

November 19, 2007

The Union County Board of Commissioners met in a regular meeting on Monday, November 19, 2007, at 7:00 p.m. in the Commissioners' 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 A. Parker Mills, Jr., and Commissioner Lanny Openshaw

ABSENT: Commissioner Roger Lane

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

OPENING OF MEETING:

a. Invocation

Reverend Sam Wood, Pastor of Benton Heights Church of God, offered the invocation.

b. Pledge of Allegiance

The following 2007 Patriot Award Recipients from the Junior Reserve Officers' Training Corps (JROTC) units of the various local high schools led the body in reciting the Pledge of Allegiance to the American flag: Kay Cunius, Cadet Lieutenant Commander, Forest Hills High School; Jesus King, Cadet Major, Monroe High School; Luqman Tariq Smith, Cadet Lieutenant jg, Sun Valley High School; Aaron L. Gordon, Cadet Colonel, Piedmont High School; David Floyd, Cadet Master Sergeant, Porter Ridge High School; and Jeff Newell, Cadet Major, Parkwood High School. The Chairman introduced each of the recipients.

Commissioner Mills shared that he had had the privilege of attending the Veterans Day event held at the Monroe Airport. He said that these recipients are examples of the fine young men and women in Union County. He stated that he wished he had the lists of achievements met by the recipients.

TAX ADMINISTRATOR – PUBLIC HEARING

Re: Proposed Schedules, Standards and Rules to be Used in Appraising Real Property in Union County for the 2008 Reappraisal

Chairman Pressley opened the public hearing at approximately 7:17 p.m. and recognized Werner Thomisser to address the Board.

Mr. Thomisser stated that he is a five-year resident of Weddington and noted that this year there had been an 11.7 percent increase in the property tax rate for the County. He said that he was requesting fairness during the reappraisal and asking that the Board seriously consider reducing the tax rate when working on the 2008-2009 budget to compensate for the property tax increase in 2007.

He said that during the last reappraisal, the former Board of Commissioners reduced the property tax rate by only a fraction of a percent, but the revaluation resulted in a higher tax bill for all of Union County's taxpayers. He reiterated his requests that the Board use fairness when considering next year's tax rate and take into consideration the revaluation.

With there being no one else wishing to address the Board during the public hearing, at approximately 7:19 p.m., the Chairman closed the public hearing.

INFORMAL COMMENTS:

Werner Thomisser stated that he is a five-year resident of Weddington. He said that the defeat of the land transfer tax in no way should be interpreted as a call by Union County's taxpayers for an increase of their property taxes. He further said that such an assumption would be foolish. He stated that the real estate industry, the builders and developers, might be under the impression that the statewide defeat had something to do with the more than \$450,000 that they poured into the defeat of this measure. Mr. Thomisser said that, in fact, the measure was defeated because of the word "tax." He said it could have been called the "gorilla tax", and it

would have been defeated. He reminded what happened when a former U.S. President had said “read my lips, no new taxes.” Mr. Thomisser said that President chose to implement new taxes and lost his bid for re-election. He said that it should be learned from history. Mr. Thomisser said that the people from North Carolina are taxed to death. He stated that he has friends who go across the state line to purchase gas from South Carolina to save ten cents per gallon because of the high North Carolina gasoline tax. He suggested that a plan be developed to better manage future growth. He questioned if the issuance of over 2,300 residential water permits in 2005, 3,600 residential water permits in 2006, and over 4,000 residential water permits in 2007 is responsible management. He asked what impact the issuance of these permits has had on the County’s schools, water supply, sewer capacity, and roads. Mr. Thomisser stated that the Board had the means before it to effectively manage growth. He said all that was needed was the courage and political will to do so. He stated that the APFO was adopted in October 2006 which places the burden and responsibility on the new subdivision development.

Mr. Thomisser stated that controlling growth would enable operation of the County without passing the buck to the taxpayers in the form of a property tax increase.

Michael Helms stated that he was representing his mother-in-law, Dorothy Horne, who lives on Price Rushing Road. He said that the County has been working with the residents of that road for the past 12 months on a self-help water project. Mr. Helms stated that they had tried to obtain signatures of 16 residents for the self-help project. He said that currently eight persons have signed up for the program and three residents have had to run individual water lines thousands of feet from New Salem Road to their homes because their wells were dry or something of this nature.

