

AGENDA
UNION COUNTY BOARD OF COMMISSIONERS
Regular Meeting
Monday, March 16, 2009
7:00 P.M.
Board Room, First Floor
Union County Government Center
500 North Main Street
Monroe, North Carolina

www.co.union.nc.us

6:00 p.m. - Closed Session

1. **Opening of Meeting**
 - a. Invocation
 - b. Pledge of Allegiance
 - c. Presentation by Union County Community Arts Council (*Estimated Time: 5 Minutes)
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. **Public Works Department** (*Estimated Time: 2 Hours)
 - a. Amendment to Water Allocation Policy
ACTION REQUESTED: Receive presentation, provide direction to staff, and extend the suspension on application for water permits for an additional 45 days
 - b. Presentation of Water Conservation Plan
ACTION REQUESTED: Receive presentation and consider scheduling a workshop for thorough review
7. **Consideration of Proposed Text Amendments to Union County Land Use Ordinance (Re: Planning Board and Board of Adjustment) - (Public Hearing Held on March 2, 2009)** (*Estimated Time: 10 Minutes)
ACTION REQUESTED: Consider adoption of text amendments and applicable consistency statements
8. **Resolution to Adopt Legislative Positions for the 2009-2010 Session of the North Carolina General Assembly** (*Estimated Time: 5 Minutes)

*Estimated Times Only

ACTION REQUESTED: Approve the attached Resolution, with such changes that may be agreed to by the Commission, and direct staff to distribute copies to Union County municipalities, the Governor's Office, and to the Union County Legislative Delegation.

9. **Governance Vision and Policies for Union County** (*Estimated Time: 5 Minutes)
ACTION REQUESTED: Consider adoption of Governance Vision and Policies as revised from the March 11, 2009, work session
10. **Discussion of Pilot Project for Reclaimed Water** (*Estimated Time: 5 Minutes)
ACTION REQUESTED: Direct staff to explore opportunities for use of reclaimed water

New Business:

11. **Public Health Fee Requests for Environmental Health Services** (*Estimated Time: 5 Minutes)
ACTION REQUESTED: Adopt fees as approved by the Board of Health
12. **Governing Board Resolution/Certification in Connection with the Application for DENR Fund Assistance (Anson Water 4-MGD Improvements)** (*Estimated Time: 5 Minutes)
ACTION REQUESTED: Adopt resolution
13. **Appointment of Chair for Board of Equalization and Review** (*Estimated Time: 5 Minutes)
ACTION REQUESTED: Appoint a member of the Board of Equalization and Review to serve as Chair for 2009
14. **Award of Bid** (*Estimated Time: 5 Minutes)
 - a. Love Mill Road Waterline Extension (T&H Construction Company of NC, Inc. - \$121,703.17)
ACTION REQUESTED: Accept bids, award bid to low bidders, and authorize Manager to approve construction agreements pending legal approval
15. **Report on Legal Expenses** (*Estimated Time: 15 Minutes)
ACTION REQUESTED: Receive as information and provide direction to staff and the County Attorney
16. **Update on Current FY Revenue Projections and Union County Athletic Council Grants** (*Estimated Time: 10 Minutes)
ACTION REQUESTED: Receive update from Finance Officer regarding revenue projections and defer consideration of Athletic Grants funding to the budget process.
17. **Announcement of Vacancies on Boards and Committees** (*Estimated Time: 5 Minutes)
 - a. Juvenile Crime Prevention Council (JCPC): 1) District Attorney or Designee; 2) Substance Abuse Professional; and 3) 4 Commissioner Appointees
 - b. Adult Care Home Community Advisory Committee (1 Vacancy)
 - c. Historic Preservation Commission (2 Vacancies)
 - d. Parks and Recreation Advisory Board (1 Vacancy)
 - e. Nursing Home Advisory Committee (2 Vacancies)

*Estimated Times Only

- f. Planning Board (Vacancies for 3 Regular Members Representing Lanes Creek Township, Monroe Township, Vance Township, and one Alternate member) (***If Text Amendments under Item 7 are adopted, announce vacancies on Planning Board and Board of Adjustment**)

ACTION REQUESTED: Announce vacancies

- 18. **Appointments to Boards and Committees** (*Estimated Time: 5 Minutes)
 - a. Juvenile Crime Prevention Council (JCPC) - Person Under Age of 18
 - b. Historic Preservation Commission - (2 Vacancies)
 - c. Nursing Home Advisory Committee (1 Appointment)

ACTION REQUESTED: Consider appointments

19. **Manager's Comments**

20. **Commissioners' Comments**

CONSENT AGENDA
Monday, March 16, 2009

1. **Tax Administrator**
 - a. Ninth Motor Vehicle Billing
 - b. Eighth Motor Vehicle Release Register
 - c. Eighth Motor Vehicle Refund Register
 - d. Refunds for February 2009
 - e. Releases for February 2009

2. **Kensington Elementary School - Nature Trail**
ACTION REQUESTED: Approve Permissive Use Agreement

3. **Joint Resolution of the Boards of County Commissioners of Cabarrus County, Davidson County, Rowan County, Stanly County and Union County - PBH**
ACTION REQUESTED: Consider adoption of resolution

4. **Finance Department**
 - a. Motor Vehicle Tax Refund Overpayments for February 2009 in the Amount of \$7,195.91
ACTION REQUESTED: Approve overpayments

5. **Wesley Chapel Weddington Athletic Association (WCWAA)**
ACTION REQUESTED: Authorization to release grant funds for fiscal years 2008 and 2009, contingent upon satisfaction of all contingencies, and with an understanding that all county guidelines will be adhered to in the future

6. **Contracts/Purchase Orders Over \$20,000**
 - a. Pace, Inc. (Purchase Order #90316) for Cooling Tower Maintenance and Repair (NTE: \$30,000 Lump Sum Amount)
 - b. State of North Carolina Division of Public Health (No Payment Terms)
 - c. ERSI - Software Agreement Renewal (NET: \$38,467.96 Lump Sum Amount)
 - d. Turning Point, Inc. (NTE: \$31,591)
 - e. Drayton Hall Homeowners Association (NTE: \$30,000 Lump Sum Amount)
 - f. HDR Engineering, Inc. of the Carolinas - Task Order #47 (NTE: \$83,146 Lump Sum Amount)**ACTION REQUESTED:** Authorize Manager to approve Purchase Order #90316 and Agreements described in b-f pending legal review

7. **Additional Services for the Water Allocation Policy (Amendment to Task Order #43) (NTE: \$35,000)**
ACTION REQUESTED: Authorize County Manager to approve an Amendment in an amount not to exceed \$35,000 to Task Order #43 pending legal review

**Information Only
No Action Required**

March 16, 2009

1. Personnel Monthly Report for February 2009
2. Department of Inspections' Monthly Report for February 2009



OFFICE OF THE COMMISSIONERS AND MANAGER

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

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Union County Board of Commissioners will hold a special meeting on Monday, March 16, 2009, at 6:00 p.m. in the Personnel Training Room, Room 131, First Floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina, in order to go into closed session for the following purposes: 1) to consult with an attorney in order to preserve the attorney-client privilege in accordance with G.S. 143-318.11(a)(3); and 2) 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).

Lanny Openshaw

Lanny Openshaw, Chairman
Union County Board of Commissioners

Union County Water System
Water Conservation Program

AGENDA ITEM
6b
MEETING DATE 3/16/09

Rev. 4 – March 9, 2009 - DRAFT

U₂O Program

1.0 Resolution

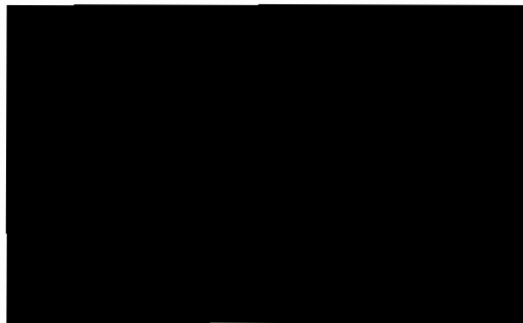
On _____ 2009, the Union County Board of Commissioners adopted this Water Conservation Program as part of a comprehensive strategy to address the increasing need for water supply, reduce water system demand (i.e., per capita use), and defer long-term capital expenditures for the water and wastewater system. The comprehensive strategy includes the development of new water supplies; expansion of Union County's (County) reclaimed water program, and other water management related initiatives.

2.0 Purpose

This Water Conservation Program (Program) is designed to promote efficient, wise, and more conservative water use among the County's Water System customers. Union County's attractive quality of life, coupled with its proximity to urban centers for employment and other activities, has led to significant growth in the County's population and, consequently, increased water use.

The County Water System is currently supplied by two major raw water sources – the Catawba River and the Yadkin-Pee Dee River – that emanate from adjacent counties. Geographically, Union County is divided by a ridge line that separates the County into these two major drainage basins. Rapid growth, coupled with regional issues associated with inter-basin transfers of water, has presented complex water resource challenges for the County.

This Program represents one element of a comprehensive approach to effectively manage the County's available water resources. The Program is designed to promote water conservation among the County's users on an on-going, year-round basis. The County's Water Conservation Ordinance (a separate document – already in place) addresses operation of the County's water system – and water use restrictions - during drought conditions.



Through development of this Program, the County seeks to:

- Demonstrate environmental stewardship.
- Defer/avoid capital costs associated with future water and wastewater system infrastructure.
- Reduce operations and maintenance costs.
- Maximize the availability of limited water supplies.
- Enhance service to its customers.

In summary, Union County's Water Conservation Program has been designed for long-term management of water use to eliminate waste and maximize efficiency among its customers. This Program promotes a more sustainable approach to the region's continued growth, given a limited water supply.

3.0 Program Overview

The Water Conservation Program is initially designed with a 5-year implementation plan beginning in fiscal year (FY) 09-10. During this 5-year 'phase-in' period, the Program will be enhanced through the addition of staff and increased financial resources. Specific Program elements are proposed to be added for each year of the 5-year implementation period. Goals and metrics for the Program and water conservation measures are established and may be refined on an on-going basis.

The Water Conservation Program includes both supply-side and demand-side water use management strategies. Supply-side elements focus on management strategies to be implemented by Union County Public Works (UCPW) in the operation of the water system and in getting water to customers. Demand-side elements focus on measures (e.g., plumbing fixture replacement) and incentives (inclining block water rate structure) for the County's customer base to increase water use efficiency and preserve this natural resource.

Several components of this Water Conservation Program require additional study, investigation, and/or evaluation to determine the County's return on investment. It is anticipated that this Program will be updated annually and that performance metrics will be utilized to measure progress. In addition, the County's annual budgeting process and overall financial condition will drive annual revisions to the Program.

4.0 Brand

Successful water conservation programs have a significant public education component. For many water conservation initiatives, water systems must rely on their customers to conserve water. As a result, water conservation programs typically develop a brand that is easily communicated to the public and that maintains a continuous association with water use efficiency. Other brands include examples such as: WATERSMART, and Tap + Smart.

Union County's Water Conservation Program brand will be developed during Year 1 of the Program. UCPW staff may solicit input from the Board of County Commissioners, other County staff, or hold a contest for the public (e.g., through the school system) to develop a brand for the Program. As a 'placeholder', the following brand is designated until consensus is achieved on an alternative:

U₂O
(Union – Use – Optimized)

This brand simply states the linkage of water conservation between Union County and its customers with a target of optimized use.

Union County will also become a partner with EPA's WaterSense Program. The WaterSense Program is EPA's national brand for water use efficiency. The brand serves as both a product label and a symbol of the importance of water efficiency in the United States. The WaterSense partnership includes manufacturers, retailers and distributors, promotional partners (e.g., Union County), landscape professionals, and certifying organizations. WaterSense encourages water-efficient equipment, behaviors, and the purchase of quality products that use less water.

5.0 Union County's Water Use Profile

To establish a baseline water use profile, water use information was evaluated for FY04-05, FY05-06, FY06-07, and FY07-08. It should be noted that the County converted fully to Automated Meter Reading, including meter replacement, on or about FY06-07. As such, there is a strong level of confidence in the water system's meter accuracy. A summary of this analysis is provided in Table 6 (at the end of this document). There are several key observations to be made from the information presented in Table 6.

First, the Assumed Leakage (often termed Unaccounted-For Water) ranges from 8.6% - 15.6%, with an average of 12.4%. It is likely that a portion of this Assumed Leakage is comprised of un-metered water use for bulk haulers, distribution main flushing, new development pipeline flushing, and other local fire department uses. While Assumed Leakage of 10-15% is not unusual for many older, more urbanized water systems, it should be noted that Union County's water system is still relatively young (less than 20 years) and much of the distribution system is located outside urbanized areas. Therefore, the 10-15% Assumed Leakage value represents an opportunity for supply-side water conservation strategies to reduce this value. UCPW staff is already developing plans to document and reduce, or meter, current un-metered uses as outlined above.

Second, residential account usage has varied from 201 – 241 gpd per account, with an average value of approximately 215 gpd per account over the four-year period (approximately 240 gpd/account over the last two years). This average residential usage equates to over 6,500 gallons per month per residential account. This residential usage is higher than other regional users and national norms. Further, over the past few years, it appears that the trend, or gradient, of residential water use is on the increase – even during periods where water use restrictions were in place. Moreover, usage seems to be increasing even though the increasing block water rate structure which was revised in April 2005 charged higher water rates at lower thresholds of monthly water use. (Note: this increasing block structure was further revised in August 2008). Thus, it appears that there is opportunity for water conservation among the County's residential customers.



In addition to these findings, it should be noted that the County's current peak day demand to average day demand ratio is approximately 2.0. This value is significantly higher than similar regional water systems where typical peak day to average day ratios are in the 1.4 – 1.6 range. Current long-term water system master planning in Union County is being based on a peaking factor of 1.6 to help reduce the capital costs of water supply and treatment infrastructure. Thus, water conservation initiatives such as those outlined herein are necessary to achieve long-term water supply management goals in Union County. In addition, the County will also need to focus on land use planning to help reduce irrigation demands or promote reclaimed water use. The Unified Development Ordinance that is currently being developed can be utilized to promote water conservation strategies.

By maximizing efficient water use, the County's customers will realize lower costs and, over the long-term, the County will realize significant savings on deferred capital and operating costs associated with treatment and distribution system infrastructure.

6.0 Program Goals

An effective Water Conservation Program must establish goals that are challenging, yet achievable. In addition, an effective Program must include a strong Public Education program and public partnerships. The goals outlined for the U₂O Program include both milestones (see Section 10) and performance metrics. The milestones relate to overall Program implementation.

The metrics provide objective measurements of progress. The key metrics for this Program include:

- Reduction of Water Loss/'Assumed Leakage' - < 12% by FY 11-12
- Reduction of Residential Water Use < 200 gpd/account by FY 13-14 (~17% reduction)
- Reduction of the peak day to average day water demand ratio to ≤ 1.6 by FY 13-14

These goals and metrics seek to maintain a heightened focus on the County's Water Conservation Program.

The return on investment for water conservation initiatives is measurable. For example, reducing the County's residential customer (approximately 35,000 accounts) average use from 240 gpd/acct to 199 gpd/acct, reduces current water demand by approximately 1.44 mgd. At an estimated cost of \$5 per gallon for additional treated water capacity, the overall savings is approximately \$7.2 M. In addition, the County benefits by lowering demand on existing distribution system infrastructure – thus, deferring future capital and operations costs as well.

7.0 Demand-Side Program Elements

Demand-side conservation focuses on water customer demand. Various measures and/or incentives can be put in place to encourage or require more efficient water use behavior from the County's customers. Presented in Table 1 below is a summary of the demand-side water conservation measures and strategies for the County's U₂O Program.

Table 1 – Demand-Side Water Conservation Measures

Conservation Category	Water Conservation Strategies	Measure (M) Incentive (I)	Target Use Class
Financial	Increasing Block Rates – Conservation Pricing	I	Residential – Irrigation
Reuse	Water Reuse Program	M/I	All - Outdoor
Public Education/ Partnerships	School and Community Programs	I	All
	Web Page Development	I	All
	Demonstration Xeriscape Garden	I	All – Outdoor
	Bill Inserts	I	All
	Other Public Education Initiatives	I	All
Water Audits	Indoor and Outdoor Water Audits	M	All
Irrigation	3-Day Alternate Irrigation Schedule (AIS)	M	All - Outdoor
	'Weather Based' Irrigation Controllers - Pilot Program	M	All - Outdoor
	Rain Barrel Program	M	Residential
Regulatory	Bulk Use	M	Commercial
	Rain Sensor Ordinance	I	Residential
	Separate Irrigation Meters	I	All – Outdoor
Fixtures, Equipment	Fixture Rebates (Low-Flow Devices)	M	All

7.1 Increasing Block Rate - Conservation Pricing

Safe drinking water is essential to public health and welfare; and thus should be reasonably priced. Water is also a finite natural resource that should be valued by its users. Pricing of water requires a balance between affordability and eliminating wasteful use. Union County water sales and tap fees are used to fund operations, maintenance, and debt service of the water system.

In August 2008, the County modified its water rate structure to a more aggressive increasing block rate. This increasing block rate structure encourages efficiency by charging higher prices for defined blocks of increased water use for residential and irrigation meters. The goal is to reduce demands from the County's highest water use customers – especially peak demand associated with outdoor irrigation. It will likely take several years of non-drought conditions to fully measure the overall effectiveness of these changes.



As part of the Water Conservation Program, a periodic review of the water rate structure and its impact on usage, revenues, and water demand is required. One element of the rate structure that is currently under review is the approach to water rates for select customers who are irrigating areas for beneficial community use (e.g., recreation).

7.2 Water Reuse Program

Water reuse is the process of using treated wastewater to take the place of certain water system demands that do not require a drinking water quality level of treatment. Landscape irrigation, cooling water, street sweeping, and dust control are all examples of where water reuse can be employed to ease demands on existing drinking water supplies. Union County has conducted limited evaluation and investment into water reuse opportunities. In fact, currently both the 12 Mile Creek WWTP and the Crooked Creek WWTP treat a portion of the wastewater to a reuse quality where it is made available for bulk haulers.

Implementation of water reuse programs has gained traction in North Carolina over the past few years as many water systems have struggled through droughts and increasing customer demands. For systems such as Union County that have geographical challenges (i.e. interbasin transfer issues) related to water supply, water reuse offers excellent opportunities to offset peak water demands and significantly reduce per capita (or per account) use. For water customers, water reuse offers the potential for lower costs, and the opportunity to irrigate during drought conditions (since these systems are exempt from requirements of regional drought water use restrictions).

The development of a water reuse program requires capital investment, cost recovery, and a strong public relations effort. It may also include the development of local ordinances that promote or require water reuse systems to be installed by developers.

The development of an effective water reuse plan is a key strategy in achieving the goals outlined for this Program. The plan shall include an analysis of potential users, compliance with applicable regulatory framework, associated capital/operations costs, required ordinances and public relations efforts, and an implementation schedule.

7.3 School and Community Programs

School and community programs related to water conservation are designed to meet specific needs for the Union County water system and its customers. The school and community programs offered may include:

- Elementary and middle school presentations.
- School science projects and contests.
- Sponsorships and presence at community events (e.g., Earth Day).
- Meetings with area Home Owner Associations (HOAs).
- HOA Award Programs for Water Conservation Progress.
- Hosting an event for National Drinking Water Week.
- Distribution of U₂O Program brochures.
- Presentations to civic organizations.
- Distribution of effective irrigation flyers to local hardware stores, nurseries, and landscape companies.



The Water Conservation Program coordinator shall maintain flexibility in these public relations programs to maximize target audiences and maintain creativity in delivering the message.

7.4 Web Page Development

A U₂O Program web page is developed and maintained as a communications tool for County customers. The web page includes a list of key contacts, public education information, Program features, water efficiency weblinks, and Program policies and forms.

7.5 Xeriscaping Demonstration Gardens

Xeriscaping refers to landscaping and gardening in a way that minimizes the use of supplemental irrigation. Plant species native to the area's climate are emphasized along with careful planning so as to maximize the capture of rainfall and minimize run-off.

The County seeks partners (e.g., Master Gardners, NC Green Industry Council) to develop Demonstration Xeriscape Gardens at one or more public locations (e.g., Cane Creek Park, Jesse Helms Park), and utilize these sites for public education events and workshops.

7.6 Bill Inserts

Inserts containing public education material focused on the U₂O Program is included with Union County water/sewer bills a minimum of four times per year. Summer and fall bill inserts target efficient outdoor water use, while winter and spring inserts focus on indoor water use optimization.

7.7 Other Public Education

The U₂O Program includes an annual update of overall public education initiatives. Additional public education efforts that may be completed include:

- Teaching customers how to read their water bill and water use data.
- Providing examples of cost savings based on certain water savings on customer bills.
- Creating displays/exhibits to be incorporated at libraries, local hardware, nursery, or related businesses.
- Becoming a member of EPA's WaterSense partnership.

- Reviewing public parks and recreational facilities to consider modifications to turf and landscape to reduce irrigation demand.
- Developing an advertising campaign.

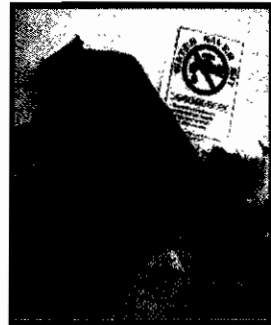
7.8 Water Audits – Indoor and Outdoor

A water audit is a review of a residential or commercial facility to assess water use efficiency of plumbing fixtures, irrigation systems, and water use behaviors. A three-level approach to water audits is utilized for the Water-U₂O Program.

Level 1 offers County customers a direct ‘hot-line’ to call with questions related to their water use.

Level 2 includes a Home Water Use Audit to be completed by a residential customer and returned for analysis by Program staff.

Level 3 includes a site visit made by a Program staff member to a location for completion of the audit. These audits may be used for larger irrigation systems, senior citizens, or at facilities such as libraries, government buildings, and parks.



Based on the findings of the water audit, a free water conservation kit may be provided that includes a low flow shower head, faucet aerators, leak detection tablets, plumbers tape, and/or other fixture replacements. As the water audit program is developed, consideration may be given to assessing a fee for services.

7.9 3-Day Alternate Irrigation Schedule

Union County has historically not restricted water use to customers. However, over the past few years as the region has suffered from two severe droughts and rapid development of the County with large lot subdivisions has driven up peak day demands, the County has had to place restrictions on outdoor water use. During periods of drought, the County’s irrigation schedule is driven by the Water Conservation Ordinance and the County’s participation in the regional Catawba-Wateree Drought Management Advisory Group (CW-DMAG). Response during future droughts will continue to be driven by the requirements of the Water Conservation Ordinance and CW-DMAG.

A key goal of this Water Conservation Program is to reduce peak daily demands during normal climatic conditions, thereby extending the capacity of available water supplies and existing infrastructure, and deferring future capital costs. As such, the Water Conservation Program includes an irrigation schedule that allows customers to irrigate lawn and landscape only according to the following schedule (i.e., 3 days per week). This schedule is presented in Table 2.

Table 2 – 3-Day Alternate Irrigation Schedule (see exceptions below)

Customer Designation	Sun	Mon	Tue	Wed	Thu	Fri	Sat
<i>Even Addresses</i>	Off	Off	On	Off	On	Off	On
<i>Odd Addresses</i>	On	Off	Off	On	Off	On	Off

Exceptions to this irrigation schedule are outlined as follows:

- Hand watering of lawn and landscape is permitted on any day.
- Watering up to 21 days to establish new turf from sod or seed.
- Watering new plant material such as flowers, trees, and shrubs on the day of planting.
- Watering essential to preserve turf subject to heavy public use.
- Operating an irrigation system for installation, repair, or reasonable maintenance, so long as the system is attended throughout the period of operation.

7.10 'Weather-Based' Irrigation Controllers (WBIC) - Pilot Program

Union County has been investigating the use of weather-based irrigation controllers as a means to optimize the outdoor irrigation demand from its customers. A weather-based irrigation controller provides a level of intelligence to a customer's irrigation system by allowing the system to consider factors such as:

- Irrigation zone size
- Location variables: plant or lawn type, soil type, slope
- Weather variables: recent precipitation, temperature, solar radiation, humidity, wind.

Weather satellites provide daily updates to the irrigation controllers to allow accurate determination of irrigation demand.

Widespread implementation of these systems may offer the opportunity for significant benefits to both the County and its customers. Consideration, however, must be given to the costs and operations and maintenance issues associated with widespread implementation. Union County has been in discussions with the NC Green Industry Council on a pilot program for these weather-based irrigation controllers.

Given current financial constraints, committing to a pilot program is not included in the U₂O Program. However, County staff will continue to monitor this new technology and work with other utilities that are currently implementing these systems to gain a stronger understanding of the costs and benefits of these WBICs.

7.11 Rain Barrels

Rain barrels reduce potable water use by substituting collected rainwater for landscape irrigation. Union County's rain barrel program includes promoting rain barrels for use by current customers and other County residents. Water conservation staff develop partnerships with other organizations (e.g., the NC Green Industry Council, Master Gardeners, local home improvement stores) to promote the purchase and use of rain barrels. County staff also works in partnership with others to lead free workshops and provide free instruction on rain barrel installation, use, and maintenance. The County offers a \$20 rebate on all rain barrels purchased by current customers (up to a maximum of 2 per customer and up to a total of 500 per year).

7.12 Bulk Potable Water Use

UCPW registers individuals and firms who utilize bulk potable water from the County via hydrant hook-up for agricultural purposes, pool filling, paving, dust control, street cleaning, or other uses. These individuals and companies report on a voluntary basis the

amount of monthly water usage and are billed commensurate with this usage. The County is in the process of establishing metered, bulk water use stations geographically dispersed throughout the County's water system. Once in place, registered bulk water users will be required to use one of these metered stations. These changes will streamline Union County's monitoring and enforcement of bulk water use and sales. It is likely that this approach will capture more metered water sales and reduce the amount of 'Assumed Leakage', as outlined in Table 6.

7.13 Rain Sensors

As of January 1, 2008, all timer-based irrigation systems are required to have rain sensors that deactivate the irrigation system after a ¼-inch of rain has fallen. This requirement is outlined in the County's Water Conservation Ordinance. The rain sensors are used to eliminate water waste through unnecessary outdoor irrigation. The Water Conservation Coordinator shall have the authority to establish enforcement parameters for failure of irrigation systems to comply with this requirement. In addition, UCPW develops partnerships with other organizations (e.g., local home improvement stores, NC Green Industry Council, and landscaping contractors) to offer these units for sale. Union County offers a \$10 rebate on all rain sensors purchased by current customers (up to a total of 1,000 per year).



7.14 Separate Irrigation Meters

As required by the state of North Carolina, new irrigation systems installed after July 1, 2009, must be equipped with separate irrigation meters. This requirement facilitates evaluation of water use within the Union County system.

7.15 Fixture Rebates

Inside water use efficiency is directly related to plumbing fixture type and customer behaviors. Various elements of this Program are designed to modify customer behavior to more efficient water use. The audit program is designed to offer more efficient plumbing devices such as faucet aerators and shower heads – in particular for older structures.

Significant water savings can also be realized in larger water use equipment. During the 5-year implementation plan, Union County will develop and offer partial rebates for the following equipment.

- High Efficiency Toilets (HET) – HETs are defined as toilets flushing at a maximum of 1.28 gallons per flush (gpf) (code requires 1.6 gpf; toilets installed prior to 1994 can be 3 gpf or more). HETs include both dual-flush toilets and pressure-assist tank style toilets. EPA WaterSense certification is required.

Partial rebate: \$20 per toilet (for conversion from 1.6 gpf to HET).

Maximum number of rebates per customer = 3.

Maximum number of rebates = 200 per year.

Partial rebate: \$80 per toilet (for conversion of units installed prior to 1994).

Maximum number of rebates per customer = 3.

Maximum number of rebates = 100 per year.

- Toilet Flapper Rebate – Credits to customer accounts to be made for purchase and installation of toilet flappers at local home improvement stores. This device is applicable to toilets installed prior to 1994 and using 3 gallons or more per flush.

Partial rebate: \$5 per toilet.

Maximum number of rebates per customer = 3.

Maximum number of rebates = 1000 per year.

As these fixture rebate programs are put in place, additional rebate programs for other plumbing fixtures (e.g., High Efficiency Clothes Washers) may be evaluated for future implementation.

8.0 Supply-Side Program Elements

Presented in Table 3 is a summary of the supply-side water conservation measures and strategies for the County's U₂O Program.

Table 3 – Demand-Side Water Conservation Measures

Conservation Category	Water Conservation Strategies	Measure (M) Incentive (I)	Target Use Class
Water Loss	Flushing Program Development	M	Supply
	Leak Detection and Repair Program (GIS based)	M	Supply
	Pressure (< 80 psi) and Tank Level Management	M	Supply
Water Use Profile	Annual Updates	I	-

8.1 Flushing Program Development

UCPW routinely conducts flushing of certain areas in the water distribution system that may be experiencing taste and/or odor issues, or where necessary for regulatory compliance. During these flushing events, large volumes of water are discharged from the system unused.

The Water Conservation Program puts in place a system to monitor, measure, and optimize UCPW's flushing program. The Water Conservation Coordinator, working closely with the Public Works Director, develops a flushing optimization program. In addition, the Water Conservation Coordinator partners with local fire departments to develop a plan that monitors, measures, and optimizes water used in fire department exercises.

8.2 Leak Detection and Repair Program

UCPW will maintain an active leak detection and repair program. The County recently completed a GIS project that provides a linkage of all water meter data throughout the system. Using this tool, UCPW will work to find areas in its system where water demand is abnormally high and review the potential for leaks. In addition, water conservation staff will evaluate industry leak detection and repair programs for effectiveness.

8.3 Pressure and Tank Level Management

During the first year of this Program, system pressures and tank levels are evaluated to determine if opportunities exist to reduce Assumed Leakage. Areas exceeding 80 psi system pressure will receive particular attention.

8.4 Water Use Profile Updates

A water use profile was developed in preparation of this Water Conservation Program. The Water Conservation Coordinator is responsible for maintaining an annual evaluation of the County’s water use profile. Consideration should be given to completing a monthly water use profile and evaluating the results on a 12-month rolling average.

9.0 Personnel

Successful implementation of the U₂O Program requires dedicated staff. Water conservation efforts have historically been shared among UCPW staff. However, in order to meet the Program objectives and ‘roll-out’ all of the Program elements, then the addition of personnel is needed. Given the current economic climate and the need to prepare basic elements of the Water Conservation Program, efforts during Year 1 of the Program shall be shared among existing Public Works staff. The following personnel presented in Table 4 are envisioned for the Program:

Table 4 – Water Conservation Personnel

Personnel	Yr. 1	Yr. 2	Yr. 3	Yr. 4	Yr. 5
Water Conservation Coordinator		√	√	√	√
Conservation Technician			√	√	√
Administrative and Public Relations Support (shared)	Exist.	Exist.	Exist.	Exist.	Exist.

The Water Conservation Coordinator reports directly to the Union County Public Works Director.

The Water Conservation Coordinator’s responsibilities include, but are not limited to:

- Overall Program implementation and adherence to schedule.
- Budget development and management.
- Updating water use profiles.
- Public relations for the U₂O Program.
- Program updates.
- Development of forms and procedures.
- Outdoor irrigation management.

The Water Conservation Technician’s responsibilities include, but are not limited to:

- Data collection and management.
- Public education support.
- Water audit program implementation.
- Fixture rebate program implementation.
- Program enforcement.
- Other duties assigned by the Water Conservation Coordinator.

Administrative and other public relations support will be provided by existing Union County staff.

10.0 Schedule and Budget

Overall Program goals have been outlined in Section 6.0. A detailed implementation schedule with milestones and other performance metrics are included in Table 5 attached. The overall Water Conservation Program is designed for phased implementation of personnel, costs, and conservation initiatives.

The Water Conservation Program budget ranges from \$30,000 (in Year 1) to \$275,000 (in Year 5); where much of the budgeted costs are for personnel, rebate programs, public education materials, and the water audit program.

11.0 Program Tracking and Updates

Metrics related to the Water Conservation Program will be tracked to evaluate the amount of water saved and the cost-effectiveness of the various Program elements. Metrics to be tracked on an annual basis include:

- Performance metrics listed in Section 6.0.
- Water use profile.
- Number of hardware/equipment units provided or rebates given.
- Number of audits completed.
- Number of people attending workshops or education sessions.
- Number of events sponsored or where displays/exhibits completed.
- Estimated amount of water saved based on hardware/equipment units put in place.

The Water Conservation Program is dynamic and is expected to change over time. Each year the Water Conservation Coordinator working with the Public Works Director shall review the Program and make recommendations for revision. In addition, an annual update of the Program's initiatives, accomplishments, milestones, and challenges will be presented to the Board of County Commissioners.

- END OF DOCUMENT -

Attachments

- Table 5 – Union County – Water Conservation Program Implementation
- Table 6 – Union County Water System – Water Use Profile

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 03/16/2009

Action Agenda Item No. 7
(Central Admin. use only)

SUBJECT: Text Amendments - Planning Board and Board of Adjustments

DEPARTMENT: Planning

PUBLIC HEARING: No

ATTACHMENT(S):
Proposed Text Amendments Sections
21, 23, 27, 29, 31, 33, and 35.

