

Minutes of the Regular Meeting
Of the
Union County Board of Commissioners
Monday, November 2, 2009

The Union County Board of Commissioners met in a regular meeting on Monday, November 2, 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: Lanny Openshaw, Chairman; Kim Rogers, Vice Chair; 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 of Commissioners; Jeff Crook, Staff Attorney; Keith Merritt, County Attorney; Kai Nelson, Finance Director; members of the press, and interested citizens

Opening of Meeting:

At approximately 7:00 p.m., Chairman Openshaw convened the regular meeting and welcomed everyone.

a. Invocation

Commissioner Kuehler offered the invocation.

b. Pledge of Allegiance

Commissioner Kuehler led the body in reciting the Pledge of Allegiance.

c. Featured Community Benefit Organization

Gloria Haney, Volunteer Service Coordinator for the Union County Department of Social Services, spoke on behalf of The Union County Christmas Bureau. Mrs. Haney stated that The Christmas Bureau opened last Monday, October 26, and it was a very busy day. She shared that they saw 150 families on the first day. She reported that to date, they have taken approximately 760 applications in six days. She explained that typically they receive approximately 2,000 applications each year, so this is a huge increase in the number of applications from what they normally have received in past years.

Mrs. Haney stated that the purpose of the Christmas Bureau is to eliminate duplication. She said that although they appreciate all of the organizations that help families at Christmas, they would like for those organizations to contact the Christmas Bureau to inform them of the families that they are trying to help in the county, so they can share the wealth among all the families in the county who have needs.

She described the programs provided through The Christmas Bureau including The Empty Stocking Fund, the Goodfellows, the gift trees, and sponsorships. Mrs. Haney stated that the Christmas Bureau's main source of toys comes from The Toys for Tots barrels distributed throughout the County. She said that the Marine Corps Detachment 914 maintains those barrels. She explained the Give a Kid a Coat Program will take place on December 5, 2009. She said last year approximately 1300 coats were distributed. Mrs. Haney said that the Third Annual Toy Run will be held on Saturday, November 7, 2009, which has been organized by John and Debbie Boulton.

She shared that in 2008, the Christmas Bureau received 2,017 applications and was able to provide assistance to 4,588 children. She said that the total number of individuals helped last year was 9,552 which included those helped through the gift trees, families sponsorship, food deliveries, etc.

Mrs. Haney shared the needs of the Christmas Bureau which included monetary donations, new and very gently used toys, non-perishable food, sponsors for children and families, and a permanent facility, at least 20,000 square feet.

Commissioner Mills encouraged citizens to sign-up to assist the Christmas Bureau. He said it was a good opportunity for children to help others who are less fortunate. Mrs. Haney said that they welcomed children who would like to volunteer to help.

Vice Chair Rogers complimented Mrs. Haney and said that she was a tremendous asset to the County. She said that anyone who knows Mrs. Haney benefits from all that she does. She agreed that if families could make assisting The Christmas Bureau a family event that it is very worthwhile.

At the request of Commissioner Kuehler, Mrs. Haney explained how to sponsor families.

Public Hearing – Proposed Text Amendments to Sections 400, 401, and 402 of Article XXIV Flood Damage Prevention of the Union County Land Use Ordinance:

At approximately 7:20 p.m., the Chairman opened the public hearing regarding the following proposed text amendments:

Sec. 400 STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS.

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Sec. 386, where no Base Flood Elevation (BFE) data have been provided by FEMA, the following provisions, in addition to the provisions of Sec. 398(a) shall apply:

- (a) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
 - (1) the development is one of the following uses: agricultural activities, lawns, gardens, parks, trails, golf courses or open space and the development does not require fill or construction of new buildings; and provided further that any development activity associated with the above uses shall be minimal and shall be preceded by a certification that demonstrates that the proposed development will not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of a floodplain development permit, or
 - (2) for essential services a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment. Development in floodplains, with or without adopted regulatory floodways, shall be held to 44 CFR 65.12 including but not limited to an application to FEMA for conditional approval, individual legal notice, concurrence of any other communities impacted by the proposed actions, and certification of structures.
- (b) If Sec. 400(a) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.

- (c) The BFE used in determining the Regulatory Flood Protection Elevation shall be determined based on the following criteria:
- (1) When Base Flood Elevation (BFE) data are available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Sec. 398(a) and (b).
 - (2) When floodway or non-encroachment data are available from a Federal, State, or other source, all new construction and substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of Sec. 398(b) and Sec. 402.
 - (3) All subdivision, manufactured home park and other development proposals shall provide Base Flood Elevation (BFE) data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such BFE data shall be adopted by reference in accordance with the provisions of Sec. 386 and utilized in implementing this ordinance.
 - (4) When Base Flood Elevation (BFE) data are not available from a Federal, State, or other source as outlined above, the reference level shall be elevated or floodproofed (nonresidential) to or above the Regulatory Flood Protection Elevation, as defined in Sec. 384. All other applicable provisions of Sec. 398(b) shall also apply.

Sec. 401 STANDARDS FOR RIVERINE FLOODPLAINS WITH BASE FLOOD ELEVATIONS BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS.

Along rivers and streams where Base Flood Elevation (BFE) data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (a) Standards of Sec. 398(a) and (b); and
- (b) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
 - (1) The development is one of the following uses: agricultural activities, lawns, gardens, parks, trails, or open space and the development does not require fill or construction of new buildings. Any development activity associated with the above uses shall be minimal and shall be preceded by a certification that demonstrates that the proposed development will not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of a floodplain development permit, or

- (2) for essential services a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment. Development in floodplains, with or without adopted regulatory floodways, shall be held to 44 CFR 65.12 including but not limited to an application to FEMA for conditional approval, individual legal notice, concurrence of any other communities impacted by the proposed actions, and certification of structures.
- (c) If Sec. 401(a) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.

Sec. 402 STANDARDS FOR RIVERINE FLOODPLAINS WITH BASE FLOOD ELEVATIONS AND WITH FLOODWAYS OR NON-ENCROACHMENT AREAS.

Areas designated as floodplains with base flood elevations and with floodways or non-encroachment areas are Special Flood Hazard Areas established in Sec. 386. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to the standards outlined in Sec. 398(a) and (b), shall apply to all development within such areas:

- (a) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
 - (1) The development is one of the following uses: agricultural activities, lawns, gardens, parks, trails, or open space and the development does not require fill or construction of new buildings. Any development activity associated with the above uses shall be minimal and shall be preceded by a certification that demonstrates that the proposed development will not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of a floodplain development permit, or
 - (2) for essential services a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment. Development in floodplains, with or without adopted regulatory floodways, shall be held to 44 CFR 65.12 including but not limited to an application to FEMA for conditional approval, individual legal notice, concurrence of any other communities impacted by the proposed actions, and certification of structures.
- (b) If Sec. 402(a) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (c) No manufactured homes shall be permitted, except replacement manufactured homes in an existing manufactured home park or subdivision, provided the following provisions are met:

- (1) the anchoring and the elevation standards of Sec. 398(b)(3); and
- (2) the no encroachment standard of Sec. 402(a).

With there being no one wishing to address the Board during the public hearing, the Chairman closed the public hearing at approximately 7:21 p.m.

Informal Comments:

Reid Phifer, a resident of Marshville, North Carolina, addressed the Board during the informal comments, regarding the ethics violation investigation. He stated that Thomas “Pinkie” Marsh had asked a question in an open meeting about whether it had been said in a meeting by a County employee that there had been a petition filed to stop Mr. Marsh’s rodeo. Mr. Phifer reviewed the answers that had been given in response to the question.