Mr. Helms requested that the Board speak with the Public Works Department about reducing the number of persons that would have to sign up in advance for the self-help project on Price Rushing Road. He explained that a number of the residents are on fixed incomes, and it is very difficult for them to pay the monies upfront. He said that once installation has begun on the water line, he believed that there would be more people signing up for the program. He stated that some of the residents simply cannot afford to do without the money that they were being asked to pay upfront until it gets closer to the time that they would receive County water.

He stated that his mother-in-law’s water contains sulfur, and she is forced to haul water. Mr. Helms stated that she could bathe in the water but could not bathe her face, because it causes her face to breakout and changes the colors of her clothes. He said that there were others here tonight that would be addressing this same matter, and they were really asking for a little more assistance with the self-help program for some of the lifelong citizens who have paid taxes in Union County.

In response to a question by Chairman Pressley, Mr. Helms stated that eight additional people were needed to sign on for the self-help program on Price Rushing Road, but three of those eight people have had to go ahead and run water lines to their homes. He said that running a water line to their homes was not an option for the others on that road.

Chairman Pressley requested that the Interim County Manager provide the Board with an update on the status of the Price Rushing Road Self-Help Project.

Marvin Williams said that he has resided on Price Rushing Road for 37 years. Mr. Williams brought a sample of the water from his well which he passed around for the Board members to smell and view its color. He said that his water stains clothes, showers, and bath fixtures in his home. He stated that there is no cleaner on the market today that will remove the stains from the fixtures. Mr. Williams shared that the filtration system works marginally. He said that the water has been a problem for a number of years and has gotten worse with additional people on the road. He stated that there is some reluctance on the part of the residents to sign up for the self-help program. He said the three residents on the road who have paid to have water lines run to their home could not wait any longer for the self-help program. He stated that there is no guarantee that digging new wells would be any better.

J. B. Thomas stated that he is also a resident of Price Rushing Road and has lived there for approximately nine years. He said that he has had a well dug and the water has sulfur and rust. He said that the water stained his hair and his clothes, and he hauls water from his former employer's business to drink and to use in cooking. Mr. Thomas stated that he had initiated the self-help project for Price Rushing Road and had obtained the signatures of the residents. He said that he has two filtration units on his well. Mr. Thomas stated that there are several residents on the road who are retired and living on social security.

There was discussion on the portion to be paid per residence on Price Rushing Road.

At approximately 7:33 p.m., the Chairman called a five-minute recess. At approximately 7:37 p.m., the Chairman reconvened the regular meeting and recognized Chad Simpson as the next speaker.

Mr. Simpson stated that basically what had been said by the other speakers regarding the water on Price Rushing Road was applicable to his water. He said that he was willing to pay his part and then some in order to help with the water situation.

Chairman Pressley assured that the Board was taking the residents' concerns seriously, and stated that was the reason that he had called for a five-minute recess in order for him to receive an update from the staff on this self-help project.

Robert Revesz said that he has been a resident of Union County for the past 27 years. He stated that he thought the current drought is the worse one that the County has been through since his becoming a resident of Union County. He asked if the Board had thought of the possibility of combining water resources with the City of Monroe. He stated that the City extends quite a bit into the County as a result of some of the annexations that have occurred.

Mr. Revesz proposed that the City already owns land that could be developed with the County to create a reservoir. He said that he firmly believed that reservoirs are the answer to long-term water problems. He compared having a water reservoir to having money in the bank, so in hard times, the water would be available for use. He said that since there is land already available, possibly the City and County could develop a reservoir together and share in the reserves. He cited the increased benefits of having reservoirs such as recreational benefits. Mr. Revesz said that all of the reports that he has read predict that fresh water supplies are going to continue to decrease and there would always be an increased demand. He stated that it made sense to him to try and create reserves. He said that the population would continue to increase which will create more demand for water.

In closing, he encouraged the Board to consider his comments and to think long term. He said that once the current drought is over, droughts would continue to occur. He said that when another drought occurs, the water situation would be even worse because there would be an even greater demand for water for the increased population.

Chairman Pressley commented that the Board had held a joint meeting with the City of Monroe before the 7:00 p.m. meeting today. He said that reservoirs have been discussed. He expressed appreciation to Mr. Revesz for his comments.