INFORMATION CONTACT:
Richard Black

Consistency Statements

TELEPHONE NUMBERS:
(704) 292-2580

DEPARTMENT'S RECOMMENDED ACTION: Consideration of proposed text amendments to reconstitute the Planning Board and the Board of Adjustment and adoption of consistency.

BACKGROUND: On December 15, 2008, the Board of Commissioners initiated text amendments to the Land Use Ordinance to reconstitute the Planning Board and the Board of Adjustment, directed the attorney to prepare the amendments, and have Planning staff place the amendments on the next Planning Board's agenda. In the amendment to reconstitute the Planning Board and the Board of Adjustment, the major changes are: (1) Reduces the number of regular members of the Planning Board from nine to seven and the Board of Adjustment from seven to five. (2) Changes the appointment of regular members of the Planning Board from residents of each of the county's nine township to an at large appointment. (3) Removes the prohibition against County Planning Board members serving on a municipal board of adjustment or planning board. (4) Adds completion of a conflict of interest form by all applicants. (5) Prohibits Planning Board and Board of Adjustment members from serving on other county boards which influence land use or property value. (6) Allows no more than one person from a position of leadership in a political party to serve on the Planning Board or the Board of Adjustment at a give time. At their regular scheduled meeting on January 6, 2009, the Planning Board was not able to conduct any business due to a lack of a quorum.

At the February 3, 2009 Planning Board meeting, Planning staff presented the text amendments. Most of the discussion centered around four questions: (1) What happens to disclosure forms of applicants not selected to serve on a board? (2) What are the other Union County advisory boards that members of the Planning Board or the Board of Adjustment can not serve on during their term? (3) How is a position of leadership in a political party defined? and

(4) How is the term " dependent children" in the disclosure form defined? A motion was made and passed unanimously to request clarification of these four questions and report back to the Planning Board before the next meeting. The proposed text amendments were placed on the Planning Board's March 5, 2009 agenda for consideration.

The Board of Commissioners, at their February 16, 2009 meeting, requested an update on the Planning Board and the progress of the proposed text amendments. Staff gave an update on the status of the proposed amendments and identified the four questions needing clarification. The Board of Commissioners provided clarification regarding the questions on other advisory boards and positions of leadership in a political party as follows:

(1) A citizen could only be a member of one of the following advisory boards: Planning Board, Board of Adjustment, Parks and Recreation Board, Union County Partnership for Progress, Historical Preservation Committee, the Library Board, Agricultural Advisory Board, Public Works Advisory Board, and the Board of Equalization and Review.

(2) The positions of political leadership are the Chairman/President and the Vic Chairman/Vice President of any political party, party affiliates, clubs or outside committees.

Regrading the retention of applications and disclosure forms, staff point out that there is a retention and disposition schedule for determining how long those applications and forms are to be kept. The application and disclosure form are both a public record and can be assessed by the public. The disclosure statements of unsuccessful applicants must be kept for two years after the appointment is made to someone else. As to the appointee, the disclosure statement must be retained for one year after his/her term ends.

On March 2, 2009, the Board of Commissioners held a public hearing on the proposed text amendments. Staff gave an overview of the major changes to the Land Use Ordinance and presented the items that were clarified at the February 16th meeting of the Board of Commissioners. The Board of Commissioners received comments from nine speakers - five (5) for the amendments and four (4) against the amendments.

On March 5, 2009, the Planning Board made a recommendation against approval of the proposed amendments to the Land Use Ordinnace. The Planning Board vote was seven (7) to one (1).

FINANCIAL IMPACT:

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation:

TEXT AMENDMENT: UNION COUNTY LAND USE ORDINANCE

SECTION 1

AMEND subsections (a) and (e) of Section 21, Appointment and Terms of Planning Board Members, as follows:

- (a) There shall be a planning board consisting of ~~nine~~ seven regular members and two alternates, all appointed at large by the board of commissioners. All members, whether regular or alternate members, must reside within the county and no more than two members shall reside within the same municipality. One regular member shall be a resident of each of the county's nine townships, and the alternate members may reside anywhere in the county. Any person serving on a municipal board of adjustment or planning board shall be ineligible to serve as a member of the Union County planning board.
- (e) If a regular or alternate planning board member ~~moves outside the township he or she represents or if an alternate member~~ moves outside the county, that shall constitute a resignation from the planning board.

Subsections (a) and (e) of Section 21 of the Land Use Ordinance thus read as rewritten:

- (a) There shall be a planning board consisting of seven regular members and two alternates, all appointed at large by the board of commissioners. All members, whether regular or alternate members, must reside within the county and no more than two members shall reside within the same municipality.
- (e) If a regular or alternate planning board member moves outside the county, that shall constitute a resignation from the planning board.

SECTION 2

AMEND subsection (a) of Section 23, Quorum and Voting, as follows:

- (a) A quorum for the planning board shall consist of ~~five~~ four members (including alternates sitting in lieu of regular members). A quorum is necessary for the board to take official action.

Subsection (a) of Section 23 of the Land Use Ordinance thus reads as rewritten:

- (a) A quorum for the planning board shall consist of four members (including alternates sitting in lieu of regular members). A quorum is necessary for the board to take official action.

SECTION 3

AMEND Section 27 as follows:

- (a) Upon adoption by the board of commissioners on ~~April 2, 2007,~~ March 16, 2009 of an amendment revising Section 21 of the Land Use Ordinance to ~~increase~~ decrease membership on the planning board from ~~seven~~ nine to ~~nine~~ seven regular members appointed at large ~~and to provide for geographical representation by township~~, the terms of sitting planning board members, both regular and alternate, shall expire at the time of such adoption and all positions shall be deemed vacant. Notwithstanding Section 21(b) of the Land Use Ordinance, such members shall not continue to serve until their successors have been appointed. In order to achieve staggered terms upon filling these vacancies, the board of commissioners shall appoint new members as follows: (i) three regular members ~~and one alternate~~ for a term of three years; (ii) ~~three~~ two regular members and one alternate for a term of two years; and (iii) ~~three~~ two regular members and one alternate for a term of one year. During the first meeting of these newly appointed members at which a quorum is present, the planning board shall elect one of its regular members to serve as chairman and preside over the board meetings and one regular member to serve as vice chairman. Prior to the election of a chairman at such first meeting, the Planning Division Director shall temporarily preside over the meeting until the chairman takes office. The officers so elected shall serve until new officers are elected the following calendar year pursuant to Section 24 (a).

Newly designated subsection (a) of Section 27 of the Land Use Ordinance thus reads as rewritten:

- (a) Upon adoption by the board of commissioners on March 16, 2009, of an amendment revising Section 21 of the Land Use Ordinance to decrease membership on the planning board from nine to seven regular members appointed at large, the terms of sitting planning board members, both regular and alternate, shall expire at the time of such adoption and all positions shall be deemed vacant. Notwithstanding Section 21(b) of the Land Use Ordinance, such members shall not continue to serve until their successors have been appointed. In order to achieve staggered terms upon filling these vacancies, the board of commissioners shall appoint new members as follows: (i) three regular members for a term of three years; (ii) two regular members and one alternate for a term of two years; and

(iii) two regular members and one alternate for a term of one year. During the first meeting of these newly appointed members at which a quorum is present, the planning board shall elect one of its regular members to serve as chairman and preside over the board meetings and one regular member to serve as vice chairman. Prior to the election of a chairman at such first meeting, the Planning Division Director shall temporarily preside over the meeting until the chairman takes office. The officers so elected shall serve until new officers are elected the following calendar year pursuant to Section 24 (a).

SECTION 4

ADD new subsections (b), (c), (d), and (e) to Section 27 to read as follows:

- (b) Regular and alternate members of the planning board shall only be considered for appointment after submitting a completed county service application and conflict of interest disclosure form to the Clerk to the Board of Commissioners. Failure to fully disclose any required information or falsification of information on the application or disclosure form shall constitute good cause for removal pursuant to Section 21(d).
- (c) While a geographic representation of members on the planning board is desirable, the planning board is appointed at large to allow for the selection of the best talents, ideas, and experience in the county.
- (d) Regular and alternate members of the planning board may not serve on any other Union County advisory board during their term.
- (e) Due to the non-partisan nature of the planning board, no more than one person from a position of leadership in a political party, including politically affiliated committees and organizations, shall be allowed to serve on the planning board at a given time.

SECTION 5

ADD a new Section 35 to read as follows:

Upon adoption by the board of commissioners of an amendment to repeal in its entirety subsection (a) of Section 29, Appointment and Terms of Board of Adjustment, the board of adjustment in existence at the time of such adoption shall be immediately abolished.

SECTION 6

REPEAL in its entirety subsection (a) of Section 29, Appointment and Terms of Board of Adjustment, such that the board of adjustment established therein is abolished.

SECTION 7

ADOPT a new subsection (a) of Section 29 to read as follows:

There is hereby established a board of adjustment consisting of five regular members and two alternates, all appointed by the board of commissioners. All regular members and alternates shall reside within the county.

SECTION 8

AMEND subsections (b) and (e) of Section 29 to read as follows:

- (b) Board of adjustment regular members and alternates shall be appointed for three-year staggered terms, but both regular members and alternates may continue to serve until their successors have been appointed. In order to achieve staggered terms upon initial appointment following ~~adoption of this ordinance, establishment of the board of adjustment,~~ (i) three two regular members shall be appointed for a term of three years; (ii) two regular members and one alternate shall be appointed for a term of two years; and (iii) ~~two one~~ one regular ~~members~~ member and one alternate shall be appointed for a term of one year.
- (e) If a regular or alternate member moves outside the county, that shall constitute a resignation from the board, ~~effective upon the date a replacement is appointed.~~

Subsections (b) and (e) of Section 29 of the Land Use Ordinance thus read as rewritten:

- (b) Board of adjustment regular members and alternates shall be appointed for three-year staggered terms, but both regular members and alternates may continue to serve until their successors have been appointed. In order to achieve staggered terms upon initial appointment following establishment of the board of adjustment, (i) two regular members shall be appointed for a term of three years; (ii) two regular members and one alternate shall be appointed for a term of two years; and (iii) one regular member and one alternate shall be appointed for a term of one year.
- (e) If a regular or alternate member moves outside the county, that shall constitute a resignation from the board.

SECTION 9

ADD new subsections (h), (i), (j), and (k) to Section 29 to read as follows:

- (h) Regular and alternate members of the board of adjustment shall only be considered for appointment after submitting a completed county service application and conflict of interest disclosure form to the Clerk to the Board of Commissioners. Failure to fully disclose any required information or falsification of information on the application or disclosure form shall constitute good cause for removal pursuant to Section 29(d).
- (i) While a geographic representation of members on the board of adjustment is desirable, the board of adjustment is appointed at large to allow for the selection of the best talents, ideas, and experience in the county.
- (j) Regular and alternate members of the board of adjustment may not serve on any other Union County advisory board during their term.
- (k) Due to the non-partisan nature of the board of adjustment, no more than one person from a position of leadership in a political party, including politically affiliated committees and organizations, shall be allowed to serve on the board of adjustment at a given time.

SECTION 10

AMEND subsection (a) of Section 31, Quorum, as follows:

- (a) A quorum for the board of adjustment shall consist of ~~four~~ three members (including alternates sitting in lieu of regular members). A quorum is necessary for the board to take official action.

Subsection (a) of Section 31 of the Land Use Ordinance thus reads as rewritten:

- (a) A quorum for the board of adjustment shall consist of three members (including alternates sitting in lieu of regular members). A quorum is necessary for the board to take official action.

SECTION 11

AMEND subsection (a) of Section 33, Board of Adjustment Officers, as follows:

- (a) Each year during the first meeting at which newly appointed members are seated, the board of adjustment shall elect one of its members to serve as a chairman and preside over the board's meetings and one member to serve as vice-chairman. The persons so designated shall serve in these

capacities until new officers are elected the following year. Vacancies in these offices may be filled for the unexpired terms only.

At the first meeting of the board of adjustment following the effective date of this ordinance or following abolition and re-establishment of the board of adjustment pursuant to Sections 35 and 29, respectively, the board of adjustment shall hold elections for the offices of chairman and vice-chairman. Prior to the election of a chairman at such first meeting, the board of adjustment's attorney shall temporarily preside over the meeting until the chairman takes office. The officers so elected shall serve as chairman and vice-chairman until new officers are elected the following calendar year.

Subsection (a) of Section 33 of the Land Use Ordinance thus reads as rewritten:

- (a) Each year during the first meeting at which newly appointed members are seated, the board of adjustment shall elect one of its members to serve as a chairman and preside over the board's meetings and one member to serve as vice-chairman. The persons so designated shall serve in these capacities until new officers are elected the following year. Vacancies in these offices may be filled for the unexpired terms only.

At the first meeting of the board of adjustment following the effective date of this ordinance or following abolition and re-establishment of the board of adjustment pursuant to Sections 35 and 29, respectively, the board of adjustment shall hold elections for the offices of chairman and vice-chairman. Prior to the election of a chairman at such first meeting, the board of adjustment's attorney shall temporarily preside over the meeting until the chairman takes office. The officers so elected shall serve as chairman and vice-chairman until new officers are elected the following calendar year.

SECTION 12

Except as herein amended, the provisions of the Union County Land Use Ordinance shall remain in full force and effect.

Approved following public hearing, this the _____ day of _____, 2009.



UNION COUNTY LEGAL DEPARTMENT

JEFFREY L. CROOK, SENIOR STAFF ATTORNEY
COURTNEY P. RITCHIE, STAFF ATTORNEY
TRUDY HELMS, LEGAL ASSISTANT

500 NORTH MAIN ST., SUITE 826
MONROE, N.C. 28112

TO: The Union County Board of Commissioners
Al Greene, County Manager

FROM: Jeffrey L. Crook, Senior Staff Attorney

RE: Proposed Text Amendments (Planning Board and Board of Adjustment)

DATE: March 10, 2009

Regarding the proposed text amendments, please note as follows:

1. Because the Board of Commissioners has now received a recommendation from the Planning Board, the issue of commencement of the 45-day period for action in lieu of recommendation is now moot. The Board may take action regarding adoption of the proposed amendments on March 16. It is provided in Rule 29 of the Board's Rules of Procedure as follows:

The Board may at its option make a decision on amendments to [the] Union County Land Use Ordinance in the meeting at which the public hearing is held if there were no opposition voiced to the petitions or shall make its decision at the next regularly scheduled meeting of the board.

2. I have contacted Land Use Administrator, Lee Jenson, and Board of Adjustment Attorney, Bill Sturges. Although one application has been received for future action by the Board of Adjustment, there is currently no matter pending before the Board of Adjustment that would require delay of the effective date of the proposed text amendments. You will recall that there had been concern that the Board of Adjustment not be abolished during the pendency of a hearing or deliberation of a final decision.
3. Whether the Board approves or disapproves the proposed text amendments, you will need to adopt the appropriate set of consistency statements. These statements have been provided in your agenda packet for either contingency.
4. During the public hearing on March 2, the Board discussed clarifications to the provisions relative to cross-serving on other boards/committees and the limitation regarding service by persons in political leadership roles. I have attached revised language to Sections 4(d) and (e), and 9(j) and (k). If the revised language is satisfactory, the motion for approval of the text amendments, if any, should incorporate the attached as substitutions. Note that I have clarified that membership on the Planning Board and Board of Adjustment may include leaders from more than one political party. I believe that this was the Board's intent, and to do otherwise would be legally suspect.

DRAFT REVISIONS

SECTION 4

- (d) Regular and alternate members of the planning board shall not serve on any of the following Union County boards and committees during their term: the Board of Adjustment, the Parks and Recreation Advisory Board, the Joint Historic Preservation Commission, the Library Board of Trustees, the Agricultural Advisory Board, the Public Works Advisory Board, and the Board of Equalization and Review; nor shall regular or alternate members serve on the board of directors of Union County Partnership for Progress, a North Carolina nonprofit corporation.
- (e) Due to the non-partisan nature of the planning board, no more than one person from a position of leadership in any one political party, including politically affiliated committees and organizations, shall be allowed to serve on the planning board at a given time. For purposes of this subsection, a position of leadership shall mean the position of chairman, president, vice-chairman, or vice-president.

SECTION 9

- (j) Regular and alternate members of the board of adjustment shall not serve on any of the following Union County boards and committees during their term: the Planning Board, the Parks and Recreation Advisory Board, the Joint Historic Preservation Commission, the Library Board of Trustees, the Agricultural Advisory Board, the Public Works Advisory Board, and the Board of Equalization and Review; nor shall regular or alternate members serve on the board of directors of Union County Partnership for Progress, a North Carolina nonprofit corporation.
- (k) Due to the non-partisan nature of the board of adjustment, no more than one person from a position of leadership in any one political party, including politically affiliated committees and organizations, shall be allowed to serve on the planning board at a given time. For purposes of this subsection, a position of leadership shall mean the position of chairman, president, vice-chairman, or vice-president.

Statements of Consistency for Proposed Text Amendments

TO APPROVE AMENDMENTS

(1) Amendments to subsections (a) and (e) of Section 21, Appointment and Terms of Planning Board Members.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendments is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendments is reasonable and in the public interest because the amendments decrease the number of regular planning board members from nine to seven, and provide for at-large appointment of members in order to allow for the selection of the best talents, ideas, and experience in the County while recognizing that geographic representation of members is desirable.

(2) Amendment to subsection (a) of Section 23, Quorum and Voting.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it decreases the number of members necessary for a quorum of the planning board from five to four, and this decrease relates to the decrease in number of total members of the board implemented by the amendments to subsection (a) of Section 21.

(3) Amendments to the newly designated Section 27(a).

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendments is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendments is reasonable and in the public interest because the amendments allow for the Board of County Commissioners to replace the current members of the planning board with seven at-large, regular members and two alternate members following the adoption of an amendment revising Section 21.

(4) Adoption of a new subsection (b) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because the amendment requires prospective regular and alternate members of the planning board to submit a county service application and conflict of interest disclosure form prior to their consideration for appointment, and the required completion of these documents promotes honesty and

openness in government, and may help members recognize potential conflicts of interest as they occur.

(5) Adoption of a new subsection (c) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it allows for the at large appointment of planning board members in order to allow for the selection of the best talents, ideas, and experience in the county.

(6) Adoption of a new subsection (d) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it prohibits planning board members from, during their term on planning board, simultaneously serving on other county boards and committees that may deal with and/or influence land use or property value.

(7) Adoption of a new subsection (e) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it limits the number of persons from a position of leadership in any one political party that may serve on the planning board at a given time and this is in keeping with the non-partisan nature of the planning board.

(8) Adoption of a new Section 35.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it provides for the abolishment of the existing board of adjustment to allow for constitution of a new board of adjustment in accordance with the amendments to Section 29.

(9) Repeal of subsection (a) of Section 29, Appointment and Terms of Board of Adjustment and adoption of a new subsection (a) of Section 29.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendments is consistent

with the adopted Union County Land Use Plan, and that adoption of the proposed text amendments is reasonable and in the public interest because the amendments result in the abolition of the existing board of adjustment consisting of seven regular members and two alternates, and the establishment of a new board of adjustment consisting of five regular members and two alternates.

(10) Amendments to subsections (b) and (e) of Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendments is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendments is reasonable and in the public interest because the amendments stagger the terms of the members of the board of adjustment in accordance with the newly reduced size and new constitution of the board of adjustment, and call for a board of adjustment member's automatic resignation upon that member's move outside the county.

(11) Adoption of new subsection (h) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because the amendment requires prospective regular and alternate members of the board of adjustment to submit a county service application and a conflict of interest disclosure form prior to their consideration for appointment, and the required completion of these documents promotes honesty and openness in government, and may help members recognize potential conflicts of interest as they occur.

(12) Adoption of new subsection (i) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it allows for the at large appointment of board of adjustment members in order to allow for the selection of the best talents, ideas, and experience in the county.

(13) Adoption of new subsection (j) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text

amendment is reasonable and in the public interest because it prohibits board of adjustment members from, during their term on the board of adjustment, simultaneously serving on other county boards and committees that may deal with and/or influence land use or property value.

(14) Adoption of new subsection (k) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it limits the number of persons from a position of leadership in any one political party that may serve on the board of adjustment at a given time and this is in keeping with the non-partisan nature of the board of adjustment.

(15) Amendment to subsection (a) of Section 31, Quorum.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendment is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendment is reasonable and in the public interest because it decreases the number of members necessary for a quorum of the board of adjustment from four to three, and this decrease corresponds with the decrease in number of total members of the board implemented by the amendments to Section 29.

(16) Amendments to subsection (a) of Section 33, Board of Adjustment Officers.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that adoption of the proposed text amendments is consistent with the adopted Union County Land Use Plan, and that adoption of the proposed text amendments is reasonable and in the public interest because the amendments provide for the election of a chairman and vice-chairman at the first meeting of the board of adjustment following the abolition and reestablishment of the board of adjustment pursuant to Sections 35 and 29, respectively, and provide that until a chairman is so elected, the first meeting is to be temporarily presided over by the board of adjustment's attorney.

Statements of Consistency for Proposed Text Amendments

TO DENY AMENDMENTS

(1) Amendments to subsections (a) and (e) of Section 21, Appointment and Terms of Planning Board Members.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendments are consistent with the Union County Land Use Plan, but that denial of the proposed text amendments is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the current number of planning board members and current form of representation on the planning board are adequate.

(2) Amendment to subsection (a) of Section 23, Quorum and Voting.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that, if the Board denies the proposed amendments to Section 21 that would reduce the number of planning board members, denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the amendment is unnecessary.

(3) Amendments to the newly designated Section 27(a).

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that, if the Board denies the proposed amendments to Section 21 that would provide for at large representation on the planning board and would reduce the number of planning board members, denial of the proposed text amendments is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the amendments are unnecessary.

(4) Adoption of a new subsection (b) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the current application/appointment process is adequate.

(5) Adoption of a new subsection (c) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the current form of representation is adequate.

(6) Adoption of a new subsection (d) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the current rule prohibiting planning board members from simultaneously serving on the board of adjustment is adequate.

(7) Adoption of a new subsection (e) to Section 27.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the proposed text amendment is unnecessary.

(8) Adoption of a new Section 35.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that, if the Board denies the proposed amendments to Section 29 that would abolish and reestablish the board of adjustment, denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the amendment is unnecessary.

(9) Repeal of subsection (a) of Section 29, Appointment and Terms of Board of Adjustment and adoption of a new subsection (a) of Section 29.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendments are consistent with the Union County Land Use Plan, but that denial of the proposed text amendments is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the current number of board of adjustment members is adequate.

(10) Amendments to subsections (b) and (e) of Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that, if the Board denies the proposed amendments to Section 29 that would decrease the number of board of adjustment members, denial of the proposed text amendments is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the amendments are unnecessary.

(11) Adoption of new subsection (h) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the current application/appointment process is adequate.

(12) Adoption of new subsection (i) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because it is unnecessary.

(13) Adoption of new subsection (j) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the current rule prohibiting board of adjustment members from simultaneously serving on the planning board is adequate.

(14) Adoption of new subsection (k) to Section 29, Appointment and Terms of Board of Adjustment.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that the proposed text amendment is consistent with the Union County Land Use Plan, but that denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the proposed text amendment is unnecessary.

(15) Amendment to subsection (a) of Section 31, Quorum.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that, if the Board denies the proposed amendments to Section 29 that would decrease the number of board of adjustment members, denial of the proposed text amendment is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the amendment is unnecessary.

(16) Amendments to subsection (a) of Section 33, Board of Adjustment Officers.

Whereas, pursuant to N.C.G.S. §153A-341, the Board of County Commissioners does hereby find and determine that, if the Board denies the proposed amendments to Section 29 that would abolish and reestablish the board of adjustment, denial of the proposed text amendments is reasonable, in the public interest, and consistent with the Union County Land Use Plan because the amendments are unnecessary.

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: March 16, 2009

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

SUBJECT: Reccomended Legislative Positions

DEPARTMENT: Central Administration **PUBLIC HEARING:** No

ATTACHMENT(S):
Resolution
11 Resolutions From Marsheville,
Stallings, Waxhaw, Marvin,
Weddington, Wingate, Mineral
Springs, Wesley Chapel, Lake Park,
Indian Trail, and Monroe.

INFORMATION CONTACT:
Matthew Delk, Asst. Manager

TELEPHONE NUMBERS:
704-283-3656

DEPARTMENT'S RECOMMENDED ACTION: Approve the attached Resolution, and direct staff to distribute copies to Union County Municipalities, The Governor's Office, and to the Union County Legislative Delegation.

BACKGROUND: The attached Resolution is the result of a series of meetings and communications between the Clerks, Managers, and staff of the various local governments in Union County. After meeting with officials from the North Carolina League of Municipalities and the North Carolina Association of County Commissioners in the fall of 2008, this group negotiated a list of 8 legislative positions that are contained in the body of this attached model resolution. The list was presented at the Board of Commissioners meeting that was held January 29, 2009 in conjunction with the Mayors Commissioners Issues Conference. The elected officials present at the joint meeting recommended that the list be voted on individually, in the form of a resolution, and distributed to each other and our Legislative Delegation.

This Clerks and Managers group attempted to compile a list that would reflect issues of importance that were mutually agreeable to all Union County local governments. The group recognized that this could be an effective tool for communicating our wishes to the Union County Legislative Delegation. This Resolution containing the legislative positions will be a tool to help us become more effective in protecting and benefiting the interests of all of Union County's local governments, citizens, businesses, and the region generally.

So far, 11 Municipalities have passed Resolutions. Two additional municipalities have them on upcoming agendas, Unionville on March 16th and Hemby Bridge on March 19th. Fairview discussed the recommended positions, but did not take any action, and they do not have it on a future agenda.

FINANCIAL IMPACT: none

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation:

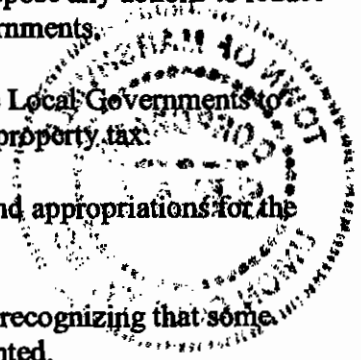
**RESOLUTION TO ADOPT LEGISLATIVE POSITIONS FOR THE 2009-2010
SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY**

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- **Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.**
- **Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.**
- **Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.**
- **State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.**
- **Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.**
- **Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.**
- **Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.**
- **Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.**



NOW, THEREFORE, BE IT RESOLVED that the Marshville Town Council hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this February 2, 2009.

Attest:

Shelley H. Maness
Shelley H. Maness, Town Clerk

Franklin D. Deese
Franklin D. Deese, Mayor



COPY

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

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:


- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

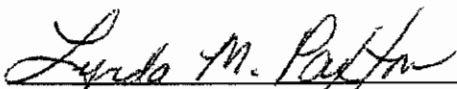
NOW, THEREFORE, BE IT RESOLVED that the **Town Council for the Town of Stallings** hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this the 9th day of February, 2009.

Attest:


Erinn E. Nichols, Town Clerk


Lynda M. Paxton, Mayor

Approved as to form:


Perry, Bundy, Plyler & Long, LLP



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

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- **Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.**
- **Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.**
- **Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.**
- **State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.**

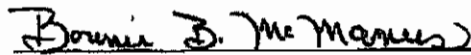
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

NOW, THEREFORE, BE IT RESOLVED that the Town of Waxhaw, NC hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 10th, day of February, 2009.

Attest:


Bonnie B. McManus, Town Clerk


Mayor Daune Gardner



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

February 11, 2009

Ms. Lynn West
Clerk to the Board
Union County Government
500 N. Main Street
Monroe, NC 28112

Dear Lynn,

The Village of Marvin Council adopted Resolution #RS-2009-02-02 A Resolution to Adopt Legislative Positions for the 2009-2010 Session of the NC General Assembly at their regular February Council meeting. The Mayors-Commissioners Issues Conference requested that a copy be forwarded to you. The resolution is enclosed.

Please let me know if you have questions or concerns. Thank you.

Sincerely,

Melody A. Graham
Village Clerk

cc: Matthew Delk, Assistant County Manager



RS-2009-02-02

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

WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding - Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health -- Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

NOW, THEREFORE, BE IT RESOLVED that the Village of Marvin Council hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina General Assembly.

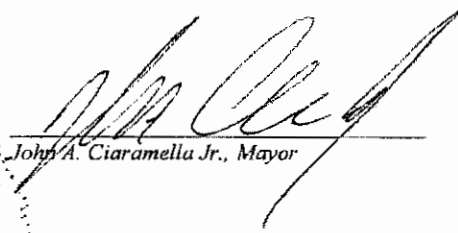
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 10th day of February 2009.

Affest:


Melody A. Graham, Clerk




John A. Ciaramella Jr., Mayor



TOWN OF
WEDDINGTON

1924 Weddington Road • Weddington, North Carolina 28104

**TOWN OF WEDDINGTON
RESOLUTION TO ADOPT LEGISLATIVE POSITIONS FOR THE 2009-2010 SESSION OF
THE NORTH CAROLINA GENERAL ASSEMBLY
R-2009-03**

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and


WHEREAS, the list included the proposed legislative positions:

- **Collective Bargaining** – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- **Transportation Infrastructure Funding** – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- **Mental Health** – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- **State Budget** – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- **Diverse Funding for Local Governments** – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- **Monroe Bypass Funding** – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- **Annexation** – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- **Moratoriums** – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

NOW, THEREFORE, BE IT RESOLVED that the Town of Weddington hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

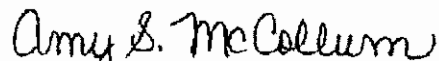
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 9th day of February, 2009.



Nancy D. Anderson, Mayor

Attest:

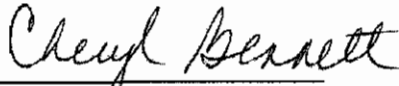


Amy S. McCollum, Town Clerk

Clerk's Certification

I, Cheryl S. Bennett, Village Clerk of the Village of Wesley Chapel, North Carolina, do hereby certify that the attached is a true and correct copy of RESOLUTION 2009-01 TO ADOPT LEGISLATIVE POSITIONS FOR THE 2009-2010 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY, which was adopted at a meeting of the Village of Wesley Chapel Council on the 9th day of February, 2009, the original of which is now on file in the office of the Village Clerk of Wesley Chapel, North Carolina.

In WITNESS THEREOF, I have hereunto set my hand and affixed the official Seal of The Village of Wesley Chapel, North Carolina, this the 13th day of February, 2009.



Cheryl Bennett, Village Clerk

(Seal)

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

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Town of Wingate hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

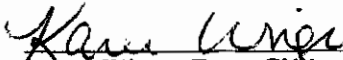
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this the seventeenth day of February, 2009.



Bill G. Braswell, Mayor

ATTEST:


Karen Wingo, Town Clerk

TOWN OF MINERAL SPRINGS

RESOLUTION TO ADOPT LEGISLATIVE POSITIONS FOR THE 2009-2010 SESSION OF THE NORTH CAROLINA GENERAL ASSEMBLY R-2009-02

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected, locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.

- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Mineral Springs hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

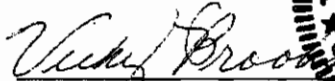
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

ADOPTED this 12th, day of February, 2009.



Mayor Frederick Becker III

Attest:



Vicky Brooks, Town Clerk



**VILLAGE OF WESLEY CHAPEL RESOLUTION 2009-01
TO ADOPT LEGISLATIVE POSITIONS FOR THE 2009-2010 SESSION
OF THE NORTH CAROLINA GENERAL ASSEMBLY**

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.

- **Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.**

NOW, THEREFORE, BE IT RESOLVED that the Village of Wesley Chapel Council hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

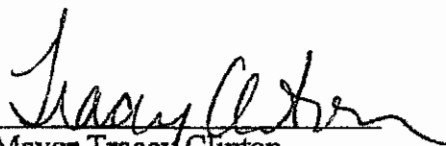
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 9th day of February, 2009.

Attest:



Cheryl Bennett, Clerk



Mayor Tracey Clinton

**VILLAGE OF LAKE PARK RESOLUTION 2009-01
TO ADOPT LEGISLATIVE POSITIONS FOR THE 2009-2010 SESSION
OF THE NORTH CAROLINA GENERAL ASSEMBLY**

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- **Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.**
- **Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.**
- **Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.**
- **State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.**
- **Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.**
- **Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.**
- **Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.**

- **Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.**

NOW, THEREFORE, BE IT RESOLVED that the Village of Lake Park Council hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 10th day of February, 2009.

Attest:


Cheri S. Clark, Clerk


Mayor Kendall Spence

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

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

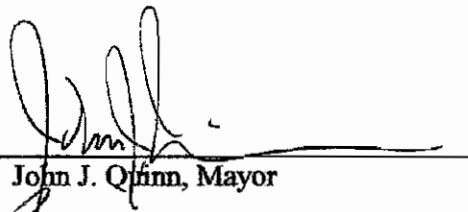
- **Collective Bargaining** – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- **Transportation Infrastructure Funding** – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- **Mental Health** – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- **State Budget** – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- **Diverse Funding for Local Governments** – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- **Monroe Bypass Funding** – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- **Annexation** – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- **Moratoriums** – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of Indian Trail hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

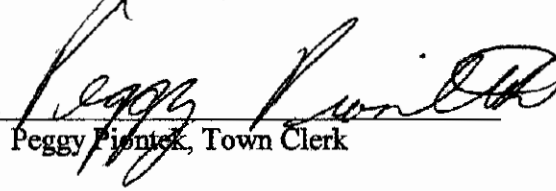
BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 10th day of February, 2009.

