

MINUTES
UNION COUNTY BOARD OF COMMISSIONERS
January 7, 2008

The Union County Board of Commissioners met in a regular meeting on Monday, January 7, 2008, at 7:00 p.m. in the Board Room, First Floor, Union County Government Center, 500 North Main Street, Monroe, NC. The following were:

PRESENT: Chairman Allan Baucom, Vice Chairman Kevin Pressley, Commissioner Roger Lane, Commissioner A. Parker Mills, Jr., and Commissioner Lanny Openshaw

ABSENT: None

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

OPENING OF MEETING:

The Chairman welcomed everyone to the meeting and introduced the Reverend Marilyn B. Wooten, Pastor of Heath Memorial United Methodist Church and Mineral Springs United Methodist Church to present the invocation.

Invocation: The Reverend Wooten briefly spoke of her churches, read scripture, and presented the invocation.

Pledge of Allegiance: The Chairman recognized the following leaders and members of Cub Scout Pack 55 of Monroe, who led the body and the audience in pledging allegiance to the flag of the United States of America: Michelle Rosebud, Tiger Den Leader; Mike Bullard, Assistant Cub Master; James Rosebud, Cub Master; scouts -- Louis Rosebud, Eric Bullard, Ragan Rushing, Alex Westmorland, Cameron Rosebud, Griffin Hill, Matthew Newton, Abraham Costello, Larry Hood, Alex Moser, and Colleck McCorkle

INFORMAL COMMENTS:

The Chairman recognized JoAnn Bergman who spoke in support of the development of a dog park and the proposed site at Cane Creek Park. She pointed out that Mecklenburg County has four successful dog parks and is now planning another one in the downtown area. She said that currently Union County has a leash law within its cities' limits which prohibits dogs from running free and socializing. Ms. Bergman said that it is imperative for many reasons that dogs be allowed to run free "off lead". Ms. Bergman

noted that Cane Creek Park now charges a \$3 per vehicle admittance fee, but she proposed that the dog park be free. She presented a simple model – two separate areas allowing dogs under 20 pounds in one park and canines over 20 pounds in the other park. Ms. Bergman proposed that both parks would have public benches, canine water stations, shade protection by trees for owners and canines, garbage disposal cans, and refuse bed stations located within each sector.

She thanked the Board for its courtesy in considering the development of a dog park.

The Chairman thanked Ms. Bergman for her comments. With there being no one else to address the Board during informal comments, the Chairman moved to the next item.

ADDITIONS, DELETIONS AND/OR ADOPTION OF THE AGENDA:

The Chairman asked if there are any additions or deletions to the agenda.

Commissioner Mills requested to add a request from the Museum of the Waxhaws to the agenda tonight.

Commissioner Lane asked to add discussion of the County’s policy regarding disclosure of the names of water usage violators.

Chairman Baucom stated he had a request from John Sullivan of Carolinas Medical Center – Union to make a presentation.

Commissioner Openshaw requested to add an item to the agenda on how to deal with future Board retreats. He also requested to move item 6 from the consent agenda to the regular agenda.

Chairman Baucom asked for votes on each of the requests. The first item to be voted on was the addition to the agenda of the funding request from the Museum of the Waxhaws. The vote to add it to the agenda was unanimous.

The next issue to be voted on was discussion of the County’s policy regarding water usage violators. The motion to add to the agenda was unanimous.

The Chairman called for a vote to add to the regular agenda discussion on future Board retreats. The vote to add to the agenda was unanimous.

Chairman Baucom stated the next item requested to be added to the regular agenda was item 6 from the consent agenda – Union County Public Schools Construction Change Orders Relating to Regulatory Requirements at Rock Rest, Rea View and Rocky River Elementary Schools. The vote to move this item to the regular agenda passed unanimously.

The last item to be voted on for addition to the agenda was an item from Carolinas Medical Center for a Certificate of Need for Healthplex in Waxhaw. The vote to add to the agenda was unanimous.

Vice Chairman Pressley moved that the agenda as amended be approved. The motion passed unanimously.

The Chairman placed each item on the agenda under item 5.

