

Minutes of the Special Meeting
of the Union County Board of Commissioners
Tuesday, March 17, 2009, at 7:15
Joint Meeting with Town of Waxhaw

The Union County Board of Commissioners met in a special meeting on Tuesday, March 17, 2009, at 7:15 p.m. at the Museum of the Waxhaws located at 8215 Waxhaw Highway, Waxhaw, North Carolina 28173, for the purpose of holding a joint meeting with the Waxhaw Town Council. The following were

PRESENT: Chairman Lanny Openshaw, Vice Chair Kim Rogers, Commissioner Tracy Kuehler, and Commissioner A. Parker Mills, Jr.

ABSENT: Commissioner Allan Baucom

ALSO PRESENT: Al Greene, County Manager; Matthew Delk, Assistant County Manager; and Lynn G. West, Clerk to the Board of Commissioners

PRESENT FROM
WAXHAW TOWN
COUNCIL:

Mayor Daune Gardner, Commissioner Joyce Blythe, Commissioner Brian Haug, Commissioner Martin Lane, Commissioner Sylvester E. McManus III, and Commissioner Max Walker

ALSO PRESENT
FROM TOWN OF
WAXHAW:

Town Manager Mike McLaurin, Bonnie McManus, Town Clerk, and Attorney Chaplin Spencer

At approximately 7:15 p.m., Chairman Openshaw called the special meeting of the Board of Commissioners to order.

Mayor Gardner called the joint special called meeting of the Waxhaw Town Council to order and thanked the Board of Commissioners for requesting this meeting. She requested everyone to stand for the Pledge of Allegiance and Invocation.

Mayor Gardner asked for a motion by the Town Council to adopt the agenda.

Motion was made by Commissioner Martin Lane and seconded by Commissioner Brian Haug to adopt the agenda as presented. The motion was passed unanimously.

Presentation of the Town of Waxhaw's goals and short-term plans

Mayor Gardner asked Manager McLaurin to present the bullet points and provide the responses from the Town as requested by the County Commissioners.

Mr. McLaurin stated that the Town Council met on February 7, 2009, to review its goals going forward. He said they are in the process of refining those goals. He said that the Council developed three major goals and a number of sub goals.

- 1) Creating a Well Planned and Balanced Community which provides residential, commercial and economic development.
- 2) Promoting Waxhaw as a quality and attractive place to live and visit, recreate, promoting its history, antiques and art while recognizing that new and older development will occur and try and balance the old and new Waxhaw. He said a Beautification Committee has been established to create public policy for the Town Council to approve in placing artwork in town's rights of ways.
- 3) Providing quality municipal services which includes police, fire, EMS and emergency preparedness and which are delivered by well trained and coordinated personnel utilizing modern equipment and techniques and provides for connectivity with adequate transportation corridors and options for access to all parts of town. He said that the Town had partnered very well with the County in its radio communications.

Mayor Gardner stated that arising from the Council's goals workshop, there was a lot of emphasis placed on improving the quality of governance and intergovernmental relations.

How the County can better serve the Town of Waxhaw (top three items):

- 1) Providing a new library in downtown Waxhaw – he said that this was something that the Council discussed at length. He stated that this was very important to the Town. He said there have been some discussions internally about having a library

where seniors can come and help mentor young people on homework and the young people can help some of the seniors with technology.

- 2) Improving the responsive and quality of repair work by the Union County Public Works Department – Mr. McLaurin said that the Town’s staff is working with County staff on some issues regarding the Public Works Department.
- 3) Improving animal control services to the Town of Waxhaw – Bonnie McManus, Clerk to the Board, said that the Town receives calls about the lack of service provided by the agency. Mr. McLaurin said that the problem for the officers is having to go to Wingate and pick up cages for the animals and then come back to the town. He stated that the County has a great Sheriff’s Office and he thinks the Town works very well with that office.
- 4) Considering partnering with the Town to open a county complex which could house county facilities such as the Register of Deeds and work with the State to have a driver’s license office and license plate office. Mr. McLaurin said that in Guilford County, the Register of Deeds’ Office is located both in Greensboro and in High Point.