APPROVED: _____


John J. Quinn, Mayor

Attest: _____


Peggy Finton, Town Clerk

**RESOLUTION TO ADOPT LEGISLATIVE POSITIONS FOR
2009-2010 SESSION OF
NORTH CAROLINA GENERAL ASSEMBLY
R-2009-22**

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

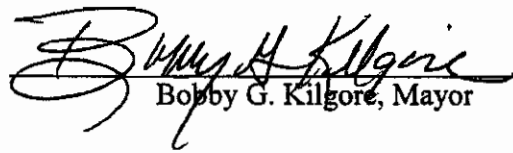
- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

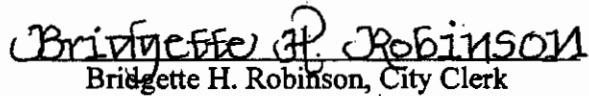
NOW, THEREFORE, BE IT RESOLVED that the City of Monroe hereby adopts this list as our legislative positions for the 2009-2010 Session of the North Carolina Assembly.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 3rd day of March, 2009.

Attest:


Bobby G. Kilgore, Mayor


Bridgette H. Robinson, City Clerk



As originally presented to Board on February 16, 2009

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

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Annexation – Support Municipal authority to annex, recognizing that some changes to municipal annexation authority are warranted.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

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

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 10th Day of February, 2009.

Attest:

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

Lanny Openshaw, Chairman
Union County Board of Commissioners

As Recommended by Staff

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

THAT WHEREAS, the clerks, managers, and other staff of Union County, North Carolina and Union County Municipalities met, developed, and agreed upon a list of legislative priorities for Union County local governments for the 2009-2010 Session of the North Carolina General Assembly, and

WHEREAS, the Mayors-Commissioners Issues Conference, in conjunction with the Union County Board of Commissioners, received the list at their January 29, 2009 joint meeting, and recommended that the list be provided to each local government governing bodies for each board to deliberate the list, and to endorse or adopt the list if desired, and

WHEREAS, the list included the proposed legislative positions:

- Collective Bargaining – Oppose any efforts to allow collective bargaining for public sector employees, to include payment of union dues by payroll deduction.
- Transportation Infrastructure Funding – Protect all state collected locally shared revenues collected for transportation purposes. Oppose adding additional requirements or responsibilities to municipalities and Counties for transportation funding and maintenance.
- Mental Health – Continue to strengthen State Resources for the provision of Mental Health, Developmental Disability, and Substance Abuse Services, particularly for local crisis services, that are available to all State citizens.
- State Budget – Recognize that Municipalities and Counties are under the same budget pressures that face the State Budget, and to oppose any actions to reduce state collected locally shared revenues for local governments.
- Diverse Funding for Local Governments – Authorize Local Governments to utilize various methods of funding in addition to the property tax.
- Monroe Bypass Funding – Protect funding sources and appropriations for the planned Monroe Bypass Project.
- Moratoriums – Oppose legislation that would make it more difficult for local governments to enact moratoriums.

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

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the other municipal governments in Union County, to the Clerk to the Board of Union County, to Governor Beverly Perdue, and to the members of the Union County Legislative Delegation.

Adopted this 10th Day of February, 2009.

Attest:

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

Lanny Openshaw, Chairman
Union County Board of Commissioners

GOVERNANCE VISION AND POLICIES FOR UNION COUNTY

It is the goal of Union County government to forge a true partnership in governance, one that recognizes political leadership and administrative guidance are mutually dependent on one another. The responsibilities from the commissioners and the manager come from the law, from the managers' professional code, from realistic notions of roles in policy and administration, and from commonly understood expectations of behavior.

~~There shall be no strict dichotomy in the roles of commissioner and manager, with elected officials.~~ It is understood that the Manager and the Board of Commissioners each play a role within the County government, with the Board shouldering most of the initiative at the mission and policy levels, and the administration shouldering most of the responsibility of internal management. Thus, the commissioners are responsible for setting overall direction of government to include, but not limited to, its purpose, scope, and philosophy. The manager, in turn, shall bring knowledge and expertise which enhances the commissioners' ability to make informed choices and decisions, and shall be responsible for implementation of said decisions and policies adopted by the commissioners.

In accordance with this philosophy, ~~elected officials~~ the Board, having a stake in how its policies are carried out, shall have *oversight* of the administration and management of the county government. The manager is a valued advisor to the commissioners and shall present policy advice in a balanced and unbiased manner.

A chain-of-command in answering service needs is necessary. While individual direction/tasks from commissioners to employees are not acceptable, commissioners shall have the ability to establish direct contact with employees for *routine inquiries or requests that do not negatively affect administrative workloads*. This permits commissioners to obtain routine information that may be needed quickly and accurately from the people who are closest to the issues and most informed about the details.*

To these ends, the following policies shall be adopted by the Board of Commissioners:

* Excerpts in this document were based on Bell, Fleming A. III, and Wicker, Warren Jake, 1998. County Government in North Carolina, 4th ed., UNC—Chapel Hill School of Government, as well as Stenberg, Carl W. III, 2007. County and Municipal Government in North Carolina, Article 5: *Leading and Governing in Council-Manager Counties and Cities*, UNC—Chapel Hill School of Government.

1.0 Values Statement

The values of the Board reflected throughout Board policies are as follows:

As Union County Commissioners, we believe, and together will exemplify, the following values:

- 1.1 We are entrusted to serve the public and are responsible for carrying out the Board and County mission for the benefit of the community
- 1.2 We are committed to providing excellent service and leadership to all residents
- 1.3 All individuals are unique and important, and will be treated with fairness, dignity, and respect
- 1.4 We take pride in our work, leadership, and representation and are accountable and trusted to carry out our responsibilities with honesty and integrity
- 1.5 Initiative, leadership, personal development, and training are vital for us to continuously improve
- 1.6 Open communication, cooperation, and teamwork are shared responsibilities and essential to the successful performance of our work and representation
- 1.7 We are committed to creating an inclusive work environment which reflects and supports the diversity in our community and enriches our perspectives

2.0 Governing Style

The Board will govern with an emphasis on (a) outward vision, (b) encouragement of variety in viewpoints, (c) strategic leadership, (d) clear understanding of Board and administrative roles, (e) collective rather than individual decisions, and (f) proactivity rather than reactivity.

Accordingly:

- 2.1 The Board will cultivate a sense of group responsibility. The Board, with input from staff, has the ultimate responsibility to ensure excellence in governing is achieved. The Board will be the initiator of policy, not merely a reactor to staff initiatives.
- 2.2 The Board will direct, control, and inspire the government through the careful establishment of written policies reflecting the Board's values and perspectives. The Board's major policy focus will be on the intended results, not on the administrative or programmatic means of attaining those effects. However, the Board will not merely "rubber stamp" staff recommendations, but will carefully vet and deliberate the issues before them.
- 2.3 The Board will further inform itself, individually and collectively, through outreach to determine community wishes and through continuing communication on issues relevant to the County, to include appropriate inquiries with Department Heads and staff. Appropriate is defined as ~~compliance~~compliant with the Board's vision, policies, and processes, and the Manager shall be copied on all communications.
- 2.4 The Board will enforce upon itself the discipline that is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, and respect of roles, decorum, and ensuring the continuance of governance capability.
- 2.5 Continual Board development will include orientation of other members in the government process and periodic Board discussion of process improvement.
- ~~2.6~~ 2.6—The Board will allow no ~~officer~~board member, individual, or committee of the Board to ~~hinder~~hinder or be an excuse for not fulfilling its commitments.

The Union County North Carolina Board of Commissioners Rules of Procedure are hereby incorporated into this Policy by reference.

~~3.0 Board Job Description (deleted)~~

3.0 Commissioners' Code of Conduct

The Board commits itself and its members to ethical, business-like, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

Accordingly:

- 3.1 Commissioners must have loyalty to the position, unconflicted by loyalties and/or ties to staff, other organizations and/or individuals, and any personal interest.
- 3.2 Commissioners avoid conflict of interest with respect to their personal financial interests
- 3.3 Commissioners may not attempt to exercise individual authority over the government staff or its processes
 - 3.3.1 Commissioners' interaction with the County Manager or with staff must recognize the lack of authority vested in individuals except when explicitly Board authorized, excluding the purpose of information gathering and educational communication
- 3.4 Commissioners will respect the confidentiality appropriate to issues of a sensitive nature, in accordance with applicable law, including but not limited to the North Carolina open meetings and public records laws.
- 3.5 Commissioners will be properly prepared for Board deliberations to include, but not limited to, reading the material in agenda packets, doing research on issues, obtaining community input when needed, and providing specific comments on issues

3.6 No one shall individually record closed session information

Violations of the Commissioner's Code of Conduct and/or County Commissioners Code of Ethics may result in censure by the Board.

The North Carolina Association of County Commissioners Code of Ethics as Adopted on December 2, 2002 is hereby incorporated into this Policy by reference.

4.0 Chairperson's Role

The Chairperson assures the integrity of the Board's ~~processes and, secondarily, occasionally represents the official actions of Board to outside parties.~~ meeting procedures. The Chair may also act as a ~~figure head at events, ceremonies, etc.~~ ceremonial representative of the County.

Accordingly:

- 4.1 The role of the Chairperson is to ensure that the Board behaves consistently with its own rules.
 - 4.1.1 Meeting discussion content shall be germane to only those issues on the adopted agenda.
 - 4.1.2 Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.
- 4.2 The authority of the Chairperson consists in making decisions that fall within topics covered by Board policies and those specifically enumerated by Statute and set forth in ~~Rule 12~~ of the Board's Rules of Procedure. The Chairperson is authorized to use any reasonable interpretation of the provisions of these policies.
 - 4.2.1 The Chairperson is empowered to chair Board meetings with the commonly accepted power of that position, to include but not limited to: (a) ruling on points of parliamentary procedure, including the right to rule out of order any motion offered for patently obstructive or dilatory purposes; (b) determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground; (c) calling a brief recess at any time; (d) adjourning in an emergency.
 - 4.2.2 The Chairperson has no authority to make decisions about ~~policies created~~ rules, regulations, and procedures established by the Board ~~within Ends and Manager Limitations~~ policy areas. Therefore, the Chairperson has no authority to independently supervise the County Manager.
 - 4.2.3 The Chairperson may represent the Board to outside parties in announcing *Board-stated positions* and in stating Chair decisions and interpretations within the area delegated to him/her.

~~4.2.4 The Chairperson may delegate this authority, but remains accountable for its use.~~

~~4.2.5 All contracts and/or agreements, approved by the full Board, shall be executed by the Chair or Vice Chair.~~

5.0 Unity of Control

Only officially passed motions of the Board are binding on the County Manager

Accordingly:

- 5.1 Decisions and/or instructions of individual Board members or committees are not binding on the County Manager unless adopted by the Board.
- 5.2 In seeking clarification on informational items, statistics, policy, regulations, etc., Board members may directly approach professional staff members to obtain said information, etc. needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making, provided such request does not substantially affect administrative workloads.

6.0 Accountability/Communications of the County Manager

The County Manager is the Board's primary link to operational achievement and conduct, so that authority and accountability of staff, pursuant to any and all personnel policies that the Board may adopt, is considered the authority and accountability of the County Manager

Accordingly:

- 6.1 The Board, as a whole or individual members, will not give direction to a person who reports directly or indirectly to the County Manager. This does not include requests for information or clarification.
- 6.2 The County Manager serves at the pleasure of the Board
- 6.3 In order to meet citizen and government body expectations, the manager shall build a modern organization that has both capacity and competence. This entails implementing and updating business practices and processes for personnel administration, finance, purchasing, payroll, contracting, and other basic local systems. He/she shall use management tools like strategic planning, performance measurement, benchmarking, and program evaluation to ensure continuous improvement of operations as well as use of technologies like websites and e-government to increase public outreach and access and reduce costs, careful workforce and succession planning, job sharing, job rotation, etc., if deemed appropriate for the organization or specific department.
- 6.4 The Manager shall offer balanced and impartial advice and present alternatives and provide all relevant information that is reasonably available on the different options, assess the advantages and disadvantages of each option, explain the professional reasoning and analysis that leads him or her to a recommendation, and base that reasoning on established professional, technical, ethical, or legal principles.
- 6.5 The County Manager ~~shall not permit~~ is responsible for providing information to the Board to be uninformed or unsupported and

~~in its work. Further, without limiting the scope of the foregoing by this enumeration supporting it's work. Therefore, he/she shall not:~~

6.5.1 ~~Neglect to submit monitoring data~~ Submit information required by the Board in a timely, accurate, and understandable fashion;

6.5.2 ~~Let~~ Keep the Board be ~~unaware~~ informed of known relevant trends, anticipated ~~adverse~~ adverse consequences, threatened or pending lawsuits, material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established

6.5.3 ~~Fail to assemble~~ Assemble for the Board ~~as many~~ staff and external points of view, ~~issues,~~ and options to include both pros and cons as needed ~~for fully informed~~ to inform the Board of its choices, including those which may be contrary to the recommendation of the Manager

6.5.4 ~~Fail to provide~~ Provide a mechanism for official Board, officer, or committee communications

6.5.5 ~~Fail to report~~ Report in a timely manner ~~an~~ a known actual or anticipated noncompliance with any policy of the Board

6.5.6 ~~Communicate a position of legislation without first obtaining the concurrence of the Chair of the Board or the Chair's designee~~

6.5.6 ~~Allow~~ Not allow his/her personal opinion on a matter reflect in ~~direction given to his/her~~ professional direction given to staff or when communicated to others.

6.5.7 ~~Make~~ Not make any attempt to prohibit or limit appropriate, nondisruptive contact between elected officials and employees

6.6 The manager shall direct and supervise the administration of all county offices, departments, boards, commissions and agencies under the general control of the board of commissioners, subject to the general direction and control of the board.

7.0 Manager/Administrator Constraint

The County Manager shall not cause or allow any practice, activity, decision, or organizational circumstance which is either unlawful, ~~imprudent~~, or in violation of commonly ~~accepted business and~~ professional ethics, which are known or should have been known to him/her. The Manager shall recognize that the chief function of local government at all times is to serve the best interests of all of the people. The Manager shall keep the community informed on local government affairs; encourage communication between the citizens, elected officials, and all local government officers and staff; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service. The Manager shall not allow his/her personal opinions or interests to inappropriately influence the information provided to the Board and shall not filter information from the organization solely through the Manager's position. The Manager shall not endanger the organization's public image or credibility, particularly in ways that would hinder its accomplishment of mission. Said practice, etc. shall result in termination

The ~~ICMA~~International City/County Management Association Code of Ethics ("ICMA") is hereby incorporated into this Policy by reference

8.0 Monitoring County Manager Performance

Monitoring of the County Manager job performance will be ~~against~~within the expected Manager Accountability/Communications and organizational operation ~~within the~~ boundaries established by Board policies and in the Management/Administration ~~Limitations~~Constraints

Accordingly:

- 8.1 Monitoring is simply to determine the degree to which Board policies are being met. Data which does not do this will not be considered to be monitoring data
- 8.2 The Board will acquire monitoring data by one or more of three methods: (a) by internal report, in which the Manager discloses compliance information to the Board; (b) by external report, in which an external, disinterested third party selected by the Board ~~assessed~~assesses the organizational performance and compliance with Board ~~policies~~policies; and (c) by direct Board inspection, ~~in which a designated member or members of the Board to~~ assess compliance with, using the appropriate criteria. Regardless of the method used, all information shall be disclosed to the entire Board

-
- 8.3 ~~In every case, the~~ The standard of compliance shall be that the Manager has faithfully executed a reasonable County Manager interpretation of the Board policy being monitored as defined and/or accepted by government management criteria and the North Carolina School of Government and Board stated expectations
- 8.4 Performance evaluations shall be conducted, at a minimum, ~~bi~~-annually

9.0 Treatment of “Consumers” or ~~Taxpayers~~/Residents

With respect to interactions with residents, the County Manager and/or ~~elected officials~~ board members shall not cause or allow procedures or decisions which fail to fulfill reasonable ~~taxpayer~~ resident expectations for good service, responsive government, are unsafe, or unnecessarily intrusive. “Consumers” shall also include any persons transacting business or interacting with the County government

Further, without limiting the scope of the foregoing by this enumeration, they shall not:

- 9.1 Approve and/or use forms that elicit information for which there is no necessity or policy
- 9.2 Fail to provide appropriate accessibility and privacy in facilities
- 9.3 Fail to establish with “consumers” a clear understanding of what may be expected and what may not be expected from the service offered

9.4 ~~Fail to inform "consumers" of this policy, or to provide a way for persons to be heard who believe they have not been accorded a reasonable interpretation of their protections under this policy~~

10.0 ~~Treatment of Staff~~

~~With respect to the treatment of staff and persons doing work for or on behalf of the County, the Manager and/or elected officials may not cause or allow conditions which are unfair, undignified, or unclear.~~

~~Further, without limiting the scope of the foregoing by this enumeration, they shall not:~~

10.1 ~~Operate without written personnel rules which: (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as grossly preferential treatment for personal reasons~~

10.2 ~~Retaliate against any staff member or Department Head for non-disruptive expression of dissent, or cause or instruct any such employee to cease communications with other employees and/or Commissioners.~~

10.3 ~~Operate without written employee health and safety policies which (a) ensure that standards, programs, and procedures meet or exceed acceptable standards as written in state and federal regulations, and (b) ensure a healthful and safe work environment for all County employees~~

10.4 ~~Allow persons doing work for or on behalf of the County to be paid less than a living wage, to be unable to have the opportunity for health insurance, to not have reasonable time off, and to work in an environment where there is not labor peace~~

10.5 ~~Operate without the use of, at a minimum, annual evaluation forms wherein clear goals and objectives, assessment of performance, career succession, and, if needed, improvement plans exist. These evaluations will be used in determination of raises, promotions, and in the event of a reduction in force or other terminations.~~

10.6 ~~Make comments to staff, either publicly or internally, that are detrimental to the~~

~~Board of Commissioners~~ 11.0 Board Committee Principles

Boards and committees, when used, will be assigned to assist and make recommendations to the Board as directed or prescribed by statute and shall not interfere with delegation from the Board to the County Manager. Boards and committees shall be nonpartisan entities, formed to represent the interests of all citizens within the County.

Accordingly:

~~11.1~~10.1 Board committees are to help the Board do its job. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberations.

~~11.2~~10.2 Board committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the County Manager

~~11.3~~10.3 Boards and/or committees cannot exercise authority over staff. Because the County Manager works for the Board of Commissioners, he/she will not be required to obtain approval of a Board committee before an administrative action. If a problem with direction, communication, etc. arises within the functions of a board or committee, said committee shall bring such concerns to the Board of Commissioners for resolution.

~~11.4~~10.4 Board and /or committees report to the Board of Commissioners and will normally not have direct dealings with current staff operations other than to receive information and provide comment for Board consideration. The County Manager may establish staff liaisons for Boards and/or committees.

~~11.5~~10.5 Every member of a Board with the potential to affect land use and/or property and development rights shall complete a "Conflict of Interest" form with the application to serve, to include the Planning Board, Board of Adjustment, Board of Equalization and Review, and the Public Works Advisory Board.

~~11.6~~10.6 While a geographically representative membership on committees, boards, etc. is desirable, all committees, boards, etc. shall be appointed at-large, with an emphasis on experience and skill-set germane to the Board being populated, except as otherwise required by specific Board policy or applicable law.

~~11.7~~10.7 No "cross-serving" on committees, boards, etc. shall be allowed on Boards that

may affect land use and property value, to include the Planning Board, Board of Adjustment, Board of Equalization and Review, Parks and Recreation Advisory Board, Agricultural Advisory Board, Historical Preservation Committee, Library Board of Trustees, Union County Partnership for Progress, ~~and~~ and the Public

Works

Advisory Board.

GOVERNANCE VISION AND POLICIES FOR UNION COUNTY

It is the goal of Union County government to forge a true partnership in governance, one that recognizes political leadership and administrative guidance are mutually dependent on one another. The responsibilities from the commissioners and the manager come from the law, from the managers' professional code, from realistic notions of roles in policy and administration, and from commonly understood expectations of behavior.

It is understood that the Manager and the Board of Commissioners each play a role within the County government, with the Board shouldering most of the initiative at the mission and policy levels, and the administration shouldering most of the responsibility of internal management. Thus, the commissioners are responsible for setting overall direction of government to include, but not limited to, its purpose, scope, and philosophy. The manager, in turn, shall bring knowledge and expertise which enhances the commissioners' ability to make informed choices and decisions, and shall be responsible for implementation of said decisions and policies adopted by the commissioners.

In accordance with this philosophy, the Board, having a stake in how its policies are carried out, shall have oversight of the administration and management of the county government. The manager is a valued advisor to the commissioners and shall present policy advice in a balanced and unbiased manner.

A chain-of-command in answering service needs is necessary. While individual direction/tasks from commissioners to employees are not acceptable, commissioners shall have the ability to establish direct contact with employees for routine inquiries or requests that do not negatively affect administrative workloads. This permits commissioners to obtain routine information that may be needed quickly and accurately from the people who are closest to the issues and most informed about the details. *

To these ends, the following policies shall be adopted by the Board of Commissioners:

* Excerpts in this document were based on Bell, Fleming A. III, and Wicker, Warren Jake, 1998. County Government in North Carolina, 4th ed., UNC—Chapel Hill School of Government, as well as Stenberg, Carl W. III, 2007. County and Municipal Government in North Carolina, Article 5: *Leading and Governing in Council-Manager Counties and Cities*, UNC—Chapel Hill School of Government.

1.0 Values Statement

The values of the Board reflected throughout Board policies are as follows:

As Union County Commissioners, we believe, and together will exemplify, the following values:

- 1.1 We are entrusted to serve the public and are responsible for carrying out the Board and County mission for the benefit of the community
- 1.2 We are committed to providing excellent service and leadership to all residents
- 1.3 All individuals are unique and important, and will be treated with fairness, dignity, and respect
- 1.4 We take pride in our work, leadership, and representation and are accountable and trusted to carry out our responsibilities with honesty and integrity
- 1.5 Initiative, leadership, personal development, and training are vital for us to continuously improve
- 1.6 Open communication, cooperation, and teamwork are shared responsibilities and essential to the successful performance of our work and representation
- 1.7 We are committed to creating an inclusive work environment which reflects and supports the diversity in our community and enriches our perspectives

2.0 Governing Style

The Board will govern with an emphasis on (a) outward vision, (b) encouragement of variety in viewpoints, (c) strategic leadership, (d) clear understanding of Board and administrative roles, (e) collective rather than individual decisions, and (f) proactivity rather than reactivity.

Accordingly:

- 2.1 The Board will cultivate a sense of group responsibility. The Board, with input from staff, has the ultimate responsibility to ensure excellence in governing is achieved. The Board will be the initiator of policy, not merely a reactor to staff initiatives.
- 2.2 The Board will direct, control, and inspire the government through the careful establishment of written policies reflecting the Board's values and perspectives. The Board's major policy focus will be on the intended results, not on the administrative or programmatic means of attaining those effects. However, the Board will not merely "rubber stamp" staff recommendations, but will carefully vet and deliberate the issues before them.
- 2.3 The Board will further inform itself, individually and collectively, through outreach to determine community wishes and through continuing communication on issues relevant to the County, to include appropriate inquiries with Department Heads and staff. Appropriate is defined as compliant with the Board's vision, policies, and processes, and the Manager shall be copied on all communications.
- 2.4 The Board will enforce upon itself the discipline that is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, and respect of roles, decorum, and ensuring the continuance of governance capability.
- 2.5 Continual Board development will include orientation of other members in the government process and periodic Board discussion of process improvement.
- 2.6 The Board will allow no board member, individual, or committee of the Board to hinder or be an excuse for not fulfilling its commitments.

The Union County North Carolina Board of Commissioners Rules of Procedure are hereby incorporated into this Policy by reference.

3.0 Commissioners' Code of Conduct

The Board commits itself and its members to ethical, business-like, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

Accordingly:

- 3.1 Commissioners must have loyalty to the position, unconflicted by loyalties and/or ties to staff, other organizations and/or individuals, and any personal interest.
- 3.2 Commissioners avoid conflict of interest with respect to their personal financial interests
- 3.3 Commissioners may not attempt to exercise individual authority over the government staff or its processes
 - 3.3.1 Commissioners' interaction with the County Manager or with staff must recognize the lack of authority vested in individuals except when explicitly Board authorized, excluding the purpose of information gathering and educational communication
- 3.4 Commissioners will respect the confidentiality appropriate to issues of a sensitive nature, in accordance with applicable law, including but not limited to the North Carolina open meetings and public records laws.
- 3.5 Commissioners will be properly prepared for Board deliberations to include, but not limited to, reading the material in agenda packets, doing research on issues, obtaining community input when needed, and providing specific comments on issues
- 3.6 No one shall individually record closed session information

Violations of the Commissioner's Code of Conduct and/or County Commissioners Code of Ethics may result in censure by the Board.

The North Carolina Association of County Commissioners Code of Ethics as Adopted on December 2, 2002 is hereby incorporated into this Policy by reference.

4.0 Chairperson's Role

The Chairperson assures the integrity of the Board's meeting procedures. The Chair may also act as a ceremonial representative of the County.

Accordingly:

- 4.1 The role of the Chairperson is to ensure that the Board behaves consistently with its own rules.
 - 4.1.1 Meeting discussion content shall be germane to only those issues on the adopted agenda.
 - 4.1.2 Deliberation will be fair, open, and thorough, but also timely, orderly, and kept to the point.
- 4.2 The authority of the Chairperson consists in making decisions that fall within topics covered by Board policies and those specifically enumerated by Statute and set forth in the Board's Rules of Procedure. The Chairperson is authorized to use any reasonable interpretation of the provisions of these policies.
 - 4.2.1 The Chairperson is empowered to chair Board meetings with the commonly accepted power of that position, to include but not limited to: (a) ruling on points of parliamentary procedure, including the right to rule out of order any motion offered for patently obstructive or dilatory purposes; (b) determining whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground; (c) calling a brief recess at any time; (d) adjourning in an emergency.
 - 4.2.2 The Chairperson has no authority to make decisions about rules, regulations, and procedures established by the Board. Therefore, the Chairperson has no authority to independently supervise the County Manager.
 - 4.2.3 The Chairperson may represent the Board to outside parties in announcing *Board-stated positions* and in stating Chair decisions and interpretations within the area delegated to him/her.

5.0 Unity of Control

Only officially passed motions of the Board are binding on the County Manager.

Accordingly:

- 5.1 Decisions and/or instructions of individual Board members or committees are not binding on the County Manager unless adopted by the Board.
- 5.2 In seeking clarification on informational items, statistics, policy, regulations, etc., Board members may directly approach professional staff members to obtain said information, etc. needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making, provided such request does not substantially affect administrative workloads.

6.0 Accountability/Communications of the County Manager

The County Manager is the Board's primary link to operational achievement and conduct, so that authority and accountability of staff, pursuant to any and all personnel policies that the Board may adopt, is considered the authority and accountability of the County Manager

Accordingly:

- 6.1 The Board, as a whole or individual members, will not give direction to a person who reports directly or indirectly to the County Manager. This does not include requests for information or clarification.
- 6.2 The County Manager serves at the pleasure of the Board.
- 6.3 In order to meet citizen and government body expectations, the manager shall build a modern organization that has both capacity and competence. This entails implementing and updating business practices and processes for personnel administration, finance, purchasing, payroll, contracting, and other basic local systems. He/she shall use management tools like strategic planning, performance measurement, benchmarking, and program evaluation to ensure continuous improvement of operations as well as use of technologies like websites and e-government to increase public outreach and access and reduce costs, careful workforce and succession planning, job sharing, job rotation, etc., if deemed appropriate for the organization or specific department.
- 6.4 The Manager shall offer balanced and impartial advice and present alternatives and provide all relevant information that is reasonably available on the different options, assess the advantages and disadvantages of each option, explain the professional reasoning and analysis that leads him or her to a recommendation, and base that reasoning on established professional, technical, ethical, or legal principles.
- 6.5 The County Manager is responsible for providing information to the Board and supporting it's work. Therefore, he/she shall:
 - 6.5.1 Submit information required by the Board in a timely, accurate, and understandable fashion;
 - 6.5.2 Keep the Board informed of known relevant trends, anticipated adverse consequences, threatened or pending lawsuits, and material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established;

-
- 6.5.3 Assemble for the Board staff and external points of view, and options to include both pros and cons as needed to inform the Board of its choices, including those which may be contrary to the recommendation of the Manager;
 - 6.5.4 Provide a mechanism for official Board, officer, or committee communications;
 - 6.5.5 Report in a timely manner a known actual or anticipated noncompliance with any policy of the Board;
 - 6.5.6 Not allow his/her personal opinion on a matter reflect in his/her professional direction given to staff or when communicated to others;
 - 6.5.7 Not make any attempt to prohibit or limit appropriate, nondisruptive contact between elected officials and employees.
- 6.6 The manager shall direct and supervise the administration of all county offices, departments, boards, commissions and agencies under the general control of the board of commissioners, subject to the general direction and control of the board.

7.0 Manager/Administrator Constraint

The County Manager shall not cause or allow any practice, activity, decision, or organizational circumstance which is either unlawful or in violation of commonly professional ethics, which are known or should have been known to him/her. The Manager shall recognize that the chief function of local government at all times is to serve the best interests of all of the people. The Manager shall keep the community informed on local government affairs; encourage communication between the citizens, elected officials, and all local government officers and staff; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service. The Manager shall not allow his/her personal opinions or interests to inappropriately influence the information provided to the Board and shall not filter information from the organization solely through the Manager's position. The Manager shall not endanger the organization's public image or credibility, particularly in ways that would hinder its accomplishment of mission. Said practice, etc. shall result in termination.

The International City/County Management Association Code of Ethics ("ICMA") is hereby incorporated into this Policy by reference.

8.0 Monitoring County Manager Performance

Monitoring of the County Manager job performance will be within the expected Manager Accountability/Communications and organizational operation boundaries established by Board policies and in the Management/Administration Constraints.

Accordingly:

- 8.1 Monitoring is simply to determine the degree to which Board policies are being met. Data which does not do this will not be considered to be monitoring data.
- 8.2 The Board will acquire monitoring data by one or more of three methods: (a) by internal report, in which the Manager discloses compliance information to the Board; (b) by external report, in which an external, disinterested third party selected by the Board assesses the organizational performance and compliance with Board policies; and (c) by direct Board inspection to assess compliance, using the appropriate criteria. Regardless of the method used, all information shall be disclosed to the entire Board.
- 8.3 The standard of compliance shall be that the Manager has faithfully executed a reasonable interpretation of the Board policy being monitored and Board stated expectations.
- 8.4 Performance evaluations shall be conducted, at a minimum, annually.

9.0 Treatment of “Consumers” or Residents

With respect to interactions with residents, the County Manager and/or board members shall not cause or allow procedures or decisions which fail to fulfill reasonable resident expectations for good service, responsive government, are unsafe, or unnecessarily intrusive. “Consumers” shall also include any persons transacting business or interacting with the County government.

Further, without limiting the scope of the foregoing by this enumeration, they shall not:

- 9.1 Approve and/or use forms that elicit information for which there is no necessity or policy;
- 9.2 Fail to provide appropriate accessibility and privacy in facilities;
- 9.3 Fail to establish with “consumers” a clear understanding of what may be expected and what may not be expected from the service offered.

10.0 Board Committee Principles

Boards and committees, when used, will be assigned to assist and make recommendations to the Board as directed or prescribed by statute and shall not interfere with delegation from the Board to the County Manager. Boards and committees shall be nonpartisan entities, formed to represent the interests of all citizens within the County.

Accordingly:

- 10.1 Board committees are to help the Board do its job. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberations.
- 10.2 Board committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the County Manager.
- 10.3 Boards and/or committees cannot exercise authority over staff. Because the County Manager works for the Board of Commissioners, he/she will not be required to obtain approval of a Board committee before an administrative action. If a problem with direction, communication, etc. arises within the functions of a board or committee, said committee shall bring such concerns to the Board of Commissioners for resolution.
- 10.4 Board and/or committees report to the Board of Commissioners and will normally not have direct dealings with current staff operations other than to receive information and provide comment for Board consideration. The County Manager may establish staff liaisons for Boards and/or committees.
- 10.5 Every member of a Board with the potential to affect land use and/or property and development rights shall complete a "Conflict of Interest" form with the application to serve, to include the Planning Board, Board of Adjustment, Board of Equalization and Review, and the Public Works Advisory Board.
- 10.6 While a geographically representative membership on committees, boards, etc. is desirable, all committees, boards, etc. shall be appointed at-large, with an emphasis on experience and skill-set germane to the Board being populated, except as otherwise required by specific Board policy or applicable law.
- 10.7 No "cross-serving" on committees, boards, etc. shall be allowed on Boards that may affect land use and property value, to include the Planning Board, Board of Adjustment, Board of Equalization and Review, Parks and Recreation Advisory Board, Agricultural Advisory Board, Historical Preservation Committee, Library Board of Trustees, Union County Partnership for Progress, and the Public Works Advisory Board.

