



Union County, NC

Board of Commissioners

Meeting Minutes

Union County Government
Center
500 North Main Street
Monroe, North Carolina
www.unioncountync.gov

Monday, November 15, 2021

3:00 PM

Board Room, First Floor

The Union County Board of Commissioners met in a regular session on Monday, November 15, 2021, at 3:00 p.m. in the Meeting Room of the Board of Commissioners, first floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina. The following were

PRESENT: Chairman Richard Helms, Sr.; Vice Chairman Dennis Rape; Commissioner Stony D. Rushing, and Commissioner David Williams

ABSENT: Commissioner Jerry B. Simpson

ALSO PRESENT: Mark Watson, County Manager; Michelle Lancaster, Deputy County Manager; Lynn G. West, Clerk to the Board of Commissioners; Brian Matthews, Assistant County Manager; Patrick Niland, Assistant County Manager; Jason Kay, General Counsel; Richard G. Long, Jr., County Attorney; and other citizens

Opening of Meeting

Chairman Helms called the regular meeting to order at approximately 3:00 p.m.

Invocation - Commissioner Jerry Simpson

Commissioner Simpson stated that today is the last Board meeting before observance of the

Thanksgiving holiday. He said popular opinion is that the first Thanksgiving Day occurred in 1621 when the Pilgrims celebrated their first harvest in the new world with a feast that lasted three days and was attended by the Pilgrims and the Wampanoag Native Americans. He stated that Thanksgiving was recognized as a national holiday in 1863 by President Abraham Lincoln. Although numerous Presidents had encouraged, with the exception of Thomas Jefferson, a day of Thanksgiving and prayer, it was Lincoln who codified the holiday.

Commissioner Simpson shared that he recently learned that it was President Lincoln who was encouraged by Sarah Josepha Hale, a noted author, who often wrote editorials and articles about the holiday. He said she wrote state and local officials to ask them to pass legislation to create a fixed National Day of Thanks on the last Thursday of November. He stated that Ms. Hale believed that such a unifying measure

could help ease growing tensions and divisions between the northern and southern parts of the country. He said Ms. Hale urged Americans “to put aside sectional feelings and local incidents and rally around the unified cause of Thanksgiving.”

He said today as a nation we find ourselves embroiled in tensions and divisions. He also spoke about the Apostle Paul in Thessalonica and in his letter to the Thessalonians he wrote “give thanks in all circumstances.”

Following his comments, Commissioner Simpson offered the invocation.

Pledge of Allegiance - Union Academy Girls' Varsity Volleyball Team

The following members of the volleyball team were present: Ryleigh Clayborn, Anna Ungerer, Brooklyn Calkins, Haley Holland, Tori Mattison, Lauren Munday, and Cierra VanMilligan, along with Head of School, John Marshall. The Chairman asked that these members of the volleyball team lead the body and audience in reciting the Pledge of Allegiances to the American flag.

Commissioner Simpson requested that the team share information about its recent volleyball season.

Ryleigh Clyburn shared that this season Union Academy has made history as being the first volleyball team at Union Academy to win conference championship, regional and State championships. She explained that this is the first season of a new conference that included Mount Pleasant, Greystone, etc. She added they were accustomed to playing against other charter schools. She stated that the team was very excited and humbled to be named State champions.

Informal Comments

Chairman Helms recognized Scott Levine as the first speaker, who had registered online to comment during informal comments. Mr. Levine was not present.

Brian Helms was recognized as the next speaker registered. He stated that he is a resident of Union County. He reminded that at the last Board meeting, the Deputy County Manager presented the recommendations of the committee established to review the potential uses of the \$46 million in funds appropriated to Union County from ARPA. He stated that in June he addressed the Board about potential uses of these funds. Mr. Helms said that the county certainly has needs that the money can address but, in his opinion, short-term money does not need to be spent on long-term needs.

He discussed the committee’s recommendations in detail. He stated the only viable recommendation is for strategic investment in County services - \$20.9 million. Mr. Helms said he would advocate that this amount should be a lot more and more specifically for funding the short line water projects. He said this is something that existing residents will benefit from and will pay dividends to the County in the future. He urged the Board to disapprove the committee’s recommendations and instead focus on something that will be beneficial to all residents such as water and not necessarily sewer.

Public Hearing(s)-

None

Staff Recognition

21-391 Employee Recognition

On behalf of the Board of Commissioners, Chairman Helms recognized the following employees for their full-time continuous service with Union County Local Government and the retirees for the month of November 2021:

SERVICE AWARD RECIPIENTS		
Employee Name	Division	Union County Service
KATHRYN WOODLEY	HUMAN RESOURCES	5 YEARS
BJORN HANSEN	PLANNING	5 YEARS
LORIE MAY	PUBLIC WORKS	5 YEARS
ALLISON BOYLES	SOCIAL SERVICES	5 YEARS
ROBYN MOBLEY	SOCIAL SERVICES	5 YEARS
RUBEN VASQUEZ	SOCIAL SERVICES	5 YEARS
DANA CHASTAIN	TAX ADMINISTRATION	5 YEARS
Employee Name	Division	Union County Service
CAROLINE CARTER	LIBRARY	20 YEARS
Employee Name	Division	Union County Service
JERRY MACEMORE	TAX ADMINISTRATION	25 YEARS
NOVEMBER RETIREMENTS		
Employee Name	Division	Union County Service
LISA LOVE	HEALTH	13 YEARS
SHILO GARNER	SHERIFF'S OFFICE	14 YEARS
DEAN GLENN	FACILITIES MANAGEMENT	18 YEARS
JERRY GUFFEY	SOLID WASTE	21 YEARS

Consent Agenda

Chairman Helms announced that there were revisions to the action requested for two items on the Consent Agenda: 1) Item #21-394 – Resolution to Convey Law Enforcement Canine – the requested action should include Adoption of a Resolution Authorizing Conveyance of a Certain Canine Retired from the Service of the Union County Sheriff's Office to a Certain Retired Union County Deputy (The resolution was

not included in the agenda package but has been provided to the Commissioners; and 2) Item #21-398 – Project SW110 – STEG Gravity Sewer Improvements (Gray Water System) Stallings – Bid Award – the action requested should include Adoption of Resolution of the Union County Board of Commissioners Providing Notice of SW110 – STEG Gravity Sewer Improvements Stallings Project Construction (The resolution was included in the agenda package but was not included in the action requested).

He also stated that there are two items to be added under New Business prior to the County Manager's Comments: 1) Sharpe Business Systems – Printer Contract; and 2) Purchase of Real Property located at 5301 Friendly Baptist Church Road and 0 Friendly Baptist Church Road (Union County Tax Parcels #08231002C and #08231002B).

Commissioner Simpson moved to approve the items listed on the consent agenda as recommended and amended. The motion passed by a unanimous vote as follows:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

21-377 Emergency Services Complex Network Switches Purchase

Action: Authorized the purchase of specified network switches for use in the Emergency Services Complex

Note: The Emergency Services Complex will require the purchase of network switching equipment for connectivity. [This purchase will use funds from the General Fund to total \$84,898.56.]

21-369 Resolution Authorizing Conveyance of Surplus Property

Action: Adopted Resolution authorizing the County Manager to donate surplus 2017 Ford F-150 Animal Service vehicle to South Piedmont Community College.

**RESOLUTION AUTHORIZING CONVEYANCE OF A CERTAIN UNION
COUNTY SURPLUS VEHICLE TO SOUTH PIDMONT COMMUNITY COLLEGE**

THAT WHEREAS, Union County is the owner of one 2017 Ford F-150, with North Carolina Vehicle Identification Number 1FTFX1EG2HFA60842, as further identified by County Number 36-17 (the "Vehicle"); and

WHEREAS, Union County desires to declare surplus and convey the Vehicle to South

Piedmont Community College, a “governmental unit” as defined by North Carolina General Statutes § 160A-274; and

WHEREAS, pursuant to North Carolina General Statutes § 160A-274, Union County is authorized to convey to any other governmental unit any interest in real or personal property;

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

1. The Vehicle is hereby declared surplus.
2. The County Manager or his designee is authorized to dispose of the Vehicle to South Piedmont Community College in accordance with G.S. § 160A-274, and to execute such documents of conveyance as may be necessary to transfer ownership of the Vehicle. There shall be no monetary consideration given for conveyance of the Vehicle to South Piedmont Community College.

This the 15th day of November, 2021.

21-375 Amendment - Fire Alarm System for Detention Center

Action: Authorized the County Manager to negotiate and execute an amendment substantially consistent with this agenda item.

Note: Johnson Controls provides coverage of the fire alarm system for the Union County Detention Center. Because the County has various agreements with Johnson Controls with an overall financial impact greater than \$50,000, the requested Amendment to the contract will exceed the County Manager’s signatory authority limit of \$50,000. [Cost of the contract is \$9,973.95 annually for the next three years for a total contract cost of \$29,921.85. Funding for the amendment is available in the Union County Sheriff’s Office FY2022 budget appropriation and future expenditures are subject to budget appropriation by the Board of Commissioners.]

21-394 Resolution to Convey Law Enforcement Canine “Kobe”

Adopted a Resolution Authorizing Conveyance of a Certain Canine Retired from the Service of the Union County Sheriff’s Office to a Certain Retired Union County Sheriff’s Deputy in accordance with N.C.G.S. 160A-267.

NOTE: Union County Sheriff’s Office has retired “Kobe”, a seven-year-old Black Labrador Retriever. “Kobe” served six to seven years as a single-purpose, explosive detection canine. He served as a member of the Union County Sheriff’s Office Operations and has served not only Union County but also the surrounding region with his partner/handler Sergeant Shilo Garner. “Kobe” is highly trained and not an average pet. The Sheriff’s Office is compelled to ensure he is responsibly placed in a home that understands his training; therefore, the best person with whom to place “Kobe” would be his handler Sergeant Garner. [Revenue of \$1.00].

A RESOLUTION AUTHORIZING CONVEYANCE OF A CERTAIN CANINE RETIRED FROM THE SERVICE OF THE UNION COUNTY SHERIFF’S OFFICE TO A CERTAIN RETIRED UNION COUNTY SHERIFF’S DEPUTY
THAT WHEREAS, Union County’s Sheriff’s Office is the owner of a canine, known as

“Kobe,” used for sniffing for the presence of explosives (the “dog”); and

WHEREAS, the Sheriff’s Office now plans to retire the dog from service; and

WHEREAS, Union County desires to convey the dog by private sale to retired Union County Sheriff’s Deputy Shilo Garner pursuant to North Carolina General Statutes §§ 160A-266 and 160A-267;

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

1. The County Manager is authorized to dispose of the dog to Shilo Garner in accordance with G.S. § 160A-267, and to execute such documents of conveyance as may be necessary to transfer ownership of the dog. Consideration for disposition of the dog shall be monetary and shall include the promise by Shilo Garner that he shall indemnify and waive, release, and discharge Union County from claims or damages in connection with or arising out of the acts of the dog following its sale to Shilo Garner.
2. 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 15th day of November, 2021.

21-414 Warehouse Lease

Action: Authorized the County Manager to approve a Contract for Warehouse Lease with Liquid Management LLC.

NOTE: Union County will enter into a lease with Liquid Management LLC which will be for a term of five (5) years. [Liquid Management LLC Lease: Year one (1) \$2,400 per month for a total of \$28,800 with a two (2) percent escalation for subsequent years.

21-383 Sale of Surplus Yard Waste

Action:

- 1) **Authorized the sale of the Property (Surplus Yard Waste), in accordance with the Board’s “Resolution for the Disposition of Personal Property by Sealed Bid in Accordance with G.S. 160A-268,” dated October 4, 2021 to the highest responsive, responsible bidder, Brian Arnold (Greenscape, Inc.), in the amount of \$1.00 per cubic yard; and**
- 2) **Authorized the County Manager to execute any documentation necessary to effectuate such sale.**

NOTE: The material to be sold is estimated at 23,300 cubic yards. Based on the bid amount provided by Gardenscape, Inc. at \$1.00 per cubic yard, the Solid Waste Enterprise Fund should generate an estimated \$23,300 in addition to saving significant staff time associated with on site management of the material.

21-402 Lease Agreement Amendment with Raymond G. Smith for Office Space at 604 Lancaster Avenue

Action: Authorized the County Manager to negotiate and execute an agreement substantially consistent with this agenda item.

NOTE: Union County has leased office space at 604 Lancaster Avenue for the past three (3) years and six (6) months to support the Department of Juvenile Justice. The current lease extension is set to expire on December 1, 2021, and the Facilities Management Department recommends extending this lease for another eighteen (18) months. The total amount of leased space and other terms of the lease will remain the same except the lease rate. The monthly lease rate will increase by approximately three (3) percent to \$6,753.05 per month beginning on June 1, 2022. The extension will terminate on May 31, 2023, unless otherwise amended by mutual written consent of both parties. [The total cost of the lease extension is \$120,374.76, payable in eighteen (18) monthly installment payments. There are sufficient funds in the Rental of Real Property account to cover this expense.]

21-404 Purchase of Voting, Precinct and Ballot Storage Systems from Patterson Pope for the Board of Elections Addition and Renovation Project

Action: Authorized the County Manager to negotiate and execute an agreement substantially consistent with this agenda item.

NOTE: As part of the Board of Elections Addition and Renovation project, Facilities Management coordinated with the Board of Elections staff and the design team for the selection of storage systems to be used for voting equipment, precinct and ballot storage.

NC State Contract 420A will be used for the majority of the purchase. The total cost of the purchase is \$106,865.97 and includes \$13,711.29 in material costs listed as off-contract.

21-415 Structured Cabling for Sheriff's Office Expansion and Renovations, Emergency Services Complex and Southwest Library Projects

Action: Accepted the low bidder, authorized award of the construction contract to Connectivity, LLC in the amount of \$804,310.23, authorized the County Manager to negotiate and execute an agreement consistent with this agenda item, and adopted Resolution Providing Notice of Structured Cabling Project.

NOTE: The total cost of the contract is \$805,310.23.

RESOLUTION OF THE UNION COUNTY BOARD OF COMMISSIONERS PROVIDING NOTICE OF UNION COUNTY STRUCTURED CABLING PROJECT CONSTRUCTION

WHEREAS, pursuant to G.S § 153A-457, a county shall notify property owners and adjacent property owners prior to commencement of any construction project by the

county; and

WHEREAS, G.S. § 153A-457 provides that notice of a county construction project is deemed sufficient if notice of the construction project is given in any open meeting of the county prior to the commencement of the construction project; and

WHEREAS, the Union County Board of Commissioners desires to give notice of construction of the UNION COUNTY STRUCTURED CABLING prior to commencement of project construction as required by G.S. § 153A-457.

NOW, THEREFORE, BE IT RESOLVED BY THE Union County Board of Commissioners that:

1. Union County may commence construction of UNION COUNTY STRUCTURED CABLING on property located at 3344 Presson Road, Monroe, NC, 28112 (Sheriff's Office Expansion and Renovation), 2258 Concord Avenue, Monroe, NC, 28112 (Emergency Services Complex), and 1515 Cuthbertson Road, Waxhaw, NC (Southwest Union Library) after the award of the construction contract for the project.
2. This resolution and notice is adopted in accordance with the construction notice requirements of G.S. § 153A-457.

Adopted this the 15th day of November, 2021.

21-384 Asphalt Restoration Services

Action: Authorized the County Manager to (i) negotiate and execute an amendment to the agreement with JA Seagraves, extending the contract to September 28, 2022, substantially consistent with this agenda item; and (ii) exercise the additional one-year renewal option under the Agreement in the County Manager's discretion.

NOTE: The Water and Wastewater Division anticipates spending approximately \$150,000 for this service with JA Seagraves under this amendment. The Division further anticipates expending another \$150,000 if the last renewal term is executed by the County manager in FY23.

21-385 Potable Water Service Parts21-388 Replacement Excavator

Action: Authorized the County Manager to negotiate and execute a purchase order or agreement with Carolina CAT to replace an excavator substantially consistent with this agenda item.

NOTE: This excavator is utilized to excavate and repair large diameter pipelines including capability for much deeper excavations. The original excavator has reached the end of its useful life (18 years old) and is becoming more costly to repair and maintain. In FY21 Union County Water spent \$13547.83 to repair the piece of equipment with additional repairs needed in FY22 if this equipment is not replaced. [The requested \$209,544.51 is available for this needed purchase in the adopted FY22 Water and Wastewater Division Budget.]

21-389 Replacement Articulating Wheel Loader

Action: Authorized the County Manager to negotiate and execute a purchase order or agreement to replace an Articulating Wheel Loader with James River Equipment substantially consistent with this agenda item.

NOTE: This loader is utilized to load gravel, dirt, lift manhole sections, vaults, large pipe, and unloading of trucks. The original loader has reached the end of its useful life (19 years old) and is becoming costly to repair and maintain. In FY21, Union County Water spent \$8,882.05 repairing this piece of equipment with more expenditures needed in FY22 if this equipment is not replaced. [The requested \$170,398.00 is available for this needed purchase in the adopted FY22 Water and Wastewater Division Budget.]

21-390 Crooked Creek WRF Clarifier Repairs

Action: Authorized the County Manager to negotiate and execute an agreement with Kemp Construction, Inc. to purchase Clarifier Corrective Maintenance repairs to clarifier 301 at the Crooked Creek WRF, substantially consistent with this agenda item.

NOTE: Union County Water ("UCW") operates and maintains various wastewater treatment processing equipment at Crooked Creek WRF. The clarifiers separate the effluent to be discharged into the receiving stream from the more dense material that is sent to the digesters for land application. Clarifier 301 is one of four clarifiers at the site. This clarifier requires replacement of the gear reducer, main drive and sweep arms in order to continue functioning as designed. A malfunction of this unit will result in reduced capacity at the WRF with potential regulatory impact. [The requested amount of \$57,992.00 is available in the adopted FY22 Water & Wastewater Division budget.]

21-398 Project SW110 - STEG Gravity Sewer Improvements (Gray Water System) Stallings - Bid Award

Action:

- 1) Accepted the low bidder, authorized award of the construction contract to Mountaineer Contractors, Inc., in the amount of \$834,005.55; 2) authorized the County Manager to negotiate and execute an agreement substantially consistent with this Agenda item; and 3) adopted a Resolution of the Union County Board of Commissioners Providing Notice of SW110 – STEG Gravity Sewer Improvements Stallings Project Construction**

NOTE: The currently approved Capital Improvement Program includes funding for sanitary sewer projects to replace aging gravity sewer infrastructure. The Septic Tank Effluent Gravity (STEG) (Gray Water system) Asset Inventory and Assessment memorandum outlined a ten-year CIP schedule to replace the existing four (4)-inch and six (6)-inch septic tank effluent gravity system with conventional eight (8)-inch gravity mains and manholes. The project consists of the construction of approximately 4,745 linear feet of eight (8)-inch gravity sewer mains and 24 manholes on Smith Circle, Greenbriar Drive, and Spruce Street. The work includes, but is not limited to pipe, manholes, services, clean outs, erosion control, and restoration.

