

**AGENDA**  
**UNION COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting**  
**Monday, December 1, 2008**  
**7:00 P.M.**  
**Board Room, First Floor**  
**Union County Government Center**  
**500 North Main Street**  
**Monroe, North Carolina**

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

1. **Opening of Meeting – Al Greene, County Manager Presiding**
  - a. Invocation - Rev. Tim Cruise, Senior Pastor, Shining Light Baptist Church
  - b. Pledge of Allegiance and Special Music - Joseph Ellison, Shining Light Baptist Church
  
2. **Oaths of Office**
  - a. Commissioner-Elect Tracy Kuehler
  - b. Commissioner-Elect Kim Rogers
  - c. Register of Deeds - Crystal Crump
  
3. **Election of Officers – Al Greene, County Manager Presiding**
  - a. Chairman
  - b. Vice Chairman
  
4. **Oaths of Office**
  - a. Chairman
  - b. Vice Chairman
  
5. **Approval of Elected Officials' Bonds**
  - a. Sheriff \$ 5,000
  - b. Register of Deeds \$25,000

**ACTION REQUESTED:** Approve bond amounts
  
6. **Approval of Employees' Bonds**
  - a. Finance Director \$100,000
  - b. Tax Administrator \$ 60,000

**ACTION REQUESTED:** Approve bond amounts
  
7. **Informal Comments**

**ACTION REQUESTED:** No action required
  
8. **Additions, Deletions and/or Adoption of Agenda**

**ACTION REQUESTED:** Adoption of Agenda
  
9. **Consent Agenda**

**ACTION REQUESTED:** Approve items listed on Consent Agenda
  
10. **Appointments of Commissioners to Boards and Committees**

**ACTION REQUESTED:** Appoint Commissioner-Representatives to the Various Boards and Committees

11. **Appointment of County Attorney**

12. **Items Requested by Commissioner Openshaw for Agenda**

- a. Seating arrangement
- b. Procedure Amendments & Additions
  1. Discussion of a return to show of hands and verbal voting
  2. Discussion of removal of timer box from proceedings
  3. Discussion of adding an item entitled "Old Business" to the agenda
  4. Discussion of making the Sunshine list free to anyone seeking electronic correspondence.
  5. Discussion of having the agenda provided to the Commissioners in hard copy and electronically.
- c. Discussion of holding a standing "Work Session" - 2nd Wednesday of the month, 11:00A:M - 1P:M, starting in January
- d. Discussion of televising Planning Board, Board of Adjustment and Board of Equalization and Review meetings - Research cost/logistics of televising additional meetings.
- e. Presentation of "Invitational" letter for Municipal/BOCC meetings
- f. Direction to staff to create "Conflict of Interest" form and new "Application Form" to include Conflict of Interest" information ( to be brought back to the Board for the 12/15/08 meeting).
- g. District Representation
  1. Resolution by the Union County Board of Commissioners Requesting that the North Carolina General Assembly Make No Changes to the Composition of Union County Board of Commissioners
  2. Furthermore, that the Board of Commissioner's Rescind the Instructions Given to Staff on May 19, 2008 to Work with the State Legislators to Increase the Number of Union County Commissioners to Nine

13. **Announcement of Vacancies on Boards and Committees**

- a. Juvenile Crime Prevention Council (JCPC): 1) District Attorney or Designee; 2) Substance Abuse Professional; 3) Two Persons Under Age of 18; and 4) Juvenile Defense Attorney
- b. Adult Care Home Community Advisory Committee
- c. Nursing Home Advisory Committee
- d. Board of Health (Vacancy for a Licensed Optometrist; Nurse, Engineer, and Citizen Representative)
- e. Union County Home and Community Care Block Grant Advisory Committee
- f. Farmers Market Committee (Vacancy for a member at Large)
- g. Library (Vacancies Representing: Marshville (1); Waxhaw (1); Weddington (1) and One Member at Large)

**ACTION REQUESTED:** Announce vacancies

14. **Manager's Comments**

15. **Commissioners' Comments**

**CONSENT AGENDA**  
**December 1, 2008**

1. **Minutes**  
**ACTION REQUESTED:** Approve minutes
  
2. **Employees' Insurance \$250,000 Coverage**  
**ACTION REQUESTED:** Approve coverage amount

# 2c

MEETING DATE 12/1/08

**OATH OF OFFICE  
UNION COUNTY COMMISSIONER**

I, Tracy Kuehler, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Tracy Kuehler, do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Tracy Kuehler, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so help me, God.

