

July 2, 2007

The Union County Board of Commissioners met in a regular meeting on Monday, July 2, 2007, at 7:00 p.m. in the Commissioners' Formal Board Room, first floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

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

ABSENT: None

ALSO PRESENT: Richard Black, Interim County Manager, Lynn G. West, Clerk to the Board of Commissioners, Jeff Crook, Senior Staff Attorney, John Burns, County Attorney, Brett Vines, Public Information Officer, members of the press and other interested citizens

OPENING OF MEETING:

a. Invocation

Reverend Eric Cook, Senior Pastor of Midway Baptist Church, offered the invocation. He introduced his three sons, Matthew, Isaac, and Connor.

b. Pledge of Allegiance

Matthew Cook led the body in reciting the Pledge of Allegiance to the United States flag.

CONTINUATION OF PUBLIC HEARING - RE: TOWN OF MARSHVILLE'S ETJ
APPOINTMENTS TO MARSHVILLE'S PLANNING BOARD AND BOARD OF ADJUSTMENT

At approximately 7:06 p.m., the Chairman opened the public hearing that was continued from the June 18, 2007, meeting regarding appointments in connection with the Town of Marshville's ETJ to Marshville's Planning Board and Board of Adjustment.

With there being no one registered to speak either in favor of or in opposition to the appointments, the Chairman closed the public hearing.

PUBLIC HEARING - RURAL OPERATING ASSISTANCE PROGRAM (ROAP) Application in the Amount of \$297,842
(Total figure includes supplemental funding being considered by the General Assembly)

At approximately 7:07 p.m., the Chairman opened the public hearing regarding the grant application and stated that no one had registered to address the Board during the public hearing. He asked if there were any one in the audience who would like to comment during the public hearing, and with there being no one indicating that they wanted to address the Board, the Chairman closed the public hearing.

PUBLIC HEARING - RE: PROPOSED ISSUANCE BY THE UNION COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY OF NOT EXCEEDING \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF ITS TAX-EXEMPT ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE BONDS - DARNEL, INC.

At approximately 7:11 p.m., Chairman Pressley announced that the Board of Commissioners for the County of Union (the "Board") would proceed to hold a public hearing and would hear anyone who wished to be heard on the proposed issuance by The Union County Industrial Facilities and Pollution Control Financing Authority (the "Authority") of not exceeding \$10,000,000 aggregate principal amount of its Tax-Exempt Adjustable Mode Industrial Development Revenue Bonds (the "Bonds"), the proceeds of which will be loaned to Darnel, Inc., a Delaware corporation (the "Company"), for the purpose of financing the all or a portion of the costs of the acquisition, construction, improvement, renovation and equipping of a facility located in Union County, North Carolina, to be owned and operated by the Company and to be used for the manufacture of plastic and foam cups, plates, bowls, trays and other carry-out containers and other packaging material (the "Project"). The Project will be located at 1809 Airport Road, Monroe, Union County, North Carolina.

It was stated that the Authority had adopted a resolution expressing its intention to issue the Bonds. Copies of the resolution were made available to the Board.

The Clerk to the Board included in the agenda package an affidavit of an officer of *The Enquirer-Journal*, showing publication on June 15, 2007, a date at least 14 days prior hereto, of notice of the public hearing. It was directed that the affidavit of publication be attached to this extract of minutes as Exhibit A.

The Chairman announced that Ms. Tracy Kuehler, who resides at 1229 Farm Creek Road, was the first person registered to speak during the public hearing. He stated that each of the speakers would have three minutes in which to comment.

Ms. Kuehler stated that it was her understanding in order to obtain final bond approval from the Secretary of Commerce, that the Commerce must find that there is no material adverse effect on the environment from this proposal,

that the jobs created by the proposal would be large enough to have a measurable impact on the area immediately surrounding the project and will be commensurate in size and costs, if approved, and that the proposed operator has demonstrated the ability to operate the project. She said that she did not know if these questions had been considered and answered, but stated if the County is being run like a business, these are prudent questions that should be answered prior to issuing the bonds. Ms. Kuehler further said that this company is a plastics manufacturing plant and questioned its impact on the environment. She referred to the minutes of the Board of Commissioners' meeting on October 2, 2006, which indicated that the project proposes to bring only 34 jobs to the area in the first year. She questioned if this number of jobs meets the criteria imposed by the Secretary of Commerce.

She stated that according to the Delaware Secretary of State's Office, this company was registered in May 2006 and basically runs its current operations out of South America. She asked what evidence is available showing the ability of the applicant to run this project and repay the bond. She stated that in addition to the findings that must be made by the Secretary of Commerce, the North Carolina General Statutes require that the Industrial Facilities and Pollution Control Financing Authority should determine the company's ability to repay and the availability of public facilities and services, which would include utilities, service to the plant, and service to any population increases that the company would bring due to jobs. She said that she had seen no evidence that these questions have been answered. Ms. Kuehler stated that in accordance with the published notice of public hearing, the Authority ("the Industrial Facilities and Pollution Control Financing Authority") entered into an inducement agreement committing the Authority to issue revenue bonds; however, she said according to the statutes, the bonds can only be issued with a public hearing and approved by the Board of County Commissioners. Therefore, she said she was unclear as to what authority the Industrial Facilities and Pollution Control Authority had to enter into the agreement.

She referred to the minutes of the Board of Commissioners' meeting of October 2, 2006, during which time a public hearing was held for the County's incentive grant to the company. She said that Union County would be contributing \$144,000 to this project over the next five years; the City of Monroe will be contributing the amount of \$360,000; and the State of North Carolina, through its grant, will be contributing \$100,000. She said that based on this funding, the company purchased land and there was no mention of bonds at that time. Ms. Kuehler stated her concerns are that there are reservations about funding libraries in the county and other items that would benefit the taxpayers, but yet, the County is willing to give \$10 million to a private industry. She questioned what effect issuance of the bonds would have on the County's bonding capability in the future.

Ken Harris was the next speaker to address the Board during the public hearing. He stated that he serves as the Chair of the Union County Industrial Facilities and Pollution Control Authority. Mr. Harris said that the questions posed by Ms. Kuehler were excellent questions. He explained that the Authority held an inducement resolution hearing in October 2006, the purpose of which was to determine, based on the Authority's research, whether there was enough available information to warrant the inducement of a bond. He noted that such a hearing did not approve the bonds. Mr. Harris stated it was determined that there was sufficient reason to move forward with an inducement resolution. He explained

that the inducement resolution basically gives the applicant the right to recoup any expenses that are allowable under the North Carolina General Statutes in acquiring the bond, but does not guarantee issuance of the bond.

He stated that it is not a direct issuance bond, but the Authority is requesting the Board of Commissioners to allow the Authority to be the issuer of the bonds. He stressed that the bonds are backed by full faith and credit using a standby letter of credit so in terms of Ms. Kuehler's question of the bonds being issued and affecting the County's credit authority, Mr. Harris said this was not the issue. He stated that later in tonight's meeting, he would ask Charlie Odle to address the question of the Company's job creation and total investment of the plant. He stated that he was not sure he had provided answers to all of Ms. Kuehler's questions, but offered that he would be available during the meeting to answer any further questions that she might have regarding the bonds.

At this time, Chairman Pressley stated that he would like for Ms. Kuehler's questions to be answered, and asked that Mr. Harris spend some time with her during the meeting to answer those questions. The Chairman further stated that when this matter appears later on tonight's agenda for Board action, he would like assurance that Ms. Kuehler's questions have been answered.

This concluded the list of persons requesting to be heard, and Chairman Pressley closed the public hearing.

INFORMAL COMMENTS:

Jim King commented about Item 8 of the Consent Agenda - Agreement with Union County Partnership for Progress. He stated that there did not seem to be any performance requirement by the Partnership in the contract. Further, he said that there is no written stated policy and performance requirement for incentive grants in the County at this time.

He said that Union County Partnership for Progress began with \$250,000 which was supposed to be seed money. He stated that the County has now invested approximately \$812,500 in addition to the matching money out of the \$125,000 the Partnership received last year. He estimated that if the five-year contract were approved, there would be an increase of 286 percent increase from last year's budget.

Mr. King addressed some of the claims by the Partnership regarding new and expanded businesses. He stated that he did not appreciate the quarter page newspaper ad that appeared recently in the newspaper recognizing the investors of the Partnership.

He said that he would like to see the figures substantiating the claim by the Partnership for a \$2.00 return for every \$1.00 invested in the Partnership.

Steve Capelle requested that with the water conservation measures that he be able to allow residential pressure washing by commercial businesses accounts for 12 to 14 percent of his company's total sales. He said that he thought that the Public Works Advisory Board has voted to make a request to the Board of Commissioners to allow pressure washing businesses to be able to continue.

Lee Godwin addressed the Board concerning the Vietnam War Memorial Moving Wall sponsored by VFW Post 2324. He asked the Board members and the county residents to assist VFW Post 2324 in making this event successful. He said that the VFW's original goal to raise donations was \$20,000 for this event, but he said that this estimate proved to be too low. Mr. Godwin said that it is estimated that approximately 150,000 people will visit the wall from October 25 to October 29, 24 hours a day.

He stated that donations of money and food for volunteers are needed as well as bottled water, tissues, and toilet tissue. He issued a challenge to the Board members and other elected officials for their donations.

Mr. Godwin stated that anyone wishing to make a donation could contact Kathy Dixon at 704-821-9753.

Chairman Pressley asked Mr. Godwin for the estimated shortfall needed for this event. Mr. Godwin said that the donations are now at approximately \$12,000. He said that some items and services have been donated and explained that once the wall is removed from the site, there will be a permanent memorial park set up in back of the VFW. He said that money, volunteers, water and food are needed.

