

## **TOWN OF UNIONVILLE MINUTES OF REGULAR MEETING**

The Unionville Town Council held its regular meeting at 7:30 p.m. on Monday, January 16, 2012 in Town Hall, 1102 Unionville Church Road, Monroe, NC. Mayor Simpson and Commissioners Randy Baucom, Edd Little and Jaren Simpson were present. Commissioners Ken Brown and Robert Crouch were absent. Town Attorneys Ken Helms and Tom Griffin were also present.

Everyone stood and pledged allegiance to the United States flag, after which Rev. Jack Hildreth led the prayer of invocation.

Mayor Simpson called the meeting to order and welcomed everyone.

Upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously approved the minutes of the December 19, 2011 annexation public hearing, zoning public hearing and regular meeting and the minutes of the December 20, 2011 Griffin Farm and Landfill public hearing.

Mayor Simpson recognized Budget & Finance Officer Darrell Baucom. He drew Council's attention to the financial report, a copy of which is appended to these minutes. There being no questions, and upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously approved payment of pending bills.

Mayor Simpson recognized Town Attorney Tom Griffin, who explained the process of the current franchise application. He stated that Griffin Farm and Landfill presented the landfill franchise application in October, 2011. Town Council conducted a public hearing at Piedmont High School on December 20, 2011. Commissioners Randy Baucom and Ken Brown were elected to a sub-committee to review the application and discuss issues with both attorneys. Although Ken Brown is not here, Randy Baucom should be able to share their discussions with the Council tonight. Based on their questions presented to Griffin Farm & Landfill's attorney Rich Koch, the most important issue is the length of time for the franchise application is five years. One other question is that under N.C. General Statutes, they must get proper zoning, and they are not sure if the special use permit is still valid. Another issue is whether the Town wants Griffin Farm & Landfill's environmental specialist to come and provide groundwater information. Other questions or issues may be brought up. Tonight, the Council's consideration is for the franchise application. The other issue is the current lawsuit. Mr. Griffin suggested that the Town enter into closed session to discuss that, as the lawsuit will remain active unless the franchise application is approved tonight. The Town Council is required to discuss in open session its concerns and considerations and decision for the current franchise application; they are not allowed to go into closed session to discuss the franchise application, although they can discuss the lawsuit in closed session. Their options tonight for the franchise application are 1) grant the application, 2) deny the application or 3) ask for more information.

Commissioner Randy Baucom reported to Council that the actual size of the proposed landfill is 123 acres; the final elevation is 300 feet above current ground elevation. The close proximity of the headwaters of Lake Twitty constitutes a concern with the future liability of the county's drinking water supply. At the public hearing, someone mentioned that this would create a revenue stream for the Town, but it will adversely affect property values. They are concerned about road congestion and increased traffic.

Attorney Tom Griffin stated that Griffin Farm and Landfill has addressed the traffic issues by stating that traffic will not increase and that the landfill will not fill up at one time; it will be filled in stages

Upon motion duly made by Randy Baucom, based on the five concerns voiced previously, seconded by Edd Little, Council unanimously denied the franchise application for Griffin Farm and Landfill.

Upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously agreed to enter into Executive Session to receive advice from Tom Griffin regarding the pending lawsuit. Upon motion duly made by Edd Little, seconded by Jaren Simpson, Council unanimously agreed to close Executive Session.

The next item of business was to consider an Interlocal Agreement with Town of Fairview and Union County regarding the Piedmont Collection Site. Any deficit would be split three ways, not to exceed \$8,000 per Town. The term of this agreement would expire on June 30, 2012. Upon motion duly made by Randy Baucom, seconded by Jaren Simpson, Council unanimously approved this agreement.

Town Clerk Sonya Gaddy explained that in Annexation #14, dated June 16, 2008, two parcels petitioned for annexation, and the survey reflected these two parcels, however, the metes and bounds description only described one parcel. The attached amendment to the ordinance will correct this error. Upon motion duly made by Edd Little, seconded by Jaren Simpson, Council unanimously approved the ordinance amendment.

Tax Collector Sonya Gaddy reported that Union County performed an audit on Kiker's Plumbing Service and assessed taxes and penalties (as much as 60 percent) from 2011 – 2006. Kiker's Plumbing appealed Union County's penalties and the Board of Equalization and Review forgave those penalties. Since Town of Unionville has no resolution to adopt the county's decisions in this matter, Town Council must make this decision. The total penalty amount is \$56.45; total bill is \$222.25 and Kiker's Plumbing has paid \$172.93. Upon motion duly made by Randy Baucom, seconded by Jaren Simpson, Council unanimously agreed to forgive the penalties of \$56.45.

Mayor Simpson recognized town resident, Craig Hildreth. Mr. Hildreth mentioned the work recently completed on Town Hall—new ramp and vinyl rails at the side and front doors. He recommends adding a roof to the side door with 8-foot posts. He also recommends bringing

the back porch up to code by replacing the existing porch with a tongue-and-groove floor covered with carpet and adding a landing to turn and empty out on the existing sidewalk. His rough estimate for this project was \$8,000. Another issue he's noticed is the bulletin board blocking the sidewalk. He suggests doing away with the frame and mounting the board on the gable end of Town Hall so someone can drive up and be able to read the board from the parking lot. He does not have an estimate on this project. Town Attorney Ken Helms stated that the state requires that municipalities receive bids for certain projects. Town Council asked Mr. Hildreth to provide a detailed estimate so they might compare bids equally.

Upon motion duly made by Edd Little, seconded by Jaren Simpson, Council unanimously approved Sonya Gaddy's attendance of Fundamentals of Property Tax Collection class in Chapel Hill March 6-8, 2012. The course fee is \$275, which includes lunch Tuesday-Thursday. Mrs. Gaddy will stay at the Hampton Inn for \$84/night plus tax.

2012 Urban Archery Season dates are going on now, and are for the Council's information.

In other business, Clerk Gaddy stated that Union County manager Cindy Coto has requested a meeting of Town of Unionville commissioners, Town of Fairview commissioners and County commissioners. They would like for Unionville to choose either Monday, February 13, 2012 or Monday, March 12, 2012. The consensus was to have the meeting at Town Hall on Monday, February 13, 2012 at 7:00 p.m. Attorney Ken Helms will advise regarding advertising.

There being no other business, and upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously adjourned the meeting.

Respectfully submitted,

Sonya W. Gaddy  
Clerk

Approved as to form:

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R. Kenneth Helms, Jr., Town Attorney

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Thomas N. Griffin, III, Town Attorney