CONSENT AGENDA:

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

Contracts Over \$5,000: Authorized Interim County Manager to approve the following contracts:

- a.) ClarkPowell -- Audio Visual Systems maintenance agreement (systems located at Judicial Center, Board of Commissioners Boardroom, Ag Center Banquet/Exhibit Hall and Agricultural Center Demo Kitchen in the lump sum amount of \$35,000;
- b.) Stantec, Inc. – Professional engineering services – master services agreement

Authorization of GovDeals as an Electronic Auction Service: It was noted in the background information presented that G. S. 160A-266 provides for disposition of real or personal property by (1) private negotiation and sale; (2) advertisement for sealed bids (3) negotiated offer, advertisement and upset bid (4) public auction or (5) exchange. It was explained that recent legislative changes expanded the disposition of property through public auction to include an electronic auction procedure.

Approved the recommendation of General Services to (1) authorize GovDeals as an electronic auction service, (2) authorize the Interim County Manager to approve the agreement and (3) authorize the General Services Director or his designee to advertise notice of all auctions solely by electronic means.

Health Department: Approved Budget Amendment No. 24 for Health – Susan G. Komen to increase the Operating Expense category by \$34,289 to appropriate said amount in donations from the Susan G. Komen Breast Cancer Foundation.

Health Department: Approved Budget Amendment No. 25 for Health – Breast & Cervical Cancer Budget to increase the Operating Expense category by \$5,945 to appropriate federal revenue received in said amount.

Social Services Department: Approved Budget Amendment #26 to appropriate \$25,982 to the DSS-Crisis Intervention Program from operating expense from federal revenue received.

Tax Administrator: Approved Releases for December 2007 in the amount of \$102,200.42

RELEASES DECEMBER 2007

Acct #	Name	Release #	Total
2007			
UTILITIES			
02307028	ALLTEL CAROLINA INC % RASH	3606	320.56
06120003A	ALLTEL MOBILE COMMUNICATIONS OF CAROLINA INC	3607	1,023.42
07066407	ALLTELL CAROLINA INC	3608	7.12
02307004	MID-CAROLINA TELEPHONE CO % RASH	3609	4,701.44
02311040	NORTH CAROLINA TELEPHONE COMPANY % RASH	3610	4,988.79
05115022A	NORTH CAROLINA TELEPHONE COMPANY % RASH	3611	226.36
07060084A	NORTH CAROLINA TELEPHONE COMPANY % RASH	3612	299.52
09022117	NORTH CAROLINA TELEPHONE COMPANY	3613	389.83
05115023B	N C TELEPHONE CO	3614	795.56
07060063A	N C TELEPHONE CO	3615	477.36
07114060	N C TELEPHONE CO	3616	278.85
02318005 80	DUKE POWER - DUKE ENERGY CORPORATION	3617	329.45
02318005 90	DUKE POWER - DUKE ENERGY CORPORATION	3618	48.43
04252008	DUKE POWER - DUKE ENERGY CORPORATION	3619	328.47
05087011	DUKE POWER - DUKE ENERGY CORPORATION	3620	291.31
05123054	DUKE POWER - DUKE ENERGY CORPORATION	3621	337.97
0603004B	DUKE POWER - DUKE ENERGY CORPORATION	3622	112.88
06147002	DUKE POWER - DUKE ENERGY CORPORATION	3623	4,305.57
07069123B	DUKE POWER - DUKE ENERGY CORPORATION	3624	1,396.24
07129546	DUKE POWER - DUKE ENERGY CORPORATION	3625	6,466.34
07141007A	DUKE POWER - DUKE ENERGY CORPORATION	3626	419.89
08102003A	DUKE POWER - DUKE ENERGY CORPORATION	3627	103.47

