

**TOWN OF UNIONVILLE  
MINUTES OF REGULAR MEETING**

The May 19, 2008 regular 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 Edd Little were present. Commissioner Robert Crouch was absent. Town Attorney Ken Helms was also present.

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

Mayor Simpson welcomed everyone, and called the meeting to order.

Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously approved the minutes of the April 21, 2008 meeting.

Mayor Simpson recognized Budget & Finance Officer Darrell Baucom, who reviewed the financial report, a copy of which is appended to these minutes. Mr. Baucom reported that the certificate of deposit matures on May 22, 2008, at which time he will renew it for the best rate. Mr. Baucom reported that for the year, the Town is \$1,500 favorable to budget. Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously approved payment of pending bills.

Mr. Baucom reviewed assumptions and explanations for the 2008-2009 budget, reporting that the ad valorem tax rate of \$.02/\$100 valuation is the lowest allowed. Ad valorem estimate will be approximately \$88,000, based on the revaluation data. R. Baucom also noted a correction of \$9,000 for the annual audit. Commissioner Ken Brown made inquiry as to last year's salary increase. Mr. Baucom reported that it was an increase of five percent. Commissioner Brown also inquired about insurance increases. Mr. Baucom reported that figures are based on the 2008 rates. Mayor Simpson made inquiry as to legal expenses. Mr. Baucom budgeted \$5,000 per month, based on 2007-2008 figures. Mayor Simpson set a public hearing for the budget for 6:45 p.m. on Monday, June 16, 2008.

Resident Michele Sarno addressed Council, proposing that the Town set aside \$10,000 for parks and greenway trails in answer to the survey responses of the Town. She is willing to give an easement of her land along Chinkapin Creek, and would like to ask others to do the same for walking, bike riding and horse riding trails. She also volunteered to work on a committee to investigate and develop these trails. The consensus was that this falls under the \$25,000 budgeted for parks and recreation. Mrs. Sarno will bring an outline to the June 16, 2008 meeting.

Mayor Simpson recognized Land Use Administrator Nadine Bennett, who stated that grants are available through North Carolina for parks and recreation for what Mrs. Sarno is proposing.

Mrs. Bennett reviewed the text amendment allowing 100-bed nursing homes in Town of Unionville. Currently, the ordinance allows “not more than 30 individuals” under the definition “Handicapped, Aged or Infirm Institution/Independent Living Center/Group Care Facility/Group Home”. She stated that approval of this text change would make this a possibility in the Town. The applicant must present a special use permit, which must come before the Board of Adjustment for quasi-judicial consideration, and no ex parte communication would be considered. Commissioner Randy Baucom made inquiry as to the certificate of need. Mrs. Bennett stated that would be presented during the special use permit process, and would have nothing to do with the Town’s decision. Mayor Simpson made inquiry as to any other requirements for a nursing home. Mrs. Bennett stated that the only requirement would be the special use permit. Commissioner Ken Brown made inquiry as to how this would affect existing facilities. Mrs. Bennett stated that if they wanted to expand, they would be required to go through the special use permit process; if they didn’t want to make any changes, it wouldn’t affect them. Upon motion duly made by Ken Brown, seconded by Jim Baucom, Council unanimously approved the text amendment allowing 100-bed nursing homes in Unionville.

Mrs. Bennett reported that the Planning Board recommends against adoption of Union County’s Adequate Public Facilities Ordinance (APFO). The issues they considered were the fact that two lawsuits haven’t made it through the courts yet, and the definition of “adequate” changed drastically from area to area. Mayor Simpson set a public hearing to hear comments regarding the APFO for Monday, June 16, 2008 at 7:00 p.m.

Mrs. Bennett then updated Council on issues before Planning Board. She reported that Planning Board has discussed the consistent zoning standards requested by Union County Public Schools, and advised them Unionville currently allows schools as a use by right, which is less strict than what UCPS requested. However, she now feels that it would be a good idea to adopt a policy, and will discuss this with Planning Board at their June 2, 2008 meeting. She also reported that Planning Board is considering a junk vehicle nuisance ordinance and a gun ordinance similar to Wesley Chapel’s. She has recommended conditional use permits for subdivisions, and will bring samples to the June 2 meeting. Planning Board did not take action on a change to easements, requiring that all lots abut a public street, as Mrs. Bennett recommended. Planning Board was not interested in pursuing design standards. Mrs. Bennett brought a new issue before Council, stating that four Loxdale subdivision residents are having water problems—ditches are being filled and altering watercourses. She would like to have the Town’s engineer, Dean Arp, review our ordinance and advise what to do in the neighborhood, as she feels that this is beyond her expertise. She has spoken with someone at Union County, but it is not their jurisdiction. The consensus of the Council was to ask Mr. Arp to provide an estimate for Council to consider. Commissioner Randy Baucom made inquiry as to Planning Board making a recommendation on annexation fees. Mrs.

Bennett stated that they would not be required to make a recommendation prior to Council setting a fee. Council agreed that they would like to have Planning Board's input when they review the fee schedule. Planning Board has made no changes to the fee schedule.

Mayor Simpson set a public hearing for Monday, June 16, 2008 at 6:50 p.m. to hear comments regarding zoning on two petitions for voluntary annexation by Mohamed and Katherine Elder and Elaine R. Smith. He also set a public hearing for 6:55 p.m. to hear comments regarding annexation of these properties.

Upon motion duly made by Edd Little, seconded by Randy Baucom, Council unanimously approved the Resolution Directing Clerk to Investigate a Petition for annexation by Lynda Benton, parcel number 08-231-003A, 2.76 acres on Friendly Baptist Church Road.

Mayor Simpson recognized Kristin Jacobs with Turning Point. She stated that they have 42 residents—children and adults—whom they currently support. This month, they are focusing on student awareness to prevent abuse, stating that half of ninth-grade students have been exposed to abuse in some fashion. She asked for a donation of \$500. Upon motion duly made by Ken Brown, seconded by Jim Baucom, Council unanimously approved the \$500 donation.

Upon motion made by Randy Baucom, seconded by Ken Brown, Council unanimously approved a donation of \$1,000 to Union County Council on Aging.

In other business, Commissioner Randy Baucom stated that Commissioner Robert Crutch is absent tonight, due to back problems, but he invites everyone to the Union Chapel Baptist Church fish fry on Saturday, June 14, 2008 beginning at 12:00 noon.

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

Respectfully submitted,

Sonya W. Gaddy  
Clerk

Approved as to form:

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R. Kenneth Helms, Jr., Town Attorney