Mr. Godwin extended an invitation from the VFW for the Board members to eat following the Indian Trail parade on July 4th. In response to a further question by Chairman Pressley, Mr. Godwin stated that the donations were at least \$8,000 short of what had been estimated.

Commissioner Mills asked Mr. Godwin for the dimensions of the moveable wall. Mr. Godwin stated that the moveable wall is half the size of the actual wall in Washington, DC, and contains all of the names inscribed on the Washington wall. He said that the wall would be located at VFW Post 2324 in Indian Trail.

As a Vietnam veteran, Commissioner Lane expressed his appreciation to Mr. Godwin for his work on the wall.

Fern Shubert addressed the Board regarding "gerrymandering." She stated that Representative Blackwood had previously sent copies of maps and information regarding proposed districts for Union County. She stated that the map is not what it purports to be. She stated that the proposed map carves up Monroe, Wingate, and almost all of the towns on the western side of the County. Ms. Shubert said that the map is supposed to show five percent, plus or minus, the average so that everyone's vote counts the same. However, she stated that in order to draw a purportedly minority district, that district is under weighted by over ten percent. Further, she said that in order to draw a purportedly minor

district, the districts on the west are packed so that the people who have moved into the western side of the county do not get their votes counted. She said that the proposed map is not good for the eastern side of the County.

Ms. Shubert pointed out that the map was drawn using the 2000 census figures. She noted that under the proposed plan, no one would be able to vote for the majority of the Commissioners.

Chairman Pressley asked if the bill regarding district representation is being introduced under another bill, which was for the annexation of Norwood. Ms. Shubert responded that most recently, in order to have the bill debated in the Senate where Senator Eddie Goodall might be able to oppose the bill, Representative Gibson has taken a bill that has already passed the Senate and if it goes into the House, it would go into a conference committee where it would not be discussed publicly.

Vice Chairman Baucom commented that Representative Almond and Blackwood would like to hear from their constituents about this bill.

Chairman Pressley stated that he had talked with Mr. Paul Meyer of the North Carolina Association of County Commissioners to let him know the Board's position on the district representation matter. He reminded the Board that it adopted a resolution on May 7, 2007, opposing the House Bill proposed by Representative Gibson. He asked that the members of the Board also contact the legislative representatives to convey their feelings about the proposed bill.

Commissioner Mills shared that as of this afternoon, he had spoken with Senator Goodall, and he has spoken with the lobbyist for the North Carolina Association of Counties and they would like direction from the Board so they could intervene in this matter.

ADDITIONS, DELETIONS AND/OR ADOPTION OF AGENDA:

Chairman Pressley stated that there is a request by Ken Rogers, Veterans Service Officer, to delete Item #11 - Budget Amendment #1 to Appropriate \$1,000 from Contingency for Hosting and Funding the Army Blues Jazz Ensemble from Washington, DC. He requested that Item #14 - Information Systems for Adoption of the Information Technology Strategic Plan dated May 8, 2007, also be deleted.

The Chairman requested additions the agenda as follows:

Regular Agenda:

1. Item 12b - Finance: Amendment to FY 2007-2008 Adopted Budget Ordinance - Amend Section X. Fire Fees - to include Waxhaw/Marvin

Consent Agenda:

1. Tax Administrator: Refunds for June 2007 (to become Item 2 c)
2. Tax Administrator - Releases for June 2007 (to become Item 2 d)

He noted that the names contained on the refunds and releases have been audited for conflicts of interest for the Board of Commissioners, and none were found.

Commissioner Mills requested the addition of an item to initiate the process to amend the Land Use Ordinance to require that rain gauges are placed on the sprinkler systems so that when rain comes, the automatic timers shut off.

Jeff Crook, Senior Staff Attorney, noted that this was included in the water conservation ordinance amendments, so, therefore, it would apply countywide. He said that a January 1st commencement date was included.

Commissioner Mills asked about the issue of the use of purple pipe and the issue of reclaimed water. Mr. Crook responded that this matter had been assigned to him for research, and he was still researching the issue.

Commissioner Mills questioned if the towns would be contacted regarding the requirement for rain gauges. Mr. Crook stated that the reason this had been included in the water conservation ordinance amendment was that it applied countywide, and it was not necessary to include it in the towns' ordinances. Commissioner Mills asked how new subdivisions would know about the rain gauge requirements if it were not included in the County's Land Use Ordinance. Mr. Crook stated that he honestly did not know the answer to Commissioner Mills' question, but he assumed that it would be handled through the Public Works Department as the subdivisions apply for their other permits. He said that he could speak to Ms. Putnam, the Public Works Director, about enforcement of the requirement.

Commissioner Openshaw requested that the following items be moved from the Consent Agenda to the Regular Agenda:

1. Item 3a - Public Works Department - Mill Grove Road Water Main Improvements - Bid Award
2. Item 5a - Contracts over \$5,000
 - a. Public Works: Hazen and Sawyer - Expand 12 Mile Creek Wastewater Treatment Plant, 6 MGD Project - Additional Administration Efforts and Inspection Costs
 - b. Public Works: Shealy Environmental Services - Expand 12 Mile Creek Wastewater Treatment Plant, 6 MGD Project - Services to Investigate Additional 12-Mile Creek Discharge per SCDEC Water Quality Monitoring Requirements
3. Item 8 - Agreement with Union County Partnership for Progress
4. Item 9 - Finance - Capital Project Ordinance #81 to Amend FY 2002-03 Budget Amendment #29

Vice Chairman Baucom requested that Item 10 of the Consent Agenda - Contract Amendment #11 to Agreement with The Keith Corporation for Property Management Services (FY 2007-2008) be moved to the Regular Agenda.

With there being no further additions or deletions to the agenda, Commissioner Lane moved adoption of the agenda as modified. The motion was passed unanimously.

CONSENT AGENDA:

Vice Chairman Baucom moved approval of the items listed on the Consent Agenda as modified. The motion was passed unanimously.

Centralina Council of Governments - Approved FY 08 Home and Community Care Block Grant Funding Plan including local match of \$55,680 included in the adopted budget.

Tax Administration: Approved relief from the tax charge of the balance of the 2003 uncollectible motor vehicle taxes in the amount of \$93,691.61

Tax Administration: Approved First Motor Vehicle Billing in the grand total amount of \$1,210,216.79

Tax Administration: Approved Refunds for June 2007 in the grand total amount of \$47,445.38 (Addition to the Agenda)

REFUNDS JUNE 2007

Acct #	Name	Release #	Total
2006			
02319060	BITTLE OLA	2777	92.40
50071031	BAUCOM AIR CONDITIONING & HEATING SERVICE	2805	465.67
50095109	VESEY AIR LLC	2819	22,141.14
50091489	GROSE FRED HOWARD & BRENDA Y KAY GROSE	2836	237.69
50039606	WHILDEN EDNA	2818	5.93
50094072	VESEY AIR LLC	2820	22,148.28
			-
TOTALS			45,091.11

2005			
09128034	FREEMAN MARCIE EUDY	2766	96.39
02319060	BITTLE OLA	2778	91.97
50071031	BAUCOM AIR CONDITIONING & HEATING SERVICE	2806	400.69

50091489	GROSE FRED HOWARD & BRENDA Y KAY GROSE	2837	190.53
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TOTALS			779.58
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2004

09128034	FREEMAN MARCIE EUDY	2767	91.04
02319060	BITTLE OLA	2779	89.64
50071031	BAUCOM AIR CONDITIONING & HEATING SERVICE	2807	329.09
50084005	NANCE JOHN DAVID	2834	7.79

TOTALS			517.56
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2003

09128034	FREEMAN MARCIE EUDY	2768	29.94
02319060	BITTLE OLA	2780	132.80
09128014N	FREEMAN MARCIA E	2785	19.68
50071031	BAUCOM AIR CONDITIONING & HEATING SERVICE	2808	288.58

TOTALS			471.00
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2002

09128034	FREEMAN MARCIE EUDY	2769	26.97
02319060	BITTLE OLA	2781	124.59
09128014N	FREEMAN MARCIA E	2786	17.73
50071031	BAUCOM AIR CONDITIONING & HEATING SERVICE	2809	226.06
50084180	SUMMERLIN FRED W	2848	43.11

TOTALS			438.46
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2001

09128034	FREEMAN MARCIE EUDY	2770	26.97
02319060	BITTLE OLA	2782	102.97
09128014N	FREEMAN MARCIA E	2787	17.73

TOTALS			147.67
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GRAND TOTALS - ALL YEARS

47,445.38

Tax Administration: Releases for June 2007 (Addition to the Agenda)

RELEASES JUNE 2007

Acct #	Name	Release #	Total
2007			
50063818	HYATT DOUGLAS BRUCE	2842	213.05
<hr/> Totals			213.05

2006

50028749	SCHRADER AUTOMOTIVE INC	2764	23,492.02
09128034	FREEMAN MARCIE EUDY	2765	97.42
09375036A	UNKNOWN	2771	17.61
09128014N	FREEMAN MARCIE EUDY	2783	195.84
04309006A	SMALL FRANCES R	2788	24.45
04063013	RAPE EARL	2789	18.34
01087006	HINSON ESTELLE A	2793	208.71
02220013	GRIFFIN DAVID & SYLVIA A GRIFFIN TRUSTEES	2796	76.02
08195019	RAIBLE MICHAEL K & WIFE PATRICIA S	2799	1,021.08
50092058	ALLPRO AUTO GLASS	2803	201.36
50094254	AUSTIN MICHAEL	2804	346.05
50083136	BAUCOM MECHANICAL SERVICES	2810	306.21
50093834	CARPENTER WILLIAM	2811	19.47
50076834	ENGLISH JUDY B	2813	9.04
50095642	GASS KEVIN B	2814	370.01
50092058	ALLPRO AUTO GLASS	2815	173.25
50096624	HIBBITS THOMAS CHRISTAN	2821	127.79
50091837	GUIER EARL EDWARD	2822	41.45
50093987	HINSON THOMAS G	2823	46.37
50068776	KNOTTS BARBARA D	2824	113.74
50062401	MORTON MARILYN	2825	137.26
50079852	PEREZ NAOMI R	2826	48.55
50090562	RODRIGUEZ CONCEPCION	2827	118.91
50091072	PRICE CHRISTOPHER & MISTY	2828	131.74
50083615	TALBERT ALLEN RICHARD	2829	64.13
50095826	THOMAS WILLIAM BRUCE	2830	185.38