Suggestions for County process improvements that will assist the Town of Waxhaw

1. Improving conditions at the public schools so that the infrastructure is the same whether it is Kensington or Waxhaw Elementary - He stated that there has been discussion internally about improvements in zoning and planning to try and help balance the scales.
2. Working with the Town to help restore the water tank and partner in a project which will allow the Town to use the tank for gray water management. He said that they would like to look at the possibility of trying to use the water tank to collect gray water from stormwater and distribute it back out for irrigation. He said that this was very innovative and economically sensitive.

Mayor Gardner commented another process improvement that has been discussed briefly is the fact that between the planning processes with the towns and the County, there is some disjointedness. She said that if the towns and County could find a way to work with the planning departments so that as the towns move through their processes, at some point, they need to check with the County to make sure that the applicant has what is needed by the County to enable them to proceed with their projects.

Mayor Gardner provided the Board with copies of the Town's proposed Comprehensive Plan. She said that there are additional comments that have been submitted by the Planning Board and consultant that can be forwarded to the Board by e-mail. She stated that the Plan is scheduled to come before the Waxhaw Board at its April meeting. Mr. McLaurin noted that the Town had used the same consultant for its plan as the County had used.

Mr. McLaurin said that the Town established a TRC (Technical Review Committee). He explained that when a project comes to the Town, the TRC looks at the plans and offers one set of comments. He commented that David Grant, the Forestry Agent for the County, also assists and thanked the Board for making Mr. Grant's services available to the towns. Mayor Gardner said that Mr. Grant has been invaluable to the Town. Mr. McLaurin said they have also invited the schools and Public Works to participate in the review of the plans.

Suggestions for enhancing economic development with the Town of Waxhaw:

1. Improving the availability of water and sewer
2. Providing the water and sewer capacity to be able to serve potential employers that may want to locate within the Town

Mr. McLaurin stated that this concluded the comments he had prepared and asked if anyone else had comments.

Commissioner Lane stated that when the Council had received the list of questions for tonight's meeting, he had taken on Question #2 – How the County can better serve the Town of Waxhaw (top three items). He said he had sent e-mails on this question and the response that he continues to receive is about the schools and their importance. He stated that he knew that budgets are tight, and people are discouraged about the possibility of teachers having to be let go. He said another comment he had received had been about the odor of the waste treatment plant.

Chairman Openshaw responded to Commissioner Lane's comment about the waste treatment plant odor. He said that the County is spending approximately \$4.7 million dollars on this project.

Mayor Gardner said that another idea that she had spoken with Chairman Openshaw is if the Town were to plant trees on the berms surrounding the waste treatment plant which would help both esthetically and with the odor issue.

Chairman Openshaw said that he had mentioned this project at the Board of Commissioners' meeting last night. He said that he had also mentioned the potential Arbor Day project to determine whether the Board of Commissioners would be willing to entertain that idea.

Vice Chair Rogers asked if she could respond to the comment about the schools. She stated that she had served on the School Board, and the County Commissioners have zero control over how the schools spend their monies. She said that the Board of Commissioners could certainly make the requests to the schools not to make any cuts that would impact the classrooms. She said that she has done that herself. Vice Chair Rogers recommended that Commissioner Lane contact the school board members.

Chairman Openshaw suggested that Commissioner Lane attend some of the work sessions during which the schools' budget is discussed. He said it was interesting to hear both sides of the equation. He stated that he has always valued education. He explained that the County is in a very difficult financial situation. He said that the Board received information in its agenda package last night, that the County is looking at a deficit of approximately \$17.4 million. He noted that the schools account for approximately 66 percent of the County's budget.

Commissioner Haug stated when the questions for tonight's meeting were sent out for comments, he felt that Waxhaw was fairly self-sufficient compared to many of the other municipalities. He said his question had been what are the County's expectations from the Town of Waxhaw.

Commissioner Kuehler said the Board of Commissioners has been hearing about partnerships. She stated that while being self-sufficient has been a great thing in the past, it is probably not going to be enough to get people through in the future, and that the only way to sustain is to band together and combine resources and work together on strengths and weaknesses.

Chairman Openshaw stated that one area where the towns can help the County is with zoning density. He said one house on one acre cost \$15,000 and if three houses are constructed on that acre, it cost all the taxpayers \$45,000. He said that Union County has the highest debt per capita in the State with the exception of Dare County. He stated that the County needs the towns to be aware of the fact that the impact of the towns' zoning decisions affects everybody in the County. Mayor Gardner said that it sounded to her that the desire of the Board of Commissioners is to work with the Town of Waxhaw and the other municipalities more in the spirit of cooperative regional planning.

