

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, OCTOBER 12, 2010 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chair Dora Martin-Jennings, Councilwoman Joan Little, Councilman Tommy Ford, Councilman Randall Hanvey, Councilwoman Kacie Petrie, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly
Absent: Councilman Joey English

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, the Union County Development Board, Ms. Ann Canada, Mrs. Anne Brock with Clemson Extension, Mr. James Kollock, Mrs. Anna Brown with the County News, Mr. Mickey Gist, Mr. Frank Hart, Mr. Ray Treadway, Mr. Brooks Carwile, Mr. Howard Gibson, and Mr. Robert Small. A notice of the meeting was also posted on the County's website.

Chairman Tommy Sinclair called the meeting to order. Vice Chair Dora Martin-Jennings gave the invocation followed by the Pledge of Allegiance.

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

Joan Little, District 1 - Present

Dora Martin-Jennings, District 2 - Present

Tommy Ford, District 3 - Present

Joey English, District 4 - Absent

Randall Hanvey, District 5 - Present

Kacie Petrie, District 6 - Present

Chairman Tommy Sinclair stated that Councilman Joey English was not present due to having had eye surgery.

Dora Martin-Jennings: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on September 14, the special meeting of Union County Council held on September 28, 2010, and to adopt the minutes as written.

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

Chairman Tommy Sinclair recognized for service award certificates and gift cards for Helen Belk for 40 years of dedicated service, Bobby Bailey for 20 years of dedicated service, Joey English for 5 years of dedicated service, and Morris Bobo for 5 years of dedicated service to Union County.

Mr. Frank Mitchell stated he had a problem with noise for over two years and had asked Council to pass a noise ordinance. He said he had approached Perry Haney with the Sheriff's Office about the problem in 2008. They would have the people stop the noise but then they would start back and they would find a way to retaliate against him in some

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way. He stated other counties have a noise ordinance and asked why Union County does not have one. Councilman Randall Hanvey asked if this could not be covered under the laws pertaining to disturbing the peace. Mr. Perry Haney stated that if an officer witnesses someone disturbing of the peace then they can take action. Councilman Randall Hanvey asked what a noise ordinance would do that the existing law on disturbing the peace would not do. County Attorney Sammy Diamaduros stated the officer would have to witness someone disturbing the peace in order to issue a warrant but a noise ordinance would be similar unless you allow a citizen to sign a warrant for violation of the ordinance. Most of the time, in the counties, the magistrates want an officer to sign the warrant and not a citizen even though it is not against the law for a citizen to sign one. Chairman Tommy Sinclair referred the matter to the Committee on Planning and Development to review it again. Councilman Randall Hanvey asked Mr. Mitchell the source of the noise and he replied that it was a band that plays in a building they had built for that purpose.

Chairman Tommy Sinclair stated Council had received a letter from the Alcohol and Drug Abuse Commission stating there were two members on the commission who had not met the attendance requirements.

Randall Hanvey: Made a motion to create the two vacancies and to advertise them.

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

Mr. Michael Taylor said he had nothing but contempt for every person sitting on County Council. They are doing absolutely nothing for Union County and nobody is getting any jobs. Union County is losing population. Yet Council gives tax breaks to Disney and Sloan. All these other people come in and take ten years, underpay people and put them on temporary service with no benefits then they take off and leave after ten years. He said he had asked that the county employees be drug tested but they are evidently afraid to do that. He said if they did take the drug test they would set it up so they could clean themselves up before they took them. As far as Mr. Johnson goes in Buffalo, Mr. Ford and Mr. Sinclair, have a nerve. They have a magistrate in their pocket. They are fining this guy. Councilman Tommy Ford asked what would you expect to do to him. Mr. Taylor stated he had five minutes allotted and when he gets through they needed to add thirty seconds to his time then Councilman Ford can speak. Chair Tommy Sinclair told Mr. Perry Haney with the Sheriff's Department that he needed to be on notice. Councilman Tommy Ford told Mr. Haney that if Mr. Taylor got loud again to remove him. Mr. Taylor said he speaks loud because he is hard of hearing. Mr. Taylor said Mr. Johnson is trying to do a job and is having a hard time. It is a hard job up there. He knew the County was sitting back trying to take the property away from him. They got the magistrate to issue their order. They complained about the grass at the old Buffalo Mill site. The next day the County sent ten convicts up there to cut the grass on the County's property so it would look bad on Mr. Johnson. Mr. Taylor said from what he understood Mr. Ford was terminated from both the City and the County because he was subcontracting on his own. Councilman Tommy Ford responded that was a lie. Mr. Taylor said that was a waste of tax dollars paying him. Chair Tommy Sinclair stated this had become personal enough. Mr. Taylor stated it was not personal and Mr. Sinclair responded that it was. Chairman Tommy Sinclair said he would not allow Mr. Taylor to make a personal attack. Chairman Tommy Ford told Mr. Taylor he was running his mouth when he was nothing but a drunk. Mr. Taylor responded