He said that the Commissioners work for the taxpayers of the County and are responsible to every citizen concerning legitimate ethics violations. He stated that it is time for the remaining Commissioners to gather the actual facts for themselves.

Mr. Phifer discussed the definition of ethics.

Additions, Deletions and/or Adoption of Agenda:

Vice Chair Rogers asked for clarification of Item 10 on the Regular Agenda – Discussion of Board of Commissioners’ Special Meetings, Called Meetings and Work Sessions. Commissioner Baucom had requested that this item be placed on the agenda. She stated that if the request were related to televising meetings, she would not be in favor of discussing that matter again. However, if the item was about something different, then she would like to hear briefly what the item is without going into actual discussion of the item itself.

Commissioner Baucom explained that this item is twofold: the number of special meetings that the Board is having needs to be addressed and with that most of the special meetings are action taking meetings. He said to him special meetings were either requested by the Board in order to gather additional information to drill down into a subject; or 2) they are proposed or suggested by the staff for the staff to be able to present additional information to a greater depth than what would normally be available at a regular Board meeting. He stated that he thought special meetings were primarily for information rather than for action taking steps.

He explained that the second component of this item is the number of special meetings and that each of those meetings requires Board minutes. He stated that he was concerned with the amount of time that is being imposed on staff for the special meetings that could be done in regular Board meetings without requiring the additional staff time and especially from a minute taking component.

Vice Chair Rogers said if these were the topics to be discussed, then she had no issues with the item.

Chairman Openshaw stated that staff has requested that Item 8(b) be removed from the agenda – Carolinas Medical Center-Union: Capital Expenditures for Waxhaw.

Chairman Openshaw moved adoption of the agenda with the deletion of 8(b) – Carolinas Medical Center-Union: Capital Expenditures for Waxhaw, as requested by staff. The motion was passed unanimously.

Consent Agenda:

Chairman Openshaw moved approval of the items listed on the Consent Agenda as follows:

Contracts/Purchase Orders Over \$20,000: Authorized the County Manager to approve the following contracts, pending legal review:

- a. Financial Software Service Provider Agreement with Tyler Technology, Inc. in the amount of \$141,987 (\$47,329 annually)
- b. Agreement Extension with Favorite Healthcare for Nurse Staffing at the Union County Jail

Contract Amendment for Town of Indian Trail Contract Deputies: Authorized the County Manager to approve a contract amendment with the Town of Indian Trail regarding the provision of law enforcement personnel; 2) approved increasing the full/part-time position authorization allocated to the Sheriff’s Office from 251.55 to 256.55 reflecting five additional deputies in accordance with the terms of the contract amendment; and 3) adopted Budget Ordinance Amendment #18

BUDGET AMENDMENT									

BUDGET	Sheriff's Office			REQUESTED BY	Sheriff Eddie Cathey		
FISCAL YEAR	FY2010			DATE	November 02, 2009		
INCREASE				DECREASE			
Description				Description			
Personnel Expenditures		190,946		Department's Contingency for this budget program			27,420
Operating Expenditures		43,134		(per Adopted FY2010 Budget)			
Capital Expenditures (per allocation)		40,125					
Departmental Intergovernmental Revenue		246,785					
Explanation:	Appropriate intergovernmental revenue from the Town of Indian Trail for five additional contract deputy positions and related operating costs and equipment. Budget based on 8 months for a Lieutenant and Sergeant with earliest Estimated start date of November 1, 2009 plus 7 months for 3 Deputies with an earliest estimated start date of December 1, 2009.						
DATE				APPROVED BY			
				Bd of Comm/County Manager			
				Lynn West/Clerk to the Board			
FOR POSTING PURPOSES ONLY							
DEBIT				CREDIT			

Code	Account	Amount	Code	Account
10-543130-5121-1056	Salaries & Wages	136456		
10-543130-5122-1056	Salaries & Wages- OT	1386		
10-543130-5132-1056	Separation Allowance	3226		
10-543130-5134-1056	401K	6892		
10-543130-5181-1056	FICA	10545		
10-543130-5182-1056	Retirement	6741		
10-543130-5183-1056	Health Insurance	21775		
10-543130-51842-1056	OPEB	2482		
10-543130-5187-1056	Dental	1443		
	Total	190,946		Total
				-
	Prepared By	aar		
	Posted By			
	Date		Number	18

Minutes: Approved the minutes of the regular meeting of October 5, 2009

Health Department: Adopted Budget Ordinance Amendment #19 to appropriate additional \$7,000 in federal revenues to be used to increase storage capacity for immunization supplies

BUDGET AMENDMENT							
BUDGET	Health			REQUESTED BY	Phillip Tarte		
FISCAL YEAR	FY2010			DATE	November 02, 2009		
<u>INCREASE</u>				<u>DECREASE</u>			
<u>Description</u>				<u>Description</u>			
Operating Expenses			7,000				
Federal Revenue			7,000				
Explanation:	Appropriate additional federal revenue for Health Department. These funds will be used to increase						
	storage capacity for Immunization Supplies.						
DATE				APPROVED BY			
					Bd of Comm/County Manager		

Amendments to Environmental Health Food and Lodging Fees: Approved increase to the Temporary Food Establishment Fee from \$50 to \$75; and increase in the Allowable Charge for Plan Reviews for Prototype Franchised or Chain Facilities Food Establishments from \$200 to \$250. These increases were approved and recommended by the Board of Health. Both increases were authorized by the General Assembly in the 2009 legislative session.

Tax Administrator: Approved the departmental monthly report for September 2009

Communications: Adopted Budget Ordinance Amendment #17 to appropriate insurance reimbursement funds received to replace radio equipment damaged by lightning to the Communications tower located at the Sheriff’s Office on Presson Road

BUDGET AMENDMENT							
BUDGET	Communications			REQUESTED BY	Gary Thomas		
FISCAL YEAR	FY2010			DATE	November 02, 2009		
<u>INCREASE</u>				<u>DECREASE</u>			
<u>Description</u>				<u>Description</u>			
Operating Expenses			23,033				
Misc. Revenue			23,033				

Explanation:	Appropriate funds for tower repair at Presson Rd. caused by lightning strike				
DATE			APPROVED BY		
				Bd of Comm/County Manager Lynn West/Clerk to the Board	
FOR POSTING PURPOSES ONLY					
DEBIT			CREDIT		
<u>Code</u>	<u>Account</u>	<u>Amount</u>	<u>Code</u>	<u>Account</u>	
10-543200-5352	Maint Repairs-Equip	23,033	10-443200-4850	Misc Rev.-Ins Refunds	23,033

		Total	23,033			Total	23,033
		Prepared By	JLL				
		Posted By					
		Date				Number	17

Public Information Officer’s Comments:

Brett Vines, Public Information Officer, shared the following comments:

1. The Department of Social Services began accepting applications today for the Low Income Energy Assistance Program through November 13th at the Department of Social Services’ Office, Monday through Friday, from 8:00 a.m. to 5:00 p.m., at 1212 West Roosevelt Boulevard, Monroe, North Carolina. All eligible recipients will receive a one-time cash payment to help pay heating bills in February 2010. He said that last year the average cash payment was \$199 to assist with heating bills. He explained that it is an income-based program, and eligibility of participants will be determined by the Department of Social Services.