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: March 16, 2009

Action Agenda Item No. 11

(Central Admin. use only)

SUBJECT: Public Health fee requests for Environmental Health Services

DEPARTMENT: Public Health

PUBLIC HEARING: No

ATTACHMENT(S):

A-K

INFORMATION CONTACT:

Phillip Tarte

TELEPHONE NUMBERS:

704-296-4801

DEPARTMENT'S RECOMMENDED ACTION: Adoption of the recommended fees for Food/Lodging and Institutional Inspections.

BACKGROUND: The Board of Health, at it's regularly scheduled March meeting, voted unanimously to approve staff's recommended fee requests for eleven (11) services provided by the agency.

These fees are new, i.e. there was never an associated fee for the services listed. Of the eleven (11) new fees, three (3) are strictly services requested by customers. Those three are Express Plan Review, Food safety management certification courses, and Private pool water testing. In the case of these, customer requested services, we were unable to accommodate the requests without a fee involved.

The remaining eight (8), are either mandated for inspection and review as required by law; result from an individual or group scheduling a special event for which we are required to inspect; from individuals who are out of compliance operating illegally with no penalty; or from operators failing to complete the necessary requirements when a scheduled visit has been conducted. The agency has historically provided these services without fees attached to the customer and the balance has been adjusted through the general tax base.

FINANCIAL IMPACT: Potential to increase revenue for Environmental Health programs by \$37K based on estimated numbers and historical data.

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation:

(A)

**ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM**

CURRENT FOOD SERVICE PLAN REVIEW FEES

Food Stands and Restaurants.....\$200.00

Travel Time (Construction walk-thru, pre-opening and permitting).....2.0 Hours

Plan Review (Initial review, revision review, consult and walk-thrus)..4.5 Hours

TOTAL 6.5 Hours

COST

EHS: 6.5 Hours x \$26.00 = \$169.00

CLERICAL: .5 Hours x \$18.00 = \$9.00

VEHICLE: 45 miles x \$.55/mile = \$24.75

TOTAL = \$202.75

RECOMMENDATION:

\$200 Plan Review Fee for:

Meat Market

Catered Elderly Nutrition

Limited Food Service (Concession Stands)

(B)

**ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM (upon request)**

CURRENT FOOD SERVICE EXPRESS PLAN REVIEW FEES

Food Stands and Restaurants.....\$0

Travel Time (Construction walk-thru, pre-opening and permitting).....2.0 Hours

Plan Review (Initial review, revision review, consult and walk-thrus)..4.5 Hours

TOTAL 6.5 Hours

COST

EHS: 6.5 Hours x \$26.00 = \$169.00

CLERICAL: .5 Hours x \$18.00 = \$9.00

VEHICLE: 45 miles x \$.55/mile = \$24.75

TOTAL = \$202.75

RECOMMENDATION:

\$1000 Express Plan Review Fee for:

Food Stands and Restaurants

(C)

ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM

**CURRENT FOOD SERVICE FEE IF PLANS RESUBMITTED OR
MODIFIED AFTER PLAN APPROVAL**

Food Stands, Restaurants and Meat Markets.....\$0

Plan Review (Revision review and consult).....1.5 Hours

Travel Time (Construction walk-thrus and/or pre-opening).....1.0 Hours

TOTAL 2.5 Hours

COST

EHS: 2.5 Hours x \$26.00 = \$65.00

CLERICAL: .5 Hours x \$18.00 = \$9.00

VEHICLE: 45 miles x \$.55/mile = \$24.75

TOTAL = \$98.75

RECOMMENDATION:

\$100 Fee

(D)

ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM

**CURRENT FOOD SERVICE FEE IF REMODELING/CONSTRUCTION
IS STARTED BEFORE PLANS HAVE BEEN SUBMITTED AND
APPROVED**

Food Stands, Restaurants and Meat Markets.....\$0

Site visit to determine if establishment meets NC Rules.....2.0 Hours

Travel Time (Construction walk-thrus, pre-opening and permitting).....3.0 Hours

Plan Review (Initial review, revision review, consult and walk-thrus)....4.5 Hours

TOTAL 9.5 Hours

COST

EHS: 9.5 Hours x \$26.00 = \$247.00

CLERICAL: .5 Hours x \$18.00 = \$9.00

VEHICLE: 90 miles x \$.55/mile = \$49.50

TOTAL = \$305.50

RECOMMENDATION:

\$400 Fee

(E)

**ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM**

**CURRENT FOOD SERVICE FEE IF MORE THAN TWO SITE
INSPECTIONS ARE REQUIRED FOR APPROVAL OF
CONSTRUCTION OF A FOOD SERVICE ESTABLISHMENT**

Food Stands, Restaurants and Meat Markets.....\$0

Site Visit.....1.5 Hours

Travel Time (Construction walk-thrus and/or pre-opening).....1.0 Hours

TOTAL 2.5 Hours

COST

EHS: 2.5 Hours x \$26.00 = \$65.00

CLERICAL: .5 Hours x \$18.00 = \$9.00

VEHICLE: 45 miles x \$.55/mile = \$24.75

TOTAL = \$98.75

RECOMMENDATION:

\$100 Additional Site Visit Fee For:

Food Stands, Restaurants and Meat Markets

(F)

**ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM**

CURRENT FOOD SERVICE TRANSITIONAL PERMIT (CHANGE OF OWNERSHIP) AND MAJOR RENOVATIONS FEES

All Food Service Facilities.....\$0.00

Travel Time (Construction walk-thru, pre-opening, permitting).....2.0 Hours

Plan Review (Initial review, revision review and consult).....1.0 Hours

TOTAL 3.0 Hours

COST

EHS: 3.0 Hours x \$26.00 = \$78.00

Clerical: .5 Hours x \$18.00 = \$9.00

Vehicle: 45 miles x \$.55/ mile = \$24.75

TOTAL = \$111.75

RECOMMENDATION:

\$125 Transitional Permit/Renovation Fee

(G)

ENVIRONMENTAL HEALTH
SERVICE AND FEE ADJUSTMENT RECOMMENDATION FOR
FOOD, LODGING AND INSTITUTIONS PROGRAMS

CURRENT TEMPORARY FOOD ESTABLISHMENT FEE

Operation Permit..... \$50.00

Special Event Coordinating (Consults and Paperwork).....1.0 Hours

Travel Time (Initial permit, inspection and compliance visit).....1.5 Hours

Permitting and Inspection.....0.5 Hours

Plan Review.....0.5 Hours

COST (Permitting, Plan Review, and Consulting)

EHS: 3.5 Hours x \$26.00 = \$91

Clerical: .25 Hours x \$18 = \$4.50

Vehicle: 50 miles x \$.55/mile = \$27.50

TOTAL = \$123.00

RECOMMENDATION:

Add Event Coordinator Application Fee \$200.00

(H)

ENVIRONMENTAL HEALTH
SERVICE AND FEE ADJUSTMENT RECOMMENDATION FOR
FOOD, LODGING AND INSTITUTIONS PROGRAMS

CURRENT MOBILE FOOD UNIT AND PUSH CART STICKER FEE

Operation Permit.....\$0.00

Unit Location Coordinating (for inspections).....0.5 Hours

Travel Time (Initial permit, inspection and compliance visit).....1.5 Hours

Permitting and Inspection.....0.5 Hours

Plan Review.....0.5 Hours

COST (Permitting, Plan Review, and Consulting)

EHS: 3.0 Hours x \$26.00 = \$78.00

Clerical: .25 Hours x \$18 = \$4.50

Vehicle: 50 miles x \$.55/mile = \$27.50

TOTAL = \$110.00

RECOMMENDATION:

\$125.00 Yearly Sticker Fee

(1)

ENVIRONMENTAL HEALTH
SERVICE AND FEE ADJUSTMENT RECOMMENDATION FOR
FOOD, LODGING AND INSTITUTIONS PROGRAMS

**CURRENT FOOD SAFETY MANAGEMENT CERTIFICATION
TRAINING FEE (upon request)**

Training Fee\$1000 per
facility

Travel Time3.0 Hours

Training Preparation4.0 Hours

Classroom Training*12.0 Hours

Administer Exam.....3.0 Hours

TOTAL 22.0 Hours

COST

EHS: 22.0 Hours x \$26.00 = \$572.00

Clerical: 2.0 Hours x \$18 = \$36.00

Vehicle: 50 miles x \$.55/mile = \$27.50

TOTAL = \$635.50

RECOMMENDATION:
\$650 Facility Training Fee

*Trainer will work with staff and restaurant at their own facility.

(J)

**ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM**

CURRENT SWIMMING POOL FEES

Public Swimming Pool Operation Permit.....\$275.00
Public Swimming Pool Plan Review..... \$250.00
Public Swimming Pool Re-Inspection (Pool “not ready”)*\$75.00

Travel Time (Initial permit, follow-up visit, and inspection).....1.5 Hours

Permitting and Inspection.....3.0 Hours

Plan Review (Initial review, revision review and consult).....8.0 Hours

TOTAL (Permitting and Inspection).....4.5 Hours

TOTAL (Plan Review).....8.0 Hours

COST (Permitting and Inspection)

EHS: 4.5 Hours x \$26.00 = \$117.00

Clerical: .5 Hours x \$18.00 = \$9.00

Vehicle: 50 miles x \$.55/ mile = \$27.50

TOTAL = \$153.50

COST (Plan Review)

EHS: 8 Hours x \$26.00 = \$208.00

Clerical: .5 x \$18.00 = \$9.00

TOTAL = \$217.00

RECOMMENDATION:

Add “Violation Re-Inspection Fee” of \$75.**

*Fee charged when the Certified Pool Operator or managing firm calls into office and sets up appointment to obtain Operating Permit. Return visit fee charged when public pool “not ready.”

**Re-inspection fee when violation(s) cause public swimming pool to be closed.

(K)

ENVIRONMENTAL HEALTH SERVICE AND FEE
ADJUSTMENT RECOMMENDATION FOR FOOD,
LODGING, AND INSTITUTIONS PROGRAM

CURRENT PRIVATE POOL TESTING

Test water quality for pH, Chlorine, and pertinent chemicals.....\$0.00

Travel Time0.75 Hours

Water Quality Test.....0.5 Hours

Consultative Visit.....0.5 Hours

TOTAL 1.75 Hours

COST

EHS: 1.75 Hours x \$26.00 = \$45.50

Clerical: .25 Hours x \$18.00 = \$4.50

Vehicle: 25 miles x \$.55/ mile = \$13.75

TOTAL = \$63.75

RECOMMENDATION:

\$75 Private Swimming Pool Water Quality Test

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater or drinking water system improvements; and

WHEREAS, Union County has need for and intends to construct a drinking water system project described as the construction of a 4 MGD expandable to a 6 MGD water booster pumping station, a 2 MGD water booster pumping station, and approximately 40,000 lf of 24-inch water main in order to decrease water age in Union County's Eastern Water System, help reduce disinfection by-products to assure compliance with the Stage 2 Disinfection By-Product Rule, reduce interbasin transfers, and provide water to existing customers and limited customers currently on individual wells exhibiting poor water quality; and

WHEREAS, Union County intends to request state grant assistance for the project.

NOW, THEREFORE, BE IT RESOLVED, BY THE UNION COUNTY BOARD OF COMMISSIONERS:

That Union County, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Union County to make scheduled repayment of the loan, to withhold from Union County any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Al Greene, County Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application

on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the _____ day of _____, 20____, at Monroe, North Carolina.

Lanny Openshaw, Chairman of the Board

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of Commissioners of Union County does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of Union County Board of Commissioners duly held on the _____ day of _____, 20____; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 20____.

Lynn West, Clerk to the Union County Board of Commissioners

AGENDA ITEM

13
MEETING DATE 3-16-09



Chairmanship for BER
John Petoskey to: Lynn West
Cc: Al Greene

02/24/2009 01:36 PM

Lynn,

This is just to remind you that we need the Board of County Commissioners to appoint a Chairman for the Board of Equalization and Review before the first meeting of the Board of Equalization and Review which is scheduled to occur on April 14, 2009 at 9:00am.

Thanks, John

John Petoskey
Union County Tax Administrator
PO Box 97
Monroe, NC 28111-0097
johnpetoskey@co.union.nc.us
(704) 283-3748
(704) 283-3616 Fax



BLACK & VEATCH
Building a world of difference.

AGENDA ITEM

14
MEETING DATE 3/16/09

Union County Public Works Department
Love Mill Road 8" Waterline

B&V Project 149783
B&V File F
February 11, 2009

Mr. Charles P. O'Cain, PE, PLS
CIP Construction Manager
Union County Public Works Department
500 North Main Street, Suite 500
Monroe, North Carolina 28112-4730

Subject: Bid Award Recommendations

Dear Mr. O'Cain:

On February 5, 2009 at 2:00 p.m., bids were opened for the Union County Love Mill Road 8" Waterline project. This project entails installation of approximately 2,800 linear feet of 8" finished water pipeline along Love Mill Rd with connection to the existing distribution system at Highway 218.

Union County publicly advertised this project in an area newspaper as well as in area plan rooms of the Associated General Contractors and McGraw Hill. Twenty eight sets of bidding documents were mailed out to potential bidders and twenty four bids were received. We conclude that the project was available to the construction industry resulting in responsive bids.

The Bid Tabulation is enclosed.

The low bid was submitted by T&H Construction Company of NC, Inc., Castle Hayne in the unit price contract amount of \$121,703.17. The remaining bids ranged from \$ \$121,970.39 to \$ \$268,087.00. The average of all bids received was \$ \$167,740.96. The low bid is 0.2% below the second low bid received and 27% below the average of all bids received.

T&H Construction has indicated that they are satisfied with their bid numbers and will accept the project as they bid it.

We conclude that the low bid is responsible.

The bidders were requested to submit questionnaires for certain materials. T&H Construction's submitted suppliers are acceptable.

Black & Veatch verified that T&H Construction is properly licensed to do this work.

Therefore, Black & Veatch recommends award of this contract to the low bidder, T&H Construction, in the unit price contract amount of \$ 121,703.17.

Union County Public Works Department
Mr. Charles P. O'Cain

B&V Project 149783
February 11, 2009

Please let us know if you have questions regarding this recommendation.

Very truly yours,

BLACK & VEATCH
INTERNATIONAL COMPANY



H. Keith Proffit, P.E.
Engineering Manager

HKP/elw
Enclosures

cc: Jeff Coggins

Black Veatch International Company

		8 Star Construction Co., Inc.		Advanced Development Concepts, LLC		BRS, Inc.		Buckeye Construction Co., Inc.		
UNION COUNTY PUBLIC WORKS DEPARTMENT LOVE MILL ROAD 8" WATERLINE		9349 China Grove Church Road Pineville, NC 28134 980-297-7266 NC License No. 66089		P.O.Box 3248 Mathews, NC 28106 704-708-4663 NC License No. 56511		208 North Hwy 49 Richfield, NC 28137; P.O.Box 456 704-463-1355 NC License No. 20414		654 Buckeye Cove Road Canton, NC 28716 828-646-4511 NC License No. 23096		
Bid Form Executed		Yes		Yes		Yes		Yes		
Bid Security Submitted		Yes		Yes		Yes		Yes		
Equipment Questionnaire										
Material Selected (PVC or DIP)		PVC		PVC		PVC		PVC		
1. Pipe per Section 02620 or Section 02630		Diamond		National Pipe		North American Pipe		North American Pipe		
2. DIP per 02620		Griffin		Atlantic States		US Pipe		US Pipe		
3. Gate Valves per Section 15104		Mueller		Kennedy Valves		Mueller		Mueller		
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	MOBILIZATION (NOT TO EXCEED 3% OF TOTAL BID)	LS 1	\$ 3,000.00	\$ 3,000.00	\$ 2,810.00	\$ 2,810.00	\$ 5,000.00	\$ 5,000.00	\$ 5,154.00	\$ 5,154.00
2	8" PIPELINES									
2.1	Unrestrained (PVC or DI)	LF 1,930	\$ 14.00	\$ 27,020.00	\$ 16.28	\$ 31,420.40	\$ 30.00	\$ 57,900.00	\$ 26.15	\$ 50,469.50
2.2	DI Restrained	LF 934	\$ 30.00	\$ 28,020.00	\$ 29.10	\$ 27,179.40	\$ 48.00	\$ 44,832.00	\$ 50.65	\$ 47,307.10
3	DUCTILE IRON FITTINGS NOT SHOWN	LB 300	\$ 6.00	\$ 1,800.00	\$ 2.80	\$ 840.00	\$ 2.75	\$ 825.00	\$ 3.75	\$ 1,125.00
4	HIGHWAY CROSSINGS BORED AND JACKED									
4.1	Highway 218 Crossing	LF 45	\$ 200.00	\$ 9,000.00	\$ 199.00	\$ 8,955.00	\$ 422.00	\$ 18,990.00	\$ 359.00	\$ 16,155.00
4.2	Greene Road Crossing	LF 32	\$ 200.00	\$ 6,400.00	\$ 250.00	\$ 8,000.00	\$ 422.00	\$ 13,504.00	\$ 573.00	\$ 18,336.00
4.3	Driveways	LF 11	\$ 100.00	\$ 1,100.00	\$ 86.76	\$ 954.36	\$ 150.00	\$ 1,650.00	\$ 58.60	\$ 644.60
5	GATE VALVES									
5.1	8-Inch	EA 3	\$ 1,200.00	\$ 3,600.00	\$ 830.66	\$ 2,491.98	\$ 1,020.00	\$ 3,060.00	\$ 992.00	\$ 2,976.00
5.2	8-Inch Tapping Valve	EA 1	\$ 1,350.00	\$ 1,350.00	\$ 1,344.37	\$ 1,344.37	\$ 1,275.00	\$ 1,275.00	\$ 1,226.00	\$ 1,226.00
5.3	6-Inch	EA 1	\$ 850.00	\$ 850.00	\$ 567.81	\$ 567.81	\$ 710.00	\$ 710.00	\$ 665.00	\$ 665.00
5.3	2-Inch	EA 2	\$ 450.00	\$ 900.00	\$ 337.66	\$ 675.32	\$ 340.00	\$ 680.00	\$ 419.00	\$ 838.00
6	FIRE HYDRANTS	EA 4	\$ 3,000.00	\$ 12,000.00	\$ 2,748.61	\$ 10,994.44	\$ 3,450.00	\$ 13,800.00	\$ 5,775.00	\$ 23,100.00
7	CONNECTIONS TO EXISTING PIPING									
7.1	12-Inch at Site 0+00+-	LS 1	\$ 3,600.00	\$ 3,600.00	\$ 1,154.29	\$ 1,154.29	\$ 2,080.00	\$ 2,080.00	\$ 2,822.00	\$ 2,822.00
8	Trench Stabilization Stone	TON 5	\$ 55.00	\$ 275.00	\$ 61.58	\$ 307.80	\$ -	\$ -	\$ 33.25	\$ 166.25
9	ASPHALT DRIVE REMOVAL AND REPLACEMENT	LF 12	\$ 55.00	\$ 660.00	\$ 39.37	\$ 472.44	\$ 45.00	\$ 540.00	\$ 31.75	\$ 381.00
10	GRAVEL DRIVE REMOVAL AND REPLACEMENT	LF 80	\$ 10.00	\$ 800.00	\$ 13.80	\$ 1,104.00	\$ 10.00	\$ 800.00	\$ 4.75	\$ 380.00
11	CONCRETE DRIVE BORE	LF 10	\$ 100.00	\$ 1,000.00	\$ 51.82	\$ 518.20	\$ 150.00	\$ 1,500.00	\$ 59.15	\$ 591.50
12	MISCELLANEOUS CONCRETE	CY 10	\$ 250.00	\$ 2,500.00	\$ 138.26	\$ 1,382.60	\$ 175.00	\$ 1,750.00	\$ 191.00	\$ 1,910.00
13	EROSION CONTROL									
13.1	Silt Fence	LF 1,050	\$ 2.50	\$ 2,625.00	\$ 2.20	\$ 2,310.00	\$ 2.05	\$ 2,152.50	\$ 2.85	\$ 2,982.50
13.2	Check Dam	EA 4	\$ 40.00	\$ 160.00	\$ 112.90	\$ 451.60	\$ 50.00	\$ 200.00	\$ 68.00	\$ 264.00
13.3	Stone Outlet	EA 4	\$ 40.00	\$ 160.00	\$ 429.50	\$ 1,718.00	\$ 100.00	\$ 400.00	\$ 66.00	\$ 264.00
13.4	Rock Silt Screen	EA 1	\$ 40.00	\$ 40.00	\$ 480.93	\$ 480.93	\$ 150.00	\$ 150.00	\$ 66.00	\$ 66.00
13.5	Erosion Control Excelsior Matting: 4-Ft x 150-Ft (66.7 SY)	SY 467	\$ 2.00	\$ 934.00	\$ 2.47	\$ 1,153.49	\$ 2.00	\$ 934.00	\$ 2.75	\$ 1,284.25
14	WATER SERVICE CONNECTIONS AND METERS									
14.1	3/4" Short Side Service	EA 6	\$ 625.00	\$ 3,750.00	\$ 314.68	\$ 1,888.08	\$ 517.00	\$ 3,102.00	\$ 647.00	\$ 3,882.00
14.2	3/4" Long Side Service	EA 6	\$ 750.00	\$ 4,500.00	\$ 465.98	\$ 2,795.88	\$ 767.00	\$ 4,602.00	\$ 833.00	\$ 4,998.00
15	CONTINGENCY	LS 1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Contractor's Total Bid (from Bid Documents)				\$ 126,044.00			\$ 121,870.39			\$ 197,787.70
TOTAL BID (Calculated)				\$ 126,044.00			\$ 121,870.39			\$ 197,787.70
Difference Between Total Bid and Contractor's Total Bid				\$ -			\$ -			\$ -

This bid is certified to be true and correct.

Professional Engineer
H. Keith Proffitt
8749
02/25/09

UNION COUNTY PUBLIC WORKS DEPARTMENT LOVE MILL ROAD 8" WATERLINE		Bullseye Construction, Inc. 581 North Polk Street Pineville, NC 28134 NC License No. 50205		C&W Utilities 2146 Manley Bridges Road Shelby, NC 28152 704-484-8870 NC License No. 61009		Classic City Mechanical, Inc. P.O.Box 180 Winterville, GA 30683 706-742-8258 NC License No. 15247		CMI Contracting, Inc. P.O.Box 1669 Monroe, NC 28111 704-283-0200 NC License No. 33109		
Bid Form Executed		Yes		Yes		Yes		Yes		
Bid Security Submitted		Yes		Yes		Yes		Yes		
Equipment Questionnaire		PVC		-		PVC		PVC		
Material Selected (PVC or DIP)		Diamond		-		National Pipe		Diamond		
1. Pipe per Section 02620 or Section 02630		ACIPCO		-		Atlantic States		Griffin		
2. DIP per 02620		Mueller		-		Kennedy		Mueller		
3. Gate Valves per Section 15104										
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	MOBILIZATION (NOT TO EXCEED 3% OF TOTAL BID)	LS 1	\$ 4,825.00	\$ 4,825.00	\$ 4,025.00	\$ 4,025.00	\$ 5,000.00	\$ 5,000.00	\$ 4,300.00	\$ 4,300.00
2	8" PIPELINES									
	2.1 Unrestrained (PVC or DI)	LF 1,930	\$ 17.50	\$ 33,775.00	\$ 22.94	\$ 43,116.20	\$ 19.08	\$ 36,824.40	\$ 18.00	\$ 34,740.00
	2.2 DI Restrained	LF 934	\$ 37.00	\$ 34,558.00	\$ 30.75	\$ 28,720.50	\$ 32.94	\$ 30,765.96	\$ 27.00	\$ 25,218.00
3	DUCTILE IRON FITTINGS NOT SHOWN	LB 300	\$ 2.50	\$ 750.00	\$ 3.50	\$ 1,050.00	\$ 4.00	\$ 1,200.00	\$ 6.00	\$ 1,800.00
4	HIGHWAY CROSSINGS BORED AND JACKED									
	4.1 Highway 218 Crossing	LF 45	\$ 250.00	\$ 11,250.00	\$ 437.00	\$ 19,665.00	\$ 360.00	\$ 16,200.00	\$ 325.00	\$ 14,625.00
	4.2 Greene Road Crossing	LF 32	\$ 250.00	\$ 8,000.00	\$ 437.00	\$ 13,984.00	\$ 600.00	\$ 19,200.00	\$ 525.00	\$ 16,800.00
	4.3 Driveways	LF 11	\$ 125.00	\$ 1,375.00	\$ 30.00	\$ 330.00	\$ 75.00	\$ 825.00	\$ 50.00	\$ 550.00
5	GATE VALVES									
	5.1 8-Inch	EA 3	\$ 1,050.00	\$ 3,150.00	\$ 750.00	\$ 2,250.00	\$ 1,213.00	\$ 3,639.00	\$ 950.00	\$ 2,850.00
	5.2 8-Inch Tapping Valve	EA 1	\$ 6,300.00	\$ 6,300.00	\$ 850.00	\$ 850.00	\$ 1,429.00	\$ 1,429.00	\$ 1,100.00	\$ 1,100.00
	5.3 6-Inch	EA 1	\$ 700.00	\$ 700.00	\$ 625.00	\$ 625.00	\$ 853.00	\$ 853.00	\$ 640.00	\$ 640.00
	5.3 2-Inch	EA 2	\$ 600.00	\$ 1,200.00	\$ 400.00	\$ 800.00	\$ 1,400.00	\$ 2,800.00	\$ 350.00	\$ 700.00
6	FIRE HYDRANTS	EA 4	\$ 3,875.00	\$ 14,700.00	\$ 2,800.00	\$ 11,200.00	\$ 3,000.00	\$ 12,000.00	\$ 3,900.00	\$ 12,000.00
7	CONNECTIONS TO EXISTING PIPING									
	7.1 12-Inch at Sta 0+004	LS 1	\$ 8,800.00	\$ 8,800.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00
8	Trench Stabilization Stone	TON 5	\$ 40.00	\$ 200.00	\$ 25.00	\$ 125.00	\$ 30.00	\$ 150.00	\$ 100.00	\$ 500.00
9	ASPHALT DRIVE REMOVAL AND REPLACEMENT	LF 12	\$ 70.00	\$ 840.00	\$ 20.00	\$ 240.00	\$ 40.00	\$ 480.00	\$ 50.00	\$ 600.00
10	GRAVEL DRIVE REMOVAL AND REPLACEMENT	LF 80	\$ 4.00	\$ 320.00	\$ 4.00	\$ 320.00	\$ 6.50	\$ 520.00	\$ 10.00	\$ 800.00
11	CONCRETE DRIVE BORE	LF 10	\$ 125.00	\$ 1,250.00	\$ 40.00	\$ 400.00	\$ 75.00	\$ 750.00	\$ 50.00	\$ 500.00
12	MISCELLANEOUS CONCRETE	CY 10	\$ 215.00	\$ 2,150.00	\$ 30.00	\$ 300.00	\$ 150.00	\$ 1,500.00	\$ 200.00	\$ 2,000.00
13	EROSION CONTROL									
	13.1 Silt Fence	LF 1,050	\$ 2.50	\$ 2,625.00	\$ 2.50	\$ 2,625.00	\$ 3.50	\$ 3,675.00	\$ 2.00	\$ 2,100.00
	13.2 Check Dam	EA 4	\$ 150.00	\$ 600.00	\$ 45.00	\$ 180.00	\$ 250.00	\$ 1,000.00	\$ 200.00	\$ 800.00
	13.3 Stone Outlet	EA 4	\$ 150.00	\$ 600.00	\$ 55.00	\$ 220.00	\$ 250.00	\$ 1,000.00	\$ 600.00	\$ 2,400.00
	13.4 Rock Silt Screen	EA 1	\$ 400.00	\$ 400.00	\$ 125.00	\$ 125.00	\$ 400.00	\$ 400.00	\$ 600.00	\$ 600.00
	13.5 Erosion Control Excelsior Matting: 4-Ft x 150-Ft (66.7 SY)	SY 467	\$ 3.00	\$ 1,401.00	\$ 3.00	\$ 1,401.00	\$ 2.00	\$ 934.00	\$ 3.00	\$ 1,401.00
14	WATER SERVICE CONNECTIONS AND METERS									
	14.1 3/4" Short Side Service	EA 6	\$ 650.00	\$ 3,900.00	\$ 850.00	\$ 5,100.00	\$ 825.00	\$ 4,950.00	\$ 850.00	\$ 3,900.00
	14.2 3/4" Long Side Service	EA 6	\$ 1,250.00	\$ 7,500.00	\$ 1,200.00	\$ 7,200.00	\$ 1,200.00	\$ 7,200.00	\$ 1,000.00	\$ 6,000.00
15	CONTINGENCY	LS 1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Contractor's Total Bid (from Bid Documents)				\$ 161,169.00			\$ 158,851.70			\$ 149,924.00
TOTAL BID (Calculated)				\$ 161,169.00			\$ 158,851.70			\$ 149,924.00
Difference Between Total Bid and Contractor's Total Bid				\$ -			\$ -			\$ -

