

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL  
WEDNESDAY, SEPTEMBER 13, 2006 AT 4:30 P.M.  
GRAND JURY ROOM AT THE UNION COUNTY COURTHOUSE

Present: Chairman Donnie Betenbaugh, Vice Chairperson Dora Martin, Councilman Toney Farr, Councilman Tommy Ford, Councilman Joey English, Councilman Randall Hanvey, Councilman Joe Lawson, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly  
Absent: None

Notice of the meeting and a copy of the agenda giving the date, time and place of the meeting was posted on the bulletin board in the hall of the Union County Courthouse and a copy was mailed to the members of the Union County Council, the County Attorney, WBCU Radio Station, the Union Daily Times, Spartanburg Herald Journal, WSPA-TV, WIS News, Allen Hutto with MHISC, Mr. Ethan Burroughs with Wachovia Bank, the Union County Development Board, Mr. J. B. Stepp, Mr. Scott Frost, Wallace Thomson Hospital, Mr. John Cadena with SCANA Corp., Ms. Ann Fesperman with the Upstate Workforce Investment Board, Mr. Darrell Wade, Ms. Ann Canada, Ms. Annie E. Wessinger with Capital Consultants, Ms. Sandra Palmer and Mrs. Anne Brock with Clemson Extension.

Chairman Donnie Betenbaugh called the meeting to order. Chaplain Dora Martin gave the invocation followed by the Pledge of Allegiance.

The Clerk to Council gave the Roll Call with the following results:

Toney L. Farr, District 1 – Present  
Dora T. Martin, District 2 – Present  
Tommy E. Ford, District 3 – Present  
Joey D. English, District 4 – Present  
Randall Hanvey, District 5 – Present  
Joe G. Lawson, District 6 – Present

Dora Martin: Made a motion to dispense with reading of the minutes of the regular monthly meeting of Union County Council held on August 9, 2006, the special meeting of County Council held on August 25, 2006, and to adopt the minutes as written.

Tommy Ford: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented certificates and gift cards to Ms. Amy Moss for 10 years of dedicated service, to Mr. Bradley Woods for 5 years of dedicated service, to Mr. James Norman for 5 years of dedicated service, to Mr. Melvin Revis for 5 years of dedicated service, to Mr. Robbie Hines for 5 years of dedicated service and to Mrs. Carolyn Yarbrough for 10 years of dedicated service to Union County.

Chairman Donnie Betenbaugh stated there was a vacancy on the Union County Commission on Alcohol and Drug Abuse due to the resignation of Rev. Anthony N. Gavalas. The only applicant was Mr. Arthur G. Jordan.

Dora Martin: Made a motion to appoint Mr. Arthur G. Jordan to fill the unexpired term on the Commission on Alcohol and Drug Abuse.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh stated there are also three vacancies on the Union County Commission on Alcohol and Drug Abuse due to term expirations. Those positions are currently held by Mr. Joseph Harper, Ms. Teena Heym, and Ms. Ariel Fron.

Dora Martin: Made a motion to advertise the three vacancies.

Randall Hanvey: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh stated there was a request for reappointment of Mr. James Foster to serve another term on the Workforce Investment Board.

Joe Lawson: Made a motion to appoint Mr. James Foster to serve another term on the Workforce Investment Board.

Dora Martin: Seconded the motion. The vote was unanimous.

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Mr. Sidney Evering with the South Carolina Association of Counties gave Council an update on the services they provide. He stated one of the main things they do is the annual conference which was a huge success. Workshops and meetings are scheduled for the County Councils and various affiliate groups at the conference. The J. Mitchell Graham Award is presented to a county each year for outstanding achievements. SCAC publishes the County Focus magazine and a newsletter. A big component of what they do is their legislative program and provide the counties with a Friday Report, legislative alerts, and technical bulletins. They provide County Coalition meetings, government institute training, insurance services, workers compensation, and the set off debt program. Chairman Donnie Betenbaugh stated he will be serving as the third vice president on the Board of Directors for SCAC next year and has served on the Board for the Workers' Compensation and Properties & Liabilities Trust.

Chairman Donnie Betenbaugh informed Council they are planning a Union County Delegation meeting in October and Council will be notified when it will be held.

Chairman Donnie Betenbaugh said he had a number of people ask if Council would consider a potential ordinance for prohibition of smoking on the Courthouse premises. There is a law that prevents smoking in the Courthouse building. Mr. Betenbaugh asked the Committee on County Administration and Finance to consider that.

Chairman Donnie Betenbaugh introduced Mr. Neil McKeown as the new Director of the Detention Center who took over last Tuesday.

Chairman Donnie Betenbaugh stated they had discussed getting some bids for repairs to the roof of the old Buffalo Mill Office. He asked that they take up the issue today and forego going through the committee because of concerns to the integrity of the building. Specs sheets were provided for the bids and he received a bid from ATA Roofing in the amount of \$43,500.00 and a bid from TBA Construction for \$48,700.00.

Joe Lawson: Made a motion to accept the low bid from ATA Roofing and move forward with the repairs to the roof.

Dora Martin: Seconded the motion.

Mr. Betenbaugh stated they have some severe issues with that roof on that building and rainy days like this make him cringe.

