

Approved: 12/1/2008

November 17, 2008

The Union County Board of Commissioners met in a regular meeting on Monday, November 17, 2008, at 7:00 p.m. in the Board Room, first Floor, Union County Government Center, 500 N. Main Street, Monroe, NC. The following were

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

**ABSENT:** None

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

**OPENING OF MEETING:**

***Invocation:*** The Chairman convened the meeting and welcomed everyone. He recognized the Rev. Jason Martin, Youth Minister at Shining Light Baptist Church, who presented the invocation.

***Pledge of Allegiance:*** At the request of the Chair, Rev. Martin led the body and audience in reciting the Pledge of Allegiance to the American Flag.

The Chairman presented to Rev. Martin a certificate and a County lapel pin for his participation in tonight's meeting.

***Special Recognitions:*** The Chairman presented to Commissioner Lane a plaque in appreciation for his dedicated and faithful service for the last four years as Commissioner and for having served as Chairman from December 6, 2005 to December 4, 2006. The Chairman recognized Mildred Lane, wife of Commissioner Lane, and he presented her with flowers and thanks for her support of Commissioner Lane.

The Chairman next recognized Vice Chairman Pressley and presented to him a plaque in appreciation for his dedicated and faithful service for the last four years as County Commissioner and for his service as Chairman from December 4, 2006 to December 3, 2007 and for his service as Vice Chairman from December 3, 2007 to December 1, 2008.

The Chairman recognized Julie Pressley, wife of Vice Chairman Pressley, and his mother Carolyn Pressley. He thanked Julie Pressley for her support of Vice Chairman Pressley and presented her with flowers.

Chairman Baucom thanked the wives for coming tonight to support their husbands and stated that it is a big sacrifice on the part of the spouses for someone to serve on this board.

Chairman Baucom next called forward for recognition David Cunningham, who recently retired from Union County Environmental Health. He read into the minutes the following statement from a news article: ***David Cunningham, Union County's retiring director of Environmental Health, has received the Order of the Longleaf Pine Award from the State. The Order of the Longleaf Pine as created in 1965 and is the highest honor that the Governor can bestow on a North Carolina resident. It is given to individuals who have a proven record of service to the State and a long history of service to their community. In presenting to David Cunningham, David began his career with Union County Parks and Recreation in October 1978 and transferred to Environmental Health in 1983 as an Environmental Health Specialist and worked his way through the ranks to the department's top position. David is known for his past and present participation and leadership in several civic, state and national organizations.***

He presented to Mr. Cunningham his Order of the Longleaf Pine which reads: ***Michael F. Easley, Governor, reposes special confidence in the integrity, learning, and zeal of David E. Cunningham. Presents and confers the Order of the Longleaf Pine.***

He also read into the record a letter from Representative Curtis Blackwood, North Carolina House of Representatives, representing District 68: ***Dear David: It gives me great pleasure to write you on the occasion of your retirement as Environmental Health Director for Union County. Your dedicated service of 33 years to the citizens of our county and North Carolina is greatly appreciated. You will be truly missed by your peers and coworkers; however, I know you will join me in celebrating your exemplary career and wish you the very best in your retirement.***

He congratulated Mr. Cunningham for having received this award and stated it was a great honor for him and for Union County.

**INFORMAL COMMENTS:**

The Chairman announced that there was no one who had registered to speak during the informal comments.

Ms. Shana Steele, a member of the audience and resident of Stallings, requested to address the Board. The Chairman and Board granted this request.

Ms. Steele addressed the Board on the subject of the Monroe Bypass and the presentation that Stallings had received in October of 2008. She expressed her opinion that this is an important decision for Union County and asked if the picture of a wall, which is going to be a mile in length, is going to be the gateway to Union County. Ms. Steele explained that Forest Park is going to be combined with Union West Industrial Park, which is one of the two business parks affected. Forest Park has 220 homes and those along with 30 businesses will share one entrance. She said there would be evacuation issues—the fire and police chiefs of Stallings expressed those concerns at the meeting in October. Ms. Steele reported there are already trucks getting lost in her neighborhood because the Union West Development does not have state-maintained roads. She said that the engineers state that the truck traffic should not use the entrance to Forest Park. She presented pictures to prove the roads are not able to be used by large vehicles because of both their size and weight. She said not only will the proposal affect her but also it will affect the entire county. She cited some of the problems that this road will create to the residents of her community noting two factors: safety and home equity. She closed by stressing that the wall will be a detriment to those who might want to create commercial business in Union County. Ms. Steele stated that Stallings, Indian Trail, and Lake Park all support Option 18A.

The Chairman thanked Ms. Steele for her comments.

**ADDITIONS, DELETIONS AND/OR ADOPTION OF AGENDA:**

The Chairman stated that he had two additions to the agenda. One is a presentation from Verizon and the second is an addition of a grant application for the Urgent Repair Program offered by the North Carolina Housing Financing Agency.

Commissioner Lane mentioned that last year the Board appropriated funds to cover the use fees of the Ag Center for the annual Crime Stoppers Annual Barbecue and requested that the Board add to the agenda a request for the county to cover the use fees for this year's event to be held in January.

Commissioner Openshaw requested to pull Item 4.6 (c) from the Consent Agenda – Hospital Attorney Fees - and requested that Item 6 – Federal Forfeiture Contingency Funds - of the Regular Agenda be transferred to the consent agenda.

With there being no other additions or deletions, motion was made by Commissioner Lane that the agenda as amended be adopted. The motion was passed unanimously.

**CONSENT AGENDA:**

Motion was made by Commissioner Mills that the items included on the Consent Agenda as amended be approved. The motion passed unanimously.

**Minutes:** Approved the minutes of Regular Session of April 7, 2008, Regular Session of April 21, 2008, Special Session of May 28, 2008; Recessed Session of June 4, 2008, Recessed Session of June 10, 2008, Regular Session of June 16, 2008, and Regular Session of November 3, 2008

**Tax Administrator:** Fifth Motor Vehicle Billing in the grand total amount of \$1,301,081.22

**Tax Administrator:** Fourth Motor Vehicle release Register for the period of October 1, 2008 – October 31, 2008, in the net grand total of -\$19,959.40

**Tax Administrator:** Fourth Motor Vehicle Refund Register for the period of October 1, 2008 – October 31, 2008, in the net grand total of -\$2,801.06

**Tax Administrator:** Departmental Monthly Report for October 2008

**Tax Administrator:** Refunds for October 2008 in the grand total amount of all years of \$5,328.82

**REFUNDS OCTOBER 2008**

<b>2008 Acct #</b>	<b>Name</b>	<b>Release #</b>	<b>TOTALS</b>
50087969	CO TECHNOLOGIES INC	4409	<b>1.95</b>

50082288	LEAK JOHN H JR	4423	<b>2.20</b>
04141010B	HELMS KENNETH	4482	<b>939.97</b>
	LARRY & WIFE		
	WANDA S		
04240026A	DISPENSE DAVID	4686	<b>45.00</b>
	LINN		
01081014	STRAHAN TIMOTHY	4690	<b>149.63</b>
	C 7 WIFE CONNIE M		
06204079	BOGUCKI TADEUSZ	4746	<b>604.61</b>
	S & MIRA		
02009008F	AUSTIN CLARENCE	4752	<b>111.50</b>
	CARL SR & WF		
	NANCY MOORE A		
09259122	CHICK FIL A INC	4811	<b>970.70</b>
07126007A	BLACK & BLACK	4840	<b>1,505.96</b>
	PROPERTIES LLC		
<b>TOTALS - 2008</b>			<b>4,331.52</b>

<b>2007</b>			
06066127	KELLY ROBERT &	4835	<b>205.72</b>
	OLGA V		
06099127	GONZALES THOMAS	4861	<b>139.38</b>
	A & WIFE		
<b>TOTALS - 2007</b>			<b>345.10</b>

<b>2006</b>			
50088311	NEW GENERATION	4404	<b>103.05</b>
06066127	KELLY ROBERT &	4836	<b>184.19</b>
	OLGA V		

06099127	GONZALES THOMAS A & WIFE	4862	<b>124.84</b>
<b>TOTALS - 2006</b>			<b>412.08</b>
<b>2005</b>			
06099127	GONZALES THOMAS A & WIFE	4863	<b>123.51</b>
<b>TOTALS - 2005</b>			<b>123.51</b>
<b>2004</b>			
06099127	GONZALES THOMAS A & WIFE	4864	<b>116.61</b>
<b>TOTALS - 2004</b>			<b>116.61</b>
<b>GRAND TOTALS - All Years</b>			<b>5,328.82</b>

*Tax Administrator:* Releases for October 2008 in the grand total for all years of \$517,911.70

### RELEASES OCTOBER 2008

<b>Acct # 2008</b>	<b>Name</b>	<b>Release #</b>	<b>Total</b>
50093048	ASHLAND INC	4394	<b>17.88</b>
50095704	HILL MICHAEL S	4395	<b>16.10</b>
50094520	SOUTHTECH	4396	<b>17.23</b>
50083119	A NAIL & TAN INC	4397	<b>82.59</b>
50092025	A TOUCH OF	4398	<b>278.11</b>

50092048	GLASS AFFORDABLE SEAMLESS GUTTER INC	4399	<b>107.88</b>
50057163	INDIAN TRAIL T V SALES & SERVICE	4400	<b>22.59</b>
50092320	J D'S LAWN CARE	4401	<b>137.00</b>
50083848	BOWEN JOHN P & GLENN R	4405	<b>49.73</b>
50098528	BLAKESTON CORP DBA ALAGLASS POOLS	4406	<b>194.05</b>
50096997	S P H GRADING LLC	4407	<b>382.58</b>
50098734	DEPENDABLE HANDYMAN	4408	<b>182.88</b>
50096433	JT JOHNSTON INTERNET SHOPPING	4410	<b>75.88</b>
50098514	PROCTOR ANTHONY R	4411	<b>189.70</b>
50099057	NEHEMIAH'S MEN	4412	<b>189.70</b>
50099285	MAC MID AMERICAN CEDAR	4413	<b>194.05</b>
50066931	WILGROVE WOODWORKS	4414	<b>47.73</b>
50088534	ADRENALINE SPORTS PHOTOGRAPHY	4415	<b>191.95</b>
50091736	STAMP JOHN EDWARD	4416	<b>7.50</b>
50066108	MICAL EDWRD LEE	4418	<b>109.79</b>

50100485	JR WOOD MICHAEL TODD	4419	<b>20.63</b>
50098316	DARNEL INC	4420	<b>5,027.60</b>
50100421	MEDLIN RAY L	4421	<b>2.45</b>
50100439	COAN BRYAN LEE & TERESA HARAGETT	4422	<b>8.17</b>
50098988	LOVELY NAILS & TAN	4425	<b>415.49</b>
50098542	TALBERT CLEANING CO	4426	<b>38.81</b>
50076973	INNOVATIVE CHECK SYSTEMS INC	4427	<b>9.66</b>
50099137	REHOBETH FARMS	4428	<b>379.39</b>
50100442	BLACK FOREST RACING LLC	4429	<b>191.30</b>
50091643	PEECHER RITA DENISE	4430	<b>8.65</b>
50082661	FOX POND FARM	4431	<b>336.49</b>
50099545	COMMERCIAL TRADING COMPAY INC	4432	<b>194.05</b>
50098605	BEAD PATCH (THE)	4435	<b>77.62</b>
50095091	NEW CREATION LANDSCAPING & INGROUND FOUN	4436	<b>35.26</b>
50072449	CAROBILT HOMES INC	4437	<b>301.52</b>
50096269	FUZIONGRAFIX	4439	<b>420.62</b>
50099439	PRESIDENTIAL A J	4441	<b>182.88</b>



50092650	H E INC LEDWELL DESIGN SOURCE	4442	<b>286.10</b>
50099265	WILLIAMS JESSICA	4443	<b>78.57</b>
50096825	TANKSLEY BUILDERS INC	4444	<b>188.14</b>
50099495	A U A TILE	4445	<b>194.05</b>
50093590	BIRD'S SCRAPBOOK SUPPLY	4446	<b>259.76</b>
50083562	STILWELL CONSTRUCTION	4447	<b>11.80</b>
50082997	WEB MASONRY	4448	<b>317.03</b>
50098741	BROTHER BRY'S	4449	<b>182.88</b>
50087797	ATLANTIC MAILING EQUIPMENT SVC	4450	<b>81.78</b>
50091938	COUNTERFORCE USA	4451	<b>278.11</b>
50096338	DBT	4452	<b>219.99</b>
50096390	SHAPEXPRESS FOR WOMEN	4453	<b>469.16</b>
50098757	DRBA SERVICES	4454	<b>189.70</b>
50099885	NAPIER CHARLES	4455	<b>142.98</b>
50064580	ALLEN SUBRANA	4456	<b>46.60</b>
50098124	MANNING JR WESLEY WARD	4457	<b>185.27</b>
50073872	RHOADS KENT	4459	<b>12.98</b>
50078359	MARTIN ROGER K	4461	<b>317.89</b>
50007200	HAIGLER CYRUS LEE	4462	<b>187.30</b>
50098653	DIMAS PEDRO SOSA	4463	<b>41.03</b>

50080306	WIEWEL LARRY B & WIFE CASSANDR	4464	<b>13.33</b>
50099934	HARTSELL FRED W	4465	<b>169.24</b>
50082260	PRESSLEY LINUS H & WIFE DONNA	4466	<b>36.04</b>
50097634	CURRAN PATRICK	4467	<b>14.72</b>
50100151	PADCO FINANCIAL SERVICES INC	4468	<b>113.46</b>
50100152	PADCO FINANCIAL SERVICES INC	4469	<b>94.83</b>
50097118	MICAL EDWARD LEE	4470	<b>37.63</b>
50098294	ESTELL NORMAN & CYNTHIA	4471	<b>56.19</b>
50059686	EDWARDS THOMAS M & KIMBERLY T	4472	<b>485.30</b>
50078927	ORR SUSAN SMITH & ANTHONY	4473	<b>36.00</b>
50097042	HONEYCUTT JONNIE C	4474	<b>39.95</b>
50094982	WEBB'S WOOD PRODUCTS	4475	<b>16.24</b>
50070577	SWINSON JOEY DEVONNE	4476	<b>460.76</b>
50069016	NESBIT ALICE FAYE & JOSEPH L	4477	<b>86.44</b>
09189103	WADSWORTH RANDY EDWARD	4479	<b>451.93</b>
09357039A	SHIDAL REBA G	4480	<b>3,995.60</b>
01081007	KIKER BRIDGET H	4481	<b>2,225.83</b>
06126004	WOOLIE LLC	4483	<b>1,571.38</b>