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

Commissioner Mills moved to approve the agenda as presented. The motion was passed by a vote of four to zero. Chairman Pressley, Vice Chairman Baucom, Commissioner Mills and Commissioner Openshaw voted in favor of the motion. Commissioner Lane was not present.

CONSENT AGENDA:

Chairman Pressley stated that Item 2d on the Consent Agenda: Morlando-Holden Change Order #1 should be removed, because it had been approved at the October 15, 2007, meeting.

With there being no further modifications to the Consent Agenda, Vice Chairman Baucom moved approval of the items listed on the Consent Agenda as modified. The motion was passed by a vote of four to zero. Chairman Pressley, Vice Chairman Baucom, Commissioner Mills, and Commissioner Openshaw voted in favor of the motion. Commissioner Lane was not present.

Minutes: Approved minutes as follows: Special meeting of April 2, 2007, special meeting of April 20, 2007, special meeting of April 24, 2007, regular meeting of May 7, 2007, regular meeting of June 7, 2007, special meeting of August 20, 2007, regular meeting of September 4, 2007, regular meeting of September 17, 2007, regular meeting of October 15, 2007, and regular meeting of November 5, 2007.

Contracts Over \$5,000: Authorized the Interim County Manager to approve the following contracts:

- a. The Archer Company to provide analysis compensation system and compensation consulting services (Personnel Department)
- b. Radio IP Software, Inc. – Maintenance and support for radio IP software (Sheriff/Law Enforcement)
- c. Wireless Communications, Inc. maintenance agreement for 9-1-1 telephone equipment (Communications Department)
- d. Morlando-Holden Construction, Inc. – Change Order #1 for the Government Center renovations, Phase IV (Second Floor) (General Services) – **This item was removed from the agenda as it had been approved at the October 15, 2007, Board meeting.**
- e. Hazen and Sawyer, P.C., Task Order #16 in connection with Twelve-Mile Creek Wastewater Treatment Plant reclaimed water, irrigation and bulk reuse facilities design, permitting, contract administration and inspection (Public Works)
- f. S&ME, Inc. Task Order #17 for Twelve-Mile Creek Wastewater Treatment Plant Construction and materials testing (Public Works)

Finance: Approved Motor Vehicle Tax Refund Overpayments for October 2007 in the amount of \$4,041.06.

Tax Administrator: Approved the Sixth Motor Vehicle Billing in the Grand Total Amount of \$1,515,808.35.

Tax Administrator: Approved departmental monthly report for October 2007.

Public Works Department: Accepted bids as recorded below, awarded bid to the low bidder, Southern Corrosion, Inc. in the amount of \$192,425.00, and authorized the Interim County Manager to approve a contract with Southern Corrosion, Inc. in the amount of \$192,425.00 for the elevated water storage tank reconditioning (Stallings Elevated Storage Tank and Indian Trail Elevated Storage Tank).

Bids: Southern Corrosion, Inc.	\$ 192,425.00
Utility Service Co.	\$ 347,000.00
Caldwell Tank	\$ 353,525.00

Public Works Department: Approved recommended modifications to update Exhibit 4 to the Sewer Allocation Policy to include 16,245 gallons per day for Belshire Development.

Public Works Department: Approved recommended modifications to update Exhibit 3 to the Sewer Allocation Policy to include 1,080 gallons per day for Tuscanny 2A which was inadvertently omitted during the development of the policy.

Government Channel Grant Application to Provide Video Camcorder, Accessories, and Editing Equipment: Authorized the Interim County Manager to submit E-NC Capital Expenditure Grant Application for qualified PEG Channel (Local Match of approximately \$13,757 is available within the Commission/Central Administration Budgets).

Library – Application for State Aid to Public Libraries: Authorized the Interim County Manager to submit grant application to the State Library in the amount of \$191,812 (State Aid Revenue is included in the FY 2008 budget).

Health Department: Adopted Budget Amendment #18 to the Health Department – Administration Budget increasing Operating Expense by \$15,000 and Revenue by \$15,000 to appropriate additional state funds for Health Administration.