50090580	TURPIN DANA	2831	171.76
50073733	WALLS TRUCKING INC	2832	174.11
50076713	DIXON JEFF	2835	189.52
50091134	ESQUIVEL EFRAIN	2839	329.14
50093829	BROOKS JANET	2840	67.57
50063818	HYATT DOUGLAS BRUCE	2841	353.26
50069820	BELK MILDRED C	2843	162.13
50084180	SUMMERLIN FRED W	2844	38.52
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Totals			29,078.21

2005

09375036A	UNKNOWN	2772	16.58
04063013	RAPE EARL	2790	18.15
01087006	HINSON ESTELLE A	2794	206.52
02220013	GRIFFIN DAVID & SYLVIA A GRIFFIN TRUSTEES	2797	75.22
08195019	RAIBLE MICHAEL K & WIFE PATRICIA S	2800	1,010.33
50075312	CHANEY TIM & WENDY	2812	128.25
50092659	CLARK TIRE & AUTO INC	2816	757.79
50090580	TURPIN DANA	2833	161.44
50091134	ESQUIVEL EFRAIN	2838	143.12
50084180	SUMMERLIN FRED W	2845	41.93
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Totals			2,559.33

2004

09375036A	UNKNOWN	2773	16.58
04063013	RAPE EARL	2791	17.14
01087006	HINSON ESTELLE A	2795	195.05
02220013	GRIFFIN DAVID & SYLVIA A GRIFFIN TRUSTEES	2798	71.05
08195019	RAIBLE MICHAEL K & WIFE PATRICIA S	2801	954.20
50084180	SUMMERLIN FRED W	2846	40.26
09128014N	BRYCE PETERS FINANCIAL CORPORATION	2849	91.99
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Totals			1,386.27
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2003

09375036A	UNKNOWN	2774	21.87
04063013	RAPE EARL	2792	38.88
08195019	RAIBLE MICHAEL K & WIFE PATRICIA S	2802	192.42
50084180	SUMMERLIN FRED W	2847	42.24

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Totals			295.41
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2002

09375036A	UNKNOWN	2775	19.91
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Totals			19.91
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2001

09375036A	UNKNOWN	2776	19.18
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Totals			19.18
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GRAND TOTALS-ALL YEARS			33,571.36
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PUBLIC WORKS DEPARTMENT: Mill Grove Road Water Main Improvements - Bid Awards (Moved to Regular Agenda at the request of Commissioner Openshaw)

Register of Deeds: Approved refund of excise stamp to Laurie A. Baker, Attorney at Law, in the amount of \$629 for incorrect excise tax filed on a deed.

Contracts Over \$5,000: Authorized the Interim County Manager to approve the following: a) Public Works: Hazen and Sawyer - Expand 12-Mile Creek Wastewater Treatment Plant, 6 MGD Project - Additional Administration Efforts and Inspection Costs (Moved to Regular Agenda at the request of Commissioner Openshaw); b) Public Works: Shealy Environmental Services - Expand 12-Mile Creek Wastewater Treatment Plant, 6 MGD Project - Services to Investigate

Additional 12-Mile Creek Discharge per SCDEC Water Quality Monitoring Requirements (Moved to Regular Agenda at request of Commissioner Openshaw); c) Public Works: Task Order #5, Amendment #1 to the Camp Dresser and McKee Agreement for East Side Sewer System Improvements Project; and d) Communications: Memorandum of Agreement with the City of Charlotte for transfer of mobile radios to the County as purchased by the City as part of the FY 05 Urban Areas Security Initiative Grant Program

Rural Operating Assistance Program Grant (ROAP) Application: Authorized submission of a grant application for funding in the amount of \$297,842, which includes the following Certified Statement, (total figure includes proposed Supplemental funding being considered by the General Assembly). (The Rural General Public Funding is the only portion requiring a local match which is generated through the per trip fare that is charged to the person(s) requesting transportation utilizing these funds):

State of North Carolina

County of UNION

**APPENDIX A
CERTIFIED STATEMENT
FY 2007 - 2008**

RURAL OPERATING ASSISTANCE PROGRAM

Whereas Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering all federal and/or state programs related to public transportation, and grants NCDOT authority to do all things required in applicable federal and/or state legislation to properly administer the public transportation programs within the State of North Carolina;

WHEREAS, G.S. 136-44.27 established the Elderly and Disabled Transportation Assistance Program;

WHEREAS, funds will be used for transportation related expenditures as specified in the FY 2007 - 2008 Rural Operating Assistance Program (ROAP) application;

WHEREAS, information regarding use of the funds will be provided at such time and in such a manner as NCDOT may require;

WHEREAS, it is the policy of the North Carolina Department of Transportation that Disadvantaged Business Enterprises, Minority Owned Business Enterprises and Women Owned Business Enterprises shall have the opportunity to participate in the performance of contracts financed in whole or part by Federal and State funds in order to create a level playing field, and the county shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract.

WHEREAS, ROAP funds will be used to provide eligible services during the period July 1, 2007 through June 30, 2008;

WHEREAS, any interest earned on ROAP funds will be expended for eligible program uses as specified in the ROAP application; and

WHEREAS, the County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

This is to certify that the undersigned is duly elected, qualified and acting chairperson of the Board of County Commissioners of the County of UNION North Carolina, and that the following statements are true and accurate:

Elderly and Disabled Transportation Assistance Program

1. The funds received from G.S. 136-44.27 will be used to provide transportation services for the elderly and disabled allowing individuals to reside for a longer period in their homes, thereby enhancing their quality of life.
2. The funds will not be used to supplant or replace existing federal, state or local funds designated to provide elderly and disabled transportation services in the county.

Employment Transportation Assistance Program

1. The purpose of these transportation funds is to support transitional transportation needs of Work First participants after eligibility for cash assistance has concluded and/other specified general public employment transportation needs
2. The funds are limited to use by the local Department of Social Services, Work Force Development Program or the community transportation system.
3. The funds may be transferred to the Elderly and Disabled Transportation Assistance Program or the Rural General Public Program after an assessment of employment transportation needs in the service area indicates that employment transportation needs are substantially being met. This assessment will occur prior to any transfer of funds and following submission of a statement to that effect from the County Manager to the Public Transportation Division.

Rural General Public Program

1. The funds are limited to use by the community transportation system.
2. The funds will not be used to provide human service agency trips.

WITNESS my hand and official seal, this _____ day of July, 2007. _____

Attest:

Certifying Official*

Board of County Commissioners Chairperson*

State of North Carolina

County _____
County Manager/Administrator*

****Note that the Certifying Official, Board of County Commissioners Chairperson, and County Manager/Administrator must be three separate individuals.***

MEMORANDUMS OF UNDERSTANDING - Adequate Public Facilities Ordinance (APFO): Approved memorandums of understanding with: a) Town of Weddington and b) Town of Indian Trail

AGREEMENT WITH UNION COUNTY PARTNERSHIP FOR PROGRESS: This item was moved to the regular agenda at the request of Commissioner Openshaw.

FINANCE: Capital Project Ordinance #81 to Amend FY 2002-03 Budget Amendment #29 for Intergovernmental Revenue (City of Monroe) that never materialized. (This item was moved to the regular agenda at the request of Commissioner Openshaw.

CONTRACT AMENDMENT #11 TO AGREEMENT WITH THE KEITH CORPORATION FOR PROPERTY MANAGEMENT SERVICES (FY 2007-2008) - This item was moved to the regular agenda at the request of Vice Chairman Baucom.

PUBLIC WORKS DEPARTMENT - Mill Grove Road Water Main Improvements - Bid Award - (Moved from the Consent Agenda)

Commissioner Openshaw stated that this project seemed to be a part of an interbasin transfer. He questioned what impact it would have on the County, what does it accomplish, when would the project begin and when would it be completed? Richard Black, Interim County Manager, responded that he did not have any background information on this project, and he would have to bring information to the Board at a later time. Christie Putnam, Public Works Director, was not present.

Jeff Crook, Senior Staff Attorney, advised the Board if there were questions that could not be answered tonight, he would suggest deferring action on this item.

Commissioner Mills moved to defer action on this item until the August 6, 2007, meeting. The motion was passed unanimously.

PUBLIC WORKS: Hazen and Sawyer - Expand 12-Mile Creek Wastewater Treatment Plant, 6 MGD Project - Additional Administration Efforts and Inspection Costs (Moved from Consent Agenda)

Commissioner Openshaw asked for an explanation of what work would be performed until this contract.

Mark Tye of the Public Works Department responded that Hazen and Sawyer is the contracting engineer for the 12-Mile Creek Wastewater Treatment Plant expansion. He stated that the engineer had assumed the job in midstream from a previous design engineer, and in the process of constructing the project, there were some problems noted with some significant redesign work that had to be done. Mr. Tye explained that was a part of the additional monies requested in this item to cover the redesign work.

He reminded the Board that the Public Works Department along with Hazen and Sawyer have worked hard and committed all resources to a timely turnaround of questions and/or problems to keep this project approximately 12 months ahead of schedule which is also a factor in this request. He stated that the bottom line is that this item is requesting additional monies to complete the 12-Mile Creek Wastewater Treatment Plant expansion.

