

AGENDA
UNION COUNTY BOARD OF COMMISSIONERS
Regular Meeting
Monday, February 5, 2007
7:00 P.M.
Board Room, First Floor
Union County Government Center
500 North Main Street
Monroe, North Carolina

www.co.union.nc.us

1. **Opening of Meeting**
 - a. Invocation
 - b. Pledge of Allegiance
 - c. Informal Comments

2. **Joint Public Hearing with Union County Historic Preservation Commission (Advertised for 7:05 P.M.) to Consider Repeal of the County Ordinance Entitled "An Ordinance Designation as a Historic Landmark Property Known as the Colonel William Walkup House" (adopted on September 2, 2003)**

3. **Additions, Deletions and/or Adoption of Agenda**
ACTION REQUESTED: Adoption of Agenda

4. **Consent Agenda**
ACTION REQUESTED: Approve items listed on the Consent Agenda

5. **Repeal of the County Ordinance Entitled "An Ordinance Designating as a Historic Landmark Property Known as the Colonel William Walkup House"**
ACTION REQUESTED: Consider repeal of Ordinance

6. **Establishment of a Statement of Economic Interest and Requiring all Appointed Individuals to County Boards, Committees, and Commissions to File Such Statement with the County Clerk Prior to Their Appointment and Annually Thereafter Not Later than February 1st**
ACTION REQUESTED: Consider Establishing a Statement of Economic Interest

7. **Spatial Data Agreement for Orthophotography Services**
ACTION REQUESTED: Authorize County Manager to approve contract and Adopt Budget Amendment #42

8. **Delegation of Contract Approval to Chairman**
ACTION REQUESTED: Authorize Chairman to approve contract agreements for which expenditures exceed \$5,000 but are not in excess of \$300,000 for which funds are included in the budget ordinance during the February 5 to March 12 time period and to provide a report on such approvals at the March 12 meeting of the Board of Commissioners

9. **Disposition of Old Animal Shelter**
ACTION REQUESTED: Recommend Option #2 with request for direction from the Board in accordance with the agenda abstract

10. **Request for an Appointment of Ex-Officio Non-Voting Member for the Downtown Monroe, Inc. Board**
ACTION REQUESTED: Consider appointment of member of Board

11. **Announcements of Vacancies on Boards and Committees**
 - a. Nursing Home Advisory Committee (1 Vacancy)
 - b. Adult Care Home Community Advisory Committee (1 Vacancy)
 - c. Home and Community Care Block Grant Advisory Committee (5 Vacancies)
 - d. Juvenile Crime Prevention Council (JCPC) - 1) District Attorney or designee; 2) Substance Abuse Professional; 3) Two (2) persons under age 18; 4) Juvenile Defense Attorney; 5) Representative of United Way/other non-profit; and two (2) County Commissioner appointees
 - e. Board of Equalization and Review (2 Vacancies as of February 2007)
ACTION REQUESTED: Announce vacancies

12. **Interim Manager's Comments**

13. **Commissioners' Comments**

CONSENT AGENDA
February 5, 2007

1. **Contracts Over \$5,000 [See Attached Contract Summary]**
 - a. Carpenter Brothers Construction - Phase II Government Center Renovations, Change Order 1
 - b. Carpenter Brothers Construction - Phase II Government Center Renovations, Change Order 2
 - c. Carpenter Brothers Construction - Phase I Government Center Renovations, Change Order 2
 - d. Sam Tyson Builders, Phase III Government Center Renovations, Public Works Facility (for use by UCPS)
 - e. Copeland Enterprises - Consulting Services (Work First)
 - f. HDR Engineering - Engineering Services (Stallings and Indian Trail Elevated Water Storage Tanks)
 - g. HDR Engineering, Task Order #35 - Engineering Services (Stage 2 DPBR - EPA's Disinfection Byproducts Rule)
 - h. Cox and Company - Software Support Agreement (Social Services)
 - i. Oak Grove Farm Homeowners' Association
 - j. Brantley Oaks Homeowners' Association of Union County, Inc.
 - k. White & Smith, LLC - Retainer Agreement

ACTION REQUESTED: Authorize Interim County Manager to Approve Contracts and Agreements as Listed Above

2. **Tax Administrator**
 - a. Report on Unpaid Real Estate Taxes for 2006
ACTION REQUESTED: Accept report from Tax Administrator dated January 23, 2007, stating the total unpaid 2006 taxes constituting liens on real estate to be \$6,873,503.87 and Order that the Tax Administrator Advertise said Liens in accordance with NCGS 105-369
 - b. Eighth Motor Vehicle Billing in the Grand Total Amount of \$998,508.29
ACTION REQUESTED: Approve billing
 - c. Refunds for January 2007 in the Grand Total Amount of \$5,011.44
ACTION REQUESTED: Approve refunds
 - d. Releases for January 2007 in the Grand Total Amount of \$29,712.92
ACTION REQUESTED: Approve releases

3. **Health Department**
 - a. Acceptance of Additional Susan G. Komen Funding
ACTION REQUESTED: Adopt Budget Amendment #37 to Accept \$25,975 (No additional County funding requested)
 - b. Accept Additional State Funding in the Breastfeeding Peer Counselor Program
ACTION REQUESTED: Adopt Budget Amendment #39 to Accept \$695 (No additional County funding requested)

4. **Register of Deeds**
 - a. Refund of Excise Stamp to Jarvis Law Group in the Amount of \$314
ACTION REQUESTED: Approve refund

5. **Parks and Recreation**

- a. Amendments to the Union County Athletic Council (UCAC) Grant Application and Bylaws

ACTION REQUESTED: Approve amendments

- b. Adopt-A-Trail Grant Application for Renovation of the Red Trail at Cane Creek Park in the amount of \$3,152.69 (No County Match)

ACTION REQUESTED: Approve submission of the 2008 Adopt-A-Trail Grant Application and authorize the Interim County Manager to execute Application

6. **Library**

- a. Union West Parking Lot Expansion

ACTION REQUESTED: Adopt Budget Amendment #40 and Capital Project Ordinance (CPO) #71 which provides funds in the amount of \$16,349 for the completion of the expansion of the Union West Parking Lot

- b. Smart Start Grant Application in the amount of \$83,880 (County Match of \$9,828 to be Provided in the FY 08 Budget - Continuation of Existing Grant)

ACTION REQUESTED: Approve the submission of the Smart Start Grant Application for FY 2008 and authorize the Interim County Manager to execute Application

- c. Appropriate Additional State Aid Funding in the Amount of \$10,208 (No County Match)

ACTION REQUESTED: Adopt Budget Amendment #41

7. **Minutes**

ACTION REQUESTED: Approve minutes of regular meeting of January 22, 2007

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 2/5/07

Action Agenda Item No. 245
(Central Admin. use only)

SUBJECT: Request for Repeal of Historic Designation

DEPARTMENT: Union County Historic Preservation Commission **PUBLIC HEARING:** Yes

ATTACHMENT(S):

- Ordinance Designating as a Historic Landmark Property Known as the Colonel William Walkup House;
- Letter from Virginia Bjorlin;
- Report to, and Response from, the State Historic Preservation Office;
- Public Notice

INFORMATION CONTACT:
Virginia Bjorlin

TELEPHONE NUMBERS:
704-283-5776
704-289-6737 (Heritage Room)

DEPARTMENT'S RECOMMENDED ACTION: The Union County Historic Preservation Commission (the "Commission") is requesting repeal of the Ordinance Designating as a Historic Landmark Property Known as the Colonel William Walkup House

BACKGROUND: The Commission has indicated that the Walkup House no longer qualifies as a historic landmark due to changes to exterior features made by the owner subsequent to the designation.

FINANCIAL IMPACT:

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____

AN ORDINANCE DESIGNATING AS A HISTORIC LANDMARK
PROPERTY KNOWN AS THE COLONEL WILLIAM WALKUP HOUSE

WHEREAS, on November 3, 1992, the Union County Board of County Commissioners (hereinafter, the "Board") adopted a historic preservation ordinance entitled "Ordinance Creating Union County Historic Preservation Commission"(hereinafter, the "Ordinance"); and

WHEREAS, the Ordinance provides for the designation of historic landmarks by the Board upon recommendation and findings by the Union County Historic Preservation Commission (hereinafter, the "Historic Preservation Commission" or "Commission"); and

WHEREAS, the Historic Preservation Commission has found the Colonel William Walkup House (hereinafter, the "Walkup House"), to be of special significance in terms of its historical, prehistorical, architectural or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling and/or association; and

WHEREAS, the Historic Preservation Commission has recommended designation of the Walkup House as a historic landmark, and the Commission has otherwise complied with all applicable requirements of the Ordinance regarding establishment of a historic landmark; and

WHEREAS, the Walkup House is an excellent example of a late Greek Revival-style dwelling, and it possesses special architectural and military significance as a property associated with events that have made a significant contribution to the broad patterns of Union County's history; and

WHEREAS, the North Carolina Department of Cultural Resources, Division of Archives and History, has determined that the Walkup House possesses the requisite significance and integrity for landmark designation.

NOW, THEREFORE, BE IT ORDAINED by the Union County Board of Commissioners as follows:

1. In accordance with the requirements of the Ordinance, the Walkup House is hereby designated as a historic landmark. The Walkup House is located at 7310 Walkup Road, Waxhaw, North Carolina, 28173, on a tract of land described in a deed recorded in Book 1022, Page 319, Union County Registry. The owner of the Walkup House is William Henry Belk, Jr. **For purposes of this designation, the "Walkup House" shall refer to: (i) the exterior of the house; (ii) the mantles within the house, consent having been obtained from the current owner(s) for interior review; and (iii) that area around the house, including all existing structures within that area, with parameters as defined below:**

Front of house:

100 feet facing east from the front side of the front porch to Walkup Road

Sides of house:

200 feet facing south of the south side of the house

200 feet facing north of the north side of the house

Back of house:

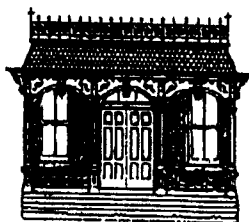
100 feet facing west from the back of the house

2. From and after the designation of the Walkup House as a historic landmark, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor any above-ground utility structure nor any type of outdoor advertising sign, nor any interior feature consented to by the owner(s) as part of the historic landmark, shall be erected, altered, restored, moved or demolished on such landmark until after an application for a certificate of appropriateness has been submitted to and approved by the Historic Preservation Commission. The waiting period specified in Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes shall be observed prior to any demolition of the Walkup House.
3. Upon consent by the owner(s), the Historic Preservation Commission may post a suitable sign on the property comprising the Walkup House indicating its designation as a historic landmark. If the owner(s) objects to such sign, the Commission may place the sign on a nearby right-of-way.
4. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of the Walkup House which does not involve a change in design, materials, or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature which the building inspector or similar official shall certify is required by the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent a property owner from making use of his property not prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance or in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Commission.
5. Upon adoption of this ordinance, the Historic Preservation Commission shall provide written notice of landmark status to the owner(s) and occupants of the Walkup House. The Commission shall also file a copy of this ordinance, and any subsequent amendments hereto, in the office of the Register of Deeds for Union County, requesting that the designated landmark be indexed according to the name of the owner(s) of the property in the grantee and grantor indexes in the Register of Deeds office. The Commission shall file a second copy of this ordinance, and any subsequent amendments hereto, with the Clerk to the Board of Commissioners for Union County for the purpose of public inspection at any reasonable time. The Commission shall provide a third copy of this

ordinance, and any subsequent amendments hereto, to the Union County Building Inspections Department. Finally, the Historic Preservation Commission shall also provide notice of the designation of the Walkup House as a historic landmark to the Union County Tax Assessor's office.

6. This ordinance shall be effective upon adoption.

Adopted this the 2nd day of September, 2003.



AGENDA ITEM

6

MEETING DATE 1-8-07

**UNION COUNTY HISTORIC PRESERVATION COMMISSION
POST OFFICE BOX 282
MONROE, NORTH CAROLINA 28111**

2 January 2007

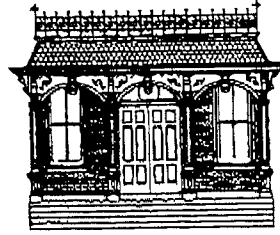
To: Lynn West FAX 704-282-0121

From Virginia Bjorlin, Historic Preservation Commission
Heritage Room FAX 704-283-3782

Re: Walkup House problem on Jan. 8 agenda

Our Commission is recommending to the County Commissioners that the ordinance which designated the Walkup House (in Jackson Township) as a Historic Landmark be repealed. The reason is that inappropriate repairs (windows) have been made on the house so that it is no longer historic. Our Commission would like to be on the Jan. 8 agenda for the County Commission meeting to explain the situation to the Commissioners and to request a public hearing on the matter. Thank you.

Copy to: Lisa Pease FAX 704-292-2506



UNION COUNTY HISTORIC PRESERVATION COMMISSION
POST OFFICE BOX 282
MONROE, NORTH CAROLINA 28111

17 October 2006
Ms. Mary Ruffin Hanbury
Local Government Coordinator
State Historic Preservation Office
4617 Mail Service Center
Raleigh NC 27699-4617

Re: Repeal of Ordinance Designating the Walkup House as a Historic Landmark

Dear Ms. Hanbury:

Union County is home to several properties that our Union County Historic Preservation Commission is working to protect as historic landmarks. Regrettably, the owner of one of the properties, known as the Walkup House, recently replaced the wooden windows of this 1869 home with synthetic windows—no Certificate of Appropriateness was sought. Our Commission has approached the owner about the need to maintain wooden windows in order to comply with the Secretary of Interior guidelines and to preserve the historic nature of his property. But he plans to leave the synthetic windows in place. Consequently, our Commission intends to request that the Union County Board of Commissioners repeal the ordinance of designation.

On 31 May 2006 Paul Fomberg was here to see several properties, saw the house, and said the shutters and windows were both vinyl. On 7 September 2006 Sidney Halma, Director of the Catawba County Museum, examined the windows and confirmed that they were not wood. In a conversation on 16 October 2006 with Brad Culpepper, who manages the property for John Belk (the owner), Culpepper confirmed that the windows are synthetic and were installed in March of 2006 by Austin Insulation Co. of Pineville. The enclosed pictures are not close-ups since I did not have permission to go on the property. I enclose a summary timeline of our recent experience with this house.

With regard to the procedures for repealing this type of ordinance, Union County Staff Attorney Lisa Pease informs me that she spoke with you briefly a week or so ago. Lisa indicates that after consulting with colleague Melinda Coleman, you suggested that the County follow the same procedures for repeal as it followed to adopt the ordinance in the first place, i.e., the procedures set forth in N.C.G.S. #160A-400.6.

My colleague, Sis Dillon, has consulted recently with Melinda Coleman, so she is familiar with our problem. Therefore, we are presenting the attached documents supporting the repeal of the ordinance by the County Commissioners. Please review these and respond with comments to my attention. Let us know if you need anything further. Thank you.

Sincerely

Virginia Bjorlin, Chairman

Walkup House Summary

The Walkup House (7310 Walkup Road in Jackson Township) and land (about 162 acres) was passed from William Henry Belk, Jr. to his son William Henry Belk III in his will. The house and about half an acre were designated as historic on 3 September 2003 by the Union County Board of Commissioners.

Though the will specified that the land stay in the Belk family, and William Henry III had no children, when William Henry III wanted to sell the land, there were no buyers in the Belk family. We understood that the price was so high that neither his aunt nor his uncles were interested.

In Deed Book 3477, page 418, Bill Belk sold the land on 22 June 2004 to a developer:

Wauchope Plantation, LLC
P.O. Box 808, Waxhaw NC 28173

In Deed Book 3559, page 570, Wauchope sold on 17 Sept 2004 to:

John M. Belk
2810 Tyvola Road, Charlotte NC 28217

We wrote John Belk on 11 Jan 2005 to make sure he knew the house was designated—did he have any questions? No response.

On 31 May 2006 Paul Fomberg, Sis Dillon, and Virginia Bjorlin rode by the house, and Paul said the shutters and the windows were both vinyl—this is not in keeping with the Secretary of Interior Standards used to judge historic repairs and replacements.

On 3 July 2006 we wrote John Belk telling him that unless the windows were replaced with wood ones, the house would no longer be considered historic. Mr. Belk is taking the property tax deferment allowed on historic properties.

On 11 July 2006 I returned a call to Brad Culpepper at 704-534-4192—he manages properties of John Belk. (Sis Dillon had talked to him a few days before.) He told us that they paid \$19,000 for the window replacements and it would cost about 3 times that much to put in wood windows—John Belk was not willing to do that. We invited Mr. Culpepper to come to our August 1 Historic Preservation Commission meeting and we would explain the process of filing a Certificate of Appropriateness. He did not come to the meeting.

On August 1, I wrote a letter to Mrs. John Belk explaining the situation; she told me at a meeting on August 24 that her husband does not plan to put in wood windows.

On September 1, I talked with Paul Fomberg at the NC Preservation Office in Raleigh and he subsequently talked with his co-worker Melinda Coleman.

At our Historic Preservation Commission meeting on September 5 we discussed the situation and decided that we should recommend that the Walkup House designation be revoked.



**North Carolina Department of Cultural Resources
State Historic Preservation Office**

Peter B. Sandbeck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David L. S. Brook, Director

December 6, 2006

Virginia A.S.K. Bjorlin, Chairman
Union County Historic Preservation Commission
P. O. Box 282
Monroe, NC 28111

Re: Repeal of Landmark Designation: Walkup House, 7310 Walkup Road, Jackson
Township, Union County

Dear Ms. Bjorlin:

Thank you for your letter of October 17, 2006, concerning the above referenced property. We apologize for the delay in responding to you.

We believe your report adequately demonstrates that the Walkup House has undergone the removal of character defining elements, thus seriously compromising its integrity, which is in violation of the preservation ordinance. Furthermore we believe that the commission staff has taken adequate steps to address the violation with the homeowner.

Based on this information we feel the Union County Historic Preservation Commission has the necessary information to aid them in their deliberations to have the Walkup House removed from Landmark Designation.

Thank you for giving us the opportunity to comment on the report. Our comments are advisory only. Once the necessary public hearing or hearings have been held, the local governing board may proceed with its decision. When the local governing board has concluded its action, we would appreciate receiving a copy of the final report for our files. This letter constitutes the entirety of our review comments.

Sincerely,

Juliana Hoekstra
Environmental Review and Survey Specialist

www.hpo.dcr.state.nc.us

ADMINISTRATION
RESTORATION
SURVEY & PLANNING

Location
507 N. Blount St., Raleigh NC
515 N. Blount St., Raleigh NC
515 N. Blount St., Raleigh NC

Mailing Address
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617

Telephone/Fax
(919) 733-4763 • 733-8653
(919) 733-6547 • 715-4801
(919) 733-6545 • 715-4801

**PUBLIC NOTICE
NOTICE IS HEREBY GIVEN**

that the Union County Historic Preservation Commission has requested that the Union County Board of Commissioners consider repeal of the county ordinance entitled "An Ordinance Designating as a Historic Landmark Property Known as the Colonel William Walkup House," which the Board adopted on September 2, 2003.

NOTICE IS HEREBY FURTHER GIVEN

that the Union County Board of Commissioners and the Union County Historic Preservation Commission will conduct a joint hearing on Monday, February 5, 2007, at 7:05 p.m. in the Commissioners' Board Room on the first floor of the Union County Government Center, 500 North Main Street, Monroe, NC, to receive comments from the public on the proposed repeal of the Ordinance described above.

A copy of the Ordinance is available for inspection and study at the Office of Board Clerk, located at 500 N. Main Street, Suite 925, Monroe, NC from 8:00 a.m. to 5:00 p.m. Monday through Friday. Any person requesting a sign language interpreter, please call (704) 225-8554 and make a request at least 96 hours in advance. Any other special assistance needed by an individual due to a disability under the Americans with Disabilities Act should call (704) 283-3810 and make a request at least 96 hours in advance.
Lynn G. West
Clerk to the Board
January 14, 21, 2007

NORTH CAROLINA,
UNION COUNTY.

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths,

personally appeared **Pat Deese**

who being first duly sworn, deposes and says: that he is

Principal Clerk engaged in the publication of a newspaper known as **The Enquirer-Journal**, published, issued, and entered as second class mail in the City of Monroe in said County and State; that he is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in **The Enquirer-Journal** on the following dates:

..... Jan. 14, 21, 2007

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This 21 day of Jan 2007
Pat Deese

Sworn to and subscribed before me, this 21 day of Jan 2007
Bruce P. Clutz Notary Public

My Commission expires: May 11, 2008

U.C. Historic Preservation

Inches: 5"
MONROE, N.C.

