

**AGENDA**  
**UNION COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting**  
**Monday, March 24, 2008**  
**7:00 P.M.**  
**Board Room, First Floor**  
**Union County Government Center**  
**500 North Main Street**  
**Monroe, North Carolina**

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[www.co.union.nc.us](http://www.co.union.nc.us)

**5:00 P.M. - Closed Session**

**5:30 P.M. - Work Session - Board Room, First Floor Government Center**

**Re: South Piedmont Community College - Capital Improvement Program**

1. **Opening of Meeting**
  - a. Invocation - Rev. John Henry, Poplar Springs Missionary Baptist Church
  - b. Pledge of Allegiance - Preston Shepard, Eagle Scout, Troop 100, Hemby Bridge
2. **Informal Comments**
3. **Additions, Deletions and/or Adoption of Agenda**  
**ACTION REQUESTED:** Adoption of Agenda
4. **Consent Agenda**  
**ACTION REQUESTED:** Approve items listed on the Consent Agenda
5. **Presentation by Union County Community Arts Council**  
**ACTION REQUESTED:** Receive presentation
6. **Voluntary Agricultural Districts**
  - a. Recommendation from the Agricultural Advisory Board to Establish Voluntary Agricultural Districts - Steve L. Haigler and Reba Haigler, Brad Haigler and Steve Haigler, Executor for Lowell Haigler  
**ACTION REQUESTED:** Approve
  - b. Presentation of Signs to Applicants Approved for Voluntary Agricultural Districts
    1. Dennis Austin
    2. Allan Baucom
    3. Steve Haigler
    4. Mary K. Lockamy Howard
    5. Forrest Jones
    6. Thomas Richard Meggs
    7. James F. Marlow & Ray T. Cook
    8. Russell Mosley
    9. Wilburn Williams Family Farm, LLC**ACTION REQUESTED:** Presentation of signs

7. **Assistance to Firefighters Grants (AFG)**  
**ACTION REQUESTED:** Approval to provide grant writing assistance to Beaver Lane Fire Company (on behalf of the Union County Volunteer Fire Departments) for the Assistance to Firefighter Grants (AFG) in an amount not to exceed One Million Dollars for the purchase of radio subscriber units (portable/mobile) and provide County matching funds, if grant is awarded, in an amount not to exceed \$200,000
8. **Resolution Seeking Explicit Authority from the State to Build and Operate a High Speed Internet Utility System**  
**ACTION REQUESTED:** Adopt resolution and request introduction of attached special act by County's legislative delegation
9. **Proposed Fee Increases for Environmental Health Services**  
**ACTION REQUESTED:** Adopt the updated fee schedules
10. **Announcements of Vacancies on Boards and Committees**
  - a. Juvenile Crime Prevention Council (JCPC): 1) District Attorney or Designee; 2) Substance Abuse Professional; 3) Two Persons Under Age of 18; and 4) Juvenile Defense Attorney
  - b. Farmers Market Committee (1 Member at Large)
  - c. Adult Care Home Community Advisory Committee
  - d. Union County Home and Community Care Block Grant Advisory Committee (2 Vacancies as of December 2007)
  - e. Nursing Home Advisory Committee
  - f. Board of Health (Vacancy as of January 2008 for a Licensed Optometrist)
  - g. Board of Adjustment (3 Vacancies for Regular Members and 1 Vacancy for alternate member for unexpired term ending May 2009)
  - h. Planning Board - (Vacancies as of April 2008: 1 Member Representing Jackson Township; 1 Member Representing New Salem Township; and 1 Member Representing Sandy Ridge Township)**ACTION REQUESTED:** Announce vacancies
11. **Appointments to Boards and Committees**
  - a. Agricultural Advisory Board - (1 Vacancy for Unexpired Term Ending June 2010 Due to a Resignation)
  - b. Adult Care Home Community Advisory Committee**ACTION REQUESTED:** Consider appointments
12. **Interim Manager's Comments**
13. **Commissioners' Comments**

**CONSENT AGENDA**  
**March 24, 2008**

1. **Contracts Over \$5,000**
  - a. LandDesign, Inc. - Master Multi-Service Agreement for Engineering Services
  - b. Camp Dresser and McKee - Engineering Services Related to the Preliminary Design for the Tallwood WWTP Replacement (Task Order #12)
  - c. State of North Carolina, Division of Health - Consolidated Agreement for FY 2008-2009 for Maintaining and Promoting the Advancement of Public Health in North Carolina

**ACTION REQUESTED:** Authorize Interim County Manager to approve Items a & b
2. **Board of Elections**

**ACTION REQUESTED:** Increase regular part-time Absentee Ballot Coordinator position's hours from 65 percent to 80 percent (No additional County funds required in FY 2008 Budget)
3. **Tax Administrator**
  - a. Tenth Motor Vehicle Billing in the Grand Total of \$1,114,345.40

**ACTION REQUESTED:** Approve
4. **Finance**
  - a. Motor Vehicle Tax Refund Overpayments for February 2008 in the Amount of \$8,115.56
  - b. February 2008 Budget Transfer Report

**ACTION REQUESTED:** Approve a and b
5. **Amendment or Termination of American Solutions for Business Contract**

**ACTION REQUESTED:** Authorize the County Manager (i) to amend the agreement with American Solutions for Business (formerly South Systems Business) to delete the provision of tax billing services; or (ii) to terminate the agreement, if necessary, and re-contract with American Solutions for Business for utility billing services
6. **Library**

**ACTION REQUESTED:** Approve Budget Amendment #41 to appropriate \$11,843 in additional State funds (Aid to Public Libraries Grant Funds) for books
7. **Land for New School Transportation Facility**

**ACTION REQUESTED:** Adopt Capital Project Ordinance (CPO) #98 which provides funding for the acquisition of 35.69 acres for the new Union County Public Schools Transportation Facility (Project was included in the approved Capital Improvement Plan and was in the 2006 bond referendum)
8. **Amendments to Water Conservation Ordinance**

**ACTION REQUESTED:** Adopt Amendments to Water Conservation Ordinance

9. **Voluntary Farmland Preservation Program Ordinance**
  - a. Amendment to Ordinance (from March 10, 2008, meeting)  
**ACTION REQUESTED:** Adopt amendment, to include change in scope to reflect Board action of January 22, 2007
  - b. Appointment of Chairman Baucom as Non-Voting Member (from March 10, 2008, meeting)  
**ACTION REQUESTED:** Approve appointment
  - c. Appointment of a Representative from the Union Soil and Water Conservation District Office and the District Conservationist as Non-Voting Members on the Agricultural Advisory Board (from March 10, 2008, meeting)  
**ACTION REQUESTED:** Approve Appointment of Rick Pigg and Kenneth Mills

INFORMATION ONLY  
NO ACTION REQUIRED

1. Department of Inspection's Monthly Report for February 2008



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## OFFICE OF THE COMMISSIONERS AND MANAGER

500 N. Main St., Room 921 • Monroe, NC 28112 • Phone (704) 283-3810 • Fax (704) 282-0121

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### PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN** that the Union County Board of Commissioners will hold a special meeting on Thursday, March 20, 2008, at 12 o'clock noon in the Conference Room, located on the first floor behind the new Commissioners' Board Room in the Union County Government Center, 500 North Main Street, Monroe, North Carolina, for the purpose of reviewing and discussing items on the agenda for the March 24, 2008, Board of Commissioners' meeting, a draft copy of which is attached to this notice. The Board will also receive a presentation from the County's Veterans Service Officer regarding a possible re-enactment of Pearl Harbor as a part of the Veterans Day Program, which will be held in November. The Board will be taking no action during this portion of the special meeting.

At approximately 1:00 p.m., the Board will hold a closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee pursuant to G.S. § 143-318.11(a)(6). Following the closed session, the Board in open session may take such action(s) as it deems appropriate, if any, resulting from the discussions in the closed session.

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Allan Baucom, Chairman  
Union County Board of Commissioners

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DRAFT

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**Regular Meeting**  
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**Re: South Piedmont Community College - Capital Improvement Program**

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  - a. Recommendation from the Agricultural Advisory Board to Establish Voluntary Agricultural Districts - Steve L. Haigler and Reba Haigler, Brad Haigler and Steve Haigler, Executor for Lowell Haigler  
**ACTION REQUESTED:** Approve
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**ACTION REQUESTED:** Adopt resolution and request introduction of attached special act by County's legislative delegation
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**ACTION REQUESTED:** Adopt the updated fee schedules
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12. **Interim Manager's Comments**
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**ACTION REQUESTED:** Authorize Interim County Manager to approve Items a & b
  
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  - a. Tenth Motor Vehicle Billing in the Grand Total of \$1,114,345.40

**ACTION REQUESTED:** Approve
  
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  - a. Motor Vehicle Tax Refund Overpayments for February 2008 in the Amount of \$8,115.56
  - b. February 2008 Budget Transfer Report

**ACTION REQUESTED:** Approve a and b
  
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**ACTION REQUESTED:** Authorize the County Manager (i) to amend the agreement with American Solutions for Business (formerly South Systems Business) to delete the provision of tax billing services; or (ii) to terminate the agreement, if necessary, and re-contract with American Solutions for Business for utility billing services
  
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**ACTION REQUESTED:** Approve Budget Amendment #41 to appropriate \$11,843 in additional State funds (Aid to Public Libraries Grant Funds) for books
  
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**ACTION REQUESTED:** Adopt Capital Project Ordinance (CPO) #98 which provides funding for the acquisition of 35.69 acres for the new Union County Public Schools Transportation Facility (Project was included in the approved Capital Improvement Plan and was in the 2006 bond referendum)
  
8. **Amendments to Water Conservation Ordinance**

**ACTION REQUESTED:** Adopt Amendments to Water Conservation Ordinance



9. **Voluntary Farmland Preservation Program Ordinance**
  - a. Amendment to Ordinance (from March 10, 2008, meeting)  
**ACTION REQUESTED:** Adopt amendment, to include change in scope to reflect Board action of January 22, 2007
  - b. Appointment of Chairman Baucom as Ex-Officio Non-Voting Member (from March 10, 2008, meeting)  
**ACTION REQUESTED:** Consider appointment
  - b. Approval of Representatives from Soil and Water Conservation Office and the District Conservationist to Serve as Ex-Officio Non-Voting Members on the Agricultural Advisory Board (from March 10, 2008, meeting)  
**ACTION REQUESTED:** Approve Rick Pigg and Kenneth Mills to Serve as Ex-Officio Members

INFORMATION ONLY  
NO ACTION REQUIRED

1. Department of Inspection's Monthly Report for February 2008



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**OFFICE OF THE COMMISSIONERS AND MANAGER**

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500 N. Main St., Room 921 • Monroe, NC 28112 • Phone (704) 283-3810 • Fax (704) 282-0121

## PUBLIC NOTICE

**NOTICE IS HEREBY GIVEN** that the Union County Board of Commissioners will hold a special meeting on Monday, March 24, 2008, at 5:00 p.m. in the Conference Room, located on the first floor behind the new Commissioners' Board Room in the Union County Government Center, 500 North Main Street, Monroe, North Carolina, for the purpose of going into closed session to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease in accordance with G. S. § 143-318.11(a)(5).

**FURTHER NOTICE IS HEREBY GIVEN** that following the closed session, the Union County Board of Commissioners will hold a work session at approximately 5:30 p.m. for the purpose of reviewing South Piedmont Community College's Capital Improvement Program, providing direction regarding financing of improvements contained in the program, and taking such other actions related thereto as the Board deems appropriate.

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Allan Baucom, Chairman  
Union County Board of Commissioners

UNION COUNTY  
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT  
Meeting Date: March 10, 2008

Work Session  
INFORMATION  
5:30 P.m.  
March 24, 2008

Action Agenda Item No. 13c db  
(Central Admin. use only)

**SUBJECT:** South Piedmont Community College

**DEPARTMENT:** Finance  
SPCC

**PUBLIC HEARING:** No

**ATTACHMENT(S):**  
CIP projects  
  
Budget Ordinance Amendment 97

**INFORMATION CONTACT:**  
Kai Nelson  
Dr. John McKay

**TELEPHONE NUMBERS:**  
704.292.2522  
704.272.5300

**DEPARTMENT'S RECOMMENDED ACTION:** Adopt Capital Project Ordinance (CPO) #97 to Provide Funding for SPCC Capital Projects (complete mobile purchases and Advance Machining Center) and Set Date for Work Session with South Piedmont Community College (SPCC) to Review its Capital Improvement Program and Provide Direction Regarding Financing of Improvements Contained in the Program

**BACKGROUND:** The County's capital improvement program contains funds for SPCC programming in connection with the construction of a Manufacturing/Technology Center and a Multi-Purpose Center. Representatives of SPCC desire to appear before the BOCC at a worksession (proposed for March 24 at 5:30 pm) to update the BOCC on the status of the facility programming and to discuss their financing mode. Copies of the projects from the most recent CIP are attached.

During the FY2008 budget process, SPCC officials requested funding for the purchase of mobiles to accommodate their growing need for additional classroom space. This need, in part, is the result of the Early College program in conjunction with UCPS. County staff recommended that SPCC use portions of the programming funds to meet these capital needs. Cost estimates for the mobiles (to include setup) were estimated at \$390K; actual costs are about \$420K.

In August 2007, SPCC officials approached the County regarding their need to complete facility renovations to accommodate corporate expansion announcements that affected the College's Advanced Machining Center. The facility renovations were estimated at \$220K with the State providing about \$60K - leaving a County responsibility of \$160K.

With continued programming of the new facilities, mobile costs coming in slightly over estimate and the costs associated with the Advanced Machining Center, the SPCC capital funding requires additional resources in the amount of \$94K.

Funds are available in the County's capital program to meet SPCC's financial requirements.

**FINANCIAL IMPACT:** No impact on operating budget; additional County CIP funds are available

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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<b>Department</b>	SPCC	<b>Department Priority</b>	SP1
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**Project**                      **Manufacturing/Technology Center**

**Description**                The project is for the construction of a 35,000SF building for classrooms/laboratory space for technology and manufacturing training. The center will house such programs as Plastics Technology, Electronics Technology, and Industrial Systems/ Maintenance Technology. It will contain up-to-date technology (equipment) to meet the needs local industry. It will also include space for expanded facilities for police, fire, and EMT programs.

**Justification**                There is a need in Union County for skilled workers in the areas named above. The college must have additional space in order to begin or expand programs to meet the need. This facility and the programs housed there will provide training needed by current companies and be a strong advantage in helping recruit new companies to the County. If SPCC is to meet the current and future needs of this County this facility is a must.

**Setting Priorities (check all that apply)**

- Mandated by law/courts/regulation (cite reference here)
- Alleviate risks to public or employee health and safety                      X
- Protection of County's physical investment
- Enhancement of natural and social environment                      X
- Results in more economical, efficient or effective delivery of services                      X
- Multiple uses or takes advantage of multi-jurisdictional participation

<b>Year</b>	<b>Budget</b>	<b>Inception</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>CIP</b>
<b>Fiscal Year</b>	<b>as of 1/31/2007</b>		<b>2007-08</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>Total</b>

**Capital Costs**

Planning/Design	350,000	23,692	110,000	110,000	106,308	-	-	350,000
Land	-	-	-	-	-	-	-	-
Construction	-	-	-	1,200,000	4,800,000	-	-	6,000,000
Other	-	-	-	-	-	-	-	-
<b>Total</b>	<b>350,000</b>	<b>23,692</b>	<b>110,000</b>	<b>1,310,000</b>	<b>4,906,308</b>	-	-	<b>6,350,000</b>

**Funding Source**

GO Bonds	-	-	-	1,200,000	4,800,000	-	-	6,000,000
Installment Financing	-	-	-	-	-	-	-	-
Revenue Bonds	-	-	-	-	-	-	-	-
County Revenue	350,000	350,000	-	-	-	-	-	350,000
Non-County Revenue	-	-	-	-	-	-	-	-
<b>Total</b>	<b>350,000</b>	<b>350,000</b>	-	<b>1,200,000</b>	<b>4,800,000</b>	-	-	<b>6,350,000</b>

**Operating Budget Impact**

Operating Costs	-	-	-	-	-	175,000	175,000	350,000
Debt Service Costs	-	-	-	-	635,870	547,826	534,783	1,718,478
Less Revenues	-	-	-	-	-	-	-	-
<b>Total</b>	-	-	-	-	<b>635,870</b>	<b>722,826</b>	<b>709,783</b>	<b>2,068,478</b>

**Source and Basis of Capital Cost Estimate**

The cost estimates of \$163.64/SF is based on NCCCS funding guidelines for new construction. This estimate will be reviewed and fine tuned as the process moves along. This is the current best guess in a very dynamic and fluid process.

**Staff Review Committee Notes**

FY2006CIP provided funds for AES services to generate a cost estimate for full development costs of facility and campus, generate public comment regarding plans and place on November 2008 bond referendum

<b>Department</b>	SPCC	<b>Department Priority</b>	SP2
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**Project** Multi-Purpose Center

**Description** The Multi-Purpose Center (50,000 sq. ft.) is a student focused building that will be a "one-stop" location for student information, admissions, advising, registration, book store/cashier, financial aid, counseling, testing and student related functions. The space will also include a student break area, open computer lab and meeting rooms for student clubs. This will be the first floor of a three-story facility. Expanded science and bio-technology labs, information technology/computer science, general classrooms, and faculty offices will be housed on the other floors.

**Justification** Currently students have to go from place to place and building to building to gather information as to courses and admissions/ testing, pay their bills and buy their books. This is a very inefficient process and one that is not user friendly nor customer oriented. In addition the increase in student enrollment with the influx of new county residents has put our current space at a premium and the overcrowding is of great concern to the staff, faculty and students.

**Setting Priorities (check all that apply)**

- Mandated by law/courts/regulation (cite reference here)
- Alleviate risks to public or employee health and safety X
- Protection of County's physical investment
- Enhancement of natural and social environment X
- Results in more economical, efficient or effective delivery of services X
- Multiple uses or takes advantage of multi-jurisdictional participation

Year	Budget	Inception	1	2	3	4	5	CIP
Fiscal Year	as of 1/31/2007		2007-08	2008-09	2009-10	2010-11	2011-12	Total

**Capital Costs**

Planning/Design	200,000	-	75,000	75,000	50,000	-	-	200,000
Land	-	-	-	-	-	-	-	-
Construction	-	-	-	1,700,000	6,800,000	-	-	8,500,000
Other	-	-	-	-	-	-	-	-
<b>Total</b>	<b>200,000</b>	<b>-</b>	<b>75,000</b>	<b>1,775,000</b>	<b>6,850,000</b>	<b>-</b>	<b>-</b>	<b>8,700,000</b>

**Funding Source**

GO Bonds	-	-	-	1,700,000	6,800,000	-	-	8,500,000
Installment Financing	-	-	-	-	-	-	-	-
Revenue Bonds	-	-	-	-	-	-	-	-
County Revenue	200,000	200,000	-	-	-	-	-	200,000
Non-County Revenue	-	-	-	-	-	-	-	-
<b>Total</b>	<b>200,000</b>	<b>200,000</b>	<b>-</b>	<b>1,700,000</b>	<b>6,800,000</b>	<b>-</b>	<b>-</b>	<b>8,700,000</b>

**Operating Budget Impact**

Operating Costs	-	-	-	-	-	250,000	250,000	500,000
Debt Service Costs	-	-	-	-	900,815	776,087	757,609	2,434,511
Less Revenues	-	-	-	-	-	-	-	-
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>900,815</b>	<b>1,026,087</b>	<b>1,007,609</b>	<b>2,934,511</b>

**Source and Basis of Capital Cost Estimate**

The construction cost estimate for this type/use building is \$170/SF. This figure was obtained from the NCCCS Office of Facilities. This costs of course will be reviewed and fine tuned as the process moves along. This figure is higher due to cost of science labs.

**Staff Review Committee Notes**

FY2006CIP provided funds for AES services to generate a cost estimate for full development costs of facility and campus, generate public comment regarding plans and place on November 2008 bond referendum

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: March 24, 2008**

**Action Agenda Item No. 5**

(Central Admin. use only)

**SUBJECT:** Presentation by the Union County Community Arts Council

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**DEPARTMENT:** Central Administration      **PUBLIC HEARING:** No

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**ATTACHMENT(S):**  
None

**INFORMATION CONTACT:**  
Matthew Delk, Asst. Manager

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**TELEPHONE NUMBERS:**  
704-283-3656

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**DEPARTMENT'S RECOMMENDED ACTION:** none

**BACKGROUND:** The Union County Community Arts Council wishes to make a brief, informative presentation to the Board regarding the activities and programs of the Council, and to thank the Commissioners for your support.

