

MINUTES
UNION COUNTY BOARD OF COMMISSIONERS
September 4, 2007

The Union County Board of Commissioners met in regular session on Monday, September 4, 2007, at 7:00 p.m. in the Board Room, First Floor, Union County Government Center, 500 North Main Street, Monroe, NC. 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, Jeff Crook, Senior Staff Attorney, Kai Nelson, Finance Director, members of the press, and interested citizens

At 7:00 p.m., the Chairman opened the public meeting and stated that the Board needed to go back into closed session to complete its business. Vice Chairman Baucom moved the Board recess its regular session to return into closed session to continue its business for the purposes of consulting with an attorney in order to preserve the attorney-client privilege pursuant to G.S. § 143-318.11(a)(3). The motion passed with Chairman Pressley, Vice Chairman Baucom, and Commissioner Openshaw voting to go into closed session to join Commissioners Mills and Lane who remained in the closed session.

The Commissioners recessed to the Commissioners' Conference Room, first floor, Union County Government Center to continue its closed session.

At approximately 7:25 p.m., Vice Chairman Baucom moved to recess the closed session and reconvene the regular meeting. The motion was passed unanimously.

The Board members then moved to the Board Room, first floor, Union County Government Center.

OPENING OF MEETING:

At 7:28 p.m., Chairman Pressley reconvened the recessed regular session and recognized The Reverend Scott Hilborn, a resident of Wesley Chapel and Pastor of Banks Presbyterian Church in Marvin.

a. Invocation: The Reverend Scott Hilborn read from Psalms 78 and presented the invocation.

b. Pledge of Allegiance: Commissioner Mills led the Commissioners and the audience in reciting the Pledge of Allegiance.

PUBLIC HEARING – Text Amendment Article XII, Section 187(g) Incentives for Cluster Developments

The Chairman announced that the first public hearing is to address a Text Amendment to Article XII, Section 187(g) Incentives for Cluster Developments.

He recognized Larry Burton, who had registered to speak during the hearing. Mr. Burton deferred to Wes Hinson, attorney for the applicant.

Mr. Hinson stated that he thought it judicial economy to first explain to the Board and audience the proposed text amendment to establish revised minimum set-back lines for subdivisions falling under the cluster ordinance. He said this amendment is not applicable to Section 184 or Section 185 but is to establish the actual setbacks in Section 187 (g) as follows: Street setback for building would be 25 feet, rear line building setback would be 30 feet, and side line building set back would be 12 feet. Mr. Hinson said that the amendment is very narrowly tailored to those subdivisions that fall under the cluster ordinance. He said there are a number of setback lines but only three are being proposed for change. He said the proposal will allow for excellent land planning. He explained that as the County is facing both water and sewer shortages, this amendment looks at ways to better facilitate land planning to make it more environmentally conscience both in the design and actual care of a home once it is occupied. He said it also brings the homes a little closer to the street which means the front yards are a little smaller and more money could be spent on landscaping and less irrigation would be required to handle this design. Mr. Hinson assured the minimum lot size is not being changed nor is the density being increased; only the setback lines are being amended to allow the pad of the house to be better located on the lots. He endorsed the amendment.

Mr. Kevin Graham was next recognized. He stated that Mr. Hinson had addressed his comments.

The Chairman next recognized Tracy Kuehler, 1229 Farm Creek Road, who explained that Section 187 states that the purpose of cluster development is to provide flexibility consistent with public health and safety. She said that Mr. Hinson addressed that the amendment would not increase density, but as she understands Section 187, it basically states that notwithstanding Section 183, the minimum lot widths may be set by the developer and the lot sizes in the cluster development instead of being 40,000 square feet for an R-40 are 20,000 square feet. She said that in essence by changing the setback lines, the Board would be providing the opportunity for additional density based on the rules that are now in place. Ms. Kuehler said that she believes this is an attempt to increase the building density of the cluster developments. She further stated that the original intent of cluster development was to procure open spaces within the development. She asked what new open space requirement is being offered in exchange for the reduction of the setbacks. Ms. Kuehler stated that at this time when Union County is experiencing an 11.7 cents tax increase due to growth, while the County is also under a state-mandated sewer moratorium, while the residents are watching their lawns, plants, and trees die due to lack of water and the inability to deliver the needed capacity of water, and while school construction demands are increasing, the County is still looking for ways to potentially increase density options for developers. Ms. Kuehler said that until Union County finds a way to deal with the issues that the uncontrolled growth has caused that it would be irresponsible to approve the potential for more density in these neighborhoods. She urged the Commissioners to vote no on the amendment.

Chairman Pressley asked the Interim County Manager/Planning Director Richard Black if there is any density change in the cluster amendment.

Mr. Black responded there are no density changes in the amendment. He stated the amount of land saved with the smaller lot sizes must go into open space; there can be no additional lots created. He explained if under R-40 zoning there could be 100 lots developed, that under the cluster provisions, there could still be only 100 lots. He emphasized that the lots would be smaller but the remainder of the land would be in open space.

Commissioner Openshaw stated that he did not see that as Ms. Kuehler's point. He said this could be debated in the future. He said her point isn't that you are allowed 100 lots per 100 acres. Commissioner Openshaw said, as he understood her point, it is that within the 100 acres that if the developer has odd-shaped lots that don't allow the developer to generate the total yield of 100 lots that by reducing the setbacks, the developer would facilitate density that he would not normally be able to achieve under the current ordinances. Commissioner Openshaw explained that if the developer had 100 acres perfectly shaped so he could get the maximized allowable yield, that would be one thing, but, if the developer has property that is not shaped that way or it has too many areas not suitable for construction, this amendment would be an increase in density. He said this amendment does facilitate an increase in

density because you can now have bowling alley lots, flag lots, and pie-shape lots; it makes it easier to put the pieces of the puzzle together because you change the rules on setbacks. He said that Cluster is supposed to be R-40 in an open space type of ordinance; the way it is written doesn't guarantee that.

Again, Chairman Pressley asked if the amendment would increase density.

Mr. Black responded that whatever number of lots the developer can get out of a parcel under normal zoning is the maximum number of lots under the Cluster amendment. He said he could understand that if there are areas in the parcel that are not suitable for building houses, such as wetlands, the fact that the developer can put these areas into open space instead of lots probably gives the developer more flexibility in optimizing the use of his property. He said in that sense, the developer does have more flexibility, but the maximum number of lots allowed is not increased.

Chairman Pressley asked that when this item is brought to the Board for a decision that this issue be settled.

Commissioner Lane asked if when the developer makes his request for his lots, does the plan indicate the location of the lots.

Mr. Black said the developer presents a sketch plan that turns into a preliminary plan that shows the location of the lots.

The Chairman next recognized Mark DiBasio who stated that he was a member of the Planning Board when this ordinance was crafted, and that he is concerned about any changes being made to it especially for one specific application, which is the case now. He said this appeared to be customizing an ordinance for a specific use. He stressed this is the only Subdivision Ordinance the County has under the straight R-40 or R-20 or R-10. He stated this Ordinance was basically drawn from the old Section 190. Mr. DiBasio said the Planning Board took the best out of that ordinance and created a Cluster Ordinance to serve the need. He said, however, if the County is going to customize the ordinance, the County needs to do something different in that each developer may have a different need and instead of changing the one existing ordinance to fit that need, he questioned why not have a basic one and then have some conditional-type residential zoning. He said the issue of septic systems could be designed in a conditional use or residential use. Mr. DiBasio said that to change the parameters from the way they are now means there are changes across the board; every developer that comes forward can then use those short setbacks and homes can be built only 24 feet apart.

Mr. DiBasio addressed the safety issue of homes being constructed only 24 feet apart. Mr. DiBasio reminded the Board of a fire that occurred outside Wesley Chapel. He said it was a small, single-family home, in very closely clustered subdivision and the

fire damaged the homes next to it on both sides as well as the one across the street. He stressed that 24 feet is different than 30 feet and even that much more space could make a difference. Mr. DiBasio said another part of the issue that he is concerned about is subdivisions with front load designs. He said if the developer is able to take the lot and create his own width as long as he has the 20,000 square foot, the county could have long-exaggerated lots. He pointed out that if the plan submitted by the developer meets the minimum zoning standard, the Planning Board is required to approve it. He said if this Amendment is allowed, the subdivision would be high-density or a lower-income development that might be border to border, twelve feet. Mr. DiBasio urged the Commissioners to give this some thought.

Wes Faulk, Attorney, for the proposed amendment deferred his comments to those already made by Mr. Hinson.

With there being no additional comments, the Chairman closed the public hearing on Section 187 of the Land Use Ordinance.

PUBLIC HEARING- Text Amendment to the Union County Land Use Ordinance, Article X, Section 146 Table of Uses and Article XI Supplemental Regulations, Section 177A:

The Chairman convened the public hearing on the above named Amendment and recognized Tracy Kuehler.

Mrs. Kuehler stated that currently gas facilities of this type are allowed only in the I-1 and H-I zoning districts and, even in those districts; they are special-use permits. She stated that the very nature of this use can be dangerous. Mrs. Kuehler said her understanding of the facility is that the gas comes to these stations through an eight-inch pressure main at 250 to 450 p.s.i, it is then reduced to 80 to 100 p.s.i., and travels through four to an eight-inch pipe to other regulator stations. She said at some point it ends up at the user's home. She said some of these stations also perform the odorizing of the gas, which smells like rotten eggs and can also be an issue when the tanks are changed out. Mrs. Kuehler said if there is a leak in the tank, it becomes quite an odor in the surrounding area. She explained that these stations are much different than electrical substations and to treat them the same is being ridiculous. She pointed out that neighborhoods and schools don't get evacuated because of electrical failures but are evacuated because of a gas leak; a simple spark, or static electricity could set off an explosion. She noted that the Commissioners would later be discussing the traffic problem at New Town Elementary School and asked how the schools would be evacuated in an emergency, if normal drop-off and pickup times are causing a problem after only one week of school being in session. Mrs. Kuehler opposed the amendment to allow gas stations to go in "use by right" in any zoning district in the county. She stressed that these facilities need to remain special-use developments and placed in areas that are deemed safe or viable for evacuation and certainly not "use-by-right" and ultimately located by or near schools. She said, in fact, the permit just taken out in the Wesley Chapel area abutted an electrical

station; which she said is unbelievable to her. Mrs. Keuhler noted that action should be evidence enough that a “use-by-right” on this question is unforgivable and there should be more accountability than that demonstrated.

