

April 3, 2006

The Union County Board of Commissioners met in a regular meeting on Monday, April 3, 2006, at 7:00 p.m. in the Commissioners' Formal Board Room, ninth floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

PRESENT: Chairman Roger Lane, Vice Chairman Hughie Sexton, Commissioner Kevin Pressley, Commissioner Stony Rushing, and Commissioner Richard Stone

ABSENT: None

ALSO PRESENT: Mike Shalati, County Manager, Lynn G. West, Clerk to the Board of Commissioners, Jeff Crook, Senior Staff Attorney, Christie Putnam, Assistant to the Manager/Interim Public Works Director, Kai Nelson, Finance Director, Brett Vines, Public Information Officer, members of the press, and other interested citizens

OPENING OF MEETING:

Chairman Lane opened the meeting, welcomed everyone present, and reviewed the public charge for the audience.

a. Invocation

Chairman Lane offered the invocation.

b. Pledge of Allegiance

Chairman Lane led the body in reciting the Pledge of Allegiance to the American flag.

c. Informal Comments

Gary Sides expressed appreciation to Chairman Lane for his appearance on the "Sides of Union County" Program which airs on the cable television channel. He shared that the "Sides of Union County Program" began production in January 2006. Mr. Sides said that he looks forward to having more opportunities to educate Union County residents on various issues through the program. He stated that on April 15, Jenny Kirksey, Union County Health Director, and Wanda Smith, Parks and Recreation Director, would be guests on the program.

Donna Lisenby addressed the Board regarding a request by Concord and Kannapolis for an Interbasin Transfer. She provided the Board with a packet of information. Ms. Lisenby stated that she is the Catawba River Keeper. She said that she wanted to bring to the Board's attention the Interbasin Transfer request to the North Carolina Environmental Management Commission by Concord and Kannapolis, which are both outside the Catawba River Basin.

Ms. Lisenby explained the information included the handouts given to the Board. She stated that some of the other counties have taken action on the request. She pointed out that there are three actions that have been taken by some of the counties: 1) a resolution opposing the Interbasin Transfer; 2) a resolution asking for delay until relicensing is complete; or 3) in some cases there have been comments made directly to the EMC on the merits of this Interbasin Transfer and how it will impact other counties and cities that depend on the Catawba River for water.

Ms. Lisenby asked for time on a future meeting to present the Board with more information on the request. She said that the package of materials contains a draft resolution for the Board's consideration. Further, she said she had included copies of all resolutions passed by other cities and counties in the Catawba Basin opposed or that have concerns about the request.

Brian Stickleby addressed the Board regarding the need for lights on the Weddington High School's ballfields. He said that Weddington High School is the only high school in Union County that has no lights on its baseball and softball fields. Mr. Stickleby stated that he did not know why lights were not installed when the school was constructed, since it was his understanding that construction of the school came in one million dollars under budget.

He said that he had met with representatives of Duke Power to discuss the need for lights on the ballfields. He explained that Duke Power has a plan to install lights on athletic fields and finance those lights for a period up to ten years.

Mr. Stickleby said that he had wanted to bring this matter to the Board's attention and hopefully get this issue on the Board's agenda for consideration.

PUBLIC HEARING: FY 2006-2007 RURAL OPERATING ASSISTANCE PROGRAM GRANT APPLICATION:

Chairman Lane opened the public hearing at approximately 7:17 p.m. and asked if there were anyone present who wished to speak in favor of the application.

April 3, 2006

Mr. Shalati responded that no one had registered to speak either in favor of or in opposition to the application.

Chairman Lane closed the public hearing at this time.

ADDITIONS, DELETIONS, AND/OR ADOPTION OF AGENDA:

Commissioner Pressley stated that at the March 20, 2006, meeting of the Board, discussion had taken place regarding the need for lights at the Weddington High School softball and baseball fields. He said that he thought a report was to have been brought to the Board regarding this matter at tonight's meeting. He moved to add an item to the agenda to discuss lights for the ballfields at Weddington High School. Chairman Lane stated that this item would become 11b if its addition to the agenda is approved.

The Chairman called for a vote on the motion by Commissioner Pressley to add an item to the agenda to discuss the need for lights at the Weddington High School ballfields.

Vice Chairman Sexton stated that as the liaison to the schools, he has had extensive discussions with the school board's liaison in the last two weeks concerning the need for lighting and other school issues. He said that he planned to address those discussions during the Commissioners' comments.

Commissioner Pressley stated that he knew there had been discussions, but he would prefer that this matter be added to the agenda in case the Board wanted to discuss it.

The motion was passed unanimously.

Commissioner Pressley requested to move Consent Agenda Item 3, Child Abuse Prevention and Sexual Assault Awareness Month Proclamation, and Consent Agenda Item 9, Resolution of the Board Amending and Supplementing the Note Resolution Providing for the Issuance, Sale and Delivery of General Obligation Commercial Paper Bond Anticipation Notes, to the Regular Agenda. Chairman Lane stated these two items would become 11b and 11c on the Regular Agenda.

Vice Chairman Sexton moved to add an item to the Regular Agenda concerning the Monroe Bypass. He requested that this item become Item 7a on the agenda.

The motion was passed unanimously.

Commissioner Rushing moved to add an item to the Regular Agenda as Item 9b to receive more information and discussion on the Interbasin Transfer request of Concord and Kannapolis.

Commissioner Stone stated that the Board might want to study the information that Ms. Lisenby had provided prior to asking questions of her. Chairman Lane said that he would prefer to study the material provided to the Board tonight until the next regular meeting.

Following the discussion, the motion failed by a vote of two to three. Commissioner Pressley and Commissioner Rushing voted in favor of the motion. Chairman Lane, Vice Chairman Sexton, and Commissioner Stone voted against the motion.

Chairman Lane moved adoption of the agenda as amended. The motion was passed by a vote of four to one. Chairman Lane, Vice Chairman Sexton, Commissioner Pressley, and Commissioner Stone voted in favor of the motion. Commissioner Rushing voted against the motion.

CONSENT AGENDA:

Commissioner Pressley moved to approve the items listed on the Consent Agenda as amended. The motion was passed unanimously.

Minutes: Approved minutes of regular meeting of March 20, 2006.

Public Works: Approved addition of Meter Services Supervisor Position, Pay Grade 64, to the County's Pay Plan.

Child Abuse Prevention and Sexual Assault Awareness Proclamation- This item moved to regular agenda at the request of Commissioner Pressley.

Tax Administration: Approved Tax Administrator's monthly report for February 2006.

Tax Administration: Approved Releases for March 2006 in the Grand Total Amount of \$67,814.28

