

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, OCTOBER 9, 2012 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chair Kacie Petrie, Councilwoman Joan Little, 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. 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 and asked for a moment of silence in memory of Mrs. Dora Martin-Jennings. Councilman Ben Ivey 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

District 2 - Vacant

Tommy Ford, District 3 - Present

Ben Ivey, District 4 - Present

Randall Hanvey, District 5 - Present

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 September 11, 2012, the special meeting of the Union County Council held on August 27, 2012, the special meeting of the Union County Council held on September 4, 2012 and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented service awards and gift certificates for Anne Dehart for 5 years, to Heather Sealy for 5 years, to Dorothy Rodgers for 5 years, for Nikia Brannon for 10 years, and to Sue Cudd for 15 years of dedicated service to Union County.

Chairman Tommy Sinclair stated next on the agenda was Howard Johnson to make a report on the cleanup at the old Buffalo Mill Site but he is not present. He said he had shared with the Planning and Development Committee a different proposal of the cleanup and purchase of the property but the reaction was not favorable. Chairman Tommy Sinclair stated he received a letter from DHEC that they were going to allow Mr. Johnson to open a pit behind the old warehouse to dump the blocks, bricks, mortar, concrete and that sort of stuff across the road. You would like to think that would speed up activity. Councilman Ben Ivey asked if the

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dump site was located on Mr. Johnson's own property and Chairman Tommy Sinclair responded that it was. Chairman Tommy Sinclair stated it takes a while to obtain the permit so Mr. Johnson had to have been seeking it for some time. Councilman Ben Ivey stated if there was discussion of a possible sell or purchase of the property that pit area probably could not be built on. Chairman Tommy Sinclair stated it would become part of the transaction if someone purchased the property. It is not structurally sound enough to build on top of it. Councilman Ben Ivey said you could build a ball field or playground on it but it could not support a structure for individuals because it is not sound enough. Councilman Ivey asked how large the permitted area would be and Councilman Tommy Ford stated it was probably close to an acre if that much. Chairman Tommy Sinclair stated the purchase of that property had been discussed for about five years. Councilman Randall Hanvey stated based on Mr. Johnson's last proposal to Council he did not think there was much chance of that happening right now. Councilman Ben Ivey said you would have to dig out the pit and haul the stuff off yourself if you were going to build on it.

Chairman Tommy Sinclair stated it was in the news that Monarch Mill had been sold to a salvage company out of Texas. Councilman Tommy Ford asked if they would be required to have a performance bond if they intend to tear it down. Chairman Tommy Sinclair said if they tear it down they would have to put up a performance bond.

Chairman Tommy Sinclair stated Council needed to consider the two vacancies on the Library Board. There was one application from William (Bill) Rochester.

Randall Hanvey: Made a motion to appoint Mr. William (Bill) Rochester to serve on the Library Board and to advertise the remaining vacancy.

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

Chairman Tommy Sinclair stated Council needed to consider appointments to fill three vacancies on the Alcohol and Drug Abuse Commission. There were six applicants who were Joseph Harper, Lynn Eaves, Charles E. Lott, Sr., William (Bill) Rochester, Chrystal West-Coffer, and Ron Williams. Chairman Tommy Sinclair stated there was another application that came in after the deadline but it would be up to Council if they wanted to consider it.

Councilwoman Kacie Petrie nominated Lynn Eaves.

Ben Ivey: Seconded the nomination.

Councilman Randall Hanvey nominated Charles E. Lott, Sr.

Joan Little: Seconded the nomination.

Councilman Ben Ivey nominated Joe Harper.

Randall Hanvey: Seconded the nomination.

There were no further nominations.

Tommy Ford: Made a motion to appoint Lynn Eaves, Charles E. Lott, Sr., and Joe Harper to serve on the Alcohol and Drug Abuse Commission

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

Chairman Tommy Sinclair presented a Corporate Partnership Proposal from the March of Dimes March for Babies. They requested a \$1,000.00 commitment from the County Council.