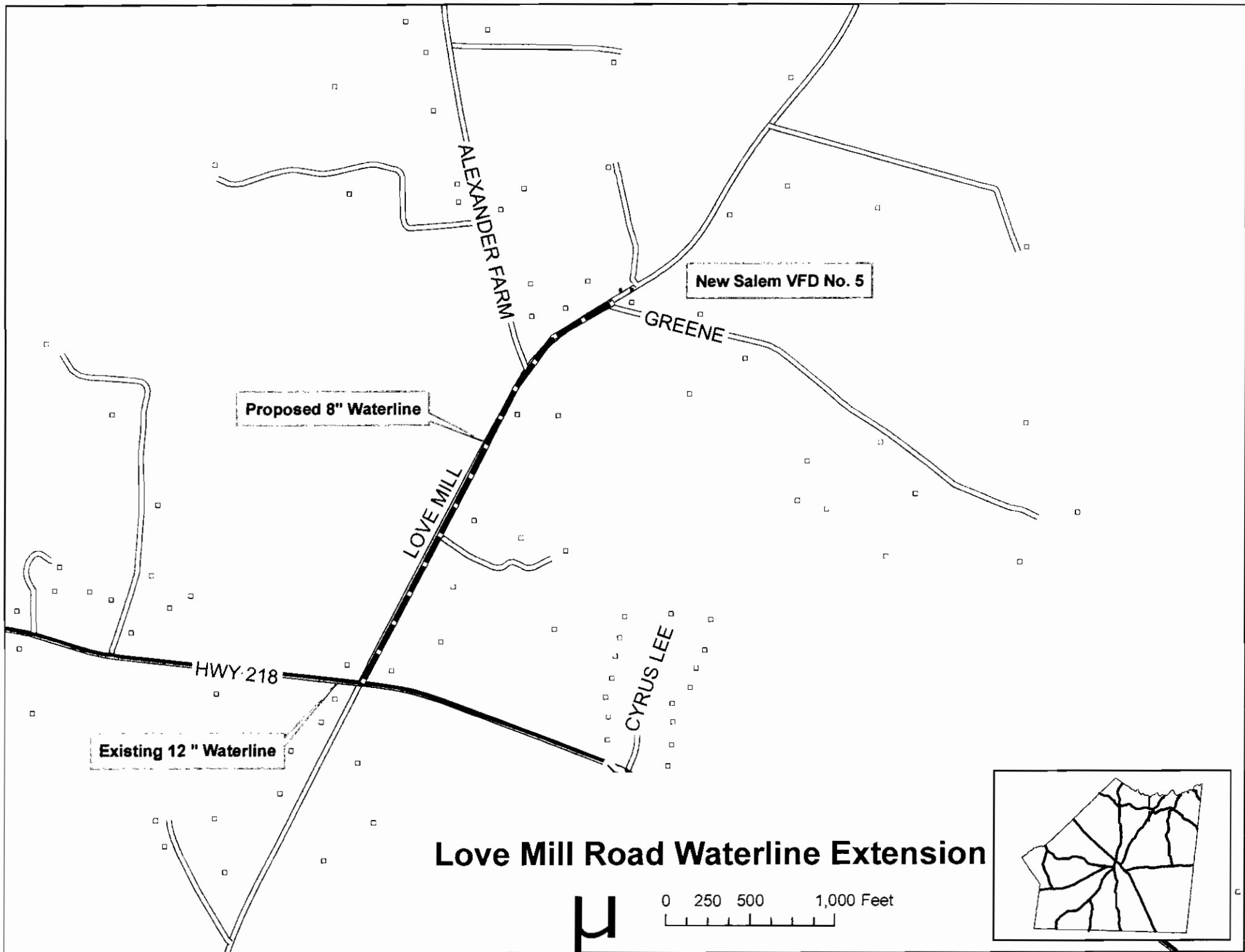
UNION COUNTY PUBLIC WORKS DEPARTMENT LOVE MILL ROAD 8" WATERLINE		Concord Builders, Inc.		Davis Grading, Inc.		Dawn Development Co., Inc.		Dellinger, Inc.		
		P.O. Box 1050 Concord, NC 28026 704-782-7417 NC License No. 13447		3404 West Zion Church Road Shelby, NC 28150 704-434-9697 NC License No. 47634		1815 Rocky River Road North Monroe, NC 28110 704-296-9620 NC License No. 50539		P.O. Box 929 Monroe, NC 28111 704-283-7551 NC License No. 5992		
Bid Form Executed		Yes		Yes		Yes		Yes		
Bid Security Submitted		Yes		Yes		Yes		Yes		
Equipment Questionnaire										
Material Selected (PVC or DIP)		PVC		PVC		PVC		PVC		
1. Pipe per Section 02620 or Section 02630		Diamond		Diamond		Diamond		North American		
2. DIP per 02620		American Cast Iron Pipe		ACIPCO American Cast Iron Pipe		Griffin		American		
3. Gate Valves per Section 15104		American Flow Control		American Flow Control		Mueller		Mueller		
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	MOBILIZATION (NOT TO EXCEED 3% OF TOTAL BID)	LS 1	\$ 6,238.00	\$ 6,238.00	\$ 3,500.00	\$ 3,500.00	\$ 2,300.00	\$ 2,300.00	\$ 2,000.00	\$ 2,000.00
2	8" PIPELINES									
	2.1 Unrestrained (PVC or DI)	LF 1,930	\$ 37.61	\$ 72,587.30	\$ 15.63	\$ 30,165.90	\$ 25.47	\$ 49,157.10	\$ 23.00	\$ 44,390.00
	2.2 DI Restrained	LF 934	\$ 53.00	\$ 49,502.00	\$ 27.81	\$ 25,974.54	\$ 37.44	\$ 34,968.96	\$ 39.00	\$ 36,426.00
3	DUCTILE IRON FITTINGS NOT SHOWN	LB 300	\$ 3.89	\$ 1,167.00	\$ 2.60	\$ 780.00	\$ 24.15	\$ 7,245.00	\$ 5.00	\$ 1,500.00
4	HIGHWAY CROSSINGS BORED AND JACKED									
	4.1 Highway 218 Crossing	LF 45	\$ 340.20	\$ 15,309.00	\$ 400.00	\$ 18,000.00	\$ 460.00	\$ 20,700.00	\$ 155.00	\$ 6,975.00
	4.2 Greene Road Crossing	LF 32	\$ 550.20	\$ 17,606.40	\$ 400.00	\$ 12,800.00	\$ 480.00	\$ 14,720.00	\$ 155.00	\$ 4,980.00
	4.3 Driveways	LF 11	\$ 3.15	\$ 34.65	\$ 150.00	\$ 1,650.00	\$ 46.00	\$ 506.00	\$ 155.00	\$ 1,705.00
5	GATE VALVES									
	5.1 8-Inch	EA 3	\$ 925.35	\$ 2,776.05	\$ 940.00	\$ 2,820.00	\$ 1,442.10	\$ 4,326.30	\$ 1,100.00	\$ 3,300.00
	5.2 8-Inch Tapping Valve	EA 1	\$ 1,179.28	\$ 1,179.28	\$ 1,150.00	\$ 1,150.00	\$ 2,875.00	\$ 2,875.00	\$ 1,100.00	\$ 1,100.00
	5.3 6-inch	EA 1	\$ 624.90	\$ 624.90	\$ 640.00	\$ 640.00	\$ 920.00	\$ 920.00	\$ 850.00	\$ 850.00
	5.3 2-inch	EA 2	\$ 425.25	\$ 850.50	\$ 425.00	\$ 850.00	\$ 690.00	\$ 1,380.00	\$ 435.00	\$ 870.00
6	FIRE HYDRANTS	EA 4	\$ 4,368.30	\$ 17,473.20	\$ 2,685.00	\$ 10,740.00	\$ 3,680.00	\$ 14,720.00	\$ 3,100.00	\$ 12,400.00
7	CONNECTIONS TO EXISTING PIPING									
	7.1 12-Inch at Sta 0+00 +/-	LS 1	\$ 3,386.21	\$ 3,386.21	\$ 3,225.00	\$ 3,225.00	\$ 1,725.00	\$ 1,725.00	\$ 2,700.00	\$ 2,700.00
8	Trench Stabilization Stone	TON 5	\$ 39.90	\$ 199.50	\$ 35.00	\$ 175.00	\$ 40.25	\$ 201.25	\$ 26.00	\$ 130.00
9	ASPHALT DRIVE REMOVAL AND REPLACEMENT	LF 12	\$ 89.25	\$ 1,071.00	\$ 20.00	\$ 240.00	\$ 161.00	\$ 1,932.00	\$ 22.00	\$ 264.00
10	GRAVEL DRIVE REMOVAL AND REPLACEMENT	LF 80	\$ 6.30	\$ 504.00	\$ 4.00	\$ 320.00	\$ 11.50	\$ 920.00	\$ 21.00	\$ 1,680.00
11	CONCRETE DRIVE BORE	LF 10	\$ 52.50	\$ 525.00	\$ 20.00	\$ 200.00	\$ 46.00	\$ 460.00	\$ 75.00	\$ 750.00
12	MISCELLANEOUS CONCRETE	CY 10	\$ 155.40	\$ 1,554.00	\$ 130.00	\$ 1,300.00	\$ 28.75	\$ 287.50	\$ 320.00	\$ 3,200.00
13	EROSION CONTROL									
	13.1 Silt Fence	LF 1,050	\$ 2.31	\$ 2,425.50	\$ 2.00	\$ 2,100.00	\$ 2.64	\$ 2,772.00	\$ 2.00	\$ 2,100.00
	13.2 Check Dam	EA 4	\$ 73.50	\$ 294.00	\$ 75.00	\$ 300.00	\$ 57.50	\$ 230.00	\$ 100.00	\$ 400.00
	13.3 Stone Outlet	EA 4	\$ 73.50	\$ 294.00	\$ 125.00	\$ 500.00	\$ 57.50	\$ 230.00	\$ 185.00	\$ 740.00
	13.4 Rock Silt Screen	EA 1	\$ 225.75	\$ 225.75	\$ 150.00	\$ 150.00	\$ 230.00	\$ 230.00	\$ 700.00	\$ 700.00
	13.5 Erosion Control Excelsior Matting: 4-Ft x 150-Ft (66.7 SY)	SY 467	\$ 2.05	\$ 957.35	\$ 2.00	\$ 934.00	\$ 1.26	\$ 588.42	\$ 3.00	\$ 1,401.00
14	WATER SERVICE CONNECTIONS AND METERS									
	14.1 3/4" Short Side Service	EA 6	\$ 540.75	\$ 3,244.50	\$ 687.00	\$ 4,122.00	\$ 902.75	\$ 5,416.50	\$ 725.00	\$ 4,350.00
	14.2 3/4" Long Side Service	EA 6	\$ 4,865.75	\$ 29,194.50	\$ 950.00	\$ 5,700.00	\$ 1,477.75	\$ 8,868.50	\$ 850.00	\$ 5,100.00
15	CONTINGENCY	LS 1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
	Contractor's Total Bid (from Bid Documents)			\$ 239,229.59		\$ 139,336.44		\$ 187,677.53		\$ 149,991.00
	TOTAL BID (Calculated)			\$ 239,229.59		\$ 139,336.44		\$ 187,677.53		\$ 149,991.00
	Difference Between Total Bid and Contractor's Total Bid		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Black Veatch International Company

UNION COUNTY PUBLIC WORKS DEPARTMENT LOVE MILL ROAD 8" WATERLINE		J.O.Flowe Grading Co., LLC		Landsown Earth & Pipe, Inc.		MV Momentum Construction, LLC		Osborne Utility Construction, LLC			
		12161 Hwy 601 South Midland, NC 28107 704-888-2373		3214 Summerfield Drive Monroe, NC 28110 704-753-5400		610 B Miuuet Lane, Suite 106 Charlotte, NC 28217 704-672-6033		3569 Fieldstone Trace Midland, NC 28107 704-888-2554			
		NC License No. 24272		NC License No. 65343		NC License No. 58550		NC License No. 43336			
Bid Form Executed		Yes		Yes		Yes		Yes			
Bid Security Submitted		Yes		Yes		Yes		Yes			
Equipment Questionnaire											
Material Selected (PVC or DIP)		PVC		PVC		PVC		PVC			
1. Pipe per Section 02620 or Section 02630		Diamond		C900 DR 14 PR 200 Pipe		Diamond		Diamond			
2. DIP per 02620		Griffin		8T5 CL 350 DI Pipe C/L		American Cl		Griffin			
3. Gate Valves per Section 15104		Mueller		Mueller		American Flow Control		Mueller			
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	
1	MOBILIZATION (NOT TO EXCEED 3% OF TOTAL BID)	LS	1	\$ 6,000.00	\$ 6,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,798.45	\$ 4,798.45	\$ 4,973.16	\$ 4,973.16
2	8" PIPELINES										
	2.1 Unrestrained (PVC or DI)	LF	1,930	\$ 45.28	\$ 87,390.40	\$ 20.00	\$ 38,600.00	\$ 18.07	\$ 34,875.10	\$ 17.30	\$ 33,389.00
	2.2 DI Restrained	LF	934	\$ 58.58	\$ 54,713.72	\$ 30.00	\$ 28,020.00	\$ 33.76	\$ 31,531.84	\$ 30.72	\$ 28,692.48
3	DUCTILE IRON FITTINGS NOT SHOWN	LB	300	\$ 32.28	\$ 9,684.00	\$ 2.00	\$ 600.00	\$ 14.98	\$ 4,494.00	\$ 20.00	\$ 6,000.00
4	HIGHWAY CROSSINGS BORED AND JACKED										
	4.1 Highway 218 Crossing	LF	45	\$ 437.00	\$ 19,665.00	\$ 300.00	\$ 13,500.00	\$ 202.10	\$ 9,094.50	\$ 480.00	\$ 21,600.00
	4.2 Greene Road Crossing	LF	32	\$ 437.00	\$ 13,984.00	\$ 300.00	\$ 9,600.00	\$ 204.98	\$ 6,559.36	\$ 480.00	\$ 15,360.00
	4.3 Driveways	LF	11	\$ 200.00	\$ 2,200.00	\$ 50.00	\$ 550.00	\$ 224.04	\$ 2,464.44	\$ 50.00	\$ 550.00
5	GATE VALVES										
	5.1 8-Inch	EA	3	\$ 1,450.00	\$ 4,350.00	\$ 500.00	\$ 1,500.00	\$ 1,287.99	\$ 3,863.97	\$ 1,075.00	\$ 3,225.00
	5.2 8-Inch Tapping Valve	EA	1	\$ 1,800.00	\$ 1,800.00	\$ 1,000.00	\$ 1,000.00	\$ 1,439.82	\$ 1,439.82	\$ 1,350.00	\$ 1,350.00
	5.3 6-Inch	EA	1	\$ 950.00	\$ 950.00	\$ 500.00	\$ 500.00	\$ 1,005.97	\$ 1,005.97	\$ 750.00	\$ 750.00
	5.3 2-Inch	EA	2	\$ 408.50	\$ 817.00	\$ 300.00	\$ 600.00	\$ 686.79	\$ 1,373.58	\$ 465.00	\$ 930.00
6	FIRE HYDRANTS	EA	4	\$ 5,227.73	\$ 20,910.92	\$ 3,000.00	\$ 12,000.00	\$ 4,148.79	\$ 16,587.16	\$ 3,700.00	\$ 14,800.00
7	CONNECTIONS TO EXISTING PIPING										
	7.1 12-Inch at Sta 0+00+/-	LS	1	\$ 6,837.20	\$ 6,837.20	\$ 1,200.00	\$ 1,200.00	\$ 2,413.09	\$ 2,413.09	\$ 3,000.00	\$ 3,000.00
8	Trench Stabilization Stone	TON	5	\$ 43.00	\$ 215.00	\$ 50.00	\$ 250.00	\$ 360.95	\$ 1,804.75	\$ 32.50	\$ 162.50
9	ASPHALT DRIVE REMOVAL AND REPLACEMENT	LF	12	\$ 120.00	\$ 1,440.00	\$ 50.00	\$ 600.00	\$ 52.00	\$ 624.00	\$ 32.00	\$ 384.00
10	GRAVEL DRIVE REMOVAL AND REPLACEMENT	LF	80	\$ 25.00	\$ 2,000.00	\$ 2.00	\$ 160.00	\$ 14.71	\$ 1,176.80	\$ 8.50	\$ 680.00
11	CONCRETE DRIVE BORE	LF	10	\$ 100.00	\$ 1,000.00	\$ 100.00	\$ 1,000.00	\$ 295.48	\$ 2,954.80	\$ 46.00	\$ 460.00
12	MISCELLANEOUS CONCRETE	CY	10	\$ 300.00	\$ 3,000.00	\$ 100.00	\$ 1,000.00	\$ 206.48	\$ 2,064.80	\$ 150.00	\$ 1,500.00
13	EROSION CONTROL										
	13.1 Silt Fence	LF	1,050	\$ 4.00	\$ 4,200.00	\$ 2.00	\$ 2,100.00	\$ 2.47	\$ 2,593.50	\$ 2.10	\$ 2,205.00
	13.2 Check Dam	EA	4	\$ 250.00	\$ 1,000.00	\$ 50.00	\$ 200.00	\$ 80.00	\$ 320.00	\$ 100.00	\$ 400.00
	13.3 Stone Outlet	EA	4	\$ 250.00	\$ 1,000.00	\$ 50.00	\$ 200.00	\$ 80.00	\$ 320.00	\$ 100.00	\$ 400.00
	13.4 Rock Silt Screen	EA	1	\$ 250.00	\$ 250.00	\$ 50.00	\$ 50.00	\$ 80.00	\$ 80.00	\$ 1,170.00	\$ 1,170.00
	13.5 Erosion Control Excelsior Matting: 4-Ft x 150-Ft (68.7 SY)	SY	467	\$ 2.00	\$ 934.00	\$ 3.00	\$ 1,401.00	\$ 4.06	\$ 1,896.02	\$ 9.50	\$ 4,436.50
14	WATER SERVICE CONNECTIONS AND METERS										
	14.1 3/4" Short Side Service	EA	6	\$ 1,007.98	\$ 6,047.88	\$ 1,200.00	\$ 7,200.00	\$ 825.15	\$ 4,950.90	\$ 750.00	\$ 4,500.00
	14.2 1/2" Long Side Service	EA	6	\$ 1,282.98	\$ 7,697.88	\$ 1,500.00	\$ 9,000.00	\$ 1,496.04	\$ 8,970.24	\$ 1,500.00	\$ 9,000.00
15	CONTINGENCY	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Contractor's Total Bid (from Bid Documents)				\$ 268,087.00		\$ 141,831.00		\$ 158,624.27		\$ 168,917.64	
TOTAL BID (Calculated)				\$ 268,087.00		\$ 141,831.00		\$ 158,257.09		\$ 168,917.64	
Difference Between Total Bid and Contractor's Total Bid				\$ -		\$ -		\$ 367.18		\$ -	

UNION COUNTY PUBLIC WORKS DEPARTMENT LOVE MILL ROAD 8" WATERLINE		Propst Construction Company		RDR, Inc.		Richie Construction Co., Inc.		Roberts Enterprises, Inc of NC		
		P.O.Box 688 Concord, NC 28026 704-782-2135 NC License No. 1323		12685 Barrier Store Road Locust, NC 28097 704-436-9314 NC License No. 7287		P.O.Box 523. Mt. Pleasant, NC 28124 704-436-6313 NC License No. 5299		4213 Morris Field Drive Charlotte, NC 28208 704-393-1123 or 7-4-457-8862 NC License No. 65610		
Bid Form Executed		Yes		Yes		Yes		Yes		
Bid Security Submitted		Yes		Yes		Yes		Yes		
Equipment Questionnaire										
Material Selected (PVC or DIP)		PVC		PVC		PVC				
1. Pipe per Section 02620 or Section 02630		Supplied by HD Supply		North American		Diamond				
2. DIP per 02620		Supplied by HD Supply		US Pipe/Atlantic States		Griffin				
3. Gate Valves per Section 15104		Supplied by HD Supply		Mueller		Mueller				
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	MOBILIZATION (NOT TO EXCEED 3% OF TOTAL BID)	LS 1	\$ 6,000.00	\$ 6,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,270.00	\$ 4,270.00	\$ 4,428.72	\$ 4,428.72
2	8" PIPELINES									
	2.1 Unrestrained (PVC or DI)	LF 1,930	\$ 46.00	\$ 88,780.00	\$ 17.45	\$ 33,678.50	\$ 23.47	\$ 45,297.10	\$ 20.00	\$ 38,600.00
	2.2 DI Restrained	LF 934	\$ 64.00	\$ 59,778.00	\$ 29.95	\$ 27,973.30	\$ 34.41	\$ 32,138.94	\$ 42.00	\$ 39,228.00
3	DUCTILE IRON FITTINGS NOT SHOWN	LB 300	\$ 3.00	\$ 900.00	\$ 1.50	\$ 450.00	\$ 5.96	\$ 1,788.00	\$ 5.00	\$ 1,500.00
4	HIGHWAY CROSSINGS BORED AND JACKED									
	4.1 Highway 218 Crossing	LF 45	\$ 350.00	\$ 15,750.00	\$ 315.00	\$ 14,175.00	\$ 437.00	\$ 19,665.00	\$ 150.00	\$ 6,750.00
	4.2 Greene Road Crossing	LF 32	\$ 575.00	\$ 18,400.00	\$ 515.00	\$ 16,480.00	\$ 437.00	\$ 13,984.00	\$ 150.00	\$ 4,800.00
	4.3 Driveways	LF 11	\$ 60.00	\$ 660.00	\$ 35.00	\$ 385.00	\$ 35.00	\$ 385.00	\$ 150.00	\$ 1,650.00
5	GATE VALVES									
	5.1 8-inch	EA 3	\$ 1,300.00	\$ 3,900.00	\$ 950.00	\$ 2,850.00	\$ 884.31	\$ 2,652.93	\$ 1,400.00	\$ 4,200.00
	5.2 8-inch Tapping Valve	EA 1	\$ 2,300.00	\$ 2,300.00	\$ 1,100.00	\$ 1,100.00	\$ 1,601.73	\$ 1,601.73	\$ 1,500.00	\$ 1,500.00
	5.3 6-inch	EA 1	\$ 2,000.00	\$ 2,000.00	\$ 650.00	\$ 650.00	\$ 582.31	\$ 582.31	\$ 1,000.00	\$ 1,000.00
	5.3 2-inch	EA 2	\$ 680.00	\$ 1,360.00	\$ 350.00	\$ 700.00	\$ 281.80	\$ 563.60	\$ 700.00	\$ 1,400.00
6	FIRE HYDRANTS	EA 4	\$ 4,200.00	\$ 16,800.00	\$ 2,775.00	\$ 11,100.00	\$ 3,001.71	\$ 12,006.84	\$ 2,800.00	\$ 11,200.00
7	CONNECTIONS TO EXISTING PIPING									
	7.1 12-inch at Sta 0+00+/-	LS 1	\$ 3,900.00	\$ 3,900.00	\$ 4,000.00	\$ 4,000.00	\$ 3,772.01	\$ 3,772.01	\$ 7,000.00	\$ 7,000.00
8	Trench Stabilization Stone	TON 5	\$ 30.00	\$ 150.00	\$ 30.00	\$ 150.00	\$ 59.96	\$ 299.80	\$ 75.00	\$ 375.00
9	ASPHALT DRIVE REMOVAL AND REPLACEMENT	LF 12	\$ 40.00	\$ 480.00	\$ 25.00	\$ 300.00	\$ 75.00	\$ 900.00	\$ 100.00	\$ 1,200.00
10	GRAVEL DRIVE REMOVAL AND REPLACEMENT	LF 80	\$ 8.00	\$ 640.00	\$ 5.00	\$ 400.00	\$ 2.50	\$ 200.00	\$ 75.00	\$ 6,000.00
11	CONCRETE DRIVE BORE	LF 10	\$ 60.00	\$ 600.00	\$ 25.00	\$ 250.00	\$ 35.00	\$ 350.00	\$ 90.00	\$ 900.00
12	MISCELLANEOUS CONCRETE	CY 10	\$ 200.00	\$ 2,000.00	\$ 1.00	\$ 10.00	\$ 200.00	\$ 2,000.00	\$ 42.00	\$ 420.00
13	EROSION CONTROL									
	13.1 Silt Fence	LF 1,050	\$ 3.00	\$ 3,150.00	\$ 0.50	\$ 525.00	\$ 2.20	\$ 2,310.00	\$ 1.60	\$ 1,680.00
	13.2 Check Dam	EA 4	\$ 60.00	\$ 240.00	\$ 15.00	\$ 60.00	\$ 35.00	\$ 140.00	\$ 75.00	\$ 300.00
	13.3 Stone Outlet	EA 4	\$ 75.00	\$ 300.00	\$ 25.00	\$ 100.00	\$ 40.00	\$ 160.00	\$ 200.00	\$ 800.00
	13.4 Rock Silt Screen	EA 1	\$ 100.00	\$ 100.00	\$ 50.00	\$ 50.00	\$ 250.00	\$ 250.00	\$ 150.00	\$ 150.00
	13.5 Erosion Control Excelsior Matting: 4-Ft x 150-Ft (86.7 SY)	SY 467	\$ 4.00	\$ 1,868.00	\$ 0.60	\$ 280.20	\$ 0.34	\$ 158.78	\$ 3.00	\$ 1,401.00
14	WATER SERVICE CONNECTIONS AND METERS									
	14.1 3/4" Short Side Service	EA 6	\$ 900.00	\$ 5,400.00	\$ 800.00	\$ 4,800.00	\$ 655.77	\$ 3,934.62	\$ 1,000.00	\$ 6,000.00
	14.2 3/4" Long Side Service	EA 6	\$ 1,200.00	\$ 7,200.00	\$ 950.00	\$ 5,700.00	\$ 1,030.77	\$ 6,184.62	\$ 1,800.00	\$ 10,800.00
15	CONTINGENCY	LS 1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
	Contractor's Total Bid (from Bid Documents)			\$ 252,654.00		\$ 140,167.00		\$ 165,595.28		\$ 162,052.72
	TOTAL BID (Calculated)			\$ 252,654.00		\$ 140,167.00		\$ 165,595.28		\$ 163,282.72
	Difference Between Total Bid and Contractor's Total Bid			\$ -		\$ -		\$ -		\$ (1,230.00)

UNION COUNTY PUBLIC WORKS DEPARTMENT LOVE MILL ROAD 8" WATERLINE		RF Shinn Contractor, Inc.		Siteworks LLC		State Utility Contractors, Inc.		T & H Construction of NC, Inc.		
		P.O.Box 243, Concord, NC 28026 704-652-0604 NC License No. 10580		P.O.Box 7248 Charlotte, NC 28241 704-588-3053 NC License No. 52803		P.O.Box 5019 Monroe, NC 28111-5019 704-289-6400 NC License No. 17793		803 Highlands Drive Hampstead, NC 28443 910-520-8905 NC License No. 47885		
	Bid Form Executed	Yes		Yes		Yes		Yes		
	Bid Security Submitted	Yes		Yes		Yes		Yes		
	Equipment Questionnaire									
	Material Selected (PVC or DIP)	PVC		PVC		PVC		PVC		
	1. Pipe per Section 02620 or Section 02630			Diamond		Diamond		National		
	2. DIP per 02620	American		Griffin		US Pipe & Foundry Co.		US Pipe		
	3. Gate Valves per Section 15104	American		Mueller		Mueller		Mueller		
ITEM	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	MOBILIZATION (NOT TO EXCEED 3% OF TOTAL BID)	LS 1	\$ 2,500.00	\$ 2,500.00	\$ 3,764.38	\$ 3,764.38	\$ 4,500.00	\$ 4,500.00	\$ 3,500.00	\$ 3,500.00
2	8" PIPELINES									
	2.1 Unrestrained (PVC or DI)	LF 1,930	\$ 17.35	\$ 33,485.50	\$ 9.99	\$ 19,280.70	\$ 28.20	\$ 54,426.00	\$ 14.55	\$ 28,081.50
	2.2 DI Restrained	LF 934	\$ 28.50	\$ 26,618.00	\$ 26.37	\$ 24,629.58	\$ 43.00	\$ 40,162.00	\$ 20.00	\$ 18,680.00
3	DUCTILE IRON FITTINGS NOT SHOWN	LB 300	\$ 4.00	\$ 1,200.00	\$ 5.18	\$ 1,554.00	\$ 4.00	\$ 1,200.00	\$ 6.50	\$ 1,950.00
4	HIGHWAY CROSSINGS BORED AND JACKED									
	4.1 Highway 219 Crossing	LF 45	\$ 280.00	\$ 12,600.00	\$ 314.17	\$ 14,137.65	\$ 177.00	\$ 7,965.00	\$ 180.00	\$ 7,200.00
	4.2 Greene Road Crossing	LF 32	\$ 480.00	\$ 15,360.00	\$ 517.64	\$ 16,564.48	\$ 177.00	\$ 5,664.00	\$ 160.00	\$ 5,120.00
	4.3 Driveways	LF 11	\$ 100.00	\$ 1,100.00	\$ 130.86	\$ 1,439.46	\$ 65.00	\$ 715.00	\$ 160.00	\$ 1,760.00
5	GATE VALVES									
	5.1 8-Inch	EA 3	\$ 1,500.00	\$ 4,500.00	\$ 984.92	\$ 2,954.76	\$ 950.00	\$ 2,850.00	\$ 1,150.00	\$ 3,450.00
	5.2 8-Inch Tapping Valve	EA 1	\$ 1,500.00	\$ 1,500.00	\$ 1,616.69	\$ 1,616.69	\$ 1,200.00	\$ 1,200.00	\$ 2,500.00	\$ 2,500.00
	5.3 6-Inch	EA 1	\$ 800.00	\$ 800.00	\$ 692.02	\$ 692.02	\$ 625.00	\$ 625.00	\$ 850.00	\$ 850.00
	5.3 2-Inch	EA 2	\$ 1,000.00	\$ 2,000.00	\$ 717.27	\$ 1,434.54	\$ 465.00	\$ 930.00	\$ 500.00	\$ 1,000.00
6	FIRE HYDRANTS	EA 4	\$ 3,500.00	\$ 14,000.00	\$ 3,156.68	\$ 12,626.72	\$ 2,930.00	\$ 11,720.00	\$ 2,800.00	\$ 11,200.00
7	CONNECTIONS TO EXISTING PIPING									
	7.1 12-Inch at Sta 0+00+	LS 1	\$ 3,500.00	\$ 3,500.00	\$ 9,179.05	\$ 9,179.05	\$ 5,075.00	\$ 5,075.00	\$ 3,800.00	\$ 3,800.00
8	Trench Stabilization Stone	TON 5	\$ 30.00	\$ 150.00	\$ 56.60	\$ 283.00	\$ 27.00	\$ 135.00	\$ 55.00	\$ 275.00
9	ASPHALT DRIVE REMOVAL AND REPLACEMENT	LF 12	\$ 70.00	\$ 840.00	\$ 54.91	\$ 658.92	\$ 28.00	\$ 312.00	\$ 41.67	\$ 500.04
10	GRAVEL DRIVE REMOVAL AND REPLACEMENT	LF 80	\$ 20.00	\$ 1,600.00	\$ 11.63	\$ 930.40	\$ 7.00	\$ 560.00	\$ 18.75	\$ 1,500.00
11	CONCRETE DRIVE BORE	LF 10	\$ 80.00	\$ 800.00	\$ 132.32	\$ 1,323.20	\$ 65.00	\$ 650.00	\$ 160.00	\$ 1,600.00
12	MISCELLANEOUS CONCRETE	CY 10	\$ 200.00	\$ 2,000.00	\$ 153.56	\$ 1,535.60	\$ 135.00	\$ 1,350.00	\$ 200.00	\$ 2,000.00
13	EROSION CONTROL									
	13.1 Silt Fence	LF 1,050	\$ 2.00	\$ 2,100.00	\$ 2.76	\$ 2,898.00	\$ 2.10	\$ 2,205.00	\$ 2.75	\$ 2,887.50
	13.2 Check Dam	EA 4	\$ 150.00	\$ 600.00	\$ 266.33	\$ 1,065.32	\$ 65.00	\$ 260.00	\$ 800.00	\$ 3,200.00
	13.3 Stone Outlet	EA 4	\$ 150.00	\$ 600.00	\$ 266.33	\$ 1,065.32	\$ 135.00	\$ 540.00	\$ 500.00	\$ 2,000.00
	13.4 Rock Silt Screen	EA 1	\$ 250.00	\$ 250.00	\$ 313.27	\$ 313.27	\$ 185.00	\$ 185.00	\$ 500.00	\$ 500.00
	13.5 Erosion Control Excelsior Matting: 4-Ft x 150-Ft (66.7 SY)	SY 467	\$ 2.50	\$ 1,167.50	\$ 1.71	\$ 798.57	\$ 2.30	\$ 1,074.10	\$ 1.39	\$ 649.13
14	WATER SERVICE CONNECTIONS AND METERS									
	14.1 1/2" Short Side Service	EA 6	\$ 700.00	\$ 4,200.00	\$ 755.04	\$ 4,530.24	\$ 615.00	\$ 3,690.00	\$ 500.00	\$ 3,000.00
	14.2 3/4" Long Side Service	EA 6	\$ 900.00	\$ 5,400.00	\$ 1,007.31	\$ 6,043.86	\$ 1,065.00	\$ 6,390.00	\$ 750.00	\$ 4,500.00
15	CONTINGENCY	LS 1	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
	Contractor's Total Bid (from Bid Documents)			\$ 135,272.00		\$ 140,999.73		\$ 164,363.10		\$ 121,703.00
	TOTAL BID (Calculated)			\$ 148,872.00		\$ 141,319.73		\$ 164,363.10		\$ 121,703.17
	Difference Between Total Bid and Contractor's Total Bid		\$ -	\$ (13,600.00)		\$ (320.00)		\$ -		\$ (0.17)

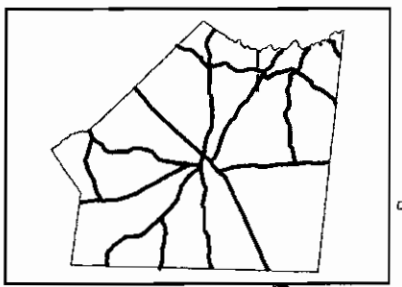
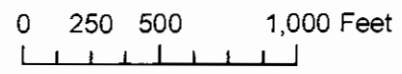


Proposed 8" Waterline

New Salem VFD No. 5

Existing 12" Waterline

Love Mill Road Waterline Extension





UNION COUNTY FINANCE DEPARTMENT

AGENDA ITEM

15
MEETING DATE 3/16/09

500 NORTH MAIN STREET, SUITE 901, MONROE, N.C. 28112
PHONE: (704) 283-3813 FAX: (704) 225-0664

MEMORANDUM

TO: Al Greene, County Manager
FROM: Kai Nelson, Finance Director
DATE: March 5, 2009
RE: Expenses for Legal Services

The attached exhibit contains legal expenditures for the period January 1, 2006 to the present.

The exhibit categorizes legal expenditures by 'type' or 'practice area' where feasible.

Unfortunately, where a firm is retained for multiple purposes (litigation representation, general corporate representation, etc.), it is extremely difficult, if not impossible, to categorize each billing line on an invoice to a purpose area. This situation is generally limited to the billings of the County Attorneys or the firm representing the County on a number of litigation matters. As a result, the exhibit contains some general references regarding the specific practice areas of several firms.

The exhibit contains about \$485,000 in bond financing expenditures. The expenditures relate to six transactions (new money, commercial paper, refundings, liquidity substitutions) with a total par amount of \$636M. The legal firms, with specialty practices in municipal bonds, represent the County, investment banking underwriters, liquidity banks and trustees. The firms must be approved by the LGC and their fees/engagements are submitted to the LGC.