**RESOLUTION OF THE UNION COUNTY BOARD OF COMMISSIONERS PROVIDING
NOTICE OF
SW110 – STEG Gravity Sewer Improvements Stallings
PROJECT CONSTRUCTION**

WHEREAS, pursuant to G.S § 153A-457, a county shall notify property owners and adjacent property owners prior to commencement of any construction project by the county; and

WHEREAS, G.S. § 153A-457 provides that notice of a county construction project is deemed sufficient if notice of the construction project is given in any open meeting of the county prior to the commencement of the construction project; and

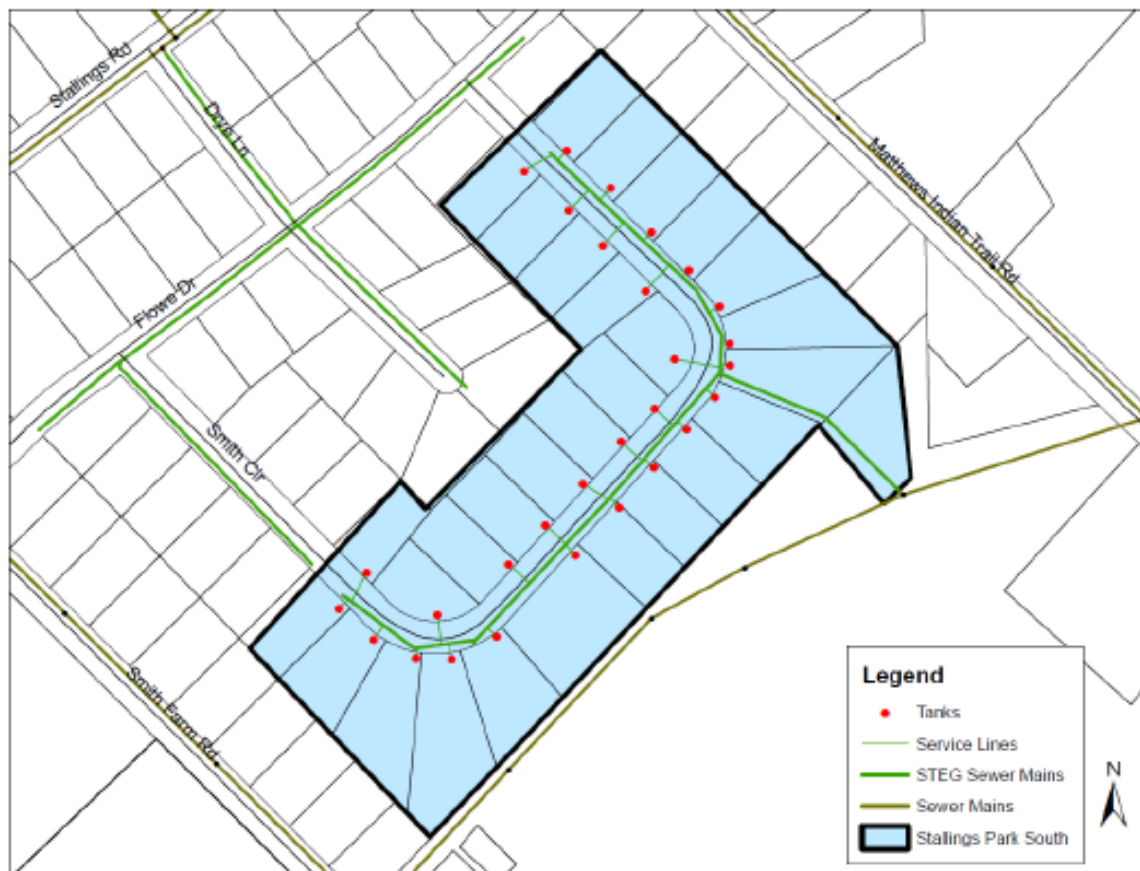
WHEREAS, the Union County Board of Commissioners desires to give notice of construction of the SW110 STEG Gravity Sewer Improvements Stallings Project prior to commencement of project construction as required by G.S. § 153A-457.

NOW, THEREFORE, BE IT RESOLVED BY THE Union County Board of Commissioners that:

1. Union County may commence construction of the SW110 STEG Gravity Sewer Improvements Stallings Project on property as shown on the attached map after the award date of the construction contract for the project.
2. This resolution and notice is adopted in accordance with the construction notice requirements of G.S. § 153A-457.

Stallings Park South: Streets included – Southeastern portion of Smith Circle

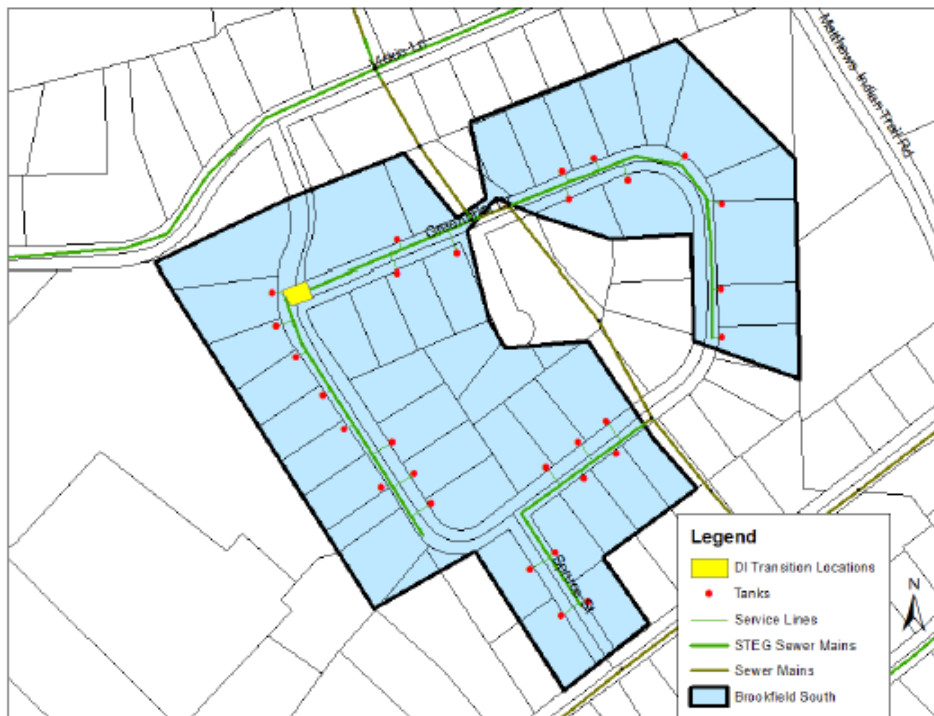
Stallings Park South	
Total Existing LF of Gravity Sewer	1,890
Total Existing Services/Septic Tanks	29
Total Existing Material Transitions/ DI Road Crossings	0
Total Existing Services Upstream of Material Change	0

**Prioritization Level**

2 of 26

Brookfield South: Streets included – Greenbriar Drive and Spruce Street

Brookfield South	
Total Existing LF of Gravity Sewer	2,340
Total Existing Services/Septic Tanks	29
Total Existing Material Transitions/ DI Road Crossings	1
Total Existing Services Upstream of Material Change	9



Prioritization Level
3 of 26

21-395 415 WIC Breastfeeding Peer Counseling Program - Budget Amendment #9

Action: Adopted Budget Amendment #9 to appropriate \$16,425 of additional Agreement Addendum funding for WIC Client Services, in the Community Support and Outreach Division's operating budget (Budget Amendment #9)

NOTE: North Carolina receives special funding from the United States Department of Agriculture (USDA) to build and sustain Breastfeeding Peer Counseling Programs in the local health departments. This year the County's Breastfeeding Peer Counseling Program was allocated \$44,025 in funding from the Women's and Children's Health Section Nutrition Services Branch of the North Carolina Division of Public Health, an increase of \$16,425 from last year. The \$16,425 was awarded at 100 percent through NC Department of Health and Human Services, with no required local match.

BUDGET AMENDMENT

BUDGET	<u>General Fund</u>	REQUESTED BY	<u>Stephanie Starr</u>
FISCAL YEAR	<u>FY 2022</u>	DATE	<u>November 15, 2021</u>

INCREASEDescription

Fed Grant	<u>16,245</u>
Personnel Expenses	<u>16,245</u>

DECREASEDescription

Explanation: To appropriate additional funding in the WIC Program Agreement Addendum. The funding is to support the Breastfeeding Peer Counselor program.

DATE 11/15/2021
 APPROVED BY Bd of Comm/County Manager
Lynn West/Clerk to the Board
FOR POSTING PURPOSES ONLY**DEBIT**

<u>Code</u>	<u>Account</u>	<u>Amount</u>
10130531-5121-11463	Salaries & Wages	13,106
10130531-5131-11463	FICA Contributions	1,003
10130531-5134-11463	401-K Supp Ret Plan	655
10130531-5136-11463	Ret Contrib.	1,481

Total 16,245
 Prepared By LG
 Posted By
 Date
CREDIT

<u>Code</u>	<u>Account</u>	<u>Amount</u>
10130531-4320-11463	Fed Grant-BF Peer Coun.	16,245

Total 16,245Number 9**21-397** Amendment to the Union County Pay and Classification Plan

Action: Approved revision of the Union County Pay Plan to include new job classification titles and pay grades:

(A) Add the following classifications and associated pay grades

- (a) Division Manager, Nursing – Pay Grade 330**
- (b) Nursing Program Manager – Pay Grade 327**
- (c) Clinical Assistant – Pay Grade 113**
- (d) Clinical Assistant PT – Pay Grade 113**

(B) Remove the following classifications and associated pay grades:

- (a) Nursing Manager – Pay Grade 330**

NOTE: No additional funding required. Sufficient funding is included in the FY22 budget.

21-381 Surplus Vehicle Sale

Action: Adopted Resolution Authorizing Surplus Property Sale by Internet Auction which:

- 1. Declared the property itemized on Attachment A as “Surplus” to the needs of Union County.**
- 2. Authorized sale at electronic auction of the surplus property described in Attachment A as per the terms and conditions as specified in the online auction service provider contract.**
- 3. Authorized the Procurement Director or her designee to execute any and all documents necessary to transfer title to said property on behalf of Union County.**

NOTE: Estimated revenue is \$115.00. The revenue will be returned to the fund from which the asset came.

RESOLUTION AUTHORIZING SURPLUS PROPERTY SALE BY INTERNET AUCTION

WHEREAS, G.S. 160-270(c) allows Union County to sell personal property at electronic auction upon adoption of a resolution authorizing the Procurement Manager or her designee to dispose of the property at electronic auction; and

WHEREAS, the Procurement Manager has developed a list of these items as shown on Attachment “A” for review by the Board of Commissioners for disposal by electronic auction;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Union County Board of Commissioners that the items of personal property included on Attachment “A” and incorporated herein by reference, be declared surplus and that the Procurement Manager or her designee be authorized to sell at electronic auction, beginning November 22, 2021 at 9:00 a.m. and ending December 7, 2021, with incremental closings as indicated on Attachment “A”, the surplus property described on Attachment “A”, as per the terms and conditions as specified in the County’s existing contract with the on-line auction Service Provider to the highest bidders.

BE IT FURTHER RESOLVED that the Procurement Director or her designee is authorized to execute any and all documents necessary to transfer said property on behalf of Union County.

BE IT FURTHER RESOLVED that the terms of sale applicable at the aforementioned auction of the items listed on Attachment “A” shall be as follows:

1. Sale to the highest bidder with all sales final.
2. All items sold "as is" and "where is" with no warranty, expressed or implied, which extends beyond the description of the items.
3. Purchasers must remove vehicle(s) within ten business days from the time and date of issuance of the Buyer's Certificate. The vehicles are to be picked up at 610 Patton Avenue, Monroe, North Carolina. Purchasers shall bear sole risk of loss for all items remaining on the premises ten (10) calendars days from the time and date of issuance of the Buyer's Certificate.
4. Payment must be made online through the on-line auction Website. Payment in full is due not later than five (5) calendar days from the time and date of the Buyer's Certificate. Payment cannot be accepted onsite.

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

Adopted this 15th day of November, 2021.

Attachment A

Tag Number	Description	Serial/Parcel	Milage	Auction Start	Auciton End
02-12	2012 DODGE CHARGER	2C3CDXAT3CH201477	129379	11/22/21 9:00 AM	12/7/21 9:00 AM
26-11	2011 FORD CROWN VICTORIA	2FABP7BV6BX135337	131314	11/22/21 9:00 AM	12/7/21 9:10 AM
29-11	2011 FORD CROWN VICTORIA	2FABP7BV6BX135340	142591	11/22/21 9:00 AM	12/7/21 9:20 AM
11-12	2012 DODGE CHARGER	2C3CDXAT7CH201482	127083	11/22/21 9:00 AM	12/7/21 9:30 AM
12-12	2012 DODGE CHARGER	2C3CDXAT9CH201483	121961	11/22/21 9:00 AM	12/7/21 9:40 AM
23-12	2012 CHEVROLET CAPRICE	6G1MK5U29CL646298	138264	11/22/21 9:00 AM	12/7/21 9:50 AM
21-12	2012 CHEVROLET CAPRICE	6G1MK5U26CL640460	156969	11/22/21 9:00 AM	12/7/21 10:00 AM
24-12	2012 CHEVROLET CAPRICE	6G1MK5U20CL640499	137777	11/22/21 9:00 AM	12/7/21 10:10 AM
15-13	2013 DODGE CHARGER	2C3CDXAT8DH627702	75229	11/22/21 9:00 AM	12/7/21 10:20 AM
17-13	2013 DODGE CHARGER	2C3CDXAT3DH627705	120944	11/22/21 9:00 AM	12/7/21 10:30 AM
14-13	2013 DODGE CHARGER	2C3CDXAT1DH627704	132383	11/22/21 9:00 AM	12/7/21 10:40 AM
39-13	2013 HYUNDAI SONATA SD	5NPEC4AC0DH585555	89694	11/22/21 9:00 AM	12/7/21 10:50 AM
71-14	2014 DODGE CHARGER	2C3CDXAT1EH350716	120913	11/22/21 9:00 AM	12/7/21 11:00 AM
22-12	2012 CHEVROLET CAPRICE	6G1MK5U22CL644487	102997	11/22/21 9:00 AM	12/7/21 11:10 AM
12-13	2013 DODGE CHARGER	2C3CDXAT9DH627708	111819	11/22/21 9:00 AM	12/7/21 11:20 AM
13-11	2011 FORD F150 EXT CAB	1FTFX1EF88FB04289	176244	11/22/21 9:00 AM	12/7/21 11:30 AM
13-13	2013 DODGE CHARGER	2C3CDXAT0DH627712	122701	11/22/21 9:00 AM	12/7/21 11:40 AM
14-10	2010 CROWN VICTORIA	2FABP7BVXAX126266	126595	11/22/21 9:00 AM	12/7/21 11:50 AM
18-10	2010 CROWN VICTORIA	2FABP7BV5AX126269	93933	11/22/21 9:00 AM	12/7/21 12:00 PM
21-13	2013 DODGE CHARGER	2C3CDXAT9DH627711	114413	11/22/21 9:00 AM	12/7/21 12:10 PM
21-14	2014 DODGE CHARGER	2C3CDXAT7EH145854	124795	11/22/21 9:00 AM	12/7/21 12:20 PM
25-13	2013 DODGE CHARGER	2C3CDXAT0DH661407	100040	11/22/21 9:00 AM	12/7/21 12:30 PM
27-11	2011 FORD CROWN VICTORIA	2FABP7BV8BX135338	145411	11/22/21 9:00 AM	12/7/21 12:40 PM
27-14	2014 DODGE CHARGER	2C3CDXAT1EH145865	113369	11/22/21 9:00 AM	12/7/21 12:50 PM
42-16	2016 DODGE CHARGER	2C3CDXAT1GH116109	127863	11/22/21 9:00 AM	12/7/21 1:00 PM
77-14	2014 DODGE CHARGER	2C3CDXAT6EH350713	132698	11/22/21 9:00 AM	12/7/21 1:10 PM

21-328 Fixed Price Term Agreements Policy**Action: Approved the Fixed Price Term Agreements Policy as recorded below:
Fixed Price Term Agreements Policy****Applicability**

This Policy applies only to fixed price service and bulk purchase agreements (“Fixed Price Term Agreements”) which have been properly procured through the applicable procurement method, and which contain a set price or rate list for the term of the agreement which cannot be altered except by limited price escalation such as annual CPI increases. This Policy does not apply to any professional services performed by architects, engineers, surveyors, or construction managers at risk, nor to any consulting agreements, capital project agreements, construction agreements, agreements involving the expenditure of federal funds, or to agreements originating in an enterprise fund department or expending enterprise funds. Some examples of agreements to which this Policy applies include, but are not limited to, office supplies, maintenance services, temporary staffing services, printing services, County uniforms, and other routine services or bulk purchases which have not been specifically excluded from this Policy.

Policy

Fixed Price Term Agreements which have been properly procured under the County’s Procurement Policy and which have received the requisite internal approvals through the contract review and execution process will be submitted to the Board of County Commissioners (“BOCC”) for approval prior to signature of the initial agreement by the County Manager. Following initial BOCC approval, the County Manager shall be authorized to execute amendments and authorize spending under each Fixed Price Term Agreement during the initial term of the agreement and any renewal terms as authorized by the Procurement solicitation. Once a Fixed Price Term Agreement has received BOCC approval, the agreement shall not be subject to the County Manager’s then-current contracting authority limits. All spending under Fixed Price Term Agreements shall remain restricted to the amounts appropriated by the BOCC in the annual budget in a given fiscal year.

The Procurement Division shall maintain a list of all currently effective Fixed Price Term Agreements, and shall report to the BOCC on a quarterly basis the total amounts spent under such agreements.

21-392 Minutes for Approval**Action: Approved minutes for November 1, 2021, Regular Meeting****Items Removed From Consent (if any)-None**

Agenda items identified by Commissioners to be removed from the Consent Agenda for clarity, comment, public awareness, and/or to be voted on separately.

Information Only

21-331 Wastewater Treatment Capacity - Monthly Update

Action: No Action Requested – Information Only. This provides a status update on wastewater treatment capacity for the Twelve Mile Creek, Crooked Creek, Olde Sycamore, Tallwood, and Grassy Branch facilities.

NOTE: Union County Water is closely monitoring the wastewater treatment capacities at the County's Water Reclamation Facilities. Permitting Capacity is evaluated using the Actual Plant Flows plus the Permitted/Obligated Flows (unconnected). Below is information up-to-date through October 2021.

Union County Water is closely monitoring the wastewater treatment capacities at our Water Reclamation Facilities. Permitting Capacity is evaluated using the Actual Plant Flows plus the Permitted/Obligated Flows (unconnected). Union County Water was asked to provide regular updates. Below information is up to date through October 2021.

Twelve Mile Creek

- Permitted Capacity (MGD) = 7.5
- Actual Average Daily Flow (MGD) = 5.855
- Actual + Permitted Obligated Flows (MGD) = 7.348
- Percent of Permitted Flow Used = 98.0%
- Actual Rainfall (in) = 1.1

Crooked Creek

- Permitted Capacity (MGD) = 1.9
- Actual Average Daily Flow (MGD) = 0.952
- Actual + Permitted Obligated Flows (MGD) = 1.512
- Percent of Permitted Flow Used = 79.6%
- Actual Rainfall (in) = 1.1

Olde Sycamore

- Permitted Capacity (MGD) = 0.15
- Actual Average Daily Flow (MGD) = 0.037
- Actual + Permitted Obligated Flows (MGD) = 0.037
- Percent of Permitted Flow Used = 24.7%
- Actual Rainfall (in) = 1.1

Tallwood

- Permitted Capacity (MGD) = 0.05
- Actual Average Daily Flow (MGD) = 0.029
- Actual + Permitted Obligated Flows (MGD) = 0.029
- Percent of Permitted Flow Used = 58.0%
- Actual Rainfall (in) = 2.0

Grassy Branch

- Permitted Capacity (MGD) = 0.05
- Actual Average Daily Flow (MGD) = 0.049

- Actual + Permitted Obligated Flows (MGD) = 0.050
- Percent of Permitted Flow Used = 100.2%
- Actual Rainfall (in) = 1.4

In addition to the wastewater treatment capacities, the following summarizes flow volumes associated with development projects that are in the planning and review process within the 12-mile Creek and Crooked Creek WRF service areas. The information shown is up to date through October 2021.

