buildings are need for collection and storage of the electronics. These buildings will be placed at each of the six (6) Solid Waste Convenience Sites located throughout the county, the Transfer Station and two (2) yet-to-be determined locations within the limits of the City. The cost of each building is estimated to be \$1,500.00. No additional infrastructure/equipment costs are anticipated.

Educational needs – In order to promote public awareness of the program, local radio spots, flyers, pamphlets and billing inserts will be needed. The estimated cost for the development,

printing and distribution of educational material is \$11,500 dollars. Additional educational avenues that have little to no cost such as advertising on channel 16 and the County web site will also be utilized.

**FINANCIAL IMPACT:** Total grant dollars to be requested will be \$25,000 = (9 buildings x \$1500) + (\$11,500 advertising). Adequate match funds are available in the current Solid Waste operating budget.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY**  
**Office of the Tax Administrator**  
**Collections Division**  
500 N. Main St. Ste 119  
P.O. Box 38  
Monroe, NC 28111-0038

**AGENDA ITEM**

# 43a

**MEETING DATE** 1-5-09  
704-283-3848  
704-283-3897 Fax

TO: Lynn West  
Clerk to the Board

FROM: John Petoskey   
Tax Administrator

DATE: December 11, 2008

SUBJECT: Departmental Monthly Report

The collector's monthly/year to date collections report for the month ending November 30, 2008 is attached for your information and review.

Should you desire additional information, I will do so at your request.

Attachment

JP/PH

**NOVEMBER 2008  
PERCENTAGE FOR REGULAR AND MOTOR VEHICLE**

<b>NOVEMBER 30, 2008 REGULAR TAX</b>	<b>2009</b>	<b>2008</b>	<b>2007</b>	<b>2006</b>
BEGINNING CHARGE		143,771,363.71	116,234,595.89	96,212,516.60
DISCOVERIES	35.63	74,000.94		
FARM DEFERMENTS		5,889.45	4,276.84	3,833.66
RELEASES	(35.63)	(56,182.68)	(1,736.76)	(510.87)
<b>TOTAL CHARGE</b>	<b>-</b>	<b>143,795,071.42</b>	<b>116,237,135.97</b>	<b>96,215,839.39</b>
BEGINNING COLLECTIONS		15,117,197.96	114,805,964.86	95,635,972.60
COLLECTIONS		58,073,814.67	57,151.18	11,530.37
<b>TOTAL COLLECTIONS</b>	<b>-</b>	<b>73,191,012.63</b>	<b>114,863,116.04</b>	<b>95,647,502.97</b>
BALANCE OUTSTANDING		70,604,058.79	1,374,019.93	568,336.42
<b>PERCENTAGE OF REGULAR</b>	<b>0.00%</b>	<b>50.90%</b>	<b>98.82%</b>	<b>99.41%</b>
<b>NOVEMBER 30, 2008 MOTOR VEHICLE</b>				
BEGINNING CHARGE		5,443,751.97	12,063,999.40	10,335,531.15
6TH M/V BILLING		1,162,529.60		
ASSESSOR RELEASE		(10,988.33)	(996.42)	(231.95)
ASSESSOR REFUND		(773.50)	(482.86)	
COLLECTOR RELEASE		(6,261.61)	(1,982.39)	
COLLECTOR REFUND		(456.26)	(639.95)	
REIMBURSEMENTS		4,589.88	2,918.57	93.08
ADJUSTMENTS		15.52	1.26	(0.25)
<b>TOTAL CHARGE</b>	<b>-</b>	<b>6,592,407.27</b>	<b>12,062,817.61</b>	<b>10,335,392.03</b>
BEGINNING COLLECTIONS		3,748,313.11	11,547,386.93	10,219,281.47
COLLECTIONS		871,309.36	71,072.54	1,916.92
<b>TOTAL COLLECTIONS</b>	<b>-</b>	<b>4,619,622.47</b>	<b>11,618,459.47</b>	<b>10,221,198.39</b>
BALANCE OUTSTANDING		1,972,784.80	444,358.14	114,193.64
<b>PERCENTAGE OF MOTOR VEHICLE</b>	<b>0.00%</b>	<b>70.07%</b>	<b>96.32%</b>	<b>98.90%</b>
<b>OVERALL CHARGED</b>	<b>-</b>	<b>150,387,478.69</b>	<b>128,299,953.58</b>	<b>106,551,231.42</b>
<b>OVERALL COLLECTED</b>	<b>-</b>	<b>77,810,635.10</b>	<b>126,481,575.51</b>	<b>105,868,701.36</b>
<b>OVERALL PERCENTAGE</b>	<b>0.00%</b>	<b>51.74%</b>	<b>98.58%</b>	<b>99.36%</b>

