

Approved 5/18/2009

Minutes of the Regular Meeting
of the Union County Board of Commissioners
April 20, 2009

The Union County Board of Commissioners met in a regular meeting on Monday, April 20, 2009, at 7:00 p.m. in the Commissioners' Board Room, first floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

PRESENT: Chairman Lanny Openshaw, Vice Chair Kim Rogers, and Commissioner Tracy Kuehler

ABSENT: Commissioner Allan Baucom and Commissioner A. Parker Mills, Jr.

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

OPENING OF MEETING:

Invocation: The Chairman called the meeting to order and at the Chairman's request, Commissioner Kuehler opened the meeting with a prayer.

Pledge of Allegiance: Melinda Vasconcellos, Girl Scout Gold Award Recipient, led the Commissioners and audience in reciting the Pledge of Allegiance to the American Flag.

TORA, TORA, TORA PRESENTATION:

The Chairman stated that prior to the informal comments tonight, representatives from the Tora, Tora, Tora airshow would be making a presentation tonight.

Robert Yanacsek and Bob Russell came forward, and Mr. Yanacsek introduced Mr. Russell and stated that they had been the organizers for the Warriors and Warbirds, Veterans Celebration and Airshow, that was held last year at the Monroe Airport. He shared that last year approximately 50,000 people had attended the event, and they are working on organizing another show this year. In appreciation for the County's assistance and support for last year's show, Mr. Yanacsek presented the Board with a poster signed by the flight crew of the Tora, Tora, Tora group.

Chairman Openshaw shared that he had enjoyed last year's show and said that it was great to see the good attendance.

INFORMAL COMMENTS:

The Chairman stated the next item is to hear comments from the public.

The first person recognized to speak by the Chairman was Dudley Waas, 9001 Yellow Pine Court, Waxhaw, North Carolina. Mr. Waas requested that the Board hold the line on property taxes, treat citizens fairly, maintain the present tax rate, and not increase the tax rate by even one cent. He stated that he knew there were serious financial problems at hand, and there are plenty of seemingly good reasons for a tax increase. He said that the January forecast showed that a seven cents tax increase might be on the way. He asked that the Board unanimously oppose any tax increase. He suggested that the Board direct the Finance Director and the Manager that the Board wanted a report showing a zero tax increase and a detailed plan of how to accomplish this and not to bring a report like the January report.

He stated that as a matter of principle increasing taxes should not be considered during a recession. He said that there were a number of ways to reduce spending, some difficult, to live within the expected income. He stated that the January report was not very aggressive in this regard. Mr. Waas offered that County assets could be sold with the monies going 100 percent toward reducing debt. He said that the County's \$52 million annual interest payments could be reduced to an affordable level. He stated that today the County is spending \$6,000 every hour, every day toward paying interest to its lenders.

Mr. Waas stated that the Board should approve no new debt at least for some years. He said that previous Boards have been irresponsible and have allowed the County's debt to become huge and unaffordable. He suggested that in the future that the citizens be asked by referendum if they want higher taxes resulting from building growth or do they want tax increases not to exceed the inflation rate via carefully planned and managed building growth. He said that business owners and managers have little choice but to live within the money they have coming in, as well as families, churches, charities, and organizations of all times. However, he stated that governments often lack financial discipline. He said the tax increase button is an easy one to push, but no one else has this easy way to create income, and neither should Union County. Mr. Waas said that the budget process should begin with affordable spending. He stated that the question was not what departments need to spend but the question is what are their plans to live within their defined amounts given. He said that the County Finance Director should define this amount for each department including the schools based upon expected income with no tax increase. He stated that everyone must find a way to get the job done and variations will occur, but if the Board agrees that one department needs more money, then another department must reduce its budget.

In closing, he asked the Board to face the reality of citizens that the County is in a recession and that increasing taxes is wrong. He said that the Board was elected to govern and agreed that governing is hard work. He stated that the Board should forget that it has the ability to increase taxes and take that option off the table, and then ask "now, what will it do?" He said this must be the Board's mindset and if it has this mindset, then he believes the Board can find a way to accomplish the task.

Bill Hasty, who resides at 709 Macedonia Church Road, Monroe, was the next speaker to address the Board. Mr. Hasty stated that he is a member of the Farm Bureau Board of Directors. He said that the Farm Bureau Board as a whole supports district representation so that Union County can have representation throughout the County and not just in areas.

Mr. Hasty further stated that he believed that the County's tax rate should be held at its current rate. He said that he lived on Macedonia Church Road, which he described as the poor section in the southeast part of the county. He said that they had enough trouble in that part of the county trying to compete with their counterparts in the western part of the County. He stated that part of the school board did not even know where Forest Hills and East Union are located. He said that Forest Hills had been in the County for approximately 50 years and has been remodeled. He asked that the members of the Board visit Laurel Hill and see the three schools that they have. He said that those are not expensive schools, but they get the job done. He stated that he thought Union County could get the job done if it would downsize some of the expenses in the schools and try to concentrate more on the teachers and education rather than concentrating on having a place for the students to attend.

He shared that he was born in Union County and lives on the same farm on which he was born. He said that he and his wife visit out west about every year, and when they meet people on these trips and they ask where he is from “He says he is from North Carolina.” He stated that he does not answer Union County, North Carolina, or Monroe, because he is ashamed to tell everyone that he is from Union County. He said that maybe he was too much of the old style people in Union County.

He requested that the Board try and keep the tax level in a manner that the citizens can meet the taxes rather than placing an extra burden on them. He said that he wanted to see Union County save money. He then referred to the Pinky Marsh matter.

In closing, Mr. Hasty thanked the Board for the opportunity to speak. He said that he had not attended the last meeting of the Board but wished he had been able to attend. He referred to the comments by Chairman Openshaw to Jonathan Thomas at that meeting and said that he would be the first one to say that the people of Union County should ask for the Chairman’s resignation, because his comments were very unorthodox and should not have happened.

Chairman Openshaw thanked Mr. Hasty for his comments and reminded Mr. Hasty that he was three minutes over his time limit for his comments. He stated that he had apologized to Mr. Thomas that evening and had also called him the next day and apologized and Mr. Thomas had also apologized to him.

The last speaker to address the Board during informal comments was Frank Howey who resides at 1916 Wolfe Pond Road, Monroe. Mr. Howey spoke in favor of district representation and said that he believed a county the size of Union County should have more than five Commissioners who should come from districts to give input from all parts of the County. He said that he thought it made good common sense. He stated that he would like to see members appointed to boards and committees by townships to ensure that there is representation throughout the County. He said that it was critical to get people involved in government and in the community to help make Union County better and then maybe Mr. Hasty would be proud to be in Union County with more people’s input throughout the county.

The Chairman announced that Mr. Howey’s comments concluded the informal comments.

ADDITIONS, DELETIONS AND ADOPTION OF AGENDA:

Commissioner Kuehler requested an addition to the agenda for a discussion regarding tax bills that are mailed to the citizens and the information contained thereon.

Chairman Openshaw stated that he wanted to move the appointments to the Union County Governance Advisory Committee (Item 15a) to become Item 13a.

With there being no further additions or deletions to the agenda, Vice Chair Rogers moved adoption of the agenda as modified. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

CONSENT AGENDA:

Commissioner Kuehler moved to approve the items listed on the Consent Agenda as presented. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

Minutes: Approved minutes of special meeting of January 13, 2009, at 11:00 a.m.

Finance: Approved Motor Vehicle Tax Refund Overpayments for March 2009 in the amount of \$2,869.61

Department of Juvenile Justice and Delinquency Prevention (DJJDP) State Grant Funding for FY 2009-1010: Approved DJJDP Funding Plan for FY 2009-2010 as follows:

#	Program Provider	DJJDP Funding	LOCAL FUNDING		OTHER	TOTAL
			Local Cash	Local In- Kind Match		
1	Project Challenge	\$69,488		\$20,846		\$90,334
2	Union County Shelter Care	\$35,000		\$33,036		\$68,036
3	Daymark Recovery Services	\$41,140	\$5,812	\$6,580	\$4,036	\$57,568
4	United Family Services	\$52,592	\$15,778			\$68,370
5	Connecting Futures	\$33,818	\$500	\$23,734		\$58,052
6	Psychological Services	\$7,500		\$2,724		\$10,224
7	JCPC Administration	\$7,900				\$7,900
8						\$0
9						\$0

10							\$10
	TOTALS:	\$247,438	\$22,090	\$86,920	\$4,036	\$0	\$360,484

Tax Administrator: Approved Tenth Motor Vehicle Billing in the Grand Total Amount of \$987,395.49

Tax Administrator: Approved Ninth Motor Vehicle Release Register for the period of March 1, 2009 - March 31, 2009 in the net grand total of \$11,967.89-

Tax Administrator: Approved Ninth Motor Vehicle Refund Register for the period of March 1, 2009 - March 31, 2009 in the net grand total of \$2,848.29-

Contracts/Purchase Orders Over \$20,000: Authorized County Manager to approve the following agreements pending legal review: a) Physician Agreement with Evelyn K. Anderson, M.D., to provide medical services to inmates and supervision of medical services provided to inmates at the Union County Jail; b) Renewal of Annual Maintenance Agreement with Motorola to provide maintenance and repair of the existing UHF/VHF Simulcast Radio System; and c) Renewal (via replacement) Maintenance Agreement with Enterprise Systems for the Nortel Option 11 Phone Switch at Union Village which serves the Departments of Social Services and Public Health

Department of Social Services: Approved Budget Amendment #28 to increase Operating Expenses by \$1,512 and State Revenue by \$1,512 to appropriate additional State funds for Share the Warmth Fund used to assist families with emergency heating needs.

