

Approved: 11/17/2008

April 21, 2008
Regular Meeting

The Union County Board of Commissioners met in a regular meeting on Monday, April 21, 2008, at 7:00 p.m. in the Board Room, First Floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

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

ABSENT: None

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

At approximately 7:00 p.m., the Chairman convened the meeting and welcomed everyone present. A quorum was present.

OPENING OF MEETING:

a. Invocation

Reverend Chris Edwards, Pastor of Grace Baptist Church of South Charlotte, North Carolina, offered the invocation. He shared that the church has been able to secure 10 acres directly across from Weddington High School to construct a church.

Following the invocation, the Chairman presented Reverend Edwards with a County writing pen, a lapel pin, and a Certificate of Appreciation.

b. Pledge of Allegiance

Chairman Baucom introduced the members of Troop 46 of Siler Presbyterian Church who led the audience in the Pledge of Allegiance: Leader: Karen Gamble; Wes Shumate; Weston Gamble; Ryan Stevens; Lyle Morin; Spencer Crane; James Kalaf; Eddie Kalaf; Chris Bristle; and Kris Williams.

Following the Pledge, the Chairman presented the members of Troop 46 with Certificates of Appreciation.

Mrs. Gamble stated that some of the members of the troop are working on merit badges, one of which is for citizenship in the community. The troop members were given an opportunity to ask the Board members questions, which would help to fulfill the requirements for their merit badge.

Informal Comments:

David Arone, President of Wesley Chapel/Weddington Athletic Association, stated that Item 14 on tonight's agenda is a status update about the Wesley Chapel/Weddington Athletic Association matter. He said that last fall one of the Board members suggested a concept that he believed should have resolved this matter. He explained that on December 5, the Association's engineering firm submitted plans to Ms. Amy Helms of Public Works that implemented the proposed solution which was to remove significant amounts of dirt from around two of the ball fields without disturbing the fields. He stated that this was a solution that seemed to meet the needs of Union County without disrupting the Association's operations. He said they were promised the County's response to their plans by mid January. However, he stated that unexpectedly in December, Ms. Helms submitted the Association's plans to the state for review. Mr. Arone said that it was not required that the plans be submitted to the state. He stated that it was the County's authority to exercise and it could have been resolved internally. He said that by submitting the plans to the state, it complicated the project for the Association and for Union County.

He said that the result of the four-month review was that the Association's plans have been rejected again. He stated the plans still show a rise in the flood water levels of one-eighth of an inch to one-quarter of an inch which is in front of the Department of Transportation's culvert that runs under Highway 84. He said that County staff admits that this culvert is undersized. Mr. Arone said that no matter what the Optimist Park does, water is backing up against this small, undersized culvert and is forcing the Association to find other solutions to address the problems. He stated that the state is unnecessarily involved and has added new issues. He said that he did not know if County staff encouraged the state's involvement, but the state is now threatening not just the Association but also Union County. He stated the State intends to suspend flood insurance for all of those residents.

He asked if all of the other commercial and residential developments along the creeks have been held to the same standards as the Association. He said that it was important to understand that floodway modeling is as much an art as a science, and opinions can differ as to what data and assumptions to use. He stated that rather than work towards a solution within the variables, the County has seemingly not wanted anything that the Association has submitted to be acceptable. He stated that the members of the Association are angry and suspicious, and they believe there is a direct conflict of interest in the Public Works Department because one of the key staff people who works for Ms. Helms is also one of the complaining neighbors.

Mr. Arone offered that the Association and its engineering firm are committed to resolving the issue. He said that they might be forced to rip out two ball fields to make any further impact thus spending perhaps a couple of thousand dollars. He asked for the Board's support to resolve the issue.

Garland Denny said that he came before the Board of Commissioners last year requesting a resolution regarding a bond and stamp program for the Veterans. He stated that he had experienced some problems with Congress about the stamp program, and he has been asked to add "coins" to the resolution. He asked that the Board amend the resolution to add "coins" to the program.

Lucy Drake, Chair of PBH (five-county area Mental Health board), requested that PBH be added to the agenda to discuss the funding that needs to be released for the budget year 2007-2008 in addition to discussing a possible crisis center for Union County. She stated that the decision about a crisis center needs to be made almost immediately because PBH's board will be making the decision within the six weeks on the locations of two crisis centers within the five county region.

Mike Vagnone speaking on behalf of Porter Ridge Athletic Association requested that an item be added to tonight's agenda to discuss a time sensitive issue related to the County's Parks and Recreation Athletic Association Grant program. In response to a question by the Chairman regarding the time sensitivity of the issue, Mr. Vagnone said that it was related to starting the Association's 2009 project prior to the actual award of the grant.

Steven Wood spoke on behalf of the residents located adjacent to the Wesley Chapel/Weddington Association athletic park. He explained that seven years ago, the directors of the Wesley Chapel/Weddington Athletic Association promised the residents adjacent to the park expansion that the integrity of the floodway would not be jeopardized. He said that six years ago the residents adjacent to the expansion of the park notified the County that substantial amounts of fill were being brought into the project, and three years ago, the County issued a notice of violation to the park. Further, he said that eight months ago and after years of denial that any fill was added to the site, the Wesley Chapel/Weddington Athletic Association agreed that fill was added and that another engineering

report would be issued providing a solution that would create a “no rise” certificate. Mr. Wood said that the engineering report has arrived and once again, after several attempts, the report is flawed and does not provide a solution. He stated that it does not appear that the Wesley Chapel/Weddington Athletic Association or its engineers are willing to submit a report that complies with the federal, state, and county laws of which they are in violation. He said that the time has come for the County to take the matter into its hands and give the Association explicit instructions to remove the fill. He asked how much longer the residents are going to watch their property erode from floodwaters and how much longer must they live in fear that their homes will be inundated. Mr. Wood said that it is the residents’ request that the County enforce the violation and protect its citizens.

Bill Harvey said that he was on a different side of the creek than Mr. Wood and the same side as the Wesley Chapel/Weddington property. He shared photographs of his property. He explained that he bought his land about five years ago and built a nice home on it. He stated that when his land was surveyed to build his home, the surveyor placed the property line so that his home could be built at the edge of the flood plain legally. Mr. Harvey said he had asked the surveyor if he could fill the back area to construct a swimming pool or a shed, he was told “no” that he could not bring so much as a wheelbarrow of dirt onto the property because it was against the regulations.

He said that he had paid \$10,000 extra to have the septic system placed in the front yard because it would have been in the flood plain. He stated that he has documented proof of 400 to 500 truckloads of dirt from one driver, where the dirt was obtained, and where it was moved. Mr. Harvey said that he put his house on the market two years and seven months ago, and he has had approximately 100 people to look at the house. He stated those people thought it was a beautiful home. He said that 99 percent of the negative feedback from the real estate companies is due to location of the ball fields. He stated most ball field complexes are placed in industrial areas where they do not impact anybody. He said that he has no peace, because the visitors to the ball fields began flowing in to his backyard at 7:00 a.m. or 8:00 a.m. on weekends and continue until 10:00 p.m. He stated that everyday after a hard days’ work, when he comes home, he hears nothing but air horns, loud screaming kids and he gets to view the port-a-jons because there are no septic systems on the ball fields. He urged that something be done about the flooding issue.

Jim King addressed the Board regarding revaluation. He said that he wanted the Board to be aware that there are about 160,000 acres in Union County that are in the farm use program which means that the landowners will pay taxes on these properties of approximately \$2.00 per acre this year. Mr. King said that left 60 percent of the landowners in Union County paying pretty well the full share of the remainder of the land values. He said it is a lower tax per acre than the farmers paid in 1995.

Mr. King referred to some articles that appeared in the newspaper concerning problems with tax values. He cited several examples where he said buildings have been missed, zoning on parcels has been missed where property has been appraised under the incorrect zonings, houses priced where comparables do not match, and where there are no relationships to parcels.

Gary Hibler addressed the Board regarding the Wesley Chapel/Weddington Athletic Association. He said that he had come before the Board over a year ago asking for a solution to the flooding problems. He said several people met with County representatives to discuss what could be done to reach a reasonable resolution. He stated that two members of the Board visited the Association's facility and reached what he believed was a solution. He questioned why the County had sent letters to the state when he did not believe it was necessary. He denied that there were 300 trucks of dirt brought in as had been stated earlier tonight. Mr. Hibler said that the Association had not agreed that fill dirt had been added. He stated that there had been an agreement on a common solution to the problem without disrupting the fields. He said that the question for the Board tonight would be "Why did the letter go to the State to begin with?" "Did this same type of letter go to other communities that built at the time the Association built or since it built?" He asked if there was a conflict of interest because one of the neighbors who signed a letter a year ago asking the Board to shut down the park is now working for the County in the Public Works Department.

Mark DiBiasio spoke regarding revaluation. He said that he resides in unincorporated Union County outside of Wesley Chapel. He followed up on some of Mr. King's comments. He said that Mr. King has done some extensive research going through GIS records. Mr. DiBiasio said that he too has spent some time going over information. He stated that he thought there was a solid case that the tax department is broken and has problems. He stated that property was not being evaluated properly. He said that homes that have sold are being valued less than what the sales price was six months to a year ago. He said that there is no tax fairness. He referred to Turbomecca which was awarded an economic incentive grant by the County and said that it is being undervalued. He stated in his view, Turbomecca was getting a second subsidiary. He noted that his comments were not against Turbomecca but it was a specific example. Mr. DiBiasio said that he thought the coordination between the municipalities is a serious problem as well. He stated that he thought someone needs to be hired to solve the issue so that people who are paying taxes are not subsidizing other people who are not paying the taxes that they should. He urged the Board to look at this issue much stronger than it has been looked at before.

Additions, Deletions and/or Adoption of Agenda:

Vice Chairman Pressley requested the following additions to the agenda:

- a. Resolution Approving Financing of Two Fire Trucks by Wesley Chapel Volunteer Fire Department (Consent Agenda)
- b. PBH (Piedmont Behavioral Healthcare)
- c. Amendment to Resolution for the Veterans Government Bond, Stamp, and Coin Program
- d. 2009 Grant Application for Porter Ridge Athletic Association

At the request of the Chairman, the Clerk to the Board read into the record the three additions to the Consent Agenda along with the action requested for each of the items as follows:

- 1. Union County Public Schools Elementary School L (formally Cuthbertson now Poplin Road from Bonterra)
ACTION REQUESTED: Adoption of Capital Project Ordinance #100 which provides funding, to include additional soft costs, of Elementary School L
- 2. Resolution Approving the Financing of Two Fire Trucks by Wesley Chapel Volunteer Fire Department, Inc.
ACTION REQUESTED: Adopt Resolution
- 3. Beard/Woodcliff
ACTION REQUESTED: Authorize the Chairman and Clerk to the Board of Commissioners to execute and have recorded a North Carolina Special Warranty Deed Conveying to Robert M. Beard and wife, Beth M. Beard a sanitary sewer easement that contained an erroneous description and that the County Attorney be authorized to record the special Warranty Deed upon recordation of a Substitute Sanitary Sewer Line Easement from the Beards to the County that contains the correct legal description for the easement

The Chairman stated an item should be added to the regular agenda at the conclusion of the meeting for a closed session.

Commissioner Lane requested the addition of an item on the regular agenda to discuss and take action on individual financial disclosure forms similar to the one that the Commissioners complete each year for the following boards: 1) Planning Board; 2) Board of Adjustment; 3) Board of Equalization and Review; and 4) the Public Works Advisory Board which has been suspended at this time.

With there being no further additions or deletions to the agenda, Vice Chairman Pressley moved to adopt the agenda as amended. The motion was passed unanimously.

The Chairman stated that the additions to the agenda would be numbered as follows: 1) PBH – Item 10b; 2) Amendment to Resolution for Veterans’ Government Bond and Stamp Program– Item 10c; 3) 2009 Grant Application for Porter Ridge Athletic Association – 10d; 4) Financial Disclosure Forms for Boards – Item 14a; and 5) Closed Session – Item 18.

CONSENT AGENDA:

Commissioner Mills moved approval of the items listed on the Consent Agenda as amended. The motion was passed unanimously.

Contracts Over \$5,000: Authorized the Interim County Manager to approve the following contracts: a) Task Order #43 with HDR Engineering, Inc. of the Carolinas to provide Water Allocation Review and Policy Development; and b) Task Order #19 with Hazen & Sawyer, P.C. for preparation of Wastewater Pump Station Design Manual.

Minutes: Approved the minutes of the regular meeting of February 4, 2008

Tax Administrator: Approved Ninth Motor Vehicle Refund Register for the period of March 1, 2008 – March 31, 2008, in the net grand total of \$2,260.17-

Tax Administrator: Approved Ninth Motor Vehicle Release Register for the period of March 1, 2008 – March 31, 2008, in the net grand total of \$9,947.67-

Tax Administrator: Approved Departmental Monthly Report for March 2008

Health Department: Adopted Budget Amendment #43 increasing Operating Expense by \$9,037 and Miscellaneous Revenue by \$9,037 to appropriate grant funds from the March of Dimes for the Smoke Free Babies Program

Health Department: Approved deletion of a temporary part-time Public Health Nurse II (.40 FTE) and the addition of a regular part-time Public Health Nurse II (.50 FTE)

Finance Department: Approved Motor Vehicle Tax Refund Overpayments for March 2008 in the amount of \$13,351.67

FY 09 Grant Application for the Criminal Justice Partnership Program: Authorized staff to submit the Criminal Justice Partnership Program grant application (no county match required)

Resolution Supporting Continued State Funding of the Juvenile Crime Prevention Council Program (JCPC): Adopted the following resolution:

RESOLUTION IN SUPPORT OF CONTINUATION OF
JUVENILE CRIME PREVENTION COUNCIL FUNDING

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding has been removed from the continuation budget and is now subject to continuation review; and

WHEREAS, the non-recurring status of JCPC funding and subsequent continuation review will delay the annual appropriation and may result in the loss of qualified professionals to provide diversion and dispositional alternatives at the local level; and

WHEREAS, since 1977, the State of North Carolina and county governments have been partners in providing effective and necessary community based juvenile delinquency prevention and intervention services; and

WHEREAS, the JCPC funds provide \$293,784 in funding for Union County programs, the leveraging of local support of \$215,842 and \$10,000 in federal support to augment funds provided by the state to provide these important services; and

WHEREAS, the JCPC funded programs of Union County are supported by the efforts of 100 volunteers yearly; and

WHEREAS, in accordance with legislative mandates, the Union County JCPC is comprised of representatives of juvenile court, mental health, social service, schools, law enforcement, district judges, faith community, county manger, nonprofit sector and other concerned citizens; and

WHEREAS, The Union County JCPC diligently carries out its charge of assessing community needs, planning for those needs to be met, recommending programs for funding to meet the needs and evaluating the performance of those programs; and

WHEREAS, the loss of JCPC program services in Union County will result in 307 high risk juveniles being without intervention and prevention services such as, (*temporary shelter, restitution and community service, interpersonal skills, summer tutoring and academic enrichment, and home based family counseling services;*) and

WHEREAS, a lack of sanction programs and dispositional alternatives in Union County will result in a potential increased cost for juvenile detention intermittent confinement, delinquent youth diverted into DSS custody and additional strain on Mental Health services;

NOW, THEREFORE, BE IT RESOLVED, that the Union County Board of Commissioners strongly endorses full reinstatement of funding for Juvenile Crime Prevention Council programs to the continuation budget and the allocation of additional funds to support legislative mandates to protect the community and provide a juvenile justice continuum at the local level.

Adopted this the 21st day of April, 2008.