06132014	THURBON ROBERT W & WIFE ELLEN T	4484	<b>169.80</b>
06132014A	THURBON ROBERT W & WIFE ELLEN T	4485	<b>216.10</b>
06132014B	THURBON ROBERT W & WIFE ELLEN T	4486	<b>383.24</b>
60150043	CLEVELAND WILLIAM C & WIFE SHARON S	4487	<b>503.91</b>
06153204	KARRIKER RICHARD G & MARGARET B	4488	<b>512.12</b>
06240130	KELLY MARSHALL A & KATHLEEN J	4489	<b>565.82</b>
06066076	COBBLECREEK DRIVE HOMEOWNERS ASSOC INC	4490	<b>1,054.19</b>
07150005B	ROLLINS MARK N JR	4491	<b>216.98</b>
07150006B	ROLLINS SHELLIE ANN M	4492	<b>89.62</b>
07150006C	MASSEY SHELLIE MAVIS R	4493	<b>301.92</b>
07150006E	ROLLINS MARK NEEDHAM III	4494	<b>155.94</b>
06201110	HONEA WILLIS E & BARBARA GIBSON TISH	4495	<b>84.48</b>
06129042A	BOYD MIKE & WIFE ANNA	4496	<b>97.55</b>
06096153	GROOME BARRY A	4497	<b>360.59</b>

06099005	& WIFE MARY B GROOME WINSTON AUBREY	4498	<b>2,003.93</b>
06099007	ELLIS & GLADYS NORWOOD ERWIN E & SUE E DAVIDSON	4499	<b>39.74</b>
06099011B	GROVES J RANDALL & WF JANE B	4500	<b>5,598.88</b>
06099019	MILLS BILLY JOSEPH & WIFE SUSAN J	4501	<b>271.32</b>
06048052	GRAM FRANKLIN W & CHRISTIANE H	4502	<b>85.92</b>
06072080	LOFLIN PEGGY	4503	<b>189.29</b>
02214004	PIERCE GLADYS R	4504	<b>225.91</b>
06048036	WEBB DOUGLAS A & DANA J	4505	<b>143.45</b>
06048089	WIEGAND ULRICH HELMUT & MARIA LOUISE	4506	<b>30.51</b>
06099267	PARKER & ORLEANS HOMEBUILDERS INC	4507	<b>535.85</b>
061147018	YORK BRUCE CHADRICK & MICHELE KLASWICK	4508	<b>822.94</b>
06150010	BURLOS CHRISTOPHER P &	4509	<b>146.95</b>

	WIFE EFRODSYNI K		
06150081	SHORT MEGAN	4510	<b>424.40</b>
	MARIE		
06072005	JOHNSTON W DIRK & WIFE SHARON D	4511	<b>4,320.45</b>
06129087	ROLLINGS STEVEN & GINA	4512	<b>555.36</b>
06132043	DEATHERGE DWAYNE MCCORD & MEREDITH L	4513	<b>372.15</b>
06132052	NEWELL EDWARD F & DIANA L	4514	<b>544.96</b>
07057018F	CRISMARK PROPERTIES LLC	4515	<b>25,713.52</b>
06132068	MAHABOOB SHAMEED & KATHLEEN NANAN	4516	<b>283.63</b>
06141031	COLLIER JOHN E	4517	<b>222.12</b>
06147096	SINICA GEORGE & VALENTINE	4518	<b>289.87</b>
07072006	HELMS MARVIN GLENN & BETTY	4519	<b>3,301.13</b>
07072005	HELMS MARVIN GLENN & BETTY	4520	<b>3,054.15</b>
07072010	SUGGS THOMAS ADAM & WF REBECCA L	4521	<b>2,522.61</b>
07072011A	GOODWIN DONALD WAYNE & KAY V	4522	<b>2,118.96</b>
06153130	DOZIER NEIL T	4523	<b>1,319.49</b>
06153210	WOODS EDWIN K	4524	<b>1,224.06</b>

06156087	MENAKER PETER A & ELIZABETH	4525	<b>375.71</b>
01051017	SIMPSON SHAWN CANNON & HUSBAND RODNEY G	4526	<b>271.12</b>
04335004	2109 NORTH GRAHAM	4527	<b>3,441.20</b>
05156055B	VACCARO FREDERICK P & WIFE BOBBIE E	4528	<b>243.23</b>
06096005A	LOWE WILLIAM TIMOTHY & WF CAROL P	4529	<b>48.24</b>
06096005D	LOWE WILLIAM TIMOTHY & WF CAROL P	4530	<b>67.66</b>
06096005E	LOWE WILLIAM TIMOTHY & WF CAROL P	4531	<b>39.53</b>
06096012	SIMPSON RONALD A & WF KIMBERLY L	4532	<b>1,779.00</b>
06096012A	SIMPSON RICHARD N	4533	<b>130.13</b>
06096013	SIMPSON RICHARD N	4534	<b>614.68</b>
06096015	COLQUITT ERIK C & ASHLEY L	4535	<b>446.86</b>
06096020	BOGGS TANA M & SPOUSE WENDELL C BOGGS	4536	<b>421.14</b>

06096030A	LI GUANG C	4537	<b>419.62</b>
06096031	SHAFFER	4538	<b>281.64</b>
	STEPHEN P & WF		
	STARR B		
06096031D	BLACKWOOD	4539	<b>369.41</b>
	JACOB CURTIS JR		
07123104	THOMAS JOE L JR	4540	<b>661.29</b>
	& JENNY S		
07123230	BAEZ HUMBERTO	4541	<b>186.56</b>
	BEAU III &		
	REBECCA FAIR		
07141009A	DOOLITTLE	4542	<b>238.28</b>
	THOMAS P & WIFE		
	SUZANNE L		
06156376	BLOWEY WILLIAM	4543	<b>122.99</b>
	& NANCY		
06180228	KUMAR RAJENDER	4544	<b>1,262.03</b>
	& WF VEENA S		
06078006A	STITT PATRICIA B	4545	<b>410.20</b>
06183025	MICHAELSON	4546	<b>287.60</b>
	CARL CHRISTIAN &		
	WIFE TERRY M		
06186001	WINGARD JOHN	4547	<b>706.87</b>
	RALPH JR & JAMES		
	H & EARL		
06186001Q	MCTERNAN	4548	<b>397.39</b>
	EDMUND J &		
	JANICE M		
06186012	MCCORKLE DAVID	4549	<b>339.39</b>
	E		
06189005A	BROWN E ALLEN III	4550	<b>1,696.91</b>
	& JENNIFER Y		

06066176	PHILLIPS DUKE J & WIFE BONNIE G	4551	<b>677.13</b>
06069002B	WEST LEA KENDRICK & HUSBAND ALTON KEITH	4552	<b>1,052.84</b>
06069009C	COUCHELL PETER J	4553	<b>1,692.67</b>
06069218	STIEL JUERGEN G & WIFE UTE	4554	<b>324.20</b>
06069236	HARVEY WILLIAM E & WF SUSAN	4555	<b>349.84</b>
06096002D	MUSSEN GREGORY E & WIFE SANDRA A	4556	<b>876.96</b>
06189005H	BROWN E ALLEN III & JENNIFER Y	4557	<b>558.06</b>
06189005J	BROWN E ALLEN III & JENNIFER Y	4558	<b>491.54</b>
06210301	TIEU ANTHONY H & SHIN SHIN HU	4559	<b>61.64</b>
08321162	SHORES MARY MAXWELL & LISA RENEE SHORES	4560	<b>66.70</b>
06222170	RAUBACHER CHARLES & ELIZABETH	4561	<b>648.19</b>
07072008	LIQUID MANAGEMENT LLC	4562	<b>3,061.79</b>
07072007	LIQUID MANAGEMENT LLC	4563	<b>3,110.74</b>
06180001J	PROVIDENCE	4564	<b>1,502.28</b>



09396009 90	DOWNS SUBDIVISION HOMEOWNERS MERIWETHER	4565	<b>3,181.22</b>
09396009 80	HOMEOWNERS ASSOCIATION INC MERIWETHER	4566	<b>582.93</b>
01240011B	HOMEOWNERS ASSOCIATION INC GORDON SHANE	4567	<b>45.00</b>
06189094	DAVID VALHALLA FARMS HOMEOWNERS	4568	<b>2,539.63</b>
07072009	ASSOCIATION PARKER STEVE & WIFE CHARIS	4569	<b>2,605.60</b>
02223018	JOWERS DAISY VESTIE	4570	<b>133.00</b>
04216001A	AUTRY GLADYS ELLIS & HUSBAND RICHARD	4571	<b>36.58</b>
04276008	MELTON LINDA	4572	<b>184.41</b>
04306001A	SIMPSONMILTON L & NANCY S	4573	<b>501.46</b>
06072003E	TOLAN JOSEPH R & WIFE SUSAN J TOLAN	4574	<b>475.52</b>
07045005	CASPER DAVID E SR	4575	<b>287.23</b>
07063332	SAKS ROBERT H & WIFE CAROL G	4576	<b>121.64</b>
07063410	POWELL	4577	<b>156.07</b>

07064073	GREGORY W 7 JUDITH H CLEVELAND DAVID A & VICTORIA L	4578	<b>183.07</b>
07066137	SAXON JAMES H JR	4579	<b>74.13</b>
07096459	RADZIEJ TESSA J	4580	<b>98.03</b>
07129958	TOMKO GEORGE M & VALERIE M	4581	<b>156.64</b>
04216010	AUTRY GLADYS ELLIS	4582	<b>286.55</b>
06066127	KELLY ROBERT & OLGA V	4583	<b>580.41</b>
0609005B	BLUE SKY PROPERTIES LIMITED	4584	<b>868.43</b>
06090008A	PARTNERSHIP BLUE SKY PROPERTIES LIMITED	4585	<b>2,152.73</b>
06090015	PARTNERSHIP LAKE SHAWN KEVIN	4586	<b>416.69</b>
06180204	CAPELUTO VICTOR & WF MARTA	4587	<b>823.17</b>
06186042	WALTERS WILLIAM D JR & WIFE REBECCA	4588	<b>759.41</b>
07054786	VISCOUNT ROY S & WIFE ALICE L	4589	<b>53.56</b>
07057213	ADENAIKE DAVID O	4590	<b>69.06</b>
07075209	TUCKER LARRY D	4591	<b>495.73</b>

07114107	& SUSAN K CRONK EDWIN H & VENITA L	4592	<b>171.60</b>
07150014	PETRILLO RUTH E TRUSTEE	4593	<b>1,447.37</b>
06123019B	HOWIE BARBARA BOST REVOCABLE TRUST	4594	<b>383.44</b>
06204137	AMOS MICHAEL & TRACEY	4595	<b>196.61</b>
07069160	HINSON RONALD G	4596	<b>79.13</b>
07069161	HINSON RONALD G	4597	<b>79.80</b>
09105174	HELMS DANNY V & NORINE M	4598	<b>1,097.25</b>
08120013	AUSTIN ELLIS PATRICK & LEE DALE B	4599	<b>478.20</b>
08120018I	AUSTIN ELLIS P	4600	<b>195.51</b>
08120018N	AUSTIN GARRY & WIFE TAMMY C	4601	<b>122.76</b>
08144004A	GOODMAN MARTHA F	4602	<b>149.76</b>
08192009D	HELMS NATHANAEL R	4603	<b>208.68</b>
08192009G	HELMS NATHANAEL R & LEE ANN	4604	<b>61.25</b>
08315001A	NANCE HENRY HOOVER	4605	<b>573.66</b>
08315001C	NANCE HENRY HOOVER	4606	<b>290.29</b>
09075047	HELMS W NEWELL	4607	<b>631.75</b>

09321495	& PAT B LEXINGTON COMMONS OF MONROE HOMEOWNER	4609	<b>208.81</b>
09321259	LEXINGTON COMMONS OF MONROE HOMEOWNER	4610	<b>129.34</b>
09321260	LEXINGTON COMMONS OF MONROE HOMEOWNER	4611	<b>13.96</b>
09321578	LEXINGTON COMMONS OF MONROE HOMEOWNER	4612	<b>14.63</b>
09321207	LEXINGTON COMMONS OF MONROE HOMEOWNER	4613	<b>48.54</b>
09321577	LEXINGTON COMMONS OF MONROE HOMEOWNER	4614	<b>160.93</b>
06081008	HARPER JEFFREY A & MARIANNA M	4615	<b>270.65</b>
05011011A	MILLS ARNOLD P & TAMMIE C	4616	<b>1,702.21</b>
08120018J	AUSTIN ELLIS P & LEE DALE	4617	<b>218.92</b>
08120018C	AUSTIN ELLIS P &	4618	<b>176.09</b>

06102111	LEE DALE PALATINE PROPERTIES LLC	4619	<b>2,351.19</b>
09197050	PARKER BILLY RAY	4620	<b>372.00</b>
08270004	WATKINS GEORGE CLEMENT & MARY S	4621	<b>214.50</b>
04216010	AUTRY RICHARD & GLADYS ELLIS	4622	<b>1,344.43</b>
04309015B	PONDER BILLY JOE & LORETTA H	4623	<b>288.17</b>
09336030B01	WILLIAMS HELEN H TRUSTEE & THOMAS J	4624	<b>1,426.43</b>
04198016	BLACKWOOD AUDREY L	4625	<b>400.00</b>
01234015	SIMPSON WILLIAM DAVIS & PHYLLIS	4626	<b>153.41</b>
07123119	CRAFT HOMES USA LLC	4627	<b>59.56</b>
07123118	CRAFT HOMES USA LLC	4628	<b>59.56</b>
07123117	CRAFT HOMES USA LLC	4629	<b>59.56</b>
07123111	CRAFT HOMES USA LLC	4630	<b>59.56</b>
06159011	PROVIDENCE GLEN HOMEOWNERS ASSOCIATION I	4631	<b>113.83</b>
07099005	ROGERS GREGORY	4632	<b>525.66</b>