**FINANCIAL IMPACT:** none

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: March 24, 2008**

**Action Agenda Item No. 6a**  
(Central Admin. use only)

**SUBJECT:** Recommendation from the Union County Agricultural Advisory Board to Establish Voluntary Agricultural Districts Steve L. Haigler & Reba Haigler, Brad Haigler & Steve Haigler executor for Lowell Haigler

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**DEPARTMENT:** Cooperative Extension      **PUBLIC HEARING:** No

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**ATTACHMENT(S):**  
Copies of Application

**INFORMATION CONTACT:**  
Jerry Simpson

Excerpt of Minutes from March 13, 2008 meeting of Agricultural Advisory Board regarding recommendations of committee.

**TELEPHONE NUMBERS:**  
704-283-3738  
704-363-2173

Copy of Union County Voluntary Farmland Preservation Program Ordinance

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**DEPARTMENT'S RECOMMENDED ACTION:** The Agricultural Advisory Board met on March 13, 2008 and reviewed the application Steve L. Haigler & Reba Haigler, Brad Haigler & Steve Haigler executor for Lowell Haigler. The Agricultural Advisory Board voted unanimously (of those present) to recommend approval of these applications to the Board of County Commissioners in accordance with the Union County Voluntary Farmland Preservation Program Ordinance.

4. Steve L. & Reba Haigler, Brad Haigler & Steve Haigler executor for Lowell Haigler - 90.00 acres; 58.70 acres; 47.48 acres; 50.00 acres; 80.00 acres; 116.15 acres; 49.80 acres; 29.00 acres; 28.75 acres; 179.51 acres; 10.00 acres; 52.23 acres reviewed by Natural Resources Conservation Service (NCRS), Cooperative Extension, and the Tax Administrator's Office).

**BACKGROUND:** Applicant have been approved by the Agricultural Advisory Board and recommendation for BOCC to approve

**FINANCIAL IMPACT:** None

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY  
VOLUNTARY FARMLAND PRESERVATION PROGRAM  
ORDINANCE**

**ARTICLE I  
TITLE**

An ordinance of the Board of County Commissioners of Union County, North Carolina, entitled, **“VOLUNTARY FARMLAND PRESERVATION PROGRAM ORDINANCE.”**

**ARTICLE II  
AUTHORITY**

The articles and sections of this program are adopted pursuant to authority conferred by Article 61 of Chapter 106 of the North Carolina General Statutes (“N.C.G.S.”) and other applicable law.

**ARTICLE III  
PURPOSE**

The purpose of this Ordinance is to promote agricultural values and general welfare of the County and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms.

**ARTICLE IV  
DEFINITIONS**

The following are defined for purpose of this Ordinance:

- Advisory Board:** Union County Agricultural Advisory Board.
- Chairman:** Chairman of the Union County Agricultural Advisory Board.
- District:** Voluntary Agricultural District as established by this Ordinance.
- Board of Commissioners:** Union County Board of Commissioners.

**ARTICLE V  
AGRICULTURAL ADVISORY BOARD**

**A. Creation**

The Board of Commissioners establishes an Agricultural Advisory Board to implement the provisions of this Ordinance.

**B. Membership**

The Advisory Board shall consist of 9 members appointed by the Board of Commissioners; provided, however, that the number of members may be increased without amendment to this Ordinance if necessary for the Board of Commissioners to comply with Article V(C)(v) below.

**C. Membership Requirements**

- i. Each Advisory Board member shall be a Union County resident.
- ii. At least 6 of the 9 members shall be actively engaged in farming.
- iii. One of the members shall be the President of the Union County Farm Bureau or his designee.
- iv. The members actively engaged in farming shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Soil and Water Conservation District, the Cooperative Extension Service, the Agricultural Stabilization Conservation Service Committee, and the Union County Farm Bureau with an effort to have the broadest geographical representation possible.
- v. Each District shall have a member on the Advisory Board.

**D. Tenure**

The initial board is to consist of 3 appointees for terms of one year, 3 appointees for terms of two years, and 3 appointees for terms of three years. Thereafter, all appointments are to be for terms of three years, with reappointments permitted. Members shall serve at the pleasure of the Board of Commissioners.

**E. Vacancies**

Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term.

**F. Funding**

The per diem compensation of the members of the Advisory Board shall be fixed by the

Board of Commissioners, and funds shall be appropriated to the Advisory Board to perform its duties.

G. **Advisory Board Procedure**

1. **Chairman**

The Advisory Board shall elect a Chairman and Vice-chairman each year at its first meeting of the fiscal year. The Chairman shall preside over all regular or special meetings of the Advisory Board. In the absence or disability of the Chairman, the Vice-chairman shall preside and shall exercise all the powers of the Chairman. Additional officers may be elected as needed.

2. **Jurisdiction**

The Advisory Board may adopt rules of procedure not inconsistent with this Ordinance or with other provisions of State law.

3. **Advisory Board Year**

The Advisory Board shall use the Union County fiscal year as its meeting year.

4. **Meetings**

Meetings of the Advisory Board shall be held at the call of the Chairman and at such other times as the Advisory Board may specify in its rules of procedure. A meeting shall be held at least every two months, and notice of any meetings to the members shall be in writing, unless otherwise agreed to by all Advisory Board members. All meetings of the Advisory Board shall be announced and conducted in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes, the North Carolina Open Meetings Law.

5. **Majority Vote**

The concurring vote of a majority of the members of the Advisory Board shall be necessary to pass upon any matter on which it may act under this Ordinance.

6. **Records**

The Advisory Board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact.

H. **Duties**

The Advisory Board shall:

1. Review and make recommendations concerning the establishment and modification of agricultural districts;
2. Conduct public hearings;
3. Advise the Board of Commissioners on projects, programs or issues affecting the agricultural economy or activities within the County that will affect agricultural districts;
4. Review and make recommendations concerning proposed amendments to this Ordinance;
5. Prepare a draft of the report required by G.S. 106-743, and Article XIII of this Ordinance, giving the status, progress and activities of the County's farmland preservation program;
6. Study additional methods of farmland preservation and make recommendations to the Board of Commissioners; and
7. Perform other agricultural related tasks or duties assigned by the Board of Commissioners.

The Advisory Board may consult with the Cooperative Extension Office, the Natural Resource Conservation Service office in Union County, the North Carolina Department of Agriculture, the Union County Farm Bureau, the North Carolina Farm Bureau, and any other such agency the Advisory Board deems necessary to perform the duties imposed pursuant to this Ordinance.

**ARTICLE VI  
CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS**

A. **Implementation**

In order to implement the purposes stated in Article III, this program provides for the creation of voluntary agricultural districts which meet one of the following standards:

1. The District shall contain a minimum of 20 contiguous acres of qualified farmland; OR

2. The District shall contain two or more qualified farms which contain a minimum of 20 acres and are located within a mile of each other.

**B. Encourage Reformation**

The County may take such action as it deems appropriate through the Advisory Board or other entities or individuals to encourage the formation of the Districts and to further their purposes and objectives, including the implementation of a public information program to reasonably inform landowners of the farmland preservation program.

**C. Display**

The Districts shall be marked on County maps displayed for public view in the following County offices:

1. Planning Department
2. Cooperative Extension
3. Any other office deemed necessary by the Advisory Board and approved by the Board of Commissioners.

**D. Withdrawal**

In the event that one or more participants in the District withdraws, or loses eligibility to participate, and the acreage in the District becomes less than the minimum acreage required or results in the remaining land being non-contiguous, a voluntary agricultural district will continue to exist so long as there is one qualifying farm.

## ARTICLE VII QUALIFICATION OF FARMLAND

**A. Requirements**

1. In order for farmland to qualify under this Article, it must be real property that:
  - a. Is participating in the farm present-use-value taxation program established by N.C.G.S. Section 105-277.2 through Section 105-277.7 or is otherwise determined by the County to meet all the qualifications of this program set forth in N.C.G.S. Section 105-277.3;
  - b. Is certified by the Natural Resource Conservation Service of the United States Department of Agriculture as being a farm on which at least two-thirds of the land is composed of soils that:

- i. are best suited for providing food, seed, fiber, forage, timber, and oil seed crops;
- ii. have good soil qualities;
- iii. are favorable for all major crops common to the county where the land is located;
- iv. have a favorable growing season; and
- v. receive the available moisture needed to produce high yields for an average of eight out of ten years;

**OR**

on which at least two-thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined by N.C.G.S. Sections 105-277.2(1), (2) and (3) during each of the five previous years, measured from the date on which the determination must be made as to whether the land in question qualifies;

- c. Is managed, if highly erodible land exists on the farm, in accordance with the Natural Resource Conservation Service defined erosion control practices that are addressed to highly erodible land; and
- d. Is the subject of a conservation agreement, as defined in N.C.G.S. Section 121-35, between the County and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable county zoning and subdivision regulations.

## **ARTICLE VIII APPLICATION AND APPROVAL PROCEDURE**

### **A. Application Procedure**

- 1. A landowner may apply to establish a District or to add qualifying farmland to an existing District by making application to the Chairman of the Advisory Board or a designated staff person using forms provided by the Advisory Board. The application shall be designed to establish eligibility in accordance with the provisions of this Ordinance.
- 2. The landowner shall execute an agreement to sustain, encourage and promote

agriculture in the District. The requirement for an agreement may be satisfied by the conservation agreement required in Article VII(A)(1)(d).

**B. Approval Process**

1. Upon receipt of an application, the Chairman will forward copies to the following agencies for their prompt evaluation and response:
  - a. The Union County Tax Administrator's office; and
  - b. The Union County Soil and Water Conservation District and the Natural Resource Conservation Service office.
2. Upon receipt of responses from the offices of the Union County Tax Administrator, the Union County Soil and Water Conservation District, and the Natural Resource Conservation Service, the Advisory Board shall meet within thirty (30) days to consider the application. The Chairman shall endeavor to notify the applicant by first-class mail of the Advisory Board's recommendation within fifteen (15) days.
3. The Advisory Board shall forward its recommendation to the Board of Commissioners for consideration. Action by the Board of Commissioners regarding approval or disapproval of the application shall be final.

**ARTICLE IX  
REVOCATION OF CONSERVATION AGREEMENT**

A landowner of qualifying farmland may revoke a conservation agreement upon written notice to the County. The County, upon recommendation by the Advisory Board, may revoke a conservation agreement due to non-compliance by the landowner. Any such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in a District.

**ARTICLE X  
PUBLIC HEARINGS**

**A. Purpose**

No state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a District until such agency or unit has requested the Advisory Board to hold a public hearing on the proposed condemnation.

**B. Procedure**



1. Upon receiving a request, the Advisory Board shall publish notice describing the proposed action in a newspaper of general circulation in Union County within five (5) business days of the request, and will in the same notice notify the public of a public hearing on the proposed condemnation, to be held within twenty (20) days of receipt of the request.
2. The Advisory Board shall meet to formulate recommendations regarding:
  - a. whether the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved; and
  - b. whether there exist alternatives to the proposed action that have less impact on and disruption to the agricultural activities of the District within which the proposed action is to take place.
3. The Advisory Board may consult with the County Cooperative Extension Agent, U.S.D.A. Natural Resource Conservation Service District Conservationist, the Union County Farm Bureau and with any other individuals, agencies or organizations deemed by the Advisory Board to be necessary for its review of the proposed action.
4. Not later than thirty (30) days after receiving a request to hold the public hearing, the Advisory Board shall submit a report containing its findings and recommendations regarding the proposed action to the decision-making body of the agency proposing acquisition. To the extent practicable, the report shall be made available to the public for comment prior to its being conveyed to the decision-making body of the agency proposing acquisition.
5. Pursuant to N.C.G.S. Section 106-740, the agency or unit of government proposing acquisition shall not initiate a condemnation action while the proposed condemnation is properly before the Advisory Board within these time limitations.

**ARTICLE XI  
PUBLIC NOTICE**

**A. Procedure**

Upon approval of a District or of modification to a District by the Board of Commissioners, the Advisory Board shall provide to the Union County GIS office such information and materials as may be necessary to enable the GIS office to prepare maps designating the location of the Districts established pursuant to this Ordinance. Within a

reasonable time after receipt of such information and materials, the Union County GIS office shall prepare or update appropriate maps so as to allow determination of the proximity of a particular tract to a District by those desiring such information. Maps shall be accessible to the public as indicated in Article VI(C).

B. **Signs**

To the extent legally permissible, the County Manager may cause signs to be placed along public roadways to notify the public of the presence or proximity of a District.

C. **Limit of Liability**

In no event shall the County or any of its officers, employees, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this Ordinance.

D. **No Cause of Action**

In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or voluntary agricultural district as defined in this Ordinance.

## ARTICLE XII WAIVER OF WATER AND SEWER ASSESSMENTS

A. **No Assessment**

The Union County Public Works Department shall not require the connection of improvements on qualifying farms within a District to Union County water and/or sewer systems.

B. **Abeyance**

Water and sewer assessments will be held in abeyance, without interest, for farms inside a District, until improvements on such property are connected to the water or sewer system for which the assessment was made.

C. **Termination of Abeyance**

When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

D. **Suspension of Statute of Limitations**

Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.

E. **Other Statutory Abeyance Procedures**

Nothing in this section is intended to diminish the authority of the County to hold assessments in abeyance under N.C.G.S. Section 153A-201.

F. **Conflict with Water and/or Sewer System Construction and Improvements Grants**

To the extent that this section conflicts with the terms of federal, State, or other grants under which County water and/or sewer systems are constructed, this section shall not apply.

**ARTICLE XIII  
NORTH CAROLINA AGENCY NOTIFICATION**

**Record Annually With the Department of Agriculture**

A record of this Ordinance shall be recorded with the North Carolina Commissioner of Agriculture's office after adoption. The County shall make an annual report to the North Carolina Commissioner of Agriculture as specified in N.C.G.S. Section 106-743.

**ARTICLE XIV  
LEGAL PROVISIONS**

A. **Severability**

If any article, section, subsection, clause, phrase or portion of this Ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

B. **Conflict With Other Ordinances and Statutes**

Whenever the provisions of this Ordinance conflict with other Ordinances of Union County, this Ordinance shall govern to the extent permitted by law. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this Ordinance, the provisions of such statute shall govern.

C. **Amendments**

This Ordinance may be amended from time to time by the Board of Commissioners.

D. **Jurisdiction**

Pursuant to G.S. § 153A-122, the territorial jurisdiction of this Ordinance shall be those parts of Union County not within a municipality.

Adopted this the 7th day of May, 2001.

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: March 24, 2008**

**Action Agenda Item No. 6b**  
(Central Admin. use only)

**SUBJECT:** Presentation of Farmland Preservation signs to Applicants

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**DEPARTMENT:** Cooperative Extension      **PUBLIC HEARING:** No

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**ATTACHMENT(S):**  
James F. Marlow & Ray T. Cook  
Mary K. Lockamy Howard  
Allan Baucom  
Russell Mosley  
Dennis Austin  
Forrest Jones  
Wilburn Williams Family Farm, LLC  
Steve Haigler  
Thomas Richard Meggs

**INFORMATION CONTACT:**  
Jerry Simpson

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**TELEPHONE NUMBERS:**  
704-283-3738  
704-363-2173

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**DEPARTMENT'S RECOMMENDED ACTION:** presentation of signs

**BACKGROUND:** Presentation of signs to approved applicants

**FINANCIAL IMPACT:** None

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

Meeting Date: March 24, 2008

Action Agenda Item No. 7

(Central Admin. use only)

**SUBJECT:** Assistance to Firefighters Grants (AFG)

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**DEPARTMENT:** Communications

**PUBLIC HEARING:** No

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**ATTACHMENT(S):**

**INFORMATION CONTACT:**

Gary J. Thomas

Pat Beekman

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**TELEPHONE NUMBERS:**

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704-283-3550

704-292-2670

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**DEPARTMENT'S RECOMMENDED ACTION:** Request approval to provide grant writing assistance to Beaver Lane Fire Company (on behalf of the Union County Volunteer Fire Departments) for the Assistance to Firefighter Grants (AFG) in an amount not to exceed \$1 million for the purchase of radio subscriber units (portable/mobile) and provide County matching funds, if grant is awarded, in an amount not to exceed \$200,000

**BACKGROUND:** The Board of County Commissioners approved the funding of the infrastructure and subscriber equipment for the volunteer fire companies located in and serving Union County. Fire companies are eligible for up to \$ 1 million dollars of grant funding to purchase subscriber units. There is a 20% match required if awarded this grant. One requirement of this grant application is that one volunteer fire company in Union County act as the grant administrator for this regional application. The Board of Directors of the Beaver Lane Fire Company has agreed to act on behalf of all the volunteer fire companies. Therefore, if awarded the full amount of the grant, then \$200,000 dollars would need to be funneled through the Beaver Lane Fire Company in order to receive the grant. Union County alone can not act as the recipient.

**FINANCIAL IMPACT:** \$200,000 dollars if awarded the maximum amount of grant. The grantee is not required to have cash in hand at the time of application, nor at the time of award. BUT, before a grant is awarded, DHS will contact potential awardees to determine whether the grantee has the funding in hand or if the grantee has a visible plan to obtain funding necessary to fulfill the match requirement. If grant is awarded, funding may be provided from FY09

operating budget and/or currently available capital reserve resources.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: March 24, 2008**

**Action Agenda Item No. 8**  
(Central Admin. use only)

**SUBJECT:** Resolution Seeking Explicit Authority from the State to Build and Operate a High Speed Internet Utility System.

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**DEPARTMENT:** Central Administration      **PUBLIC HEARING:** No

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**ATTACHMENT(S):**  
Resolution

**INFORMATION CONTACT:**  
Matthew Delk  
Jeff Crook

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**TELEPHONE NUMBERS:**  
704-283-3656  
704-283-3673

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**DEPARTMENT'S RECOMMENDED ACTION:** Approve attached Resolution

**BACKGROUND:** During the recent Board Visioning Conference, the development of a High Speed Internet System was discussed in order to bring the availability of this service to rural areas of Union County. This topic was identified as Priority 15. Legal staff recommends that we seek explicit authority from the State to build and operate this type of system.

**FINANCIAL IMPACT:** none as a result of this resolution

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**RESOLUTION SEEKING LEGISLATIVE AUTHORITY TO OPERATE  
A HIGH-SPEED INTERNET SYSTEM INDEPENDENTLY OR  
IN COOPERATION WITH ANOTHER UNIT OF LOCAL GOVERNMENT**

WHEREAS, in 2000, the N.C. General Assembly created the e-NC Authority (the “Authority”), with its primary purpose the linking of all North Carolinians – especially those in rural areas – to the Internet, as a means of improving access to commerce, health care, education, and government services, building connected communities, and creating a more economically competitive state; and

WHEREAS, although the Authority has been successful in achieving an initial goal of providing local dial-up Internet access to every telephone exchange in the state, the Authority recognizes that high-speed Internet and its related applications are necessary to support the development of emerging technology-based sectors of economic promise, such as biotechnology and nanotechnology, as well as the continued competitiveness of traditional industries; and

WHEREAS, the Authority further recognizes that the Internet is the most used communications tool in the business world and that Internet access and training are, therefore, essential to surviving and thriving in our evolving economy; and

WHEREAS, high-speed Internet access is not available in many rural areas of Union County; and

WHEREAS, without increased high-speed Internet access, Union County cannot effectively compete for the development, recruitment, and retention of commercial, manufacturing, and service sector businesses, all of which are vital to the present and future economic health of Union County and its residents; and

WHEREAS, increased high-speed Internet access in Union County will also benefit residents by increasing opportunities for education and learning, facilitating independent living by residents with restricted mobility, and encouraging greater government and civil participation; and

WHEREAS, as a means of increasing high-speed Internet access within Union County, the Union County Board of Commissioners is currently exploring, among other things, forming a partnership with a local municipality to operate a wireless high-speed Internet system.

NOW, THEREFORE, BE IT RESOLVED that the Union County Board of Commissioners requests that the General Assembly amend G.S. 153A-274 to provide Union County with express authority to operate a high-speed Internet system, including but not limited to a wireless high-speed Internet system, as a “public enterprise,” thereby enabling Union County to operate such system independently or in cooperation with one or more other units of local government.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2008**

**AN ACT AUTHORIZING UNION COUNTY TO OPERATE A HIGH-SPEED INTERNET SYSTEM INDEPENDENTLY OR IN COOPERATION WITH ANOTHER UNIT OF LOCAL GOVERNMENT**

**SECTION 1.** G.S. 153A-274 shall be amended as follows:

As used in this Article, "public enterprise" includes:

- (1) Water supply and distribution systems.
- (2) Wastewater collection, treatment, and disposal systems of all types, including septic tank systems or other on-site collection or disposal facilities or systems.
- (3) Solid waste collection and disposal systems and facilities.
- (4) Airports.
- (5) Off-street parking facilities.
- (6) Public transportation systems.
- (7) Stormwater management programs designed to protect water quality by controlling the level of pollutants in, and the quantity and flow of, stormwater and structural and natural stormwater and drainage systems of all types.
- (8) High-speed Internet systems.