Social Services/Child Care Services: Adopted Budget Amendment #44 increasing Operating Expenses by \$135,036 and State Revenue by \$135,036 to appropriate additional State funds for Child Care Services/Smart Start program for day care services

Modification to Fee Schedule for Use of Agri-Services Center: Approved modification of the fee schedule for the use of the Union County Agri-Services Center as approved by the Agricultural Advisory Board on March 13, 2008 as follows:

Fee Schedule Change, Agri-Services Center

(Change to Section 2, “Licensed Premises”)

Facility	Facility Use Fee	Facility Use Fee (Nonprofit or Tax Exempt)
*Banquet Hall, Three Sections	\$ 900	\$600
*Banquet Hall, Two Sections	\$ 600	\$400
*Banquet Hall, One Section	\$ 300	\$200
*Pre-Function Area	\$ 300	\$200
*Outside Patio Area	\$ 150	\$100

*In addition to the above prices, a premium will be added to all Fees for Commercial Cleaning and Setup Services at the below rates, **as determined by Union County:**

Commercial Cleaning/Setup Service	Premium Rate
1 – 25 Tables (up to 200 people)	\$ 120
26 – 50 Tables (up to 400 people)	\$ 200
51 – 75 Tables (up to 600 people)	\$ 390
76 – 100 Tables (up to 800 people)	\$ 530
Auditorium Style (up to 1,200 chairs)	\$ 550

Replacement Copy of “Resolution of Union County Board of Commissioners Establishing a System of Rural Fire Protection in Union County” for Sandy Ridge Volunteer Fire Department, Inc.: Ratify the adoption of the resolution effective on April 7, 1997

Revised April, 1981
Revised April 7, 1997

A RESOLUTION OF UNION COUNTY BOARD OF COMMISSIONERS ESTABLISHING
A SYSTEM OF RURAL FIRE PROTECTION IN UNION COUNTY

WHEREAS, by G. S. Section 153A-233 the Board of County Commissioners of Union County is authorized and empowered "To provide for the organization, equipment, maintenance and government of fire departments," and

WHEREAS, the Board of Commissioners of Union County is of the opinion and has found and determined that it is to the best interest and necessary for the protection of the citizens of said County and their property to encourage and financially aid in the equipment, the maintenance and government of volunteer fire departments in said County for the protection of the public school buildings and other county buildings, for the protection of homes and other property in rural areas of Union County and to establish a protective fire fighting organization to work with and to supplement the Union County Emergency Management Organization (providing the following services upon request during times of emergencies/disasters: (1) Debris removal; (2) Debris clearance; (3) Traffic control; and (4) Other life saving and property protection measures, as necessary), and in general to provide for the more adequate and efficient protection of life and property in the rural areas of Union County and to provide a trained body of men to assist the urban areas of Union County in case of emergency;

WHEREAS, there are a number of volunteer fire departments now operating in Union County, some of which have substations, which are eligible for consideration under the terms of this Resolution at the time of the adoption thereof;

NOW, THEREFORE, BE IT RESOLVED:

SECTION I.

That Union County foster and provide for the organization, equipment, maintenance, operation and government of volunteer fire department in the said County, and

That for the purpose of carrying out the terms and provisions of this Resolution a Commission be, and it is hereby, created known as the "Union County Fire Commission," to be composed of seven (7) members, as follows:

- A. One member of the Union County Board of Commissioners, to be appointed by the Union County Board of Commissioners and to be known as the Fire

Commissioner who shall serve as Chairman of the Union County Fire Commission. The Union County Fire Commissioner may delegate to the County Manager or an employee of the Fire Service Office certain authority as he sees fit.

- B. The President of the Union County Fire and Rescue Association, OR an active volunteer fireman to represent and be elected by said Association.
- C. Five members at large who shall be citizens of Union County and who shall be chosen and appointed by the Board of Commissioners as follows: two members to be appointed for terms that will expire on January 1, 1970, and two members that will be appointed for terms that expire on January 1, 1971. Thereafter, on the first meeting of January of each year two members shall be appointed for terms of two years each. In order to increase the membership of the Commission from six to seven members, the Board of Commissioners shall appoint an additional member as soon as reasonably practicable following approval of the April 7, 1997, revisions to this Resolution. Such member shall serve an abbreviated term lasting until the second January following appointment. In the event the County Commissioners fail to appoint new members to the Commission at the expiration of terms of existing members; existing members of the Commission shall continue to serve as members of the Union County Fire Commission until such time as their successors are appointed and do qualify.

The Union County Fire Commission shall have the authority to specify procedures for carrying out the provisions of this Resolution and shall have authority to make rules and regulations necessary to carry out its assigned duties. A progress report shall be made to the Board of County Commissioners at least once a year by the Union County Fire Commissioner.

SECTION II.

When any volunteer department shall make initial application to the Board of County Commissioners of Union County to receive financial aid from said County under this Resolution, the said Commission shall inspect or cause to be inspected in its behalf, the said fire department, its equipment, personnel, organization and method of operation, and shall file a written report to the said Board of Commissioners signifying whether or not such volunteer department meets the minimum requirements and specifications as herein contained.

After a volunteer fire department has qualified for the assistance herein granted, the said Commission or its designated representative, shall make inspections of each department so qualified, at least every three years, to determine whether or not said department is continuing to meet the minimum standards as herein specified, and shall report their findings to the Union County Board of Commissioners. If a department is believed to be deficient or not up to the standards herein imposed at any of said inspections then the said Commission shall take the action hereinafter specified, and, as hereinafter outlined, continued failure to maintain said

standards and minimum requirements shall result in the termination of the financial agreement and support of Union County.

SECTION III.

Said Commission shall from time to time, review the specifications and requirements as set out in this Resolution, and shall recommend to the Board of County Commissioners any amendments or changes which the said Commission may deem advisable. Any revisions to this Resolution shall be considered by the Fire Commission prior to official action by the Board of County Commissioners and said Fire Commission shall file a written recommendation with the Clerk to the Board of County Commissioners on each considered amendment.

SECTION IV.

Each participating volunteer fire department shall have full supervision over the equipment, personnel, organization, and government of the department subject only to the provisions herein contained. The North Carolina Department of Insurance requirements shall determine whether or not the equipment of the fire departments meets the required minimum standard. Each fire department receiving financial assistance from Union County under this Resolution shall use the funds so received in the manner and for the purpose as herein agreed, submit to the Board of Commissioners yearly budgets, and substantiate records of the volunteer departments receiving financial assistance, and such other records that may be required as a result of levy of special fire district tax. The Board of Commissioners will cooperate with all volunteer fire departments insofar as possible in the fields of fire prevention and the promotion of better fire protection.

The Union County Fire Commission or its designee shall have the authority to control radio communications on fire frequencies licensed to the County and see that all the Federal Communications Commission Rules and Regulations are complied with. The County Fire Commission or its designated representative, shall have the authority to enter the Fire Station(s) to inspect, test, or maintain radio equipment licensed to the County.

SECTION V.

As of the date of adoption of this Resolution, Union County will offer financial aid for the general maintenance and operation of any volunteer fire department operative in Union County and which quoted as for said assistance under the terms of the Resolution, but no individual fireman or group of firemen shall received any pay or remuneration from said benefits received from the County for the services which they render in their work as volunteer firemen or as a part of a volunteer fire department, provided nothing shall prohibit payment of full-time personnel for their services.

SECTION VI.

Payment of funds and use thereof:

- A. If any volunteer fire department does not meet the minimum standards as set forth, the monthly payments shall be withheld under the following procedures:
 - 1. If, after qualifying hereunder, deficiencies are found at the time of any inspection herein provided for, the Fire Marshal must notify the Fire Chief and at least two (2) members of the local department and the Fire Commission in writing and a time limit of fifteen (15) days shall be allowed to correct such deficiencies except where certain circumstances warrant a longer period of time. When it is deemed by the Fire Commission, or its representative, that a longer period of time is required to make the correction, then the Fire Commission shall have the authority to grant such extension of time in writing.
 - 2. A second inspection shall be made after a period of fifteen (15) days to determine if the deficiencies have been corrected. If the deficiencies have not been corrected at the time of this second inspection, the Fire Commission shall so inform the County Finance Officer and any payments by the County to the deficient department shall cease until such time as the department shall again meet the requirements of this Resolution by complying with the minimum standards herein set forth unless an extension has been granted by the Fire Commission. If the delinquent or deficient department is a department which has previously met the requirements of the North Carolina Insurance Service Office, then the North Carolina Insurance Service Office shall also be notified of the conditions that exist in said deficient department and district for whatever action said Office may deem necessary in regard to fire insurance rates.
- B. Any funds received by a volunteer fire department under the terms of this Resolution may be applied against the payments due for equipment of the department purchased under a time contract or agreement or may be applied to the purchase of new equipment for the departments, provided in each case that the equipment meets the minimum standards as set forth in this Resolution.
- C. Each volunteer fire department receiving funds from Union County under this Resolution shall carry Workmen's Compensation on all firemen and liability insurance on all its equipment, leaving the County free from any responsibility of damage by or claims against the department and shall keep on file with the County Fire Service Office certificate of insurance. All accidents that happen in connection with any volunteer fire department or its activities shall be reported to the Fire Service Office.

- D. The Fire Commission shall require North Carolina Incident Reports from each department receiving County monetary support. Such reports shall be submitted to the Fire Marshal by the 10th day of each month for incidents occurring during the preceding month. Failure to submit required reports on a monthly basis will result in cancellation of funds to the fire department. If a report is not received by the Fire Marshal by the last day of a given month, the County Finance Officer will be notified to cancel any payment to said fire department and said fire department shall forfeit the right to back payment.

SECTION VII.

Incorporation

Each department shall be incorporated under the laws of the State of North Carolina.

SECTION VIII.

Union County Fire and Rescue Association

In order that the purposes and provisions of this Resolution might be more readily and successfully carried out, each department receiving assistance from Union County shall be members of the Union County Fire and Rescue Association.

SECTION IX.

Officers and Personnel.

- A. Each fire department shall have a Fire Chief and Assistant Chief and the other necessary officers and personnel as needed to properly maintain the equipment of the department and to adequately and properly provide fire protection to the area served by the department.
- B. Each department shall have a minimum of eighteen (18) active firefighters plus two traffic officers. A list of all firefighters and their addresses, telephone numbers and social security numbers shall be filed with the Fire Service in June of each year.
- C. The Fire Chief of each department shall be responsible for the keeping of adequate and accurate records of all fire calls and of other records and reports as shall be required. A regulation fire record form will be furnished by the Union County Fire Service and each department shall keep this record current. The Fire Chief shall also be responsible for filing with the Fire Service any additional reports which are required locally or by the North Carolina Insurance Service Office.

- D. It shall be the responsibility of the Fire Chief to stress "Safety" throughout the department and in all phases of the department's activities, especially with regard to the firefighters driving the truck and operating other equipment of the department, and those firefighters who drive their own automobiles to the scene on the part of the members of the department.

SECTION X.

Identification.

The Chief of each department shall be responsible for periodically determining the qualifications of active firefighters in good standing and shall be responsible for the issuance of an appropriate means of identification.

SECTION XI.

Training.

All departments shall carry out an organized training program. The programs shall be developed by the various departments and shall be approved by the Fire and Rescue Services Division of the North Carolina Department of Insurance.

Each department shall participate in a minimum of one (1) training class per month and not less than thirty-six (36) hours annually.

SECTION XII.

Sounding of Alarm in Case of Fire or Other Emergency.

- A. Notification devices approved by the North Carolina Department of Insurance shall be used to alert firefighters of calls.

SECTION XIII.

Area of Protection.

Boundaries delineating the area of protection for a new or existing individual fire department and additional substations and existing substations shall be established by the Fire Commission.

SECTION XIV.

Responsibility at the Scene of a Fire.

- A. Each department shall respond to the call of the County dispatch center when and where needed. It is generally understood and conceded that the Incident Commander within whose area the fire is being fought will be the authority at the scene of the fire, or in the event that the fire occurs in an area outside of the area of any organized department that the Fire Chief of the department first arriving at the scene of the fire shall be the authority. A chief otherwise responsible may grant permission to other persons more qualified to assume the direction of Fire fighting or other emergency measures when such person is willing to accept the responsibility and the active direction of the fire fighting or other emergency measures and when the persons working under the directions of the Chief have been informed of the change of command.
- B. The senior person present, the Fire Chief responsible or the highest officer of the responsible department present, shall make a full investigation of each fire to determine, if possible, the cause of fire. If any evidence of arson or unlawful burning is suspected, the Union County Fire Marshal shall be notified immediately and also the proper local and state authorities shall be notified.

SECTION XV.

Minimum Equipment

- A. In order to qualify for the financial assistance granted by this Resolution to departments qualifying hereunder, each volunteer fire department shall maintain a 9-S insurance classification and have as minimum equipment that equipment as specified and published in the requirements of the North Carolina Insurance Service Office for Grade 9-S Communities.
- B. This equipment shall be kept in good condition at all times and operative at all times.
- C. All departments shall endeavor to make their equipment uniform and interchangeable throughout the various departments in the County insofar as it is possible to do so.
- D. Reference is made to the Requirements of the North Carolina Insurance Service Office for Grade 9-S Communities, and the Requirements of said Office, at the time of application of a department for assistance under this Resolution, are incorporated within this Resolution and made a part hereof as if fully set forth herein.

SECTION XVI.

Execution of Contract.

When a department has satisfactorily met all other requirements for the receipt of the financial aid or assistance herein granted for qualified departments of Union County, then said department shall execute a contract with Union County, which contract or copy thereof is attached to this Resolution and made a part thereof as if fully set forth herein.

SECTION XVII.

Signification of Obligation to Carry out the Terms and Provisions of this Resolution.

At the time of execution of the contract referred to above, each department shall sign a copy of this Resolution as signification of the said department's duty, obligation and intent to carry out the provisions of this said Resolution.

The President of the department shall sign for the department, his signature to be attested by the Secretary. The Fire Chief of the department qualifying shall also sign for his department.

Upon the signing of this Resolution and the execution of the said contract all agreements made previous to the date of said signing and execution shall be concluded and ended as of the date of the acceptance of the terms of the said contract and Resolution.

SECTION XVIII.

When a volunteer fire department operating within Union County shall apply to be designated as an Insurance Rated District, then the boundaries of the area served by said department shall be submitted by the Fire Commission to the Board of County Commissioners and this said area shall be designated as a Fire District on the minutes of the Board of Commissioners.

By signing below, the respective departments agree to abide by the terms of this Resolution and further agree that this Resolution, as modified April 7, 1997, shall supersede that prior Resolution dated April, 1981, for purposes of incorporation into the agreement(s) between the departments and the County.

DATE:				APPROVED BY:				
					Bd of Comm/County Manager			
					Lynn West/Clerk to the Board			
FOR FINANCE POSTING PURPOSES ONLY								
PROJECT SOURCES				PROJECT USES				
Source	Project	Requested	Revised	Project	Project	Requested	Revised	
Description and Code	To Date	Amendment	Project	Description and Code	To Date	Amendment	Project	
G.O. Bond Proceeds	456,480,107	13,690,575	470,170,682	Elem School "L"/Poplin Rd (115C-429b project allocation)	762,800	13,690,575	14,453,375	
55491100-4710-530				55559200-5586-563				
	456,480,107	13,690,575	470,170,682		762,800	13,690,575	14,453,375	
Prepared By	dhc							
Posted By								
Date						Number	CPO - 100	

Resolution Approving the Financing of Two Fire Trucks by Wesley Chapel Volunteer Fire Department, Inc.: Adopted Resolution

RESOLUTION APPROVING THE INCURRENCE BY THE WESLEY CHAPEL VOLUNTEER FIRE DEPARTMENT, INC. OF UP TO \$1,017,000.00 IN INDEBTEDNESS FROM BRANCH BANKING AND TRUST COMPANY (“BB&T”) TO FINANCE THE PURCHASE OF TWO FIRE TRUCKS

WHEREAS, Union County has been advised that the Wesley Chapel Volunteer Fire Department, Inc. (the “Department”) intends to borrow up to \$1,017,000.00 (the “Loan”) from BB&T to finance the purchase of two fire trucks (the “Project”); and

WHEREAS, neither Union County nor any agency thereof shall be liable in any event for the repayment of the Loan, and the Loan does not constitute an indebtedness of Union County or any agency thereof and does not constitute or create in any manner a debt or liability of Union County or any agency thereof; and

WHEREAS, under applicable federal income tax laws, the interest on the Loan will not be exempt from federal income taxation unless, among other things, the Board of Directors of the Department has, by resolution after having held a public hearing on behalf of Union County, approved the loan and the proposed Project and then the Board of Commissioners (the “Board”) by Resolution approves the Loan and the proposed Project; and

WHEREAS, the Board of Directors of the Department on behalf of the Board, pursuant to public notice duly given (the “Notice”), held a public hearing on the proposed Loan and Project and considered the comments of persons who requested to be heard; and

WHEREAS, the Board desires to approve the Loan and approve the Project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Union County, North Carolina as follows:

- (1) The publication of the Notice and the designation of the meeting held by the Wesley Chapel Volunteer Fire Department, Inc. Board of Directors on April 17, 2008, as a public hearing on the Loan and the Project is hereby approved, provided that Union County makes no representation as to the sufficiency of the public hearing for any purpose whatsoever.
- (2) The incurrence by Wesley Chapel Volunteer Fire Department, Inc. of indebtedness of up to \$1,017,000.00 to BB&T to finance the Project is hereby approved.
- (3) The Project is hereby approved.

