

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL  
TUESDAY, DECEMBER 10, 2013 AT 5:30 P.M.  
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chairman Tommy Ford, Councilwoman Joan Little, Councilman Frank Hart, Councilman Ben Ivey, Councilman Randall Hanvey, Councilwoman Kacie Petrie, 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. Ray Treadway, 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 followed by the Pledge of Allegiance.

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

Joan Little, District 1 - Present  
Frank Hart, District 2 - Present  
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 November 12, 2013, the minutes of the special meeting of County Council held on November 26, 2013 and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing pursuant to Title 12, Chapter 44; Title 4, Chapter 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 amendments to certain Fee-In-Lieu of Taxes and Special Source Revenue Credit Agreements for Belk, Inc.; and matters relating thereto.

Ben Ivey: Made a motion to adopt the ordinance pertaining to amendments to certain Fee-In-Lieu of Taxes and Special Source Revenue Credit Agreements for Belk, Inc. which had previously been referred to as Project Modern.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance to repeal, revoke, rescind, and replace all of the current provisions of Chapter Twenty Nine of the Union County Code of Ordinances entitled Vehicles for Hire; and other matters related thereto. Council had discussed and agreed during the meeting of the Committee on County Administration and Finance to use the same fee

COUNTY COUNCIL MEETING  
DECEMBER 10, 2013

schedule as the South Carolina Highway Patrol. The committee had suggested the ordinance state the County would mirror the Highway Patrol rates.

Ben Ivey: Made a motion to adopt the ordinance pertaining to Vehicles for Hire as stated and amended.

Tommy Ford: Seconded the motion.

Councilman Frank Hart asked that the Charges Accrued for Towing under Chapter Twenty Nine state that Union County adopts the fee schedule established by the South Carolina Highway Patrol so that if they change it we do not have to amend our ordinance. The vote on the motion was unanimous.

Chairman Tommy Sinclair presented for third and final reading an ordinance repealing, and replacing all current provisions of Chapter Five of the Union County Code of Ordinances entitled Animals and Fowl; and other matters related thereto. Councilman Frank Hart requested delaying the adoption of this ordinance as he had some questions concerning the penalties. He asked that it be referred to committee prior to third reading. Councilman Randall Hanvey suggested Animal Control Officer Heather Sealy and the County Attorney attend that committee meeting.

Frank Hart: Made a motion to refer the Animal Control Ordinance to a committee.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing the execution and delivery of a Fee In Lieu of Tax Agreement between Union County and Sonoco Plastics Inc. with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, and other matters relating thereto.

Ben Ivey: Made a motion to adopt the ordinance pertaining to a Fee In Lieu of Tax Agreement with Sonoco Plastics Inc. as stated.

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

Jessica Gallman with the Union County Recreation Department announced the winners of the Christmas Lighting Contest. In the Elegant Category first place was awarded to Danny Inman and Jerry Christenbury, second place was awarded to Buck and Kim Peay, and third place was awarded to John and Martha Walton. In the Creative Category first place was awarded to Paul Burgess, second place was awarded to Joe and Sandy Wade, and third place was awarded to Clyde Seymore.

Chairman Tommy Sinclair stated next on the agenda was to consider vacancies on boards and commissions. He stated there had been discussion about how you align the appointments to the boards and commissions. The recommendations for appointments for the Fair Board which are coming up would be from the Chair of Council, the Councilmember from District 2, the Councilmember from District 4 and the Councilmember from District 6. Two appointments would be for one year and two appointments would be for three years to put them in line with the Councilmember's term. There are three upcoming vacancies on the Airport Commission which would be recommended by Councilman Frank Hart for a three year term, the Chair of Council for a one year term, and Councilman Ben Ivey for a one year term. Dr. Mahan was appointed in March of 2013 before the new ordinance was adopted. It was suggested Councilwoman Joan Little accept Dr. Mahan as her recommendation since his term would run the same as her term. Council stated the vacancies would need to be advertised.

Chairman Tommy Sinclair called for any elected officials or department heads who wished to address Council.

COUNTY COUNCIL MEETING  
DECEMBER 10, 2013

Chairman Tommy Sinclair stated Sheriff David Taylor had told him the jail population was much more manageable than what it was.

Mr. Ronnie Wade stated UCARE was doing the Twelve Days of Christmas again this year and half the proceeds would go to help Meals on Wheels and the Wallace Thomson Hospital Foundation. They are selling the County caps and half of that money would be divided up the same way. They sold out for the Chicken Stew fundraiser.

Chairman Tommy Sinclair stated the imminent domain process for the clear zoning at the airport is near completion. Clerk of Court Freddie Gault stated they were waiting for a special referee to have a hearing.

Chairman Tommy Sinclair called for any committee reports.

Councilman Tommy Ford as Chair of the Committee on County Administration and Finance stated the Committee recommends going ahead with the Christmas bonus for the County employees this year.

Ben Ivey: Made a motion to accept the recommendation of the Committee on County Administration and Finance to approve the Christmas bonus for the County employees this year.

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

Councilman Tommy Ford as Chair of the Committee on County Administration and Finance stated the Committee recommends opening all recycling centers for one more day based on the proposal presented.