**SECTION 2.** The ability of a county acting under authority of G.S. 153A-278 to cooperate with a municipality or other unit of local government in the exercise of any power granted by Article 15 of Chapter 153A of the General Statutes shall include the county's ability to cooperate with another unit of local government in the operation of a high-speed Internet system, including but not limited to a wireless high-speed Internet system.

**SECTION 3.** This act shall apply only to Union County.

**SECTION 4.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this \_\_\_ day of \_\_\_\_\_, 2008.

UNION COUNTY  
BOARD OF COMMISSIONERS

AGENDA ITEM

# 9

MEETING DATE 3/24/08

ACTION AGENDA ITEM ABSTRACT

Meeting Date: March ~~8~~, 2008  
10

Action Agenda Item No. 4/9  
(Central Admin. use only)

SUBJECT: PROPOSED FEE INCREASES FOR ENVIRONMENTAL HEALTH SERVICES

DEPARTMENT: HEALTH

PUBLIC HEARING: No

ATTACHMENT(S):  
PROPOSED FEES (3)

INFORMATION CONTACT:  
Phillip Tarte

TELEPHONE NUMBERS:  
704-296-4801

**DEPARTMENT'S RECOMMENDED ACTION:** Approve the updated fee schedules.

**BACKGROUND:** Due to the growth and statutory requirements placed on Environmental Health services in Union County, the agency has developed and attached three recommended fee adjustments for swimming pools, temporary food establishments, and child care center reviews. Pursuant to N.C.G.S. 130A-39(g), these fees were unanimously approved by the Board of Health during its regularly scheduled meeting held on February 1, 2008.

**FINANCIAL IMPACT:** Increased revenue to support positions.

**Legal Dept. Comments if applicable:** \_\_\_\_\_

**Finance Dept. Comments if applicable:** \_\_\_\_\_

**Manager Recommendation:** \_\_\_\_\_

**ENVIRONMENTAL HEALTH**  
**SERVICE AND FEE ADJUSTMENT RECOMMENDATION FOR**  
**FOOD, LODGING AND INSTITUTIONS PROGRAMS**

**CURRENT SWIMMING POOL FEES**

Seasonal Public Swimming Pool Application Fee.....\$100  
Submitted after April 15 (late).....\$150  
Year Round Public Swimming Pool Application..... \$150

Travel Time (Initial permit, inspection and compliance visit).....1.5 Hours

Permitting and Inspection.....3.0 Hours

Compliance Inspection (Includes Complaint Visits).....2.0 Hours

**COST (Permitting, Inspection, and Complaints)**

EHS: 6.5 Hours x \$26.00 = \$169  
Clerical: .75 Hours x \$18 = \$13.50  
Vehicle: 50 miles x \$.505/mile = \$25.25  
**TOTAL = \$207.75**

**NIGHT SWIMMING**

EHS: 2 Hours x \$39 (Overtime) = \$78  
Clerical: .5 Hours x \$18 = \$9.00  
Vehicle: 50 miles x \$.505/mile = \$25.25  
**TOTAL = \$112.25**

**GRAND TOTAL = \$320.00**

**RECOMMENDATION:**

-Increase all pool application fees to \$275

**ENVIRONMENTAL HEALTH**  
**SERVICE AND FEE ADJUSTMENT RECOMMENDATION FOR**  
**FOOD, LODGING AND INSTITUTIONS PROGRAMS**

**CURRENT TEMPORARY FOOD ESTABLISHMENT FEE**

Operation Permit.....	\$0
Special Event Coordinating.....	1.0 Hours
Travel Time (Initial permit, inspection and compliance visit).....	1.5 Hours
Permitting and Inspection.....	0.5 Hours
Plan Review.....	0.5 Hours

**COST (Permitting, Plan Review, and Consulting)**

EHS: 3.5 Hours x \$26.00 = \$91  
Clerical: .25 Hours x \$18 = \$4.50  
Vehicle: 50 miles x \$.505/mile = \$25.25  
**TOTAL = \$95.50**

**RECOMMENDATION:**

-Apply \$25 Temporary Permit Fee to each vendor.

**ENVIRONMENTAL HEALTH**  
**SERVICE AND FEE ADJUSTMENT RECOMMENDATION FOR**  
**FOOD, LODGING AND INSTITUTIONS PROGRAMS**

**CURRENT CHILD CARE CENTER PLAN REVIEW FEE**

Plan Review Fee.....\$0

Plan Review.....2.5 Hours

Travel Time (Permit and walk-through).....1.5 Hours

Pre-construction walk-through.....2.25 Hours

**COST (Permitting, Plan Review, and Consulting)**

EHS: 6.25 Hours x \$26.00 = \$162.50

Clerical: .5 Hours x \$18 = \$9.00

Vehicle: 50 miles x \$.505/mile = \$25.25

**TOTAL = \$196.75**

**RECOMMENDATION:**

-Apply \$200 Plan Review Fee to all new Child Care Centers.

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: March 24, 2008**

**Action Agenda Item No.** 10a-h

(Central Admin. use only)

**SUBJECT:** Announcements of Vacancies on Boards and Committees

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**DEPARTMENT:** Board of  
Commissioners

**PUBLIC HEARING:** No

**ATTACHMENT(S):**

**INFORMATION CONTACT:**

Lynn G. West  
Clerk to the Board of Commissioners

**TELEPHONE NUMBERS:**

704-283-3853

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**DEPARTMENT'S RECOMMENDED ACTION:** Announce vacancies

**BACKGROUND:**

Juvenile Crime Prevention Council (JCPC): 1) District Attorney or Designee; 2) Substance Abuse Professional; 3) Two Persons Under Age of 18; and 4)

Juvenile Defense Attorney

- b. Farmers Market Committee (1 Member at Large)
- c. Adult Care Home Community Advisory Committee
- d. Union County Home and Community Care Block Grant Advisory Committee (2 Vacancies as of December 2007)
- e. Nursing Home Advisory Committee
- f. Board of Health (Vacancy as of January 2008 for a Licensed Optometrist)
- g. Board of Adjustment (3 Vacancies for Regular Members and 1 Vacancy for alternate member for unexpired term ending May 2009)
- h. Planning Board - (Vacancies as of April 2008: 1 Member Representing Jackson Township; 1 Member Representing New Salem Township; and 1 Member Representing Sandy Ridge Township)

**FINANCIAL IMPACT:**

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



Contract Summary of Major Terms and Conditions

3-24-2008

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans	Budget Amend.	S#
<b>Consent Agenda Item - Contracts Over \$5,000 (List)</b>						
A	LandDesign, Inc.	Master multi-service agreement for engineering services.	n/a	n/a	n/a	1900
B	Camp Dresser and McKee	Engineering services related to the preliminary design for the Tallwood WWTP replacement (Task Order # 12).	\$ 35,750.00 Lump sum amount (NTE)	Capital Project Ordinance. BA#7 (approved at joint work session with PWAB on Aug. 20, 2007).	n/a	1901
C	State of North Carolina, Division of Public Health	Consolidated agreement for FY 2008-2009 for maintaining and promoting the advancement of public health in N.C. (federal/State certifications and assurances).	n/a	Operating Budget – 2009 Renewal	n/a	1895

AGENDA ITEM:  
 # 4192  
 MEETING DATE 3/24/08

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

Meeting Date: 3/24/08

Action Agenda Item No. 4/2  
(Central Admin. use only)

**SUBJECT:** INCREASE A RPT EMPLOYEE FROM 65% TO 80%

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**DEPARTMENT:** BOARD OF  
ELECTIONS

**PUBLIC HEARING:** No

**ATTACHMENT(S):**  
Changes to Position Counts Form

**INFORMATION CONTACT:**  
JOHN WHITLEY

**TELEPHONE NUMBERS:**  
704-283-3708

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**DEPARTMENT'S RECOMMENDED ACTION:** TO ACCEPT THIS RECOMMENDATION

**BACKGROUND:** STATE BOARD OF ELECTIONS HAS DIRECTED ALL COUNTY BOARD OF ELECTIONS TO INCREASE THEIR NUMBER OF ONE-STOP VOTING SITES FOR THE 2008 ELECTIONS. WE ARE INCREASING OUR ONE-STOP SITES FROM ONE TO FIVE TO PROVIDE BETTER SERVICE AND VOTING OPPORTUNITIES FOR THE VOTERS OF UNION COUNTY. THE 2007-2008 BUDGET DID NOT ADDRESS THE ADDITIONAL HOURS REQUIRED OF OUR ABSENTEE BALLOT COORDINATOR TO HANDLE THE ADDITIONAL ONE-STOP SITES. THIS EMPLOYEE HANDLES PLANNING, SET-UP, TRAINING AND SUPERVISION FOR THE ONE-STOP SITES IN ADDITION TO THE ABSENTEE BALLOTS BY MAIL PROGRAM. WE DO NOT (AT THIS TIME) HAVE ANOTHER STAFF MEMBER CROSS-TRAINED TO ASSIST WITH THESE DUTIES.

**FINANCIAL IMPACT:** \$5,534 to be funded from within the departmental budget.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**County of Union  
Changes to  
Position Classification  
Position Counts**

FEB 22 2008

Does this request result in amendments to the County's Position Classification Plan?

<input type="checkbox"/>	Yes – complete Part A
<input checked="" type="checkbox"/>	No

Does this request modify the agency's regular full-time or regular part-time position counts contained in the approved budget?

<input checked="" type="checkbox"/>	Yes – complete Part B
<input type="checkbox"/>	No

**A. Position Classification Plan**

Job Description	<input type="checkbox"/> New	<input type="checkbox"/> Change	<input type="checkbox"/> Deletion
Job Title			
Pay Grade			
General Statement of Job			
Organizational Assignment			
Justification			

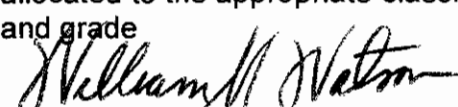
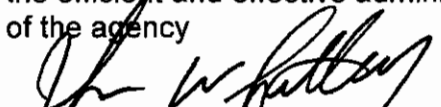
**B. Budgeted Position Counts**

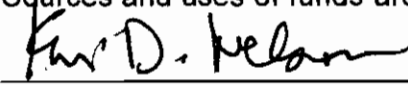
Position Counts	Regular full time	Regular part-time
Current authorized		0.65
This modification		0.15
Amended authorization	0.00	0.80

Current fiscal year financial impact	
Annualized fiscal impact	5,534 <sup>2</sup>

Source of Funds	LIT
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**Certifications:**

Position classification has been properly allocated to the appropriate classification and grade  Personnel Director	Position classification is necessary for the efficient and effective administration of the agency  Agency Director
--	--

Sources and uses of funds are accurate and available  Finance Director
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Please route this form as follows:

Personnel → Finance → County Manager → Personnel

**Once all signatures are obtained on this form, please return to Personnel.**



**UNION COUNTY**  
**Office of the Tax Administrator**  
300 N. Main Street  
P.O. Box 97  
Monroe, NC 28111-0097

704-283-3746  
704-283-3616 Fax

John C. Petoskey  
Tax Administrator

**AGENDA ITEM:**

# 4 | 3

MEETING DATE 3 | 24 | 08

**MEMORANDUM**

**TO:** Lynn West  
Central Administration

**FROM:** John C. Petoskey  
Tax Administrator

**DATE:** March 12, 2008

**RE:** Tenth Motor Vehicle Billing

I hereby certify the Tenth Motor Vehicle Billing Motor Vehicle Valuation under the staggered program as required by N.C.G.S.105-330. Attached hereto is a list of the values, rates and taxes for each taxing unit.

JCP: jw

- Motor Vehicle Billing Summary -

---Bdg No---	-----Description-----	--Key--	Bill Year	Rate Year	Tax Rate	Count	-----Total----- ---Value---	-----Tax----
10	County.....	CN99999	2007	2005	.5600	5	47,310	264.93
10	County.....	CN99999	2007	2006	.6367	138	1,461,570	9,334.95
10	County.....	CN99999	2007	2007	.7111	12,414	127,726,552	907,886.37
Totals.....						12,557	129,235,432	917,486.25
77	School dist - County.....	SC999	2007	2005	.0700	5	47,310	33.12
Totals.....						5	47,310	33.12
32	Fire Dist - Springs.....	FR015	2007	2006	.0313	4	97,890	30.64
32	Fire Dist - Springs.....	FR015	2007	2007	.0312	651	5,964,364	1,860.85
39	Fire Dist - Stallings....	FR020	2007	2005	.0390	5	47,310	18.45
39	Fire Dist - Stallings....	FR020	2007	2006	.0444	16	154,020	80.48
39	Fire Dist - Stallings....	FR020	2007	2007	.0262	1,177	12,648,428	3,313.64
38	Fire dist - Hemby Bridge..	FR023	2007	2006	.0464	14	126,840	60.82
38	Fire dist - Hemby Bridge..	FR023	2007	2007	.0377	1,433	15,343,743	5,784.75
37	Fire dist - Wesley Chapel:	FR026	2007	2006	.0152	19	330,790	50.83
37	Fire dist - Wesley Chapel:	FR026	2007	2007	.0167	1,856	27,996,898	4,675.58
34	Fire Dist - Waxhaw.....	FR028	2007	2006	.0413	10	112,880	46.62
34	Fire Dist - Waxhaw.....	FR028	2007	2007	.0513	831	8,212,051	4,212.77
Totals.....						6,016	71,035,214	20,135.43
78	220125 Taxes Payable - Marvin.....	MN01000	2007	2006	.0500	3	39,210	19.61
78	220125 Taxes Payable - Marvin.....	MN01000	2007	2007	.0500	240	4,057,700	2,029.44
78	220130 Taxes Payable - Monroe.....	MN02000	2007	2006	.5300	18	159,940	946.78
78	220130 Taxes Payable - Monroe.....	MN02000	2007	2007	.5500	1,842	14,839,355	90,493.97
78	220170 Taxes Payable - Wingate.....	MN03000	2007	2006	.3800	1	10,260	38.99
78	220170 Taxes Payable - Wingate.....	MN03000	2007	2007	.3900	123	975,825	3,805.81
78	220120 Taxes Payable - Marshville....	MN04000	2007	2006	.3800	3	27,140	103.14
78	220120 Taxes Payable - Marshville....	MN04000	2007	2007	.3800	127	957,070	3,636.81
78	220150 Taxes Payable - Waxhaw.....	MN05000	2007	2006	.3400	8	82,220	279.55
78	220150 Taxes Payable - Waxhaw.....	MN05000	2007	2007	.3400	412	4,625,344	15,726.08
78	220110 Taxes Payable - Indian Trail..	MN06000	2007	2005	.0800	5	47,310	37.85
78	220110 Taxes Payable - Indian Trail..	MN06000	2007	2006	.1000	21	212,020	239.27
78	220110 Taxes Payable - Indian Trail..	MN06000	2007	2007	.1500	1,713	18,668,083	28,006.28
78	220140 Taxes Payable - Stallings....	MN07000	2007	2006	.2500	11	100,690	251.75
78	220140 Taxes Payable - Stallings....	MN07000	2007	2007	.2500	773	8,611,354	21,530.19
78	220160 Taxes Payable - Weddington....	MN08000	2007	2006	.0300	5	86,700	26.01
78	220160 Taxes Payable - Weddington....	MN08000	2007	2007	.0300	598	7,970,451	2,391.35
78	220115 Taxes Payable - Lake Park.....	MN09000	2007	2006	.2300	1	4,210	19.36
78	220115 Taxes Payable - Lake Park.....	MN09000	2007	2007	.2300	194	2,080,705	4,785.70
78	220175 Taxes Payable - Fairview.....	MN09300	2007	2006	.0200	4	54,470	10.89
78	220175 Taxes Payable - Fairview.....	MN09300	2007	2007	.0200	133	1,487,181	297.39
78	220145 Taxes Payable - Hemby Bridge..	MN09500	2007	2007	.0300	66	525,590	157.70
78	220165 Taxes Payable - Wesley Chapel:	MN09700	2007	2006	.0200	1	13,310	2.66
78	220165 Taxes Payable - Wesley Chapel:	MN09700	2007	2007	.0200	347	4,460,714	892.11
78	220135 Taxes Payable - Unionville....	MN09800	2007	2006	.0200	2	10,260	2.05

--- M O T O R V E H I C L E S Y S T E M ---

- Motor Vehicle Billing Summary -

78	220135	Taxes Payable - Unionville...	MN09800	2007	2007	.0200	320	2,879,022	575.84
78	220155	Taxes Payable - Mnrl Sprngs..	MN09900	2007	2006	.0270	2	12,610	3.41
78	220155	Taxes Payable - Mnrl Sprngs..	MN09900	2007	2007	.0270	154	1,409,440	380.61
Totals.....:							7,127	74,408,184	176,690.60
Grand Totals.....:									1,114,345.40

MOTOR VEHICLE TAX REFUNDS  
for FEBRUARY 2008

AGENDA ITEM

# 4/4a

MEETING DATE 3/24/08

Approval of Board of County Commissioners not required:

Collector Refunds for FEBRUARY, 2008	2,520.92
(adjustment to February collector refund register)	(367.73)

To be approved by Board of County Commissioners on 3-24-08  
(to be submitted by Assessor's Office)

Assessor Refunds for FEBRUARY, 2008	1,485.74
(adjustment to February assessor refund register)	(818.16)

Approval requested for overpayments:

Overpayments for FEBRUARY, 2008	<u>8,115.56</u>
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Total to be refunded for FEBRUARY, 2008	<u><u>10,936.33</u></u>
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Debbie Cox  
3-12-08

**February 2008 Budget Transfer Report**

03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 1  
glcjeing

**AGENDA ITEM**  
# 4/4b  
MEETING DATE 3/24/08

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	06	931	BUA	12/17/2007	02/26/2008	BA	williams		11	Hist	2008	

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10542620	5381				BA38	FOR POP LAW ENF MEMORIAL	2,500.00		
10	-10-5-426-20-5381						PROFESSIONAL SERVICES			
2	10592000	5920				BA38	FOR POP LAW ENF MEMORIAL		2,500.00	
10	-92-5-920-00-5920						CONTINGENCY			
** JOURNAL TOTAL				0.00		0.00				

General Fund - BA to appropriate contingency funds for the Fraternal Order of Police Law Enforcement Memorial project.

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	07	1112	BUA	01/22/2008	03/10/2008	CPO	williams		12	Hist	2008	

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	64471400	4061				CPO96	FOR ANSON WATER SUPPLY		717,242.00	
64	-90-4-714-00-4061						IFT FROM WATER/SEWER OPER FD			
2	64571400	5594				WT051 CPO96	FOR ANSON WATER SUPPLY	717,242.00		
64	-90-5-714-00-5594					-WT051	ARCHITECTURAL & ENGINEERING			
3	64	393500				CPO96			717,242.00	1
64	-393500-						BUDGET APPROPRIATIONS CONTROL			
4	64	393400				CPO96		717,242.00		1
64	-393400-						BUDGET ESTIM REVENUE CONTROL			
** JOURNAL TOTAL				717,242.00		717,242.00				

Water and Sewer CPO Fund - CPO to appropriate Water and Sewer Operating Fund interfund transfers for the Anson 4.0 MGD Water Improvement project.