April 3, 2006

RELEASES MARCH 2006

2005 Acct #	Name	Release #	Total
07063252C	Village of Lake Park	995	7.17
07063252D	Village of Lake Park	996	5.77
07063329	Village of Lake Park	997	14.67
07063330	Village of Lake Park	998	11.40
07063396	Village of Lake Park	999	7.64
07063562	Village of Lake Park	1000	6.83
07063618	Village of Lake Park	1001	13.67
07063627	Village of Lake Park	1002	5.10
07063628	Village of Lake Park	1003	5.49
07063881	Village of Lake Park	1004	8.92
07064021	Village of Lake Park	1005	6.83
07064080	Village of Lake Park	1006	5.44
07064388	Village of Lake Park	1007	5.10
07066021	Village of Lake Park	1008	13.81
07084488	Village of Lake Park	1009	8.64
07084585	Village of Lake Park	1010	13.81
50092700	Chris Starnes Const	1012	173.25
08237044	TEBE LLC	1013	252.00
05048026 02	Barwick Reid W Sr % Reid Jr	1014	48.18
09075007A01	Taylor Carroll & Verna Mae B	1016	95.44
03156017C	Hutaff Richard R	1017	45.00
04036025 02	Parker Viola Heirs %Hasty Springs	1018	29.12
50073749	Yarborough Pamela L	1023	166.45
07120011	Pace/Dowd Properties LTD	1029	3,601.98
M7090021R80	Pace/Dowd Properties LTD	1030	568.32
M7090021R90	Pace/Dowd Properties LTD	1031	319.91
N7090021R80	Pace/Dowd Properties LTD	1032	1,551.70
50077600	Helms Williams Brady & Neil D	1033	3.87
02006010 02	Phifer Oliver Burton & wf Helen	1034	50.00
05153020 01	Haynes Albert L & wf Carolyn	1035	510.89
50080897	Purser Rondal Max & Martha H	1036	3.78
H4099003	Presson George L & wf	1038	124.55
50090930	1st Class Auto Class	1040	173.25
09351004C	Howey Franklin W & wife Alison	1041	1,001.57
03105004C	Howey Franklin W Jr & wife Alison	1042	816.74
03105004C	Howey Franklin W Jr & wife Alison	1043	1,234.94
03129004C	Howey Franklin W & wife Alison	1044	56.64
09310003	Murray Family Limited Partnership	1045	2,983.49
02133033D	Haywood Tony Dale Sr & Wife Crystal	1046	1,765.65
50067230	Farm Credit Leasing	1047	178.94
50092661	Main Street Financial	1048	173.25
07069374	Garcia Jose Javier	1049	682.73
07084323	Green River Fund LLC	1050	1,304.67
07087032	Moazami Anoushirvan	1051	105.70
07132277	Mullis Steven C	1052	646.25
07135040C	Ivey Richard Wayne	1053	667.86
08192011C	Meyer Carol S	1054	1,196.62
08279003C	Hart Renee Johnson	1055	3,524.86
09022058	Streater Samuel & Charlene	1056	417.44
09158009	Horning Craig Trustee	1057	341.53
06141004F	Hook Land Company	1058	96.39
07066012	Privette Lowell	1059	365.77
04347045	Jarvis John David & Dannielle S	1060	202.26
09396009C	D & D Properties	1063	328.99
06111009	Welch Ina R	1070	35.43
06159190	Colony Price LLC	1071	2.85
50093964	HAAS CLETUS A	1073	71.32
50093966	HANCOCK HENRY	1074	120.58
50093967	HARGETT WYATT PRICE JR	1075	81.69
50093968	HARLOW CARL M	1076	67.70
50093970	HART BILLY RAY	1077	68.08
50093973	HARTSELL MICHELE	1078	90.79

April 3, 2006

50093977	HAWKINS SHAWN A	1079	37.61
50093981	HELMS BRANDON M	1080	126.11
50093982	HELMS CAMERON B	1081	53.46
50093990	HOLT KENNETH	1082	269.72
50093991	HONEYCUTT JOHN M	1083	35.00
50093997	JONES DARNELL	1084	55.44
50093998	HORNE JONATHAN	1085	41.24
50094000	HUGGINS TIMOTHY	1086	72.35
50094001	HUNT JEFFERY D	1087	94.25
50094002	HUNTER TIMOTHY R	1088	46.09
50094007	JONES MICHAEL G	1089	111.72
50094014	KNEPPER JOSEPH	1090	69.69
50094016	LEGAULT RUSSELL	1091	36.39
50094017	LEMMOND JOHNNY	1092	77.43
50094020	LOSKLEAR GARY	1093	109.15
50094021	LOWERY JOHN D	1094	168.16
50094029	MASSEY WILLIAM J	1095	60.29
50094032	NANCE RICKY W	1096	47.13
50094035	MCKAY WOODROW M	1097	187.22
50094036	MARTINEZ ALEXIS	1098	53.19
50094038	MULLIS GREGORY	1099	46.33
50094039	MILES MARY R	1100	54.50
50094040	MESSICK ROBERT	1101	170.14
50094041	MERRITT WILLIAM	1102	138.00
50094042	MEER SHAWN & JODI	1103	35.96
50094043	MSWHORTER AMY	1104	139.09
50094044	MCVICKERS KEITH	1105	47.43
50094046	MOSHER ANNA M	1106	17.21
50094078	RADEMAKER JEFFREY A & CAROLYN D		
50094083	WATKINS JAMES F	1108	110.68
50094086	ONISKO VITALIY P	1109	56.05
50094088	MAMALENA % RAYMOND CASTALDI		350.94
50094089	PARKER TERESA	1111	49.55
50094090	PARKER TONY A	1112	39.50
50094093	PEECHER JOHN W	1113	36.55
50094094	PENN GEORGE L	1114	92.81
50094095	PRIVETTE MICHAEL W	1115	46.61
50094096	PROSSER JEROME	1116	98.28
50094097	PRYCHOOKO PAUL	1117	119.21
50094098	PANGLE JAMES G	1118	36.06
50094101	PIERCE LARY E	1119	42.40
50094102	PRESSLEY DONALD K	1120	128.69
50094103	RANDOLPH GREGORY R	1121	86.20
50094106	RICE SOL D	1122	73.12
50094110	ROBINSON DAVIS H	1123	109.98
50094111	SAUNDERS DAVID	1124	40.56
50094119	STAVISKI TREY	1125	117.38
50094120	STEWART WILLIAM	1126	140.68
50094123	SHEPHERD CHARLES T	1127	218.99
50094131	VARDEMAN ROBERT	1128	133.05
50094132	VARAMO JOSEPH	1129	42.57
50094141	WOOD GARY M	1130	52.23
50094145	WILLIAMS RICK L	1131	50.59
50094148	WILLIAMS WILLIAM D III	1132	65.63
50094151	WILLIAMS NED S	1133	263.24
50094153	WILBURN JOHN A	1134	54.92
50094156	WALLACE RICKY J	1135	84.54
50094159	WALLACE CALVIN L	1136	102.57
50094162	YORK STEPHEN H	1137	112.10
50094164	YOUNG BRADLEY A	1138	78.66
50094187	PETTY JAMES M	1139	159.05
50094194	PEKRUL KIRK	1140	114.17
50094202	TURNER WALLACE	1141	106.21
50094206	QUARINO ANTHONY	1142	67.57
50094219	HELMS VERONICA THOMAS	1143	65.27
50094272	BLALOCK WENDY	1144	130.84
50094320	PHILLIPS MICHAEL	1145	62.27
50094337	SOLIS SIXTO	1146	115.13
50094340	TORREZ AQUILEO M	1147	126.69
50094341	TARLTON MARY LOUISE	1148	113.52
50094344	TADLOCK DEBBIE	1149	92.90
50094362	WRIGHT BONNIE	1150	107.64
50094446	ALAN J VAN DOREN	1151	41.58
50094452	JACKSON STEVEN L	1152	60.32
50094513	OSBORNE TERRY JOE JR	1153	138.26
50094566	BOYD MIKE	1154	260.46
50094750	VAUGHN WILLIE G	1155	132.68
50081838	LAWSON BRIAN	1156	156.22
50069459	ROBINSON BRIAN & SONYA	1157	180.84
50094270	BASS JESSICA	1158	116.95
50094643	CITYGREEN LANDSCAPE COMPANY		
50094254	AUSTIN MICHAEL	1160	339.47
50094259	ASTUDILLO TIMOTGO	1161	151.01
50094267	BURGESS DERRICK	1162	132.09
50094268	GRIFFIN MARY	1163	132.52