Jan 21

2007

M U. C. Bd. Of Commissioners

ACCOUNT #: 02100167

500 North Main St., Room 921

COST: \$ 102.82

Monroe, NC 28112

--IN ACCOUNT WITH--

The Enquirer-Journal

P.O. Box 5040
500 W. Jefferson St.
Monroe, N.C. 28111-5040

Important Legal Document, Please Retain

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 2/5/07

Action Agenda Item No. 285
(Central Admin. use only)

SUBJECT: Request for Repeal of Historic Designation

DEPARTMENT: Union County Historic Preservation Commission **PUBLIC HEARING:** Yes

ATTACHMENT(S):
- Ordinance Designating as a Historic Landmark Property Known as the Colonel William Walkup House;
- Letter from Virginia Bjorlin;
- Report to, and Response from, the State Historic Preservation Office;
- Public Notice

INFORMATION CONTACT:
Virginia Bjorlin

TELEPHONE NUMBERS:
704-283-5776
704-289-6737 (Heritage Room)

DEPARTMENT'S RECOMMENDED ACTION: The Union County Historic Preservation Commission (the "Commission") is requesting repeal of the Ordinance Designating as a Historic Landmark Property Known as the Colonel William Walkup House

BACKGROUND: The Commission has indicated that the Walkup House no longer qualifies as a historic landmark due to changes to exterior features made by the owner subsequent to the designation.

FINANCIAL IMPACT:

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____

AN ORDINANCE DESIGNATING AS A HISTORIC LANDMARK
PROPERTY KNOWN AS THE COLONEL WILLIAM WALKUP HOUSE

WHEREAS, on November 3, 1992, the Union County Board of County Commissioners (hereinafter, the "Board") adopted a historic preservation ordinance entitled "Ordinance Creating Union County Historic Preservation Commission"(hereinafter, the "Ordinance"); and

WHEREAS, the Ordinance provides for the designation of historic landmarks by the Board upon recommendation and findings by the Union County Historic Preservation Commission (hereinafter, the "Historic Preservation Commission" or "Commission"); and

WHEREAS, the Historic Preservation Commission has found the Colonel William Walkup House (hereinafter, the "Walkup House"), to be of special significance in terms of its historical, prehistorical, architectural or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling and/or association; and

WHEREAS, the Historic Preservation Commission has recommended designation of the Walkup House as a historic landmark, and the Commission has otherwise complied with all applicable requirements of the Ordinance regarding establishment of a historic landmark; and

WHEREAS, the Walkup House is an excellent example of a late Greek Revival-style dwelling, and it possesses special architectural and military significance as a property associated with events that have made a significant contribution to the broad patterns of Union County's history; and

WHEREAS, the North Carolina Department of Cultural Resources, Division of Archives and History, has determined that the Walkup House possesses the requisite significance and integrity for landmark designation.

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Front of house:

100 feet facing east from the front side of the front porch to Walkup Road

Sides of house:

200 feet facing south of the south side of the house

200 feet facing north of the north side of the house

Back of house:

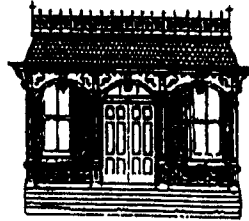
100 feet facing west from the back of the house

2. From and after the designation of the Walkup House as a historic landmark, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor any above-ground utility structure nor any type of outdoor advertising sign, nor any interior feature consented to by the owner(s) as part of the historic landmark, shall be erected, altered, restored, moved or demolished on such landmark until after an application for a certificate of appropriateness has been submitted to and approved by the Historic Preservation Commission. The waiting period specified in Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes shall be observed prior to any demolition of the Walkup House.
3. Upon consent by the owner(s), the Historic Preservation Commission may post a suitable sign on the property comprising the Walkup House indicating its designation as a historic landmark. If the owner(s) objects to such sign, the Commission may place the sign on a nearby right-of-way.
4. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of the Walkup House which does not involve a change in design, materials, or outer appearance thereof, nor to prevent the construction, reconstruction, alteration, restoration, or demolition of any such feature which the building inspector or similar official shall certify is required by the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent a property owner from making use of his property not prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance or in the event of an emergency, the immediate restoration of any existing above-ground utility structure without approval by the Commission.
5. Upon adoption of this ordinance, the Historic Preservation Commission shall provide written notice of landmark status to the owner(s) and occupants of the Walkup House. The Commission shall also file a copy of this ordinance, and any subsequent amendments hereto, in the office of the Register of Deeds for Union County, requesting that the designated landmark be indexed according to the name of the owner(s) of the property in the grantee and grantor indexes in the Register of Deeds office. The Commission shall file a second copy of this ordinance, and any subsequent amendments hereto, with the Clerk to the Board of Commissioners for Union County for the purpose of public inspection at any reasonable time. The Commission shall provide a third copy of this

ordinance, and any subsequent amendments hereto, to the Union County Building Inspections Department. Finally, the Historic Preservation Commission shall also provide notice of the designation of the Walkup House as a historic landmark to the Union County Tax Assessor's office.

6. This ordinance shall be effective upon adoption.

Adopted this the 2nd day of September, 2003.



AGENDA ITEM

6

MEETING DATE 1-8-07

UNION COUNTY HISTORIC PRESERVATION COMMISSION
POST OFFICE BOX 282
MONROE, NORTH CAROLINA 28111

2 January 2007

To: Lynn West

FAX 704-282-0121

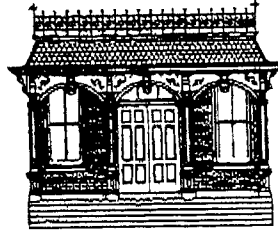
From Virginia Bjorlin, Historic Preservation Commission
Heritage Room FAX 704-283-3782

Re: Walkup House problem on Jan. 8 agenda

Our Commission is recommending to the County Commissioners that the ordinance which designated the Walkup House (in Jackson Township) as a Historic Landmark be repealed. The reason is that inappropriate repairs (windows) have been made on the house so that it is no longer historic. Our Commission would like to be on the Jan. 8 agenda for the County Commission meeting to explain the situation to the Commissioners and to request a public hearing on the matter. Thank you.

Copy to: Lisa Pease

FAX 704-292-2506



UNION COUNTY HISTORIC PRESERVATION COMMISSION

POST OFFICE BOX 282
MONROE, NORTH CAROLINA 28111

17 October 2006
Ms. Mary Ruffin Hanbury
Local Government Coordinator
State Historic Preservation Office
4617 Mail Service Center
Raleigh NC 27699-4617

Re: Repeal of Ordinance Designating the Walkup House as a Historic Landmark

Dear Ms. Hanbury:

Union County is home to several properties that our Union County Historic Preservation Commission is working to protect as historic landmarks. Regrettably, the owner of one of the properties, known as the Walkup House, recently replaced the wooden windows of this 1869 home with synthetic windows—no Certificate of Appropriateness was sought. Our Commission has approached the owner about the need to maintain wooden windows in order to comply with the Secretary of Interior guidelines and to preserve the historic nature of his property. But he plans to leave the synthetic windows in place. Consequently, our Commission intends to request that the Union County Board of Commissioners repeal the ordinance of designation.

On 31 May 2006 Paul Fomberg was here to see several properties, saw the house, and said the shutters and windows were both vinyl. On 7 September 2006 Sidney Halma, Director of the Catawba County Museum, examined the windows and confirmed that they were not wood. In a conversation on 16 October 2006 with Brad Culpepper, who manages the property for John Belk (the owner), Culpepper confirmed that the windows are synthetic and were installed in March of 2006 by Austin Insulation Co. of Pineville. The enclosed pictures are not close-ups since I did not have permission to go on the property. I enclose a summary timeline of our recent experience with this house.

With regard to the procedures for repealing this type of ordinance, Union County Staff Attorney Lisa Pease informs me that she spoke with you briefly a week or so ago. Lisa indicates that after consulting with colleague Melinda Coleman, you suggested that the County follow the same procedures for repeal as it followed to adopt the ordinance in the first place, i.e., the procedures set forth in N.C.G.S. #160A-400.6.

My colleague, Sis Dillon, has consulted recently with Melinda Coleman, so she is familiar with our problem. Therefore, we are presenting the attached documents supporting the repeal of the ordinance by the County Commissioners. Please review these and respond with comments to my attention. Let us know if you need anything further. Thank you.

Sincerely

Virginia Bjorlin, Chairman

Walkup House Summary

The Walkup House (7310 Walkup Road in Jackson Township) and land (about 162 acres) was passed from William Henry Belk, Jr. to his son William Henry Belk III in his will. The house and about half an acre were designated as historic on 3 September 2003 by the Union County Board of Commissioners.

Though the will specified that the land stay in the Belk family, and William Henry III had no children, when William Henry III wanted to sell the land, there were no buyers in the Belk family. We understood that the price was so high that neither his aunt nor his uncles were interested.

In Deed Book 3477, page 418, Bill Belk sold the land on 22 June 2004 to a developer:

Wauchope Plantation, LLC
P.O. Box 808, Waxhaw NC 28173

In Deed Book 3559, page 570, Wauchope sold on 17 Sept 2004 to:

John M. Belk
2810 Tyvola Road, Charlotte NC 28217

We wrote John Belk on 11 Jan 2005 to make sure he knew the house was designated—did he have any questions? No response.

On 31 May 2006 Paul Fomberg, Sis Dillon, and Virginia Bjorlin rode by the house, and Paul said the shutters and the windows were both vinyl—this is not in keeping with the Secretary of Interior Standards used to judge historic repairs and replacements.

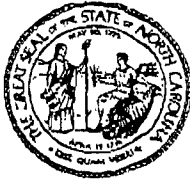
On 3 July 2006 we wrote John Belk telling him that unless the windows were replaced with wood ones, the house would no longer be considered historic. Mr. Belk is taking the property tax deferral allowed on historic properties.

On 11 July 2006 I returned a call to Brad Culpepper at 704-534-4192—he manages properties of John Belk. (Sis Dillon had talked to him a few days before.) He told us that they paid \$19,000 for the window replacements and it would cost about 3 times that much to put in wood windows—John Belk was not willing to do that. We invited Mr. Culpepper to come to our August 1 Historic Preservation Commission meeting and we would explain the process of filing a Certificate of Appropriateness. He did not come to the meeting.

On August 1, I wrote a letter to Mrs. John Belk explaining the situation; she told me at a meeting on August 24 that her husband does not plan to put in wood windows.

On September 1, I talked with Paul Fomberg at the NC Preservation Office in Raleigh and he subsequently talked with his co-worker Melinda Coleman.

At our Historic Preservation Commission meeting on September 5 we discussed the situation and decided that we should recommend that the Walkup House designation be revoked.



North Carolina Department of Cultural Resources
State Historic Preservation Office

Peter B. Sandheck, Administrator

Michael F. Easley, Governor
Lisbeth C. Evans, Secretary
Jeffrey J. Crow, Deputy Secretary

Office of Archives and History
Division of Historical Resources
David L. S. Brook, Director

December 6, 2006

Virginia A.S.K. Bjorlin, Chairman
Union County Historic Preservation Commission
P. O. Box 282
Monroe, NC 28111

Re: Recall of Landmark Designation: Walkup House, 7310 Walkup Road, Jackson Township, Union County

Dear Ms. Bjorlin:

Thank you for your letter of October 17, 2006, concerning the above referenced property. We apologize for the delay in responding to you.

We believe your report adequately demonstrates that the Walkup House has undergone the removal of character defining elements, thus seriously compromising its integrity, which is in violation of the preservation ordinance. Furthermore we believe that the commission staff has taken adequate steps to address the violation with the homeowner.

Based on this information we feel the Union County Historic Preservation Commission has the necessary information to aid them in their deliberations to have the Walkup House removed from Landmark Designation.

Thank you for giving us the opportunity to comment on the report. Our comments are advisory only. Once the necessary public hearing or hearings have been held, the local governing board may proceed with its decision. When the local governing board has concluded its action, we would appreciate receiving a copy of the final report for our files. This letter constitutes the entirety of our review comments.

Sincerely,

Juliana Hoekstra
Environmental Review and Survey Specialist

www.hpo.dcr.state.nc.us

ADMINISTRATION
RESTORATION
SURVEY & PLANNING

Location
507 N. Blount St., Raleigh NC
515 N. Blount St., Raleigh NC
515 N. Blount St., Raleigh NC

Mailing Address
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617
4617 Mail Service Center, Raleigh NC 27699-4617

Telephone/Fax
(919) 733-4763 • 733-8653
(919) 733-6547 • 715-4801
(919) 733-6545 • 715-4801

PUBLIC NOTICE
NOTICE IS HEREBY GIVEN that the Union County Historic Preservation Commission has requested that the Union County Board of Commissioners consider repeal of the county ordinance entitled "An Ordinance Designating as a Historic Landmark Property Known as the Colonel William Walkup House," which the Board adopted on September 2, 2003.

NOTICE IS HEREBY FURTHER GIVEN that the Union County Board of Commissioners and the Union County Historic Preservation Commission will conduct a joint hearing on Monday, February 5, 2007, at 7:05 p.m. in the Commissioners' Board Room on the first floor of the Union County Government Center, 500 North Main Street, Monroe, NC, to receive comments from the public on the proposed repeal of the Ordinance described above.

A copy of the Ordinance is available for inspection and study at the Office of Board Clerk, located at 500 N. Main Street, Suite 925, Monroe, NC from 8:00 a.m. to 5:00 p.m. Monday through Friday. Any person requesting a sign language interpreter, please call (704) 225-8554 and make a request at least 96 hours in advance. Any other special assistance needed by an individual due to a disability under the Americans with Disabilities Act should call (704) 283-3810 and make a request at least 96 hours in advance.
Lynn G. West
Clerk to the Board
January 14, 21, 2007

NORTH CAROLINA,
UNION COUNTY.

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified, and authorized by law to administer oaths,

personally appeared **Pat Deese**

who being first duly sworn, deposes and says: that he is
Principal Clerk

engaged in the publication of a newspaper known as **The Enquirer-Journal**, published, issued, and entered as second class mail in the City of Monroe in said County and State; that he is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in **The Enquirer-Journal** on the following dates:

..... **Jan. 14, 21, 2007**

and that the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This **21** day of **Jan** 2007
Pat Deese

Sworn to and subscribed before me, this **21** day of **Jan** 2007

Bruce P. Clutz

Notary Public

My Commission expires: **May 11, 2008**

U.C. Historic Preservation
U. C. Bd. Of Commissioners
500 North Main St., Room 921
Monroe, NC 28112

Inches: 5"
MONROE, N.C.

Jan 21 2007

ACCOUNT #: **02100167**

COST: \$ **102.82**

--IN ACCOUNT WITH--

The Enquirer-Journal

P.O. Box 5040
500 W. Jefferson St.
Monroe, N.C. 28111-5040

Important Legal Document, Please Retain

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 5, 2007

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

SUBJECT: Statement of Economic Interest for Appointed Officials

DEPARTMENT: County Commission **PUBLIC HEARING:** Choose one....

ATTACHMENT(S):
State of NC Statement of Economic Interest

INFORMATION CONTACT:
Roger Lane

TELEPHONE NUMBERS:

DEPARTMENT'S RECOMMENDED ACTION: Consider Establishing a Statement of Economic Interest and Requiring All Appointed Individuals to County Boards, Committees and Commissions to File such Statement with the County Clerk Prior to their Appointment and Annually Thereafter Not Later Than February 1st

BACKGROUND:

FINANCIAL IMPACT:

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____



NORTH CAROLINA
STATE ETHICS COMMISSION
STATEMENT OF ECONOMIC INTEREST

Public officials must perform their official duties in a manner that promotes the best interests of the public and preserves the public trust. Therefore, they may not knowingly use their position in any manner that will result in a personal or financial benefit, direct or indirect, to the public official, the public official's extended family, or a business with which the public official is associated.

G.S. 138A-22 requires that certain "covered persons" governed by the State Government Ethics Act, G.S. Chapter 138A, file a Statement of Economic Interest ("SEI") with the State Ethics Commission prior to their initial appointment, election, or employment and no later than March 15th of each year. Our records indicate that you are a covered person required to file an SEI annually. The information requested in the enclosed SEI is intended to assist persons subject to the SEI filing requirement, and those that appoint, hire, or evaluate them, in identifying situations or relationships which may cause a conflict between their public duties and private interests.

Upon the filing of an SEI, the State Ethics Commission will prepare a written evaluation of the SEI and submit that evaluation to the person filing the SEI and their employer or appointing authority. The completed SEI and the Commission's evaluation are public records. The evaluation may identify particular situations or relationships that constitute a potential conflict of interest. *This is normal and expected in many cases.* It does not mean that the covered person has a disqualifying conflict of interest or that he or she is "unethical." The Commission's evaluation of each SEI is intended to assist covered persons in recognizing potential conflicts of interest and in ensuring that potential conflicts do not develop into actual conflicts.

Guidelines for Completion of the SEI

- ▶ Please ensure that you have responded to each question. If you do not have information to disclose, state "NONE."
- ▶ Unless otherwise noted, the SEI requests information concerning yourself, your spouse, and members of your immediate family.
- ▶ The SEI does not request that you specify the value of your assets or the amount of income received, but instead requires that you identify the nature of your assets and the source of any income.
- ▶ If you need additional space to respond to a question, please attach additional information to the SEI and reference that attachment in your response to the question (i.e., see attachment 1).
- ▶ Your SEI must be notarized. Therefore, in the event you submit an incomplete SEI you will be required to amend your responses and have your amended responses notarized.
- ▶ "You" and "your" refers to the covered person filing the SEI.
- ▶ Although the SEI is available electronically, you must submit a signed and notarized original to the Commission.
- ▶ Once a complete SEI is filed for the reporting year, you are not required to supplement your SEI in that year. However, if following the filing of your SEI, you have a significant material change to your personal, familial, or financial situation that might raise potential conflicts of interest, you should contact the Commission for guidance.
- ▶ If you have any questions or need any help in completing your SEI, please contact the Ethics Commission at (919) 807-4620.

Statement of Economic Interest

("Long Form")

Mail original form to State Ethics Commission, 1324 Mail Service Center, Raleigh, NC 27699-1324
Office location: Administration Building, 116 West Jones Street, Room G-068, Raleigh 27601

For assistance call: 919-807-4620

e-mail: ethics.commission@ncmail.net www.doa.state.nc.us/ethics

DEADLINE FOR FILING: MARCH 15

CONTACT INFORMATION

Name of Person Filing _____

Home Address _____

Job Title/Employer _____

Daytime Phone Number _____

E-Mail Address _____

If you are filing because you are serving on or being considered for appointment to a State board, commission, task force, authority, or similar public body, please list the full name(s) of all boards on which you are serving or to which you are being considered for appointment:

Please provide the following information concerning your spouse and the other members of your immediate family**. If the information requested does not apply, please indicate "none."

Name (First, Last)	Occupation	Employer	Business

**Immediate family includes your spouse (unless legally separated) and members of your extended family (your and your spouse's children, grandchildren, parents, grandparents, and siblings, and the spouses of each of those persons) that reside in your household.

I. \$10,000 PLUS DISCLOSURES

If you, your spouse, or other members of your immediate family have assets or liabilities with a market value of at least \$10,000 in the following categories, please provide the requested information as of December 31st of the preceding year, unless another time period is specified in the question.

► You are not required to include an estimated value of those assets and liabilities.

REAL ESTATE

1. List all North Carolina real estate in which you, your spouse, or other members of your immediate family have an ownership interest with a market value of \$10,000 or more.

Owner of Real Estate	Location by County and City	% Ownership Interest

2. List all North Carolina real estate with a market value of \$10,000 or more that is leased or rented to or from the State by you, your spouse, or other members of your immediate family. Please identify the State agency involved in the property lease.

Identity of Lessor	Identity of Lessee (Renter)	Location by County and City

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

PERSONAL PROPERTY

3. List personal property with a market value of \$10,000 or more that was sold to or purchased from the State by you, your spouse, or other members of your immediate family *within the preceding two years*. Please identify the State agency involved in the purchase or sale of the property.

Identity of Purchaser	Identity of Seller	Nature and Location of Property

4. List personal property with a market value of \$10,000 or more that was leased or rented to or from the State by you, your spouse, or other members of your immediate family. Please identify the State agency involved in the property lease.

Identity of Lessor	Identity of Lessee (Renter)	Nature and Location of Property

INTERESTS IN PUBLICLY OWNED COMPANIES

5. List the name of each publicly owned company in which you, your spouse, or other members of your immediate family own securities valued at \$10,000 or more.