\_\_\_\_\_  
Union County Commissioner

\_\_\_\_\_  
Sworn to and subscribed before me  
this 1st day of December, 2008.

AGENDA ITEM

# 26

MEETING DATE 12/1/08

**OATH OF OFFICE  
UNION COUNTY COMMISSIONER**

I, Kim Rogers, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Kim Rogers, do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Kim Rogers, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so help me, God.

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Union County Commissioner

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Sworn to and subscribed before me  
this 1st day of December, 2008.

AGENDA ITEM

# 2c

MEETING DATE 12/1/08

STATE OF NORTH CAROLINA

COUNTY OF UNION

**OATH OF OFFICE  
FOR REGISTER OF DEEDS**

I, Crystal D. Crump, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Crystal D. Crump, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Crystal D. Crump, do solemnly swear that I will faithfully and truly, according to the best of my skill and ability, execute the duties of the office of Register of Deeds for the County of Union, in all things according to law; so help me, God.

This 1st day of December, 2008.

\_\_\_\_\_  
Crystal D. Crump

Sworn to and subscribed before  
me this the 1st day of December, 2008

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AGENDA ITEM

# 4c

MEETING DATE 12/1/08

**OATH OF OFFICE**  
**Chairman, Board of Commissioners**

I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, \_\_\_\_\_, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, \_\_\_\_\_, do swear that I will well and truly execute the duties of the office of Chairman of the Board of Commissioners for the County of Union according to the best of my skill and ability, according to law; so help me, God.

\_\_\_\_\_  
, Chairman

\_\_\_\_\_  
Sworn to and subscribed before me  
this 1st day of December, 2008.

AGENDA ITEM

# 46

MEETING DATE 12/1/08

**OATH OF OFFICE**  
**Vice Chairman, Board of Commissioners**

I, \_\_\_\_\_, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, \_\_\_\_\_, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, \_\_\_\_\_, do swear that I will well and truly execute the duties of the office of Vice Chairman of the Board of Commissioners for the County of Union according to the best of my skill and ability, according to law; so help me, God.

\_\_\_\_\_  
, Vice Chairman

\_\_\_\_\_  
Sworn to and subscribed before me  
this 1st day of December, 2008



**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: 12/1/08**

**Action Agenda Item No. 5a & b**  
(Central Admin. use only)

**SUBJECT:** Elected Officials' Bonds

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**DEPARTMENT:** Risk Management      **PUBLIC HEARING:** No

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**ATTACHMENT(S):** none      **INFORMATION CONTACT:** Keith Richards, Risk Manager

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**TELEPHONE NUMBERS:**  
704-283-3663 - office  
704-634-7567 - cell

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**DEPARTMENT'S RECOMMENDED ACTION:** Approve Bond Amounts

**BACKGROUND:** Elected positions are required by North Carolina General Statute to maintain personal bonds while in office. Individuals are responsible for securing these personal bonds and Union County has undertaken the responsibility for placement of these bonds in a Master Bond and paying premiums for these bonds as an inducement to attract qualified personnel. Bonds are placed by Marsh, Inc. The bond for the Sheriff is \$5,000. The bond for Register of Deeds is \$25,000.