(4) This resolution shall take effect immediately upon its passage.

The resolution was passed by the following vote:

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

NAYS: None

Beard/Woodcliff: Authorized the Chairman and Clerk to the Board of Commissioners to execute and have recorded a North Carolina Special Warranty Deed Conveying to Robert M. Beard and wife, Beth M. Beard a sanitary sewer easement that contained an erroneous description and that the County Attorney be authorized to record the special Warranty Deed upon recordation of a Substitute Sanitary Sewer Line Easement from the Beards to the County that contains the correct legal description for the easement

Information Only – No Action Requested: The following items were included in the agenda package with no action requested: 1) Department of Inspection's Monthly Report for March 2008; and 2) Personnel Department's Monthly Report for March 2008.

ASSISTANT COUNTY MANAGER'S COMMENTS:

Matthew Delk, Assistant County Manager, shared that the new CAD (Computer Aided Dispatch) system for the Communications Department will go live on Tuesday at 10:00 a.m. He said that there would be a press conference once the system has been implemented to provide information to the public about the capabilities of the new system. He explained some of the capabilities of the system.

Mr. Delk said that this past week was National Library Week and a total of 624 children attended special programs held at the libraries during the week. He stated that author, Marilyn Hartness, spoke about her new book discussing surviving cancer, which was attended by approximately 40 persons. He stated also that a Spring Tea was held and sponsored by the Friends of the Library featuring author Cassandra King which was attended by over 250 people.

He stated that county water customers can begin one day per week lawn watering which was implemented on April 12, 2008. He said that odd numbered addresses are allowed to water their lawns on Saturday and even numbered addresses can water their lawns

on Sunday. Mr. Delk noted that there has been a fairly significant increase in water usage since April 13, 2008 (it rained on April 12, 2008). He reminded that automatic sprinklers and water gauges should be checked so as not to water when raining.

Commissioner Mills said that he thought when the one-day per week lawn watering began that it would include the use of handheld nozzles for washing automobiles. He stated that he was receiving telephone calls and e-mails about this matter.

Richard Black, Interim Manager, responded that the County's Water Conservation Ordinance does not allow automobile washing under the state's restrictions; therefore, it would require an amendment to the County's ordinance to allow for washing of vehicles.

Commissioner Mills said that he thought this matter should be reviewed and perhaps the Board might want to add that to the agenda for consideration tonight.

The Chairman suggested that this be discussed with Christie Putnam, Public Works Director, when Item 12 on the agenda, which is related to the Public Works Department, is discussed. This was agreed to by a consensus of the Board.

CHILD ABUSE PREVENTION AND SEXUAL ASSAULT AWARENESS MONTH PROCLAMATION:

Chairman Baucom moved adoption of the proclamation and read it into the record as follows:

***Child Abuse Prevention and
Sexual Assault Awareness Month
Proclamation***

Whereas, child maltreatment is a community problem and finding solutions depends on involvement among people throughout our community;

Whereas, child maltreatment occurs when parents find themselves in stressful situations without community resources and unable to cope;

Whereas, child abuse and neglect can be reduced by making sure each family has the support it needs to raise their children in a healthy environment;

Whereas, over 111,000 children were reported as abused and neglected in North Carolina last year;

Whereas, 34 children in North Carolina died as a result of child abuse during the year 2006.

Whereas, over 81% of the sexual assault victims served by the United Family Services' Rape Crisis/Tree House Children's Advocacy Center programs during 2006-2007 were children under the age of 18;

Whereas, the Union County Department of Social Services accepted 1,642 reports of child abuse in Union County representing over 3,531 children in 2006;

Whereas, 1 in 4 girls and 1 in 6 boys will be sexually abused before they reach 18;

Whereas, child abuse and neglect not only directly harm children, but also increase the likelihood of criminal behavior, substance abuse, health problems such as heart disease and obesity, and risky behavior such as smoking;

Whereas, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment;

Whereas, effective child abuse and sexual violence prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community;

Therefore, the Union County Board of Commissioners does hereby proclaim April as Child Abuse Prevention and Sexual Assault Awareness Month in Union County, and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

Adopted this 21st day of April, 2008.

Following the reading of the proclamation, the motion was passed unanimously.

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION:

John Underwood, District Engineer for the Division of Highways for Union and Anson Counties, presented the 2008-2009 Secondary Road Construction Program. Through the use of a Program Map, he explained the Secondary Road Construction Program. He reviewed the anticipated allocations for FY 2008-2009 in the Highway Fund (\$1,604,274) and the Trust Fund (\$952,265). Mr. Underwood noted that there was a balance forwarded from the last fiscal year of \$202,687.

He said that there is a program paving goal for the FY 2008-2009 of 4.19 miles. He reviewed the individual paving priorities and their estimated costs. He pointed out a correction on Map 3 (S.R. #1600: Hopewell Church Road). He said that when this project was submitted, it was shown as partially funded; however, he said that it was fully funded and the corrected estimated cost is \$341,931. He further noted that the subtotal for Section 1a of the Program should be revised to reflect the total estimated cost of \$1,189,436.

Mr. Underwood also reviewed the alternate roadways. He explained that in the event one of the primary routes should go onto the hold list due to right of way or environmental issues, then one of the alternates would be moved up in priority. He further noted that the grand total of the Program should be corrected to \$2,759,226. He also reviewed the Secondary Paved Improvement and the Trust Fund Safety Improvements.

Commissioner Mills moved to adopt the following resolution:

**RESOLUTION BY THE UNION COUNTY
BOARD OF COMMISSIONERS**

BE IT HEREBY RESOLVED that the Union County Board of Commissioners accepts the 2008-2009 Secondary Road Program (as amended) for Union County as presented on April 21, 2008, and recorded below:

**North Carolina Department of Transportation
Secondary Roads Construction Program**

(As Amended)

Union County

FY 2009 Anticipated Allocation

Highway Fund	\$ <u>1,604,274</u>
Trust Fund	\$ <u>952,265</u>
Plus Balance From 2007	\$ <u>202,687</u>
Total	\$ <u>2,759,226</u>

I. Paving Unpaved Roads

Programmed Paving Goal: 4.19 Miles

A. Rural Paving Priority

Priority Number	SR No.	Length (Miles)	Road Name and Description	Est. Cost
1	SR 1103	1.85	Maggie Robinson Road from SR 1102 to SCL	\$535,877
2	SR 1553	1.18	Brent Haigler Road from SR 1520 to NC 218	\$311,628
*3	SR 1600	1.16	Hopewell Ch. Rd. from EOP to Cab. CL	\$341,931

Total Miles 4.19

Subtotal \$ 1,189,436.00

* See Note

* Rural Paving Alternates

Priority Number	SR No.	Length (Miles)	Road Name and Description	Est. Cost
1	SR 1120	.25	H. B. Starnes Road, From SR 1212 to End of Maint.	\$91,805
2	SR 1789	.36	Horne Road, From SR 1741 to End of Maint.	\$145,538
3	SR 2246	.26	Burgess Helms Road, From SR 2126 to End	\$79,063

			of Maint.	
4	SR 1949	.60	L.J. Whitley Road, From SR 1941 to End of Maint.	\$244,364
5	SR 2143	.35	Avery Parker Road, From NC 200 to End of Maint.	\$110,446

B. Subdivision Paving Priority

Priority Number SR No. Length (Miles) Road Name and Description Est. Cost

Total Miles _____

Subtotal \$ _____

* Subdivision Paving Alternates

Priority Number SR No. Length (Miles) Road Name and Description Est. Cost

* In the event that any roads in priority have to be placed on the "Hold List" due to unavailable right of way or environmental review, or if additional funding becomes available, funds will be applied to the roads listed in priority order in the paving alternate list.

II. General Secondary Road Improvements

A. Paved Road Improvements

<u>SR No.</u>	<u>Project Description</u>	<u>Est. Cost</u>
SR 1007	Rocky River Road from NC 75 to NC 200 South	\$1,104,000

Subtotal \$1,104,000

B. Unpaved Road Spot Improvements

Subtotal \$_____

III. Trust Fund Safety Improvements (GS 136-182)

<u>SR No.</u>	<u>Project Description</u>	<u>Est. Cost</u>
SR 1627	New Salem Road, Improve intersection at NC 200 N	\$24,000

Subtotal \$_____

IV. Funds reserved for surveying, right of way acquisition, acquisition, road additions, contingencies, overdrafts, and paving entrances to certified fire departments, rescue squads, etc.

***Partially Funded \$ 247,081
Fully Funded = \$ 341,931**

Subtotal \$ 441,790

GRAND TOTAL \$2,759,226

Adopted this the 21st day of April, 2008.

The motion was passed unanimously.

Commissioner Mills stated that he met with several of the farmers regarding the median to be installed on Highway 601 South in connection with widening of Highway 601 South. He said he was having difficulty finding out why the Department of Transportation wants to install a median all the way down when it can be demonstrated the number of combines that will have to drive 1.7 miles down the road, turn, and come back up 1.7 miles to cross over from one field to another. He stated that Vice Chairman Pressley had suggested where the cut-thrus are needed to put up barriers with cones that are spring loaded so that combines could drive over them and keep the traffic moving. He questioned who would be the contact person with the Department of Transportation with whom to discuss this matter.

Mr. Underwood responded that the Highway 601 South widening project is a transportation improvement project and these projects are generally designed and bids are let out of Raleigh. He said that there is generally no involvement by the local division of the Department of Transportation on these types of projects other than to investigate issues such as this one. He offered that this is an issue that could be reviewed by the Department of Transportation. He said that he would look into this matter and offered that the

resident engineer for the project is Dennis Cloud, who is overseeing the inspection of the project. He offered that he would contact Mr. Cloud and possibly Barry Moose from the Albemarle office to discuss this matter. He said that he would look at the project's plans in more detail before commenting on it.

UNION COUNTY PARTNERSHIP FOR PROGRESS – ECONOMIC DEVELOPMENT REPORT:

Maurice Ewing, President and Chief Executive Officer of Union County Partnership for Progress, introduced Michael Lutz, President of Carolinas Medical Center-Union, and Tom Williams, members of the Board of Directors of the Partnership for Progress, and John Roberts, a former member of the Board of Directors of the Partnership. He also recognized Michael Cranford of the Partnership for Progress.

Mr. Ewing stated that when he came before the Board on April 7, 2008, to present the American Wick Drain Incentive Grant proposal, there were two issues that arose which he believed deserved additional clarification. He said that the first issue was that the Partnership's Agreement with the County stipulates that it is the mission of the Union County Partnership for Progress to increase the population of the County. He said the second issue that arose was the suggestion that companies that do not generate high paying jobs should not be provided incentive grants.

Mr. Ewing addressed the population issue first. He said that there is in fact the mention of population increases in the Agreement; however, he said that it clearly has nothing to do with the Partnership's mission. He stated that since counties typically cannot enter into agreements for activities that are not specifically authorized by legislative statute, it is common for agreements to reference the legislation that authorizes a county to act. He said that this common practice essentially resolves any questions that might arise regarding the legal appropriateness of the agreement. He stated that General Statute 178-7.1 was drafted to encompass all 100 counties in the state and increasing the population could very well be a legitimate economic policy for some of those counties. He said that this legislation authorizes those counties that might want to work on increasing their populations to legally do so. Mr. Ewing said that he believed all could agree that this is certainly not the case in Union County nor would it be in any of the 16 counties in the economic region.

He stated that Union County's population has grown at an unparalleled rate purely on the strength of private sector market demand, and there is nothing to be gained by the Partnership engaging in any activities whose sole purpose is to increase the population of the county. He assured that the Partnership has not engaged in any such activities nor are there any plans to do so in the future. He said that this quote from the enabling legislation is the only place in the Partnership's Agreement where the word

population appears. Mr. Ewing stated that he could not see far enough into the future to predict a time when population increases would be an economic development mission for Union County, but should that time ever occur, this legislation clearly states that any effort in that direction would be at “the discretion of the Union County Board of Commissioners.”

He stressed that ultimately, the Board of Commissioners would have the sole authority to determine how County funded economic development should be conducted. He noted that there are two types of growth. He stated that in Union County when discussing growth, it is almost always talking about population growth/population increase and almost never talk about economic growth. Mr. Ewing said that it seems now that population growth has a highly negative connotation, but he did not know of anyone who did not see economic growth as good. He stated that the Partnership focuses on those efforts that foster economic growth. He said that as Union County deals with the consequences of unplanned population growth, it must not forget the extraordinary opportunity that it has to foster economic growth at the same time.

Secondly, Mr. Ewing addressed the jobs issue. He said that the history of organized economic development in North Carolina can be traced to the mid 1950’s and the administration of Governor Luther Hodges, Sr. He stated that as the State began investing in business recruiting, the legislature looked at the two prime sources for revenue for State government: the income tax and the sales tax. Mr. Ewing said that both of these sources of state revenues rely largely on the general population as the primary source of money. He shared that in 2005-2006, the personal income tax as a percent of total state tax revenues was 52.59 percent, and the sales tax as a percent of total state revenues was 27.38 percent. He stated that as a result most state economic development policies have traditionally focused on job creation as the primary motivation for the effort. He said that as counties began to get involved in economic development in the 60’s and 70’s, they, too, largely due to the traditions set in motion by the state, focused on job creation. Mr. Ewing said that it did not take long to realize that while job creation was vital to the economic welfare of all of the citizens, the funds to support economic development programs would come largely from property taxes, revenues other than from income taxes, which counties do not have, and from local shares of state sales taxes, which, while extremely important, was not the prime source of county revenues. He stated that counties, cities, and towns across the state tended to adopt a two-pronged economic development mission: jobs and investment.

Mr. Ewing said that in normal times with unemployment rates fairly stable, communities tend to focus more on investment. He stated that Union County has a reasonably stable unemployment rate normally well below five percent. He reviewed the County’s unemployment history over the past five years. He said that in terms of the number of jobs, Union County has been fairly secure. He stated that over the past five years, Union County’s unemployment rate has been traditionally well below both the state and the

national averages. Mr. Ewing noted that low unemployment can work against the County sometimes when a company is trying to determine where to locate.

He then discussed tax base issues and the percentage of residential to non-residential tax base. He said that there is a great disparity in the percentage of tax base provided by households as opposed to that provided by businesses. He stated that in these times correcting this huge imbalance is the primary objective. He said that this is the reason that he is comfortable recommending that the Board approve incentive grants for a new or expanding company that does not necessarily have a substantial jobs component but does in other ways meet the County's guidelines for capital investment. He stated that this imbalance has emerged in Union County over the past two decades and will not be resolved in a month or a year, but the County must not take another two decades to work its way out of the problem.

Following Mr. Ewing's presentation, at approximately 8:22 p.m., the Chairman called for a five-minute recess of the meeting. At approximately 8:36 p.m., the Chairman reconvened the meeting.