Tommy Ford: Made a motion to approve the \$1,000.00 request.

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

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Chairman Tommy Sinclair presented an Inducement Resolution identifying a project to satisfy the requirements of Title 12, Chapter 44 of the Code of Laws of South Carolina, as amended, so as to allow investment expenditures incurred by Lockhart Power Company to qualify as expenditures eligible for a Fee In Lieu of Tax Arrangement with Union County, South Carolina; and committing to enter into such necessary agreements with Lockhart Power Company to effectuate the intent of this resolution; and other matters related thereto.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the Inducement Resolution so as to allow investment expenditures incurred by Lockhart Power Company to qualify as expenditures eligible for a Fee In Lieu of Tax Arrangement with Union County.

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

Chairman Tommy Sinclair introduced in title only an ordinance authorizing the execution and delivery of a Fee-In-Lieu-of-Tax Agreement by and between Union County and Lockhart Power Company; and other matters relating thereto.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the Ordinance pertaining to a Fee-In-Lieu-of-Tax Agreement with Lockhart Power Company.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance to amend all prior Union County ordinances that create any criminal offense which is held to be in violation of Article VIII Section 14 of the Constitution of South Carolina so as to declare any violation thereof an infraction and to declare the conduct prohibited therein a public nuisance; and other matters related thereto.

Ben Ivey: Made a motion to accept second reading of the ordinance to amend all prior Union County ordinances that create any criminal offense as stated.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing pursuant to Chapter 44 of Title 12; Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Fee Agreement and a Special Source Revenue Credit Agreement between Union County, South Carolina, Belk, Inc., and 3805 Jonesville, LLC; and matters relating thereto.

Tommy Ford: Made a motion to adopt the ordinance providing for a Fee Agreement and a Special Source Revenue Credit Agreement with Belk, Inc. and 3805 Jonesville, LLC as stated.

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

Chairman Tommy Sinclair presented for second reading an ordinance authorizing a Fee-In-Lieu-of-Tax arrangement on behalf of Gestamp South Carolina, LLC, a South Carolina limited liability company, pursuant to a Fee-in-Lieu-of-Tax Agreement between Union County, South Carolina and the Company; and other matters relating to the foregoing.

Randall Hanvey: Made a motion to approve second reading of the ordinance pertaining to a Fee-in-Lieu-of-Tax Agreement with Gestamp South Carolina, LLC as stated.

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

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Chairman Tommy Sinclair stated that Mrs. Dora Martin-Jennings was the Council appointee on the Council on Aging and also was chairman of the Catawba Regional Council of Governments board. The bylaws for Catawba Regional Council of Governments board calls for the vice chair to take the chairs position which would leave a vacancy on that board. Council would need to think about which Council members they might want to appoint to those two positions.

Chairman Tommy Sinclair stated that during the meeting of the Planning and Development Committee he had discussed Work Ready Communities. South Carolina does not have any Work Ready Communities where some other states do. When you are trying to recruit industry do you have incentives and is one of those a work ready workforce. There is a total set of criteria that you are either declared a work ready community or you are not. Chairman Tommy Sinclair stated the County does not have to do this but it seemed beyond reason why you would not. There was a meeting on September 25th including educators, Commerce, Economic Development, USC-U, and Workforce Investment Board. It was led by Elizabeth Covacs from Columbia. This is a collective community effort involving education, government and industries. Chairman Tommy Sinclair said he could not see a reason not to be the first community in South Carolina to say we are work ready. We may not be but if we do not try to be then we certainly won't be. They began to develop a steering committee or implementation committee. The City Council, the Development Board, Chamber of Commerce, and School District are passing resolutions in support of this. The City Council will consider it at their next meeting but the others have adopted resolutions. It is a formal declaration to Columbia that we support this and are going for it. Chairman Tommy Sinclair asked the County Council to pass a resolution as well. He read the resolution resolving that Union County would support the application for and the activities required to become a certified Work Ready Community.

Tommy Ford: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution supporting the application for and the activities required to become a certified Work Ready Community.

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

Chairman Tommy Sinclair stated the other items he had to discuss needed to be done in executive session.

Chairman Tommy Sinclair said Councilman Ben Ivey wanted to bring up the Carlisle Fire Department. The chief and assistant chief were present but the Board Chairman Mike Spencer was not. Councilman Ben Ivey said they had approached Council some time back interested in building a fire department in the Carlisle area. He asked Chief John Glenn where they stand with the Town of Carlisle now. Mr. Glenn said the building they use to house their equipment belongs to the Town of Carlisle. The fire department does not have a building of their own and he said they could not continue to run a fire station out of the back of the Town Hall. Councilman Ben Ivey said they came before needing some property and they have now purchased property in the County's name. Now they want to know where they go from here to start building a fire department. They already have their plans and have three bids from local contractors. Mr. John Glenn asked what would be the next step or can they start building a station. Councilwoman Kacie Petrie asked if the property is located inside the town limits of Carlisle would the Town of Carlisle be backing this fire department any at all.

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They collect tax dollars inside the town limit and the fire department would be stationed inside those town limits servicing that area. Would they financially be backing them in any way? Chief John Glenn said the fire department does not belong to the Town of Carlisle. The Town gave up the fire department some time ago and it was created as a fire district that belongs to the County not the Town. The Town of Carlisle would not be responsible for any of this. Everybody in the district including the people in the Town of Carlisle would have to pay their share of the taxes for the fire district. Councilwoman Kacie Petrie said she thought they already pay a hefty tax and she did not know if some of those tax dollars could go to help with the fire district. Chief John Glenn stated that is what supports them now. They only get \$12,000.00 a year. Councilwoman Kacie Petrie stated that was from the County taxes for the fire district and she was asking if they get anything from the Town of Carlisle. Chief John Glenn stated they did not. Chairman Tommy Sinclair asked, in the Carlisle Fire District as it exists today, if there was a house on fire in the center of the Town of Carlisle then who responds. Chief John Glenn stated it would be the Carlisle Fire Department. Chairman Tommy Sinclair asked if there was a Town of Carlisle fire truck and Chief John Glenn responded that there was not. Chairman Tommy Sinclair asked if there was one that was not functional but still belongs to the Town of Carlisle and Chief John Glenn responded no. Chairman Tommy Sinclair asked if there was not even a truck down there anymore. Chief John Glenn asked if he meant one that belonged to the County and Chairman Tommy Sinclair asked if there was one that belonged to the Town. Chief John Glenn stated the one truck that the Carlisle Fire Department has was purchased by the Town of Carlisle and was given to the fire department because the Town no longer has a fire department. Chairman Tommy Sinclair stated the City of Union does not have a separate fire tax for fire protection. It is part of their total taxes. The question was if you live within the Town limits and you pay that tax then would the Town assist the total fire district in building this fire station. Would the Carlisle Town Council give the fire district some part of what they collect in town limit taxes? Chief John Glenn stated everyone inside the town limits already pays the Town taxes and the fire district taxes. Councilman Ben Ivey asked if the Town taxes are for fire protection but they are not offering fire protection. Chief John Glenn stated the Town does not collect a fire tax inside the town limits. Councilman Randall Hanvey asked if they get a fire station would the Town of Carlisle give the Carlisle Fire District a percentage of taxes being collected to protect the Town of Carlisle or would they get that protection at no extra cost. Chief John Glenn stated the people within the Town limits are paying the fire district taxes. Chairman Tommy Sinclair asked Tax Assessor Susan Hanvey if the Town of Carlisle is located within the legalized definition of the Carlisle Fire District boundaries and Mrs. Hanvey replied that they are. Then everyone within that fire district is taxed for the amount of millage set for the district regardless of whether you live in the town limits or not. Chairman Tommy Sinclair asked if that tax base could support payments for a \$250,000 building. Chief John Glenn said it would not at the tax rate they are at now. Councilman Randall Hanvey asked if the taxpayers in the Carlisle Fire District would be willing to raise their taxes to the amount it would take to fund building that station. Chief John Glenn said that is where the public hearing would come in. Councilman Randall Hanvey asked if they had held a public hearing. Chief John Glenn said yes they had but they had not had anybody to say no they would not support it so far. He said they had been discussing it with people in the community and some on the outside of the community. Councilman Ben Ivey asked what the tax millage was now for the Town of Carlisle and Mr. Glenn responded he thought it was 13 mils. Councilman Ben Ivey asked if it was not going to take an additional 30 mils to pay for the new building

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which would be a total of 42 mils. Chief John Glenn said that would depend on how long you wanted to stretch out the years for the payments and how many mils you would need. Councilman Randall Hanvey said it could only be stretched out so far and that is pretty predetermined. Chairman Tommy Sinclair said influencing factors were that you have to borrow the money to build it or Council has to give it to them or somebody out in the audience does. When you go to sell a bond the folks that buy it want to know you have the ability to pay it back. Can Carlisle sustain a bond payment and what millage would it take to sustain it? Chairman Tommy Sinclair said they talked with two attorneys from the McNair Law Firm in his office one day to get these questions answered. County Auditor Brad Valentine helped try to determine that. What if Cone Mill closes then what would that do to them. Chief John Glenn said it would not affect them since they do not pay them any fire taxes. Chairman Tommy Sinclair said there was an agreement signed with Cone Mill that said they would provide water and sewer to the Town of Carlisle but they did not want to pay fire taxes. That agreement still stands. How do you count Webb Forging? Those questions have to be answered to determine if they can pay back the money. They came up with 30 mils that it would take to pay off that debt based on how much a mil would generate in that district. Part of Carlisle Fire District is part of the Sumter National Forest and as such there is no property tax generated for that area. Should Carlisle get a disproportionate amount of that money back? Chief John Glenn said the Sumter National Forest covers 53,000 acres that was inside their district. Chairman Tommy Sinclair stated they determine what comes back to the County based on what they sell. The School District gets roughly half and the County gets half of the revenue generated off the timber sold the previous year. How do you figure out fairness in this situation? Chief John Glenn said fairness to what. Chairman Tommy Sinclair said fairness to the rest of the County. Councilman Randall Hanvey asked if the estimated additional 30 mils needed to pay off a \$250,000 fire station was based on the new fire district boundaries and Chairman Tommy Sinclair said yes. Chairman Tommy Sinclair said they were looking at what millage would need to be raised for the new fire department. Councilman Randall Hanvey asked if the new boundary lines increase the fire district's fire taxes and Chairman Tommy Sinclair stated it does. Chairman Tommy Sinclair asked if the Town Hall building was available to the Carlisle Fire Department or not. He said Mr. Glenn had told him they do not always agree on the utilization of the Town Hall building. Chief John Glenn said his stuff is on their stuff and their stuff is on his stuff. Their stuff gets missing and his stuff gets missing. They cannot continue to be there. Councilman Randall Hanvey asked where they house their truck now. Chief John Glenn stated it was inside the Town Hall building but a new truck would not fit in there. Chairman Tommy Sinclair said he understood Mr. Glenn was asking about the next step. Chairman Tommy Sinclair asked Mr. Glenn if his plans for the new fire station were pretty current and Chief Glenn responded they were. Chairman Tommy Sinclair stated they need to take those plans to the Building Inspector for approval. At the same time they need to reassess with the attorneys what it would take to support the payoff of the loan. He asked who pays the insurance costs for Carlisle Fire Department. Chief John Glenn said right now the Town of Carlisle does not charge them for anything such as power, water, phones, insurance or anything. Chairman Tommy Sinclair stated there were some operational costs that would come with the new building. Councilwoman Kacie Petrie asked if there was a vacant building that could be moved from one site to another, then could the County do that if the County had some rights to that building. Councilman Ben Ivey stated the plans would have to be approved by the Building Inspector. They would still have to make sure the power, water, insurance and all is