Resolution Certifying and Declaring the Results of the Special Bond Referendums Held for the County of Union, North Carolina, on November 6, 2007: Adopted the following resolution:

RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUMS HELD FOR THE COUNTY OF UNION, NORTH CAROLINA ON NOVEMBER 6, 2007

WHEREAS, the Board of Commissioners of the County of Union, North Carolina has considered the Certificate of Canvass of the Union County Board of Elections canvassing the referendums held for the County of Union, North Carolina on November 6, 2007, and certifying the result thereof to the Board and has canvassed the result of said Referendums.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, NORTH CAROLINA, that it be and hereby is certified and declared that the total number of voters who voted “For” in answer to the question

“Shall the structure of the county board of commissioners be altered such that the number of commissioners is increased to seven and electoral districts are created.”

was 8,293. The total number of voters who voted “AGAINST” in answer to such question was 11,702. The question in the form submitted was *DISAPPROVED* by the vote of a majority of those who voted thereon at said referendum.

FURTHERMORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, NORTH CAROLINA, that it be and hereby is certified and declared that the total number of voters who voted “For” in answer to the question

“Real property transfer tax at the rate of up to four-tenths percent (0.4%) of value or consideration.”

was 3,439. The total number of voters who voted “AGAINST” in answer to such question was 16,786. The question in the form submitted was *DISAPPROVED* by the vote of a majority of those who voted thereon at said referendum.

BE IT FURTHER RESOLVED, that this Resolution is effective on the date of its adoption.

READ, APPROVED AND ADOPTED this 19th day of November, 2007.

Cook Farm Produce – Crime Stoppers’ Annual Barbecue: Authorized the Interim County Manager to approve the standard Master Agreement for Catering Services with Cook Farm Produce modified by deletion of the second paragraph in Section 6, applicable only to the Crime Stoppers’ event.

2008 Homeland Security Grant: Authorized the submission of FY 2008 Homeland Security Grant Application (no local matching funds required).

Information Only/No Action Requested: The following reports were included in the agenda package for information only purposes and no action requested: 1) Personnel Department's Monthly Report for October 2007; and 2) Department of Inspection's Report for October 2007.

CAROLINAS MEDICAL CENTER-UNION:

Vice Chairman Baucom introduced John Sullivan, Interim Chief Executive Officer for Carolinas Medical Center-Union. Mr. Sullivan introduced Ken Nanny, Staff Attorney, Dave Anderson and Brett Lamberts, Vice Presidents of the Carolinas Medical Center-Union.

Mr. Sullivan stated that both Carolinas Medical Center-Union and Carolinas Healthcare System continue to be appreciative of the partnership that they have with Union County in bringing healthcare and healthcare services to the citizens of Union County. He said that they value that working relationship very much.

He explained that under the terms of its lease agreement with Union County, Carolinas Medical Center-Union is obligated to bring any projects in excess of \$500,000 to the Union County Board of Commissioners for its approval. He said that Carolinas Medical Center-Union was requesting approval of three projects. Written information was provided in the agenda packages regarding the projects as follows:

1. Medical Office Upfit Project for Union OB/GYN which would upfit space on the second floor of the new medical office building on the campus of Carolinas Medical Center-Union and will relocate Union OB/GYN's Monroe office to that space – Project cost: \$859,840 to be funded from hospital operations.
2. Medical Office Building Upfit Project for Union Surgical Associates which will upfit space on the first floor of the new medical office building on the campus of Carolinas Medical Center-Union and will relocate Union Surgical Associates' Monroe office to that space – Project cost: \$515,950 to be funded from hospital operations.
3. Ambulatory Surgery Center at Union West Medical Plaza which will construct a one-room, 8,977 square foot, Ambulatory Surgery Center in a new medical office building at Union West Medical Plaza located on Highway 74 in Indian Trail, North Carolina – Project cost: \$3,875,408 to be funded from hospital operations.

Following Mr. Sullivan's presentation, Vice Chairman Baucom moved approval in block of the Medical Office Upfit Project for Union OB/GYN, Medical Office Building Upfit Project for Union Surgical Associates, and the Ambulatory Surgery Center at

Union West Medical Plaza as explained above. The motion was passed by a vote of four to zero. Chairman Pressley, Vice Chairman Baucom, Commissioner Mills, and Commissioner Openshaw voted in favor of the motion. Commissioner Lane was not present.