Department of Social Services: Approved Budget Amendment #27 to increase Operating Expenses by \$69,000 and State Revenue by \$69,000 to appropriate additional funds for the Special Children Adoption Fund used to enhance the adoption services program

Sheriff's Office: Approved Budget Amendment #30 to increase Capital Outlay by \$13,486 and Department Intergovernmental Revenue by \$13,486 to appropriate Justice Assistance Grant funds received for Storage Area Network (SAN) Unit at the Law Enforcement Center

Communications: Approved Utility Easement for Communications Radio Tower with Pee Dee Electric Membership Corporation to provide approximately 650 feet of power lines from Brooks Turner Road across property owned by Union County for the purpose of

establishing electrical service for the new communications radio tower located in New Salem and authorized County Manager to execute easement

Information Only/No Action Required: The following reports were included in the agenda package for informational purposes only, with no action required by the Board: a) Department of Inspection's Monthly Report for March 2009; and b) Personnel Departmental Report for March 2009

The Chairman shared that Commissioner Baucom and Commissioner Mills were not present because Commissioner Baucom was traveling out of the country and Commissioner Mills was attending an event with his daughter. He also shared that the County Manager's brother had passed away, and he was not present because he was with his family.

PUBLIC INFORMATION OFFICER'S COMMENTS:

In the absence of Brett Vines, Public Information Officer, Matthew Delk, Assistant County Manager, shared information with the Board and audience about Earth Day 2009 which will be held on Saturday, April 25th. He said Union County would be participating in this event. He stated that Indian Trail celebrated Earth Day last Saturday, and he expressed appreciation to Jeff Rieves, Interim Extension Director, for his assistance with that event. Mr. Delk announced that the Town of Stallings would also be holding an Earth Day event on Saturday, April 25th.

RECOGNITION OF UNION COUNTY TELECOMMUNICATORS AND PRESENTATION OF 2009 UNION COUNTY TELECOMMUNICATOR OF THE YEAR AWARD:

Chairman Openshaw stated the next item on the agenda was recognition of Union County Telecommunicators and presentation of the 2009 Union County Telecommunicator of the Year Award. Matthew Delk, Assistant County Manager, assisted the Chairman in the presentation of the certificates as the telecommunicators who were present came forward to receive their certificates. Mr. Delk read the Certificate as follows:

“This certificate is presented in honor of National Telecommunicator Week, April 12 - 18, 2009, by the Union County Board of Commissioners for constant devotion to public safety dispatching, consistent excellence in customer service, and the continued pursuit of our goal of protecting life and property, while maintaining the highest

level of professionalism

The following telecommunicators came forward and received their certificates:

Cindy Beaver, Christy Burnette, Lara Crumpton, Diana Dodson, Susan Furr, Kimberly Ladson, Sandra Marsh, Stephanie Martone, Dan McCall, Michelle McCarver, Jill Therrien, Cecily Trull.

Certificates were prepared and given to Gary Thomas, Director of Union County Communications, for the following telecommunicators who were unable to attend the meeting: Barbara Broome, Tanya Burrus, Cheri Conley, Christy Cook, Lissel Currie, Mitch Deese, Gary DeSantis, Ritchi Genabe, Brooke Grant, Bethany Greene, Tiffany Hayes, Kellee Irving, Erin Istmen, Marcus Lee, Lori Lewis, Eric McManus, James Murray, Faith Pressley, Sherri Pressley, Kristen Ray, Scott Raymond, Dorothy Sherrin, Gary Silsby, Tracey Tripodi, Richard Underwood, Robin Waldron, Stacey Williams, and Keri Wilson.

Chairman Openshaw shared some of the comments about Dan McCall, the recipient of the 2009 Union County Telecommunicator of the Year, as written by his co-workers: “team player, focused and attentive, flexible, and adapts quickly to change, always willing to help, and can work all dispatch channels efficiently, very hardworking, great all-around guy with a wonderful attitude towards work, and never complains about his workload.” Chairman Openshaw stated that these were great attributes. He presented Mr. McCall with a plaque from Union County Communications and congratulated him on his award.

Chairman Openshaw asked Mr. McCall or Mr. Thomas to share with the audience some of Mr. McCall's duties as a Telecommunicator. Mr. Thomas stated that he was very proud of the Union County's telecommunicators. He said they do a fantastic job. He described their duties as being behind the scene and being indivisible to the public. He said that this is the reason that the telecommunicators are recognized each year to give them the recognition and honor they deserve. He stated that the telecommunicators work a lot of long hours and holidays.

Mr. McCall stated that he would not be able to do his job without his co-workers and said being a telecommunicator is not a one-person job, but it is definitely a team job. He said that all of the telecommunicators do a great job, and this award should be more than a one-person award.

Vice Chair Rogers shared that when she and Commissioner Kuehler first came on the Board, that they had toured some of the County departments including Communications. She said that she was amazed at the number of computer screens used in the

telecommunicators' jobs. She stressed that there are so many different activities going on that the telecommunicators must be aware of in performing their duties and they must be able to interpret those activities. She said that they do not receive enough appreciation, and she is happy to recognize them tonight.

PLACEMENT OF ADDITIONS ON THE AGENDA:

Chairman Openshaw stated that he had not assigned placement on the agenda of Commissioner Kuehler's item for Discussion of Tax Forms. He stated that this item would become 13b on the regular agenda, and Item 13a would be former Item 15a – Appointments to the Union County Governance Advisory Committee.

PRESENTATION BY CHIEF DISTRICT COURT JUDGE CHRIS BRAGG:

The Chairman recognized Chief District Court Judge Chris Bragg for his presentation. Judge Bragg expressed appreciation to the Board for its service. He stated that the Board has an incredibly difficult job.

Judge Bragg assured that he was not present to request funding but hoped that the Board would consider adopting a Proclamation to proclaim May as Drug Awareness Month in Union County. He said that April is Alcohol Awareness Month, and May is Drug Court Awareness Month.

He stated that Drug Court began 20 years ago. He said that the first drug court was in Dade County, Florida, and now over 2,000 drug courts exist in the United States. He stated that in North Carolina there are adult drug courts, teen drug courts, family drug courts, and DWI drug courts. He described substance abuse as a disease of addiction, which knows no barriers with devastating impacts on everyone.

Judge Bragg shared that the family drug court began in Union County in 2006 and is nicknamed U-FIRST (Union – Families in Recovery Staying Together) Program. He explained that they take cases from the Department of Social Services and work with families that are losing their children because of addiction. He said it takes approximately one year for an individual to successfully make it through the program. He stated that success is measured in a number of different ways and is not just measured in unification. Judge Bragg stated that way success is measured in the program is by what type of impact the court has on the family and on the clients.. He said that they screen out different types of people and they do not have dealers or violent criminals but their clients are substance abusers who are moms and dads that abuse alcohol and drugs that cannot take care of their children.

He said that the Family Drug Court meets twice a month to staff their cases and to work on helping the clients become substance abuse free, to obtain jobs, to become productive members of the County, to make them taxpayers, and to reunify them with their families. He stated that it cost over \$400 per month for every child that is placed with a foster family, and he did not know that a price tag could be placed on the ability to reunify families when a child can go back home and successfully live with their families.

In conclusion, Judge Bragg requested that the Board consider adoption of a Proclamation in Support of Establishing “Drug Court Month”, a copy of which was included in the agenda package. He said that courts have changed and act more as problem solvers. He stated that there are a lot of good people who come into the courts who do not have the ability, knowledge, education, or skill set to solve problems. He said that since becoming Chief District Court Judge in 2006, a truancy court has been started for children who cannot get to school. He stated they also started a supervised visitation center which uses no government tax dollars where families who are in Department of Social Services’ court can visit with their children on weekends. He said that there is a center in Monroe and another center will be opening in the western part of the County. Judge Bragg said that the center has served over 500 children and their families through the center. He further said they have opened a drug education school for first time drug offenders which are typically teens who are caught for possession of marijuana or alcohol abuse.

Judge Bragg stated that he is proud to be from Union County. He again thanked the Board for its efforts and what it does for Union County.

Chairman Openshaw read the following Proclamation:

**Proclamation
In Support of Establishing
“Drug Court Month”**

WHEREAS, 2009 marks the Twentieth Anniversary of the Miami-Dade Drug Court, the first Drug Court in the nation. That court sparked a national revolution that changed the face of the American Justice System; and

WHEREAS, for the past twenty years Drug Courts have been restoring lives, reuniting families and making communities across the nation safer; and

WHEREAS, Drug Courts provide focus and leadership for community-wide partnerships, bringing together public safety and public health professionals in the fight against substance abuse and criminality; and

WHEREAS, approximately 80 percent of respondent parents involved in Family Drug Treatment Courts are successfully reunited with their children; and

WHEREAS, results of more than 100 program evaluations and at least four meta-analytic studies have yielded definitive evidence that Drug Courts are demonstratively effective and significantly improve substance-abuse treatment outcomes, substantially reduce drug abuse and crime, and do so at less expense than any other justice strategy; and

WHEREAS, The Drug Court movement has grown from the 12 original Drug Courts in 1994 to 2,031 operational Drug Courts and 3,410 problem solving courts as of December 2008; and

WHEREAS, the U-FIRST (Union – Families In Recovery Staying Together) Program of Union County was established in July of 2006 and continues to work with parents struggling with the disease of addiction, in hopes for parents to achieve and maintain sobriety, in order to gain skills to properly parent their children.