Mrs. Sondra Bradford , a resident of Wesley Chapel, thanked the Board for the opportunity to address this subject. She said she knew that the gas service is very important and that she definitely supports the need for it; however, she expressed concern about allowing gas substations to be “permitted-by-right”. The placement of these substations, Mrs. Bradford pointed out, can damage property values of the neighboring properties as well as there are safety concerns for surrounding residents. She said because citizens are negatively impacted by the placement of these substations, they need a voice in considering where these should be placed. Mrs. Bradford noted that in the Planning Board minutes, Phil Williams mentioned that to impose a special-use permit process on gas substation would mean that the decision would be based only on emotion. Mrs. Bradford pointed out that that the special-use-permit process, by definition, is a quasi-judicial process and cannot be based on emotion but must be based instead on fact. She said because of that definition she believes that a gas substation should require a special-use-permit process that would allow those citizens who could be negatively impacted to have an opportunity to explain their positions to the government.

The Chairman called for Sydell Congiglio who had left the meeting.

Mr. Phil Williams, Operations Manager with Piedmont Natural Gas in Indian Trail, spoke in favor of the text amendment. Mr. Williams stated that the regional stations are only to be in an industrial zoning and then by special use permit. He said that in order to provide reliable service, the gas company needs facilities in areas that are not only zoned industrial but in areas also zoned commercial and residential. Mr. Williams said this text amendment request went to the Planning Board and the Planning Board requested several concessions. He said Piedmont Natural Gas did not ask for exceptions, but agreed to comply. He said they agreed to do everything the Planning Board asked them to do and in return the gas company received the Planning Board's unanimous support. Mr. Williams said it is Piedmont’s desire to provide responsible service in this county and that is what it is requesting to do.

With there being no one else wishing to address the issue, the Chairman closed the public hearing.

INFORMAL COMMENTS:

Dr. John Phifer, Chairman of the Board of Health, introduced Phillip Tarte as the new Union County Health Director who will be joining Union County on October 8.

Mr. Tarte said that he looked forward to being in Union County.

The Chairman next introduced Pat Keoto, 7802 Waxhaw Highway, who thanked the Board for letting her speak and encouraged the Commissioners to expand the regional library in Waxhaw. She pointed out that Mineral Springs also deserves a library to be located closer to its residents.

Next to address the Commissioners on Item 7 of the Agenda was Mr. Walter Staton, a 35-year resident of Weddington. He stated that he supported the recommendation of the Union County Library Board of Trustees to pursue a 35,000 square foot super regional library as opposed to two smaller libraries with one in Waxhaw and one in Weddington. He cited the following reasons:

1. The County would realize a \$1.5 million construction savings.
2. The County would realize an operation cost savings of \$595,000 annually.
3. A super regional library could open sooner as opposed to two smaller libraries.
4. The Library Board of Trustees is closer to this issue than anyone in Union County and is more objective.
5. The super regional library would serve more Union County residents.

He asked the Board to support the 35,000 square foot super regional library concept which will be located in western Union County.

Next recognized was Werner Thomisser, a five-year resident of Weddington, who also addressed Item 7 of the Agenda. He said that he too supported the 35,000 square foot super regional library for the same reasons as outlined by Mr. Staton. He said his opinion is that the argument that one library in Weddington and one in Waxhaw would help to advance commercial development and would provide a sense of community is weak at best. Mr. Thomisser explained that both Weddington and Waxhaw are surrounded with shopping centers. He pointed out that Union County is faced with sewer, water, roads, and school overcrowding challenges and that in order to help overcome these challenges, it was necessary to pass an 11.7 cent real estate tax increase for fiscal year 2007-2008. He said the voters and taxpayers of Union County at least deserve good stewardship of their tax dollars by building a super-regional library thus saving \$1.5 million in construction and \$595,000 annually in operating costs as reviewed by Mr. Staton.

He said if at this point there is any doubt about a super-regional library that he would ask that the Commissioners visit the super-regional libraries in Mecklenburg County at Rea Road and Highway 51 across from Calvary Church or the one at South Park. He reported how these libraries are used by adults, teenagers, and children. Mr. Thomisser reported that the Library Director is quoted

as saying that nobody walks to the Library anymore. He stated, however, that Ms. Smith does not want to build a library in the middle of nowhere; she wants it to serve western Union County. He noted that traffic and parking issues must be considered. Mr. Thomisser said the library must be built where it will be used. Mr. Thomisser stressed the residents of Waxhaw, Marvin, Weddington and Wesley Chapel need to be able to drive to it easily and requested the Commissioners consider the area of Rea Road and Providence Road intersection as a site for the library. He reminded the Board that he recently addressed the Board about the water tower. He said that would also be a good location for the super-library. Mr. Thomisser stressed that the location of the proposed regional library is most important.

Joyce Blythe, Commissioner in the Town of Waxhaw, stated she disagreed with those who have supported a super-regional library versus one library being constructed in Waxhaw and one in Weddington. She thanked the Board for the opportunity to speak tonight in support of a 20,000 square foot library being built in the Waxhaw's historical downtown district. Mrs. Blythe said she respected the Library Board of Trustees and recognized that it has to make difficult decisions the same as does the Board of County Commissioners. She further said that the Library Board of Trustees must make decisions that not everyone will like, and it must make recommendations that it feels will be the quickest, the most economical, and where the greatest demand exists. She said the greatest demand is in Waxhaw. Mrs. Blythe said that as Ms. Smith, Library Director, stated last week, according to *The County Edge*, that the Library at Waxhaw is exploding and needed to be replaced last year. She said she realized that Ms. Smith's goal is to serve all of western Union County, but she believes that Waxhaw has earned the right to have a regional library. Mrs. Blythe said that for approximately 75 years, the Waxhaw library has been bustling with people using its services, and she believed that should continue. She said it is imperative that the regional library be maintained in or near the Waxhaw's historical downtown; to remove it, and build it on Hwy. 16 between Waxhaw and Weddington would be like sucking a huge part of the economic life blood from the heart of downtown.

She compared Waxhaw to Charlotte and reminded how years ago so much business and sports functions were moving out of Charlotte and everything was drying up. She said that the leaders of Charlotte are now doing everything they can to restore the life and vitality of downtown Charlotte.

Mrs. Blythe said that she hoped it would not be necessary to look back a few years with regrets and ask "if only we would have kept our library". She said she didn't doubt that the larger 32,000 square foot would have more to offer, but asked the Board to consider that it would lose some of the closeness, friendliness, and familiarity that the 20,000 square foot library would still retain. She said she could almost assure the Commissioners that Beth Myers, at the Waxhaw Public Library, knows the names of everybody who uses the Waxhaw Library. She asked the Board to consider that Waxhaw needs the regional library to share with the surrounding

communities. Mrs. Blythe assured that as a town, Waxhaw is ready to move forward with the County on building a regional library in Waxhaw.

Mrs. Nancy Anderson, Mayor of Weddington, thanked the Board for the opportunity to speak and to support the Library Board's recommendation that the County approve a super-regional library to be constructed in Weddington. She stated that many present tonight may not be in favor of that move, but the plan currently in place calls for two regional libraries –one in Weddington and one in Waxhaw. She distributed information that indicated how the site proposed by Weddington will be accessed. Mayor Anderson said that Providence Road will be widened before the super-regional library would be completed. She assured that a solution to the transportation question is on the way, and it will happen before the library opens. She also indicated that the current site near the town hall has water and sewer taps.

She reported that she hears that Waxhaw's facility is woefully inadequate, and that is the most used library in the county. The Mayor pointed out that Weddington doesn't even have a facility and the library services that were there 50 years ago were better than they are now because at least there was a bookmobile coming every two weeks. Mayor Anderson said that Waxhaw needs a new library but that Weddington needs one too. She said the point is often made that the County can't build anything less than a 20,000 square foot library because the Union-West Regional Library is already overflowing. Mrs. Anderson suggested that the Union-West Regional Library is overflowing because there is not one in Weddington. She pointed out that Weddington High School was also overflowing until Marvin Ridge High School was constructed and occupied. Mrs. Anderson pointed out on the site plan that people will come to the shopping center complex and walk around to the facilities.

Mayor Anderson said to those who would argue that Weddington should build its own library that the reason it should not is the fact that it is a county-obligation the same as schools are a county-obligation.

Mayor Anderson reported the official position of the majority of the Weddington Town Council is that the Council is in favor of building a 15,000 square foot, two-story library on this site [shown on sketch], using essentially the plan presented tonight and to build it now. She stressed that the money is available for construction of a facility of this size and on the proposed site. Mayor Anderson said the only reason a 20,000 square foot facility was not recommended for immediate construction is that funding is short about \$1 million but stressed there is adequate funding now for construction of a 15,000 square foot facility.

Commissioner Mills asked the Mayor for an update on how the Town Council of Weddington stands on the Rae Road Extension.

Mayor Anderson said the Council's official position is that it is unanimously in favor of the Rea Road Extension. The Council wants it to be four-lanes to the Waxhaw-Indian Trail Road. She stressed that is the Town's preference but the Council also realizes that it may have to be completed in stages.