**NOVEMBER 2008  
PERCENTAGE FOR REGULAR AND MOTOR VEHICLE**

<b>NOVEMBER 30, 2008 REGULAR TAX</b>	<b>2005</b>	<b>2004</b>	<b>2003</b>	<b>2002</b>
BEGINNING CHARGE	86,209,344.71	75,937,411.49	60,651,789.62	51,674,077.37
DISCOVERIES				
FARM DEFERMENTS	3,310.28			
RELEASES	(394.83)	(72.35)	(11.03)	(81.23)
<b>TOTAL CHARGE</b>	<b>86,212,260.16</b>	<b>75,937,339.14</b>	<b>60,651,778.59</b>	<b>51,673,996.14</b>
BEGINNING COLLECTIONS	85,908,090.61	75,744,199.20	60,520,949.15	51,581,738.07
COLLECTIONS	6,963.07	1,817.88	2,021.19	895.40
<b>TOTAL COLLECTIONS</b>	<b>85,915,053.68</b>	<b>75,746,017.08</b>	<b>60,522,970.34</b>	<b>51,582,633.47</b>
BALANCE OUTSTANDING	297,206.48	191,322.06	128,808.25	91,362.67
<b>PERCENTAGE OF REGULAR</b>	<b>99.66%</b>	<b>99.75%</b>	<b>99.79%</b>	<b>99.82%</b>
<b>NOVEMBER 30, 2008 MOTOR VEHICLE</b>				
BEGINNING CHARGE	10,040,947.83	-	-	-
6TH M/V BILLING		-	-	-
ASSESSOR RELEASE		-	-	-
ASSESSOR REFUND	(129.00)	-	-	-
COLLECTOR RELEASE		-	-	-
COLLECTOR REFUND		-	-	-
REIMBURSEMENTS		-	-	-
ADJUSTMENTS		-	-	-
<b>TOTAL CHARGE</b>	<b>10,040,818.83</b>	<b>-</b>	<b>-</b>	<b>-</b>
BEGINNING COLLECTIONS	9,959,407.26	-	-	-
COLLECTIONS	425.51	-	-	-
<b>TOTAL COLLECTIONS</b>	<b>9,959,832.77</b>	<b>-</b>	<b>-</b>	<b>-</b>
BALANCE OUTSTANDING	80,986.06	-	-	-
<b>PERCENTAGE OF MOTOR VEHICLE</b>	<b>99.19%</b>			
<b>OVERALL CHARGED</b>	<b>96,253,078.99</b>	<b>75,937,339.14</b>	<b>60,651,778.59</b>	<b>51,673,996.14</b>
<b>OVERALL COLLECTED</b>	<b>95,874,886.45</b>	<b>75,746,017.08</b>	<b>60,522,970.34</b>	<b>51,582,633.47</b>
<b>OVERALL PERCENTAGE</b>	<b>99.61%</b>	<b>99.75%</b>	<b>99.79%</b>	<b>99.82%</b>

**NOVEMBER 2008  
PERCENTAGE FOR REGULAR AND MOTOR VEHICLE**

<b>NOVEMBER 30, 2008 REGULAR TAX</b>	<b>2001</b>	<b>2000</b>	<b>1999</b>	<b>1998</b>
BEGINNING CHARGE	48,122,816.89	43,553,122.94	40,736,859.08	37,964,034.52
DISCOVERIES				
FARM DEFERMENTS				
RELEASES	(84.17)	(70.99)	(80.51)	
<b>TOTAL CHARGE</b>	<b>48,122,732.72</b>	<b>43,553,051.95</b>	<b>40,736,778.57</b>	<b>37,964,034.52</b>
BEGINNING COLLECTIONS	48,056,401.54	43,508,199.89	40,697,340.47	37,936,174.25
COLLECTIONS	190.69	142.07	36.49	
<b>TOTAL COLLECTIONS</b>	<b>48,056,592.23</b>	<b>43,508,341.96</b>	<b>40,697,376.96</b>	<b>37,936,174.25</b>
BALANCE OUTSTANDING	66,140.49	44,709.99	39,401.61	27,860.27
<b>PERCENTAGE OF REGULAR</b>	<b>99.86%</b>	<b>99.90%</b>	<b>99.90%</b>	<b>99.93%</b>
<b>NOVEMBER 30, 2008 MOTOR VEHICLE</b>				
BEGINNING CHARGE	-	-	-	-
6TH M/V BILLING	-	-	-	-
ASSESSOR RELEASE	-	-	-	-
ASSESSOR REFUND	-	-	-	-
COLLECTOR RELEASE	-	-	-	-
COLLECTOR REFUND	-	-	-	-
REIMBURSEMENTS	-	-	-	-
ADJUSTMENTS	-	-	-	-
<b>TOTAL CHARGE</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
BEGINNING COLLECTIONS	-	-	-	-
COLLECTIONS	-	-	-	-
<b>TOTAL COLLECTIONS</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
BALANCE OUTSTANDING	-	-	-	-
<b>PERCENTAGE OF MOTOR VEHICLE</b>				
<b>OVERALL CHARGED</b>	<b>48,122,732.72</b>	<b>43,553,051.95</b>	<b>40,736,778.57</b>	<b>37,964,034.52</b>
<b>OVERALL COLLECTED</b>	<b>48,056,592.23</b>	<b>43,508,341.96</b>	<b>40,697,376.96</b>	<b>37,936,174.25</b>
<b>OVERALL PERCENTAGE</b>	<b>99.86%</b>	<b>99.90%</b>	<b>99.90%</b>	<b>99.93%</b>