REQUEST FOR ABANDONMENT OF AN 1864 FOOT PORTION OF UNIONVILLE-INDIAN TRAIL ROAD (SR 1367) AT THE RELOCATION OF UNIONVILLE-INDIAN TRAIL ROAD NEAR POPLIN ROAD IN UNION COUNTY:

Chris Mathisen addressed the Board regarding the request. He stated that the request pertains to the Glendalough Development located at the intersection of Unionville-Indian Trail Road and Poplin Road known as Glendalough Development. He provided the Board with photographs of the property. He explained that a part of the plan was to relocate approximately 1800 to 1900 linear feet of Unionville-Indian Trail Road where there were a number of sharp curves and undulating topography and roads. He said this relocation has been completed. Mr. Mathisen described the subjects of the photographs. He stated that the Board is being requested to affirm the abandonment of the right-of-way. He said that the Department of Transportation has accepted the new right-of-way, and the design was completed in accordance with its standards. He stated that before the State Highway Commission can act on the abandonment, the Board of Commissioners must consent to the abandonment.

Following Mr. Mathisen's presentation, Commissioner Mills moved adoption of the Resolution Requesting Abandonment of a Portion of SR 1367 as recorded below.

Vice Chairman Pressley expressed appreciation to Mr. Mathisen for the improvements that have been completed at this location.

RESOLUTION REQUESTING ABANDONMENT OF A PORTION OF S.R. 1367

WHEREAS, pursuant to N.C.G.S. 136-63, the Union County Board of Commissioners (the “Board”) may, upon its own motion or on petition from a citizen or group of citizens, request that the Board of Transportation change or abandon any road in the secondary system when the best of interest of the people of the county will be served thereby; and

WHEREAS, by letter dated December 6, 2007, from Marc Morgan, District Engineer for NCDOT, to Lynn West, Union County has received an Abandonment Petition filed by The Mathisen Company, a copy of which is attached and incorporated herein by reference as Exhibit A, requesting abandonment of an 1,864' portion of Unionville-Indian Trail Road (SR 1367); and

WHEREAS, the portion for which abandonment is requested (the “Subject Portion”) is fully described in a survey provided by The Mathisen Company, attached and incorporated herein by reference as Exhibit B; and

WHEREAS, The Mathisen Company asserts that it owns all real property directly adjacent to S.R. 1367; and

WHEREAS, Union County Public Works Department has confirmed that Union County has no existing facilities in the Subject Portion, all County water lines having been relocated to the new right-of-way, as indicated in the e-mail attached and incorporated herein by reference as Exhibit C; and

WHEREAS, based on the foregoing, Union County knows of no public interest that would be served by the State's continued upkeep and maintenance of the Subject Portion.

NOW, THEREFORE BE IT RESOLVED that pursuant to N.C.G.S. 136-63, the Union County Board of Commissioners does hereby request that the Board of Transportation abandon the Subject Portion for purposes of upkeep and maintenance.

This resolution is adopted this the 21st day of April, 2008.

Exhibit A



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
December 6, 2007

MICHAEL F. EASLEY
GOVERNOR

W. LYNDO TIPPETT
SECRETARY

Ms Lynn West
Office of The Commissioners
500 N. Main Street
Monroe NC, 28112

Subject: Request for County Resolution (SR-2) for abandonment of (1864')
Portion of Unionville Indian Trail Road State Road 1367 at the relocation of Unionville
Indian Trail Road near Poplin Road in Union County

Dear Ms. West

We have been petitioned to abandon this portion of Unionville Indian Trail Road from the State Maintained Road System. This portion of road can be recommended for abandonment upon receipt of a resolution from the Union County Commissioners

Therefore, our office requests your assistance in obtaining a resolution (SR-2). Please provide an approved Form SR-2 from Union County if this request is acceptable to the Union County Commissioners

Thank you for your prompt attention to this matter. If you have any questions, please feel free to call me at 289-1397.

Sincerely,

A handwritten signature in black ink that reads "Marc P. Morgan".

Marc P. Morgan, P.E.
District Engineer

MPM/cet

cc: File

12/11/07 - Original sent to Jeff Cant. of bus

North Carolina Department of Transportation
Division of Highways
Abandonment Petition

North Carolina

County of Union

Petition request for the abandonment of Secondary Road S.R.#1367 from the State.

Maintained System

We the under signed, being all of the property owners on Secondary Road S.R.#1367
in Union County do hereby request the Division of Highways of the Department of
Transportation to abandon the road from the State Maintained System.

PROPERTY OWNERS

<u>Name</u>	<u>Address</u>
The Mathisen Company	6208 Creft Circle Suite 230 Indian Trail, NC 28078

Tel: 704-882-1193 Fax: 704-882-1195

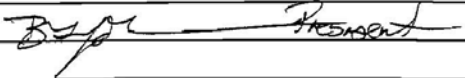
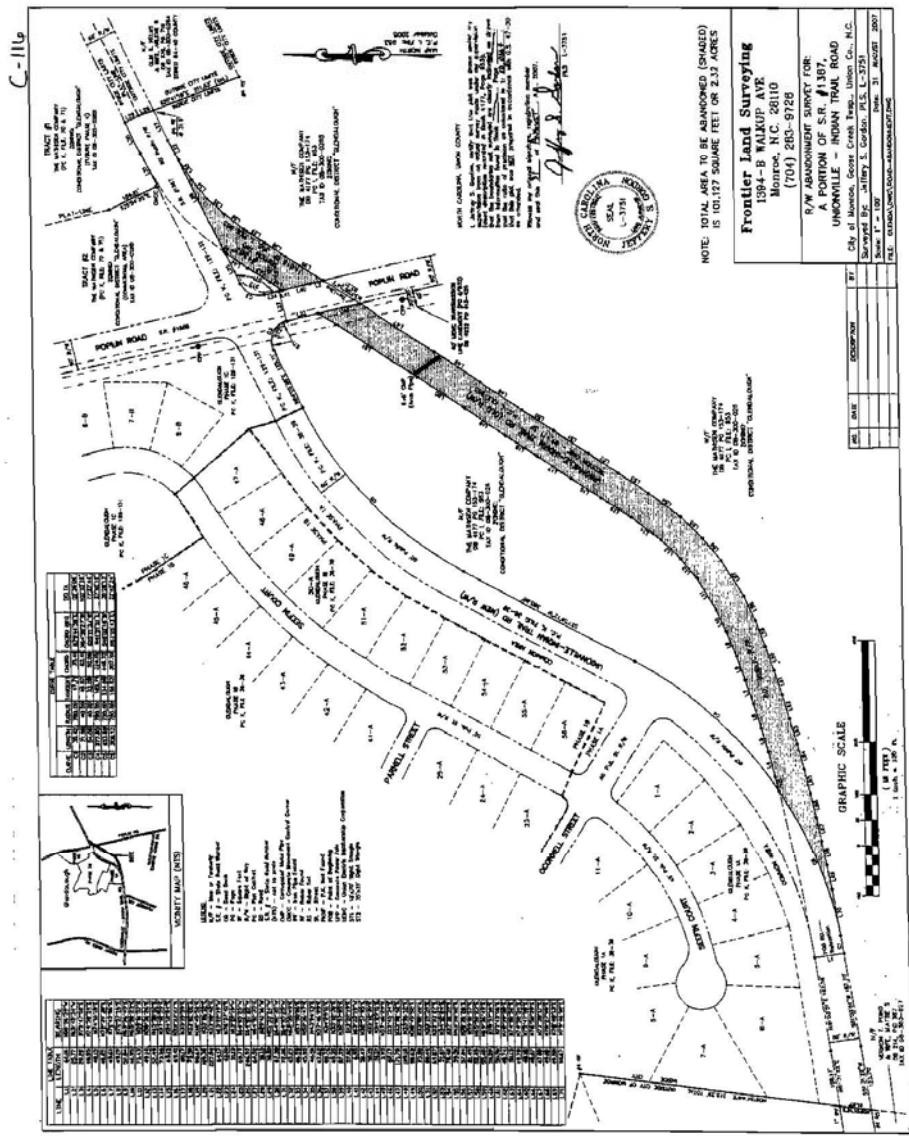


Exhibit B



NOTE: TOTAL AREA TO BE ABANDONED (SHADED) IS 101,127 SQUARE FEET OR 2.3 ACRES

Frontier Land Surveying
 1394-R WALNUT AVE
 Monroe, N.C. 28110
 (704) 283-9728

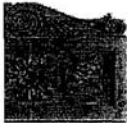
R/W ABANDONMENT SURVEY FOR:
 A PORTION OF S.R. #187,
 UNIONVILLE - INDIAN TRAIL ROAD
 City of Monroeville, Spots Creek Twp., Union Co., N.C.
 Surveyed By: Jeffrey S. Gordon, P.E., L.S., L-3721
 Date: 11-22-2007
 Job #: 080410001-0000-0000000000000000



Jeffrey S. Gordon
 Surveyor

C-116

Exhibit C



Jeff Crook/UnionCounty
04/15/2008 01:34 PM

To: Jeff Crook/UnionCounty@UnionCounty
cc
bcc
Subject: Fw: Right-of-Way Abandonment - Glendalough Development

-----Forwarded by Christie Putnam/UnionCounty on 04/07/2008 04:25PM -----

To: Christie Putnam/UnionCounty@UnionCounty
From: Larry Davis/UnionCounty
Date: 04/07/2008 04:14PM
Subject: Re: Fw: Right-of-Way Abandonment - Glendalough Development

Christie,
We do not have any utilities in the above mentioned right-of-way. All our water lines have been removed and relocated to the new Unionville-Indian Trail Road 60 foot R/W.
Larry C. Davis
Engineering Assistant
Office Phone - 704-296-4219
Fax - 704-296-4232
Email - larrydavis@co.union.nc.us

-----Christie Putnam/UnionCounty wrote: -----

To: Larry Davis/UnionCounty@UnionCounty
From: Christie Putnam/UnionCounty
Date: 04/07/2008 10:49AM
Subject: Fw: Right-of-Way Abandonment - Glendalough Development

Can you have someone look into this.

THanks

Christie Putnam, P.E.
Union County
Public Works Director
500 N. Main St
Monroe, NC 28112
704.296.4212
704.296.4232(fax)
cputnam@co.union.nc.us

-----Forwarded by Christie Putnam/UnionCounty on 04/07/2008 10:49AM -----

To: Christie Putnam/UnionCounty@UnionCounty
From: Courtney P Ritchie/UnionCounty
Date: 04/04/2008 05:02PM
cc: Jeff Crook/UnionCounty@UnionCounty
Subject: Right-of-Way Abandonment - Glendalough Development

Christie,

Chris Mathisen, of The Mathisen Company, would like the BOC to adopt a resolution approving the

abandonment of a portion of S.R. # 1367, Unionville-Indian Trail Rd. in the Glendalough development. Would you be able to tell me whether there are any utilities running through this right-of-way? I'm not sure what information you will need from me in order to locate this particular right-of-way. I can bring you a copy of the survey showing the right-of-way if that would be helpful. There is no particular rush on this. We are trying to get the resolution on the BOC's April 21st agenda.

Thank you!

Courtney Ritchie

The motion was passed unanimously.

EXTENSION OF HOSPITAL LEASE:

Tom Williams, Chairman of the Carolinas Medical Center-Union Community Trustee Council, recognized members of the Trustee Council in attendance and members of the audience who are a part of Carolinas Medical Center-Union. He introduced Michael Lutz, President of Carolinas Medical Center-Union or Carolinas Healthcare System, as of February 11, 2008. He also recognized John Roberts, Former President of Carolinas Medical Center-Union, and Chris Mathisen, a former member of the Community Trustee Council. Mr. Williams said that Mr. Mathisen retired from the Community Trustee Council, but he had a part in the proposal being presented by the Trustee Council tonight.

He reviewed highlights of the hospital's history and the lease agreement with Carolinas HealthCare System. He listed some of the services currently offered by the hospital. Nancy Anderson, a member of the Community Trustee Council, read the mission statement for the hospital.

The following persons introduced themselves and shared their relationship to the hospital: Sally Ormand, Nancy Anderson, Dr. Ed Bower, Donnie Baucom, Ray Killough, Paul Erkman, and Chris Mathisen.

Mr. Williams read the following recommendations from the Community Trustee Council:

Recommends extending the current lease for CMC-Union between Union County and Carolinas HealthCare System (CHS) through the year 2048. He said that this extension would allow CHS to even further improve and expand the services of the hospital. He reviewed the following details involved in the proposed lease extension: CHS will make an initial payment of \$25 million and pay annual rent in the amount of \$2,750,000 per year. Further, he said that CHS will invest a total of not less than \$200 million toward the provision and delivery of healthcare for the residents of Union County over the next ten years. Mr. Williams stated that over the next five years, those investments will begin to yield a number of tertiary level hospital based medical services including: interventional cardiology, meaning many heart patients will not have to travel to CMC in Charlotte for angioplasty and other interventional procedures; expanded women's health services, enhanced cancer care programs and services; level three trauma designations putting critical trauma services much closer for badly injured Union County citizens; expansion of the CMC-Union emergency department. Further, he stated that CHS will assume all outstanding liabilities of CMC-Union including those existing bond debts and future bond debts arising during the extended term of the lease. He said that CHS will work with Union County to provide elementary school nurses for the Union County Public School system and to better fulfill the public health delivery responsibilities of the Union County Jail and the Union County Health Department working in collaboration with those groups.

Mr. Williams said that CHS also pledges to continue to recruit physicians, including specialists to the CMC-Union medical staff, development of an affordable community clinic to provide quality care to the medically underserved, financial support of other healthcare related agencies in the amount of \$250,000 annually. He stated that extending the lease is the right thing to do for the community based on the record of the relationship, the growth of the county's population, and the need. He said that CHS requires a long-term commitment for it to invest the funds that will be required to meet those healthcare needs.

Dr. Bower presented comments on behalf of the medical staff and reviewed some of the services that were needed to increase the safety of medical care for the citizens of Union County. As an example of the increased services needed, he cited interventional cardiology and a trauma center. He requested that the Board act favorably on the proposal.

Mr. Williams shared why he served on the Community Trustee Council. He said his mission is to make sure there are improved healthcare services in Union County for all of the citizens. He requested that the Board consider the proposed terms of a new lease or amendment to the current lease with Union Memorial Regional Medical Center, Inc.

Following these comments, Chairman Baucom moved to authorize the County Manager to approve either a new lease with the Charlotte-Mecklenburg Hospital Authority (CMHA) or an amendment to the current three-party lease with Union Memorial Regional Medical Center, Inc. (a subsidiary of MHA), and CMHA, following legal approval, including but not limited to the points and conditions as read by Mr. Williams.

Mr. Williams pointed out the commitment being made is for CMHA within the next ten years is to invest another \$200 million minimum. He added that if CMC-Union were to try and finance that amount and grow without the commitment of CHS, it could not do so. At the request of Chairman Baucom, Mr. Williams shared highlights of the process through which the proposal had evolved. He said that the Community Trustee Council and some members of the CHS staff worked with the consultants in reviewing the demographics of Union County and the needed services that were not available in the area.

Sally Ormand, a member of the Community Trustee Council, shared that the consulting group, Health Planning Source, which was from Chapel Hill, was very respected and had reviewed a great deal of information with the Trustee Council which led it to the proposed recommendation.

Vice Chairman Pressley expressed his appreciation to the Community Trustee Council for the proposal. He said that he had attended a meeting last week about an affordable healthcare clinic through United Way. He questioned how that clinic would be

incorporated into the proposal or whether it would be a separate entity. Mr. Williams responded that an affordable healthcare clinic would be separate but explained that part of the Community Trustee Council is working through the affordable healthcare board.

Dr. Dan Hagler said that there is an affordable clinic, which is located on Franklin Street. He said that the clinic has not grown as much as it could have which is on the CHS style of payment on an income-based sliding scale. He stated that the clinic could be expanded with this type of arrangement. Dr. Hagler said that there was also the Project Reach Out that is in Mecklenburg County where the medical staff does volunteer work. He noted that without being able to expand the medical staff, the unpaid burden sometimes falls unfairly on the private medical staff and has been in some ways a reason why they have not been able to recruit in Union County as easily as Mecklenburg County. He stated that this would be one advantage to the hospital's proposal and it would be able to draw in the rest of the community. He said that the people who write the grants want to see something that they can build on, because they do not like to give the monies away and not have any results in the end. He stated that there really needs to be an origination backing up the clinic, and the uncompensated care that is done by CHS is pretty astronomical in this community and Mecklenburg County.