Outside of 'general representation', some of the single, largest legal expenditures relate to APFO, commissioner representation, IBT, Shalati, social services and WalMart.

vendor		Dr / (Cr)
WHITE, SMITH, LLC PLANNING AND LAW GROUF	APFO	70,095.66
PERRY, BUNDY, PLYLER & LONG LLP	BER	633.33
JOHN T BURNS	BOARD OF ADJUSTMENT (ven: a)	13,900.00
SHAWNA DAVIS COLLINS	BOARD OF ADJUSTMENT (ven: b)	900.00
SHUMAKER, LOOP, & KENDRICK, LLP	BOARD OF ADJUSTMENT (ven: c)	61,104.89
HARTSELL & WILLIAMS	CFO REPRESENTATION - SHALATI	4,761.90
FERGUSON, STEIN, CHAMBERS, GRESHAM	COMMISSIONER REPRESENTATION (ven: a)	7,500.00
WYATT & BLAKE, LLP	COMMISSIONER REPRESENTATION (ven: b)	136,945.90
PARKER POE ADAMS & BERNSTEIN LLP	EMPLOYMENT BENEFITS/IRS CONSULTATION	5,999.40
CRANFILL SUMNER & HARTZOG LLP	EMPLOYMENT PERSONNEL MATTERS (ven: a)	967.50
POYNER & SPRUILL LLP	EMPLOYMENT PERSONNEL MATTERS (ven: b)	13,484.91
JOHN T BURNS	GENERAL REPRESENTATION - COUNTY ATTORNEY (ven: a)	92,920.80
PERRY, BUNDY, PLYLER & LONG LLP	GENERAL REPRESENTATION - COUNTY ATTORNEY (ven: b)	227,533.44
PARKER POE ADAMS & BERNSTEIN LLP	HOSPITAL LEASE	36,650.78
MANNING, FULTON & SKINNER, PA	IBT	74,100.00
DRISCOLL SHEEDY	IBT - SC/NC (ven: a)	363.00
SPENCER & SPENCER PA	IBT - SC/NC (ven: b)	3,703.99
JOHN ALEXANDER RAMSEY	MEDIATION UCPS (ven: a)	3,360.00
PERRY, BUNDY, PLYLER & LONG LLP	MEDIATION UCPS (ven: b)	286.95
HUNTON & WILLIAMS	MONROE BYPASS	15,216.85
PARKER POE ADAMS & BERNSTEIN LLP	NON-PROFIT TAX STATUS/IRS	518.65
PERRY, BUNDY, PLYLER & LONG LLP	PROPERTY TAX COLLECTIONS	2,651.92
JOHN T BURNS	PUBLIC WORKS (ven: a)	2,100.00
PERRY, BUNDY, PLYLER & LONG LLP	PUBLIC WORKS (ven: b)	64,827.11
KITCHIN NEAL WEBB WEBB AND FUTRELL	SHALATI (ven: a)	1,636.45
POYNER & SPRUILL LLP	SHALATI (ven: b)	387,620.55
TRAVELERS INSURANCE	SHALATI (ven: c)	25,000.00
PERRY, BUNDY, PLYLER & LONG LLP	SOCIAL SERVICES	484,380.18
BLANCHARD, JENKINS, MILLER,	WALMART (ven: a)	15,045.92
SHUMAKER, LOOP, & KENDRICK, LLP	WALMART (ven: b)	92,742.57
CRANFILL SUMNER & HARTZOG LLP	WORKERS COMPENSATION (ven: a)	2,575.00
GRAY TAGTMEYER KING	WORKERS COMPENSATION (ven: b)	679.50
HEDRICK GARDNER, ATTORNEYS AT LAW	WORKERS COMPENSATION (ven: c)	3,457.50
KEY RISK	WORKERS COMPENSATION (ven: d)	3,073.18
PERRY, BUNDY, PLYLER & LONG LLP	BB&T SUBSTITUTION (ven: a)	5,000.00
PARKER POE ADAMS & BERNSTEIN LLP	BB&T SUBSTITUTION (ven: b)	15,000.00
ROBINSON BRADSHAW HINSON	BB&T SUBSTITUTION (ven: c)	15,000.00
MOORE & VAN ALLEN	BB&T SUBSTITUTION (ven: d)	30,000.00
PERRY, BUNDY, PLYLER & LONG LLP	2006 COMMERCIAL PAPER (ven: a)	3,156.00
PARKER POE ADAMS & BERNSTEIN LLP	2006 COMMERCIAL PAPER (ven: b)	16,000.00
ROBINSON BRADSHAW HINSON	2006 COMMERCIAL PAPER (ven: c)	9,500.00
PERRY, BUNDY, PLYLER & LONG LLP	2009 REFUNDING (ven: a)	7,500.00
PARKER POE ADAMS & BERNSTEIN LLP	2009 REFUNDING (ven: b)	30,500.00
ROBINSON BRADSHAW HINSON	2009 REFUNDING (ven: c)	15,500.00
PERRY, BUNDY, PLYLER & LONG LLP	2006 COPS (ven: a)	8,181.00
PARKER POE ADAMS & BERNSTEIN LLP	2006 COPS (ven: b)	62,000.00
ROBINSON BRADSHAW HINSON	2006 COPS (ven: c)	40,000.00
JOHN BURNS	2007ABCD (ven: a)	23,900.00
PARKER POE ADAMS & BERNSTEIN LLP	2007ABCD (ven: b)	102,000.00
ROBINSON BRADSHAW HINSON	2007ABCD (ven: c)	35,000.00
NIXON PEABODY	2007ABCD (ven: d)	31,500.00
PERRY, BUNDY, PLYLER & LONG LLP	2009 NEW MONEY (ven: a)	5,000.00
PARKER POE ADAMS & BERNSTEIN LLP	2009 NEW MONEY (ven: b)	30,500.00
	Grand	2,341,974.83

OVERVIEW OF MATTERS HANDLED BY UNION COUNTY LEGAL DEPARTMENT

Provision of Prompt Legal Counsel to County Staff

- A primary function of the Union County Legal Department is to provide County staff with ready access to legal counsel, and through such accessibility to help prevent legal problems before they occur or to otherwise mitigate their impacts. Ready access is provided through telephone conversations, e-mail, and meetings in person. The Legal Department does not maintain a record of phone calls, but to demonstrate the variety of legal matters handled, the Senior Staff Attorney has provided a sampling of topics that he has discussed by e-mail during the four-week period beginning February 2 and ending February 27. (See Attachment A.) This list is only a snapshot in time, but it is fairly indicative of the nature of matters corresponded by e-mail. During this same period, the Senior Staff Attorney attended 33 meetings, providing legal counsel in person. Because the benefit of ready access to legal assistance is preventive in nature, its value may be difficult to quantify. However, its true measure is the extent to which it helps enable County staff to perform their duties within the confines of sound legal parameters, thus avoiding the time, expense, and intangible loss inherent in failure to comply with the law.

Drafting/Negotiation/Review of County Contracts

- The contract review process often requires legal research and/or institutional knowledge regarding the following:
 - ▶ The County's authority to enter into the agreement;
 - ▶ Federal and/or State statutes or regulations applicable to contract terms (e.g. terms required by the State in DSS contracts, HIPAA business associate agreements, etc...);
 - ▶ Federal and/or State law affecting liability to the County;
 - ▶ Contractual obligations of the County as to the source of funding (e.g. grant requirements governing terms that must be included in subcontracts); and/or
 - ▶ Procedural requirements for approval of the contract (e.g. published notice, bidding requirements, analysis of bid irregularities, if any, review of performance/payment bonds).
- The process includes entering contracts into an electronic tracking system (accessible to all employees via the Intranet) and internal tickler file (for provision of expiration notices), and routing to applicable departments for specialized review (e.g. Risk Management for insurance requirements specific to type of agreement, Information Technology for compatibility of hardware/software with County's existing system, Finance for pre-audit).

- The staff attorneys apprise Department Heads, Management, and/or senior staff regarding specific provisions, including business terms, that may be less than intuitive, complex or of special importance to confirm their understanding of the transaction.
- The process involves negotiation of terms with vendors/service providers or their legal counsel, if represented, and frequent generation of multiple revised drafts.
- The Legal Department prepares standard terms and conditions for use with routine agreements, including architectural/engineering contracts and horizontal/vertical construction, i.e. utility lines (adapting EJCDC contract forms) and buildings (adapting AIA contract forms).
- Contract responsibility also entails subsequent interpretation and enforcement of contract terms (e.g. early termination, whether repair/maintenance/upgrade covered under warranty, whether payment is due under contract terms).

Drafting/Review of Ordinances, Policies, Procedures, Resolutions, Special Legislation, Bylaws, Guidelines, Notices and Forms

- Illustrative examples of contracts and legal documents currently under review or preparation can be found in the Staff Attorney Project List, current as of February 27, 2009. See Attachment B.

Legal Research/Opinion Writing

- Complex legal issues are often raised by the Board of Commissioners, County Management, and/or Department Heads, or they may arise in the context of preparation of ordinances, policies and other County legal documents. County legal staff thoroughly research such issues and provide legal opinions through oral or written response, as appropriate.

Assistance with Litigation

- The Legal Department processes lawsuits filed against the County to Risk Management for determination of coverage by the County's insurance carrier(s). If there is no coverage, the suit is forwarded to the County Attorney for defense.
- Progress in the case is monitored through the Legal Department and status reports are provided to the County Manager.
- The Senior Staff Attorney assists defense counsel, upon request, by review of responsive pleadings and appellate briefs, and discussions of strategy.

Legal Counsel to Board of Commissioners

- The Senior Staff Attorney attends all regular meetings and most special meetings of the Board of Commissioners for the following purposes:
 - ▶ To provide comments and respond to questions regarding agenda items prepared by the Legal Department or about which the Senior Staff Attorney has knowledge through involvement with County staff;
 - ▶ To provide assistance regarding the Board's Rules of Procedure upon request by the Chairman or when failure to follow procedure would have legal consequences;
 - ▶ To attend closed sessions and provide guidance regarding compliance with the Open Meetings Law; and
 - ▶ To otherwise address questions and comments by Board members, as appropriate.

ATTACHMENT A

MATTERS DISCUSSED VIA E-MAIL
(February 2 – 27, 2009)

Discussion of question from Personnel as to whether information comprised part of personnel file, and thus inaccessible to public

Correspondence with Register of Deeds regarding issues relative to Voluntary Agricultural District Ordinance

Preparation of weekly UCPW meeting agenda

Review of numerous motions for closed session and notices for special meetings from Clerk to the Board

Review of response from service provider's attorney regarding our modifications to their standard agreement

Correspondence with attorney for Lancaster County Water & Sewer District (LCWSD) regarding terms of joint engineering agreement for expansion of Catawba River Water Plant

Correspondence with Health Director regarding legal review of Jail Medical Plan

Review of documentation relative to approval of service of several Union customers by Anson County, given proximity of lines and water availability

Receipt of new Sheriff's Records Retention/Disposition schedule and placement of same on BOC agenda

Review of proposed reduction in funding in UCPP agreement (resulted in several discussions and one meeting regarding legal issues attendant to such reduction)

Consideration of appeal of employee separated due to reduction in force

Determination of whether to terminate service provider to DSS where certificate of insurance not received in proper form

Discussion of deferral of Water Conservation Ordinance consideration by Board until March

Discussion of release of documents relative to Union County's former IBT lobbyist in light of public records request and discovery in U.S. Supreme Court case, SC v. NC (resulted in numerous e-mails with attorney and analysis of atty/client privilege)

Discussion of televising Board of Equalization & Review meetings and attendant legal issues

Review of final contract terms relative to Wildfire wireless communications lease of space on Government Center (numerous communications regarding final terms and update to Monroe City Attorney)
Forwarding to Chairman of earlier e-mail to Commissioner Kuehler regarding legal effect of lack of quorum for consideration of proposed text amendments
Correspondence with attorney for homeowner's association regarding transfer of funds held by Union County as security for development of infrastructure
Discussion with Finance Director regarding Interim County Attorney's proposed use of easement as property interest supporting radio tower construction and whether this would constitute sufficient collateral for COPS financing
Discussion regarding introduction of special legislation to increase ceiling on fire fees (resulted in determination that legislation requested but not introduced in 2008 session, and suggestion that Board consider renewal of request)
Review of software vendor attorney's comments regarding our proposed changes to software agreement
Discussion of impact of E-verify federal legislation
Review of whether sales/use tax refund documentation from vendors is public record
Discussion with Tax officials regarding whether County had adopted ordinance appointing map review officers by name
Review and discussion with Interim County Attorney regarding appeal of Board of Adjustment's decision upholding action by the Land Use Administrator
Correspondence with Risk Manager regarding limits of professional liability insurance for plant expansion engineer
Schedule of meeting to discuss our proposed modifications to the Monroe utilities agreement (resulted in meeting among County staff to discuss proposed modifications and subsequent meeting with City officials to discuss progress)
Discussion with UCPW Interim Director regarding proper means of contracting for engineering services relative to the water allocation policy
Review of issues relative to engagement of DSS by Piedmont Behavioral Healthcare for various mental health services
Discussion relative to provision of documents in possession of Legal Department pursuant to document request in SC v. NC case
Discussion regarding economic development guidelines

Discussion of issues relative to Voluntary Agricultural District ordinance
Processing of staff attorney opinion regarding denial of waiver of late listing penalty
Analysis of how to handle hiring freeze in light of elimination of positions by reduction in force
Review and processing of amendment to sales tax audit agreement
Discussion of need for Title VI policy in light of Union County Transportation as sub-recipient of federal funds, whether policy must apply County-wide
Review of letter denying latent appeal for sewer allocation under Sewer Allocation Policy
Assistance in resolution of issue between Finance and Sheriff's Office regarding budgetary cuts
Review of notice for publication regarding summary of Land Use Ordinance amendments (resulted in meeting with Planning Director, discussion with Clerk)
Discussion of Belk-Tonawanda Park drainage easement (ultimately handled by Interim County Attorney)
Review of matters relative to NC Digital Imaging agreement for Health Dept. and Sheriff's Office
Review of County's right to condemn and/or demolish dilapidated buildings
Review of bankruptcy issues relative to collections by UCPW, generally as to an increasing rate of bankruptcies and specifically as to Pilgrim's Pride (resulted in need to submit proof of claim for utilities billings exceeding \$65K)
Review of posture of termination appeal by DSS employee
Review of issues relative to use of local food vendors, i.e. whether can require use by vendors in formal bid
Comments resulting from review of front-end documents (prior to bid) for two UCPW self-help construction projects
Discussion of means to handle preliminary property tax appeal documents in-house
Review and discussion with Health Director of unsolicited e-mail relative to Personnel matter
Review of Manager's authority to bind property/casualty insurance and approve agreement
Brief discussion of public prayer and preparation for issuance of direction to Board
Discussion of "red flags" and privacy policies, the latter as to its placement on County web pages

Discussion of bill status if unapproved during session of General Assembly
Discussion relative to land use violation at Optimist Park and efforts to have matter decided by Attorney General's office
Discussion of best means to address extension of Aramark food service for inmate and elderly meals
Review of religious language in Red Cross Proclamation
Discussion of defense of appeals at Property Tax Commission
Discussion of whether employment contract is wholly a public record and thus accessible by the media
Brief review of whether County can withhold release of security provided for infrastructure of development
Discussion of actions necessary as prerequisite to adoption of Planning Board and Board of Adjustment amendments to Land Use Ordinance
Discussion of whether proposed Ag. Center activities (i.e. skeet shoot, tractor show, motorcycle show) have been addressed by Board's guidelines (resulted in solicitation of comments from Risk Manager and Assistant County Manager)
Discussion of foreclosure on certain development lots and impact on County reservation of capacity
Review of issue regarding release of closed session minutes
Review of staff report regarding length of Board meetings
Discussion of current County grant/donative agreements and terms for termination in light of current budgetary restraints
Review of issues relative to reservation of water capacity for unidentified nonresidential projects during times of shortage
Review of Fairview site lease for elderly meal service
Preparation of zoning violation letter
Extensive discussion through numerous e-mails of alcohol event scheduled for Ag. Center (resulted in research of applicable law and permit requirements, discussion with attorney for ABC Commission)
Review of matters attendant to Workers Comp claim
Review of agenda summary review for Clerk

Discussion of processing of engineering multiple-project agreements
Completion of Information Technology survey of Legal Department
Review of new State insurance requirements for DSS contracts
Discussion of donation of County Transportation van, now surplus, to veterans' organization
Review of issue regarding sidewalk ordinance posed by Clerk
Exchange with local attorney representing Union County in SC v. NC litigation regarding effect of Solicitor General's decision to submit amicus brief supporting SC's position that Union County [along with (i) LCWSD, both acting through the Catawba River Water Supply Project; (ii) Duke Energy; and (iii) Charlotte-Mecklenburg Utilities] should not be allowed to intervene
Consideration of whether discussion of economic development projects may be held in closed session
Review of PBH resolution regarding name change, discussion with PBH attorney
Discussion of means of handling appeals before Property Tax Commission (resulted in several brief meetings and e-mail to new County Attorney)
Review of length of time to retain applications of unsuccessful candidates for County boards
Review of concerns relative to establishment of Yadkin-Pee Dee Water Resources Association and the effect this could have on Supreme Court litigation
Discussion with UCPW staff of method to address applicability of inclining rate structure to single meter with multiple structures (old practice, no longer in effect)
Review and comment regarding Water Conservation Program
Review of agenda abstract for Planning Director relative to land use amendments
Review of the need for releases by those volunteering in Cooperative Extension
Discussion of issues relative to permissive use agreement for nature trail on UCPW property
Discussion regarding DSS air quality check
Discussion regarding extension of EMS agreement with Carolinas Union Healthcare
Brief overview of DENR Funding Assistance Application for Stimulus bill funding
Discussion of ethics inquiry regarding gifts and favors as related to meals
Revision to Assistant Manager's BOC weekly update report regarding outreach to local vendors
Correspondence with attorney representing homeowners in case filed against Health Department, and forwarding of materials to Keith Merritt

ATTACHMENT B

STAFF ATTORNEY PROJECT LIST (Current as of February 27, 2009)

1. Standard terms and conditions for small construction contracts
2. Review of Radio Communication Council bylaws
3. Animal Containment Ordinance (matter currently under review by Sheriff)
4. Broadcast Policy (for public access channel)
5. Sheriff's Marvin Deputy agreement (complete, but holding pending release by Sheriff)
6. UCPW – U.S. Infrastructure Multiple Project Agreement
7. Health – CMHA/CHS “sublease” of computer system
8. Health – NC Digital Imaging agreement
9. Health – Minnesota Multi-State agreement
10. UCPW – front-end (prior to bid) construction doc. review (Anson Transmission Main)
11. UCPW – front-end construction doc. review (74/Olive Branch booster pump stations)
12. UCPW – front-end construction doc. review (east-side sewer)
13. Research invocation policy
14. Amendment to Voluntary Agricultural District Ordinance
15. Amendment to Water Conservation Ordinance
16. UCPW – Hazen & Sawyer Task Order # 21 (\$230,255)
17. UCPW – Hazen & Sawyer Task Order # 22 (\$267,030)
18. UCPW – Brown & Caldwell Task Order # 10 (2,500)
19. UCPW – Diversified Recycling Amendment # 1
20. Personnel – Prudential 3rd Party Administration agreement
21. Homeland Security – CMC-Union 1st Step agreement (\$125,407)
22. UCPW – Amendment to Anson County agreement
23. Amendment to Water Allocation Policy, research numerous attendant legal issues
24. UCPW HDR Task Order # 46 (\$51,934)
25. UCPW – Hobbs Upchurch Task Order # 1 (\$72,120, Catawba expansion prelim. design)
26. UCPW – Black & Veatch Task Order # 1 (\$670,143.50, for Catawba reservoir design)
27. UCPW – Camp Dresser & McKee Task Order # 13 (\$15,400)
28. Amendment to Indemnification Resolution (Commissioner Kuehler)
29. Economic Development incentive agreement for BAE
30. Sheriff – Keefe Commissary Agreement
31. UCPW – Isaacs Group Multiple Project Agreement
32. UCPW – Land Design Amendment # 1 to Task Order # 1 (\$15,000)
33. Centralina Resolution (Item 12 from 2/2/09 Agenda)
34. UCPW – HDR Task Order # 47
35. UCPW – Amendment to HDR Task Order # 43
36. Permitted Use Agreement (nature trail for UCPS at Kensington Elementary)
37. UCPW – Teleworks Amendment # 3 (\$10,875)
38. Health – State of North Carolina Consolidated Agreement (annual)
39. Wilder Psychological agreement (\$3,750)

40. Review of candidate qualifications for UCPW Director (member of staff review comm.)
41. DSS – 1st Choice Transport (\$1,000)
42. DSS – Turning Point Amendment # 3 (\$30,591)
43. Tax – Waiver of late listing penalty
44. Finance – Potter & Company audit agreement
45. Proof of Claim in Pilgrim's Pride Bankruptcy
46. Planning – Drayton Hall Homeowners' Association agreement
47. Cooperative Extension – Alcohol at Ag. Center, modify License Agreement
48. Follow up with Barry Wyatt, Keith Richards re: allergen testing at Union Village
49. Planning – Prepare modifications to Land Use amendments following hearing
50. Attorney opinion regarding certifications and assurances for Transportation grant
51. Review of DENR application for funding assistance relative to Stimulus bill
52. Preparation of LUO amendment regarding employment vehicles on residential prop.



UNION COUNTY FINANCE DEPARTMENT

500 NORTH MAIN STREET, SUITE 901, MONROE, N.C. 28112
 PHONE: (704) 283-3813 FAX: (704) 225-0664

AGENDA ITEM
 # 16
 MEETING DATE 3/16/09

MEMORANDUM

TO: Al Greene, County Manager
 FROM: Kai Nelson, Finance Director
 DATE: March 12, 2009
 RE: Update on General Fund Financial Position

At the Commission's January 22 meeting, staff presented an update on the County's financial position. At that meeting, County staff reported on a projected current year budget deficit of approximately \$15 million and the actions County staff were taking to ensure a 'structurally balanced budget' by fiscal year end.

The financial analysis presented to the Commission at that meeting is reflected in columns 1, 2 and 3 in the table below.

	1	2	3	4	5	6
	FY09 Revised Budget	1.22.2009 YE Estimate	Variance From Budget	3.16.2009 YE Estimate	Variance From Prior Estimate	Variance From Budget
Property Taxes	148,643,593	149,182,269	518,676	148,404,431	(757,838)	(239,162)
Excise/Franchise Tax	2,082,900	1,780,725	(302,176)	1,749,800	(31,124)	(333,300)
Sales Tax	37,273,557	34,496,636	(2,776,921)	34,365,256	(131,380)	(2,906,301)
Intergov, Fed, St	28,580,591	28,026,564	(534,027)	28,785,280	(1,261,284)	(1,795,311)
Dept Permit Charges	4,417,128	2,451,310	(1,965,818)	2,486,139	36,829	(1,928,989)
Dept Service Charges	4,387,717	4,578,446	190,729	4,578,446	-	190,729
Investment Earnings	3,905,808	3,460,497	(445,109)	3,230,138	(230,359)	(675,466)
Rent Income (CMC)	2,750,000	1,400,000	(1,350,000)	1,400,000	-	(1,350,000)
Misc Other	554,712	554,712	-	554,712	-	-
	<u>232,575,804</u>	<u>225,911,158</u>	<u>(6,664,646)</u>	<u>223,536,002</u>	<u>(2,375,158)</u>	<u>(9,039,802)</u>
FBA	6,335,067	-	-	-	-	-
	<u>240,910,871</u>	<u>225,911,158</u>	<u>(14,999,713)</u>	<u>223,536,002</u>	<u>(2,375,158)</u>	<u>(17,374,869)</u>

Since that meeting, several additional months of revenue have been received by the County. Columns 4, 5 and 6 reflect an update to the January 22 presentation. Column 4 reflects, based on revenues through February and March 10th sales tax collections, our updated projections of revenue for the current fiscal year. Column 5 reflects either an improvement or worsening (appears as a parenthetical) financial position for each category of revenue. As an illustration, our updated

projection of property tax collections has worsened since the January 22 presentation by about \$757K, declining from \$149.1 million to \$148.4 million.

Since the January 22 report, the County's financial position has worsened by approximately \$2.4 million. Year-end revenues and fund balance are now projected at \$223.5 million; about \$17.4 million under budget contrasted with the January 22 estimate of about \$15 million.

Sales tax receipts for December sales (received in March) were much better than anticipated. Year-over-year sales tax collections (July 2008 through March 2009 receipts) are now flat compared to the prior period (July 2007 through March 2008). The budget was based on a 4% growth factor reflecting a combination of retail sales growth (2-3%) and greater allocation factors (population and levy). With a projected decline in retail sales of 3% in the final quarter, it is currently projected that sale tax collections will fall short of the budget by about \$2.9 million.

One area of significant concern not reflected in the analysis is the State's recent decision in February to freeze unallocated funds in the Public School Building Fund totaling about \$4 million for Union County. Union County uses these funds for school debt service payments and typically draws these funds in March of every year (immediately following the annual payment of principal on school bonds). Should the State fail to reverse its decision, the consequences of the State's action will be extremely detrimental to the County's financial condition and budget.

The analysis does reflect the State's raid and diversion of about \$1.2 million in lottery/ADM funds for other State purposes. Discussions have occurred between County and UCPS staff regarding the impact of this decision on the capital budget of UCPS. County staff has not formulated a recommendation regarding alternatives to address this budget shortfall pending the completion by UCPS of an analysis of capital spending,

I anticipate a FY2010 budget that will be difficult to fund, require sacrifices by all and fraught with painful decisions. The picture is no brighter today than it was in January ... and I fully anticipate conditions to worsen.



UNION COUNTY
Office of the Tax Administrator
500 N. Main Street, Suite 236
P.O. Box 97
Monroe, NC 28111-0097

704-283-3746
704-292-2588 Fax

John C. Petoskey
Tax Administrator

AGENDA ITEM
4/1a
MEETING DATE 3/16/09

MEMORANDUM

TO: Lynn West
Central Administration

FROM: John C. Petoskey
Tax Administrator

DATE: February 27, 2009

RE: **Ninth** Motor Vehicle Billing

I hereby certify the **Ninth** Motor Vehicle Billing Motor Vehicle Valuation under the staggered program as required by N.C.G.S.105-330. Attached hereto is a list of the values, rates and taxes for each taxing unit.

JCP: jw

Motor Vehicle Billing Summary for the period 02/01/2009 to 02/28/2009

NOTE: Information for this report is taken from original billing records only
and DOES NOT include any subsequent changes or adjustments to vehicle
situs or value.

---Bdg No---	-----Description-----	--Key--	Year	Year	Count	-----Total----- ---Value---	-----Tax-----
10	County.....	CN99999	2008	2006	4	75,770	482.43
10	County.....	CN99999	2008	2007	153	1,338,045	9,158.73
10	County.....	CN99999	2008	2008	12,110	113,197,528	752,711.39
Totals.....					12,267	114,611,343	762,352.55
Totals.....					0	0	.00
32	Fire Dist - Springs.....	FR015	2008	2007	9	89,240	27.84
32	Fire Dist - Springs.....	FR015	2008	2008	709	6,076,329	1,859.50
39	Fire Dist - Stallings....	FR020	2008	2006	2	34,160	15.16
39	Fire Dist - Stallings....	FR020	2008	2007	14	132,141	34.62
39	Fire Dist - Stallings....	FR020	2008	2008	1,127	11,211,156	4,551.80
38	Fire dist - Hemby Bridge..	FR023	2008	2007	16	127,782	48.17
38	Fire dist - Hemby Bridge..	FR023	2008	2008	1,470	13,611,366	6,710.38
37	Fire dist - Wesley Chapel:	FR026	2008	2007	25	271,947	45.43
37	Fire dist - Wesley Chapel:	FR026	2008	2008	1,661	22,224,874	4,244.96
34	Fire Dist - Waxhaw.....	FR028	2008	2007	7	85,180	38.64
34	Fire Dist - Waxhaw.....	FR028	2008	2008	819	7,202,169	1,786.17
Totals.....					5,859	61,066,344	19,362.67
78	220125 Taxes Payable - Marvin.....	MN01000	2008	2007	2	59,550	29.78
78	220125 Taxes Payable - Marvin.....	MN01000	2008	2008	212	3,046,963	1,524.06
78	220130 Taxes Payable - Monroe.....	MN02000	2008	2006	1	38,110	206.98
78	220130 Taxes Payable - Monroe.....	MN02000	2008	2007	26	232,495	1,324.29
78	220130 Taxes Payable - Monroe.....	MN02000	2008	2008	1,735	13,621,873	75,883.73
78	220170 Taxes Payable - Wingate.....	MN03000	2008	2007	1	6,600	25.74
78	220170 Taxes Payable - Wingate.....	MN03000	2008	2008	125	918,226	3,581.16
78	220120 Taxes Payable - Marshville...	MN04000	2008	2008	164	1,069,351	4,063.49
78	220150 Taxes Payable - Waxhaw.....	MN05000	2008	2007	3	32,210	76.02
78	220150 Taxes Payable - Waxhaw.....	MN05000	2008	2008	400	4,042,027	13,742.96
78	220110 Taxes Payable - Indian Trail..	MN06000	2008	2006	1	19,200	19.20
78	220110 Taxes Payable - Indian Trail..	MN06000	2008	2007	20	163,792	232.07
78	220110 Taxes Payable - Indian Trail..	MN06000	2008	2008	1,735	17,390,009	25,215.96
78	220140 Taxes Payable - Stallings....	MN07000	2008	2006	1	14,960	37.40
78	220140 Taxes Payable - Stallings....	MN07000	2008	2007	11	130,270	325.70
78	220140 Taxes Payable - Stallings....	MN07000	2008	2008	769	7,589,440	16,620.90
78	220160 Taxes Payable - Weddington...	MN08000	2008	2007	5	63,967	19.19
78	220160 Taxes Payable - Weddington...	MN08000	2008	2008	551	6,678,468	2,003.70
78	220115 Taxes Payable - Lake Park....	MN09000	2008	2007	3	26,090	60.01
78	220115 Taxes Payable - Lake Park....	MN09000	2008	2008	177	1,678,968	3,525.96

Motor Vehicle Billing Summary for the period 02/01/2009 to 02/28/2009

NOTE: Information for this report is taken from original billing records only
and DOES NOT include any subsequent changes or adjustments to vehicle
situs or value.

---Bdg No---	-----Description-----	--Key--	Bill Year	Rate Year	Count	-----Total----- ---Value---	----Tax----
78 220175	Taxes Payable - Fairview.....	MN09300	2008	2007	1	1,790	.36
78 220175	Taxes Payable - Fairview.....	MN09300	2008	2008	120	1,080,022	216.02
78 220145	Taxes Payable - Hemby Bridge..	MN09500	2008	2007	2	9,930	2.98
78 220145	Taxes Payable - Hemby Bridge..	MN09500	2008	2008	66	489,920	123.46
78 220165	Taxes Payable - Wesley Chapel:	MN09700	2008	2007	6	52,360	10.46
78 220165	Taxes Payable - Wesley Chapel:	MN09700	2008	2008	353	4,029,664	664.83
78 220135	Taxes Payable - Unionville...	MN09800	2008	2007	7	29,560	5.92
78 220135	Taxes Payable - Unionville...	MN09800	2008	2008	301	2,520,377	504.09
78 220155	Taxes Payable - Mnrl Sprngs..	MN09900	2008	2007	5	43,710	11.81
78 220155	Taxes Payable - Mnrl Sprngs..	MN09900	2008	2008	158	1,245,770	311.64
Totals.....					6,961	66,325,672	150,369.87
Grand Totals.....							932,085.09

--- M O T O R V E H I C L E S Y S T E M ---

- Motor Vehicle Special Charge Summary -
For the period: 02/01/2009 to 02/28/2009

Mn Cd	Text	Count	Total	
			Value	Spc Tax
02000	Monroe Vehicle Tax \$5.00	1,749	14,293,240	8,745.00

- - - E N D - - -



AGENDA ITEM

UNION COUNTY # 416
Office of the Tax Administrator MEETING DATE 3/16/09
500 N. Main Street Suite 236 704-283-3746
P.O. Box 97 704-283-3616 Fax
Monroe, NC 28111-0097

John C. Petoskey
Tax Administrator

MEMORANDUM

TO: Lynn West
Central Administration

FROM: John C. Petoskey
Tax Administrator

DATE: February 27, 2009

RE: **Eighth** Motor Vehicle Release Register

I hereby certify the following releases were made during the period of 02/01/2009
–02/28/2009. The releases represent both monthly and annual vehicle values and taxes.
Should you have any questions, please call.