Following the explanation by Mr. Tye, Commissioner Lane moved to authorize the Interim County Manager to approve the Agreement with Hazen and Sawyer in connection with the expansion of the 12-Mile Creek Wastewater Treatment Plant, Six MGD Project for additional administration efforts and inspection costs. The motion was passed unanimously.

PUBLIC WORKS: Shealy Environmental Services - Expand 12-Mile Creek Wastewater Treatment Plant, 6 MGD Project - Services to Investigate Additional 12-Mile Creek Discharge per SCDHEC Water Quality Monitoring Requirements

Mark Tye of the Public Works Department explained that Public Works is investigating a number of different avenues to increase the treatment and discharge ability of the 12-Mile Creek Wastewater Treatment Plant. He stated that not only is Public Works exploring ways to expand the discharge into 12-Mile Creek but also it is investigating use of purple pipe and reuse. Mr. Tye said that this request is in response to direction from SCDHEC. He stated that representatives of the Public Works Department have met with representatives of the SCDHEC with respect to whether SCDHEC would support additional discharge of wastewater into 12-Mile Creek. He said that so far DHEC has been somewhat receptive to this proposal with the stipulation that additional monitoring be done between now and September 2007, both upstream of the treatment facility as well as some downstream points, including a point in South Carolina.

Further, he said that it was also a stipulation by DHEC that the laboratory performing the certification would be a certified lab in South Carolina. Mr. Tye stated that Shealy Environmental Services is currently under contract with Union County, and this is a request to amend the existing contract to allow it to also perform stream monitoring as a possible avenue to expand 12-Mile Creek's treatment capacity.

Following the explanation by Mr. Tye, Commissioner Lane moved to authorize the Interim County Manager to approve the Amendment with Shealy Environmental Services to investigate additional 12-Mile Creek discharge per SCDEC water quality monitoring requirements. The motion was passed unanimously.

Commissioner Mills asked Mr. Tye what the projected schedule is for opening of the 12-Mile Creek Expansion. Mr. Tye stated that the contractor's projected schedule for substantial completion of the expansion, meaning all tankage is in use, is August 7, 2007. He said that following August 7, 2007, the County will need approval from the State. Further, he said that all positions for staffing in connection with the expansion, with the exception of one, are currently filled, and they are prepared to staff the facility 24 hours per day/7 days per week. Mr. Tye gave an estimated date for the expansion to go on line of mid August or the first of September.

Mr. Crook pointed out that it is difficult to predict how long it will take for the State to proceed with the final permitting procedures. Mr. Tye agreed that this was a true statement, but assured that Public Works is working closely with the State on a regular basis.

Commissioner Mills asked Mr. Tye for the current average flow into the 12-Mile Creek Wastewater Treatment Plant. Mr. Tye responded that the current average is approximately 2.5 million gallons per day.

AGREEMENT WITH UNION COUNTY PARTNERSHIP FOR PROGRESS (Moved from Consent Agenda)

Commissioner Openshaw stated that this item is a five-year contract for the Partnership for Progress. He prefaced his remarks by stating that he is not opposed to commercial recruitment from this entity or from the Monroe Economic Development Commission. He said that he applauds both their efforts, but he believes this agreement is government at its worse.

He stated that it appears that the agreement trades a dollar-for-dollar match from non-government interest for an incentive reducing fixed contract. He questioned why the County would agree to an agreement with no performance standard for fundraising or for a net positive tax flow. He stated that the proposed contract contains no termination clause other than for the Partnership doing something abusive. He referred to the minutes of the October 20, 2003, Board of Commissioners' meeting where it is mentioned twice that the County could essentially stop funding of the Partnership and the County would be out of the contract. He stated that there is no such provision in the proposed contract.

Commissioner Openshaw asked if an external audit for the Partnership had been performed and if it had been reviewed. Richard Black, Interim County Manager, responded that he had spoken with Wes Baker, the County's Internal Auditor, and the County has not received an audit from the Partnership. However, he said that the County does have a copy of the 2006 financial statements for the Partnership.

Commissioner Openshaw stated that under the current contract, an external audit of the Partnership was supposed to be performed on an annual basis, but this requirement is no longer included in the contract. Further, he asked if an internal audit had been reviewed or if the Board has had a detailed study completed on the ethnicity of the Partnership, which he thought was a key issue. He asked if it has been questioned whether the Partnership is producing an increased

tax base and lessened the burdens of government extensively through increased taxes versus the impact to the County's infrastructure: schools, roads, water, and sewer of the people moving to the County to fill the jobs created through economic development.

He referred to the proposed agreement saying that the appropriations thereunder are for the purposes of helping locate industrial and commercial plants in or near Union County. He said that he did not personally think having the contract state "near Union County" was good enough. Commissioner Openshaw stated that one of the goals of the Partnership is to bring in business that will "increase the population of Union County." He said with that in mind, the cost of the required infrastructure has to be considered. He stated that it was supposed to attract high wage jobs and questioned how to define high wage jobs. He asked if the Partnership has offered any job training programs as mentioned in the contract. He stated that one of the biggest reasons that the County wants industry is to produce tax revenue, and the extra tax revenue is supposed to relieve the pressure of rising residential taxes.

Commissioner Openshaw stated that his concern is that free enterprise is being subsidized to such an extent that the County might not receive enough revenue from these projects to pay for the promises contained in the proposed contract. He questioned that with no objective study of the costs and the benefits of the program and no out by choice if the Partnership does not produce, why is the County considering giving it over \$3.1 million over the next five years not including subsidies for new businesses. He stated that it was no longer the panacea that was provided before that residential growth pays for itself, and now commercial development is needed to pay for the residential growth. He said that the commercial development is being subsidized to the extent that it might not happen. He further said that he believes that the contract and its potential subsidies adds new meaning to free enterprise.

He questioned how the County could rationalize an almost 100 percent increase for the coming year alone for funding of the Partnership without a thorough analysis of the program. Commissioner Openshaw questioned how approving the contract at this time meets the Board's fiduciary responsibility to insist that everything funded by the County is able to demonstrate to the highest level the County's fiscal management. He stated that he believed the citizens deserve no less in the face of the investment that they will make through their increased taxes. He questioned what kind of return the County's investors, the taxpayers, are getting.

Commissioner Openshaw stated that the original meeting on the formation of the Partnership twice mentioned the idea that the Partnership is supposed to ultimately merge with Monroe's economic development entity. He questioned how the proposed contract helps to facilitate that goal.

Commissioner Lane said that he was in agreement with Commissioner Openshaw's comments. He said that the proposed contract with the Partnership is a golden one because it cannot be abrogated except for cause. He stated that he was one of the ones that had advocated for the Partnership and had hoped that it would merge with the City of Monroe's economic development. He said that he was unhappy with the proposed contract because there is no

accounting for the Partnership's actions and it is using tax monies without an audit. He stated that he too would like to see the ethicies of the County's monies being used on the Partnership.

Vice Chairman Baucom responded that Wes Baker, the County's internal auditor, has audited every step that the Partnership has made. He asked the Senior Staff Attorney to authenticate his statement. Mr. Crook stated that he did not know that for a fact.

Vice Chairman Baucom said that Mr. Baker has determined that there is over a two to one return on the County's investment. He stated that the proposed agreement is a five-year commitment by the County, whereas, heretofore, it has been a 12-month commitment. He said that the County has gotten tremendous results by getting extremely qualified people and participation by the best that Union County industry has to offer serving on the Board of Directors of the Partnership. He recognized Bob Butz, Chairman of the Board of Directors of the Union County Partnership. He stated that the rationale of encouraging industry to come to Union County is taxes. He said that all of the Board members have determined and have made the statement in some form or fashion that more industry is needed in the County.

Vice Chairman Baucom said that Union County should not expect the City of Monroe to do all of the County's economic development work. He stated that when the County gets the bypass, the eastern side of Union County will need additional help dealing with its growth in industry. He said that Marshville and Wingate have both taken giant strides to jointly work with the Partnership to determine how they want to address their growth with commercial and industrial development.

Following his comments, Vice Chairman Baucom moved to authorize the Interim County Manager to approve the Agreement with the Union County Partnership for Progress.

Commissioner Mills asked Mr. Butz if the Partnership had any objections to having that requirement placed in the contract. Mr. Butz responded that the Partnership did not object to having that requirement included in the contract. Further, he said that the Partnership had been audited by the County's Internal Auditor. He stated that private firms have also invested time and energy to audit the Partnership's books for correctness and integrity.

In response to a question by Commissioner Lane as to why the County has not received a copy of the audit if one had been completed, Mr. Butz stated that he did not know why a copy had not been given to the County, but the Partnership is in a position to provide the audit.

Commissioner Mills asked Mr. Butz if he believed that the Partnership would allow the contract to be amended to require an annual audit. Mr. Butz replied "that is correct."

Vice Chairman Baucom amended his motion to include a requirement for the Partnership to provide an annual external audit in addition to the County's internal audit.

Commissioner Lane suggested a solution would be to put the Partnership under the County's authority whereby the County would have control over the Partnership. He said that with the proposed contract, the County would have no control over it for five years.

Chairman Pressley requested that Jeff Crook, Senior Staff Attorney, address the performance of the partnership and its obligation to meet certain requirements. Mr. Crook responded that the proposed agreement is fairly general as to what is required of the Partnership and tracks the language of the 501(3)c requirements. He stated that there are no performance standards, as indicated by Commissioner Openshaw. He said that the County expressly and intentionally does not control the Partnership. He stated that the Partnership is a separate non-profit corporation and was designed that way. Mr. Crook said that the Partnership was at one time a function of the County, and it was thought that its current form would be a better approach. He stated that he could not speak as to the operation of the Partnership.