2. A Veterans Day ceremony will be held this Saturday and Sunday, November 7 and 8. The Warriors and Warbirds 2009 airshow will be held at the Charlotte-Monroe Executive Airport. Gates open each day at 9:00 a.m. The cost is \$10.00 for adults; \$5.00 for veterans; and ages 18 and under will be admitted at no charge. Mr. Vines said that the County’s Veterans Services Office will honor veterans each day at 10:00 a.m. The guest speaker on Saturday is NASA astronaut Joe Edwards. He encouraged anyone who was interested in more information regarding parking, etc. to visit the County’s website at www.co.union.nc.us.

3. He shared that there are scholarships available through the North Carolina Division of Veterans Affairs and through the North Carolina Association of County Veterans Service Officers. He stated that the scholarships through the Division of Veterans Affairs offers free tuition in a public, community, or technical college and offers \$1,500 to \$4,500 per year in private and junior colleges. Mr. Vines said that the deadline for applications for both scholarships is December 31.

He stated that the scholarship offered through the North Carolina Association of Veterans Service Officers is \$500.

Mr. Vines explained the criteria for these scholarships.

4. Union County Government offices will be closed on Wednesday, November 11, 2009.
5. Geographic Information Systems (GIS) Day will be held on Wednesday, November 18, 2009, from 10:30 a.m. to 2:30 p.m. in the Griffin Room of the Monroe Public Library. GIS Day is a collaborative effort of Union County, Union County Public Schools, Town of Waxhaw, Town of Indian Trail, City of Monroe, and the Town of Stallings. He explained that GIS Day is a worldwide event that takes place during Geography Awareness Week and provides a forum for users of GIS to showcase real world applications that are making substantial contributions to everyday life.
6. Cane Creek Park Lake has reopened. Parks and Recreation staff is still advising boaters to call (704) 843-3919 before they visit the park. The lake is still 14 inches below normal.

Hospital Engagement:

Commissioner Mills stated that he had obtained copies of the presentation from Kaufman Hall for the special meeting that he had not been able to attend. He said that at the October 19, 2009, meeting he had made a statement that a year or year and a half from the date of the lease expiration was typically when the process would begin. He stated that he had listened to the recording of that special meeting, and the representatives of Kaufman Hall had indicated that typically the process would start 180 days from the notice period. He said that he wanted to clarify tonight what he had stated at the October 19th meeting.

Hospital Engagement:

Commissioner Kuehler moved to authorize an agreement of services with Kaufman Hall in the potential sale of the hospital asset and direct the County Manager to obtain either a separate agreement or separate section within that agreement to address the possible lease of the asset as well and move forward.

Commissioner Baucom commented that he thought Kaufman Hall had a very good presentation and its representatives had shown that they have expertise in the field. He said that he liked the idea that Kaufman Hall operated on a fee only basis and is not commission based. He stated that it would not be incentivized to move forward with the culmination of a sale or of a lease that has been suggested that would generate a different revenue stream for a different period of time. However, he said that he wanted to be real clear that he is opposed, as he has stated a number of times, to the sale of the hospital and to attempting to make a change at this time in this stream. He stressed that he felt like this was the wrong time to make changes and could see nothing positive coming from it. He said that he has yet to have a single person speak to him or write to him suggesting that a sale of the hospital needs to occur. Commissioner Baucom said that all of the contacts that he has had have been in opposition to the sale of the hospital. He stated that he would be voting against this motion, because he thought it was the wrong thing to do.

Commissioner Mills said that he, too, would not be supporting Commissioner Kuehler's motion. He stated that he has had one person who had talked with him that supported the sale of the hospital, and everyone else who has talked with him has been opposed to a sale. He said that he had several people who had indicated they had no idea that the hospital was for sale, and one person had asked if there would not be a public hearing regarding a sale of the hospital. He stated that the word has not gotten out to the public. Commissioner Mills stated that the first time that the Board discussed this issue was during a special meeting on April 28, 2009, which was not televised. He said that it concerns him that there are people who have told him they had no idea that the hospital is for sale.

Chairman Openshaw said several people have talked with him about people thinking that the County controls the hospital. He said that the representatives of Kaufman Hall had said "that as far as control goes, the reality is that the County has no control." He said that he wanted to share this comment by Kaufman Hall.

Following the discussion, the motion was passed by a vote of three to two. Chairman Openshaw, Vice Chair Rogers and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills voted against the motion.

Carolinas Medical Center-Union:

a. Community Update

Michael Lutes, President of Carolinas Medical Center-Union (CMC-Union), updated the Board regarding the community benefits offered by CMC-Union, its economic impact on North Carolina and Union County, and highlighted some of the awards and recognitions received by CMC-Union.

Denise White, Chief Nursing Officer, spoke about the community wellness initiatives by CMC-Union and educational programs offered to the community and health screenings offered to employees of the Union County Public Schools.

Dr. Gregory Brouse, an Oncologist with the Edwards Cancer Center, provided an update on the cancer treatments available through the Edwards Cancer Center. He said that they are also planning to add technology services at the center over the next one to two years.

Dr. Thomas Doohan, Medical Director of the Emergency Department at CMC-Union, gave an update about the emergency department. He said the emergency department is by far the biggest upgrade to Union County with the recent opening of the new emergency department. He said that Phase I has been opened, and they now have 29 new treatment rooms, two state-of-the-art resuscitation rooms with designated Imaging capabilities, a comprehensive decontamination suite, a private Sexual Assault Nurse Examiner (SANE) room for patients who come in with report of sexual assault, and expanded clinical support space. Dr. Doohan said that Phase II of the Emergency Services Expansion is scheduled to open in April 2010. He said that this phase would be a renovation of the former emergency area which will add five additional treatment rooms, a dedicated 64-slice CT Scanner, a new fully digital Radiology room, and an expanded waiting room.

In closing, Mr. Lutes said that they are proud of the hospital that CMC-Union has become over the past 15 years with its affiliation with CHS and is proud to be the County's hospital serving all of Union County.

Vice Chair Rogers said as someone who has volunteered as a Rape Crisis Counselor and visited the various hospitals in Charlotte and the surrounding areas and sat with the rape victims as the police questioned them, the SANE Suite is a phenomenal thing to have.

Mr. Lutes credited Denise White for the idea and added that the emergency department was designed by the hospital's employees.

Capital Expenditures for Waxhaw

This item was removed from the agenda at the request of staff.

At approximately 8:05 p.m., the Chairman called for a short recess. The meeting was reconvened at 8:15 p.m.

Suspension of Rules of Procedure to Add to the Agenda the Appointment to Planning Board:

Chairman Openshaw requested to suspend the Rules of Procedure to add an item to the agenda for an appointment to the Planning Board. He stated the vacancy was announced at the October 19, 2009, meeting, and an alternate member currently serving on the Planning Board wishes to move up to the regular position. He said that the Board would need to announce the vacancy on the Planning Board to fill the alternate position currently held by that regular member for possible appointment at the November 16, 2009, meeting.

Commissioner Mills moved to suspend the Rules of Procedure to add an item to the agenda for the appointment to the Planning Board of a regular member and to announce a vacancy on the Planning Board for an alternate member. The motion was passed unanimously.

Chairman Openshaw stated he would place the announcement of the vacancy for an alternate member as Item 12b on the agenda.

Proposed Development Policies and Vision Statements and Corresponding Policy:

Commissioner Kuehler stated that she has drafted some policies from several different North Carolina counties that have been experiencing growth and the challenges associated with growth. She moved to refer the proposed development policies and vision statements and corresponding policy to the Planning Board for consideration and review as the Planning Board is working on the Comprehensive Land Use Plan, and have the Planning Board work with the different areas within the policies, obtain staff input, and bring back recommendations and suggestions for adoption by this Board when it has had a chance to review.