Vice Chairman Pressley added that he had been shocked about the number of people who have a need for an affordable healthcare clinic.

Mr. Williams pointed out that in the hospital's proposal there is an unencumbered \$250,000 per year. He said that the way it is envisioned is it would come from the Community Trustee Council as an advisory council to the Commission, but the monies would actually be appropriated by the Board of Commissioners.

Vice Chairman Pressley said that there is a great need for school nurses. He asked Mr. Williams what is the vision for placing school nurses. Mr. Williams responded that there has been a great deal of discussion on this matter. He said that school nurses are not one of the aspects of the proposal that is solid. He stated that there is a commitment to work with the school system in getting the school nurses. He said that this issue had been brought up later in the proposal. He stated that they did not have numbers on the cost of providing a school nurse or how many school nurses are needed. Mr. Williams said that CHS is committing to work with the lease extension in providing the healthcare needs through nurses for the schools.

Chairman Baucom said that the school nurses would be under the auspices of the Board of Education and not the Board of Commissioners trying to step on the school board's toes.

Mr. Williams said the Community Trustee Council has not had any discussions with Dr. Davis or the school board; therefore, it would be premature for him to give any concrete comments about school nurses.

Vice Chairman Pressley said that he was glad that the Community Trustee Council recognizes the need for school nurses.

Donnie Baucom stated that a point to keep in mind is the footprint that they have in mind covers a lot of indigent care that the hospital absorbs and the County does not have to absorb those costs. He said that the hospital is a cash cow that helps the County with the burden with the tax dollars. He said that the \$250,000 that was mentioned is not a solid figure and noted that this amount would not decrease but would increase based on the performance of the profitability of the hospital after the ten years.

Commissioner Mills referred to the heart intervention program, the trauma center, and cancer center and asked what would be the staffing level for these programs. Dr. Bower responded that it is envisioned to bring a number of doctors to these facilities. He said that for the trauma center to be a level three, a separate call schedule just for trauma would be required. He said that there are some exceptional cardiologists in Union County, both the Sanger Clinic and Charlotte Cardiology, which have now merged. He stated that they have not been doing the interventional cardiology and that would require some additional cardiologists that are trained in interventional cardiology.

Commissioner Mills asked about the \$250,000 that had been referred to and asked if that included appropriations to Health Quest and other agencies. Mr. Williams said they were saying wherever the monies would be needed and these recommendations would be coming from the advisory council of the hospital to the Board of Commissioners for approval.

Commissioner Lane inquired whether the new medical office building at the hospital has attracted many new doctors to the community. Dr. Bower said that he thought the doctors would be moving into the facility by mid May. He stated that the offices have been furnished. Mr. Williams interjected that the offices had been furnished at the expense of Carolinas HealthCare System (CHS).

Commissioner Openshaw said that he was just handed the hospital's proposal tonight. He stated that while the numbers shown in the proposal might be the greatest thing in the world, he could not support something that he did not know about. He said that he believed that the Board needs to do its due diligence on the proposal as its financial responsibility to the citizens of the County. He said that he did not know in a competitive market place how the numbers match up with what else is out there. He stated that he was delighted to see the energy and enthusiasm behind the proposal, but the problem is that the proposal was just handed to him.

Mr. Williams asked if it were true that the proposal had been provided to the Board tonight. It was stated that was correct. Commissioner Mills said that he took stock in the fact that the proposal had been worked on for some time. He stated that he would hate to see a study done that would take eight months to a year and would put off the programs and facilities that would be brought to the citizens of Union County through this proposal.

Mr. Williams said that he would like to readdress Commissioner Openshaw's comments and apologized for trying to contact Commissioner Openshaw without his having had the information in hand. He said that one of the things that is true is that it is an extension of the lease and not the sale of property. He noted that the existing lease runs to 2020. He said that the proposal has been worked on for a year, and one of the considerations that the Community Trustee Council had at the start was what would happen if the hospital was sold. Mr. Williams said that all of these issues need to be addressed, and the Community Trustee Council has done so from an advisory standpoint. He stated that the Community Trustee Council believes that it has done its job as a Community Trustee Council, appointed by the Board of Commissioners, and has brought to the Board of Commissioners the best proposal. He said that the Trustee Council feels that anything moving forward with it would be a waste of money and asked that the Board of Commissioners vote on the proposal tonight.

Vice Chairman Pressley said that the numbers provided in the proposal from a business standpoint look great, but to him delaying action tonight would be delaying that one person who might have a heart attack from receiving treatment quickly enough. He stated that he looked at the commitment that CHS has already made and the proven track record, where it started, and where the hospital is today. He said that he had the utmost confidence that the Community Trustee Council has done its work. Therefore, he would be supporting the request tonight.

He stated that there is a need and a good opportunity within the next sixty days to have a crisis center in Union County through Piedmont Behavioral Healthcare. He questioned if the Crisis Center had been considered in the proposal and how could it be incorporated in the proposal.

Dr. Dan Hagler said that part of the time that has been spent on the proposal was driven by the fact that for the past 18 months the hospital has been full to capacity. He stated that absolutely there is a need for a crisis center in Union County. He said that there is not a Certificate of Need for a crisis center nor is there care for psychiatric patients anywhere in Union County. He stated that the question is really where to locate such a center. He said that his high level view of the strategic plan and the facility uses indicate there is no room on the hospital's campus for a crisis center. He further said that he did not have the answer as to where a center should be located, but the acute need is to find a place for those patients who really do not need hospitalization for psychiatric care

anywhere but in the emergency room. Dr. Hagler said there is not room for the acute care business that the hospital has now, and part of it is giving the dollars from the proposal to be able to build the in-patient spaces and outpatient facilities for medical care.

Mr. Williams said that one of the issues discussed by the Community Trustee Council and which is mentioned in the proposal is how to work together as CHS to improve healthcare in Union County. He stated that they have the commitment of CHS's management to do that and a financial commitment to provide the monies to work with. He reminded everyone that there is an existing lease that runs to 2020. He said not to do the proposal has been one of his concerns, and it would not be expected of anyone without a longer term lease to invest \$200 million in the next ten years when the lease expires in 12 years. He said there had been a tremendous amount of discussion of how to continue to improve the healthcare to all of the citizens including those in the jail and those who are indigent.

Donnie Baucom said that he appreciated the comments of Commissioner Openshaw, but there was nothing to take to the market, because there is an existing hospital lease to 2020. He stated that any delay would hurt in the market place because there would be more and more competitiveness. He said that every dollar that goes out of the hospital is a dollar that might not come back to the county.

Dr. Bower commented that a Request for a Proposal was completed when Union Memorial Hospital existed, and three proposals were received: 1) one from Union Memorial Hospital Board of Trustees; 2) one from CMC; and 3) one from a for profit hospital. He said that no other major area hospitals submitted a request for proposal. He stated that what has happened is this hospital has acculturated into the CMC society and approximately 95 percent of the physicians are now CMC physicians. He stated that he is probably the only physician around that is not a CMC physician. He said that he is not employed by the CMC system and can offer his own honest opinion. Dr. Bower said that he is on the staff at CMC, at Presbyterian, and CMC-Union. He stated that he thought the Board would want to have Requests for Proposals if CMC were not doing the job that it is doing. He said that Union County has received far more back from its relationship with CMC than it could have ever hoped.

At approximately 9:25 p.m., the Chairman called for a two-minute recess of the meeting.

The Chairman reconvened the meeting at approximately 9:27 p.m. and restated his motion as follows:

Authorize the County Manager to sign an agreement, after legal staff approval, including but not limited to the following points and conditions:

- CHS will make an initial payment of \$25 million and pay annual rent in the amount of two million seven hundred fifty thousand (\$2.75 million).
- Financial support of other healthcare related agencies in the County in the amount of a minimum of \$250,000 annually as may be designated by Union County based on the recommendation of the Community Trustee Advisory Council.
- CHS will invest a total of not less than \$200 million dollars toward the provision and delivery of healthcare for the residents of Union County within the next ten years.
- During the next five years, those investments will begin to yield a number of complex and more sophisticated tertiary-level hospital-based medical services including:
 - Interventional cardiology
 - Expanded women's health services
 - Enhanced cancer care programs and services
 - Level III Trauma designation, putting critical trauma services much closer for badly injured Union County citizens
 - Expansion of the CMC-Union Emergency Department
- CHS will assume all outstanding liabilities of CMC-Union, including existing bond debt and any future bond debt arising during the extended term of the lease
- CHS commits to the development of an affordable Community Clinic to provide non-emergency care.
- CHS will work with Union County to provide elementary school nurses for the Union County Public School System and to better fulfill the public health delivery responsibilities of the Union County Jail and the Union County Health Department.

Chairman Baucom further included in the motion the following regarding Governance:

1. An individual recommended by the advisory council will be nominated to serve on the CHS Board of Commissioners for the first ten years of the amended and restated lease term.
2. The role of the Community Trustee Council will evolve to an advisory council for the remainder of the amended and restated lease term, thus preserving the essential participation and advantages of a community board. The advisory council will include, as ex officio members, the president of the CMC-Union medical staff and a sitting member of the Union County Commission as designated by the Chairman of the County Commission or his/her designee, and the advisory council shall be responsible for nominating others from the Union County medical and general community for service on the advisory council.

The motion was passed unanimously.

The Chairman thanked the members of the Advisory Council, the hospital staff and Carolinas Healthcare for their services to CMC-Union.

PIEDMONT BEHAVIORAL HEALTHCARE:

Vice Chairman Pressley said that he has been working with the members of the Piedmont Behavioral Healthcare Board of Directors and has spoken with Matthew Delk, Assistant County Manager. He asked Mr. Delk and Lucy Drake, Chair of the PBH Board of Directors, to come forward and explain the urgency for choosing a location for a crisis center in Union County.

Mrs. Drake introduced Dan Coughlin, the Chief Executive Officer of Piedmont Behavioral Healthcare, and Pam Shipman, Chief Operating Officer of Piedmont Behavioral Healthcare. She also recognized Gene Herrell, a member of the Board of Directors. She asked that Mr. Coughlin and Ms. Shipman comment about the proposed crisis center for Union County.

Mrs. Drake asked to provide a summary of why representatives of Piedmont Behavioral Healthcare (PBH) are present tonight. She stated that Union County is one of five counties that PBH serves. She said that PBH is a local management entity (LME). She stated that this LME is the most sought after LME to be a part of in the State of North Carolina. She stated that PBH's model is the one that everyone chooses to use. She said that Union County is very fortunate to be a part of this LME. Mrs. Drake said that PBH stands for substance abuse and mental health. She stated that the Board of Commissioners has been provided a letter from District Court Judge Chris Bragg. She explained that Judge Bragg has been working with Sheriff Cathey, and there were meetings several

months ago with some of the staff about PBH and the need for a crisis center in Union County to help the local law enforcement to be able to give more time back to the community instead of staying three or four days at a time with mental health evaluations. She said that PBH is at a point now where there will be two crisis centers within the next month to be located in two of the counties included in the five-county area board. She pointed out that PBH assumes the full value which cost \$1.5 million to operate the center. She said there is a center in Cabarrus County, and Cabarrus County donates in-kind donations for the square footage for the rent for the facility. Mrs. Drake said that before the crisis center is addressed tonight, they are requesting release of some of PBH's funds in the amount of \$389,097.08 for the FY 07-08 and to discuss for the FY 08-09 budget possibly bringing the square footage rent in line with the other four counties so that all five counties will be on a fair playing level and the lease commensurate with all of the other counties of approximately \$7.00 per square foot. She recognized Mr. Coughlin and Ms. Shipman to discuss the need for a crisis center in Union County.

Mr. Coughlin said that there are three issues they wished to address tonight. He reiterated that there is a crisis center currently operating in Cabarrus County and is licensed by the State of North Carolina to take patients who are in psychiatric or addiction emergencies. He said that in many ways it becomes a diversion from unnecessary hospitalization and is a big relief to local emergency rooms. He stated that it is a longstanding issue in Union County with the hospital, which is not equipped to deal with psychiatric care let alone psychiatric emergencies. He explained that the hospital cannot avoid dealing with psychiatric emergencies when people end up in the emergency room. He said that when these patients end up in the emergency room, the emergency room is held responsible for that patient until other arrangements can be made for those patients, such as transportation to a hospital some distance away, and the hospital is bound to care for the patient, whether ill equipped or not, because of federal regulations.

Mr. Coughlin said they have been working on a long-term strategic plan so that over time PBH can offer crisis services across the catchment area, and they want to provide two more facilities this year. He stated that PBH is offering a crisis center to Union County on a parity basis such as the one in Cabarrus County and is likely to do so with Davidson County. He explained that if Union County could provide the bricks and mortar, PBH will pay for the future ongoing operation costs which are about \$1.5 million.

Vice Chairman Pressley said that he had spoken with Mr. Delk today about some of these issues. He asked Mr. Delk to address some of these points with the Board.

Mr. Delk noted that this is nothing due to a disagreement between any County and the local PBH.

The Chairman asked that Vice Chairman Pressley make his motion so that the Board would know exactly what is being requested.

Vice Chairman Pressley moved to direct staff to compute a fair maintenance of effort payment for mental health services for the FY 07-08 and to recommend that the Board, as a part of the budget process, consider prior lease agreements and negotiate with CMC-Union and Piedmont Behavioral Healthcare for the placement of a mental health crisis center in Union County.

Chairman Baucom questioned whether Vice Chairman Pressley wanted to restrict the negotiations for the crisis center to be restricted to CMC-Union or to other healthcare organizations or CHS.

Mr. Delk responded that it could include any healthcare agencies.

Vice Chairman Pressley stated that he wanted a crisis center in Union County. Chairman Baucom said that he understood Vice Chairman Pressley's desire for a crisis center in Union County, but noted that the Board had taken action regarding a lease extension with CHS.

Vice Chairman Pressley said that he would amend his motion to include CHS. Chairman Baucom suggested that there might be other healthcare organizations that might be willing to participate.

Mr. Delk said that the intent of the language was to specifically identify CMC-Union as being the nexus of a starting point for finding a location.

Mr. Coughlin said that at the start they had no one in mind who might provide the space for the center. He stated that it was important to patients who need crisis services and to hospitals to try and keep them away from the emergency room and going to the crisis center. He stressed that any placement of the crisis center that would compromise that and make it likely for someone to walk into the emergency room as opposed to the crisis center does not solve the problem either for the patient or for the hospital. He said there had been some experience with that in Cabarrus County and although that service is available in the community, even the police will take some of the patients to the emergency room. He explained that if there was some physical distance from the emergency room and if the crisis center is not working hand in glove with the emergency room, it is eroding the effect of what the crisis center can do.

Vice Chairman Pressley said that he thought it would be in the best interest to direct staff to try and facilitate a crisis center in Union County. He said that he thought that what Mr. Coughlin was trying to convey is that if he had a choice, it would be a stand alone facility that would be outside the hospital area. Mr. Coughlin responded by saying it would be in close proximity of the hospital.

Vice Chairman Pressley restated his motion to direct staff to try and find a location or a facility no matter where it might be located in Union County, whether it is a building owned by Union County or a hospital facility owned building. He said that the Board needs to show good faith that it would like to have a crisis center in Union County, if at all possible.

Mr. Coughlin said that the other commitment he would like from the Board of Commissioners is to be able to work with the staff to achieve some equity with the other four counties in regard to Union County's annual funding.

The Chairman asked that the first motion be voted on before going to the second issue.

At the request of Commissioner Openshaw, Vice Chairman Pressley restated his motion to direct staff to proceed with a placement for a mental health crisis center in Union County. The motion was passed unanimously.

Vice Chairman Pressley said that the Board of Directors of PBH has requested that the County look at a lease for the next fiscal year to be comparable to what the other four counties are paying. He stated that there is also an issue with the monies that are owed to PBH for FY 07-08.

Mr. Coughlin explained that the County funding for this year has been withheld nine months in this fiscal year. Vice Chairman Pressley said that he had spoken with Mr. Delk about this issue and asked Mr. Delk to provide comments on this matter.

