

Approved 8/11/2009

May 4, 2009
Regular Meeting

The Union County Board of Commissioners met in a regular meeting on Monday, May 4, 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 (who joined the meeting at 7:57 p.m.), Commissioner Allan Baucom, Commissioner Tracy Kuehler, and Commissioner A. Parker Mills, Jr.

ABSENT: None

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

OPENING OF MEETING:

Invocation: The Chairman convened the meeting and asked Commissioner Mills to open the meeting with prayer. At the conclusion of the invocation, Chairman Openshaw recognized the representatives of the Disabled American Veterans.

Pledge of Allegiance: The members of the Disabled American Veterans led the body and audience in reciting the Pledge of Allegiance to the flag of the United States of America.

Frank Feldman, representing the Disabled American Veterans, proposed a Walk of Honor that will have bricks with the names of veterans who have served from all the wars. He said the County has memorials to those men who have died in service but noted that there are hundreds and hundreds who have served and will be forgotten. He said these bricks will be bought by sponsors and will be placed around the historic courthouse or one of the memorials in the County. He said what the Disabled American Veterans are requesting is permission to place these bricks.

He also distributed to the Commissioners pamphlets which show the styles of the pavers and explained that in addition to the 4" x 8" pavers there are also 8" x 8" pavers that can have the logo imprinted on it if a business or other person wanted to have a logo engraved in the pavers. Mr. Feldman said the bricks are all guaranteed for life and if they ever break, crack, or chip, the pavers will be replaced free of charge.

Mr. Feldman gave a brief explanation of the Disabled American Veterans describing it as a service organization that provides free claim service for any veteran. He said that they get veteran's free medical care and compensation and a veteran does not have to be a member of the organization to receive help.

It was further explained that unlike the VFW and the American Legion, which are fraternal organizations, the Disabled American Veterans is not a fraternal organization but is a service organization, which is a 501c (4) organization. He assured that it provides assistance to the veterans totally free of charge even if it has to go to the Veterans Court of Appeals. It was noted that attorneys are provided free of charge. He said that at the state level of the organization 92 cents of every dollar it receives goes back to the veterans program and noted that 94 cents of every dollar earned in Union County stays in Union County.

The Chairman stated that he would add this item to the agenda for additional discussion.

INFORMAL COMMENTS:

The Chairman stated the guidelines for this portion of the meeting and recognized Werner Thomisser.

Werner Thomisser, 2008 King Manor Drive, Weddington, addressed the Board and asked the members if they knew why the audience sees the same car commercial over and over again. He noted that in the advertising industry it is called "repetitive message". He said the idea is that if a person sees the same commercial over and over again the percentage of it being "heard" goes up significantly. Mr. Thomisser gave as an example his taking a soiled suit into Commissioner Mills' establishment and the question of whether it is a set fee for cleaning or would he be asked what he wanted to pay. He gave as another example when Chairman Openshaw was in the real estate business in Connecticut and representing the seller, did he ask the buyer what do you want to pay for the real estate or did he set the price. He stressed that the budget process should start with affordable spending. He said the question should not be to each department "what do you need to spend?", but rather the question should be asked to the department head "what is your plan to live within your defined spending amount?" He noted that Mr. Nelson should define this for each department based on

the expected revenue with the assumption being that there will be no property tax increase. Mr. Thomisser said that it has been told that there is a \$16 million budget shortfall, and it is reasonable to say that the department that gets 66 percent of the revenue should also get 66 percent of the shortfall. He noted that 66 percent of the anticipated \$16 million deficit amounts to \$10 million – not \$3 million as proposed, which is only 19 percent of the shortfall. Mr. Thomisser said that he had heard one of the Commissioners say a couple of months ago that the County is going to need a 10 percent tax increase. He said that what bothers him about that statement is the knee jerk reaction without even going into ways and means how the County could overcome the shortfall; the response was let's push a button and hit the taxpayer with another tax increase. He said now it is heard that there is going to be a slight tax increase. Mr. Thomisser stressed that what the taxpayers of Union County want to hear is an actual plan with no tax increase and no finger pointing and reasons why the County needs a tax increase.

Chairman Openshaw called time on Mr. Thomisser and recognized the next speaker, Walter Staton.

Mr. Staton, 221 Weddington Road, Weddington, said that he helped to start the Town of Weddington in 1983 and has served on its Planning Board, Board of Adjustment, Parks and Recreation Advisory Board, and the Historic Preservation Commission. He asked the Board to not raise the property taxes of Union County's citizens. He reminded that the County's taxes were raised 11 percent in 2007 and 22 percent in 2008. He stated that this county is in the worst economic decline since the Great Depression. Mr. Staton reported that many Union County residents have lost their jobs and stated that raising taxes at this time is not the right thing to do with Union County's families struggling to meet financial ends. He stressed the Board must reduce spending just like families, corporations, and small business owners are currently doing. Mr. Staton stated that he had read in the newspapers where Charlotte and Mecklenburg County are making painful cuts and stressed that Union County must do likewise. He also emphasized that the department receiving the largest amount of taxpayers' dollars must make the largest cuts in order for the Board to balance its budget. He explained that the Board cannot expect Union County's taxpayers to carry this load while in a deep national, state, and county recession. He asked the Board to do the right thing and hold the line on property taxes.

The Chairman recognized Pinky Marsh to speak about the hospital.

Mr. Marsh, 1323 Landsford Road, Marshville, stated the Board did not need to trade off the hospital to anyone. He said that on December 15th, the attorney removed him from the agenda because he was asking too many questions. He explained that he came back on February 16 because as a taxpaying citizen who was placed on the open agenda that he had the right to ask questions. Mr. Marsh stated that he thought the administrative staff had been untruthful but noted that he was going to get his day in the courtroom.

He said his case starts next Monday and stressed that he will bring out any corruption in the courthouse. Mr. Marsh said he had tried to resolve this issue with this board as well as previous boards, and it will now be their turn to answer questions in court.