Commissioner Baucom questioned the status of the Land Use Planning Committee. Mr. Greene responded that the Land Use Steering Committee was thanked for its work and discharged once the plan was completed. He explained that the former Planning

Board no longer exists and that Board was a major component of the Land Use Steering Committee. He said that the current Planning Board is reviewing the Land Use Plan.

Commissioner Baucom questioned that the information in the agenda file indicated the date of Commissioner Kuehler's draft was November 2, 2008. He questioned why it was being presented a year later and asked if November 2, 2008, was the correct date. Commissioner Kuehler stated that was when she began work on the draft policies. She said that she had discussed with the Manager when and how to bring the draft policies forward. She stated that the Board has been doing a lot of work with the Water Allocation Policy and now that the Land Use Plan is being worked on by the Planning Board, she thought it was a good time to bring the draft policies forth.

Commissioner Mills said that what Commissioner Kuehler had presented is a vision statement and the corresponding policy. He stated that it looked to him that the County has paid approximately a quarter of a million dollars on the Comprehensive Land Use Plan. He said he thought the vision statement would be something done in the beginning and then build around it. He stated that it seemed to him that it was being put in after the fact. He stated that it looked to him to come at this time with a new vision statement after the Land Use Plan has been developed is almost like digging a foundation and building a house off to the right of it and trying to move the house on top of the foundation after it has been constructed. He said that he thought the vision statement was being presented backwards, and he did not understand the relevance of it. Commissioner Mills said he wished the Board could get some items off its plate rather than continuing to add items to it with items being unfinished.

Vice Chair Rogers commented that she looked at it from a different place. She said she had scanned the drafts, because she did not know how many changes the Planning Board would make to the drafts. She expressed appreciation to Commissioner Kuehler for her initiative. She said that it was very well known at the time Commissioner Kuehler was running for office that she was going to be a hands on, very involved Commissioner, and she has shown that to be the case. She stated that Commissioner Kuehler has brought many things to the Board, and these policies are ones that open up the conversation. Vice Chair Rogers said as far as having a vision statement that may be in conflict with the land use plan, she has not seen the land use plan. She stated that she thought it was always better to go into something such as these policies knowing what the expectations and visions are even if it is from a single commissioner so that items can be addressed. She said that she did not look at the policies so much as they are set in stone. She stated that the land use plan is a work in progress that has not been approved. She said that from her perspective, she was elected in large part because the people in the County wanted to see some type of growth management occur that has not occurred.

Vice Chair Rogers stated that there is a new board, and there are going to be differences of opinions and different positions. She said that she thought the draft policies would generate some discussion and get the ball rolling, and she would prefer that be done beforehand rather than after the Planning Board goes down a certain road.

The motion was passed by a vote of three to two. Chairman Openshaw, Vice Chair Rogers, and Commissioner Kuehler voted in favor of the motion. Commissioners Baucom and Mills voted against the motion.

The draft Proposed Development Policies and Vision Statements and Corresponding Policy are recorded below in their entirety:

PROPOSED DEVELOPMENT POLICIES:

It is the intent of the Union County Board of Commissioners to address the potential decline of Union County's special quality of life unless specific growth management action is taken to prevent it and to enhance the continued challenge of providing a high level of public services while keeping property taxes at a reasonable level. Furthermore, by establishing a Growth Management Plan, it is the intent of the Board of County Commissioners to:

1. Recognize that all individual growth management decisions are part of a larger interconnecting framework of building sustainable and quality growth within Union County;
2. Discourage high density development in areas where significant urban infrastructure are not anticipated;
3. Encourage rural lot designs in those areas where urban infrastructure is not anticipated that will enhance groundwater recharge ability while preserving open space;
4. Recognize and respect constitutionally protected private property rights in the interpretation of all policies and to achieve community goals such as open space preservation through incentives to landowners in voluntary programs that recognize consumer demand;
5. Minimize the effects of large developments in rural areas on the visual landscape and protect farmers from residential neighbors who may not fully understand the nature of farming;
6. Ensure the opportunity for landowners to achieve the highest and best uses of their land that are consistent with growth management policies in order to protect the economic viability of the County's citizens and tax base; and

7. Consider the costs as well as the benefits of growth management policies in order to preserve affordability for citizens' real estate and housing needs.

Five Guiding Policies:

1. The rural, small town and natural character of the county should be preserved.
2. Land use and development should be managed and regulated in order to preserve the quality of our growing county.
3. The guiding policy in any government actions in relation to the use and development of land should be to limit regulation to specific public health, safety, and welfare objectives balanced with responsible freedom in the use of land.
4. County roads should be improved and maintained to a level consistent with present development and expected future development.
5. Growth and development should be balanced with provision of adequate public support infrastructure.

During the past several years, Union County and its municipalities have faced a number of challenges as the region has undergone considerable change. Areas of new growth and development have continued their shift from urban to suburban and rural locations. As new development moves farther into the countryside, greater demands are being placed on area roads, utilities, parks, and other local government services. Resource issues have become overwhelming, including sprawling development, farmland and forestry losses, drainage and flooding issues, and environmental degradation.

As the region grows and continues to change, local elected leaders must make difficult decisions about how to manage growth and about how to allocate the area's finite financial and natural resources to deal with these many growth-related issues.

VISION STATEMENTS and CORRESPONDING POLICY:

1. Well Managed Growth

Area and local governments and service providers must be able to coordinate their policies and action to direct new growth where it can best be served. New developments should generate fewer land use conflicts, less sprawl, and less traffic congestion, while creating more planned open spaces, and a cleaner, healthier environment. We must facilitate more efficient, clustered and mixed use

development patterns in order to be able to deliver public services for tax rates below state averages. Better, more quality-conscious development standards shall be applied consistently throughout the county, resulting in higher quality developments. At the same time, such standards shall respect the inherent differences found in development practices for rural versus urban areas, small towns versus large city areas, and historic versus modern areas.

Policy 1.1 An urban areas shall be identified and mapped where urban level development and redevelopment is to be especially encouraged and where a full range of urban services, including centralized water and sewer, as well as stormwater management services, are already available or can be provided in a timely, cost-effective manner.

Policy 1.2 A rural areas shall be identified and mapped where development at a non-urban density is to be encouraged and where on-site sewer services (ie: septic tanks) are most appropriate.

Policy 1.3 Community areas shall be identified and mapped to include small towns where a mixture of community level land uses is to be encouraged to help meet the housing, shipping, and employment needs of are residents.

Policy 1.4 Conservation areas shall be identified and mapped to include 100-year foodplains, riparian buffers along streams, natural heritage areas, critical wildlife habitat, public parks, and other significant, limited or irreplaceable natural areas. Development, if any, should be limited and attentive to the protection of environmental features.

Policy 1.5 Regardless of location on the growth strategy map, new development should occur at densities appropriate for the site. Density factors shall include whether the site is within an environmentally sensitive area, the type of sewage treatment available, the topography and drainage of the site, the capacity of transportation facilities serving the site, the proximity of the site to other existing services, and other relevant factors.

Policy 1.6 Factors used to determine preferred locations for multi-family developments shall include: close proximity to employment and shopping centers, access to major thoroughfares, the availability of public services and facilities, stormwater management issues, and compatibility with adjacent areas and land uses.

Policy 1.7 Access to higher intensity development shall generally not be permitted through an area of lower intensity development.

Policy 1.8 The particular housing needs of senior citizens and the disabled shall be recognized in local government policies and actions regarding residential development.

Policy 1.9 Incentives may be provided for infill development and the rehabilitation of existing housing already provided with urban services to acknowledge the lower service and infrastructure costs to the taxpayer. Development requiring the expansion of services and infrastructure may be required to assist in the cost of such service expansions.