- ▶ Do not identify holdings in a mutual fund, including those mutual fund holdings in a 401(k), 403(b), 403(b)(7), or 457 Plan.
- ▶ Do not state the value of your securities.

Owner of Securities	Name of Company

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

INTERESTS IN NON-PUBLICLY OWNED COMPANIES OR BUSINESS ENTITIES

6(a). List financial interests valued at \$10,000 or more that you, your spouse, or other members of your immediate family have in a non-publicly owned company or business entity (including interests in partnerships, limited partnerships, joint ventures, limited liability companies, and limited liability partnerships, and closely held corporations).

Specify if the owner is an officer, employee, owner, director, or partner of the company, or a member or manager of a limited liability company

Owner of Interest	Name of Company or Business Entity	Specify if the owner is an officer, employee, owner, director, or partner of the company, <u>or</u> a member or manager of a limited liability company

6(b). For each of those non-publicly owned companies or business entities identified in question 6(a)(the "Primary Companies" for the purposes of this question), please list the names of *any other companies* in which the Primary Company owns securities or equity interests valued at over \$10,000, *if known*.

Non-Publicly Owned Company (the Primary Company)	Other Companies in which the Primary Company Owns Securities or Equity Interests

6(c). If you know that any company or business entity listed in 6(a) or (b) above has any material business dealings, contracts, or other involvement *with the State*, or is *regulated by the State*, provide a brief description of that business activity.

Identify Company or Business Entity	Nature of Business Relationship with the State

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

VESTED TRUSTS

7. If you, your spouse, or other members of your immediate family are the beneficiaries of a vested trust with a value of \$10,000 or more that is created, established, or controlled *by you*, provide the following information.

Name & Address of Trustee	Description of the Trust	Your Relationship to the Trust

LIABILITIES

8. List each liability of \$10,000 or more incurred by you, your spouse, or other members of your immediate family, excluding indebtedness on your residence.

Name of Debtor	Type of Creditor (Commercial Bank, Credit Union, Individual, etc.)

II. OTHER DISCLOSURES

9. If you, your spouse, or other members of your immediate family are a director, officer, governing board member, employee, or independent contractor of an organization established for religious, charitable, scientific, literary, public health and safety, or educational purposes, provide the following information. If that organization does business with the State, please describe the nature of that business relationship.

Identify Person	Name of Organization	Nature of Business	Describe State Business

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

10. List each *source of income* (not specific amounts) of more than \$5,000 received by you, your spouse, or other members of your immediate family during the preceding year. Include salary or wages, professional fees, honoraria, interest, dividends, capital gains, and business income.

Recipient of Income	Identify Source	Nature of Business	Type of Income

11. If you are a practicing attorney, please check each category of legal representation in which you or the law firm with which you are associated has earned legal fees of \$10,000 or more during the preceding year.

- | | | | |
|---|--|---|-----------------------------------|
| <input type="checkbox"/> Administrative | <input type="checkbox"/> Admiralty | <input type="checkbox"/> Corporate | <input type="checkbox"/> Criminal |
| <input type="checkbox"/> Decedents' Estates | <input type="checkbox"/> Environmental | <input type="checkbox"/> Insurance | <input type="checkbox"/> Labor |
| <input type="checkbox"/> Local Government | <input type="checkbox"/> Real Property | <input type="checkbox"/> Securities | <input type="checkbox"/> Tax |
| <input type="checkbox"/> Tort litigation (including negligence) | | <input type="checkbox"/> Utilities regulation | |

12. If you are a licensed professional (other than an attorney) or provide consulting services individually or as a member of a professional association, provide the following information for those services for which you charged or were paid over \$10,000 during the preceding year.

Type of Business	Nature of Services Rendered

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

13. If, as of December 31st of the preceding year, you, your employer, your spouse, or other members of your immediate family, or their employer, were licensed or regulated by, or had a business relationship with, a board or employing entity with which you are or will be associated, please provide the following information.

► You are not required to complete this question if you are a legislator or a judicial officer (a justice or judge of the General Court of Justice, district attorney, or clerk of court). Please indicate if this is the case.

Identify Person	Identify Employer (if applicable)	Business or Regulatory Relationship

14. If, as of December 31st of the preceding year, you, your spouse, or other members of your immediate family were members or officers of, or otherwise affiliated with, any societies, organizations, or advocacy groups which had an interest in issues over which your agency or board has jurisdiction, please provide the following information.

► You are not required to complete this question if you are a legislator or a judicial officer. Please indicate if this is the case.

Identify Person	Identify Name of Organization	Relationship with Group, including Leadership Positions

15. Have you ever been convicted of a felony? ___ Yes ___ No If so, please provide the following information.

Offense	Date of Conviction	County and State of Conviction

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

► Questions 16 and 17 are applicable to SEI's filed beginning on January 1, 2008. If you are filing this SEI in 2007, do not complete these questions.

16. During any calendar quarter in the preceding year (but only the time period after you were appointed, employed, or filed or were nominated as a candidate), have you received any gifts with a total value of over \$200 from a person or a group of persons acting together and under circumstances that would lead a reasonable person to conclude that the gifts were given for the purpose of lobbying? ___ Yes ___ No If so, and if the gifts were given to you while you and the donor were outside the State of North Carolina, please provide the following information.

Date Item Rec'd	Name of Recipient	Donor	Describe Items Received

17. During the preceding year (but only the time period after you were appointed, employed, or filed or were nominated as a candidate) have you accepted a scholarship (defined as a "grant-in-aid to attend a conference, meeting, or similar event") of over \$200 from a person or a group of persons acting together? ___ Yes ___ No If so, and if the scholarship was given to you by a donor who was outside the State of North Carolina at the time the scholarship was granted, please provide the following information.

Name of Recipient	Donor	Describe Items Received

► Question 18 is applicable to SEI's filed by individuals appointed or reappointed to State boards and commissions on or after January 1, 2007.

18. Are you currently registered as a lobbyist? ___ Yes ___ No If so, identify each lobbyist principal that you represent in your capacity as a lobbyist and over which any public body to which you were appointed or reappointed had regulatory authority.

Lobbyist Principal	Effective Date of Registration	Date of Registration Expiration

19. Please provide any other information necessary to fully disclose any actual or potential conflicts of interest you may have had during the preceding year or have currently. This includes actual or potential conflicts of interest related to past personal or business relationships. If you are uncertain as to whether additional information should be disclosed, please contact the Commission for guidance.

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

Please ensure that you have responded to all questions and that you have stated "None" in response to those questions in which you have nothing to disclose. In the event you fail to answer a question, your disclosure statement will be returned and you will be required to correct any deficiencies, reaffirm the content of the form, and have the reaffirmation notarized.

**** North Carolina law establishes a fine of \$250 for failure to file a complete Statement of Economic Interest. In addition, it is a Class 1 misdemeanor to knowingly conceal or fail to disclose required information, and a Class H felony to provide false information on a Statement. Such actions can also subject you to disciplinary action in connection with your employment.****

Oath or Affirmation

I hereby swear or affirm, under penalty of perjury and other penalties established by North Carolina law, that I have read this Statement of Economic Interest and any attachments and that the information provided on the Statement and any attachments is true, correct, and complete to the best of my knowledge and belief. I also certify that I have not transferred, and will not transfer, any asset, interest, or property for the purpose of concealing it from disclosure while retaining an equitable interest.

Signature of Person Filing

STATE OF NORTH CAROLINA
COUNTY OF _____

Signed and sworn to or affirmed before me this day by _____
(Name of Person Filing)

Date: _____
(Official Seal)

Official Signature of Notary Public

Notary's printed or typed name: _____

My Commission Expires: _____

IF YOU DO NOT HAVE INFORMATION THAT FITS WITHIN A PARTICULAR CATEGORY, PLEASE INDICATE "NONE."

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 5, 2007

Action Agenda Item No. 7
(Central Admin. use only)

SUBJECT: 2007 Orthophotography and Planimetric Project

DEPARTMENT: Communications
IT/GIS

PUBLIC HEARING: Choose one....

ATTACHMENT(S):
Portion of Contract Relative to Scope of Services and Fees (A complete copy of the Contract including exhibits is available for review in the Office of the Clerk to the Board)

INFORMATION CONTACT:
Pat Beekman
Carl Lucas

TELEPHONE NUMBERS:
704-292-2670
704-292-2520

DEPARTMENT'S RECOMMENDED ACTION: Authorize County Manager to Approve Contract and Adopt Budget Amendment #42

BACKGROUND: This project will provide countywide 2007 orthophotography and update existing countywide 2001 planimetric data layers. These data layers include road centerlines, edge of pavement, building footprints, and a new physical address layer for every primary structure in the county.

This project is necessary because Union County hasn't had aerial photography flown since 2004 and hasn't had road/building data since 2001. Since Union County is the fastest growing county in the State, our current data is significantly out-of-date. This data is critical for the new CAD/RMS package being purchased for Union County so that the 911 telecommunicators have the most up-to-date data to direct first responders to the incident. This data is also used by many other County departments, developers, economic development agencies, realtors, mortgage lenders and banks, universities, map making companies, our public schools, and citizens of the County.

Finally, it is critical this contract be approved at this meeting because the flyover must occur before the leaves return in a few weeks time.

The state has provided \$31,800 in grant money to help offset the cost of this project. The BOCC accepted the state grant at the January 22, 2007 meeting.

FINANCIAL IMPACT: Total cost of project \$335,060. Funds for this project are available in the 911 Budget with the majority of the funds having been previously appropriated for the project.

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____

STATE OF NORTH CAROLINA

COUNTY OF UNION

AGREEMENT

THIS CONTRACT, made and entered in triplicate originals this _____ day of _____, 2007, by and between UNION COUNTY, a political subdivision of the State of North Carolina (the "OWNER") and SPATIAL DATA CONSULTANTS, INC., a North Carolina corporation (the "CONTRACTOR").

WHEREAS, OWNER intends to engage CONTRACTOR to provide professional services for the 2007 Color Digital Orthophotography and Planimetric Data Project (the "Project"); and

WHEREAS, execution of this Contract by the OWNER and the CONTRACTOR constitutes OWNER'S written authorization to the CONTRACTOR to proceed on the date first above written with the services described herein.

WITNESSETH, that the CONTRACTOR and the OWNER for the consideration stated herein agree as follows:

ARTICLE I. SCOPE OF WORK:

The CONTRACTOR shall perform everything required to be performed and shall provide and furnish all the labor, materials, necessary tools, expendable equipment and all utility and transportation services required to perform and complete in professional manner all the work required in connection with this Contract (the "Work") and all in strict accordance with all terms, conditions, and specifications ("Contract Requirements") included in this Contract and other Contract Component Parts described in Article IX.

The standard of care for all professional services performed or furnished by CONTRACTOR under this Contract will be the care and skill ordinarily used by members of CONTRACTOR'S profession practicing under similar conditions at the same time and in the same locality. CONTRACTOR shall not use subcontractors without obtaining prior written permission by the OWNER, except as provided in CONTRACTORS's Technical and Cost Proposal dated December 14, 2006, as amended January 31, 2007 (the "Proposal").

The parties acknowledge that the OWNER shall be the owner of the digital product, film negatives, and all other data that the CONTRACTOR obtains and produces in connection with this Contract, and that the CONTRACTOR shall not be permitted to use, retain, transfer, sell or assign any rights to and copies of the digital product, film negative and any other data obtained or produced by the CONTRACTOR in connection with this Contract.

ARTICLE II. CONTRACT PRICE

OWNER shall pay to CONTRACTOR for the performance of this Project, subject to any additions or deductions provided therein, in current funds, the Contract Prices computed as follows:

<u>Work Element</u>	<u>Cost</u>
A. Project Work Plan and Management, GPS Ground Control, Color Aerial Photography Airborne GPS, Image Scanning, Fully Analytical Aero-Triangulation, Review/Edit/Update NCFMP LiDAR, and Digital Orthophotography Production*	\$119,500
B. Field Work, Building Addressing, and Planimetric Data (Building Footprints, Paved and Unpaved Street Edges, Paved and Unpaved Street Centerlines) for Section 1	\$43,112
C. Field Work, Building Addressing, and Planimetric Data for Section 2	\$43,112
C. Field Work, Building Addressing, and Planimetric Data for Section 3	\$43,112
E. Field Work, Building Addressing, and Planimetric Data for Section 4	\$43,112
F. Field Work, Building Addressing, and Planimetric Data for Section 5	\$43,112
Total Project Cost	\$335,060

* CONTRACTOR shall produce the Orthophotography again at the conclusion of the Project and deliver the same to OWNER in final form at no additional cost.

ARTICLE III. PAYMENTS TO CONTRACTOR

OWNER shall pay to CONTRACTOR the fees indicated in Article II, above, in consideration of CONTRACTOR's responsibilities under this Contract.

CONTRACTOR shall invoice OWNER for each Work Element described above upon acceptance by OWNER in accordance with the Review and Acceptance Procedures set forth in Article V. Within 30 days of receipt of invoice, OWNER will pay CONTRACTOR 90% of the invoice amount for each accepted Work Element included

therein. The OWNER will retain the remaining 10% until the Project is substantially completed, after which time, the OWNER will forward the remaining 10% of the invoiced amounts to the CONTRACTOR. For purposes of this Project, substantial completion shall occur upon the OWNER's acceptance of: (i) all Orthophotography Project Deliverables; and (ii) all Planimetric Data and Building Addressing Deliverables for at least 90% of the territory within Union County. If the Project has been 50% completed and if the character and progress of the Work have been satisfactory to the OWNER, then the OWNER may, but is not required to, determine that as long as the character and progress of the Work remain satisfactory, there will be no additional retainage on account of Work completed, in which case the remaining payments following substantial completion will be in an amount equal to 100% of the Work completed.

If OWNER fails to make any payment due CONTRACTOR within thirty (30) days after receipt of CONTRACTOR's invoice therefore, the amounts due CONTRACTOR will be increased at the rate of 15% per annum (or the maximum rate of interest permitted by law, if less) from said thirtieth day; and, in addition, CONTRACTOR may, after giving seven (7) days' written notice to OWNER, suspend services under this Contract until CONTRACTOR has been paid in full all amounts due. Payments will be credited first to interest and then to principal. In the event of a disputed or contested billing, only that portion so contested may be withheld from payment, and the undisputed portion shall be paid.

ARTICLE IV: TERMINATION

OWNER may terminate this Contract for any reason if in the sole discretion of the OWNER the terms of the Contract are not being carried out by the CONTRACTOR in strict conformance with the Contract Requirements, and such termination shall be considered termination for Cause. In the event of termination by OWNER for Cause, CONTRACTOR shall receive no further payment from OWNER and OWNER shall be entitled to any Retainage previously withheld pursuant to Article III, above.

Termination by OWNER for any reason other than Cause (as defined above) shall be permitted and shall be considered termination for Convenience. In the event of termination by OWNER for Convenience, CONTRACTOR shall be paid for any Work Element accepted by OWNER prior to termination, and OWNER shall return to CONTRACTOR any Retainage previously withheld under Article III.

CONTRACTOR may terminate this Contract only in the event that OWNER fails to pay any undisputed invoice amount within 60 days of receipt of invoice by OWNER, and such termination shall be considered for Cause. In the event of termination by CONTRACTOR for Cause, CONTRACTOR shall be paid for any Work Element accepted by OWNER prior to termination, and OWNER shall return to CONTRACTOR any Retainage previously withheld under Article III.

ARTICLE V: REVIEW AND ACCEPTANCE OF WORK

Within 30 days of receipt of each Work Element, OWNER will review the Work Element to determine compliance with Contract requirements and notify CONTRACTOR that the Work Element is either: (1) accepted; (2) returned to CONTRACTOR for corrections with detailed comments; or (3) returned to CONTRACTOR for corrections with general comments. For each Work Element returned to CONTRACTOR with detailed comments, OWNER will provide a shapefile with questions/errors found during quality control review. OWNER will review one Work Element at a time and will notify CONTRACTOR of its status before accepting another Work Element for review. OWNER reserves the right to return to CONTRACTOR with general comments only any Work Element, or portion thereof, that in OWNER's judgment, departs so substantially from the Contract requirements that detailed review and comment would require an unreasonable amount of OWNER's time and resources.

Within 30 days of receipt of any Work Element returned to CONTRACTOR for corrections (with either detailed or general comments), CONTRACTOR shall correct the Work Element and deliver it to OWNER. For any Work Element that OWNER returned to CONTRACTOR with detailed comments and a shapefile, CONTRACTOR shall enter in the shapefile a response to each question/error identified by OWNER and shall review the Work Element in its entirety for similar issues.

Within 30 days of receipt from CONTRACTOR of a corrected Work Element, OWNER shall review the Work Element to verify that all necessary corrections were made and notify CONTRACTOR that the corrected Work Element is either accepted or rejected. If a corrected Work Element fails to comply with Contract Requirements, OWNER may, in its sole discretion, allow CONTRACTOR additional time to bring the Work Element into compliance; provided, however, that CONTRACTOR's failure to deliver a Work Element that complies with all applicable Contract Requirements within 100 days of the due date specified for that Work Element on the Project Schedule shall constitute grounds for immediate termination for Cause.

ARTICLE VI. CONTRACT TIMING

This Contract will become effective on the date first above written. Work under this Contract shall commence no later than the date of execution of this Contract. The OWNER and CONTRACTOR have agreed upon a final, detailed Project Schedule, attached as Exhibit C and incorporated herein by reference, which may subsequently be amended only upon written mutual agreement of the Parties. As shown on Exhibit C, the entire Project is scheduled to be completed by February 28, 2008 (the "Project Completion Date"), and in no event shall the total Project duration be more than 14 months from the Contract award date. TIME IS OF THE ESSENCE AS TO THIS AND EVERY OTHER PROVISION OF THE CONTRACT.

The Work shall be performed regularly, diligently, and uninterruptedly at such rate of progress as will insure full completion thereof within the time specified. It is expressly understood and agreed by and between the CONTRACTOR and the OWNER that the time for completion of the Work and all interim dates described herein is a reasonable time for the completion of the same.

The duties of CONTRACTOR to observe or perform its obligations under this Contract shall be excused for a period equal to the period of prevention, delay or stoppage due to causes beyond its control by reason of governmental action or inaction, labor disputes, strikes, lockouts, civil riots, acts or threats of terrorism, war (including the "war on terrorism"), invasion, delays caused by OWNER, fire, flood or other casualty, unusually severe weather conditions, unusual delay in deliveries or unavailability of materials, acts of God or other similar crises or factors ("Force Majeure Matters"); provided that CONTRACTOR has taken steps that are reasonable under the circumstances to mitigate the effects of such Force Majeure Matters.

ARTICLE VII: INSURANCE

The following insurance shall be maintained by the CONTRACTOR upon the execution of the Contract and until such time as it is complete.

- A. Workers' Compensation - Statutory Limits
Employer's Liability Limits
\$1,000,000 - Each Accident
\$1,000,000 - Each Employee by Disease

- B. Commercial General Liability
\$2,000,000 - General Aggregate
\$1,000,000 - Personal & Advertising Injury
\$1,000,000 - Per Occurrence
\$1,000,000 - Products/Completed Operations Aggregate

- C. Aviation Liability
\$5,000,000 - Owned and Non-owned aircraft

- D. Professional Liability
\$1,000,000 - Per Occurrence
\$2,000,000 - Aggregate

Additional Insurance Requirements

- A. Union County, its officer, employees, and agents shall be named as Additional Insured on the Certificate of Insurance, and such status as Additional Insured shall be evidenced by a written endorsement to the policy.

- B. The Clause "other insurance provisions" in a policy in which Union County is named as an additional insured, shall not apply to Union County, its officers, agents or employees.
- C. The insurance companies issuing the policy or policies shall have no recourse against OWNER (including its agents or employees) for payment of any premiums or for assessments under any form of policy.
- D. Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the risk of, CONTRACTOR.
- E. Insurance procured by CONTRACTOR shall not reduce nor limit CONTRACTOR's contractual obligation to indemnify and defend OWNER for claims made or suits brought which result from or are in connection with the performance of this Agreement.
- F. All required certificates shall bear an authorized representative's original signature. Language of the certificate of insurance to the effect that failure to mail the required Notice of Cancellation shall impose no obligation or liability of any kind upon the insurance company, its agents or representatives shall be deleted from all certificates of insurance. In the event CONTRACTOR receives Notice of Cancellation of Insurance required pursuant to this Agreement, CONTRACTOR shall immediately cease performance of all services and shall provide Notice to Union County's Legal/Risk Management personnel within twenty-four (24) hours.
- G. The following must appear on each certificate of insurance:

Under the Certificate Holder section:

Union County
500 N. Main Street, Suite 130
Monroe, NC 28112
Attn: Risk Manager

Additionally, in the space (Description of Operations/Locations) on the certificate of insurance, it must be noted as follows:

Name of County Department or Agency: Communications
Contract No. 1572

ARTICLE VIII: INDEMNIFICATION

The CONTRACTOR agrees to indemnify, defend, and save harmless the OWNER from all losses, penalties, actions, damages, settlements, professional fees, and

costs, of every name and description resulting from the performance of this Contract due to the negligence of the CONTRACTOR, its officers, employees, subcontractors, or agents. CONTRACTOR further agrees to investigate, handle, respond to, provide defense for, and defend the same at its sole expense and agrees to bear all other costs and expenses related thereto.