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covered so then the costs would be greater than what he has now. Chief John Glenn stated he was about burned out as he had been trying to get this done for the longest. Every time he comes up here it is always something different. He asked if there was anybody with the County who could handle this so he would not have to do it. Is there somebody who could tell him what they need to do and what the next step is? It does not make any sense, not when it is a volunteer that is doing it for free. He said it did not look like he could get any support to help do the job he does for the County for free. What would happen if they quit volunteering until we come up with a solution to this problem? He said he was tired of asking. Chairman Tommy Sinclair asked Mr. Glenn how long he had the plans and Chief John Glenn replied he had them for probably about three years now. Councilwoman Kacie Petrie asked if they could look into whether there was an existing building that could be moved to that land. Chairman Tommy Sinclair said they could look at one but he did not think that was what Chief Glenn was driving towards. Councilwoman Joan Little said it would probably cost more to move one than it would to build. Chief John Glenn said at this point if they found a decent building that could be moved and the County would put it there then they would use it. Chairman Tommy Sinclair stated, if County Council chose to, they could make a motion with a second and a majority vote then they could walk away with a commitment that the County would buy them a building tonight. He did not know if that was going to happen or not. Without the County doing it, then the fire district has to fund it which would be the next step. Chief John Glenn asked why they could not do it the way all the other fire districts have done it. They did not come through the County government. They used a leasing company to build their fire stations so why can't they. Chairman Tommy Sinclair told him they could if they can find someone to lend them the money. Chief John Glenn said, if he was not mistaken, they had someone that would give them the money but Mr. Sinclair told them that it was not the way to go. Chairman Tommy Sinclair asked who they had that would give them the money. Chief John Glenn said they had a leasing company out of Spartanburg that was going to loan them the money to build the station but Mr. Sinclair told them they would be better off if they were under the County. Chairman Tommy Sinclair told him he would have to show him that for the record. If they can get the money then go get it. That is what the other fire districts have done. Chief John Glenn said the other fire districts were able to obtain these loans for their station and held their public hearing for their tax millage increase. That is the way they did it. Councilman Randall Hanvey said they are talking about building a station that they don't even know if the people in Carlisle will support as far as raising the taxes to build it. He asked if they could not have a public hearing to see if the people are in favor of raising their taxes by 30 mils. He told Mr. Glenn he was asking County Council to do something he was not sure they had the support from the taxpayers to do. He said he had no problem voting for them a fire department if they have the support of their community to pay for it. Chief John Glenn said they could do that. If they cannot build a fire station and the Town decides to put them out then what would he do with the trucks and the equipment that belongs to the fire district. Would they have to leave it on the side of the road? Councilman Randall Hanvey stated he could not answer that for him. What he wants to know is how to get a fire department and he was saying the first thing they need to do is show they have the support of the community before he could vote to say he would support raising the taxes that much. He said he did not know why they would not support it because it is protection for their homes if something does happen but he could not do it without them saying yes they support it. Chief John Glenn asked if they are saying the next step is a public hearing. Councilman Randall Hanvey said that would help him. Councilman Ben Ivey

