

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, MARCH 8, 2011 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chair Kacie Petrie, Councilwoman Joan Little, Councilwoman Dora Martin-Jennings, Councilman Tommy Ford, Councilman Ben Ivey, Councilman Randall Hanvey, 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, 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. Councilwoman 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
Ben Ivey, District 4 - Present
Randall Hanvey, District 5 - Present
Kacie Petrie, District 6 - Present

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 February 8, 2011, the special meeting of County Council held on February 1, 2011 and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented a service award certificate and gift card to Jennifer Abee for five years, to Ralph Gregory for ten years, to William Vinson for ten years, to Dustin Hampson for ten years, and to Lewis R. Brackins for fifteen years of dedicated service to Union County.

Chairman Tommy Sinclair stated that next on the agenda was to consider the six positions on the Appeals Board. Each council district would appoint a person to serve.

Councilwoman Joan Little appointed Aurenious Stewart.
Councilwoman Dora Martin-Jennings appointed Sally Morgan.
Councilman Randall Hanvey appointed Jackie Earls, Jr.

COUNTY COUNCIL MEETING
MARCH 8, 2011

Councilman Tommy Ford, Councilman Ben Ivey and Councilwoman Kacie Petrie stated they would make their appointments at the next regular monthly meeting.

Chairman Tommy Sinclair stated Council needed to consider the three upcoming vacancies on the Tourism Commission.

Dora Martin-Jennings: Made a motion to advertise the three positions on the Tourism Commission.

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

Chairman Tommy Sinclair stated Donald Lyles and Louelly Crosby were next on the agenda but were not present.

Clerk of Court Freddie Gault stated the Child Support Division is in the process of trying to get recipients to sign up for direct deposits for their child support payments. He said it currently costs them approximately \$15,000 a year to mail out the checks.

Stadium and Airport Manager Ron Wade stated they held tournaments at the Timken Sports Complex last week. They signed to do varsity and junior varsity softball and baseball at Timken. They took on three middle schools tournaments as well for baseball and softball. The schools held a fund raiser on Saturday which was held in the concession stand. This past week they had USA Baseball with six teams playing for a two day series. There are tournaments scheduled for this weekend.

Chairman Tommy Sinclair called for any committee reports. Councilwoman Kacie Petrie stated they need to schedule a meeting for the Planning and Development Committee to talk about the fire departments.

Mr. Donald Lyles arrived and was allowed to address Council. Mr. Donald Lyles requested the County have some of their county roads paved completely. The county roads they wanted paved were Candice Circle, Clark Road and Gilliam Road off Maybinton Road: Locust Road and part of Clearview Drive off of Hunter Road: Sartor Road, Worthy Road, Oak Drive, and Hodges Road (off of 176) off Goldville Road: and State roads which are Maybinton Road, Hunter Road, Goldville Road and Tucker Town Road. He also stated they had been waiting on a fire department and recreational department for their children. He felt the time was right for the county to do the right thing for the people in Goshen Hill, Goldville and Maybinton areas of Union County. Mr. Lyles said he had probably over a hundred signatures that he would provide a copy of to Councilwoman Dora Martin-Jennings.

Chairman Tommy Sinclair called for any other committee reports. Councilman Ben Ivey stated the Road Committee needs to meet and scheduled a meeting for Thursday, March 10, 2011 at 5:00 p.m.

Chairman Tommy Sinclair gave second reading of an ordinance authorizing the execution and delivery of one or more Incentive Agreements by and between Union County, South Carolina, and Project Montenegro, and one or more affiliated or related entities, as sponsor, to the extent allowed by law, to provide for a fee in lieu of taxes incentive and a

COUNTY COUNCIL MEETING
MARCH 8, 2011

project infrastructure grant; to provide for the inclusion of the project in a multi-county business or industrial park; to provide for special source revenue credits; to authorize the execution and delivery of a lease agreement by and between Union County, South Carolina and Project Montenegro for approximately 24 acres of real property and improvements thereon; to ratify, authorize, and affirm all prior acts and actions of Union County and its officers and elected officials with regard to the foregoing, including, without limitation, prior legislative enactments of Union County Council and their content; and to enter into any other necessary agreements with the sponsor to effect the intent of this ordinance; and other related matters.

Ben Ivey: Made a motion to accept second reading of the ordinance pertaining to the incentive agreements for Project Montenegro as stated.

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

Chairman Tommy Sinclair gave second reading to an ordinance authorizing the execution and delivery of a Multi-County Park Agreement, creating and governing a Multi-County Business and Industrial Park, by and between Union County, South Carolina, and Spartanburg County, South Carolina, to designate the boundaries of the park, designate certain property as located therein, prescribe the terms and conditions related to the creation and operation of the park; and other related matters.