The CONTRACTOR further agrees to indemnify, defend, and save harmless the OWNER from any and all suits, judgments, costs, damages, claims, demands, actions, causes of action, proceedings, expenses or liabilities of any nature, which are threatened or brought against, or are incurred by, OWNER arising from a claim that any element of the Project Deliverables constitutes an infringement of any United States patent or copyright, or is a trade secret of another; provided, however, that CONTRACTOR is notified thereof promptly in writing. CONTRACTOR shall have the sole control of the defense of any such suit, proceeding or action, and shall have the sole right to settle any such suit, proceeding or action.

If the use of any element of a Project Deliverable is enjoined or prohibited or threatened to be enjoined or prohibited as a result of any such claim, suit, action, proceeding or settlement, CONTRACTOR shall have the right to (a) procure for OWNER the right to continue to use said element; (b) replace said element with a comparable element which is non-infringing or is not such a trade secret, and which satisfies the Contract requirements; or (c) modify said element so it becomes non-infringing or no longer is such a trade secret, provided that such element remains in conformity with the Contract requirements.

ARTICLE IX. COMPONENT PARTS OF THIS CONTRACT

This Contract shall consist of the following component parts which are attached hereto and made a part of this agreement and Contract as fully and absolutely as if they were set out in detail in this Contract.

Exhibit A: **Proposal**, consisting of: (i) Technical and Cost Proposal, Union County, North Carolina, 2007 Color Digital Orthophotography and Planimetric Data (December 14, 2006); and (ii) Amendment to Technical and Cost Proposal Dated December 14, 2006 (January 31, 2007)

Exhibit B: **Project Specifications**, consisting of: (i) Part I - Union County Project Specifications (including Acceptance Criteria); and (ii) Part II - North Carolina Property Mappers Association Technical Mapping Specifications (January 16, 2007)

Exhibit C: **Project Schedule**

In the event of inconsistencies within or between the Contract Component Parts as just described, CONTRACTOR shall (i) provide the better quality or greater quantity of

Work or (ii) comply with the more stringent requirement, either or both in accordance with the OWNER's interpretation.

ARTICLE X. NON-DISCRIMINATION

During the performance of this Contract, the CONTRACTOR agrees as follows:

1. The CONTRACTOR will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin, except where religion, sex, or national origin is a occupational qualification reasonable necessary to the normal operation of the CONTRACTOR. The CONTRACTOR agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

2. The CONTRACTOR, in all solicitations or advertisements for employees placed by or on behalf of the CONTRACTOR, will state that such CONTRACTOR is an equal opportunity employer.

3. Notices, advertisements, and solicitations placed in accordance with federal law, rule, or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

4. The CONTRACTOR will include the provisions of the foregoing paragraphs 1, 2, and 3 in every subcontract or purchase order over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

ARTICLE XI: LIQUIDATED DAMAGES

OWNER and CONTRACTOR mutually understand and agree that the OWNER requires the Project to be completed on or before the agreed upon Project Completion Date. The OWNER and the CONTRACTOR further understand and agree that failure of the CONTRACTOR to complete the Project by the specified date could result in expense to the OWNER. The parties agree that the calculation of the specific amount of the expense that may be borne by the OWNER under such circumstances would be difficult and time consuming, further exacerbating the effects of any delays. Therefore, the CONTRACTOR and the OWNER agree that liquidated damages in the form of payments to the OWNER by the CONTRACTOR, as a remedy and not as a penalty, will serve as the exclusive remedy for failure of the CONTRACTOR to complete the Project by the mutually agreed upon Project Completion Date. Liquidated damages in the amount of \$250.00 per calendar day will be paid by the CONTRACTOR to the OWNER for each calendar day after the mutually agreed upon completion date and before the date upon which the project is substantially completed and delivered to the OWNER. The OWNER agrees that no other damages (whether or not said damages can be denied and documented as "actual" damages) will be pursued by the OWNER and/or paid to the OWNER by the CONTRACTOR as a remedy for late deliveries by the CONTRACTOR.

ARTICLE XII: WARRANTY

All products and services provided to OWNER by CONTRACTOR shall be free from defects in material and workmanship for a period of one (1) year after final completion.

ARTICLE XIII : PERFORMANCE BOND

A performance Bond of 100 percent (100%) of the amount of the proposal shall be required for the faithful performance of the contract and to indemnify the OWNER against loss. The premium is to be paid by the CONTRACTOR. The surety must be a substantial surety company satisfactory to the OWNER and authorized by law to do business in the State of North Carolina and endorsed by a local representative of such surety company. All performance bonds shall name Union County as Obligee.

ARTICLE XIV. ADDITIONAL SERVICES OF CONTRACTOR

If authorized in writing by OWNER, CONTRACTOR shall furnish or obtain from others Additional Services of the types listed in this Article, unless otherwise required under this Contract. If the Contract does not address this issue, CONTRACTOR shall be paid for Additional Services in accordance with an amendment to this Contract which provides for, among other things, pricing of the Additional Services for work that is of a similar nature as that included in the Contract at a similar rate as provided in the Contract.

1. Services resulting from significant changes in the scope, extent, or character of the Project, including, but not limited to, changes in size, complexity, OWNER's schedule, character of the Project and/or revising previously accepted documents or maps.
2. Services resulting from facts revealed about conditions;
 - a. Which are different from information about such conditions that OWNER previously provided to CONTRACTOR.
 - b. As to which OWNER had responsibility to provide information.
3. Making changes to maps and/or other geographic information based upon information provided or occurrences after the beginning of the Information Gathering Phase.
4. Preparing to serve or serving as a consultant or witness for OWNER in any litigation, arbitration, or other legal or administrative proceeding involving the Project, except as may be required to fulfill CONTRACTOR's obligation to Indemnify OWNER under Article VIII of this Contract.

5. Other additional services performed or furnished by CONTRACTOR in connection with Project, including services which are not otherwise provided for in this Contract.

ARTICLE XV: MISCELLANEOUS

This Contract shall inure to the benefit of and be binding upon the parties hereto, their assigns and successors in interest. This Contract contains the total agreement between the parties and may only be altered or amended by the parties hereto in writing. If this Contract or any provision hereof, is determined to be invalid, unlawful or otherwise null and void by any court of competent jurisdiction, this Contract shall terminate and neither party shall have any further obligation to the other. This Contract shall be construed and enforced in accordance with the laws of the State of North Carolina. Exclusive venue for any disputes arising hereunder is conferred upon the General Courts of Justice of the State of North Carolina sitting in Union County, North Carolina. CONTRACTOR shall not assign, sublet or transfer any rights under or interest in this Contract (including, but without limitation, monies that may become due or monies that are due) without the written consent of OWNER. Unless specifically stated to the contrary in any written consent to assignment, no assignment shall release or discharge the assignor from any duty or responsibility under this Contract.

IN WITNESS WHEREOF, the parties here to have here unto set their hands and seals the date first written above.

OWNER: UNION COUNTY,
a North Carolina Government

By: _____
Name and Title: _____

Attest: _____

CONTRACTOR: SPATIAL DATA CONSULTANTS,
INC., a North Carolina Corporation

By: _____
Name and Title: _____

Attest: _____

Approved as to Legal Form ____

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 5, 2007

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

SUBJECT: Delegation of Contract Approval to Chairman

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

ATTACHMENT(S):

INFORMATION CONTACT:

Dick Black
Kai Nelson

TELEPHONE NUMBERS:

704.292.2522

DEPARTMENT'S RECOMMENDED ACTION: Authorize Chairman to approve contract agreements for which expenditures exceed \$5,000 but are not in excess of \$300,000 for which funds are included in the budget ordinance during the February 5 to March 12 and to provide a report on such approvals at the March 12 meeting of the BOCC

BACKGROUND: After the BOCC's February 5 meeting, the next meeting of the BOCC is scheduled for March 12. The County Manager's authority to approve contract agreements is limited to \$5,000 and funds included in the budget.

To insure that the critical business of the County continues during the February 5 - March 12 period, County staff is recommending that the Chairman be authorized to approve contract agreements between \$5,000 and \$300,000 for which funds are included in the budget and that a report of such approvals be provided to the BOCC at their March 12 meeting.

FINANCIAL IMPACT: NA

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 2/05/07

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

SUBJECT: Disposition of Old Animal Shelter

DEPARTMENT: Homeland Security

PUBLIC HEARING: No

ATTACHMENT(S):

Letter from the Humane Society of
Union County requesting the use of
the Old Animal Shelter

Repair estimates

INFORMATION CONTACT:

Patrick Beekman
Barry Wyatt

TELEPHONE NUMBERS:

(704) 292-2670
(704) 283-3868

DEPARTMENT'S RECOMMENDED ACTION: Recommend option #2 with the following guidance to the staff to prepare a lease between Union County and the Humane Society of Union County:

- That the Humane Society must make the necessary repairs to the facility as determined by the State Department of Agriculture in their previous inspection and then receive permission by the State Department of Agriculture prior to using the facility in any manner or for any purpose.
- That no County taxpayer money can be used in the repairs to the facility.
- That the facility be operated in compliance with all applicable laws and regulations governing such a facility.
- That the lease contain language allowing termination for cause if the Humane Society should ever violate the terms of the lease.
- That the lease contain language allowing for termination without cause should Union County determine another need for the land. This termination might require a period of notice and/or reimbursement to the Humane Society for improvements made to the building less depreciation.

This lease and a resolution for disposition, as required by statute, would be presented to the Commissioners for approval upon completion.

BACKGROUND: The new animal shelter has been completed. The question is what to do with the old animal shelter. There are two options that the staff has considered for your review and decision.

The first option is to destroy the old animal shelter and use the land for future County purposes. The cost estimate for this option is approximately \$35,000. The positive to this option is that we

would have land available for future County use should a need present itself. The negatives are first, the \$35,000 has not been appropriated and would need to come from fund balance. Second, the land has very limited use given its location and past uses of the land.

The second option is to lease the old animal shelter to the Union County Humane Society as an animal adoption facility at no cost or liability to the County. The positives are we provide a not-for-profit organization a facility to use to further the adoption of animals; we provide an adoption facility more convenient to the growing population in the western portion of the County; there is no cost associated with leasing the facility to the Humane Society; having two shelters should increase the adoption rate within Union County; and finally, there is no financial impact to taxpayers. The negative is that while the facility is leased, the land cannot be used for other purposes. This can be mitigated by allowing the county an escape clause written in the lease. This option has one other issue that should be mentioned. The old animal shelter is in a significant state of disrepair. Currently, the State Agriculture Department will not certify animals to be kept there until significant repairs are made. According to General Services, these repairs will run a minimum of \$52,000 and probably significantly higher. The Humane Society is aware that these repairs must be made by them before they can use the facility in any capacity. They are aware that the total cost of these repairs would be their responsibility. They have accepted these conditions and still desire to lease the facility.

In order for real property to be conveyed without monetary consideration, the Humane Society must be a nonprofit entity. The Humane Society is a 501(c)(3) with a Federal ID # of 58-1586626 and is recorded with the NC Secretary of State's office. Also, the property must not have been acquired by eminent domain. Staff has reviewed in-house documents and found no documents that referenced any discussions of condemnation relative to this property. There was no reference to condemnation on the original deed. Employees questioned only recall that the property was purchased. Therefore, staff feels that the property was not acquired by eminent domain.

FINANCIAL IMPACT: Option #1 - approximately \$35,000. Option #2 - none

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____



PO Box 101 • Monroe, NC 28111
704.283.9126 • Email hsuc@carolina.rr.com

November 21, 2006

Mr. Pat Beekman
Director of Homeland Security
500 North Main Street
Monroe, NC 28112

Dear Mr. Beekman,

The Humane Society of Union County would like to notify you that we do want the old animal shelter located on Goldmine Road. We were verbally promised by the county commissioners and other county officials that upon completion of the new shelter, we could have the old animal shelter.

As stated in previous letters to the Board of Commissioners requesting this facility, the HSUC will be further benefiting the growing needs of the county by operating our own facility.

We would like to continue the forward progress Union County is taking regarding animal issues and look forward to the forthcoming changes.

Please proceed with proposal or the necessary paperwork to turn this facility over to us.

Sincerely,

Sue Ratliff, President
Humane Society of Union County, Inc.

And

HSUC Board of Directors

Barbara Bigham
Kristen Blank
Vicki Helms
Cindy Poppino
Sue Ratliff
Jan Stegall
Dr. Susan Syphard

New board



Barry Wyatt/UnionCounty
10/10/2006 09:09 AM

To Beekman/UnionCounty@UnionCounty
cc
bcc

Subject Existing Animal Shelter Repairs/Demolition

We had a general contractor look at the shelter and give us an estimate.

Repairs:

Roof and ceilings - \$15,000

Water heater - \$800

Automatic waterers - \$2,400

Damaged floor slab cannot be repaired and sealed; will have to be replaced - \$25,000

Install perimeter fence - \$6,000

Repair/replace run gates - \$2,500

Total cost - \$51,700

Demo. entire structure - \$25,000 - \$30,000

Barry G. Wyatt
General Services Director
Union County
500 N. Main Street, Suite 8
Monroe, NC 28112
Phone: 704.283.3868
Fax: 704.283.3512



"Ann Rushing"
<arushing@monroenc.org>

01/29/2007 12:44 PM

AGENDA ITEM

To <west@co.union.nc.us>

10

cc

MEETING DATE 2-5-07

bcc

Subject Downtown Monroe, Inc. Board Appointment

Lynn,

This e-mail is notification of a request for a **Board Appointment for Downtown Monroe, Inc. Board.** Hughie Sexton was the past Ex-Officio non-voting member representing County Commission. Member shall serve pursuant to the terms established by virtue of their organization. So, basically you may choose annually who you would like to represent or they may continue on. The Board meets on the 4th Tuesday of each month at 4:30pm at the Downtown Monroe, Inc. office at 113 W. Morgan Street.

Thanks in advance.

Ann Rushing

Ann Rushing
Downtown Monroe Coordinator
City of Monroe
704.292-1705
704-226-6066 Cell#
nextel#150*32090*6
arushing@monroenc.org

Contract Summary of Major Terms and Conditions

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans
A	Carpenter Brothers Construction	Phase II Government Center Renovations, CO 1 Addition of a hoist lift Overall savings to purchase lift over renting is approx. \$55,000 to be reflected in lower costs of future construction phases	\$184,075 (gross of re-sale value estimated at \$50,000 to be received at end of construction)	Space Study Needs Assessments October 2002 and early 2006 CIP2006 Capital Project Ordinance
B	Carpenter Brothers Construction	Phase II Government Center Renovations, CO 2 Various items including additional electrical and data conduits, skim coating on existing wall surface preparation, plumbing code compliance	Aggregate of \$29,189	Space Study Needs Assessments October 2002 and early 2006 CIP2006 Capital Project Ordinance
C	Carpenter Brothers Construction	Phase I Government Center Renovations, CO 2 Modifications to the main entry to Tax Collections, plumbing and mechanical associated with bistro, conduit and hardware for security measures, acceleration of completion date, reimbursable sales tax associated with A/V	Aggregate of \$77,853	Space Study Needs Assessments October 2002 and early 2006 CIP2006 Capital Project Ordinance
D* [Subject to	Sam Tyson Builders	Phase III Government Center Renovations, Public Works	\$118,198	Space Study Needs Assessments October 2002

MEETING DATE 02-05-06

AGENDA ITEM # 4/1 (a-k)

Contract Summary of Major Terms and Conditions

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans
Legal review and approval]		Facility (for use by UCPS) Renovation of the back half of the existing Utilities building to provide offices for UCPS		and early 2006 CIP2006 Capital Project Ordinance
E	Copeland Enterprises	Consulting services to improve the County's Work First participation rate through DSS	\$10,500	Operating Budget – 2007
F	HDR Engineering	Engineering services for hydraulic water system modeling, contractor procurement and construction inspections in connection with the repair and re-painting of the Stallings and Indian Trail elevated water storage tanks	Aggregate amount of contract is \$38,600	Water & Sewer Master Plan 2005 CIP2006 Capital Project Ordinance
G	HDR Engineering – Task Order #35	Engineering services for Stage 2 DPBR (EPA's Disinfection Byproducts Rule) including development of monitoring plan, data analysis and report preparation	Aggregate amount of contract is \$44,368	Water & Sewer Master Plan 2005 CIP2006 Capital Project Ordinance
H	Cox and Company	Software support agreement that provides maintenance, new releases, warranty, telephone support and software upgrades for DSS	\$21,240	Operating Budget – 2007
I	Oak Grove Farm Homeowners' Association	Release of development surety to Association to complete road maintenance	\$19,898.21	Held in escrow

Contract Summary of Major Terms and Conditions

Reference	Vendor Name	Purpose	Payment Terms	Comprehensive Plans
		improvements		
J	Brantley Oaks Homeowners' Association of Union County, Inc.	Release of development surety to Association to complete road maintenance improvements	\$7,700	Held in escrow
K	White & Smith, LLC	Retainer Agreement for the provision of legal and related planning consulting services, on behalf of Union County, in connection with various litigation matters	Various hourly rates based on assigned professional and out-of-pocket expenses	Operating Budget – 2007

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT
Meeting Date: 2/5/07

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

SUBJECT: Delinquent Tax Lien Advertisement

DEPARTMENT: Tax Administration **PUBLIC HEARING:** No

ATTACHMENT(S): Memo to Board **INFORMATION CONTACT:**
Vann Harrell
John Petoskey

TELEPHONE NUMBERS:
704-283-3591
704-283-3748

DEPARTMENT'S RECOMMENDED ACTION: Approve as requested

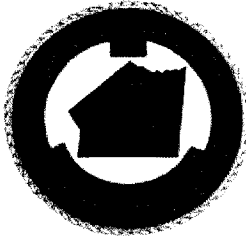
BACKGROUND: Required Action by NCGS 105-369

FINANCIAL IMPACT: Cost of advertising. Bids will be taken before ad is placed in the spring.
No More than \$3,000.00 to \$4,500.00.

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____



UNION COUNTY
Office of the Tax Administrator
Collections Division
407 N. Main Street
P.O. Box 38
Monroe, NC 28111-0038

704-283-3848
704-283-3897 Fax

TO: Union County Board of County Commissioners

FROM: John Petoskey, Tax Administrator *J.P.*
Vann Harrell, Assistant Collector of Revenue *VH*

DATE: January 23, 2007

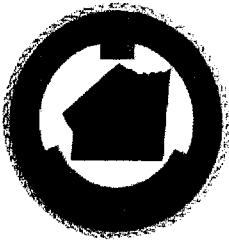
CC: Dick Black, County Manager
Lynn West, Clerk to the Board

SUBJECT: Delinquent Tax Lien Advertisement

North Carolina General Statute 105-369 requires that the County Tax Collector report to the governing body the total amount of unpaid taxes for the current fiscal year that are liens on real estate. At that time the governing body shall order the Tax Collector to advertise these liens in a local newspaper.

On January 20, 2007 the unpaid 2006 taxes that constitute liens on real estate total \$6,873,503.87.

As required by this same statute the 2006 tax liens will be advertised between March 1, 2007 and June 30, 2007. Prior to this advertisement, delinquent notices will be sent to all taxpayers whose taxes remain unpaid for the 2006 tax year. If you have any additional questions feel free to contact us at any time.