April 3, 2006

50094361	WOLFE MELODIE	1164	173.34
50094271	BARBEE CRYSTAL	1165	151.01
50094276	CORTE LUIS	1166	170.04
50094277	COLBURN DUSTIN & MARIE	1167	143.12
50094279	DILLON BRIAN	1168	126.89
50094280	FREDERICK JULIUS A	1169	148.72
50094281	HELMS RAY LAWRENCE	1170	113.88
50094282	HERNANDEZ FRANCISCO	1171	158.83
50094284	GALINDA EULALIO	1172	145.75
50094285	GRIFFIN MARY	1173	132.52
50094287	HILDRETH BELINDA M	1174	142.99
50094290	KERWIN KRISTINE	1175	156.07
50094291	KIKER CHARLES B	1176	153.35
50094292	LILLEY JAMES P JR	1177	133.86
50094294	MEDINA JOEL	1178	172.96
50094295	MULLIS CHRIS	1179	140.22
50094296	MOSER CHRISTOPHER	1180	154.76
50094297	MORRIS CHRISTINA	1181	103.58
50094298	MCCLAIN HOLLY	1182	167.99
50094299	MCDONALD JIMMIE LUSTER	1183	74.59
50094300	MCKEOWN JAMES RUSSELL	1184	125.29
50094301	MOORE PENNY	1185	153.35
50094302	MORRIS MICHAEL	1186	154.76
50094318	PEREZ SERGIO	1187	93.97
50094319	PINNACLE INVESTMENT	1188	155.40
50094323	MATHENEY VERNA	1189	117.53
50094324	REITZ JAMES	1190	114.35
50094325	RANGEL ARTURO	1191	152.30
50094326	STEGALL KRISTINA	1192	128.50
50094327	SHERRIN LOUIS THOMAS	1193	109.20
50094328	SALINAS GABRIEL	1194	152.30
50094275	CANO MARTIN YEPEZ	1195	165.31
50094286	GARCIA GENOVEVA	1196	157.77
50094288	JUAREZ ADOLFO BUENDIA	1197	166.45
50094289	JUAREZ SANTIAGO SANCHEZ		
50094293	LEE MICHAEL	1199	173.34
50094330	SALINAS LEODORDO	1200	168.57
50094331	SALINAS JUAN	1201	143.12
50094336	SOTELO DANIEL	1202	168.57
50094338	STIRLING DERRICK	1203	74.43
50094339	SWINSON RANDY	1204	103.74
50094347	TAYLOR ALEX	1205	180.84
50094349	TAYLOR AMBER	1206	139.52
50094353	TAYLOR RAMONA	1207	139.07
50094356	TOMLIN MICHAEL	1208	145.62
50094357	TSITOURIS MARK	1209	110.19
50094358	VANDEBUSH CASEY LEE	1210	119.44
50094359	WHEELER CLEVE	1211	170.61
50094360	WIGGINS REALTY	1212	150.49
50094361	WOLFE MELODIE	1213	173.34
50092955	CROOKE STEPHEN	1214	139.07
06048047	COMITO RONALD J & BARBARA A	1215	2,221.38
09298079B07	GREEN DONALD P & THELMA W	1216	1,213.57
09189178	EDWARDS RICHARD A II & NICHOLE L EDWARDS	1217	579.53
09180003 81	PLYLER ISOM FRANKLIN JR	1218	16,369.70
07048086	KISIAH WILLIAM R & JOAN HUNTLEY	1219	3,329.04
05093003R	JOYNER JOHN ELLIOTT & MARJORIE	1220	50.00
50088749	A BETTER CHOICE ELECTRONICS	1222	170.30
50089347	CARRIE'S PET MOBILE	1224	195.25
50090596	WRIGHT RAY DBA WRIGHT CONSTRUCTION	1225	20.81
50054604	PLEJ'S TEXTILE MILL OUTLET #46	1229	46.44
50088749	A BETTER CHOICE ELECTRONICS	1233	17.03
50089347	CARRIE'S PET MOBILE	1234	19.52
50090596	WRIGHT RAY DBA WRIGHT CONSTRUCTION	1235	2.08

 66,988.85

April 3, 2006

05015011	Moore Randal Glenn	1062	<u>94.67</u>
2003			
09015016	NC Department of Transportation	1015	<u>730.76</u>
GRAND TOTAL			<u><u>67,814.28</u></u>

Tax Administration: Approved Refunds for March 2006 in the Grand Total Amount of \$4,081.49.

REFUNDS MARCH 2006

2005 Acct #	Name	Release #	Total
50074257	American Community Leasing Co	1011	168.28
04036025 04	Parker Viola Heirs % Mary Deloris	1019	29.12
04036025 03	Parker Viola Heirs %Dona Hagler	1020	29.12
05153020 02	Haynes Albert L & wife Carolyn	1021	331.61
50075350	Bobbie's Restaurant	1022	16.07
9342123	Secrest, Orman Rex & Josephine	1064	109.62
06015017	Helms Herman Franklin & Dorothy Ann	1065	69.05
50080163	Watson Mary A & Wilmeth Ray	1221	79.54
50084420	Procure Auto Service Solutions	1226	166.77
50075391	3 Star Enterprise LLC	1227	663.69
50072427	Carolina Blue Pools Inc	1228	196.82
50084420	PROCARE AUTO SERVICE SOLUTIONS	1230	16.68
50075391	3 STAR ENTERPRISE LLC	1231	66.37
50072427	CAROLINA BLUE POOLS INC	1232	3.94
			<u>1,946.68</u>

2004			
N7090021R80	Pace/Dowd Properties LTD	1024	90.73
N7090021R90	Pace/Dowd Properties LTD	1025	56.58
M7090021R90	Pace/Dowd Properties LTD	1026	284.93
07120011A	Pace/Dowd Properties LTD	1027	1,221.30
M7090021R80	Pace/Dowd Properties LTD	1028	38.14
06015017	Helms Herman Franklin & Dorothy Ann	1066	65.21
07090560	Semendinger Richard & Shannon D	1072	224.06
50080163	Watson Mary A & Wilmeth Ray	1223	93.68
			<u>2,074.63</u>

2003			
06015017	Helms Herman Franklin & Dorothy Ann	1067	21.48

2002			
06015017	Helms Herman Franklin & Dorothy Ann	1068	19.35

2001			
06015017	Helms Herman Franklin & Dorothy Ann	1069	19.35

Grand Total			<u>4,081.49</u>
-------------	--	--	-----------------

Library: Adopted Resolution authorizing conveyance of surplus Library materials to Friends of the Union County Public Libraries.

A RESOLUTION AUTHORIZING CONVEYANCE OF SUPPLUSED LIBRARY MATERIALS TO FRIENDS OF THE UNION COUNTY PUBLIC LIBRARIES

THAT WHEREAS, the Friends of the Union County Public Libraries is a non-profit group of citizens who work together to provide financial support to the Union County Public Libraries; and

WHEREAS, the Union County Library has approximately 900 articles of library materials which are out-of-date, missing pages, and are damaged by excessive use; and

April 3, 2006

WHEREAS, pursuant to G.S. § 160A-279(a), Union County is authorized to convey by private sale to any public or private non-profit entity which carries out a public purpose any real or personal property which it owns whenever the County is authorized to appropriate funds to such public or private entity; and

WHEREAS, pursuant to G.S. § 153A-449, the County is authorized to appropriate funds to any person, association, or corporation, in order to carry out any public purpose that the County is authorized by law to engage in; and

Whereas, the provision of financial support to public libraries serves a public purpose that the County is authorized by law to engage in; and

WHEREAS, Union County desires to convey the 900 items of library materials (the "Subject Property") to the Friends of the Union County Public Libraries to be sold at a book sale sponsored by the Friends of the Union County Public Libraries.