The Chairman next recognized Joe Tolan. Mr. Tolan introduced himself and said that he and his wife own a house and property at 5800 Deal Road. He related that he and his family are 1972 flood victims of Hurricane Agnes. He described in detail his experiences when the community he lived in was flooded and civil authorities instructed the residents to leave their houses. He described that flood as an act of God; it would be a significantly different case if the house floods in Union County because the Board didn't do anything about enforcing a long-standing notice of violation for the illegally placed fill in the flood plain of Twelve Mile Creek West Branch by the Wesley Chapel Weddington Athletic Association. Mr. Tolan said he thought it was a failure of leadership to know there is a problem and look the other way.

Chairman Pressley reported that the County had a very productive meeting last week on this issue and assured that the County is committed to getting to the bottom of the problem. Chairman Pressley assured that Mr. Tolan would be kept up to date on this complaint.

Mrs. Judy Frick, resident of Waxhaw, said she did not live in Waxhaw downtown proper but understands why the people who are there would love to have a better and bigger library. She said the one there now is great, but the biggest thing is the overcrowding that exists there. She said that the Waxhaw library has 2900 square feet and based on its size and number of employees probably checks out more books than any other library. Mrs. Frick said that 13 years ago when she moved to Waxhaw the staff was friendly and, if they didn't have the book, they could get it. She said it is almost impossible to get checked out now because of the number of patrons. Mrs. Frick said she could not speak to the Weddington library issue or to the location issue, but assured that what she could speak to is what could be done now to relieve the situation in Waxhaw. Mrs. Frick said that she understood that there has been some land offered to build a Library on the outside of Waxhaw, but she wished that someone in Waxhaw would speak up to donate the land or donate the funds to build the library. She urged people who have the resources to make this happen, come forward and donate the funds or land.

The Chairman recognized Dawn Gardner a resident of Waxhaw who addressed the library plan. She stated that she attended the latest library board meeting where the question of regional versus super-regional library plans were discussed, and it seemed to her the discussion centered around Plan A versus Plan B as if those were the only options available. She said it seemed to her if Plan A is

not working out right now and Plan B doesn't fit the character of the County, why doesn't the County look for a Plan C. Mrs. Gardner said at that meeting the Waxhaw Library representative tried to suggest a Plan C which pursued placing a regional library in Waxhaw while settling the issues of a South-West Regional Library. She said it seems to her that Plan C makes more sense than charging ahead with a Plan B that will be a poor fit for the county.

Mrs. Gardner said she also wanted to address the point of whether people walk to the Library. She said she lives about a block and a half from the Waxhaw library and invited anyone to sit on her patio on Saturday afternoons and watch the people walking back and forth to the library—even though it is a street without a sidewalk. She said it is not a steady stream, but it is a frequent stream. Mrs. Gardner said she thought an important part of siting a library is placing it where it can be a part of the community. The reality is that if you build a community service, like a library, in a place where it can't be walked to then nobody will; however, if you place a community service in the heart of a community, people will walk to it.

The next speaker was Gary Underwood, Mayor of Waxhaw, who addressed the Board on the issue of a regional library. Mayor Underwood said that he and the Waxhaw Board of Commissioners are very interested in working together with the Union County Board of Commissioners, library board, and citizens to create a win-win situation that will benefit the citizens of Waxhaw and Union County. He said that they realize the need to be good stewards of money that comes to the city-county coffers through property and sales taxes and for using those funds wisely to provide needed services such as the library in Waxhaw. He said that he and the Waxhaw Board are often criticized about the amount of growth that is occurring in Waxhaw. Mr. Underwood said this growth presents both challenges and opportunities and while commercial growth has created concerns, it has also provided needed revenue to fund infrastructure, such as roads, i.e. Carrington Parkway, which he said he understood from Larry Helms was done without DOT funds, and fund libraries, parks and other amenities. He said it is a positive by-product that has benefited citizens and visitors in Western Union County. Mayor Underwood said the Waxhaw Board of Commissioners is committed to working with the Board of County Commissioners and others to provide an infrastructure that will serve all of the citizens into the future.

ADDITIONS, DELETIONS AND/OR ADOPTION OF THE AGENDA:

Chairman Pressley said that concluded the informal comments and stated the next item of business was approval of the agenda. He asked for a motion on the adoption of the agenda.

Commissioner Lane requested that Item 2B on the Consent Agenda be moved to the regular agenda.

Commissioner Openshaw requested that Item 3A and 3C be moved to the regular agenda.

Commissioner Openshaw requested to add to the agenda discussion of the Land Transfer Tax Steering Committee that Vice Chairman Baucom mentioned at the last meeting. The Vice Chairman pointed out that this item was not mentioned but was voted on and approved unanimously.

Vice Chairman Baucom requested to move 2E, 2F, and 2G from the Consent Agenda to the regular agenda.

Chairman Pressley suggested that Item 2 – A through H – be moved from the Consent Agenda to the regular agenda.

Chairman Pressley requested to add to the Consent Agenda the County's utility availability for Elementary School J.

With there being no other changes to the agenda, motion was made by Commissioner Mills that the agenda be adopted as modified.

CONSENT AGENDA:

Commissioner Lane moved that the Items as listed on the modified Consent Agenda be approved. The motion was passed unanimously.

Minutes: Approved minutes of December 18, 2006, February 5, 2007, and April 2, 2007

Contracts Over \$5000: This item in its entirety was moved to the Regular Agenda

Parks and Recreation: Awarded Architectural and Engineering Services Contract to Dickerson Architecture for the Cane Creek Campground Store/Check-in Station in an amount not to exceed \$29,950 including \$9,750 for reimbursables and authorized the Interim County Manager to approve the contract.

Finance: Approved July 2007 Budget Transfer Report

Finance: Approved Corrected June 2007 Refund Report showing a corrected amount of \$48,203.17 (Reported and approved on July 2, 2007 as \$47,445.38.)

Tax Administrator: Approved Releases for August 2007 in the Grand Total Amount of \$43,448.46

RELEASES AUGUST 2007

| Acct # | Name | Release # | Total |
|---------------|--------------------------------------|------------------|-----------------|
| 2007 | | | |
| 02319021 | FIRST BAPTIST CHURCH OF INDIAN TRAIL | 434 | 32.24 |
| 06204263 | CARL WALKER GROUP LLC (THE) | 631 | 495.77 |
| 06174147 | ROSSII ROBERT R JR &WF LINDA L | 638 | 4,119.14 |
| 06102106 | DICKSON LOWERY BUILDERS INC | 666 | 522.79 |
| 06069003 | OSBORNE FRANK C | 675 | 1,907.42 |
| C | | | |
| 05066014 | ENGLE EDGAR R & DEBBIE S | 676 | 83.26 |
| C | | | |
| 05005033A | MARQUES LUIS & LYDIE MARQUES | 688 | 222.69 |
| 04288028 | FLOW J RICHARD | 689 | 59.81 |
| 02230002A | MULLIS BETTY L | 709 | 47.58 |
| 02211017 | RIVERS EDWARD E & PAMELA D | 719 | 193.99 |
| 01225003 | PRICE NEY CLAYTON JR & EDWARD TROY | 766 | |

| | | | |
|-----------|---------------------------------------|------|-----------------|
| M | RUSHING | | 126.86 |
| 01009003A | KNOX JAMES C | 767 | |
| | | | 110.01 |
| 06057042A | CARMAN CHARLES DAVIS & RACHEL DAWN | 768 | |
| | CARM | | 95.75 |
| 09351013 | HARTSELL ELIZABETH CLAY | 800 | |
| | | | 84.11 |
| 08312230 | SPICER CHARLES A & LINDA B | 801 | |
| | | | 397.69 |
| 08312081 | HONEYCUTT COBY ARNEZ | 802 | |
| | | | 167.39 |
| 08075028 | MASTIN WILLIAM E & JANICE S | 803 | |
| | | | 30.08 |
| 07147040 | WATSON CRAWFORD BEATTY & HAZEL JEAN | 962 | |
| | | | 65.18 |
| 07078233 | CROSLAND FAIRHAVEN LLC | 963 | |
| | | | 51.61 |
| 09402379 | HARKINS SHANNON & THOMAS JR | 981 | |
| | | | 891.42 |
| 07072083 | TOWNSEND STEPHEN W & TINA CHAMBLISS | 986 | |
| | | | 146.13 |
| 06228069 | CARL WALKER GROUP LLC (THE) | 987 | |
| | | | 1,085.30 |
| 05090016 | ARROWHEAD DEVELOPMENT INC | 1014 | |
| | | | 2,572.41 |
| 09295082 | SOUTH JOANNE | 1017 | |
| | | | 105.60 |
| 09223026 | UNION COUNTY HABITAT FOR HUMANITY INC | 1039 | |
| | | | 4.55 |
| 09223035 | UNION COUNTY HABITAT FOR HUMANITY INC | 1236 | |
| | | | 1.42 |

| | | | |
|-----------|---|------|-----------------|
| 09268045 | UNION COUNTY HABITAT FOR HUMANITY INC | 1254 | 139.38 |
| 06192151 | HOMEOWNERS ASSOCIATION - NO VALUE | | 38.89 |
| 09115058 | HAMMONDS VIOLA | 1997 | 264.75 |
| 06192007A | QUELLIN HOMEOWNERS ASSOCIATION | 2491 | 179.24 |
| 06192069 | QUELLIN HOMEOWNERS ASSOCIATION | 2625 | 3,034.73 |
| 06192193 | QUELLIN HOMEOWNERS ASSOCIATION | 2784 | 37.89 |
| 06192150 | QUELLIN HOMEOWNERS ASSOCIATION | 2817 | 38.89 |
| 08279005 | MEADOWS LINDA LILES & CAROLYN DAVIS | 2854 | 165.41 |
| 04012003B | STRAWN RAEFORD L & WIFE LINDA M | 2855 | 58.38 |
| 09295055 | MEKUS ROCHELLE M & JAMIE L | 2856 | 651.01 |
| 08075160 | RON R RUSHING D/B/A RON RUSHING CONSTRUCTION | 2862 | 284.44 |
| 09198008B | OAKLAND BAPTIST CHURCH | 2863 | 1,709.41 |
| 09015038 | DANIEL VERA M | 2864 | 387.52 |
| 05156005 | VACCARO FREDERICK P & WIFE BOBBIE | 2865 | 12.96 |
| 06147011 | MOORE MARY M | 2866 | 105.10 |
| 06147020 | CAROLEEN ENTERPRISES LLC | 2867 | |