Twelve Mile Creek

- Approved – Permit Submittal Pending
 - Number of Projects = 7
 - Requested Flow (MGD) = 0.178
- Engineering Plan Review
 - Number of Projects = 18
 - Requested Flow (MGD) = 0.514
- Sketch Plan Review
 - Number of Projects = 24
 - Requested Flow (MGD) = 0.742
- Totals
 - Number of Projects = 49
 - Requested Flow (MGD) = 1.434

Crooked Creek

- Approved – Permit Submittal Pending
 - Number of Projects = 1
 - Requested Flow (MGD) = 0.051
- Engineering Plan Review
 - Number of Projects = 10
 - Requested Flow (MGD) = 0.292
- Sketch Plan Review
 - Number of Projects = 10
 - Requested Flow (MGD) = 0.262
- Totals
 - Number of Projects = 21
 - Requested Flow (MGD) = 0.605

WRF	Permitted Capacity (MGD)	Actual Average Daily Flow* (MGD)	Actual + Permitted Obligated Flows (MGD)	Percent of Permitted Flow Used	Actual Rainfall (in)
Twelve Mile Creek	7.5	5.855	7.348	98.0%	1.1
Crooked Creek	1.9	0.952	1.512	79.6%	1.1
Olde Sycamore	0.15	0.037	0.037	24.7%	1.1
Tallwood	0.05	0.029	0.029	58.0%	2.0
Grassy Branch	0.05	0.049	0.050	100.2%	1.4

12-Mile Creek WRF		
Backlog Type	Number of Projects	Requested Flow (MGD)
Approved – Permit Submittal Pending	7	0.178
Engineering Plan Review	18	0.514
Sketch Plan Review	24	0.742
Totals	49	1.434

Crooked Creek WRF		
Backlog Type	Number of Projects	Requested Flow (MGD)
Approved – Permit Submittal Pending	1	0.051
Engineering Plan Review	10	0.292
Sketch Plan Review	10	0.262
Totals	21	0.605

[21-378](#) Tax Collector's Departmental Report for September 2021

Action: Information only – No action requested.

NOTE: This report reflects the totals of all tax transactions within the Tax Collector's Office for the month of September 2021 as required by NCGS 105-350(7).



Memorandum

To: Board of County Commissioners
Mark Watson, County Manager
Lynn West, Clerk to the Board

From: Vann Harrell
Tax Administrator

Date: October 22, 2021

Re: Departmental Monthly Report

The Tax Collector's monthly/year to date collections report for the month ending September 30, 2021 is attached for your information and review.

Should you desire additional information, I will provide that at your request.

Attachment

VH/JM

Tax Administration | Revenue Division

500 N. Main St., Suite 119
Monroe, NC 28112

T 704.283.3848

unioncountync.gov

**SEPTEMBER 2021
PERCENTAGE FOR REGULAR TAX**

SEPTEMBER 30, 2021 REGULAR TAX	2021	2020	2019	2018
BEGINNING CHARGE	204,409,963.53	191,726,436.40	186,242,952.11	180,609,305.70
TAX CHARGE				
PUBLIC UTILITIES CHARGE				
DISCOVERIES	39,189.15			
NON DISCOVERIES	46,223.17	11,478.81	12,139.57	12,150.69
RELEASES	(96,740.39)	(7,158.92)	(3,843.09)	(1,468.44)
TOTAL CHARGE	204,398,635.46	191,730,756.29	186,251,248.59	180,619,987.95
BEGINNING COLLECTIONS	7,066,059.84	191,429,759.09	186,029,997.65	180,500,964.46
COLLECTIONS	17,968,348.25	28,013.91	17,536.36	13,108.50
TOTAL COLLECTIONS	25,034,408.09	191,457,773.00	186,047,534.01	180,514,072.96
BALANCE OUTSTANDING	179,364,227.37	272,983.29	203,714.58	105,914.99
PERCENTAGE OF REGULAR	12.25%	99.86%	99.89%	99.94%
OVERALL CHARGED	204,398,635.46	191,730,756.29	186,251,248.59	180,619,987.95
OVERALL COLLECTED	25,034,408.09	191,457,773.00	186,047,534.01	180,514,072.96
OVERALL PERCENTAGE	12.25%	99.86%	99.89%	99.94%

**SEPTEMBER 2021
PERCENTAGE FOR REGULAR TAX**

SEPTEMBER 30, 2021 REGULAR TAX	2013	2012
BEGINNING CHARGE	152,735,434.53	150,368,249.59
TAX CHARGE		
PUBLIC UTILITIES CHARGE		
DISCOVERIES		
NON DISCOVERIES		
RELEASES	(192.12)	(192.12)
TOTAL CHARGE	152,735,242.41	150,368,057.47
BEGINNING COLLECTIONS	152,674,839.26	150,307,020.63
COLLECTIONS	1,530.70	1,990.25
TOTAL COLLECTIONS	152,676,369.96	150,309,010.88
BALANCE OUTSTANDING	58,872.45	59,046.59
PERCENTAGE OF REGULAR	99.96%	99.96%
OVERALL CHARGED	152,735,242.41	150,368,057.47
OVERALL COLLECTED	152,676,369.96	150,309,010.88
OVERALL PERCENTAGE	99.96%	99.96%

SEPTEMBER 2021
PERCENTAGE FOR REGULAR TAX

SEPTEMBER 30, 2021 REGULAR TAX	2017	2016	2015	2014
BEGINNING CHARGE	186,658,306.84	176,861,177.53	174,193,867.65	179,337,088.21
TAX CHARGE				
PUBLIC UTILITIES CHARGE				
DISCOVERIES				
NON DISCOVERIES	80.21			
RELEASES	(990.17)	(923.71)	(156.38)	(220.00)
TOTAL CHARGE	186,657,396.88	176,860,253.82	174,193,711.27	179,336,868.21
BEGINNING COLLECTIONS	186,568,908.31	176,797,623.78	174,155,034.14	179,273,312.62
COLLECTIONS	907.17	1,639.62	1,134.61	1,964.38
TOTAL COLLECTIONS	186,569,815.48	176,799,263.40	174,156,168.75	179,275,277.00
BALANCE OUTSTANDING	87,581.40	60,990.42	37,542.52	61,591.21
PERCENTAGE OF REGULAR	99.95%	99.97%	99.98%	99.97%
OVERALL CHARGED	186,657,396.88	176,860,253.82	174,193,711.27	179,336,868.21
OVERALL COLLECTED	186,569,815.48	176,799,263.40	174,156,168.75	179,275,277.00
OVERALL PERCENTAGE	99.95%	99.97%	99.98%	99.97%

21-380 Union EMS Quarterly Report September 2021

Action: Information Only – No Action Requested

NOTE: The Union County EMS Quarterly Report includes the unaudited financial statements and the detailed schedules on receivables and liabilities for the period ending September 30, 2021, in accordance with the Union EMS agreement. The statements and schedules are prepared on a modified accrual basis.

Business

21-185 Advanced Metering Infrastructure (AMI) Program

Hyong Yi, Public Works Administrator, explained that with technology, they now employ two meter technicians who read meters rather than five meter technicians. He said that two meter technicians are now doing the job of ten people through the use of technology. He stated that these employees drive by the meters and the meters communicate wirelessly with a receiver located in the vehicle. Mr. Yi shared that there is newer technology which the County has not yet implemented entitled Advanced Metering Infrastructure (AMI) which uses wireless technology to transmit data from a customer's meter directly to the County's data base without having a meter technician driving around in a vehicle collecting the data. Mr. Yi said that Union County would not be the first place to use the new technology. He stated that the wireless technology is a proven technology.

Mr. Yi stated that this technology allows the County to use real time data to manage the water system. He added that when Public Works sends someone monthly to obtain that data, that for each customer, every year, there are twelve points of data. Mr. Yi shared that the new technology is exciting, because there is so much more that can be

done that will benefit their customers such as being proactive rather than being reactive. He said it will also help with water conservation and will be able to manage irrigation in times of droughts. He stated that lastly and probably the most important benefit is that it will transform the customer experience, because the data will allow the utility to do much more for its customers than it currently does.

Mr. Yi stated that Union County has been researching AMI since 2018, and a feasibility study was completed. He explained that it was driven by the fact of increased failure of aging meters. He said that in 2019, a Request for Proposals (RFP) was issued for AMI compatibility and there were several companies that submitted proposals, and Sensus was selected. He noted that bonds were issued for AMI implementation. He said in 2020 the data was updated working with Sensus to determine the number of transmission towers and the number of base stations needed to cover the entire service area. Mr. Yi stated they have propagation maps that show what is necessary to manage the County's system in an AMI environment.

He discussed the components of the AMI system.

He said today he is asking the Board for authorization to proceed with Sensus as a sole source provider for AMI.

Mr. Yi said AMR (Automatic Meter Reading) is used currently by the County. He noted there are currently 56,000 total water meters in the County, and each year that number increases as customers are added to the customer base. He said that the County has 9,000 Sensus meters which are the County's newest and the most advanced meters. He stated that the Badger meters are also very modern. In addition, he said that the County has approximately 20,000 other meters that are of various makes and models, which are the oldest meters and are the ones that are failing more frequently. Mr. Yi commented that the 27,000 Badger meters have significant useful life remaining and will be repurposed and are compatible with the transmitter. He said that 20,000 meters will need to be replaced and transmitters installed.

He reviewed the scope of the AMI Project:

- 17 Base Stations to cover the entire county and no new property will be required because they are all sited on Union County property
- 27,000 new meters
- 56,000 new transmitters
- 900MHz UHV Band leased Spectrum from Sensus
- Installation of all equipment
- Software setup and integration with billing system

Mr. Yi reviewed the project timeline (two years):

Phase 1

4-6 Months

- Base Stations

- Towers
- Software

Phase 2

18-24 months

- Meters
- Transmitters

He stated that the program budget is approximately \$16.6 million, and the contract with Ferguson (vendor through RFP) is approximately \$13,657,018.17. Mr. Yi pointed out that this does not include the cost of the customer portal and data management costs. He said this would be another contract in the near future, but he does not have a timeframe for that contract at this time.

Mr. Yi explained that staff is recommending a sole source provider for two reasons:

- ☐ Standardization and Compatibility - He said the County has Sensus and Badger meters and there is a compatibility issue, because they want to repurpose as much technology as possible to keep the costs as low as possible.
- ☐ One Source for Product – Sensus is only vendor capable of taking the existing infrastructure and repurposing it to an AMI standard.