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

1. The Subject Property is hereby declared surplus.
2. The County Manager is authorized to dispose of the Subject Property to the Friends of the Union County Public Libraries by private sale in accordance with G.S. § 160A-267, and to execute such documents of conveyance as may be necessary to transfer ownership of the Subject Property. Consideration for disposition of the Subject Property shall be non-monetary but shall include the promise by Friends of the Union County Public Libraries, as evidenced by written agreement in substantially the form of the draft agreement attached and incorporated herein by reference as Exhibit A, to continue use of the Subject Property for a public purpose. Such agreement shall include covenants or conditions as will assure that the Subject Property will be put to a public use by Friends of the Union County Public Libraries.
3. A notice summarizing the contents of this Resolution shall be published once after its adoption, and no sale shall be consummated hereunder until ten days after publication.

This the 3rd day of April, 2006.

EXHIBIT A

STATE OF NORTH CAROLINA

AGREEMENT

COUNTY OF UNION

This agreement is made and entered into as of the ____ day of April, 2006, by and between UNION COUNTY, a political subdivision of the state of North Carolina hereinafter referred to as "Union," and the FRIENDS OF THE UNION COUNTY PUBLIC LIBRARIES, a North Carolina nonprofit group of citizens, hereinafter referred to as "Friends."

WITNESSETH:

WHEREAS, Union is the owner of approximately 900 items of library materials that are out-of-date, missing pages, and damaged by excessive use (the "Subject Property"); and

WHEREAS, Union desires to declare surplus and convey the Subject Property to Friends of the Union County Public Libraries to be included in a book sale sponsored by the "Friends"; and

WHEREAS, pursuant to G.S. § 160A-279(a), Union is authorized to convey by private sale to any public or private entity which carries out a public purpose any real or personal property which it owns whenever Union is authorized to appropriate funds to such public or private entity; and

Now, therefore, in consideration of the mutual covenants and agreements hereinafter set forth, the parties hereto do each contract and agree with the other as follows:

1. Union does hereby convey the Subject Property to "Friends" without monetary consideration.
2. "Friends" agrees to utilize the Subject Property by including it in the materials that will be sold in a book sale conducted by the "Friends", the proceeds from which will go toward providing financial support for the Union County Libraries. In the event the Subject Property or the proceeds of any sale thereof are no longer used by the "Friends" for this public purpose, then the "Friends" agrees to re-convey the Subject Property and/or any proceeds therefrom to Union without consideration.

April 3, 2006

IN WITNESS WHEREOF, the parties hereto, acting under authority of their respective governing bodies, have caused this contract to be duly executed, this the day and year first above written.

ATTEST

By: _____
Clerk to the Board

UNION COUNTY

By: _____
Union County Manager

ATTEST

By: _____
Secretary

FRIENDS OF THE UNION COUNTY
LIBRARIES

By: _____
President

Approved As To Legal Form _____

Criminal Justice Partnership Program: Authorized submission of FY 2006 Grant Application (No County Match)

Union County Police Week 2006: Approved ceremony to be held on May 19 in front of the Historic Union County Courthouse to recognize local law enforcement officers during Police Week as proposed at the March 20, 2006, meeting. (Time of ceremony to be announced)

Resolution to Revise Regular Meeting Schedule of Board: Adopted resolution revising the regular meeting schedule of the Board for April 2006 to delete the April 17, 2006 meeting.

RESOLUTION TO REVISE THE REGULAR MEETING SCHEDULE
OF THE UNION COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Union County Board of Commissioners has heretofore established the regular meeting schedule of the Board such that regular meetings are held on the first and third Monday of each month at 7:00 p.m. in the Commissioners' Boardroom; and

WHEREAS, the Board now desires to revise the regular meeting schedule to delete a meeting.

NOW, THEREFORE, be it resolved by the Union County Board of Commissioners as follows:

The Board does hereby revise its regular meeting schedule to delete from the schedule the regular meeting of April 17, 2006. Except as herein amended, the regular meeting schedule shall remain in full force and effect.

Adopted this the 3rd day of April, 2006.

Resolution of the Board of Commissioners of the County of Union, North Carolina Amending and Supplementing the Note Resolution Providing for the Issuance, Sale and Delivery of General Obligation Commercial Paper Bond Anticipation Notes of the County of Union, North Carolina (As adopted by the Board of Commissioners on March 20, 2006, with a minor change to the program): This item was moved to the regular agenda at the request of Commissioner Pressley.

CLOSED SESSION:

At approximately 7:23 p.m., Chairman Lane moved that the Board 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) and to give instructions to an attorney concerning the handling or settlement of the following judicial actions: Union County, Plaintiff, vs. Jane Winchester Starnes, Defendant, vs. Boggs Paving, Inc., Third Party Defendant.

Commissioner Stone questioned if the closed session was for the same purpose as the closed session listed as Item 16 on the agenda. Chairman Lane responded that was correct.

The motion was passed unanimously.

The Board members then moved to the Conference Room on the ninth floor of the Government Center.

The Chairman convened the closed session, and at its conclusion, Commissioner Pressley moved to adjourn the closed session and to reconvene the regular meeting. The motion was passed unanimously.

The Board members moved to the Board Room, ninth floor of the Government Center.

At approximately 7:53 p.m., Chairman Lane reconvened the regular meeting.

UNION COUNTY'S CREDIT RATING UPGRADE:

Chairman Lane reported that Moody's Investors Service has upgraded its long-term rating on Union County's \$243.3 million in general obligation debt to Aa2 from Aa3.

April 3, 2006

FIRE SERVICES - REPORTS TO THE BOARD:**a. *Establishment of a Fire Service Tax District within the Mineral Springs Volunteer Fire and Rescue Department, Inc. Fire District***

Commissioner Stone moved to: (1) to accept the Mineral Springs Fire and Rescue Service District Report dated March 27, 2006; (2) call for a public hearing on May 15, 2006; (3) authorize staff to issue required notice of public hearing and designate Pat Beekman as the person responsible for mailing notice to property owners; and (4) authorize staff to attend to all other prerequisites for establishment of a fire service district. The motion was passed unanimously.

AGREEMENT WITH UNION COUNTY PARTNERSHIP FOR PROGRESS:

Chairman Lane moved to extend funding for the Union County Partnership for Progress for one additional quarter (ending June 30) at the same rate as the previous agreement between Union County and the Union County Partnership for Progress.

Commissioner Stone offered a friendly amendment to the motion. He said that the Board is excited about some of the wonderful activities happening with the Partnership for Progress; however, he said it seems logical that prior to discussing this matter during the Board's upcoming budget sessions, that there should be a work session between the Board of Commissioners and the Board of Directors of the Partnership for Progress.

Chairman Lane accepted the amendment to the motion.

Commissioner Rushing stated that when the process first begun with the Partnership for Progress, the County provided seed money to the Partnership. He said that he would not be supporting the motion because the intent was to provide the seed money and then watch the Partnership grow.

Vice Chairman Sexton stated that he had supported the Partnership for Progress when the process began two years ago. He said that he had met with Maurice Ewing last Wednesday, and he believes that the opportunity to extend the current contract for an additional quarter and get the Partnership on the regular budget cycle is exactly what needs to happen. He stated that he wholeheartedly supported the motion.

The motion as amended was passed by a vote of four to one. Chairman Lane, Vice Chairman Sexton, Commissioner Pressley, and Commissioner Stone voted in favor of the motion. Commissioner Rushing voted against the motion.

DISCUSSION ON MONROE BYPASS:

Vice Chairman Sexton shared that in 1999 an interchange analysis study was completed for I-485, but Union County was not involved in this study. He stated that it has been bothersome to him that that there seems that a different set of standards were applied in the study seven years ago than the set of standards that apply to the Monroe bypass. He said that over the past four or five years, Union County has capitulated on every item environmentally in an effort to bring a resolution to the bypass. Vice Chairman Sexton stated that every time the County capitulates on these issues, the bar is raised and there is another hurdle to clear. He requested that Christie Putnam update the Board with regards to the Memorandum of Understanding and any recent discussions that have taken place on the bypass.