The vote was unanimous.

Chairman Donnie Betenbaugh stated that Langley & Associates went in and found as they were doing demolition on the old From Building there were a couple of places that need additional structure securing. They requested a change order be approved in the amount of \$23,800.00. That would provide repairs to some of the brick foundation that is crumbling on the back side of the building, the demolition of the rear wall due to water damage, removal of debris, and replacement of framing lumber at the second stairwell. The County received a grant in the amount of \$250,000.00 for this Workforce Small Business Project but Council would need to approve this change order.

Dora Martin: Made a motion to approve the change order from Langley & Associates in the amount of \$23,800.00 as requested.

Joe Lawson: Seconded the motion.

Chairman Donnie Betenbaugh stated the anticipated completion date should be prior to Christmas.

The vote was unanimous.

Chairman Donnie Betenbaugh presented for second reading an ordinance to make provision for a Hospitality Tax on all prepared food and beverages sold in Union County, and for an Accommodations Tax on accommodations furnished to transients in Union County.

Joe Lawson: Made a motion to accept second reading of the ordinance to implement a Hospitality Tax and Accommodations Tax as stated.

Randall Hanvey: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented for second reading an ordinance providing for a Fee Agreement

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between Union County and BMW Manufacturing Co., LLC.

Toney Farr: Made a motion to accept second reading of the ordinance providing for a Fee Agreement for BMW Manufacturing Co., LLC as stated.

Dora Martin: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh introduced an ordinance authorizing, confirming and ratifying an amendment to the Agreement governing the Multi-County Business/Industrial Park by and between Union County, South Carolina and Spartanburg County, South Carolina, in order to authorize, confirm and ratify the expansion of the boundaries of the park to include certain property owned or operated by Intier Automotive Interiors of America, Inc., its affiliates and assigns, Invista S.a.r.l., its affiliates and assigns, and Stankiewicz International Corporation, its affiliates and assigns, and other matters related thereto.

Dora Martin: Made a motion to dispense with referring the ordinance to a committee and to approve first reading of the ordinance to expand the boundaries of the Multi-County Business/ Industrial Park as stated.

Randall Hanvey: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh introduced an ordinance to develop a jointly owned and operated Industrial/Business Park in conjunction with Spartanburg County, such Industrial/Business Park to be geographically located in Spartanburg County and established pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina 1976, as amended; to provide for a written agreement with Spartanburg County to provide for the expenses of the Park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxation; and other matters related thereto.

Toney Farr: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance to develop a jointly owned and operated Industrial/Business Park as stated pertaining to the Kohler Company.

Dora Martin: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh introduced an ordinance to establish Building Codes for Union County.

Joey English: Made a motion to accept first reading of the ordinance to establish Building Codes for Union County as stated.

Randall Hanvey: Seconded the motion.

Chairman Donnie Betenbaugh stated the Council would need to hold some meetings to put some documents together that their constituents would be comfortable with before this would go to second reading.

The vote was unanimous.

Chairman Donnie Betenbaugh introduced a resolution that the total County Tax Levy for fiscal year 2007 would be set at 128.8 mils and established how the County Tax Levy for 2006 would be divided and allocated to various uses as provided in the County Budget and set the levy and collection for various fire districts in Union County.

Joe Lawson: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution setting the tax levy at 128.8 mils as stated.

Dora Martin: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented a financial statement for the Youth Leadership Program. They were given an allocation of \$6,000.00 in the current budget.

Joe Lawson: Made a motion to accept the financial statement for the Youth Leadership Program.

Tommy Ford: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh stated there was property at 124 Union Road in the Lockhart area that the County had been going through the condemnation process on. They found that there is a judgement on that property which was sold at the Delinquent Tax Sale where it will become the property of the County through FLC in November. County Attorney Sammy Diamaduros stated they had discussed with the McNair Law Firm that before they demolish the house, the County needed a typed letter from our delegation and needed to properly notify the judgement or mortgage holder. If they wait until the property belongs to the County in November under FLC, then the County would not have to notify the judgement

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holders or go through the demolition process because the County would own the property and could just demolish it. The County would not be guaranteed a clear title since it went through the tax sale and the judgement holders could still make a claim. The letter needed from our delegation is a one time letter because of an antiquated state law. Councilman Joe Lawson suggested they proceed with letting the property revert to the County before demolishing the house.

Chairman Donnie Betenbaugh requested Council go into executive session to discuss a personnel matter with the County Attorney.

Joe Lawson: Made a motion to go into executive session to discuss a personnel matter.  
Joey English: Seconded the motion. The vote was unanimous.

The Union County Council went into executive session to discuss a personnel matter.

Toney Farr: Made a motion to close executive session.  
Dora Martin: Seconded the motion. The vote was unanimous.

The Union County Council returned the meeting to regular session and Chairman Donnie Betenbaugh stated that no action was taken during executive session.

Joe Lawson: Made a motion to adjourn.  
Dora Martin: Seconded the motion. The vote was unanimous.  
The meeting was adjourned at 5:25 p.m.

Donnie R. Betenbaugh, Chairman  
Union County Council

Linda G. Jolly, Clerk to Council