**FINANCIAL IMPACT:** \$100 for a four year term for the Sheriff (current bond expires 12/6/2010). \$88 for the Register of Deeds bond paid annually.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_  
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**Finance Dept. Comments if applicable:** \_\_\_\_\_  
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**Manager Recommendation:** \_\_\_\_\_

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**  
**Meeting Date: 12/1/08**

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

**SUBJECT:** Employee's Bonds

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**DEPARTMENT:** Risk Management      **PUBLIC HEARING:** No

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**ATTACHMENT(S):** none      **INFORMATION CONTACT:** Keith Richards, Risk Manager

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**TELEPHONE NUMBERS:**  
704-283-3663 - office  
704-634-7567 - cell

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**DEPARTMENT'S RECOMMENDED ACTION:** Approve Bond Amounts

**BACKGROUND:** The Finance Director and Tax Administrator are required by North Carolina General Statute to maintain personal bonds. Individuals are responsible for securing these personal bonds and Union County has undertaken the responsibility for placement of these bonds in a Master Bond and paying premiums for these bonds as an inducement to attract qualified personnel. Bonds are placed by Marsh, Inc. The bond for the Finance Director by statute is \$60,000. The Centralina Council of Governments requires this position to carry a bond in the amount of \$100,000. The bond for the Tax Administrator is \$60,000.

**FINANCIAL IMPACT:** \$350 for an annual term for the Finance Director. \$210 for an annual term for the Tax Administrator.

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**Legal Dept. Comments if applicable:** \_\_\_\_\_  
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**Finance Dept. Comments if applicable:** \_\_\_\_\_  
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**Manager Recommendation:** \_\_\_\_\_

**Boards and Commissions / Board Member Appointments**

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- 1. Agricultural Advisory Board \_\_\_\_\_
- 2. Catawba River Water Supply Project Governing Board \_\_\_\_\_
- 3. Centralina Council of Governments \_\_\_\_\_
- 4. Centralina Economic Development Commission, Inc. Board of Directors \_\_\_\_\_
- 5. Community Transportation Improvement Plan Steering Committee \_\_\_\_\_
- 6. Criminal Justice Partnership Program Advisory Board \_\_\_\_\_
- 7. Farmer's Market Committee \_\_\_\_\_
- 8. Fire Commission \_\_\_\_\_
- 9. Health Board \_\_\_\_\_
- 10. Home and Community Care Block Grant Advisory Committee \_\_\_\_\_
- 11. Indigent Health Care Committee \_\_\_\_\_
- 12. Job Ready Partnership Council \_\_\_\_\_
- 13. Juvenile Crime Prevention Council \_\_\_\_\_
- 14. Library Board of Trustees \_\_\_\_\_
- 15. Local Emergency Planning Committee \_\_\_\_\_
- 16. Mecklenburg-Union Metropolitan Planning Organization \_\_\_\_\_
- 17. Parks and Recreation Advisory Board \_\_\_\_\_

AGENDA ITEM  
# 10  
MEETING DATE 12/1/08

- 18. Partnership for Children, Inc. Board of Directors (now Union Smart Start) \_\_\_\_\_
- 19. Piedmont Area Mental Health, Developmental Disabilities & Substance Abuse Board \_\_\_\_\_
- 20. Rocky River Rural Planning Organization Transportation Advisory Committee \_\_\_\_\_
- 21. Transportation Advisory Board \_\_\_\_\_
- 22. URMC/CMC-Union Board of Directors \_\_\_\_\_
- 23. URMC/CMC Trustee Council \_\_\_\_\_
- 24. Yadkin Pee Dee Board of Directors \_\_\_\_\_



## OFFICE OF THE COMMISSIONERS AND MANAGER

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

AGENDA #11

# \_\_\_\_\_  
MEETING DATE: 12/1/08

### MEMORANDUM

TO: Members of the Union County Board of Commissioners

FROM: Al Greene, County Manager

DATE: November 26, 2008

SUBJECT: County Attorney

Regarding Item #11 on the agenda for December 1, 2008, it is my understanding that the Board may decide to choose a new County Attorney based upon a RFQ process. If so, it would be appropriate to direct staff to develop that RFQ and also provide any input as to the distribution of that RFQ. It is critical that the Board consider the appointment of an Interim County Attorney, and I recommend that Ligon Bundy be appointed to serve as County Attorney until a decision is made regarding a permanent appointment.