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|-----------|--|------|---------------|
| G | | | 368.42 |
| 09159026A | PATEL LATIKA D & HUSBAND DUSHYANT R | 2868 | |
| | | | 283.66 |
| 09162005 | FLIPPIN ARLEN WAYNE & WF BELINDA CARRIKER | 2869 | 668.15 |
| 09162016 | BAUCOM WILLIAM R & JUDITH J | 2870 | |
| | | | 559.28 |
| 09128004 | RITZ THOMAS F & WIFE BARBARA A | 2871 | |
| | | | 112.00 |
| 09128004A | AVERY-RITZ LLC | 2872 | |
| | | | 28.66 |
| 01177006b | SIMPSON JEFF M | 2873 | |
| 01 | | | 210.72 |
| 01177006B | SIMPSON JAREN M & JEFF M SIMPSON | 2874 | |
| 02 | | | 210.72 |
| 01177006B | SIMPSON JAREN M | 2875 | |
| 03 | | | 210.72 |
| 01177006 | SIMPSON JEFF M | 2876 | |
| 01 | | | 149.50 |
| 01177006 | SIMPSON JAREN M & JEFF M SIMPSON | 2877 | |
| 02 | | | 149.50 |
| 01177006 | SIMPSON JAREN M | 2878 | |
| 03 | | | 149.50 |
| 09015039 | TRICORP CONSTRUCTION INC | 2879 | |
| | | | 679.09 |
| 09417039 | CIMINO SALVATORE & JOANN | 2880 | |
| | | | 103.48 |
| H3135026 | MEDLIN FARMS INC | 2881 | |
| | | | 675.55 |
| 06024018 | WES-CHAP LLC | 2887 | |
| C | | | 228.82 |

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| 06192340 | HILTON JEFFREY & WIFE MICHELE | 2888 | |
| | | | 481.30 |
| 05123094 | BOLLINGER FELTON R & CAROL I BOLLINGER | 2889 | |
| | | | 50.00 |
| 50000046 | GODFREY JAMES RAN & M DIANE BL | 2890 | |
| | | | 50.00 |
| 50036930 | HARVEY DEBRA WHITLEY | 2891 | |
| | | | 50.00 |
| 50038513 | DRIVER HAROLD E & DOROTHY | 2892 | |
| | | | 50.00 |
| 50043016 | SEYMOUR DAVID O | 2893 | |
| | | | 100.00 |
| 50062580 | WIGHT MEREDITH B | 2894 | |
| | | | 50.00 |
| 50065239 | STEPHENS GARY WAYNE | 2895 | |
| | | | 50.00 |
| 50065503 | WANNINGER JOAN C | 2896 | |
| | | | 50.00 |
| 50066264 | RHODES JEWELL G | 2897 | |
| | | | 50.00 |
| 50066503 | SCHWAB ROBERT | 2898 | |
| | | | 50.00 |
| 50066614 | THOMAS OPAL ELAINE | 2899 | |
| | | | 50.00 |
| 50067777 | ROBINSON BETTY P | 2900 | |
| | | | 50.00 |
| 50068422 | REISTERER SANDRA | 2901 | |
| | | | 50.00 |
| 50068724 | ROBINSON LORI | 2902 | |
| | | | 50.00 |
| 50069409 | SHIFLETT JOHN LEWIS | 2903 | |

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|----------|------------------------------------|------|--------------|
| 50069459 | ROBINSON BRIAN & SONYA | 2904 | 50.00 |
| 50069823 | HERRERA-PEREZ LIGORIO | 2905 | 50.00 |
| 50070044 | RICHARDSON MARILYN | 2906 | 50.00 |
| 50073759 | HIGHLANDER DERIC ARTHUR | 2907 | 50.00 |
| 50072603 | FOGLIETTA GARY | 2908 | 50.00 |
| 50074051 | WATTS TONY RAY | 2909 | 50.00 |
| 50074737 | MOORE LOUISE MANEY | 2910 | 50.00 |
| 50075257 | MARTIN PEGGY | 2911 | 50.00 |
| 50075829 | WORLEY TIMOTHY L & PAULA E | 2912 | 50.00 |
| 50077874 | IVEY BERNICE | 2913 | 50.00 |
| 50077926 | HUTTO RICHARD & CAROLYN M | 2914 | 50.00 |
| 50078184 | MACKINNIS NANCY F | 2915 | 50.00 |
| 50078223 | LEMMONDS RICKY DALE & IRENE LOUISE | 2916 | 50.00 |
| 50078257 | KITTO STEVE ALLAN | 2917 | 50.00 |
| 50079152 | ROBINSON RUSSELL CURTIS | 2918 | 50.00 |

| | | | |
|----------|-----------------------------------|------|---------------|
| 50079283 | MOORE DORIS HARMON | 2919 | |
| | | | 50.00 |
| 50079161 | ROBINSON WILLIAM TATE & CATHERINE | 2920 | |
| | | | 100.00 |
| 50078322 | MANUS RONALD DEAN | 2921 | |
| | | | 50.00 |
| 50079299 | MOORE ELMER F & HELEN J | 2922 | |
| | | | 50.00 |
| 50079465 | SHOE AARON KEITH & WIFE BRENDA | 2923 | |
| | | | 50.00 |
| 50079491 | SIKES CLAUDE B JR | 2924 | |
| | | | 50.00 |
| 50079735 | STOKES DARRELL W & WIFE HEIDI | 2925 | |
| | | | 50.00 |
| 50079894 | WALKER WILLIAM H JR & BARBARA | 2926 | |
| | | | 50.00 |
| 50080233 | WEAVER MITZIE M | 2927 | |
| | | | 50.00 |
| 50080280 | WESENBERG STEVEN ALLEN & ELLEN | 2928 | |
| | | | 50.00 |
| 50080839 | WILSON DEXTER CLAGE & SHIRLEY | 2929 | |
| | | | 50.00 |
| 50081800 | MURPHY JAMES ALBRET | 2930 | |
| | | | 50.00 |
| 50081896 | GLASSBERG WILLIAM & DIANE | 2931 | |
| | | | 100.00 |
| 50082076 | TALBERT DANNY V | 2932 | |
| | | | 50.00 |
| 50082078 | NORWOOD LORETTA F | 2933 | |
| | | | 50.00 |
| 50082334 | DAVIS ODELL HENRY | 2934 | |

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|---------------|---|------|--------------|
| 50083185 | STACK VERNON KEITH GHANT KIMBER | 2935 | 50.00 |
| 50083202 | WRIGHT GENE D & CRYSTAL F % FO CLIFFORD CL | 2936 | 50.00 |
| 5083274 | ADAMS WILLIE NELSON | 2937 | 50.00 |
| 50087613 | HINSON CARL DENNIS & KEMTHIA | 2938 | 50.00 |
| 50087900 | ESTES TAMMY ROBERTSON | 2939 | 50.00 |
| 50088002 | DEESE RICHARD EUGENE II | 2940 | 50.00 |
| 50089714 | TAYLOR WILLIAM ALEXANDER | 2941 | 50.00 |
| 50090713 | PACHECO ISAIS | 2942 | 50.00 |
| 50091295 | SANCHEZ ARTEMIO | 2943 | 50.00 |
| 50091449 | BARNETT TIMOTHY | 2944 | 50.00 |
| 50091559 | THOMPSON ELISA S | 2945 | 50.00 |
| 50093362 | CURTIS DANIEL O | 2946 | 50.00 |
| 50094347 | TAYLOR ALEX | 2947 | 50.00 |
| 50094939 | WORLEY TIMOTHY L & PAULA E | 2948 | 50.00 |
| H5147001 U | BOST CARRIE B | 2949 | 50.00 |

| | | | |
|----------|--------------------------------------|------|--------------|
| H5159010 | BIGHAM BILLY JOE | 2950 | |
| A | | | 50.00 |
| H6108017 | WALLACE LLOYD THOMAS & CAROL SIMMONS | 2951 | |
| A | WAL | | 50.00 |
| 06108400 | MINCEY PERRY R & GINA C | 2952 | |
| | | | 50.00 |
| 06165243 | ENGLERT RICHARD A & ERICA L WHIPP | 2953 | |
| | | | 50.00 |
| 06162119 | M/I HOMES OF CHARLOTTE LLC | 2954 | |
| | | | 50.00 |
| 06165178 | EVERGREEN HOMEBUILDERS LLC | 2955 | |
| | | | 3.70 |
| 06108445 | CARRIERI MICHAEL SR & ROSE | 2956 | |
| | | | 36.96 |
| 06108431 | HEINE HELEN A | 2957 | |
| | | | 36.96 |
| 50090883 | BOLDEN ISLA J | 2958 | |
| | | | 50.00 |
| 06162147 | M/I HOMES OF CHARLOTTE LLC | 2959 | |
| | | | 5.00 |
| 50089649 | HORTON TRACY ANN | 2960 | |
| | | | 50.00 |
| 50083191 | DAVIS LOUIS SAMUEL SR | 2961 | |
| | | | 50.00 |
| 50066594 | HOGUE MARY L | 2962 | |
| | | | 50.00 |
| 50083302 | HOGUE BEVERLY | 2963 | |
| | | | 36.96 |
| 50094326 | STEGALL KRISTINA | 2964 | |
| | | | 50.00 |
| 50083289 | BYRD MILTON LEE JR & AMY THOMPSON | 2965 | |