09149005A	DUKE POWER - DUKE ENERGY CORPORATION	3628	714.51
09177023A	DUKE POWER - DUKE ENERGY CORPORATION	3629	12.66
09270108	DUKE POWER - DUKE ENERGY CORPORATION	3630	971.79
09271011	DUKE POWER - DUKE ENERGY CORPORATION	3631	99.55
09363025	DUKE POWER - DUKE ENERGY CORPORATION	3632	14.22
09393012A	DUKE POWER - DUKE ENERGY CORPORATION	3633	972.78
01228005	UNION ELECTRIC MEMBERSHIP CORP	3634	172.87
04132016A	UNION ELECTRIC MEMBERSHIP CORP	3635	84.41
04252007A	UNION ELECTRIC MEMBERSHIP CORP	3636	19.82
04282003B	UNION ELECTRIC MEMBERSHIP CORP	3637	91.45
06093001B	UNION ELECTRIC MEMBERSHIP CORP	3638	584.65
06096007A	UNION ELECTRIC MEMBERSHIP CORP	3639	556.33
06183020A	UNION ELECTRIC MEMBERSHIP CORP	3640	1,308.80
07075001A	UNION ELECTRIC MEMBERSHIP CORP	3641	128.42
08012001E	UNION ELECTRIC MEMBERSHIP CORP	3642	268.80
08261010	UNION ELECTRIC MEMBERSHIP CORP	3643	274.27
08303015	UNION ELECTRIC MEMBERSHIP CORP	3644	356.69
09268030	UNION ELECTRIC MEMBERSHIP CORP	3645	35.56
09268052	UNION ELECTRIC MEMBERSHIP CORP	3646	99.55
09268056	UNION ELECTRIC MEMBERSHIP CORP	3647	119.46
09411008A	UNION ELECTRIC MEMBERSHIP CORP	3648	15.96
09342114B01	UNION ELECTRIC MEMBERSHIP CORP	3649	3,107.93
09342114B02	UNION ELECTRIC MEMBERSHIP CORP	3650	2,705.24
06075016D	UNION ELECTRIC MEMBERSHIP CORP	3651	222.20
02310073	SEABOARD COASTLINE RAILROAD DEPOT	3652	313.88
05141006A	SEABOARD COASTLINE RAILROAD DEPOT	3653	80.28
05168018A	SEABOARD COASTLINE RAILROAD CO	3654	122.90
09336030C	N C NATURAL GAS CORP	3655	7.11
09185013	NORTH CAROLINA NATIONAL GAS CORP	3656	1.85
07069204	NORTH CAROLINA NATIONAL GAS CORP	3657	4,883.98
07084332C	NORTH CAROLINA NATIONAL GAS CORP	3658	5.09
09114003	GENERAL TELEPHONE OF NC	3659	2,228.94

09232116	GENERAL TELEPHONE OF NC	3660	7,991.77
09339017	GENERAL TELEPHONE OF THE SOUTHEAST	3661	634.66
04279006A	GTE SOUTH INC	3662	80.17
09134001G	GTE SOUTH INC	3663	9.10
09351040	GTE SOUTH INC	3664	17.22
09411008D	GTE SOUTH INC	3665	17.37
04066034	GTE SOUTH INC	3666	5.62
08042017A	GTE SOUTH INC	3667	22.12
08237004B	GTE SOUTH INC	3668	1.92

Totals			57,010.73
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2007

50015509	B B & T EQUIPMENT FINANCE CORP		228.25
50072487	B B & T EQUIPMENT FINANCE CORP	3670	80.63
50093423	GE CAPITAL INFORMATION TECH SOLUTIONS	3671	13.45
50063263	GE CAPITAL INFORMATION TECH SOLUTIONS	3672	22.95
50072575	LONG KENNETH C	3673	77.31
50069321	B B & T EQUIPMENT FINANCE CORP	3674	255.21
50097245	CORTEZ LUIS	3675	184.02
50096445	E4IZ	3676	195.56
50077667	HONEYCUTT DOUGLAS E	3677	94.28
50083234	TIMMONS ANGELA	3678	174.06
50089702	BRANCH TIMOTHY & JESSICA LYNN	3679	169.60
50098183	PRICE CHAD D	3682	146.43
50072229	KING JOSEPH W & DARLA L	3689	15,171.44
50078370	LILLEY ANTHONY E & PATRICIA	3690	216.20
07090747	BETHEL UNITED METHODIST CHURCH TRUSTEES	3692	1,329.90
50096742	PRUDENTE JOHN ANTHONY	3693	136.67
02242020	WINGATE UNIVERSITY	3695	411.23
09015021A	WINGATE UNIVERSITY	3696	108.37
09019017	WINGATE UNIVERSITY	3697	876.15
09019019	WINGATE UNIVERSITY	3698	1,833.50
09019020	WINGATE UNIVERSITY	3699	518.53
09019021	WINGATE UNIVERSITY	3700	433.91
09019022	WINGATE UNIVERSITY	3701	1,172.68
09019031A	WINGATE UNIVERSITY	3702	639.71
09019050	WINGATE UNIVERSITY	3703	922.37
09019051	WINGATE UNIVERSITY	3704	672.42

09019052	WINGATE UNIVERSITY	3705	54.11
09019052A	WINGATE UNIVERSITY	3706	60.16
09019052B	WINGATE UNIVERSITY	3707	60.16
09019052C	WINGATE UNIVERSITY	3708	621.71
09019053	WINGATE UNIVERSITY	3709	608.20
09019057	WINGATE UNIVERSITY	3710	806.17
09019064	WINGATE UNIVERSITY	3711	748.36
09022089	WINGATE UNIVERSITY	3712	683.72
09022110	WINGATE UNIVERSITY	3713	66.20
09022126	WINGATE UNIVERSITY	3714	569.38
09149003	CAROLINA CONFERENCE ASSOCIATION OF SEVENT	3715	1,451.78
06156009G	MATTHEWS BUILDERS LLC	3717	48.18
50096521	VENCOL AUTOMOTIVE CENTER INC	3720	641.95
07021476	BONTERRA VILLAGE LLC	3721	1,922.77
02167020	HERRING DANIEL & RHONDA	3722	884.90
02167021	HERRING DANIEL & RHONDA	3723	260.85
09336574	DAN MOSER COMPANY INC	3724	213.33
09396366	SKARYAK JOHN E & NANCY R	3725	840.79
07057598	TIMLER GINA M	3716	709.11
06153026A	SWIMMER HARRY S & MARILYN B	3730	2,633.91
50097299	DOWNNS GARY	3731	133.05
50089247	ZAPATA JOSE	3732	188.84
50094822	MCELROY BUSINESS PARK UNIT OWNERS ASSOCI	3736	205.93
50097262	ANDERSON MICHAEL DAVID	3737	18.11
06156005	GRACE PROPERTIES OF THE CAROLINAS INC	3738	42.65
06142007	CAMBERLY HOMEOWNERS ASSOCIATION	3740	23.03
06142008	CAMBERLY HOMEOWNERS ASSOCIATION	3741	23.03
06142029	CAMBERLY HOMEOWNERS ASSOCIATION	3742	23.03
06142111	CAMBERLY HOMEOWNERS ASSOCIATION	3743	23.03
06142114	CAMBERLY HOMEOWNERS ASSOCIATION	3744	23.03
06142137	CAMBERLY HOMEOWNERS ASSOCIATION	3745	23.03
50083665	BURNETTE JOHN T JR	3746	32.94
50073494	UNION COMMERCIAL TIRE SERVICE % T BLACK	3747	292.62
06102126	WISAM A SHOMAN & RULA D	3750	1,324.59

02058006A	VICK FAMILY LLC & MELISSA VICK WILKINS	3752	1,035.86
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Totals			43,383.34
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Combined 2007 Totals			100,394.07
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2006

50089702	BRANCH TIMOTHY & JESSICA WILLIAMS	3680	157.09
50070591	LITTLE ROSEVELT	3688	6.99
06156009G	TRAVIS JUSTIN B	3718	43.16
50089247	ZAPATA JOSE	3733	171.79
50073494	UNION COMMERCIAL TIRE SERVICE	3748	227.83
06102127	STERGIOU GEORGE ETAL	3751	847.47

Totals			1,454.33
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2005

50089702	BRANCH TIMOTHY & JESSICA WILLIAMS	3681	155.98
50073494	UNION COMMERCIAL TIRE SERVICE % T BLACK	3749	196.04

Totals			352.02
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GRAND TOTALS			102,200.42
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Tax Administrator: Approved Refunds for December 2007 in the amount of \$4,459

REFUNDS DECEMBER 2007

Acct #	Name	Release #	Totals
2007			
0292003A	PEE DEE ELECTRIC MEMBERSHIP CORP	3683	68.36
02303016B	PEE DEE ELECTRIC MEMBERSHIP CORP	3684	145.51

09348014C	CAROLINA CONFERENCE ASSOCIATION OF SEVENT	3694	2,764.12
50082761	JIM SPITTLE & SON TRUCKING CO INC	3719	1.27
50074771	HERNANDEZ CELSO RIBON	3726	171.88

TOTALS **3,151.14**

2006

09055030	WOODSON WALTER B JR & ANNA PHYLLIS	3685	125.11
50069084	GENERAL ELECTRIC CAPITAL CORP	3691	148.15
50074771	HERNANDEZ CELSO RIBON	3727	157.68
06156005	GRACE PROPERTIES OF THE CAROLINAS INC	3739	38.20

TOTALS **469.14**

2005

09055030	WOODSON WALTER B JR & ANNA PHYLLIS	3686	123.79
50074771	HERNANDEZ CELSO RIBON	3728	157.75
50089247	ZAPATA JOSE	3734	172.98

TOTALS **454.52**

2004

09055030	WOODSON WALTER B JR & ANNA PHYLLIS	3687	116.91
50074771	HERNANDEZ CELSO RIBON	3729	151.14
50089247	ZAPATA JOSE	3735	116.15

TOTALS **384.20**

GRAND TOTALS **4,459.00**

Tax Administrator: Tax Administrator's Monthly Report for month ending November 2007

Union County Public Schools (UCPS) Construction Change Orders Relating to Regulatory Requirements at Rock Rest, Rea View and Rocky River Elementary Schools: This item was moved to the Regular Agenda at the request of Commissioner Openshaw.

Union County Dr. King's Organizational Committee: Approved expenditure of \$500 representing the cost of renting the Union County Agri-Business Conference Center for 2008 Martin Luther King, Jr., Celebration as requested by the Rev. Osco Gardin, Jr.

Information Only: Union County Personnel Report for December 2007.

ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES:

At the request of the Chair, the Clerk read the names of the following boards on which there are vacancies:

- a. Juvenile Crime Prevention (JCPC) (1) District Attorney or designee; (2) Substance Abuse Professional (3) Two persons under the age of 18; and (4) Juvenile Defense Attorney
- b. Farmers Market Committee – one member at large
- c. Union County Home and Community Care Block Grant Advisory Committee – two vacancies at large
- d. Nursing Home Advisory Committee
- e. Board of Health – a vacancy as of January 2008 for a Licensed Optometrist

MUSEUM OF THE WAXHAWS:

The Chairman recognized Carol Reynolds, Director of the Museum of the Waxhaws, and acknowledged the large number of interested citizens and members of the Andrew Jackson Foundation Board who are present.

Ms. Reynolds read the mission statement for the museum and presented a power point presentation outlining what is taking place at the museum and its unique historical significance. She stated the goal of the Museum of the Waxhaws is to promote and develop an outdoor living history museum dedicated to the premise of providing a hands-on experience for students and visitors. She said that this will allow them to explore the county's local history and relevance to the nation as it was being formed. She explained the definition of an outdoor museum and its purpose. With the aid of the power point presentation, Ms. Reynolds showed the four distinct vignettes of interest and assured that all areas have been constructed only after careful research to assure that vignettes properly depict the activities and structures of the time. She assured that the bark village has been constructed as it would have been at the time that the Waxhaw Indians lived here in the Waxhaw area. Ms. Reynolds also showed the other original structures that have been donated and renovated to the keeping to the time.

It was explained by Ms. Reynolds that the work has been done on a shoe string budget through passion and volunteers. She stressed that to complete this outdoor living history museum by the spring of 2008, the Museum is in need of a one-time appropriation of \$50,000 for the completion of the homestead.

Commissioner Openshaw stated that he attended a fundraiser at the Museum of the Waxhaws a few months ago and was so impressed with the work that he suggested to his wife that she volunteer there. He moved to have the staff to review the numbers and if these meet with the approval of the staff, that the funds be located for the project. Commissioner Openshaw stated that last year in the Parks and Recreation budget there was an extra \$25,000 of which a portion of that amount was to be allocated to the Group Home. He suggested that whatever portion of the \$25,000 that was not allocated to the Group Home would be a good place to start to find funds for the Museum of the Waxhaws' request.

The Vice Chairman stated that he was reviewing the figures and would agree that these are good prices. He said that after studying the cost estimates, he thought it would be a waste of time to have the staff review the numbers presented tonight.

Commissioner Mills made a substitute motion that \$50,000 be reallocated from funds in the Cultural and Recreation Budget to the Museum of the Waxhaw.

Commissioner Lane asked if there would be sufficient funds in the contingency budget. He stressed that he did not like to see funds come from a department's budget. He said that Parks and Recreation fights hard to obtain its funding.

Chairman Baucom stated that he appreciated the work of the Museum's board and its volunteers and was not against the project, but he would vote against the funding because he supported the budgeting process and that these funds should have been requested during the budget process. He pointed out there are lots of people who are in need of water, and he questioned allocating funds for this project over that need. He challenged anyone to make a contribution to the construction project.

Commissioner Mills assured that he too respects the budget process but believes this is a project that should not fail. He said the contingency is a fund to look for in case of emergencies, and he did not want to damage the contingency fund halfway through the year.

After additional discussion in which Mrs. Smith, Parks and Recreation Director, assured that the \$50,000 transfer of funds would not create any problems for the Parks and Recreation budget, the substitute motion passed by a vote of four to one. Vice Chairman Pressley, Commissioner Mills, Commissioner Lane, and Commissioner Openshaw voted for the motion and Chairman Baucom voted against the motion.

At the request of the Board, Ms. Reynolds introduced the other members of the Andrew Jackson Foundation Board of Directors: Mary Alice Wilson, President, Margaret Steele, Gladys Kerr, Bill Howie, Sandra Secrest Glenn, Barbara Pratt, Mark Hernig, Polly Stroud, and Dr. Zane Ertle.

Ms. Reynolds thanked the Board for its appropriation.

POLICY ON WATER VIOLATORS:

The Chairman recognized Commissioner Lane who had asked this item be added to the agenda. Commissioner Lane stated that he was amazed to learn by way of the media that Union County has a policy to not disclose names of water policy violators when it publishes the names of people who do not timely pay their taxes. He said he thought it was inappropriate not to release the information and that, in his opinion, people have the right to know the names of individuals who do not comply with the mandatory water restrictions.

Jeff Crook, Senior Staff Attorney, stated that the County receives many requests for county documents and these requests are not sent to the Board of Commissioners for consideration, but that he gives advice based on the law and without influence from Commissioners. He said the County's staff based their decisions on their interpretation of the law. He said there is an exception that the public records law does not apply to customers of the public enterprise fund. Mr. Crook said that the staff made this decision in his absence on Friday, but upon his return this morning, he affirmed their decision that this is not public record. In response to a question from Commissioner Openshaw as to whether or not there is a legal reason that the names could not be released, Mr. Crook stated that the law is not entirely clear on that point. He said it has been his position that if the legislators are trying to protect the individual that he could not recommend the release. Mr. Crook said he did not think the release of the names of water policy violators fit into the exception category. He also explained that the publication in the newspaper of the names of persons not paying taxes is required by the North Carolina General Statute and is not done by county policy.

Commissioner Openshaw stated that if the newspaper was accurate, the users had five violations, and he thought that this issue fit within the exception category. He moved that the County release the names of the persons who violate the county's ordinance five times or more. Commissioner Lane moved to amend the motion to release the names of persons who violate the county's ordinance five times or more or those who have their water cut off because of repeated violations.

Vice Chairman Pressley said that the County's legal staff had given advice and if there is some legal reason why the names could not be disclosed, he would prefer to go into closed session to seek the advice of the attorney before acting on the motion. The Staff Attorney stated that he would prefer to give the Board legal advice in a closed session. He said that billing information is not normally public record and cited the exceptions to the law.

Commissioner Openshaw questioned if this is classified as a fine. Mr. Crook stated that the fines are added to the water bill and remain in the water and sewer fund.

Commissioner Openshaw concurred with Vice Chairman Pressley to either go into closed session or to defer action until the next meeting.

Commissioner Mills said that he did not believe there would be anything new learned in the closed session and called for the question.

The motion to call the question passed unanimously.

At the request of the Chair, the Clerk read the motion.

The Staff Attorney addressed the Chairman and requested a short closed session. The Chairman moved that the Board go into closed session in accordance with G. S. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney client privilege. The motion passed unanimously.

The Chairman reconvened the meeting. Commissioner Lane withdrew his motion and stated that the item will be brought back to the Board at the next meeting.

CAROLINAS MEDICAL CENTER – UNION:

The Chairman asked to skip discussion of the next item – future retreats, and hear from Carolinas Medical Center-Union. John Sullivan, representing Carolinas Medical Center – Union, delivered to the Board a check for \$1.2 million which is a down payment on the 2008 lease fee. He pointed out that this is the 12th year of the partnership and that he was very appreciative of the cooperation between the two boards.