THEREFORE, BE IT RESOLVED, that Union County, declares that a “Drug Court Month” be established during the Month of May, 2009, recognizing the practitioners and participants who make drug courts work and the significant contributions that Drug Courts have made, and continue to make, in reducing drug usage and crime.

Adopted this 20th day of April, 2009.

Following the reading of the Proclamation by the Chairman, Vice Chair Rogers moved adoption of the Proclamation. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

Commissioner Kuehler thanked Judge Bragg for his comments and his work. She said that she also works in the legal system and this issue touches her both from a professional standpoint and a personal standpoint.

AWARD OF BIDS – SELF-HELP PROJECTS (Wellington Woods I and Polk Mountain):

Chairman Openshaw recognized Scott Huneycutt, Interim Public Works Director, who stated at the April 6, 2009, meeting the Board had directed staff to negotiate with the low bidder for these projects, Dawn Development Company, in an effort to reduce the Polk Mountain portion of the bid to the budgetary amount that was estimated for the project. Mr. Huneycutt said that he was pleased to advise the Board that staff had met with representatives of Dawn Development Company and was able to negotiate the reduction of \$20,262.68 in the bid. He stated that the request to the Board tonight was to accept the bids, authorize the award of the bid to the lowest responsible bidder, Dawn Development Company, at the reduced costs negotiated by staff, authorize the County manager to approve the agreement and adopt CPO #116.

Chairman Openshaw stated that in the past there was a requirement that 100 percent of the residents must participate in the self-help programs. He said that he believed that percentage was reduced to 70 percent a year or so ago. Mr. Huneycutt concurred that the percentage was now 70 percent.

The Chairman stated that he thought the participation for the projects were over 70 percent despite the fact that a few participants had been lost. Mr. Huneycutt agreed that this was correct.

Vice Chair Rogers commended Mr. Huneycutt and others who had worked and negotiated the reduced amount on this project.

Following the discussion, Vice Chair Rogers moved to accept the bids, as recorded below, award the bid to the lowest responsible bidder, Dawn Development Company, at the reduced costs negotiated by staff (less \$20,262.68) authorize the County manager to approve the agreement and adopt Capital Project Ordinance (CPO) #116. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

A summary of the bids is recorded below:

Bidder	Contract A Subtotal	Contract B Subtotal	Total Bid for Project
Dawn Development	\$109,632.77	\$175,035.20	\$284,667.97* (*Negotiated reduction of \$20,262.68)
C & W Utilities	\$108,340.45	\$177,299.50	\$285,639.95

RDR, Inc.	\$106,680.00	\$185,300.00	\$291,980.00
Davis Grading, Inc.	\$112,226.25	\$192,425.00	\$304,651.25
Bullseye Construction	\$121,478.00	\$210,160.00	\$331,638.00
State Utility Contractors	\$128,478.50	\$211,631.00	\$340,109.50
Dellinger, Inc.	\$132,721.25	\$211,205.00	\$343,926.25
RF Shinn Contractors	\$138,137.50	\$226,010.00	\$364,147.50
Loftis Construction	\$143,154.42	\$241,065.16	\$384,219.38
Propst Construction	\$155,462.50	\$263,610.00	\$419,072.50

CPO #116 is recorded below:

CAPITAL PROJECT ORDINANCE AMENDMENT							
BUDGET		Water and Sewer CPO Fund			REQUESTED BY		Kai Nelson
FISCAL YEAR		FY 2008-2009			DATE		April 20, 2009
PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
IFT from General Fund	54,400	83,600	138,000	Self Help Proj: Polk Mountain	32,900	155,036	187,936
IFT from W&S Oper Fd	-	153,180	153,180	Self Help Proj: Wellington Woods I	21,500	109,896	131,396
Misc Rev: Customer Contr.	-	28,152	28,152				
	54,400	264,932	319,332		54,400	264,932	319,332
EXPLANATION: Appropriate funds from unallocated funds previously transferred from the General Fund and the Water & Sewer							

Operating							
Fund to the Water & Sewer CPO Fund, as well as appropriate customer contributions, for Self Help Projects.							
DATE:				APPROVED BY:			
				Bd of Comm/County Manager Lynn West/Clerk to the Board			
FOR FINANCE POSTING PURPOSES ONLY							
PROJECT SOURCES				PROJECT USES			
Source	Project	Requested	Revised	Project	Project	Requested	Revised
Description and Code	To Date	Amendment	Project	Description and Code	To Date	Amendment	Project
Self Help Proj: Polk Mountain				Self Help Proj: Polk Mountain			
IFT from General Fund	32,900	49,100	82,000	Architectural & Engineering	32,900	263	33,163
64471400-4010-SH004				64571400-5594-SH004			
IFT from W&S Oper Fd	-	91,020	91,020	Construction	-	154,773	154,773
64471400-4845-SH004				64571400-5595-SH004			
Misc Rev: Customer Contr.	-	14,916	14,916				
64471400-4845-SH004							
Total for Project	32,900	155,036	187,936	Total for Project	32,900	155,036	187,936
Self Help Proj: Wellington Woods I				Self Help Proj: Wellington Woods I			
IFT from General Fund	21,500	34,500	56,000	Architectural & Engineering	21,500	263	21,763
64471400-4010-SH005				64571400-5594-SH005			
IFT from W&S Oper Fd	-	62,160	62,160	Construction	-	109,633	109,633
64471400-4845-SH005				64571400-5595-SH005			
Misc Rev: Customer Contr.	-	13,236	13,236				
64471400-4845-SH005							
Total for Project	21,500	109,896	131,396	Total for Project	21,500	109,896	131,396

	54,400	264,932	319,332		54,400	264,932	#	319,332
Prepared By	aar							
Posted By								
Date							Number	116

VOLUNTARY AGRICULTURAL DISTRICT & ENHANCED VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE:

Chairman Openshaw stated that the Board had requested staff to have information presented regarding the Ordinance since it was discussed earlier in the year, but it has not had the opportunity to hold a work session for this purpose. He further stated that with the upcoming budget, it is unlikely that a work session will be held any time soon. He said that it has been requested that the effective date of the Ordinance be extended to July 15, 2009, and staff is in agreement with that request.

Following his comments, Chairman Openshaw moved to adopt the Amendment to Union County Voluntary Agricultural District & Enhanced Voluntary Agricultural District Ordinance extending the effective date of the Ordinance to July 15. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

AMENDMENT
TO UNION COUNTY VOLUNTARY AGRICULTURAL DISTRICT &
ENHANCED VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE

WHEREAS, the Board of Commissioners adopted the Union County Voluntary Agricultural District & Enhanced Voluntary Agricultural District Ordinance (the “Ordinance”) on November 17, 2008, with an effective date of February 1, 2009; and

WHEREAS, on January 20, 2009, the Board extended the effective date to March 1, 2009; and

WHEREAS, on February 16, 2009, the Board extended the effective date to May 1, 2009; and

WHEREAS, certain provisions of the Ordinance continue to require additional analysis prior to implementation; and

WHEREAS, the Board thus desires to extend the effective date a third time.

NOW, THEREFORE, BE IT ORDAINED by the Union County Board of Commissioners as follows:

1. In Article XVII(D), as amended, delete “May 1, 2009” and replace with “July 15, 2009” such that this subsection reads as rewritten:

“The Effective Date of this Ordinance shall be July 15, 2009.”

2. Except as herein amended, the provisions of the Ordinance shall remain in full force and effect.

Adopted this the 20th day of April, 2009.

DISPOSAL OF SURPLUS WELL LOT LOCATED NEAR BROAD STREET IN WAXHAW, NC:

Chairman Openshaw stated that this item was on the agenda for the April 6, 2009, meeting and during that meeting he had requested that this item be tabled until tonight’s meeting to allow time for some of the issues involved to be discussed with the attorneys. The first issue discussed was that the County has been approached by the developer for Historic Ventures to allow it to act as the County’s agent for rezoning on this piece of property located in Waxhaw, which is a little over eight-tenths of an acre, and was once a well lot. He stated that the property is included in the enterprise system, and if the County does sell the property, then the sale proceeds will go into the water and sewer enterprise fund.

He said that the property is currently zoned R-4, and the developer is requesting that the County allow him to pursue a conditional use permit (CU-C4 zoning district) before the Town of Waxhaw. The Chairman stated that he has no problem with that aspect of it but he thought there were some discussions necessary in regards to the sale. He noted one issue is the upset bid process which puts the property out for sale to any willing purchaser. He stated that in this situation, the developer has a high interest for this property to be a part of his development, but the law and by common sense, the County needs to try and maximize its return on its

investment. He pointed out that the property's current tax value is slightly over \$47,000, but with the proposed rezoning, the valuation could change. He suggested that the upset bid process should be postponed, but in the meantime, he thought the value of other options should be considered such as a property exchange with conditions that could be worked out with the developer. He said that if a property exchange could be done, it would allow the applicant an opportunity to proceed with the essentials of the project without re-engineering the site because this particular piece of property would be used for the stormwater placement.

Chairman Openshaw requested that Keith Merritt, County Attorney, provide the Board with legal guidance on this suggestion. Mr. Merritt responded that certainly the County could exchange property. He explained that the issue becomes an exchange for equivalent value and making sure that the property that the County is receiving is worth generally the same amount as the property that is being exchanged. He stated that if this is an area that the Board wanted to explore, then there would need to be discussions with the developer as to whether or not he had an interest in a property exchange and whether he had any property that he would be willing to exchange and on what basis, would he be willing to make a property exchange. Mr. Merritt stated that he was not sure if anyone had approached the developer with that concept. He noted that the developer had approached the County with an offer to purchase the property and that is why this item was placed on the agenda.

