

## December 7, 2010

The Union County Planning Board met in regular session on Tuesday, December 7, 2010, at 7:00 p.m. in the Union County Board of Commissioner's Board Room, located on the First Floor of the Union County Government Center, 500 North Main Street, Monroe, NC, 28112.

**PRESENT:** John Darsey, Jim King, Jeff Gerber, Orvel Schrum

**ABSENT:** Jim Thornton

**ALSO PRESENT:** Richard Black

### **ITEM NUMBER ONE**

Call to Order

Mr. Richard Black called the meeting to order at 7:00 p.m.

### **ITEM NUMBER TWO**

Election of Chairman

Jim King stated that he would like to make a statement before the election of Chairman.

Mr. Black ruled Jim King out of order.

A motion was made by Jim King and seconded by John Darsey to overrule Mr. Black's decision.

The vote was ~~4 to 0~~ 3 to 1.

Jim King stated I did not understand what took place in the previous election for Chairman and why the County did not rule this out of order. I have a publication by Fleming Bell for "Small Local Government Boards and these rules are what the Union County Planning Board follows that states that once a year a Chairman is elected and remains the Chairman for the whole year and I have documentation from four different professors from the UNC School of Government that states the Chairman elected in May 2010 per our Land Use Ordinance is the correct Chairman.

Jim King stated that the Board also follows Roberts Rules of Order which states you cannot rescind an election of an officer ~~without notification because that would not be proper once they are notified.~~

Motion was made by John Darsey and seconded by Jeff Gerber to reinstate Jim King as the elected Chairman of the Union County Planning Board. The vote was 3 to 1.

### **ITEM NUMBER THREE**

Additions and/or Deletions to the Agenda

Motion was made by ~~John Darsey~~ Jim King and seconded by Jeff Gerber to delete Item # 6 from the agenda because the Board does not need to elect a Vice-Chairman because we already have one. The vote was 4 to 0.

#### **ITEM NUMBER FOUR**

Approval of the Agenda

Motion was made by John Darsey and seconded by Jeff Gerber to approve the Agenda. The vote was 4 to 0.

#### **ITEM NUMBER FIVE**

Approval of the August 3, 2010 Minutes, September 7, 2010 Minutes, October 5, 2010 Minutes, November 2, 2010 Minutes and August 23, 2010 Comp Plan Minutes

Motion was made by Jeff Gerber and seconded by John Darsey to approve the August 3, 2010 Minutes with the changes. The vote was 4 to 0.

Jim King stated he would like the Board to know the comments made by Mark DiBiasio at the September 7, 2010 meeting were written into the minutes they were not spoken.

Mr. Black stated that Mark DiBiasio had requested that his letter of resignation be read into the minutes and that he had checked with the county attorney and he said that was fine to do that.

Motion was made by Jim King and seconded by John Darsey to approve the September 7, 2010 Minutes. The vote was 4 to 0.

Jim King stated he wanted it noted that the comments made by Kathy Broom at the September 7, 2010 meeting about the School of Government on the election of Chairman were incorrect.

Orvel Schrum stated that the Board needs to find out if everything the Board has done since the previous election of Chairman if it is legal or not and that the Board needs to address what occurred in the Rules of Procedure so this would not happen again.

Motion was made by Jeff Gerber and seconded by Jim King to approve the October 5, 2010 Minutes. The vote was 4 to 0.

Motion was made by Orvel Schrum and seconded by Jeff Gerber to approve the November 2, 2010 Minutes. The vote was 4 to 0.

Motion was made by John Darsey and seconded by Jeff Gerber to approve the August 23, 2010 Comp Plan Minutes. The vote was 4 to 0.

**Orvel Schrum was designated by the Chairman as a voting member.**

#### **ITEM NUMBER SIX**

Election of Vice-Chairman

This item was deleted from the Agenda.

**ITEM NUMBER SEVEN**

Report and Record Board Member Resignations

Motion was made by Jeff Gerber and seconded by John Darsey to ~~accept~~ **acknowledge receipt of the resignations of the four members that had resigned as of September 30, 2010 and send to the Board of Commissioners.** The vote was 4 to 0.

**ITEM NUMBER EIGHT**

Planning Staff Report (Work In Progress)

Mr. Black stated that MUMPO was in the process of completing the Comprehensive Transportation Plan in the western part of the County.

Jim King stated he wanted it noted that the previous Chairman had said there was going to be a public hearing with the Board of County Commissioners before the approval of the Land Use Plan but there was not a public hearing.

Jim King asked if there was a need to have anymore discussion about the Comprehensive Plan. The Planning Board decided to not have any more recommendations or discussion about the Comp Plan since the Board of Commissioners had adopted the Plan back in October.

Jim King stated at the next meeting the Board needed to go over the Rules of Procedure because there are some errors and to discuss adding any more rules and also reinstating the Planning Board Chairman Operational Guidelines.

Mr. Black stated that staff had been working with Kohl's Dept Store and that they have submitted an application for a Major Development Permit/PUD Permit amendment and it would be on the January 4, 2011 meeting.

Jim King stated the Board needed to get started working on the Land Use Ordinance and at the next meeting in January the Board would discuss when to start having work sessions.

Mr. Black stated that the meeting on January 4, 2011 would be the same night the BOCC would be meeting and that the Planning Board will have to meet in the Old Board Room on the 9<sup>th</sup> floor for their meeting and that a notice would be posted with that change.

Jim King requested that staff update the list of Planning Board members on the county website.

**ITEM NUMBER NINE**

Brief Comments

John Darsey	No Comment
Jeff Gerber	No Comment
Jim King	No Comment
Orvel Schrum	No Comment

**ITEM NUMBER TEN**

Adjournment

The meeting adjourned at 7:47 p.m.