

**TOWN OF UNIONVILLE
MINUTES OF REGULAR MEETING**

The May 17, 2010 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 Commissioners Randy Baucom, Ken Brown, Robert Croutch and Edd Little were present. Commissioner Jim Baucom was absent. Town Attorneys Ken Helms and Allison Edgar were present.

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

Mayor Simpson welcomed everyone and called the meeting to order.

Upon motion duly made by Edd Little, seconded by Robert Croutch, Council unanimously approved the minutes of the April 19, 2010 public hearings and regular meeting.

In considering the new lawsuit filed by Richard S. Griffin and Griffin Farm & Landfill v. Town of Unionville in Union County Superior Court file #10CVS544, and upon motion duly made by Ken Brown, seconded by Randy Baucom, Council unanimously agreed to retain Parker Poe Adams & Bernstein, LLP regarding this pending litigation. Upon motion duly made by Randy Baucom, seconded by Ken Brown, Council unanimously agreed to hold a closed session for the purpose of consulting with their attorney concerning the handling of this new lawsuit.

Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously agreed to close the closed session.

Mayor Simpson set a public hearing for Monday, June 21, 2010 at 7:00 p.m. for the purpose of hearing public comments regarding the 2010-2011 budget.

In Land Use issues, Ms. Jana Finn addressed Council regarding Text Amendment TC10-02 to remove duplexes as a permitted use in the RA-40 zoning district. Ms. Finn stated that information has been presented to Council for their review, and it is up to the Council to approve as submitted, to reword the text amendment or to deny. This would require a rezoning, as most of the Town is currently zoned RA-40. Possibilities are R-40 with a conditional use permit or R-20 with a special use permit, both of which would require notifying adjoining property owners and a sign be posted on the property. At its April 5, 2010 meeting, Planning Board unanimously recommended approval of this text amendment. Mayor Pro-Tem Randy Baucom made inquiry as to the history of this text amendment. Ms. Finn stated that the amendment comes from a concern that, according to the ordinance now, duplexes may be built in RA-40, and all lots of subdivisions could be developed as subdivisions. She was not directed by any one person to further investigate this.

Town resident Tim Keziah addressed the Council. He expressed a desire to leave it as it currently is.

Town resident Kathy Oropesa reminded Council of the four findings of fact they would be required to consider if the text amendment is allowed. She felt that these findings of fact would not be met for a special use permit in R-20 or R-40. Ms. Finn stated that the Board of Adjustment would refer to the Future Land Use Map, but could correct the map if it so desired.

Town Attorney Ken Helms stated that the Council's options were to accept the Planning Board's recommendation or table the recommendation, or modify it in some way; they can make several modifications. Ms. Finn stated that one option would be to allow duplexes in RA-40 with a special use permit requirement. She stated that a special use permit would require a drawing of the footprint and any exterior requirements.

Town resident Zane Keziah expressed a desire to leave it as it currently. Commissioner Ken Brown made inquiry as to how this would affect him. He stated that he has four acres subdivided that he plans to put duplexes on someday.

Upon motion duly made by Ken Brown, seconded by Edd Little, Council unanimously agreed to table this decision until the June 21, 2010 regular meeting.

In other land use issues, Ms. Finn stated that Unionville has 60 days to assign zoning on Annexation #18, three parcels on Ridge Road. Upon motion duly made by Randy Baucom, seconded by Ken Brown, Council unanimously applied RA-40 zoning on these three parcels, effective immediately.

Mayor Simpson recognized Town resident Michele Sarno, representing the Parks and Recreation Committee. She stated that their committee has met a few times, and is seeking direction from the Town. She asked if the Council wants them to conduct another survey, develop a master plan or a business plan, look for land for a park—which direction does the Council want the Parks & Recreation Committee to go? Mayor Pro-Tem Randy Baucom suggested that the committee speak with Charlie O'Cain regarding updating the Community Center's sewer line and attaching to the County's pressure line at the school in order to increase bathroom facilities there. He also asked the committee to compare with other small towns, such as Norwood, to see what it takes to operate a park on an annual basis. Ms. Sarno stated that they have a figure of \$150,000 for setting up a ten-acre park. Mayor Simpson asked that the committee keep their eyes and ears open regarding available land for a park (approximately 10 acres), and keep the Council apprised of their findings.

In making three-year appointments for two vacant Parks and Recreation Committee members, Council unanimously appointed Tim Black to fill the term expiring September 2013 and Brendan Sheprow to fill the term expiring September 2012, as Matthew Hinson and Steven Williams have both moved out of Unionville.

In considering an ethics resolution for the Town, as required by the state, Attorney Ken Helms stated that the legislature requires that it address 5 topics: 1) the need to obey all laws, 2) the need to uphold the integrity of the office, 3) the need to avoid impropriety, 4) the need to faithfully perform the duties of the office, and 5) the need to conduct the affairs of the Town in an open and public manner. The Institute of Government offers a model ordinance for purchase. This ordinance doesn't give authority to remove someone from office. Wesley Chapel's resolution requires that elected officials make financial disclosure. Upon motion duly made by Randy Baucom, seconded by Robert Crutch, Council unanimously agreed to have Mr. Helms develop an ethics resolution for Town of Unionville, based on his understanding of the requirements of the resolution, and following closely the model code. The deadline for adoption is January 1, 2011.

Mayor Simpson recognized Pam Caskey from United Family Services. She stated that UFS is over 100 years old. In the last year, they have worked with 10 homicidal clients, made 40 reports of child abuse and neglect, have helped save 81 homes from foreclosure and worked with 250 families on foreclosure, and counseled 34 victims of sexual assault. The Town's support is as important as ever before, as state funds are diminishing. Mayor Simpson made inquiry as to where their funds originate. She stated that 20% of their funding is from United Way, another 1/3 is from local governments, state grants and state funding, and another 1/3 is from fees for services and insurance and Medicaid reimbursements. They make presentations to all Union County municipalities, but only four have supported them, including Union County, totaling \$25,000 annually. Upon motion duly made by Randy Baucom, seconded by Ken Brown, Council unanimously approved a donation of \$1,000.

Ms. Michele Sarno addressed Council regarding the American Red Cross. She thanked them for their past support, and stated that Sheila Crunkleton will be at the June 21, 2010 meeting to address Council.

Clerk Sonya Gaddy asked for a count of Unionville officials who would attend the Monday, May 31, 2010 Memorial Day Service at Piedmont High School, sponsored by the Unionville American Legion Post 535, as the Legion will provide special seating for Unionville officials and their spouses.

Mayor Simpson made mention of Clerk Sonya Gaddy's request for two vacation days on Friday, June 18 and Monday, June 21, 2010.

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

Allison B. Edgar, Town Attorney