At the request of Vice Chairman Baucom, Mr. Sullivan shared that Carolinas Medical Center-Union has been named by the American Healthcare Providers as the Hospital of Choice for the third consecutive year. Further, he said that the Union Regional Home Health Agency was chosen among the elite 500 Home Health Agencies in the country. He stated that there were numerous events occurring within their agency of which they are proud.

In response to a question by Commissioner Mills, Mr. Sullivan explained that in conjunction with the Carolinas Healthcare System, Carolinas Medical Center is seeking to build a healthplex, the second of its type in the State of North Carolina. He said they would be applying for the Certificate of Need in January for the emergency department component of that project. Further, he shared that Carolinas Medical has gone before the Waxhaw Town Council seeking approval for a conditional use permit to begin construction of a 60,000 square foot medical office building on the Curreton site. He said that they hoped to know the results by mid summer on the Certificate of Need for the emergency department, and at that time, that facility would be incorporated into the project. He stated that Carolinas Medical is excited about the project and described it as a natural progression of what the hospital strives to do as the only full service healthcare provider for Union County. Mr. Sullivan stated that they take that responsibility seriously and are appreciative of that opportunity.

Vice Chairman Baucom also mentioned the Certificate of Need that was announced by the media several weeks ago about expansion of the emergency department of Carolinas Medical Center-Union. Mr. Sullivan commented that the department would be expanding from 19 treatment rooms to 34 treatment rooms. He said that this expansion is very needed. He stated that there had been such growth in the emergency department in the last few years that although the department was new and up-to-date ten years ago, it has been undersized and they are trying to keep their heads above water to serve the people.

PRESENTATION AND ACCEPTANCE OF FISCAL YEAR 2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT:

Kai Nelson, Finance Director, said he was pleased to present the County's Comprehensive Financial Report for the fiscal year ending June 30, 2007. He said that Jan Glover, Partner in the independent certified public accounting firm of Potter & Company would be presenting the report for John Kapelar, Engagement Partner for the firm of Potter & Company, who is unable to attend tonight's meeting due to a family emergency.

Mr. Nelson stated that excellence in financial accounting and reporting and the development of financial systems and internal controls to support that reporting does not come easily. He said that, in fact, it takes a huge investment of time, money, and energy with even greater resources required in a transition year between audit firms. He explained that 2007 was the third consecutive year in which a different auditing firm has performed the County's audit. He stated that it takes a dedicated and committed team of professionals throughout the organization focusing on a complex and ever changing set of federal, state, and local regulations that govern the County's financial accounting and reporting. Mr. Nelson said that while he, as the County's Chief Financial Officer, appears before the Board to present the results, he is simply the conductor and the orchestra is comprised of many talented financial and business officers throughout the organization in Public Health, Social Services, Public Works, law enforcement, General Services and the Finance and Internal Audit Departments that make his task a very pleasant one.

Mr. Nelson extended his thanks to all of the County's employees who contributed their expertise, knowledge, and energy to another successful audit year. He said that his goal in every audit report is to strive for no surprises, to deliver a timely report that confirms the County's financial projections and affirms its commitment to superior internal controls, financial management, and reporting. He stated that this year's audit report does exactly that and delivers no surprises. He introduced Ms. Glover to present the findings of the report.

Ms. Glover said that she was extremely pleased to come before the Board to represent Potter & Company and to present the Comprehensive Annual Financial Report. She expressed appreciation on behalf of the company for the opportunity to perform the audit and to Mr. Nelson and his staff for their hard work and diligence in connection with the report.

She stated that the result of the audit is the issuance of an opinion on the County's financial statements which was reflected on Page 11 of the report. She said that the opinion was an unqualified opinion. She stated that an unqualified opinion is the highest level of an assurance that a CPA firm can issue on audited financial statements. She explained that it means that the financial information is fairly presented in all material respects and is commonly referred to as a "clean opinion." She said that in addition to issuing an opinion on the financial data, since the County is the recipient of numerous federal and state grants, several compliance reports must also be issued by the CPA firm. Ms. Glover stated that the auditing firm has to test compliance with laws and regulations and with the actual expenditure of the federal and state awards and the results of the compliance testing revealed no findings and no questioned costs. She said that there were no material instances of non compliance that needed to be reported.