Policy 1.10 Existing neighborhoods shall be protected from encroachment by incompatible land uses. At the same time, convenient services designed to be compatible with nearby residential uses may be permitted at an appropriate level of design and scale.

Policy 1.11 New infill development shall be architecturally compatible with existing structures, landscape features and the streetscape within its vicinity.

Policy 1.12 Housing throughout the county shall be required to meet or exceed minimum housing and nuisance abatement standards to eliminate unlawful activity and blight. Individual structures that have declined to levels beyond reasonable rehabilitation and repair shall be removed so as not to adversely affect the economic health of other nearby structures.

Policy 1.13 Proposed residential development that would expose residents to the harmful effects of incompatible development or to environmental hazards shall be prohibited.

Policy 1.14 All forms of housing development should be discouraged from “leapfrogging” into the countryside, thereby destroying the rural character of the County, breaking up large farmland areas, and making the provision of urban services more costly to taxpayers.

Policy 1.15 Detailed neighborhood and small area planning (or public information meetings) shall be supported so as to encourage greater resident involvement and closer attention to area specific issues and needs.

(Action requirements:

- Integrate road and transportation considerations into the land use plan

- Include as part of land use plan: 1) open space standards and required dedication of open space, 2) intergovernmental agreements to encourage compact development through zoning and collaborative planning efforts, 3) traditional town centers and similar design, 4) planned mix of residential and commercial uses, 5) encouragement of urban development concentration and discouragement of rural development dispersion, 6) air quality impact of development patterns and designs, 7) water quality impacts of development patterns and designs, 8) provision of pedestrian and bicycle linkages within developments and between residential and commercial areas, and 9) preservation of tree cover.
- Multi-family and manufactured home park developments should be required to design for buffering from surrounding uses, minimum paved internal streets at least 18 feet wide, safe access to public roads, drainage, off street parking, common open space, and provision for fire and emergency service.
- Location of higher density development to be limited to areas with adequate provision of utilities and services.)
- As part of any land use regulations, establish a grievance, review, and relief or variance process for property owners whose land value is substantially affected by county regulation of land use.)

2. Infrastructure That Keeps Pace

The location of new development shall be carefully coordinated with area plans for infrastructure, including water and sewer services, stormwater management, schools, parks and open space, and transportation needs. Utilities must be shown to be adequate and in place prior to occupancy of the new developments they serve. Sewer services should be strategically employed to encourage urban level growth where it can best be accommodated. Advanced planning for future school and park sites should be acquired ahead of their need. Future greenway corridors shall be identified so that they may be incorporated into the design of new developments.

Policy 2.1 Recognizing that infrastructure has a powerful influence on growth and development, the availability of infrastructure (along with other factors) should determine where development will occur in the region, rather than the other way around.

Policy 2.2 Advanced planning for all infrastructure facilities shall be supported and routinely updated on a countywide basis. Facilities benefited by advanced planning shall include, at a minimum, schools, roads, water, sewer, stormwater management, parks, and greenways.

Policy 2.3 Development intensity should be matched, generally, with the availability of infrastructure. There will be locations, however, where infrastructure alone cannot make up for poor soils, inadequate topography (drainage), or other overriding factors.

Policy 2.4 Generally, infrastructure with excess capacity should be utilized first before spending additional monies to install and maintain new infrastructure elsewhere.

Policy 2.5 New infrastructure shall not be placed in areas where it would encourage development incompatible with current development strategies. New infrastructure shall not be placed in areas where it would encourage sprawling or scattered development in outlying rural areas. Exception may be made for major economic development initiatives, or a need to address an imminent public health emergency.

(Action requirements:

- Create a task force/committee to study and evaluate long range sewer needs and formulate policies and a plan for future sewer improvements and infrastructure growth
- Maintain a minimum standard of 18 feet of paved road width with two foot shoulders as a condition precedent for major developments.
- Require a formal traffic impact study for subdivisions or other developments that would generate at full development 500 or more trips p/day [approximately 50 lots in a subdivision]
- Prepare a countywide evaluation on long-range sewerage needs based on projected densities of development in various areas, and adopt a policy plan to guide decisions concerning the location and funding of future sewer improvements
- Incorporate an infrastructure inventory into the county comprehensive plan, with assessment of adequacy based on defined standards
- Address any inadequacies in support infrastructure by specific improvement plans)

3. Expanded Parks and Recreation

As Union County grows, more park and recreation facilities must be added to meet demand. Parks that include active recreation facilities for the youth, such as soccer, baseball, and multi-purpose fields as well as passive recreation areas that include a well developed system of walking and biking trails shall be included in the development plan. Numerous smaller parks and open space shall be created as part of routine development approval processes.

Policy 3.1 Parks development shall be emphasized as being vital to Union County as a great community with a high quality of life that can attract new businesses and industry to the area.

Policy 3.2 Parks shall be located and designed according to population density and needs of the people residing within the most likely park service area.

Policy 3.3 Efforts to develop a system of open space greenways and hiking trails to connect residential areas with schools, parks, service areas, downtowns, and cultural areas shall be supported. Natural corridors such as streams and floodplains, and man-made corridors such as utility and transportation rights-of-way and easements shall be strategically employed.

Policy 3.4 Smaller parks shall be encouraged in existing and proposed neighborhoods to meet the needs of small children and to encourage social interaction and mutual support among area families.

Policy 3.5 Neighborhood parks should be located with exposure to residences, businesses, and other activities, where informal observation and oversight can provide enhanced security to park properties.

Policy 3.6 New residential development should provide for adequate open space and recreation areas in proportion to the demand created by the development. Acreage or funding may be determined according to local government criteria.

Policy 3.7 Cooperative public-private arrangements for the development, programming, and maintenance of park and recreation facilities shall be encouraged.

(Action requirements:

- Adopt subdivision regulations to allow sidewalks and/or pedestrian pathways that would be interconnected with each other and the road system
- Prepare a plan for bikeways and trails linked to the road system [perhaps by committee]
- Opportunities to partner with the school system for the development and operations of new parks and recreation facilities should be pursued)

4. Preserved Open Space & Rural Character

Losses of open space, farmland, and rural character must be protected by growth management policies, by directing new development away from prime agricultural areas, significant open spaces, and environmentally sensitive lands. Urban services, such as centralized water and sewer, roads, schools, and parks shall be strategically placed to facilitate compact, contiguous growth, rather than promoting leapfrog developments in the midst of productive farmland. New development shall be encouraged to occur in the form of full service, mixed use communities, rather than a series of unrelated, single use, sprawling, suburban-style subdivisions.

Policy 4.1 Local government policies shall seek to conserve rural area agricultural lands having a high productive potential for appropriate agricultural use.

Policy 4.2 Actions concerning infrastructure (e.g. schools, parks, utilities) and regulations shall direct new development first to targeted growth areas near existing towns, rather than “leapfrogging” to locations in the midst of farmland and greenspace.

Policy 4.3 Environmentally sensitive areas shall be identified and managed so as to protect them from incompatible land uses.

Policy 4.4 Floodprone areas shall be conserved for the valuable open space, environmental and flood hazard benefits they provide and shall be managed for suitable land use activities.

Policy 4.5 All park and recreation master plans shall include open space, greenways, and natural areas as key components.

Policy 4.6 Conservation easements shall be promoted as a means of providing appropriate open space areas and corridors for public use, while also providing tax benefits to the donor.

Policy 4.7 All land that is set aside for open space shall be managed by a community association, non-profit organization, government authority, or other suitable entity.