UNION COUNTY
Office of the Tax Administrator

300 N. Main Street
P.O. Box 97
Monroe, NC 28111-0097

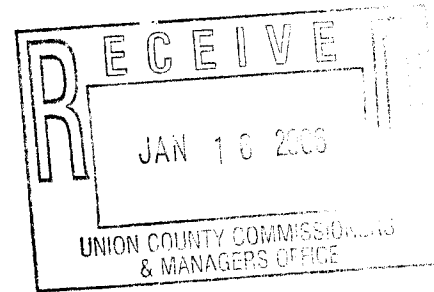
AGENDA ITEM

4/26

704-283-3746
704-283-3616 Fax

John C. Petoskey
Tax Administrator

MEETING DATE _____



MEMORANDUM

TO: Richard Black
Central Administration

FROM: John C. Petoskey
Tax Administrator

DATE: January 12, 2007

RE: **Eighth** Motor Vehicle Billing

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

JCP: lm

MOTOR VEHICLE BILLING SUMMARY

BDG No	DESCRIPTION	KEY	BILL YEAR	TAX RATE	COUNT	VALUE	TAX
10	COUNTY	CH99999	2006	.5600	211	2,006,213	10,984.10
10	COUNTY	CH99999	2006	.6367	12,973	124,313,111	791,417.63
	TOTALS				13,184	126,319,324	892,401.73
76	SCHOOL DIST - MCW80E	SC100	2006	.0781	29	183,125	123.07
77	SCHOOL DIST - COUNTY	SC954	2006	.0700	182	1,818,088	1,249.99
	TOTALS				211	2,006,213	1,373.05
32	FIRE DIST - SPRINGS	FR015	2006	.0313	662	6,058,137	1,896.13
33	FIRE DIST - STALLINGS	FR027	2006	.0399	18	158,241	63.76
34	FIRE DIST - STALLINGS	FR027	2006	.0399	18	158,241	63.76
35	FIRE DIST - HEMBY BRIDGE	FR023	2006	.0444	1,263	13,754,120	6,106.88
36	FIRE DIST - HEMBY BRIDGE	FR023	2006	.0444	25	226,600	91.54
37	FIRE DIST - HEMBY BRIDGE	FR023	2006	.0444	1,434	14,980,720	6,253.72
37	FIRE DIST - WESLEY CHAPEL	FR026	2006	.0190	25	382,460	58.13
37	FIRE DIST - WESLEY CHAPEL	FR026	2006	.0190	1,548	20,716,401	3,148.75
34	FIRE DIST - WAXHAM	FR028	2006	.0413	617	7,929,353	2,274.72
	TOTALS				5,793	64,211,572	21,593.63
78	220125 TAXES PAYABLE - MARVINA	MC1000	2006	.0517	5	65,530	34.59
78	220125 TAXES PAYABLE - MARVINA	MC1000	2006	.0500	215	2,960,198	1,480.61
78	220130 TAXES PAYABLE - MCW80E	MC0000	2006	.4250	41	347,665	1,623.21
78	220130 TAXES PAYABLE - MCW80E	MC0000	2006	.5300	2,196	16,712,557	99,132.62
78	220176 TAXES PAYABLE - WESLEY	MC0000	2006	.3600	4	23,650	85.13
78	220170 TAXES PAYABLE - WESLEY	MC0000	2006	.3800	159	1,058,795	4,023.45
78	220120 TAXES PAYABLE - MARSHVILLE	MC0400	2006	.3800	4	28,897	112.68
78	220120 TAXES PAYABLE - MARSHVILLE	MC0400	2006	.3800	171	1,196,835	4,547.93
78	220150 TAXES PAYABLE - WAXHAM	MC0700	2006	.3400	7	38,850	157.14
78	220150 TAXES PAYABLE - WAXHAM	MC0700	2006	.3400	399	4,290,178	14,586.59
78	220111 TAXES PAYABLE - INDIAN TAIL	MC0000	2006	.2800	35	334,775	263.19
78	220111 TAXES PAYABLE - INDIAN TAIL	MC0000	2006	.2800	1,669	18,407,156	18,407.23
78	220140 TAXES PAYABLE - STALLINGS	MC0700	2006	.2500	13	149,016	385.83
78	220140 TAXES PAYABLE - STALLINGS	MC0700	2006	.2500	793	8,122,355	20,307.77
78	220160 TAXES PAYABLE - WEDDINGTON	MC0000	2006	.0300	11	99,350	29.97
78	220160 TAXES PAYABLE - WEDDINGTON	MC0000	2006	.0300	533	6,911,670	2,043.65
78	220115 TAXES PAYABLE - LAKE PARK	MC0000	2006	.2300	1	12,950	28.49
78	220115 TAXES PAYABLE - LAKE PARK	MC0000	2006	.2300	183	1,658,435	3,616.77
78	220175 TAXES PAYABLE - FAIRVIEW	MC0300	2006	.0200	6	59,180	8.89
78	220175 TAXES PAYABLE - FAIRVIEW	MC0300	2006	.0200	109	1,324,801	264.91
78	220145 TAXES PAYABLE - HEMBY BRIDGE	MC0500	2006	.0300	1	6,740	2.02
78	220145 TAXES PAYABLE - HEMBY BRIDGE	MC0500	2006	.0300	64	590,295	162.12
78	220165 TAXES PAYABLE - WESLEY CHAPEL	MC0700	2006	.0200	5	60,650	12.13
78	220165 TAXES PAYABLE - WESLEY CHAPEL	MC0700	2006	.0200	308	3,611,745	722.28
78	220195 TAXES PAYABLE - UNIONVILLE	MC0900	2006	.0200	3	25,310	5.06
78	220195 TAXES PAYABLE - UNIONVILLE	MC0900	2006	.0200	250	2,147,906	429.63
78	220155 TAXES PAYABLE - MCPL SPRINGS	MC0900	2006	.0270	4	26,070	7.24
78	220155 TAXES PAYABLE - MCPL SPRINGS	MC0900	2006	.0270	181	1,496,597	404.04

4/20
 8-5-07
 REFUNDING DATE

REFUNDS JANUARY 2007

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	County CS&T-999	County CSLL-999	HembyGT	SpringsG	StallGT	StallLL	WaxhawGT	WaxhawLL	WesleyGT	WesleyLL	FairviewFLanesCr	FF	SpringsFF	StackFF	UnionvilleFF	Total
2006																						
50064069	VILLAGE OF LAKE PARK	2411	100	0.64					0.05													0.69
50090552	ONEWORLD TECHNOLOGY	2413						5.43														5.43
50074055	HARIS ELLEN W	2417		5.750																		36.61
50077055	FORESTER DEWEY A & BA	2418		304																		1.94
50094146	SAM'S INDIAN TRAIL NC LL	2419		36,796							16.34											250.62
50076940	DAVIS HORACE III	2420		300																		2.10
50081157	HELMS HORACE JR & WI	2425		2,590																		18.14
50095016	GODWIN JIMMY D	2437		1,842																		1.17
50087948	SK ENTERPRISES INC	2443		9,440					3.02													3.02
50093455	GRIFFIN EARL CRAWFORD	2459		15,860																		111.20
50093172	BRADFORD MICHAEL JOE	2457		1,200																		8.40
50089956	HILDRETH WILLIAM ALAN	2466		560																		4.20
50086129	GREENE ROBIN MICHAEL	2469		600																		4.20
50079137	ROBINSON MAUDE M	2477		300																		4.20
50076687	DEESE LARRY & VIRDI	2486		119.07																		1.98
07081043	YOUNIS VIRGINIA ROSS	2486	18,700						8.68													127.75
50080042	PLYLER WARREN C SR & C	2497		25,000																		2.34
50094088	MAMALENA % RAYMOND C	2500		2,140																		186.46
50095745	KELLEY MICHAEL A	2504		1,100																		14.99
50095852	GRIFFIN ANTHONY D	2505		420																		7.70
50078663	GRIFFIN DAVID JETER & M	2510		1,800																		3.01
50074282	CANON FINANCIAL SERVIC	2518		178.92																		11.46
50093789	MAHD AL-HASSAN	2519		27.740																		21.51
06108395	MARIBETH HOTHERSALL	2523		11.328																		188.07
50074282	CANON FINANCIAL SERVIC	2533		72.14																		2.03
50053126	WYLES BARBARA	2537		162.06																		75.89
50083011	SIGNATURE SERVICES	2537		770																		172.57
09093002A	EUDY GAYNELLE TOMBER	2550		79.20																		9.76
09051002A	BRASWELL WELDON & JAN	2556		20,575																		79.20
04216005A	SPURLOCK CLAUDINE E	2558		131.01																		131.01
2006 Totals			80,325	142,782	1,408.83	63.23	0.00	0.00	17.18	3.55	17.39	0.10	32.29	1.17	0.11	0.51	45.09	50.00	0.00	4.86	0.00	1,644.31
2005																						
50084039	PUCKETT KEVIN ROSS	2428		8,650																		59.84
50087948	SK ENTERPRISES INC	2444		18,700																		125.37
07081043	YOUNIS VIRGINIA ROSS	2487		99,330					1.21													625.78
09174012	HELMS W NEWELL & PAT E	2492		11,328					7.56													104.46
50053126	WYLES BARBARA	2535		770																		9.82
09093002A	EUDY GAYNELLE TOMBER	2493		20,575																		129.62
04216005A	SPURLOCK CLAUDINE E	2559		115.22																		0.00
2005 Totals			139,375	19,978	892.38	4.84	111.54	0.61	8.77	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.97	0.00	1,056.20
2004																						
50084039	PUCKETT KEVIN ROSS	2429		8,650																		37.20
50089956	HILDRETH WILLIAM ALAN	2464		32,012																		8.02
50079638	MULLIS DILLON B & MARGA	2484		18,700																		209.52
07081043	YOUNIS VIRGINIA ROSS	2488		99,330					7.99													119.26
09174012	HELMS W NEWELL & PAT E	2493		11,328																		591.01
50053126	WYLES BARBARA	2536		770																		105.89
09093002A	EUDY GAYNELLE TOMBER	2552		20,575																		9.49
2004 Totals			118,800	53,215	887.50	20.43	118.34	2.73	7.99	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4.91	0.00	1,080.39

REFUNDS JANUARY 2007

Acct #	Name	Release #	Real Value	Pers. Value	UCGT	UCLL	County CSGT-999	County CSLL-999	HembyGT	SpringsG	StallGT	StallLL	WaxhawGT	WaxhawLL	WesleyGT	WesleyLL	FairviewFF	LanesCr	FF	SpringsFF	StackFF	UnionvilleFF	Total
2003																							
50089956	HILDRETH WILLIAM ALAN	2465		1,336		7.08	0.71	0.94															8.82
07081043	YOUNTS VIRGINIA ROSS	2489	19,100		101.23		13.37		6.87														121.47
09174012	HELMS W NEWELL & PAT E	2495	72,590		384.73		50.81																495.54
09093002A	EUDY GAYNELLE TOMBER	2553	540		2.86		0.38																7.84
2003 Totals			92,230	1,336	485.90	0.71	65.50	0.09	6.87	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	573.67
2002																							
07081043	YOUNTS VIRGINIA ROSS	2490	19,100		89.87		13.37		7.18														110.42
09174012	HELMS W NEWELL & PAT E	2494	72,590		341.54		50.81																433.26
09093002A	EUDY GAYNELLE TOMBER	2554	540		2.54		0.38																7.11
2002 Totals			92,230	-	433.95	0.00	64.56	0.00	7.18	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	540.79
2001																							
07081043	YOUNTS VIRGINIA ROSS	2546	19,100		89.87		13.37		5.27														108.51
09093002A	EUDY GAYNELLE TOMBER	2555	540		2.54		0.38																7.57
2001 Totals			19,640	-	92.41	0.00	13.75	0.00	5.27	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	116.08
Grand Totals			542,600	217,311	4,210.97	89.21	373.69	3.43	53.26	3.55	17.39	0.10	32.29	1.17	0.11	0.51	45.09	50.00	71.58	28.18	30.91	0.00	5,011.44

RELEASES JANUARY 2007

Acct #	Name	Released	Real Value	Pris. Value	UGGT	UCLL	CSGT-36	CSLL-36	Menace	Menace	CSLL-100	HembyLL	SpringsGT	SpringsLL	StallLL	WachawGT	WachawLL	WesleyGT	WesleyLL	AllenF	BakersF	Falover	StackFF	Unionville	Washa	Wingate	Total
50095635	GAIL BRETT A	2507	4,650	2,96	29.61																						3,957
50098621	TUCKER LARRY SR	2508	17,797	11,31	113.31																						124.64
50089282	TIME WARNER ENTERTAINM	2509	113,041	71,93	719.73																						1,895.80
50095966	JAMES IRON & STEEL	2511	282,150	180,99	1,809.82																						97.79
50098627	BALL KEVIN	2512	13,308	84.73	847.3								4.17	0.42													306.21
50083203	FAITH CORNER STORE & AU	2513	43,720	27.83	278.3																						2.10
50095772	PENE GAR DWAYNE E	2517	300	1.91	19.1																						7.99
50096690	JOHNSON ROBERTS JAY INC	2521	79,343	532.00	205.60																						891.30
50095508	BEACHUM STEPHANIE HILL	2522	11,810	75.19	752																						88.74
50093825	SWANSON JAMIE L	2524	13,110	83.47	834																						36.01
50093173	C & M #2 INVESTMENT PART	2525	54,000	302.40	3,024																						438.62
50095709	MCDANIEL TERRIE ANN	2527	770	4.90	49.0																						496.39
50078092	JORDAN ERNEST W & PAME	2528	2,775	17.65	176.5																						17.66
50071158	C & M #1 INVESTMENT PART	2529	22,612	143.97	1,439.7																						1,210.08
50083316	JOHNSON ROBERTS	2531	1,461	838.99	263.59																						128.83
50091949	WAXHAW UNIVERSAL KARA	2532	18,301	102.49	1,024.9																						3,395
07128049	SOFKOWSKI CHARLE	2538	45,000	28.85	288.5																						337.45
06396086	D & D PROPERTIES	2539	51,590	328.47	3,284.7																						3,321
08159010	TUCKER ERIC & JANET	2540	140,170	4.890	48.90																						45.09
07211025	MCDANIEL WILLIAM THOMAS	2541	15,150	32.76	327.6																						86.22
50093108	FRIEHR DANNY CARROLL ET	2544	3,850	32.76	327.6																						41.52
50091108	GODD JERRY A	2545	182,000	907.20	9,072																						103.15
05093003A	GORDON WARREN DOUGLA	2546	122,680	4,669.11	46,691.1																						1,122.96
09345694	HOGGARD CHARLES S JR &	2549	107,870	686.81	6,868.1																						50.00
09398559	JOHNSON ARNOLD & W FLO	2557	155,390	989.37	9,893.7																						886.81
05180279	PROVIDENCE DOWNS SUBD	2560	82,400	524.64	5,246.4																						1,038.15
0520404A	PROVIDENCE DOWNS SUBD	2562	10,300	65.58	655.8																						87.16
06204690	PROVIDENCE DOWNS SUBD	2563	19,710	125.49	1,254.9																						67.15
2006 Totals			1,588,600	1,989,304	23,577.38	1,775.27	263.19	18.81	141.96	59.85	271.86	13.94	29.71	2.24	682.94	13.08	64.02	53.79	3.39	150.00	102.44	45.09	48.55	38.98	50.00	47.48	27,453.31
2005	WILLIAMS SOOBSMAN INC	2445																									1.42
50071814	BANKMAN ROBERT H	2447	16,050	89.86	899																						151.01
50094073	CNH CAPITAL	2455	80,500	450.80	4,508																						539.07
50091120	HARRELL JR LEE E	2459	28,000	156.80	1,568																						184.04
09228027	DEESE JIMMY CARROLL JR &	2474	13,000	72.80	728																						81.90
50074760	HUNTLEY EMILY	2476	10,762	60.27	602.7																						50.00
50091043	NELSON CAROL	2480	6,797	38.06	380.6																						124.58
50083203	FAITH CORNER STORE & AU	2514	38,020	212.91	2,129.1																						97.11
06093003A	GORDON WARREN DOUGLA	2546	48,580	772.05	7,720.5																						263.47
2005 Totals			61,580	180,129	1,353.85	55.80	160.10	9.97	9.10	33.84	31.84																595.06
2004	NELSON CAROL	2481	6,797	35.88	358.8																						49.21
50083203	FAITH CORNER STORE & AU	2515	33,060	173.57	1,735.7																						216.38
2004 Totals			39,857	209.25	2,092.5																						310.59
2003	FAITH CORNER STORE & AU	2516	28,750	152.38	1,523.8																						189.76
2003 Totals			28,750	152.38	1,523.8																						189.76
Grand Totals			25,292.59	1,867.24	471.32	28.58	151.06	151.06	59.85	303.80	13.94	29.71	2.24	682.94	13.08	64.02	53.79	3.39	150.00	102.44	45.09	48.55	38.98	50.00	47.48	29,712.92	

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 5, 2007

Action Agenda Item No. 4/3a

(Central Admin. use only)

SUBJECT: ACCEPTANCE OF SUSAN G. KOMEN FUNDING

DEPARTMENT: HEALTH

PUBLIC HEARING: No

ATTACHMENT(S):
AGREEMENT ADDENDA

INFORMATION CONTACT:
Jenny Kirksey

TELEPHONE NUMBERS:

704-296-4801

DEPARTMENT'S RECOMMENDED ACTION: Accept the \$25,975 in funding received from the Susan G. Komen Foundation.

BACKGROUND: The Health Department has received \$25,975 in funding from the Susan G. Komen Foundation. Funding for this grant provides needed mammogram services for women.

FINANCIAL IMPACT: No financial impact to the county.

Increase revenue:

10451151-4840-1353 \$25,975

Increase expenditures:

10551151-5126-1353 \$ 217

10551151-5190-1353 \$ 12

10551151-5260-1353 \$ 1,000

10551151-5311-1353 \$ 400

10551151-5325-1353 \$ 200

10551151-5383-1353 \$20,646

10551151-5397-1353 \$ 3,500

\$25,975

Legal Dept. Comments if applicable: _____

BUDGET AMENDMENT

BUDGET Health - Susan G Komen REQUESTED BY Jenny Kirksey
 FISCAL YEAR FY2007 DATE January 17, 2007

<u>INCREASE</u>			<u>DECREASE</u>		
<u>Description</u>			<u>Description</u>		
<u>Personnel expense</u>		<u>229</u>	<u>Revenue- Donations</u>		<u>25,975</u>
<u>Operating expense</u>		<u>25,746</u>			
<u> </u>			<u> </u>		
<u> </u>			<u> </u>		
<u> </u>			<u> </u>		
<u> </u>			<u> </u>		
<u> </u>			<u> </u>		
<u> </u>			<u> </u>		

Explanation: To accept additional funding from Susan G Komen Grant

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

FOR POSTING PURPOSES ONLY

<u>DEBIT</u>			<u>CREDIT</u>		
<u>Code</u>	<u>Account</u>	<u>Amount</u>	<u>Code</u>	<u>Account</u>	
<u>10551151-5126-1353</u>	<u>Wages Part time</u>	<u>217</u>	<u>10451151-4840-1353</u>	<u>Donations</u>	<u>25,975</u>
<u>10551151-5190-1353</u>	<u>Life Ins</u>	<u>12</u>			
<u>10551151-5260-1353</u>	<u>Office Supplies</u>	<u>1,000</u>			
<u>10551151-5311-1353</u>	<u>Travel</u>	<u>400</u>			
<u>10551151-5325-1353</u>	<u>Postage</u>	<u>200</u>			
<u>10551151-5383-1353</u>	<u>Medical Services</u>	<u>20,646</u>			
<u>10551151-5397-1353</u>	<u>Incentives</u>	<u>3,500</u>			
<u> </u>			<u> </u>		
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<u> </u>			<u> </u>		
	Total	<u>25,975</u>		Total	<u>25,975</u>

Prepared By vhd
 Posted By _____
 Date _____

Number 37





The Susan G. Komen
Breast Cancer Foundation

505 East Boulevard
Suite 101
Charlotte, NC 28203
Tel: 704.347.8181
Fax: 704.347.8145
www.komencharlotte.org

Charlotte Affiliate

December 15, 2006

Lyda Taylor
Union County Health Department
1224 W. Roosevelt Boulevard
Monroe, NC 28110

Dear Ms. Taylor,

Thank you for submitting your recent Grant Progress Report. It is wonderful to learn about your successes in your project.

Your progress report has been reviewed and your grant is currently in good standing with the Charlotte Affiliate. Your remaining grant payment is enclosed.

Thanks again for joining Komen in the Foundation's mission to eradicate breast cancer as a life-threatening disease by advancing research, education, screening, and treatment. Your successful work matters in this community.