Chairman Openshaw recognized Dudley Wass to address the hospital issue. Mr. Wass gave his address as 9001 Yellow Pine Street, in Waxhaw. He encouraged the Board to sell the hospital so long as 100 percent of the proceeds are used to reduce the County's huge debt. Mr. Wass said that he thought that Mr. Greene has an assignment to come back with a recommendation in June and stated he hoped the recommendation would be delivered at the first meeting because time is money. He pointed out that paying the County's debt is consuming \$140,000 a day, 365 days a year, or \$52 million a year for this county. Mr. Wass reminded that debt comprises a huge piece of the County's property taxes. He said that assuming the Board holds the line this year and is more responsible with the taxpayers' money and does not increase the property owners' tax rate during this recession, selling the hospital could even result in a tax rate reduction. He said that he understood that some people will object to this sale but the question is whether a change in hospital ownership will actually affect health outcomes. Mr. Wass said that he was far from an expert but there are numerous studies that have investigated this question. He reported on some of these studies. He pointed out that there are many successful hospitals in our nation that are not owned by counties or cities. Mr. Wass said this clearly suggests that a hospital being owned by someone else can perform successfully. He said the County's uncontrolled growth, which has not paid its own way, is the issue which has precipitated the question. He said that after the hospital has been sold and the debt has been paid down, the Board must not allow this problem to reoccur. Mr. Wass said that would not be hard if housing development driving the need for a new school pays for the school via fees or taxes—fees and taxes on them and not everyone else. He emphasized that new industrial and commercial investment can lessen that effect, but the County must also be careful not to give away the revenue via investment incentives. He said it is his hope that the Board will confront the growth issue soon. He reminded that the County is now in a recession and housing growth is stalled, but when it restarts, the Board must have policies and measures in place so that growth pays its own way and does not impose financial burdens on everyone else. He also mentioned that water and sewer plans – real plans and not those that he has seen – need to be completed and improved. Mr. Wass stressed that existing citizens should not have to give up water for the benefit of new development as has been required in the past. In closing, he told the Board to sell the hospital and sell it fast and use the proceeds to reduce debt and not allow the debt to grow again. He further stressed that residential growth plans should be developed which do not penalize existing citizens. He addressed Commissioner Mills and Commissioner Baucom noting that they have been opposed to the sale of the hospital but reminded them that they had been on the majority of previous boards that have allowed this financial situation to occur. He urged them to join the majority and be a part of the solution.

The Chairman recognized Birk Ayer. Mr. Ayer said that he is with Air Design Group located at 215 Johnson Street, Rock Hill, SC. He said he is representing the First Baptist Church of Weddington which is located at 348 Providence Road South and stated that

it had been at that location for about 18 years. He said the church has plans to construct a classroom addition and a multipurpose room addition as well as a parking expansion at its location. Mr. Ayer said they had been working on this for approximately 18 months and has secured about all of the permits including permits from the State, water quality, and the Town of Weddington. He said they submitted applications for a building permit and a water permit from Union County. Mr. Ayer said that at the suggestion of Public Works they had made a DENR application for a new fire hydrant for fire service, which is a sprinkler line to serve the buildings. He said they have done this and have received a water allocation letter from the County. He said he called about a week ago to check the status of the permit and was told that effective April 8 Union County had decided not to issue any additional water permits. Mr. Ayer said that the Church is pretty far down the road and that statement was a shock to them. He said that while he can understand the need to revise the Water Allocation Policy, the First Baptist Church has already received a letter that said that it was allocated 4100 gallons per day, which is more than the church will need. He requested the Board's consideration of projects that were already engaged in the permitting process and almost through the process before the April 8th action. Mr. Ayer said that the letter stated that the allocation was good as long as a building permit was acquired within 270 days. He said the only thing that is holding up the building permit is that it does not have the water permit.

Chairman Openshaw stated that the County Manager has requested to include this item on the agenda later during the meeting.

The Chairman next recognized Tate Helms to speak about funding for the District Attorney's Office. Mr. Helms said that he had not been requested to address the Board tonight, but when he heard that the DA's office was presenting its budget request tonight that he had told the staff he would be present to show his support. He said that he is a native of Union County and has had the honor to serve with this DA's office and is now in criminal defense both in Charlotte and Union County. He spoke of the excellent work that the DA's office is doing and stressed that there have been great improvements since Mr. Snyder took the office and inherited a broken process. He said that Mr. Snyder and his assistants have made a concerted effort to focus on reducing the lag time between charge and resolution and also focused on improving the efficiency of cases. He said that focus is somewhat hindered by the fact that there is only one Superior Court Judge that is routinely assigned to this County and that judge splits his/her time between civil and criminal court such that the availability of criminal sessions is very low compared to the availability in other counties. He said there cannot be 200 trials in a county when there are only 15 or 20 trial weeks for that year. Mr. Helms said that the office has also changed the way that it addresses the assignment for trials. He said that in the past only two or three Assistant District Attorneys were assigned to a trial week at a time, but the DA has changed that virtually making the entire office responsible for trials during any one week when there is a superior court session. He explained that action meant there were fewer broken dockets and trial weeks that fall apart and the office can move the older cases as has been done. Mr. Helms said that the District Attorney has also focused to keep the jail numbers low. He said he did not need to remind anyone on the cost of housing an inmate. He said that office had been able to reduce

the overall cost to the County by eliminating inmates that would otherwise be housed in the jail. Mr. Helms said that Mr. Snyder reviews and examines the performances of his Assistant DA's. He said this is not an office that is willing to expand at the expense of the County's taxpayers or other programs; they have consistently focused on getting results where they can and they have whittled away the dead weight even when it hurt, and the District Attorney did this very recently after the recession hit in September. He stated that as a resident of this County he believes that Mr. Snyder and his staff have done the very best that they can with the resources that they have been given.

ADDITIONS, DELETIONS AND/OR ADOPTION OF THE AGENDA:

Commissioner Kuehler asked to remove Item 7 from the Consent Agenda. Chairman Openshaw asked to remove Item 4 b from the Consent Agenda and requested to add at the request of the staff the water request from the First Baptist Church of Weddington. He also noted that a closed session on that issue might be required. Chairman Openshaw said that he would also request to hear something about the note in the folder about providing sewer to Mecklenburg County and discussion of the request by the Disabled American Veterans. He noted that the Vice Chair had requested that 4a be removed from the Consent Agenda. Commissioner Mills asked if the Keywell Recycling request is going to also be added to the agenda for discussion. The Chairman agreed stating Mr. Greene had requested that both Keywell Recycling and the First Baptist Church of Weddington be added.

Motion was made by Commissioner Mills that the agenda be approved with the additions and deletions as discussed. The motion passed by a vote of four to zero.

Chairman Openshaw stated the placement of the items added to the regular agenda as follows:

- 7 a will be 4.4b from Consent Agenda – Agreement with Frank Howey, Jr., for hand clearing underbrush and small trees located on County-owned property,
- 7b will be the discussion on the presentation from the Disabled American Veterans,
- 7c will be the 4.4a from the Consent Agenda – Letter of Understanding – Clerk of Superior Court for the Destruction/Disposal of Non-Confidential Court Records, as designated by the Clerk of Superior Court
- 9a will be the water requests from Non-Residential users of 5,000 gallons per or less per day --the First Baptist Church of Weddington and Keywell Recycling; he noted that he wanted to go into closed session on this item prior to discussion in regular session,
- 9b will be 7 from the Consent Agenda—Extension of Contract Amendment for Emergency Medical Services
- 9c will be discussion of the Report on Health Hazard Sanitary Sewer Tap Location for Woodfern Place

- 10g will be announcement of vacancy for unexpired term on Parks and Recreation Advisory Board

CONSENT AGENDA:

Commissioner Mills moved that the items as included on the Consent Agenda as amended be approved. The motion passed unanimously.