JCP:jw

--- M O T O R V E H I C L E S Y S T E M ---

---Date--- --Time---
02/27/2009 11:07

Assessor Release Register for the period 02/01/2009 to 02/28/2009

(Summary)

---Bdg No---	-----Description-----	--Key--	Bill Year	Rate Year	-----Value-----	-----Total-----	-----Tax-----	-----Int-----
10	County.....	CN99999	2005	2005	19,200		107.52-	32.5
10	County.....	CN99999	2006	2005	0		15.12-	2.5
10	County.....	CN99999	2006	2006	33,680		214.44-	36.4
10	County.....	CN99999	2007	2006	0		79.26-	9.5
10	County.....	CN99999	2007	2007	79,485		601.51-	52.8
10	County.....	CN99999	2008	2007	184,654		1,384.80-	62.8
10	County.....	CN99999	2008	2008	902,988		6,168.28-	54.9
	Net Totals.....				1,220,007		8,570.93-	252.3
76	School dist - Monroe.....	SC100	2006	2005	0		1.90-	.4
77	School dist - County.....	SC999	2005	2005	19,200		13.44-	4.4
	Net Totals.....				19,200		15.34-	4.8
32	Fire Dist - Springs.....	FR015	2007	2007	0		.96-	.1
32	Fire Dist - Springs.....	FR015	2008	2007	0		.03	.0
32	Fire Dist - Springs.....	FR015	2008	2008	55,043		21.59-	.0
39	Fire Dist - Stallings.....	FR020	2008	2008	71,181		29.80-	.0
38	Fire dist - Hemby Bridge..	FR023	2007	2006	0		5.16-	.7
38	Fire dist - Hemby Bridge..	FR023	2007	2007	0		.00	.0
38	Fire dist - Hemby Bridge..	FR023	2008	2008	141,940		69.96-	1.0
37	Fire dist - Wesley Chapel:	FR026	2007	2007	5,340		.89-	.1
37	Fire dist - Wesley Chapel:	FR026	2008	2007	38,800		6.48-	.3
37	Fire dist - Wesley Chapel:	FR026	2008	2008	47,903		9.37-	.1
34	Fire Dist - Waxhaw.....	FR028	2007	2007	38,025		19.50-	1.9
34	Fire Dist - Waxhaw.....	FR028	2008	2007	0		.23-	.0
34	Fire Dist - Waxhaw.....	FR028	2008	2008	32,525		8.06-	.0
	Net Totals.....				430,757		171.97-	4.4
78	220125 Taxes Payable - Marvin.....	MN01000	2008	2007	20,000		10.00-	.6
78	220125 Taxes Payable - Marvin.....	MN01000	2008	2008	6,450		2.66	.0
78	220130 Taxes Payable - Monroe.....	MN02000	2006	2005	0		21.58-	3.4
78	220130 Taxes Payable - Monroe.....	MN02000	2006	2006	33,680		183.50-	31.2
78	220130 Taxes Payable - Monroe.....	MN02000	2007	2006	0		15.14-	1.3
78	220130 Taxes Payable - Monroe.....	MN02000	2007	2007	36,120		223.67-	18.5
78	220130 Taxes Payable - Monroe.....	MN02000	2008	2007	55,640		379.70-	16.7
78	220130 Taxes Payable - Monroe.....	MN02000	2008	2008	250,815		1,337.85-	7.8
78	220170 Taxes Payable - Wingate.....	MN03000	2008	2008	20,000		78.00-	.0
78	220120 Taxes Payable - Marshville...	MN04000	2008	2008	20,153		76.59-	1.3
78	220150 Taxes Payable - Waxhaw.....	MN05000	2007	2007	19,150		65.11-	7.1
78	220150 Taxes Payable - Waxhaw.....	MN05000	2008	2008	30,233		102.79-	.0
78	220110 Taxes Payable - Indian Trail..	MN06000	2008	2008	121,839		180.87-	.8

--- M O T O R V E H I C L E S Y S T E M ---

--Date--- --Tim
02/27/2009 11:07

Assessor Release Register for the period 02/01/2009 to 02/28/2009

(Summary)

78	220140	Taxes Payable - Stallings....	MN07000	2007	2006	0	27.72-	3.
78	220140	Taxes Payable - Stallings....	MN07000	2007	2007	0	.00	.
78	220140	Taxes Payable - Stallings....	MN07000	2008	2008	53,112	116.54-	1.
78	220160	Taxes Payable - Weddington...	MN08000	2008	2007	3,890-	1.28	.
78	220160	Taxes Payable - Weddington...	MN08000	2008	2008	8,098	2.42-	.
78	220115	Taxes Payable - Lake Park....	MN09000	2008	2008	20,723	43.52-	.
78	220175	Taxes Payable - Fairview....	MN09300	2008	2007	5,100	1.02-	.
78	220175	Taxes Payable - Fairview....	MN09300	2008	2008	2,948	.59-	.
78	220165	Taxes Payable - Wesley Chapel:	MN09700	2008	2008	675	.11-	.
78	220135	Taxes Payable - Unionville...	MN09800	2008	2007	17,630	3.53-	.
78	220135	Taxes Payable - Unionville...	MN09800	2008	2008	142,540	28.50-	.
78	220155	Taxes Payable - Mnrl Sprngs..	MN09900	2008	2008	17,590	4.40-	.
Net Totals.....						865,706	2,899.21-	95.
84	220000	NC State Interest.....	NC00000	2006	2005	0	.00	1.
84	220000	NC State Interest.....	NC00000	2006	2006	0	.00	11.
84	220000	NC State Interest.....	NC00000	2007	2006	0	.00	3.
84	220000	NC State Interest.....	NC00000	2007	2007	0	.00	27.
84	220000	NC State Interest.....	NC00000	2008	2007	0	.00	43.
84	220000	NC State Interest.....	NC00000	2008	2008	0	.00	85.
Net Totals.....						0	.00	173.
Net Grand Totals.....							11,657.45-	530.



UNION COUNTY
Office of the Tax Administrator
500 N. Main Street, Suite 236
P.O. Box 97
Monroe, NC 28111-0097

AGENDA ITEM
41c
MEETING DATE 3/6/09
704-283-3746
704-283-3616 Fax
John C. Petoskey
Tax Administrator

MEMORANDUM

TO: Lynn West
Central Administration

FROM: John C. Petoskey
Tax Administrator

DATE: February 27, 2009

RE: **Eighth** Motor Vehicle Refund Register

I hereby certify the following refunds that were made during the period of 02/01/2009 – 02/28/2009. The refunds represent refunds of both monthly and annual vehicle values and taxes. Should you have any questions, please call.

JCP:jw

Assessor Refund Register for the period 02/01/2009 to 02/28/2009
(Summary)

---Bdg No---	-----Description-----	--Key--	Bill Rate		-----Total-----		
			Year	Year	--Value--	---Tax---	---Int---
10	County.....	CN99999	2006	2005	0	3.74-	.00
10	County.....	CN99999	2006	2006	17,500	111.42-	.00
10	County.....	CN99999	2007	2006	0	48.49-	.00
10	County.....	CN99999	2007	2007	24,405	179.92-	.00
10	County.....	CN99999	2008	2007	62,268	448.48-	.00
10	County.....	CN99999	2008	2008	70,119	513.05-	.00
Net Totals.....					174,292	1,305.10-	.00
76	School dist - Monroe.....	SC100	2006	2005	0	.46-	.00
Net Totals.....					0	.46-	.00
39	Fire Dist - Stallings.....	FR020	2008	2008	274	.11-	.00
38	Fire dist - Hemby Bridge..	FR023	2008	2007	13,540	5.10-	.00
38	Fire dist - Hemby Bridge..	FR023	2008	2008	15,510	7.65-	.00
37	Fire dist - Wesley Chapel:	FR026	2007	2007	8,780	1.47-	.00
37	Fire dist - Wesley Chapel:	FR026	2008	2007	44,838	7.59-	.00
37	Fire dist - Wesley Chapel:	FR026	2008	2008	2,085	1.40-	.00
Net Totals.....					85,027	23.32-	.00
78	220125 Taxes Payable - Marvin.....	MN01000	2008	2008	0	2.66-	.00
78	220130 Taxes Payable - Monroe.....	MN02000	2006	2005	0	5.06-	.00
78	220130 Taxes Payable - Monroe.....	MN02000	2007	2006	0	43.71-	.00
78	220110 Taxes Payable - Indian Trail..	MN06000	2008	2007	13,540	20.31-	.00
78	220110 Taxes Payable - Indian Trail..	MN06000	2008	2008	17,869	26.69-	.00
78	220160 Taxes Payable - Weddington...	MN08000	2008	2007	13,445	3.99-	.00
78	220175 Taxes Payable - Fairview.....	MN09300	2006	2006	17,500	3.50-	.00
78	220175 Taxes Payable - Fairview.....	MN09300	2007	2007	15,625	3.31-	.00
78	220175 Taxes Payable - Fairview.....	MN09300	2008	2008	13,950	2.93-	.00
Net Totals.....					91,929	112.16-	.00
84	220000 NC State Interest.....	NC00000	2006	2005	0	.00	.00
84	220000 NC State Interest.....	NC00000	2007	2006	0	.00	.00
84	220000 NC State Interest.....	NC00000	2007	2007	0	.00	.00
84	220000 NC State Interest.....	NC00000	2008	2007	0	.00	.00
84	220000 NC State Interest.....	NC00000	2008	2008	0	.00	.00
Net Totals.....					0	.00	.00

MV68GL-OF
(Finance)

--- M O T O R V E H I C L E S Y S T E M ---

Assessor Refund Register for the period 02/01/2009 to 02/28/2009
(Summary)

---Date--- --Time-- Page
02/27/2009 11:07:15 2

Net Grand Totals.....:

1,441.04- .00

REFUNDS FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	CSGT-995	HembyGT	StallGT	StallLL	WesleyGT	New Sale	UnionvilleFF	WaxhawFF	Totals
2008															
06093031	SEAGRAVES JA	5290	48,760		324.26										324.26
07024033	KIKER ANNA C	5300	39,575		263.17			19.51							282.68
50087587	THOMAS SHERI	5332		1,000	6.65							50.00			56.65
50100776	SIMPSON WILLI	5333		33,150	220.45	22.04									242.49
03015011B	HOWARD KATH	5345	112,200		746.13										746.13
06174244	LONGVIEW HOL	5365	58,500		389.02						11.17				400.19
06174243	LONGVIEW HOL	5366	58,500		389.02						11.17				400.19
06174245	LONGVIEW HOL	5367	58,500		389.02						11.17				400.19
06066198	GRAHAM MELVI	5368	107,910		717.60						20.61				738.21
06174247	LONGVIEW HOL	5369	35,530		236.27						6.79				243.06
06213034	STEPHENS DEV	5313	359,260											50.00	50.00
06213031	RUBINS KAREN	5314	405,340											55.00	55.00
06213029	GLEASON BRIA	5315	427,660											55.00	55.00
09075007H	TAYLOR CARRO	5317	48,590		323.12								43.73		366.85
50100821	SHEAFF DANNY	5375		5,867	40.40	6.17			1.95	0.28					48.80
Totals - 2008			1,760,325	40,017	4,045.11	28.21	-	19.51	1.95	0.28	60.91	50.00	43.73	160.00	4,409.70
2007															
06093031	SEAGRAVES JA	5291	41,310		293.76										293.76
04204037	CROWDER VIOI	5303	12,207		86.80										86.80
Totals - 2007			53,517	-	380.56	-	-	-	-	-	-	-	-	-	380.56
2006															
06093031	SEAGRAVES JA	5292	41,310		263.03										263.03
Totals - 2006			41,310	-	263.03	-	-	-	-	-	-	-	-	-	263.03
2005															
06093031	SEAGRAVES JA	5293	41,310		231.34		28.92								260.26
Totals - 2005			41,310	-	231.34	-	28.92	-	-	-	-	-	-	-	260.26
GRAND TOTALS			1,896,462	40,017	4,920.04	28.21	28.92	19.51	1.95	0.28	60.91	50.00	43.73	160.00	5,313.55

AGENDA ITEM
 411d
 MEETING DATE 3/16/09

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	CSGT-999	CSLL-99	SpringsGT	Springs	StallGT	StallLL
2010												
06048395	HAWA TAMMY L &	5305	454,330		3,021.29							
Totals - 2010			454,330	-	3,021.29	-	-	-	-	-	-	-
2009												
06048223	GIAIMO MICHAEL &	5307	351,450		2,337.14							
06048225	KIPP NOREEN ANN	5308	327,700		2,179.21							
06048395	HAWA TAMMY L &	5335	454,330		3,021.29							
06048222	NESBITT THOMAS	5336	322,390		2,143.89							
06048226	MORRILL GINA M &	5337	315,250		2,096.41							
06048228	ASBURY ANDREW	5338	353,100		2,348.12							
06048229	CHANDLER RICHAR	5339	327,840		2,180.14							
06048230	ASHLEY-WILKINSO	5340	345,830		2,299.77							
50100558	WESLEY CHAPEL F	5341	413,014		2,746.54							
06048223	GIAIMO MICHAEL &	5346	351,450		2,337.14							
06048225	KIPP NOREEN ANN	5347	327,700		2,179.21							
09049008F	FAULKNER AMY C	5362	38,580		259.33							
Totals -2009			3,928,634	-	26,128.19	-	-	-	-	-	-	-
2008												
50100639	COLE ALBERT ERN	5276		2,700	17.96	1.80						
50069061	FADEL RONALD AL	5277		33,060	219.85	21.98						
50082002	MOORE STEVEN E	5279		5,715	38.00	3.80						
50073760	COOK AARON RAY	5283		11,140	74.08	7.41						
50078755	GROOME BARRY A	5288		14,470	96.22							
07096279	TAYLOR GLENN OF	5294	150,350		999.82							
07096326	TAYLOR GLENN OF	5296	35,600		236.74							
07096385	TAYLOR GLENN OF	5298	22,300		148.29							
04204037	CROWDER VIOLA E	5302	26,340		175.16							
06174307	DALLA ROSA RAIN	5304	61,800		410.97							
06048222	NESBITT THOMAS	5306	322,390		2,143.89							

412
 AGENDA ITEM
 MEETING DATE 3/16/09

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	CSGT-999	CSLL-99	SpringsGT	Springs	StalIGT	StalILL
07129012	AUSTIN CAROLYN	5309	27,850		185.20						11.31	
07129013	AUSTIN CAROLYN	5310	27,610		183.61						11.21	
08129010F	SMITH KAREN BYR	5311	35,740		237.67							
05129010	BYRUM ELIZABETH	5312	35,740		237.67							
04249018	ROLLINS GARY GE	5316	437,510		2,909.44				133.88			
06213028	DOMANSKI CHEST	5318	353,220									
06213030	MINSK DAVID A & L	5319	396,180									
06213032	MYLES ROBERT J	5320	419,220									
06213033	VANCE MARK A	5321	356,150									
50070668	LINDER VICKIE	5322		5,690	37.84	3.78						
50081816	ELKS APRIL	5323		16,140	107.33	10.73						
50083295	HELFRICH DAN	5325		8,170	54.33	5.43						
50098442	PINCH GUT GROCE	5326		64,800	430.92	43.09					26.31	2.63
50088379	REPS INC	5327		28,750	191.19	19.12						
50066629	ASTI RUSSELL Z A	5328		19,230	127.88	12.79						
50096231	CLEAN SWEEP LAN	5329		25,000	166.25	16.63						
50085622	BAKER THOMAS D	5330		8,800	59.05							
50096027	JJC TRUCKING & T	5331		817	5.43							
50069696	DAVIS TERRY CLA	5334		8,450	56.19	5.62						
06048223	GIAIMO MICHAEL &	5342	351,450		2,337.14							
06048225	KIPP NOREEN ANN	5343	327,700		2,179.21							
06108284	ST LAWRENCE HO	5344	437,000		2,906.05							
06048391	WESLEY OAKS HO	5348	29,750		197.83							
06048378	WESLEY OAKS HO	5349	23,660		157.33							
06048377	WESLEY OAKS HO	5350	25,850		171.90							
06048314	WESLEY OAKS HO	5351	4,470		29.72							
06048313	WESLEY OAKS HO	5352	4,420		29.39							
07123109	DC HOMES USA LL	5353	170,670		1,134.95							
09321002E90	CRAFT DEVELOPM	5354	1,597,800		10,625.37				488.93			
07090581	TRAN THEPHONG	5355	230,050		3,934.94						144.98	
06159006	PROVIDENCE ROA	5359	245,660		1,633.64							
05042022A	GRAHAM MELVIN F	5360	93,270		620.25							
06210107	OAKBROOK ESTAT	5361	74,300		494.09							

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	CSGT-999	CSLL-99	SpringsGT	Springs	StallGT	StallLL
05138044	INSPIRATIONAL DE	5363	30,440		202.43							
07087067	STEGALL BRUCE D	5364	94,450		628.09						38.35	
50072609	BEAVER GERALD V	5372		3,550	23.61	2.36						
50092955	CROOKE STEPHEN	5373		8,170	54.33	5.43			2.50	0.25		
50091790	BREWER WILLIAM	5376		3,563	23.69	2.37						
50096374	BEL LAR	5377		25,000	166.25	16.63						
Totals - 2008			6,448,940	293,215	37,101.19	178.97	-	-	625.31	0.25	232.16	2.63
2007												
50069061	FADEL RONALD AL	5278		28,750	204.44	20.44						
50082002	MOORE STEVEN E	5280		6,146	43.73	4.37						
50071479	MOSLEY JOHNNY F	5289		40,360					12.59			
07096279	TAYLOR GLENN OF	5295	122,890		873.87							
07096326	TAYLOR GLENN OF	5297	11,130		79.15							
07096385	TAYLOR GLENN OF	5299	1,690		12.02							
H4033007	FOGLIETTA GARY	5301	21,620		153.74							
50069696	DAVIS TERRY CLAI	5324		15,107	107.45	10.74						
50092955	CROOKE STEPHEN	5374		15,290	108.73	10.87			4.77	0.48		
05138044	INSPIRATIONAL DE	5378	28,000		199.11							
Totals - 2007			185,330	105,653	1,782.24	46.42	-	-	17.36	0.48	-	-
2006												
50082002	MOORE STEVEN E	5281		6,470	41.19	4.12						
02117010	MARSH JERRY W	5356	301,240		1,408.83							
50079638	MULLIS DILLON B &	5370		32,012	203.80	20.88						
Totals - 2006			301,240	38,482	1,653.82	25.00	-	-	-	-	-	-
2005												
50082002	MOORE STEVEN E	5282		6,885	38.56	3.86	4.82	0.48				

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	CSGT-999	CSLL-99	SpringsGT	Springs	StallGT	StallL
50072657	BAKER BRIAN S	5284		2,000	11.20	1.12	1.40	0.14				
02117010	MARSH JERRY W	5257	301,240		1,239.11		154.89					
50079638	MULLIS DILLON B &	5371		32,012	179.27	18.39	22.41	2.30				
Totals - 2005			301,240	40,897	1,468.14	23.37	183.52	2.92	-	-	-	-
2004												
50072657	BAKER BRIAN S	5285		2,100	11.03	1.10	1.47	0.15				
02117010	MARSH JERRY W	5358	301,240		1,161.67		154.89					
Totals - 2004			301,240	2,100	1,172.70	1.10	156.36	0.15	-	-	-	-
2003												
50072657	BAKER BRIAN S	5286		2,100	11.13	1.11	1.47	0.15				
Totals - 2003			-	2,100	11.13	1.11	1.47	0.15	-	-	-	-
2002												
50072657	BAKER BRIAN S	5287		2,200	10.35	1.04	1.54	0.15				
Totals - 2002			-	2,200	10.35	1.04	1.54	0.15	-	-	-	-
GRAND TOTALS			11,920,954	484,647	72,349.05	277.01	342.89	3.37	642.67	0.73	232.16	2.63

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	WaxhawGT	WaxhawLL	WesleyGT	WesleyLL	AllensFF	BakersFF	BeaverFF
2010											
06048395	HAWA TAMMY L &	5305	454,330				86.78				
Totals - 2010			454,330	-	-	-	86.78	-	-	-	-
2009											
06048223	GIAIMO MICHAEL &	5307	351,450				67.13				
06048225	KIPP NOREEN ANN	5308	327,700				62.59				
06048395	HAWA TAMMY L &	5335	454,330				86.78				
06048222	NESBITT THOMAS	5336	322,390				61.58				
06048226	MORRILL GINA M &	5337	315,250				60.21				
06048228	ASBURY ANDREW	5338	353,100				67.44				
06048229	CHANDLER RICHAR	5339	327,840				62.62				
06048230	ASHLEY WILKINSON	5340	345,830				66.05				
50100558	WESLEY CHAPEL F	5341	413,014				78.89				
06048223	GIAIMO MICHAEL &	5346	351,450				67.13				
06048225	KIPP NOREEN ANN	5347	327,700				62.59				
09049008F	FAULKNER AMY C	5362	38,580								
Totals -2009			3,928,634	-	-	-	743.01	-	-	-	-
2008											
50100639	COLE ALBERT ERN	5276		2,700	0.67	0.07					
50069061	FADEL RONALD AL	5277		33,060							
50082002	MOORE STEVEN E	5279		5,715							
50073760	COOK AARON RAY	5283		11,140							
50078755	GROOME BARRY A	5288		14,470			2.76				
07096279	TAYLOR GLENN OF	5294	150,350				28.72				
07096326	TAYLOR GLENN OF	5296	35,600				6.80				
07096385	TAYLOR GLENN OF	5298	22,300				4.26				
04204037	CROWDER VIOLA E	5302	26,340								
06174307	DALLA ROSA RAINI	5304	61,800								
06048222	NESBITT THOMAS	5306	322,390				61.58				

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	WaxhawGT	WaxhawLL	WesleyGT	WesleyLL	AllensFF	BakersFF	BeaverFF
07129012	AUSTIN CAROLYN	5309	27,850								
07129013	AUSTIN CAROLYN	5310	27,610								
06129010F	SMITH KAREN BYR	5311	35,740		8.87						
05129010	BYRUM ELIZABETH	5312	35,740		8.87						
04249018	ROLLINS GARY GE	5316	437,510								
06213028	DOMANSKI CHEST	5318	353,220								
06213030	MINSK DAVID A & L	5319	396,180								
06213032	MYLES ROBERT J	5320	419,220								
06213033	VANCE MARK A	5321	356,150								
50070668	LINDER VICKIE	5322		5,690						40.21	
50081816	ELKS APRIL	5323		16,140					50.00		
50083295	HELFRICH DAN	5325		8,170							
50098442	PINCH GUT GROCE	5326		64,800							
50088379	REPS INC	5327		28,750			5.49	0.55			
50066629	ASTI RUSSELL Z A	5328		19,230							
50096231	CLEAN SWEEP LAN	5329		25,000							
50085622	BAKER THOMAS D	5330		8,800							
50096027	JJC TRUCKING & T	5331		817							
50069696	DAVIS TERRY CLAI	5334		8,450							50.00
06048223	GIAIMO MICHAEL &	5342	351,450				67.13				
06048225	KIPP NOREEN ANN	5343	327,700				62.59				
06108284	ST LAWRENCE HO	5344	437,000		108.38						
06048391	WESLEY OAKS HO	5348	29,750				5.68				
06048378	WESLEY OAKS HO	5349	23,660				4.52				
06048377	WESLEY OAKS HO	5350	25,850				4.94				
06048314	WESLEY OAKS HO	5351	4,470				0.85				
06048313	WESLEY OAKS HO	5352	4,420				0.84				
07123109	DC HOMES USA LL	5353	170,670				32.59				
09321002E90	CRAFT DEVELOPM	5354	1,597,800								
07090561	TRAN THEPHONG I	5355	230,050								
06159006	PROVIDENCE ROA	5359	245,660		60.92						
05042022A	GRAHAM MELVIN F	5360	93,270								
06210107	OAKBROOK ESTAT	5361	74,300				14.19				

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	WaxhawGT	WaxhawLL	WesleyGT	WesleyLL	AllensFF	BakersFF	BeaverFF
05138044	INSPIRATIONAL DE	5363	30,440		7.55						
07087067	STEGALL BRUCE D	5364	94,450								
50072609	BEAVER GERALD V	5372		3,550							50.00
50092955	CROOKE STEPHEN	5373		8,170							
50091790	BREWER WILLIAM	5376		3,563							
50096374	BEL LAR	5377		25,000			4.78	0.48			
Totals - 2008			6,448,940	293,215	195.26	0.07	307.72	1.03	50.00	40.21	100.00
2007											
50069061	FADEL RONALD AL	5278		28,750							
50082002	MOORE STEVEN E	5280		6,146							
50071479	MOSLEY JOHNNY F	5289		40,360							
07096279	TAYLOR GLENN OF	5295	122,890				20.52				
07096326	TAYLOR GLENN OF	5297	11,130				1.86				
07096385	TAYLOR GLENN OF	5299	1,690				0.28				
H4033007	FOGLIETTA GARY	5301	21,620								
50069696	DAVIS TERRY CLAI	5324		15,107							50.00
50092955	CROOKE STEPHEN	5374		15,290							
05138044	INSPIRATIONAL DE	5378	28,000		14.36						
Totals - 2007			185,330	105,653	14.36	-	22.66	-	-	-	50.00
2006											
50082002	MOORE STEVEN E	5281		6,470							
02117010	MARSH JERRY W	5356	301,240								
50079638	MULLIS DILLON B	5370		32,012							
Totals - 2006			301,240	38,482	-	-	-	-	-	-	-
2005											
50082002	MOORE STEVEN E	5282		6,885							

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	WaxhawGT	WaxhawLL	WesleyGT	WesleyLL	AllensFF	BakersFF	BeaverFF
50072657	BAKER BRIAN S	5284		2,000							
02117010	MARSH JERRY W	5257	301,240								
50079638	MULLIS DILLON B &	5371		32,012							
Totals - 2005			301,240	40,897	-	-	-	-	-	-	-
2004											
50072657	BAKER BRIAN S	5285		2,100							
02117010	MARSH JERRY W	5358	301,240								
Totals - 2004			301,240	2,100	-	-	-	-	-	-	-
2003											
50072657	BAKER BRIAN S	5286		2,100							
Totals - 2003			-	2,100	-	-	-	-	-	-	-
2002											
50072657	BAKER BRIAN S	5287		2,200							
Totals - 2002			-	2,200	-	-	-	-	-	-	-
GRAND TOTALS			11,920,954	484,647	209.62	0.07	1,160.17	1.03	50.00	40.21	150.00

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	JacksonFF	New SalemFF	StackFF	WaxhawFF	Wingate	WesleyTT	Totals
2010											
06048395	HAWA TAMMY L &	5305	454,330							74.96	3,183.03
Totals - 2010			454,330	-	-	-	-	-	-	74.96	3,183.03
2009											
06048223	GIAIMO MICHAEL &	5307	351,450							57.99	2,462.26
06048225	KIPP NOREEN ANN	5308	327,700							54.07	2,295.87
06048395	HAWA TAMMY L &	5335	454,330								3,108.07
06048222	NESBITT THOMAS	5336	322,390								2,205.47
06048226	MORRILL GINA M &	5337	315,250								2,156.62
06048228	ASBURY ANDREW	5338	353,100								2,415.56
06048229	CHANDLER RICHAR	5339	327,840								2,242.76
06048230	ASHLEY-WILKINSON	5340	345,830								2,365.82
50100558	WESLEY CHAPEL P	5341	413,014								2,825.43
06048223	GIAIMO MICHAEL &	5346	351,450								2,404.27
06048225	KIPP NOREEN ANN	5347	327,700								2,241.80
09049008F	FAULKNER AMY C	5362	38,580						132.73		392.06
Totals -2009			3,928,634	-	-	-	-	-	132.73	112.06	27,115.99
2008											
50100639	COLE ALBERT ERN	5276		2,700							20.50
50069061	FADEL RONALD AL	5277		33,060							241.83
50082002	MOORE STEVEN E	5279		5,715							41.80
50073760	COOK AARON RAY	5283		11,140	50.00						131.49
50078755	GROOMER BARRY A	5288		14,470							98.98
07096279	TAYLOR GLENN OF	5294	150,350								1,028.54
07096326	TAYLOR GLENN OF	5296	35,600								243.54
07096385	TAYLOR GLENN OF	5298	22,300								152.55
04204037	CROWDER VIOLA E	5302	26,340								175.16
06174307	DALLA ROSA RAINI	5304	61,800								410.97
06048222	NESBITT THOMAS	5306	322,390							93.99	2,299.46

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pors. Value	JacksonFF	New SalemFF	StackFF	WaxhawFF	Wingate	WesleyTT	Totals
07129012	AUSTIN CAROLYN	5309	27,850								196.51
07129013	AUSTIN CAROLYN	5310	27,610								194.82
06129010F	SMITH KAREN BYR	5311	35,740								246.54
05129010	BYRUM ELIZABETH	5312	35,740								246.54
04249018	ROLLINS GARY GE	5316	437,510								3,043.32
06213028	DOMANSKI CHEST	5318	353,220					55.00			55.00
06213030	MINSK DAVID A & L	5319	396,180					55.00			55.00
06213032	MYLES ROBERT J	5320	419,220					55.00			55.00
06213033	VANCE MARK A	5321	356,150					55.00			55.00
50070668	LINDER VICKIE	5322		5,690							81.83
50081816	ELKS APRIL	5323		16,140							168.06
50083295	HELFRICH DAN	5325		8,170	50.00						109.76
50098442	PINCH GUT GROCE	5326		64,800							502.95
50088379	REPS INC	5327		28,750							216.35
50066629	ASTI RUSSELL Z A	5328		19,230							140.67
50096231	CLEAN SWEEP LAN	5329		25,000							182.88
50085622	BAKER THOMAS D	5330		8,800							59.05
50096027	JJC TRUCKING & T	5331		817							5.43
50069696	DAVIS TERRY CLA	5334		8,450							111.81
06048223	GIAIMO MICHAEL &	5342	351,450							104.39	2,508.66
06048225	KIPP NOREEN ANN	5343	327,700							95.27	2,337.07
06108284	ST LAWRENCE HO	5344	437,000								3,014.43
06048391	WESLEY OAKS HO	5348	29,750							4.91	208.42
06048378	WESLEY OAKS HO	5349	23,660							3.90	165.75
06048377	WESLEY OAKS HO	5350	25,850							4.26	181.10
06048314	WESLEY OAKS HO	5351	4,470							0.73	31.30
06048313	WESLEY OAKS HO	5352	4,420							0.73	30.96
07123109	DC HOMES USA LL	5353	170,670							28.16	1,195.70
09321002E90	CRAFT DEVELOPM	5354	1,597,800								11,114.30
07090581	TRAN THEPHONG I	5355	230,050								4,079.92
06159006	PROVIDENCE ROA	5359	245,660								1,694.56
05042022A	GRAHAM MELVIN F	5360	93,270								620.25
06210107	OAKBROOK ESTAT	5361	74,300								508.28

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	JacksonFF	New SalemFF	StackFF	WaxhawFF	Wingate	WesleyTT	Totals
05138044	INSPIRATIONAL DE	5363	30,440								209.98
07087067	STEGALL BRUCE D	5364	94,450								666.44
50072609	BEAVER GERALD V	5372		3,550							75.97
50092955	CROOKE STEPHEN	5373		8,170							62.51
50091790	BREWER WILLIAM	5376		3,563							26.06
50096374	BEL LAR	5377		25,000							188.14
Totals - 2008			6,448,940	293,215	100.00	-	-	220.00	-	336.34	39,491.14
2007											
50069061	FADEL RONALD AL	5278		28,750							224.88
50082002	MOORE STEVEN E	5280		6,146							48.10
50071479	MOSLEY JOHNNY F	5289		40,360							12.59
07096279	TAYLOR GLENN OF	5295	122,890								894.39
07096326	TAYLOR GLENN OF	5297	11,130								81.01
07096385	TAYLOR GLENN OF	5299	1,690								12.30
H4033007	FOGLIETTA GARY	5301	21,620				50.00				203.74
50069696	DAVIS TERRY CLA	5324		15,107							168.19
50092955	CROOKE STEPHEN	5374		15,290							124.85
05138044	INSPIRATIONAL DE	5378	28,000								213.47
Totals - 2007			185,330	105,653	-	-	50.00	-	-	-	1,983.52
2006											
50082002	MOORE STEVEN E	5281		6,470							45.31
02117010	MARSH JERRY W	5356	301,240								1,408.83
50079638	MULLIS DILLON B	5370		32,012			44.40				269.08
Totals - 2006			301,240	38,482	-	44.40	-	-	-	-	1,723.22
2005											
50082002	MOORE STEVEN E	5282		6,885							47.72

RELEASES FEBRUARY 2009

Acct #	Name	Release #	Real Value	Pers. Value	JacksonFF	New SalemFF	StackFF	WaxhawFF	Wingate	WesleyTT	Totals
50072657	BAKER BRIAN S	5284		2,000							13.86
02117010	MARSH JERRY W	5257	301,240								1,394.00
50079638	MULLIS DILLON B 8	5371		32,012		41.00					263.37
Totals - 2005			301,240	40,897	-	41.00	-	-	-	-	1,718.95
2004											
50072657	BAKER BRIAN S	5285		2,100							13.75
02117010	MARSH JERRY W	5358	301,240								1,316.56
Totals - 2004			301,240	2,100	-	-	-	-	-	-	1,330.31
2003											
50072657	BAKER BRIAN S	5286		2,100							13.86
Totals - 2003			-	2,100	-	-	-	-	-	-	13.86
2002											
50072657	BAKER BRIAN S	5287		2,200							13.08
Totals - 2002			-	2,200	-	-	-	-	-	-	13.08
GRAND TOTALS			11,920,954	484,647	100.00	85.40	50.00	220.00	132.73	523.36	76,573.10

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: March 16, 2009

Action Agenda Item No. 412

(Central Admin. use only)

SUBJECT: Permissive Use Agreement for Kensington Elementary School Outdoor Classroom

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

ATTACHMENT(S):
Proposed Permissive Use Agreement

INFORMATION CONTACT:
Matthew Delk
Scott Huneycutt

TELEPHONE NUMBERS:

Delk, 704-283-3656
Huneycutt, 704-296-4211

DEPARTMENT'S RECOMMENDED ACTION: Approve Permissive Use Agreement.

BACKGROUND: The County has owned this 18 Acre tract at the Corner of Waxhaw-Marvin and Kensington Roads for many years. The tract is adjacent to Kensington Elementary School. Public Works operates a water booster pump station on the property, and has water lines adjacent to the road.

Union County Public Schools has asked for permission to build and use a nature trail and outdoor classroom area for educational purposes. UCPS will not cut any mature trees, nor will they build any permanent facilities on the property.

Union County Public Works identified a portion of the property which is adjacent to Kensington Elementary, and will not interfere with our use of the property. The area is identified on Exhibit A as "Outdoor Classroom Area" on the proposed Agreement. The Outdoor Classroom is described in paragraph 2 on the first page.