(Action requirements:

- formulate a strategic plan to preserve farmland
- explore option for funding purchase and/or transfer of development rights)

5. Compatible Commercial Development & Services

Shopping and service centers should be convenient to nearby residential areas, while protecting these same areas from incompatible commercial encroachment. Local development regulations should control the types of services allowed near residential areas as well as their size and physical design. New and rehabilitated commercial buildings shall exhibit well-groomed landscaping, attractive signage, and appropriate architectural design. Policies shall be implemented to prevent indiscriminate abandonment and prolonged vacancies of “big boxes” left behind for “bigger boxes.”

Policy 5.1 Taxpayer investment in major roadways shall be protected by prohibiting uncontrolled strip development along the area’s important traffic moving arteries. Beyond traffic considerations, the quality of development adjoining the area’s travel corridors should have a positive influence on community image, appearance, and economic development.

Policy 5.2 Government shall avoid rezoning residentially zoned land to commercial zoning solely because it adjoins a major highway or street. Proper design and/or buffering has shown that land tracts adjoining major streets can be properly developed for residential use.

Policy 5.3 Office and institutional development may be encouraged to locate as a transitional land use between residential areas and activities of higher intensity, including major highways. Existing residences fronting on a once quiet roadway, now intensively traveled, may be candidates for conversion to office and institutional issues.

Policy 5.4 Smaller scale commercial development should be clustered in consolidated locations convenient to surrounding residential areas. Pedestrian and bicycle facilities should be installed along all streets leading to such commercial areas.

Policy 5.5 So as to minimize unsafe turning movement into and out of the flow of traffic, government shall encourage the consolidation of commercial driveways onto major streets and the connection of adjacent parking lots.

Policy 5.6 Government may establish special design standards for big box retail stores so as to avoid accepting the “anywhere USA” standard, minimal building design.

(Action requirements:

- formulate and adopt guidelines for design, appearance, and relationships of buildings, parking areas, signs, pedestrian paths, landscaping, and other aspects of the visual and functional environment
- concentrate commercial zoning at key intersections
- require planting plan to screen development bordering major roads with particular emphasis on parking areas, loading areas, dumpster areas, HVAC areas, and other areas that may pose visual impact
- reduce visual clutter of signs
- restrict tower location and height, and require blending towers into surroundings)

6. Attractive Community Appearance & Image

Major urban corridors and gateway roadways should be landscaped, contain understated signage, and architecturally appealing buildings. Both urban and rural roadways shall be free of clutter and litter. Strict enforcement of regulations concerning junked vehicles and dilapidated structures shall be observed. Area citizens place a high value on the unique history of our community, and emphasis shall be placed on preserving historic buildings and places.

Policy 6.1 The important economic, tourism, and community image benefits of attractive major travel corridors through the area shall be recognized. Such entryway corridors shall receive priority attention for improved appearance and development standards, including landscaping, signage, tree preservation, underground utilities, streetlights, and sidewalks.

Policy 6.2 Proper code enforcement shall be employed to deal with the public health and safety issues of abandoned and neglected residential properties.

Policy 6.3 The significance of street trees in providing visual relief, summer cooling, improved air quality, and livability shall be recognized through public policies to encourage their planting and maintenance. Highest priority shall be given to gateway travel corridors and urban centers. Programs urging voluntary efforts by property owners shall be preferred. Power companies shall be encouraged to aesthetically trim trees under or near power lines when those trees do not interfere with power line operations.

Policy 6.4 The placement of utility wires underground shall be required in all new public and private developments. Existing overhead utilities should be relocated to underground locations when redevelopment or new construction affords the opportunity and where high visibility justifies the cost.

Policy 6.5 The placement of Communication and other towers in Union County shall be monitored through the use of the special use permitting process. Their design and location shall continue to be regulated as necessary.

Policy 6.6 Clear cutting of trees (except those grown for timber) shall not be permitted without advance notice and just cause. Those proposing the removal of trees shall demonstrate a good faith effort to incorporate existing trees into their site designs. Incentives and disincentives may be used to encourage appropriate site development.

(Action requirements:

- review and revise the county regulations, and formulate and adopt design guidelines for preservation of open space, preservation of natural features, protection of stream banks, minimization of visual impact, and other design elements.
- establish a percent of usable open space standard in subdivision regulations and zoning, and require developer dedication of open space
- amend subdivision regulations and zoning to require retention of natural cover and minimize land disturbance during construction
- amend subdivision regulation to require open space treatment at entrance to subdivision, e.g. greater lot setback, berm, or buffer)

7. A Healthy, Sustainable Environment

In managing growth, area local governments must work together to minimize adverse impacts to the region's air and water quality. Joint growth policies and development standards can serve to accomplish these goals. Cluster developments, walkable neighborhoods, and nearby services are designed to generate less traffic and require shorter distances to shop or work. Streams and drainage ways passing through the county receive less stormwater runoff and pollution when based on low impact design, tree preservation, protection of wetlands, landscaped parking areas, and vegetated buffer strips adjoining stream channels and roadsides.

Policy 7.1 We shall strive to make our communities walkable and pedestrian-friendly, and less dependent on the individual automobile.

Policy 7.2 Runoff and drainage from development shall be of a quality and quantity as near to natural conditions as possible.

Policy 7.3 Site plans for commercial and multi-family development should demonstrate a good faith effort to preserve the natural features of the site, including existing topography and significant existing vegetation.

Policy 7.4 Government may employ a combination of incentives and disincentives to protect existing trees and/or require the replacement of trees removed for development.

Policy 7.5 The environmental benefits of low impact development, including the use of vegetated roadside drainage swales, shall be recognized. Requirements for curb and gutter shall be reserved to urban level development that is served by stormwater collection, retention, and slow release facilities.

Policy 7.6 Government shall require the retention of a vegetated riparian buffer (natural or planted) along all creeks, rivers, lakes, and other non-privately held water bodies in Union County.

Policy 7.7 Large parking lots shall have landscaped planting islands and perimeter buffer strips and may use other materials and design technologies to intercept and absorb runoff from the parking surface. Parking requirements shall be carefully gauged by land use so as not to create excessive paved surface areas.

Policy 7.8 Development activities in the 100-year floodplain shall be carefully controlled. If development must occur, it should be limited to open space, recreation, and adequately buffered agricultural activities.

Policy 7.9 Local economic development and industrial recruitment efforts shall focus on businesses and industries that have a clean air and water quality impact.

8. Safety Services Closer to the People

As Union County continues to grow it is necessary for local area law enforcement, fire safety, and emergency medical officials to operate from substations closer to the populations they serve. Not only does this improve response times, it allows the area public safety personnel to become attuned to the issues and problems unique to each area of the county. Public safety services must be continually upgraded in terms of communications capability, equipment, personnel, and advanced planning.

Policy 8.1 Government shall encourage development patterns and housing choices that support community policing and defensible space principles, e.g. mixed use development, defined public and private spaces, appropriate lighting, etc.

Policy 8.2 The shared use of public buildings and facilities (county, municipal, other) shall be encouraged to allow public safety services (substations) to be located closer to the people and properties they serve.

Policy 8.3 Public safety classes and programs shall be offered in senior centers, recreation sites, schools, and community buildings throughout the county.

9. Intergovernmental Cooperation & Efficiency

Local governments in Union County must join forces on many fronts to address matters of common interest. These matters include, for example: economic development, growth management, transportation, water and sewer services, open space preservation, and environmental quality, among others. Local and County government would benefit from the guidance of multi-jurisdictional boards, committees, and meetings. The County must follow a policy of frequent, effective communication between local government leaders and area residents which will lead to enhanced decision-making in the region.

Policy 9.1 Government shall support on-going intergovernmental planning on issues of common concern, including land use and development, transportation, utilities, environmental management, economic development, law enforcement, emergency management, education, and recreation and tourism, among others.

Policy 9.2 Multi-jurisdictional plans for infrastructure and services shall be jointly prepared and updated.

Policy 9.3 Public and private sector efforts to plan for and promote the region as a coherent metropolitan whole shall be supported. At the same time, the unique identity and character of individual communities shall be respected.

Policy 9.4 Multi-jurisdictional boards and committees shall be supported as they evaluate and recommend improvements in the delivery of government services and infrastructure.

Policy 9.5 Joint meetings, routinely held, shall be supported to allow elected and appointed board members, as well as key support staff, to better coordinate the planning and delivery of government services.

10. An Active, Involved Citizenry

Area citizens have shown a keen interest in the affairs of their local government. There is a can-do spirit driven by civic pride and revealed through broad community involvement. Volunteerism is a constant source of energy and government officials should routinely seek the views of their constituents on growth and development issues.

Policy 10.1 Local government boards and committees should be roughly representative of the constituent voting population of the planning area.

Policy 10.2 Neighborhood and special area planning shall be encouraged to foster public involvement in the preparation of closely tailored, action-oriented, special area plans and improvements. Public participation should be a central, on-going feature in all plans.

Policy 10.3 The Union County website should have quick links to all other local governments in the county to facilitate convenient access to public information by area citizens. Local governments are encouraged to provide the same links on their sites as well.

11. A More Diversified Economy

While workers in retail trade, construction, healthcare, and manufacturing continue to be an important part of the local economy, other types of work need to be expanded, including information services, professional and technical services, and wholesale trade, to name a few. Improving our competitive ability for attracting new business is paramount.

Policy 11.1 The expansion of existing businesses and the start up of new businesses shall be a critical component of the area's economic development effort.

Policy 11.2 The rehabilitation and reuse of currently unused or underutilized structures, sites, and infrastructure shall be encouraged.

Policy 11.3 Local governments shall be included as active participants, facilitators, and partners in the creation of business and industrial development opportunities capitalizing upon the unique human and economic resources of the area.

Policy 11.4 Agri-tourism shall be encouraged as a means to supplement and sustain family farms while also bolstering the local area economy.

Policy 11.5 New and expanding businesses and industries shall be encouraged that: 1) diversify the local economy, 2) train and employ a more highly skilled workforce, and 3) increase area residents' incomes.

Policy 11.6 Economic development incentives shall be identified, evaluated and only implemented after cost-benefit analysis is conducted to encourage appropriate and desirable growth and development within the region.

Policy 11.7 Appropriate opportunity sites for manufacturing and new technology enterprises shall be identified and protected through appropriate zoning. Such sites shall be based upon factors such as transportation access, availability of utilities, compatibility with nearby land uses, soil conditions, drainage, and other considerations.

Policy 11.8 Activities that bring new people and businesses to the area, including special events, sports tournaments, tourism, and convention activities shall be encouraged and supported.

Adopted in part from
Cumberland County's 2030 Growth Vision Plan
Randolph County's Growth Management Plan
Blunt County's Policies Plan

Tracy Kuehler/Draft
November 2, 2008

Discussion of Board of Commissioners' Special Meetings, Called Meetings and Work Sessions:

Commissioner Baucom said as he had stated earlier, this item has two parts. The first part is the aspect of transparency in government. He said the number of special meetings that the Board is holding, the routine special meetings that the Board is having, the special meetings that the Board is having that are meetings for action are being held away from the camera where the public unless they are attending the meetings do not have an opportunity to have an understanding of any discussion or any rationale that was presented during the action that was taken. He stated that he believed special meetings can be very beneficial with the benefit being when Commissioners, whether individual or as a body, request additional information, and if the request is done as an individual Commissioner, then the body needs to make that request.

He said the other aspect is he is concerned about the amount of action items being addressed during special meetings.

Commissioner Baucom said he was not making a motion but is suggesting going forward that the Board work more diligently not to have special meetings with action attached to them. He stated that he had asked before that special meetings with action items be recorded and videoed so they can be televised. He said that this sitting board has stated that it is very much in favor of transparent government.

Vice Chair Rogers asked for a point of order. She said that her objection to the item was the televising of the special meetings. She stated that she was fine with the comments of Commissioner Baucom regarding the number of special meetings and the number of items requiring action at special meetings, but if the discussion is veering off to televising the meetings, she would call for a point of order for the meeting.

Commissioner Baucom said that with the transparency of government, if the public is not allowed the opportunity to know what is going on, the transparency is made opaque. He stated that if it continues, then he is very concerned. He said that he hopes that the Board would address this concern in the future either by videoing action special meetings or taking action steps during regular meetings and use special meetings for the purpose of special meetings which is for the Board to obtain additional information.

Secondly, Commissioner Baucom said his other concern is minutes are required of the special meetings and all other meetings of the Board. He said that with the minutes requirement, it has placed a tremendous burden, in his opinion, on staff and especially the Clerk. He stated that staff was working to try and find some agenda software and questioned the status of the acquisition of software.

Mr. Greene responded that a tremendous amount of staff's study has gone into the software review, and there is a committee working on it. He said there were a number of presentations by agenda software vendors. He stated that the project was originally a simple software program, but it is apparent that the project will expand beyond software to some hardware features, and as a result, the staff is in the process of compiling a Request for Proposal (RFP) for companies to respond. He explained that the project will be delayed for some time.

Commissioner Baucom asked about the timeline for implementation of the software. Mr. Greene stated that three to four months is a typical timeframe to develop a Request for Proposal and make an award. Commissioner Baucom asked the number of meetings the Board has held that have required minutes. Mr. Greene responded that in this calendar year, the Board probably has held close to 90 meetings if closed sessions are considered separate meetings including work sessions, closed sessions, etc. He said that a solution needs to be found.

Commissioner Baucom said one solution would be to require verbatim minutes and that would take a time element out of it for the Clerk, because a court reporter could transcribe the minutes. He stated that he did not particularly like verbatim minutes, but he did think there needs to be a solution.

Commissioner Baucom moved that the Chair appoint a steering committee to address this issue and come back to the Board with a recommended plan of action moving forward.

Commissioner Kuehler questioned the number of minutes as was stated by the Manager. She said that she had checked the website and as of August, there had been eight. She questioned what the number stated by the Manager encompassed. Mr. Greene said that number included all the meetings for which minutes are required. Mrs. West responded that the number of special meetings was greater than eight.

Commissioner Kuehler said that it has been discussed and understood that once the software is put into place, the minutes could be more action-oriented minutes rather than as the minutes that are being prepared now. Mr. Greene responded that it was

difficult for him to give a definitive timeframe because the RFP has not been drafted, and it would be extremely technical. He said he would guess that it would be approximately four months.

Mr. Greene explained that the software would have a video component so the public could visit the County's website and see the section of the video that they are interested in without watching the entire meeting. He said the thought is with that feature, the Board might be willing to allow more abbreviated minutes.

Commissioner Kuehler questioned if it were worth assembling a committee to study the matter when it is only four months away from implementing the software and lessening the minutes workload.

Commissioner Mills said that he thought the Board had visited six out of 14 municipalities. He stated there are eight municipalities that the Board has not visited. He questioned if those meetings have been dropped or what is the status of those meetings.

Chairman Openshaw said he thought after the municipal election season would be a good time to continue those meetings.

Vice Chair Rogers said that she and Mrs. West have had discussions and she knows that the Clerk has a lot of work. She stated that she did not run for Commissioner to have things remain status quo as far as meetings. She said she ran to try and make a difference and try to make things happen, and the side component of that is when trying to make things happen, there are a lot of meetings. She stated that when she first came on the school board, she requested a lot of information. She said that the Board is closing in on a year of having new people on the Board, and she would suspect that there would be a little more structure and the number of meetings would be reduced because some of the issues have been taken care of.

Vice Chair Rogers said that her expectation was to have a number of meetings starting off and she thought that was what the Board has been doing, but she thought it would rectify itself. She stated that she appreciated the concern of Commissioner Baucom and his bringing up the issue, but there will be an RFP. She said that in January, she had proposed placing the audio on the website in the interim and if that was done, the public could listen to the meetings and then maybe there could be less detailed minutes of the meetings. She said that is still an option that could be used now. She stated that she was not supportive of a steering committee to review the issue, and she thought the concerns could be addressed through the new software, and if possible, put the audio tapes on the website.

Commissioner Mills asked about the recordings for the special meetings and compiling a disk containing the meetings.

Chairman Openshaw said that the Board began having some of the special meetings for two reasons: 1) concern that the regular meetings were lasting too long; and 2) over the summer, the Board got behind and the Board worked with staff to make up some of that time, and 3) staff has requested a number of special meetings. He said that the Board had received a recent e-mail requesting special meetings to review some of the financial information that the Board had requested in July or August. He suggested that the Board look for recommendations from staff to alleviate some of the burden of the minutes.

Commissioner Baucom asked for an explanation from the Manager of what the three to four months timeline would be for implementing the software. Mr. Greene responded that this would be the timeline for staff making a recommendation on awarding the contract for an agenda software system. Commissioner Baucom asked if once the software program has been approved and installed, what is the timeline for the program to become effective. Mr. Greene said that he thought the training and implementation of the video feature of the software would not be that difficult to learn at the staff level or for the citizens. However, he said the actual agenda software might be a little confusing for several months.

Commissioner Mills asked if the Board was ready to begin video taping of the Board's special meetings. Vice Chair Rogers clarified that she was referring to audio taping the special meetings.

Mr. Greene said that he understood Commissioner Baucom's concerns and there have been a number of action items on special meetings out of necessity. He stated that in most cases, the action is not so urgent that the detailed information could not be provided to the Board at a work session and then take action during a regular meeting.

Vice Chair Rogers added that she thought that a determination would need to be made by the Board as to whether or not motions are made at any meetings of the Board. She said that she personally believed it is the Chair's call on many of the items. She said that when televising the meetings was discussed in January, one Commissioner had said that it should be the Chairman's call on whether or not to televise work sessions. She stated that she thought all the discussion was about the Chair running the meetings and what he or she determines to be necessary while working with the County Manager.

Commissioner Kuehler said that she understood the Manager's comments were that staff would bring recommendations to the Board. She stated that she thought staff could bring those recommendations to the Board faster than the Board could appoint a steering committee to review it.

Commissioner Baucom asked Mr. Greene if he were offering for staff to bring recommendations to the Board. Mr. Greene said that staff would be happy to bring recommendations for the Board if that was the Board's desire.

Commissioner Baucom withdrew his motion. He asked that the Board be open-minded when the request for proposals are brought to the Board.

Announcements of Vacancies on Boards and Committees:

Chairman Openshaw read the following vacancies on Boards and Committees:

- a. Adult Care Home Advisory Committee (4 Vacancies)
- b. Nursing Home Advisory Committee (4 Vacancies)
- c. Region F Aging Advisory Committee (1 Vacancy)
- d. Juvenile Crime Prevention Council:
 - 1. Member of Faith Community
 - 2. County Commissioner Appointees (3)
 - 3. Substance Abuse Professional
- e. Union County Industrial Facilities and Pollution Control Authority (2 Vacancies for Unexpired Terms Ending May 2014)
- f. Parks and Recreation Advisory Committee (1 Vacancy for Unexpired Term Ending in February 2011 Due to Resignation)

Appointments to Boards and Committees:

- a. *Adult Care Home Community Advisory Committee*

Vice Chair Rogers moved appointment of Maria C. Gaines to serve on the Adult Care Home Community Advisory Committee. The motion was passed unanimously.

- b. *Planning Board*

Commissioner Mills moved to appoint Patti Freeman, who currently serves as an alternate member, on the Planning Board to fill the vacancy for a regular member on the Planning Board. The motion was passed unanimously.

Suspension of Rules of Procedure to Add an Item (12c) to Announce the Vacancy of an Alternate Member on the Planning Board:

Chairman Openshaw moved to suspend the Rules to add an item (12c) to the Agenda to announce a vacancy on the Planning Board for the unexpired term of an alternate member which expires April 20, 2011. The motion was passed unanimously.

Announcement of Vacancy to Fill the Unexpired Term of an Alternate Member on the Planning Board:

Chairman Openshaw announced the vacancy on the Planning Board to fill the unexpired term of an alternate member previously held by Ms. Patti Freeman, which term will expire April 20, 2011.

Manager's Comments:

Al Greene stated that the video equipment in the Board Room has been upgraded and the viewing quality of the meetings should be improved.

Commissioners' Comments:

Vice Chair Rogers did not have any comments.

Commissioner Baucom reminded everyone, after hearing the presentation by The Christmas Bureau, that the reality is that we need to plan ahead and go into the Thanksgiving season being thankful for what we have and being thankful if we are able to share with others who are less fortunate. He also reminded everyone of the opportunity to be thankful as the Christmas season approaches.

Commissioner Mills reiterated that the Warriors and Warbirds Air Show would be taking place at the airport this coming weekend. He said that it is anticipated that between 60,000 and 70,000 people will attend the event. Commissioner Mills shared that a movie is currently being filmed in downtown Monroe. He said that Matthew Modine is starring in the movie, and he also starred in

the movie, *The Memphis Belle*. He said that a B17 plane, which is a Memphis Belle, is scheduled to be at the airshow this weekend and several B25's will be re-enacting the Doolittle Raid of 1942. Further, he said there would be a re-enactment of a smaller version of the Battle of Midway and a small re-enactment of Pearl Harbor.

He stated that the gates open at the airport at 9:00 a.m. on Saturday and Sunday and the Veterans Day events begin at 11:00 a.m. each day.

Commissioner Mills said that he would be going on a mission trip with his church in the upcoming weeks.

He reminded everyone to remember our veterans on Veterans Day, November 11.

Chairman Openshaw commented that the events at the Monroe Airport, which Commissioner Mills had described, are definitely worthwhile events.

He said that it was good to read the County's unemployment rate has dipped two-tenths of a percent. He commented that 17 Union County companies received a total of almost \$600,000 from the State to train, educate, upgrade skills and provide training and transferable skills for their workers.

Chairman Openshaw said that Union County Public Schools would share \$536,000 in federal funding with Mecklenburg County to reduce diesel pollution on the school buses.

He offered congratulations to Bobby Kilgore, Mayor of the City of Monroe, and wife, Norma, as they celebrate their 50th wedding anniversary.

He expressed appreciation to everyone who has offered their services to the municipalities as potential elected officials. He said that Tuesday, November 3, is Election Day for the municipalities. He stated he especially appreciated those candidates who have run honorable and clean campaigns, and is looking forward to learning the election results.

With there being no other items for discussion, at approximately 9:00 p.m., Vice Chair Rogers moved to adjourn the meeting. The motion was passed unanimously.