Minutes: Approved the Minutes of the regular meeting of February 2, 2009

Sheriff's Office – Justice Assistance Grant Info Systems Expansion and Redundancy Program Grant Application: Authorized County Manager to submit and execute grant application in the amount of \$183,495.00 to be used towards the purchase and implementation of information systems expansion and redundancy programs, software and hardware and designated Captain Steve Simpson to act as Grant Administrator.

Finance Department: Approved Budget Transfer Report for February and March 2009.

Contracts/Purchase Orders Over \$20,000: Moved to regular agenda

Tax Administrator: Approved tax refunds for the month of April 2009 in the grand total amount of \$6,583.96

REFUNDS APRIL 2009

Acct #	Name	Release #	Totals
2008			
04234016	CIRCLE S RANCH INC	5438	1,580.18
04207009	CIRCLE S RANCH INC	5444	307.56
09381021	PRICE GRADY C & JESSIE R	5463	50.50
50075888	BROOKS CALVIN J JR	4565	14.68
			-
Totals -			1,952.92
2008			

2007			
04234016	CIRCLE S RANCH INC	5439	1,279.98
			-
Totals -			1,279.98
2007			
2006			
04234016	CIRCLE S RANCH INC	5440	1,146.06
			-
Totals -			1,146.06
2006			
2005			
04234016	CIRCLE S RANCH INC	5441	1,134.00
Totals -			1,134.00
2005			
2004			
04234016	CIRCLE S RANCH INC	5442	1,071.00
Totals -			1,071.00
2004			
GRAND TOTALS			6,583.96

Tax Administrator: Approved tax releases for the month of April 2009 in the grand total amount of \$10,536.33

RELEASES APRIL 2009

Acct #	Name	Release #	Totals
2009			
50082062	MULL STEPHEN MARK & WF GREGGIE	5446	45.50
50101426	MAZELIN DAVID J	5464	355.81
50101400	PCHELKA ALEKSANDR	5466	37.31
			-
Totals - 2009			438.62
2008			
50069421	TUCKER DAVID NEAL	5445	226.10
50098533	CONNECTED OFFICE PRODUCTS	5447	182.88
50096101	VERGARA'S DRYWALL	5449	195.60
50088918	GALE TERRY ALLEN HEIR % CAROL TENO GALE	5450	25.90
50090444	EAST COAST INSTALLERS INC	5456	243.19
50075327	LOPEZ EDY F	5459	74.66
50096028	THE BULLOCK GROUP LLC	5460	77.07
50073565	MICAL RONALD D	5461	182.88
09402676	VILLAGES OF WESLEY CHAPEL OWNERS ASSOCIATION	5462	248.71
50076639	DAVIS HAZELINE G	5467	138.62
01231006G	CRAFT HOLDINGS LLC	5468	2,979.46
01231006V	RUSSELL BENJAMIN H & SANDRA C	5469	2,979.46
08072009	LONG DANIEL WILSON TRUSTEE	5470	379.65
			-
Totals - 2008			7,934.18
2007			
06147001	PROVIDENCE FOREST	5443	706.12

50098533	ESTATES HOMEOWNERS CONNECTED OFFICE PRODUCTS	5448	273.30
50088918	GALE TERRY ALLEN HEIR %CAROL TENO GALE	5451	27.59
50090444	EAST COAST INSTALLERS INC	5457	221.66
08072009	LONG DANIEL WILSON	5471	237.29
			-
Totals - 2007			1,465.96

2006			
50088918	GALE TERRY ALLEN HEIR %CAROL TENO GALE	5452	26.53
50090444	EAST COAST INSTALLERS INC	5458	175.84
08072009	LONG DANIEL WILSON	5472	212.47
			-
Totals - 2006			414.84

2005			
50088918	GALE TERRY ALLEN HEIR %CAROL TENO GALE	5453	27.47
08072009	LONG DANIEL WILSON	5473	210.23
			-
Totals - 2005			237.70

2004			
50088918	GALE TERRY ALLEN HEIR %CAROL TENO GALE	5454	22.42
			-
Totals - 2004			22.42

2003

50088918	GALE TERRY ALLEN HEIR %CAROL TENO GALE	5455	22.61
			-
Totals - 2003			22.61
GRAND TOTALS			10,536.33

Tax Administrator: Approved Departmental Report for month of March 2009

Amendment to Voluntary Agricultural District & Enhanced Voluntary Agricultural District Ordinance: Adopted an Amendment to the Union County Voluntary Agricultural District & Enhanced Voluntary Agricultural District Ordinance as recorded below:

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. Given approval of this Amendment on April 20, 2009, it shall be deemed that the Effective Date of the Ordinance was changed on April 20, 2009, from May 1, 2009, to July 15, 2009, notwithstanding ratification of this Amendment on May 4, 2009.
3. Except as herein amended, the provisions of the Ordinance shall remain in full force and effect.

Adopted the 20th day of April, 2009.

Ratified this the 4th day of May, 2009.

Extension Amendment for Emergency Medical Services: Moved to regular agenda

PUBLIC INFORMATION OFFICER'S COMMENTS:

Brett Vines, Public Information Officer, announced that there would not be a power point presentation tonight because of technical problems.

He reminded that there are two rabies clinics remaining on May 9th and May 23rd with the injections being \$7 cash and explained that every dog and cat over four-months of age is required to have a rabies shots. Mr. Vines said the locations and times are available on line at www.co.union.nc.us.

Mr. Vines said that this Saturday the Master Gardeners will have a plant sale at the Union County Agricultural Center and the rain barrels will also be distributed that day.

Mr. Vines also reported that the Social Services Department is accepting applications for its Commodity Foods Program on Wednesday, May 13, from 9 a.m. to 1 p.m. at the DSS office, 1212 West Roosevelt Boulevard. He gave the telephone number for contacting Mrs. Gloria Haney who is in charge of the program.

He also announced that the Union County Library is conducting a nationwide internet survey to determine how people use the free computers and connections at the public libraries. Mr. Vines said there had been discussion that the computers were being used for games, etc, but that it appears that they are also being used to find jobs. He said the survey is located at www.union.lib.nc.us. and the survey will be available from May 11th through the 25th.

Mr. Vines said that the Veterans Service Office is looking for Philipino veterans who provided aid to American troops. He said the American Recovery and Reinvestment Act, better known as the Economic Stimulus Package, provides a \$9,000 one-time payment to non-United States' citizens and a one-time \$15,000 payment for United States' citizens who provided aid to American troops during WWII. He said that for more information, persons should call 704-283-3711 or 704-283-3744.

PRESENTATION BY JOHN SNYDER, UNION COUNTY DISTRICT ATTORNEY:

John Snyder, District Attorney, addressed the Board on his office's needs from Union County during the next budget year. He said his request is made conscientious of the economic crisis that every government, every household, and every person is going through at this time. He said he has conservative estimates of what will be required to continue the service that his office has been providing this county. He explained how the grant money has been used and the benefits that his office and Union County's citizens have received from this money. Mr. Snyder said that enabled a savings to the County for the past fiscal year of about \$60,000. Mr. Snyder said that means that at the end of the fiscal year, the Administrative Office of the Courts returned a check to you in the amount of \$60,000. He stated that he currently has only one person, Jeremy Smith, in an Assistant DA county-funded position. Mr. Snyder described ways that this program and these additional Assistant DA's funded by the County has sped the court process and enabled the lowering of the number of inmates that have remained in jail.

Mr. Snyder agreed with a comment made earlier in the informal comments by Mr. Tate Helms that one of the biggest problems in Union County is that there are not enough judges. He explained that every citizen charged is entitled to a trial by jury. He said that another issue is pleading out a case versus trying a case. Mr. Snyder said the big question is what is best in the interest of judgment. He described the results of both the pleading of cases and the disposal of cases. He stressed that by having dedicated assistants to work on the misdemeanors, it gives other Assistant DA's the opportunity to work on the bigger cases such as murders, drug cases, sex

crimes, etc. Mr. Snyder explained that during trial week that of the twelve Assistant DA's that ten of them will have a case ready and the other two are working on capital cases, which requires an amazing amount of hours. He said his office has approximately one prosecutor per 25,000 citizens of this county; one of the highest ratios of prosecutor to citizens in the State. Mr. Snyder said that when he came into office there were 3600 pending Superior Court Cases and currently the average is between 2600 and 2900 pending cases.

He reminded that when he originally asked for the money he said that if his office used it properly that he might ask for more; however, if it is not needed or his office is not doing well with the money, he would not ask. Therefore, he said he was very comfortable in being here tonight asking for money. He said the good news is that each year he has stayed under budget. Mr. Snyder said that at the expiration of the contract, \$91,000 will be available from the fiscal year 2008-2009 to apply to his request of maintaining one prosecutor for another year. He said he would like more but understands that everyone would like more in this climate; so essentially, he said he is asking to retain the \$91,000 allocated in prior budget years to use in the next budget year.

Mr. Snyder said that he had talked today with the Administrative Office of the Court and all that would be required for the money to be applied to the next fiscal year would be a modification of a contract. He announced that they had not wasted money and it would be available for use in the next fiscal year.

He said he was proud of his staff and the amazing performance of his office. He also expressed appreciation of the support of the Board for the last two years so in light of the economic conditions, he would request to be able to extend the contract to use the \$91,000 remaining from the appropriation.

Chairman Openshaw asked if the closing of the prison on Sutherland Avenue will affect the DA's office in anyway. Mr. Snyder said that the Monroe prison is primarily a post conviction facility and right now the only people to be sent there are those that have already been through the court system. He said if he were an elected county commissioner that he might think that this is a facility that might be available for correctional purposes in the future. Mr. Snyder said there is a segment of the current jail population that is there for civil purposes – such as child support, contempt, etc. He said there were approximately 50 inmates that are in the jail who do not factor into the functions of his office; they are there for criminal contempt. Mr. Snyder said he could see the County using that facility for that type of incarceration. He explained another issue that affects the current population of the jail is weekends who have some active sentences, but the judge allows them to serve their sentences on weekends. He said these could serve their time in such a facility.

The Chairman also asked the DA what effect he anticipated the Charlotte Immigration Court having on his office. Mr. Snyder replied that the Sheriff has dedicated staff that analyzes the status of certain inmates. He said that program has been very effective in determining if an individual is supposed to be in the country. He said the effect on his office is that his staff needs to process the cases quickly so ICE can handle these individuals.

[At 7:57 p.m., Vice Chair Rogers joined the meeting at this time.]

COUNTY GOVERNMENT WEEK PROCLAMATION:

Matthew Delk, Assistant County Manager, requested that May 3-9, 2009, be proclaimed “County Government Week” as recommended by the National Association of Counties. He said the theme selected this year by the National Association is “Greening Our Future” and the staff thought it best to note three staff members who have implemented common-sense, cost-effective programs to wisely use the natural resources. He recognized Jennifer Nance from Public Works and Nicole Hatch of General Services who briefly reviewed and gave a summary of the County’s recycling program and its successes. At the request of the Chairman, Ms. Nance and Ms. Hatch named the recycling vendors that the County uses to recycle the goods it collects.

He also recognized Jeff Rieves, Horticulture Extension Agent in Cooperative Extension, who explained the services and how he supports the “green” theme. In support of Mr. Rieves’ programs, there were representatives from the Master Gardeners’ Club. He noted that there are 61 trained Master Gardeners who volunteer their training and knowledge. He noted that for every 40 hours of training that he provides to the Master Gardeners, he receives in return 40 hours of dedicated volunteer hours the first year and many more hours than that in subsequent years. He noted that last year alone the Master Gardeners provided the value of \$70,000 to the citizens of Union County. He reported on the teaching garden that is at the Agricultural Center and described the recycling benefits of the garden. He also noted the benefits of his second program which is the cottage garden. He explained the contributions to the County from volunteers both through monetary and hourly contributions to make these programs successful.

The Chairman requested that some of the information from the distributed brochures be placed on the Agricultural Extension website explaining the watering requirements for plants, lawns, etc. Mr. Rieves reported that the two water works brochures are being provided to the citizens of Union County in two separate mailings at no cost to the County. He said NC State, the Green Industry Council and one other partner received a grant to print the brochures.

Mr. Delk also recognized Richard Melton who was recently named the Cooperative Extension Director. He briefly reviewed the qualifications of Mr. Melton. At the conclusion of the presentations, Mr. Delk thanked the employees for their presentations.

Motion was made by Commissioner Baucom that the following proclamation be adopted:

RESOLUTION TO PROCLAIM MAY 3-9, 2009, COUNTY GOVERNMENT WEEK

THAT WHEREAS, the nation's 3,068 counties provide a variety of essential public services to communities serving 300 million Americans; and

WHEREAS, Union County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost effective ways; and

WHEREAS, many county government initiatives and programs involve the protection of valuable and vulnerable environmental resources in communities; and

WHEREAS, the National Association of Counties is the only national organization that represents county governments in the United States; and

WHEREAS, the National Association of Counties created National County Government Week in 1991 to raise public awareness and understanding about the roles and responsibilities of the nation's counties to meet the needs of the community; and

WHEREAS, NACo and Union County are working together to restore the partnership between all levels of government to better serve American communities;

NOW, THEREFORE, BE IT RESOLVED THAT the Union County Board of Commissioners hereby proclaim May 3 – 9, 2009, as County Government Week; and

BE IT FURTHER RESOLVED that the Board of County Commissioners encourages all Union County officials, employees, schools, and residents to support the "Greening Our Future" theme by conserving our natural resources and protecting our natural environment in our activities, and in our facilities, homes, and businesses.