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	08	189	BUA	02/06/2008	02/06/2008	LIT	williams		11	Hist	2008	

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10551153	5121	1372			LIT92	FOR SOCIAL WORKER	18,284.00		
10	-60-5-511-53-5121					-1372	SALARIES & WAGES			
2	10551153	5132	1372			LIT92	FOR SOCIAL WORKER	428.00		
10	-60-5-511-53-5132					-1372	SEPARATION ALLOWANCE			
3	10551153	5134	1372			LIT92	FOR SOCIAL WORKER	914.00		
10	-60-5-511-53-5134					-1372	401-K SUPP RET PLAN -OTHER			
4	10551153	5181	1372			LIT92	FOR SOCIAL WORKER	1,399.00		
10	-60-5-511-53-5181					-1372	FICA CONTRIBUTIONS			
5	10551153	5182	1372			LIT92	FOR SOCIAL WORKER	894.00		
10	-60-5-511-53-5182					-1372	RET CONTRIB.- OTHER EMPLOYEES			
6	10551153	5183	1372			LIT92	FOR SOCIAL WORKER	2,889.00		
10	-60-5-511-53-5183					-1372	HEALTH INSURANCE			
7	10551153	5187	1372			LIT92	FOR SOCIAL WORKER	192.00		
10	-60-5-511-53-5187					-1372	DENTAL INSURANCE			
8	10551153	5121	1370			LIT92	FOR SOCIAL WORKER		18,284.00	
10	-60-5-511-53-5121					-1370	SALARIES & WAGES			

General Fund - LIT to adjust budget accounts for coding social worker costs from the Public Health, Maternal Health Regular program budget to the Public Health, Maternal Care Coordination program budget.



03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 2  
glcjeinq

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 189 BUA 02/06/2008 02/06/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
9	10551153	5132	1370		LIT92		FOR SOCIAL WORKER		428.00	
10	-60-5-511-53-5132				-1370		SEPARATION ALLOWANCE			
10	10551153	5134	1370		LIT92		FOR SOCIAL WORKER		914.00	
10	-60-5-511-53-5134				-1370		401-K SUPP RET PLAN -OTHER			
11	10551153	5181	1370		LIT92		FOR SOCIAL WORKER		1,399.00	
10	-60-5-511-53-5181				-1370		FICA CONTRIBUTIONS			
12	10551153	5182	1370		LIT92		FOR SOCIAL WORKER		894.00	
10	-60-5-511-53-5182				-1370		RET CONTRIB.- OTHER EMPLOYEES			
13	10551153	5183	1370		LIT92		FOR SOCIAL WORKER		2,889.00	
10	-60-5-511-53-5183				-1370		HEALTH INSURANCE			
14	10551153	5187	1370		LIT92		FOR SOCIAL WORKER		192.00	
10	-60-5-511-53-5187				-1370		DENTAL INSURANCE			
** JOURNAL TOTAL					0.00		0.00			

LIT#92 continued.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 190 BUA 02/06/2008 02/06/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10458100	4485	1680		LIT91		TRANSFER FUNDS		68,127.00	
10	-60-4-581-00-4485				-1680		ST GRANT-ROAP			
2	10458100	4395	1680		LIT91		TRANSFER FUNDS	68,127.00		
10	-60-4-581-00-4395				-1680		FED GRANT-FOR SRV-EDTAP			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding federal vs State grant revenue funds in the Senior Services, Transportation program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 191 BUA 02/06/2008 02/06/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10549544	5121			LIT90		FOR EMPEE SALARY	27,300.00		
10	-50-5-495-44-5121				-		SALARIES & WAGES			
2	10549544	5122			LIT90		FOR EMPEE SALARY	2,825.00		
10	-50-5-495-44-5122				-		SALARIES & WAGES-OVERTIME			
3	10549544	5132			LIT90		FOR EMPEE SALARY	639.00		
10	-50-5-495-44-5132				-		SEPARATION ALLOWANCE			
4	10549544	5134			LIT90		FOR EMPEE SALARY	1,506.00		
10	-50-5-495-44-5134				-		401-K SUPP RET PLAN -OTHER			
5	10549544	5181			LIT90		FOR EMPEE SALARY	2,305.00		
10	-50-5-495-44-5181				-		FICA CONTRIBUTIONS			
6	10549544	5182			LIT90		FOR EMPEE SALARY	1,473.00		
10	-50-5-495-44-5182				-		RET CONTRIB.- OTHER EMPLOYEES			

General Fund - LIT to adjust budget accounts for coding steward costs from the Cooperative Extension, Administration program budget to the Cooperative Extension, Wingate program budget.

03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 3  
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YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 191 BUA 02/06/2008 02/06/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
7	10549544	5183		LIT90			FOR EMPEE SALARY	8,074.00		
10	-50-5-495-44	5183		-			HEALTH INSURANCE			
8	10549544	5187		LIT90			FOR EMPEE SALARY	386.00		
10	-50-5-495-44	5187		-			DENTAL INSURANCE			
9	10549544	5190		LIT90			FOR EMPEE SALARY	49.00		
10	-50-5-495-44	5190		-			LIFE INSURANCE - EMPLOYEES			
10	10549501	5121		LIT90			FOR EMPEE SALARY		27,300.00	
10	-50-5-495-01	5121		-			SALARIES & WAGES			
11	10549544	5351		LIT90			FOR EMPEE SALARY		2,825.00	
10	-50-5-495-44	5351		-			MAINT & REPAIRS-BUILDINGS			
12	10549501	5132		LIT90			FOR EMPEE SALARY		639.00	
10	-50-5-495-01	5132		-			SEPARATION ALLOWANCE			
13	10549501	5134		LIT90			FOR EMPEE SALARY		1,506.00	
10	-50-5-495-01	5134		-			401-K SUPP RET PLAN -OTHER			
14	10549501	5181		LIT90			FOR EMPEE SALARY		2,305.00	
10	-50-5-495-01	5181		-			FICA CONTRIBUTIONS			
15	10549501	5182		LIT90			FOR EMPEE SALARY		1,473.00	
10	-50-5-495-01	5182		-			RET CONTRIB.- OTHER EMPLOYEES			
16	10549501	5183		LIT90			FOR EMPEE SALARY		8,074.00	
10	-50-5-495-01	5183		-			HEALTH INSURANCE			
17	10549501	5187		LIT90			FOR EMPEE SALARY		386.00	
10	-50-5-495-01	5187		-			DENTAL INSURANCE			
18	10549501	5190		LIT90			FOR EMPEE SALARY		49.00	B
10	-50-5-495-01	5190		-			LIFE INSURANCE - EMPLOYEES			
** JOURNAL TOTAL					0.00		0.00			

LIT#90 continued.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 192 BUA 02/06/2008 02/06/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10551150	5260	13341	LIT89			TO MOVE DENTAL SVC FUNDS	217.00		
10	-60-5-511-50	5260		-13341			PRINTING AND OFFICE SUPPLIES			
2	10551150	5399	13341	LIT89			TO MOVE DENTAL SVC FUNDS	11,000.00		
10	-60-5-511-50	5399		-13341			PUBLIC ASSISTANCE			
3	10551150	5325	13341	LIT89			TO MOVE DENTAL SVC FUNDS		200.00	
10	-60-5-511-50	5325		-13341			POSTAGE			
4	10551150	5381	13341	LIT89			TO MOVE DENTAL SVC FUNDS		11,017.00	
10	-60-5-511-50	5381		-13341			PROFESSIONAL SERVICES			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding within the Public Health, Smart Start Smiles program budget.

03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 4  
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YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 193 BUA 02/06/2008 02/06/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	61571101	5354				LIT88	CONTRACT FO TELEWORKS	10,409.00		
61	-90-5-711-01-5354						MAINT AGREEMNTS-COMP.SOFTWARE			
2	61571101	5260				LIT88	CONTRACT FO TELEWORKS		10,409.00	
61	-90-5-711-01-5260						PRINTING AND OFFICE SUPPLIES			
** JOURNAL TOTAL					0.00		0.00			

Water and Sewer Operating Fund - LIT to adjust budget accounts for coding within the Water and Sewer, Administration program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 250 BUA 02/08/2008 02/08/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10453101	4485	1450			LIT94	TRANSFER ROAP GR FUNDS		18,040.00	
10	-60-4-531-01-4485					-1450	ST GRANT-ROAP-WORK FIRST			
2	10453101	4395	1450			LIT94	TRANSFER ROAP GR FUNDS	18,040.00		
10	-60-4-531-01-4395					-1450	FED GRANT-ROAP-WORK FIRST			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding federal vs State grant revenue funds in the DSS, Administration program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 251 BUA 02/08/2008 02/08/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10561900	5699				LIT93	FOR CONTRACT 1879	50,000.00		
10	-80-5-619-00-5699						PAYMENTS TO OTHER AGENCIES			
2	10561301	5920				LIT93	FOR CONTRACT 1879		50,000.00	
10	-80-5-613-01-5920						CONTINGENCY			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding the Museum of the Waxhaws contribution from the Parks and Recreation, Administration program budget to the Andrew Jackson Historical Foundation program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 476 BUA 02/14/2008 02/14/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10543130	5265	1064			LIT95	FOR JAG FUND EXPENDITURES	7,038.00		
10	-20-5-431-30-5265					-1064	OFFICE COMPUTER EQUIPMENT			
2	10543130	5290	1050			LIT95	FOR JAG FUND EXPENDITURES		7,038.00	
10	-20-5-431-30-5290					-1050	TOOLS AND SUPPLIES			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding JAG expenditures from the Law Enforcement, Administration program budget to the Law Enforcement, JAG program budget.

03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 5  
glcjeinq

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	08	477	BUA	02/14/2008	02/14/2008	LIT	williams		11	Hist	2008	

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10543138	5430					FOR RENTAL OF EQUIPMENT	2,114.00		
10	-20-5-431-38-5430						RENTAL OF EQUIPMENT			
2	10543138	5351					FOR RENTAL OF EQUIPMENT		2,114.00	
10	-20-5-431-38-5351						MAINT & REPAIRS-BUILDINGS			
				** JOURNAL TOTAL		0.00	0.00			

General Fund - LIT to adjust budget accounts for coding within the Law Enforcement, Facilities program budget.

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	08	595	BUA	02/19/2008	02/19/2008	LIT	williams		1	Hist	2008	

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10541617	5220					TO COVER WATER EXPENSES	3,000.00		
10	-10-5-416-17-5220						FOOD AND PROVISIONS			
2	10541617	5260					TO COVER WATER EXPENSES		3,000.00	
10	-10-5-416-17-5260						PRINTING AND OFFICE SUPPLIES			
				** JOURNAL TOTAL		0.00	0.00			

General Fund - LIT to adjust budget accounts for coding within the Court Facilities, District Court program budget.

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	08	596	BUA	02/19/2008	02/19/2008	LIT	williams		11	Hist	2008	

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10549200	5321					TO COVER TELEPHONE EXPENSES	3,110.00		
10	-50-5-492-00-5321						TELEPHONE AND COMMUNICATIONS			
2	10549200	5325					TO COVER TELEPHONE EXPENSES	17.00		
10	-50-5-492-00-5325						POSTAGE			
3	10549200	5699					TO COVER TELEPHONE EXPENSES		3,127.00	
10	-50-5-492-00-5699						PAYMENTS TO OTHER AGENCIES			
				** JOURNAL TOTAL		0.00	0.00			

General Fund - LIT to adjust budget accounts for coding within the Economic Development program budget.

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	08	597	BUA	02/19/2008	02/19/2008	LIT	williams		11	Hist	2008	

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10561374	5381					CARE OF FIELDS	300.00		
10	-80-5-613-74-5381						PROFESSIONAL SERVICES			
2	10561374	5235					CARE OF FIELDS		300.00	
10	-80-5-613-74-5235						AGRICULT ANIMAL SUPP AND EQUP			
				** JOURNAL TOTAL		0.00	0.00			

General Fund - LIT to adjust budget accounts for coding within the Parks and Recreation, Jesse Helms Park program budget.

03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 6  
glcjeinq

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 632 BUA 02/20/2008 02/20/2008 LIT williams 1 1 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10551151	5325	1352	LIT98			FOR MISC EXPENDITURES	162.00		
10	-60-5-511-51-5325			-1352			POSTAGE			
2	10551151	5220	1352	LIT98			FOR MISC EXPENDITURES	143.00		
10	-60-5-511-51-5220			-1352			FOOD AND PROVISIONS			
3	10551151	5312	1352	LIT98			FOR MISC EXPENDITURES		162.00	
10	-60-5-511-51-5312			-1352			TRAVEL SUBSISTENCE			
4	10551151	5354	1352	LIT98			FOR MISC EXPENDITURES		143.00	
10	-60-5-511-51-5354			-1352			MAINT AGREEMNTS-COMP.SOFTWARE			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding within the Public Health, Healthy Carolinians program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 633 BUA 02/20/2008 02/20/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10551152	5239	1362	LIT101			TO COVER MEDICAL SUPPLIES	1,514.00		
10	-60-5-511-52-5239			-1362			MEDICAL SUPPLIES AND EQUIPMENT			
2	10551152	5260	1362	LIT101			TO COVER MEDICAL SUPPLIES		60.00	
10	-60-5-511-52-5260			-1362			PRINTING AND OFFICE SUPPLIES			
3	10551152	5354	1362	LIT101			TO COVER MEDICAL SUPPLIES		300.00	
10	-60-5-511-52-5354			-1362			MAINT AGREEMNTS-COMP.SOFTWARE			
4	10551152	5381	1362	LIT101			TO COVER MEDICAL SUPPLIES		1,154.00	
10	-60-5-511-52-5381			-1362			PROFESSIONAL SERVICES			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding within the Public Health, Smart Start-Peer Breastfeeding program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 752 BUA 02/18/2008 02/26/2008 BA williams 12 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10540500	5265		BA33			TO PURCHASE VIDEO EQUIPMENT	27,513.00		
10	-10-5-405-00-5265			-			OFFICE COMPUTER EQUIPMENT			
2	10440500	4406		BA33			TO PURCHASE VIDEO EQUIPMENT		13,757.00	
10	-10-4-405-00-4406			-			ST GRANT-MISC EQUIPMENT			
3	10540500	5121		BA33			TO PURCHASE VIDEO EQUIPMENT		13,756.00	
10	-10-5-405-00-5121			-			SALARIES & WAGES			
4	10	393500		BA33					13,757.00	1
10	-393500-			-			BUDGET APPROPRIATIONS CONTROL			
5	10	393400		BA33				13,757.00		1
10	-393400-			-			BUDGET ESTIM REVENUE CONTROL			
** JOURNAL TOTAL					13,757.00		13,757.00			

General Fund - BA to appropriate State grant funds for video equipment in the Central Administration program budget.

03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 7  
glcjeinq

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AJTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 753 BUA 02/26/2008 02/26/2008 BA williams 12 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10553101	5396	1450	BA30			FOR ROAP GRANT	16,312.00		
10	-60-5-531-01-5396			-1450			TRANSPORTATION-DOT			
2	10453101	4485	1450	BA30			FOR ROAP GRANT		16,312.00	
10	-60-4-531-01-4485			-1450			ST GRANT-ROAP-WORK FIRST			
3	10	393500		BA30					16,312.00	1
10	-393500-						BUDGET APPROPRIATIONS CONTROL			
4	10	393400		BA30				16,312.00		1
10	-393400-						BUDGET ESTIM REVENUE CONTROL			
** JOURNAL TOTAL				16,312.00		16,312.00				

General Fund - BA to appropriate additional State ROAP grant funds for transportation services in the DSS, Administration program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 754 BUA 02/18/2008 02/26/2008 BA williams 12 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10553160	5399	1509	BA32			FOR CRISIS INTERVENTION PROGRA	35,585.00		
10	-60-5-531-60-5399			-1509			PUBLIC ASSISTANCE			
2	10453160	4340	1509	BA32			FOR CRISIS INTERVENTION PROGRA		35,585.00	
10	-60-4-531-60-4340			-1509			FED GRANT-LOW INCOME EA BG			
3	10	393500		BA32					35,585.00	1
10	-393500-						BUDGET APPROPRIATIONS CONTROL			
4	10	393400		BA32				35,585.00		1
10	-393400-						BUDGET ESTIM REVENUE CONTROL			
** JOURNAL TOTAL				35,585.00		35,585.00				

General Fund - BA to appropriate additional federal funds in the DSS, Energy Assistance (CIP) program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 757 BUA 02/26/2008 02/26/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10551150	5232	1320	LIT102			FOR TB DVD	284.00		
10	-60-5-511-50-5232			-1320			AUDIO VISUAL SUPPLIES			
2	10551150	5239	1320	LIT102			FOR TB DVD		284.00	
10	-60-5-511-50-5239			-1320			MEDICAL SUPPLIES AND EQUIPMENT			
** JOURNAL TOTAL				0.00		0.00				

General Fund - LIT to adjust budget accounts for coding within the Public Health, Communicable Disease-EPID program budget.

03/13/2008  
16:53 AAR

\*\* Union County \*\*  
JOURNAL INQUIRY

PG 8  
glejeinq

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 869 BUA 02/29/2008 02/29/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10551154	5265	1390	LIT104			NEW LAPTOPS	16,100.00		
10	-60-5-511-54-5265			-1390			OFFICE COMPUTER EQUIPMENT			
2	10551154	5270	1390	LIT104			NEW LAPTOPS		16,100.00	
10	-60-5-511-54-5270			-1390			INVENTORY			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding within the Public Health, Environmental Health program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 870 BUA 02/29/2008 02/29/2008 LIT williams 1 1 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10541800	5265		LIT103			FOR COMPUTER PURCHASES	6,028.00		
10	-10-5-418-00-5265			-			OFFICE COMPUTER EQUIPMENT			
2	10541800	5260		LIT103			FOR COMPUTER PURCHASES		6,028.00	
10	-10-5-418-00-5260			-			PRINTING AND OFFICE SUPPLIES			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding within the Register of Deeds program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 871 BUA 02/29/2008 02/29/2008 LIT williams 11 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10551152	5311	1362	LIT105			FOR TRAVEL SUBSISTENCE	133.00		
10	-60-5-511-52-5311			-1362			TRAVEL			
2	10551152	5312	1362	LIT105			FOR TRAVEL SUBSISTENCE		133.00	
10	-60-5-511-52-5312			-1362			TRAVEL SUBSISTENCE			
** JOURNAL TOTAL					0.00		0.00			

General Fund - LIT to adjust budget accounts for coding within the Public Health, Smart Start-Peer Breastfeeding program budget.

YEAR PER JOURNAL SRC EFF DATE ENT DATE JNL DESC CLERK ENTITY AUTO-REV STATUS BUD YEAR JNL TYPE  
2008 08 951 BUA 02/04/2008 03/13/2008 BA williams 12 Hist 2008

LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
1	10553101	5381	1450	BA29			FOR CHILD CARE SVCS	73,820.00		
10	-60-5-531-01-5381			-1450			PROFESSIONAL SERVICES			
2	10453101	4442	1450	BA29			FOR CHILD CARE SVCS		73,820.00	
10	-60-4-531-01-4442			-1450			ST GRANT-MAIN BG-1571 REIMB			

General Fund - BA to appropriate additional State funds for child care services in the DSS, Administration program budget.

03/13/2008  
16:53 AAR

\* \* Union County \* \*  
JOURNAL INQUIRY

PG 9  
glcjeinq

YEAR	PER	JOURNAL	SRC	EFF DATE	ENT DATE	JNL DESC	CLERK	ENTITY	AUTO-REV	STATUS	BUD YEAR	JNL TYPE
2008	08	951	BUA	02/04/2008	03/13/2008	BA	williams		12	Hist	2008	

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LN	ORG	OBJECT	PROJ	REF1	REF2	REF3	LINE DESCRIPTION	DEBIT	CREDIT	OB
3	10	393500		<u>BA29</u>					73,820.00	1
10	-393500-						BUDGET APPROPRIATIONS CONTROL			
4	10	393400		BA29				73,820.00		1
10	-393400-						BUDGET ESTIM REVENUE CONTROL			
** JOURNAL TOTAL				73,820.00		73,820.00				

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** GRAND TOTAL				856,716.00		856,716.00				
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BA#29 continued.

24 Journals printed

\*\* END OF REPORT - GENERATED BY DEPT413 \*\*



**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: March 24, 2008**

**Action Agenda Item No.** 415  
(Central Admin. use only)

**SUBJECT:** Amendment or Termination of American Solutions for Business Contract.

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**DEPARTMENT:** Tax Administration

**PUBLIC HEARING:** No

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**ATTACHMENT(S):**

**INFORMATION CONTACT:**  
John Petoskey

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**TELEPHONE NUMBERS:**

704-283-3748

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**DEPARTMENT'S RECOMMENDED ACTION:** Authorize the County Manager (i) to amend the agreement with American Solutions for Business (Formerly Southern Systems Business) to delete the provision of tax billing services; or (ii) to terminate the agreement, if necessary, and re-contract with American Solutions for Business for utility billing services.

**BACKGROUND:** Under this contract, American Solutions for Business (formerly Southern Systems Business) prepares and prints the tax bills and utility bills for Union County. American Solutions also mails Union County tax bills and utility bills to individual recipients, but does not mail municipal tax bills to individual recipients. The Tax Administration Department is in the process of finding another vendor to complete the services related to tax billing. However, Public Works would like to continue to use this vendor for utility billing.