# REFUNDS DECEMBER 2008

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	CSGT-999	CSLL-999	HembyG1	WesleyG1	WesleyLL	BeaverFF	Totals
<b>2008</b>													
07039273	TURPIN PHILIP	5139	687,350		4,019.22		168.72		280.85				4,468.79
50084884	BYRUM FRANKI	5148		19,452	129.36								129.36
05132050	CURTIS LOIS D.	5178	53,760		357.50								357.50
<b>Totals - 2008</b>			<b>741,110</b>	<b>19,452</b>	<b>4,506.08</b>	<b>-</b>	<b>168.72</b>	<b>-</b>	<b>280.85</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,955.65</b>
<b>2007</b>													
02021012	TRULL LILLIE M	5096	32,420		230.54							45.00	275.54
50082260	PRESSLEY LINU	5101		52,590	373.96								373.96
50088564	CHURN RICHAF	5108		12,930	91.95	9.19							101.14
50096303	TIENDA ROMEF	5116		25,000	177.78	17.78							195.56
06237001	FIRETHORNE H	5138	98,100		697.59				16.38				713.97
50073838	BALLARD DAVIE	5143		183,200	1,302.74								1,302.74
<b>Totals - 2007</b>			<b>130,520</b>	<b>273,720</b>	<b>2,874.56</b>	<b>26.97</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>16.38</b>	<b>-</b>	<b>45.00</b>	<b>2,962.91</b>
<b>2006</b>													
02021012	TRULL LILLIE M	5097	32,420		206.42							45.00	251.42
50088564	CHURN RICHAF	5106		13,620	24.83	2.48							27.31
50073838	BALLARD DAVIE	5144		158,400	1,008.53								1,008.53
<b>Totals - 2006</b>			<b>32,420</b>	<b>172,020</b>	<b>1,239.78</b>	<b>2.48</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>45.00</b>	<b>1,287.20</b>
<b>2005</b>													
02021012	TRULL LILLIE M	5098	32,420		181.55		22.70					45.00	249.25
50088564	CHURN RICHAF	5107		4,100	22.96	2.30	2.87	0.29					28.42
50073838	BALLARD DAVIE	5145		149,300	836.08		104.51			22.40			962.99
<b>Totals - 2005</b>			<b>32,420</b>	<b>153,400</b>	<b>1,040.59</b>	<b>2.30</b>	<b>130.08</b>	<b>0.29</b>	<b>-</b>	<b>22.40</b>	<b>-</b>	<b>45.00</b>	<b>1,240.66</b>
<b>2004</b>													
02021012	TRULL LILLIE M	5099	32,420		170.21		22.70					45.00	237.91
50073838	BALLARD DAVIE	5146		161,000	845.25	66.46	112.70	8.86		22.54	1.77		1,057.58
<b>Totals - 2004</b>			<b>32,420</b>	<b>161,000</b>	<b>1,015.46</b>	<b>66.46</b>	<b>135.40</b>	<b>8.86</b>	<b>-</b>	<b>22.54</b>	<b>1.77</b>	<b>45.00</b>	<b>1,295.49</b>

AGENDA ITEM  
 MEETING DATE  
 1-5-09  
 30

# REFUNDS DECEMBER 2008

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	CSGT-999	CSLL-999	HembyGT	WesleyG	WesleyLL	BeaverFF	Totals
<b>2003</b>													
02021012	TRULL LILLIE M	5100	17,600		93.28		12.32					45.00	150.60
50073838	BALLARD DAVI	5147		161,000	796.70	51.37	105.22	6.78		25.55	1.65		987.27
<b>Totals - 2003</b>			17,600	161,000	889.98	51.37	117.54	6.78	-	25.55	1.65	45.00	1,137.87
<b>GRAND TOTALS - ALL YEARS</b>			986,490	940,592	11,566.45	149.58	551.74	15.93	280.85	86.87	3.42	225.00	12,879.84