FINANCIAL IMPACT: none

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation:

UNION COUNTY - CONTRACT CONTROL SHEET

Routing Order: (1) Department, (2) Attorney, (3) Risk Management, (4) Information Systems, (5) Finance, (6) Clerk, (7) County Manager

DEPARTMENT

2192

EVERY FIELD IN THIS SECTION MUST BE COMPLETED

Party/Vendor Name: Union County Public Schools
Party/Vendor Contact Person: Don Hughes, UCPS Contact Phone: 704-296-5973 561-2112
Party/Vendor Address to mail contract to (be sure this is accurate or it could delay the processing of this contract)
Address: 116 N. Main Street City: Monroe State: NC Zip: 28112
Department: Central Administration/Public Works Amount: n/a
Purpose: Permissive Use Agreement for Kensington Elementary School Classroom
Budget Code(s) (put comma between multiple codes): _____
Amounts expended pursuant to this Agreement will be more than \$90,000 [Check if applicable]
TYPE OF CONTRACT (Please Check One) New Renewal Amendment Effective Date: ASAP
If this is a grant agreement, pre-application has been authorized by the Board of Commissioners.
This document has been reviewed and approved by the Department Head as to technical content
Department Head's Signature: [Signature] Date: 10 Feb 09

Approval by Board **ATTORNEY** This document has been reviewed and approved by the Attorney and stamp affixed thereto. Yes No
Approval by Manager (less than \$90,000)
Approval by Manager per authorization of Board
Date of Board authorization: _____ Attorney's Signature: [Signature]
Approval by Manager subject to authorization by Board Date: Feb. 26, 2009
Date Board authorization requested: _____
Clerk to confirm authorization given

Use Standard Template **RISK MANAGEMENT**
[Include these coverages: CGL ; Auto ; WC ; Professional ; Property ; Pollution ; Nonprofit ; Technology E&O
OR See Working Copy **OR** No Insurance Required
Hold Contract pending receipt of Certificate of Insurance
With incorporation of insurance provisions as shown, this document is approved by the Risk Manager:
Risk Manager's Signature: [Signature] Date: 2-1-2009

INFORMATION TECHNOLOGY DIRECTOR
(Applicable only for hardware/software purchase or related services)
This document has been reviewed and approved by the Information Systems Director as to technical content.
IT Director's Signature Date: _____

Date Received: _____ **BUDGET AND FINANCE**
~~Yes No - Sufficient funds are available in the proper category to pay for this expenditure.
Yes No - This contract is conditioned upon appropriation by the Union County Board of Commissioners of sufficient funds for each request for services/goods.~~
Budget Code: _____ Vendor No.: _____ Encumbrance No.: _____
Notes: not applicable
Yes No - A budget amendment is necessary before this agreement is approved. 100mer
Yes No - A budget amendment is attached as required for approval of this agreement. 3.2.09
Finance Director's Signature: _____ Date: _____

CLERK
Date Received: _____ Agenda Date: _____ Approved by Board Yes No at meeting of _____
Signature(s) Required: Board Chairman/County Manager Finance Director Clerk
 Attorney Information Tech Director Other: _____

COUNTY MANAGER
This document has been reviewed and its approval recommended by the County Manager Yes No
County Manager's Signature: _____ Date: _____

PERMISSIVE USE AGREEMENT

THIS PERMISSIVE USE AGREEMENT (this "Agreement") is entered on this ___ day of _____, 2009, by and between the **UNION COUNTY BOARD OF EDUCATION** ("UCPS") and **UNION COUNTY PUBLIC WORKS** ("UCPW").
UNION COUNTY, acting through

Int. _____

Background.

UCPS owns certain real estate located at off Waxhaw-Marvin Road in, Union County, North Carolina as shown on the map attached hereto as Exhibit A and more particularly described as PIN 06192001A.

UCPW owns certain real estate, which is contiguous to the UCPS Property, as also shown on the map attached hereto as Exhibit A and more particularly described as PIN 06192003A. **Exhibit A shows a red line bisecting this property. The term "UCPW Property" shall hereinafter refer only to that section of the property bisected by the red line closest to Kensington Elementary School.**

Int. _____

In connection with its use of the UCPS Property for Kensington Elementary School (KES), KES seeks to construct and use a nature trails and outdoor classrooms to be located on the UCPW Property. The area between the school and Waxhaw Creek is a rich environmental area containing older hardwood trees, bird and mammal habitats and a remarkable biodiversity. KES would like to give the students an opportunity to experience this natural beauty without causing it any harm. The intent of all work will be to create safe natural areas for school related nature hikes and outdoor classroom activities.

Agreement.

NOW, THEREFORE, in consideration of the mutual promises and other valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. UCPW permits KES staff and PTO to construct and use nature trails and outdoor classrooms to be located on the UCPW Property, in accordance with the terms and conditions of this Agreement.
2. UCPW and KES agree that the Work to be constructed in the area noted on Exhibit A as "Outdoor Classroom Area" and used as follows:

Outdoor classrooms will be roughly 25 feet X 50 feet and will utilize existing open areas as much as practicable and will require essentially no disturbance. Nature trails will be approximately 5 feet wide and will curve around trees in order to slow the walks and enhance the observational experience. No tree larger than 4-inch diameter will be cut to create trails. Benches will be installed along with a simple natural fence bordering the creek to keep children from venturing too close to the creek. Fallen branches and dead wood will be cut, hauled out and removed from the property. The effect on the area will be minimal and will not involve disturbance to the creek. Erected benches and habitats will be constructed of natural materials and no structures for human habitation will be constructed.

3. KES shall be responsible for all construction, repair and maintenance of the nature trail and outdoor classroom and shall use the nature trails and outdoor classrooms in a safe and lawful manner and in a manner that does not endanger the natural environment, students, any other persons using the UCPW Property, or the public at large.
4. UCPS agrees to indemnify, defend, and hold harmless ^{UNION COUNTY} ~~the UCPW~~, its officers, employees, and agents from and against all claims, losses, costs, damages, expenses, attorneys' fees and liability that any of them may sustain (a) arising out of UCPS's failure to comply with any applicable law, ordinance, regulation, or industry standard or (b) arising directly or indirectly out of the construction or use of the nature trail and outdoor classroom by KES or UCPS. Int. _____
5. UCPS certifies that it currently has and agrees to maintain during its performance under this Agreement insurance of any and all types and amounts required by all applicable laws and/or ordinances, from one or more insurance companies authorized to do business in the State of North Carolina. UCPS agrees to purchase and maintain insurance in accordance with the terms and conditions found in Exhibit B, attached and incorporated herein by reference.
6. The term of this Agreement shall be until such time as UCPW no longer owns the UCPW Property or until such time as the Agreement is otherwise terminated as stated herein. If UCPS fails to comply with any terms and conditions of this Agreement, as determined in the sole discretion of the UCPW, then the UCPW may terminate this Agreement upon thirty (30) days notice to UCPS. *Additionally, the UCPS may terminate this Agreement immediately at any time and in its sole discretion upon thirty (30) days notice to UCPW. Int. _____

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate originals the date first hereinabove set out.

THE UNION COUNTY BOARD OF EDUCATION

By: Z. E. Davis
 Dr. Ed Davis, Superintendent

[Signature]
 Donald S. Hughes, Executive Director of Facilities

Approved as to form:

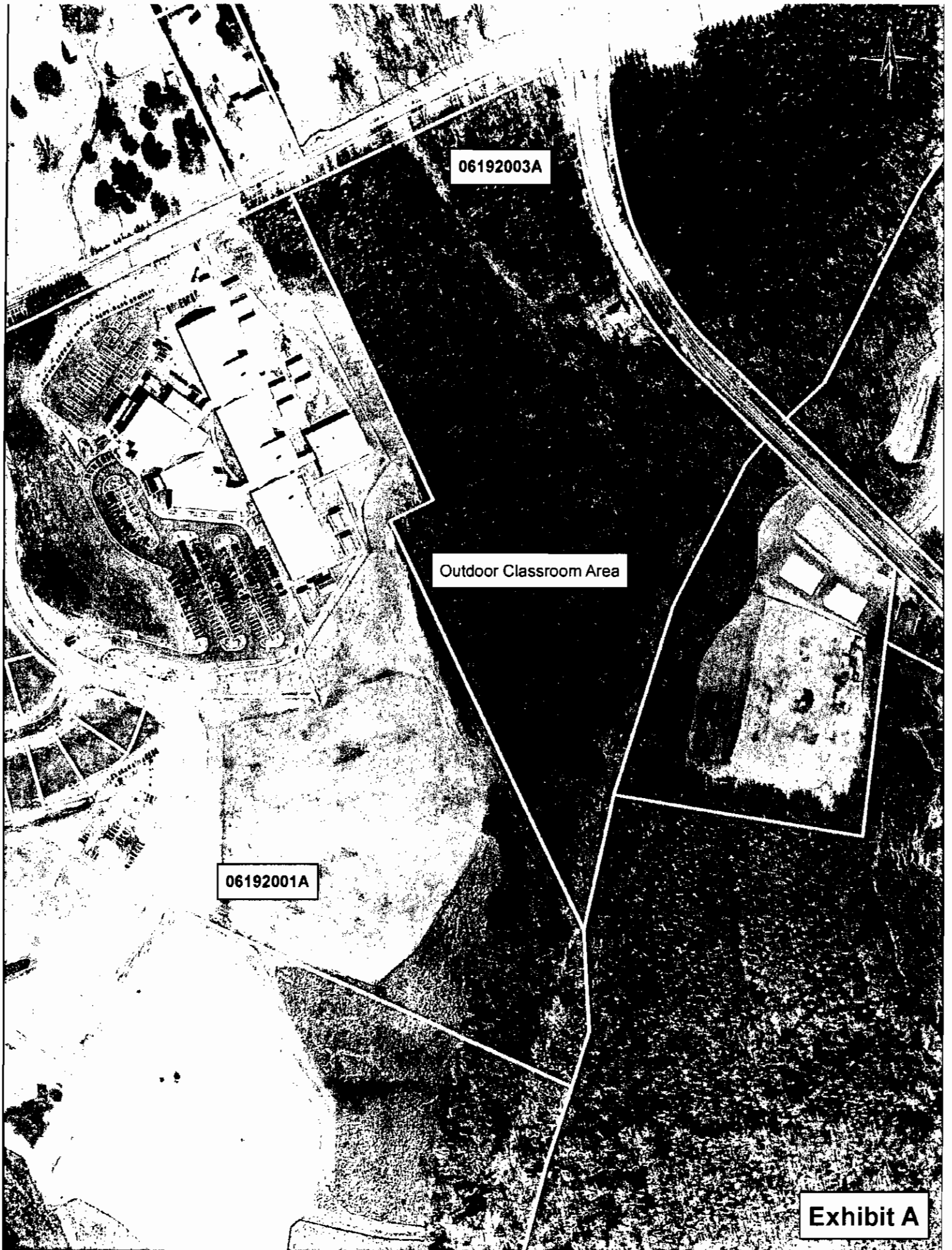
 Board Attorney

UNION COUNTY PUBLIC WORKS

By: _____
 Its: Authorized Representative

APPROVED AS TO LEGAL FORM [Signature]

* In addition, UCPW may, at any time after two (2) years from the Effective Date of this Agreement, terminate this Agreement without cause upon thirty (30) days notice to UCPS.



06192003A

Outdoor Classroom Area

06192001A

Exhibit A

EXHIBIT B

At Union County Board of Education's sole expense, Union County Board of Education (hereinafter "UCPS") shall procure and maintain the following minimum insurances with insurers authorized to do business in North Carolina and rated A-VII or better by A.M. Best.

- A. **COMMERCIAL GENERAL LIABILITY**
Covering all operations involved in this Agreement.
- | | |
|-------------|---|
| \$2,000,000 | General Aggregate |
| \$2,000,000 | Products/Completed Operations Aggregate |
| \$1,000,000 | Each Occurrence |
| \$1,000,000 | Personal and Advertising Injury Limit |
| \$5,000 | Medical Expense Limit |

ADDITIONAL INSURANCE REQUIREMENTS

- A. The UCPS's General Liability policy shall be endorsed, specifically or generally, to include the following as Additional Insured:

UNION COUNTY, ITS OFFICERS, AGENTS AND EMPLOYEES ARE INCLUDED AS ADDITIONAL INSURED WITH RESPECTS TO THE GENERAL LIABILITY INSURANCE POLICY.

Policy endorsement for Additional Insured status shall be provided to Certificate Holder within sixty (60) days of inception of contract.

- B. Before commencement of any work or event, UCPS shall provide a Certificate of Insurance in satisfactory form as evidence of the insurances required above.
- C. UCPS shall have no right of recovery or subrogation against Union County (including its officers, agents and employees), it being the intention of the parties that the insurance policies so affected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.
- D. Union County shall have no liability with respect to UCPS's personal property whether insured or not insured. Any deductible or self-insured retention is the sole responsibility of UCPS.
- E. All certificates of insurance shall be on approved ACORD 25 form and shall provide that the policy or policies shall not be changed or cancelled without at least thirty (30) days prior written notice. Notwithstanding the notification

requirements of the insurer, UCPS hereby agrees to notify Certificate Holder immediately if any policy is cancelled or changed.

- F. The Certificate of Insurance should note in the Description of Operations the following:

Department: Union County Public Works
Contract #: 2192

- G. Insurance procured by UCPS shall not reduce nor limit UCPS's contractual obligation to indemnify, save harmless and defend Union County for claims made or suits brought which result from or are in connection with the performance of this Agreement.
- H. In the event UCPS receives Notice of Cancellation of Insurance required pursuant to this Agreement, UCPS shall immediately cease performance of all services and shall provide Notice to Union County's Legal/Risk Management personnel within twenty-four (24) hours.
- I. Certificate Holder shall be listed as follows:

Union County
Attention: Keith A. Richards, Risk Manager
500 N. Main Street, Suite #130
Monroe, NC 28112

- J. If UCPS is authorized to assign or subcontract any of its rights or duties hereunder and in fact does so, UCPS shall ensure that the assignee or subcontractor satisfies all requirements of this Agreement, including, but not limited to, maintenance of the required insurances coverage and provision of certificate(s) of insurance and additional insured endorsement(s), in proper form prior to commencement of services.

MICHAEL W. TAYLOR
ATTORNEY AT LAW
P. O. BOX 65

ALBEMARLE, NORTH CAROLINA 28002-0065

AGENDA ITEM

#

4/3

MEETING DATE

3/16/09

112 E. NORTH STREET
ALBEMARLE, NC 28001

e-mail tyrala@aol.com

TELEPHONE (704) 983-4209

(704) 983-3924

FACSIMILE (704) 983-4864

February 20, 2009

Al Greene
County Manager, Union County
500 North Main Street
Suite 918
Monroe, NC 28112

Dear Mr. Greene:

I represent PBH, sometimes known as Piedmont Behavioral Healthcare, whose legal name is "Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority" under the Joint Resolution adopted by Union County April 7, 2003. The participating counties are Cabarrus, Davidson, Rowan, Stanly and Union.

PBH is a local political subdivision of the State of North Carolina under G.S. 122C-116 functioning as a Local Management Entity ("LME"), as defined by G.S. 122C-3 (20b), and organized as a multi-county area mental health, developmental disabilities and substance abuse authority established pursuant to G.S. 122C-115(c) by the Boards of Commissioners of Cabarrus, Davidson, Rowan, Stanly and Union Counties.

As you are probably aware Piedmont Behavioral Healthcare has the powers and duties set forth under G.S. 122C-117, including the duty to "[e]nsure the provision of services to clients in [Union County] . . .", clients being defined by G.S. 122C-3(6) as individuals who are or have been in the past admitted to and receiving services for the care, treatment, habilitation, or rehabilitation of the mentally ill, the developmentally disabled, or substance abusers from an area facility, as defined by G.S. 122C-3(14)a, operated by or under contract with PBH. PBH is the most populous multi-county area authority in North Carolina, with more than 700,000 people in its catchment area.

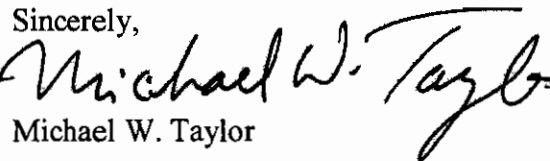
PBH has undergone many significant changes in the past five years as it has moved from providing services to managing them. PBH has gotten statewide and national attention as it has put into effect its own Medicaid waiver that is allowing PBH to serve its consumers better and to make more efficient use of Medicaid dollars. Because of its major changes in status and operations, the Area Board of PBH has decided that a name change is appropriate.

Accordingly, PBH requests that the Board of Commissioners of Union County approve a change in the entity's legal name from the current "Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority" to "PBH".

Letter to Al Greene
County Manager, Union County
February 20, 2009
Page 2

A self-explanatory resolution for consideration by your Board of Commissioners is enclosed. I would like to work toward having one original Joint Resolution document with signatures from all five counties, so when it is approved by all five counties my intention would be to circulate an original upon which can be placed signatures from all five counties.

Please do not hesitate to call me with any questions, and also please let me know if you would suggest that someone from PBH should be at the Board meeting where this is

Sincerely,

Michael W. Taylor

cc The Honorable Parker Mills
Union County Board of Commissioners

Richard Topping, Esq.
Piedmont Behavioral Healthcare

Enclosure

**JOINT RESOLUTION
OF THE BOARDS OF COUNTY COMMISSIONERS
OF CABARRUS COUNTY, DAVIDSON COUNTY, ROWAN COUNTY,
STANLY COUNTY AND UNION COUNTY**

WHEREAS, the Board of County Commissioners of Cabarrus County, the Board of County Commissioners of Stanly County, and the Board of County Commissioners of Union County by Joint Resolution dated April 1, 1974, established Piedmont Area Mental Health Program; and

WHEREAS, the Board of County Commissioners of Cabarrus County, the Board of County Commissioners of Stanly County, and the Board of County Commissioners of Union County by Joint Resolution dated March 31, 1981, modified their Joint Resolution dated April 1, 1974, by naming the entity "Piedmont Area Mental Health, Mental Retardation, and Substance Abuse Authority; and

WHEREAS, by Joint Resolution dated October 1, 1997, the County Commissioners of Cabarrus, Rowan, Stanly and Union Counties included Rowan County as a participating county in the area authority and renamed it Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority; and;

WHEREAS, by Joint Resolution adopted by the Boards of Commissioners of Cabarrus County (on April 21, 2003), Davidson County (on May 13, 2003), Rowan County (on March 17, 2003), Stanly County (on May 5, 2003) and Union County (on April 7, 2003), providing that Davidson County, pursuant to G. S. 122C-115 (c) became a participating county in the multi-county Area Authority known as Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority, and

WHEREAS, for many years, Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority has for several years operated under the name "Piedmont Behavioral Healthcare", the acronym for which is "PBH", and

WHEREAS, by Session Law 2001-437 effective July 1, 2002, entitled "An Act to Phase In Implementation of Mental Health System Reform at the State and Local Level," the North Carolina General Assembly has amended North Carolina General Statute Chapter 122C and launched extensive changes in North Carolina's mental health system, and,

WHEREAS, Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority has been recognized as a state leader in implementing mental health system reform and has now successfully made the transition to the status of Local Management Entity or "LME", as defined by G.S. 122C-3 (20b) carrying out the functions of an LME as set forth in G.S. 122C-115.4, and

WHEREAS, Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority desires to manifest its change in status to an LME with a

formal change of its name to PBH, and

WHEREAS, Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority has obtained U.S. Servicemark Registration No. 3,150,979 dated October 3, 2006, for "PBH",

WHEREAS, the parties to this agreement believe that it is in the best interests of all concerned to re-name Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority with the new name PBH,

NOW, THEREFORE, BE IT RESOLVED JOINTLY BY THE BOARDS OF COUNTY COMMISSIONERS OF CABARRUS COUNTY, DAVIDSON COUNTY, ROWAN COUNTY, STANLY COUNTY, AND UNION COUNTY that the Joint Resolution of the Boards of County Commissioners of Cabarrus, Stanly, and Union Counties dated April 1, 1974, as amended by the Joint Resolution of the Boards of County Commissioners of Cabarrus, Stanly and Union Counties dated March 31, 1981, as further amended by the Joint Resolution of the Boards of County Commissioners of Cabarrus, Rowan, Stanly and Union Counties dated October 1, 1997, and as amended by the Joint Resolution adopted by the Boards of Commissioners of Cabarrus County (on April 21, 2003), Davidson County (on May 13, 2003), Rowan County (on March 17, 2003), Stanly County (on May 5, 2003) and Union County (on April 7, 2003), be amended as follows:

Section 1. Change of Name

The name of "Piedmont Area Mental Health, Developmental Disabilities and Substance Abuse Authority" shall be changed to "PBH".

Section 2. Effective Date

This Joint Resolution shall be effective as of the date that all five participating Boards of Commissioners have adopted this resolution.

ADOPTED AND RATIFIED in five counterparts by the Boards of Commissioners of Cabarrus County, Davidson County, Rowan County, Stanly County and Union County.

BOARD OF COMMISSIONERS OF CABARRUS COUNTY

Approved: _____, 2009

Chairman

This the _____ day of _____ 200__

ATTEST: _____
Clerk to the Board

BOARD OF COMMISSIONERS OF DAVIDSON COUNTY

Approved: _____, 2009

Chairman

This the _____ day of _____ 200__

ATTEST: _____
Clerk to the Board

BOARD OF COMMISSIONERS OF ROWAN COUNTY

Approved: _____, 2009

Chairman

This the _____ day of _____ 200__

ATTEST: _____
Clerk to the Board

BOARD OF COMMISSIONERS OF STANLY COUNTY

Approved: _____, 2009

Chairman

This the _____ day of _____ 200__

ATTEST: _____
Clerk to the Board

BOARD OF COMMISSIONERS OF UNION COUNTY

Approved: _____, 2009

Chairman

This the _____ day of _____ 200__

ATTEST: _____
Clerk to the Board

AGENDA ITEM
4/4
MEETING DATE 3/16/09

MOTOR VEHICLE TAX REFUNDS
for FEBRUARY 2009

Approval of Board of County Commissioners not required:

Collector Refunds for FEBRUARY, 2009	3,694.86
(adjustment to February collector refund register)	(599.65)

To be approved by Board of County Commissioners on 3-16-09
(to be submitted by Assessor's Office)

Assessor Refunds for FEBRUARY, 2009	1,441.04
(adjustment to February assessor refund register)	(107.13)

Approval requested for overpayments:

Overpayments for FEBRUARY, 2009	<u>7,195.91</u>
---------------------------------	-----------------

Total to be refunded for FEBRUARY, 2009	<u><u>11,625.03</u></u>
---	-------------------------

Delis Cox
3,409



Request to be on 3/16/2009 Commissioner Agenda
Tracey Clinton to: West
Cc: Al Greene, Wanda Smith, Bob Butz

AGENDA ITEM
45
MEETING DATE 3/16/09

03/04/2009 06:07 PM

Lynn,

WCWAA is requesting to be added to the 3/16/2009 BOCC agenda to discuss approval of 2007/2008 and 2008/2009 Athletic Association Matching Grants. I've included a 2-page document that gives background on this topic and should be included in the commissioners packet.

Please confirm if this will be placed on the agenda and please let them commissioners know they are free to contact me if they have any questions prior to the meeting.

Thanks
Tracey Clinton
WCWAA President
704-562-5995



Commissioners - Request to be on Agenda 2009-03-16.doc

March 4, 2009

Union County Commissioners,

Wesley Chapel Weddington Athletic Association (WCWAA) is asking to be placed on the agenda for Monday, March 16th to ask for your approval of two Athletic Association Grants for the years 2007/2008 and 2008/2009.

WCWAA, a non-profit corporation run by volunteers, fills a need in Union County to provide organized youth recreational opportunities for children in Western Union County. These programs take place at Weddington Optimist Park, owned by the Weddington Optimist Club, and the adjoining land owned by WCWAA. We serve over 2,500 Union County families and are a positive contributor to the quality of life in our county. Aside from the annual Athletic Association matching grants towards capital projects, we do not utilize any other county taxes for the operation of our programs and facility. WCWAA has experienced a high volume of growth over the last 5 years and have done our best to develop our facilities to support the increasing demand of local Union County citizens. We hope you will consider approving this request this evening so that we can continue to improve our facilities to provide this needed service to the community.

To summarize our request, we are asking for your approval to approve the re-direction of the approved 2007/2008 and 2008/2009 Athletic Association matching grant funds allocated to WCWAA. We are asking for these matching grant funds to be applied towards the recently completed project involving installation of a new synthetic turf multi-purpose field. While there are several aspects of our request that vary from the Athletic Association Grant guidelines, we feel that there have been some extenuating circumstances that warrant your consideration of this request.

- On 1/22/2007, the BOCC approved the WCWAA 2006/2007 Athletic Association Grant in the amount of \$53,385.21 to be used for the completion of a multi-purpose football/lacrosse/soccer field in the lower complex.
- On 8/20/2007, the BOCC approved our 2007/2008 Athletic Association grant in the amount of \$55,000 to be used for the purchase of 6 acres of land adjacent to Weddington Optimist Park.
- Our association has been before you numerous times in the past 2.5 years to discuss the alleged floodplain violation with the recently developed WCWAA property. Because of this issue, the county with-held the disbursement of the above mentioned WCWAA grants until February 2008, when the BOCC approved release of these grant funds.
- WCWAA was not comfortable accepting disbursement of the 2006/2007 funds in February 2008 because the project was to be completed on the lower property that was still involved in the flooding dispute. WCWAA was told not to move forward with any improvements on the lower property until the flooding issue was resolved. WCWAA did sign the contract for the 2007/2008 grant and those funds

were disbursed to WCWAA, for use towards purchasing 6 acres of land adjacent to Weddington Optimist Park.

- In mid-2008, based on the slowdown in both the economy and the county growth rate, WCWAA made a decision not to proceed with the purchase of 6-acres of property. The 2007/2008 grant had been approved for the purchase of this land. Around the same time, the board was discussing how to best provide for an immediate need to provide more multi-purpose field space to meet the growing needs of football, lacrosse, and soccer. A project to replace a current grass field with synthetic turf was determined to be a good solution.
- We have worked diligently with county staff, the Union County Parks & Recreation advisory board and the County Commissioners to get approval to transfer our 2006/2007 & 2007/2008 grants to this synthetic turf project. This process began in July, 2008. This was 2 months before the synthetic turf project was started.
- We have done our best to comply with the requests from the BOCC, county staff and the UC Parks & Recreation Advisory board regarding these grants and the current 2008/2009 Athletic Association grant. We were asked and agreed to 'give back' the 2006/2007 grant funds of over \$53,000 that were allocated to our association in order to meet a stated contingency and in return, the BOCC and UC Parks & Recreation Advisory Board approved allowing the 2007/2008 and 2008/2009 grant funds apply to this 2 phase synthetic turf project.
- The synthetic turf project was completed in October, 2008, but we still don't have the funding approved to be utilized for this project even though it looks like the County Commissioners approved this on 10/20/2008 based on the documented minutes.

If you would like more details on the timeline and history of this topic, please contact Tracey Clinton at 704-562-5995 or [redacted] and I would be happy to provide you with a detailed document that contains this information.

In closing, we are asking that you approve utilization of the 2007/2008 and 2008/2009 grant funds towards the WCWAA synthetic turf project. We hope you will agree that WCWAA has been good stewards of past grant funding provided by Union County and that we offer a valuable service to the citizens of Union County. We appreciate the County allocating funding each year for Athletic Association capital projects and we will continue to seek projects that offer the greatest benefit for the citizens of Union County.

Sincerely yours,

Tracey Clinton
WCWAA President

Bob Butz
WCWAA Vice President, Insurance & Contracts

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans	B.A.	S#
Consent Agenda Item - Contracts / Purchase Orders Over \$20,000 (List)						
A	Pace, Inc.	<p>Cooling Tower Maintenance and Repair</p> <p>The Government Center Cooling Tower is 13 years old and needs some significant repairs (Part I) due to the normal effects of corrosion on galvanized steel and the application of a silicone polyurea coating (Part II) to the cold water basin to extend the life of the tower. After this work, the tower's useful life will be extended up to as much as 15 to 20 years. In todays dollars, a replacement tower would cost aroud \$120,000.</p> <p>Part I. \$14,176.00</p> <ol style="list-style-type: none"> 1. Replace rusted galvanized steel hot water basins including floors, sides, flumes, hardware and nozzels. 2. Relplace four rusted galvanized side casing panels. 3. Replace 8 driveshaft bonded inserts including new stainless hardware and align shaft. 4. Replace leaking gear reducer shaft seal. 5. Replace gear reducer lubricant. Required every 5 years. <p>Part II. \$19,007.00</p> <ol style="list-style-type: none"> 1. Remove and replace interior PVC heat transfer surface in cold water basin. 2. Blast clean interior surface of cold water basin. 3. Spray coat surface with 30-40 mils of silicone polyurea. 	<p>\$ 14,176.00 Part I: Repairs - lump sum amount NTE.</p> <p>19,007.00 Part II: Silicone polyurea coating - lump sum amount NTE.</p> <hr/> <p>33,183.00</p>	<p>Operating Budget - 2009 (for \$14,176.00).</p> <p>Capital Project Ordinance - Government Center Renovation Project (for \$19,007.00).</p>	n/a	PO# 90316

46
 AGENDA ITEM
 MEETING DATE 3/16/09

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans	B.A.	S#
Consent Agenda Item - Contracts / Purchase Orders Over \$20,000 (List)						
B	State of North Carolina, Division of Public Health	<p>Consolidated agreement for FY 2009-2010 for maintaining and promoting the advancement of public health in N.C. (federal/State certifications and assurances).</p> <p>The agreement requires the local Public Health unit to conform to Federal and State laws and regulations such as civil rights, confidentiality of client information, accessibility of programs, provision of interpreter services, drug free workplace, and personnel practices.</p>	n/a	<p>Operating Budget – 2010</p> <p>Renewal</p>	n/a	2194
C	ERSI	<p>Software agreement renewal for Geographic Information Systems (GIS) software for all departments, includes Arc View, ArcInfo, web pieces and 10 license.</p> <p>ESRI provides GIS software for visualizing, managing, creating, and analyzing geographic data. GIS software provides advanced spatial analysis, extensive data manipulation, and high-end cartography tools to generate professional-quality, publication ready maps.</p>	\$ 38,467.96 Lump sum amount NTE.	<p>Operating Budget – 2009</p> <p>Renewal</p>	n/a	Req# 369
D	Turning Point, Inc.	<p>Turning Point provides housing assistance, transportation, education expenses, and individual and family adjustment services (counseling, court advocacy, etc) to eligible families participating in the Domestic Violence Services program.</p> <p>The agreement between Union County and Turning Point provides for an annual maximum amount and funding sources.</p> <p>The amount in FY2008 was \$30,327. The amount for FY2009 is \$31,591.</p>	\$ 31,591.00 Annual amount NTE.	<p>Operating Budget – 2009 (Federal / State TANF funding)</p> <p>Renewal</p>	n/a	2200

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans	B.A.	S#
Consent Agenda Item - Contracts / Purchase Orders Over \$20,000 (List)						
E	Drayton Hall Homeowners Assocation	<p>Stevens & Kontoulas Developers, LLC (the Developer) deposited \$30,000 with Union County as security money for road maintenance work within the Drayton Hall subdivision.</p> <p>The Drayton Hall Homeowners Association has requested receipt of the security money to complete road improvements that the Developer failed to complete. The Developer has consented to the release.</p>	\$ 30,000.00 Lump sum amount NTE.	Balance Sheet	n/a	2201
F	HDR Engineering Inc of the Carolinas	<p>Engineering services to prepare the Weddington Conditional Use Permit (CUP) application and Zoning Permit application for the Weddington Elevated Water Storage Tank Tower, Task Order # 47.</p> <p>The Union County Public Works Water Master Plan (2005 Update) recommends the construction of a new 1.5 million gallon elevated water storage tank to serve the rapidly developing Marvin-Weddington area. A site meeting the criteria as been located in the Town of Weddington and will require a CUP from the Town.</p> <p>The CUP application will be prepared for an elevated water storage tank tower and park/parking facility.</p> <p>The Weddington Area Elevated Water Storage Tank site identification, design, bidding and construction administration are covered under HDR, Task Order # 33 in the amount of \$225,912 dated January 29, 2007.</p>	\$ 83,146.00 Lump sum amount (NTE).	Water & Sewer Master Plan 2005 CIP 2007-2011 Capital Project Ordinance	n/a	2190

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 3-16-09

Action Agenda Item No. 417
(Central Admin. use only)

SUBJECT: Additional Services for the Water Allocation Policy

DEPARTMENT: Public Works

PUBLIC HEARING: No

ATTACHMENT(S):

INFORMATION CONTACT:

Scott Huneycutt

TELEPHONE NUMBERS:

704-296-4211

DEPARTMENT'S RECOMMENDED ACTION: Accept the additional fee request and authorize the county manager to execute the amendment upon legal review

BACKGROUND: On April 21, 2008 the Board of County Commissioners approved HDR's Task Order No. 43 to assist staff with the Water Allocation Review and Policy Development. A team which included HDR along with key management and legal staff began the development of the Policy. The Water Allocation Review and Policy Development was initiated to support Union County's efforts to meet the water system demands from current users as well as those resulting from future population increases and economic growth. The Project also included a development of a Water Allocation Policy to establish standards and protocols for approving new connections. The Policy was adopted on October 20, 2008 by the Board of County Commissioners. At that point HDR's work under Task Order No. 43 was complete. In December of 2008 the Board of County Commissioners requested that the Water Allocation Policy be re-evaluated. The Team immediately began working on the re-evaluation of the Policy. As a result a presentation was made to the Board at the December 4, 2008 workshop. This resulted in additional direction from the Board. A follow-up presentation was presented on January 20, 2009 where again additional direction was given by the Board. As work continues to be on-going to support the Water Allocation Policy Revisions, HDR as hereby requested consideration for additional services for Task Order No. 43 in an amount Not-to-Exceed \$35,000.00.

FINANCIAL IMPACT: Not-to-Exceed \$35,000.00

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: