

December 4,2006

The Union County Board of Commissioners met in a regular meeting on Monday, December 4,2006, at 7:00 p.m. in the new Commissioners' Board Room, located on the first floor of the Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

PRESENT: Commissioner Roger Lane, Commissioner Kevin Pressley, Commissioner-Elect Allan Baucom, Commissioner-Elect Parker Mills, and Commissioner-Elect Lanny Openshaw

ABSENT: None

ALSO PRESENT: Mike Shalati, County Manager, Lynn G. West, Clerk to the Board of Commissioners, Jeff Crook, Senior Staff Attorney, Kai Nelson, Finance Director, Don Perry, County Attorney, members of the press, and other interested citizens

OPENING OF MEETING:

Mike Shalati, County Manager, convened the meeting and welcomed everyone to the new Board of County Commissioners' meeting room. He stated that he would be moderating the meeting until the new Chairman was elected.

a. Invocation

Reverend Scott Hilborn of Banks Presbyterian Church, Marvin, North Carolina, offered the invocation.

b. Pledge of Allegiance

Louise Mills, daughter of Commissioner-Elect Mills, led the body in reciting the Pledge of Allegiance to the American flag.

OATHS OF OFFICE:

Mr. Shalati asked Commissioner-Elect Allan Baucom, Commissioner-Elect Parker Mills, and Commissioner-Elect Lanny Openshaw to join J. R. Rowell, Clerk of Superior Court, at the podium to receive their oaths of office. The Commissioner-Elects were administered their oaths individually as follows:

OATH OF OFFICE
UNION COUNTY COMMISSIONER

I, Allan Baucom, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Allan Baucom, do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Allan Baucom, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so help me, God.

S/Allan Baucom
Union County Commissioner

S/J. R. Rowell
Sworn to and subscribed before me
this 4th day of December, 2006.

OATH OF OFFICE
UNION COUNTY COMMISSIONER

I, A. Parker Mills, Jr., do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, A. Parker Mills, Jr., do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, A. Parker Mills, Jr., do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so help me, God.

S/A. Parker Mills, Jr.
Union County Commissioner

S/J. R. Rowell
Sworn to and subscribed before me
this 4th day of December, 2006.

**OATH OF OFFICE
UNION COUNTY COMMISSIONER**

I, Lanny Openshaw, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Lanny Openshaw, do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Lanny Openshaw, do swear that I will well and truly execute the duties of the office of Commissioner for the County of Union according to the best of my skill and ability, according to law; so help me, God.

S/Lanny Openshaw
Union County Commissioner

S/J. R. Rowell
Sworn to and subscribed before me
this 4th day of December, 2006.

Mr. Shalati offered his congratulations to the newly elected Commissioners and to J. R. Rowell, newly elected Clerk of Superior Court. He announced that the next item on the agenda would be the Election of Officers.

Election of Officers:

a. Chairman

Mr. Shalati opened the floor for nominations for the offices of Chairman and Vice Chairman. He stated that the nominees would be voted on in the order of their nominations, and, if there were only one nomination, he would ask for a motion that the nominee be elected by acclamation. At this time he opened the floor for nominations for the office of Chairman.

Commissioner Baucom nominated Commissioner Kevin Pressley for the Office of Chairman.

Commissioner Openshaw nominated Commissioner Baucom for the office of Chairman.

Commissioner Baucom thanked Commissioner Openshaw but respectfully declined the nomination.

Mr. Shalati called for a vote on the nomination of Commissioner Pressley. Commissioner Pressley received three votes: Commissioner Baucom, Commissioner Mills, and Commissioner Pressley.

Vice Chairman

Mr. Shalati stated that he would entertain nominations for the Office of Vice Chairman.

Commissioner Openshaw nominated Commissioner Baucom for the office of Vice Chairman.

With there being no other nominations, the Acting Chairman declared Commissioner Baucom elected by acclamation. The Acting Chairman then called for a vote, and Commissioner Baucom was elected by a vote of four to zero with Commissioner Baucom choosing not to vote.

Oaths of Office:

a. Chairman

J. R. Rowell, Clerk of Superior Court, administered the Oath of Office to Chairman Pressley.

OATH OF OFFICE
Chairman, Board of Commissioners

I, Kevin Pressley, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Kevin Pressley, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Kevin Pressley, do swear that I will well and truly execute the duties of the office of Chairman of the Board of Commissioners for the County of Union according to the best of my skill and ability, according to law; so help me, God.

S/Kevin Pressley, Chairman

S/J. R. Rowell
Sworn to and subscribed before me
This 4th day of December 2006.

b. ***Vice Chairman***

Vice Chairman Baucom was administered the Oath of Office by J. R. Rowell, Clerk of Superior Court.

OATH OF OFFICE
Vice Chairman, Board of Commissioners

I, Allan Baucom, do solemnly swear that I will support the Constitution of the United States; so help me, God.

I, Allan Baucom, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the Constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; so help me, God.

I, Allan Baucom, do swear that I will well and truly execute the duties of the office of Vice Chairman of the Board of Commissioners for the County of Union according to the best of my skill and ability, according to law; so help me, God.

S/Allan Baucom, Vice Chairman

S/J. R. Rowell

Sworn to and subscribed before me

This the 4th day of December, 2006.

Mr. Shalati offered his congratulations to both Chairman Pressley and Vice Chairman Baucom. At this time, he relinquished the Chair to Chairman Pressley.

Approval of Elected Officials' Bonds:

Commissioner Mills moved approval in block of the following amounts for the Elected Officials' Bonds:

- | | | |
|----|-------------------|----------|
| a. | Sheriff | \$ 5,000 |
| b. | Register of Deeds | \$25,000 |

Following brief discussion, the motion was passed unanimously.

Approval of Employees' Bonds:

Commissioner Mills moved approval in block of the amounts for the following employees' bonds:

- | | | |
|----|-------------------|-----------|
| a. | Finance Director | \$60,000 |
| b. | Tax Administrator | \$ 60,000 |

The motion was passed unanimously.

Informal Comments:

No one registered to address the Board during informal comments.

Additions, Deletions, and/or Adoption of Agenda:

Commissioner Lane moved adoption of the agenda as presented.

Commissioner Mills said there are several items to be added to the agenda.

Chairman Pressley listed the following items for addition to the agenda:

1. Text Amendment for Union County Planning Board (Item 11a)
2. Text Amendment for Union County Board of Adjustment (Item 11b)
3. Repeal ETJ for the Village of Wesley Chapel (Item 11c)
4. Public Works Advisory Board (Item 11d)
5. State of Union County (Item 11e)

Vice Chairman Baucom moved adoption of the agenda with the addition of the above items. The motion was passed by a vote of three to two. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted in favor of the motion. Commissioner Lane and Commissioner Openshaw voted against the motion.

Consent Agenda:

Commissioner Mills moved approval of the items listed on the Consent Agenda. The motion was passed unanimously.

Tax Administrator: Approved Releases for November 2006 in the grand total amount of \$62,962.21.

RELEASES NOVEMBER 2006

Acct #	Name	Rel #	Total
2006			
50069015	A & M AVIATION	2093	
			367.80
50093502	MOBILE MINI INC	2094	
			7.39
50093500	MOBILE MINI INC	2095	
			8.91
50069126	CONNECTED OFFICE PRODUCTS	2096	
			9.87
50087608	CONNECTED OFFICE PRODUCTS	2097	
			48.33
50087610	CONNECTED OFFICE PRODUCTS	2098	
			65.07
50087612	CONNECTED OFFICE PRODUCTS	2099	
			87.23
50053276	ROCKSTAR PARKING DBA MASTERPIECE STAIRCASE	2100	
			114.22
50075531	ADAMS WILLIAM P & WF REBECCA N	2101	
			4.48
50092504	BROTHERS HOUSING & REAL ESTATE INC	2102	
			269.00
50089960	FLOWE THOMAS B II & WF MELISSA D	2106	
			2.10
50095861	WILSON WILLIAM JEFFERY	2107	
			21.22
50091669	STARNES WILLIAM KEITH	2108	

