

**TOWN OF UNIONVILLE
MINUTES OF REGULAR MEETING**

The regular July 21, 2008 meeting of the Town of Unionville was held at 7:30 p.m. at Town Hall, 1102 Unionville Church Road, Monroe, NC. Mayor Simpson and Commissioners Jim Baucom, Randy Baucom, Ken Brown and Robert Crutch were present. Commissioner Edd Little was absent. Attorney Ken Helms was present.

Everyone stood and recited the pledge of allegiance to the United States flag, after which Commissioner Crutch led the prayer of invocation.

Mayor Simpson called the meeting to order and welcomed everyone.

There being no corrections to the minutes of the June 16, 2008 public hearings, executive session and regular meeting, Mayor Simpson declared them approved as reviewed.

Mayor Simpson recognized Budget and Finance Officer Darrell Baucom, who reviewed the financial reports, a copy of which is appended to these minutes. Mr. Baucom reported regarding the audit of Griffin Farm and Landfill. Potter and Company also does work for Griffin Farm and Landfill; Jeff Simpson is getting away from the verification function; Jamie Eubanks has not returned his call; he will also check with Baxter Starnes regarding the audit. Mr. Baucom stated that he has some new bills to add to the pending bills to be paid. Upon motion duly made by Ken Brown, seconded by Randy Baucom, Council unanimously approved payment of pending bills and the additional bills.

Clerk Sonya Gaddy reviewed the Parks and Recreation Committee report, a copy of which is appended to these minutes. She stated that Eric Purser, Dennis Tripp, Michael Harding, Andrew Benton and Darrell Baucom would serve on this committee. This leaves four openings on this committee. The Town will accept applications to fill these open positions.

Mayor Simpson recognized Land Use Administrator Nadine Bennett, who reviewed the final plat for Highland Point (formerly Roxbury) on Honeycutt-Simpson Road. Mrs. Bennett stated that the bond would be posted once the road is completed. She sent an estimate of \$48,153 + 1.25 times that total for Engineer Dean Arp's review but has not received an answer. This amount will be reduced to a maintenance bond and held until NC Department of Transportation takes over the roads. She is recommending Council approve this final plat pending Dean Arp's approval, as he would have all the information prior to his approval. Upon motion duly made by Ken Brown, seconded by Robert Crutch, Council unanimously approved the final plat, pending Engineer Dean Arp's approval.

Mayor Simpson recognized Unionville resident Mary Brown, who represented Kate Road residents asking Council to recommend a speed limit of 45 miles per hour on Kate Road to NC Department of Transportation. She presented a petition of all Kate Road residents and some neighbors asking for the lower speed limit. She has sent this 53-signature petition to the state, but they denied the change. Her reasons for lowering the speed limit are: the road is less than one mile long with a sharp curve; there are walkers, joggers, horses and livestock on the road; large farm machinery frequents the road; there is a residential driveway in the sharp curve; the road is narrower than Lawyers Road, which is 45 miles per hour; the road was once gravel and has never been paved—only BST; it is used as a cut-through by Piedmont High School students; and it doesn't go anywhere. For these reasons, she asks that Council recommend to the state that the Kate Road speed limit be lowered to 45 miles per hour. Kate Road resident Shanna Tucker stated that her research shows that North Carolina only needs 67-70 percent of residents petitioning to reduce a speed limit; one hundred percent of Kate Road residents have signed this petition. She also distributed information regarding terrain, shoulders, and visual restrictions of the road to Council.

Resident Charlie Brown, Mary's husband, gave a history of the road, stating that Kate Road used to be a gravel path. His grandfather, Vance Edwards, remembers when he allowed the state to come through his property to change the road due to flooding and accessibility. Mr. Brown is asking that the state give consideration to the Kate Road residents, just as his grandfather cooperated with the state years ago. Mr. Brown compared the current 55 miles per hour speed limit on Kate Road to the 55 miles per hour speed limit on Highway 74, and questioned the logic in that. Mayor Simpson stated that there are only two speed limits in North Carolina—55 and 35, unless otherwise posted. Several Kate Road residents stated that they would accept 35 miles per hour.

Resident Charlie Brown, Sr. agrees with everything said. Kate Road is a dangerous road to drive 55 on.

Mayor Simpson asked Attorney Helms if the Town had any authority on setting speed limits. Mr. Helms stated that the Town could adopt a resolution supporting the residents' request and send it to North Carolina Department of Transportation. Upon motion duly made by Ken Brown, seconded by Randy Baucom, Council unanimously supported the Kate Road residents, and asked Attorney Ken Helms to draft a resolution requesting a speed limit of 35 miles per hour on Kate Road.

The next item of business was to consider the Resolution in Support of the Proposed Change in the Number of County Commissioners and to Change to District Representation. Attorney Helms drafted this resolution, under the direction of Council. Upon motion duly made by Ken Brown, seconded by Jim Baucom, Council unanimously adopted this resolution. A copy of this resolution is appended to these minutes.

The Council then considered Voluntary Annexation #016, parcel number 08-231-003A, 2.76 acres in the name of Lynda Benton on Friendly Baptist Church Road. Upon motion duly made by Ken Brown, seconded by Robert Croutch, Council unanimously approved annexation of this property. Upon motion duly made by Ken Brown, seconded by Jim Baucom, Council unanimously approved RA-40 zoning for this property, as it agrees with the current Land Use Plan.

Attorney Ken Helms gave an update regarding two lawsuits pending against Union County concerning the Adequate Public Facilities Ordinance (APFO). In one case, the mediation order is past due and a tentative non-jury trial date has been set for October 16, 2008. Judge Lee has excused himself from hearing this matter, and Judge Collier will probably hear it in Union County Superior Court. In the other case, no definite date has been set, although they are trying to get a date in August. Mayor Simpson asked how long he thinks it will be before we see any resolution. Mr. Helms estimated one and one-half years to two years before a final decision is made, as decisions may be appealed to the Supreme Court.

Council reviewed the Request for Charitable Contribution from Hospice of Union County. A vote will take place August 18, 2008.

There being no other business, and upon motion duly made by Ken Brown, seconded by Jim Baucom, Council unanimously adjourned the meeting.

Respectfully submitted,

Sonya W. Gaddy
Clerk

Approved as to form:

R. Kenneth Helms, Jr., Town Attorney