09153031	LEE PARK BAPTIST CHURCH	4633	<b>1,926.37</b>
09411018	LIGON DANIEL C	4634	<b>476.62</b>
02239083	CRAFT HOMES USA LLC	4635	<b>11,477.65</b>
09321002E80	CRAFT HOMES USA LLC	4636	<b>489.51</b>
05039017	XIQUES RAYMOND & WIFE CAROL	4637	<b>193.25</b>
06099013D	VELEZ NORMAN & BRENDA A MARTINEZ	4638	<b>932.84</b>
06099013B	VELEZ NORMAN & BRENDA A MARTINEZ	4639	<b>1,009.32</b>
06099013C	VELEZ NORMAN & BRENDA A MARTINEZ	4640	<b>1,006.65</b>
06180195	LOMBARDO ROSS A & TERRI L	4641	<b>825.51</b>
07096091	TY-PAR REALTY PROFIT SHARING PLAN	4642	<b>133.87</b>
07096090	TY-PAR REALTY PROFIT SHARING PLAN	4643	<b>140.85</b>
09274013	HUEY THOMAS WALTER JR	4644	<b>155.41</b>
07114059	MCINNIS CONSTRUCTION CO	4645	<b>82.34</b>
07114059E	MCINNIS	4646	<b>88.40</b>

07114059F	CONSTRUCTION CO MCINNIS	4647	<b>88.40</b>
07114059G	CONSTRUCTION CO MCINNIS	4648	<b>88.40</b>
07114059H	CONSTRUCTION CO MCINNIS	4650	<b>88.40</b>
07114059J	CONSTRUCTION CO MCINNIS	4651	<b>82.34</b>
07114059K	CONSTRUCTION CO MCINNIS	4652	<b>82.34</b>
09195030	CONSTRUCTION CO MCINNIS	4653	<b>137.39</b>
09396884	CONSTRUCTION CO MCINNIS	4654	<b>60.51</b>
04309019	SIMPSON MILTON LEE & WF NANCY S	4655	<b>601.06</b>
08147006	CLONTZ THOMAS BRIDGER & MARY LOU	4656	<b>225.93</b>
08153010	BAUCOM DAVID KEITH & THELMA	4657	<b>420.62</b>
04303001	HORTON KATHLEEN C	4658	<b>360.82</b>

04108002A	WILLIAMS DONALD BRETT	4659	<b>8.44</b>
07129195	PRESLEY D F & WF JEWEL M	4660	<b>105.84</b>
08324085	WIDMANN REINHARD G	4661	<b>417.88</b>
06198557	JOHN WIELAND HOMES AND NEIGHBORHOODS OF	4662	<b>105.29</b>
07147132	JOHN WIELAND HOMES AND NEIGHBORHOODS OF	4663	<b>1,405.70</b>
07147133	JOHN WIELAND HOMES AND NEIGHBORHOODS OF	4664	<b>970.90</b>
07150560	JOHN WIELAND HOMES AND NEIGHBORHOODS OF	4665	<b>282.45</b>
07150112	JOHN WIELAND HOMES AND NEIGHBORHOODS OF	4666	<b>651.55</b>
06180225	GELL MICHAEL E & WF FRANCES	4667	<b>573.90</b>
07150283	JOHN WIELAND HOMES AND NEIGHBORHOODS OF	4668	<b>365.09</b>



07150557	JOHN WIELAND HOMES AND NEIGHBORHOODS OF	4669	<b>203.79</b>
04120001D	STEVENS DAVID F & WIFE ANDREA L	4670	<b>601.69</b>
04252005G	HELTON ROBIN M	4671	<b>208.40</b>
05101047	COX MYRON R & WIFE REBECCA R	4672	<b>151.62</b>
07130143	PORTRAIT HOMES WENDOVER AT CURRY PLACE	4673	<b>585.01</b>
04117011D02	LAWSON HERSHEL & JAMES WAGNER	4674	<b>139.08</b>
50100437	MORGAN JEANETTE	4675	<b>86.10</b>
01087002	MARTIN EDITH H	4676	<b>336.06</b>
06153046	AIRBORN DEVELOPMENT LLC	4677	<b>703.39</b>
06105021	DICKERSON PEGGY D	4678	<b>1,133.36</b>
05015010	RAPE CAROLYN TYSON	4679	<b>686.15</b>
08222036	LEMMOND GARY THERRELL & CAROLYN	4680	<b>0.93</b>
06180216	LONG BRIAN & MARILYN	4681	<b>542.50</b>
06210004	HELMS JOHNNY E & DORIS Y	4682	<b>148.24</b>
06210009	HELMS JOHNNY E	4683	<b>84.63</b>

09301221	& DORIS Y PRESLAR CAROL DEAN	4684	<b>161.27</b>
01177004X	BAUCOM THOMAS B JR & WIFE DEBORAH D	4685	<b>74.82</b>
01177004U	RUSHING LEONARD STEVE & KIMBERLY DAWN	4687	<b>74.82</b>
01177004J	JORDAN LARRY C & MICHELLE P	4688	<b>74.81</b>
01177004G	TREADAWAY FREDDY E JR & SHEILA L	4689	<b>74.81</b>
01075014	PETERSON JAMES D & WIFE HARRIET L	4691	<b>66.50</b>
01075001	COLEY FREDA IRENE & HUSBAND JEFFREY NEIL	4692	<b>66.50</b>
05078035	GLENN JERRY NOLAN & CORRINE P	4693	<b>78.14</b>
05078034	GLENN JERRY NOLAN & CORRINE P	4694	<b>77.28</b>
05051007	GLENN JERRY NOLAN & CORRINE P	4695	<b>303.24</b>
06129043	BOLICK MAGGIE W	4696	<b>1,839.66</b>
08300009	RANKIN RALPH GRAY & ARZELL H	4697	<b>415.08</b>

01228016A	MOYER THOMAS M III & PEGGY P	4698	<b>74.81</b>
01204008	FUNDERBURK BERRY W & WIFE LISA K	4699	<b>74.81</b>
06117293	TAYLOR SIGNATURE HOMES LLC	4700	<b>2,136.36</b>
01201017	WHITLEY MARK S & WIFE NANCY S	4701	<b>74.82</b>
01201016	SIMPSON MARGARET N	4702	<b>74.81</b>
01201002E	JOHNSON ROBIN D & WIFE JANET JUDSON	4703	<b>74.81</b>
09375081 02	WORTMAN PEGGY	4704	<b>321.97</b>
09351002B	MOORE JIMMY F & WIFE JO M	4705	<b>652.34</b>
01177004W	RUSHING LEONARD STEVE & KIMBERLY DAWN	4706	<b>74.82</b>
05066011	BIGHAM LOUISE T	4707	<b>4,587.45</b>
04201016	RICHARDSON JOHN ALTON	4708	<b>281.36</b>
08270003	WINSLOW JASPER C & JOANN S	4709	<b>176.09</b>
01228019	ALDRIDGE DONNIE CLEAMON & WF KATHERN COX	4710	<b>74.81</b>
07105007	ARMSTRONG J D & LARRY A MCKINNEY	4711	<b>395.14</b>

07105006	ARMSTRONG J D & LARRY A MCKINNEY	4712	<b>776.23</b>
07099011B	PLANTATION SOUTH CONSTRUCTION	4713	<b>422.87</b>
07099011A	MARTIN CHARLES ROGER	4714	<b>299.87</b>
07099011	MARTIN CHARLES ROGER	4715	<b>281.89</b>
07099011C08	JRA PROPERTY & LAND MANAGEMENT LLC	4716	<b>1,085.56</b>
07099011C07	MSH INVESTMENTS LLC	4717	<b>1,064.82</b>
07099011C06	MSH INVESTMENTS LLC	4718	<b>1,064.82</b>
07099011C05	PLANTATION CAROLINA LLP	4719	<b>1,064.82</b>
07099011C04	PLANTATION CAROLINA LLP	4720	<b>1,064.82</b>
07099011C03	PLANTATION CAROLINA LLP	4721	<b>1,064.82</b>
07099011C02	R AN F OFFICE ACQUISITIONS LLP	4722	<b>1,085.56</b>
01087004B	MASKE JACK EDWARD	4723	<b>275.77</b>
06159008E	HAYWOOD R BERNARD SR	4725	<b>256.95</b>
08006004	FREEMAN LEONARD EUBANKS	4726	<b>425.04</b>

06180005A	FETHERSON ELOISE	4727	<b>525.28</b>
05153008	JOHNSON RONNY F & ELIZABETH ANNE	4728	<b>691.86</b>
07099002	DRYE PHILLIP DAVID	4729	<b>383.11</b>
06150003	PLAKAS EKATERINI	4730	<b>722.39</b>
08006006	HINSON DON WAYNE	4731	<b>149.63</b>
02098012A	LAND THOMAS E & WF KATHY D	4732	<b>2,962.70</b>
07081009	ROBINSON BLANCHE K	4733	<b>141.12</b>
07060072	LR & FR LLC	4734	<b>71.43</b>
06186003B	SENSENBRENNER RUTH WINGARD	4735	<b>164.18</b>
05144016	WHITLEY SANDRA K SIMS	4736	<b>275.92</b>
05045017	TAYLOR TOMMY RAY	4737	<b>199.50</b>
07102008	GRIFFIN HELEN T TRUSTEE ETAL	4738	<b>1,620.21</b>
07105006G	ARMSTRONG J D & LARRY A MCKINNEY	4739	<b>1,760.62</b>
07081001W	EXTREME ICE PROPERTIES LLC	4740	<b>9,431.91</b>
09261013	BHOLENATH INC	4741	<b>557.46</b>
09232044	GLASS PRISCILLA A	4742	<b>191.52</b>
09298070A	CATES & BROOME	4743	<b>1,473.71</b>

06141001	B & H HOLDINGS LLC	4744	<b>3,671.19</b>
06240102	KASAK CHRISTIAN A & WIFE MICHELLE G	4745	<b>140.30</b>
09241032C	TURNER LISA W	4747	<b>79.34</b>
04306012	RAVENEY DALE T & WIFE KATHLEEN	4748	<b>4,208.23</b>
06066209	SMITH MILES O & WIFE CYNTHIA A	4749	<b>1,395.36</b>
08267006 02	HORNE DOUGLAS & PHILLIP HORNE	4750	<b>390.09</b>
06180153	LEE ROBERT EDWARD & WIFE DEBRA LEE	4751	<b>277.47</b>
02164004F	ROSS ERVIN C & WIFE NANCY M ROSS	4753	<b>66.50</b>
02192007G	STARNES DONNY E	4754	<b>34.92</b>
02254001C	MALDONADO JUANITA	4755	<b>58.19</b>
02254003	HARRIS PAULA SANDERS	4756	<b>58.19</b>
02254003B	WHITAKER HERMAN ALEXANDER JR	4757	<b>58.19</b>
03048002C	RATLIFF ROBERT F & KATHRYN R HYATT	4758	<b>58.18</b>
03057004A	CREASMAN THOMAS ANDREW	4759	<b>58.19</b>

03129003	JR & ROBIN H ALONSO JUSTINO	4760	<b>116.38</b>
03132016A	ALDRIDGE BILLY JONES	4761	<b>116.37</b>
04069009	HORNE SCOTTY WAYNE ETAL	4762	<b>116.37</b>
04087008	GREENE ALBERT DAVID & BESSIE	4763	<b>116.37</b>
04225015	MCATEER DAVID R & WIFE CYNTHIA M	4764	<b>199.50</b>
04347023	GOODE IRIS H	4765	<b>99.75</b>
04347025	FLORIAN DONALD & JOHN D FINCHER	4766	<b>99.75</b>
07150482	RITCH BRUCE J & STACY B	4767	<b>742.50</b>
02148005	DUPUY PROPERTIES	4768	<b>915.44</b>
02148004C	DUPUY PROPERTIES	4769	<b>1,075.17</b>
02148002	DUPUY PROPERTIES	4770	<b>511.58</b>
09207063	FURR AMY JEANENE BURRIS REVOCABLE LIVING TRUST	4771	<b>331.57</b>
02148001	DUPUY DAVID N	4772	<b>99.55</b>
09420001	GOUDES NICHOLAS T	4773	<b>90.43</b>
08210007J	TIETSORT K DAREN & JACQUELINE R & PAULINE TIET	4774	<b>727.91</b>

08312018	SCHEBEL JOE & PHILIP PULASKI	4775	<b>271.43</b>
02239004	KENERLEY DAVID M & WF BONNIE O	4776	<b>694.33</b>
05141007	MCCLAIN THOMAS WADE & WIFE SARAH M	4777	<b>1,153.52</b>
08036024G	TOMBERLIN ANTHONY BROCK & SANDY ANN WILL	4778	<b>403.25</b>
08036024C	TOMBERLIN TONYIA G	4779	<b>955.73</b>
08099018	PHILEMON HELEN P & HUSBAND RODGELL	4780	<b>3,035.53</b>
09046003	AYSCUE ORELLA	4781	<b>2,423.92</b>
09143006	HELMS BILLY S	4782	<b>1,853.42</b>
04168002F	KIMBROUGH NELL BELK	4783	<b>1,325.35</b>
04135007D	COX MARION F ET AL	4784	<b>826.59</b>
04171010A	COX MARION F & WF DELANO S & JOHN R COX	4785	<b>132.27</b>
09207046	HORTON VICKY H	4786	<b>1,075.50</b>
04332001	TYSON W D HEIRS	4787	<b>17,111.49</b>
09072003	MCCOLLUM THOMAS H & WILMA B & JOHN H MCCO	4788	<b>3,185.15</b>
06033015	MERSCH ROBERT C & WIFE SUSAN R	4789	<b>4,930.34</b>



06222228	NC COUNTRY CLUB ESTATES LP	4790	<b>3,450.26</b>
05033066A	THOMPSON VICTOR WAYNE & WIFE STEPHANIE	4791	<b>189.69</b>
04279036C	HOWEY FRANKLIN W JR	4792	<b>888.42</b>
02055005	HOWEY FRANKLIN W JR	4793	<b>5,061.58</b>
06159211	PULTE HOME CORPORATION	4794	<b>1,693.18</b>
04231012	RICHARDSON RALPH JAMES & WF EVA C	4795	<b>790.69</b>
06072006	PLYLER JOHN ROY	4796	<b>2,721.27</b>
09189103	WADSWORTH RANDY EDWARD	4797	<b>451.93</b>
07048041	K-M PARTNERSHIP	4798	<b>1,535.88</b>
06177049	ARORA MOHANLAL V & WF MUKTA	4799	<b>1,770.11</b>
07048017K	THREE STAR INVESTORS ET AL	4800	<b>53.20</b>
07048017J	THREE STAR INVESTORS ET AL	4801	<b>558.60</b>
07064545	VINTAGE TOWNHOMES PHASE III	4802	<b>10.14</b>
07048013P	HOMEOWNERS AS THREE STAR INVESTORS ET AL	4803	<b>478.80</b>
07048013N	THREE STAR INVESTORS ET AL	4804	<b>200.36</b>