Ms. Putnam shared that the Local Government jurisdictions met last week regarding the draft Memorandum of Understanding. She stated that she felt they had made good progress with the discussions and had addressed some key issues. However, she said that there still remained some outstanding issues, but they are trying to schedule another meeting for the end of this week. Ms. Putnam further said that the Federal Highway Administration is writing the biological assessment for the bypass, and it has agreed to include proposed measures from the signatories in the memorandum of understanding so that the process of building the road can move forward if those measures result in a no-impact opinion by Fish and Wildlife. She stated that it puts the burden on the local jurisdictions to follow through with their promises if they sign the memorandum. She noted that if the local jurisdictions do not implement the ordinances that are contained in the memorandum of understanding, then the Department of Transportation and the Federal Highway Administration will be in a position that they will not be able to let bids for construction on the bypass.

Vice Chairman Sexton said that in recent weeks, he has received comprehensive information regarding the mall that was planned for Idlewild Road versus the mall on Lawyers Road in Mecklenburg County. He asked Ms. Putnam to share any information that she might have concerning the permit granted by the Army Corps of Engineers that allowed the mall on Lawyers Road to go forward.

Ms. Putnam responded that it was her understanding from discussions with representatives of Fish and Wildlife, that Fish and Wildlife was not consulted by the Army Corps of Engineers regarding the permit. She said that the Army Corps of Engineers made the determination to issue a permit based on the planned layout and the stormwater management plan that was submitted for the mall site indicating that there was no impact downstream on the Heelsplitter. She stated, however, that Fish and Wildlife does not concur with this determination and has sent its written comments to The Army Corps of Engineers.

April 3, 2006

Vice Chairman Sexton moved to direct the legal staff and manager to explore and examine the possibility of filing a legal action against those agencies that appear to have one standard of compliance for Mecklenburg County and another standard for Union County and hopefully incorporate that with a good environmental legal counsel and bring a report to the Board including a prognosis of what can be done to move the process forward.

Commissioner Rushing stated he believed the County should be working with the agencies and not against them. He said that he thought that representatives from the agencies needed to come and tell the County what is needed. He said that he would not be supporting the motion. Commissioner Rushing said that he thought the Board should be involved in the discussions.

Vice Chairman Sexton responded that his motion was to authorize the legal staff and the Manager to examine the possibilities of pursuing legal action especially with regard to the double standards.

Mr. Shalati noted as a point of clarification that it is not a Union County versus Mecklenburg County issue, because the applicant for the mall on Lawyers Road was from the private sector and that was how they were able to go directly to the Army Corps of Engineers. He said that if county and state governments are recipients of federal and state funds, they are bound to follow the proper procedures. Further, he said that in connection with the bypass, he believed that all of the County's interaction and discussions have been with the Department of Transportation, because it is the applicant in this situation. He said that the County is basically doing what the Department of Transportation has advised it to do. He stated that he thought it would be fair to say that the Department of Transportation is just as frustrated with the bypass issue as is the County.

Vice Chairman Sexton said that he would like to take the opportunity to invite the Department of Transportation to join the County's efforts to resolve the bypass issues. He said that it must be equally frustrating for the Department of Transportation as it is for the County. He clarified that this comment was not a part of his motion.

Chairman Lane commented that he has attended almost all of the meetings regarding the bypass, and he found it interesting that during the meeting that was held at the Chamber of Commerce's Offices, it had been brought out that if the connector bypass is not built, there would be more pollution in the habitat area than there would be if it is built.

Commissioner Pressley asked staff's opinion of the status of the bypass.

Mr. Shalati stated that the County's lead staff member with these issues is Ms. Putnam and said she is doing all that she can but these issues are extremely complicated and difficult. He said that what he concluded from Vice Chairman Sexton's comments is that he is concerned that Union County should be treated with the same rules. He said that these issues were discussed at the Board's retreat in Lake Lure, and the Board had wanted the County to be as accommodating as it needed to be. He stressed that the County has done so. He said not having the bypass is hurting the County's economy, and without it, the County will continue to suffer for a long time.

Commissioner Pressley said that there were four municipalities involved in the critical area with Union County having a small part in the area. Ms. Putnam stated that Union County's portion is approximately 30 percent.

Commissioner Pressley questioned if the towns and the County have met their obligations and responsibilities. Ms. Putnam said that she thought so. She stated that she believed Fairview has been provided as much information as possible. She pointed out that Fairview does have the lion's share of the area, and there is concern that if Fairview does not take protective measures, there is no hope for the Heelsplitter.

Vice Chairman Sexton added that he thought the County has tried the negotiating route long enough, and it needed to push the issue a little more vigorously.

Mr. Shalati explained that the problem is with the federal agencies that allowed the private sector to bypass the procedures. He reminded the Board that it should be proud of the County's efforts from a contribution standpoint of allowing two wastewater treatment plants to be taken off line that were discharging into Goose Creek and Duck Creek. He said that by taking these plants offline it better cleans the waters of the endangered habitats.

Commissioner Stone shared that when he first became involved with MUMPO, that he had visited the County's Planning Department where he viewed an old drawing from the early 70's that indicated the location of the bypass. He said that the County was still waiting on the bypass and stated that this was inexcusable.

Following the lengthy discussion, the motion passed by a vote of four to one. Chairman Lane, Vice Chairman Sexton, Commissioner Pressley, and Commissioner Stone voted in favor of the motion. Commissioner Rushing voted against the motion.

April 3, 2006

UNION COUNTY PUBLIC SCHOOLS CLASSROOM ADDITIONS:

Commissioner Stone moved approval of School Capital Project Ordinance #46 to establish FY 06 school capital project budget with the project budget established by the Board pursuant to 115C-429b in connection with classroom additions at seven elementary schools. The motion was passed unanimously.

PUBLIC WORKS DEPARTMENT:***a. Duke Power Relicensing: Agreement-in-Principle***

Commissioner Pressley moved to authorize the Chairman to sign the Agreement-in-Principle.

The written information in the package stated that Duke Power is in the process of a FIRC Relicensing effort for the operation of the Catawba-Wateree Hydro Project. It was further stated in the written information that during this process, Duke has solicited input from users of lakes and rivers in this system to develop an Agreement-in-Principle (AIP) outlining operating concerns and requests from the water users. The information also stated that Union County's interests are addressed by including projected withdrawals in flow analyses, maintaining an emergency release agreement currently in effect and development of a voluntary Water Management Group.

Commissioner Pressley asked if there would be any opportunity for Union County to secure any better situation for emergency water supply during these negotiations.

Ms. Putnam said in her opinion, the answer would be "no." She stated that she believed that the staff had done all it could do in this situation.

Commissioner Rushing questioned who the other participants were in this matter. Ms. Putnam responded that most of the representatives on the group have been cities (water suppliers). Mr. Shalati added that the other parties were basically municipalities or organizations that have a withdrawal point on the Catawba River. He stated that while Union County is not a direct withdrawer, the Lancaster County Water and Sewer District and Union County Management Board that was created is an applicant and withdrawer. Ms. Putnam listed the withdrawal participants.

Commissioner Rushing asked for an explanation of why Union County has reservations concerning this matter. Ms. Putnam responded that Union County has reservations because the language that secures the County's emergency withdrawal could be interpreted to imply that the County should be subject to a fee. Further, she stated that contained within the Agreement-in-Principle is the definition of a water management group and the extent of that group has not been clearly defined.

There was discussion regarding the Interbasin Transfer request by Concord-Kannapolis which was addressed during the informal comments by Donna Lisenby, Catawba River Keeper. Commissioner Rushing questioned how this request would affect Union County. Ms. Putnam stated that Union County is downstream from where they are proposing to withdraw the water, but they are approximately .8 percent of the total water within the basin, and in her opinion, ultimately their withdrawal would be a negligible impact on the County's ability to withdraw water. Mr. Shalati interjected that Union County has not been asked and has not taken a position on the request.