			68.35
50095542	MANUS COREY PATRICK	2109	
			108.22
50094350	CLEAN AIR TECHNOLOGIES INC	2110	
			160.35
50089587	R H S GROUP INC	2111	
			1,211.99
50094372	CLEARLIGHT MORTGAGE	2112	
			175.10
50094531	ELEGANT GATHERINGS	2114	
			187.86
50090336	HOME DOCTOR	2115	
			20.45
50095910	BLYE & ASSOCIATES INC	2116	
			79.39
50095915	MS POWDER SYSTEMS INC	2117	
			734.05
50095916	LINDE GAS LLC	2118	
			170.94
50095929	MINUTE CLINIC DIAGNOSTIC OF NC PC	2119	
			50.90
50095931	PLATINUM DIAMONDS INC	2120	
			290.39
50095933	RS INDUSTRIES INC	2121	
			18.76
50095939	WILLIAMS ERIC D & RHONDA M POULTRY FARM	2122	
			700.37
50095941	SUN CLEANERS% TAI PHAM	2123	
			466.44
50095947	SAVIN CORPORATION	2124	
			70.04
50091892	WIMCO CORP	2125	
			216.03
50092080	TRELLIS INTERNET INC	2126	
			201.36
50094408	BROADWAY RANDY	2127	
			175.10
50092044	ADVANCEDTHERAPY	2129	
			6.16
50081845	BIVENS EDWARD LEE	2131	
			11.28
50095259	FIRST PORTLAND CORP% ADVANCED PROP TAX	2132	
			663.32
50074916	LIBERTY ISLAND COIN LAUNDRY	2133	
			247.69
50092545	QUESENBERRY INC	2134	
			216.03
50094430	THUNDERFOOT PRODUCTIONS INC	2135	
			175.10
50092239	ADVANCED COATING OF NC LLC	2136	
			201.36
50092226	CHASE PLASTIC SERVICES INC		
			206.17
50094052	NORTH COUNTRY UNLIMITED	2138	
			179.28
50094602	WATER CREATIONS	2139	

08078015	DUNCANWAYNE & PEGGY	2144	75.14
50093750	LONG JAMES B	2145	3.90
50082761	JIM SPITTLE & SON TRUCKING CO INC	2146	9.38
50080651	THOMAS WALTER GORDON JR & WIFE	2147	2.66
50094219	HELMS VERONICA THOMAS		5.82
50074564	C & C EDM INC	2149	7.81
50078789	LOWERY MELVIN SHERWOOD	2150	87.92
50076719	MONTGOMERY SHERYL D	2151	0.64
50094206	QUARINO ANTHONY	2152	11.07
50072667	COMPASS GROUP		6.46
50089477	COMPASS GROUP		58.72
50081841	COMPASS GROUP		3.04
50089476	COMPASS GROUP		2.22
50091220	COMPASS GROUP		19.21
50091219	COMPASS GROUP		10.40
50091218	COMPASS GROUP		1.81
50090462	PURSER BOBBY JUNIOR & VICKY	2160	2.82
50089479	COMPASS GROUP		7.54
50071617	SREE TBM MONROE LLC DBA HAMPTON INN	2162	101.92
50091474	COMPASS GROUP		
50089419	FILED TIMELY	2164	9.25
50092404	SERRANO SALAS ENTERPRISES INC	2165	184.36
50092545	QUESENBERRY INC		184.36
50092080	TRELLIS TECHNOLOGY INC	2167	173.25
50091892	WIMCO CORP	2168	183.35
50092218	MILEE INC		173.25
50092033	ENVIRONMENTAL BIOTECH		183.98
50092079	ATLANTIC FLOOR COVERING	2171	183.98
50072869	ROACH RUTH E	2172	