May 19, 2008

**DISTRICT REPRESENTATION:**

Commissioner Mills moved that the County's staff be directed to work with the legislators to increase the number of commissioners who serve on the Union County Board of Commissioner up to the number of nine.

Commissioner Lane countered that six months ago the County's voters overwhelmingly voted against such a proposal and quoted from *The Enquirer Journal* whose editorial voiced its opposition to such action. He said such action would be a slap in the face to the voters of this county.

Commissioner Openshaw reminded that when the legislation was being considered all five Commissioners voted against district representation, and he found it hard to believe that with the elections results, it would be presented now in such a fashion. He stated that it was not now a valid concept, not that the concept is not worth discussion, but in his opinion, it is certainly not worthy of discussion now. He said when it was presented last time, politics ensued, and it got out of the Commissioners' hands and that he doubted that many in this room realized what almost happened. He said he would be glad to cover that here or in the press.

Commissioner Openshaw pointed out that no Democrats chose to even run in the primary and now they are asking for district representation. He asked the Democrats in attendance why they did not run. He also noted that a Monroe resident lost by 183 votes and in the previous election, Richard Stone, a resident of the east side of the County lost by a mere 100 votes. He said this is not a landslide situation. He further noted that 60 percent of the precincts voted down district representation and cited the precincts that voted against this plan. Commissioner Openshaw pointed out that every member of this Board is from a district that voted down district representation.

Vice Chairman Pressley stated that he believed the motion before the Board is to increase the number of the Board up to nine members. He said he thought all had been asked during their campaigns if they would be in favor of increasing the number on the Board and that is the motion before the Board.

Commissioner Lane pointed out that he was raised on a farm and has a part-time farm with honeybees and hay, and thought he represented that segment of the community. He said he thought all the schools are being upgraded to be as equal as possible to the new schools. He said he thought that with five commissioners there was adequate representation for all of Union County.

Commissioner Openshaw reminded that all five of the Commissioners voted to oppose Representative Pryor Gibson's plan and Chairman Baucom was appointed to negotiate with Mr. Gibson. He said that what came out of the negotiations was a voter referendum six months ago to increase representation. He said it came back with a plan where the voters would have gotten to vote for one representative and the members could appoint themselves to continue serving on this Board. He said thanks to Commissioner Pressley, this plan was stopped. He said in two or three years, he might feel differently but this was voted down by the voters only six months ago and that this is not the time to take such action.

With there being no additional discussion, the Chairman called for a vote. The motion passed by a vote of three to two. Chairman Baucom, Vice Chairman Pressley, and Commissioner Mills voted for the motion and Commissioners Lane and Openshaw voted against the motion.

**UNION COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date: December 1, 2008**

**Action Agenda Item No. 13 a-g**  
(Central Admin. use only)

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

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**DEPARTMENT:** Board of  
Commissioners

**PUBLIC HEARING:** No

**ATTACHMENT(S):**

**INFORMATION CONTACT:**

Lynn G. West  
Clerk to the Board

**TELEPHONE NUMBERS:**

704-283-3853

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**DEPARTMENT'S RECOMMENDED ACTION:** Announce vacancies on Boards and Committees

**BACKGROUND:**

- a. Juvenile Crime Prevention Council (JCPC): 1) District Attorney or Designee; 2) Substance Abuse Professional; 3) Two Persons Under Age of 18; and 4) Juvenile Defense Attorney
- b. Adult Care Home Community Advisory Committee
- c. Nursing Home Advisory Committee
- d. Board of Health (Vacancy for a Licensed Optometrist; Nurse, Engineer, and Citizen Representative)
- e. Union County Home and Community Care Block Grant Advisory Committee
- f. Farmers Market Committee (Vacancy for a member at Large)
- g. Library (Vacancies Representing Marshville (1); Waxhaw (1); Weddington (1) and One Member at Large)

**FINANCIAL IMPACT:**

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

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

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**Manager Recommendation:**