Commissioner Openshaw asked how the County could terminate the contract if there are no performance standards included. Mr. Crook responded that as Commissioner Openshaw has indicated the contract has to be terminated for cause, and one of those causes could be inappropriate expenditures of the money or expenditures of the funds in a way that is inconsistent.

Following further discussion, Commissioner Mills moved to call the question on the previous motion. The motion was passed by a vote of three to two. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted in favor of the motion. Commissioners Lane and Openshaw voted against the motion.

Chairman Pressley stated that the motion before the Board was authorize the Interim County Manager to approve the agreement with the Union County Partnership for Progress. Vice Chairman Baucom noted that he had amended the resolution to include the requirement for an annual external audit of the Partnership.

Mr. Crook interjected, as clarification, that the copy of the agreement included in the agenda package is the draft presented by the attorney for the Partnership for Progress. He stated that he has not reviewed the draft agreement but assured the Board that there would be substantial changes to the draft consistent with the Board's discussion this evening. He said that the action requested was to authorize the Interim County Manager to approve the Agreement. It was noted by Commissioner Mills and agreed to by Vice Chairman Baucom that the changes would include the requirement for an annual external audit of the Partnership.

Following the discussion, the motion as amended was passed by a vote of three to two. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted in favor of the amended motion. Commissioners Lane and Openshaw voted against the amended motion.

FINANCE - CAPITAL PROJECT ORDINANCE #81 (This item was moved from the Consent Agenda to the Regular Agenda at the request of Commissioner Openshaw.)

Commissioner Openshaw asked the Interim County Manager to explain this item. Mr. Black stated that when the project was completed in 2002-2003, there was to be a \$200,000 contribution from the City of Monroe. He said he was unsure if during the course of developing the project, that either the project did not materialize or the money did not materialize. He stated that the project has been closed out. He further stated that he did not know what was the original purpose of the \$200,000 from the City of Monroe.

Following the Interim County Manager's comments, Commissioner Mills moved to adopt Capital Project Ordinance #81 to amend FY 2002-03 Budget Amendment #29 for Intergovernmental Revenue (City of Monroe) that never materialized. The motion was passed unanimously.

CAPITAL PROJECT ORDINANCE AMENDMENT							
BUDGET	General CPO Fund - 40			REQUESTED BY	Kai Nelson		
FISCAL YEAR	FY 2007-2008			DATE	June 27, 2007		
PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
Intergovernmental Rev	200,000	(200,000)	-	Capital Outlay	8,514,353	(200,000)	8,314,353
All Other Revenue	89,457,406	-	89,457,406	All Other Gen Cap Projs	81,143,053	-	81,143,053
EXPLANATION:	To amend FY 2002-03 BA29 for intergovernmental revenue (City of Monroe) that never materialized.						

DATE:				APPROVED BY:			
				Bd of Comm/County Manager Lynn West/Clerk to the Board			
FOR FINANCE POSTING PURPOSES ONLY							
PROJECT SOURCES				PROJECT USES			
Source Description and Code	Project To Date	Requested Amendment	Revised Project	Project Description and Code	Project To Date	Requested Amendment	Revised Project
G.O. Bond Proceeds 40459200-4010-PR008	200,000	(200,000)	-	Capital Outlay-Walter Bickett 40559200-5630-PR008	8,514,353	(200,000)	8,314,353
	200,000	(200,000)	-		8,514,353	(200,000)	8,314,353
Prepared By	dhc						
Posted By							
Date						Number	CPO - 81

CONTRACT AMENDMENT #11 TO AGREEMENT WITH THE KEITH CORPORATION FOR PROPERTY MANAGEMENT SERVICES (FY 2007-2008) (This item was moved from the Consent Agenda to the Regular Agenda at the request of Vice Chairman Baucom):

Vice Chairman Baucom moved to approve the amendment and authorize the Interim County Manager to execute the Amendment with the following stipulation: that a team will be formed, approved by the Board of County Commissioners, to conduct a thorough review of the services provided and their associated costs and that the team report its findings and recommendations to the Board of Commissioners no later than December 2007.

At the request of Commissioner Openshaw, Vice Chairman Baucom repeated his motion.

The motion was passed unanimously.

RESOLUTION APPROVING THE ISSUANCE BY THE UNION COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY OF ITS \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAX-EXEMPT ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF PAYING FOR CERTAIN MANUFACTURING FACILITIES IN UNION COUNTY, NORTH CAROLINA

Chairman Pressley asked Ms. Kuehler if she had received answers to her questions, and she responded that she had received answers to her questions.

Vice Chairman Baucom moved passage of the resolution entitled "Resolution Approving the Issuance by the Union County Industrial Facilities and Pollution Control Financing Authority of its \$10,000,000 Aggregate Principal Amount of Tax-Exempt Adjustable Mode Industrial Development Revenue Bonds for the Purpose of Paying for Certain Manufacturing Facilities in Union County, North Carolina", a copy of which had been distributed to each Commissioner and the title of which appeared on the agenda.

RESOLUTION APPROVING THE ISSUANCE BY THE UNION COUNTY INDUSTRIAL FACILITIES AND POLLUTION CONTROL FINANCING AUTHORITY OF ITS \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF TAX-EXEMPT ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR THE PURPOSE OF PAYING FOR CERTAIN MANUFACTURING FACILITIES IN UNION COUNTY, NORTH CAROLINA.

BE IT RESOLVED by the Board as follows:

Section 1. The proposed industrial facility in Union County, North Carolina, to be financed for the Company by not exceeding \$10,000,000 aggregate principal amount of bonds of the Authority, is hereby approved in principle.

Section 2. The Board hereby requests that the North Carolina Federal Tax Reform Allocation Committee allocate \$10,000,000 of the State of North Carolina Unified Volume Limitation of tax exempt private activity bonds imposed by the Tax Reform Act 1986, as amended, for the industrial development revenue bonds and Project described above, which allocation it is acknowledged will revert in whole or in part to the statewide allocation if bonds for this Project are not issued prior to the termination date of the allocation, and the Chairman or the Vice Chairman of the Authority is hereby authorized and directed to make application to the Secretary of the North Carolina Department of Commerce for such allocation.

Section 3. Pursuant to and in satisfaction of the requirements of Section 159C-4(d) of the General Statutes of North Carolina, the Board hereby approves the issuance by the Authority of the bonds described herein.

Section 4. The Clerk to the Board is directed to file a certified copy of this resolution with the Department of Commerce.

Section 5. This resolution shall take effect immediately upon its passage.

Commissioner Lane questioned who would be liable if the Company should fold or renege on its promise to repay the bonds. Ken Harris, Chairman of the Industrial Facilities and Pollution Control Financing Authority, responded that one of the requirements of the Authority was that the applicant provides an irrevocable standby letter of credit guaranteeing both the principal amounts of the bonds and an interest reserve component. He stated that the Authority determined after the inducement resolution was done, that the applicant has indeed obtained a standby letter from Citicorp in favor of the bondholders.

Mr. Harris introduced Charlie Odle, Vice President of Operations of Darnel, Inc., and Albert Douer, President of Darnel, Inc.

Mr. Odle said that the project on Airport Road has gone extremely well and is ahead of schedule. He stated that they are very optimistic as the project continues to move forward. He further stated that Darnel continues to be very pleased with the labor pool that it has been able to attract for its positions. Mr. Odle said that the company has just recently been able to move from a three-day operation, 24 hours per day, to a seven-day operation.

Mr. Odle stated that the nature of the company's business is food packaging. He said that they began with two product lines: disposal tableware and fast food carryout containers, both of which are being produced at the Monroe facility. He stated that as the company goes into the next phase of its operations, it might either add other product lines or allow these two lines to grow more fully.

Mr. Odle stated that the current employment at the Monroe plant is 45 employees, and the proposed expansion will increase the number of employees to 120 over the life of the project, which is the project before the Board tonight.

Mr. Douer shared that the company employs between 2,000 to 2,200 worldwide.

Vice Chairman Baucom expressed appreciation to Darnel, Inc. for siting in Union County. He stated that this project had been a joint effort with the City of Monroe.

Commissioner Openshaw said that he echoed Vice Chairman Baucom's comments. He asked Mr. Harris if there is a bankruptcy involved, where does the letter of credit rank Union County in the line of asset distribution.

At the request of Commissioner Openshaw, Mr. Harris explained the process that would occur should there be a bankruptcy by the company.

Following the discussion, the resolution was passed by the following vote:

Ayes: Chairman Pressley, Vice Chairman Baucom, Commissioner Lane, Commissioner Mills, and Commissioner Openshaw

Noes: None

Abstaining: None

PRESENTATION OF 2007-2008 SECONDARY ROAD CONSTRUCTION PROGRAM:

Scott Cole of the North Carolina Department of Transportation provided the Board with a handout containing the Division 10, District 3, Project Status. He explained that these projects are the smaller projects that do not receive much publicity.

He also discussed the Transportation Improvement Program (TIP), projects that are let by Raleigh.

Larry Helms, a member of the Board of Transportation, was present. Mr. Cole pointed out that Mr. Helms was successful in getting the Martin Luther King Boulevard Extension project moved up on the priority list so that it will be let in September as a design/build project. Mr. Helms said that the project was originally scheduled for 2009.

Mr. Helms came forward to the podium, and Vice Chairman Baucom expressed appreciation to Mr. Helms and his work on the projects.

Commissioner Lane asked how many dirt roads there would be in the County after paving of the roads shown on the 2007-2008 Secondary Road Program. Mr. Cole responded there would be approximately 20 unpaved roads in the county. He said that the Department of Transportation was paving approximately 10 roads per year.

Vice Chairman Baucom asked Mr. Helms to provide the status of some of the road projects in Union County including Highway 218. Mr. Helms said that the State was letting an \$800,000 contract to complete deep patching on Highway 218. He said that the amount really needed was between \$8 and \$15 million to widen that road and install rumble strips on the exterior to make it safe.