In conclusion, Mr. Yi reviewed the three actions requested of the Board.

Chairman Helms moved to:

- (i) adopt Capital Project Ordinance #292 as recorded below;
- (ii) approve the purchase of water meters, AMI transmitters, base stations, and associated apparatus, supplies, and equipment through an agreement with Ferguson Enterprises, LLC, with apparatus, supplies, and equipment standardization and compatibility as the overriding consideration in this purchase, as set forth in N.C.G.S. § 143-129(e)(6); and
- (iii) authorize the County Manager to negotiate and execute an agreement with Ferguson Enterprises, LLC, in the amount of \$13,657,018.17 substantially consistent with this agenda item.

UNION COUNTY, NORTH CAROLINA
PUBLIC WORKS PROJECTS – 2022
CAPITAL PROJECT ORDINANCE #292

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF UNION COUNTY, NORTH CAROLINA:

Section I. That for the purpose of providing funds, together with any other previously appropriated available funds, for the following project:

Advanced Metering Infrastructure

Including the assessment of existing metering infrastructure, development of AMI requirements, financial analysis and business case development, and project planning and implementation, an additional \$1,000,000 is hereby appropriated for a total project cost of \$16,600,000.

Section II. That it is estimated that the following revenues will be available during the construction period to meet the appropriations in Section I, as set forth in the following schedule:


Interfund Transfer from:	
Water and Sewer Fund	\$4,100,000
Revenue Bond Proceeds	\$10,635,000
Revenue Bond Premiums	\$1,865,000


Section III. The attached CPO #292 chart is incorporated herein showing appropriations to date, additions as of this capital project ordinance, and the total appropriation.

Section IV. That the finance officer is authorized from time to time to transfer as a loan from the General Fund or unspent County proceeds in the Capital Projects Funds, cash in an amount necessary to meet obligations until such time as financing is arranged, at which time repayment will be made and the finance officer is authorized to sign the Declaration of Official Intent to Reimburse Expenditures as required by Internal Revenue Service regulations.

Section V. This capital project ordinance is adopted and effective this 15th day of November 2021.

ATTEST:


Lynn G. West,
Clerk to the Board


Richard B. Helms, Sr.
Chairman, Union County Board of
Commissioners



Commissioner Rushing asked about the estimated cost of the customer portal. Mr. Yi responded that he does not have an estimate of the costs but offered that he could obtain that number from the staff.

Commissioner Williams stated that he was honestly skeptical, after looking at the price tag, and he noticed that the Sensus technology is proprietary, but as he reviewed it further and spoke with Aubrey Lofton, he became more and more confident about it as a solution. He said he was excited about the prospect that when customers have a leak that rather than having a one-month lag and then receiving a nasty surprise of a \$400 or \$500 bill, there is an opportunity to find out sooner about a leak, because the data is being received at a much more discreet frequency. Commissioner Williams said that he definitely supports this action and looks forward to having it rolled out.

Commissioner Rushing asked if citations or tickets would be written if a resident is watering their lawn during a drought.

Mr. Yi responded that he did not know if they have gotten that far and did not know if they have discussed using the system to monitor for fines. He added that would be something to discuss with the Manager, and if it is recommended, staff would bring that information to the Board.

Chairman Helms moved that this Business be approved. The motion carried by the following vote:

The motion passed unanimously with the following vote:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

21-468 Sharp Business Systems - Printer Contract

Chairman Helms stated that this item was added to the agenda during the meeting. He recognized Chris Liersaph, Assistant Director, Information Technology, to present this item.

Mr. Liersaph explained that this item that was requested to be added to today's agenda is the first initial draft of the agreement from Sharp Business Systems to provide copiers. He stated that the action requested is to authorize the County Manager to negotiate and execute an agreement substantially consistent with this Agenda item.

He explained that the County currently has a managed print service with RICOH that will be completed the end of January 2022. Mr. Liersaph said that in September 2021 an RFP (Request for Proposals) was issued to bid the managed print services, and an evaluation team was created of all the business managers in the various departments along with Finance and Human Resources. He stated that the evaluation team's vendor of choice is Sharp Business Services. He added that given the timing of the Board of Commissioners' meetings and moving the copiers from RICOH and adding Sharp to the supply chain, they were trying to allow enough leeway to have the copiers added to this current period rather than trying to extend the contract with RICOH and having RICOH and Sharp at the same time.

Mr. Liersaph shared that the financial impact will be a total contract cost for three (3) years of \$585,000.

He noted that in contracting with Sharp the current potential savings will be approximately 36 percent with the black and white copies and 8 percent savings with color copies with no monthly minimums. He explained that with the current RICOH contract, there are monthly minimums.

Chairman Helms asked if Sharp Business Systems was the lowest bidder. Mr. Liersaph responded "Yes." The Chairman asked if Sharp has demonstrated proficiency in all the models included in the contract. Mr. Liersaph responded "yes." He added that Sharp Business Systems was the County's previous printer vendor before the County contracted with RICOH.

Chairman Helms moved to authorize the County Manager to negotiate and execute an agreement substantially consistent with this Agenda item. The motion passed unanimously as follows:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

21-443 Purchase of Real Property

Chairman Helms recognized Brian Matthews, Assistant County Manager, to explain this item.

Mr. Matthews said that previously the Board had authorized the County Attorney to negotiate the purchase of property located on Friendly Baptist Church Road. He explained that the purchase of this property is in connection with a septic system design and a failing system. He stated that the County Attorney has successfully negotiated a price with the property owners. He said that the action needed by the Board is approval to move forward with the purchase of the property so that the County Attorney can establish a closing date. He explained that this information was not available until later,

which is the reason this item was not on the original draft agenda. In response to a question by the Chairman, Mr. Matthews stated that the repair area and system will be designed on this property.

Chairman Helms moved to (i) authorize the purchase of real property located at 5301 Friendly Baptist Church Road and 0 Friendly Baptist Church Road (Union County Tax Parcels #08231102C and #08231002B) in the amount of \$140,000; and (ii) to authorize the County Manager to execute all necessary contracts and documentation to effectuate such purchase. The motion passed by a unanimous vote as follows:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

Chairman Helms moved that this Business be accepted. The motion carried by the following vote:

21-382 RZ-2021-005 Sherin Rezoning

Chairman Helms recognized Bjorn Hansen, Planning Department, Senior Planner – Long-Range Planning, for his comments.

Mr. Hansen stated that this item is a decisional item related to the RZ-2021-005 Sherin Rezoning of property located at Sherin Road near the Monroe Expressway. He stated that the public hearing for this rezoning request was held on November 1, 2021. He reviewed the request to rezone 3.7 acres from R-20 to RA-20 in order to allow cattle on the site. Mr. Hansen stated that this is a straight rezoning meaning that there are no conditions associated with the rezoning. He shared slides showing the depiction of the surrounding area - large lot residential but there is commercial and industrial behind it. He said the property is immediately adjacent to Monroe and Indian Trail.

Mr. Hansen stated that in response to Commissioner Williams' question from the last meeting, if there was a residential recommendation for land use in this area, this would fall into a doughnut hole; however, because it is all commercial and industrial recommendations, it did not apply in this situation. He noted on an aerial view the pocket of residential with a lot of commercial and industrial surrounding it. He said the applicant is present to answer any additional questions.

Mr. Hansen reviewed that staff and the Planning Board recommend approval of the request. He noted that there were no comments at the public hearing which took place two weeks ago except from the applicant.

Commissioner Rushing referred to the large open area located across the street from this property, as shown on the aerial view, and asked if the property is pasture and what is its zoning classification.

Mr. Hansen responded that the property is zoned R-20 by Union County. He added that there has been interest from nearby businesses in rezoning and developing that property, but no application has been submitted, so it is currently zoned R-20.

Chairman Helms commented that it is his understanding from the applicant during the public hearing, there is no fence, no horse, and no cow located on the property at the present time. He questioned if there is a restriction on the number of animals that can be located on the property.

Mr. Hansen stated that in terms of horses, yes, and it is limited to one acre per horse based on the fenced-in area, and the number of cows that can be kept on the property is unlimited.

Commissioner Simpson asked if the designations of R-20 and RA-20 specify that cattle are allowed on R-20, and is it defined in the definition of RA-20.

Mr. Hansen replied it is because of the non-residential agricultural uses. He said that is where the interpretation in terms of livestock comes in versus pets, and that is where the horses are spelled out as one per acre and the cattle essentially falls under the llamas, goats, *etc.* and is not defined.

Commissioner Rushing said he has some concerns with the request especially with the number, breeds, and types of animals, and it is not necessarily the current landowner but the future landowners. He said with the property being located near the Expressway and the potential of the animals getting loose and being on the Expressway, he is not in favor of the rezoning. He stressed that it has nothing to do with the current landowner but said once the door is opened, it will be hard to close it, and that area is not the agricultural center of the County.

Commissioner Rushing moved to 0(i) Deny the rezoning petition RZ-2021-005 to rezone the property appearing on the Tax Map as parcel #07-102-158A in the Vance Township from R-20 to RA-20, and (ii) adopt the consistency and reasonableness statement for denial.

Consistency and Reasonableness Statement

Whereas, pursuant to N.C.G.S. § 160D-605, the Union County Board of Commissioners (the "Board") does hereby find and determine that this rezoning petition is inconsistent with the Union County Comprehensive Plan (the "Plan") and that denial of the proposed map amendment is reasonable and in the public interest because:

1. The area is designated as an employment corridor in the existing land use map, and this area is attractive for such uses due to the completion of the Monroe Expressway.
2. An approved residential rezoning inconsistent with the plan could stimulate further residential rezonings in an area identified for non-residential uses in the long-range plan.
3. The rezoning of a property for residential use in an area designated for commercial uses can impact nearby properties by potentially deterring nearby industrial and commercial development due to residential concerns over noise, light, dust, or smell which may occur along with such commercial and industrial developments.