Chairman Openshaw stated that at an earlier meeting tonight between the Board and Wesley Chapel's Town Council, the Council asked the County to work with Wesley Chapel on land surrounding it in order to maintain the integrity of its zoning.

Commissioner McManus requested to be excused from the meeting at approximately 8:00 p.m. Commissioner Lane moved and seconded by Commissioner Haug to excuse Commissioner McManus from the meeting. The motion was passed unanimously.

Commissioner Haug stated that the Town currently has doughnut holes and suggested a possible solution would be ETJ. Commissioner Kuehler said that she was not against high density development in the right areas. She said that what needed to be considered is that the APFO should be part of the consideration for all to adopt.

Manager McLaurin stated the town has tightened the standards for streets, sidewalks and streetlight requirements making construction and repairs more stringent than required in the County. He said that this helps to protect the streets in the future.

There was discussion about the current status of the APFO.

Mayor Gardner said that she wanted to ask a question that was probably unique to Waxhaw if the APFO survives the challenges. She said in a redevelopment scenario where some residences are being removed and redeveloped with more residents, is there any kind of accommodation for the residents that were removed or does the APFO apply to every new resident. She asked if this question could be looked into. Chairman Openshaw said that he could not answer that question. He stated that the concept is concurrency that the County grow concurrent with its resources.

Manager McLaurin asked about water and sewer services and the status of providing additional flow. Commissioner Mills responded that the County has worked diligently with the City of Monroe but has not yet reached an agreement on a sewer expansion. He said that the County is also working with Lancaster in connection with water. Chairman Openshaw said that there is a temporary agreement for an additional three million gallons of water per day. Commissioner Mills stated that there is an expansion of the Lancaster plant being worked on which is in the permitting phase. He said that the County is also talking with Anson County and Monroe about a possibility of a joint venture on a water treatment facility.

Mayor Gardner stated that in some areas water and sewer capacity is controlled by the municipalities. She said that in having the municipalities control the water and sewer capacity, it incorporates it into the towns' planning decisions. She said that she thought this was one of the disjointed areas in planning between the County and some of the municipalities. She asked if there was any openness on the part of the Board of Commissioners to try and work more closely with the planning departments and staff to give the municipalities any control over the decisions to grant water and sewer capacity.

Commissioner Mills said it is the County's enterprise fund that runs the system. He stated that part of the problem as was mentioned by Chairman Openshaw is high density. He said that he could see where eventually each town would have an allocation of

water and sewer. Chairman Openshaw said that the problem is that the communities that have grown the fastest have taken the resources of the communities that have not grown. He stated that the Board has not talked about allocating capacity to specific entities.

Mayor Gardner stated that given the fact that Waxhaw is more urban in nature than its neighbors, this gives Waxhaw the opportunity for putting in place some of the resource savings that use reclaimed water. She said it would require additional planning and cooperation with the County to allow the town to incorporate these resource savings technology into some of its future build out while allowing it to stretch the resource. Chairman Openshaw said that one of the real issues is that Mecklenburg County is allowed to permit its homes at 190 gallons per day, and Union County is at 285 gallons per day. He said that if a million gallons per day of reclaimed water could be used, it would essentially be one million gallons of sewage discharge and an extra million gallons essentially of potable water. He said that the County has to prioritize what it is going to do with water and sewer.

Commissioner Joyce Blythe stated a year or so ago, the Town's library was desperate, and they just want a library larger than what it has. She asked if there was any chance of moving forward with a regional library. Chairman Openshaw said from his perspective, the County does not have the resources. He said that the operating costs of the library are more than the capital costs. Mayor Gardner asked if the town could bring the Board of Commissioners a proposal that would address both sides, would the Board of Commissioners be willing to entertain such a proposal. Chairman Openshaw stressed that the County was in a desperate financial situation at this time.

Mayor Gardner expressed appreciation to the Board of Commissioners for its efforts in reaching out to the municipalities to work together.

With there being no further discussion, at approximately 8:30 p.m., Chairman Openshaw asked for a motion to adjourn the Board of Commissioners' special meeting.

Commissioner Mills moved to adjourn the special meeting. The motion was passed by a vote of four to zero. Chairman Openshaw, Vice Chair Rogers, Commissioner Kuehler and Commissioner Mills voted in favor of the motion. Commissioner Baucom was not present.