There was discussion about work to be done on Highway 84 at the Southbrook Church and the ballfields. Commissioner Mills stated there are some flooding issues with the ballfields at this location.

Commissioner Openshaw interjected that there is some erosion at this location, and he had spoken with someone at DOT on Friday, and he said the only way to fix the erosion is to drive pilings, and the road would have to be closed. Mr. Cole responded that he thought that issue was still up for consideration and said that this was one of the means that could be used to control the erosion. Commissioner Mills stated that the County would prefer for the State to install some large culverts in that location to assist with the flooding.

Mr. Helms stated that a Union County waterline caused the erosion, and DOT would like some participation from the County. Mr. Helms explained that the road would be closed to install a three-lane section from the church and the ballfields. Mr. Cole said that he thought the work would be done using lane closures and not closing the road and detouring traffic. Chairman Pressley asked that Mr. Cole keep the Board informed of the status of the Highway 84 project.

Mr. Helms asked that the Board request Public Works to work with DOT to use the monies to do the repairs. Mr. Cole said that he has been in contact with the staff at Public Works on this issue.

Commissioner Openshaw asked Mr. Cole to explain the projects listed in the Secondary Road Program on the paved projects. Mr. Cole responded that generally the Secondary Road Program is a paving program for unpaved road. However, he said that this year the General Assembly has changed the structure of that funding source to such that Union County will receive additional funds for paved road improvements. He explained that the reason that the paved portion was not in the handout is there are other projects to consider at this time, and DOT wanted to analyze those projects further before requesting a resolution from the Board on those paved road improvements.

Mr. Cole requested that the Board adopt a resolution supporting the unpaved Secondary Road Construction Program for FY 2007-2008. He reiterated that he was not asking for a resolution supporting the paved portion of the program tonight, but DOT would request that resolution at sometime in the future.

Following the discussion, Vice Chairman Baucom moved to adopt the Resolution accepting the 2007-2008 Secondary Road Construction Program as presented.

Lynn West, Clerk to the Board, stated that she understood Mr. Cole was asking only for a resolution accepting the unpaved portion of the program tonight, and, therefore, the resolution contained in the package reflects acceptance of both the unpaved and paved portion of the program.

Vice Chairman Baucom amended his motion to adopt a Resolution accepting the unpaved portion only of the 2007-2008 Secondary Road Construction Program as presented. The motion as amended was passed unanimously.

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

BE IT HEREBY RESOLVED that the Union County Board of Commissioners accepts the 2007-2008 Secondary Road Program for Union County as to the Unpaved Construction portion of the program only, as presented on July 2, 2007, and as recorded below.

Adopted this the 2nd day of July, 2007.

UNION COUNTY						
2007-2008 SECONDARY CONSTRUCTION PROGRAM						
UNPAVED CONSTRUCTION PROGRAM				<u>SEC. CONST. FUNDS</u>		<u>SEC. TRUST FUNDS</u>
2007-2008 Fund Allocation (Estimated):				\$235,225		\$1,074,874
Less amount reserved for overruns, contingencies, road additions, property owner participation paving, safety items, project surveys, and right of way signatures:				-\$131,300		-\$70,000
Less \$40,000 reserved for maintenance of rural VFD:				-\$40,000		\$0
Plus 2006-2007 Fund Balance (Estimated):				\$421,023		\$421,575
FUNDS				\$484,948		\$1,426,449

				AVAILABLE :			
				TOTAL UNPAVED PROGRAM FUNDS AVAILABLE:	\$1,911,397		
PAVED ROAD IMPROVEMENT PROGRAM						<u>SEC. CONST. FUNDS</u>	
(NEW FOR 2007-2008)							
				TOTAL PAVED IMPROVEMENT FUNDS AVAILABLE:	\$1,465,143		
<u>NOTES:</u>							
Estimated allocation of funds for Fiscal Year 2007-2008 are based on those funds received for Fiscal Year 2006-2007. Adjustments to the proposed program will be made as necessary to reflect the actual funding amount.							
When NCDOT is unable to acquire the right of way for paving a road, funds programmed for that improvement will be applied toward the next roads in priority order.							
Program is subject to availability of funding, right-of-way, and environmental review.							

		<u>TOTAL UNPAVED CONSTRUCTION AMOUNT</u>				\$1,706,449
PAVED ROAD IMPROVEMENTS - SYSTEM MODERNIZATION						
<u>MAP NO.</u>		<u>DESCRIPTION</u>				<u>ESTIMATED COST</u>
1P		SR 1321 Cuthbertson Road From SR 1315 to Pavement Joint Widen, Strengthen, and Resurface Length: 1.48 miles				
		Total Estimated Cost				\$370,000
2P		SR 1321 Cuthbertson Road From Pavement Joint to Begin TIP B-4296				

		Widen, Strengthen, and Resurface			
		Length: 0.45 miles			
		Total Estimated Cost			\$110,000
3P		SR 1539 Rock Hill Church Road			
		From SR 1004 to NC 218			
		Widen, Strengthen, and Resurface			
		Length: 2.64 miles			\$660,000
		Total Estimated Cost			
4P		SR 1518 Faith Church Road			
		From SR 1520 to Begin C & G (Lake Park)			
		Widen, Strengthen, and Resurface			
		Length: 1.65 miles			
		Total Estimated Cost		\$400,000	
			Partially funded amount		\$325,000
		TOTAL LENGTH:	6.22 miles		
		TOTAL PAVED PROGRAM AMOUNT			\$1,465,000

PUBLIC WORKS ADVISORY BOARD'S RECOMMENDATIONS FOR AUDITING FIRM FOR PUBLIC WORKS DEPARTMENT:

Chairman Pressley read the requested action by the Board as follows:

- 1) Accept recommendations of the Public Works Advisory Board for the engagement of Infrastructure Management Group (IMG);
- 2) Appoint a Project Steering Committee comprised of the Public Works Advisory Board, the County Manager, and the County's Personnel Director to work with IMG to: a) develop the project scope services, timeline and deliverables; b) receive monthly status updates; and c) receive IMG official project reports; and
- 3) Authorize the County Manager to finalize the scope of service and to approve the agreement with IMG in an amount not to exceed \$150,000 in funding for the project and authorize the County Manager.

Vice Chairman Baucom moved approval of the action requested by the Board as read by the Chairman. The motion was passed unanimously.

At this time the Board recognized Rick German, Chairman of the Public Works Advisory Board, for any comments that he might wish to share at this time.

Mr. German reported that at the last Public Works Advisory Board meeting, that Board had been requested to review the mandatory water restrictions for possible amendments. He stated that the Public Works Advisory Board did consider some amendments to the mandatory water restrictions as follows:

1. to allow residential pressure washing by commercial businesses from 9 a.m. to 5 p.m., Monday-Friday (for those businesses who have an existing hydrant permit) - Mr. German explained that the rationale for this amendment is that a number of people make their living in the pressure washing business, and he said it is the policy of the Public Works Advisory Board not to deny anyone in Union County the ability to make a living.
2. the ability to wash cars with spring loaded hand nozzles, and the Public Works Advisory Board also approved that amendment.

He said another item that he felt compelled to discuss with the Board is the water allocation system. Mr. German stated that the Public Works Advisory Board met during its regular meeting with Ms. Putnam concerning her stopping the issuance of any future water serve letters. He said that the non-issuance of these letters has caused an uproar, and the Public Works Advisory Board has requested that Ms. Putnam bring to the Public Works Advisory Board within 60 days an allocation program for the board's review. He stated that he could emphasize enough the importance of the water allocation for years in that it would dictate the County's growth for years.

Chairman Pressley stated that the Board needed to be careful because it was discussing an item that was not on the agenda for tonight. He asked Jeff Crook, Senior Staff Attorney, for his opinion on continuing discussion of this item since it was not on the agenda. Mr. Crook recommended that the Board defer discussion of this item until the Public Works Director was present. The Chairman cautioned that the Board needed the correct facts on this item before discussing it or taking action.

Chairman Pressley stated that the Board could add items to the agenda tonight to take action on the amendments to the Mandatory Water Conservation as recommended by the Public Works Advisory Board to allow residential pressure washing by commercial businesses from 9 a.m. to 5 p.m., Monday - Friday, and the ability to wash cars with spring loaded hand nozzles.

By consensus of the Board, the Chairman stated that these items would be added to tonight's agenda.

Chairman Pressley sought the legal advice of the Senior Staff Attorney regarding these matters. Mr. Crook responded that the Water Conservation Ordinance requires the County Manager to make those determinations based on

consultation and discussion with the Board. He stated that he thought that the Board could have that discussion at this time, and he might want to talk with the Public Works Director when she returns from vacation, and then he would have the authority to make those amendments to the declaration.

Commissioner Openshaw moved to request that the Interim County Manager take into consideration the following amendments to the Water Conservation Declaration as recommended by the Public Works Advisory Board: 1) to allow residential pressure washing by commercial businesses from 9 a.m. to 5 p.m., Monday - Friday; and 2) residential car washing using a spring loaded nozzle. The motion was passed unanimously.

Chairman Pressley confirmed that the Interim County Manager could make the decision on these amendments, and the decision would not be required to come back to the Board for action.

Vice Chairman Baucom asked if it were appropriate to request that the Chairman of the Public Works Advisory Board make a presentation to the Board of Commissioners on a monthly basis of any actions taken by the Public Works Advisory Board.

Mr. German offered that there is a gray area on how to get information from the Public Works Advisory Board in front of the Board of Commissioners. He cited as an example that the Public Works Advisory Board had voted last week on a location for a water tower in Weddington, and he said there needs to be a protocol for getting information from the Public Works Advisory Board to the Board of Commissioners.