The motion failed by a vote of two to three as follows:

Chairman Helms	Aye
Vice Chairman Rape	Nay
Commissioner Rushing	Aye
Commissioner Simpson	Nay
Commissioner Williams	Nay

Commissioner Simpson asked for clarification on the vote on the motion to deny the request.

Richard Long, County Attorney, advised that the Board would need another motion if it plans to bring the matter up again, there would need to be another motion to consider it.

Brian Matthews, Assistant County Manager, explained that technically since the motion was denied and not passed, it is not an automatic approval. He said the Board would have to take action to approve the request.

Commissioner Simpson moved (i) Approve rezoning petition RZ-2021-005 to rezone the property appearing on the Tax Map as parcel #07-102-158A in the Vance Township from R-20 to RA-20, and (ii) adopt the consistency and reasonableness statement for approval.

Consistency and Reasonableness Statement

Pursuant to N.C.G.S. § 160D-605, the Union County Board of Commissioners (the "Board") does hereby find and determine that adoption of the proposed map amendment is inconsistent with the currently adopted Union County Comprehensive Plan (the "Plan"). The Board declares that this adoption of the proposed map amendment is deemed an amendment to any future land use map in the Plan. The adoption of the proposed map amendment is reasonable and in the public interest because:

1. There is significant undeveloped residential land in the immediate vicinity that is not currently developed for employment land uses as identified in the adopted land use map. This rezoning of a relatively small tract of land will not impact the ability of the area to absorb future commercial and industrial development.
2. There are several existing single-family residences in the vicinity of the subject property; thereby allowing the type of development on this property which is consistent with development already present in the vicinity of the property.
3. The additional uses allowed on this property under an RA-20 zoning designation would not increase the intensity of uses.

Commissioner Simpson commented that he wanted to make it clear that the basis of his motion is that the request was approved by staff and approved by the Planning Board, and it is not a defined use and he assumes an accepted use under RA-20.

The motion passed by a vote of three to two as follows:

Chairman Helms	Nay
Vice Chairman Rape	Aye
Commissioner Rushing	Nay
Commissioner Simpson	Aye
Commissioner Williams	Aye

21-386 Union County 2050 Strategy Implementation Committee
Recruitment

Chairman Helms recognized Bjorn Hansen, Planning Department, Senior Planner – Long Range Planning, to explain this item.

Mr. Hansen stated that this item is a follow-up from August when the Comprehensive Plan was adopted. He said there were several strategies that were recommended that require some fleshing out. He stated that they would like assistance from some residents of the County in developing recommendations for the Board's consideration later in 2022. Mr. Hansen said that the Committees are being recommended through the outreach process for the Board's approval.

He reviewed the six strategies requiring details to implement:

- Stormwater Development Standards
- School Siting Requirements
- Open Space in Rural Areas
- Cluster Allowance in Rural Areas
- Litter Task Force
- Broadband Internet

Mr. Hansen reviewed the recommended Committee recruitment efforts and process:

November

- Social Media Posts
- Contacting municipalities ask them to also post on their social media and have paper applications available in their town halls
- Contacting Union County 2050 committee members
- Media release

December

- Analyze applications and make recommendations (five per committee)
- Prioritize relevant experience, geographic and gender balance

January

- Present recommendations to Board of Commissioners
- Appoint members to committees

February – August:

- Conduct work and bring recommendations to Board of Commissioners

Mr. Hansen shared an example of the online application to be used.

Chairman Helms moved approval of the process and recruitment period. The motion passed by a unanimous vote as follows:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

[21-417](#) ARPA Funding Allocation

Chairman Helms recognized Michelle Lancaster, Deputy County Manager, to present this item.

Ms. Lancaster reminded that the County is receiving \$46.6 million in Recovery Act Funding. She said the County has received one-half of that amount and expects to receive the remaining one-half in approximately six to eighteen months.

She reviewed the funding objectives and also reminded that the municipalities receive funding directly in this round of funding.

Funding Details

- Union County allocated \$46.6 million
 - ½ now and the remaining ½ in approximately 6-18 months
- Funding Objectives:
 - Support urgent COVID-19 response efforts to continue to decrease spread of the virus and bring the pandemic under control
 - Replace lost public sector revenue to strengthen support for vital public services and help retain jobs
 - Support immediate economic stabilization for households and businesses
 - Address systemic public health and economic challenges that have contributed to the unequal impact of the pandemic
- Municipalities received funds directly

2

Ms. Lancaster shared some of the potential uses of the funding:

Potential Uses

- Opportunities to leverage with municipal partners
- Grant opportunities for small businesses/non-profits
- Property tax relief
- Water, sewer, storm water
- Broadband (state law restrictions)
- Public health programs
- Behavioral health programs
- Very broad uses allowed ...

3

She shared the recommendations from the Recovery Act Committee that were previously presented to the Board of Commissioners:

Recovery Act Committee Recommendations

Level 1

- Behavioral Health
- Broadband
- Public Health

Level 2

- Affordable Housing
- Public Safety
- Sewer
- Transportation/Transit
- Water

Level 3

- Library
- Parks
- Stormwater

4

Ms. Lancaster discussed the revised recommendations:

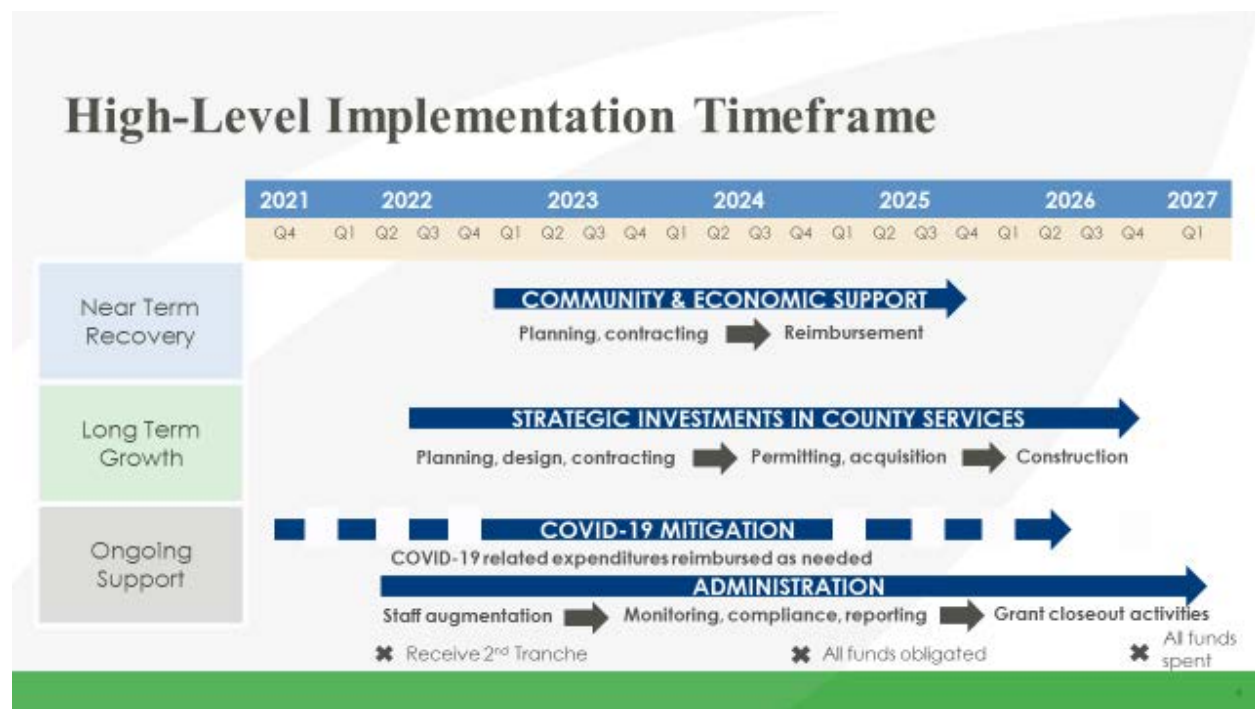
Revised Recommendations

- A. COVID-19 Mitigation** **9% Allocation; \$4.5M**
Fund COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff.
- B. Strategic Investments in County Services** **65% Allocation; \$30M**
Invest to improve access to clean drinking water, support vital wastewater and stormwater infrastructure.
- C. Community and Economic Support** **10% Allocation; \$4.8M**
Address negative economic and supply chain impacts to workers, families, small businesses, impacted industries, and County programs (library, park/recreation, food hub)
- D. Administration** **5% Allocation; \$2.3M**
Manage and coordinate use of funds to ensure transparency and public accountability while maintaining a robust documentation and compliance methodology.
- E. Hold-Back** **11% Allocation; \$5M**
Set aside as a contingency/reserve fund to provide flexibility over the period the funds are available to most appropriately respond to the changing regulatory, economic and public health environment brought on by the pandemic.

5

She explained that she had asked for feedback and had further discussion with staff, and today these are new recommendations that consider all of the core businesses for which the County is responsible. She reviewed the revised recommendations.

Ms. Lancaster described the slide below as a high-level implementation timeframe:



She stated that beginning now and continuing through 2027, it is anticipated there will be a lot of activity. She said there are some near-term recovery items that can be implemented in the next fiscal year in community and economic support in terms of planning and contractual relationships and working through the reimbursement. Ms. Lancaster stated that more of the long-term growth is in the strategic investments in County services which include planning, design, contract, permitting, potential land acquisition, and construction and ongoing support working through the Covid-19 mitigation and strategies that can cover many areas with medical expenses, behavioral healthcare, and certain public health and safety staff that the Sheriff and Public Health may be requesting going forward.

Ms. Lancaster reiterated that the rules are not final; there are ongoing congressional efforts and additional funding has been made available through other avenues and as mentioned at the last meeting, there is some effort to give much more flexibility in how funds can be used than is currently allowed; and still waiting on approval of a State budget, which might occur tonight.

Ms. Lancaster reviewed the Next Steps:

Next Steps

- Internal Support/Governance Structure
 - Will be important to make funding decisions that clearly follow Treasury guidelines
 - Rating agencies will evaluate a government's use of the ARPA funds in formulating its credit opinion
 - Will consider government's level of reserves and structural budget balance, or efforts to return to structural balance, as part of their credit analysis

She stated that staff will bring a monthly report to the Board beginning next month and will also bring all programs and projects for approval in each category to the Board before moving forward with any expenditure.