**FINANCIAL IMPACT:**

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

Meeting Date: March 24, 2008

Action Agenda Item No. 416

(Central Admin. use only)

**SUBJECT:** Appropriation

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**DEPARTMENT:** Library

**PUBLIC HEARING:** No

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**ATTACHMENT(S):**  
State Library memo of 02/13/2008  
BA # 41

**INFORMATION CONTACT:**  
Martie Smith

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**TELEPHONE NUMBERS:**  
704-283-8184 ext 222

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**DEPARTMENT'S RECOMMENDED ACTION:** Approve Budget Amendment # 41 on consent agenda.

**BACKGROUND:** The General Assembly increased the Aid to Public Libraries Fund for FY 2007-08. The State Library has notified us that Union County's share is \$11,843 more than anticipated in the FY 2008 budget. These additional funds need to be appropriated to the library. The library will use the appropriation for books, so the additional funds should be budgeted to 10-561100-5233-1800.

**FINANCIAL IMPACT:** None

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

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**North Carolina Department of Cultural Resources  
State Library of North Carolina**

Michael F. Easley, Governor  
Lisbeth C. Evans, Secretary

Mary L. Boone, State Librarian

February 13, 2008

**MEMORANDUM**

**TO:** Library Director

**FROM:** Anne Marie Elkins, Consultant for Public Library Management

**SUBJECT:** 2007/2008 Aid to Public Libraries Grant Funds

This memorandum is to inform you of the amount your library will receive from the Aid to Public Libraries Fund during FY2007/2008. There is a total of \$16,007,245 available for distribution to the public libraries qualifying to receive State Aid.

The total amount your library will receive from the Aid to Public Libraries Fund is listed below. State Aid payments are made on a monthly basis. You should receive your payment no later than the 15<sup>th</sup> of each month.

A chart containing state aid information for all libraries is available on the State Library homepage at <http://statelibrary.dcr.state.nc.us/ld/staid/staid0708.pdf> or <http://statelibrary.dcr.state.nc.us/ld/staid/staid0708.htm>. Please contact Anne Marie Elkins or Lorice Hyman at 919.807.7400 (fax 919.733.8748) if you have any questions.

Library Name	July 2007 Payment	Aug 2007 Payment	Sept 2007 Payment	Oct 2007 Payment	Nov 2007 Payment	Dec 2007 Payment
Union	\$16,594	\$16,594	\$16,594	\$16,594	\$16,594	\$16,594

Jan 2008 Payment	Feb 2008 Payment	Mar 2008 Payment	April 2008 Payment	May 2008 Payment	June 2008 Payment	Total State Aid
\$17,348	\$17,348	\$17,348	\$17,348	\$17,348	\$17,351	\$203,655

**Please provide a copy of this sheet to your  
Finance Officer and Auditor**

**BUDGET AMENDMENT**

BUDGET Library REQUESTED BY Martie Smith  
 FISCAL YEAR FY2008 DATE March 24, 2008

**INCREASE**

Description

Operating Expenses 11,843  
State Revenue 11,843

**DECREASE**

Description

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Explanation: Appropriate additional State funds for books.

DATE \_\_\_\_\_ APPROVED BY Bd of Comm/County Manager  
Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

**DEBIT**

<u>Code</u>	<u>Account</u>	<u>Amount</u>
<u>10561100-5233-1800</u>	<u>Books</u>	<u>11,843</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
	Total	<u>11,843</u>

**CREDIT**

<u>Code</u>	<u>Account</u>	<u>Amount</u>
<u>10461100-4468-1800</u>	<u>State Revenue</u>	<u>11,843</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
	Total	<u>11,843</u>

Prepared By vhd  
 Posted By \_\_\_\_\_  
 Date \_\_\_\_\_

Number 41

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

Meeting Date: March 24, 2008

Action Agenda Item No. 4/9  
(Central Admin. use only)

**SUBJECT:** Land for New School Transportation Facility

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**DEPARTMENT:** UCPS  
Finance

**PUBLIC HEARING:** No

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**ATTACHMENT(S):** Capital Project Ordinance Amendment  
# 98

**INFORMATION CONTACT:** Dr. Davis  
Don Hughes  
Kai Nelson

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**TELEPHONE NUMBERS:**  
704.283.3647  
704.296.5960  
704.292.2522

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**DEPARTMENT'S RECOMMENDED ACTION:** Adopt Capital Project Ordinance #98 which provides funding for the acquisition of 35.69 acres for the new UCPS Transportation Facility

**BACKGROUND:** The adopted 2007-2011 CIP contains a new transportation facility to replace the current facility which was constructed prior to the consolidation of the Monroe City and Union County school systems. The transportation facility will contain maintenance bays and office area for approximately 20 Transportation Department employees. The current facility will be renovated for Maintenance Department use.

The CPO provides funding for land acquisition and closing costs.

**FINANCIAL IMPACT:** The project is included in the approved CIP and was in the 2006 bond referendum.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_



# UNION COUNTY PUBLIC SCHOOLS

Department of Facilities, Planning, and Construction  
116 North Main Street Monroe, North Carolina 28112  
704-296-5960 Fax: 704-296-5973

Dr. Ed Davis  
Superintendent

L. Dean Arp Jr., Chairman  
John Collins, Vice Chairman

John H. Crowder Dr. Sharon Gallagher  
Kimberly Morrison-Hansley Carolyn Lowder  
John Parker Kim Rogers Richard Weiner

13 March 2008

To: Dick Black, Interim County Manager

From: Dr. Ed Davis, Superintendent

RE: Land Purchase Funding  
Transportation Facility

Mr. Black:

We are requesting funding from the County Commissioners for the purchase of property for the new Transportation Facility. The property is located off Goldmine Road near Rocky River Road, it is within budget, and is a project included as a part of the School Bond 2006. Please note the following:

- The location of the property falls within the target area as identified by OR/ED Lab in their report of June 6, 2006.
- UCPS, without a broker, sought this property at the suggestion of the County Planning Staff subsequent to a meeting regarding another proposed site.
- UCPS began to seek the property in March 2007 and we found that it was owned by a large contingent of family members. During our search for a contact person we learned that the Tyson Group had purchased the property. The Tyson Group was not a Land Broker for UCPS at that time.
- We began talks and negotiations with the Tyson Group (and later Goldmine Generation LLC) in April 2007 and recently have come to an agreement.

The Board of Education voted to purchase this property at their regularly scheduled meeting on March 4, 2008 contingent upon funding from the County. The property will be purchased by the Board of Education and then signed over to the County at closing as required for construction sales tax reimbursement.

The land purchase and construction project were originally scheduled to be complete by June 2008. Due to the complexity of finding suitable land that would meet zoning requirements with the County and/or the City of Monroe the project was continually delayed.

The purchase is from Goldmine Generation LLC and is for 35.69 acres and is a part their Parcel #09-372-003E. The purchase price is \$39,000.00 per acre. Other funds requested are for associated closing costs and there is no brokerage fee.

Thank you for your consideration in this matter.

C: Dr. Mike Webb  
Teri Lambert

**CAPITAL PROJECT ORDINANCE AMENDMENT**

BUDGET School Bond Fund - 55  
 FISCAL YEAR FY 2007-2008

REQUESTED BY Kai Nelson  
 DATE March 24, 2008

**PROJECT SOURCES**

Source Description and Code	Project To Date	Requested Amendment	Revised Project
G.O. Bond Proceeds	477,514,731	1,399,410	478,914,141
All Other Revenue	1,363,308	-	1,363,308

**PROJECT USES**

Project Description and Code	Project To Date	Requested Amendment	Revised Project
New Transportation Facility	634,372	1,399,410	2,033,782
All Other School Projects	478,243,667	-	478,243,667

478,878,039    1,399,410    480,277,449

478,878,039    1,399,410    480,277,449

EXPLANATION: Funding request submitted by UCPS for purchase of land for the New Transportation Facility pursuant to 115C-429b.

DATE: \_\_\_\_\_

APPROVED BY: \_\_\_\_\_  
 Bd of Comm/County Manager  
 Lynn West/Clerk to the Board

**ANCE POSTING PURPOSES ONLY**

**PROJECT SOURCES**

Source Description and Code	Project To Date	Requested Amendment	Revised Project
G.O. Bond Proceeds 55491100-4710-530	477,514,731	1,399,410	478,914,141

**PROJECT USES**

Project Description and Code	Project To Date	Requested Amendment	Revised Project
New Transportation Facility 55559200-5586-516	634,372	-	634,372
New Transportation Facility(115C-429b project allocation) 55559200-5570-516	-	1,399,410	1,399,410

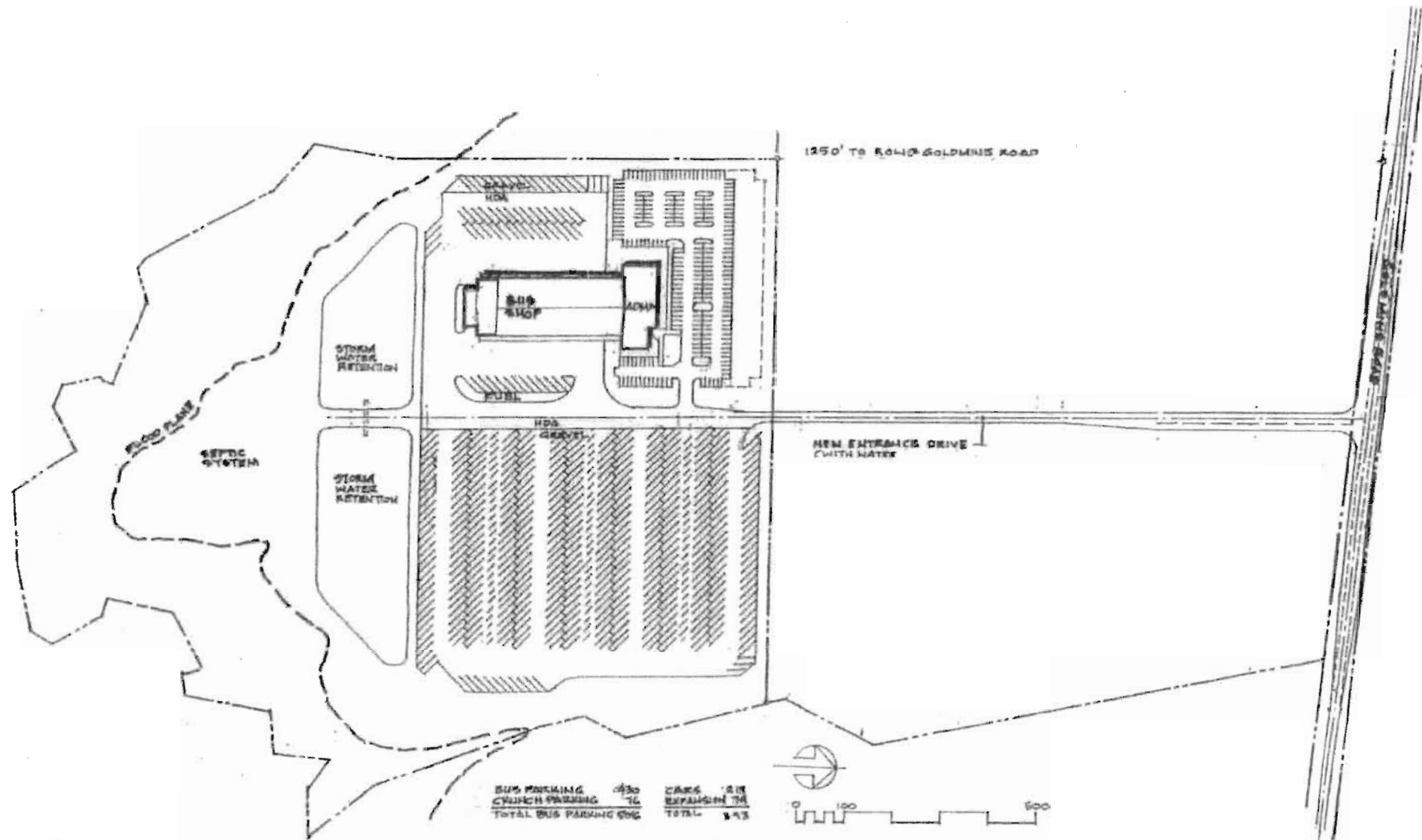
477,514,731    1,399,410    478,914,141

634,372    1,399,410    2,033,782

Prepared By dhc  
 Posted By \_\_\_\_\_  
 Date \_\_\_\_\_

Number CPO - 98





BUS PARKING	430	CAR	21
CHURCH PARKING	16	EXPANSION	78
TOTAL BUS PARKING	446	TOTAL	99

Morris - Berg  
ARCHITECTS

UNION COUNTY PUBLIC SCHOOLS TRANSPORTATION CENTER

11-26-07

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: 3/24/08**

**Action Agenda Item No.** 418

(Central Admin. use only)

**SUBJECT:** Amendments to Water Conservation Ordinance

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**DEPARTMENT:** Public Works/Legal      **PUBLIC HEARING:** No

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**ATTACHMENT(S):**

(i) Revised Water Conservation Ordinance showing changes

(ii) Clean copy of Revised Water Conservation Ordinance

**INFORMATION CONTACT:**

Jeff Crook  
Christie Putnam

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**TELEPHONE NUMBERS:**

704-283-3673  
704-292-4210

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**DEPARTMENT'S RECOMMENDED ACTION:** Adopt Amendments to Water Conservation Ordinance

**BACKGROUND:** After consideration by the Board on March 10, request was made to make the following two modifications to the draft amended Ordinance, in addition to those revised provisions set out below: (i) begin prohibition of the transportation of water outside of Union County during Stage 2 rather than Stage 3; and (ii) enable the County Manager to release billing information of any violators of the Ordinance rather than just the names of persons whose water has been disconnected. As a reminder, the draft reviewed by the Board on March 10 reflected revisions to the current Ordinance as follows:

- (1) The opening paragraph expressly states (i) that the Ordinance does not apply to reuse or reclaimed water, and (ii) that the County may establish a rate structure that increases the cost of potable water commensurate with the escalation of water shortage conditions. The latter would require Board approval prior to implementation.
- (2) The triggering events for declaring water shortage conditions have been slightly liberalized to make clear that the County Manager may make such declaration when demand on the water system or portions of the water system exceed capacity. Also, in Article III, Section II, the requirement for declaration of Stage 2 has been modified to enable a declaration when sustained water demand exceeds 90%, rather than 95%, of capacity.
- (3) Mailed notice is required for imposition of civil penalties, and certified mail is required prior

to termination of service. Though not stated in the Ordinance, it is staff's intent to utilize a certificate of mailing to establish that a notice of violation has in fact been sent.

(4) Distinction is made between irrigation meters and other water meters. Water to residences and businesses may be terminated following a fourth and subsequent violations, but service will be restored upon payment of a \$1,000 civil penalty. In the event service through an irrigation meter is terminated for a second time, service will remain disconnected until no stage of the Ordinance has been in effect for one calendar year.

(5) The Ordinance provides an appeal procedure prior to termination of water service.

**FINANCIAL IMPACT:**

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**Legal Dept. Comments if applicable:** \_\_\_\_\_

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**Finance Dept. Comments if applicable:** \_\_\_\_\_

\_\_\_\_\_

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**Manager Recommendation:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## WATER CONSERVATION ORDINANCE

### AN ORDINANCE PROVIDING FOR CONSERVATION OF WATER AND RESTRICTIONS ON THE USE OF WATER DURING A WATER SHORTAGE OR IMPENDING WATER SHORTAGE

BE IT ORDAINED by the Union County Board of Commissioners that water conservation is deemed to be necessary when water demand by customers connected to the Union County water system reaches the point where continued or increased demand will equal or exceed the treatment and/or transmission capacity of the system or portions thereof. When water demand results in the condition whereby customers cannot be supplied with adequate water to protect their health, safety, or property, then the demand must be substantially curtailed to relieve the water shortage. The restrictions imposed pursuant to this Ordinance shall apply only to potable water supplied through the Union County water system, and not to reuse or reclaimed water. In addition to the water conservation measures set out herein, Union County may also establish a rate structure that increases the cost for potable water commensurate with the escalation of water shortage conditions.

#### Article I

#### Declaration of Water Shortage

##### Section I: Applicability of Ordinance

In the event (i) it appears there is a sustained demand of 80% of the ~~Union County water system treatment and/or transmission capacity (average daily flow) of the Union County water system or portions thereof~~; or (ii) Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC, declares a Stage 1 Low Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wataree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain voluntary water use restrictions by Union County, then in either such event the Director of the Union County Public Works Department, hereinafter referred to as the "Director," may recommend to the County Manager that voluntary water conservation measures be implemented. The County Manager, following consultation with the Board of Commissioners, may declare a Stage I Voluntary Water Shortage Condition requesting voluntary water conservation by consumers. The County Manager, following consultation with the Board of Commissioners, may, with or without the recommendation of the Director, declare that a Stage II, Stage III, or Stage IV Mandatory Water Shortage Condition exists and require mandatory conservation measures upon occurrence of any conditions precedent for declaring such Condition, as hereinafter set forth. In declaring any Water Shortage Condition pursuant to this Ordinance, the County Manager may limit the applicability of the requirements of this Ordinance to certain sections of the County, whether by township or other description. For purposes of this Ordinance, the phrase "following consultation with the Board of Commissioners" shall mean consultation during a regular or special meeting of the Board of Commissioners when possible, but where delay would endanger

the public health, safety, or welfare, as determined by the County Manager, such consultation may be made by the County Manager with members of the Board of Commissioners on an individual basis outside the confines of a formal meeting. The County Manager shall report the declaration of a Water Shortage Condition to the Board at its next regular meeting.

The declaration of a Water Shortage Condition becomes effective immediately upon issuance by the County Manager, unless otherwise stated in such declaration. Upon declaration of any stage of Water Shortage Condition, the County Manager shall issue press releases to local television, radio and/or print media to inform the public of the voluntary or mandatory water use restrictions. Upon declaration of a Stage II, Stage III, or Stage IV Mandatory Water Shortage Condition, the County Manager shall also cause notice of such restrictions to be either inserted into customers' water bills or separately mailed to customers as soon as reasonably practicable.

## Article II

### Stage I Voluntary Water Shortage Condition

#### Section I

In the event a Stage I Voluntary Water Shortage Condition is declared, the following guidelines shall apply:

- a. An extensive publicity campaign will be initiated using public media to inform the public of an impending or existing water shortage.
- b. Conservation measures will be encouraged and recommended.

#### Section II

In the event a Stage I Voluntary Water Shortage Condition is declared, the following guidelines shall apply, and the public shall be encouraged to adhere to the following:

- a. Limit car washing to the minimum.
- b. Limit lawn and garden watering to that which is necessary for plants to survive.
- c. Do not wash down outside areas such as sidewalks, patios, parking lots, service bays or aprons, etc.
- d. Do not leave faucets running while shaving or rinsing dishes.
- e. Water shrubbery to the minimum required, reusing household water when possible.

- f. Limit use of clothes washers and dish washers and when used, operate fully loaded.
- g. Use of showers for bathing, rather than bathtub, and limit showers to no more than four (4) minutes.
- h. Limit flushing of toilets by multiple usage.
- i. The use of disposable and biodegradable dishes is encouraged.
- j. The use of flow-restrictive and water-saving devices is encouraged.
- k. Limit hours of operation of water-cooled air conditioners.
- l. All residents, businesses, and institutions are requested to temporarily delay new landscape work until the water shortage has ended.
- m. Use only hoses with spring-activated nozzles when watering lawns and gardens.