Commissioner Kuehler stated that Mr. Merritt had mentioned the challenge is finding a parcel with equal or same value as the property owned by the County. She questioned whether he was referring to the value according to the tax assessed value or the bid amount that has been offered.

Mr. Merritt responded that he thought it would be the actual value of the property and not necessarily what the developer has bid. He stated that when he has worked on similar situations, each of the parcels was appraised in order to determine the fair market value, and a comparison was made on that basis. He offered that there may be other items that would be considered in the value of the property or that could be taken into the consideration of the value, but it would be considering the fair market value of the property and not what the developer has offered on this parcel. He noted that the \$10,000 is only the developer's proposal to buy the property, but as the property goes through the upset bid process, the final purchase price may be much higher than \$10,000.

Chairman Openshaw said that for the public's edification, he believed the upset bid process needed some work. He explained the process and said that at the end of the process if the Board does not believe the bid amount is adequate, then the Board has the right to not sell the property. He stated that another thing to consider from the County's perspective would be a swap, particularly if the exchanged property were in that development, which would offer flexibility of the exchanged property for other County purposes such as a library site, a satellite branch for the community college, or some other use which would be of benefit to the development as

well as to the County. He stated that for instance, when the County was looking for a library site, one of the asking prices was \$500,000 per acre. He stated that he was a little hesitant to say “Okay, we are going to get rid of this well lot, because it would be great to have the money.” He said that he believed that it should be determined what is best for all concerned. He stated that was how he would like to approach this matter.

Mr. Merritt stated that as he understood it, the direction would be for the attorneys to approach the developer and to explore options with respect to exchanging property. The Chairman stated that he would like to hear from fellow Board members in this regard.

Vice Chair Rogers summarized her understanding of the matter. Mr. Merritt clarified for the Board that the Board would not be approving the conditional use permit. Vice Chair Rogers said that she was unclear on Mr. Merritt’s comments about a land swap having to be value to value. Mr. Merritt explained that the land being exchanged must have a reasonably equivalent value.

She stated that if the County proceeds with the land swap and considering the conditional use rezoning, would the land swap be based on the residential zoning value of \$47,000 or based on possible commercial rezoning and a higher value. Mr. Merritt responded that he thought it would have to look at the parcel with a reasonable expectation that it would be rezoned and the value of the property following the rezoning.

The Chairman stated that it had been presented to the Board that the developer would either acquire the property or that the County consent to the conditional use permit request. He said that he was willing to consent to the conditional use permit request, and then if the request is granted, examine the status of the matter.

Commissioner Kuehler asked if giving the developer permission to act as the agent for County on the rezoning request would allow the developer to move forward with his rezoning application. Mr. Merritt responded that he thought the application would move forward regardless of whether or not the parcel owned by the County was included in the rezoning application. He said that the developer has indicated that if they have not acquired the County-owned property by the time of the hearing with Waxhaw, then the County’s parcel would be pulled from the application. He further said that given the timing with respect to a property transfer, he did not believe the property sale could be completed by June 9, the date of the hearing by Waxhaw. Mr. Merritt stated that this could present a problem with the developer as to whether or not he would even want to explore the options of a property swap since it might not coincide with his timing.

Mr. Merritt stated that it was possible that the upset bid process could take place and be completed by June 9, but would depend on whether the bid is upset.

Commissioner Kuehler noted that the best case scenario would be that with no upset bid, the County has received a \$10,000 offer for a \$47,000 piece of property before its rezoning. Mr. Merritt stated this was correct. Commissioner Kuehler stated that she too would like to look at this issue a little more.

Chairman Openshaw moved that the Board consent to the conditional use permit request on the property and leave out the upset bid process and direct the County's attorney to communicate with the developer to determine if a land swap could be accomplished.

Mr. Merritt stated that he thought the difficulty would be, regardless of whether the Board at this time consents to moving forward with the rezoning application, that the County's parcel would not be a part of the application unless the developer has achieved ownership of the property before June 9. He said that the Board's stating that it would allow the developer to move forward with the rezoning application does not accomplish either the goal of the Board or the developer's goal at this point in time. He recommended that the Board's request that the attorneys explore options with the developer with respect to exchanging properties and not address the issue of moving forward with the rezoning application unless the Board on its own wants to have a separate request with the Town of Waxhaw to rezone the property.

Chairman Openshaw asked if Mr. Merritt's recommendation was a result of his latest communication with the developer, because that was not the way it had been presented to the Board. Mr. Merritt responded that if the Board chooses to pursue transferring the property, it would not be accomplished by June 9. He said the developer has stated that if he does not own the property prior to June 9, he would pull the County's parcel from the application for rezoning to Waxhaw.

In response to a question by Vice Chair Rogers as to the Board's options, Mr. Merritt stated that he believed there were two options. He discussed the first option which would be to move forward with the upset bid process, but does not necessarily mean the sale price would be \$10,000. The second option discussed by Mr. Merritt was for the Board to state that it is basically not willing to conditionally accept the offer of \$10,000 and to direct the attorneys to explore the option of exchanging property with the developer.

At the request of Vice Chair Rogers, Mrs. West read the motion on the floor to be: consent to the rezoning permit process leaving out the upset bid process and directing the attorneys to work on a land exchange. Vice Chair Rogers stated that the portion of the motion for the Board's consent on the rezoning permit process is a moot point going forward, and the motion should be amended.

Mr. Bransen L. Patch of B. L. Patch & Associates, Inc., the developer, came forward and addressed the Board's questions. Mr. Patch said that he thought what he, as the developer, was trying to do was to continue the rezoning process and he did need the County's cooperation. He stated that there was no magic date by which they would have to own the property. He said that if the rezoning application was before the Board of Commissioners in Waxhaw for a decision on the rezoning, and the Union County Board of Commissioners wanted him to pull the County's parcel from his plan and not include it in his development, he would do so. He also stated that the County's property could remain in the rezoning request, and if the rezoning were approved, the County would have a piece of property zoned C4. He stated that as far as opening dialogue on a land swap, as the developer, he was open to such dialogue and he thought something might be reached since the Chairman had mentioned a couple of uses they were trying to put on the property. He said that he believed it could be a win/win situation for both the County and Waxhaw.

Commissioner Kuehler questioned how long this project in Waxhaw has been in the works. Mr. Patch responded approximately a year to 14 months. He said that he had been looking at the property for probably over two years but had been waiting to purchase it for about nine to ten months. Commissioner Kuehler further asked Mr. Patch when he found out that the piece of property owned by Union County would be an issue. He responded that he had learned about it approximately six months ago. He explained that instead of an underground detention facility, they were going to use a water quality pond, which is more eco friendly and a better quality project. He said that when they had gotten the idea about building their project green, which they are now committed to, they explored engineering designs incorporating the piece of property owned by the County. He said that they had researched who owned that particular piece of property and then started the procedure.

Commissioner Kuehler asked if the developer had allocation for either water or sewer for this project. Mr. Patch responded that they have current use, so they do have water and sewer already on the property. He stated that they were working with Union County Public Works for some reallocation. Commissioner Kuehler asked if they were included in the original allocation for sewer and water. Mr. Patch responded that Marcus Arroy of their company has been working with Public Works on this issue.

Chairman Openshaw asked for clarification by Mr. Patch if he had said that one of his options would be to move forward with the Board's concurrence on the rezoning, regardless of whether or not the County's property is included in the application, if a land swap agreement could not be reached. Mr. Patch responded that if they reach the point of going before Waxhaw's board for the rezoning

and Union County did not want its parcel to be included in the rezoning, he would, at the County's request, pull the County's parcel from the plans, redesign that portion of the project, and continue with the plans. Mr. Patch stated that tonight was the first time he had heard the idea of a land swap, and he would like to begin that dialogue because he thought there might be potential for both the County and the developer.

Chairman Openshaw asked the attorneys how Mr. Patch's comments dovetailed with the motion that he had put forth. Vice Chair Rogers asked to hear the opinion of Mr. Merritt or Mr. Crook on the Chairman's question.

Mr. Merritt stated that Mr. Crook had spoken with the Planner for the Town of Waxhaw about the rezoning process. He said that from his opinion, it was his understanding previously that the developer was going to pull the County's parcel from the rezoning application prior to the time of the meeting with Waxhaw if the upset bid process had not been complete. He stated that his understanding now was that the developer would not pull the parcel from the application if the County concurred in leaving it in the application, subject to finalizing some kind of possible land transfer.

Mr. Patch responded that he would do that and said he thought the two parties understood each other. He said that if the motion were allowing him to go forward with the rezoning of the County's parcel, and if it comes to the point where it is time to rezone the property, and maybe all of the details have not been worked out for a land swap, then he would comply with the County's recommendations at that point.

Mr. Merritt asked if the developer were presenting the application to Waxhaw with the detention pond, and if for some reason the land swap does not take place and he has to go with another design, then what effect would it have on his plans with Waxhaw. Mr. Patch responded that it could slow them down a couple of months but assured that they would redesign that portion of the project. He said that it is a long-term project. He said they would prefer to have the County's parcel and it would make the project better. He stated that in moving forward with the project, some of the uses mentioned by Chairman Openshaw were some of the uses they liked for their project. He said that he thought the potential for a land swap was good.

Mr. Merritt said that with that understanding, the original motion would probably be fine unless Mr. Crook had comments. At approximately 8:25 p.m., Mr. Crook requested that the Chairman call a brief recess of the meeting. The Chairman called for a five-minute recess at this time.