Ben Ivey: Made a motion to accept second reading of the ordinance pertaining to the Multi-County Park Agreement for Project Montenegro as stated.

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

Chairman Tommy Sinclair informed Council there would be a Miracle League ballgame held on April 12th at the Timken Sports Complex and invited them to attend.

Chairman Tommy Sinclair informed Council they are putting some property such as vehicles and a boat up for sale on the internet under SC.GOV. He stated it would be advertised in the newspaper so people in Union would know how to bid on the items if they choose to.

Chairman Tommy Sinclair informed Council they had all the GIS proposals and someone from Catawba Regional COG is coming to work with the Tax Assessor to digest them and compare the proposals.

Chairman Tommy Sinclair stated that Leadership Union asked to do a project to get the nursing home access to the Timken walking trail. It would give the residents of the nursing home access up to the edge to walk or watch people walk on that trail at the sports complex.

Chairman Tommy Sinclair stated there were no provisions he could find to appoint a non standing committee. He said he wanted to appoint an advisory committee to come up with an IT plan for the county. He appointed Council Members from Council Districts 2, 4, and 6 to serve on this committee. Councilwoman Dora Martin-Jennings, Councilman Ben Ivey, and Councilwoman Kacie Petrie will serve on the advisory committee.

COUNTY COUNCIL MEETING
MARCH 8, 2011

Chairman Tommy Sinclair called for an executive session to discuss a potential contractual and legal matter.

Tommy Ford: Made a motion to go into executive session as requested.

Ben Ivey: Seconded the motion. The vote was unanimous.

The County Council meeting went into executive session to discuss contractual and legal matters.

Chairman Tommy Sinclair stated the meeting had come out of executive session and no motions were made and no votes were taken.

Chairman Tommy Sinclair entertained a motion to be allowed to pursue the possible purchase of what we know as Monarch baseball field.

Randall Hanvey: Made a motion to do so.

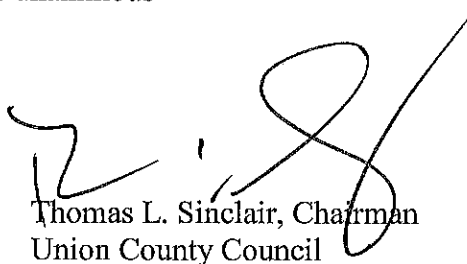
Tommy Ford: Seconded the motion. The vote was unanimous.

Chairman Tommy Sinclair called for any new business.

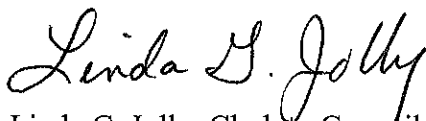
Councilman Tommy Ford stated there are some trees in Buffalo on South Street that are on the county's right of way that are starting to rot. Some of the limbs are hanging over some houses and if they fall on the houses the County could be liable. He suggested getting the trees cut down or the limbs cut. Two of the trees are on the right of way and one of them is on the property owned by the County where the old mill office is. To get this done the county would either have to rent a bucket truck and do the work ourselves or contract out the work. Councilwoman Joan Little asked if all the trees were located on county property. Councilman Tommy Ford stated that most of them are. The only one that is not has limbs hanging over the County's right of way. They are huge trees. Council Chairman Tommy Sinclair said there were trees in Buffalo, Ottoray, and Monarch that needed to be looked at. You have to determine that they are not located on private property. He said he would like to look at renting a bucket truck under the right conditions if they thought the county had someone trained enough to operate it or in the long term look at getting one. Councilman Randall Hanvey suggested putting together a list of these places and make sure they are located on county property to see where we are at.

Dora Martin-Jennings: Made a motion to adjourn the meeting.

Kacie Petrie: Seconded the motion. The vote was unanimous



Thomas L. Sinclair, Chairman
Union County Council



Linda G. Jolly, Clerk to Council

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Absent: Councilman Randall Hanvey

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Tommy Ford, District 3 - Present
Ben Ivey, District 4 - Present
Randall Hanvey, District 5 - Absent
Kacie Petrie, District 6 - Present

Tommy Ford: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on January 13, 2011, the special meeting of County Council held on February 1, 2011 and to adopt the minutes as written.
Dora Martin-Jennings: Seconded the motion. The vote was unanimous.

Chairman Tommy Sinclair presented a service award certificate and gift card to Sam Phipps for thirty years of dedicated service to Union County.