Following the discussion, Commissioner Rushing offered a substitute motion to delay action on this item. He then asked Ms. Putnam if it were a time sensitive matter. Ms. Putnam responded that the Agreement must be signed by April 17, 2006. She stated that the Agreement is not a binding document, and the final agreement would not occur until August. She pointed out that there is still time to make adjustments in the Agreement if necessary but stressed that if Union County were to maintain involvement in the relicensing process, the Agreement would need to be signed by April 17.

Chairman Lane shared that he had been involved in the lengthy conference call that was held about the Agreement. He said that there had been a lot of discussion regarding the Agreement during that conference call.

The original motion passed by a vote of four to one. Chairman Lane, Vice Chairman Sexton, Commissioner Pressley, and Commissioner Stone voted in favor of the motion. Commissioner Rushing voted against the motion.

Following the vote, Commissioner Pressley asked as a point of order, if the Board would be dealing with the substitute motion by Commissioner Rushing. Commissioner Rushing stated that he had not meant to make a substitute motion after he had asked about the time sensitivity of the matter, and Ms. Putnam had indicated that it was time sensitive.

UNION COUNTY TRANSPORTATION SERVICES:

Vice Chairman Sexton moved approval to submit the FY 2006-2007 grant application for funding in the amount of \$179,216, which includes the following Certified Statement, and the motion was passed unanimously:

April 3, 2006

State of North Carolina

County of UNION

**APPENDIX A
CERTIFIED STATEMENT
FY 2006 - 2007**

RURAL OPERATING ASSISTANCE PROGRAM

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

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

WHEREAS, funds will be used for transportation related expenditures as specified in the FY 2006 - 2007 Rural Operating Assistance Program (ROAP) application;

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

WHEREAS, ROAP funds will be used to provide eligible services during the period July 1, 2006 through June 30, 2007;

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

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

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

Elderly and Disabled Transportation Assistance Program

1. The funds received from G.S. 136-44.27 will be used to provide additional transportation services for the elderly and disabled, exceeding the quantity of trips provided prior to receipt of the funds.
2. The funds will not be used to supplant or replace existing federal, state or local funds designated to provide elderly and disabled transportation services in the county.
3. The funds received will be used in a manner consistent with the local Transportation Development Plan (TDP) or Community Transportation Services Plan (CTSP) and application approved by the North Carolina Department of Transportation and the Board of Commissioners.

Work First Transitional/Employment Transportation Assistance Program

1. The purpose of these transportation funds is to support transitional transportation needs of Work First participants after eligibility for cash assistance has concluded and/or other specified general public employment transportation needs. The funds may be transferred to the Elderly and Disabled Transportation Assistance Program or the Rural General Public Program if not needed for Work First transportation.
2. The funds are limited to use by the designated local entity(s) specified in the ROAP application, or any revisions or amendments thereof.

Rural General Public Program

1. The funds will be used in a manner consistent with the Rural General Public Transportation Project Description.
2. The funds will not be used to provide human service agency's trips.

WITNESS my hand and official seal, this 3rd day of April, 2006.

Attest:

Certifying Official*

Board of County Commissioners
Chairperson*

April 3, 2006

State of North Carolina

County _____

County Manager/Administrator*

*Note that the signatures on this statement should be those of three (3) separate individuals.

PARKS AND RECREATION ADVISORY COMMITTEE:

a. Request to Replace Two Advisory Committee Members

Chairman Lane announced that there are two vacancies on the Parks and Recreation Advisory Committee for unexpired terms. Background information in the agenda package states that Thomas Polito last attended an Advisory Committee meeting in July 2005, and numerous attempts have been made to contact him with no success. The written information states that Raymond Stegall, a member of the Committee, passed away in recent months.

Commissioner Rushing acknowledged Mr. Stegall's contributions to the Committee.

DISCUSSION REGARDING LIGHTS FOR WEDDINGTON HIGH SCHOOL'S BASEBALL FIELD:

Mr. Shalati reported that as directed by the Board at the March 20, 2006, meeting, he met on three occasions with the School Superintendent and his staff regarding this matter. He said that he had expressed to Dr. Davis the Board's inquiries about lighting at the Weddington High School's baseball field. Mr. Shalati stated that while the school staff was happy about the Board's inquiries, they raised some repeated concerns. He said that the Board had asked Vice Chairman Sexton as the school liaison to also inquire about this matter. He said that the schools have raised the issue that if lights are provided for Weddington High School, they would have to also be provided for other schools. Further, he said the schools have raised a concern about Title IX, which requires that benefits be provided for both the male athletes and the female athletes. He recognized Dr. Davis for his comments.

Dr. Davis expressed appreciation to the Board for approving Capital Project Ordinance #46 for the schools earlier on the agenda. He said that this approval would allow the schools to build brick and mortar classrooms rather than buying mobile units that tend to depreciate in value.

He stated that he appreciated the Board's taking an interest in the lighting for the baseball field at Weddington High School. Dr. Davis confirmed that there are no lights on the baseball field at Weddington High School or at Porter Ridge. He stated that traditionally the lighting for the ballfields has not been in the scope of work done when a new school is constructed, and the Booster Clubs have invested in and provided the lights in the past. He said that while the schools really appreciate the Board's interest and would like to partner with the County to see what could be done in this area, the three issues are the concern that there would be both Weddington High School and Porter Ridge that do not have lights on the ballfields. Dr. Davis referred to the Title IX issue which is the gender equity issue requiring that if lights are installed on baseball fields for male athletes, they would also have to be installed on the softball fields for the female athletes. He also addressed a third issue that there are older schools that have lights on their baseball fields that were provided by the Booster Clubs. He explained that the lights have been replaced at Piedmont High School. He said that once a Booster Club provides lights for a school, then the schools assume the responsibility to maintain and replace the lights. He stated that the schools have an open mind about the matter and would like to have further discussions if that is the Board's wishes.

Vice Chairman Sexton said that he and his counterpart on the school board, Dean Arp, have had numerous conversations, and one of the issues that they had discussed was the equity situation with Weddington High School and Porter Ridge and the Title IX issue.

In response to a question by Vice Chairman Sexton, Dr. Davis stated that it was his understanding that none of the high schools in Union County had lights on their ballfields when they were built and that the Booster Clubs engineered getting lights at the other high schools. Dr. Davis referred to a matching grant program that came into existence with the schools in 2000. He said that most of the lights at the other schools were in place prior to that time. Further, he said that some schools have used the matching grant program for lights, but he said that he did not believe any of those were for baseball fields.

Vice Chairman Sexton asked with the absence of the matching grants program, what could be done to have lights on the ballfields at Weddington High School and Porter Ridge. Dr. Davis explained that the funding for the matching grants had been from sales tax reimbursements, which the schools no longer receive. He said the schools could certainly look at this matter again. He stated that the matching grant funds were divided among attendance areas, and the attendance areas decided how to disburse the funds in the elementary, middle, and high schools, and then there was formula based on the ability of that particular community to raise and match funds. Dr. Davis said that he is conscious of all that the schools are asking the Board to do particularly with the schools' upcoming operating budget and the capital improvement plan. He said that if the Board desires for the schools to look at how much funding needs to be identified to move the matching grants program forward, they would be willing to study it.

Vice Chairman Sexton said that the matching grants program seemed to be the catalyst that helped to get the lights installed quicker at some of the other schools. He said that he was going to continue his discussions with Mr. Arp.

