

TOWN OF UNIONVILLE MINUTES OF REGULAR MEETING

The August 17, 2009 regular meeting of the Town of Unionville was held at 7:30 p.m. in Town Hall, 1102 Unionville Church Road, Monroe, NC. Mayor Simpson and all Commissioners were present. Attorney Ken Helms was also present.

Everyone stood and recited the Pledge of Allegiance to the United States flag, after which Commissioner Robert Croutch led the prayer of invocation.

Mayor Simpson called the meeting to order and welcomed everyone.

There being no corrections to the minutes of the July 20, 2009 regular meeting, Mayor Simpson declared them approved as reviewed by the Council.

Mayor Simpson recognized Budget & Finance Officer Darrell Baucom, who reviewed the financial reports. A copy of these reports is appended to these minutes. Mr. Baucom stated that the Balance Sheet is self-explanatory. In the Profit & Loss Budget vs. Actual, Mr. Baucom pointed out that the hold harmless from the state represents a reimbursement for intangibles and inventory taxes. We are under budget for legal fees, as we haven't received a bill. We are not up to date on bills for zoning. Highlights of the Transaction Detail by Account are Parker Poe, charitable contributions, due and fees. Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously approved payment of pending bills.

Land Use Administrator Jana Finn introduced ZC-09-04, Rezoning and Conditional Use Permit request from Unionville Development Company LLC for a parallel conditional use district rezoning from RA-40 to R-40-CUD for an age-restricted development on tax parcel numbers 08-267-011A and 08-234-025. Commissioner Randy Baucom recused himself from this discussion. She referred to her staff report, and stated that a conditional use site-specific permit goes along with the land. Mrs. Finn stated that the proposal is for 100 multi-family units on a 123.66-acre site on Duncan Road. This includes 16 duplexes and 84 quadplexes. Last year, approval was given for a 72-lot subdivision on this site, although the same owners are asking for the conditional use multi-family housing now. If this is approved, the next step is a major development permit for the actual subdivision. The applicant has agreed to all 11 conditions on page 2 of the staff report. She noted that the special use permit will be approved by Board of Adjustment, not Council. The Planning Board gave a favorable recommendation at its August 3, 2009 meeting for rezoning and the conditional use permit. Also, the applicant has submitted restrictions and covenants as part of his permit package, although these are private documents that would not be enforced by the Town, but by the community's Homeowners Association.

Mayor Simpson made inquiry as to the vote of the Planning Board. Mrs. Finn stated that the Planning Board gave a unanimous 4-0 favorable recommendation for the rezoning and conditional use permit.

Commissioner Ken Brown made inquiry as to whether this will be a gated community. Mr. John Tarleton stated that it will not be gated initially, although the homeowners could gate it after the NCDOT takes over the streets.

Mayor Simpson made inquiry as to who is in charge of enforcing regulations. Mr. Tarleton stated that the Homeowners Association will enforce the restrictions and covenants. Town Attorney Ken Helms confirmed that this statement is accurate.

Commissioner Brown stated that he was not in favor of the text amendment for the entire Town, and believes this is a better solution. Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously approved the rezoning from RA-40 to R-40-CUD for this site on Duncan Road.

Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously found that this will not materially endanger the public health or safety. Upon motion duly made by Ken Brown, seconded by Robert Crutch, Council unanimously found that this will not substantially injure the value of adjoining or abutting property. Upon motion duly made by Ken Brown, seconded by Jim Baucom, Council unanimously found that this will be in harmony with the area in which it is to be located. Upon motion duly made by Ken Brown, seconded by Jim Baucom, Council unanimously found that this will be in general conformity with the land use plan, thoroughfare plan or other plan.

Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously agreed that the proposed zoning amendment is found to be reasonable and consistent with the recommendations of the Town's adopted comprehensive plan, the Town of Unionville Land Use Plan (adopted March 20, 2006), and the Town of Unionville Land Use Ordinance (effective October 1, 2003).

Upon motion duly made by Ken Brown, seconded by Jim Baucom, and based upon the findings of fact and the statement of reasonableness, Council unanimously approved the conditional use permit for an age-restricted community for this site on Duncan Road.

Commissioner Randy Baucom rejoined the Council for the rest of the meeting.

Upon motion duly made by Randy Baucom, seconded by Edd Little, Council unanimously agreed to table the consideration of partnering with the U.S. Census Bureau indefinitely.

In other business, Commissioner Ken Brown asked if the Town would write a letter on behalf of Unionville Development Company LLC, asking Union County to run water along Ridge Road in an effort to provide safety in the event of a fire in this age-restricted development, and in an effort to help with the water table in the future. Mr. Tarleton stated that he has received conflicting reports about water distribution from Union County commissioners and the Public Works department. He would appreciate anything the Town could do to help have water provided for Hudson Manor. Upon motion duly made by Ken Brown, seconded by Randy Baucom, Council unanimously agreed to have Attorney Ken Helms draft a letter asking Union County to provide water to this subdivision.

Upon motion duly made by Jim Baucom, seconded by Randy Baucom, Council unanimously agreed to write a letter to NCDOT to consider a 45 mph speed limit on Morgan Mill Road at Emmanuel Baptist Church, as discussed in the July 13, 2009 Board of Adjustments meeting.

Mayor Simpson declared the week of September 17 – 23, 2009 as Constitution Week, and read a proclamation to be displayed in Town Hall.

In other business, Commissioner Randy Baucom stated that the Volunteer Fire Department has been given an estimate of \$2,147.26 to update the lights on Engine 212. Upon motion duly made by Randy Baucom, seconded by Edd Little, Council unanimously agreed to fund these lights for compliance and safety reasons.

Town Clerk Sonya Gaddy gave an update of the Scattered Sites Program. She reported that qualified low-income homeowners are being sought in the county for a 0% interest loan totaling \$29,000 per household for upgrades to their housing, that will be forgiven over a period of time. She asked if anyone knew of someone who would qualify for this program, to provide the name and telephone number to her or Monroe-Union County Community Development Corporation.

There being no other business, Mayor Simpson declared the meeting adjourned.

Respectfully submitted,

Sonya W. Gaddy
Clerk

Approved as to form:

R. Kenneth Helms, Jr., Town Attorney