Chairman Tommy Sinclair stated that next on the agenda was to consider an appointment to the Upstate Workforce Investment Board.

Councilwoman Dora Martin-Jennings nominated Beth Summer-Strait and Councilwoman Joan Little seconded the nomination.

Councilman Tommy Ford nominated Roger Wade and Councilwoman Kacie Petrie seconded the nomination. Three Council Members (Dora Martin-Jennings, Joan Little, and Ben Ivey) voted in favor of Beth Summer-Strait and two Council Members (Tommy Ford, and Kacie Petrie) voted in favor of Roger Wade. Beth Summer-Strait received the majority vote and was appointed to serve to fill the unexpired term on the Workforce Investment Board.

COUNTY COUNCIL MEETING
FEBRUARY 8, 2011

Chairman Tommy Sinclair stated there were appointments to be considered for the Airport Commission. There were three applicants and three vacancies.

Dora Martin-Jennings: Made a motion that the three applicants Sidney (Danny) Sanders, Daniel C. Burnett and Ed Greer be appointed to fill the three positions on the Airport Commission.

Kacie Petrie: Seconded the motion.

Chairman Tommy Sinclair pointed out that one member would be serving for a fifth term. Council tries to limit the terms to two but it can be approved by majority vote of Council. The vote on the motion was unanimous.

Chairman Tommy Sinclair stated Virginia Beahrs was next on the agenda but she was not present.

Mr. Stanley Smith stated he lives in a good neighborhood with good people but they have a dog barking problem. He suggested Council needs an ordinance to address the problem. They had contacted the Sheriff's Office, animal control, the magistrate's office, and the County Supervisor. He said they could not do anything because their hands are tied. A copy of a noise ordinance had been provided to Councilman Tommy Ford. Councilwoman Kacie Petrie asked where he lives and he responded it was at the upper end of the Mudbridge Road. Mr. Smith said it was not just one set of dogs and includes coon dogs.

Tommy Ford: Made a motion to refer the matter to the Planning and Development Committee. The motion died for lack of a second.

Councilman Ben Ivey stated they already have an ordinance in place pertaining to animal control. It says the powers and duties of the animal control officer are to respond to the complaints of whoever is complaining. The animal that is creating a nuisance whether it is chasing somebody or chasing automobiles or habitually causing a nuisance shall be deemed in violation and there is a penalty the animal control officer is able to issue. It shouldn't have to come back to Council as it is already in place. If the animal control officer takes the next step then this can be eradicated from that point. If the penalty is not paid then it can go the Sheriff and his deputies to take the next step above that. Chairman Tommy Sinclair stated the animal control officer had been out there and did some audio taping and possibly some video taping. Mr. Smith stated he had no objections to the people having dogs but they need to keep them quiet. Chairman Tommy Sinclair stated the night the animal control officer went out that there was not sufficient noise to warrant further action but he would get it looked at again.

Mr. Scott Austin as chief of Bonham Fire Department stated he along with Chief Jimmy Wilkins from the Jonesville Fire Department and several other fire departments had toured the Sloan Asphalt facility in November. They discovered they had a major problem. Sloan currently have two asphalt tanks that hold 2.1 million gallons of asphalt in each tank. They plan to expand by adding up to four more tanks which will hold 4.2 million gallons each. Bonham Fire Department nor any other fire department in this community has adequate equipment to extinguish a major tank fire at this facility. He said he had contacted Williams Fire & Hazard Control who looked at the facility and gave their recommendations. They do not have adequate water. They will need two thousand gallons a minute of water. They can acquire this from the sixteen inch water main on