Lastly, Ms. Glover referred to the performance of the County's general fund. She stated that in the budget, the Board had approved to expend approximately \$10,779,000 of fund balance. She stated that the County operated last year with an excess of

revenues over expenditures of approximately \$1.7 million which meant that the County did not need to expend any of the reserves that had been appropriated for expenditure. She pointed out that the ending fund balance was slightly in excess of \$51 million and of that \$51 million, approximately 60 percent is undesignated or unreserved.

She said that the report consisted of 196 pages of information. She stated that the Board of Commissioners should feel very proud that the County has received an unqualified opinion on all of the reports issued.

Chairman Pressley expressed appreciation on behalf of the Board to Mr. Nelson and his staff. Vice Chairman Baucom stated that Mr. Kapelar has commented to him about how helpful Mr. Nelson and his staff have been to Potter & Company.

RESOLUTION REQUESTING AUTHORIZATION FOR COUNTIES TO REGULATE THE USE OF GROUNDWATER DURING TIMES OF DROUGHT:

Matthew Delk, Assistant County Manager, stated that the Senior Staff Attorney prepared the draft resolution based on the facts. He said that it is believed that the State will have to perform a great deal of research on this matter. He stated that if the Resolution is adopted, the staff would communicate the information to the appropriate research committees of the North Carolina Association of County Commissioners. He said that Board will not take an active policy stand until time for preparation of the long session of the General Assembly; however, he said that the staff could immediately share the information with the other counties in the State as well as the appropriate House Committee.

Mr. Delk said that the Board had asked him to look into other county research, and his research revealed that the only substantive matter specifically dealing with wells was from Durham and Moore Counties. He said that Durham County issued a press release that was published in the *News and Observer* asking for voluntary cutbacks. He further said that the Village of Pinehurst issued a moratorium on wells and due to its unique situation, it has a county system inside the city limits. He said that Pinehurst issued a moratorium based on the County's request. He said that as far as he could ascertain, Union County would be the first county to address this matter through a resolution.

Chairman Pressley questioned what would be considered bona fide farms.

Jeff Crook, Senior Staff Attorney, responded that there is a statutory definition for bona fide farms, but he did not have that information available tonight. He offered if the Board wished to remove that term in the resolution, that he did not feel that it would cause any damage to the resolution.

Vice Chairman Baucom commented that the definition had changed somewhat and meets a financial requirement more than a land area requirement. He said that in the past, bona fide farms have had land area designation without the financial impact. He stated that with the increase in production of horticulture and specialty crops, the financial impact is as much in play as the land size requirement.

Chairman Pressley questioned whether the term bona fide farm should be stricken from or included in the resolution. Vice Chairman Baucom responded that the term needed to remain in the resolution so that it does not adversely impact agriculture. Chairman Pressley read excerpts from the resolution.

Following the discussion, Vice Chairman Baucom moved adoption of the Resolution Requesting Authorization for Counties to Regulate the Use of Groundwater During Times of Drought as presented, and the motion was passed by a vote of four to zero. Chairman Pressley, Vice Chairman Baucom, Commissioner Mills, and Commissioner Openshaw voted in favor of the motion. Commissioner Lane was not present.

RESOLUTION REQUESTING AUTHORIZATION FOR COUNTIES
TO REGULATE THE USE OF GROUNDWATER DURING TIMES OF DROUGHT

WHEREAS, the Governor has stated that North Carolina is in the midst of the State's worst drought in recorded history and that significant rainfall is needed to avoid the possibility of water rationing; and

WHEREAS, the United States Geological Survey reports that the drought of 2007 has resulted in the lowest streamflows in more than 110 years for some North Carolina rivers; and

WHEREAS, on September 14, 2007, the U.S. Department of Agriculture designated 85 North Carolina counties as disaster areas; and

WHEREAS, on June 1, 2007, Union County became the first public water provider in the Charlotte metropolitan region to impose mandatory water conservation restrictions; and

WHEREAS, as of mid-October, 2007, 141 public water systems had enacted voluntary water use restrictions and another 117 systems had implemented mandatory restrictions, such that five million people in North Carolina are subject to water use restrictions, further evidence of the severity of the drought; and

WHEREAS, since 1984, Union County Environmental Health has issued 13,734 well permits, many of which wells provide drinking water for the households served; and