April 3, 2006

Commissioner Pressley said that he wanted to make sure that there was no confusion about what he had requested at the last meeting. He stated his motion at that time was to do exactly what has been done, but he emphasized that he was not asking the County to fund the lights. He said that basically what he was asking the County to do was what Dr. Davis has done by letting the Board know what has been done in the past and to partner with the Booster Clubs. He stated that there are safety concerns with the lack of lighting on the baseball fields at Weddington High School. Commissioner Pressley further stated that he thought the spirit of the request was for the County to work with the Booster Clubs to get lights installed on the ballfields.

CHILD ABUSE PREVENTION AND SEXUAL ASSAULT AWARENESS MONTH PROCLAMATION
(Requested by United Family Services) (Commissioner Pressley requested that this item be moved from the Consent Agenda):

Commissioner Pressley requested that the following Proclamation be read into the minutes, which was read by Ms. West:

**CHILD ABUSE PREVENTION MONTH
PROCLAMATION**

WHEREAS, child maltreatment is a community problem and finding solutions depends on involvement among people throughout our community;

WHEREAS, child maltreatment occurs when parents find themselves in stressful situations without community resources and unable to cope;

WHEREAS, approximately 111,000 children are reported as abused and neglected in North Carolina each year;

WHEREAS, 31 children were victims of child abuse homicide in North Carolina during the year 2004;

WHEREAS, over 75 percent of the sexual assault victims served by the United Family Services' Rape Crisis program during 2005 were children under the age of 18;

WHEREAS, the Union County Department of Social Services accepted 1,464 reports of child abuse in Union County representing over 3,865 children in 2005;

WHEREAS, one in four girls and one in six boys will be sexually abused before they reach the age of 18;

WHEREAS, the majority of child maltreatment cases stem from situations and conditions that are preventable in an engaged and supportive community;

WHEREAS, the effects of child maltreatment are felt by whole communities and need to be addressed by the entire community;

WHEREAS, effective child maltreatment prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community;

THEREFORE, the Union County Board of Commissioners does hereby proclaim April as Child Abuse Prevention and Sexual Assault Awareness Month in Union County and calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to prevent child maltreatment and strengthen the communities in which we live.

Adopted this 3rd day of April, 2006.

ATTEST:

s/Lynn G. West, Clerk to the Board

s/Roger Lane, Chairman

s/Stony Rushing, Commissioner

s/Hughie Sexton, Vice Chairman

s/Richard Stone, Commissioner

s/Kevin Pressley, Commissioner

Following the reading of the proclamation, Commissioner Pressley moved adoption of the proclamation as read. The motion was passed unanimously.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, NORTH CAROLINA AMENDING AND SUPPLEMENTING THE NOTE RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION COMMERCIAL PAPER BOND ANTICIPATION NOTES OF THE COUNTY OF UNION, NORTH CAROLINA (As adopted by the Board of Commissioners on March 20, 2006, with a minor change to the program):

Commissioner Pressley moved that the following resolution, a copy of which was available with the Board and which was read by title, be adopted:

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF UNION, NORTH CAROLINA AMENDING AND SUPPLEMENTING THE NOTE RESOLUTION PROVIDING FOR THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION COMMERCIAL PAPER BOND ANTICIPATION NOTES OF THE COUNTY OF UNION, NORTH CAROLINA

April 3, 2006

WHEREAS, the Board of Commissioners (the "Board") of the County of Union, North Carolina (the "County") adopted a resolution on May 3, 2004 (the "Note Resolution") authorizing the issuance of the County's General Obligation Commercial Paper Bond Anticipation Notes in an aggregate principal amount of not to exceed \$71,230,000 (the "2004 Notes");

WHEREAS, the County has previously issued all of the 2004 Notes and none of the 2004 Notes are currently outstanding;

WHEREAS, the Board has determined that it is in the best interest of the County to amend the Note Resolution to provide for the issuance of additional General Obligation Commercial Paper Bond Anticipation Notes in an aggregate principal amount of not to exceed \$110,730,000 (the "2006 Notes") to pay the costs of the acquisition, construction, renovation and equipping of public school facilities in the County and the costs of issuing the 2006 Notes (the "Projects");

WHEREAS, the Bond Orders hereinafter-described have been adopted and authorized by a majority of voters of the County voting thereon and provide the County the authority to issue the 2006 Notes;

WHEREAS, the County has previously entered into a Commercial Paper Dealer Agreement dated as of May 1, 2004 (the "Dealer Agreement") with Wachovia Bank, National Association (the "Dealer") and the North Carolina Local Government Commission (the "Commission"), under which the County and the Commission will sell and deliver the 2006 Notes to the Dealer under the terms and conditions set forth therein and in the Note Resolution, as hereby amended and supplemented; and

WHEREAS, in connection with the issuance of the 2006 Notes, copies of the forms of the following documents relating to the transactions described above have been filed with the County and have been made available to the Board:

1. Amendment Number One to the Standby Note Purchase Agreement dated as of April 1, 2006 among the County, Wachovia Bank, National Association, as liquidity provider, and Wachovia Bank, National Association, as issuing and paying agent (the "Standby Amendment");
2. the Offering Memorandum to be dated on or about April 3, 2005 with respect to the 2006 Notes; (the "Offering Memorandum") and
3. Amendment Number One to the Dealer Agreement dated as of April 1, 2006 among the Dealer, the Commission and the County (the "Dealer Agreement Amendment").

WHEREAS, the Board has considered and recognizes that variable interest rate debt instruments may subject the County to the risk of higher interest rates in the future and that in addition to the variable interest cost, the County must pay the fees of the provider of a liquidity facility and the Dealer for the Notes, which fees will increase the variable interest cost to the County;

WHEREAS, the Board believes that a commercial paper financing is superior to a fixed rate financing because it will lower the County's overall cost of capital of the Projects;

WHEREAS, the Board adopted a resolution on March 20, 2006 amending and supplementing the Note Resolution which this resolution supercedes and replaces in order to incorporate requested revisions by the rating agencies rating the 2006 Notes;

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

Section 1. **Definitions.** Terms used in this Resolution have the meanings set forth in Appendix A to the Note Resolution, unless a different meaning clearly appears from the context.

Section 2. **Amendment of Note Resolution.** This Resolution amends and supplements the Note Resolution and is being adopted in accordance with Section 4.01 of the Note Resolution. The amendments and supplements to the Note Resolution contained in this Resolution are limited precisely as written and shall not be deemed to be a consent to any waiver or modification of any other material terms, covenants or conditions of the Note Resolution. All of the terms of the Note Resolution not modified by this Resolution remain in full force and effect as of the date hereof.

Section 3. **References to the Note Resolution.** All references to the Note Resolution are to be read to mean the Note Resolution, as amended and supplemented by this Resolution.

Section 4. **Amendment of Definitions.** The following definitions in the Note Resolution are hereby amended to read as follows:

"Bond Orders" means, collectively, the Bond Order authorizing the General Obligation School Bonds (Voter Approved Bonds) adopted by the Board of Commissioners on March 22, 2004 and the Bond Order authorizing the General Obligation School Bonds (Voter Approved Bonds) adopted by the Board of Commissioners on September 7, 2004.

"Final Maturity Date" means seven years after the issuance of the first 2006 Note or 2006 Notes under this Note Resolution, unless extended under Section 159-161 of the General Statutes of North Carolina, as amended.

"Liquidity Facility" means the Standby Note Purchase Agreement dated as of May 1, 2004 between the County and Wachovia Bank, National Association, as amended by Amendment Number One to the Standby Note

April 3, 2006

Purchase Agreement dated as of April 1, 2006 among the County, the Agent and the Liquidity Provider, as may be further amended, and thereafter any Alternate Liquidity Facility accepted under Section 2.13 of the Note Resolution.

"Master Note" means a certificate evidencing the Notes substantially in the form attached to this Resolution as Exhibit A and delivered under Section 2.09 of the Note Resolution.