# RELEASES DECEMBER 2008

Acct #	Name	Rel #	Real Value	Pers. Value	UCGT	UCLL	CSGT-9	CSLL-9	HembyC	HB-LLP	SpringsG	StallGT	WaxhawG	WesleyG	Wes-LLP	BakersFF	BeaverFF	WingateT	W-LLP	Totals	
<b>2008</b>																					
07069121	JENNINGS ANITA	5089	15,070		100.21															100.21	
06066262	WEBER GERALD J	5090	51,160		340.21									9.77						349.98	
09273004	JEFFERSON VILL	5091	223,650		1,487.27															1,487.27	
04036012A	ROWELL C RICHA	5092	460		3.06															3.06	
04204014C	DAVIS HAZELINE	5093	4,290		28.53															28.53	
07129291A	FUNDERBURK CA	5094	143,100		951.61						58.10									1,009.71	
02021012	TRULL LILLIE MAE	5095	29,760		197.90												45.00			242.90	
50096455	BLACK HAWK TRJ	5102		28,750	191.19	19.12								5.49	0.55					216.35	
50099909	LITTLE ELTIS	5104			19,310	128.41														128.41	
50088564	CHURN RICHARD	5105		11,780	78.34	7.83														86.17	
50099874	U S HELICOPTER	5109		200,000	1,330.00															1,330.00	
50032240	U S HELICOPTER	5110		843,000	5,605.95															5,605.95	
50099868	HUNEYCUTT DAV	5111		3,085	20.52	2.05														22.57	
50099868	HUNEYCUTT DAV	5112		3,530	25.10	2.51														27.61	
50095939	WILLIAMS ERIC D	5113		132,250	879.46	87.95														967.41	
50096303	TIENDA ROMERO	5115		28,750	191.19	19.12													112.13	11.21	333.65
09194015	UNION MEMORIAL	5117	195,260		1,298.48																1,298.48
50065307	US BANCORP EQ	5118		2,648	17.61								0.66								18.27
50065303	US BANCORP EQ	5119		1,733	11.52															6.76	18.28
50076788	EAST JOE	5120		4,080	27.13						1.25										28.38
50070486	US BANCORP EQ	5121		26,455	175.93																175.93
50099862	RUMMERY JAMES	5122		30,000	199.50	19.95															219.45
08228003	BAUCOM LARRY I	5123	368,700		2,451.86																2,451.86
04120003	ROBINSON MELVI	5124	278,460		1,851.76																1,851.76
08264016E	MCNAMEE KEVIN	5125	149,220		992.31																992.31
08264016	MCNAMEE KEVIN	5126	96,450		641.40																641.40
08132013	BRASWELL MARK	5127	308,850		2,053.86																2,053.86
09210010C	WITHROW JERRY	5128	482,840		3,210.89																3,210.89
K7048019A	HUNTER PAUL SA	5129	1,088,180		7,236.40						536.47										7,772.87
N7048019A	HUNTER PAUL SA	5130	58,250		387.37																387.37
09168022	PARKER FRANCE	5131	78,460		521.76																521.76
09168022B	PARKER FRANCE	5132	8,030		53.40																53.40
09168022C	PARKER FRANCE	5133	130,720		869.29																869.29
09210010S	PRICE NEAL KEM	5134	457,370		3,041.51																3,041.51
02242027	DAVIS WRISTON J	5135	227,218		1,511.00																1,511.00
09197030 01	CAROLINA CLASS	5136	34,180		227.30																227.30
02303055 02	EDWARDS CARR	5137	99,640		662.61																662.61
05039005	TYSON CHARLIE	5140	849,620		5,649.98						259.99										5,909.97
09339020A	ELLISE QUARRY I	5141	1,195,000		6,999.13																6,999.13
50073838	BALLARD DAVID E	5142		153,000	1,017.45	113.24								29.22	3.25						1,163.16
50071031	BAUCOM AIR CON	5149		25,000	166.25	16.63															182.88
05039007	COUICK JERRY LE	5150	287,830		1,914.07																1,914.07

# 413C  
 AGENDA ITEM

1/5/09

# RELEASES DECEMBER 2008

Acct #	Name	Rel #	Real Value	Pers. Value	UCGT	UCLL	CSGT-9	CSLL-9	Hemby	HB-LLP	SpringsG	StallGT	WaxhawG	WesleyG	Wes-LLP	BakersFF	BeaverFF	WingateT	W-LLP	Totals
<b>2008</b>																				
09321005	SOUTHWINDS OF	5151	2,490		16.56															16.56
04123008	EUBANKS THOMA	5153	514,650		3,422.43															3,422.43
01150012 02	HATHCOCK BYRC	5154	172,080		1,144.33															1,144.33
50073838	BALLARD DAVID E	5155												3.51						3.51
05087021 80	YARBROUGH JOH	5156	6,170		41.03								1.53							42.56
05087021 90	YARBROUGH JOH	5157	2,525,430		16,794.11								626.31							17,420.42
07048026	BRALYNN INC	5158	796,600		5,297.39											84.44				5,381.83
02245001 93	HAYWOOD NELL I	5159	118,570		788.49															788.49
50099164	SUN VALLEY FAM	5160		387,193	2,574.83															2,574.83
05013001	RUTLEDGE W C J	5161	260,970		1,735.45						79.85									1,815.30
04335001	RUTLEDGE W C J	5162	2,928,610		19,475.26						896.15									20,371.41
03159030	LITTLE JOHN HAR	5163	209,620		1,393.97															1,393.97
07132010L02	AUSTIN VILLAGE	5164	248,540		1,652.79							100.90								1,753.69
07132010L03	AUSTIN VILLAGE	5165	503,510		3,348.34							204.43								3,552.77
50015509	B B & T EQUIPME	5166		1,254	8.34															8.34
50069320	B B & T EQUIPME	5167		13,920	92.56															98.21
50079824	PENEGAR DAVID	5168		47,552	238.50	93.96	17.87	8.99												359.32
50067941	YELLOW TRANSP	5169		25,560	169.97	17.00														186.97
50099381	ALLADIN HEATING	5170		25,000	166.25	16.63			12.33	1.23										196.44
05096002 07	BELK JAMES H &	5171	148,920		990.32								36.93							1,027.25
05096002 06	HEDRICK EDWAR	5172	231,930		1,542.33								57.52							1,599.85
05096002 08	MCKINGHT WILLI	5173	74,470		495.23								18.47							513.70
05096002 05	NIVEN BENJAMIN	5174	379,940		2,526.60								94.23							2,620.83
07129022	AUSTIN CHARLES	5175	1,880,670		12,506.45							763.56								13,270.01
02006007B	DOUGLAS ERNES	5176	41,795		277.94															277.94
04156004	WILSON KENNETI	5177	41,585		276.54															276.54
09339021A	SHILOH BAPTIST	5179	312,500		2,078.13															2,078.13
08156001 01	KEILER LYNN TES	5180	777,300		5,169.04															5,169.04
<b>Totals - 2008</b>			<b>19,038,118</b>	<b>2,013,850</b>	<b>138,971.90</b>	<b>415.99</b>	<b>17.87</b>	<b>8.99</b>	<b>548.80</b>	<b>1.23</b>	<b>1,237.24</b>	<b>1,132.64</b>	<b>835.65</b>	<b>47.99</b>	<b>3.80</b>	<b>84.44</b>	<b>45.00</b>	<b>118.89</b>	<b>11.21</b>	<b>143,481.64</b>
<b>2007</b>																				
50096455	BLACK HAWK TR	5103		25,000	177.78	17.78								4.18	0.42					200.16
50095939	WILLIAMS ERIC D	5114		115,000	817.77	81.78														899.55
09321005	SOUTHWINDS OF	5152	1,000		7.11															7.11
<b>Totals - 2007</b>			<b>1,000</b>	<b>140,000</b>	<b>1,002.66</b>	<b>99.56</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4.18</b>	<b>0.42</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>1,106.82</b>
<b>GRAND TOTALS - ALL YEARS</b>			<b>19,039,118</b>	<b>2,153,850</b>	<b>139,974.56</b>	<b>515.55</b>	<b>17.87</b>	<b>8.99</b>	<b>548.80</b>	<b>1.23</b>	<b>1,237.24</b>	<b>1,132.64</b>	<b>835.65</b>	<b>52.17</b>	<b>4.22</b>	<b>84.44</b>	<b>45.00</b>	<b>118.89</b>	<b>11.21</b>	<b>144,588.46</b>