COUNTY COUNCIL MEETING
FEBRUARY 8, 2011

Highway 18. He said he had spoken to Joe Nichols with the City and Robert Garner as EPD Director who both agree they have a major problem with water. They do not have the foam, trailer or nozzle monitor needed to extinguish such a fire. It was recommended they need 1300 gallons of foam. This would be raw material that would be mixed with water. Sloan told them they were issued a permit by the previous administration and if anything was wrong with the fire service or any problem whatsoever then they never should have been issued a permit. He told them Bonham Fire Department was not consulted by the previous administration when the facility was built to discuss what they were going to need. This problem can easily be fixed. Joe Nichols conveyed to him along with Robert Garner that he did not think the City Council would have a problem with paying for the installation of this hydrant. The cost of the hydrant is \$13,600. He stated they do not have the funds to purchase this. Mr. Austin said he hoped the County Council would step up to the plate and pay for the installation of this hydrant which should have been done before the facility was ever built. Councilwoman Kacie Petrie asked if the Council provides the hydrant, where is the foam coming from. Mr. Austin said he could call Williams Fire and they would bring him the foam. ISO requires the fire departments to have thirty to thirty five gallons of foam on the truck for each fire department. There are thirteen fire departments in the county. Councilman Ben Ivey felt Sloan should provide some funds to offset this expense to help provide fire protection for their facility. Sloan may need to provide the water prior to putting in four more tanks. Mr. Austin stated the foam would cost \$43,000. Councilwoman Kacie Petrie asked if a fire happened would it be self contained because it is in a tank. Mr. Austin stated it would go everywhere. Chairman Tommy Sinclair stated they are probably talking about the risk of a lightening strike. If the County buys the foam then the County owns it and not Bonham Fire Department and it would be considered a county wide asset. He had asked them to look at a Mutual Aid Agreement with Spartanburg County. Williams Fire can have foam delivered to Bonham Fire Department in an hour and a half to two hours. Councilwoman Kacie Petrie asked if they need to get together with the City to see what their plans are. Chairman Tommy Sinclair suggested taking it to the next step of investigation and Council felt Sloan should be approached about sharing the cost if they choose to expand.

Chairman Tommy Sinclair called for any committee reports. Councilwoman Kacie Petrie stated they had their first meeting of the Planning and Development Committee with the new committee assignments on February 3rd. They worked on some short and long term goals and will hold their next meeting on March 3rd at 4:00 p.m.

Councilman Ben Ivey asked if they had received a list of any roads for repaving or reworking. Chairman Tommy Sinclair said he had asked each Council Member to provide two roads in their district to be considered for "C" Funds. There have been calls about Maybeton Road, Old River Road, and Bowman Road. Chairman Tommy Sinclair asked if Council has roads with pot holes that need to be addressed. Flat Drive and Charles Walker Road were both mentioned.

Chairman Tommy Sinclair informed Council that Clerk of Court Freddie Gault is working on a 9-11 commemoration as it is the tenth anniversary coming up. They are trying to put together a collective ten year anniversary involving first responders and military activities. They are working on the initial plans now.

COUNTY COUNCIL MEETING
FEBRUARY 8, 2011

Chairman Tommy Sinclair stated the Council needs to elect a vice chair and called for nominations. Councilman Ben Ivey nominated Joan Little but there was no second. Councilman Tommy Ford nominated Kacie Petrie and Councilman Ben Ivey seconded the nomination. There were no further nominations and Councilwoman Kacie Petrie was approved as vice chair by a majority vote.

Chairman Tommy Sinclair stated the Council needs to appoint a clerk to council. Councilwoman Kacie Petrie nominated Linda Jolly and Councilwoman Dora Martin-Jennings seconded the nomination. There were no further nominations and Linda Jolly was approved as clerk to council by a majority vote.

Chairman Tommy Sinclair stated the average age of the attendants at the recycle centers is in the mid to upper seventies. He said they had an attendant end up in ICU in Spartanburg this past weekend with his third heart attack. Another attendant had his foot crushed because he could not move fast enough. They had a person with diabetes who had lost a leg.

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing the issuance and sale of General Obligation Bonds, Series 2011, of Union County, South Carolina, in the principal amount of not exceeding \$2,400,000; fixing the form and certain details of the bonds; authorizing the County Supervisor to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto.

Dora Martin-Jennings: Made a motion to adopt the ordinance authorizing the issuance and sale of General Obligation Bonds, Series 2011 as stated.

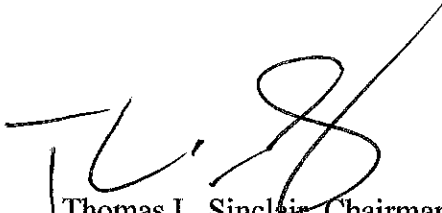
Kacie Petrie: Seconded the motion. The vote was unanimous.

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

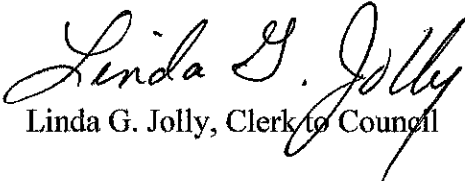
Kacie Petrie: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 6:16 p.m.



Thomas L. Sinclair, Chairman
Union County Council



Linda G. Jolly, Clerk to Council

**UNION COUNTY
FAIR HOUSING MONTH
APRIL 2011**

The State of South Carolina enacted the South Carolina Fair Housing Law in 1989. The Union County Council supports and promotes fair and equitable housing for all of its citizens. The council rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status in the sale, rental or provision of other housing services.

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