At approximately 8:31 p.m., the Chairman reconvened the recessed meeting. He stated that based on the attorneys' advice, he amended his motion to state that the Board take no action tonight other than to empower the developer and the attorneys to communicate regarding potential action on this site.

For clarification purposes, Commissioner Kuehler asked if the motion was to direct staff to open communications with the developer. The Chairman responded this was correct.

Following the discussion, the motion as amended was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

LISTING OF COMMUNITY BENEFITS PROGRAMS:

Chairman Openshaw said that this had been his idea and emphasized that he did not mean to imply that the County could afford to engage in any of the activities that he had put forth in the prior item such as potential libraries, the community college, etc. at this time. He said that his guess was that there would be cuts in the charitable contributions by the County this year. He stated that he had asked for a list of programs that benefit the community to allow such programs some airtime to appeal to the public for fundraising efforts and to give the programs some visibility. He said that the program representatives could be invited to one of the Board's regular meetings and give them three minutes of airtime to talk about their organization's purpose and functions, and, hopefully, they would be able to raise funds from the community rather than from the County. The Chairman said that he had a problem taxing the citizens even in good economic times to fund charitable organizations of the Board's choice when the citizens could give directly to the charities of their choice.

He stated that staff had provided a list of 18 community benefit organizations. He explained that at each of the Board's regular meetings a community benefit organization would be featured. Chairman Openshaw said that he would like to expand the list and limit it to organizations that are exclusively based in Union County.

Following his comments, Chairman Openshaw moved to direct staff to further compile this list to limit it to organizations that are exclusively based in Union County. He invited representatives of any of the applicable organizations in the County to notify the County that it would like for its organization to be included on the list. He said that a list would be compiled for the Board's review.

Commissioner Kuehler questioned if the Chairman were limiting the list to only charities that operate in Union County or may operate in other places but that every dollar raised in Union County remains in Union County. The Chairman responded that his preference would be Union County centric organizations. He suggested that it would be a decision of the Board whether to exclude organizations from the list if they have an office in some other location.

Vice Chair Rogers questioned if the motion were to direct staff to come up with a list of agencies. The Chairman clarified that the list would be community benefit organizations. He said that he had initially started his request of the item as a list of charitable organizations, and someone had changed it to read community benefit organizations, which he thought made a lot of sense. He said he would like to broaden the list of organizations. He stated that, as he understood it, the organizations included on the list were United Way agencies. He said that he would like to see the number of applicable organizations and then respond from there by prioritizing them and finding a way to get the information to the public. Vice Chair Rogers asked if the end result of the list would be that those agencies would come before the Board to talk about their organization; the Chairman responded that this is correct.

Following the discussion, the motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

For clarification purposes, Matthew Delk, Assistant County Manager, asked the Chairman if it were the intent that the staff would try to refine the definition of Community Based Organizations. The Chairman responded that if staff could do that, it would be great.

RESOLUTION AGAINST ANY CHANGES TO LOCAL GOVERNMENT – SECOND RESOLUTION:

Chairman Openshaw stated that the Board's first action in regards to this matter was to counteract action of a previous board. He said at that time of that action, no bills had been filed in the legislature, but now a bill has been filed trying to make Raleigh determine the County's form of government. He noted that in the meantime, the Board has established a Governance Advisory Committee consisting of appointments by the municipalities and a disproportionately large amount of appointments from unincorporated Union County to be appointed by the Board of Commissioners.

He stated that a resolution had been prepared to ask the General Assembly to allow Union County to determine its own fate, a copy of which was included in the agenda package. He requested to amend the resolution to delete the sixth whereas clause.

Commissioner Kuehler stated that much like the action of the Board six months ago, the proposed resolution is not a dissertation on whether districts are good or bad, right or wrong, but it is about letting Union County govern itself and make its own decisions. She said that she supported this resolution just as she had supported the prior action.

Following the comments, Commissioner Kuehler moved adoption of the Resolution Against Any Changes in Local Government – Second Resolution as amended. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

Union County Board of County Commissioners

Resolution Against Any Changes to Local Government - **SECOND RESOLUTION**

4/20/09

Whereas, in 2007, Representative Pryor Gibson put a referendum on the ballot for Union County voters to approve, or disapprove districts for Union County. Wherein the districts before the voters were wildly disparate in population, ranging from two under 13,500 to those of almost 25,000 to over 27,500. And, wherein, said referendum was defeated with a vote of almost 60% opposed.

Whereas, in 2008, in response to a new proposal, 10 municipalities in Union County passed resolutions in opposition to having the State of North Carolina dictate our form of government to us.

Whereas, on December 15, 2008, The Union County Board of Commissioners passed a Resolution “requesting that the North Carolina General Assembly make no changes to the composition of the Union County Board of Commissioners”.

Whereas, in 2009, a committee has been established, by the Union County Board of Commissioners, to address the issue of composition of the board. This committee has a seat at the table for all 14 municipalities and each Commissioner has the opportunity to appoint two people from the unincorporated area of Union County.

Whereas, on April 1, 2009 Representative Prior Gibson filed HB 981 in another attempt to force legislation to alter our local body of government.

Whereas, HB981, contrary to G.S.153A-58(3)a. and G.S.153A-60, would eliminate a referendum of the people, thereby silencing the collective voice of the voters of Union County, North Carolina, for two election cycles.

Now, therefore, be it resolved that the Union County Board of Commissioners requests that the North Carolina General Assembly resist any attempt to alter the Board of Union County Commissioners. Furthermore, we unequivocally believe in the North Carolina Constitution, the Constitution of the United States of America, and the freedom within our democracy and therefore believe that any changes to the composition, terms and governance style of the Board of County Commissioners be decided by the voters of Union County.

Be it further resolved that the people of the County of Union have the opportunity to vote for the composition of their government, as is their privilege, if so called for by the people and that this referendum be held in the general election of 2010, to avoid undue expense during this trying time.

Be it further resolved that, if the referendum is approved by the voters of Union County, the Census of 2010 be used in the drawing of equitable districts, according to law, in 2012, and presented during the Presidential election, virtually assuring the largest voice of the people.

Be it further resolved that a copy of this resolution be forwarded to the members of the Union County legislative delegation and the members of the North Carolina General Assembly.

Adopted this 20th day of April, 2009.

Chairman Openshaw stated that he would like to begin by disseminating copies of the resolution not only to the members of the County's legislative delegation but also to the leadership of the General Assembly including the Committee Chairs, and if needed, to expand distribution to the General Assembly in an effort to save postage. Vice Chair Rogers stated that she thought it was important to include a date by which the resolution should be sent out by staff.

Mr. Delk said that staff could send the copies out on Tuesday. He asked for clarification of what the Chairman meant by the leadership of the General Assembly, whether it meant the committee chairs in both bodies. Chairman Openshaw stated that was correct as well as the leadership majority members, minority members, etc. in the hierarchy in the General Assembly. Vice Chair Rogers asked if it also meant sending a copy to the Local Government Committee as well. The Chairman stated that a copy should also be sent to the Local Government Committee.

WATER CONSERVATION PLAN:

Kevin Mosteller of HDR Engineering presented a Power Point presentation regarding a proposed County Water Conservation Program. He said that it was referred to as a program in the document to try and distinguish it from a plan in that a plan usually has a

purpose and an end point. He explained that the program is something that is hoped will be put into place in Union County that would be perpetual. Mr. Mosteller said that most communities that have implemented a Water Conservation Program have an ongoing component.

He said that the team who had worked on the program included a small working team: Matthew Delk, Scott Huneycutt, Eric Hardy, and him. He stated that there had been a broader team to help review the Water Conservation Program.

Mr. Mosteller introduced himself and said that HDR has been the consultant that has participated along with members of the County's staff in the development of the Water Conservation Program. He explained that the Water Conservation Program is a key element and a comprehensive strategy to increase water supply in Union County. He stated that by comprehensive strategy he was referring to the County looking at new water supply sources, building new water treatment infrastructure as well as other things that are being done to increase water supply.

He stated that the Water Conservation Program is one element because conserving water frees the water up for the existing and future customers' use. He said that other benefits include demonstrating environmental stewardship, deferring and avoiding capital costs of water and wastewater infrastructure, and reducing operations and maintenance costs that the County otherwise would have to provide to get water to its customers. He added that freeing up water, as it relates to the Water Allocation Policy, would actually increase and enhance services to the existing customers.

He stressed that the program is not a drought management plan and is not a part-time plan. He explained that it is a 365-day per year, every year program intended to reduce water use in a positive way among the customer base.

Mr. Mosteller reviewed some of the elements of the Water Conservation Program:

- It is a five-year plan that has a phase in period.
- Includes both the supply side and the demand side water use management strategies. He explained that the supply side strategies are those things that the County can do to conserve water before actually getting it to the customers. He said that the demand side strategies are those things that the County can work with its customer base to do so that they will minimize their water use.
- The program recognizes the importance of branding and public education. He explained that other communities have slogans such as "Water Wise" or "Water Smart". He said that the team came up with U2O – Union Use Optimized, but

the idea in the conservation program is that in year one, it would go through the process of branding. He stated that in going through this process, it was possible that the County could link arms with some of the local schools and hold a contest to generate some energy and identify a brand for the County.

- The program seeks to partner to enhance the program value. He listed several potential partners including the green industry, Cooperative Extension, and the Environmental Protection Agency's WaterSense Program.
- The program is designed to enhance service to the existing customers. He said that it is a process that is flexible and adaptable. Mr. Mosteller said that each year the plan would be updated and the Board would be presented with the program and what needs to be done to update the program moving forward.