Article III  
Stage II Mandatory Water Shortage Condition

Section I: Compliance

In the event the County Manager issues a declaration of a Stage II Mandatory Water Shortage Condition, then it shall be unlawful for any person, firm or corporation to use or permit the use of water from the Union County water system in a manner inconsistent with the declaration until such time as the declaration of a Stage II Mandatory Water Shortage Condition has been rescinded. In exercising the authority for declaring a Stage II Mandatory Water Shortage Condition, consideration shall be given, as applicable, to water shortage levels and available sources of supply, available usable storage on hand, drawn-down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

Section II

In the event (i) a Stage I Voluntary Water Shortage Condition declaration is ineffective in adequately reducing demand; (ii) maintenance of the system (whether preventive or breakdown maintenance, or due to an event of force majeure) requires a reduction in demand; (iii) mandatory restrictions are required to comply with any permit for the system issued by applicable state or federal authorities; (iv) sustained water demand exceeds ~~95~~90% of the ~~Union County water system~~ treatment and/or transmission capacity ~~(average daily flow)~~of the Union County water system or portions thereof; or (v) Duke Power Company LLC, doing business as

Duke Energy Carolinas, LLC, declares a Stage 2 Low Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wataree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain mandatory water use restrictions by Union County, then upon occurrence of any such event the County Manager may issue a declaration that a Stage II Mandatory Water Shortage Condition exists. Such declaration shall prohibit the transport of water outside of Union County for any purpose other than emergency fire protection, where such water has been drawn by tanker truck from a hydrant of the Union County water system. Such declaration may prohibit any one or more of the types of water uses regulated under a Stage I, Stage III, or Stage IV Water Shortage Condition, provided that the County Manager, in his discretion and acting in the best interests of the health, safety, and welfare of the citizens, may further regulate usage on the following bases: (i) time of day; (ii) day of week; (iii) customer type, including without limitation, residential, commercial, industrial and institutional; and (iv) physical attribute, such as address. After consultation with the Board, the County Manager may also take such other measures as deemed necessary to give effect to the intent of this Ordinance.

Article IV  
Stage III Mandatory Water Shortage Condition

Section I: Compliance

In the event the County Manager issues a declaration of a Stage III Mandatory Water Shortage Condition, then it shall be unlawful for any person, firm or corporation to use or permit the use of water from the Union County water system for any purpose hereinafter set forth until such time as the declaration of a Stage III Mandatory Water Shortage Condition has been rescinded. In exercising the authority for declaring a Stage III Mandatory Water Shortage Condition, consideration shall be given, as applicable, to water shortage levels and available sources of supply, available usable storage on hand, drawn-down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

Section II

In the event (i) a Stage II Mandatory Water Shortage Condition is in effect and the system demand ~~still exceeds system~~ for water continues to exceed capacity of the water system or portions thereof; or (ii) Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC, declares a Stage 3 Low Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wataree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain mandatory water use restrictions by Union County, then in either such event a Stage III Mandatory Water Shortage Condition may be declared. In addition to any voluntary and mandatory guidelines already in effect, it shall be unlawful to use water supplied by the Union County water system in the following manner:

- a. To water lawns; provided that shrubbery, trees, flowers and vegetable gardens may be watered by hand or by drip irrigation.
- b. To conduct residential vehicle washing.
- c. To wash public buildings, sidewalks, and streets, except as required for safety and/or to maintain regulatory compliance.
- d. To use water for dust control during construction.
- e. To conduct flushing or hydrant testing programs, except to maintain water quality or other special circumstances approved by the Director in advance.
- f. To fill new swimming pools.
- g. To serve drinking water in restaurants, cafeterias, or other food establishments, except upon request.

Article V  
Stage IV Mandatory Water Shortage Condition

Section I: Compliance

In the event the County Manager issues a declaration of a Stage IV Mandatory Water Shortage Condition, then it shall be unlawful for any person, firm or corporation to use or permit the use of water from the Union County water system for any purpose hereinafter set forth until such time as the declaration of water shortage has been rescinded. In exercising the authority for declaring a water shortage condition, consideration shall be given, as applicable, to water storage levels and available sources of supply, available usable storage on hand, draw-down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

Section II

In the event (i) a Stage III Mandatory Water Shortage Condition exists in effect and the system demand still exceeds system capacity demand for water continues to exceed capacity of the water system or portions thereof; or (ii) Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC, declares a Stage 4 Low Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain mandatory water use restrictions by Union County, then in either such event a Stage IV Mandatory Water Shortage Condition may be declared. In addition to the restrictions for Stage I,



Stage II, and Stage III Water Shortage Conditions, the following restrictions shall also apply:

- a. ~~To induce water into any pool.~~
- ~~b. Use water outside a structure for any use other than an emergency involving a fire.~~
- e. Fire protection ~~to~~shall be maintained by drafting of ponds, rivers, etc., wherever possible.
- db. The use of throw-away utensils and plates is encouraged and recommended at all eating establishments.
- c. It shall be unlawful to use water supplied by the Union County water system in the following manner:
  - (i) To induce water into any pool;
  - (ii) To use water outside a structure for any use other than an emergency involving a fire;
  - ~~e. (iii) To operate an evaporative air conditioner which recycles water except during operating hours of business;~~ and
  - ~~f. Use potable~~ (iv) To use water for road construction practices, i.e. compaction and washing.

Article VI

Section I: Lifting of Restrictions Imposed During a Water Shortage

- a. Water Shortage Conditions will expire when the County Manager, after consultation with the Board of Commissioners and upon recommendation of the Director, deems that the condition which caused the water shortage condition has abated.
- b. The expiration or cancellation of a water shortage declaration shall be promptly and extensively publicized.

Article VII

Section I: Enforcement

- a. Compliance with the provisions of this Ordinance shall be enforced by personnel of the Union County Public Works Department, hereinafter referred to as "UCPW," independent contractors engaged by UCPW for such purpose, and such other personnel

as designated by the County Manager.

- b. The use of water from the Union County water system by a customer in violation of any mandatory water conservation control imposed pursuant to this Ordinance is unlawful. For purposes of this Ordinance, the term "customer" shall mean any person or entity in whose name ~~Union County Public Works~~UCPW maintains an account for water use. Further, the refusal or failure of a customer or other person acting on the customer's behalf to cease immediately a violation of a water conservation control, after being directed to do so by a person authorized to enforce the provisions of this Ordinance, is unlawful. Each customer is responsible for any use of water that passes through the service connection associated with the customer's account or otherwise passes through the customer's private water system.
- c. Any customer who violates or permits the violation of any mandatory water conservation control imposed pursuant to this Ordinance shall be subject to civil penalties as follows: (i) a warning for the first offense; (ii) a civil penalty in the amount of one hundred dollars (\$100) for the second offense; ~~and (iii) a civil penalty in the amount of five hundred dollars (\$500) for the third and subsequent offenses~~fourth offenses; and (iv) a civil penalty in the amount of one thousand dollars (\$1,000) for the fifth and each subsequent offense. Each day ~~that a violation of a mandatory water conservation control occurs or continues to occur after delivery of notice pursuant to subsection (g) below~~ shall be considered to be a separate and distinct offense.
- d. Violations shall be accumulated by customers so long as this Ordinance, in any of its stages, is continuously in effect and until no stage of this Ordinance has been in effect for a period of one (1) calendar year. Violations of any mandatory water conservation control of any stage shall accumulate with violations of other stages. Should a customer move, or cease and renew service, during the period described herein, the customer's violations shall continue to accumulate as if such move or cessation had not occurred.
- e. Each civil penalty assessed against a customer pursuant to this Ordinance shall be added to the customer's water bill and shall be paid in the same manner as the payment of water bills. A customer's partial payment of a water bill shall be applied first to satisfaction of the civil penalties. Failure to pay all or any portion of a water bill, including any civil penalty assessed pursuant to this Ordinance, ~~in a timely manner~~by the due date indicated on the bill may result in the termination of water service.
- f. The violation of any water conservation control or provision of this Ordinance may be enforced by all remedies authorized by law for noncompliance with county ordinances, including without limitation the assessment of a civil penalty and action for injunction, order of abatement or other equitable relief; provided, however, that no violation of any water conservation control or provision of this Ordinance shall be a basis for imposing any criminal remedy. The County Manager is authorized to release billing information.

as such term is defined in N.C.G.S. 132-1.1(c), of customers who violate, or have violated, the provisions of this Ordinance, when the County Manager, in his sole discretion and acting pursuant to N.C.G.S. 132-1.1(c)(2), determines that the release of such billing information during times of mandatory water conservation is necessary to assist Union County to maintain the integrity and quality of services it provides.

g. UCPW shall send notice of violation to the customer by regular U.S. mail at the customer's billing address on file with UCPW. Such notice shall be deemed to have been delivered three days from the date mailed. In the event of a fourth or subsequent offense, UCPW shall send notice of intent to terminate water service by certified mail, return receipt requested, to the customer's billing address on file with UCPW.

h. The notice of violation shall specify the following:

(i) The nature of the violation and the date and time it occurred;

(ii) The method by which payment of any civil penalty may be paid, including a statement indicating that it will be included on the customer's next water bill;

(iii) A warning that additional or continued violations may result in increased penalties, including termination of water service;

(iv) A warning that failure to pay a water bill, including any civil penalty assessed pursuant to this Ordinance, may result in termination of water service;

(v) The telephone number at UCPW where the customer may direct any questions or comments; and

(vi) In the event of notice of intent to terminate water service for violation of this Ordinance in accordance with Article VIII, information about how to appeal a pending termination.

## Article VIII

### Section I: Discontinuance of Service

In addition to the payment of any civil penalty assessed pursuant to Article VII of this Ordinance, a customer shall be subject to termination or restriction of water service following four (4) or more violations of any water conservation ~~control~~ controls imposed pursuant to this Ordinance. Water service will not be restored at such service connection until the customer agrees to such terms as determined by the Director to be reasonably necessary or advisable to ensure the customer's compliance with such water conservation controls as are then in effect or may be imposed pursuant to this Ordinance and the payment of all the customer's pays all the customer's outstanding obligations, including, without limitation, all ~~outstanding~~ charges for water service, all civil penalties and ~~all~~ other fees, amounts and penalties charged in accordance with the provisions of this Ordinance. ~~If a customer violates such a term or condition, the customer shall be subject to a civil penalty of up to \$1,000.00 in addition to any other remedy authorized pursuant to this Ordinance and termination of water service through such service~~

connection for up to a minimum period of 15 days. Service may be restored thereafter in accordance with the provisions of this Article, and the current disconnect processing fee. In the event water service is terminated a second time for violations pertaining to use of water obtained by the customer through an irrigation meter, service to such irrigation meter shall remain terminated until no stage of this Ordinance has been in effect for a period of one (1) calendar year.

A customer ~~whose~~ who receives a notice of violation indicating that the customer's water service is ~~terminated~~ subject to termination pursuant to this Article shall not be entitled to notice and an opportunity for a hearing in advance of such termination. Although service of notice and an opportunity for hearing are not conditions precedent to termination of service, UCPW will endeavor to provide such notice as soon as reasonably practicable after a decision is made to terminate such service. A customer whose service is terminated pursuant to this Article or who receives notice of such a termination shall have five calendar days after termination of service or receipt of notice of termination, whichever is later, to appeal such termination to the Director, or his/her designee, ~~by delivering~~ may appeal the pending termination by filing a written notice of appeal ~~with the Director or his or her designee. The notice of appeal must be delivered to the Director or his/her designee within five (5) business days from delivery of the notice of violation and must include a copy of the notice of violation being appealed.~~ with the Director or his or her designee. The notice of appeal must be delivered to the Director or his/her designee within five (5) business days from delivery of the notice of violation and must include a copy of the notice of violation being appealed. A hearing shall be held on such appeal within three (3) business days of receipt of the notice of appeal, or by such other date as ~~approved~~ mutually agreed upon by the Director, or his/her designee, and the customer.

#### Article IX

The following shall apply at all times to the outdoor sprinkling of lawns, shrubbery, trees, flowers, gardens, and other outside irrigation systems. By January 1, 2008, all irrigation systems equipped with a timer shall be equipped with rain sensors as approved by UCPW. Rain sensors shall be activated to prevent the system from operating after one fourth (1/4) inch of rain has fallen.

#### Article X

##### Section I: Severability

If any section, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, clause or provision so adjudged, and the remainder of this Ordinance may be declared valid once effective.

#### Article XI

##### Section I: Effective Date

This Ordinance originally became effective on July 13, 1992. It was subsequently amended and restated effective on the following dates: (i) August 5, 2002; (ii) June 4, 2007; ~~and~~ (iii) October 15, 2007; and (iv) November 5, 2007.

This ~~fourth~~fifth amendment and restatement of this Ordinance shall become effective upon adoption by the Board of Commissioners on ~~November 5, 2007~~March 24, 2008 (the "Effective Date"). The Ordinance is restated in this manner solely to facilitate review by the reader by obviating the need to integrate multiple documents. Any declaration of a Water Shortage Condition made prior to the Effective Date and not rescinded shall remain in full force and effect. Though amended, this Ordinance shall be deemed to be continuously in effect such that enforcement of violations committed prior to the Effective Date shall continue unaffected. The County Manager, pursuant to Article VII, Section I(f), may release billing information of customers who have violated the provisions of this Ordinance, whether such violation occurred before or after the Effective Date.

Document comparison done by DeltaView on Tuesday, March 18, 2008 9:17:53 AM

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Document 2	file://C:/Documents and Settings/crook/My Documents/Documents/Central Administration/Ordinances/Water Conservation/2008 Amendments/UCLegal Draft4 (to BOC on 3.24.08).doc
Rendering set	Standard

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Padding cell	

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Moved from	5
Moved to	5
Style change	0
Format changed	0
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## WATER CONSERVATION ORDINANCE

### AN ORDINANCE PROVIDING FOR CONSERVATION OF WATER AND RESTRICTIONS ON THE USE OF WATER DURING A WATER SHORTAGE OR IMPENDING WATER SHORTAGE

BE IT ORDAINED by the Union County Board of Commissioners that water conservation is deemed to be necessary when water demand by customers connected to the Union County water system reaches the point where continued or increased demand will equal or exceed the treatment and/or transmission capacity of the system or portions thereof. When water demand results in the condition whereby customers cannot be supplied with adequate water to protect their health, safety, or property, then the demand must be substantially curtailed to relieve the water shortage. The restrictions imposed pursuant to this Ordinance shall apply only to potable water supplied through the Union County water system, and not to reuse or reclaimed water. In addition to the water conservation measures set out herein, Union County may also establish a rate structure that increases the cost for potable water commensurate with the escalation of water shortage conditions.

#### Article I

#### Declaration of Water Shortage

##### Section I: Applicability of Ordinance

In the event (i) it appears there is a sustained demand of 80% of the treatment and/or transmission capacity of the Union County water system or portions thereof; or (ii) Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC, declares a Stage I Low Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain voluntary water use restrictions by Union County, then in either such event the Director of the Union County Public Works Department, hereinafter referred to as the "Director," may recommend to the County Manager that voluntary water conservation measures be implemented. The County Manager, following consultation with the Board of Commissioners, may declare a Stage I Voluntary Water Shortage Condition requesting voluntary water conservation by consumers. The County Manager, following consultation with the Board of Commissioners, may, with or without the recommendation of the Director, declare that a Stage II, Stage III, or Stage IV Mandatory Water Shortage Condition exists and require mandatory conservation measures upon occurrence of any conditions precedent for declaring such Condition, as hereinafter set forth. In declaring any Water Shortage Condition pursuant to this Ordinance, the County Manager may limit the applicability of the requirements of this Ordinance to certain sections of the County, whether by township or other description. For purposes of this Ordinance, the phrase "following consultation with the Board of Commissioners" shall mean consultation during a regular or special meeting of the Board of Commissioners when possible, but where delay would endanger the public health, safety, or

welfare, as determined by the County Manager, such consultation may be made by the County Manager with members of the Board of Commissioners on an individual basis outside the confines of a formal meeting. The County Manager shall report the declaration of a Water Shortage Condition to the Board at its next regular meeting.

The declaration of a Water Shortage Condition becomes effective immediately upon issuance by the County Manager, unless otherwise stated in such declaration. Upon declaration of any stage of Water Shortage Condition, the County Manager shall issue press releases to local television, radio and/or print media to inform the public of the voluntary or mandatory water use restrictions. Upon declaration of a Stage II, Stage III, or Stage IV Mandatory Water Shortage Condition, the County Manager shall also cause notice of such restrictions to be either inserted into customers' water bills or separately mailed to customers as soon as reasonably practicable.

Article II  
Stage I Voluntary Water Shortage Condition

Section I

In the event a Stage I Voluntary Water Shortage Condition is declared, the following guidelines shall apply:

- a. An extensive publicity campaign will be initiated using public media to inform the public of an impending or existing water shortage.
- b. Conservation measures will be encouraged and recommended.

Section II

In the event a Stage I Voluntary Water Shortage Condition is declared, the following guidelines shall apply, and the public shall be encouraged to adhere to the following:

- a. Limit car washing to the minimum.
- b. Limit lawn and garden watering to that which is necessary for plants to survive.
- c. Do not wash down outside areas such as sidewalks, patios, parking lots, service bays or aprons, etc.
- d. Do not leave faucets running while shaving or rinsing dishes.
- e. Water shrubbery to the minimum required, reusing household water when possible.



- f. Limit use of clothes washers and dish washers and when used, operate fully loaded.
- g. Use of showers for bathing, rather than bathtub, and limit showers to no more than four (4) minutes.
- h. Limit flushing of toilets by multiple usage.
- i. The use of disposable and biodegradable dishes is encouraged.
- j. The use of flow-restrictive and water-saving devices is encouraged.
- k. Limit hours of operation of water-cooled air conditioners.
- l. All residents, businesses, and institutions are requested to temporarily delay new landscape work until the water shortage has ended.
- m. Use only hoses with spring-activated nozzles when watering lawns and gardens.

### Article III

#### Stage II Mandatory Water Shortage Condition

##### Section I: Compliance

In the event the County Manager issues a declaration of a Stage II Mandatory Water Shortage Condition, then it shall be unlawful for any person, firm or corporation to use or permit the use of water from the Union County water system in a manner inconsistent with the declaration until such time as the declaration of a Stage II Mandatory Water Shortage Condition has been rescinded. In exercising the authority for declaring a Stage II Mandatory Water Shortage Condition, consideration shall be given, as applicable, to water shortage levels and available sources of supply, available usable storage on hand, drawn-down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

##### Section II

In the event (i) a Stage I Voluntary Water Shortage Condition declaration is ineffective in adequately reducing demand; (ii) maintenance of the system (whether preventive or breakdown maintenance, or due to an event of force majeure) requires a reduction in demand; (iii) mandatory restrictions are required to comply with any permit for the system issued by applicable state or federal authorities; (iv) sustained water demand exceeds 90% of the treatment and/or transmission capacity of the Union County water system or portions thereof; or (v) Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC, declares a Stage 2 Low

Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain mandatory water use restrictions by Union County, then upon occurrence of any such event the County Manager may issue a declaration that a Stage II Mandatory Water Shortage Condition exists. Such declaration shall prohibit the transport of water outside of Union County for any purpose other than emergency fire protection, where such water has been drawn by tanker truck from a hydrant of the Union County water system. Such declaration may prohibit any one or more of the types of water uses regulated under a Stage I, Stage III, or Stage IV Water Shortage Condition, provided that the County Manager, in his discretion and acting in the best interests of the health, safety, and welfare of the citizens, may further regulate usage on the following bases: (i) time of day; (ii) day of week; (iii) customer type, including without limitation, residential, commercial, industrial and institutional; and (iv) physical attribute, such as address. After consultation with the Board, the County Manager may also take such other measures as deemed necessary to give effect to the intent of this Ordinance.

Article IV  
Stage III Mandatory Water Shortage Condition

Section I: Compliance

In the event the County Manager issues a declaration of a Stage III Mandatory Water Shortage Condition, then it shall be unlawful for any person, firm or corporation to use or permit the use of water from the Union County water system for any purpose hereinafter set forth until such time as the declaration of a Stage III Mandatory Water Shortage Condition has been rescinded. In exercising the authority for declaring a Stage III Mandatory Water Shortage Condition, consideration shall be given, as applicable, to water shortage levels and available sources of supply, available usable storage on hand, drawn-down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

Section II

In the event (i) a Stage II Mandatory Water Shortage Condition is in effect and the system demand for water continues to exceed capacity of the water system or portions thereof; or (ii) Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC, declares a Stage 3 Low Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain mandatory water use restrictions by Union County, then in either such event a Stage III Mandatory Water Shortage Condition may be declared. In addition to any voluntary and mandatory guidelines already in effect, it shall be unlawful to use water supplied by the Union County water system in the following manner:

- a. To water lawns; provided that shrubbery, trees, flowers and vegetable gardens may be watered by hand or by drip irrigation.
- b. To conduct residential vehicle washing.
- c. To wash public buildings, sidewalks, and streets, except as required for safety and/or to maintain regulatory compliance.
- d. To use water for dust control during construction.
- e. To conduct flushing or hydrant testing programs, except to maintain water quality or other special circumstances approved by the Director in advance.
- f. To fill new swimming pools.
- g. To serve drinking water in restaurants, cafeterias, or other food establishments, except upon request.