WHEREAS, since July 1, 2007, Union County Environmental Health has issued 212 well permits, 103 of which are for drinking water and 109 for irrigation purposes; and

WHEREAS, the Division of Water Resources of the North Carolina Department of Environment and Natural Resources maintains a drought indicator well in the City of Monroe, and such well has demonstrated a steady decline in groundwater level during 2007; and

WHEREAS, the County lacks additional monitoring wells to help determine the effects of drought on groundwater levels such that County officials are unable to adequately gauge the effects of groundwater irrigation on drinking wells; and

WHEREAS, pursuant to well-established North Carolina law, counties exist solely as political subdivisions of the State and are creatures of statute, having only those powers conferred on them by law; and

WHEREAS, local governments in North Carolina lack clear legislative authority to regulate the use of groundwater. NOW, THEREFORE, THE UNION COUNTY BOARD OF COMMISSIONERS DOES HEREBY RESOLVE to request that the North Carolina General Assembly adopt enabling legislation providing authority to counties and/or county health departments to regulate the use of groundwater during times of drought; provided that authority is not sought to regulate the use of groundwater for agricultural purposes on bona fide farms.

Adopted this the 19th day of November, 2007.

UNION COUNTY PUBLIC SCHOOLS – LAND ACQUISITION FOR ELEMENTARY SCHOOL “M” TO BE LOCATED ON POPLIN ROAD BETWEEN ROCKY RIVER AND UNIONVILLE-INDIAN TRAIL ROADS:

Commissioner Mills moved adoption of Capital Project Ordinance (CPO) #90. The motion was passed by a vote of four to zero. Chairman Pressley, Vice Chairman Baucom, Commissioner Mills, and Commissioner Openshaw voted in favor of the motion. Commissioner Lane was not present.

CAPITAL PROJECT ORDINANCE AMENDMENT							
BUDGET	School Bond Fund - 55			REQUESTED BY	Kai Nelson		
FISCAL YEAR	FY 2007-2008			DATE	November 19, 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
G.O. Bond Proceeds	470,871,239	2,169,450	473,040,689	Elem School "M"/Sun Valley (115C-429b project allocation)	33,550	2,169,450	2,203,000
All Other Revenue	1,363,308	-	1,363,308	All Other School Projects	472,200,997	-	472,200,997

				Elem School "M"/Poplin Rd (115C- 429b project allocation)	-	1,355,000	1,355,000
				55559200-5570- 510			
	470,871,239				33,550	2,169,450	2,203,000
		2,169,450	473,040,689				
Prepared By	dhc						
Posted By							
Date						Number	CPO - 90

PRESENTATION AND ACCEPTANCE OF FISCAL YEAR 2007 COMPREHENSIVE ANNUAL FINANCIAL REPORT:

Kai Nelson, Finance Director, stated that the Clerk to the Board had advised him that the Board did not take any action in connection with the Comprehensive Annual Financial Report.

Vice Chairman Baucom moved that the Board accept the Fiscal Year 2007 Comprehensive Annual Financial Report as presented. The motion was passed by a vote of four to zero. Chairman Pressley, Vice Chairman Baucom, Commissioner Mills, and Commissioner Openshaw voted in favor of the motion. Commissioner Lane was not present.

ANNOUNCEMENT OF VACANCIES ON BOARDS AND COMMITTEES:

Chairman Pressley announced vacancies on the following Boards and Committees:

1. Juvenile Crime Prevention Council (JCPC): District Attorney or Designee; Substance Abuse Professional; Two persons under the age of 18; Juvenile Defense Attorney; and a member of the business community.
2. Adult Care Home Community Advisory Committee
3. Nursing Home Advisory Committee
4. Farmers Market Committee (one vacancy as of December 2007)
5. Home and Community Care Block Grant Advisory Committee (four vacancies as of December 2007)

INTERIM MANAGER'S COMMENTS:

Richard Black, Interim County Manager, announced that on Tuesday, November 20, 2007, at 7:00 p.m. in the Personnel Training Room, Union County Government Center, there will be a Comp Plan Steering Committee meeting with its focus being on transportation and transportation issues as they relate to the Comp Plan. He said that the consultant for the Comp Plan would be attending the meeting as well as MPO officials, representatives from the NC Turnpike Authority, and the Rocky River RPO.