He explained how the program was compiled and developed. He stated that water use profiles have been documented to determine the baseline water use for the County over the past five or six years. He said this information would be used to measure the success of the program going forward. Mr. Mosteller stated that peer programs had also been reviewed including the Town of Cary. He said that the Town of Cary is very similar to Union County's situation in that it has interbasin transfer issues, water supply issues, and a rapid growing community with a high irrigation demand. He stated that they had also looked at Charlotte-Mecklenburg's program because of its proximity, and Rock Hill, South Carolina, because of its proximity to a metro center such as Charlotte. Further, he said, they looked at the Irvine Ranch Water District in California and the Denver Metro System in Colorado, both of which are in very water short areas and have very aggressive water conservation programs.

He stated that they had identified these programs early in the process and later during their work, they found that two of the five programs were utilized by the EPA in connection with a peer review program and they documented Cary and Irvine Ranch as program models. Mr. Mosteller stated that HDR also has a data base that they had utilized with clients that have a host of conservation measures and incentives. He said the team had worked to select the opportunities that made the most sense and which would be the most effective. He stated that a program was then developed that would allow for a phase-in of the selected strategies.

He said that if a program is going to be successful, then its progress needs to be measured, so program goals were established which are hoped to be achieved in the next five years. He reviewed some of those goals which included:

1. To reduce water loss or assumed leakage (Over the past four to five years the County's system has had an assumed leakage of between 9 and 15 percent. He said that if that is averaged over the last few years, it has been a little higher. He stated that this percentage was not unusual for a system such as one the size of Union County, but the goal is to reduce that assumed leakage to below 12 percent, which would put Union County as the best in class utility.)

2. To reduce residential usage to below 200 gallons per day per account. He said that would be a wonderful goal to achieve and one which long term would show a big payback.
3. To reduce the peak day to average day demand ratio from 2.0 mgd to 1.6 mgd. He said that when the Board was presented information a month or so ago on the eastern county water supply, the future water demand projections were based on 1.6 mgd so there is a need to reduce that number to 1.6 mgd.
4. He said that other metrics would also be monitored such as customer rebates given as part of the program, water audits completed, the number of contacts in the schools, community programs, homeowners association, and the amount of water saved by implementing the metrics.

Mr. Mosteller discussed demand-side water conservation measures included in the program. He said that HDR in working with the County's team has elected to exclude a number of items such as buying grass and turf and having people replace their lawns. He stated that these were innovative strategies used out west but are not thought to be as applicable in Union County. Some of the demand-side conservation measures reviewed by Mr. Mosteller included:

1. Financial – Increasing Block Rate Structures (Pricing Water to Promote Conservation) (This has already been implemented, so the program calls for tracking progress over time with a strategy implemented last year).
2. The program calls for an evaluation in Year One of a Water Reuse Program and identifying a plan for reclaimed water. Public Education/Partnerships would involve getting out into the community and talking about what it means to conserve water and how best to utilize it.
3. There is a three-level approach to water audits which vary from taking customer telephone calls and discussing with them how to conserve water to having customers fill out a form and conducting a home sampling and mailing it in and having the County staff say that this is a customer that could make a difference with some different fixtures and other items, some of which might be provided to them at no cost. He said that as a third-level, the County staff would actually go out and do a water audit for senior citizens and others who might have difficulty doing a water audit.
4. The program calls for a three-day alternate irrigation schedule meaning regardless of any water allocation policy or drought issue, the customer base would always be on a three-day alternate irrigation schedule. He said this program is being utilized by the Town of Cary, and it has reduced their peak demand. He stated the group spent time with the green industry talking about “Weather Based” Irrigation Controllers and a Pilot Program. He said that this is a costly

program and one in this economy that was not felt to make sense to the County at this time. In addition to that, the green industry is working with Duke Power to have the same kind of Pilot Program in and around the lakes on the Catawba River. He said that it is hoped that Union County can monitor that pilot program from a distance and see its effectiveness and then decide whether it makes sense to use in Union County.

5. He said that the regulatory measures included bulk use, rain sensor ordinance, and rebate program.
6. He stated that there are several items included for fixture rebates.

Mr. Mosteller said the Supply Side Program elements include what measures the County could do to conserve water before delivering water to its customer. He stated that a few of these measures have been identified. He explained one measure would be to develop a flushing program that seeks to minimize the wasted water during the flushing of the lines to maintain water quality. Other measures include leak detection and repair program, and annual updates on the water use profile and looking at some of the system pressures and how that affects leakage.

Mr. Mosteller noted that the program does not show additional staff in Year One given the economy. However, he said that the team did feel that there were a number of items that could be performed by the existing Public Works staff by way of public education and to begin evaluating the rebate programs and the water audits that will be beneficial during Year One. He said that the program shows the phasing in of a Water Conservation Coordinator in Year Two and adding a support person for that position in Year Three. He stated that over the five-years estimated costs range from \$30,000 in Year One up to \$275,000 in Year Five. He stated that they have run numbers on the investment payback that he could share with the Board.

In closing, he shared that the County staff had been very helpful and had provided a lot of input in the development of the document. He then opened his presentation for questions from the Board.

Commissioner Kuehler stated that she thought this program was a wave of the future and the County certainly needed to look at conserving its resources. She said that the Comprehensive Land Use Plan would be coming down the pike and there are a number of buffering and landscaping ordinances. She stated that if the residents are going to change their behaviors in the way they water, it would stand to reason that there would have to be changes in the landscape. She asked when those changes would be incorporated into the program.

Mr. Mosteller replied that his initial response would be that as the Comprehensive Land Use Plan is developed, ways should be considered about how reclaimed water could be utilized in the plan. He said that there should also be consideration of how to require drought tolerant landscape material.

Jeff Rieves, Interim Cooperative Extension Director and Horticulture Agent, requested to address the Board at this time. He offered additional response to Commissioner Kuehler's question by stating this was already being implemented. He stated that in the programs that his agency works with, they're developing a Successful Gardener Program which takes all of these issues into account. He said that they work through the extension program and the Master Gardener programs to educate the public about the proper plants to use and how to water them. He said that many of the educational components of the program are already being done.

Commissioner Kuehler said her concern was more from the standpoint of what is required in the County's ordinances. Mr. Rieves stated that Cooperative Extension already works with the Planning Board in many cases. He said that David Grant, the County's Urban Forester, who is on the Cooperative Extension Staff, has worked to develop many of the tree ordinances in the County and works with all of the planning staffs.

Chairman Openshaw requested that Mr. Mosteller address the GIS leak detection in realistic terms. Mr. Mosteller explained with the current metering system and the GIS data that is available, areas can be tracked and isolated that have a higher water use per customer account than other areas which can help to identify leaks. The Chairman asked him to address the expense of that system. Mr. Mosteller stated that the GIS system is already in place but the question would be how the County is utilizing that tool.

In response to a question by Chairman Openshaw, Mr. Mosteller stated that the average residential usage last year was approximately 240 gallons per day. He said if that amount could be reduced to 199 gallons per day, which is still slightly on the high side, it would be a reduction of approximately 1.44 million gallons per day. He stated that if the cost of new water plant capacity were estimated at \$5 per gallon, that is a savings of approximately \$7.2 million in new water plant infrastructure. He stated another example would be if the County's current water loss could be trimmed by one percent, the cost of what is paid to the Catawba River Treatment Plant and the transmission through the system, saves \$80,000 a year. He said the third bullet in the program addresses a rebate option. He stated that they had tried to price the rebates for the early years in a way that would give the county a payback in ten years. He said that in Year Five and beyond, it would be \$275,000 per year.

Chairman Openshaw asked how the \$275,000 per year savings would be allocated. Mr. Mosteller responded that they had priced the cost of a certain number of bill inserts for all of the customer accounts being sent out on a certain frequency. It was noted

that Tables 5 and 6 of the program were not included in the Board's package. Mr. Mosteller explained that Table 5 lays out by year each of the program elements and when they are phased in. He said that amount included rebate costs, personnel costs, public education materials, and the bill inserts.

Vice Chair Rogers referred to the \$7.2 million overall savings due to the reduction of the average residential usage of 240 gpd to 199 gpd. She said that given the historical actions of the Board of Commissioners, she foresees the minute that there is extra capacity, that capacity being allocated rather than it being conserved. She stated that she thought the conservation program was something that the County needed to look at. She said that she had a number of questions about the program.

She reviewed her questions as follows:

1. Page 2 – under Paragraph 3.0 which addresses the five-year phase-in period and enhancement of the program through the addition of staff and the increased financial resources. She asked where would the increased financial resources stem.

Mr. Nelson asked Mr. Mosteller if these increased financial resources would result from the standpoint of water conservation. Mr. Mosteller responded that the increased financial resources would be the County's commitment to funding the program.

Vice Chair Rogers questioned the source of those monies. Mr. Nelson answered that it would be from the water and sewer enterprise fund.

2. Page 3 – in the second paragraph under Paragraph 5.0, which addresses assumed leakage, saying that assumed leakage of 10 to 15 percent is not unusual for many older, more urbanized water systems, but Union County is less than 20 years old and is located outside of urbanized areas. She asked what is the standard percent for Union County.

Mr. Mosteller said that he thought if Union County could get below 12 percent, that this would be a reasonable number. He stated that in looking at the five-year data independently, Table 6 lists that number for every year. He explained that the number goes from a very wide range from 9 percent to 15 percent. He said that the purpose of doing the water use profile every year is so that the County can begin to focus and narrow in on the real value.

Vice Chair Rogers asked if the average is 12.4 percent on assumed leakage and the goal is to reach below 12, what is the corresponding gallons that are being saved. Mr. Mosteller responded that one percent of the County's total usage every year is 40.7 million gallons per year.