Article V  
Stage IV Mandatory Water Shortage Condition

Section I: Compliance

In the event the County Manager issues a declaration of a Stage IV Mandatory Water Shortage Condition, then it shall be unlawful for any person, firm or corporation to use or permit the use of water from the Union County water system for any purpose hereinafter set forth until such time as the declaration of water shortage has been rescinded. In exercising the authority for declaring a water shortage condition, consideration shall be given, as applicable, to water storage levels and available sources of supply, available usable storage on hand, draw-down rates, the projected supply capability, outlook for precipitation, daily water use patterns and availability of water from other sources.

Section II

In the event (i) a Stage III Mandatory Water Shortage Condition is in effect and demand for water continues to exceed capacity of the water system or portions thereof; or (ii) Duke Power Company LLC, doing business as Duke Energy Carolinas, LLC, declares a Stage 4 Low Inflow Condition pursuant to the Comprehensive Relicensing Agreement for the Catawba-Wateree Hydro Project (FERC Project No. 2232) dated December 22, 2006, to which Union County is a party, thus compelling certain mandatory water use restrictions by Union County, then in either such event a Stage IV Mandatory Water Shortage Condition may be declared. In addition to the restrictions for Stage I, Stage II, and Stage III Water Shortage Conditions, the following restrictions shall also apply:

- a. Fire protection shall be maintained by drafting of ponds, rivers, etc..., wherever possible.
- b. The use of throw-away utensils and plates is encouraged and recommended at all eating establishments.
- c. It shall be unlawful to use water supplied by the Union County water system in the following manner:
  - (i) To induce water into any pool;
  - (ii) To use water outside a structure for any use other than an emergency involving a fire;
  - (iii) To operate an evaporative air conditioner which recycles water except during operating hours of business; and
  - (iv) To use water for road construction practices, i.e. compaction and washing.

#### Article VI

##### Section I: Lifting of Restrictions Imposed During a Water Shortage

- a. Water Shortage Conditions will expire when the County Manager, after consultation with the Board of Commissioners and upon recommendation of the Director, deems that the condition which caused the water shortage condition has abated.
- b. The expiration or cancellation of a water shortage declaration shall be promptly and extensively publicized.

#### Article VII

##### Section I: Enforcement

- a. Compliance with the provisions of this Ordinance shall be enforced by personnel of the Union County Public Works Department, hereinafter referred to as "UCPW," independent contractors engaged by UCPW for such purpose, and such other personnel as designated by the County Manager.
- b. The use of water from the Union County water system by a customer in violation of any mandatory water conservation control imposed pursuant to this Ordinance is unlawful. For purposes of this Ordinance, the term "customer" shall mean any person or entity in

whose name UCPW maintains an account for water use. Further, the refusal or failure of a customer or other person acting on the customer's behalf to cease immediately a violation of a water conservation control, after being directed to do so by a person authorized to enforce the provisions of this Ordinance, is unlawful. Each customer is responsible for any use of water that passes through the service connection associated with the customer's account or otherwise passes through the customer's private water system.

- c. Any customer who violates or permits the violation of any mandatory water conservation control imposed pursuant to this Ordinance shall be subject to civil penalties as follows: (i) a warning for the first offense; (ii) a civil penalty in the amount of one hundred dollars (\$100) for the second offense; (iii) a civil penalty in the amount of five hundred dollars (\$500) for the third and fourth offenses; and (iv) a civil penalty in the amount of one thousand dollars (\$1,000) for the fifth and each subsequent offense. Each day that a violation of a mandatory water conservation control occurs or continues to occur after delivery of notice pursuant to subsection (g) below shall be considered to be a separate and distinct offense.
- d. Violations shall be accumulated by customers so long as this Ordinance, in any of its stages, is continuously in effect and until no stage of this Ordinance has been in effect for a period of one (1) calendar year. Violations of any mandatory water conservation control of any stage shall accumulate with violations of other stages. Should a customer move, or cease and renew service, during the period described herein, the customer's violations shall continue to accumulate as if such move or cessation had not occurred.
- e. Each civil penalty assessed against a customer pursuant to this Ordinance shall be added to the customer's water bill and shall be paid in the same manner as the payment of water bills. A customer's partial payment of a water bill shall be applied first to satisfaction of the civil penalties. Failure to pay all or any portion of a water bill, including any civil penalty assessed pursuant to this Ordinance, by the due date indicated on the bill may result in the termination of water service.
- f. The violation of any water conservation control or provision of this Ordinance may be enforced by all remedies authorized by law for noncompliance with county ordinances, including without limitation the assessment of a civil penalty and action for injunction, order of abatement or other equitable relief; provided, however, that no violation of any water conservation control or provision of this Ordinance shall be a basis for imposing any criminal remedy. The County Manager is authorized to release billing information, as such term is defined in N.C.G.S. 132-1.1(c), of customers who violate, or have violated, the provisions of this Ordinance, when the County Manager, in his sole discretion and acting pursuant to N.C.G.S. 132-1.1(c)(2), determines that the release of such billing information during times of mandatory water conservation is necessary to assist Union County to maintain the integrity and quality of services it provides.

- g. UCPW shall send notice of violation to the customer by regular U.S. mail at the customer's billing address on file with UCPW. Such notice shall be deemed to have been delivered three days from the date mailed. In the event of a fourth or subsequent offense, UCPW shall send notice of intent to terminate water service by certified mail, return receipt requested, to the customer's billing address on file with UCPW.
- h. The notice of violation shall specify the following:
  - (i) The nature of the violation and the date and time it occurred;
  - (ii) The method by which payment of any civil penalty may be paid, including a statement indicating that it will be included on the customer's next water bill;
  - (iii) A warning that additional or continued violations may result in increased penalties, including termination of water service;
  - (iv) A warning that failure to pay a water bill, including any civil penalty assessed pursuant to this Ordinance, may result in termination of water service;
  - (v) The telephone number at UCPW where the customer may direct any questions or comments; and
  - (vi) In the event of notice of intent to terminate water service for violation of this Ordinance in accordance with Article VIII, information about how to appeal a pending termination.

## Article VIII

### Section I: Discontinuance of Service

In addition to the payment of any civil penalty assessed pursuant to Article VII of this Ordinance, a customer shall be subject to termination or restriction of water service following four (4) or more violations of any water conservation controls imposed pursuant to this Ordinance. Water service will not be restored at such service connection until the customer pays all the customer's outstanding obligations, including, without limitation, all charges for water service, all civil penalties and other fees charged in accordance with the provisions of this Ordinance, and the current disconnect processing fee. In the event water service is terminated a second time for violations pertaining to use of water obtained by the customer through an irrigation meter, service to such irrigation meter shall remain terminated until no stage of this Ordinance has been in effect for a period of one (1) calendar year.

A customer who receives a notice of violation indicating that the customer's water service is subject to termination pursuant to this Article may appeal the pending termination by filing a written notice of appeal with the Director or his or her designee. The notice of appeal must be delivered to the Director or his/her designee within five (5) business days from delivery of the notice of violation and must include a copy of the notice of violation being appealed. A hearing shall be held on such appeal within three (3) business days of receipt of the notice of

appeal, or by such other date as mutually agreed upon by the Director, or his/her designee, and the customer.

### Article IX

The following shall apply at all times to the outdoor sprinkling of lawns, shrubbery, trees, flowers, gardens, and other outside irrigation systems. By January 1, 2008, all irrigation systems equipped with a timer shall be equipped with rain sensors as approved by UCPW. Rain sensors shall be activated to prevent the system from operating after one fourth (1/4) inch of rain has fallen.

### Article X

#### Section I: Severability

If any section, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to such section, subdivision, clause or provision so adjudged, and the remainder of this Ordinance may be declared valid once effective.

### Article XI

#### Section I: Effective Date

This Ordinance originally became effective on July 13, 1992. It was subsequently amended and restated effective on the following dates: (i) August 5, 2002; (ii) June 4, 2007; (iii) October 15, 2007; and (iv) November 5, 2007.

This fifth amendment and restatement of this Ordinance shall become effective upon adoption by the Board of Commissioners on March 24, 2008 (the "Effective Date"). The Ordinance is restated in this manner solely to facilitate review by the reader by obviating the need to integrate multiple documents. Any declaration of a Water Shortage Condition made prior to the Effective Date and not rescinded shall remain in full force and effect. Though amended, this Ordinance shall be deemed to be continuously in effect such that enforcement of violations committed prior to the Effective Date shall continue unaffected. The County Manager, pursuant to Article VII, Section I(f), may release billing information of customers who have violated the provisions of this Ordinance, whether such violation occurred before or after the Effective Date.

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: March 24, 2008**

**Action Agenda Item No.** 49a-c  
(Central Admin. use only)

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**SUBJECT:** Amendment to Voluntary Farmland Preservation Program Ordinance

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**DEPARTMENT:** Legal

**PUBLIC HEARING:** No

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**ATTACHMENT(S):**

(1) Amended Ordinance showing changes

(2) Amended Ordinance clean

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**INFORMATION CONTACT:**

Jeff Crook

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**TELEPHONE NUMBERS:**

704-283-3673

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**DEPARTMENT'S RECOMMENDED ACTION:** Approve Amendments to Ordinance

**BACKGROUND:** The three substantive modifications to the Ordinance are as follows:

- (1) The membership of the Advisory Board has been increased by adding three non-voting members: (i) one member from the Board of Commissioners to serve a term of one year, as is the Board's custom; (ii) the District Conservationist of the Soil and Water Conservation District, to serve ex officio this position; and (iii) a second staff member of the Soil and Water Conservation District to serve a term of three years.
- (2) The Advisory Board is authorized to "advise Cooperative Extension and the Board of Commissioners on a variety of matters, to include the Commission-approved Agricultural Services and Conference Center operating rules and regulations." This modification to the Advisory Board's duties was approved by the Board of Commissioners on January 22, 2007, and is added here for housekeeping purposes.
- (3) At the request of the Assistant County Manager and upon action by the Advisory Board at its last meeting, provision has been added such that a member's failure to attend three meetings during a calendar year, unless excused, serves as grounds for the Advisory Board to recommend such member's termination to the Board of Commissioners. The Board of Commissioners is not bound by such recommendation.

**FINANCIAL IMPACT:**



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**Legal Dept. Comments if applicable:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Finance Dept. Comments if applicable:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Manager Recommendation:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**UNION COUNTY  
VOLUNTARY FARMLAND PRESERVATION PROGRAM  
ORDINANCE  
(Amended and Restated as of March 24, 2008)**

**ARTICLE I  
TITLE**

An ordinance of the Board of County Commissioners of Union County, North Carolina, entitled, **“VOLUNTARY FARMLAND PRESERVATION PROGRAM ORDINANCE.”**

**ARTICLE II  
AUTHORITY**

The articles and sections of this program are adopted pursuant to authority conferred by Article 61 of Chapter 106 of the North Carolina General Statutes (“N.C.G.S.”) and other applicable law.

**ARTICLE III  
PURPOSE**

The purpose of this Ordinance is to promote agricultural values and general welfare of the County and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms.

**ARTICLE IV  
DEFINITIONS**

The following are defined for purpose of this Ordinance:

- Advisory Board:** Union County Agricultural Advisory Board.
- Chairman:** Chairman of the Union County Agricultural Advisory Board.
- District:** Voluntary Agricultural District as established by this Ordinance.
- Board of Commissioners:** Union County Board of Commissioners.

**ARTICLE V  
AGRICULTURAL ADVISORY BOARD**

A. **Creation**

The Board of Commissioners establishes an Agricultural Advisory Board to implement the provisions of this Ordinance.

**B. Membership**

The Advisory Board shall consist of nine (9) voting members and three (3) non-voting members, all appointed by the Board of Commissioners; provided, however, that the number of voting members may be increased without amendment to this Ordinance if necessary for the Board of Commissioners to comply with Article V(C)(v) below.

**C. Membership Requirements**

- i. Each Advisory Board member shall be a Union County resident.
- ii. At least six (6) of the nine (9) voting members shall be actively engaged in farming.
- iii. One of the Advisory Board members shall be the President of the Union County Farm Bureau or his designee.
- iv. One of the Advisory Board members shall be a member of the Board of Commissioners who shall serve in a non-voting capacity.
- v. One of the Advisory Board members shall be the District Conservationist of the Union Soil and Water Conservation District who shall serve in an ex officio and non-voting capacity.
- vi. One of the Advisory Board members shall be a second employee on staff with the Union Soil and Water Conservation District who shall serve in a non-voting capacity.
- vii. The members actively engaged in farming shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Soil and Water Conservation District, the Cooperative Extension Service, the Agricultural Stabilization Conservation Service Committee, and the Union County Farm Bureau with an effort to have the broadest geographical representation possible.
- viii. Each District shall have a member on the Advisory Board.

**D. Tenure**

As to voting members, the initial board is to consist of 3 appointees for terms of one year, 3 appointees for terms of two years, and 3 appointees for terms of three years. Thereafter, all appointments are to be for terms of three years, with reappointments permitted. Members shall serve at the pleasure of the Board of Commissioners.

As to non-voting members, (i) the Advisory Board member who is a member of the Board of Commissioners shall serve for a term of one year, with appointment being made generally at the first meeting of the Board of Commissioners in December of each year, as is the Board's custom; (ii) the District Conservationist of the Union Soil and Water Conservation District shall serve ex officio this position; and (iii) the second employee on staff with the Union Soil and Water Conservation District shall serve for a term of three years, with the initial term of such appointment to be extended by the shortest period of time necessary for the three-year term to coincide with appointment of three voting members.

E. **Vacancies**

Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term.

Failure of a member to attend three regularly scheduled meetings during a calendar year without being excused shall be deemed adequate cause for a determination of vacancy. In the event a member fails to attend three meetings without being excused by the Advisory Board, the Advisory Board members shall take a vote on whether to recommend that member's continuation or termination of membership. If the vote results in a recommendation that membership be terminated, the Advisory Board Chairman shall report this recommendation to the Board of Commissioners. The Board of Commissioners shall give due consideration to any recommendation provided by the Advisory Board, but shall not be bound by such recommendation.

F. **Funding**

The per diem compensation of the members of the Advisory Board shall be fixed by the Board of Commissioners, and funds shall be appropriated to the Advisory Board to perform its duties.

G. **Advisory Board Procedure**

1. **Chairman**

The Advisory Board shall elect a Chairman and Vice-chairman each year at its first meeting of the fiscal year. The Chairman shall preside over all regular or special meetings of the Advisory Board. In the absence or

disability of the Chairman, the Vice-chairman shall preside and shall exercise all the powers of the Chairman. Additional officers may be elected as needed.

2. **Jurisdiction**

The Advisory Board may adopt rules of procedure not inconsistent with this Ordinance or with other provisions of State law.

3. **Advisory Board Year**

The Advisory Board shall use the Union County fiscal year as its meeting year.

4. **Meetings**

Meetings of the Advisory Board shall be held at the call of the Chairman and at such other times as the Advisory Board may specify in its rules of procedure. A meeting shall be held at least every two months, and notice of any meetings to the members shall be in writing, unless otherwise agreed to by all Advisory Board members. All meetings of the Advisory Board shall be announced and conducted in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes, the North Carolina Open Meetings Law.

5. **Majority Vote**

The concurring vote of a majority of the members of the Advisory Board shall be necessary to pass upon any matter on which it may act under this Ordinance.

6. **Records**

The Advisory Board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact.

H. **Duties**

The Advisory Board shall:

1. Review and make recommendations concerning the establishment and modification of agricultural districts;
2. Conduct public hearings;

3. Advise the Board of Commissioners on projects, programs or issues affecting the agricultural economy or activities within the County that will affect agricultural districts;
4. Review and make recommendations concerning proposed amendments to this Ordinance;
5. Prepare a draft of the report required by G.S. 106-743, and Article XIII of this Ordinance, giving the status, progress and activities of the County's farmland preservation program;
6. Study additional methods of farmland preservation and make recommendations to the Board of Commissioners;
7. Advise Cooperative Extension and the Board of Commissioners on a variety of matters, to include the Commission-approved Agricultural Services and Conference Center operating rules and regulations; and
8. Perform other agricultural related tasks or duties assigned by the Board of Commissioners.

The Advisory Board may consult with the Cooperative Extension Office, the Natural Resource Conservation Service office in Union County, the North Carolina Department of Agriculture, the Union County Farm Bureau, the North Carolina Farm Bureau, and any other such agency the Advisory Board deems necessary to perform the duties imposed pursuant to this Ordinance.

## ARTICLE VI CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS

### A. Implementation

In order to implement the purposes stated in Article III, this program provides for the creation of voluntary agricultural districts which meet one of the following standards:

1. The District shall contain a minimum of 20 contiguous acres of qualified farmland; OR
2. The District shall contain two or more qualified farms which contain a minimum of 20 acres and are located within a mile of each other.

### B. Encourage Reformation

The County may take such action as it deems appropriate through the Advisory Board or other entities or individuals to encourage the formation of the Districts and to further their purposes and objectives, including the implementation of a public information program to reasonably inform landowners of the farmland preservation program.

C. **Display**

The Districts shall be marked on County maps displayed for public view in the following County offices:

1. Planning Department
2. Cooperative Extension
3. Any other office deemed necessary by the Advisory Board and approved by the Board of Commissioners.

D. **Withdrawal**

In the event that one or more participants in the District withdraws, or loses eligibility to participate, and the acreage in the District becomes less than the minimum acreage required or results in the remaining land being non-contiguous, a voluntary agricultural district will continue to exist so long as there is one qualifying farm.

**ARTICLE VII  
QUALIFICATION OF FARMLAND**

A. **Requirements**

1. In order for farmland to qualify under this Article, it must be real property that:
  - a. Is participating in the farm present-use-value taxation program established by N.C.G.S. Section 105-277.2 through Section 105-277.7 or is otherwise determined by the County to meet all the qualifications of this program set forth in N.C.G.S. Section 105-277.3;
  - b. Is certified by the Natural Resource Conservation Service of the United States Department of Agriculture as being a farm on which at least two-thirds of the land is composed of soils that:
    - i. are best suited for providing food, seed, fiber, forage, timber, and oil seed crops;
    - ii. have good soil qualities;

- iii. are favorable for all major crops common to the county where the land is located;
- iv. have a favorable growing season; and
- v. receive the available moisture needed to produce high yields for an average of eight out of ten years;

**OR**

on which at least two-thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined by N.C.G.S. Sections 105-277.2(1), (2) and (3) during each of the five previous years, measured from the date on which the determination must be made as to whether the land in question qualifies;

- c. Is managed, if highly erodible land exists on the farm, in accordance with the Natural Resource Conservation Service defined erosion control practices that are addressed to highly erodible land; and
- d. Is the subject of a conservation agreement, as defined in N.C.G.S. Section 121-35, between the County and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable zoning and subdivision regulations of the jurisdiction in which such district is located.

**ARTICLE VIII  
APPLICATION AND APPROVAL PROCEDURE**

**A. Application Procedure**

- 1. A landowner may apply to establish a District or to add qualifying farmland to an existing District by making application to the Chairman of the Advisory Board or a designated staff person using forms provided by the Advisory Board. The application shall be designed to establish eligibility in accordance with the provisions of this Ordinance.
- 2. The landowner shall execute an agreement to sustain, encourage and promote agriculture in the District. The requirement for an agreement may be satisfied by the conservation agreement required in Article VII(A)(1)(d).

**B. Approval Process**



1. Upon receipt of an application, the Chairman will forward copies to the following agencies for their prompt evaluation and response:
  - a. The Union County Tax Administrator's office; and
  - b. The Union County Soil and Water Conservation District and the Natural Resource Conservation Service office.
2. Upon receipt of responses from the offices of the Union County Tax Administrator, the Union County Soil and Water Conservation District, and the Natural Resource Conservation Service, the Advisory Board shall meet within thirty (30) days to consider the application. The Chairman shall endeavor to notify the applicant by first-class mail of the Advisory Board's recommendation within fifteen (15) days.
3. The Advisory Board shall forward its recommendation to the Board of Commissioners for consideration. Action by the Board of Commissioners regarding approval or disapproval of the application shall be final.

## **ARTICLE IX REVOCATION OF CONSERVATION AGREEMENT**

A landowner of qualifying farmland may revoke a conservation agreement upon written notice to the County. The County, upon recommendation by the Advisory Board, may revoke a conservation agreement due to non-compliance by the landowner. Any such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in a District.

## **ARTICLE X PUBLIC HEARINGS**

### **A. Purpose**

No state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a District until such agency or unit has requested the Advisory Board to hold a public hearing on the proposed condemnation.

### **B. Procedure**

1. Upon receiving a request, the Advisory Board shall publish notice describing the proposed action in a newspaper of general circulation in Union County within five (5) business days of the request, and will in the same notice notify the public of a

public hearing on the proposed condemnation, to be held within twenty (20) days of receipt of the request.