Sincerely,

Anne W. Low
2006 Grants Chair

\$25,975.⁰⁰

BUDGET AMENDMENT

BUDGET Health - Loving Support Breastfeeding REQUESTED BY Jenny Kirksey
 FISCAL YEAR FY2007 DATE January 25, 2007

INCREASE

Description

Operating expense 695

DECREASE

Description

Revenue - Federal 695

Explanation: To accept additional funding for WIC Breastfeeding

DATE _____

APPROVED BY _____
 Bd of Comm/County Manager
 Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

DEBIT

CREDIT

<u>Code</u>	<u>Account</u>	<u>Amount</u>	<u>Code</u>	<u>Account</u>	<u>Amount</u>
10551152-5183-1363	Health Ins	350	10451152-4316-1363	Revenue - Federal	695
10551152-5381-1363	Professional Serv	229			
10551152-5395-1363	Education expense	116			
Total		695	Total		695

Prepared By vhd
 Posted By _____
 Date _____

Number 39





North Carolina Department of Health and Human Services
Division of Public Health – Women’s & Children’s Health Section

1914 Mail Service Center • Raleigh, North Carolina 27699-1914
Tel 919-707-5800 • Fax 919-870-4818

Michael F. Easley, Governor

Carmen Hooker Odom, Secretary

DATE: January 8, 2007
TO: Local Health Directors
Attn: WIC Directors
FROM: *Kim Lovenduski*
Kim Lovenduski, MPA
Operations Manager
Nutrition Services Branch
RE: Breastfeeding Peer Counselor Funds

This memo is to notify you that your agency has been awarded additional Breastfeeding Peer Counselor funding for the current State Fiscal Year. This funding should be used for services occurring on or before May 31, 2007.

A copy of the Budgetary Estimate, which lists allocations by county, is attached. Funds are now available via the web-based reporting system. Please share this information with your Fiscal Officer.

Should you have any questions, please contact your Regional Nutrition Consultant.

cc: Alice Lenihan
Sarah Roholt
RNCs



Original _____
 Revision# 2

Activity #415: Activity Name: BF Peer Counseling

ROW 1	Fund/RCC/FRC 1540-570A-JQ	Fund/RCC/FRC 1540-5416-GH	Fund/RCC/FRC	Fund/RCC/FRC	Fund/RCC/FRC	Fund/RCC/FRC	Fund/RCC/FRC	Fund/RCC/FRC	Fund/RCC/FRC	Total of All
	Payment Period 11/06 06/07	Payment Period 11/06-06/07								
	Service Period 10/06-5/07	Service Period 10/06-5/07								
COUNTY										Sources
50 JACKSON										\$0
51 JOHNSTON										\$0
52 JONES										\$0
53 LEE										\$0
54 LENOIR	\$ 1,610									\$1,610
55 LINCOLN										\$0
56 MACON										\$0
57 MADISON										\$0
D4 MAR-TYR-WASH										\$0
60 MECKLENBURG	\$ 2,002									\$2,002
62 MONTGOMERY										\$0
63 MOORE										\$0
64 NASH										\$0
65 NEW HANOVER										\$0
66 NORTHAMPTON										\$0
67 ONSLOW										\$0
68 ORANGE										\$0
69 PAMLICO										\$0
71 PENDER										\$0
73 PERSON										\$0
74 PITT	\$ 2,932									\$2,932
76 RANDOLPH										\$0
77 RICHMOND										\$0
78 ROBESON	\$ 4,564									\$4,564
79 ROCKINGHAM										\$0
80 ROWAN										\$0
D5 R-P-M										\$0
82 SAMPSON										\$0
83 SCOTLAND										\$0
84 STANLY										\$0
85 STOKES										\$0
86 SURRY	\$ 295									\$295
87 SWAIN										\$0
D6 TOE RIVER	\$ 248									\$248
88 TRANSYLVANIA										\$0
90 UNION	\$ 695									\$695
92 WAKE	\$ 3,570									\$3,570
93 WARREN										\$0
96 WAYNE										\$0
97 WILKES										\$0
98 WILSON	\$ 1,750	\$ 15,000								\$16,750
99 YADKIN	\$ 232									\$232
TOTALS BY CENTER	\$42,137	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$57,137
CHECK GRAND TOTAL										\$57,137

Signature and Date - DPH Program Administrator
Katerina... 12/14/06
 Signature and Date - DPH Section Chief
Katerina... 12/14/06

Signature and Date - Division of Public Health Budget Officer
[Signature]

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 02/05/2007

Action Agenda Item No. 4/4a

(Central Admin. use only)

SUBJECT: Refund of excise stamp to Jarvis Law Group in the amount of \$314.00. Jarvis Law Group filed a deed in Union County when it should have been filed in Mecklenburg County.

DEPARTMENT: Register of Deeds **PUBLIC HEARING:** No

ATTACHMENT(S):
See attached letter and copy of the deed indicating the amount of the excise stamp paid in Union County

INFORMATION CONTACT:
Crystal D. Crump

TELEPHONE NUMBERS:
704-283-3794

DEPARTMENT'S RECOMMENDED ACTION: Refund Jarvis Law Group in the amount of \$314.00 for recording the deed in the wrong county.

BACKGROUND:

FINANCIAL IMPACT: This amount will need to come out of budget code 10424000-4160.

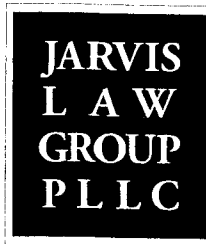
Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____

North Charlotte • Speedway Office

125 Floyd Smith Dr., Ste. 100
Charlotte, NC 28262
P 704.548.5385 • F 704.548.3938



**Lisa F. Jarvis
Allen R. Starrett**

South Charlotte • Ballantyne Office

7825 Ballantyne Commons Pkwy., Ste. 230
Charlotte, NC 28277
P 704.544.6303 • F 866.209.3745

www.jarvislawgroup.com

January 23, 2007

Crystal Crump, Register of Deeds
Union County Government Center
500 N. Main St.
Room 205, 2nd Floor
Monroe, NC 28112

Dear Ms. Crump:

I am requesting a refund of \$314.00 for a tax payment made to your office by mistake.

The enclosed copy of the first page of the deed at issue reflects our mistake, which we made approximately three (3) years ago when we filed this deed in Union County. However, the property is located in Mecklenburg County and should, obviously, have been filed with the Register of Deeds there.

Again, we kindly request that you refund the \$314.00 tax "mis"-payment to our firm at the ***Ballantyne Commons Parkway address*** listed above. Should you have any questions, you can reach me at (704) 544-6303.

Thank you, and best regards,

A handwritten signature in black ink, appearing to be "A. Starrett", written over a faint rectangular outline.

Allen R. Starrett
Attorney at Law

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 2/5/07

Action Agenda Item No. 4/5a
(Central Admin. use only)

SUBJECT: UCAC Grant Application Changes and By-Laws

DEPARTMENT: Parks & Recreation **PUBLIC HEARING:** No

ATTACHMENT(S):

Memorandum to Board
UCAC Grant Application
BY-Laws
Memorandum Percentage Allocations
(info. only)

INFORMATION CONTACT:

Wanda Smith, Director

TELEPHONE NUMBERS:

704-843-3919
704-363-3692

DEPARTMENT'S RECOMMENDED ACTION: Approve recommended changes to UCAC Grant Application and By-Laws.

BACKGROUND: Changes to UCAC Grant Application and By-Laws were reviewed and endorsed by the Parks and Recreation Advisory Committee. Items that are highlighted and/or underlined are newly proposed changes; highlighted items with strike-throughs are to be deleted. Percentage Allocations are presently in place and previously approved by the BOCC.

FINANCIAL IMPACT: Funds are appropriated annually through the Parks and Recreation Departmental budget.

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____



UNION COUNTY PARKS & RECREATION DEPARTMENT CANE CREEK PARK

5213 HARKEY ROAD, WAXHAW, NORTH CAROLINA 28173
PHONE • 704-843-3919 FAX • 704-843-4046
WANDA M. SMITH, DIRECTOR

MEMORANDUM

TO: UNION COUNTY BOARD OF COMMISSIONERS

VIA: LYNN WEST, CLERK TO THE BOARD

FROM: WANDA SMITH, DIRECTOR
PARKS AND RECREATION *Wanda Smith*

DATE: JANUARY 25, 2007

RE: CHANGES TO UCAC GRANT APPLICATION AND BY-LAWS

On June 21, 2006 the Parks and Recreation Advisory Committee discussed changes they felt should be made in the UCAC Grant Application. Following the discussion, the Committee voted to recommend the changes to the Board of County Commissioners. The changes were sent to Legal and the enclosed Amended Application provides the results of that review. New items and/or changes to the document are highlighted in yellow for your ease in review.

The time-line is a major change in the application process which will allow funding to be provided to the Associations in August as opposed to late winter. This permits the Association to begin using grant funds, toward development of their project, while weather is still mild. Another major change is that the award of grants will return to the Board with recommendations being made from the Parks and Recreation Advisory Committee.

The Parks and Recreation Department is also committed, with Board approval, to have the application provided on-line, as quickly as possible, and has also provided additional forms (not available previously) to help each Association in providing all information required. The Athletic Association programs are run by volunteers. The membership constantly changes as the children mature and move on to other activities. A mandatory grant workshop will be held by staff members to assist the new volunteers that will be administering the grant, with any questions or concerns they may have.

Changes have been recommended in the By-Laws (copy enclosed) that reflects the new dates in the application. Item #10 of the By-Laws is a new item that has been added. We request that the Board approve this addition to assure that all Associations have received and understand the application process.

Thank you for your consideration in this matter. If additional information is needed please do not hesitate to call.

**Union County Athletic Council (UCAC)
Grant Application
For 2008**

<u>December 15, 2006</u>	<u>Grant application now available on-line for 2008 cycle.</u>
<u>September 15 January 16, 2007</u>	Applications provided at <u>mandatory grant workshop.</u>
<u>March 15, 2007</u>	<u>Deadline for grant applications requesting early review from Parks and Recreation Staff.</u>
<u>November 15 April 15, 2007</u>	<u>Final Applications are due by 3:00 P.M. to the Union County Parks & Recreation Department. Late applications WILL NOT be accepted.</u>
<u>December June, 2007 (3rd Wednesday)</u>	Review of applications by Parks & Recreation Department and Advisory Committee.
<u>January July, 2007 (3rd Monday)</u>	Parks & Recreation Department and Advisory Committee make recommendations for funding of grant awards to the Union County Board of Commissioners.
<u>August 15, 2007</u>	<u>Target date to award project funding.</u>
<u>February 15, 2008</u>	<u>1st progress report due from associations updating status with bi-monthly reports due thereafter.</u>

THE UNION COUNTY BOARD OF COMMISSIONERS WILL MAKE FINAL
DECISIONS AND AWARD GRANTS TO RECIPIENTS.

*(If, for any reason, applications are not available to distribute on ~~September~~ January 15,
this date, along with all other deadline dates, will be extended by the number of days
needed to make the application available.)*

PROGRAM SUMMARY

PURPOSE:

The Union County Board of Commissioners recognizes the need for assistance in providing recreational facilities and land for the general recreational use of the citizens throughout the County. For this reason, the County Commissioners have allotted funds to be applied for, by way of Grant Applications, through the Parks and Recreation Department. These Grants are available ~~matching dollar for dollar, under the percentage allocation approved at the November 1, 2004, regularly scheduled meeting of~~ by the Board of County Commissioners for acquisition and development of park and recreation projects to serve the general public. and Grants are also available for modifications to comply with ADA (Americans with Disabilities Act) requirements on Park projects which already exist.

ELIGIBILITY:

1. Any Athletic Association that has a purpose which includes the expansion of parks and recreation in Union County is eligible.
2. The Athletic Association must submit to the basic requirement that all programs, facilities, and areas will be open for participation or use by any Union County resident.
3. No Athletic Association with outstanding grant projects will be eligible to be considered for a new grant.
 - a) A project is considered active until completion (as stated in the signed agreement) has been accomplished.
 - b) A project will be considered complete only after the final report has been received in the Union County Parks and Recreation Office, an audit has been completed, and the site inspected for completion.
 - c) All Athletic Associations administered by a common board or council will be considered a single entity for the purpose of administering this program.
- ~~4.~~ 4.d) Any grant application which is incomplete or submitted by ineligible groups will not be accepted for review by the Parks and Recreation Advisory Committee, and will be returned with a letter stating reason(s) for ineligibility. March 15 is the due date for early review with Park Staff (optional). This will allow adequate time to make any changes before April 15 the Final Due Date of the application.
- ~~4.~~ ~~Amounts of membership funds available for each Athletic Association will be adjusted each year according to membership numbers and County funds appropriated. If the full membership allotment is not requested in the application~~

~~by each Association, those dollars will be available to the remaining Athletic Associations and rated on the point system.~~

ELIGIBLE PROJECTS FOR FUNDING:

Any of the following parts of a project directly related to parks and recreation may be funded. ~~(The Commission~~ Board of County Commissioners reserves the right to reject any or all grant applications. **NO RETROACTIVE FUNDING WILL BE CONSIDERED.**)

1. Purchase of Real Property

Real Property must be appraised by a certified appraiser, with a copy of the report submitted to the Parks and Recreation ~~Commission~~ Advisory Committee. The value of the real property cannot be less than the dollar amount being requested plus the dollar amount invested by the Athletic Association. Except at stated below, ~~t~~The Athletic Association cannot hold title to the real property prior to receiving grant approval.

Appeal of Urgency: If purchase of real property is a matter of urgency, an Athletic Association can request permission to acquire land before applying for a grant. The Advisory Committee will consider a written request that identifies the proposed site and explains why the property must be acquired early. If the Advisory Committee approves the request, the purchase is eligible for grant funding only if the Association submits a grant application within one year from the date of the approval. Prior purchase approval does not guarantee funding or the give the applicant preferential treatment in funding decisions.

2. Capital Improvements to Real Property

Capital projects must be on real property owned by the Athletic Association, by a Municipality, or by a School. giving A Municipality or a School must provide written consent of the full project, and accepting responsibility, ownership, and liability for the project improvements.

Included in this category will be modifications to existing buildings and grounds to comply with ADA requirements.

3. Purchase of Capital Equipment

This equipment must have an expected life of three (3) years or more (excluding safety equipment). Items must have purchase value of at least \$300.00 to qualify as a capital purchase, but are not guaranteed approval. Items such as fixtures, cash registers and other small items do not qualify.

AMOUNT OF FUNDING

Amounts of membership funds available for each Athletic Association will be adjusted each year according to membership numbers and County funds appropriated. If the full

membership allotment is not requested in the application by each Association, those dollars will be available to the remaining Athletic Associations and distributed pursuant to a rated point system (the "Project Scoring System").

THE FOLLOWING CONDITIONS MUST BE AGREED TO PRIOR TO FUNDING:

Each Athletic Association must allow any resident of Union County to participate in any program or use any facility that involves County Grant money without regard to sex, race, religion, color, national origin, or age. The administration of programs, facilities, and land areas shall be the responsibility of the Athletic Association.

Each Athletic Association shall maintain general liability insurance in an amount not less than \$300,000 combined single limit for bodily injury and property damage. In the event the project, which is the subject of the grant, involves construction of a building, the Athletic Association shall maintain Builder's Risk insurance for the full replacement value of the structure. Copy of certificates or accord of insurance must be attached to application.

Written documentation of matching percentage allocations must be supplied by the Athletic Association prior to the County entering into any agreement.

Copies of receipts and checks must be submitted to the Parks and Recreation Department to exhibit proof of expenditures being made as the project progresses.

Any Grant Project will only receive a one fiscal year commitment from the County, therefore, any Athletic Association cannot expect continuous funding of one specific project.

The Athletic Association must publicize their project, naming Union County as a funding source by posting a sign (supplied by the Parks and Recreation Department) on the property indicating the County's support.

Provisions shall be made by the Athletic Association for proper maintenance and supervision of any County funded project.

A report on any projects using Union County funds must be submitted to the Parks and Recreation Department within six (6) months after the grant contract has been approved by the ~~Commission~~ Board of County Commissioners. Reports will be required bi-monthly thereafter, with a final report upon completion of the project.

A properly executed agreement shall be required of each Athletic Association, ~~which~~ An agreement shall require compliance with the grant guidelines and refund of any grant funds provided in the event. If the primary purpose of the project is changed without written consent of the Director of the Union County Parks and Recreation Department Board of County Commissioners, a full refund of any grant funds provided will be required by Union County.

Written documentation must be provided and signed by the authorized official of each Athletic Association stating there are no safety concerns on the existing property or involved in the proposed project. If safety concerns are involved, a statement will be required of how and when the safety concerns will be addressed. (All safety issues must be completed prior to the awarding of the Grant.)

The Project must be open to inspection by any member of the Parks and Recreation Advisory Committee or the Parks and Recreation Department staff.

GRANT SELECTION CRITERIA

In addition to the Project Scoring System, the following criteria will be used by the Parks and Recreation Advisory Committee to determine the suitability of funding a project:

1. Does the proposed project fit into the overall scheme of the County's Parks and Recreation Master Plan? Will it assist the County in providing facilities in quadrants that are lacking in recreational facilities?
2. If the proposed project is funded by the Grant process, will it have adequate personnel to perform the necessary maintenance? (A copy of the maintenance schedule must be included with application.) Grant Funds are not awarded for routine maintenance. Safety issues must be identified as such with specific documentation.
3. Is the proposed project currently being funded by the County, or have any County funds been involved in the past? If so, will the awarding of this grant complete the project?
4. Does the applicant have any outstanding grants which are not yet completed? If so, what is the status of the project, and when will it be completed?
5. Is the need immediate? Can the need be documented?
6. Does the project overlap or duplicate existing facilities - public or private?
7. How will the Athletic Association assure the right of use by any Union County resident?

The enclosed Project Scoring System **may be** used as needed to assist in determining the ranking of projects to be awarded.

APPLICATION PROCEDURE

A Union County Parks and Recreation Grant Application must be completed in full by the requesting agency. Two (2) copies must be submitted to the Parks and Recreation Department with required documentation as outlined on the application. The attached "CHECKLIST" form must be completed as part of this application.

1. There will be one application period each year that will begin ~~September~~ December 15 and end ~~November~~ April 15 ~~each year~~. An Association may request an early review by the Park Staff up to March 15th. An early review is optional. (Adjustments may be made in this application schedule as deemed necessary by the Parks and Recreation Department.) LATE APPLICATIONS WILL NOT BE ACCEPTED.

During ~~this~~ the application period, any Union County Athletic Association that offers at least three youth sports on a non-discriminatory basis and has served a minimum of 200 families for two consecutive years, may submit applications. Site plans or other ~~detailed~~ description of the project or purchase should be submitted with the application in clear and concise detail. (~~Be concise and clear with details.~~ Unclear or incomplete applications will not be considered and will be returned to the applicant.)

2. Grant recipients will have eighteen (18) months from the date of award to complete the project as outlined on the approved application form. However, if the current project has not been completed one year from the date of award ~~that the County Manager approved the funding,~~ the Association will not be eligible to apply for funding the following year. In addition, if the Association If, after six (6) months, the recipient has not started the project within six (6) months of the award date, and has not submitted a report to the Parks and Recreation Department, a representative of the group will be asked to appear before the Parks and Recreation Advisory Committee and explain why the project has not been started and why no report has been filed. If the project has not been started and proper reports filed within after twelve (12) months of award, the Parks and Recreation Advisory Committee may (unless just cause can be shown to continue the project) notify the Board of County Commissioners who may request repayment of all County funds involved.
3. A grant extension beyond the original eighteen (18) month contract will be considered on a case-by-case basis by the Parks and Recreation Advisory Committee.
 - a) An extension of the eighteen (18) month contract requires a written appeal to the Parks and Recreation Advisory Committee at a regularly scheduled meeting.
 - b) The award of an extension makes the Athletic Association ineligible for review of any further grant applications until the current project is completed.

**UNION COUNTY GRANT APPLICATION
FOR
PARKS AND RECREATION ASSISTANCE
Due No Later Than April 15, 2007**

GRANT APPLICATION/CERTIFICATION

Athletic Association

Date:

1. Legal Name:
2. Mailing Address: Street
City: Zip:
3. Chief Official:
Title: Day Phone: Fax:
4. Contact Person:
(Must be elected official other than Chief Official)
Title: Day Phone: Fax:
5. Project Title:
6. Project Narrative: Include no more than a two (2) page description of the entire project in the space provided.
7. Is the organization listed above non-profit? Yes No
(If non-profit, taxes should be **excluded** in all quotes.)
8. Non-profit Name: I.D. #:
9. Grant Type (check all that apply)
 - a. Acquisition only
 - b. Development
 - New Construction
 - Renovation
 - c. Acquisition and Development
10. Land Control
 - a. Land owned by Municipality
 - b. Land owned by Athletic Association
 - c. Land owned by School
 - d. Other (explain)

22. Application Certifications by Athletic Association:

On behalf of the applicant, I hereby certify the information contained in the attached application is true and correct. I understand this application will be evaluated on the basis of the information submitted and the submissions of incorrect data or an incomplete application can result in this application being withdrawn from consideration for funding.