Further, he stated that on December 10, 2007, at 7:00 p.m. at the Agri Business Center, a public forum will be held on "Shaping of the Future." He said that this forum would provide an opportunity for citizens to present their viewpoints about the type of new development they would like to see in the County and where the development should occur. He stated it would be an opportunity for the citizens to have a voice in the planning of the future of the County.

He reminded the Board that the December 3rd meeting would be the Board's organizational meeting.

Vice Chairman Baucom asked if the public forum to be held at the Agri Business Center would be the only public forum to be held on future development. Mr. Black responded that the December 10th meeting would be one of several meetings to be held. He said that in December of 2006, there had been a workshop to review the strategies used in other counties in North Carolina and across the country. He further stated that a design workshop had been held in August at the Chamber of Commerce. He said that the December 10th meeting was the first kickoff meeting giving citizens input into the plan.

COMMISSIONERS' COMMENTS:

Commissioner Openshaw shared an article about a bank robbery in Waxhaw.

He said that he remembered being a member of the audience at the time that the Dodge City Self-Help Project was discussed. He stated that there had been a number of health incidents that they had due to the water in that area. He said that his goal was to ask that the Board re-examine that project.

Commissioner Openshaw commented that the gas company was doing work at the intersection of Cuthbertson Road while the other end of the road was closed for a bridge replacement. He said that the barriers at New Town Road and Cuthbertson Road make visibility very difficult. He asked the Interim Manager if the County could initiate some form of communication to coordinate events such as this so that the one hand knows what the other hand is doing for the safety of the citizens.

He said that that three new schools will be opening on Cuthbertson Road. He stated that he hoped that there could be some coordination with the Department of Transportation to have the turning lanes and a light installed at New Town and Cuthbertson Roads prior to those schools being opened.

Commissioner Openshaw commented that the air show at the Monroe Airport in connection with Veterans Day was spectacular and said that he hoped it would become an annual event. He said that he would encourage everyone to attend in the future.

He stated that at a prior meeting he had mentioned that there was going to be a tremendous multi-state basketball tournament at Marvin Ridge over the Christmas holidays. He said that the annual high school Christmas tournament would be held at Wingate University for the local schools on December 26-29.

He concluded his comments by wishing everyone a Happy Thanksgiving.

Commissioner Mills said that tonight's meeting had been a good meeting. He stated that the Patriot Award Ceremony was a good event on Saturday, and he was honored to be able to attend and present those awards on behalf of the Board. He said that he had also attended the Veterans Day event at Grace Baptist Church.

He said that the Veterans Day event at the Monroe Airport was a huge event. He stated that he had mentioned to Debra Korb, the Travel and Tourism Director for the City of Monroe, that hopefully in conjunction with Veterans Day the County would be able to contribute some funding to bring in some of the larger planes for the event.

Vice Chairman Baucom said he had a wonderful time at the Marshville Parade on Saturday and was sorry that he was unable to participate in the Monroe Parade on Sunday.

He offered his congratulations to all the candidates in the recent elections, the victors and those who were not victorious. He said they were willing to step forward and become a part of the process.

He commented that United Way is approximately \$20,000 short of its \$1.8 million goal. He invited anyone who was inclined and able to contribute some amount to do so in order to help United Way meet its goal.

Chairman Pressley said that one of the unfortunate results of being a Christmas tree farmer is that he misses a number of the events taking place in the County. He said that he has been very busy the past two weeks and appreciated Commissioner Mills attending the Patriot Award event and presenting the awards on behalf of the Board.

He said that the Board had a good meeting with the representatives of the City of Monroe. He stated that the Board had heard some of the City's concerns and the City representatives had heard the concerns of the County.

He stated that tonight was his last meeting as Chairman of the Board and a new chairman would be chosen at the next meeting. He expressed appreciation to the staff for the opportunity of working with its members this year.

With there being no further comments or discussion, at approximately 8:14 p.m., Vice Chairman Baucom moved to adjourn the regular meeting. The motion was passed by a vote of four to zero. Chairman Pressley, Vice Chairman Baucom, Commissioner Mills and Commissioner Openshaw voted in favor of the motion. Commissioner Lane was not present.