He said the next item is details on a Certificate of Need that the hospital plans to file next week for a project in the Waxhaw area. He said it is a healthplex for the southwest section of the county. He said it would be a freestanding emergency department with eight treatment rooms, two observation rooms, imaging services and laboratory services that will be licensed under the hospital's license. As background, Mr. Sullivan explained that CMC-Union is a community-based organization which began in the 1920s to provide hospital care to the residents of Union County and today is licensed for 157 acute care beds and 70 long-term care beds. He said the mission of the hospital is to provide a positive contribution to the health of the people it serves by continually improving the quality and accessibility of its services. He also explained the definition of "healthplex" and stated it was a new and innovative concept of healthcare delivery, functioning purely as an out-patient facility. He said it would be located at the intersection of Providence Road and Gray Byrum Road and would be easily accessible to residents of the area. Mr. Sullivan stated it would also include a three-story office building for physician specialties with adequate and ample parking spaces and would encompass about 20,000 square feet at a cost of approximately \$18 million. Mr. Sullivan said it is hoped that it would be opened by 2010. He said it is believed that it is going to be a well-used facility and that by the end of the first three-year operational period, there will be 11,000 patients per year compared to about 50,000 here in Monroe and about 370 patients using the observation beds, 22,000 radiology procedures, and additional 74,000 laboratory tests. It was noted in documentation distributed that Union County does not have any financial obligation to fund this proposed project. It was pointed out that following approval of the NC CON Section, CMC-Union will obtain final project approval from the hospital's Finance Committee and Community Trustee Council, and then the project will be

presented to the Union County Commissioners for their final approval. He asked that the Interim County Manager be authorized to execute the Certification of Awareness of the hospital's intent to file for the Certificate of Need. In response to a question, Mr. Sullivan stated that this facility would be a 24/7 facility for emergency care.

The Vice Chairman expressed appreciation for the hospital and the services rendered by the hospital. He moved that the Interim County Manager be authorized to execute the Certificate of Awareness of the hospital's intent to file for the Certificate of Need for the healthplex center in Waxhaw.

The Staff Attorney interjected that as quickly as the hospital is growing that requests for Certificates of Need will come up fairly often. He recommended that the County consider authorizing the County Manager to execute these certificates with the understanding that under the lease agreement the projects have to come back to the Board if the amount is \$500,000 or more.

After hearing the recommendation of the attorney, the Vice Chairman withdrew his motion and moved that the Interim County Manager be authorized to execute certificates of this particular Certificate of Need as well as future Certificates of Need with the understanding that all projects in the amount of \$500,000 or more would come before the Board of Commissioners. The motion was passed unanimously.

PLANNING RETREAT POLICIES:

Commissioner Openshaw asked that in the future that cost estimates of retreats be brought to the Board prior to the Board acting on the request.

Commissioner Lane said that no one had brought up the cost of the retreat and, if it comes before the Board again, he would want to know the cost before approving.

The Vice Chairman asked Mark Watson, Personnel Director, and Matthew Delk, Assistant County Manager, to review the agenda of the retreat and the planned meetings at the Conference Center in Chapel Hill. Mr. Delk and Mr. Watson reviewed the activities and the Governance Training that will be conducted by Dr. John Carver. The Assistant County Manager assured that although the retreat is out-of-town, the public is invited. Mr. Watson stated that payment for Mr. Carver is from his budget for training of personnel. He said this is justified because much of the top staff will be also participating in the conference.

Commissioner Openshaw commented that he thought the training sessions for the Planning Board and Board of Adjustments that were held several years ago should be sponsored again and suggested that in the future the training sessions be brought to Union County instead of the Board going away so members of other boards also could participate. Mr. Watson said there is a chance for follow-up with Dr. Carver and his team and perhaps one session could be done in Union County.

The Chairman declared a short recess. At the conclusion of the recess, the Chairman reconvened the meeting.

UCPS CONSTRUCTION CHANGE ORDERS RELATING TO REGULATORY REQUIREMENTS AT ROCK REST, REA VIEW AND ROCKY RIVER ELEMENTARY SCHOOLS - This item was moved from the Consent Agenda at the request of Commissioner Openshaw:

At the request of the Chairman, Commissioner Openshaw addressed the above issue by asking Don Hughes, Union County Public Schools, to define the request for retrofitting storm water retention as required by the Environmental Health and Natural Resources. Mr. Hughes explained that in the future these will be incorporated into the projects, but at this time, a budget amendment is required to pay for these changes.

Mr. Hughes stated that it became evident that a traffic light is needed for the Rea View Elementary School for the safety of the community.