| | | | |
|-----------|---|------|-----------------|
| | BYRD | | 36.96 |
| 50033648 | SMITH THELMA KEETER & JOSEPH EVERETT SMITH | 2966 | 50.00 |
| 50094323 | MATHENEY VERNA | 2967 | 36.96 |
| 50053368 | WAXHAW FLORIST | 2968 | 50.00 |
| 50052611 | BYRUM KEYNAN | 2969 | 36.96 |
| 07027352 | UNIVERSAL LAND & DEVELOPMENT CORP | 2970 | 3.70 |
| 50097272 | GOZMAN NOE VELOSQUEZ | 2971 | 36.96 |
| 07150329 | JOHN WIELAND HOMES OF NC INC | 2972 | 50.00 |
| 50094362 | WRIGHT BONNIE | 2973 | 50.00 |
| 08069009J | WILLIAMS LELA MAE | 2974 | 343.55 |
| 06117182 | KONNERTH JUDITH A TRUSTEE | 2975 | 182.99 |
| 0406008A | BOSWELL BENNY M & JOYCE B | 2976 | 36.48 |
| 06051218 | SWANN CLAUDE T & WANDA T | | |
| 01138004 | SOUTHLAND SPRINGS FARM LLC | | |
| 09231205 | YOUTH WITH A MISSION CHARLOTTE INC | | 4,709.97 |
| 02167006 | CAROLINA WOOD PRODUCTS OF MARSHVILLE INC D01 | | |
| 02015007A | SWINK GEORGE T & EARLINE B | | |
| 04093007E | ESTEP MARK A & KATHY H | | |

| | | |
|--|------|------------------|
| 04120001 STEVENS DAVID F & WIFE ANDREA L D | | |
| 01138004 SOUTHLAND SPRINGS FARM LLC | | |
| 03174009 PRESSLEY ELAINE A & ROBERT A MILEFSKI | | |
| 04135002A KNIGHT GARY LYNN | 2992 | 45.00 |
| 01234009A STEGALL ANDREW DICKSON & AMANDA | | |
| 07033013A CARPENTER LARRY M & WF GLORIA D | | 112.33 |
| 07033013B CARPENTER LARRY M & WF GLORIA D | | 112.33 |
| Totals | | 42,572.34 |

| | | |
|---|-----|---------------|
| 2006 | | |
| 50093960 GUERRA LETHA H | 307 | 66.97 |
| 07033013A CARPENTER LARRY M & WIFE GLORIA D | | 102.47 |
| 07033013B CARPENTER LARRY M & WIFE GLORIA D | | 102.47 |
| Totals | | 271.91 |

| | | |
|-------------------------------|------|--------|
| 2005 | | |
| H3135026 PRESSON MARK ANTHONY | 2882 | 50.00 |
| H3135026 PRESSON MARK ANTHONY | 2883 | 554.21 |

Totals**604.21**

GRAND TOTALS**43,448.46**

Tax Administrator: Approved Refunds for August 2007 in the Grand Total amount of \$5,007.92

REFUNDS AUGUST 2007

| Acct # | Name | Release # | Total |
|---------------|--|------------------|-----------------|
| 2006 | | | |
| 02319021 | FIRST BAPTIST CHURCH INDIAN TRAIL | 723 | 29.39 |
| 09402411 | POWERS DAVID K | 1037 | 1,082.67 |
| 09295082 | SOUTH JOANNE | 2857 | 94.55 |
| 07132027D | CARROLL BOBBY R % JOHN M LUDDY % LISA C | 2884 | 426.57 |
| 06051218 | SWANN CLAUDE T & WANDA T | 2978 | 150.09 |
| 04237012A | HART J SIDNEY & ELIZABETH G | 2985 | 19.29 |
| 04237012A | HART J SIDNEY & ELIZABETH G | 2987 | 862.09 |
| TOTALS | | | 2,664.65 |

2005

| | | | |
|----------|-----------------------------------|------|--------------|
| 02319021 | FIRST BAPTIST CHURCH INDIAN TRAIL | 740 | 29.13 |
| 09295082 | SOUTH JOANNE | 2858 | 93.56 |

| | | | |
|---------------|--|------|-----------------|
| 07132027D | CARROLL BOBBY R % JOHN M LUDDY % LISA C | 2885 | 418.73 |
| 06051218 | SWANN CLAUDE T & WANDA T | 2979 | 141.56 |
| 04237012A | HART J SIDNEY & ELIZABETH G | 2986 | 19.09 |
| 04237012A | HART J SIDNEY & ELIZABETH G | 2988 | 853.02 |
| TOTALS | | | 1,555.09 |

2004

| | | | |
|---------------|-----------------------------------|------|---------------|
| 02319021 | FIRST BAPTIST CHURCH INDIAN TRAIL | 752 | 27.79 |
| 09295082 | SOUTH JOANNE | 2859 | 88.37 |
| 07132027D | CARROLL BOBBY R % JOHN M LUDDY | 2886 | 403.20 |
| TOTALS | | | 519.36 |

2003

| | | | |
|---------------|--------------|------|---------------|
| 09295082 | SOUTH JOANNE | 2860 | 141.42 |
| TOTALS | | | 141.42 |

2002

| | | | |
|---------------|--------------|------|---------------|
| 09295082 | SOUTH JOANNE | 2861 | 127.40 |
| TOTALS | | | 127.40 |

| | | | |
|--------------------------------|--|--|-----------------|
| GRAND TOTAL - ALL YEARS | | | 5,007.92 |
|--------------------------------|--|--|-----------------|

Tax Administrator: Approved Third Motor Vehicle Billing for August 2007 in the Grand Total amount of \$1,221,361.08

General Services: FY 2007 Surplus Property Sale -- Adopted the following Resolution declaring certain items of personal property surplus and authorizing sale as set forth in the resolution:

RESOLUTION REQUESTING SURPLUS PROPERTY SALE

WHEREAS, the County has certain items of personal property that it is no longer using and is wanting to sell these items to the highest bidder; and

WHEREAS, the Purchasing Agent has developed a list of these items as shown on Attachments “A” and “B” for review by the Board of Commissioners for disposal;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Union County Board of Commissioners that items of personal property included on the lists as presented by the Purchasing Agent be declared surplus and sold at public auction to the highest bidder.

BE IT FURTHER RESOLVED that the Purchasing Agent be authorized to sell said property at public auction at 10:00 a.m. on Saturday, September, 22, 2007, at 610 Patton Avenue, Monroe, North Carolina, and that the Purchasing Agent or his designated agent be authorized to execute any and all documents necessary to transfer title to said property on behalf of Union County.

BE IT FURTHER RESOLVED that the terms of the sale shall be as follows:

1. Sale to the highest bidder with all sales final on the day of the auction.
2. All items sold “as is” and “where is” with no warranty, express or implied, which extends beyond the description of the item.
3. Purchasers shall bear sole risk or loss for all items remaining on county premises after 3:00 p.m. on the day of the sale.
4. Payment by cash or credit card; no checks will be accepted.

BE IT FURTHER RESOLVED that payment of advertising and miscellaneous expenses be paid from the proceeds of the sale.

BE IT FURTHER RESOLVED that Classic Enterprises of Locust, Inc., is authorized to conduct the sale and charge a seven (7) percent buyer's premium to the buyer.

Adopted this 4th day of September, 2007.

ATTEST:

Lynn G. West, Clerk to the Board

Kevin Pressley, Chairman

| | VEH# | Date | ODOM | MAKE | MODEL |
|----|-------------|-------------|-------------|-------------|----------------|
| 1 | 27-98 | 7/10/2006 | 92,035 | Ford | Crown Victoria |
| 2 | 29-00 | 4/10/2007 | 122,466 | Dodge | Dakota |
| 3 | 20-02 | 3/27/2007 | 116,256 | Chevrolet | Camaro |
| 4 | 15-99 | 3/27/2007 | 90,377 | Ford | Crown Victoria |
| 5 | 04-02 | 3/27/2007 | 134,932 | Ford | Crown Victoria |
| 6 | 28-01 | 3/27/2007 | 109,306 | Ford | Crown Victoria |
| 7 | 42-98 | 3/27/2007 | 135,726 | Ford | F- 150 |
| 8 | 19-96 | 3/28/2007 | 143,697 | Ford | F- 150 |
| 9 | 31-00 | 4/10/2007 | 129,161 | Dodge | Dakota |
| 10 | 01-03 | 4/11/2007 | 163,454 | Dodge | Caravan |
| 11 | 06-02 | 4/17/2007 | 109,750 | Ford | Crown Victoria |
| 12 | 64-01 | 4/30/2007 | 138,420 | Dodge | 3500 |

| | | | | | |
|--------|-------|-----------|---------|-----------|----------------|
| 1 3 | 45-02 | 4/30/2007 | 191,119 | Dodge | Caravan |
| 1 4 | 11-02 | 5/8/2007 | 108,289 | Ford | Crown Victoria |
| 1 5 | 16-00 | 5/9/2007 | 118,039 | Ford | Crown Victoria |
| 1 6 | 24-92 | 5/9/2007 | 120,073 | Ford | Van |
| 1 7 | 18-02 | 5/9/2007 | 97,885 | Chevrolet | Camaro |
| 1 8 | 17-02 | 5/9/2007 | 96,627 | Chevrolet | Camaro |
| 1 9 | 09-02 | 5/9/2007 | 99,410 | Ford | Crown Victoria |
| 2 0 | 33-98 | 5/24/2007 | 155,250 | Ford | Ranger |
| 2 1 | 21-01 | 6/8/2007 | 120,578 | Ford | Crown Victoria |
| 2 2 | 05-02 | 6/15/2007 | 112,856 | Ford | Crown Victoria |
| 2 3 | 44-03 | 6/25/2007 | 186,620 | Dodge | Caravan |
| 2 4 | 43-03 | 7/10/2007 | 182,075 | Dodge | Caravan |
| 2 5 | 17-01 | 7/18/2007 | 118,541 | Ford | Crown Victoria |
| 2 6 | 50-97 | 7/18/2007 | 106,384 | Ford | Explorer |
| 2 7 | 23-95 | 7/18/2007 | 146,029 | Ford | Ranger |

| | | | | | |
|----|-------|-----------|---------|-----------|------------|
| 28 | 28-00 | 7/18/2007 | 132,260 | Dodge | Dakota |
| 29 | 37-97 | 7/18/2007 | 128,419 | Ford | F- 150 |
| 30 | 06-00 | 8/2/2007 | 139,351 | Chevrolet | Astro Van |
| 31 | 54-98 | 8/10/2007 | 137,993 | Pontiac | Bonneville |
| 32 | 41-97 | 8/22/2007 | 109,180 | Ford | Ranger |
| 33 | 34-99 | 8/22/2007 | 101,040 | Dodge | 1500 |