The motion was passed unanimously.

AGREEMENT WITH FRANK W. HOWEY, JR. FOR HAND CLEARING UNDERBRUSH AND SMALL TREES LOCATED ON COUNTY PROPERTY:

The Chairman explained that he had requested this item be moved from the consent agenda to allow him to learn why there is a request to clear this property.

The County Manager explained that there was a request from an adjoining property owner who thought the growth detracted from his property, and he wanted to clear it and would be willing to do so at no cost to the county. He said that David Grant, the Urban Forester, had looked at the property and thought that it would improve the appearance of the site to remove the undergrowth and raise some of the low-hanging branches, as long as the trees are pruned in a professional manner. He said that Mr. Grant explained that the larger trees would also benefit from reduced competition and could grow into beautiful assets to the property.

Chairman Openshaw said that he would request that David Grant, Certified Arborist and Registered Forester, be on site when the clearing and pruning is taking place. The County Manager responded that it had been arranged for Mr. Grant to be on site during the work.

Commissioner Mills moved to authorize the Manager to approve an agreement to allow Frank W. Howey, Jr., to hand clear underbrush and small trees from county-owned property at the corner of New Town Road and Rocky River Road pending legal review. The motion was passed unanimously.

DISABLED AMERICAN VETERANS:

The Chairman briefly stated the request of the Disabled American Veterans. The County Manager stated that the staff has not had time to study the item and would request time to review the proposal and talk with the representatives and include this item on a future agenda.

Mr. Frank Feldman explained that the Disabled American Veterans' request is to receive permission and assistance from the County to replace the existing pavers around the historic Union County Courthouse with the memorial bricks. He responded to a

question that it was acceptable to his organization for the request to be tabled and returned to the Board for consideration at another meeting.

Commissioner Mills asked Mr. Feldman if he had been in touch with the Historic Preservation Commission and suggested that the Commission be contacted.

By agreement, the item was tabled for consideration at a future meeting.

CLERK OF SUPERIOR COURT – DESTRUCTION/DISPOSAL OF COURT RECORDS:

After it being pointed out by the Vice Chair that the Letter of Understanding was not included in the package of information, and, after brief comments between the Board and Jeff Crook, Staff Attorney, motion was made by Vice Chair Rogers that action and discussion on the Letter of Understanding between Union County and the Clerk of Superior Court for the destruction and disposal of non-confidential court records, as designated by the Clerk of Superior Court be tabled until May 18, 2009, and the Commissioners receive a copy of the document to review. The motion passed unanimously.

EXTEND EFFECTIVE DATE OF THE UTILITY SWAP AGREEMENT:

The Chairman stated the next item but with the absence of Kai Nelson, Finance Director, from the meeting room, the Chairman called a five-minute recess. At the conclusion of the recess, Chairman Openshaw recognized the Finance Director to present information on extending the effective date of the Utility Swap Agreement.

Mr. Nelson explained that in 2005, following the adoption of the Capital Improvement Program for the period of 2006-2011, the Board of County Commissioners authorized staff to enter into a “forward starting swap.” The purpose of that swap was to lock in interest rates for a future debt issuance of a size of about \$20 million that was anticipated to occur in 2007. He said that between 2005 and 2007 when it came time to issue that debt, the County was fortunate to receive a State Revolving Loan that carries an interest rate of 2.2265 percent. He reported that in lieu of issuing the debt the County accepted the State Revolving Loan. He noted that the swap is a contract and the contract was then extended for a year and then subsequently in 2008, it was then again extended for another year. Mr. Nelson said that in part the reason for the extensions of the swaps is because the Capital Improvement Program’s expenditures have not matured as aggressively and as quickly as had been anticipated. The Finance Director said that situation in combination with the utility funds’ good performance has made the issuance of the debt unnecessary, but there is a contract.

Mr. Nelson reported that on page 16 of the presentation material there is a summary schedule. He pointed out that the Swap Contract requires the issuance of debt in the amount of \$20 million for the Utility System in June of 2009. He summarized the four options that are available and explained that the first column of each compares the actual cash flow of the option to the second column which is the present value of the future cash flows. He noted that the first option in connection with the Forward Starting Swap is to terminate the swap today and to pay the termination payment in the amount of \$3,399,255. He explained this would be paid with utility proceeds. He explained that then at some point in the future, perhaps 2011, ultimately debt would be issued to continue the financing of the Capital Improvement Program. Mr. Nelson said that with this option, the County would issue fixed rate debt. He said in this scenario the cash flow is almost \$37.8 million and the present value at today's dollars is \$22.8 million.

The Finance Director explained that option two is to issue the debt but to include in the debt issuance the termination payment. He said the County would issue more debt and use long-term financed bonds to pay that debt payment as opposed to using utility cash. He noted the cost associated with that option in terms of cash flow is \$40.8 million and the present value is \$24.8 million.

Mr. Nelson said the third option is to issue the debt of \$20 million in June and in that particular scenario the cash flow is approximately \$35 million and the actual present value is approximately \$21.7 million.

He stated that the fourth option on a present value basis is the least costly option. It is to essentially wait another year and to extend the effective date one year. Mr. Nelson said that the County does not need to issue the debt today but it will need to be extended at some point in the future to continue to fund the water and sewer capital projects. He explained that whenever there is an opportunity to push off debt to another future time that it is probably a good thing to do notwithstanding interest rates. Mr. Nelson said that in option four, which is the least cost alternative on the present value basis in the amount of \$21,358,000. He reiterated that this option would defer this transaction for yet another year and authorize staff to extend the effective date of the forward starting swap. Mr. Nelson agreed that it comes at some cost but whenever there is an opportunity to defer the issuance of debt, he thought it would be a good decision.

Commissioner Kuehler asked what the variable rate options are based on for the assumed interest rate of 3.82 percent.

Mr. Nelson replied that it is based on principally two factors. One factor is that the cost of liquidity and marketing support would be at 118 basis points and that is shown on the information presented. He said the swap that is currently in effect carries a rate of 3.82 percent – fixed rate. He explained that when there is variable rate debt, it is the cost of liquidity concerns at today's market

value, which is significant, and costs the County about 118 basis points based on a proposal that was received from one financial institution. He reminded that as discussed between November 2008 and January 2009, the swaps, because of the current market between taxable and tax exempt debt, carries great penalties and to defer it to a future date provides an opportunity for sanity to return to the capital market. He said that one year from now the swap termination payment could be less than what it is now.

In response to a question, Mr. Nelson replied that the staff is not recommending to get into the variable market rate but to wait another year to issue debt. He said the analysis would be again performed and a recommendation presented to the board.