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suggested they get their plans worked on while they get the public hearing scheduled. Chairman Tommy Sinclair said he would go even further to the extent that it would include the ability to support the repayment of the loan. He said they need to sell this to the taxpayers that the fire protection could result in lower insurance costs. It could mean higher taxes for the fire district but their insurance rates could go down. Chief John Glenn said he had done that already. If the Council wants a public hearing they can hold it right here in the courthouse so whoever needs to could come and speak. Councilman Randall Hanvey said he had no problem holding one for them but if they have no more people show up to represent the community than what is here tonight that still would not be a fair representation of the taxpayers. If they want to hold a public hearing then the room should be full and running over with people from that community because that is who would be paying the taxes. Chairman Tommy Sinclair said he would ask the lawyers from McNair Law Firm to come back if Mr. Glenn would promise him that he and Mike Spencer would attend the meeting and listen to what they have to say. They could have absolute understanding of what the true next step is to go in debt for a quarter million dollars and pay it off. Chief John Glenn said it did not matter how much it cost because they do not have a fire department. The Town of Carlisle owns the building and if the Mayor were to tell them to get out then what would he do. He asked if he could pile the stuff up in the Courthouse parking lot and Chairman Tommy Sinclair said he did not think so. Chief John Glenn said he needs a station and it does not have to be this expensive. Councilman Randall Hanvey asked if he could have a station and it not cost 30 mils then that is what he would like to see. He asked the value of a mil in the Town of Carlisle but no one had the answer. Chief John Glenn said he knew they only collect \$12,000.00 a year which is the lowest in the County. Chairman Tommy Sinclair asked if he was sure it was the lowest and Mr. Glenn replied yes. Ms. Ann Stevens said they had to get the mindset out of their heads that it is not just the incorporated part. The people that live outside the Town are a part of this. Chief John Glenn said it includes part of Santuck and goes all the way to Whitmire. Ms. Ann Stevens said all those people have to come into this picture. She asked Chief John Glenn and the assistant fire chief, who are both currently serving on the Carlisle Town Council, if they could get with the Mayor and allow the public hearing to come to the Town Hall rather than at the Courthouse since that is where it needs to take place. Chairman Tommy Sinclair asked the Fire Chief and Assistant Fire Chief if they both are on the Carlisle Town Council and they stated they are. Chief John Glenn said that was the only reason the Mayor had not put them out. Ms. Ann Stevens stated when it became a fire district and was no longer under the Town of Carlisle that is when the whole scenario changed. They have been at the mercy of the Town of Carlisle since that time. It is way past time for something to come into perspective to allow them to get the fire station. Councilman Ben Ivey said he did not know if there was a building available or what Councilwoman Kacie Petrie might have been alluding to but if something is possible and can be moved reasonably he did not know if he would not consider locating it outside the Town limits. You could use it as a satellite building and that would provide them a place to go if need be and at least enlarge your footprint to give more protection in other areas. Then you could do a nicer station a little later. At least it would give them something they could house their trucks in. Chief John Glenn asked why you wouldn't want to build your station where your volunteers are. If you put it on the outside of the Town limits you wouldn't have any volunteers out there. Councilman Ben Ivey said most fire districts have satellite stations to house their trucks to get more coverage area. Chief John Glenn said they hardly ever use them and they always run from the main station. Councilman Ben Ivey said if the Town of Carlisle puts them out then