50090224	NICHOLS JEFFREY & TAMMY	2173	2.74
50095070	MCCLURE M DEVONDRIA PC	2174	10.84
50075634	BAUCOM TIMOTHY WAYNE & WF NIOK		5.09
50093827	BOYD JOHN W	2176	4.89
50084552	BRUCE DAVID W	2177	6.64
50075485	LONG DAVID	2178	6.87
06024029	NORTH CAROLINA NATURAL GAS CORPORATION	2179	22.56
09378012E	HELMS MICHAEL LYNN TRUSTEE	2180	5,921.61
09378012	HELMS V T FAMILY TRUST	2181	12,789.71
02223011E	BROOKS RUBY LEE HEIRS	2182	560.39
H5093003R	JOYNER JOHN ELLIOTT & MARJORIE	2183	441.17
05093003R	JOYNER JOHN ELLIOTT & MARJORIE	2184	2,018.47
05159027	MCCARVER MARY ELLEN		83.52
09378012	HELMS V T FAMILY TRUST	2188	
09366020	BARNETTE RALPH REID & BEATRICE		
09366020C	BARNETTE RALPH REID & BEATRICE		
09396004A	BARNETTE RALPH REID & BEATRICE		
09396004	BARNETTE RALPH REID & BEATRICE		
50065900	CAROLINA AMERICAN TOURS		
50065900	CAROLINA AMERICAN TOURS		
50051347C	SPRINT COMMUNICATION CO		
05093003A	GORDON WARREN DOUGLAS & ROBYN J		
H5093002	MCNEELEY MICHAEL		
50051347C	SPRINT COMMUNICATION CO		
Totals			41,378.47

2005			
50074916	LIBERTY ISLAND COIN LAUNDRY	2141	211.57
5007895871	R H S GROUP INC	2142	1,042.83
09366020	BARNETTE RALPH REID & BEATRICE		
09396004	BARNETTE RALPH REID & BEATRICE		
Totals			10,713.73

2004
 09366020 BARNETTE RALPH REID & BEATRICE
 09396004 BARNETTE RALPH REID & BEATRICE

Totals **8.933.81**

2003
 09366020 BARNETTE RALPH REID & BEATRICE
 09396004 BARNETTE RALPH REID & BEATRICE

Totals **1.936.20**

GRAND TOTALS **62,962.21**

Tax Administrator: Approved Refunds for November 2006 in the grand total amount of \$1,294.06.

Acct #	Name	Release #	Total
2006			
50078269	KNIGHT LILLIE M	2103	
			66.66
50066761	HEFNERS COUNTRY CUPBOARD	2113	
			23.57
50066882 A-1	CLEANING SERVICE	2130	
			7.57
50071763	TRESKE MITZI L & MICHAEL E	2140	
			136.11
50075036	CALLAWAY GOLF SALES CO TAX DEPT	2143	
			42.60
TOTALS			276.51

2005			
50092285	GARY'S ROD & CLASSIC	2092	
			43.28
50078269	KNIGHT LILLIE M	2104	
			62.90
50073736	DOUG MCLAIN TRUCKING INC	2128	
			292.73
05093003A 02	MCNELLEY MICHAEL		
H5093003R	JOYNER JOHN ELLIOTT & MARJORIE	2187	
			50.00
TOTALS			

		958.14
2004		
	50078269 KNIGHT LILLIE M	2105
		59.41
TOTALS		59.41
GRAND TOTALS		1,294.06

Tax Administrator: Approved the Sixth Motor Vehicle Billing in the grand total amount of \$1,260,293.25.

Employees' Insurance \$100,000 Coverage: Approved coverage amount of \$100,000.