Contract Summary of Major Terms and Conditions

1-05-2009

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans	Budget Amend.	S#
<b>Consent Agenda Item - Contracts Over \$90,000 (List)</b>						
A	Union Smart Start	Smart Start in-home parenting program, reimbursement agreement.	\$ 34,200.00	Maximum reimbursement.	n/a	BA # 16 2142
B	Union Smart Start	Smart Start eligibility support program, reimbursement agreement.	\$ 21,200.00	Maximum reimbursement.	n/a	BA # 17 2141
C	Black & Veatch International Company	Master multi-service agreement for engineering services - tri-party agreement to include Lancaster County Water & Sewer District	n/a	n/a	n/a	
D	Black & Veatch International Company	Preliminary engineering services for Catawba River Water Treatment Plant (CRWTP) water reservoir expansion to 750 MG or greater volume and environmental permitting assistance.	\$ 670,143.50	Lump sum amount (NTE). This is Union County's 50% portion of the total task order amount of \$1,340,287.00.	Water & Sewer Master Plan 2005 CIP 2006 CIP 2007-2011 Capital Project Ordinance	n/a
E	Hobbs, Upchurch & Associates, PA	Master multi-service agreement for engineering services - tri-party agreement to include Lancaster County Water & Sewer District	n/a	n/a	n/a	
F	Hobbs, Upchurch & Associates, PA	Preliminary engineering services for Catawba River Water Treatment Plant (CRWTP) plant expansion from 36 MGD to 54 MGD as well as river intake and river pumping station capacity	\$ 72,120.00	Lump sum amount (NTE). This is Union County's 50% portion of the total task order amount of \$144,240.00.	Water & Sewer Master Plan 2005 CIP 2006 CIP 2007-2011 Capital Project Ordinance	n/a

MEETING DATE: 1-5-09  
 # 440.f  
 AGENDA ITEM

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: January 5, 2009**

**Action Agenda Item No.** 4/4a  
(Central Admin. use only)

**SUBJECT:** Smart Start In-Home Parenting Program

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**DEPARTMENT:** Social Services

**PUBLIC HEARING:** No

**ATTACHMENT(S):**  
BA # 16

**INFORMATION CONTACT:**  
D. Dontae Latson

**TELEPHONE NUMBERS:**  
704-296-4301

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**DEPARTMENT'S RECOMMENDED ACTION:** The Union County Department of Social Services would like to request the BOCC approval for the Smart Start In-Home Parenting Activity.

**BACKGROUND:** On September 9, 2008 the Union Smart Start Board approved funding for a Smart Start In-Home Parenting Program, Social Worker I position (via contracted services). The Smart Start In-Home Parenting activity will be provided by the Union County Department of Social Services, Work First department and will provide for a contract for a Family Support Specialist to support families with children under five years of age and their families. Using the Partners for a Healthy Baby curriculum, the Family Support Specialist will go to Work First families' homes and teach basic skills such as parenting, child development, budgeting, household management and crisis management. The Specialist will help identify and work with children and their families who are at the lowest end of the socio-economic spectrum, who have needs that may not be identified until they enter child care or kindergarten and recommend needed services such as dental care, speech therapy and other community services. This activity will allow Work First participants to remain in the program by helping them meet participation rate requirements thereby assuring that they will continue to receive the support they need to become employed and self supporting.

**FINANCIAL IMPACT:** None. This position will be funded 100% through Smart Start.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: January 5, 2009**

**Action Agenda Item No.** 4/46  
(Central Admin. use only)

**SUBJECT:** Smart Start Eligibility Support Program

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**DEPARTMENT:** Social Services

**PUBLIC HEARING:** No

**ATTACHMENT(S):**  
BA # 17

**INFORMATION CONTACT:**  
D. Dontae Latson

**TELEPHONE NUMBERS:**

704-296-4301

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**DEPARTMENT'S RECOMMENDED ACTION:** The Union County Department of Social Services would like to request the BOCC approval for the Smart Start Eligibility Support Program.