Chairman Openshaw said he did not see losing the fixed rate option but did see a potential for inflation. He summarized Mr. Nelson's comment that the staff is hoping that within a year the spread will be reduced due to stability in the market. The Chairman stated that on the flip side, there is the probability of increased interest rates.

Mr. Nelson said that what he is also saying is that the County's capital program today and probably for the next year and maybe even longer than another year does not need the capital infusion of debt. He agreed the debt could be issued today and that would be either options two or three but in the 2009-2010 budget, the County would incur roughly \$1.6 million in debt service payments, which would increase utility costs and the Finance Officer does not need the proceeds to pay any capital projects. But, he reminded that it does not take many projects of some size to require the issuance of utility system debt.

Commissioner Baucom asked the Finance Director if his recommendation is to adopt Option Four to modify the swap by extending the effective date one year. After receiving confirmation from Mr. Nelson, Commissioner Baucom moved that Option Four be approved to extend the effective date of forward starting swap dated October 11, 2005 (subsequently amended and restated on May 3, 2007, and June 26, 2008) with a current effective date of June 15, 2009, to June 2010.

The Vice Chair asked if there is a limit to the number of years this agreement could be extended. Mr. Nelson replied that there was not a limit. She also asked if the swap termination payment also might be reduced and asked how that was determined. Mr. Nelson explained the swap rates and the taxable yield curve of the US Treasury and his forecasts for changes. He stressed that what staff thinks should drive the decision is the cash flow needs of the county for the projects and reiterated that the capital improvement program has not materialized to the extent that had been earlier thought.

After additional comments and discussion, the County Manager stated that what the staff has recommended is the best option for the County at this time. Mr. Greene said that although there is no way to know what the economic situation will be in a year from now that there is no reason to incur debt at this time in the capital improvement program.

The Chairman called for a vote on the motion on the floor. The motion passed by a unanimous vote.

DEPARTMENT OF SOCIAL SERVICES – STATUS UPDATE INCLUDING SERVICE DELIVERY, BUDGET AND THE IMPLICATIONS ON THE LOCAL ECONOMY:

The Chairman recognized Dontae Latson, Director of the Department of Social Services, who thanked the Chairman, Commissioners and the County Manager for allowing him to come and speak to them about the budget shortfalls of his department. He stated the mission of his department is to partner with families in achieving economic wellbeing, safety and permanence within the community. He further said that he would present a quick view of the objectives, economic conditions of Union County, the role and function of Social Services, the face of Social Services in Union County, the implication of cuts and reductions to Union County DSS, request for consideration for the Board of County Commissioners, and lastly, questions and answers.

He said the current condition in both the local and national economic landscape is having a significant impact on the business operations of Union County. Mr. Latson said that with the layoffs and with people losing their jobs through no volition of their own, these people are coming to DSS for assistance like has never been seen before. He said this problem is so serious that the County needs significant input from all the leaders. He stressed that it is not just a DSS issue, but it is a county-wide issue. He said that local departments of Social Services are the first option for citizens during times of economic distress; for many, DSS is the route for recovery. Mr. Latson pointed out that program activity such as new applications, protective service reports, caseloads, etc. often are early indicators of future economic trends at the local level. He said he joked with people that when the parking lots at the malls are empty, the lots are full at departments of Social Services. Mr. Latson said that many of the people who are now seeking assistance have never requested help before, have worked their entire lives, and have never been on the rolls of DSS including many who have owned their own homes and businesses.

Mr. Latson pointed out that the Federal government mandates that states provide social services to their residents. He noted that North Carolina is state supervised and county operated through the one hundred counties, and it is responsible for providing an array of programs and benefits; the majority of which are mandated. He reported that in Union County there are 31 different programs that impact the county's citizens.

He also briefly reviewed the responsibilities of Child Protective Services and explained that in 2008 and 2009, the caseloads in this area are 200 percent above the State's recommended number. The number of CPS reports increased by 58 percent between 2001 and 2008. Mr. Latson explained these statistics mean that children are potentially at risk of falling through the cracks of service and care. These are parents who are very desperate; ordinary people in extraordinary times and who are without financial means or necessary coping skills.

He said that the Adult Services' area provides evaluative and assessment services for disabled elderly adults who either requested services themselves or a family member requested it for them.

Mr. Latson further explained the Food – Nutrition Services supplements the food purchasing power of low-income families and stressed that no one is becoming rich from these services. He noted that the average benefit per family is \$6.40 per day. The Director said that thus far during this fiscal year over \$12 million have been recycled back into the businesses of Union County. He said these dollars come back into the County to keep vendors in business and allow people to be employed.

Mr. Latson assured that all the programs of his department are well managed and these are funded fully or partially funded by State or federal dollars. He pointed out that Union County's DSS is one of the lowest funded departments by county funds in the State. He said when his department delays the issuance of benefits that it is compromising and impacting the children and elderly more than anyone else. He noted the increase in caseloads of the programs within his department. He said Medicaid has had a 76 percent increase and for the Food Stamp program there has been a 122 percent increase while the population increase has been 41 percent. He reported that while surrounding DSS departments may have a caseload of 350 to 400 clients per worker, his department has a caseload of approximately 700 clients per worker. He said he could agree with the Finance Director that each system is different, and he is in the process of reorganizing but can assure that his employees will still have a caseload significantly higher than the surrounding departments.

The Social Services Director noted that 90 cents out of every dollar is spent on education, public safety, and human services. He said that after studying the budget that is part of the County's website he can understand why the departments are totaled together by the Finance Director because there are so many departments, but that it is important to show the impact that DSS has on the County's budget. He said that the real feel for the DSS budget is \$151 million, which includes the Medicaid revenues. Mr. Latson said the County's portion of the \$151 million is \$8.8 million and if Medicaid were excluded, the DSS budget would be \$25 million

and the county's portion would be \$8.8 million, which would be 34 percent of the DSS budget. He noted that out of next year's proposed budget that the \$8.8 million would be less than 4 cents on the dollar tax rate.

Mr. Latson stressed his department is understaffed and facing the greatest reduction in staffing in relation to department's increases and demands for services. He said that he does not believe there are many departments that are receiving the demands for services as is his department.

Mr. Latson requested that the Board of Commissioners refrain from imposing further cuts on his department including salary reductions or freezing vacancies. Secondly, he requested authorization to fill all currently vacant or frozen DSS positions per justifications submitted by him and thirdly to engage in strategic dialogue for growing the budget during upcoming fiscal years to address stagnate funding trends in relation to the growth of the County and quoted some of the benefits of approving his request. He stressed the problems within his department did not happen as a result of the downturn in economy; it did not happen overnight. He also described how many of his employees come in on weekends and work comp time, which they never have time to take off. Mr. Latson stated his department has the same computers that he used when he worked at the Martin Luther King Library in Washington, DC. He stressed that technology needs to be increased.