Vice Chairman Rape moved approval of the revised funding allocation strategy for the American Rescue Plan Act (ARPA) funds as follows:

- | | |
|--|--|
| a. COVID-19 Mitigation | 10 Percent Allocation (\$4.65 Million) |
| b. Strategic Investment in County Services | 70 Percent Allocation (\$32,550,000) |
| c. Community and Economic Support | 10 Percent Allocation (\$4.65 Million) |
| d. Administration (This is a max and is thought it can be done for less) | 5 Percent Allocation (\$2.325 Million) |
| e. Hold Back | 5 Percent Allocation (\$2.325 Million) |

Vice Chairman Rape commented that he thought these allocations align with the community input that has been received and provide direction to staff to bring back programs and projects that align within these areas and percentages. He added a request to staff to continue to explore opportunities for additional funding for water projects at the federal and state levels.

Commissioner Rushing stated that he was glad to see the allocation increased for water, and he will be supporting the motion. He shared the concerns that he has other than what were addressed when the presentation was done. He asked if there were going to be bonuses or any expenditures of the funds, would they be brought to the Board for approval.

Mr. Lancaster replied that was correct and added that the only thing staff has provided to the Board and asked for support were the insurance expenditures. She assured that all expenditures will come to the Board and said that the Board will receive a monthly dashboard showing the projects and money. She added that if it gets to a point where the administrative dollars are not needed, then those dollars can be moved into other buckets.

Commissioner Rushing said that he did not recall seeing Property Tax Relief. He asked the meaning of the Property Tax Relief.

Ms. Lancaster responded that slide shows the broad array of services that were listed in the Recovery Act funds. She said that is not being recommended by the group.

Commissioner Rushing said this has been a hard process but he is glad to see that the allocation for water usage has increased from the staff's recommendation.

Commissioner Williams stated that he will support the motion also. He said he liked the way the allocations have been organized in terms of categories. He further said there are a number of

staff recommendations under each of them that he believes are worthy areas for the federal dollars. He stressed that he believes it is important to make sure that the public understands where the majority of this money is going and its purpose. He stated that the 70 percent allocation and the \$32.5 million plus in ARPA funds is to extend County water. Commissioner Williams said that is in his mind to make a modest down payment on a multi-decade promise that has been made to residents of the County to get water. He stated it is not for facilitating more development. He said it is for people who live in Union County who have wells and septic tanks, and many of those wells are bad wells. He stated that it is also important to say this is a small step in a larger issue.

Commissioner Williams reminded that last Friday the Board held a work session, and Brown and Caldwell, the consultant engaged to do the County's water and sewer master planning, told the Board the cost would be approximately \$2 billion to extend County water throughout the County. He said he also thought it was important to be clear that this is not going to be a federal program that solves the issue for the County. He stated there may be some additional dollars from the infrastructure bill that Congress has passed and President Biden has signed. He said the federal dollars and any state dollars that the County might receive are a small fraction of the issue. He stated that to the extent there is a will to address the larger problem, there has to be discussion about how to pay for it.

Commissioner Williams also said he thought it is important to note that none of these funds are going to help facilitate more development or going to system efficiencies. He stressed that he thought it is important to look to the municipalities in Union County and invite them to be partners with the County in the water and sewer system. He explained that he means being capital partners and help the County pay for some of the projects in terms of system expansion, because the County cannot continue to go back to the ratepayers and expect them to pay for all of the expense of maintaining the system. He said he hoped that in subsequent meetings, the Board can embrace in a serious way how to bring in the towns as capital investment partners and set the expectation that they will help pay for some of the water and sewer improvements and expansions.

Chairman Helms commented that he will not be supporting the motion. He said that through reviewing the funding details, he thought the intent was to help the entire county. He stated that probably he has heard more about broadband than he has water, and he did not see any dollars allocated for broadband. He stated he has been one of the strongest supporters of the short line extension program and is very thankful that the County Manager stepped up and made the short line extension program financially viable by introducing the \$5 million annually to support the program. Chairman Helms said he supports some of the funding to go for water infrastructure relieving the residents who have bad wells but not to this magnitude of 70 percent going to one item and for it not to address other needs in the County such as broadband. He commented that behavioral health is not cheap and there are also needs for the parks and Sheriff's Office.

Commissioner Rushing said he would echo the comments of Commissioner Williams. He stated there have been several comments and discussions about flushing lines, and the ability that this funding gives to complete loops and to remove dead-end lines on main highways: this will be beneficial to the system. He said if the water lines are close to residents, they can access them just as the developers can now. He stated that it is not just a County project but it will be a community project. He said he would encourage Chairman Helms, who he knows has been dedicated to water for the years that he has been on the Board, to support the motion while he knows that this funding does not provide for the complete job, it is the seed that is needed. He stated he thought there were three votes in favor of the motion, but he would like to see five votes. He said he thought that a unanimous vote would send a strong message to Union County residents. He further said he would encourage the Board to continue committing the \$5 million to the short line water extension.

Chairman Helms responded that he had a conversation with one of the County's legislative representatives; and, hopefully, tonight we will hear that they are sending some money to the County for this purpose as well as that there is a potential for some federal funding. He said he has no less value about safe drinking water, but he also knows there are a lot of needs in the County that funds such as these will be one of the few opportunities to address. He expressed appreciation to Commissioner Rushing for his comments but said he will be maintaining his vote against the motion.

Following the lengthy discussion, the motion passed by a vote of four to one as follows:

Chairman Helms	Nay
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

21-420 Options for Board of Commissioners Regular Meeting
Schedule

Chairman Helms recognized Michelle Lancaster, Deputy County Manager, to explain this item.

Ms. Lancaster stated that at the Board's last meeting, there was discussion about changing the Board's meeting schedule. She said she thought the primary goal was trying to be consistent with the meeting times. She explained that the schedule she sent to the Board would change the meeting times beginning in January 2022 to 6:00 p.m. for all regular meetings. She stated that if this is the direction that the Board wishes to proceed with, there will be an item on the November 15th meeting with a

resolution and this schedule for the Board's adoption.

Chairman Helms moved to accept staff's recommendation for the regular meeting schedule with meeting times to be 6:00 p.m.

He said there have been speakers in the past who have said it is difficult for them to leave work and attend the meetings, and he thought this resolution would help facilitate this hour for those who work and want to attend the meetings.

Commissioner Rushing said that 6:00 p.m. seems to be a good compromise.

The motion passed by a unanimous vote as follows:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

County Manager's Comments

Mark Watson, County Manager, stated that on Tuesday, November 16, 2021, at 10:00 a.m., there will be a groundbreaking for the Southwest Regional Library located at 1515 Cuthbertson Road in Waxhaw which is adjacent to Cuthbertson Middle School. He encouraged everyone who wanted to attend to join that celebration.

Mr. Watson stated that on Friday, November 18, 2021, at 9:00 a.m., at 1601 Skyway Drive, Monroe, NC, the North Carolina Department of Transportation will hold a bridge dedication in honor of Sergeant Jeffrey W. Greene from the Union County Sheriff's Office. He shared that Sergeant Greene was killed in the line of duty some years ago, and an auxiliary group with the Union County Sheriff's Office petitioned the North Carolina Department of Transportation to dedicate the Skyway Drive Bridge that crosses over Highway 74 in Sergeant Greene's honor.

Commissioners' Comments

Commissioner Williams wished his fellow Commissioners, County staff, and the residents of Union County a very happy Thanksgiving. He said he prayed that we can cultivate in our hearts an attitude of gratitude.

Vice Chairman Rape shared that Thanksgiving is one of his favorite times of the year, and he echoed the comments of Commissioner Williams. He said he hoped everyone would enjoy some private time with their families and be thankful.

Commissioner Rushing had no closing comments.

Commissioner Simpson said he made reference to the first Thanksgiving in his invocation, but the Pilgrims were primarily thankful for the fact they had survived and were still alive. He stated we spend a lot of time at Thanksgiving talking about the turkey, dressing, pumpkin pie and all of the great food that we will enjoy. He shared that he has seen some things recently about people complaining about costs, etc. He said it is tough times, and it has been said many times, but approximately one and a half percent of this country is actually engaged in production and agriculture and produce the food for the other 99 percent. He added with the impact of COVID and severe drought in the western cattle region producing states of this country, farmers and Ag producers are under a tremendous amount of stress. He said whether we are eating turkey or ribeye, or whatever we chose to eat, it was probably produced by a farmer in this country, so he hopes everyone will think about the farmers when enjoying the Thanksgiving meal.

Chairman Helms stated that he had the privilege of attending a Veterans' recognition sponsored by the Union County Sheriff's Office. He commended the Sheriff's Office for an outstanding event in recognition of current and past veterans. He said it was a wonderful event and he appreciated the opportunity to attend.

He shared that the airshow also recognized veterans and the outstanding JROTC cadets from the area high schools. He commended the City of Monroe for an excellent job with the airshow. He stated that the recognition of the veterans and the outstanding JROTC cadets was facilitated by the County's Veterans Services' Office. He said that office does an outstanding job of supporting the veterans. He said that is one of the things he is thankful for this Thanksgiving.

Closed Session

With there being no further comments or discussion, at approximately 4:25 p.m., Chairman Helms moved that the Board go into closed session for the following purposes:

- 1) in accordance with G.S. 143-318.11(a)(3), to consult with an attorney in order to preserve the attorney-client privilege; and
- 1) in accordance with G.S. 143-318.11(a)(5), to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property.

The motion passed by a unanimous vote as follows:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

The Commissioners moved to the First Floor Conference Room and at the conclusion of the closed session at approximately 5:40 p.m., Chairman Helms moved to adjourn the regular meeting. The motion passed by a unanimous vote as follows:

Chairman Helms	Aye
Vice Chairman Rape	Aye
Commissioner Rushing	Aye
Commissioner Simpson	Aye
Commissioner Williams	Aye

Adjournment