**BACKGROUND:** On September 9, 2008 the Union Smart Start Board approved funding for a Smart Start Eligibility Support Program, Income Maintenance Caseworker II position (via contracted services), which will be provided by the Union County Department of Social Services. The Smart Start Eligibility Support program will provide for a contract for an Income Maintenance Caseworker who will be located in the Union County Health Department (UCHD) and supervised by the Department of Social Services (DSS). The caseworker, preferably bilingual, will take applications and determine eligibility for the Family and Children's Medicaid Program (specifically, children birth to five who are not yet in kindergarten and pregnant women). The Caseworker will also complete mail-in applications and assist other DSS staff as time permits. Smart Start funds will cover approximately 50% of the Income Maintenance Caseworker's position and will be a match to draw down additional funds. Many clients come to UCHD without medical coverage for their children and must be referred to DSS to complete the application process. By having an onsite case worker, clients will receive better customer service, be enrolled sooner and thereby receive services in a timelier manner. This project will collaborate with and complete the cycle of the current Health Check Coordinators by qualifying children for medical coverage and accessing a medical home.

**FINANCIAL IMPACT:** None. This position will be funded 50% through Smart Start and 50% through the state.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: January 5, 2009**

**Action Agenda Item No.** 4/4d  
(Central Admin. use only)

**SUBJECT:** Catawba River WTP Reservoir Expansion  
Black & Veatch International Company engineering services agreement

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**DEPARTMENT:** Public Works                      **PUBLIC HEARING:** No

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**ATTACHMENT(S):**                                      **INFORMATION CONTACT:**  
Scott Huneycutt

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**TELEPHONE NUMBERS:**  
704-296-4211

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**DEPARTMENT'S RECOMMENDED ACTION:** Accept scope of services for the preliminary engineering services and allow the County Manager to execute the agreement with Black & Veatch International Company, contingent upon legal review.

**BACKGROUND:** The Catawba River WTP reservoir expansion project was approved as part of the Public Works 2007 Capital Improvements Plan. The project will construct a second raw water reservoir which will add approximately 845 million gallons of raw water storage on site. When constructed this reservoir will act as a drought buffer and allow the plant to operate without pulling water from the Catawba River during low flow conditions. On October 28, 2008 the Catawba River Water Board approved this agreement and all funds associated with the preliminary engineering services for this project.

**FINANCIAL IMPACT:** Union County - \$670,143.50 (50%) and Lancaster Water & Sewer District - \$670,143.50 (50%) for a total agreement amount of \$1,340,287.00.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_  
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**Finance Dept. Comments if applicable:** \_\_\_\_\_  
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**Manager Recommendation:**

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: January 5, 2009**

**Action Agenda Item No.** 414f  
(Central Admin. use only)

**SUBJECT:** Catawba River WTP Expansion to 54 MGD  
Hobbs, Upchurch & Associates, Inc. engineering services agreement

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**DEPARTMENT:** Public Works                      **PUBLIC HEARING:** No

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**ATTACHMENT(S):**                                      **INFORMATION CONTACT:**  
Scott Huneycutt

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**TELEPHONE NUMBERS:**  
704-296-4211

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**DEPARTMENT'S RECOMMENDED ACTION:** Accept scope of services for the preliminary engineering services and allow the County Manager to execute the agreement with Hobbs, Upchurch & Associates, Inc, contingent upon legal review.

**BACKGROUND:** The Catawba River WTP Expansion Project was approved as part of the Public Works 2007 Capital Improvements Plan. The project will expand the County's allocation at the plant from 18 MGD to 27 MGD (50% of the plant's expansion to 54 MGD). The project will include design of all processes including the river intake and pumping station, water treatment facilities, finished water pumping, backwash facilities, and effluent residuals land application. On October 28, 2008 the Catawba River Water Board approved this agreement and all funds associated with the preliminary engineering services for this project.

**FINANCIAL IMPACT:** Union County - \$72,120.00 (50%) and Lancaster Water & Sewer District - \$72,120.00 (50%) for a total agreement amount of \$144,240.00.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:**

UNION COUNTY  
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT  
Meeting Date: 1/5/2009

Action Agenda Item No. \_\_\_\_\_  
(Central Admin. use only)

**SUBJECT:** Water Allocation Policy - UCPW Appeal Responses

**DEPARTMENT:** Public Works                      **PUBLIC HEARING:** No

**ATTACHMENT(S):**  
Letters responding to various appeals  
pertaining to the Water Allocation  
Policy

**INFORMATION CONTACT:**  
Al Greene  
Scott Huneycutt  
Mike Garbark  
Jeff Crook

**TELEPHONE NUMBERS:**  
704-292-2625  
704-296-4211  
704-296-4239  
704-283-3673

**DEPARTMENT'S RECOMMENDED ACTION:** Report seven (7) individual water allocation appeal responses to County Commissioners that were generated from the adoption of the Water Allocation Policy on October 20, 2008.

**BACKGROUND:** Owner's or Developer's of any project had 30 days upon implementation of the Policy to appeal any discrepancy or omission regarding the policy. The attachments are the UCPW Director's response to the seven (7) appeals. If the owner is unsatisfied with the Director's response, they have 30 days from the date of the letter to appeal to the County Manager.