"Maximum Aggregate Principal Amount" means \$110,730,000, as adjusted from time to time as set forth in the Note Resolution.

"Note" or **"Notes"** means the County of Union, North Carolina General Obligation Commercial Paper Bond Anticipation Notes, including the 2006 Notes, authorized by Section 2.01 of the Note Resolution.

"Offering Memorandum" means the offering memorandum, to be dated on or about April 3, 2006, with respect to the 2006 Notes, in substantially the form presented to the County of Commissioners, with such changes as are permitted by the Note Resolution.

"Project" means the acquisition, construction, renovation and equipping of public school facilities in the County.

Section 5. **Additional Definitions.** The following terms are defined as follows:

"2006 Notes" means the Notes authorized by the Bond Orders and issued under the Note Resolution and this Resolution.

Section 6. **Amendment of Section 2.02.** The third paragraph of Section 2.02, subpart (b), of the Note Resolution is hereby amended to read as follows: "(b) one Business Day before the stated expiration date of the then-existing Liquidity Facility and".

Section 7. **Notes Authorized.** The first sentence of Section 2.01 of the Note Resolution is amended to read as follows: The Notes authorized under the Note Resolution will be designated **"County of Union, North Carolina General Obligation Commercial Paper Bond Anticipation Notes"** with any other addition to the designation that the County Manager and the Finance Director of the County determines may be necessary or appropriate for the sale of the Notes.

Section 8. **Authorization of Documents.** The County Manager and the Finance Director of the County are each hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which he, in his discretion, deem necessary and appropriate in order to consummate the transactions contemplated by this Resolution and the Offering Memorandum, including the execution and delivery of the Standby Amendment and the Dealer Agreement Amendment in substantially the form presented to the Board, but with such changes, modifications, additions or deletions therein as shall to him seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of the County's approval of any and all such changes, modifications, additions or deletions therein; except that none of the above is authorized or empowered to do anything or execute any document which is in contravention, in any way, of (a) the specific provisions of the Note Resolution, (b) any agreement to which the County is bound, (c) any rule or regulation of the County or (d) any applicable law, statute, ordinance, rule or regulation of the United States of America or the State of North Carolina.

Section 9. **Authorization of Offering Memorandum.** The form, terms and content of the Offering Memorandum be and the same hereby are in all respects authorized, approved and confirmed, and the use of the Offering Memorandum in connection with the sale of the 2006 Notes is hereby in all respects authorized, approved, and confirmed. The Chairman, the County Manager and the Finance Director of the County be and each hereby is authorized, empowered and directed to execute and deliver the Offering Memorandum for and on behalf of the County in substantially the form and content of the Offering Memorandum presented to the County, but with such changes, modifications, additions or deletions therein as shall to him seem necessary, desirable or appropriate, his execution thereof to constitute conclusive evidence of the County's approval of any and all such changes, modifications, additions or deletions therein, and the use of the Offering Memorandum by the Dealer in connection with the sale of the 2006 Notes to investors is hereby authorized, approved and confirmed.

Section 10. **General Authority.** From and after the execution and delivery of the documents hereinabove authorized, the Chairman, the County Manager, the Finance Director and the Clerk to the Board of the County are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to carry out and comply with the provisions of said documents as executed, and are further authorized to take any and all further actions to execute and deliver any and all other documents as may be necessary in the issuance of the 2006 Notes.

The Chairman, the County Manager, the Finance Director and the Clerk to the Board of the County are hereby authorized and directed to prepare and furnish, when the 2006 Notes are issued, certified copies of all the proceedings and records of the Board relating to the 2006 Notes, and such other affidavits, certificates and documents as may be required to show the facts relating to the legality and marketability of the 2006 Notes as such facts appear on the books and records in such party's custody and control or as otherwise known to them; and all such certified copies, certificates, affidavits and documents, including any heretofore furnished, shall constitute representations of the County as to the truth of all statements contained therein.

Section 11. **Headings; Severability; Amendments; Binding Effect.** If any portion of this Resolution is determined to be invalid under any applicable law, such provision shall be deemed void and the remainder of this Resolution shall continue in full force and effect. All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this Resolution.

Section 12. **Governing Law.** This Amendment is governed by and construed, interpreted and enforced in accordance with the laws of the State of North Carolina.

Section 13. **Effective Date.** This Resolution is effective immediately on its adoption.

April 3, 2006

The issue hereof has been approved under the provisions of The Local Government Bond Act.

T. VANCE HOLLOMAN
Secretary of the Local Government Commission

Countersigned for Authentication only:

WACHOVIA BANK, NATIONAL ASSOCIATION,
as Issuing and Paying Agent

By: _____
Vice President

THIS NOTE IS NOT VALID FOR ANY PURPOSE UNLESS COUNTERSIGNED BY
WACHOVIA BANK, NATIONAL ASSOCIATION, AS ISSUING AND PAYING AGENT.

At the request of Commissioner Pressley, Kai Nelson, Finance Director, explained the changes that had been made in the resolution since its approval at the April 3, 2006, meeting. Mr. Nelson said that the change to the resolution was very minor.

The motion was passed unanimously.

ANNOUNCEMENTS OF VACANCIES ON BOARDS AND COMMITTEES:

Chairman Lane announced that there was one vacancy on the Adult Care Home Community Advisory Committee as of May 2006.

APPOINTMENTS TO BOARDS AND COMMITTEES:

a. Union County Industrial Facilities and Pollution Control Financing Authority

Chairman Lane stated that Phil Gilboy, who currently serves on this committee, has requested that he not be reappointed to this committee.

Commissioner Pressley moved to reappoint Benny Martin to serve on the Union County Industrial Facilities and Pollution Control Financing Authority. With there being no further nominations, Mr. Martin was appointed by acclamation.

b. Nursing Home Advisory Committee

Commissioner Stone moved to reappoint Lucy Burgess and Henry Vann Davis III to serve on the Nursing Home Advisory Committee. With there being no further nominations, Ms. Burgess and Mr. Davis were reappointed by acclamation.

c. Farmers Market Committee

Vice Chairman Sexton stated that an application had been sent to the long-standing member on the Farmers Market Committee whose term has expired, but he had not returned the completed application.

The Vice Chairman moved to appoint Joy Goforth to serve on the Farmers Market Committee. With there being no further nominations, Ms. Goforth was appointed by acclamation.

MANAGER'S COMMENTS:

Mr. Shalati stated that March 30th was Doctors' Day, and he thought the doctors in Union County are doing a great job. He expressed appreciation to them for their hard work and dedication in making the community a better place to live.

COMMISSIONERS' COMMENTS:

Vice Chairman Sexton expressed appreciation to those individuals who had participated in discussions to help to move items on the agenda forward and especially with the lighting situation at the Weddington High School's baseball fields. He said that he felt confident with the attention that has been brought to this issue and the energy that has been generated to help solve it, there will be a resolution on the matter in the very near future.

Chairman Lane announced that the next regular Board meeting would be May 1st since the Board had deleted the April 17th meeting from the schedule.

He congratulated Mr. Shalati for being chosen to serve on the Executive Committee of the Charlotte Regional Partnership.

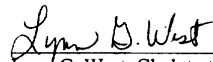
April 3, 2006

Chairman Lane shared that Carolinas Medical Center-Union received the honor of being one of 41 hospitals that received the Hospital of Choice Award from the American Alliance of Health Care Providers. He said that it is the second time that the hospital has received this award.

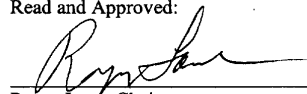
With there being no further comments or discussion, at approximately 8:59 p.m., Commissioner Stone moved to adjourn the regular meeting. The motion was passed unanimously by the Commissioners rising from their chairs.

Attest:

Read and Approved:



Lynn G. West, Clerk to the Board



Roger Lane, Chairman