Mr. Delk said that the situation as far as any inequities in mental health funding is not due to a lack of performance on the County's part or PBH's part. He said that it is due to a maintenance of effort requirement that goes back prior to the LME's and Mental Health Reform in North Carolina and is a problem that is being dealt with statewide. He said that in the County's situation, it is on the low paying end of the totem pole compared to the other four counties in the LME. Secondly, explained that state statutes require for mental health funding, health department funding, and to some degree social services funding that a county cannot reduce a level of expenditures for those activities. He stated that if the County gave an additional dollar for this year, it could not revert to paying a dollar less in the subsequent year. He said that generally counties make sure that if there are any outlaying funds being

transferred for rent, utilities, or other arrangements such as this, it is generally handled with a separate contract. He said there have been ongoing discussions between PBH and the County regarding this issue. He stated that there is maintenance of effort payment of approximately \$185,000 that is budgeted that can be released.

Mr. Delk recommended to negotiate a new lease arrangement with PBH and to lump it all in as one payment for maintenance of effort effective July 1, 2008. He said that the value that the County would receive for this is the saved law enforcement hours if Union County is successful in increasing PBH's commitment for a local crisis center. He stated that he had spoken with Sheriff Cathey, and he is completely supportive of a local crisis center and sees it as a number one need to have a better crisis intake system for deputies to use with patients who need that service.

Vice Chairman Pressley moved to release the funds (maintenance of effort) and to direct staff to work with PBH to clear up the rent issue immediately.

Mrs. Drake questioned the \$200,000 difference in the \$389,000 and the \$189,000. Mr. Delk said that it goes back to the lease document. He asked that Jeff Crook, Senior Staff Attorney, address this issue for the Board.

Mr. Crook said that the County has an amendment to the sublease agreement with PBH whereby the County would provide a lease subsidy or rent subsidy and PBH then pays that amount to the County in order to address a perceived difference in the actual value of the rental property and its contract value. He stated that the County was not obligated to pay the rent subsidy, and if the County does not pay the rent subsidy, then PBH is not obligated to pay anything more than it was initially obligated for which was the exact same rent the County was paying the landlord on a prorated square footage basis.

Chairman Baucom asked Mr. Crook what the number is for the rent subsidy. Mr. Crook responded that he believed that number was \$233,000 in 2002. The Chairman then asked Kai Nelson, Finance Director, if he knew what the current number would be. Mr. Nelson answered that it is still the same number.

The Chairman asked if any of that amount had been appropriated. Mr. Nelson said that it had all been appropriated, and the funds are available. Further, he said that a check has not been written for this amount. The Chairman asked if that number needed to be determined or was the request to authorize the staff to pay PBH what is owed.

Vice Chairman Pressley explained that the information that he is receiving from the PBH board is PBH is paying the County \$27 per square foot for 19,000 square foot. He said that PBH is using 12,000 square feet and other counties in the LME are paying \$5 to \$7 per square foot.

Mr. Crook clarified that what PBH was initially obligated to pay under the County's sublease was the exact same rent that the County was paying to the landlord. He said that where the change occurred was when the County did the rent subsidy amendment, and the County would provide PBH with the rent subsidy and PBH would pay it back to the County. He said that if the County does not pay the rent subsidy, then PBH does not pay it back to the County. He explained that there is also a change in the amount of actual square footage being used by PBH that has not been formalized in an agreement, which should be formalized. He said that if PBH is no longer using all of the space and the County has a need for it and is using it, then it should be reflected in an amendment to the lease agreement.

Chairman Baucom said that he wanted to make sure that the money that Union County is supposed to pay is what it is paying.

Mr. Delk pointed out that the amount that he thought was in question is approximately \$333,000. He said that it is a receivable and payable to the County.

Richard Black, Interim County Manager, commented that the amount appropriated was \$550,000 but of that amount approximately \$180,000 was maintenance of effort and the remainder was the rent subsidy. He said that the discussion is about the same amount of money but it involves two elements: one is the maintenance of effort, which from the County's standpoint is \$185,000.

Mr. Crook pointed out a correction that the subsidy itself was \$233,000. He said that PBH was obligated to pay the amount of rent being paid to the landlord.

Mr. Black continued with his explanation stating that the issue is the amount of maintenance of effort and the rent subsidy. He said that he thought the two were being discussed together, but from the County's standpoint, it was two different elements.

Vice Chairman Pressley said that both PBH and the County agree that the County at least owes PBH \$185,000. He suggested that the County pay PBH at least the \$185,000.

He moved that PBH's Board of Directors' attorney work with the County's staff attorney to settle this matter.

Mr. Coughlin stated that the PBH board is a citizen board and what it will have to grapple with now that it has become a five-county LME, is equity. The Chairman stated that Mr. Coughlin's comments were not germane to the motion.

Chairman Baucom asked for discussion on the motion. Vice Chairman Pressley said that the motion included the original motion regarding the fiscal year before the budget and to negotiate the lease agreement.

Mr. Delk said that the staff would take care of the maintenance of effort issue immediately for the current fiscal year and then negotiate the square footage and true up this year on the rent versus the rent subsidy and then lump it together and negotiate one maintenance of effort beginning July 1, 2008.

Following the lengthy discussion, the motion passed unanimously.

VETERANS GOVERNMENT BOND AND STAMP:

Vice Chairman Pressley stated that the Board had adopted a Resolution regarding this matter last year and Mr. Denning wants to add "coin" to the program. He moved adoption of the Resolution for the Veteran Government Bond, Stamp, and Coin Program to include coin to the program. The motion passed unanimously.

RESOLUTION
BY THE UNION COUNTY BOARD OF COMMISSIONERS
FOR
VETERAN GOVERNMENT BOND, STAMP, AND COIN PROGRAM

THAT WHEREAS, the nation is blessed with men and women who voluntarily swear an oath to defend the Constitution of the United States of America against all enemies, foreign and domestic;

THAT WHEREAS, these men and women make great personal sacrifices in the name of our Constitution thereby ensuring the perpetuation of our individual liberties;

THAT WHEREAS, these same men and women voluntarily make great personal sacrifices to carry democracy and extend the freedoms we enjoy to the underprivileged of the world;

THAT WHEREAS, some of these men and women will incur great personal hardships and catastrophic injury in the performance of their duties;

THAT WHEREAS, we feel duty bound to honor, support, and provide relief to these warriors, and their families;

NOW, THEREFORE, THE UNION COUNTY BOARD OF COMMISSIONERS does hereby resolve its total and unequivocal support of an initiative implementing a new government bond, stamp and coin program, the proceeds from which shall be used exclusively for those warriors and their families who have born the brunt of preserving our freedoms and extending those freedoms throughout the world.

Adopted this 21st day of April, 2008.

PORTER RIDGE GRANT ATHLETIC ASSOCIATION:

Vice Chairman Pressley said that Mike Vagnone had spoken during the informal comments tonight regarding this matter. He asked that Mr. Vagnone provide the Board with some background information on this matter.

Mr. Vagnone introduced himself and said that he was the previous president of the Porter Ridge Athletic Association and is the current football Commissioner. He explained that he was requesting approval on behalf of Porter Ridge Athletic Association to allow Porter Ridge Athletic Association to start its 2009 matching grant project prior to the grant actually being officially awarded. He clarified he was not asking for the funds in advance or for a guarantee that the grant would be approved.

He shared that the athletic association has developed six new athletic fields on Union County school properties since 2004. He said that the athletic association currently maintains all six of the fields at a cost of approximately \$40,000 per year. Mr. Vagnone said that the total contribution that the athletic association has built on Union County Public School property is over \$600,000. He said that for every dollar that Union County has provided to the athletic association, it receives \$3 in return. He pointed out that there had been a \$214,000 corporate contribution from R. D. Harrell Company that was used to develop three fields at the Porter Ridge School Complex. He said that the athletic association worked with Mr. Harrell in helping to facilitate the agreement with the schools.

Mr. Vagnone said that Porter Ridge Athletic Association has never had a grant application denied and it has been participating in the program since 2003. He shared that in three weeks, the athletic association is to start its 2008 grant package which will be a multi-purpose field at Porter Ridge Elementary School. He said that the County Parks and Recreation has changed the timing of some of the grants so the 2009 grant package was due April 15, 2008. He stated that Porter Ridge Athletic Association submitted its 2009 project to be an additional multi-purpose field at the Porter Ridge Complex on the high school premises. Mr. Vagnone said that the individual who develops that field had indicated that if he could develop both fields simultaneously three weeks from now, there would be savings of \$10,000 on the total bill. He said that these fields were going to be Bermuda fields, and Bermuda should be planted in May to be used in the fall.

He explained that the problem is that the grant package states that the applicants cannot use retroactive projects to apply for grants. He said that last week representatives of the athletic association attended the Parks and Recreation Advisory Board's meeting and requested that the Association be allowed to begin its 2009 project prior to officially being awarded the grant in August to save the \$10,000. He stated that during that meeting, there was a motion that stated if the Board of Commissioners agreed to allow the athletic association to start the project in advance, it would allow the two projects to be developed at the same time.

Vice Chairman Pressley moved to approve the request by Porter Ridge Athletic Association to allow it to start building the additional multi-purpose field at the Porter Ridge Complex on the high school premises prior to the 2009 grant officially being awarded in order that it can be developed simultaneously with the 2008 project for a multi-purpose field at Porter Ridge Elementary School in order to save \$10,000 in costs, which does not guarantee an award of the 2009 grant funds nor any advance payment of the funds.

Commissioner Mills asked Jeff Crook, Senior Staff Attorney, if this would be consistent with the County's athletic grant program. Mr. Crook responded that it is the Board's grant program, and he thought the Board could modify the program taking into consideration the hardship because it would save money in the long run.

Chairman Baucom asked if this matter could wait until the May 5th Board meeting. Mr. Vagnone said that they were scheduled to start the development of the fields on May 3rd in order to receive the better prices.

Vice Chairman Pressley restated that his motion was to approve Porter Ridge Athletic Association starting its 2009 project prior to the grant being awarded. He clarified that the motion did not include a guarantee of a grant award to the athletic association.

Mr. Crook said that it would be setting a precedent. He stated that he did not recall that the Board had done similar approvals in the past. He said if there were similar requests by other athletic associations, the Board would need to consider them in the same manner. He stated that from a legal perspective, he thought the Board could approve the request.

Commissioner Openshaw said that he served as the Board's liaison to the Parks and Recreation Advisory Board, and it seemed to be the logical thing to do. He said that there had been staff's considerations in terms of the amount of time that the staff has to go through the process and preview the property to make sure that the funds are being well spent. He said that the staff was concerned that it is stretched on time to make the extra trips.

The Chairman asked if this approval would be overstepping or superseding Parks and Recreation. Commissioner Openshaw said that it is the policy under the grant program that no retroactive funding will be considered. Chairman Baucom asked if the request was approved, would it take out the language that no retroactive funding would be taken out of the equation.

Vice Chairman Pressley clarified that the motion was to allow the athletic association to spend its money on the second field but to be able to use that project for the 2009 grant. Mr. Vagnone said that they have already submitted its grant package for the field.

Mr. Crook suggested that the Board was not authorizing any construction, but it is allowing an exception to the existing policy that would allow the project to be considered for the 2009 grant although it is proceeding at an early pace.

Vice Chairman Pressley confirmed that his motion was as stated by Mr. Crook.

Following the discussion, the motion was passed unanimously.

VETERANS DAY CELEBRATION – ‘TORA, TORA, TORA’ FLYING PRESENTATION PROPOSAL:

Pat Beekman, Homeland Security Director, explained that the Veterans Celebration Committee is requesting that the County allocate \$40,000 for the “Tora, Tora, Tora” flying presentation team to be the headline attraction at this year's Warriors and War Birds Weekend Veterans Celebration at the Monroe Airport. He stated that the request was submitted outside the normal budget cycle because the City of Monroe asked the Board of Commissioners to reach a decision by May 1st. He said that if the request is approved, the staff is asking that the Board authorize it to coordinate with the City of Monroe to develop an interlocal agreement.

Commissioner Mills pointed out that the funding would be included in the next fiscal year's budget.

There was discussion about the flying presentation. Following the discussion, Commissioner Lane moved that the Board allocate \$40,000 for the Tora, Tora, Tora flying presentation team for the Weekend Veterans Celebration at the Monroe airport.

Vice Chairman Pressley asked if there was joint funding with the City of Monroe. Mr. Beekman responded that the City of Monroe puts on the entire air show weekend, and the "Tora, Tora, Tora" presentation is an addition to the event this year. He said that the event covers a two-day period over the Veterans Day weekend. He stated that the "Tora, Tora, Tora" presentation would be the headline item for the weekend celebration and the total cost of \$40,000 for the air show would be paid by Union County.

Chairman Baucom asked Kai Nelson, Finance Director, about the financial impact to the County. Mr. Beekman responded that it was his understanding that the funds would not be spent until the next fiscal year, but the City needed to know the County's decision now. Mr. Nelson confirmed that it would be in next year's budget.

Commissioner Mills asked Ken Rogers, Veterans Services Officer, for his comments. Mr. Rogers introduced Anthony Parker, newly hired Veterans Service Officer for Union County. He said that Mr. Parker has been a Veterans Service officer for approximately two years with the American Legion, and has appeared at Board hearings in front of the Veterans Appeals. Mr. Rogers stated he has not appeared at board hearings before the Veterans Appeals, and Mr. Parker brings this added experience to Union County.

Mr. Rogers said that Union County has held Veterans Day programs over the past 12 years and these programs began under the leadership of former Commissioner Paul Standridge. He said that he read a survey from another service officer in the state who wanted to find out what other counties were doing for Veterans Day Programs. Mr. Rogers said that he thought Union County was unique in that the Veterans Day Programs are done by the county rather than through Veterans organizations such as the American Legion or VFW. He noted another unique service offered by Union County, not offered by other counties, is of transporting veterans to Veterans Administration Hospitals in Salisbury, Charlotte, Asheville and sometimes Winston Salem. He stressed that Union County has provided more services to its veterans than other counties have provided to their veterans.

He said that the Veterans Day Programs in the County have been relatively small with 300 to 400 people attending. He said that the public had not been reached with Veterans Day Programs until last year, when the air show was held at the Monroe Airport.

He stated that the attendance at last year's event was estimated at 10,000 people. Mr. Rogers said that he thought what was wanted to be accomplished by the program this year is to bring the public out to recognize what the veterans have done and the services they provide for the country. He shared his appreciation for the support of the Board of Commissioners of past Veterans Day programs.

Chairman Baucom said that \$40,000 was a large sum of money to be expended for one day. He asked how the money would be used and if there were any options for the County staff to work with the City to achieve the desired results and invest less money.

Commissioner Mills said that he understood the Chairman's point of view but in light of the expectations for this year's event in relation to last year's event, that the City would probably be asking the County for assistance in transporting people to and from the airport parking, etc. The Chairman asked what amount of funding the City would be providing. Mr. Rogers replied that he did not know the answer to that question but estimated that last year's program cost between \$20,000 and \$30,000.

Mr. Rogers said that he understood there would be an air show in Lancaster in May and the budget for that air show was \$100,000.

Commissioner Lane commented that this event would bring in a huge influx of people from outside the county as well as from within the County.

Chairman Baucom said that he understood that point and he wanted the air show here. However, his only question is what is the City's participation relative to the County's participation. He said that as he understood it, a good portion of the City's contribution is in-kind. He stated that the \$40,000 from the County was not in-kind contributions but would be raw dollars. He asked if there would be any opportunities for any negotiation to reduce the County's financial impact by having some in-kind contributions.

Mr. Beekman responded that the staff could go back and negotiate with the City of Monroe as far as cost sharing the \$40,000, if that was the Board's desire.

Commissioner Lane amended his motion to appropriate up to \$40,000 and direct staff to work with the City of Monroe to determine if there are any in-kind contributions that the County could make to reduce the County's financial impact. Chairman Baucom further suggested that the motion include authorizing staff to coordinate with the City of Monroe and develop an interlocal agreement. Commissioner Lane agreed to further amend his motion as suggested by Chairman Baucom.