After an explanation of the projects by Mr. Hughes, motion was made by Vice Chairman Pressley that Capital Project Ordinance Amendment #92 be approved to comply with regulatory compliance matters in connection with the construction of three elementary schools – Rock Rest, Rea View and Rocky River. The motion passed unanimously.

CAPITAL PROJECT ORDINANCE AMENDMENT							
BUDGET	School Bond Fund - 55			REQUESTED BY	Kai Nelson		
FISCAL YEAR	FY 2007-2008			DATE	January 7, 2008		
PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
G.O. Bond Proceeds	475,229,109	696,169	475,925,278	Elem School "F"/Rock Rest (115C-429b project allocation)	14,116,587	107,438	14,224,025
All Other Revenue	1,363,308	-	1,363,308	Elem School "G"/Rea View (115C-429b project allocation)	21,003,683	532,581	21,536,264
				Elem School "I"/Rocky River (115C-429b project allocation)	17,518,492	56,150	17,574,642
				All Other School Projects	423,953,655	-	423,953,655

Prepared By	dhc							
Posted By								
Date						Number	CPO - 92	

APPOINTMENTS OF BOARDS AND COMMITTEES:

Public Works Advisory Board: Motion was made by Vice Chairman Pressley that appointment to the Public Works Advisory Board be delayed until the next meeting and the Clerk re-advertise the vacancy. He motion passed unanimously.

Board of Health: Motion was made by Commissioner Mills that Dr. Robin Johnson be reappointed to fill the position of dentist on the Board of Health, Evelyn Blackley be reappointed to fill the position of pharmacist, and Dr. Katherine T. Armstrong be reappointed to fill the vacant position of veterinarian. The motion passed unanimously.

Library Board of Trustees: Commissioner Openshaw stated that as the liaison to this Board, it was his duty to report that some of the members have expressed a desire for a broader geographic representation, but that his personal opinion is that the four members whose terms are expiring are doing an excellent job and all have sought reappointment. Motion was made by Commissioner Openshaw that the four current members of the Board of Health, whose terms are expiring, be reappointed to serve another term on the board: Lane Vickery, Margaret Sowden, Starr B. Shafer, and Gustavo Arevalo. The motion was passed unanimously.

Union County Home and Community Care Block Grant Advisory Committee: Motion was made by Vice Chairman Pressley that Doris Sparks and James N. Trowbridge be reappointed to the Union County Home and Community Care Block Grant Advisory Committee. The motion passed unanimously.

COMMISSIONER’S COMMENTS:

Commissioner Lane stated that he was proud to see that the Catawba Land Conservancy had received its first large tract of land from Dr. DuPuy.

He also thanked the Ms. Berkman for bringing forth the need for a dog park in Union County.

Commissioner Openshaw also praised Dr. DuPuy for his contribution to the Catawba Land Conservancy and commented on its effect on the future of Union County.

Secondly, he stated that there was an article in the newspaper reporting that Union County’s schools outpaced other schools in the State on State tests despite the fact that it had more students per school than other districts. He said he was concerned that there is a request for six mobile classrooms at New Town Elementary School that had opened only this year.

Commissioner Openshaw also commented on the basketball tournaments over the Christmas holidays. He said he was away during the holidays but understood that the tournaments were extremely successful. He said he was delighted that they did well.

Commissioner Mills wished everyone a happy new year and stated that he went to the opening of the Parkwood High School and that it is a marvelous facility.

He also recognized Bill Howie who was honored as the first Annual Man of the Year and his wife Modene Howie who was honored as the first Annual Woman of the Year for *The County Edge*. He said that Modene Howie was also named Woman of the Year for Union County.

Vice Chairman Pressley thanked the staff attorney for keeping the Board advised tonight and also expressed appreciation to the staff for putting together a good retreat.

The Chairman also congratulated Bill and Modene Howie for their having been honored as Man and Woman of the Year by *The County Edge*.

The Chairman stated that he was looking forward to the Visioning Conference and clarified that it was not a retreat as it had earlier been referred to. He also explained that he was looking forward to prioritizing, setting goals, and addressing issues and establishing action steps. Chairman Baucom said he was also looking forward to the governance aspect of the conference.

INTERIM MANAGER'S COMMENTS:

Mr. Black stated he and the staff have high expectations of the conference and hope that at the end of the conference, the Commissioners will feel that the time, effort and the money were well spent and that this will get Union County on the right step for 2008 as the County moves forward.

With there being no additional business, the Chairman declared the meeting adjourned.