Office Equipment

Pallets of Computers – Hard drives have been removed
 Dell Computers – Hard drives have been removed
 Various Brands of 17", 19", 20" Monitors-KDS, Viewsonic, Dell, etc.
 Computer Mice
 Keyboards
 Keyboard Trays
 Various Laptops-Winbook, Panasonic, Dell, etc.-Hard drives have been removed
 Laptop Bags
 Diskettes, MAC formatted, HD 1.40MB
 Dell Power Edge Servers
 Pro-Lite & Advantus Moving Message Displays
 Anti-Glare & Privacy Screens
 Computer Speakers
 APC UPS
 Computer/Printer Cables

Box of AT to PS2 Adapters
Floppy Disk Holders
Toshiba Batteries T2400 Series
HP Laserjet Printers
HP Deskjet Printers
HP All-In-One Printers
HP Plotter
Various Copier/Printer Toner & Ribbons
OKI Microline 320 Turbo Printers
Xerox Telecopier 7024
Epson Stylus Photo 700 Printer
Panasonic KX P1624 Receipt Printer
Printers-Epson & IBM
Scanners-Lexmark, HP Scanjet, Ricoh Bell & Howell, etc.
VHS Tape Storage Drawers (6 Units) Wood Grain
VCR, JVC
Samsung Time Lapse VHS Recorders
Monitors, Javelin Security
Pelco Camera Housings
Canon 35MM Camera
Sony Digital Camera
Cash Drawer-MMF Industries
2-ply cash register tape
Telephones
Mobile Phone
Typewriter-IBM, Canon, Smith Corona, etc.
Zenith TV
Projector, Seerlite Opaque

Projector Screen
Black Plastic File Holders
Dictaphone
Standard Register 2000 Forms Burster
Various Brands of Fax Machines-Brother, Canon & Toshiba
Sharp Calculators
Canon Calculators
TA Adler-Royal Calculators
Shredders-Fellows, Ideal, & GBC
At-A-Glance Calendar Bases
Metal Rolodexes
Whiteboard
Air Cleaners Office Model OAC200
LockBox
Document Holder, 3m DH541
Box of Simplex #1105/TS449 1-3/4x3-Red Cotton (came from Register of Deeds)
Wooden Play Station
Chair Mats
Paper Cutter
Plastic CD Organizers
Small Label Maker w/Tape
Laminating Machine Model B-7
Plastic Stand W/Wheels
Taadler-Royal 1123PD Carat
Map Hanging File w/Bars
Microfilm Rotating Carousel Organizer
Card Catalog Drawer Unit-15 Drawers, Wood
Medal Book Ends (4)

Office Furniture

Bookshelves, All Sizes
Various Styles of Office Task Chairs
Various Styles of Stack Chairs
Black Sofa
Various Styles of Side Chairs
Stools
Office Desks
Office Tables
Computer Buddies
Credenzas, Wood & Metal
Folding Tables
Overhead Hutches
Conference Table
Wood Tables
Table, Stainless Steel
Lamp, Brass w/Black Shade
Fans
Portable Heaters
Cabinet, Metal Rolling
Child's Play Station
Caster Wheels
4 Drawer Wooden Chests
Cabinets
File Cabinets-All Sizes

Custodial Equipment

Vacuum, Hoover Upright Windtunnel
Vacuum, Mastercraft Commercial

Vacuum, Panasonic
Advance 20 Plus Buffer
Toilet Tissue Dispensers
Soap Dispensers

Kitchen Equipment

Warming Trays
Steamer
Refrigerators
GE Spacemaker Microwave

Medical Equip

Audiometer, Beltone
Growth Board
Dental Cabinet
Metal Treatment Stand
Centrifuge, Dynac
Rotator, Thomas
Box of Medical Supplies
Examining Light
Examining Table

Misc. Building

16x24 Mirrors W/Brackets
Fan, Dracraft
Marble Pieces, Various Sizes
Stainless Steel Double Sinks
Stainless Steel Work Table
Whirlpool Water Heater
Insta-Flow Water Heater
Rheem Water Heater 2.5 Gal/Still has Warranty

Clocks
Thermostats
A/C Window Unit Goldstar
Ceiling Mounted Radiant Gas Heaters

Misc. Vehicle

Hitch
13 Code 3 Light Bars
Street Hawk Light Bar
Security Cage for Vehicle
Horse Trailer
Truck Beds

Outdoor Equipment

Homelite Leaf Blower
Fiat-Allis Loader
Case 760 Trencher
Chain Saw STHL 026
Weed Eater FS 85
Weedeater, Robin NB281
Weedeater, Green Machine
Pressure Washers
26 Gal Spray Tank w/pump, North Star
Generator, Yamaha EF1000
Chainsaw, Poulan 3400
Pipesaw, Wacker
Leafblower, Homelite BP 30185
Bushhog, John Deere MX8
Bushhog
Lawnmower, Great Dane Chariot

Lawnmower, Yard Pro 16.5 HP
Lawnmower, Turf Blazer 422
Push Lawnmowers
Air Compressor
Generator, Generac
Tablesaw
Hand Drill/Skil

Miscellaneous

Weight Bench
Fireproof Safe
Employee Lockers (3 Lockers per set)
Paint-Gray, Interior
Sigma All Weather Sampler
American Sigma Cooler Sampler
Wooden Map handles

Long-Term Care Residents' Rights Week 2007 Proclamation:

**LONG-TERM CARE
RESIDENTS' RIGHTS WEEK 2007
PROCLAMATION**

Advancing Excellence: A Resident's Perspective on Quality

WHEREAS, there are nearly 1.7 million individuals living in 17,000 nursing homes; and one million individuals living in 45,000 board and care/assisted living facilities in the U. S.; and

WHEREAS, the federal Nursing Home Reform Act of 1987 guarantees residents their individual rights in order to promote and maintain their dignity and autonomy; and

WHEREAS, all residents should be aware of their rights so they may be empowered to live with dignity and self-determination; and

WHEREAS, we wish to honor and celebrate these citizens, to recognize their rich individuality, and to reaffirm their rights as community members and citizens, including the right to have a say in their care; and

WHEREAS, individuals and groups across the country will be celebrating Residents Rights Week with the them --- *Advancing Excellence: A Resident's Perspective on Quality* – to emphasize the importance of affirming these rights through facility practices, public policy, and resident-centered decision-making that impacts quality of care and quality of life.

NOW, THEREFORE, The Union County Board of Commissioners does hereby proclaim October 7 – 13, 2007 as **Long-Term Care Residents' Rights Week, in Union County**, and encourages all citizens to join in these important observances.

Adopted this the 4th day of September, 2007.

ATTEST:

Lynn G. West, Clerk to the Board

Kevin Pressley, Chairman

Allan Baucom, Vice Chairman

Roger Lane, Commissioner

A. Parker Mills, Jr., Commissioner

Lanny Openshaw, Commissioner

Public Schools/County Utility Availability for Elementary School "J": Authorized the Public Works Department to issue water and sewer availability release to County Building Inspections for Elementary School "J".

CONTRACTS OVER \$5,000 – (Moved from Consent Agenda)

General Services: Motion was made by Vice Chairman Baucom that a contract be approved with Classic Enterprises of Locust, Inc. to provide auctioneer services for annual surplus property auction in the estimated contract amount of \$7,000 based on 7 percent of proceeds. The motion was passed unanimously.

Commissioner Lane asked for an update from the Finance Director on the amount of money spent to date on employment agreement litigation. Mr. Nelson said that he did not have the answer available but would have it available by the next meeting.

Legal Services: Motion was made by Vice Chairman Baucom that the contract with Poyner & Spruill, LLP, be approved in the amount of \$240 per hour to provide legal services for employment agreement litigation. The motion passed unanimously.

Covenant Prison Ministries, Inc.: Vice Chairman Baucom moved that the contract with Covenant Prison Ministries, Inc. to provide prison ministry be approved in the amount of \$60,000 per year. The motion was passed unanimously.

DSS: A motion was made by Vice Chairman Baucom that the contract with Neighborhood Nurses Health Care Services, Inc. in an annual contract amount estimated to be \$14,976 be approved to provide in-home aide services to DSS clients. [Contract approved June 4, 2007, but due to favorable contract pricing DSS desires to extend contract through 2009.] The motion passed unanimously.