2. The Advisory Board shall meet to formulate recommendations regarding:
  - a. whether the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved; and
  - b. whether there exist alternatives to the proposed action that have less impact on and disruption to the agricultural activities of the District within which the proposed action is to take place.
3. The Advisory Board may consult with the County Cooperative Extension Agent, U.S.D.A. Natural Resource Conservation Service District Conservationist, the Union County Farm Bureau and with any other individuals, agencies or organizations deemed by the Advisory Board to be necessary for its review of the proposed action.
4. Not later than thirty (30) days after receiving a request to hold the public hearing, the Advisory Board shall submit a report containing its findings and recommendations regarding the proposed action to the decision-making body of the agency proposing acquisition. To the extent practicable, the report shall be made available to the public for comment prior to its being conveyed to the decision-making body of the agency proposing acquisition.
5. Pursuant to N.C.G.S. Section 106-740, the agency or unit of government proposing acquisition shall not initiate a condemnation action while the proposed condemnation is properly before the Advisory Board within these time limitations.

## **ARTICLE XI PUBLIC NOTICE**

### **A. Procedure**

Upon approval of a District or of modification to a District by the Board of Commissioners, the Advisory Board shall provide to the Union County GIS office such information and materials as may be necessary to enable the GIS office to prepare maps designating the location of the Districts established pursuant to this Ordinance. Within a reasonable time after receipt of such information and materials, the Union County GIS office shall prepare or update appropriate maps so as to allow determination of the proximity of a particular tract to a District by those desiring such information. Maps shall be accessible to the public as indicated in Article VI(C).

B. **Signs**

To the extent legally permissible, the County Manager may cause signs to be placed along public roadways to notify the public of the presence or proximity of a District.

C. **Limit of Liability**

In no event shall the County or any of its officers, employees, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this Ordinance.

D. **No Cause of Action**

In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or voluntary agricultural district as defined in this Ordinance.

**ARTICLE XII  
WAIVER OF WATER AND SEWER ASSESSMENTS**

A. **No Assessment**

The Union County Public Works Department shall not require the connection of improvements on qualifying farms within a District to Union County water and/or sewer systems.

B. **Abeyance**

Water and sewer assessments will be held in abeyance, without interest, for farms inside a District, until improvements on such property are connected to the water or sewer system for which the assessment was made.

C. **Termination of Abeyance**

When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

D. **Suspension of Statute of Limitations**

Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.

E. **Other Statutory Abeyance Procedures**

Nothing in this section is intended to diminish the authority of the County to hold

assessments in abeyance under N.C.G.S. Section 153A-201.

F. **Conflict with Water and/or Sewer System Construction and Improvements Grants**

To the extent that this section conflicts with the terms of federal, State, or other grants under which County water and/or sewer systems are constructed, this section shall not apply.

**ARTICLE XIII  
NORTH CAROLINA AGENCY NOTIFICATION**

**Record Annually With the Department of Agriculture**

A record of this Ordinance shall be recorded with the North Carolina Commissioner of Agriculture's office after adoption. The County shall make an annual report to the North Carolina Commissioner of Agriculture as specified in N.C.G.S. Section 106-743.

**ARTICLE XIV  
LEGAL PROVISIONS**

A. **Severability**

If any article, section, subsection, clause, phrase or portion of this Ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

B. **Conflict With Other Ordinances and Statutes**

Whenever the provisions of this Ordinance conflict with other Ordinances of Union County, this Ordinance shall govern to the extent permitted by law. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this Ordinance, the provisions of such statute shall govern.

C. **Amendments**

This Ordinance may be amended from time to time by the Board of Commissioners.

D. **Jurisdiction**

Pursuant to G.S. § 153A-122, the territorial jurisdiction of this Ordinance shall be those parts of Union County not within a municipality.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2001.

UNION COUNTY BOARD OF COMMISSIONERS

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Chairman

ATTEST:

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Clerk to Board of Commissioners

**UNION COUNTY  
VOLUNTARY FARMLAND PRESERVATION PROGRAM  
ORDINANCE  
(Amended and Restated as of March 24, 2008)**

**ARTICLE I  
TITLE**

An ordinance of the Board of County Commissioners of Union County, North Carolina, entitled, “**VOLUNTARY FARMLAND PRESERVATION PROGRAM ORDINANCE.**”

**ARTICLE II  
AUTHORITY**

The articles and sections of this program are adopted pursuant to authority conferred by Article 61 of Chapter 106 of the North Carolina General Statutes (“N.C.G.S.”) and other applicable law.

**ARTICLE III  
PURPOSE**

The purpose of this Ordinance is to promote agricultural values and general welfare of the County and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms.

**ARTICLE IV  
DEFINITIONS**

The following are defined for purpose of this Ordinance:

- Advisory Board:** Union County Agricultural Advisory Board.
- Chairman:** Chairman of the Union County Agricultural Advisory Board.
- District:** Voluntary Agricultural District as established by this Ordinance.
- Board of Commissioners:** Union County Board of Commissioners.

**ARTICLE V  
AGRICULTURAL ADVISORY BOARD**

- A. **Creation**

The Board of Commissioners establishes an Agricultural Advisory Board to implement the provisions of this Ordinance.

**B. Membership**

The Advisory Board shall consist of nine (9) voting members and three (3) non-voting members, all appointed by the Board of Commissioners; provided, however, that the number of voting members may be increased without amendment to this Ordinance if necessary for the Board of Commissioners to comply with Article V(C)(v) below.

**C. Membership Requirements**

- i. Each Advisory Board member shall be a Union County resident.
- ii. At least six (6) of the nine (9) voting members shall be actively engaged in farming.
- iii. One of the Advisory Board members shall be the President of the Union County Farm Bureau or his designee.
- iv. One of the Advisory Board members shall be a member of the Board of Commissioners who shall serve in a non-voting capacity.
- v. One of the Advisory Board members shall be the District Conservationist of the Union Soil and Water Conservation District who shall serve in an ex officio and non-voting capacity.
- vi. One of the Advisory Board members shall be a second employee on staff with the Union Soil and Water Conservation District who shall serve in a non-voting capacity.
- vii. The members actively engaged in farming shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Soil and Water Conservation District, the Cooperative Extension Service, the Agricultural Stabilization Conservation Service Committee, and the Union County Farm Bureau with an effort to have the broadest geographical representation possible.
- viii. Each District shall have a member on the Advisory Board.

**D. Tenure**

As to voting members, the initial board is to consist of 3 appointees for terms of one year, 3 appointees for terms of two years, and 3 appointees for terms of three years. Thereafter, all appointments are to be for terms of three years, with reappointments permitted. Members shall serve at the pleasure of the Board of Commissioners.

As to non-voting members, (i) the Advisory Board member who is a member of the Board of Commissioners shall serve for a term of one year, with appointment being made generally at the first meeting of the Board of Commissioners in December of each year, as is the Board's custom; (ii) the District Conservationist of the Union Soil and Water Conservation District shall serve ex officio this position; and (iii) the second employee on staff with the Union Soil and Water Conservation District shall serve for a term of three years, with the initial term of such appointment to be extended by the shortest period of time necessary for the three-year term to coincide with appointment of three voting members.

E. **Vacancies**

Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term.

Failure of a member to attend three regularly scheduled meetings during a calendar year without being excused shall be deemed adequate cause for a determination of vacancy. In the event a member fails to attend three meetings without being excused by the Advisory Board, the Advisory Board members shall take a vote on whether to recommend that member's continuation or termination of membership. If the vote results in a recommendation that membership be terminated, the Advisory Board Chairman shall report this recommendation to the Board of Commissioners. The Board of Commissioners shall give due consideration to any recommendation provided by the Advisory Board, but shall not be bound by such recommendation.

F. **Funding**

The per diem compensation of the members of the Advisory Board shall be fixed by the Board of Commissioners, and funds shall be appropriated to the Advisory Board to perform its duties.

G. **Advisory Board Procedure**

1. **Chairman**

The Advisory Board shall elect a Chairman and Vice-chairman each year at its first meeting of the fiscal year. The Chairman shall preside over all regular or special meetings of the Advisory Board. In the absence or



disability of the Chairman, the Vice-chairman shall preside and shall exercise all the powers of the Chairman. Additional officers may be elected as needed.

2. **Jurisdiction**

The Advisory Board may adopt rules of procedure not inconsistent with this Ordinance or with other provisions of State law.

3. **Advisory Board Year**

The Advisory Board shall use the Union County fiscal year as its meeting year.

4. **Meetings**

Meetings of the Advisory Board shall be held at the call of the Chairman and at such other times as the Advisory Board may specify in its rules of procedure. A meeting shall be held at least every two months, and notice of any meetings to the members shall be in writing, unless otherwise agreed to by all Advisory Board members. All meetings of the Advisory Board shall be announced and conducted in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes, the North Carolina Open Meetings Law.

5. **Majority Vote**

The concurring vote of a majority of the members of the Advisory Board shall be necessary to pass upon any matter on which it may act under this Ordinance.

6. **Records**

The Advisory Board shall keep minutes of the proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact.

H. **Duties**

The Advisory Board shall:

1. Review and make recommendations concerning the establishment and modification of agricultural districts;
2. Conduct public hearings;

3. Advise the Board of Commissioners on projects, programs or issues affecting the agricultural economy or activities within the County that will affect agricultural districts;
4. Review and make recommendations concerning proposed amendments to this Ordinance;
5. Prepare a draft of the report required by G.S. 106-743, and Article XIII of this Ordinance, giving the status, progress and activities of the County's farmland preservation program;
6. Study additional methods of farmland preservation and make recommendations to the Board of Commissioners;
7. Advise Cooperative Extension and the Board of Commissioners on a variety of matters, to include the Commission-approved Agricultural Services and Conference Center operating rules and regulations; and
8. Perform other agricultural related tasks or duties assigned by the Board of Commissioners.

The Advisory Board may consult with the Cooperative Extension Office, the Natural Resource Conservation Service office in Union County, the North Carolina Department of Agriculture, the Union County Farm Bureau, the North Carolina Farm Bureau, and any other such agency the Advisory Board deems necessary to perform the duties imposed pursuant to this Ordinance.

## **ARTICLE VI CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS**

### **A. Implementation**

In order to implement the purposes stated in Article III, this program provides for the creation of voluntary agricultural districts which meet one of the following standards:

1. The District shall contain a minimum of 20 contiguous acres of qualified farmland; OR
2. The District shall contain two or more qualified farms which contain a minimum of 20 acres and are located within a mile of each other.

### **B. Encourage Reformation**

The County may take such action as it deems appropriate through the Advisory Board or other entities or individuals to encourage the formation of the Districts and to further their purposes and objectives, including the implementation of a public information program to reasonably inform landowners of the farmland preservation program.

C. **Display**

The Districts shall be marked on County maps displayed for public view in the following County offices:

1. Planning Department
2. Cooperative Extension
3. Any other office deemed necessary by the Advisory Board and approved by the Board of Commissioners.

D. **Withdrawal**

In the event that one or more participants in the District withdraws, or loses eligibility to participate, and the acreage in the District becomes less than the minimum acreage required or results in the remaining land being non-contiguous, a voluntary agricultural district will continue to exist so long as there is one qualifying farm.

**ARTICLE VII  
QUALIFICATION OF FARMLAND**

A. **Requirements**

1. In order for farmland to qualify under this Article, it must be real property that:
  - a. Is participating in the farm present-use-value taxation program established by N.C.G.S. Section 105-277.2 through Section 105-277.7 or is otherwise determined by the County to meet all the qualifications of this program set forth in N.C.G.S. Section 105-277.3;
  - b. Is certified by the Natural Resource Conservation Service of the United States Department of Agriculture as being a farm on which at least two-thirds of the land is composed of soils that:
    - i. are best suited for providing food, seed, fiber, forage, timber, and oil seed crops;
    - ii. have good soil qualities;

- iii. are favorable for all major crops common to the county where the land is located;
- iv. have a favorable growing season; and
- v. receive the available moisture needed to produce high yields for an average of eight out of ten years;

**OR**

on which at least two-thirds of the land has been actively used in agricultural, horticultural or forestry operations as defined by N.C.G.S. Sections 105-277.2(1), (2) and (3) during each of the five previous years, measured from the date on which the determination must be made as to whether the land in question qualifies;

- c. Is managed, if highly erodible land exists on the farm, in accordance with the Natural Resource Conservation Service defined erosion control practices that are addressed to highly erodible land; and
- d. Is the subject of a conservation agreement, as defined in N.C.G.S. Section 121-35, between the County and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable zoning and subdivision regulations of the jurisdiction in which such district is located.

**ARTICLE VIII  
APPLICATION AND APPROVAL PROCEDURE**

**A. Application Procedure**

- 1. A landowner may apply to establish a District or to add qualifying farmland to an existing District by making application to the Chairman of the Advisory Board or a designated staff person using forms provided by the Advisory Board. The application shall be designed to establish eligibility in accordance with the provisions of this Ordinance.
- 2. The landowner shall execute an agreement to sustain, encourage and promote agriculture in the District. The requirement for an agreement may be satisfied by the conservation agreement required in Article VII(A)(1)(d).

**B. Approval Process**

1. Upon receipt of an application, the Chairman will forward copies to the following agencies for their prompt evaluation and response:
  - a. The Union County Tax Administrator's office; and
  - b. The Union County Soil and Water Conservation District and the Natural Resource Conservation Service office.
2. Upon receipt of responses from the offices of the Union County Tax Administrator, the Union County Soil and Water Conservation District, and the Natural Resource Conservation Service, the Advisory Board shall meet within thirty (30) days to consider the application. The Chairman shall endeavor to notify the applicant by first-class mail of the Advisory Board's recommendation within fifteen (15) days.
3. The Advisory Board shall forward its recommendation to the Board of Commissioners for consideration. Action by the Board of Commissioners regarding approval or disapproval of the application shall be final.

## **ARTICLE IX REVOCATION OF CONSERVATION AGREEMENT**

A landowner of qualifying farmland may revoke a conservation agreement upon written notice to the County. The County, upon recommendation by the Advisory Board, may revoke a conservation agreement due to non-compliance by the landowner. Any such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in a District.

## **ARTICLE X PUBLIC HEARINGS**

### **A. Purpose**

No state or local public agency or governmental unit may formally initiate any action to condemn any interest in qualifying farmland within a District until such agency or unit has requested the Advisory Board to hold a public hearing on the proposed condemnation.

### **B. Procedure**

1. Upon receiving a request, the Advisory Board shall publish notice describing the proposed action in a newspaper of general circulation in Union County within five (5) business days of the request, and will in the same notice notify the public of a

public hearing on the proposed condemnation, to be held within twenty (20) days of receipt of the request.

2. The Advisory Board shall meet to formulate recommendations regarding:
  - a. whether the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved; and
  - b. whether there exist alternatives to the proposed action that have less impact on and disruption to the agricultural activities of the District within which the proposed action is to take place.
3. The Advisory Board may consult with the County Cooperative Extension Agent, U.S.D.A. Natural Resource Conservation Service District Conservationist, the Union County Farm Bureau and with any other individuals, agencies or organizations deemed by the Advisory Board to be necessary for its review of the proposed action.
4. Not later than thirty (30) days after receiving a request to hold the public hearing, the Advisory Board shall submit a report containing its findings and recommendations regarding the proposed action to the decision-making body of the agency proposing acquisition. To the extent practicable, the report shall be made available to the public for comment prior to its being conveyed to the decision-making body of the agency proposing acquisition.
5. Pursuant to N.C.G.S. Section 106-740, the agency or unit of government proposing acquisition shall not initiate a condemnation action while the proposed condemnation is properly before the Advisory Board within these time limitations.

## **ARTICLE XI PUBLIC NOTICE**

### **A. Procedure**

Upon approval of a District or of modification to a District by the Board of Commissioners, the Advisory Board shall provide to the Union County GIS office such information and materials as may be necessary to enable the GIS office to prepare maps designating the location of the Districts established pursuant to this Ordinance. Within a reasonable time after receipt of such information and materials, the Union County GIS office shall prepare or update appropriate maps so as to allow determination of the proximity of a particular tract to a District by those desiring such information. Maps shall be accessible to the public as indicated in Article VI(C).

B. **Signs**

To the extent legally permissible, the County Manager may cause signs to be placed along public roadways to notify the public of the presence or proximity of a District.

C. **Limit of Liability**

In no event shall the County or any of its officers, employees, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this Ordinance.

D. **No Cause of Action**

In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm or voluntary agricultural district as defined in this Ordinance.

**ARTICLE XII  
WAIVER OF WATER AND SEWER ASSESSMENTS**

A. **No Assessment**

The Union County Public Works Department shall not require the connection of improvements on qualifying farms within a District to Union County water and/or sewer systems.

B. **Abeyance**

Water and sewer assessments will be held in abeyance, without interest, for farms inside a District, until improvements on such property are connected to the water or sewer system for which the assessment was made.

C. **Termination of Abeyance**

When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

D. **Suspension of Statute of Limitations**

Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.

E. **Other Statutory Abeyance Procedures**

Nothing in this section is intended to diminish the authority of the County to hold

assessments in abeyance under N.C.G.S. Section 153A-201.

F. **Conflict with Water and/or Sewer System Construction and Improvements Grants**

To the extent that this section conflicts with the terms of federal, State, or other grants under which County water and/or sewer systems are constructed, this section shall not apply.

**ARTICLE XIII  
NORTH CAROLINA AGENCY NOTIFICATION**

**Record Annually With the Department of Agriculture**

A record of this Ordinance shall be recorded with the North Carolina Commissioner of Agriculture's office after adoption. The County shall make an annual report to the North Carolina Commissioner of Agriculture as specified in N.C.G.S. Section 106-743.

**ARTICLE XIV  
LEGAL PROVISIONS**

A. **Severability**

If any article, section, subsection, clause, phrase or portion of this Ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

B. **Conflict With Other Ordinances and Statutes**

Whenever the provisions of this Ordinance conflict with other Ordinances of Union County, this Ordinance shall govern to the extent permitted by law. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this Ordinance, the provisions of such statute shall govern.

C. **Amendments**

This Ordinance may be amended from time to time by the Board of Commissioners.

D. **Jurisdiction**

Pursuant to G.S. § 153A-122, the territorial jurisdiction of this Ordinance shall be those parts of Union County not within a municipality.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2001.



UNION COUNTY BOARD OF COMMISSIONERS

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Chairman

ATTEST:

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Clerk to Board of Commissioners



Information  
#1  
No Action Required

## UNION COUNTY DEPARTMENT OF INSPECTION

500 N. Main St., Room 28  
Monroe, NC 28112

PHONE (704) 283-3604

FAX (704) 292-2513

March 4, 2008

TO: Union County Commissioners

FROM: Mr. Donald Moore

REFERENCE: Department of Inspection – February 2008

<u>Month</u>	<u>Building Permits Issued</u>	<u>Associated Construction Cost</u>
February 2008	197	\$28,026,460
January 2008	168	\$30,618,602
February 2007	358	\$68,950,595

Construction Cost - February 2008 – 8.47 % decrease compared with January 2008

Construction Cost - February 2008 – 59.35 % decrease compared with February 2007

**\*\*Does not include permit statistics for the Town of Waxhaw\*\***

CC: Richard Black  
Wesley Baker

DLM/src

# Building Permit Statistics

*Statistics on Union County Building Permits Issued from Feb 1, 2008 to Feb 29, 2008*

Permit Type	Count of Permits	Number of Units	Square Footage	Construction Value
<b>Commercial</b>				
Commercial - Addition	2	0	3,540	\$249,000.00
Commercial - New	12	0	86,234	\$2,599,966.00
Commercial - Renovation	1	0	480	\$47,200.00
Commercial - Upfit	4	0	7,454	\$686,587.00
Modular - New	2	0	1,728	\$11,000.00
<b>Totals for Commercial</b>	<b>21</b>	<b>0</b>	<b>99,436</b>	<b>\$3,593,753.00</b>
<b>Residential</b>				
Accessory - New	37	0	22,904	\$596,110.00
Modular - New	3	0	8,318	\$322,702.00
Single Family - Addition	18	0	16,091	\$807,073.00
Single Family - New	87	0	345,226	\$20,801,284.00
Single Family - Renovation	17	0	10,439	\$359,996.00
Townhouse - New	14	0	25,227	\$1,545,542.00
<b>Totals for Residential</b>	<b>176</b>	<b>0</b>	<b>428,205</b>	<b>\$24,432,707.00</b>
<b>Grand Totals</b>	<b>197</b>	<b>0</b>	<b>527,641</b>	<b>\$28,026,460.00</b>