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at least they have a building to put a truck in. Chairman Tommy Sinclair said somehow the Town of Jonesville and that surrounding district cooperate and he wished Carlisle could too. Chief John Glenn said they do but he could not expand or modify the Town building. Chairman Tommy Sinclair asked if he was really concerned about being kicked out of the Town Hall building. Chief John Glenn said he did not think the Mayor would really throw them out but they can no longer operate there. Chairman Tommy Sinclair said he understood they were constrained by size and other considerations. Mrs. Curtis Hunter asked the Town Councilmembers/volunteer firemen where the whole Town Council and Mayor stand in the equation. Chairman Tommy Sinclair stated he had separate conversations with some of them but they would have to speak for themselves. Chief John Glenn said when he came to talk about the fire district he did not come as a Town Councilmember because the Town of Carlisle does not have anything to do with the fire department. The fire department belongs to the County. The Town belongs to the Town of Carlisle. This is separate business from the Town. Mrs. Curtis Hunter said she was thinking why not do like Santuck Fire District but was not sure if that would work. Chairman Tommy Sinclair said that Carlisle is an incorporated municipality and this incorporation has a lot of independence. Ms. Ann Stevens said you would have to disregard the incorporated part. As far as they are concerned they would be just like Santuck who are not incorporated. That is where the fire department is now and they are no longer a part of the Town of Carlisle. Councilwoman Kacie Petrie stated the citizens inside the Town limits pay a higher tax than the people outside the Town limits and she understands it is a hefty tax. You are talking about adding to that tax for the fire department. Chairman Tommy Sinclair stated the County tax would not increase but rather the fire district tax would increase. Ms. Ann Stevens said if the Council was willing to come to the Carlisle Town Hall to hold the public hearing then that is how it should be handled so more citizens from that area could attend. Council members stated they would have no problem coming to the Town Hall for the public hearing but the purpose of the public hearing is for the citizens of the Carlisle Fire District to decide whether they are agreeing to do it or not. It would not have anything to do with the County until they decide yes or no. Chairman Tommy Sinclair stated the County Council could not call a public hearing. Councilwoman Kacie Petrie stated that Councilman Ben Ivey was talking about having a satellite station for the Carlisle Fire District because wherever that fire department sits you have a five mile radius and that is who benefits from the ISO rating. If you put it in the center of the Town of Carlisle then they will benefit but anyone outside that five mile radius will not benefit. Councilman Ben Ivey said if you call Town Hall the home station and you put a satellite station out there then you cover more people in the area. Chief John Glenn said you have to have a main station before you have a base station. Why would they build a base station when they do not even have a main station? Councilman Ben Ivey said they were calling the Town Hall building their main station now and you could work up a written agreement with the Town to stay there until you can build one. At least that would give them another building and they would have their truck somewhere close. Chairman Tommy Sinclair stated if they could maintain what they have in the Town of Carlisle and have another building then you would have extended the fire district coverage area. They would be providing fire protection to the degree that they could and probably would decrease insurance costs. Chief John Glenn asked if they put the one base station where they want to put it they could not cover everyone within five miles because ISO says it has to be road miles. Chairman Tommy Sinclair said regardless of how you measure it you can provide an extended amount of coverage in that area if they could maintain what they have now as a base station and build a substation or if