The Chairman commented to Mr. Latson that his department is not alone in being behind in the area of technology; he had noted that in other areas of the County's departments that have not been able to keep up with the rate of growth that has taken place. He also said that he thought the population growth figures that he had given during his presentation were lower than what he had seen otherwise. At the request of the Chair, Mr. Latson explained the draw down of revenues from the Federal government is mainly in the areas of Medicaid and Food and Nutrition Services. He said in these areas his department receives a 50 percent match from the Federal and State governments. He stressed how the funding reductions reduce the quality of services that can be provided to the residents and impacts the businesses.

In response for clarification on his described losses, Mr. Latson said that his request tonight was a proactive approach and saying that he did not want to lose any additional positions. He assured that he was not asking for any additional positions and assured that his department will run as lean as possible, and has been, but what he is stating is that to make any additional cuts to the DSS budget will be disastrous not only for the department but also for the local economy.

Chairman Openshaw asked for clarification if the reduction in draw down of federal funds will come from cuts but not from services to citizens.

Mr. Latson disagreed stating that it does come from reductions of services to citizens but by the fact that when his department is adequately staffed that they are not turning people away. Mr. Latson explained that his department cannot turn anyone away but because the wait has become so expansive, people are turning away; it is seen as a deterrent in receiving these services. He said that he thought it acceptable to have justification for a position that has never been previously approved and filled, but did not believe that justification of positions should be required for existing but vacant positions.

The Chairman asked Mr. Greene how these requests could be processed more quickly. The County Manager stated that as soon as Mr. Latson has a vacancy, he is free to provide justification. He explained that Mr. Watson and Mr. Baker have been appointed the task of reviewing the justification. He assured Mr. Latson that these two could probably meet within five days of receiving justification and stated that he would make a decision the day that he receives their recommendation. Mr. Greene said the question is “how long does it take to get adequate justification”. He further explained that when the most recent soft-freeze was imposed, which was the result of the continued lag in receipt of sales tax revenue, Mr. Latson had ten vacancies. He said that the Director has worked with the staff and the staff has worked with him and as of Friday, the freeze has been lifted on nine of the ten positions. Mr. Greene said there is one additional supervisory position that he has not received a positive recommendation to fill.

Mr. Latson interjected that where he and the Manager slightly differ is the justification. He said he thought justification is warranted when there is uncertainty about the need, but that his department has demonstrated the need over and over again and has proved the growing caseloads. He said that when there is a vacancy, he can only say that the condition has gotten worse, not better. He said his question is why go through the justification process and just not post the job opening and move on with filling the position. Mr. Latson said to justify a position that has been in the budget for 20 or 30 years takes time. He questioned the risks that these delays impose on his department.

The Chairman summarized his understanding that Mr. Watson and Mr. Baker have reviewed the staffing level and asked if these are current positions that have been reevaluated and justified and asked if there is a vacancy now, would there be a delay?

Mr. Greene replied his and the Personnel Staff’s perspective during this soft freeze is that all department heads are required to furnish justification for filling any vacant positions that they wish to fill. He said there had only been two exceptions to that rule and that was to the Sheriff and the Register of Deeds because that was the direction of the Board of Commissioners when it met in January with these elected officials. He reported that no other department has been exempted from providing justification and all other

departments have complied very quickly, very thoroughly, and evaluating their justifications has been a very simple process but the process has not been as simple with Mr. Latson.

Chairman Openshaw said he did not have a problem with that position because it is apparent that staff time has been invested into this situation. He said that his question is if a position opens in DSS tomorrow, would justification of the position be required.

Mr. Latson responded it is his position that it should not be required. The other piece of the equation, Mr. Latson stated that all the positions were approved before the soft freeze and then they were again refrozen. He said instead of authorizing them because the economy has not changed, he was required to provide additional justification.

Chairman Openshaw replied that a flip side of that would be that he did not know the last time somebody went through DSS to analyze the efficiency of the department. He assured that he was not pointing any fingers at anyone because he is delighted that the staff took its position. He said he was only trying to find a common ground in the future, if the need remains the same. He pointed out that if the need diminishes that he would have to go through the process again for these positions.

Mr. Greene said that he thought part of the problem was that there were ten vacancies. He explained that justifications for ten positions would be a lot of work for Mr. Latson and his staff as well as for the Personnel Director, his staff, and Mr. Baker. He said hopefully as vacancies occur in the future there will only be one or two vacancies, which will not require as much staff time to process.

Vice Chair Rogers asked how much funding does the State provide and how much is being provided by the County. She also asked if he were getting cuts by the State. Mr. Latson replied that his department had \$400,000 cut by the State; he said his reversion at this time is over \$1,000,000. He said that it is roughly \$672,000 to County government and \$400,000 to the State.

The Vice Chair said that she respected and admired his passion for coming forward with this and she thought there should be this dialogue. She explained that she and Commissioner Kuehler toured his office and that she knows DSS is similar in their need to that of the teachers. She stated that she wanted to help him get to where he needed to be and agreed with Chairman Openshaw that it is hoped that this delay was a one-time occurrence because of the number. The Vice Chair said that she hoped that in the future when a position becomes vacant that there should be an opportunity to get the positions posted fairly quickly. She agreed with the requirement for justifications and noted there is a finite budget that the County has to live with. She also assured that this Board is listening to the problems and encouraged them to continue with the dialogue.

Commissioner Mills explained that he agreed with many of the sentiments expressed by the Vice Chair and pointed out that the Board is getting ready to go through a budget process which will probably be one of the most difficult ones that the County has gone through in many years. He told Mr. Latson that he could not look at his request presented tonight and promise that there might not be salary reductions or that there won't be any employees laid off; he said nothing is off the table at this time. He said that he didn't know that it would be required but didn't want to mislead any department head on what might have to take place.

The Chairman agreed with Commissioner Mills in that nobody knows at this time what cuts might have to take place and pointed out that Mecklenburg County is also having to make drastic budgetary cuts. He said this budget will be painful. He thanked Mr. Latson for his presentation.

Commissioner Baucom also thanked the DSS staff that came in support of Mr. Latson's presentation.

WATER EXTENSION REQUESTS:

At 9:48 p.m., the Chairman moved that the Union County Board of Commissioners go into closed session pursuant to G. S. 143-318.11 (a) 3 to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body. The motion passed unanimously.

At 10:00 p.m., the Chairman reconvened the regular session.

Motion was made by Commissioner Kuehler that the First Baptist Church of Weddington be allocated 4,125 gallons per day under the Non-Residential/Government Facilities category and that the Keywell Recycling Facility be allocated 4,900 gallons per day under the Non-Residential/Government Facilities category and the County proceed with the permitting. It was noted by Commissioner Kuehler that these two projects fell under reserve of non-residential and received letters prior to the freeze of permits. The motion passed unanimously.

EXTENSION AMENDMENT FOR EMERGENCY MEDICAL SERVICES:

The Chairman stated the next item is item 4.7 as removed from the Consent Agenda. He recognized Commissioner Kuehler who had requested it be moved to the regular agenda.