APPOINTMENTS FOR COMMISSIONERS TO BOARDS AND COMMITTEES:

Chairman Pressley proposed appointments to the various boards and committees as follows:

<i>Boards and Commissions/Board Member Appointments</i>	<i>Appointment</i>
1. Agricultural Advisory	Vice Chairman Baucom
2. UMRMC, Inc.(Board of Directors) and Union EMS (Chair or appointee)	1. Vice Chairman Baucom
3. Catawba River	1. Commissioner Mills
4. Yadkin PeeDee	Vice Chairman Baucom
5. Centralina Council of Gov.	Commissioner Openshaw
6. Farmer's Market	Commissioner Openshaw
7. Fire Commission	Commissioner Mills
8. Job Ready Partnership	Commissioner Lane
9. Health Board	Chairman Pressley
10. L.E.P.C. (Local Emergency Planning Committee)	Commissioner Mills

- | | | |
|-----|---|---|
| 11. | Library Board | Commissioner Openshaw |
| 12. | M.U.M.P.O. (Chairman or his appointee) | Chairman Pressley |
| 13. | Parks & Rec. Advisory | Commissioner Openshaw |
| 14. | Partnership for Children | Commissioner Lane |
| 15. | Piedmont Behavior. Health | Commissioner Openshaw |
| 16. | School Liaison | Commissioner Mills |
| 17. | U.C. Home & Community Care
Block Grant Committee | Commissioner Openshaw |
| 18. | Carolinas Medical Center-Union
Trustee Council | Vice Chairman Baucom |
| 19. | Criminal Justice Partnership | Commissioner Lane |
| 20. | Juvenile Crime Prevention Council (JCPC) | Commissioner Lane
(Appointed 11/20/06) |
| 21. | CTIP (Community Transportation
Improvement Plan Committee) | Commissioner Lane |
| 22. | Transportation Advisory Board | Commissioner Lane |
| 23. | Rocky River RPO | Chairman Pressley |
| 24. | Centralina Economic Development
Commission (CEDC) | Vice Chairman Baucom |

Vice Chairman Baucom moved to approve the appointments as introduced by the Chairman.

Commissioner Openshaw stated that he wished to decline appointments to the Farmers Market Advisory Board and Piedmont Behavioral Healthcare.

The Chairman called for a vote to approve the appointments as amended. The motion was passed unanimously.

The Clerk noted that an additional appointment was needed for both the UMRMC, Inc. Board of Directors and the Catawba River Advisory Board.

Following discussion, the Board agreed that the additional appointments would be considered at the December 18, 2006, meeting.

CERTIFYING RESULTS OF NOVEMBER 7, 2006, SCHOOL BOND REFERENDUM

Kai Nelson, Finance Director, explained that adoption of the Resolution Certifying the Results of the Special Bond Referendum would be the last action requested of the Board in connection with the November 7, 2006, school bond referendum.

Following the explanation by Mr. Nelson, Commissioner Lane moved adoption of the following Resolution Certifying and Declaring the Results of the Special Bond Referendum on the Bond Order Authorizing the Issuance of \$174,500,000 General Obligation School Bonds Held for the County of Union, North Carolina on November 7, 2006. The motion was passed unanimously.

RESOLUTION CERTIFYING AND DECLARING THE RESULTS OF THE SPECIAL BOND REFERENDUM ON THE BOND ORDER AUTHORIZING THE ISSUANCE OF \$174,500,000 GENERAL OBLIGATION SCHOOL BONDS HELD FOR THE COUNTY OF UNION, NORTH CAROLINA ON NOVEMBER 7, 2006

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 referendum held for the County of Union, North Carolina on November 7, 2006 and certifying the result thereof to the Board and has canvassed the result of said Referendum.

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 number of voters registered and qualified to vote at said Referendum was 100,558.

BE IT FURTHER RESOLVED, that it be and hereby is certified and declared that the total number of voters who voted "Yes" in answer to the question

"**SHALL** the order authorizing \$174,500,000 of bonds secured by the pledge of the full faith and credit of the County of Union, North Carolina to pay the costs of providing for the construction, renovation, improvement, equipping and furnishing of public school facilities within the County, including the acquisition of land or rights-of-way, if necessary, and a tax to be levied for the payment thereof be approved?"

was 18,859. The total number of voters who voted "No" in answer to such question was 12,374. The question in the form submitted was *APPROVED* by the affirmative vote of a majority of those who voted thereon at said referendum.