3. Page 4 – the matrix which discusses the water loss assumed leakage, the residential water use and the reduction of the peak day – Vice Chair Rogers said she had the same concern expressed earlier going from the 240 gpd current water use to 200 gpd. She said that she assumed that the primary reduction would be through irrigation and restriction of irrigation and maybe some through the toilets and more education. She stated that if the County is truly implementing a water conservation plan, she would like to see something in writing that says that it is being done to conserve water and not to free up capacity to be allocated.

Mr. Mosteller said that the program could include such a statement. He stated that the reality is that long-term water infrastructure will need to be increased for the growth that has already occurred. He said that if 1.5 million gallons are freed up through the program that will be water that can be allocated to new customers without building anything because it is already built. He stated that this program should be considered totally separate from anything else.

4. Page 6 – Vice Chair Rogers said that she liked many of the ideas that the group has come up with such as the web page and Xieriscaping (drought tolerant landscaping demonstration garden). She said that she wanted to make sure that everyone is aware that the majority of the use of the drought tolerant landscaping gardens would be in a certain part of the County and there are some public locations where the use would occur.

Mr. Mosteller said that if in Year One it is determined that no one is visiting the demonstration garden, it would be removed from the program.

4. Page 9 under 7.15 – Fixed Rate Rebates – Vice Chair Rogers said that she thought this was a good idea. She asked if the rebates that were listed in the document were to citizens or homebuilders and developers. Mr. Mosteller said that the team did not have that answer yet, but he thought it was intended to be mostly existing customers since many of the current building codes require many of these fixtures. He said that the details of the rebates are not fleshed out in the program. Vice Chair Rogers said if it is not a requirement, is there a way to make it a requirement for all new housing developments to have the low flow toilets and could this be included in the County's ordinance. She questioned if this could be looked at as a part of the Water Conservation Program. Mr. Mosteller suggested that staff could look into that

and come back to the Board with an answer. He said that he thought much of this equipment is a requirement of the current building code.

Vice Chair Rogers asked if there had been any consideration given to the fact that the County was in the process of trying to find a Public Works Director, and it might be better to implement this program after it has been reviewed by the Public Works Director.

Vice Chair Rogers said that she also shared what Chairman Openshaw had said regarding the cost of the program. She stated that from a public perspective, it would be a lot easier for her to say that the County is spending tax dollars on a police officer or schools versus spending tax dollars for a Water Conservation Coordinator. She said that she was not trying to minimize the importance of this position, but this would be something that she would be more comfortable with once the Board has been through the budget process.

Mr. Mosteller said that he thought the Vice Chair's point about the program being reviewed by the Public Works Director once one had been hired was a great point. However, he said that he did not think there was anything in the program that would restrict adjustments being made to the program once a Public Works Director is hired. He stated that when the program was first drafted there were a lot more items in the front end of the program, but many of those were removed. He referred to the items listed in Year One on Table 5, and said he thought there were very few things included that would be controversial. He stated that perhaps the Board might want to move forward with the program and the Year One component and then refinements could be made before Year Two.

Chairman Openshaw shared the following comments:

1. Page 3 – “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 [mgd]. . . Current long-term water master planning in Union County is being based on a peaking factor of 1.6 [mgd] . . . “ He questioned if this kind of thinking is what brought Union County to its shortage situation. Mr. Mosteller stated he thought it was tied directly to the water projections that HDR provided with regards to the eastern water supply. He said that when those numbers were presented to the Board in January, peaking factors of 1.6 mgd and 2.0 mgd were given. He stated that it was recommended that future projections should be based on 1.6 mgd primarily to keep the overall cost of future projects down. He stated that the statement contained in the water conservation program presumes that the Board supports the 1.6 mgd.

Mr. Mosteller said that he thought the question is can the County target the 1.6 mgd as a goal. Chairman Openshaw responded that he was fine with that but in the meantime, he believed realistic numbers should be used. He gave an example if the Bypass goes in and the economy turns around, there will be development along the Mecklenburg Corridor, Highway 218 and along the interchanges on the bypass. He stated that if a correlation could be drawn on what happened on the western side of the County with the housing explosion and the dramatically higher water usage which lead to the 2.0 mgd peak, because everyone is putting in irrigation systems. He questioned why this would not apply to the eastern side of the County as well. He said that Commissioner Mills had suggested that it be included in the building ordinance that rain sensors must be used in new construction with an irrigation system. He said that while this helps some, the mentality is the same. He said that Page 2 refers to incentives and increasing block rate structure but yet somewhere in the draft document, it states that the water use is actually increasing in droughts with the higher rates. He stated that he was a little concerned about that, but he was in favor of what is included in the program. Chairman Openshaw said that he would like for the County to begin looking quickly at the reclaimed water situation while it can still take advantage of properties that will be developed near the source of the reclaimed water. He questioned how much of the 240 gallons per day that is used by an average household is flushed down the toilet. Mr. Mosteller responded his guess would be minimal. The Chairman said that in the situation of a hotel, that minimal would become a fair amount of water. He stated that if reclaimed water is being used in the toilets as is being done in Cary, then incentives could be given for the use of reclaimed water. Mr. Mosteller said that he believed the use of reclaimed water is one of the fastest ways of solving many of the issues in Union County.

Mr. Mosteller addressed an earlier question by Chairman Openshaw by stating that if the County had looked at its water use patterns four or five years ago and set a goal to maintain the peaking factor at 1.6 mgd instead of that factor going to 2.0 mgd, it would have helped drastically. He stated that the water conservation program is only one component of achieving the peaking factor of 1.6 mgd. He said the suggestion is in order to control the long-term capital expenditures and keep debt service down, that it be based on the 1.6 mgd peaking factor. He stated that the 1.6 is a reasonable number that the County can achieve and it makes long-term infrastructure more affordable.

2. Chairman Openshaw said that he thought some ten years ago low flow toilets were mandated. He stated that if that is the case and most of the development in Union County has occurred since that time and water use has risen, then one of the components that is being recommended is already being utilized for conserving water. Mr. Mosteller said that was

a very true statement, and much of the County's growth has occurred since some of the requirements have been in place.

Chairman Openshaw pointed out for the public that there is a \$10 rebate for a rain sensor installation. He said that he was surprised that separate irrigation meters have to be installed as of July 1st, which he thought was October 1st. Mr. Mosteller said that he would verify that date was correct.

Chairman Openshaw said to put it into perspective, the County was looking at some massive dollar needs for large quantity water projects for future growth. He said that he had spoken with a State Senator recently who said that he doubts if there is going to be enough water available to Union County to build out Union County. The Chairman stated that he thought there needs to be a realistic look at what the County can and cannot do. He said that one of the components he liked about the proposed Land Use Plan was the agricultural preservation district around the County's border. He stated that he thought a plan is needed that would direct the realistic amount of water the County can get and what it can build around from that perspective. He said that he thought the water projections need to be worked in with the County's vision. He stated that he thought when the land use plan is addressed that this would be dealt with.

He asked if a 1.5 million gallon water tank would essentially give an extra 1.5 million gallons of water usage. Mr. Mosteller responded that it does give storage to use during the peak times of the day. He described it as on a long-term average use, the County is using 18 million gallons per day in the Catawba Service Area at the 240 per day per connection, and then all of a sudden it is decided to implement everything that is contained in the conservation program and go from 240 gallons per day to 199 per day per resident and the next day only 16.5 million gallons per day are used. He said that would mean there would be 1.5 million gallons per day that could be given to new customers if the County decided to. He said that would be 1.5 million gallons per day that the County could use for which it would not have to build infrastructure. He explained that the water in the tank is used to help during the peak times smaller than a 24-hour period. He stressed that the water conservation program is a 365 day per year program and if it trims the usage, then there would be 1.5 million gallons per day that customers are not using.

Following the lengthy discussion, Chairman Openshaw moved to accept the draft Conservation Program as information.

Commissioner Kuehler requested that Tables 5 and 6, as referred to by Mr. Mosteller, be provided to the Board.

The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

GOVERNANCE COMMITTEE APPOINTMENTS:

Commissioner Kuehler stated that the appointments from all of the municipalities have been received with the exception of Fairview. She asked that a list of the municipal appointees be posted on the website and that she be provided with appointees' contact information. She reminded the Board members to give their appointees' names to the Clerk. She said that she would like to move forward with contacting the people on the list to determine when would be the best date and time to meet in the upcoming month.

Chairman Openshaw stated that at the April 6, 2009, meeting there were four municipalities that had not provided their appointments, and today Fairview is the only one that has not made the appointment. He said it is on Fairview's agenda tonight for its Town Council meeting, and there would be 100 percent participation from the towns.

Commissioner Kuehler moved to allow her to move forward with contacting the appointees to determine the best date for the first meeting and to direct staff to post the appointees' names on the website and to provide her with the contact information for the appointees. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

Mr. Delk asked as a point of clarification if the motion was directing staff to post only the names of the appointees on the website or to post their contact information as well. Commissioner Kuehler stated that she was requesting only the appointees' names be posted and that the contact information be provided to her.

TAX FORMS (Added to Agenda at Request of Commissioner Kuehler):

Commissioner Kuehler stated that she had spent the previous week in Florida. She said that the tax rate for Volusia County, Florida, is \$2.02 per \$100 valuation. She stated that on the Volusia County, Florida, tax bill, the amounts are broken down so the residents can see exactly where their taxes go. She said that she would also like to see those amounts broken down on the County's tax bills.