Following discussion, Vice Chairman Baucom moved to direct that the Chairman of the Public Works Advisory Board provide a monthly report to the Board of Commissioners of any actions taken by the Public Works Advisory Board.

The motion was passed unanimously.

Commissioner Mills suggested that the Board of Commissioners and the Public Works Advisory Board hold a joint meeting in August. Mr. German stated that he would talk with his board members concerning possible dates in August for a joint work session.

Mr. German briefed the Board on the reduction of water usage since the mandatory restrictions were implemented. He said that the daily usage during the week is currently between 11 or 12 million gallons versus 17 to 18 million gallons usage before the restrictions were implemented. He stated that the usage spiked on Saturday at 17 million gallons, but the usage is down by approximately 25 to 30 percent.

VETERANS SERVICES - BUDGET AMENDMENT #1 - THIS ITEM WAS REMOVED FROM THE AGENDA AT THE REQUEST OF KEN ROGERS, VETERANS SERVICES OFFICER

REQUESTED MODIFICATIONS TO THE WESLEY CHAPEL AND WAXHAW FIRE SERVICE DISTRICTS:

Jon Williams, Assistant Fire Marshal, brief the Board regarding this item. He explained that this project was presented to the Board earlier in the year at the request of Wesley Chapel and Waxhaw Fire Departments for modifications to their fire districts, fire insurance districts, and fire service districts. He said that there were some issues with the Department of Insurance, and it was necessary to defer changes in the insurance districts until later. He stated that this particular item before the Board tonight completes the modifications to the service districts. He said that if the Board adopts the resolution tonight, the modifications would become effective July 1, 2008.

Following the explanation by Mr. Williams, Commissioner Lane moved adoption of the following Resolution:

RESOLUTION TO ABOLISH THE NEW WAXHAW FIRE FEE DISTRICT,
EXTEND THE WESLEY CHAPEL FIRE SERVICE DISTRICT TO INCLUDE ALL OF THE VILLAGE OF MARVIN, AND
MAKE CERTAIN CHANGES TO THE BOUNDARIES BETWEEN THE WESLEY CHAPEL AND WAXHAW FIRE
SERVICE DISTRICTS

WHEREAS, pursuant to special legislation found in Chapter 883, § 1, 1991 N.C. Session Laws (the "Special Legislation"), the Union County Board of Commissioners (the "Board") approved a resolution dated June 19, 2006, establishing the New Waxhaw Fire Fee District, in order to enable the collection of fees to pay for the provision of fire and rescue services within that district; and

WHEREAS, pursuant to the Special Legislation, territory lying within the corporate limits of a municipality may not be included within a fire fee district without a resolution from the municipality consenting to such inclusion; and

WHEREAS, all of the territory located within the New Waxhaw Fire Fee District lies within the corporate limits of the Village of Marvin, and consent previously given by the Village of Marvin for inclusion in the New Waxhaw Fire Fee District will expire on June 30, 2008; and

WHEREAS, pursuant to N.C.G.S. § 153A-302, the Board approved resolutions establishing the Wesley Chapel Fire Service District and Waxhaw Fire Service District, dated June 19, 2003, and June 19, 2006, respectively, in order to enable the collection of taxes to pay for the provision of fire and rescue services within these two districts; and

WHEREAS, the Village of Marvin has requested the Wesley Chapel Fire Service District be extended to include territory currently located within the New Waxhaw Fire Fee District, such that all of the Village of Marvin would then be included in the Wesley Chapel Fire Service District, as shown on the map attached as Exhibit A and incorporated herein by reference; and

WHEREAS, the Village of Marvin has passed a resolution consenting to inclusion in the Wesley Chapel Fire Service District, a copy of which is attached as Exhibit B and incorporated herein by reference; and

WHEREAS, pursuant to N.C.G.S. § 153A-303, the Board may by resolution annex territory to a county service district upon finding that the area to be annexed is contiguous to the district, with at least one eighth of the area's aggregate external boundary coincident with the existing boundary of the district and that the area to be annexed requires the services of the district; and

WHEREAS, the Wesley Chapel Volunteer Fire Department ("VFD") and the Waxhaw VFD have requested certain changes to the boundaries between the Wesley Chapel and Waxhaw Fire Service Districts which they serve, respectively, as shown on Exhibit A; and

WHEREAS, the Village of Wesley Chapel and the Town of Waxhaw have each passed resolutions, attached as composite Exhibit C, and incorporated herein by reference, consenting to the requested boundary changes; and

WHEREAS, pursuant to N.C.G.S. § 153A-304.3, the Board may by resolution relocate the boundary lines between adjoining county service districts as long as the districts were established for substantially similar purposes; and

WHEREAS, in accordance with N.C.G.S. §§ 153A-303 and 153A-304, the Board held a duly noticed public hearing on May 21, 2007, to address the requests by the Village of Marvin and by the Wesley Chapel and Waxhaw VFDs, as set forth above, and made all required findings to support granting these requests; and

WHEREAS, pursuant to the Special Legislation, upon a finding by the Board that there no longer exists a need for a fire fee district, the Board may abolish such district by repealing the resolution establishing the district.

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

1. The Board does hereby make the following findings based on: (i) the reports provided to the Board pursuant to N.C.G.S. §§153A-303(d) and 153A-304.3(b); (ii) comments made at the public hearing; and (iii) additional evidence and information received by the Board:
 - (a) The area to be annexed into the Wesley Chapel Fire Service District from the New Waxhaw Fire Fee District is contiguous to the district, with at least one eighth of the area's aggregate external boundary coincident with the existing boundary of the district;
 - (b) The area to be annexed into the Wesley Chapel Fire Service District requires fire and rescue services;

- (c) Once the area to be annexed becomes part of the Wesley Chapel Fire Service District, there will no longer exist any need for the New Waxhaw Fire Fee District;
 - (d) The Wesley Chapel and Waxhaw Fire Service Districts are adjoining districts; and
 - (e) The Wesley Chapel and Waxhaw Fire Service Districts were established for substantially similar purposes.
2. Based on the foregoing findings and in accordance with N.C.G.S. §153A-303, the Board does hereby extend the Wesley Chapel Fire Service District by annexing the territory currently located in the New Waxhaw Fire Fee District into the Wesley Chapel Fire Service District, as shown in Exhibit A.
 3. Based on the foregoing findings and in accordance with the Special Legislation, the Board does hereby simultaneously abolish the New Waxhaw Fire Fee District by repealing the Board resolution dated June 19, 2006, creating that district.
 4. Based on the foregoing findings and in accordance with N.C.G.S. §153A-304, the Board does hereby change the boundaries between the Wesley Chapel and Waxhaw Fire Service Districts as shown in Exhibit A.
 5. This Resolution shall take effect July 1, 2008.
 6. The County Manager is authorized at any time after adoption of this Resolution to negotiate, approve, and execute contracts for the provision of fire and rescue services within the Wesley Chapel and Waxhaw Fire Service Districts.

This resolution is adopted this the 2nd day of July, 2007.

ATTEST:

Lynn G. West, Clerk to the Board

Kevin Pressley, Chairman

SEE ATTACHED FOR EXHIBITS "A" THRU "D"

Commissioner Openshaw stated that there was one area of contention that he believed was addressed in the resolution and that is a section of Marvin will remain in the Waxhaw Fire Fee District. Mr. Williams responded that this was correct and explained that Marvin has extended the resolution into the Waxhaw Fee District into June 30, 2008. He said that this issue would be resolved well in advance of the June 30th deadline.

With there being no further discussion, the motion was passed unanimously.

FINANCE: AMENDMENT TO FY 2007-2008 ADOPTED BUDGET ORDINANCE

Commissioner Mills moved to amend Section X. Fire Fees of the Adopted FY 2007-2008 Budget Ordinance to include Waxhaw/Marvin. The motion was passed unanimously.

Fiscal Year 2007-2008		Adopted Budget Ordinance									
								Union County, NC			
SECTION X.	FIRE FEES										
These fees will be collected by the County Tax Administrator's Office and remitted to the various fee supported fire districts by the Finance Department on a monthly basis. Remittances may not exceed the budgeted amount for any given department. In the											
FIRE FEES 2007-2008											
			Waxhaw/								
			Marvin								
Percentage per request or maximum			100.00 %	Waxhaw/							
Single Family Dwelling (SFD)		(max fee of \$50)	50.00	Marvin							
Unimproved Land-per acre			0.02	added back							
	-minimum	(10% of fee)	5.00	in on							
Animal/Horticulture		(20% of fee)	10.00	7-02-07 for							
Commercial < or = 5000 sq ft		(100% of fee)	50.00	BOCC meeting							
Commercial > 5000 sq ft		(200% of fee)	100.00								
Mobile Home		(same as									

		SFD)	50.00						
	Duplex	(same as SFD)	50.00						
	Triplex	(150% of fee)	75.00						
	Other Family Dwellings	(200% of fee)	100.00						
	Cultural Facilities	(same as SFD)	50.00						
	Educational Facilities	(same as SFD)	50.00						
	Governmental Facilities	(same as SFD)	50.00						
	Religious Facilities	(same as SFD)	50.00						
	Fire Protection Facilities	(same as SFD)	50.00						
	% of Legislated maximum of \$50.00		100.00 %						

CAPITAL IMPROVEMENT PROJECTS ADVISORY COMMITTEE:

Vice Chairman Baucom commented that with the success of the Public Works Advisory Board, he would like for the Board to create a Union County Capital Improvement Projects Advisory Board. He stated that this advisory board would function in the same manner as the Public Works Advisory Board and suggested that it be comprised of seven members from the building community, (i.e. realtors, financial individuals, or anyone who has affiliation with the building community). Vice Chairman Baucom said that there is a lot of expertise in the County and many individuals who are willing to contribute their expertise to the good of the County. He stated that a Capital Improvement Projects Advisory Board would provide the Board of Commissioners with another set of ears and another set of eyes that will be looking at bricks and mortar projects that the County would be doing, and it would look at the projects from the position of "Could it be done better?"; "Can it be done more economically?"; "Is there a faster way to do it?"; "Is there a better way to do it financially as far as financing, from ownership, from siting, taking in the total scope of any capital improvement project that might be done in the county?"