07048013J	THREE STAR INVESTORS ET AL	4805	<b>399.00</b>
02148014	DUPUY DAVID N & S STUART DUPUY	4806	<b>914.18</b>
02148012	DUPUY PROPERTIES	4807	<b>1,047.31</b>
02148010	DUPUY PROPERTIES	4808	<b>2,011.03</b>
02148009	DUPUY PROPERTIES	4809	<b>1,416.65</b>
D8321001	STEVENS MILL HOMEOWNERS ASSOC	4810	<b>9.11</b>
08315074	TY-PAR REALTY INC	4812	<b>16.28</b>
08315003	TY-PAR REALTY INC	4813	<b>6.14</b>
08312001F	TYSON L CARLTON	4814	<b>9.00</b>
09339019 01	MARTIN MARIETTA MATERIALS INC	4815	<b>4,247.69</b>
02303058	MARSHVILLE PLAZA PROPERTIES	4816	<b>1,766.78</b>
09301062	RH PROPERTIES OF MONROE LLC ET AL	4817	<b>1,492.86</b>
09301061J	TYSON L CARLTON	4818	<b>3,191.73</b>
09301002E90	TY-PAR REALTY INC	4819	<b>2,098.48</b>
09301002E80	TY-PAR REALTY INC	4820	<b>363.23</b>
09223089	WALTERS BRUCE	4821	<b>981.54</b>

09301002	F & MARTHA WALTERS FRY TY-PAR REALTY INC	4822	<b>3,252.38</b>
09259001D	TY-PAR REALTY INC	4823	<b>476.07</b>
09259001C01	TY-PAR REALTY INC	4824	<b>527.15</b>
09259001B	TY-PAR REALTY INC	4825	<b>4.99</b>
09216075	TYSON CENTER LLC	4826	<b>5,245.79</b>
09216074	TY-PAR REALTY INC	4827	<b>2,710.81</b>
09156004B	MONROE STATION LP	4828	<b>3,095.37</b>
09121005	DAVIS WRISTON ARTHUR & CLARA BELLE DAVIS TR	4829	<b>1,974.79</b>
04318009C	AUSTIN CATHERINE C & JIMMY D & WF GAIL A	4830	<b>273.78</b>
05013002	TYSON JUNE A	4831	<b>8,279.87</b>
08156023	EUDY LYNDA LANE PARKER	4832	<b>1,360.85</b>
09156003	HILLTOP DEVELOPMENT CO OF MONROE	4833	<b>1,111.81</b>
04279028	MELTON MARJORIE	4834	<b>3,302.78</b>
09087004	BRASWELL BILL G	4837	<b>8,417.51</b>

09084036	JR ET AL COOPER INDUSTRIES INC	4838	<b>2,662.40</b>
09084005	COOPER INDUSTRIES INC	4839	<b>5,385.63</b>
;07114027D	INDIAN TRAIL PROPERTIES LIMITED PARTNERSHIP	4841	<b>4,287.22</b>
07090021W	WC PARTNERS LLC	4842	<b>2,595.17</b>
07075013	FUNDERBURK GERALD LEE	4843	<b>2,087.09</b>
07048089	TYSON PARKER RX TEXTILES INC	4844	<b>925.48</b>
07048082	TYSON CARLTON & WF CAROL M	4845	<b>1,820.37</b>
07048072B	TYSON L CARLTON TRUSTEE	4846	<b>661.41</b>
07048070	TYSON CENTER LLC	4847	<b>742.00</b>
04279042A	MELTON JESS J & MARJORIE M	4848	<b>239.28</b>
09301246	HELMS ARNOLD O	4849	<b>285.95</b>
07129333	UNION LAND LLC	4850	<b>1,669.24</b>
07087007	RADIATOR SPECIALTY CO	4851	<b>656.00</b>
07084405B	ROWELL ENTERPRISES LLC	4852	<b>1,714.61</b>
07081013	LEMMOND MARSHALL M & DORIS P	4853	<b>2,371.19</b>

06192008	CHAMBERS JAMES H L III	4854	<b>1,739.19</b>
07075019	JLA3 LLC	4855	<b>15,095.95</b>
07060031A	GREGORY GARY L & KATHERINE	4856	<b>160.83</b>
07147130	AUSTIN PROPERTIES LLC	4857	<b>27,040.93</b>
K8312001D	CAROLINA GOLF DEVELOPERS LLC	4858	<b>122.07</b>
08312001E	CAROLINA GOLF DEVELOPERS LLC	4859	<b>1,343.46</b>
07075028	JLA3 LLC	4860	<b>1,696.82</b>
07069037	NISBET OIL CO	4865	<b>2,132.04</b>
07069039	NISBET OIL CO	4866	<b>487.37</b>
07069100	NISBET OIL CO	4867	<b>453.01</b>
07111018B	MCINNIS DONALD A	4868	<b>2,682.20</b>
09264003 01	MADISON MONROE MALL LLC	4869	<b>25,221.39</b>
09301061	RMMC INC & TY- PAR & LC TYSON	4870	<b>2,110.11</b>
09198010A	TYSON CARLTON	4871	<b>1,849.49</b>
09198006	TY-PAR REALTY INC	4872	<b>2,659.37</b>
07102033F	SMB OF GREENVILLE II LLC	4873	<b>2,781.48</b>
07102186 01	SMB OF GREENVILLE II LLC	4874	<b>951.99</b>
07102187 01	SMB OF GREENVILLE II LLC	4875	<b>751.26</b>
07102190 01	SMB OF GREENVILLE II LLC	4876	<b>1,984.64</b>

09301061A	LCT PROPERTIES LLC	4877	<b>7,681.02</b>
09301061K	RMMC INC & TY- PAR & LC TYSON	4878	<b>3,097.04</b>
07129291A	FUNDERBURK CAROLYN M	4879	<b>5,595.62</b>
07129291	TOMPA RICK A & WIFE LISA F ET AL	4880	<b>813.98</b>
04033008B	BEAVER BOBBY LEWIS & WF DENISE C	4881	<b>8.25</b>
08315073	CAROLINA GOLF DEVELOPERS LLC	4882	<b>366.45</b>
K8312001B	CAROLINA GOLF DEVELOPERS LLC	4883	<b>305.57</b>
D8312001D	BEAVER BOBBY LEWIS & WF DENISE C	4884	<b>113.65</b>
D8312001B	CAROLINA GOLF DEVELOPERS LLC	4885	<b>113.65</b>
07069099	NISBET OIL CO	4886	<b>185.72</b>
07069092	JACOBS LARRY G & FAYE LEIGH	4887	<b>69.65</b>
07069091	JACOBS LARRY G & FAYE LEIGH	4888	<b>162.51</b>
07069090	JACOBS LARRY G & FAYE LEIGH	4889	<b>162.51</b>
07069089	JACOBS LARRY G & FAYE LEIGH	4890	<b>162.51</b>
09161072	MILLS ROBERT C & WIFE JOYCE D	4891	<b>4.79</b>
09207004	COOPER WILLIS E	4892	<b>81.39</b>

06108113	& WF MARTHA D SMITH WILLIAM NICHOLAS JR & FAYE G	4893	<b>119.87</b>
06240092	WICKLUND JOHN G & LISA	4894	<b>149.07</b>
07069038	NISBET OIL CO	4895	<b>537.94</b>
09128010C	OLD PLACE LLC (THE)	4896	<b>750.85</b>
09128007	OLD PLACE LLC (THE)	4897	<b>5,405.92</b>
06204251	LONGVIEW ENTERPRISES ASSOCIATES LLC & GRA	4898	<b>4,987.84</b>
09348014C	CAROLINA CONFERENCE ASSOCIATION OF SEVENT	4899	<b>3,061.86</b>
09149003	CAROLINA CONFERENCE ASSOCIATION OF SEVENT	4900	<b>1,693.22</b>
07039273	TURPIN PHILIP B & WF LAURA T	4901	<b>57.11</b>
02015002A	CARPENTER R NEAL ET AL	4902	<b>699.59</b>
50081671	AUTRY CAROLYN A DEESE	4903	<b>50.00</b>
<b>Totals - 2008</b>			<b>515,520.07</b>

**2007**

50088311	NEW GENERATION ACADEMY FOR KID INC	4403	147.59
50091736	STAMP JOHN EDWARD	4417	8.45
50082288	LEAK JOHN H JR	4424	5.86
50082661	FOX POND FARM	4433	320.71
50072449	CAROBILT HOMES INC	4438	280.35
50096269	FUZIONGRAFIX	4440	391.11
50090594	HARTIS JEFFREY L	4460	48.47
50069084	GENERAL ELECTRIC CAPITAL CORP	4478	55.29
H9381024A06	STEGAL KRISTINA & JEFFREY	4608	32.52
01087004B	MASKE JACK EDWARD	4724	285.58

---

**Totals - 2007** **1,575.93**

**2006**

50082661	FOX POND FARM	4434	280.15
H9381024A06	STEGAL KRISTINA & JEFFREY	4649	29.25

---

**Totals - 2006** **309.40**

**2005**

50082661	FOX POND FARM	4458	277.20
50088262	MIKE'S SOUTHERN STYLE HOTDOGS &	4904	229.10



D'LITE

---

**Totals - 2005**

**506.30**

---

---

**GRAND TOTAL - ALL YEARS**

---

**Requests for Waiver of Late Listing Penalties:** Approved the recommendation of the Tax Administrator and County Attorney to reject the requests of the following businesses for waiver of late listing penalties: TEQ, LLC in the amount of \$107.73; Jerry E. Miracle, DDS, in the amount of \$195.71; and Du-Co Ceramics Company in the amount of \$1,499.13.

**Department of Social Services:** Budget Amendment #13 to increase federal revenue by \$148,764 and increase operating expense by the same amount to appropriate additional funds for the Crisis Intervention Program funded with federal money.

**Health Department:** Approved Budget Amendment #14 as follows: Increase Operating Expense by \$145,847, Federal/State Grant Revenues by \$145,847; Decrease Operating Expense by \$23,659 and Federal/State Grant Revenues by the same amount.

**Finance:** Approved Motor Vehicle Tax Refund Overpayments for October 2008 in the amount of \$5,280.99

**Finance:** Approved Budget Transfer Report for September and October 2008

**Finance:** Approved contract with Union County Community Action, Inc. for funding programs to serve low income families and children in the amount of \$76,338

**Finance:** Transferred to Regular Agenda – Contract with Parker Poe Adams & Bernstein, LLP,

**Finance:** Approved Purchase Orders for the month of October greater than \$50,000: Department: Information Technology; Vendor: Logicalis; Amount: \$79,975.

**Exemption of Communication Towers from FRP Engineering Procurement:** Approved exemption of the project for construction of three communications towers (and ancillary work) from the North Carolina General Statutes requirement to follow the Requests for

Qualifications (RFQ) process for selection of an engineer on this project and authorized the County Manager to enter an agreement with Tower Engineering Professionals in an amount not to exceed \$100,000.

**Town of Wingate’s Request for Appointment of Members from the Extraterritorial Jurisdiction Area to the Town’s Planning Board (three members) and appointment to Board of Adjustments (three members).** Approved the Clerk to proceed with advertising for applications of persons who reside within the ETJ area to serve on these Boards and to publish notice of a public hearing for Monday, December 15, 2008, at 7:00 p.m. to receive comments regarding selection of members.

**Information/No Action Requested:** Reports from Personnel for October 2008; Inspections Report for October 2008; Interim Report from Vehicle Use Committee

**Allocation of Federal Forfeiture Contingency Funds:** Adopted General Special Revenue Ordinance Amendment #9 allocating contingency funds to various expenditure accounts to purchase the following: Driving Simulator \$98,000; Digital Video Cards for Mobile Command \$3,000; Replacement Machine Guns \$50,000; Update Firearms Simulator equipment \$10,000; Robot Cameras for SRT \$18,000; Work Station enclosures \$10,000; Upgrade IA software to OSSI module \$20,000

CAPITAL PROJECT ORDINANCE AMENDMENT							
BUDGET		General SRO Fund		REQUESTED BY		Kai Nelson	
FISCAL YEAR		FY 2007-2008		DATE		November 17, 2008	
<b>PROJECT SOURCES</b>				<b>PROJECT USES</b>			
Source	Project	Requested	Revised	Project	Project	Requested	Revised
Description and Code	To Date	Amendment	Project	Description and Code	To Date	Amendment	Project
<b>General Special Rev Ord Fund</b>							
<b>Federal Forfeited Property Program</b>				<b>Federal Forfeited Property Program</b>			
Fed Forfeited Prop Rev	384,513	-	384,513	Contingency	379,163	(209,000)	170,163

All Other Revenue			-		Capital Outlay			
	97,203			97,203		25,000	156,000	181,000
					Operating Expenditure			
						77,553	53,000	130,553
	481,716		-	481,716		481,716	-	481,716

The Chairman announced that the discussion with Verizon will be 6(a), Crime Stoppers will be 6(b), legal contract transferred from Consent Agenda will be 6(c), North Carolina Housing Financing Agency Grant Application for Urgent Repair will be 6(d).

**PUBLIC INFORMATION COMMENTS:**

Brett Vines, Public Information Officer, reported that Cane Creek Park Lake closed today for approximately four weeks to allow for repairs to the emergency spillway. He said that water has been lost through the spillway, and it needs to be repaired. Mr. Vines said the lake is about 24 inches below normal capacity so boats are not allowed on the lake at this time. He also announced that the purple trail will be closed during the repairs of the lake.

Mr. Vines reported that the Veterans Service Director will be at the Union West Regional Library on December 4<sup>th</sup> from 3:00 p.m. and 5:00 p.m. to help veterans or their survivors file claims or to help veterans enroll in the Veterans Affairs Healthcare Program.