Mr. Nelson responded that the County's current tax bills include a statement of "Where Your Money Goes." He stated that for Union County, he believed the challenge was that there are some 80,000 to 90,000 tax parcels, but only approximately 40 percent of the tax bills do not go to the taxpayer but instead go to the mortgage holders. Mr. Nelson said that an annual report is produced by the County and that report is posted on the website. He added there have been some discussions in the past about generating a tax bill for those residents who do not receive a tax bill. He noted the cost of generating such a tax bill is significant. He stated that he thought this was the first year that there are two or three municipalities that are participating with the County on a consolidated tax bill.

Commissioner Kuehler questioned whether debt service associated with the bonds is broken down on the tax bills. Mr. Nelson responded that debt service is allocated to the benefiting functions, such as the schools. He said that there is additional debt service beyond the schools, including the Justice Center, with the bulk of the tax supported debt being related to the schools.

Chairman Openshaw asked about providing information in the newspaper and on the website on April 15 or July 1st (beginning of new fiscal year) showing what an average house is paying for police, school bonds, school operating costs. He suggested that this information be provided at least a couple of times a year. He said that it should be a monetary number and not a percentage of the tax bill.

Mr. Nelson responded that staff could include this information as an exhibit to the upcoming budget document.

Vice Chair Rogers suggested that this information could be included on the County water bills.

Mr. Nelson said that Mr. Mosteller had mentioned earlier in his presentation bill inserts in connection with the water conservation program. He said that this could be included in the utility bill but reminded that there are approximately 38,000 utility customers and there are between 80,000 and 90,000 tax parcels. He stated that one of the challenges would be to distribute that information as widely as possible to the population. He said that if it were included in the water bills, then there would be another 50,000 or so residents who would not receive that information.

Vice Chair Rogers asked about including the information on personal property tax bills. Mr. Nelson said that the personal property taxes are included on the real estate except for the motor vehicle tax bills. Vice Chair Rogers asked about including it on the motor vehicle tax bills. She said that she received this same question a lot about where the tax dollars go and she thought it would be good for the residents to see where their dollars are going.

Mr. Delk stated that the most feasible option at this point and the one best for the person interested in this information would be to print a link to the County's website on the tax bills and at the appropriate time of the year, this information can be posted. He said that this information could be posted to the website in a more detailed manner than what could be printed on the tax bills.

Vice Chair Rogers suggested that the statement directing citizens to visit the County's website could be included on the water bills and the vehicle tax bills if they want to know how their tax dollars are being spent. Commissioner Kuehler said that her concern is there are a number of costs that the County has control over but there are a number of costs, such as debt service, where there is no control.

ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES:

Chairman Openshaw announced vacancies as follows on Boards and Committees;

- a. Juvenile Crime Prevention Council (JCPC): 1) Substance Abuse Professional; and 2) 4 Commissioner Appointees
- b. Union County Home and Community Care Block Grant Advisory Committee (2 Vacancies)
- c. Adult Care Home Community Advisory Committee (1 Vacancy)
- d. Nursing Home Advisory Committee (2 Vacancies)

APPOINTMENTS TO BOARDS AND COMMITTEES:

- a. **The Union County Commissioner Governance Advisory Committee** – This item was moved to Item 13a on the Regular agenda and was addressed earlier in the meeting.
- b. **Planning Board:**

Chairman Openshaw stated that unless there was someone on the list that the Board wished to exclude, he would move to nominate the appointees in block. He said that there were nine applicants for nine positions.

Vice Chair Rogers said that she has spoken with some of the applicants and she is grateful to those wanting to serve Union County. She stated that the applicants were from various parts of the County. She said she had no problem with nominating all of the applicants but she wanted to pull from the list and nominate Jeff Gerber and J. Scott Heslink.

She stated that she ran for the Office of Commissioner with Mr. Gerber and she found him to be a very honest and ethical individual who is very involved in many different community activities, and she thought he would be an asset to the Planning Board. She said that Mr. Heslink is fairly new to the County but he expressed interest in the Board of Education and he is involved in the community.

Commissioner Kuehler said that there were two applicants who were on a prior Planning Board: Jim King and Mark DiBiasio. She stated that the Manager has spoken about the importance of continuity and their appointment to the Planning Board would put continuity on the Planning Board. She shared that Mr. King has been in the area for many years and has watched the County's growth. Also, she stated that Mr. DiBiasio helped with the APFO Ordinance and served the County well in that respect. Therefore, she said that she would nominate Mr. King and Mr. DiBiasio to serve on the Planning Board.

Chairman Openshaw nominated Kathy Broom, John Darsey, Jerry Nolan to serve as regular members on the Planning Board. He nominated Thomas Steffen and Patricia Freeman to serve as alternates.

Vice Chair Rogers asked if the terms should be decided. Chairman Openshaw responded stating that three regular members should be appointed for three years, two regular members and one alternate for two year terms, and two regular members and one alternate for one year terms.

Chairman Openshaw suggested the following terms: Patricia Freeman – Alternate (Two-Year Term); Thomas Steffen – Alternate (One-Year Term); John Darsey and Jerry Nolan – Regular Members (One-Year Term); Mark DiBiasio and Jeff Gerber – Regular Members (Two-Year Terms); Kathy Broom, Scott Heslink, and Jim King – Regular Members (Three-Year Terms).

Vice Chair Rogers moved appointment of the members as stated by Chairman Openshaw with the corresponding terms. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

c. Board of Adjustment

Vice Chair Rogers nominated William McGuirt to serve as a regular member of the Board of Adjustment. She stated that she has had several conversations with Mr. McGuirt, and he has impressed her as being someone with a real love for the County and who wants to do right by the people in the County.

Commissioner Kuehler nominated Charles Campbell to serve as a regular member of the Board of Adjustment. She stated that Mr. Campbell had originally applied for the Library Board of Trustees, and she spoke with him then and was impressed with his resume. She said that Mr. Campbell has been in the County for quite awhile. She stated that she had asked him if the Libraries were his passion or if he was just looking for an opportunity to serve. She said that while he does love the Libraries, he was thrilled at the prospect to serve anywhere he felt he would do well, and she thought the Board of Adjustment would be a good match for him.

Commissioner Kuehler also nominated Jimmy H. Bention, Sr. She said that she thought he had done a good job in the past. She said that again in the interest of having continuity on the boards, she would nominate him for appointment to this board.

Vice Chair Rogers nominated Darren Greene. She said that although she and Mr. Greene have not seen eye to eye on all County issues, she believes he is a very involved individual and has the best interest of the County at heart and would be a good member.

Chairman Openshaw nominated Neil Forrest, who is a businessman that works in Monroe. His motion further included that Mr. McGuirt, Mr. Campbell, Mr. Bention, Mr. Greene, and Mr. Forrest be appointed as regular members and that Richard Davis and Mark Tilley be appointed as alternates.

Chairman Openshaw suggested the following terms:

1. Richard Davis (Alternate) – One-Year Term
2. Neil Forrest (Regular) – One-Year Term
3. Mark Tilley (Alternate) – Two-Year Term
4. Charles Campbell (Regular) – Three-Year Term
5. William McGuirt (Regular) – Three-Year Term
6. Darren Greene (Regular) – Two-Year Term
7. Jimmy H. Bention, Sr. (Regular) – Two-Year Term

Commissioner Kuehler moved to approve the nominations as stated by the Chairman with the corresponding terms. The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

d. Union County Partnership for Progress

Chairman Openshaw stated that the nominations of John Williams and Jerry Simpson were submitted by the Union County Partnership for Progress. He nominated John Williams to serve on the Board of Directors for the Partnership for Progress.

Vice Chair Rogers stated that Mr. Williams had taken the time to call her and introduce himself and explained why he would like to serve in this position. She said that she would concur with his nomination, and Commissioner Kuehler stated that she concurred also.

The motion was passed by a vote of three to zero. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.

MANAGER'S COMMENTS:

The County Manager was not present.

Matthew Delk, Assistant County Manager, reminded the public that the Pigs in the Park BBQ event would be held on May 1st at Belk-Tonawanda Park to benefit the JobReady Partnership and the New Century Scholars Program.

COMMISSIONERS' COMMENTS:

Commissioner Kuehler shared that she had just returned from vacation yesterday. She said that Florida is a great place and is warm but she was glad to be back in Union County where there are green leaves on the trees.

She said that the Telecommunicators have a soft spot in her heart as last Friday marked the one-year anniversary since her son had his last seizure. She stated that the 9-1-1 operator who assisted her was the lifeline between a very scared mother and complete

panic. She stressed that the telecommunicators do a fabulous job. She said that they give of their time and are very good at what they do.

Vice Chair Rogers expressed appreciation to the ones who had volunteered to serve on the Planning Board and Board of Adjustment. She said there was nothing better that an individual can do for the County and the community than to serve in whatever capacity that he or she has the talents to do.

Chairman Openshaw expressed sympathy at the passing of John Parks Helms. He stated that both Mr. Helms and his wife passed away in the same week. He said that Mr. Helms was a former recipient of the Marshville Man of the Year and Union County Man of the Year Awards. He also expressed sympathy at the passing of Harry Sherwood. He said that he had originally met Mr. Sherwood through HealthQuest. He described Mr. Sherwood as a great volunteer and a leader. He said that Mr. Sherwood had received the highest honor that could be granted to a citizen of North Carolina, the Long Leaf Pine Award granted by the State.

He also offered congratulations to Melinda Vasconcellos for her hard-earned achievements through Girl Scouts.

With there being no further matters for discussion, at approximately 10:05 p.m., Vice Chair Rogers moved to adjourn the regular meeting. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills were not present.