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you build a main station and call the other one a substation. Chief John Glenn asked what they would do with the land they have already paid \$18,000.00 for. Councilman Tommy Ford said they could use it in the future. Councilman Randall Hanvey suggested getting something on the outskirts if they could work out an agreement with the Town of Carlisle. He said they were not talking about building the station they have the plans for but somewhere to house another truck that would make the area they cover broader because of the substation. Then they could always use the land they have to build a new station on. Councilman Randall Hanvey said he was willing to vote for them to get that station they want to build if two things happen. The people in that fire district say they will support the tax increase and the fire district can show him they have the tax base to pay that loan back. If they can do those two things, he said he would vote for it tonight. Chief John Glenn said he felt that if they are a County fire department then the County should build them a County fire department. Councilman Randall Hanvey stated the County does not build fire departments. Chief John Glenn stated they provide fire service and they don't have a building and the County does not build fire departments. He said they were either going to have to get married or get separated. Councilman Ben Ivey stated the Council has to answer to the taxpayers to spend money and if they cannot reasonably see how they are going to pay it back then they are going to want to know why they spent the money. Chairman Tommy Sinclair said a lady from Pennsylvania called him wanting to donate an acre of land in Maybinton to the County and her only stipulation was that her father would get some recognition. He asked her to send him an email to that effect. The southern end of the County needs to be covered however it can be covered. Chairman Tommy Sinclair asked Development Board Director Andrena Powell-Baker how vacant Cone Mill is. Mrs. Powell-Baker stated it was probably 75-80% vacant. Chairman Tommy Sinclair said he did not think it was inconceivable that something could not be arranged down there. What they are trying to do is provide fire service and decrease insurance rates. People may be willing to pay more in fire taxes if it would mean lower insurance rates. Councilman Randall Hanvey stated the County does not have the money to build Carlisle Fire District a station. If they did then all the other fire districts would expect the same. He said they might want to look at a lease option if that is what they want to do. Councilman Ben Ivey asked how they would pay for it. Chief John Glenn asked if there were any road blocks with the County if they go that way. County Attorney Sammy Diamaduros said in the past he had gotten calls about the County borrowing the mortgage on the property. The County cannot mortgage property. Other fire departments have mortgaged, done lease options and things of that nature. The County did not do it. He said he was clear with Carlisle Fire District that if they go out and get the money on their own then they can do it. Lawyers he has talked to say they should get the County's approval. If it is done by the County then it has to be done as a bond or some approval for the lease option with McNair telling us how to do the millage and things of that nature. If the fire district wants to borrow money on a mortgage then the County is not going to sue to stop them but he did not know if they could get an attorney to do it since it is not the right way to go about it. Councilman Randall Hanvey asked Mr. Glenn if they went through a lease company how they would pay back the loan. Chief John Glenn stated they would increase tax millage. County Attorney Sammy Diamaduros stated if it comes through the County they would have to go through a much more legal process. Chairman Tommy Sinclair suggested they get their plans somewhat validated and then commit to listening to Dan McLeod with the McNair Law Firm about the true financial landscape. Then when they have the hearing they would know what to say to the people who ask the financial questions. Chairman Tommy Sinclair asked Chief

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John Glenn if he would listen to the bond attorney and get Mike Spencer to listen to him also. Mr. Glenn said he would and asked if that would get him a fire station. Chairman Tommy Sinclair said he could not guarantee it. Councilman Randall Hanvey said it would give Mr. Glenn a better understanding and a more precise number he can go the taxpayers with. Chairman Tommy Sinclair stated a mil for the tax district is different from a mil for the County. The millage in the Carlisle Fire District does not generate nearly what a mil across the County generates. Councilman Randall Hanvey stated they need to know what dollar amount effect the increase will have on people's taxes. Councilman Ben Ivey asked if all the people in that area could afford that. Chief John Glenn stated that was the County's job to figure that out through the Auditor and tell him what the millage is. Councilman Ben Ivey said the County could not just raise their taxes just because they want to. Chief John Glenn said the questions they are asking him the Auditor should be able to answer. All he is doing is asking for support and help people protect their property. He said he could not continue to fight fires out of the back of the Town Hall. Either he has to have a fire station or he has to quit serving the people with fire protection. The County is going to have to do it because he is not going to do it. Councilman Ben Ivey said Mr. Glenn still needs to talk to the people who would be affected by it so they would understand how much their taxes are going to go up and that their insurance rates might come down. Chief John Glenn said they would do that. Councilman Randall Hanvey said there are a lot of retired people in that area that live on fixed incomes. Ms. Ann Stevens said she wanted to be a part of whatever transpires and asked the entire Council to attend the public hearing. Councilman Randall Hanvey said he did not think Council would have a problem attending to answer any questions but it would be the people that live in the fire district that would have to decide. Chairman Tommy Sinclair said that was ultimately whose hands it is in to say yes or no.

Chairman Tommy Sinclair said the other items he had would need to be discussed in executive session and that they were legal and personnel matters.

Ben Ivey: Made a motion to go into executive session for the purposes stated.

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

The Union County Council went into executive session.

Chairman Tommy Sinclair stated they had come out of executive session and that no votes were taken.

Chairman Tommy Sinclair introduced a resolution to set the tax millage for 2012. He stated the millage did not change from last year.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution setting the total County tax levy at 132.9 for 2012.

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

Kacie Petrie: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 8:59 p.m.

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Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council