BE IT FURTHER RESOLVED, that a statement substantially in the form hereinafter set forth declaring the result of said referendum shall be prepared, delivered to the Clerk to the Board of Commissioners for filing and recordation and published in accordance with law.

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

READ, APPROVED AND ADOPTED this 4th day of December, 2006.

S/Lynn G. West
Clerk to the Board of Commissioners
Commissioners

s/Kevin Pressley
Chairman of the Board of

TEXTAMENDMENT FOR UNION COUNTY PLANNING BOARD:

Chairman Pressley stated that on December 6, 2005, the Planning Board made a recommendation for a text change to the Union County Land Use Ordinance that would provide for **an** appointment of one regular member from each township to the Planning Board. He presented a proposed text amendment to the Land Use Ordinance in connection with the appointment of members to the Planning Board.

Following comments by the Chairman, Commissioner Mills moved that the Board of Commissioners initiate an amendment to the Land Use Ordinance that would accomplish the following:

1. Increase the number of regular members of the Planning Board from seven to nine, with one member to be appointed from each of the County's nine townships. The two additional alternates may reside anywhere within the County.
2. Require expiration of the terms of current Planning Board members upon adoption of these geographic representation requirements.
3. Provide for the initial staggered terms as follows: three regular members for a term of one year; three regular members for a term of two years; three regular members for a term of three years; one alternate for a term of two years; and one alternate for a term of three years.

If a regular Planning Board member moves outside the township, he or she represents or if any alternate moves outside the County, that shall constitute a resignation from the Planning Board. Any member serving on a municipal Board of Adjustment or Planning Board will not be eligible to serve on the Union County Planning Board or Board of Adjustment.

Increase to five the number required for a quorum for the Planning Board.

As a second part of my motion, I move that the Board of Commissioners direct that these matters be referred to the Planning Board immediately for initial consideration such that this proposal will be added to the agenda by the Planning Board chairman and first heard by the Planning Board during its regular meeting of December 5, 2006.

As a third part of my motion, I move that the Board of Commissioners direct the Clerk to advertise to receive applications for membership on the Planning Board with current members encouraged to reapply.

Commissioner Lane requested that the remaining Board members be provided a copy of the proposed text amendment.

Chairman Pressley recessed the meeting at this time to allow the Clerk to make copies for the Board members and to allow them an opportunity to review the changes.

Following the recess, the Chairman reconvened the meeting and asked if there were any discussion by the Board.

Commissioner Openshaw stated that the Chairman's copy had been given to the Clerk to make copies for the Board members. (Copies of the proposed text amendment had not been returned to the Board at this time.)

Commissioner Lane stated that the Board was being asked to discuss an item that its members did not have copies to review. He stated that he thought this request was out of order. He suggested that the Chairman move to Item 11c on the agenda while they were waiting for the copies to be returned.

Commissioner Mills withdrew his motion at this time.

Chairman Pressley stated that he would allow the Board the courtesy of reviewing the proposed change. He said that this proposal had been taken from the minutes of the Board's meeting on December 6, 2005. He agreed to move on to Item 11c - Repeal of Granting ETJ to the Village of Wesley Chapel.

REPEAL OF ETJ FOR THE VILLAGE OF WESLEY CHAPEL:

Commissioner Mills moved to repeal the Resolution Granting the Village of Wesley Chapel Extraterritorial Jurisdiction that was adopted by the Board on November 6, 2006.

Commissioner Openshaw requested an explanation of the motion. Chairman Pressley stated that the Resolution adopted by the prior Board of County Commissioners on November 6, 2006, should be repealed for the following reasons:

1. The Town's notification process was flawed due to the fact that a large number of people did not receive an actual notice of public hearing.
2. The Town has not completed nor implemented its ETJ zoning ordinance since the prior Board of Commissioners adopted the Resolution granting Wesley Chapel ETJ, so there would be no prejudice to the Town by repealing their earlier resolution.