Forestry Services: The Vice Chairman asked if this contract is for the County's portion of the cost of the Forestry Service. The Finance Director answered that it was. The Vice Chairman then moved that the agreement for the protection of forest lands in Union County in the amount of \$55,115 with the North Carolina Department of Environmental and Natural Resources be approved. The motion passed unanimously.

Public Works: The Vice Chairman addressed the Public Works Director asking for clarification on the contract with Hazen and Sawyer for trimming phosphorus at the Twelve Mile Creek plant. He asked for an explanation on why Union County is spending \$167,680 on a plant that has just been expanded.

Ms. Putnam, Public Works Director, explained that the original design of this expansion was back in the early 90s when phosphorous was not such an issue so the design and expansion plans did not include extra treatment for phosphorus limitations. She

explained that phosphorous is a pound loadage on a per-day basis so regardless of the amount of water discharged, the County is only allowed the same amount of poundage of phosphorous. She said, therefore, the County must treat to a lower designed standard to increase the flow of water. She said that it may meet the limits today but as the flow increases and the County approaches the five or six million gallons per day that it can treat, the County would not have the ability to trim the phosphorus to the required level. She said this was due to the fact that when it was time to expand the plant, the County took the plans and dusted them off for expansion of the plant to meet the demands as quickly as was possible.

Motion was made by Vice Chairman Baucom that Task Order #15 with Hazen and Sawyer, P. C., be approved in a lump sum amount of \$167,680 with funds being in the 2006 Capital Project Ordinance. The motion passed unanimously.

Public Works: Ms. Putnam explained that the next contract is for engineering services associated with delineating the wetlands on the land the County owns for the water treatment plant co-owned with Lancaster County. She said the County is planning to expand the reservoir that it owns there. The Public Works Director said this would have been very beneficial to have had in operation during this drought. Ms. Putnam stated before the County commits to the project as a whole, the County has requested from the consultants more details on the reservoir expansion so the Board and Public Works' staff would have a more accurate estimate of what the cost would be.

The Vice Chairman asked if Lancaster County will be contributing an equal amount to any cost that will be incurred. Ms. Putnam agreed and reported that their board has already approved it.

Motion was made by Vice Chairman Baucom that the engineering services for Catawba River WTP reservoir expansion with Hobbs, Upchurch and Associates, P. A., be approved in the amount of \$15,050, which is 50 percent of the cost. The motion passed unanimously.

PARKS AND RECREATION: (Moved from Consent Agenda)

Land and Water Conservation Fund: Commissioner Openshaw stated that the offered grant is not as generous as some in the past, and he asked Mrs. Smith, Parks and Recreation Director, to provide an explanation on the \$100,000 Land and Water Conservation Fund Grant.

The Parks and Recreation Director stated that last year the County applied for a \$500,000 matching grant, but it was rejected by the North Carolina Department of Environment and Natural Resources, State Parks and Recreation. She said that because the

granting agency looked favorably on Union County's request, even after they had awarded all of its funds, it recommended Union County for a \$100,000 grant with a \$900,000 match contingent upon acceptance by Union County and approval by the Board of County Commissioners of an overmatch of funds in the minimum amount of \$900,000. She pointed out that any additional funds required to complete the Passive Area Grant Project at Jesse Helms Park would also be the full responsibility of Union County. She noted that the \$900,000 required to be funded by Union County is currently not included in the 2008 budget.

Commissioner Openshaw asked Mrs. Smith if she was hoping that by declining this grant she could reapply next year and get back in line for a better grant opportunity.

Mrs. Smith replied that since Union County did rank so well this year that she thought Union County would have a good opportunity to rank higher next year. She emphasized that if Union County accepted the \$100,000 grant, it would be expected to complete every aspect of the grant which could exceed the \$900,000.

Motion was made by Commissioner Lane that the County decline the \$100,000 grant from the Land and Water Conservation Fund. The motion was passed unanimously.

Parks and Recreation and DSS: The Chairman recognized Commissioner Openshaw who explained that Parks and Recreation proposed in June that \$25,000 remaining in the Community Grants Fund be awarded to the DSS group home. Commissioner Openshaw said that he would be glad to support some of the line items of this grant to the group home but that there are others that he would not support. After discussion and receiving input, he asked that in the Adult Fitness Course the Horizontal ladder, Parallel bars, Push-Up and the Dip Station be eliminated.

The Chairman asked Mrs. Smith if this is a package deal or an item-by-item type purchase.

Mrs. Smith said these are individual stations and the Board can remove or add to any of these items. She said this would not create a problem, and assured that if the Board has a certain dollar limit, she would be glad to work within that figure.

Commissioner Openshaw said he suggested \$10,000 before he saw the true numbers. He reported that Parks and Recreation had agreed to work toward upgrading the basketball court.

Mrs. Smith said there is a basketball goal on premise but the court is quite old and needs a great deal of work and if there are any additional funds remaining after the equipment is purchased, that she would like to upgrade the basketball goal. She also pointed out that the group home has a volleyball court that is almost concrete now because it has set so long that could also be upgraded.

Commissioner Openshaw asked what the Board would see as an added value to a situation such as this. He said most of the equipment being provided is for children 12 to 17 years of age.

Mrs. Smith introduced Roy Young, Director of the Department of Social Services, and Debra Pershing. She said if the Board has questions about the group home, these individuals could probably address those questions better than she.

Vice Chairman Baucom said that he would want someone other than the Board members to make the cuts since he did not know enough about the needed equipment to make the reductions.

Mrs. Smith said that she reviewed this list with the County's Risk Manager today, and he said that the only item that he had any issue with at all would be the rope climb. He said other than that he did not see a lot of liability on the County's part. Again, she reiterated that she is flexible to the Board's preferences.

Vice Chairman Baucom said he would think the upgrades to the basketball court and the volleyball court might get more use than the other equipment. He said, however, he would want to remove the existing equipment if it is a safety issue.

Ms. Smith emphasized that the existing equipment is less than adequate for meeting safety measures.

Roy Young, DSS director, stated on behalf of the Board of Social Services and the Group Home, they are grateful for any assistance that the Board of Commissioners could provide for the group home to update and upgrade its exercise equipment for the children who live there. He said if any of the existing playground equipment needs to be removed because it is not compliant with safety standards, that he and the Social Services Board would request that the Commissioners consider a minimum group of the exercise stations for those children to make use of. He stated there are six or seven youngsters per month and the group home is licensed for ten. Mr. Young pointed out that a number of the children who are placed there are placed by the Juvenile Crime Prevention Council. He said these children have unfortunately had problems with the law, and they need some additional activities and equipment on which to expend their time and energy. He said that exercise equipment would be a good addition for the Group Home and would help to accomplish that task. He agreed that the basketball court could use an upgrade, as it is used quite a bit. He

said he is not as sure that the volleyball court is used as much but would request that the basketball court be upgraded and some of the exercise equipment be purchased first. Mr. Young again assured that he and his staff would be grateful for any help.

The Vice Chairman asked if there is an estimated cost for upgrading the basketball court. Mrs. Smith said that she would have to literally go in and take some of it apart in order to give a true estimate.

Commissioner Openshaw moved to delay action to allow Parks and Recreation to get some estimates on upgrading the basketball court.

Mr. Young said he would also suggest a stationary grill similar to those at Cane Creek Park to allow them to cook out with the residents.

In response to a question from Commissioner Openshaw about the ADA table and park benches, Mr. Young stated that they have not addressed ADA compliant equipment for outside uses. He assured that the inside of the group home is ADA compliant, but it is not ADA compliant on the outside.

In discussion of the motion, Commissioner Openshaw requested that along with the upgrade to the basketball court that the proposal include grills, picnic tables, and then look at any exercise equipment. The motion passed unanimously.

Steering Committee: Commissioner Openshaw stated that since he was appointed Chairman of a Steering Committee to disseminate information on the Land Transfer Tax to the voters of Union County that he realized there were no directions given. He questioned, since there were no directions given, would he appoint the members to the committee or would the Board. The Vice Chairman stated that he thought it was Commissioner Openshaw's committee to make the appointments. Commissioner Openshaw responded that in that case he would appoint each Commissioner or his designated point person. He also said he would be back to the Board for approval of the charge to the committee, budget, time frame, advertisements, etc. Commissioner Openshaw said that the committee would follow the open meeting statutes for its meetings.

The Chairman called for a vote on Commissioner Openshaw's request. By acclamation, the Board agreed to the request.

REZONING PETITION #001092 – Linda R. & Harry J. Kelly Requesting Rezoning from R-40 to B-2:

Motion was made by Commissioner Mills that the rezoning request filed by Linda R. & Harry J. Kelly be denied and the Compliance Statement be adopted as recorded: Whereas, in accordance with provisions to N. C. G. S. 153A-341, the Board of County Commissioners does hereby find and determine that requested rezoning is **inconsistent** with the adopted Union County Land Use Plan and that denial of the request is reasonable and in the public interest because the proposed amendment would allow for commercial use of property in an area designed for low-density residential use. The motion passed unanimously.

LIBRARY BOARD RECOMMENDATION REGARDING NEW FACILITIES:

Ms. Martie Smith, Library Director, stated that on June 18th, the Board of Commissioners asked the Library Board to consider whether it would be in the best interest of library services to combine two regions and build one larger regional library to serve both regions. She said that the Library Board met the next day and considered a time line, the prospects of getting the library built in Weddington, and prospects of getting the library built in Waxhaw. She further said that the Library Board made a determination that if it could get the larger library [35,000 square feet] funded in this year, then that would be the decision in the best interest of library services. She said that this recommendation was not brought forth immediately because the Library Board wanted to give time to the town governments that would be affected by that decision to see if those boards had any comments to make or if there were an alternative that would be equally viable. She said subsequently they worked closely with the Town of Waxhaw and heard the positions of both towns, as the Board of Commissioners heard tonight, but did not find any other resources than it had to get two libraries built or any more certainty about when that could be done. She said that on August 27, 2007, the Library Board considered all the issues including the emotional ones, and determined that the Library Board believes that building one 35,000 square foot library to serve the two combined regions would indeed be a win-win for everybody.