Following his comments, Vice Chairman Baucom moved to recommend the County Attorney and the Interim County Manager develop the framework of a Union County Capital Improvement Projects Advisory Board to come back to the Board of Commissioners for approval.

Jeff Crook, Staff Attorney, asked for clarification of Vice Chairman Baucom's intent of whether he was referring to John Burns, the County Attorney, or to Mr. Crook, the staff attorney. Vice Chairman Baucom responded that he was speaking of the staff attorney.

Commissioner Lane questioned whether the intent was to include school projects. Vice Chairman Baucom replied that it could include school projects, and the school board would have access to the Capital Improvement Projects Advisory Board. Further, the Vice Chairman said that he would expect the advisory board to be looking at the schools' projects as well.

Commissioner Lane stated that he thought that review would be getting into an area where it was treading on people's toes. He said that the school board builds the schools. He suggested talking with the school board members individually, but he said that he did not believe it was the County's place to meddle in the schools' affairs. He stated that the County has made recommendations to the schools, and he has looked at projects where the schools could save money, but those were issues that were the schools' recommendations.

Commissioner Openshaw suggested that there should be a couple of members serving on the proposed advisory board from the general public and that the membership should not be exclusively from the "real estate food chain." He said that he understood the need for expertise level but offered that sometimes it is good to have representation on boards and committees with fresh ideas and who might think out of the box. He stated that he was not suggesting that the members from the general public should make up the majority of the board, but he believed it would be good to a couple of representatives from the general public. He said with that suggestion, he would be glad to endorse the idea.

A vote was called on the motion, which passed by a vote of three to two. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted in favor of the motion. Commissioner Lane and Commissioner Openshaw voted against the motion.

Chairman Pressley asked Commissioner Openshaw for verification of his vote. Commissioner Openshaw stated that he had voted against the motion, because he did think the motion had been amended to include his suggestion for several members of the general public to be included on the board.

Chairman Pressley stressed that the motion was for direction to the staff to establish the guidelines for the advisory board. Commissioner Openshaw stated then his vote would be in favor of the motion.

Chairman Pressley stated that once the staff has brought the guidelines to the Board for consideration, then the Board could amend the guidelines as necessary. He then asked Commissioner Lane if his vote was a "naye." Commissioner Lane replied that if the motion included the schools' capital improvement projects, his vote was "naye." Chairman Pressley confirmed the vote on the motion to be four to one with Commissioner Lane voting against the motion.

INFORMATION SYSTEMS - INFORMATION TECHNOLOGY STRATEGIC PLAN DATED MAY 8, 2007 - This item was deleted from the agenda.

ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES

Chairman Pressley announced the following vacancies on boards and committees:

- a. Nursing Home Advisory Committee - three vacancies
- b. 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

APPOINTMENTS TO BOARDS AND COMMITTEES:

- a. Adult Care Home Community Advisory Committee (two vacancies)

Vice Chairman Baucom moved reappointment of Barbara L. Fondyce and Elisa Gregorich to serve on the Adult Care Home Community Advisory Committee. With there being no further nominations, Ms. Fondyce and Ms. Gregorich were appointed by acclamation.

- b. Agricultural Advisory Board (three vacancies as of June 2007)

Chairman Pressley asked Vice Chairman Baucom if he would accept reappointment on this board. Vice Chairman Baucom responded that he would accept reappointment to this board.

Chairman Pressley nominated Vice Chairman Baucom and Don Kerr for reappointment and Brad Hargett for appointment to the Agricultural Advisory Board. With there being no further nominations, Vice Chairman Baucom, Mr. Kerr, and Mr. Hargett were elected by acclamation.

- c. Region F Aging (three vacancies for regular members and one vacancy for alternate member)

Commissioner Lane nominated the following persons to serve on the Region F Aging Advisory Committee:

- 1. Brenda Hamilton for reappointment
- 2. Ruth Helms for reappointment
- 3. Jeannette Sherrod - Appointment as a regular member
- 4. Doris Sparks - Appointment for alternate member

With there being no further nominations, Ms. Hamilton, Ms. Helms, and Ms. Sherrod were elected by acclamation to serve as regular members of the Region F Advisory Committee and Ms. Sparks was elected to serve as an alternate member.

d. Criminal Justice Partnership Program Advisory Board

Vice Chairman Baucom nominated the following persons to serve on the Criminal Justice Partnership Advisory Board:

1. The Honorable David Lee - Judge of Superior Court
2. The Honorable Hunt Gwyn - District Court Judge
3. Jim Saxon - Employment and Training
4. Jenny Kirksey - Health Director
5. James Johnson - Member at Large
6. Kimberly Kocik - Member at Large
7. Judy Chapman - Member at Large
8. Michael Runge - Member at Large

With there being no further nominations, the above-named persons were elected to serve on the Criminal Justice Partnership Board by acclamation as designated.

INTERIM COUNTY MANAGER'S COMMENTS:

Richard Black, Interim County Manager, reminded everyone that when the water conservation measures were implemented, there was an exemption for residents who had recently installed after May 1st or before June 1st new grass or sod, that they were allowed to water on four days of the week. He said that exemption ended on Saturday, June 30th, and that those residents should now follow the same schedule as other residents watering only two days per week.

Mr. Black stated that Union County television, UC TV 16, will start airing on July 9th at 9:00 a.m. and will be open for board meetings and events.

He offered apologies to the Board for not having all of the resources available tonight to answer the Board's questions due to some of the department heads being on vacation.

COMMISSIONERS' COMMENTS:

Commissioner Openshaw stated that at the conclusion of the vote on the school budget, Chairman Pressley and Vice Chairman Baucom suggested that there should have been continued review of the schools' numbers. He said that a

question that he asked, and he believed that at the time of his question, Chairman Pressley and Vice Chairman Baucom might have been engaged in a conversation and did not hear his response. He stated that he asked whether the schools could review the documents necessary in the timeframe to find further savings in the budget, and the answer to his question was "no."

He said that he read in *The Charlotte Observer* the rate of growth of the various municipalities in Union County since 2000, and the Town of Fairview had grown the most. Commissioner Openshaw stated that the article states that Fairview is less densely populated than most of the other municipalities, but its rate of growth in the past six years has been 50 percent. He said that 13 of the County's communities are in the top 35 in the state in terms of the percentage of growth. He shared that Wingate was second and Unionville was third in the ranking.

Commissioner Openshaw said that he read in another article that North Carolina has the fourth worse traffic conditions in the country, and it is an issue that needs to be addressed in any way possible.

He said that when the Commissioners-elect had talked before they were officially sworn in, they had discussed not limiting debate on some of the issues. He said that with the suspension of the debate tonight regarding the Agreement with the Partnership for Progress, he had more questions he wanted to ask and also comments he wanted to make about the Partnership for Progress. He reiterated that he was not opposed to the concept of the institution of the Partnership for Progress, but in his opinion, the proposed contract is a terrible one.

Lastly, he encouraged everyone to go and enjoy the 4th of July parades in the area.

Commissioner Lane shared that he had received a call from a gentleman informing him that one of the homeowners' associations in the county plans to fine members of the association who allow their lawns to turn brown. He said that with the water conservation restrictions, the County was trying to encourage the residents not to water their lawns and lawns will turn brown unless they are new lawns. He said that the County should be encouraging homeowners' associations not to fine its members for not watering lawns while the county is under the water conservation restrictions.

He stated that he was honored to have participated in the military recognition at Oakland Baptist Church on Sunday, July 1, 2007.

He said that he, too, would be participating in the 4th of July parades and hopes to see a lot of people in attendance.

Vice Chairman Baucom said that he had the opportunity today to visit with Representative Robin Hayes and Margaret Klutz, State Director for Elizabeth Dole. He said that Representative Hayes, through the auspices of the USDA, and John Cooper, the State Director, presented a check for \$75,000 to New Ventures Business Development, which is an organization that encourages entrepreneurship in Union and Anson Counties. He stated that \$75,000 is the most that the

USDA could grant. He shared that seven of ten new jobs in the United States are from entrepreneurs. He stated that in Union County, there is a really unique situation with New Ventures Development.

He shared that Debbie Morris from the New Salem area has been named North Carolina Principal of the Year. He said that Ms. Morris is a principal at one of the schools in Kannapolis, and she is from the New Salem area and is the daughter of Gerald and Janice Morris.

Vice Chairman Baucom wished his mother a happy 94th birthday on July 12th.

Commissioner Mills said that he attended a birthday party on Saturday night for Reverend Osco Gardin at the Agricultural Services Center.

He reminded everyone that there are a number of people who are still overseas fighting so that everyone else can celebrate the 4th of July at home. He said that he would be participating in the parades in the area.

Chairman Pressley said that he had the opportunity to attend the groundbreaking ceremony for Turbomecca. He stated that it was good to see the building on Airport Road being occupied. He expressed his appreciation to the leaders of the community such as Teledyne Allvac, Goodrich, etc. who back the Partnership for Progress.

He read a tribute to July 4th and reminded everyone of the sacrifices of those who signed the Declaration of Independence. He encouraged everyone to take time to appreciate the freedoms and liberties enjoyed in this country during the July 4th celebrations.

With there being no further matters for discussion, at approximately 9:40 p.m., Vice Chairman Baucom moved to adjourn the regular meeting. The motion was passed unanimously.