The Public Information Officer stated that December is a busy time for the tax collector’s office and encouraged the citizens to pay taxes with their credit card through the County’s web site. He noted, however, there is a 2.75 percent convenience fee that will be charged when a taxpayer pays by credit card. Mr. Vines said this amount goes to the credit card processing company and does not go to the County.

He announced that the County’s holidays for Thanksgiving will be Thursday, November 27, and Friday, November 28.

## **VERIZON:**

The Chairman recognized and introduced Stan Pace, Vice President of Public Affairs, Policy and Communications with Verizon Telecom, whose office is in Durham, NC.

Mr. Pace stated that it was at the urging of Chairman Baucom that he attended tonight's meeting. He pointed out that Verizon Telecom has a relatively small service area in North Carolina in comparison to its service areas in some of the other states. He explained that his job is public policy which means that he deals with the Utilities Commission, the General Assembly, and works on projects. Mr. Pace said their other line of business is Verizon Wireless, which is a fairly large entity throughout the State. However, he stated he is here tonight to address the lack of a broadband investment in this area. Mr. Pace explained that this area had been noted with the business planners for about three years. He said he had heard about lack of service from Representative Blackwood and Senator Goodall but the way it works is that these investments are made on a business case by business case basis. He pointed out that in February 2008 they had prepared a high-speed internet overlay with much of the information being obtained from numerous local sources in Union County with the pushing and advocacy of Chairman Baucom. Mr. Pace announced that in June 2008 the business case was approved; it was one of 30 out of the 28-state platform. He said this market in Union County is growing and the median income is great and that is what sold the business case. He said the business case approved investment in Monroe, Goose Creek, and Altan, and that Verizon has spent \$1.8 million to provide about 26,000 customers with high-speed internet. He admitted that it does not serve every customer on the network but does serve a good percentage of everybody that is served by Verizon land line service. The only caveat, he stated, would be the 18,000 feet loop limit. He reiterated that most customers will be serviced. Mr. Pace announced that the pricing promotions, etc., will be coming soon by media release, and he would get this information to the Board of Commissioners as soon as it is available.

In response to a question by the Chairman, Mr. Pace announced that the high-speed internet access should be available within two weeks.

Chairman Baucom assured that the business community of this County truly appreciates this action because it will have a huge positive impact and influence on what the business community can do in operating in the modern world. He extended his thanks and those of the Board for Verizon's investment in Union County.

## **CRIME STOPPERS OF UNION COUNTY:**

The Chairman recognized Commissioner Lane to present this item. Commissioner Lane requested that Union County waive or fund the fees for use of the Agricultural Center for the annual fundraiser for Crime Stoppers in Union County. He gave brief details of some of the activities of this organization.

Vice Chairman Pressley moved that Union County appropriate the required funds from Contingency to offset the fees for the Crime Stoppers annual fundraiser to be held at the Ag Center in January and/or to take the same steps as was taken last year to cover the user fees of the Ag Center for Crime Stoppers' Annual Fundraiser. The motion passed unanimously.

In response to a question, Kai Nelson, Finance Director, explained that at this time he was not sure what action the Board may have to take to waive or pay the fees for Crime Stoppers' annual fundraiser. He said he believed that there is a master caterer agreement that was entered into with Ray Cook in which the provision regarding the environmental health rating, which was the issue, was eliminated from that contract. He said the staff is at a disadvantage because these details are not available at this time. He assured that if the Board is inclined to have the General Fund Contingency pay for that, it could be done.

**CENTRAL ADMINISTRATION – Contract with Parker Poe Adams & Bernstein over \$50,000:**

The Chairman recognized Commissioner Openshaw who had requested this item be removed from the Consent Agenda and added to the Regular Agenda.

Commissioner Openshaw pointed out that this contract was with attorneys Parker Poe Adams & Bernstein to review the proposed hospital contract lease. He said the firm did an excellent job, but that he is being consistent by voting against this because he was concerned about the dollar amount of the commitment of \$90,000 and not about the job that was done by the firm. He said he certainly hoped that the fee was not \$90,000.

The Staff Attorney noted that this was a report and a motion is not needed.

**URGENT REPAIR PROGRAM:**

The Chairman recognized Al Greene, County Manager, to present this information. He said that late last week information was sent to each Commissioner about the Urgent Repair Program through the North Carolina Housing Financing Agency. He explained that this is a grant program offered by the State's Housing/Financing Agency. Mr. Greene noted that the Centralina Council of Governments made Union County aware of this grant program late last week. He said if Union County were to apply and were to

be funded, the maximum grant amount is \$75,000; the cost to the county in terms of local match would be \$5,000 for administrative cost to be paid to Centralina Council of Governments to administer the grant for the County.

He noted that the grant provides low income homeowners, particularly the elderly and disabled, with critical housing repairs such as new roofs, heating system, wheelchair ramps, etc. He said this Board would determine what the selection criteria might be among the competing applicants. Mr. Greene said this program will be advertised county-wide so the County's residents would know about it and would be able to take advantage of such a grant. He pointed out that Union County had never participated in this program, but it appears to be a very good program, and he would recommend the Board allow the staff to make a grant application for the program.

Motion was made by Commissioner Openshaw that the Union County staff be authorized to file a grant application for up to \$75,000 from the Urgent Repair Program through the North Carolina Housing Financing Agency to include the local \$5,000 administrative cost to be paid by the County. The motion passed unanimously.

**PUBLIC WORKS:**

The Chairman recognized the County Manager to present this item. Mr. Greene explained that there are three water extension projects, which all three are on the County's capital improvement program as well as all are currently included in the County's Capital Project Ordinance – the Cureton Parkway Watermain, the Waxhaw-Marvin Road Watermain, and Cuthbertson Road Watermain. He further explained that Mr. Huneycutt provided a map in the agenda package showing where the extensions would occur and assured that these three would provide significant connections within the system to improve the system's hydraulics. Mr. Greene also assured that it would improve the County's reliability during watermain breaks, pump outages, etc. He pointed out some of the complications that could develop without the benefits of these connections. The Manager stated that they had studied the cost in light of the capital freeze, but because this is budgeted within the enterprise fund, the staff believes these improvements will provide a significant benefit to the system and customers. Therefore, he said that he and the staff recommend the award of all three bids to the lowest bidder on each project.

The bids on the projects are as outlined below:

**Cureton Parkway Watermain: This project consists of the installation of approximately 4,800 linear feet of 16-inch water main along Cureton Parkway in Union County.**

Dellinger, Inc.

P. O. Box 929, Monroe, NC 28111

\$452,857.00

The Marin Company, LLC	8604 Cliff Cameron Drive, Charlotte, NC 28269	470,980.00
State Utility Contractors, Inc.	P. O. Box 5019, Monroe, NC 28111	485,186.00
Davis Grading, Inc.	3404 W. Zion Church Rd., Shelby, NC 28150	507,279.01
Advanced Development Concepts	P. O. Box 3248, Matthews, NC 28106	533,215.54
Cameron Development, Inc.	P. O. Box 4901, Archdale, NC 27263	551,586.00
CMI Contracting, Inc.	P. O. Box 1669, Monroe, NC 28111	564,570.00
Mainline Contracting, Inc.	15 Golden Drive, Durham, NC 27705	566,645.00
Buckeye Construction Co.	P. O. Box 1229, Canton, NC 28716	575,688.75
RDR, Inc.	12685 Barrier Store Road, Locust, NC 28097	595,922.00
BRS, Inc.	P. O. Box 456, Richfield, NC 28137	623,893.00
R. H. Price, Inc.	P. O. Box 1709, Matthews, NC 28106	627,304.00
Concord Builders, Inc.	P. O. Box 1050, Concord, NC 28026	634,284.52
Sealand Construction Corp.	1708 N. Caldwell Street, Charlotte, NC 28206	639,659.00
Scurry Construction, Inc.	P. O. Box 548, Cornelius, NC 28031	679,405.00

The engineers noted that minor irregularities were found in the bids from RDR, Inc., and BRS, Inc., but recommended that these be waived and that the contract for Cureton Parkway Watermain be awarded to the lowest, responsive, responsible bidder, Dellinger, Inc., in the amount of \$452,857.

**Waxhaw Marvin Road Watermain: This project consists of approximately 4,900 linear feet of 16-inch water line with valves, hydrants and appurtenances.**

Dawn Development Co., Inc,	1815 Rocky River Road N., Monroe, NC 28110	\$400,636.27
Dellinger, Inc.	P. O. Box 929, Monroe, NC 28111	401,615.00
R. F. Shinn Contractor, Inc.	P. O. Box 243, Concord, NC 28026	431,065.00
State Utility Contractors, Inc.	P. O. Box 5019, Monroe, NC 28111	433,465.50
R. H. Price, Inc.	P. O. Box 1709, Matthews, NC 28106	446,945.00
Davis Grading, Inc.	3304 W. Zion Church Road, Shelby, NC 28150	454,951.92
The Martin Company	8604 Cliff Cameron Drive, Suite 130, Charlotte, NC 28269	457,192.00
Cameron Development, Inc.	P. O. Box 4901, Archdale, NC 27263	461,186.25
Advanced Development Concepts	P. O. Box 3248, Matthews, NC 28106	487,102.97
Bultema Brothers Road	P. O. Box 2475, Cornelius, NC 28031	503,713.85
CMI Contracting, Inc.	P. O. Box 1669, Monroe, NC 28111	505,674.65

Buckeye Construction Co., Inc.	P. O. Box 1229, Canton, NC 28716	513,954.20
BRS, Inc.	P. O. Box 456, Richfield, NC 28137	535,088.25
Mainline Contracting, Inc.	15 Golden Drive, Durham, NC 27705	554,955.00
Scurry Construction, Inc.	P. O. Box 548, Cornelius, NC 28031	639,794.00

It was noted by the engineers of the project, Arcadis G&M of North Carolina, Inc., that there was an offsetting multiplication error on the bid from BRS, Inc. It was the recommendation of the engineers that the Board waives the bid irregularities and awards the contract for the Waxhaw-Marvin Road Watermain Project to the lowest, responsible, responsible bidder, Dawn Development Co., Inc., in the amount of \$400,636.27.

**Cuthbertson Road Watermain: This project consists of approximately 4,500 LF of 16-inch water line with valves, hydrants and appurtenances.**

R. F. Shinn Contractor, Inc.	P. O. Box 243, Concord, NC 28026	\$440,551.00
Dellinger, Inc.	P. O. Box 929, Monroe, NC 28110	498,423.00
Advanced Development Concepts	P. O. Box 3248, Matthews, NC 28106	512,925.15
State Utility Contractors, Inc.	P. O. Box 5019, Monroe NC 28111	521,515.50
Cameron Development, Inc.	P. O. Box 4901, Archdale, NC 27263	561,611.00
Davis Grading, Inc.	3404 W. Zion Church Road, Shelby, NC 28150	577,365.57
Mainline Contracting, Inc.	15 Golden Drive, Durham, NC 27705	581,164.00
Buckeye Construction Co., Inc.	P. O. Box 1229, Canton, NC 28716	594,910.60
CMI Contracting, Inc.	P. O. Box 1669, Monroe, NC 28111	607,367.25
BRS, Inc.	P. O. Box 456, Richfield, NC 28137	626,421.00
Bultema Brothers Rd. Contr.	P. O. Box 2475, Cornelius, NC 28031	638,379.86
R. H. Price, Inc.	P. O. Box 1709, Matthews, NC 28106	674,643.00
Concord Builders, Inc.	P. O. Box 1050, Concord, NC 28026	
721,786.23		
Scurry Construction, Inc.	P. O. Box 548, Cornelius, NC 28031	816,537.00

It was noted that there was a minor irregularity in the bid from Buckeye Construction, but the change would not affect the bid award. The recommendation of Randy Darden, Project Manager for Arcadis G&M of North Carolina, was that the Board waive the bid irregularities and award the contract for the Cuthbertson Road Watermain to the lowest, responsive, responsible bidder, R. F. Shinn Contractor, Inc., in the amount of \$440,551.00.



After receiving the recommendation of the County Manager and an explanation from the Senior Staff Attorney that none of the irregularities were relative to the lowest, responsive bidders, Vice Chairman Pressley moved the bids on the three projects be accepted, that the irregularities be waived as noted in the engineering recommendation from Arcadis G&M of North Carolina, that the contracts be awarded to the lowest, responsible bidder for each project: Cureton Parkway Watermain be awarded to Dellinger, Inc., in the amount of \$452,857.00; Waxhaw-Marvin Road Watermain be awarded to Dawn Development Company, Inc. in the amount of \$400,636.27; and Cuthbertson Road Watermain be awarded to RF Shinn Contractor, Inc. in the amount of \$440,551.00 and the County Manager be authorized to approve contracts with low bidders, pending legal review.

The Chairman called for a vote on the motion. The motion passed unanimously.

**UNION COUNTY VOLUNTARY AGRICULTURAL DISTRICT & ENHANCED VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE (AMENDED AND RESTATED):**

The Chairman recognized Jerry Simpson, Extension Director, and Everett Medlin, Ag Advisory Board Chairman. He explained that the Senior Staff Attorney had reviewed and made revisions to Union County's Farmland Preservation Ordinance and the proposed changes to the Ordinance. The Chairman noted that the review by the Staff indicated that the proposal for appointment by township rather than district is not consistent with G. S. 106-738 (a) (4). Mr. Crook said there might be a way to limit the number of districts by combining some of the farms that are participating; thereby, reducing the number of members on the advisory board. He noted that according to the State's Statutes each district has to have a member and that was not accomplished in the draft that was sent to him for review.

The Chairman countered that with each district having a member, the board could become voluminous as the number of districts increase. He said the thought of the advisory committee is that by going to townships the number of members is controlled but there would still equitable representation.

Mr. Medlin agreed with the Chairman and reiterated that what the advisory board is recommending is that regardless of the number of voluntary districts within a township that the districts would be represented by one person from the township. Mr. Crook stated that is how he understood the recommendation, but emphasized that the North Carolina General Statutes do not permit that action; it does, however, allow for districts to be established by townships. He stressed, however, that some of the districts would have to be merged to accomplish that. He said he thought the request could be done, but it could not be accomplished in the ordinance that was sent to him for review.