3. The prior Board of Commissioners has denied or deferred ETJ in other instances for two towns and it would be inconsistent to grant ETJ to Wesley Chapel.

Following comments by the various Board members, Jeff Crook, Senior Staff Attorney, offered to provide legal advice to the Board regarding this item in closed session.

Commissioner Openshaw moved that the Board go into closed session in accordance with G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege. The motion failed by a vote of two to three. Commissioner Lane and Commissioner Openshaw voted in favor of the motion. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted against the motion.

The Chairman called for a vote on the original motion on the floor. The motion passed by a vote of three to two. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted in favor of the motion. Commissioner Lane and Commissioner Openshaw voted against the motion.

TEXTAMENDMENT FOR PLANNING BOARD:

Copies of the proposed text changes were provided to the Board, and the Chairman asked for a motion on this item.

Commissioner Mills moved that the Board of Commissioners initiate an amendment to the Land Use Ordinance that would accomplish the following:

1. Increase the number of regular members of the Planning Board from seven to nine, with one member to be appointed from each of the County's nine townships. The two additional alternates may reside anywhere within the County.
2. Require expiration of the terms of current Planning Board members upon adoption of these geographic representation requirements.
3. Provide for the initial staggered terms as follows: three regular members for a term of one year; three regular members for a term of two years; three regular members for a term of three years; one alternate for a term of two years; and one alternate for a term of three years.

If a regular Planning Board member moves outside the township, he or she represents or if any alternate moves outside the County, that shall constitute a resignation from the Planning Board. Any member serving on a municipal Board of Adjustment or Planning Board will not be eligible to serve on the Union County Planning Board or Board of Adjustment.

Increase to five the number required for a quorum for the Planning Board.

As a second part of my motion, I move that the Board of Commissioners direct that these matters be referred to the Planning Board immediately for initial consideration such that this proposal will be added to the agenda by the Planning Board chairman and first heard by the Planning Board during its regular meeting of December 5, 2006.

As a third part of my motion, I move that the Board of Commissioners direct the Clerk to advertise to receive applications for membership on the Planning Board with current members encouraged to re-apply.

Following discussion by Commissioner Openshaw, he proposed a text amendment to state that no more than two members could be from any one township.

Both Vice Chairman Baucom and Commissioner Mills pointed out that the motion was what the Planning Board itself had previously proposed but which was subsequently voted down by the Board of Commissioners.

The Chairman called for a vote on the motion. Commissioner Lane called for a point of order stating that according to the Board's Rules of Procedures, a vote on the motion could not be taken until all the Board members had had an opportunity to comment. He stated that he had his hand raised but had not been recognized to comment. Commissioner Lane suggested that the Board follow the proposal by Commissioner Openshaw.

The Chairman invited Commissioner Openshaw to restate his proposal as an amendment.

Commissioner Openshaw offered as an amendment that the Board of Commissioners initiate a amendment to the Land Use Ordinance that would state that no more than two Planning Board members and alternates can be from the same township.

The Chairman called for a vote on the amendment. The amendment failed by a vote of two to three. Commissioner Lane and Commissioner Openshaw voted in favor of the amendment. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted against the amendment.

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

TEXTAMENDMENT FOR BOARD OF ADJUSTMENT:

Chairman Pressley read the proposed text amendment regarding the Board of Adjustment.

Vice Chairman Baucom moved to approve the proposal regarding a text amendment to the Union County Land Use Ordinance regarding the Board of Adjustment as read:

1. Abolish and reconstitute the Board of Adjustment with an increase in the number of regular members from seven to nine, one member to be appointed from each of the County's nine townships. The additional two alternates may reside anywhere within the County.
2. Provide for initial staggered terms of new members in the same manner as provided for Planning Board members.
3. Increase to five the number required for a quorum for the Board of Adjustment.
4. Direct the Clerk to Advertise to receive applications for membership on the Board of Adjustment with current members encouraged to reapply.