Commissioner Kuehler asked to see the original contract before taking action to renew a contract amendment. She said people tend to get comfortable with renewal contracts but at some point in time it needs to be reviewed. She pointed out the information provided indicated that the charge was at 110 percent but the County was still having to pay the deficit of approximately \$4 million. Commissioner Kuehler said that it appears that review of this contract should have taken place within six months of the renewal date, which would have been in December and now the County is scrambling to renew the contract amendment.

The Chairman stated that he wanted to know why the revenues are generally set at about 110 percent of the median of use fees charged in adjacent counties and pointed out that the county is still losing \$4 million in revenue.

The Finance Director explained that he was not aware of any emergency medical service in the State of North Carolina that makes money or covers its cost. He noted that if one has to call for EMS services the insurance company pays the Medicaid rate which does not cover the cost of the service; therefore, the taxpayer must make up the loss. He said he was not an employee in 1997 but that it was his understanding that its operation was assigned to Charlotte Mecklenburg Authority to improve the operation and maintenance of the program. He noted it is a contract between the County and a non-profit and the non-profit is not going to operate at a loss.

The Chairman stated that his concern is that the County is not meeting its time in investigating and studying the advisability of renewing its agreements and other examples were given.

After brief discussion, Commissioner Mills moved that consideration of the Extension Amendment for Emergency Medical Services between Union County and Carolinas Union Healthcare, Inc. be tabled until the meeting of May 18. The motion passed by a vote of four to one. Commissioner Baucom voted against the motion.

[NOTE: **Discussion on the Report on Health Hazard Sanitary Sewer Tap Location for Woodfern Place** that was added to the agenda was not held.]

ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES:

The Chairman announced the following vacancies on boards and committees:

- a.) Adult Care Home Advisory Committee (3 vacancies)
- b.) Agricultural Advisory Board (3 vacancies as of June 2009)
- c.) Nursing Home Advisory Committee (2 vacancies)
- d.) Region F Aging Advisory Committee (Vacancies for 3 regular members and one alternate member as of June 30)
- e.) South Piedmont Community College Board of Trustees (1 vacancy)
- f.) Jury Commission (1 vacancy)
- g.) Parks and Recreation Advisory Board – 1 vacancy for an unexpired term ending February 2010

APPOINTMENT TO UNION COUNTY COMMISSIONERS GOVERNANCE ADVISORY COMMITTEE:

The Chairman stated the purpose of this item. After discussion on the process to be followed, the Attorney advised that the names of the persons being appointed should be read and voted upon in open session.

The Chairman nominated Larry Amodeo and Henry Courtlandt
Vice Chair nominated Jeff Kravis and George Hendry
Commissioner Baucom nominated Mike McGee and Everette Medlin
Commissioner Kuehler nominated Bob Denson and Pat Kitto
Commissioner Mills nominated Frank Feldman and Andy Williams

The Chairman moved that the Board vote to approve this slate of nominations in block to serve on the Governance Advisory Committee representing the Board of Commissioners. The motion passed unanimously.

MANAGER'S COMMENTS:

Mr. Greene did not have any comments.

COMMISSIONERS' COMMENTS:

Commissioner Baucom offered his congratulations and his appreciation to Wingate University and Dr. Jerry McGee for making the great decision to build the new School of Health Sciences in Wingate on the main campus. He said they had many opportunities to go outside Union County but opted to stay in Union County. He said this would provide many jobs and opportunities for the county and Wingate as it goes forward.

He announced that the Rusty Piston's Antique Tractor and Farm Equipment Show will be May 15, 16, and 17, 2009, at Scoggins Farm in Fairview instead of being held in Marshville.

He pointed out that Mother's day is coming up and thanked his Mother, Alice Baucom, and his Mother-in-Law, Lizzie Nance, and expressed his appreciation to them for all that they had done and continue to do for him.

Commissioner Kuehler stated that she knew within the next few weeks the Board will receive much advice on where to make cuts in the budget. She said that she wanted to point out that when citizens hear comments that 60 something percent of the budget is being appropriated to the schools that they also hear that 30 something percent of that number is debt service and cannot be cut as well as a bond from 2006 that will be coming due this year.

She said that news from MUMPO is that there is discussion about taking money away from the Monroe By-Pass to be applied toward the I-485 completion project, and she encouraged citizens to attend the public hearings and announced the dates of these hearings.

Commissioner Kuehler said that last week in Raleigh she heard that the State as of April 15th has lost another billion dollars of stimulus money and also learned of the possible loss of stimulus money for Union County. She said there is a lot of discussion about taking the money from Union County's projects and applying it to the I-485 project; she did not think this project would create any jobs because it would go toward the purchase of land.

She announced that she had to miss a birthday dinner tonight with her son, Chase, and wished him a happy birthday.

Commissioner Mills congratulated the Price Family for the great Steeplechase event that was held last weekend and said it was a great facility and great event to have held annually in Union County.

He also congratulated his friend Rev. Osco Gardin who has been at Elizabeth Missionary Baptist Church for 13 years. Commissioner Mills said he spoke at Rev. Gardin's celebration on Saturday night. He said all had a good time.

Commissioner Mills said that the Pigs in the Park was a success and expressed his thanks to the City of Monroe for hosting this event.

He announced that the old Allen Overall Building in Monroe has been sold and wished for it a successful venture.

Vice Chair Rogers said she had no comments.

Chairman Openshaw said that he judged a poetry contest at Parkwood High School on Friday afternoon and that he had an awesome experience. He said it was put together by the Media Specialist Nancy Cole and there were 500 original participants but the number by Friday had been reduced to 21 finalists. He stressed it was a great event and recommended that other schools get involved in a similar production.

He also thanked Omnova Solutions for its \$10,000 contribution to Hospice. He said this reminded him of the Vice Chair's recommendation to establish a business giving back program. He said the race at Waxhaw was great this year and is improving annually. He reported that he went to the Literacy Council's Spelling Bee and was impressed with the way the participants stepped up when the words got more difficult. He said he agreed with Commissioner Mills about the Pigs in the Park event, the Allen Overall Building, Steeplechase and noted the event benefits the "Make a Wish Foundation." He, too, mentioned the antique tractor show.

Chairman Openshaw pointed out that the jobless rate fell slightly in Union County but is still high; Union County is second lowest in the area with Mecklenburg being only a tenth of a point lower.

He announced that the stimulus package offers a nine-month 60 percent cobra price reduction plus it increased its distribution on Pell grants and education.

The Chairman also announced the dates of the pre-hearing and the hearing on the Monroe-Bypass project.

He said that with there being no other business, he would entertain a motion to adjourn. At approximately 10:25 p.m., Vice Chair Rogers moved that the meeting be adjourned. The motion passed unanimously.