The Chairman asked if a township could become a district. The Attorney responded that it could. Chairman Baucom then asked if that action would fulfill the requirement of the General Statutes and meet the desire of the advisory board to control the number of members.

The Attorney replied that was correct. Mr. Crook stated that the County has existing districts because the Ordinance has been in effect for some years. He said it would necessitate the Board and/or advisory board to look at merging districts into the township district. He said that action would cap the number of advisory board members and make it a more manageable number. Mr. Medlin agreed that would be acceptable to them.

The Attorney stated he thought there was one missing step in the ordinance. He said if the Board wanted to adopt the Ordinance tonight with a future effective date, which he would recommend because there is some impact on other county departments, that step could be addressed before the Ordinance becomes effective. By acclamation, the Board agreed with this process for limiting membership on the advisory board and requested this change be included in the Ordinance.

The Chairman moved that the Ordinance as amended and restated by the Staff Attorney be adopted with an effective date of February 1, 2009.

Jeff Crook, Senior Staff Attorney, asked for one other clarification. He reminded that the Ordinance was amended and restated earlier this year to add the non-voting membership along with several other changes and one of these changes was to allow the advisory board to make some recommendations regarding the use of the Ag Center. Mr. Crook said that was included in the current ordinance but it was not included in the draft ordinance sent to him for review. He said he reinserted those changes in the yellow text as shown on the Board's copies. He said for clarification purposes he wanted to know if the Chairman's motion is that the Ordinance be adopted as amended. The Chairman acknowledged that was the intent of his motion.

The motion was passed unanimously.

UNION COUNTY VOLUNTARY AGRICULTURAL DISTRICT & ENHANCED VOLUNTARY AGRICULTURAL DISTRICT  
ORDINANCE

(Amended and Restated on November 17, 2008)

ARTICLE I  
TITLE

An ordinance of the Board of County Commissioners of Union County, North Carolina, entitled, Union County Voluntary Agricultural District & Enhanced Voluntary Agricultural District Ordinance.

ARTICLE II  
AUTHORITY

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

ARTICLE III  
PURPOSE

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

ARTICLE IV  
DEFINITIONS

The following are defined for purpose of this Ordinance:

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

ARTICLE V

## AGRICULTURAL ADVISORY BOARD

### A. Creation

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

### B. Membership

The Advisory Board shall consist of nine (9) voting members and three (3) nonvoting members, all appointed by the Board of Commissioners; provided, however, that the number of voting members may be increased without amendment to this Ordinance if necessary for the Board of Commissioners to comply with Article V(C)(8) below.

### C. Membership Requirements

1. Each Advisory Board member shall be a Union County resident.
2. At least six (6) of the nine (9) voting members shall be actively engaged in farming.
3. One of the Advisory Board members shall be the President of the Union County Farm Bureau or his designee.
4. One of the Advisory Board members shall be a member of the Board of Commissioners who shall serve in a nonvoting capacity.
5. One of the Advisory Board members shall be the District Conservationist of the Union Soil and Water Conservation District who shall serve in an ex officio and nonvoting capacity.
6. One of the Advisory Board members shall be a second employee on staff with the Union Soil and Water Conservation District who shall serve in a nonvoting capacity.
7. The members actively engaged in farming shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Soil and Water Conservation District, the

Cooperative Extension Service, the Agricultural Stabilization Conservation Service Committee, and the Union County Farm Bureau with an effort to have the broadest geographical representation possible.

8. Each District shall have a member on the Advisory Board.

D. Tenure

As to voting members, the initial Board is to consist of three (3) appointees for terms of one (1) year, three (3) appointees for terms of two (2) years, and three (3) appointees for terms of three (3) years. Thereafter, all appointments are to be for terms of three (3) years, with reappointments permitted. Members shall serve at the pleasure of the Board of Commissioners.

As to nonvoting members, (i) the Advisory Board member who is a member of the Board of Commissioners shall serve for a term of one year, with appointment being made generally at the first meeting of the Board of Commissioners in December of each year, as is the Board's custom; (ii) the District Conservationist of the Union Soil and Water Conservation District shall serve ex officio this position; and (iii) the second employee on staff with the Union Soil and Water Conservation District shall serve for a term of three (3) years, with the initial term of such appointment to be extended by the shortest period of time necessary for the three year term to coincide with appointment of three voting members.

Failure of a member to attend three (3) regularly scheduled meetings during a calendar year without being excused shall be deemed adequate cause for a determination of vacancy. In the event a member fails to attend three (3) meetings without being excused by the Advisory Board, the Advisory Board members shall take a vote on whether to recommend that member's continuation or termination of membership. If the vote results in a recommendation that membership be terminated, the Advisory Board Chairman shall report this recommendation to the Board of Commissioners. The Board of Commissioners shall give due consideration to any recommendation provided by the Advisory Board but shall not be bound by such recommendation.

E. Vacancies

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

F. Funding

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

G. Advisory Board Procedure

1. Chairman

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

2. Jurisdiction

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

3. Advisory Board Year

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

4. Meetings

Meetings of the Advisory Board shall be held at the call of the Chairman and at such other times as the Advisory Board may specify in its rules of procedure. A meeting shall be held at least every two (2) months, and notice of any meetings to the members shall be in writing, unless otherwise agreed to by all Advisory Board members. All meetings of the Advisory Board shall be announced and conducted in accordance with Article 33C of Chapter 143 of the North Carolina General Statutes, the North Carolina Open Meetings Law.

5. Majority Vote

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

6. Records

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

H. Duties

The Advisory Board shall:

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

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



ARTICLE VI  
CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS & ENHANCED VOLUNTARY AGRICULTURAL DISTRICTS

A. Implementation

In order to implement the purposes stated in Article III, this program provides for the creation of Voluntary Agricultural Districts which meet the following standards:

1. The District or Enhanced District shall contain a minimum of twenty (20) contiguous acres of qualified farmland; or
2. The District or Enhanced District shall contain two (2) or more qualified farms within areas designated by the Advisory Board.

B. Education

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

C. Display

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

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

D. Withdrawal

In the event that one or more participants in the District or Enhanced District withdraw and the acreage in the District or Enhanced District becomes less than the minimum acreage required or results in the remaining land being noncontiguous, a Voluntary Agricultural District will continue to exist so long as there is one (1) qualifying farm.

ARTICLE VII  
CERTIFICATION AND QUALIFICATION OF FARMLAND

A. Requirements

To secure County certification as qualifying farmland in either a Voluntary Agricultural District or Enhanced Voluntary Agricultural District, a farm must:

1. Be participating in the farm present-use-value taxation program established by N.C.G.S. ' 105-277.2 through ' 105-277.7, or is otherwise determined by the County to meet all the qualifications of this program set forth in G.S. 105-277.3;
2. Be managed, if highly erodible land exists on the farm, in accordance with the Natural Resources Conservation Service defined erosion-control practices that are addressed to said highly-erodible land; and
3. Be the subject of a Conservation Agreement, as defined in N.C.G.S. ' 121-35, between the County and the owner of such land, that prohibits non-farm use or development of such land for a period of at least ten (10) years, except for the creation of not more than three (3) lots that meet applicable County zoning and subdivision regulations.

ARTICLE VIII  
APPLICATION, APPROVAL AND APPEAL PROCEDURE

A. Application Procedure

1. A landowner may apply to participate in either the Agricultural District or the Enhanced Agricultural District program by making application to the Chairman of the Advisory Board or a designated staff person and must designate the

application as for either Voluntary Agricultural District status or Enhanced District status. The application shall be on forms provided by the Advisory Board. The application to participate in a District may be filed with the application for verification of qualifying farmland.

2. A Conservation Agreement with a duration of not less than ten (10) years (required by N.C.G.S. ' 106-737 and ' 106-743.2, and defined in N.C.G.S. ' 121-35) suited to District type (Voluntary Agricultural District or Enhanced Voluntary Agricultural District) designated by the landowner to sustain, encourage and promote agriculture must be executed by the landowner and recorded with the Advisory Board, which shall record a certified copy of such with the Union County Register of Deeds. Permitted uses include agriculture, horticulture and forestry. Conservation Agreements for the Enhanced Agriculture District program may, at the election of the parties, include provisions requiring that any disputes between the County and the landowner be resolved through arbitration or mediation and, in the event of litigation, that the prevailing party be awarded costs, including reasonable attorney fees. The Conservation Agreement for the Enhanced Voluntary Agricultural District shall be binding upon all successors in interest to the landowner, except for successors in interest resulting from the exercise of rights under a security interest or lien that preceded the Conservation Agreement.

B. Approval Process

1. Upon submission of the application to the Advisory Board, the Advisory Board shall meet within sixty (60) days to approve or disapprove the application. The Chairman shall notify the applicant by first class mail of approval or disapproval of participation in the District.
2. Upon receipt of an application, the Chairman will forward copies immediately to the following offices which shall be asked to provide comments, if any, to the Advisory Board prior to the date set for the Advisory Board vote on the application:
  - a. Union County Tax Assessor;
  - b. Union Soil and Water Conservation District office;
  - c. Union County Office of N.C. Cooperative Extension; and
  - d. Natural Resources Conservation Service

C. Appeal

If an application is denied by the Advisory Board, the landowner may, within ten (10) days of notification of disapproval of the application, request in writing that the Advisory Board reconsider its decision. The request for reconsideration shall state the reason(s) therefore. Upon either an initial denial, if no request for reconsideration was made, or denial after reconsideration, the landowner shall have thirty (30) days from the date of notification to appeal the decision to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final.

ARTICLE IX  
RENEWAL AND REVOCATION OF CONSERVATION AGREEMENTS

A. Renewal

1. District. A Conservation Agreement for land within a Voluntary Agricultural District shall be automatically renewed unless the landowner provides a thirty (30) day written notice to the Advisory Board of intent not to renew. Absent noncompliance by the landowner, neither the Advisory Board nor the Board of Commissioners shall fail to renew any Conservation Agreement unless this Ordinance or its authorizing legislation has been repealed.
2. Enhanced District. A Conservation Agreement for the Enhanced Voluntary Agricultural District shall be deemed automatically renewed for an additional term of three (3) years, unless either the Advisory Board or the landowner gives written notice to the contrary prior to the termination date of the Conservation Agreement. At the end of each three (3) year term, the Conservation Agreement shall automatically renew for an additional three (3) year term unless notice of termination is given.

B. Revocation

1. District. By providing thirty (30) days advance written notice to the Advisory Board, a landowner of qualifying farmland within a Voluntary Agricultural District may revoke the Conservation Agreement or the Advisory Board may revoke the same Conservation Agreement based on noncompliance by the landowner, subject to the same provisions as contained in Article VIII(C) for appeal of denials. Such revocation shall result in loss of qualifying farm status and loss of eligibility to participate in a District. Absent noncompliance by the landowner, neither the Advisory Board nor the

Board of Commissioners shall revoke any Conservation Agreement prior to its expiration. If the Advisory Board shall revoke this Conservation Agreement for cause, the landowner shall have the appeal rights set forth in Article VIII(C). Transfers of land in a Voluntary Agricultural District due to death of the landowner, sale or gift shall not revoke the Conservation Agreement unless the land no longer qualifies for the present-use-value taxation program or, in the event that there are water or sewer assessments held in abeyance, the new owner(s) fails to agree in writing to accept liability for those assessments in the event that the land is withdrawn either voluntarily or involuntarily from the District. Enforcement of the terms of a Conservation Agreement for land enrolled in a Voluntary Agricultural District shall be limited to revocation of the Conservation Agreement and the benefits derived therefrom.

2. Enhanced District. Conservation Agreements for land within Enhanced Districts are IRREVOCABLE for a period of ten (10) years. Enforcement of the terms of the Conservation Agreement may be through an action for injunctive relief and/or damages in any court of competent jurisdiction. The County may also terminate any benefits to the owner under this program either permanently or during the period of violation, as appropriate. If the Advisory Board shall revoke this Conservation Agreement for cause, the landowner shall have the appeal rights set forth in Article VIII(C). The right to terminate program benefits is in addition to any legal rights that the County may have under either this Ordinance or the terms of the applicable Conservation Agreement. The County may seek costs of the action, including reasonable attorney fees, if such a provision is incorporated into the Conservation Agreement.

## ARTICLE X WAIVER OF WATER AND SEWER OR ALL UTILITY ASSESSMENTS

### A. No Connection Required

1. A landowner belonging to the District shall not be required to connect to Union County water and/or sewer systems.
2. A landowner belonging to an Enhanced District shall not be required to connect to Union County utility systems.

### B. Abeyance

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

2. Utility assessments shall be held in abeyance, without interest, for farms in an Enhanced District until improvements on such property are connected to the utility system for which the assessment was made.

C. Termination of Abeyance

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

D. Suspension of Statute of Limitations

Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest. The landowner may be required to sign an acknowledgment (that may be incorporated into the Conservation Agreement) of the abeyance of the statute of limitations upon collecting water and sewer assessments, or other utility assessments.

E. Other Statutory Abeyance Procedures

Nothing in this section is intended to diminish the authority of the County to hold assessments in abeyance under N.C.G.S. § 201 or other applicable law.

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

To the extent that this section conflicts with the terms of federal, state or other grants under which County utility systems are constructed, this section shall not apply. This section shall not apply to utilities that are not owned by the County unless the County has entered into an agreement with the entity(ies) owning the utilities and that agreement provides that this Ordinance shall apply.

ARTICLE XI  
ADDITIONAL ENHANCED AGRICULTURAL DISTRICT BENEFITS

Land enrolled in the Enhanced Voluntary Agricultural District program is entitled to all of the benefits available under the Voluntary Agricultural District program and to the following additional benefits:

A. Sale of Non-Farm Products

Landowners participating in Enhanced Districts may receive up to twenty-five percent (25%) of gross sales from the sale of non-farm products and still qualify as a bona fide farm that is exempt from County zoning regulations under N.C.G.S. ' 153A-340(b). A farmer seeking to benefit from this subsection shall have the burden of establishing that the property's sale of non-farm products did not exceed twenty-five percent (25%) of its gross sales.

B. Agricultural Cost Share Program

Landowners participating in Enhanced Districts are eligible under N.C.G.S. ' 143-215.74(b) to receive the higher percentage of cost-share funds for the benefit of that farmland under the Agriculture Cost Share Program established pursuant to Part 9 of Article 21 of Chapter 143 of the General Statutes for funds to benefit that farmland.