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that he would sue Councilman Ford for slander. Councilman Ford told Mr. Taylor he would sue him for what he said. He said a lot of times Mr. Taylor was terminated because he couldn't weld. Chairman Tommy Sinclair told Mr. Taylor if he wanted to make a comment about county government and not a personal comment then he could continue. Otherwise, he said the presentation was over. Mr. Taylor said he wanted to fine a man for the same thing that he did. Chairman Tommy Sinclair told Mr. Taylor he could make a presentation to the Council if he chose in the next two minutes he had left. Mr. Taylor responded that he had at least three minutes left because he had been interrupted by both of them. They are not supposed to interrupt him. Chairman Tommy Sinclair told Mr. Taylor he had two minutes left and if he wanted to make the presentation he needed to make it. Mr. Taylor asked Chairman Tommy Sinclair if he was going to be quiet so he could talk. Chairman Tommy Sinclair stated he was going to establish the ground rules. Mr. Taylor said that was another minute he had. Chairman Tommy Sinclair told him he could not have another minute and asked if he understood the ground rules. Mr. Taylor asked if he was going to let him speak and Chairman Tommy Sinclair asked if he understood the ground rules and it requires a yes or no answer. Mr. Taylor responded yes. Mr. Taylor said that on the recycle centers they need to see to it that the guys are looking through the bags because people are putting all kind of stuff in the recycle centers. There is trash all over the recycle centers while the attendants are sitting in the little buildings. The County is giving corporations free tax money. That comes out of his pocket. The Sheriff is gone for four months. They have allowed him to leave an elected office for four months to go and better himself. It has nothing to do with this county. Mr. Taylor said the next time they pray they need to ask for forgiveness and not a blessing. Chairman Tommy Sinclair told Mr. Taylor his presentation was over and Mr. Perry Haney with the Sheriff's Office told Mr. Taylor to have a seat.

Chairman Tommy Sinclair called for any elected officials or department heads who wished to address Council. He stated that Mr. Keith Vanderford considered himself pretty much ready for the election. They have reprogrammed the voting machines and put in new batteries. He informed Council that Cindy Fore with the Veteran's Affairs Office would be having some surgery in a couple of weeks and they have a way to take care of that office while she is gone. He stated that the sprinkler system is in at the South Hills complex, field number two is complete and they have started on the concession stand and restrooms.

Chairman Tommy Sinclair presented for second reading an amendment to the Budget Ordinance for Union County for fiscal year 2010-2011.

Dora Martin-Jennings: Made a motion to accept the second reading of the amendment to the Budget Ordinance as stated.

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

Chairman Tommy Sinclair introduced in title only an ordinance authorizing a 5-year extension of the investment period under the Fee Agreement between Union County, South Carolina (the "County") and LSP Automotive Systems, LLC, now known as Gestamp South Carolina, LLC (the "Company"); authorizing a 10-year extension of the term for each stage of the project under the Fee Agreement; authorizing a 5-year extension of the

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term of the annual infrastructure credits granted to the Company under the Fee Agreement; and other matters relating to the foregoing.

Dora Martin-Jennings: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance providing extensions to Gestamp South Carolina, LLC as stated.

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

Chairman Tommy Sinclair introduced a resolution to name the Buffalo Senior Citizens Center the I. G. Vanderford Building in honor of Mr. Iverson G. Vanderford in recognition of his continuing support of veterans and senior citizens.

Tommy Ford: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution naming the Buffalo Senior Citizens Center located at 501 Flat Drive in Buffalo the I. G. Vanderford Building.

Dora Martin-Jennings: Seconded the motion.

County Attorney Sammy Diamaduros read the resolution in its entirety. The vote on the motion was unanimous

Chairman Tommy Sinclair called for any committee reports.

Dora Martin-Jennings: Made a motion to accept the recommendation from the Committee on County Administration and Finance to change the personnel policy for the holiday pay so the policy will match the practice by adopting a resolution to that effect.

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

Chairman Tommy Sinclair read the resolution to amend the County Personnel Policies and Procedures by deleting the section of the paragraph under Section 15 pertaining to holidays that states "Employees whose normal day off falls on the day of the holiday receives another day off in lieu of the holiday. Holiday time is not accrued."

Councilman Tommy Ford stated that Councilman Joey English who was over the Road Committee wanted him to ask the Council Members to look at Dill Road, Homestead Drive and Bowman Road. Councilwoman Joan Little asked them to look at Charles Walker Road.

Chairman Tommy Sinclair stated the Library Board had been on the agenda. The Library had cut back hours and took furloughs due to a loss in funding. They have been trying to set up an agreement with another library to have shared resources. They were not able to get the agreement worked out in time to be at today's meeting. The Clemson Extension Service was being consolidated across the State. What used to be forty-six extension centers has been reduced to nineteen centers. Union County had requested they be one of those centers but it was not approved. The nearest one is located in Rock Hill. The Clemson Extension Advisory Committee asked if the County could look at extending the service in some other fashion. He asked them to meet and tell him what they want. They brought it to him yesterday but he had not had a chance to digest it. Chairman Tommy Sinclair stated more and more entities are going to start combining services to get where they need to get to.

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Chairman Tommy Sinclair called for any old business or any new business but there was none.

Dora Martin-Jennings: Made a motion to adjourn.

Randall Hanvey: Seconded the motion. The vote was unanimous.
The meeting was adjourned at 5:59 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council