I hereby certify the applicant shall comply with all laws, regulations, ordinances, codes, standards, and orders of any and all governmental bodies, agencies, authorities, and courts having jurisdiction.

I hereby certify the applicant's required percentage allocation of matching funds are available to pay the local share of the project cost.

I hereby certify that property acquired with Union County Grant assistance will be dedicated in perpetuity to public recreation uses and/or any development will be maintained and managed for public recreation use for a minimum of 25 years.

I hereby certify compliance with the Sedimentation Pollution Control Act of 1973, if deemed necessary during local environmental review.

I warrant that I have the corporate or other organizational power and authority to execute and deliver this Application. I further warrant that the execution and delivery by me of this Application has been duly authorized by all requisite action of the Athletic Association management and appropriate governing body.

Adopted this day of , 20 .

(Certification Form requires governing board approval)

(Signature)

(Typed Name)

(Title)

Attach Seal Here

(IF MORE THAN ONE ORGANIZATION IS INVOLVED IN A PROJECT, EACH MUST COMPLETE A CERTIFICATION FORM.)

23. Project Funding

A.	Athletic Association (This amount must be <u>at least</u> equal to the percentage allocation approved by the Board of Commissioners on November 1, 2004 of the total cost listed below.)	\$
B.	Union County's Share Requested	\$
	TOTAL COST	\$

TWO (2) COPIES ORIGINALS OF THIS APPLICATION ARE TO BE SUBMITTED TO THE UNION COUNTY PARKS AND RECREATION DEPARTMENT NO LATER THAN ~~APRIL~~ NOVEMBER 15 OF EACH CALENDAR YEAR FOR CONSIDERATION DURING THE FISCAL YEAR. (COPIES ORIGINALS MUST HAVE ORIGINAL SIGNATURES.)

ALL APPLICATIONS WILL BE REVIEWED BY THE PARKS AND RECREATION ADVISORY COMMITTEE WITH CONSIDERATION BEING GIVEN TO ALL ON THE BASIS OF THEIR BENEFIT TO THE ENTIRE COMMUNITY.

(Signature of Chief Official)*

(Date)

*This signature assures the Parks and Recreation Advisory Committee that the *Athletic Association* is committed to the program services as described on this application.

Checklist to Submit a Complete U.C.A.C. Grant Application

Place a check mark in the appropriate box to indicate that you have included the designated number of copies for each document with your application. Use a paper clip to keep the copies of each type of document together. For example, keep all copies of the cost estimates clipped together. Place all required information in the order as listed on this checklist and secure with a large rubber band. Please do not staple forms or place in binders. Retain a complete copy of the application for your files.

Applicant:

Project Title:

<u>All Applications</u>	Line Item Or Page*	# of copies	Included? (Yes, No, or N/A)
1. Checklist for Submitting a Complete Application	Page 6	2	
2. Application Form	Page 7	2	
3. Cost Estimates and Project Element Form	Page 11	2	
4. Notarized Treasury Report/Financial Statement	Page 8	2	
<u>Projects to Construct or Renovate Facilities</u>			
5. Site Plans (if applicable)	Page 8 & 14	2	
6. Floor Plans	Page 8	2	
7. Written Quotes	Page 8	2	
8. Written Consent Letter from Municipality or School (if applicable)	Page 3 & 13	2	
9. Copy of certificate or accord of insurance	Page 4	2	
<u>Projects to Acquire Land</u>			
10. Certified Appraisals	Page 3	2	
<u>Documents for the Scoring System</u>			
11. Master Plan (if phased project)	N/A	2	
12. Documentation of Surveys or Meetings	N/A	2	

* See page number from original grant application.

EXAMPLE: Written Consent

*Vienna Elementary School
1234 Chickasaw Rd.
Newtown, NC 27040*

*Joseph Lasley
Principal*

May 1, 2006

To Whom It May Concern:

Per the request of the Vienna Elementary Parent Teacher Council's subcommittee on Playground Improvement, I am writing to verify the following:

1. The Playground Improvement Committee has permission to place the proposed equipment on school property as approved by the principal and/or the school's site base committee.
2. The policy of the Forsyth County School system is that when equipment is installed on school property, it automatically becomes the property of the school system. Therefore, it will be maintained by the school system.
3. The school system will assume any and all liability involving said equipment.

If you have any other questions, please call me at 336-945-9999. Thank you for your consideration in this matter.

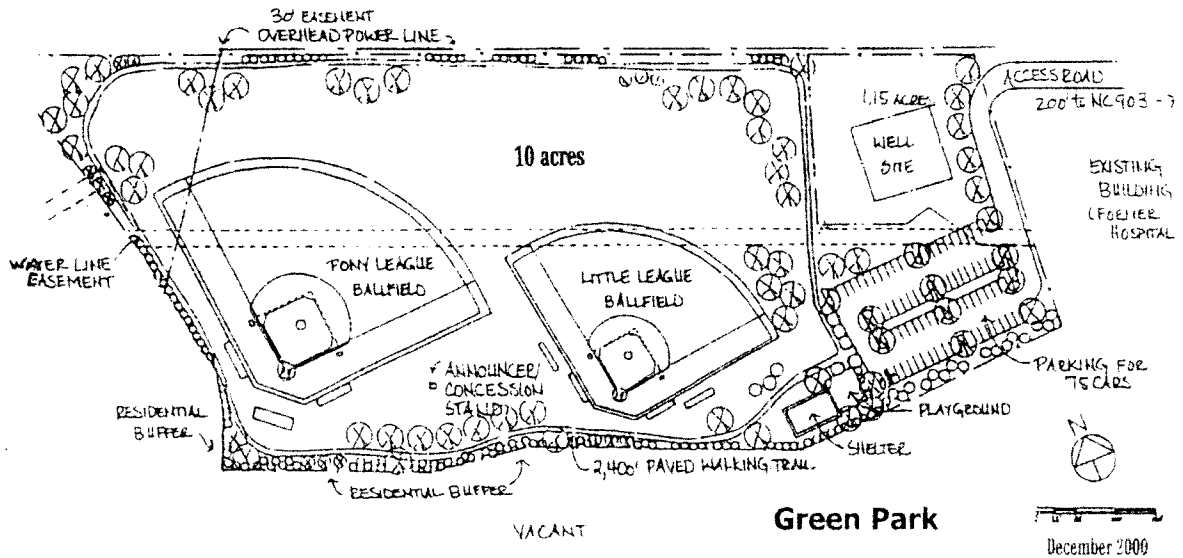
Sincerely,

Joseph Lasley, Principal

EXAMPLE: Site Plan

A site plan is a very important part of your application. Include a separate site plan of the location, no larger than 8 ½ X 11, and indicate on the plan where improvements are located. A separate floor plan (8 ½ X 11) must be submitted for building renovations. NOTE: Site plan can be hand-drawn, but must provide required information for the application.

Green Park Parkland, N.C.



(Please use as detailed scale as possible to provide clear picture of project.)

**Project Scoring System for
Athletic Association Applications**

(For use by the Parks and Recreation Advisory Committee)

Applicant: _____ Project Name: _____

Points Awarded _____ divided by total possible points _____ equals project rating _____

Acquisition & Development Projects:	<u>Athletic Association</u> 115 Possible Points
Development Only Projects:	100 Possible Points
Acquisition Only Projects:	70 Possible Points

		Athletic Assoc. Pts.
	(45 pts.)	
A. New Public Recreation Facilities Provided by the Project		
1. The applicant will be providing the first public recreation facility in its jurisdiction.	20 pts.	_____
2. The project will provide:		
a) three or more new recreational facilities, or	20 pts. or	_____
b) two new recreational facilities, or	15 pts. or	_____
c) one new recreational facility	10 pts.	_____
3. The project will provide major renovation of:		
a) three or more recreational facilities, or	15 pts. or	_____
b) two recreational facilities, or	10 pts. or	_____
c) one recreational facility	5 pts.	_____
4. The proposed trail links recreation area(s), school(s), downtown businesses, and/or communities.	5 pts.	_____
B. Degree of Recreational Planning for the Project and How the Specific Elements in the Project Conform to the Plan(s)		(20 pts.)
1. a) The applicant has had a plan developed within the past five years for the project site, and the project conforms with the plan.	10 pts.	_____
b) The plan has been adopted by the Area/Group governing body.	3 pts.	_____

Project Scoring System (continued)

2. The applicant has a 3-to-5 year capital improvement plan for the project site and the project conforms with plan.	7 pts.	_____
C. The Acquisition or the Conservation of Unique Natural, Cultural, Recreational or Scenic Resources (Land Acquisition projects only).		(15 pts.)
1. If not purchased at this time, a significant natural, cultural, recreational, scenic or highly-threatened resource will be used for other purposes.	15 pts.	_____
2. The site is an excellent natural and/or recreational resource.	10 pts.	_____
3. The site is an average natural and/or recreational resource.	5 pts.	_____
D. The Level of Public Involvement in the Community for Developing and Supporting the Project (Documentation Required for each).		(15 pts.)
1. The applicant conducted a public meeting(s) exclusively for discussing the project and obtaining comments. The public supported the project.	5 pts.	_____
2. A citizens' needs survey in the applicant jurisdiction shows support for the project. This needs survey was conducted during the past five years.	5 pts.	_____
3. The applicant presented the project to local groups, (such as civic groups, churches, and neighborhood associations) and received support for the project.	3 pts.	_____
4. The applicant presented the project at a publicly announced meeting of the local governing board and received support for the project.	2 pts.	_____
E. The Applicant's Commitment to Operating and Maintaining the Project.		(15 pts.)
1. A full-time staff will manage the project site to ensure adequate operation and maintenance.	15 pts.	_____
2. The applicant will manage the project site with a part-time staff or by contractual agreement to ensure adequate operation and maintenance.	10 pts.	_____
3. An organized volunteer group, such as a civic group or a youth sports association, will operate and maintain the project site.	5 pts.	_____

Project Scoring System (continued)

F. The Suitability of the Site for the Proposed Project.		(5 pts.)
1. The site is suited for the proposed development without significant harm to the environment.	2 pts.	_____
2. The site is enhanced by its location and adjacent property use(s).	2 pts.	_____
3. The site is free of restrictive easements, overhead powerlines, or other intrusions that would limit the proposed development or cause a safety hazard for users.	1 pt.	_____
Total Project Points Awarded		_____

Union County Athletic Council By-Laws

Adopted 1992

Revised 10/26/1997

Revised 2/20/2002

Revised _____

1. The Union County Athletic Council will consist of two representatives from each Athletic Association.
2. In order for an Athletic Association to be represented on the council, the Association must serve at least 200 families and offer at least (3) youth sports on a non-discriminatory basis.
 - A. Associations must submit a family membership list annually. Lists should be submitted on diskette using the designated computer program, no later than January 15. (Detailed information is available from the Parks and Recreation Department at Cane Creek Park, 704-843-3919).
 - B. An Athletic Association profile will be provided for acquiring updated Association information on a yearly basis and will be submitted no later than February 15.
 - C. If an Association fails to serve the minimum 200 families for two consecutive years this Association will not be considered in (good standing) and will not be eligible for funding until the required criteria are met.
3. Each Association represented on the Council must have an established bank account.
4. There will be one representative from the Union County Parks and Recreation staff and one representative from the Union County Parks and Recreation Advisory Committee on the council (non-voting representative).
5. Each Association has one vote per Association.
6. Monies allotted to the Council by Union County will be distributed to each Association in (good standing) according to the total number of family memberships represented. Any additional monies will be awarded based on a uniform project scoring system.
7. Money may only be used for items specified in the Application Guidelines. (Fixed assets are considered items used at least three (3) years.)
8. The Athletic Council will meet once a month from September through April. Each Association must have an elected representative in attendance a minimum of five of the eight meetings scheduled, to be considered for grant funding.
9. No group may receive funding through the UCAC unless they are a member in good standing by April 1st of that budget year.
10. A mandatory Grant Workshop must be attended by at least one elected member of each Association to receive Grant Funding.



UNION COUNTY PARKS & RECREATION DEPARTMENT CANE CREEK PARK

5213 HARKEY ROAD, WAXHAW, NORTH CAROLINA 28173
PHONE • 704-843-3919 FAX • 704-843-4046
WANDA M. SMITH, DIRECTOR

MEMORANDUM

TO: UNION COUNTY BOARD OF COMMISSIONERS

VIA: LYNN WEST, CLERK TO THE BOARD

**FROM: UNION COUNTY PARKS AND RECREATION
ADVISORY COMMITTEE**

DATE: OCTOBER 26, 2004

RE: REQUEST FOR CHANGE IN ATHLETIC ASSOCIATION ALLOCATIONS

The Parks and Recreation Advisory Committee held its regular monthly meeting on October 20th, 2004. At this meeting Advisory members discussed the fact that smaller Athletic Associations have had trouble in matching dollar-for-dollar funding provided by Union County in past years.

Larger Athletic Associations, because of their large number of families involved, don't seem to have the problems that the smaller Associations have. The Union County Athletic Council, which is made up of representatives from each Athletic Association, have also met to discuss this matter and a representative from the Council addressed the Advisory Committee at the October 20th Advisory meeting.

The Athletic Council and all the Athletic Associations are very appreciative of the funding provided to them by the Union County Board of Commissioners. They realize that this funding is made available to assist in providing recreational facilities for the citizens of Union County and in particular the children that live here. The Athletic Council wants to help the smaller Athletic Associations in matching their funding and thereby allow them to provide equal facilities for the children and families in the smaller Associations.

By a unanimous vote, the Parks and Recreation Advisory Committee has recommended for your consideration a change in the matching grants program from dollar-for-dollar to the following percentage allocation system:

<u>Family Membership</u>	<u>Percentage Match Required</u>
200-499	20%
500-999	35%
1000 +	50%

If approved, the percentage allocation system will take place in this current budget year. The Parks and Recreation Advisory Committee wishes to thank each member of the Board for your consideration in this matter and for your continued support for Recreation in Union County.

cc: Joe Lesch, Asst. County Manager

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT
Meeting Date: 2/5/07

Action Agenda Item No. 4/5b
(Central Admin. use only)

SUBJECT: Adopt-A-Trail Grant Application

DEPARTMENT: Parks and Recreation **PUBLIC HEARING:** No

ATTACHMENT(S):
Memorandum to Board
Grant Application

INFORMATION CONTACT:
Wanda Smith, Director

TELEPHONE NUMBERS:
704-843-3919
704-363-3692

DEPARTMENT'S RECOMMENDED ACTION: Approve the 2008 Adopt-A-Trail Grant for renovation of a portion of the Red Trail at Cane Creek Park. The amount of the Grant requested is \$3,152.69 and is funded 100% by the State. No matching funds are required by Union County. Also request BOCC authorization for Interim County Manager to execute application.

BACKGROUND: The section of trail selected for this grant is the most worn, eroded of all trails at Cane Creek Park. With or without the grant funds, this renovation needs to take place. The deadline to submit this Adopt-A-Trail Grant Application is February 28, 2007. The Target Date for award of Adopt-A-Trail Grants is August 2008. If awarded this Grant, an official agreement will be forwarded to Union County from NCDENR for execution.

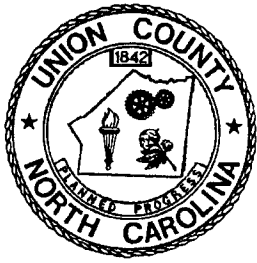
FINANCIAL IMPACT: If awarded this grant, County Funds will need to be spent up-front and the State will reimburse Union County, upon submittal of appropriate documentation.

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____





**UNION COUNTY PARKS & RECREATION DEPARTMENT
CANE CREEK PARK**

5213 HARKEY ROAD, WAXHAW, NORTH CAROLINA 28173
PHONE • 704-843-3919 FAX • 704-843-4046
WANDA M. SMITH, DIRECTOR

MEMORANDUM

TO: UNION COUNTY BOARD OF COMMISSIONERS

VIA: LYNN WEST, CLERK TO THE BOARD

**FROM: WANDA SMITH, DIRECTOR
PARKS AND RECREATION**

Wanda Smith

DATE: JANUARY 25, 2007

RE: ADOPT-A-TRAIL GRANT

The State of North Carolina, Department of Environment and Natural Resources, is offering an Adopt-A-Trail Grant for development or renovation of Trails, used by the general public. This grant is 100% State funded and is reimbursable upon completion of the project with submittal of appropriate documentation.

Union County Parks and Recreation requests Board approval to submit an application, in the amount of \$3,152.69, for renovation of a portion, of the Red Trail at Cane Creek Park. Funds to cover expenditures for this project will be requested in the upcoming departmental budget request. If Union County is not selected for the award of this application, county funds can be used to complete the project, funded 100% by Union County. Since this is the most worn and eroded section of all the trails at Cane Creek Park, the renovation needs to be completed, with or without the Grant being awarded.

The deadline to submit this Adopt-A-Trail Grant Application is February 28, 2007. The target date for award of Adopt-A-Trail Grants, for this cycle, is August of 2008.

Thank you for your consideration in this matter. If you have any questions please feel free to contact me at the above number.

cc: Jeff Crook, Staff Attorney

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Welcome, jsteele78
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Date: Thu, 25 Jan 2007 09:11:50 -0500

From: "Darrell McBane" <darrell.mcbane@ncmail.net> View Contact Details Add Mobile Alert

To: jsteele78@yahoo.com

Subject: Re: [Fwd: 07-08 AAT Grant Question]

Good Morning Jared Steele:

Kim Douglass has left the State Trails Program and I will respond to your question.

The AAT grant does NOT require any match. The sentence you noted is my mistake. No match requi

Please let me know if you have questions.

Darrell McBane

Kim Douglass wrote:

Here ya go. Hope all is well. Have sent a couple of people your way for the position. K

Subject: 07-08 AAT Grant Question
 From: Jared Steele <jsteele78@yahoo.com>
 Date: Wed, 24 Jan 2007 11:19:07 -0800 (PST)
 To: kim.douglass@ncmail.net
 To: kim.douglass@ncmail.net

Hey Kim,

I am working on the AAT grant for Union County Parks and Recreation in Waxhaw, NC. I had a question about an item in the application form. On the application signature page there is a quote that states, "I hereby certify the availability of the 20% required share of the total project costs as represented in this application." My supervisor needed some clarification on this item. Does this mean that we are responsible for 20% of the total cost? If you could, please provide us with a clear explanation on what this means. You may contact me through email or call me at 704-843-3919 ext. 26. Thanks for your help.

Jared

Food fight? Enjoy some healthy debate in the Yahoo! Answers Food & Drink Q&A.
<http://answers.yahoo.com/dir/?link=list&sid=396545367>

--
Darrell McBane

State Trails Program
NC Division of Parks and Recreation
Department of Environment and Natural Resources
MSC 1615
Raleigh NC 27699-1615

TEL: 919 715-8699
FAX: 919 715-3085
EMAIL: Darrell.McBane@ncmail.net
<http://www.ncsparks.net>

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Project number 08AAT- _____
(DPR use only)

**NORTH CAROLINA'S
2007 - 2008 ADAPT-A-TRAIL GRANT PROGRAM
APPLICATION FORM**

1. Applicant: Union County Parks and Recreation
2. Name of trail project: Cane Creek Park Red Trail Renovation
3. Federal tax identification number: 56-6000345
4. Organization's Fiscal Year Beginning and Ending Dates: July 1, 2007- June 30, 2008
5. Individual authorized to receive communications concerning this project:

Name: Jared Steele

Title: Park Ranger II

Address: Union County
500 N. Main St. Suite 925
Monroe, NC 28112

Phone: (Day) 704-843-3919 ext. 26

Email: jsteele78@yahoo.com

Fax Number : 704-843-4046

6. County: Union
7. US Congressional District: 9th
8. NC Legislative Districts: Senate: 35th
House: 68th

9. Amount of AAT Funds Requested: \$ 3152.69
10. Value of Cash Match and/or In-kind Services if any: \$0
Note: Not Required!
11. Complete this sentence in 10 words or less. We will use the AAT award for enhancement of our trails to create a sustainable trail system.
12. Check the following phrases that best describes your trail project
- New Trail Construction
 - Extension of an existing trail
 - Trail Maintenance or Trail Restoration
 - Trail Facilities
 - Trail signs
 - Trail Brochures/Maps
13. User Groups allowed to use this trail. (please check all that apply)
- Walker/Hikers
 - Equestrians
 - Bicyclers
 - Off-Highway Vehicles
 - Canoeists/Kayakers
 - Persons with Disabilities
14. Describe in feet or miles (if any) the amount of trail to be built or maintained: A total of 650 feet of trails will be renovated in this plan. A total of 450 feet will be re-routed in this project.
15. List the facilities (if any) that are to be acquired or built with this grant: N/A
16. List any existing facilities (if any) that are currently available to support this new trail or existing trail project (trail head parking areas, restrooms, drinking water, etc.):
 Restrooms, Parking Areas, Water Fountains, Concession Area, Information Center, Horse Hitching Posts, Bike Racks, Picnic Areas, Soccer Field, Softball Field
17. The proposed trail project provides a link in or segment in (check all that apply)
- a statewide trail plan (NC's Mountains-to-Sea Trail)
 - a regional multi-county trail plan (2 or more counties)
 - a joint city-county/county-county/city-city trail plan
 - a local _____ and a _____ .
 (example: a local park and a greenway .)
 - park specific (within boundary of an existing park)

List by title the plan in which your trail is included: _____.