C. Priority Consideration

State departments, institutions or agencies that award grants to farmers are encouraged to give priority consideration to landowners participating in Enhanced Districts.

D. Utility Assessment Waiver

As provided in Article X above, waiver of all County utility assessments in addition to waiver of water and sewer assessments is available to all participants in Enhanced Districts.

ARTICLE XII  
PUBLIC HEARING

A. Purpose

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

B. Procedure

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

ARTICLE XIII  
PUBLIC NOTICE

A. Record Notice of Proximity to Voluntary Agricultural District



1. Procedure

Upon certification of qualifying farmland and designation of real property as a District, the Union County Register of Deeds must provide some form of notice reasonably calculated to alert a person researching the title of a particular tract that such tract is located within one-half aerial mile of a Voluntary Agricultural District. Upon approval of a District or of modification to a District by the Board of Commissioners, the Advisory Board shall provide to the Union County GIS office such information and materials as may be necessary to enable the GIS office to prepare maps designating the location of the Districts established pursuant to this Ordinance. Within a reasonable time after receipt of such information and materials, the Union County GIS office shall prepare or update appropriate maps so as to allow determination of the proximity of a particular tract to a District by those desiring such information. Maps shall be accessible to the public as indicated in Article VI(C).

2. Signs

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

3. Limit of Liability

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

4. No Cause of Action

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

ARTICLE XIV

## SUBDIVISION ORDINANCE AND ZONING ORDINANCE REVIEW

Developers of major subdivisions or planned unit developments shall designate on preliminary development plans the existence of the Districts within one (1) aerial mile of the proposed development.

### ARTICLE XV COUNTY LAND-USE PLANNING

#### A. Duty of the Advisory Board

It shall be the duty of the Advisory Board to advise the Board of Commissioners or the agency or office to which the Board of Commissioners delegates authority to oversee County land use planning, on the status, progress and activities of the County's Agricultural District program and to also coordinate the formation and maintenance of Agricultural Districts with the County's land use planning activities and the County's land use plan.

#### B. Posting of Notice

The following notice, of a size and form suitable for posting, shall be posted in the office of the Register of Deeds and any other office or agency the Advisory Board deems necessary:

Union County has established Agricultural Districts to protect and preserve agricultural lands and activities. These Districts have been developed and mapped by the County to inform all purchasers of real property that certain agricultural and forestry activities, including but not limited to pesticide spraying, manure spreading, machinery and truck operation, livestock operations, sawing and other common farming activities may occur in these Districts any time during the day or night. Maps and information on the location and establishment of these Districts can be obtained from the North Carolina Cooperative Extension Service office, the office of the Register of Deeds, the County Planning office or the Natural Resources Conservation Service office.

### ARTICLE XVI NORTH CAROLINA AGENCY NOTIFICATION

Record Annually With the Department of Agriculture

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

ARTICLE XVII  
LEGAL PROVISIONS

A. Severability

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

B. Conflict With Other Ordinances and Statutes

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

C. Amendments

This Ordinance may be amended from time to time by the Board of Commissioners. Pursuant to G.S. 5153A-122, the territorial jurisdiction of this Ordinance shall be those parts of Union County not within a municipality.

D. Effective Date

The Effective Date of this Ordinance shall be February 1, 2009.

ARTICLE XVIII  
ENACTMENT

The Union County Board of Commissioners hereby adopts and enacts the preceding articles and sections of this Ordinance.

Adopted this the 17<sup>th</sup> day of November, 2008.

Motion for adoption by \_\_\_\_\_. Approved by a vote of \_\_\_\_ to \_\_\_\_\_.

ATTEST:

UNION COUNTY BOARD OF  
COMMISSIONERS

\_\_\_\_\_  
Clerk to Board of Commissioners

\_\_\_\_\_  
Chairman

**CONSIDERATION OF ALTERNATIVES – DEBT RESTRUCTURING:**

Mr. Greene explained that Kai Nelson, Finance Director, and the financial advisors from First Southwest Company have been working hard for a number of weeks to develop alternatives for Union County to attain some stability in the interest costs related to the County’s variable rate debt. He said that Mr. Nelson and Mr. Walter Goldsmith, Vice President of First Southwest Company, have a presentation for the Board summarizing those efforts and providing a specific recommendation. He apologized for not getting this information out to the Board with the agenda packet but reported it was still being worked on as late as this afternoon.

Mr. Nelson said that as the County Manager indicated that beginning in September, Union County began to experience some extreme rate volatility in a portion of its long-term debt. He explained that volatility is an outgrowth of the unprecedented global financial crisis. Mr. Nelson reminded that beginning in mid September, he began communicating with the Board on several occasions regarding the dilemma and in September the County’s team assembled including Don Ubel, representing the County’s bond counsel, Patrick Smith, and Walter Goldsmith of First Southwest Company. He assured that in the month of October the Board’s team has been exploring all avenues, turning over all stones, as it tried to find a solution to the current rate volatility. He said there have been a number of conversations with the Local Government Commission, reviewed numerous alternatives, and have focused efforts on a

short list of options and a recommendation to the Board. He said that Mr. Goldsmith will be reviewing the outstanding debt and that portion of the debt, which is variable and truly being impacted by the turmoil in the financial markets, and recommendations. He said he would conclude with a recommended motion to the Board.

He recognized Walter Goldsmith, Vice President of First Southwest Company, who explained that his firm serves as the County's independent financial advisor and is not here to sell a particular solution. He said that as Mr. Nelson mentioned he thought it would be helpful as background to talk about the County's outstanding debt and then focus on the issue tonight. He said that Union County has approximately \$530 million of outstanding tax-supported debt. He said that the County over the past years has issued its debt in a diversified approach, which means that the County put some of its debt into a fixed rate basket and some into a variable rate basket. He said the idea was that variable rates historically have been the lowest cost of funds, but there is some volatility in that because the rates are reset weekly. He said, however, if one studies the last twenty-year time period those variable rates have averaged lower than the fixed rates. Mr. Goldsmith said that what he is focusing on tonight are the three outstanding general obligation bonds which were issued in the variable rate mode: These are Series 2004, 2005 and 2007. He reported that when these issues are sold to investors these have accompanying them a liquidity facility or letter of credit. The purpose of that facility is for the investor who buys the General Obligation Bonds from the County, if at any point in the future they want to "put" or sale those bond back to the county that by having that bank liquidity there, it is guaranteed that there is a liquid market for the bonds. If the bonds are not sold to another investor, the bank will step in and buy the bonds. He said, therefore, when an investor buys these bonds, the investor is not only concerned about Union County's ability to repay the debt service on the bond but also the debt liquidity facility, the ability of that bank to be able to step in and repurchase these bonds. Mr. Goldsmith said that historically no one ever worried about a bank's ability to step in and buy the bonds. But, noted in September and October, that is what happened—investors questioned the strength of variable rated bonds. He said variable rates spiked in September and October as a result of the financial crisis and then bonds that had liquidity facilities by banks that are questionable, then the interest rates have also risen.

He reviewed the market events and history of the banking institutions beginning with the bankruptcy of Lehman Brothers, Merrill Lynch's announcement, the sale of the Bank of America, the downgrade of AIG, and the federal government taking control of AIG with a bailout of \$85 billion, the announcement of a financial bailout plan on September 18, and changes to other banking institutions and money market changes and pullouts. He said this presented a flight to quality which is US Treasury Bonds backed by the full, faith and credit of the federal government. Mr. Goldsmith said ordinarily when one sees a flight to quality, investors perceive municipal bonds to also be high quality because there are rarely defaults in municipal bonds, but in this crisis, investors perceived even municipal bonds to have a risk level so they sold out of those; meaning there was little demand for municipal bonds, which

meant interest rates had to increase to attract investors back into municipal bonds. He said nearly \$80 billion dollars were withdrawn from money market funds, which further put pressure on money market funds.

Mr. Goldsmith stated when the County issued its variable rate General Obligation Bonds in 2004 and 2005, the bonds were backed by a bank called Depfa and in 2007 the bank was Dexia. When the County issued the bonds in 2004, 2005, and 2007, these firms were rated in the "AA" category, but today's ratings for Depfa have fallen to A2, BBB+, and A- with negative outlooks by two of the agencies and the rating of Dexia has fallen to Aa3, a+, and AA- with negative outlooks by two of the agencies. He said when investors see that and they own the bonds and they are depending on Depfa or Dexia to provide the liquidity in the event they want to sell the bonds, they now have a weaker bank providing that liquidity. He presented graphs depicting the rates of the 2004, 2005, and 2007 bonds and the costs and problems surrounding the peaking of these bonds.

While reviewing the graphs showing the interest rates paid on the three series being discussed, the Vice Chairman asked if the falls in interest rate were when the County refinanced its outstanding indebtedness. Mr. Goldsmith answered that this graph did not reflect those sales but was depicting other information.

Mr. Goldsmith continued his comparison review of the bond issue, which illustrated the cost of interest on the three issues on variable rate versus if the county had sold these on a fixed rate. He noted that until September, the County's strategy of using variable rates had worked well for it.

Mr. Goldsmith stated there are three basic options. The first would be to take the wait and see approach; hoping liquidity banks regain their ratings. He said this is not an option that he would recommend to the Board. The second would be to replace the downgraded liquidity providers with higher rated providers. The third option would be to refund the existing variable rate bonds with fixed rate bonds and terminate the interest rate swap agreements.

Commissioner Openshaw asked if the County had not already taken step two on one of its projects. Mr. Nelson agreed that the County did take such action in February or March in connection with the 2003B Revenue Bonds. He said interestingly enough it was in February/March when some of the monoline insurers began experiencing some credit issues. Commissioner Openshaw asked if Dexia and Depfa are banks such as Bank of America. Mr. Goldsmith responded that these were Belgium and French banks.

Mr. Goldsmith said that when these banks were selected, the County went through a competitive process including such banks as Wachovia and Bank of America responding. He said that if the County had chosen Wachovia or some of the other banks to provide

the liquidity, the County would be experiencing many of the same problems; although, not to the same degree. He said in making recommendations, one of the recommendations will be to replace these banks with another bank. Mr. Goldsmith said the bank, which is going to be BB&T, appears to have emerged unscathed from this but, of course, there is no guarantee.

Commissioner Openshaw interjected that there had been some talk about the Treasury extending the bailout money to some foreign banks. He said he did not know if they did, but questioned if the bailout funds were extended to these foreign banks. Mr. Goldsmith responded that to his knowledge, it had not been.

The Vice Chairman asked about the increased fee that will be required to engage BB&T as the liquidity facility for Union County. He asked if it is going to offset or be fairly close. Mr. Goldsmith stated that BB&T is proposing to charge one-half of a percent. He said that the County would be paying 50 basis point but will be solving a 350 basis-point problem, which is a great solution. However, Mr. Goldsmith said that what Union County is currently paying to those existing providers was about ten basis points or less. He said that banks are repricing how they extend the business and many are choosing to get out of that area totally and some are just out of capacity.

Commissioner Mills said that as shown on the chart earlier of about 100 counties, how many of these use the two foreign banks. Mr. Goldsmith said he did not know the answer but he did know that Mecklenburg County is faced with this problem as well as the City of Charlotte, Forsyth County, Raleigh, Wake County, Winston-Salem and perhaps even the State of North Carolina. He said that many of the highly-rated counties nationwide are faced with this problem.

Mr. Greene said that in North Carolina most of the smaller units do not participate in the variable rate market at all because they do not have the sophisticated financial offices that Union County has and these counties stick to very simple debt instruments. He said the variable rates are only used by the larger units in North Carolina perhaps only the top ten percent. Mr. Goldsmith interjected that the Local Government Commission has a policy that a municipal government must have an AA rating or higher to use variable rate.

The Chairman emphasized that up until September and October, this method of financing had been very advantageous for Union County.

Mr. Goldsmith responded to a question from the Vice Chairman that today Union County's blended rate is about 5 ½ percent. He said many would look at that and say that the figure is not a bad figure for a borrowing amount. He said that BB&T is the one

bank that still has capacity to provide the liquidity facilities and has not suffered the same fate as many of the other banks because BB&T historically did not have exposure to the sub-prime mortgage crisis.

The Vice Chairman asked if these other large municipal agencies will not be scrambling and running to BB&T as well. Mr. Goldsmith responded that this is exactly what will and is happening and Union County got in line with everybody else. He said the good news is that Union County has received a commitment letter from BB&T to provide up to \$146 million in liquidity capacity. Mr. Goldsmith said that was due to the fine work on the part of the County's staff because many governments were not able to secure that capacity and without that there is not a solution.

Mr. Nelson said that it is important to recognize that this particular segment of the industry—that is banks providing liquidity support to local governments – is not a business-line that a typical bank provides. He said in searching all the financial institutions that are historically in this line of business, all of them indicated that they did not have the capacity at this time. He named the banks he had contacted and who had said that they had exhausted their capacity but who suggested for the County to come back at a future time and talk to them.

In response to a question, the Finance Director reported that Union County's checking account is with Wachovia, the contract for the procurement cards are with Bank of America. He explained the agreement with Wachovia from a central depository can be terminated with short notice, and he is now studying the possible termination date of the contract with Bank of America for the procurement cards.

Mr. Goldsmith explained that if Union County substitutes BB&T for the current liquidity facility in lieu of Dexia and Depfa, the County still has volatile exposure.

Commissioner Openshaw asked if these bonds are hedged. Mr. Goldsmith responded that portions of the 2004, 2005, and 2007 are hedged and those hedges will stay in place under each of the scenarios outlined.

He said the third option would eliminate variable rate exposure by refunding some of the debt with fixed rate bonds and terminate the rate swap agreements. Mr. Goldsmith said that all three could be refunded with traditional fixed rate debt and the advantage is that it eliminates the exposure to variable rates and the liquidity providers and gives a fixed debt rate costs. He said the disadvantage is that it is a higher annual debt service cost. He also said that to do that, Union County would have to pay a penalty to get out of the rate swap agreements of roughly \$13 million.



Mr. Nelson explained that the team is not recommending that the County transition away from all variable rate debt in connection with the 2004, 2005, and 2007, which is just a portion of the entire portfolio, but it is recommending that the County begin to migrate a portion of that to fixed rates. He said he would recommend a refunding of a portion of that variable rate debt but in so doing the Local Government Commission will require that the County not extend the maturity. He said if the final maturity is now 2033; it must remain at 2033.