**FINANCIAL IMPACT:**

**Legal Dept. Comments if applicable:** \_\_\_\_\_  
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\_\_\_\_\_

**Finance Dept. Comments if applicable:** \_\_\_\_\_  
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\_\_\_\_\_

**Manager Recommendation:** \_\_\_\_\_



## UNION COUNTY PUBLIC WORKS

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*Scott Huneycutt, P.E., Interim Public Works Director*

### **MEMORANDUM**

**To:** Al Greene, County Manager

**From:** Mike Garbark, P.E. Assistant Director Engineering

**Subject:** Water Appeal Briefs -- Commission Agenda 1-5-09

#### Barry Groome Appeal

The basis of this appeal requests 30 lots of the proposed subdivision Edenshire be ranked a higher priority than in the current version. Currently Edenshire has 26 lots in Priority 'D' of the Water Allocation Policy and 4 lots in Priority 'B' of the Water Allocation Policy. Priority 'D' was created for projects that do not qualify for sewer but were submitted for consideration during the public notice for projects that wished to be included in the Water Allocation Policy. Priority 'B' consists of projects that qualify for sewer under UCPW criteria but had not secured a sewer permit from the State at the time of adoption but can proceed immediately. The water permitting in Priority 'B' mirrors the sewer permitting. Mr. Groome secured four (4) sewer taps, one for each of the parcels that will consist of the future Edenshire, which qualified the same in Priority 'B' of the Water Allocation Policy.

Documentation provided with the appeal includes a Water and Sewer Availability Letter dated February 4, 2008, to Mr. Groome, that offers 5 water taps per existing parcel. Four distinct parcels were identified in this letter and these are the parcels that comprise the proposed Edenshire development. Please note that in the same letter each one of these parcels was offered one (1) sewer tap. Noting that these 20 water taps were made available in advance of the August 20, 2008 Commissioner Motion, the availability is legitimate. Summarizing the above information based on the information provided, Edenshire qualified to move 16 lots from Priority 'D' to Priority 'B'. This totals 20 lots in Priority 'B' of the policy while ten (10) taps remain in the Priority D category as no water availability has been secured for them at this point.

#### Crismark Appeal

The appeal for Crismark contends we omitted 150 multi-family units and 24.5 acres of future commercial development from the Water Allocation Policy. The developer believes these future phases were included in the original water availability letter issued for the entire development. Upon investigation, paperwork found in the Crismark files validates the claim to include the future phases. The allocated water capacity for these phases was based on data from a water model that studied the future demand the entire development would generate on UCPW water system. This study was performed

on July 30, 2001. Based on the above information the undeveloped phases of Crismark will be placed in Priority 'B' of the Water Allocation Policy.

#### Hudson Manor Appeal

The developer of Hudson Manor did not file a formal appeal from the Policy; however they did contact staff regarding the status of their project. Had an appeal been filed it is undecided whether it would have been approved. Based upon conversations with the developer, staff felt that a written response should be sent even though an appeal was not filed. No water has been allocated to this project at this time.

#### Providence Downs South III Appeal

Appeal alleged the above mentioned project was not included in the Water Allocation Policy while qualifying for water allocation. Providence Downs South III exists in the current policy and was overlooked by the engineer who authored the appeal.

#### Reunion Land Company Appeal

Above claim describes 72 water and sewer taps that owner believes qualify for policy inclusion. The origin and validity of the taps are under legal investigation and pending decision does not qualify for allocation in the Water Allocation Policy. Once legal review is complete we may need to review this appeal again.

#### Sheridan and Longford Village Appeals

Both appeals were combined into one as they have a common owner. The Sheridan claim indicates there should be 245 lots identified for the Sheridan subdivision in Priority 'A' of the Water Allocation Policy. The existing policy contains Sheridan Phase I and Sheridan Phase II under the priority 'A' category. The sum of the lots contained in both phases totals 245 lots. These lots are already accounted for in the policy.

The owner further claims Longford Village qualifies for Priority 'A' status rather than the current Priority 'C' status in the policy. Longford Village does not have a water permit which is required for Priority 'A' inclusion. The decision keeps Longford Village in Priority 'C' with 8% (or 5 lots) of the lot total included in the higher priority. This is consistent with other Priority 'C' projects.

#### Sun Valley Commons Phase I Appeal

Appeal contends above mentioned commercial site has been omitted from the policy. Investigation reveals that project has both water and sewer permits there for qualifying it for allocation in the Water Allocation Policy.

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

Meeting Date: 1/5/09

Action Agenda Item No. \_\_\_\_\_  
(Central Admin. use only)

**SUBJECT:** Preventech - Include Project in to the Sewer Allocation Policy

**DEPARTMENT:** Public Work

**PUBLIC HEARING:** No

**ATTACHMENT(S):**

Letter to Alton Properties allocating sewer capacity from UCPW Director and approved by County Manager

**INFORMATION CONTACT:**

Al Greene  
Scott Huneycutt  
Mike Garbark  
Jeff Crook

**TELEPHONE NUMBERS:**

704-292-2625  
704-296-4211  
704-296-4239  
704-283-3613

**DEPARTMENT'S RECOMMENDED ACTION:** Report the Sewer Allocation of 2875 gpd to the Preventech Project and include in the Sewer Allocation Policy adopted by the County Commissioners on September 17, 2007. Project is located on 4330 Matthews-Indian Trail Road.