She reminded the Board that the towns involved are growing together and there is no prospect for putting a library in every town at this point or at any time in the foreseeable future so, therefore, the Library Board is committed to regional libraries. She assured this was truly the most effective way to go.

Ms. Smith said if this is approved and funded in this year's budget, the County will save lots of money. She pointed out, however, that saving money was not the only issue, but it believed strongly that the County needs to provide the best regional library that it can. Ms. Smith presented to the Commissioners the recommendation of the Library Board stating: **We recommend that the Board of County Commissioners approve and allocate funds for one Regional Library of approximately 35,000 square feet, to serve the entire southwestern area of the County. (This library will replace the existing Waxhaw Branch and the planned new library in Weddington.)**

In response to the Chairman's question if the Library Board did not think a 20,000 square foot facility would serve the combined area adequately, Ms. Smith said that the new library will be a high-volume library, and she did not think that one 20,000 square foot would be sufficient to meet the area's needs. Ms. Smith said that a full-range of services will be offered regardless of the size, but the larger scale will allow for better use.

Commissioner Lane said he thought the smaller library would allow for better accessibility to the growing population that is taking place in western Union County. He said with the existing traffic problems he thought the larger library would exacerbate the problem.

Ms. Smith said that it is seven miles between the existing Waxhaw library branch and the site that is being considered for the Weddington Regional Library. Ms. Smith said the Library Board's interest is expediting the project quickly and encouraged the Commissioners to make a decision on funding this library.

At Commissioner Openshaw's request, Ms. Smith read the conditions as outlined by the Library Board of Directors:

- Commitment of county funding for the entire project on or before the Board of Commissioners' meeting of November 5.
- Provision by the County or a donor of an appropriate site which meets standard site selection criteria for public libraries, and is situated to best serve the service region.
- Responsibility for final site selection delegated to the Library Board. Site selection will be based on evaluation by ADW Architects and careful consideration of traffic and access issues.
- Sewer capacity for the new library to be reserved by the County; water and sewer connectivity made available as needed.
- Commitment by the County to fund the associated operating expenses of the new library.

Mr. Nelson, Finance Director, encouraged the Board to receive the conditions as strong indications of interest as the Library Director indicated. He pointed out, however, that ultimately it is the decision of the Board of County Commissioners as to which conditions that it would be willing to accept.

Motion was made by Vice Chairman Baucom that the report and recommendation as submitted by the Board of Trustees of the Union County Public Library be accepted. The motion passed unanimously.

TRAFFIC ISSUES ASSOCIATED WITH NEW TOWN ELEMENTARY SCHOOL:

The Chairman stated that he had received several calls related to the traffic issues surrounding the New Town Elementary School. He said he talked with Sheriff Eddie Cathey, and it's obvious that the County cannot furnish on-duty deputies to direct the traffic flow at the school. He pointed out that off-duty deputies are being hired to work traffic at the different schools and questioned why this was not discussed during construction of the school and provisions for the traffic congestion made at that time.

Vice Chairman Baucom said that he had received no emails and only three phone calls and after explaining the County's role with roads, he has not had a call back. He stated it is his opinion that taking any action on this will cause the county to step into a hornets' nest. The Vice Chairman said just because the County is public, it does not mean that the Board of Commissioners has to address every challenge that comes across to the Board. He suggested the Board of Commissioners not address this issue.

Chairman Pressley said that he was afraid there is a traffic issue at New Town Road and Waxhaw-Indian Trail Road where someone could possibly be injured and the Board needs to do what it can to improve the situation.

Commissioner Mills reported that the School Board is meeting tonight and that he believed Dean Arp is going to bring this issue before that Board.

Commissioner Lane said at that crossroads there is a flashing caution light, and he would move that the county get the light changed to a full-service light to preclude any possible accident that might come from the flashing yellow light. He said people sometimes do not look, but go straight through.

The Chairman suggested that the liaison talk with Dean Arp about this possibility. He requested Commissioner Mills to look into this. Commissioner Lane agreed with the suggestion of the Chairman.

The Vice Chairman suggested that the Board leave this issue to the School Board since this is the Board of Education's problem.

Commissioner Openshaw stated that one of the problems is that there is no loading lane. He said in an effort to keep costs down, the schools tend to build parking lots that are too small, no loading lane; therefore, there is no stacking ability. He said he

thought in the future this is something the Commissioners should question because the school traffic is impacting roads. Commissioner Openshaw said this is just another hidden cost of growth.

The Chairman called for a vote on the motion to request the liaison to meet with the Chairman of the School Board. The motion passed unanimously.

ANNOUNCEMENT OF VACANCIES ON BOARDS AND COMMITTEES:

The Chairman announced vacancies on the (1) Juvenile Crime Prevention Council – District Attorney or Designee, Substance Abuse Professionals, two persons under the age of 18, Juvenile Defense Attorney and member of the business community; (2) Nursing Home Advisory Committee; (3) Board of Adjustment.

APPOINTMENTS TO BOARDS AND COMMITTEES:

Juvenile Crime Prevention Council: The Chairman called for nominees to the Juvenile Crime Prevention Council: Commissioner Mills nominated Vanessa Thomas to represent the position of Director, AMH/DD/SA or designee. Commissioner Lane nominated Michelle Phipps to fill the representative of United Way or other Non-Profit Agency; Chairman Pressley nominated Carroll Anthony; and Vice Chairman Baucom nominated Sherry Silvey.

The Chairman stated that these individuals would appear to have filled the vacant positions. He asked for a vote in block of the appointees. By acclamation, the Board approved the appointments to the Juvenile Crime Prevention Council.

Nursing Home Advisory Committee: Vice Chairman Baucom moved that Angela Neil be appointed to the Nursing Home Advisory Committee. The motion passed unanimously.

Public Works Advisory Board: Vice Chairman Baucom nominated Ed Huntley. Commissioner Lane nominated Charles Palmer. The Chairman called for a vote in order of nominations. Ed Hutley received three votes – Vice Chairman Baucom, Chairman Pressley and Commissioner Mills.

INTERIM MANAGER’S COMMENTS:

Mr. Black reminded that the Board asked the staff to look at the possibility of drilling wells at Jesse Helms Park. He said the Parks and Recreation Director had requested the consultants to do some estimates and the cost is approximately \$80,000 to \$100,000. He said the staff is working on a cost feasibility study including hydraulics, cost, and savings by using wells, etc., and will bring the package to the Board.

COMMISSIONERS' COMMENTS:

Commissioner Lane reported on his vacation.

Commissioner Openshaw said he too experienced a wonderful vacation.

He reported that Union County and the citizens of Union County prevailed over Wal-Mart and the inappropriately sited Rae Road Wal-Mart Super Center. He said this was a unanimous decision by the Court of Appeals, which makes it a tough bar for Wal-Mart to get it into the Supreme Court. Commissioner Openshaw said this Wal-Mart fiasco was the most inappropriate misuse of county zoning powers and was one of the reasons he decided to run for County Commissioner. He said this case has costs the residents within a couple miles of this site literally hundreds of thousands of dollars in legal fees all due to this county government violating its own standard. Commissioner Openshaw said that the Sheriff estimated if the zoning had been upheld that it would have cost the County almost a half a million dollars in law enforcement services. He said ultimately the site will house a commercial product that will generate tax dollars; it is zoned commercial. Commissioner Openshaw said it is hoped that the future decisions of this county are based on the zoning laws and common sense and not an east-west side issue as this has been portrayed in the past.

Commissioner Mills reported that ASU beat Michigan in football this last weekend and Cam Spear, son of Neal Spear, Fire Marshal, had an outstanding game.

Commissioner Mills said he could not express the emptiness he experienced with the loss of his mother and that he appreciated the cards, flowers and emails he had received.

He congratulated Ron Banks, head of the Booster Club at Marvin Ridge, for his hard work at this new school.

Vice Chairman Baucom congratulated ASU for its victory over Michigan.

Vice Chairman Baucom stated that Tennyslon Materials had decided to expand its business which would create 42 new jobs. He thanked Tennyslon for its work in continuing to make Union County a good place to live.

He further stated that SPCC has been awarded the accolade of being the 14th best community college in the nation, and he thought that was a great honor for this community college.

Chairman Pressley thanked Commissioners Lane and Openshaw for taking time from their vacation to participate in a conference call with the other Board members.

Chairman Pressley asked Mr. Black to verify that the sprinklers were turned off around the Courthouse.

Chairman Pressley stated that the information received from the Toll Road Authority indicated that the Monroe By-Pass would be built as a toll road. He suggested that at the next meeting a resolution be prepared and adopted expressing the wishes of the Board with the two stipulations: (1) if the County has to go with a toll road, that all taxpaying citizens are exempt and (2) that 100 percent of the funds from the toll road come back to Union County and are not to be mingled in the road funds with the other counties.

With there being no further comments or discussion during the regular meeting, Commissioner Mills moved that the Board recess its regular meeting to go into closed session To consult with an attorney in order to preserve the attorney-client privilege pursuant to G.S. § 143-318.11(a)(3); The motion passed unanimously.

The Board members then moved to the Conference Room, first floor, Union County Government Center where the Chairman reconvened its closed session. At the conclusion of the closed session, at approximately 10:05 p.m., Vice Chairman Baucom moved to adjourn the closed session. The motion was passed unanimously.

The Chairman reconvened the regular meeting, and Vice Chairman Baucom moved to adjourn the regular meeting. The motion was passed unanimously.