Commissioner Openshaw said that he was thinking along the same lines as Chairman Baucom. He stated that there was some campaign rhetoric that the County had so much money that it could afford to give a project \$50,000 that would endure perhaps for more than 100 years. He pointed out that the \$40,000 for the air show would be burned up in a day. He stated that he understood that it would be a spectacular show. Commissioner Openshaw also reported that his son is being redeployed, and confirmed that he is totally behind the veterans and the armed services. However, he said that the reality is that he would much rather the County provide in-kind services than contribute cash. He said the County needs to be conservative with the program and he was glad to hear that it would be included in next year's budget. He said that Chairman Baucom's suggestion seemed to be the responsible way to go.

Following the discussion, the motion as amended was passed unanimously.

PUBLIC WORKS DEPARTMENT – PRESENTATION OF IMG FINAL REPORT:

Mark Hallerman, Vice President of Infrastructure Management Group (IMG), which performed the assessment of the Public Works Department, explained that IMG responded to a Request for Proposals (RFP) to perform the assessment, made a series of interim reports to the Public Works Advisory Committee, and the final report was submitted to the Board.

He stated that the purpose of the assessment was that the County was experiencing tremendous growth, both in the population and in customers for the water and wastewater system. He said that over the last ten years, there has been a 220 percent increase in wastewater and water customers and 150 percent increase in population. Mr. Hallerman said a great deal of stress was placed on the utility system that was growing rapidly.

He said the objectives of the project were to:

1. Look at the utility making sure that sufficient water quality and wastewater treatment could be provided moving to the future;
2. Implement systems that present data in a timely fashion. He said that there was concern about the information flow, making sure that there was staff adequate to manage the system, both today and into the future, both the operating and capital programs;
3. To make sure the utility was using current technologies in the operation of the system.

Mr. Hallerman said that the assessment was looked at from four dimensions: 1) the Utility organization; 2) Business practices; 3) Use of technology; and 4) Benchmarking the utility against its peer organizations. He said that the methodology included performing a physical inspection of the assets. He stated that they had looked at the operations, the crews at the wastewater plants, interviewing over 25 percent of the staff, benchmarking the utility using data against other utilities both in the southern regions and across country, and performed an organizational review, the business process review, and the technology review.

Mr. Hallerman said that they had used the American Water Works Association and the World Environment Federation benchmarking data in benchmarking the utility. He stated they had used 50,000 to 100,000 population served communities and there were 35 communities that fit that criteria. He said within the southern region, there were 50 utilities that were similar to Union County. He said that the County's water system in regards to customer accounts per employee is about average. He further said that in regards to the wastewater system, the customer accounts per employee is a little below average primarily because there is a large service areas with a number of small facilities.

He said that they had also looked at the cost of the operation and maintenance of the water and wastewater system per customer account. He stated that in this regard, Union County is very efficient in the water system, and on the wastewater side, Union County is about average on the cost per customer account. Mr. Hallerman that in benchmarking on the water costs, the County's numbers are pretty competitive on the average bill. He said that in looking at the average water bill, the numbers are pretty high. He stated that they had considered this data closely, and what this reveals is that a number of people use more water than the average family (7500 gallons per month for a family of four or five people). Mr. Hallerman said that it was determined that most likely this is due to a lot of irrigation and also reveals that the County's current rate structure does not lend itself to conservation. He suggested looking at the rate structure and consider imposing a rate structure that lends itself more to conservation.

He stated that in regards to the wastewater cost, again using the 7500 gallons as the average household usage, the County's wastewater costs appear to be a little higher. He said that he attributed this to smaller treatment plants are very expensive to operate compared to larger treatment plants. He said that he thought that in the benchmarking, Union County was probably compared against systems that were larger and had more efficient treatment plants as a result of having larger regional facilities.

Richard Black asked Mr. Hallerman if the benchmarking was mostly with municipalities because there are very few counties with utilities; and the municipalities have smaller areas to serve. Mr. Hallerman responded that the answer in regards to wastewater is that the County has several small facilities scattered over a large geographic area. He said that often times facilities are more regional and may be in a tighter geographical area. He noted that Union County is a growing utility and is not a mature utility as far as

growing the population. He said that he would think the numbers would decrease in ratio over time as the population and number of customers increase.

He stated that Union County's water system had a 100 percent compliance, and on the wastewater side, the compliance number was 97.5 percent. He said that while the 97.5 percent does not sound bad but compared to the benchmarks, it was quite low. Mr. Hallerman said that in reviewing these numbers, there were a series of technical violations as a result of not having a permit and exceeding the permit before the new plant was built.

He said that in the business practice review, they had looked at the facilities in the current state and their future state. He stated that with smaller utilities, often times neither business practices nor technology is not relied on, but people are relied on to do their work. He further stated that as the utility grows, the facilities have to become more sophisticated. He said that when they evaluated the County's facilities, they found a lot of people working hard and not having all the tools they need or business practices found in a more mature utility. He explained that what was meant by that was an asset management approach or having a computerized maintenance management system. He said that the facilities are operating fairly well, but there are not documented written procedures for standard operating procedures. He stressed that these were not criticisms but observations.

Mr. Hallerman said that in the technology review, the customer service system is first rate. He said that the County owns a lot of assets and it should invest in a computerized maintenance management system. He stated that right now the maintenance management is done rather informally and there is no data support on the maintenance of the equipment. He suggested that the County invest in technology and also a GIS system, which maps all the pipes in the ground, both the water and wastewater. He stated that part of the County's system is mapped and suggested that looking into the future, it needs to be more advanced.

He said that looking at the organization's staffing and skill levels, it is his belief that the system is neither overstaffed nor understaffed. However, he stated that there is evidence of a staffing lag. He said that as the population grows, the system is struggling to hire more people and actually hiring people from other agencies. He said that as the system is growing, the County is not staying ahead of the growth curve with staffing. Mr. Hallerman said that the study recommends some key positions that the County should consider hiring for the department with some technical expertise for the future. He said that the study strongly suggests that the County adopt a more rigorous training program, a succession planning program, and a career development program. He explained that these programs would allow staff to grow from within without having to hire people from the outside.

Mr. Hallerman said that they had made 45 specific recommendations in four different categories: Data Management, Business Process, Communications, and Management Effectiveness and Efficiency. He stated they had spoken with staff and the Public Works Advisory Board, and asked them to rank the recommendations as to what was or was not important. He said that it was suggested that the recommendations be implemented in phases over the next two years.

He reviewed highlights of the recommendations as follows:

Data Management:

Phase I.

1. Immediately complete GIS for Water Distribution and the Stormwater system - He said that this was very important in growing the system to know where the pipes are in the ground.
2. Implement the computerized maintenance system (CMMS) – to protect the county’s assets.
3. Develop a water and sewer system hydraulic model – He stated that this was very important.

Process:

Phase I.

1. Establish capital program priorities process - Mr. Hallerman said it was important to have an approach to prioritize the capital investments.
2. Develop utility wide training program – He stated that with the capital program as large as it is, it is recommended investing more time in building the core capability in the engineering department.
3. Reassign responsibility for work orders – He said that work orders are issued by one person, performed by another, and closing and finalizing of the work orders are performed by a third person. He stated that he thought the process was somewhat informal and suggested tightening the process.

Communication:

1. Create a Public Information Officer Position – He stated that it is important to communicate to the public what is going on, such as requirements, water quality reports.
2. Implement a permit tracking system – He said that he thought this process has been tightened up within the last year.
3. Conduct monthly meetings with all departments, both internal and external, regarding growth in the county. He explained that what was suggested was communicating with development, Planning, municipalities, engineering, inspections, and tax.

Management Effectiveness:

Phase I.

1. Increase administrative assistant positions
2. Create a GIS specialist – He said that this is where all the information for the system resides and needs a person highly skilled in this function. He stated right now it is done ad hoc with engineering firms.
3. Establish stormwater plan and inspection fees – Currently there is not a revenue stream for the stormwater program.
4. Improve the Self-Help Program – He suggested that the program be redesigned to be more effective.
5. Move the current solid waste and recycling operations under a separate Assistant Director – He stated that currently this operation is in Public Works but needs to be carved out to have its own category.
6. Modify the Vehicle Use Policy – He said that the study showed that there are a number of County vehicles being taken home by employees. He suggested that there were a lot of risks and costs associated with the vehicles being taken home.

7. Establish GIS-compatible Developer submission standards - He suggested that when a developer submits plans to Public Works, that the developer be required to submit the plans in a digital format that is compatible with the County's system.
8. Establish plan approval requirements – He stated that Ms. Putnam had advised him today that this is already being implemented in the department. Mr. Hallerman said that some developers will come with very well thought out plans and others will come in with plans not done so well and the staff has to re-engineer the plans. He suggested that a more rigorous approach be used in dealing with developers in order for staff to be able to do their job in approving plans and not designing work.
9. Link customer service work requests to field operations – He said they observed a lot of back and forth running around and a waste of time because of a lack of data communication. He said that this was an information technology issue.
10. Capital plan approval process- Mr. Hallerman stated that when they investigated the way that the capital plans were approved, it seemed to be a cumbersome process. He said that the capital improvement plan is developed, approved, and then the projects would have to be reapproved.
11. Modify the meter and sewer connection ordinances – He said that this is a procedural issue. He said that many times meters have to be reset twice.
12. Reform unpaid bill procedures – He stated that he thought this had already been corrected.

Mr. Hallerman said that there were three phases and they suggested a 24-month schedule for implementing the recommendations. He said that 24 months might be a little aggressive and suggested perhaps 36 months instead.

The Chairman asked Mr. Hallerman the costs of implementing all of the recommendations. Mr. Hallerman responded that there were a number of the recommendations that were very expensive, for example the CMMS is probably \$350,000 and GIS is probably \$500,000. He said that the majority of the recommendations were not large expenditures but would be changes to policy. He said that some of the recommendations are small but are inconveniences such as high speed data lines. He stated that not all of the facilities have internet connections, and pump station telemetries are on dial up in certain locations. He said that it is imperative to have high speed internet in all these areas. Mr. Hallerman said that if all of these recommendations were implemented, there were

three to four of the recommendations that would total a million dollars. He said that he had enjoyed working with the staff of the Public Works Departments, and that he had found a very energetic, conscientious group of people, by and large, across the board. He stated that they were a bit shorthanded in terms of tools that they need.

Chairman Baucom asked what the return on investment would be to complete the recommendations over a 24 or 36-month period. Mr. Hallerman responded that there are things that the County is not doing today that it needs to do. He said that calculating the return on investment might be somewhat difficult, because a lot has to do with protecting the County's assets. He stated that they found that the assessment was about preventing the utility from stopping growth, preventing the utility from having violations and providing good quality water and wastewater services to the customers. He said that they had considered the assessment from the standpoint of if the County is going to continue to grow, what should be done to get ahead of the curve and how to make sure that the Public Works Department is providing the highest quality environmental services and water services to the customers. Mr. Hallerman said that he did not complete a return on investment calculation in connection with the study.

Commissioner Mills complimented Mr. Hallerman on the study and his presentation. Commissioner Mills asked Mr. Hallerman if he had the opportunity to visit the Lancaster water treatment plant. Mr. Hallerman responded that he did not go outside the county during the study, but he cited that the water plant is one of the reasons that the County's water costs are good because it is an efficient way to purchase water. He suggested that the County also consider this concept in the future.

REQUESTS FROM THE CHARLOTTE OBSERVER FOR RELEASE OF BILLING INFORMATION REGARDING WATER VIOLATIONS:

Christie Putnam, Public Works Director, stated that there had been three requests. The Chairman stated that Item 12a should be addressed before this item.

WATER CONSERVATION ORDINANCE – WASHING OF VEHICLES:

This item was added to the agenda at the request of Commissioner Mills. He asked about allowing residents to wash their vehicles with the one day per week watering restrictions.

Ms. Putnam stated that the staff could bring an amendment to the Water Conservation Ordinance to the Board at the next meeting. She explained that currently under Stage 3 restrictions, residential vehicle washing is not allowed.

Commissioner Mills questioned if the Board could vote on an amendment to the Water Conservation Ordinance subject to the Manager's approval with the legal department.

Jeff Crook, Senior Staff Attorney, responded that the amendment would need to be brought to the Board for adoption.

Vice Chairman Pressley asked if residential pressure washing were allowed under Stage 3 restrictions. Ms. Putnam answered that businesses were allowed to do residential pressure washing, but individuals were not allowed to do so.

Mr. Crook stated that at the April 7, 2008, meeting, the Manager was given the flexibility to allow lawn watering. He said that now it sounds like the Board would also like to allow residential vehicle washing. He questioned if there were any other flexibility needed under the ordinance or if he should bring to the Board an amendment to the Water Conservation Ordinance that was more generic giving the Manager flexibility as long as it is not inconsistent with the low inflow protocol.

Chairman Baucom suggested that the amendment should be more generic, therefore, providing more flexibility.

REQUEST FROM THE CHARLOTTE OBSERVER FOR RELEASE OF BILLING INFORMATION REGARDING WATER VIOLATIONS:

Christie Putnam, Public Works Director, explained that there is a request from *The Charlotte Observer* for the names of customers who have had their water service disconnected because of water violations. She said that the Public Information Officer has provided two additional requests for this information: one from *The Enquirer-Journal* which has requested the complete names, addresses, and telephone numbers of all Union County customers whose water services have been terminated due to violations of the Water Conservation Ordinance and the complete names, addresses, and telephone numbers of all Union County water customers who have been warned or cited for violations of the Water Conservation Ordinance; and one from WSOC-TV requesting the names of Water Conservation Ordinance violators.

Commissioner Mills moved approval to release the billing information regarding water violations as requested with names and addresses only of the water customers. ***The motion excluded the release of telephone numbers of water violators.*** The motion was passed unanimously.

STATUS UPDATE ON WESLEY CHAPEL/WEDDINGTON ATHLETIC ASSOCIATION MATTER:

Christie Putnam, Public Works Director, gave the Board a brief history of this matter. She stated that in January 2005, the Optimist Park was contacted and informed that a no-rise certification was required. She said that in July 2005, the County received a flood analysis, and in August 2005, members of the County staff met with representatives of the Optimist Park to establish the FEMA requirements for a no-rise certification. Ms. Putnam stated that the County staff did not believe what was submitted met the FEMA requirements for a no-rise certification. She said that the engineer for the Optimist Park has agreed with that analysis, and since an agreement could not be reached, it was then submitted to an impartial third party for review, which was not opposed by the Optimist Park engineer at the time. She further said that was when it was first submitted to the state, as that is a service that it provides to local jurisdictions that are enforcing the FEMA regulations.

She stated that in 2005, the certification and flood analysis was sent to the state for review, and in May 2006, the state submitted that the no-rise flood analysis was insufficient. She said that there were multiple submittals and discussions between representatives of the Optimist Park and the County staff. She further said that in September 2007 the fifth submittal of the flood analysis was received by the County, which still showed, although be it a small increase, there was an increase in rise. Ms. Putnam shared that the fifth submittal of the flood analysis was submitted to the state, which the state was expecting because it affects the flood plains and the regulated FEMA maps, and in April 2008, comments were received from the state agreeing with the analysis of the engineer that there is a rise confirming that a no-rise certificate is required.

Additionally, Ms. Putnam said that the state had expected the resubmittal of the flood analysis, since it was already involved conducting a third party impartial review when the County staff and representatives of the Optimist Park could not agree on what the requirements of the flood analysis should be for the park. She said that in the first state submittal, it was agreed that if the state accepted the flood analysis as presented, the County would also accept it; however, the state did not accept it. She noted as a point of clarification that the current flood analysis study shows the small increase in rise not only above the culvert but also upstream of the ball fields when the fill was placed in the floodway. She said that the comments were sent to the representatives of the Optimist Park last week, and comments have been received from the Park's engineer stating it will submit to the County a draft proposal within 30 days to ensure that this matter continues on its path to completion.