18. The proposed trail project

- will be managed and maintained by applying agency's regular staff with assistance of volunteers
- will be managed and maintained by volunteers
- Other: _____

19. The trail project will be open to the general public

- seven days a week, during daylight hours
- during limited days and hours
- by invitation/appointment only
- Other: _____

20. The proposed trail project:

- will not be receiving any support or funding from a non-governmental source.
- will be receiving some support or funding from a non-governmental source.

21. Provide information about past AAT grants received including the year grant was awarded and very brief description of project:

Year: 2001-2002 Award Amount: \$4,800.00
Very Brief Project Description: Red Trail Renovation

Year: 2000-2001 Award Amount: \$2,500.00
Very Brief Project Description: New Construction/Renovation of Red Trail

Year: 1994-1995 Award Amount: \$500.00
Very Brief Project Description: Trail Maps

22. Applicant response - If you wish to explain/clarify your response to any of the above questions, please indicate the question by number and explain briefly:

**NORTH CAROLINA'S 2007 - 2008 ADOPT-A-TRAIL GRANT
APPLICATION SIGNATURE PAGE**

"On behalf of the applicant, I hereby certify the information contained in the attached application is true and correct. I understand this application will be rated on the basis of the information submitted and the submission of incorrect data or an incomplete application can result in this application being eliminated from consideration for funding."

"I hereby certify the applicant will comply with all applicable local, state and Federal laws and regulations."

Signed this _____ day of _____

By _____

Title _____

Attested by _____

Note: Non-profit organizations applying for AAT funding for a project located on lands managed by a governmental agency must have the approval of the chief executive officer of the affected land managing agency. This approval is to be represented by the signature of the chief executive officer below.

Approved this _____ day of _____

By _____

Title _____

For the _____

(Affected Agency)

SCHEDULE A

2007 - 2008 ADOPT-A-TRAIL PROGRAM SCOPE OF WORK FORM

Agency/Organization Name: Union County Parks and Recreation

List Your Agency/Organization's Fiscal Year: July 1, 2007- June 30, 2008

Project Title: Cane Creek Park Red Trail Renovation

Amount of 2007 - 2008 AAT Funds Requested: \$ 3152.69

A. Project Description:

Additional project funds are needed to repair four sections of trail in Cane Creek Park's Day Use Area. Our goal is to create a sustainable trail system through the use of proven trail construction and maintenance methods. Our current problems are associated with standing and flowing water along the trail surface. Supplementary funds are needed to replace lost surfacing and to construct well designed trails that will not need extensive maintenance in the future. The staff at Cane Creek Park conducts monthly inspections of all trails in the system. All trails are maintained to a set standard to prolong the life of our trails. The project has been broken into four sections to provide a more detailed description of our needs.

Section 1: This section measures 221 feet. Much of the trail surface has been affected by standing and flowing water along the trail tread. Moderate ruts are visible throughout this segment. Parallel drain ditches will be cut on the downhill side of the trail to divert water from the tread. Two grade dips will assist in the water diversion and will be easily constructed with natural materials. This area receives water from a culvert pipe draining a public roadway as well. Two sections of 12" culvert pipe will be installed to carry this heavy volume of water under the trail surface. These pipes will be reinforced with natural and rip rap stone to prevent washouts. Pit gravel will be used to reinforce the trail surface due to a high volume of equestrian and bicycle use.

Section 2: This section measures 259 feet. Water drainage is the key concern in this area. Water flows along the entire section without being diverted from the trail surface. Moderate to severe ruts have developed in this segment. A rock waterbar will be installed at the top of the hill to divert water from a nearby drainage ditch crossing the trail. A parallel drainage ditch will be constructed beside the existing trail surface. The ditch will be reinforced with natural and rip rap stone. The trail surface will be narrowed in this area to reduce maintenance and erosion concerns. The current trail has many customer made trails to bypass the water hazard. The renovated section will allow bicycles, horses, and pedestrians to bypass the water hazard by using a designated trail. A section of 12" culvert pipe will be added to improve drainage problems in the low area

of this segment to prevent ponding. The trail surfacing will be reinforced with pit gravel to accommodate high use from bicycles and horses.

Section 3: This section measures 170 feet. Water flows along the entire segment of trail. Grade dips will be constructed to solve the drainage problems. Drainage in this area would benefit from grade dips that will allow water to exit from the tread as quickly as possible. A section of 12" culvert pipe will be necessary to transfer water under the trail surface in a low area found in this segment of trail. The pipe will be reinforced with rip rap stone to avoid future washouts. A small rock waterbar will divert water that currently flows down the trail surface. A layer of pit gravel will be added to strengthen the trail for high equestrian and bicycle traffic.

Section 4: This area of the Red Trail is damaged beyond reasonable repair. The trail will be re-routed to bypass the large amount of standing water in the trail. A suitable location, with proper drainage, has been selected for the new segment of trail. The section will be flagged in advance to ensure appropriate drainage requirements will be met. This section will require minimal tree removal and grade dips will be installed to prevent future water concerns. Drain pipe will not be required in this area due to the natural slope of the land. The trail surface will need to be reinforced with pit gravel to ensure proper compaction for the heavy use by bicycles and horses. Clearing of trees and debris will be completed by hand to protect the integrity of the new segment being built. The new section of trail will measure 450 feet.

B. Contract Period

Should your agency or organization be awarded this AAT grant, you will be expected to complete this project and have your requests for reimbursement submitted to the Division of Parks and Recreation on or before May 25, 2008. The AAT funds cannot be carried forward and must be spent on deliverables defined in this scope of work.

Note: Grantee cannot begin work until a fully executed contract is on file with the Department of Environment and Natural Resources, Division of Purchase and Services.

C. Estimated Project Cost And Matching Cost Information

1. Amount of AAT Grant Requested	\$ 3152.69
2. Cash Match (Not Required)	\$ 0
3. In-Kind Match Labor, Services, Land and Materials (Not Required)	\$ 0
4. Total Project Cost (This amount is the total of lines 1, 2 and 3)	\$ 3152.69

**Note: This value must equal the value listed for
Total Project Costs in Section D below.**

D. 2008 Adopt-A-Trail Program Scope of Work

2008 ADOPT-A-TRAIL PROGRAM SCOPE OF WORK PROJECT DELIVERABLES				
Project Deliverable	Amount of Estimated Cost To Be Paid With AAT Funds	Amount of Estimated Costs To Be Paid With Grantee's Cash	Total Estimated Cost For Each Listed Deliverable (Add AAT and Grantee's Cash)	Payment Schedule
Project Deliverable Information (define quantity such as in numbers, feet or miles)				
#1 Project Deliverable Renovate 650 feet of trail. 65 tons of Pit Gravel needed for surface hardening. \$18.92/ton	\$1229.79		\$1229.79	Upon Completion of Each Listed Deliverable
#2 Project Deliverable Renovate 650 feet of trail. 30 tons of Rip Rap Stone needed for anchoring and waterbars. \$33.12/ton	\$993.60		\$993.60	Upon Completion of Each Listed Deliverable
#3 Project Deliverable Renovate 650 feet of trail. 20 yards of Clean Fill Dirt needed to replace lost tread. \$9.32/yard	\$186.30		\$186.30	Upon Completion of Each Listed Deliverable
#4 Project Deliverable Additional tools needed to complete trail work. (2 Shovels, 2 Pairs of Loppers, 1 Trenching Spade, 1 Wheelbarrow)	\$207.00		\$207.00	Upon Completion of Each Listed Deliverable
#5 Project Deliverable Culvert pipe for drainage ditches (40 feet of 12" corrugated pipe)	\$236.00		\$236.00	Upon Completion of Each Listed Deliverable
Project Contingency Fund Must equal 10% of AAT funds requested	\$300.00		\$300.00	
Totals	Total AAT Funds	Total to be Spent by	Total Cost of Deliverables	

		Grantee		
Show Totals on this line	\$3152.69	\$0	\$3152.69	

E. REQUIRED SIGNATURE

This Scope of Work describes to the best of our knowledge, the project we will complete with this 2007 -2008 Adopt-A-Trail Program grant.



Project Manager

1/26/07

Date

Note: The State Trails Coordinator will sign this document when the application and scope of work are approved for funding. Coordinator's signature not required for submission of application.

State Trails Coordinator

Date

**SCHEDULE B
(N/A)**

**2007 - 2008 ADOPT-A-TRAIL PROGRAM
CERTIFICATION OF LEGAL INTEREST IN PROPERTY
Non-Profit Organizations Only**

Non-profit organizations applying for AAT funds to be used on lands managed by the non-profit organization must complete and sign the following affirmation:

I, _____ president/chairperson of the
_____ non-profit organization affirm

that this organization holds legal interest (either in fee simple ownership or easement for a minimum of 10 years) in the property where the AAT grant funds will used.

A copy of the appropriate deed or easement agreement must be attached to this document.

Signature of President/Chairperson

Date

SCHEDULE C
(N/A)

**ATTACH A COPY OF NON-PROFIT ORGANIZATIONS TAX EXEMPT
CERTIFICATION LETTER**
(Non-Profit Organizations Only)

SCHEDULE D
(N/A)

**ATTACH A COPY OF YOUR ORGANIZATION'S CONFLICT-OF-INTEREST
POLICY**
(Non-Profit Organizations Only)

Sample available on web at: <http://ils.unc.edu/parkproject/trails/grant.html>

SCHEDULE E
(N/A)

Certification of No Overdue Tax Debts
(Non-Profit Organizations Only)

Certification:

We certify that the *[insert organization's name]* does not have any overdue tax debts, as defined by N.C.G.S. 105-243.1, at the federal, State, or local level. We further understand that any person who makes a false statement in violation of N.C.G.S. 143-6.2(b2) is guilty of a criminal offense punishable as provided by N.C.G.S. 143-34(b).

Sworn Statement:

[Name of Board Chair] and [Name of Second Authorizing Official] being duly sworn, say that we are the Board Chair and [Title of the Second Authorizing Official], respectively, of [insert name of organization] of [City] in the State of [Name of State]; and that the foregoing certification is true, accurate and complete to the best of our knowledge and was made and subscribed by us. We also acknowledge and understand that any misuse of State funds will be reported to the appropriate authorities for further action.

Board Chair

[Title of Second Authorizing Official]

Sworn to and subscribed before me on the day of the date of said certification.

(Notary Signature and Seal)

My Commission Expires: _____

If there are any questions, please contact the North Carolina Office of the State Auditor:
Leigh Ann Kerr @ (919) 807-7535 or
Harriet Abraham @ (919) 807-7673.

Schedule F

Federal Certification Regarding Lobbying (Required of Governmental Agencies and Non-Profit Organizations)

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Title

Agency/Organization

Date

(Certification signature should be same as Contract signature.)

Schedule G

FEDERAL CERTIFICATION REGARDING DEBARMENT AND SUSPENSION (Required of Governmental Agencies and Non-Profit Organizations)

The undersigned certifies, to the best of his or her knowledge and belief, that we are complying with all provisions of TITLE 49 CFR 29 —TRANSPORTATION, Sec. 29.200 Debarment or suspension.

(a) Primary covered transactions. Except to the extent prohibited by law, persons who are debarred or suspended shall be excluded from primary covered transactions as either participants or principals throughout the Executive Branch of the Federal Government for the period of their debarment, suspension, or the period they are proposed for debarment under 48 CFR part 9, subpart 9.4. Accordingly, no agency shall enter into primary covered transactions with such excluded persons during such period, except as permitted pursuant to Sec. 29.215.

(b) Lower tier covered transactions. Except to the extent prohibited by law, persons who have been proposed for debarment under 48 CFR part 9, subpart 9.4, debarred or suspended shall be excluded from participating as either participants or principals in all lower tier covered transactions (see Sec. 29.110(a)(1)(ii)) for the period of their exclusion.

(c) Exceptions. Debarment or suspension does not affect a person's eligibility for--

(1) Statutory entitlements or mandatory awards (but not subtler awards thereunder which are not themselves mandatory), including deposited funds insured by the Federal Government;

(2) Direct awards to foreign governments or public international organizations, or transactions with foreign governments or foreign governmental entities, public international organizations, foreign government owned (in whole or in part) or controlled entities, and entities consisting wholly or partially of foreign governments or foreign governmental entities;

(3) Benefits to an individual as a personal entitlement without regard to the individual's present responsibility (but benefits received in an individual's business capacity are not excepted);

(4) Federal employment;

(5) Transactions pursuant to national or agency-recognized emergencies or disasters;

(6) Incidental benefits derived from ordinary governmental operations; and

(7) Other transactions where the application of these regulations would be prohibited by law.

[60 FR 33041, 33064, June 26, 1995]

Signature

Title

Agency/Organization

Date

Schedule H

FEDERAL CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

(Required of Governmental Agencies and Non-Profit Organizations)

- I. By execution of this Agreement the Contractor certifies that it will provide a drug-free workplace by:
- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - B. Establishing a drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The Contractor's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - C. Making it a requirement that each employee be engaged in the performance of the agreement be given a copy of the statement required by paragraph (a);
 - D. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the agreement, the employee will:
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
 - E. Notifying the Department within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
 - F. Taking one of the following actions, within 30 days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and

Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

False certification or violation of the certification may be grounds for suspension of payment, suspension or termination of grants, or government-wide Federal suspension or debarment, 45 C.F.R. 82.510.

Signature

Title

Agency/Organization

Date

**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: February 5, 2007

Action Agenda Item No. 4/6a

(Central Admin. use only)

SUBJECT: Union West Parking Lot Expansion

DEPARTMENT: Library

PUBLIC HEARING: No

ATTACHMENT(S):
Budget Amendment #40
Capital Project Ordinance #71

INFORMATION CONTACT:
Martie Smith

TELEPHONE NUMBERS:
704-283-8184 x222

DEPARTMENT'S RECOMMENDED ACTION: Adopt budget amendment and capital project ordinance on the consent agenda to cover expenses for the expansion of the Union West Regional Library parking lot.

BACKGROUND: The Union West Regional Library parking lot expansion of 26 additional spaces is underway. Additional funds are required to cover unforeseen project costs.

FINANCIAL IMPACT: \$16,349. Funds will come from the library capital reserve fund.

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____

BUDGET AMENDMENT

BUDGET Library REQUESTED BY Kai Nelson
 FISCAL YEAR FY2007 DATE January 29, 2007

INCREASE

DECREASE

<u>Description</u>		<u>Description</u>
Interfund Transfer	16,349	
Fund Balance Appropriated	16,349	

Explanation: Appropriate funds for Union West parking lot

DATE _____

APPROVED BY _____
 Bd of Comm/County Manager
 Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

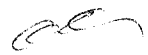
DEBIT

CREDIT

<u>Code</u>	<u>Account</u>	<u>Amount</u>	<u>Code</u>	<u>Account</u>	
23598000-5051	Interfund Transfer	16,349	23499100-4991	Fund Balance Approp.	16,349
Total		16,349	Total		16,349

Prepared By ahj
 Posted By _____
 Date _____

Number 40



**UNION COUNTY
BOARD OF COMMISSIONERS**

ACTION AGENDA ITEM ABSTRACT

Meeting Date: 02/05/2007

Action Agenda Item No. 4/66

(Central Admin. use only)

SUBJECT: Smart Start Grant Application

DEPARTMENT: Library

PUBLIC HEARING: No

ATTACHMENT(S):
Smart Start Grant Proposal FY 2008
Smart Start Grant Proposal Budget

INFORMATION CONTACT:
Martie Smith

TELEPHONE NUMBERS:
704-283-8184 x222
704-242-0180 (mobile)

DEPARTMENT'S RECOMMENDED ACTION: Approve submission of the Smart Start grant application for FY2008 and authorize the Interim County Manager to sign the grant agreement.

BACKGROUND: This grant application is to continue a Smart-Start-funded initiative to improve literacy and reading-readiness of preschoolers by teaching parents how to provide intellectual stimulation for their children. The only cost to the library is for in-county travel, which can be accommodated in the regular budget.

FINANCIAL IMPACT: \$83,880 in Smart Start funds would be added to the library's budget for FY 2007-08.

Legal Dept. Comments if applicable: _____

Finance Dept. Comments if applicable: _____

Manager Recommendation: _____

**Union County Partnership for Children
PO Box 988
Monroe, NC 28111**

**2007-2008 Application for Smart Start Funding
Due: February 7, 2007**

Smart Start Mission: To ensure that all children enter school healthy and prepared for success..

I. APPLICANT INFORMATION

Applicant Organization

Legal Name: Union County Public Library

Mailing Address: 316 E. Windsor Street, Monroe, NC 28112

Street Address (if different): _____

Phone: 704-283-8184 Fax: 704-282-0657 Email: msmith@union.lib.nc.us

Contract Administrator: Martie Smith, Director

Name/Title of Person Authorized to Sign Grant Agreement: Richard Black, Interim County Manager

Federal Employer Identification Number: 56-6000345

Proposal Information

UCPC Activity Name: Smart Start Family Literacy Program

How many years have you received Smart Start funds for this activity? 1

Have you ever reverted Smat Start funds? Yes No

If so, In what years? : _____

Funding Request

Total Annual Project Budget: \$ 93,708 Amount of Smart Start Request: \$ 83,880 % of Total 89.5%

List other sources of funding (pledged or received) and % of Total Annual Project Budget

<u>Library operating budget</u>	<u>\$ 9,828</u>	<u>10.5 %</u>
_____	\$ _____	_____ %
_____	\$ _____	_____ %

Authorized Signature & Title

Date

BUDGET AMENDMENT

BUDGET Library REQUESTED BY Kai Nelson
 FISCAL YEAR FY2007 DATE January 29, 2007

INCREASE

DECREASE

Description

Description

State Revenue 10,208

Operating Expense 10,208

Explanation: Appropriate funds for additional State Aid revenue

DATE _____

APPROVED BY _____
 Bd of Comm/County Manager
 Lynn West/Clerk to the Board

FOR POSTING PURPOSES ONLY

DEBIT

CREDIT

<u>Code</u>	<u>Account</u>	<u>Amount</u>	<u>Code</u>	<u>Account</u>	
10561100-5321-1800	Telephone & Comm	10,208	10461100-4468-1800	State Revenue	10,208
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
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_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
	Total	<u>10,208</u>		Total	<u>10,208</u>

Prepared By ahj
 Posted By _____
 Date _____

Number 41



North Carolina Department of Cultural Resources
State Library of North Carolina

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

Mary L. Boone, State Librarian

January 5, 2007

MEMORANDUM

TO: Library Director

FROM: Anne Marie Elkins, Consultant for Public Library Management

SUBJECT: 2006/2007 Aid to Public Libraries Grant Funds

This memorandum is to inform you of the amount your library will receive from the Aid to Public Libraries Fund during FY2006/2007. There is a total of \$16,357,164 available for distribution to the public libraries qualifying to receive State Aid.

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

A chart containing state aid information for all libraries is available on the State Library homepage at <http://state.library.dcr.state.nc.us/ld/staid/staid0607.pdf>. Please contact Anne Marie Elkins or Lorice Hyman at 919.807.7400 (fax 919.733.8748) if you have any questions.

Library Name	July 2006 Payment	Aug 2006 Payment	Sept 2006 Payment	Oct 2006 Payment	Nov 2006 Payment	Dec 2006 Payment
Union	\$16,825	\$16,825	\$16,825	\$16,825	\$16,825	\$16,842

Jan 2007 Payment	Feb 2007 Payment	Mar 2007 Payment	April 2007 Payment	May 2007 Payment	June 2007 Payment	Total State Aid
\$16,842	\$16,842	\$16,842	\$16,842	\$16,842	\$16,843	\$202,020

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