

TOWN OF UNIONVILLE MINUTES OF REGULAR MEETING

The December 17, 2007 regular meeting of the Town of Unionville was held at Town Hall, 1102 Unionville Church Road, Monroe, NC. Mayor Simpson and Commissioners Jim Baucom, Randy Baucom, Robert Croutch and Edd Little were present. Commissioner Ken Brown was absent. Town Attorney Ken Helms was present.

Mayor Simpson called the meeting to order. Everyone stood and recited the Pledge of Allegiance to the United States flag. Commissioner Robert Croutch led the prayer of invocation.

Mayor Simpson welcomed everyone to the meeting.

There being no corrections to the minutes of the November 19, 2007 regular meeting, Mayor Simpson declared them approved as submitted by the clerk.

Town Budget and Finance Officer Darrell Baucom drew Council's attention to the financial report, a copy of which is appended to these minutes. Mr. Baucom stated that \$85,000 in deposits, mostly franchise taxes, have been deposited in addition to the Balance Sheet totals. The Certificate of Deposit has been renewed for six months at a 4.25 or 4.5 percent interest rate. There is a favorable variance of \$71,000 for franchise taxes and a favorable variance for contributions, as the Unionville Volunteer Fire Department contribution has not been made. Legal fees are high due to ongoing litigation. Upon motion duly made by Edd Little, seconded by Jim Baucom, Council unanimously approved payment of pending bills.

The next item of business was to set a public hearing for Annexation #13 on Deese Road, as the clerk has certified the sufficiency of the petition. Mayor Simpson set a time of 7:00 p.m. on Monday, January 21, 2008 for this public hearing.

Mayor Simpson recognized John Kapelar with Potter and Company to review the financial audit. Mr. Kapelar distributed copies of the audit and graphs, and stated that they found an unqualified opinion of the financial status as of June 30, 2007. This is the highest level of assurance that everything is materially correct as of June 30, 2007. Mr. Kapelar reviewed the graphs and information with the Council. A copy of these reports is appended to these minutes. Mayor Simpson inquired as to Unionville's investment earnings compared to other municipalities. Mr. Kapelar stated that Unionville is comparable to other municipalities, and a government unit is limited to what it might invest in. Mr. Kapelar thanked the Town for allowing Potter and Company to perform this service.

Mayor Simpson recognized Lee Jensen with Union County Planning Department to review the Adequate Public Facilities Ordinance. Mr. Jensen distributed a copy of a power point presentation explaining the APFO. A copy of this presentation is appended to these minutes. Mr. Jensen stated that the reason for the APFO is the rapid growth that the county has experienced. Union County has adopted this ordinance, and municipalities may adopt it also, and may modify it. The APFO is a standard for measuring capacity in public facilities; it is tied into the Capital Improvement Plan. The APFO attempts to smooth out the capacity in local schools, but will not stop growth or require developers to fund schools. If a development is proposed and a school is over capacity, one option for the developer is to defer the development until the future when the school system says capacity will be available. Another option is for the development to be phased in. In this instance, a mitigation fee would be paid on those built immediately. This mitigation fee would be earmarked for the schools in the attendance area; in our case, Unionville, Piedmont Middle and Piedmont High Schools. Another option is to reduce the development to fewer houses, resulting in fewer children in the schools. Still another option is for the developer to provide infrastructure. The APFO applies to any development over five lots with the exception of ages 64-and-older communities. A formula is given showing the capacity of all Union County schools. Mr. Jensen noted the Memorandum of Understanding, which must be adopted along with the APFO. Unionville would also need to make certain that the Land Use Ordinance meets the APFO. Currently, six municipalities have adopted the APFO, along with Union County. If the

APFO were adopted, Union County would review subdivisions and give a determination of adequacy to the Land Use Administrator. There would be no charge for this service. Commissioner Randy Baucom made inquiry as to a tax increase. Mr. Jensen was not aware of the details of any tax increase. Mayor Simpson made inquiry as to Union County subtracting these funds from schools' original allotment. Mr. Jensen stated that he could not confirm financial questions. Commissioner Edd Little made inquiry as to school boundary lines changing to meet requirements. Mr. Jensen stated that school boundary lines would be a Union County School Board decision. The APFO may be changed in any way Unionville sees fit, such as a threshold of ten lots as opposed to five lots. Currently, the County APFO is being challenged, but Mr. Jensen reported that the lawsuit is still in the discovery stage. The County attorney, Mark White, would represent the Town in case of a lawsuit, according to the Memorandum of Understanding. The consensus of the Council was to take this under advisement at least until the January 21, 2008 meeting.

The next item of business was to appoint officials for 2008. Upon motion duly made by Jim Baucom, seconded by Robert Croutch, Council unanimously appointed the same officials and kept the meeting dates and times the same as 2007. These officials are:

Mayor ProTem: Randy Baucom
Centralina Council of Governments delegate: Edd Little
Centralina Council of Governments alternate: Robert Croutch
MUMPO Representative: Randy Baucom
Town Attorney: Ken Helms
Budget & Finance Officer: Darrell Baucom
Clerk & Tax Collector: Sonya Gaddy
Deputy Clerk: Jan Mongan
Meeting date and time: Third Monday at 7:30 p.m.

In other business, Clerk Sonya Gaddy requested that Town Hall hours be changed to 8:00 a.m. – 12:00 noon Monday through Friday. Upon motion duly made by Randy Baucom, seconded by Edd Little, Council unanimously approved this change.

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