Commissioner Mills stated that he has spoken with David Arone and Gary Hibbard of the Optimist Park, and he thought they had a very productive meeting when they had met at the Park site and came up with this solution. He asked if it were possible to leave all of the trees and clear everything back to the stream bank and also clean out all of the obstructions in the stream. He said that the

last time he had been on the site, there is still quite a bit of debris and trees that are down. He stated that in reviewing the information in the agenda package, it seems that the plan needs to show the bleachers, benches, backstops, and other things. He referred to the report from the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, dated April 4, 2008, included in the agenda package which set out remedies of the violation as follows, which were read into the record by Commissioner Openshaw:

“To remedy the violation, the owner of the site must either (a) remove all fill material, and any other obstructions from the regulatory floodway, or (b) provide a valid No-Impact study and certification demonstrating that removal of some of the fill material and/or other mitigation measures allow the site to be developed without increasing flood levels.”

Commissioner Mills asked if there were a possibility of improving what has already been done to remove the other eighth of an inch to a quarter of an inch of fill. He explained that he was referring to the perimeter of where the ball fields and the property backs up to Twelve-Mile Creek. Ms. Putnam responded that they would certainly consider any proposal that the engineer has said that he would propose within 30 days. She said that she did not know if the maximum of extent of fill that could be removed has already been modeled.

Commissioner Mills asked the Chairman if this question could be directed to David Arone, who is a representative of the Optimist Park. The Chairman agreed that Mr. Arone could address the Board regarding this matter. Mr. Arone came forward and asked that Commissioner Mills restate his question.

Commissioner Mills restated his question explaining that he was suggesting cleaning out the underbrush, leaving the trees, and removing the obstructions from the stream. He said that he wished the culvert had been repaired when the opportunity was there. He asked Mr. Arone if he had spoken with the park’s engineer. Mr. Arone responded that he was unable to reach the engineer today. He explained that there were many factors that affect the flooding along the creek: the culvert, the obstructions in the stream, a number of sharp bends in the stream, beavers building dams in the creek, and obstructions from previous storms, all of which affects the flow of the creek.

He said that the engineers submitted a plan on December 5 based much on Commissioner Mills’ recommendations. He stated that they had taken out all of the dirt that could be removed from around two ball fields up to the growth along the creek without disturbing the trees and natural vegetation which stabilize the creek bank up to the ball fields. He said that they had taken the dirt down as far as it could go. He explained that if they were to remove dirt any deeper, then the problem is that it creates a pond. Mr.

Arone said that the engineers had taken as much dirt as possible so it would drain if there was a flood, it would store as much of the stormwater as it could and then release it back into the stream.

Commissioner Mills asked Mr. Arone if they could go back and determine if a little more of the dirt could be removed and take it back to the complete edge and clean up the underbrush and obstructions. Mr. Arone said that anything that could be done to improve the flow of water all the way through the stream is a plus. He stated that there is a considerable amount of dirt and debris filling the culvert. Commissioner Mills asked whose responsibility it is to keep the culvert clean. Ms. Putnam responded that is the Department of Transportation's responsibility. Commissioner Mills questioned if the Department of Transportation had been contacted. Ms. Putnam responded that she was not aware of any obstructions within the culvert. She said Public Works could contact the Department of Transportation regarding this matter.

Commissioner Lane said that removing the obstructions from the creek and speeding the water through the culvert would only make its impact against the culvert faster. He stated that he did not see how that would reduce the flooding. He suggested that if the water is going to get beyond the culvert, the main thing is to have a larger culvert. He questioned what a quarter of an inch would be equivalent to in the number of acre-feet.

Mr. Arone commented that there were cross sections taken at various points throughout the property. He said that he was not sure how to quantify a quarter of an inch in terms of the volume of water.

Ms. Putnam added that a part of the issue with the culvert is that one of the cross sections showing an increase in the base flood elevation is upstream of the ball field. Therefore, she said that raising the culvert may or may not address that issue. She stated that this is a floodway, and it is expected to flood and there are upstream development impacts that have affected the entire area. However, she said that regardless of these factors, the land use ordinance requires that any development may not fill in the floodway without increasing base flood elevation.

Vice Chairman Pressley asked how the 30-day window had been established for the engineer to submit a proposal. Mr. Arone responded that with the County staff, there was not a high degree of confidence with the Park's engineering firm, because there have been several packets submitted. He said that he would argue that point, but the engineers believe they can address some of the comments in the submission. He stated that they would be working on it. He said that they were concerned that they might end up ripping out a couple of ball fields making more significant improvements, which still does not solve the problem of the obstruction in

the creek. Mr. Arone said even if there is an upstream problem and that is solved, the fact is that water is going to balloon up as it is trying to go through the culvert.

Vice Chairman Pressley said that he thought the Department of Transportation could be contacted and have an inspection on the pipe. He asked if this matter could be brought back to the Board at the May 5, 2008, meeting.

Ms. Putnam asked if the Board wanted to wait for the 30 days or bring it back to the next meeting. Vice Chairman Pressley asked why 30 days would be needed.

Mr. Arone responded that there had been a 30-day mention in the letter, and in discussions with the engineers, they said they would be responding within 30 days. Chairman Baucom asked Mr. Arone if a response could be brought to the Board in two weeks. Mr. Arone said that he would do so. The Chairman asked if the response could not be brought to the Board in two weeks, that Mr. Arone notify the Clerk to the Board by Friday of this week.

Ms. Putnam stated a point of clarification that there had been some questioning of a conflict of interest with Ms. Tolen who is the County's Stormwater Engineer. She said that she would thoroughly disagree that a conflict of interest exists, because when Ms. Tolen was hired by the County, it was known full well that she was involved in this particular matter. She said that the Stormwater Engineer position remained open for a year before they found someone qualified to fill the position. She stated that Stormwater Engineers are very hard to find, and noted that the County was fortunate to have Ms. Tolen. Ms. Putnam emphasized that they were very clear with Ms. Tolen that she would have no participation in this project from the County's point of view. She said that Ms. Tolen has not been involved in plan reviews and does not review the plans for this matter in the office. She said that if Ms. Tolen gets the plans from a neighbor who has requested them, that is within her purview as a citizen, but emphatically stated that Ms. Tolen has no participation in the project as a county employee. She stated that this was clearly part of the conditions of Ms. Tolen's employment with Union County.

The Chairman encouraged Mr. Arone to have conversations with the engineer and to bring this matter back to the Board at the May 5th meeting. Chairman Baucom stated that the engineer's work would not have to be completed by Friday of this week, but there would need to be a commitment for the matter to be on the agenda for May 5th.

DISCUSSION ON FINANCIAL DISCLOSURE:

Commissioner Lane stated that in the interest of open government, he would move that members of the Planning Board, Board of Adjustment, Board of Equalization and Review, and the Public Works Advisory Board be required to submit within 60 days of their appointment to the respective boards individual financial disclosure forms similar to the ones that the members of the Board of Commissioners complete each year.

Commissioner Mills said that the Board needed to review the form before making this requirement. Commissioner Lane said that the Commissioners have filled out the form. Commissioner Mills responded that he thought it would be prudent for the Board to review the form before voting on the motion.

Commissioner Lane said that this was the third time he had brought up this suggestion. Commissioner Mills stated that as has been discussed previously by the Board, the state does not require any advisory board to complete financial disclosures at the state level. He asked if the members of the school board fill out disclosure forms.

Commissioner Openshaw asked that the motion be restated. The Clerk restated the motion as follows: to require members of the Planning Board, Board of Equalization and Review, the Board of Adjustment, and the Public Works Advisory Board to submit within 60 days of their appointment to the respective boards individual financial disclosure forms similar to the ones that the members of the Board of Commissioners complete each year.

Vice Chairman Pressley stated that until such time as he could review the form, he would be voting against the motion. He offered a substitute motion that a form be adapted and prepared for members serving in an advisory board role. He said that he thought if there is going to be a disclosure form required, then the form needs to be designed specifically for these boards. He stated that he did not think it should be a generic form.

Chairman Baucom commented that he has voted against requiring a disclosure form for these boards on at least two occasions, and he would be voting against it again tonight. He said that the main issue that has occurred with an advisory board since he began serving on the Board has not been because of any disclosure that would have been made in a financial disclosure form, but it goes to ethics. He stated that a financial disclosure form would not cause an individual to be ethical. He said that what he was looking for in the appointment of members to advisory boards is having people with knowledge and experience. He said that quite honestly sometimes they are people who are involved in industry, but anyone who is ethical would recuse themselves from a vote that has any potential of financial impact on their business. He reiterated that he would vote against requiring a financial disclosure for members of these boards, whether it is voted on tonight or at future meetings.

Commissioner Openshaw said that if he remembered correctly the form was not an asset disclosure form but was an ownership in different entities form. He stated that he had seen people vote on boards where he believed there were conflicts of interest. The Chairman asked Commissioner Openshaw to give specific examples. Commissioner Openshaw referred to a vote that was taken on an issue considered by the Public Works Advisory Board. He said that the fact that the Board of Commissioners consider issues involving Limited Liability Corporations (LLC) when the ownership interest is not known is disturbing to the public and him. He stated that he would like for the Board to say it will not approve purchases from LLC's. He said that he thought that the people who serve on the various boards should disclose their interests to the public.

Commissioner Mills asked Jeff Crook, Senior Staff Attorney, when the Board had discussed this issue before, was it not pointed out that the state does not require financial disclosure statements from members of advisory boards, because it comes back to the governing body. Mr. Crook responded that was correct.

Vice Chairman Pressley said that he was not going to vote to require a disclosure form from members of the advisory boards until he had reviewed the form. Commissioner Lane commented that the same form that the Board of Commissioners are required to complete could be used. He said that it did not have to be a form tailored to the advisory board. He stated that these were the same arguments as stated before. He said that he believed the public deserves the right to know what businesses are owned beyond a certain percentage in Union County and they could make their own decision as to whether there is a conflict of interest. He said that this issue has been discussed time and time again, and he believed that it is confirmed that there are individuals who do not want this information disclosed.

Commissioner Mills said that this issue had come up within the past two years but it did not come up in the prior two years. Commissioner Lane stated that he had not known about the requirement for the Board members to complete the form.

Vice Chairman Pressley asked Commissioner Lane why he had withdrawn discussion of this matter from the agenda the last time that it was brought up by him. Commissioner Lane responded that the last time he had brought up the issue, he thought he had the support of Commissioner Mills, but he withdrew his support, and, therefore, he had thought the Board should think about it for awhile, and now he had thought about it and had brought it up again.

Vice Chairman Pressley said that he thought there were different rules that apply to advisory boards versus the governing body making decisions.

Following the discussion, Vice Chairman Pressley withdrew his substitute motion.

Chairman Baucom called for a vote on the original motion by Commissioner Lane. The motion failed by a vote of two to three. Commissioner Lane and Commissioner Openshaw voted in favor of the motion. Chairman Baucom, Vice Chairman Pressley, and Commissioner Mills voted against the motion.

ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES:

At the request of Chairman Baucom, Mrs. West, Clerk to the Board, read into the record the following vacancies on boards and committees:

- a. Juvenile Crime Prevention Council (JCPC) – A district attorney or designee; a substance abuse professional; two persons under the age of eighteen; and a Juvenile Defense Attorney.
- b. Farmers Market Committee – one member at large
- c. Adult Care Home Community Advisory Committee
- d. Union County Home and Community Care Block Grant Advisory Committee – two vacancies as of December 2007
- e. Nursing Home Advisory Committee
- f. Board of Health – one vacancy for a licensed Optometrist
- g. Planning Board – vacancies as of April 2008 for: one member representing Jackson Township; one member representing New Salem Township; and one member representing Sandy Ridge Township
- h. Industrial Facilities and Pollution Control Financing Authority – two vacancies as of May 2008
- i. Centralina Council of Governments/Comprehensive Economic Development Commission

INTERIM MANAGER'S COMMENTS:

Richard Black, Interim Manager, said that there had been questions at the last meeting regarding Commissioner appointments on the various boards and committees and whether there were bylaws and statutory requirements of the appointments. He provided the Board with the list of appointments and stated that there was detailed information about the boards/committees, the establishing

authority for the boards/committees, the authority of the members, and the Commissioners' voting status. He said that if the Board so desired, this could be an item on the May 5, 2008, meeting.

COMMISSIONERS' COMMENTS:

Commissioner Lane had no comments.

Commissioner Openshaw said that the February 4, 2008, minutes which were approved by the Board tonight included a request by him that in the future the Chairman use a random order of comments by the Board members instead of having the same order each meeting. He stated that this was at least the third time he had mentioned it, and Commissioner Lane had also mentioned it. He said that in reviewing what past Boards have done, they have given everyone an equal opportunity for comments instead of relegating he and Commissioner Lane to the back of the bus.

Commissioner Openshaw offered congratulations to Mrs. West on Secretary's Day and expressed appreciation for all the work she does for the Board.

He also offered congratulations to Beatrice Haushalter, who has been named Union County Public Schools (UCPS) Teacher's Assistant of the Year.

He commented about the Land Use Plan and encouraged everyone to keep an eye on the plan. He referred to the proposed draft by the Steering Committee. He said that the draft plan contained some interesting properties. He stated that he thought one of those properties had submitted a request to reduce the setbacks, but the property might now be shown in the area that currently allows R-40 and R-20 zoning with two and a half to five units per acre. He said that another one was shown at two and a half to five units per acre, which had been rejected by the City of Monroe. He stated a third property was in the Wesley Chapel ETJ area, which is now commercially zoned which adds tremendous value to the properties. He said in addition there is an industrial area shown on the draft that has been expanded. Commissioner Openshaw said this is exactly why people want ETJ and why they do not trust County government. He stated that one of the recommendations from a member on the Steering Committee, not appointed by the Board of Commissioners, was a change for property that appears to be owned by his firm. He stressed that the draft plan has not been brought to the Board, and he said that he did not believe the Steering Committee has met with the representatives of the municipalities, which was discussed at one of the Mayors-Commissioners Issues Conference (MCIC).

He said that early voting has started and encouraged everyone to exercise their right to vote.

Commissioner Mills expressed appreciation to the Board for a good meeting tonight. He said that there had been great strides with the hospital. He thanked Commissioner Lane for the report on the “Tora, Tora, Tora” airshow. He said that he thought it was going to be a huge event this year, and he was looking forward to it.

He said that there were a lot of events coming up, such as Steeplechase next week. He stated that the Board had received invitations to attend the 25th anniversary celebration of the Town of Weddington on May 3rd. He said that Walter Staton had invited him to attend the celebration with him, but he has also been asked to serve as a judge at the BBQ cookoff at Parkwood High School on that day. He stated that he would try to attend both events.

Vice Chairman Pressley agreed that the Board had made good strides tonight and said that he was excited about healthcare in whole for Union County's citizens. He said that he was glad to see the affordable clinics, school nurses, and the possible Crisis Center discussed tonight. He said that with the commitment that CMC has to ensure the quality of healthcare for Union County is unbelievable, and he believed what had been done tonight with regards to the hospital is one of the biggest things that Union County has done. He expressed appreciation to all that had worked on the hospital proposal. He said a lot had been accomplished tonight and that it had been a good meeting.

Chairman Baucom said that he agreed with the Vice Chairman's comments. He stated that the unanimous vote tonight to extend the lease on the hospital will take the healthcare in Union County to an absolute new level. He said that everything that has been stated tonight about the lease extension, such as the additional oncology cancer treatment, the cardiac intervention, the trauma center, takes healthcare to a new level. He stated that CHS is going to spend a minimum of \$200 million in Union County in the next ten years. He expressed appreciation to the Board for its support of this issue.

He reiterated that the Steeplechase event would be taking place this coming weekend as well as the Rusty Piston's Antique Tractor Show on Friday, Saturday, and Sunday out Highway 205.

CLOSED SESSION:

With there being no further discussion, at approximately 11:36 p.m., the Chairman moved that the Board go into closed session to prevent the disclosure of information that is privileged or confidential pursuant to G.S. 143-318.10(e), in accordance with G.S. 143-318.11(a)(1). The motion was passed unanimously.

The Board members moved to the Conference Room, first floor, Union County Government Center. The Chairman convened the closed session, and at the conclusion of the discussion, at approximately 12:25 a.m., Commissioner Mills moved that the Board go out of closed session. The motion was passed unanimously.

In open session, at approximately 12:26 a.m., Commissioner Mills moved to adjourn the regular meeting. The motion was passed unanimously.