The Vice Chairman asked if any of the options being discussed will affect the County's bond rating. Both Mr. Nelson and Mr. Goldsmith answered that it would not. Mr. Goldsmith said he thought if the County went with the third scenario to issue all traditional fixed rate debt for these three bond issues and terminate the swap agreement, the County's debt service would go up fairly significantly—roughly \$3 million more a year.

Mr. Goldsmith said the County's Financial Team is making the following recommendation: For the 2005 Bond Issue that does not have a swap and, therefore, does not have a termination paper, the team recommends that this be refunded with traditional fixed rate bonds. He said that the reason for that is of the three bond issues that is the most economical one to refund because the County does not have to pay the swap termination payment, and it does remove some of the County's variable rate exposure off the table. He further said the team's recommendation is that on the 2004 Bond Issue that the County replace Depfa with BB&T liquidity facility and on the 2007 Bond Issue that you replace Dexia with BB&T as the liquidity facility for a portion or all of the indebtedness. Mr. Goldsmith explained that BB&T does not have available sufficient capacity for all of these issues. In response to a question from the Vice Chairman, Mr. Goldsmith said that historically they would have estimated the fixed rate to be at 4.25 percent or 4.75 percent, but with the economy as it is, it would be hard to guess. He said by strictly guessing he would say about 5 percent to 5.10 percent. Mr. Goldsmith said that what they have seen is that the fixed rates also spiked in September and October but have since starting coming back down. He said if the Board authorizes the staff and financial team to go with this plan, it would be January before everything can be approved and be ready to issue. He said it is hoped by that time the rates will have started to stabilize. He stressed, however, if the Board wanted to get rid of all variable rate bonds, the \$20 million could be lumped in with the 2005 bond issue that is to be refinanced.

After lengthy discussion of the three scenarios presented, Vice Chairman Pressley moved to authorize the County Manager to implement a plan to refinance the County's 2005 Variable Rate General Obligation Bonds and to replace the liquidity providers and remarketing agents for the County's 2004 and 2007 Variable Rate General Obligation Bonds, including the negotiation and execution

of a commitment letter with Branch Bank and Trust Company (BB&T) to provide liquidity for the 2004 and 2007 General Obligation Bonds in a principal amount up to \$193,655,000 and to provide the County's primary banking services.

Commissioner Openshaw asked for verification that there remains \$79 million of unhedged debt. Mr. Goldsmith said this amount will be converted to fixed-rate debt as a result of the motion. It was clarified that there will be a little less than \$20 million unhedged, which represents about three percent of the County's total debt. Mr. Goldsmith said this was down from the 20 percent unhedged that the County now has.

Commissioner Baucom asked the amount of funds budgeted this year for debt service and questioned the impact that the market is having on this amount.

Mr. Nelson replied that the County's tax supported debt outstanding is roughly \$533 million. He said the variable rate swap program is the \$272 million. He said all the other debt is fixed rate. In connection with the variable rate that comprised all of the 2004 Bond Issue, 2005 Bond Issue, and 2007 Bond Issue, that to date through the first week of November, Union County is \$538,000 over budget. Mr. Nelson said the budget is roughly \$20.5 million for just these three issues. He said there is more debt outstanding and the debt payment is roughly \$40-50 million but just this portion relates to the variable rate debt.

Commissioner Mills asked how the action tonight will improve those numbers and asked if the County will not still be short on its budget. Mr. Nelson responded that it's true the county will still be short on its budget. Mr. Nelson also said that for the purpose of budgeting, Union County has historically budgeted 4 percent for its unhedged debt and another 20 basis point for the expenses or 2.4 percent. The Finance Director assured that as the market returns to normal and there is a chance for lower rates, he would be back before the Board asking to refinance outstanding debt in order to save money.

With there being no other discussion, the motion was adopted unanimously.

The County Manager extended his thanks for the Finance Director and Walter Goldsmith. He said the commitment letter from BB&T was a real coup, and he appreciated all their hard work on this. Mr. Nelson said that for all who knows the local city executive, Al Lylerly, please extend the thanks to him.

**ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES:**

At the request of the Chairman, Lynn G. West, Clerk to the Board of County Commissioners, read the following list of vacancies:

- a. Juvenile Crime Prevention Council (JCPC): (1) District Attorney or designee; (2) Substance Abuse Professional; (3) two persons under age 18 and (4) Juvenile Defense Attorney
- b. Adult Care Home Community Advisory Committee
- c. Nursing Home Advisory Committee
- d. Board of Health (vacancy as of January 2008 for a licensed optometrist)
- e. Union County Home and Community Care Block Grant Advisory

**APPOINTMENTS TO BOARDS AND COMMITTEES:**

The Chairman stated that there are two applicants to serve on the Union County Home and Community Block Grant Advisory Committee.

Motion was made by Vice Chairman Pressley that Norma Hepburn Brown be appointed to the Union County Home and Community Block Grant Advisory Committee and that Nancy Brantley be reappointed to serve on the same board. The motion passed unanimously.

**MANAGER'S COMMENTS:**

Mr. Greene announced there is a joint meeting scheduled tomorrow with the City of Monroe.

On behalf of the staff, Mr. Greene addressed Commissioner Lane and Vice Chairman Pressley and said it had been a real honor to work with both.

**COMMISSIONERS' COMMENTS:**

Commissioner Mills extended his thanks to Commissioner Mills and Vice Chairman Pressley for their work on the Board.

He also stated that the Veterans Association in Union County held a fabulous air show in conjunction with the City of Monroe and Union County. He said that Union County's portion was the Tora, Tora, Tora—The Reenactment of the Bombing of Pearl Harbor. Commissioner Mills said it would be a massive task to top this year's event. He congratulated the Chairman for his handling of the stage and presentation of awards. He said he got to see firsthand the Emergency Management employees at work at the airport during this event. Commissioner Mills also bragged on the law enforcement and fire personnel in assuring the safety of the attendees.

He said he is working with the honor flight program and there is an application to be completed for a WWII veteran to visit Washington and the veteran monuments. He said the cost is \$500 per applicant, and there are efforts underway to get contributions to cover this expense.

Commissioner Mills said he was again working with a program to provide coats for the needy children in Union County. He said last year over 11,000 coats were collected. and he encouraged anyone with a gently used coat to turn it in for cleaning and use by this program.

Commissioner Openshaw agreed that Tora, Tora, Tora was a great show and it was great to see that many people in attendance. He also agreed that it was orderly and much easier to get in and out of than he had anticipated. He said that Commissioner Mills and some others had a food cart at the event for raising funds for the Dennis McCollum Scholarship Fund, and he thanked them for their work.

Commissioner Openshaw thanked Commissioner Lane for his support and his contribution of the APFO. He said he is reminded of the transitory nature of things with Commissioners Lane and Pressley leaving and, unfortunately, one of his parents' old homes had been a victim of the Montecito Fire. He complimented Vice Chairman Pressley for his service and said there is one thing that he wanted to emulate and that was when there was a specific issue that Commissioner Pressley volunteered to go out and deal with people individually to try to reach a settlement. He thanked them both for their service.

Commissioner Lane stated that it had been a great honor and privilege to have served the citizens of Union County since 2004 and wanted to mention that outside the political arena that he has gotten along with all the members here although there have been problems otherwise. He said reflecting back on the last four years that there are two distinct parts. The first two years, although contentious at times, the Board had many good things accomplished that benefited all of Union County and the incoming board negated some of these achievements but pointed out that come December 1, 2008, this will not be the same board. Overall, he said the boards have taken great strides to eliminate school overcrowding and get the school kids out of the trailers. He reported that this was

the one thing that he was most proud of having a hand in achieving. He named some of the good things that were either initiated by him or voted on by him: the first is the end of Smart Growth, or the developer bonus incentives that exacerbated the school overcrowding, a new swimming pool safety enclosure ordinance, an ordinance to end developer trash, \$25,000,000 for land banking, new school bonds to end school overcrowding, shared hospital pay for emergency room doctors, a NACO drug prescription plan that has benefited thousands of people in Union County. He said he initiated a real estate data integration system which has been of great use for municipalities and for the County's Planning Department. Commissioner Lane said the APFO, which is a great aid for the schools, and the introduction of financial disclosure statements for various boards. He said he understood that this will be finalized by the incoming board. Commissioner Lane said he wished that he could have seen the completion of the construction of the northern sewer plant, which was to have been done by the new [this] board but has not been broached during the last two years. He stressed that he had always tried to make decisions for the good of Union County and not for his own benefit. Commissioner Lane said that integrity had been and will always be the standard that he strived for. He thanked the staff for all the work that they had done over the years, and assured that they were always very accommodating and kept him up to date as to what is on the agenda. He said that now after a busy year with the passing of his wife, a new marriage, he is leaving the scene for a few months. He announced that starting next July he plans to rise from the ashes like the mythical bird, the Phoenix, and begin anew. He thanked everyone for their support and prayers and said he looked forward to working with them again.

Vice Chairman Pressley said it is a hard moment when one has made many good friends: some that he did not know, he got to learn and get close to. First, he thanked God for giving him strength and good health to overcome the hard times and difficult hours that are required to serve on the Board of Commissioners. Next, he thanked his family for its sacrifices because his wife has had to work hard to make up for his absences and make many sacrifices. He said he appreciated Mr. Nelson because it's easy to see what he has done and has demonstrated guidance in leading the Board in the right direction. He said he realized the countless hours that Mr. Nelson has worked to lead the county to be financially responsible and to make the best use of its money. He expressed his thanks for Jeff Crook who has been like a strong foundation, a lighthouse, in providing a good solid foundation of guidance. He thanked Mr. Crook for his work and leadership. Vice Chairman Pressley said he was sorry that he would not have more time to work with Matthew Delk. He said he knew the Board made the right decision when it hired him. He next addressed Mr. Greene stating that he had heard a lot of good people say that they had worked with him in York County. He said he appreciated Mr. Greene's honesty and for telling the Board things it might not want to hear but things it needed to hear in order to bring the proper guidance to Union County. He said he thought that Union County was secure with Mr. Greene's leadership. Vice Chairman Pressley said that Lynn West is the glue that holds this organization together. He said she is an unbelievable person and works an enormous number of hours. He stressed that anytime he needs information, she is willing to do whatever necessary. He thanked her for all that she did for him and his family.

He said that a lot of people looked at this Board as coming out of the previous Board, but although there were moments when the Commissioners disagreed, the members were civil with each other and never suggested to go outside and settle it; so he thought the Board handled themselves in a gentlemanly way. The Vice Chairman said he thought the TV ratings for Time Warner went down when it became a new Board. He said that this Board started working on policies and stopped the sale of sewer to just anybody who wanted it. The Vice Chairman stated that the County is working on its infrastructure. He said this was not something that he would say he did because it was team effort, and he was glad to have been a part of it. He reported that the Board has moved forward with putting policies in place that are desperately needed and that should have been in place so Union County could have grown in a steady pace instead of with out-of-control growth.

Vice Chairman Pressley said that he remembered the first thing Chairman Baucom did when he came on board was to push for the Bypass and attended many early morning meetings on the Bypass. He said that is what Union County lacked. He said Union County had leadership that just wanted to sit here and let things come to them, but this Board has been one that has gone out and tried to seek those things that are best for Union County. He said Union County is now closer to a bypass than it has ever been. He also broached on economic development and said in 2007 was the historic amount that business invested in Union County. The Vice Chairman said that since economic development was started that development investment in 2007 outweighed all the totals of prior years. He said businesses wanted to come into Union County and that was why it was so important that Union County should have kept up on its infrastructure.

Another thing he said he was happy about was that when he was talked about he was often called anti-school and things like that, which he wasn't, but one of the things that he had worked hard on took place during school mediation and that was development of a funding formula, which is now in place. He said he would agree that it might need to be tweaked but there is a funding formula for per pupil basis.

He said another historical accomplishment that has been done is a partnership with the City of Monroe and cited some of the goals met because both governmental entities want to benefit all of Union County.

The Vice Chairman said he was also pleased with the healthcare strides that have been made in Union County – Presbyterian Healthcare; and Carolinas Medical Center's placing facilities in some of the municipalities. He said he was glad to be able to be a part of this. He announced that soon the Piedmont Behavioral Health Crisis Center is coming and it will be paid for by Piedmont

Behavioral Health. He said this center will take a tremendous load off the Sheriff's office and provide a solution for the folks that need that care.

He congratulated and thanked the Chairman for all his hard work in getting high-speed internet into Union County. He said as Roger talked about it, technology is so much better now and there are better ways to communicate with those who do have high-speed internet. He noted the resources that are now available because the Board and staff have started thinking outside the box.

Vice Chairman Pressley thanked all the staff not mentioned and all the employees; he said Union County has some great employees and thanked them for their work and support.

He thanked the fellow commissioners for their support and pointed out that it has not always been a three-two vote. There have been a lot of things accomplished together—more with five to zero votes than with split votes, Vice Chairman Pressley commented. He congratulated the Chairman for doing a fantastic job and stated that the Chairman had been fair and given each Commissioner time to talk without cutting off comments.

The Chairman stated that he really appreciated the services of both Commissioner Lane and Vice Chairman Pressley. He said that to the veterans he only wanted to reiterate what has been said earlier. He said he appreciated what the veterans have done and what the veterans do and will do. He said if it were not for veterans, that we the citizens would not have the freedoms that we have. He, too, bragged on the Veterans Day Celebration. Chairman Baucom said that Tora, Tora, Tora, was not just a show, it was an emotional presentation. He said he was proud of Union County for being a part of it. He said that during the two days that approximately 40,000 people attended. Chairman Baucom said that he had the opportunity to present the ROTC awards and bragged on the youngsters today and said that this county, this state, and this nation have some outstanding young people. Sometimes, he said it is easy to focus on the minorities that cause the challenges instead of giving credit to the majority that do the good and the great. He expressed his appreciation to those winners.

He announced that tonight the Board had one hundred percent of five to zero votes. He said that people might want to think this is a board divided, but what we have is a board with individual thoughts and ideas and projections on how we want things to be, but the majority of the votes are five to zero. The Chairman said he sincerely believes that each individual votes the way he feels.

With there being no other business, he asked for a motion to adjourn.

At approximately 9:25 p.m., motion was made by Vice Chairman Pressley that the meeting be adjourned. The motion was passed unanimously.