Following comments by the Board members, the motion was passed by a vote of three to two. Chairman Pressley, Vice Chairman Baucom, and Commissioner Mills voted in favor of the motion. Commissioner Lane and Commissioner Openshaw voted against the motion.

PUBLIC WORKS ADVISORY BOARD:

Chairman Pressley stated that there has been a lot of controversy lately with sewer issues in the County. He said that there had been discussion for several years about having a Public Works Advisory Board. He stated that the County has a tremendous utility department that he believes needs some type of oversight.

He then moved that the Board create and appoint an advisory board to the County Commissioners to better serve Union County with its future growth. Chairman Pressley stated that in his opinion the structure of the Public Works Advisory Board should consist of nine members, one from each township, plus two alternates at large, with the same terms as the Planning Board.

He further proposed that the Board direct the staff attorney to draft the scope of a Public Works Advisory Board, including the rules and responsibilities as an advisory committee to the Public Works Department, and bring those guidelines as a rough draft to the Board of Commissioners for consideration at its December 18, 2006, meeting for possible action.

Following his comments, Commissioner Mills moved that the Board direct the staff attorney to draft the scope of a Public Works Advisory Board, including the rules

and responsibilities as an advisory committee to the Public Works Department, and bring those guidelines as a rough draft to the Board of Commissioners for consideration at the Commissioners' meeting of December 18,2006, for possible action.

After discussion, the motion was passed unanimously.

STATE OF UNION COUNTY:

Chairman Pressley moved to instruct the County Manager to direct the County departments to prepare a written report on the status of the County to include the following criteria: 1) Financial/Budget Status (current for each department and projected through the end of FY 07; 2) the number of employees for each department (how many have been hired and how many are projected to be hired); and 3) project status. The motion further included that the Public Works Director present an update on the status of wastewater treatment in the County at the December 18,2006, meeting.

The motion was passed unanimously.

ANNOUNCEMENT OF VACANCIES ON BOARDS AND COMMITTEES:

Chairman Pressley announced vacancies on County Boards and Committees as follows:

1. One vacancy on the Nursing Home Advisory Committee
2. One vacancy on the Adult Care Home Community Advisory Committee
3. Five vacancies on the Union County Home and Community Care Block Grant Advisory Committee
4. Three vacancies on the Board of Health as of January 2007 as follows: one Physician representative and two citizen representatives
5. Four vacancies on the Library Board of Trustees representing the following areas: Marshville, Monroe, Weddington, and Waxhaw

M. G E S M E N T S:

The Manager congratulated Chairman Pressley and Vice Chairman Baucom on election to their offices.

COMMISSIONERS' COMMENTS:

Commissioner Lane stated that it had been an interesting meeting.

Commissioner Openshaw expressed his appreciation to those citizens who voted for him to be a Commissioner. He said that planned progress is the motto of Union County, and he believed that has been missing in the County. He said that he hoped that the Board could learn to work together to achieve that goal.

Vice Chairman Baucom expressed his appreciation to everyone who had attended tonight's meeting. He thanked the Manager for the progress of the Board Room in being able to hold tonight's meeting in the new location. He pledged to work as a Commissioner within the framework of dignity, respect, and decorum for his office as Commissioner. He said that he looked forward to serving the citizens of the County.

Commissioner Mills expressed his appreciation to his wife, daughters, and other family members for their support in his campaign. He said that he was humbled that the citizens had placed him in the position of Commissioner.

Chairman Pressley thanked the Board for its support of voting him Chairman for the upcoming year. He said that he was working for the people of the County. He stated that his ideas included the citizens' property rights, cutting government spending, and doing what is right for the citizens of the County.

With there being no further comments or discussion, Vice Chairman Baucom moved to adjourn the regular meeting. The motion was passed unanimously.