**BACKGROUND:** As described in section 2.6 of the Sewer Allocation Policy, a project may be allocated sewer in the Sewer Allocation Policy when the strict enforcement of the policy 'would frustrate the purpose of the guidelines and/or endanger the health, safety or welfare of the citizens of Union County.' As described in the attached letter this project has suffered extraordinary circumstances that has resulted in them receiving sewer allocation. The project originally was to receive sewer service through septic as no availability existed in the UCPW system. A building was erected on the site as a result of the septic approval by Union County Environmental Department. When grading the site to prepare for septic installation the topsoil was inadvertently removed which is a critical layer for the functionality of a septic system. Union County Environmental Health reviewed the site and concluded that the site is no longer conducive to a septic system and no improvements to the site would improve the situation. The project, which had attained a pump and haul permit from NCDENR due to original conditions, had no alternative but to plea with UCPW for a sewer tap to our system. After two months discussion with the legal team and gathering information pertaining to the project, UCPW agrees there is no other recourse but to allocate sewer to the project or present a health hazard condition to the County.

**FINANCIAL IMPACT:**

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**Legal Dept. Comments if applicable:**

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**Finance Dept. Comments if applicable:**

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**Manager Recommendation:**





## UNION COUNTY PUBLIC WORKS

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*Scott Huneycutt, P.E., Interim Director*

December 17, 2008

Al King  
Alton Properties  
4330 Matthews-Indian Trail Road  
Indian Trail, NC 28079

Re: Alton Properties, LLC- 4330 Matthews-Indian Trail Road

Dear Mr. King:

We have recently communicated regarding your request for sewer treatment service from Union County for the newly constructed commercial facility owned by Alton Properties, LLC at 4330 Matthews-Indian Trail Road, ("Alton Properties"). I understand that your facility would require 2875 gallons per day of treatment service.

Your property is located in the area served by the Twelve Mile Creek Treatment Plant. Currently, Union County is not providing sewer service to new customers in this area because of limited sewer treatment capacity. As a general rule, Union County is providing sewer service only to those new customers that are specifically listed to receive service under Union County's Policy for Allocating Wastewater Treatment Capacity (the "Policy"). The purpose of this letter is to set forth Union County's decision that although your facility is not listed as receiving sewer service under the Policy, your facility will be allowed 2875 gallons per day of sewer treatment under the Policy due to a health, safety and welfare issue. It is important to document for the record the reason for this decision.

By way of review, the Policy was adopted in order to allocate the limited amount of sewer treatment capacity among various competing projects. There are numerous ways that a project can qualify as being eligible for receiving sewer service under the Policy. Your project does not meet any of the eligibility tests to justify placing it on the list of projects that are to receive sewer treatment service under the Policy.

When you began construction of your facility, you recognized that you would not receive sewer service from Union County. You planned to dispose of wastewater by means of an on-site Wastewater Disposal System (a "septic system"). You obtained a septic system permit from Union County Environmental Health, and, based upon the septic system permit, you obtained a building permit and began construction.

Unfortunately, during the construction process, your grading contractor severely graded the area for the septic system. Union County Environmental Health has therefore revoked the septic system permit, and advises that the area cannot be repaired, and there is not another suitable site for a septic system on your property. In addition, you have consulted with a

licensed soil scientist, who has determined that there are no other options available for on-site sewer disposal due to poor soil conditions on the property.


On October 6, 2008, the North Carolina Department of Environment and Natural Resources, Division of Water Quality, issued a "pump and haul permit" to you. Under the pump and haul permit, you are entitled to temporarily pump and haul wastewater from your facility.

Pump and haul permits are not favored. Sewage spills can occur during the collection and transportation process, which is a health and safety issue. It is much more likely for a sewage spill to occur when disposing of sewage by use of a pump and haul permit than by allowing you to tap into the gravity sewer line that exists in the area of your property.

Section 2.6 of the Policy provides as follows: "Subject to approval of the County Manager, the Union County Public Works Director may authorize a departure from these guidelines when strict adherence would frustrate the purpose of these guidelines or endanger the health, safety or welfare of the citizens of Union County." I have decided that, under the unique circumstances of this matter, it would frustrate the purpose of the Policy to deny sewer treatment service to your project. It is in the interests of the public to grant sewer treatment service to your project, so you can eliminate the collection and transportation of wastewater under the pump and haul permit.

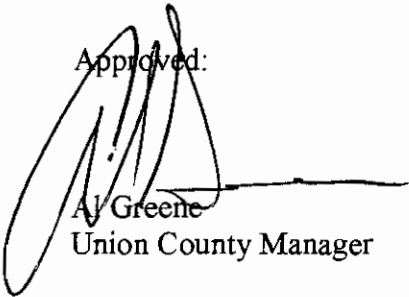
I have therefore decided that your project shall receive 2875 gallons per day of treatment capacity in the Twelve Mile Creek Service area under Section 2.6 of the Policy. You must submit your application for service within 90 days from the date of this letter upon forms approved by Union County Public Works, and pay all applicable fees and costs, including capacity fees and tap charges.

Sincerely,



Scott Huneycutt  
Interim Union County  
Public Works Director

Approved:



Al Greene  
Union County Manager

Cc: Jeff Crook  
Ligon Bundy