Ben Ivey: Made a motion to accept the recommendation of the Committee on County Administration and Finance to open all recycling centers for one more day based on the proposal presented.

Frank Hart: Seconded the motion.

Councilman Randall Hanvey asked where the money was coming from to pay for it. Council Chairman Tommy Sinclair stated comingling resulted in going from needing three trucks a day to one truck a day. Fuel costs were reduced as well as maintenance costs and capital expenditures. This should provide more than the \$32,000 needed to implement the additional day a week. Councilman Randall Hanvey expressed his concern in whether it was likely the County would be reimbursed by Wallace Thomson Hospital. If it is not reimbursed then the budget would result in a \$500,000 deficit. Councilwoman Joan Little said the smaller sites would be open another day but they were cutting the hours of operations resulting in a loss of three hours on the day and the sites would be closing at 6:00 p.m. Councilman Randall Hanvey stated he did not see how the County could spend this money since it should be held in reserve in case the County does not receive the reimbursement from Wallace Thomson Hospital. Councilman Frank Hart asked Chairman Tommy Sinclair if we would be okay on our budget without the reimbursement. Councilman Randall Hanvey asked if we could balance the budget and Chairman Tommy Sinclair replied absolutely not. Chairman Tommy Sinclair stated it was intended that the meaningful use money to Wallace Thomson Hospital from the Federal level would be used as the repayment money to the County. The hospital is financially fragile and there are initiatives being considered. The hospital is a key component to the livelihood of this County. Councilman Randall Hanvey stated this would be the third time that Council would have changed the hours of the recycle centers since they all voted unanimously to change it to start with to save the money. Councilman Frank Hart stated he was correct from a financial sense but opening the recycling centers more days is what the people want. Chairman Tommy Sinclair stated at some point they would be asking the taxpayers to finance a new jail. Councilman Randall Hanvey stated that as desperately as we need a new jail, if you

COUNTY COUNCIL MEETING  
DECEMBER 10, 2013

asked the people about raising their taxes to build a new jail what would the outcome be. Council agreed the answer would be no. Chairman Tommy Sinclair stated they need to look at a sales tax specifically for capital improvements.

The vote on the motion resulted in four (4) Councilmembers voting in favor of the motion and two (2) Councilmembers (Councilman Randall Hanvey and Councilwoman Joan Little) opposing.

Councilman Tommy Ford as Chair of the Committee on County Administration and Finance stated the Committee recommends allowing the Supervisor to get bids on the exhaust system at the jail at the request of Sheriff David Taylor. Chairman Tommy Sinclair stated it was to have an investigative study done to see what needed to be done to correct the problems.

Ben Ivey: Made a motion to move forward to have the study done.

Frank Hart: Seconded the motion. The vote was unanimous.

Chairman Tommy Sinclair stated they needed to look at putting Hodges Road on the "C" fund list and to ask the "C" Fund Committee to look at Worthy and Candice Circle to be considered.

Frank Hart: Made a motion to do that.

Ben Ivey: Seconded the motion. The vote was unanimous

Randall Hanvey: Made a motion to bypass the ordinance requirement to bring job vacancies before the Committee on Personnel, County Offices and Departments for the Delinquent Tax Office and the Probate Judge's Office since they are not new positions being created.

Ben Ivey: Seconded the motion.

Chairman Tommy Sinclair stated the motion was to allow for the replacement of the vacant position in the Delinquent Tax Office and allowing the Probate Judge to hire temporary help for her office. Councilman Frank Hart asked if the motion was specific to those two positions and Councilman Randall Hanvey replied that was correct.

The vote on the motion was unanimous.

Chairman Tommy Sinclair stated the Committee on County Administration and Finance had discussed the Stadium Commission's effort to get a committee to work with them on the future of the stadium. They requested the committee consist of two members from County Council, two members from City Council and two members from the School Board. Chairman Tommy Sinclair appointed Councilman Ben Ivey and Councilwoman Kacie Petrie to serve on the committee from County Council. There was also discussion about doing a feasibility study pertaining to dressing rooms and/or restrooms at the stadium.

Councilman Frank Hart stated they had never formally commissioned the Animal Control Officer. Chairman Tommy Sinclair stated she would be sworn in tomorrow morning.

Chairman Tommy Sinclair called for any new business.

Councilwoman Joan Little asked that the pictures of County Council be put back up on the wall in the Grand Jury Room even if they have to purchase new frames that match.

Chairman Tommy Sinclair presented an audit for the Union County Development Board for Council's review and approval.

COUNTY COUNCIL MEETING  
DECEMBER 10, 2013

Frank Hart: Made a motion to accept the audit as presented.

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

County Attorney Sammy Diamaduros stated the County had agreed to take two houses from Mr. Burton in Buffalo. Based on the initial title search, the mortgages should probably be satisfied. He clarified that there were three lots and not two and they are all in the process of being condemned. Councilman Tommy Ford stated Mr. Burton had asked the County to take the property before they went through the condemnation process. Councilman Randall Hanvey stated they should be careful in the future because this is creating an expense to the County of \$3,000 to \$5,000 to tear down the houses. Councilman Tommy Ford stated there had been some interest in the property and once the County has cleaned it up they could consider selling them to help cover our expenses.

Chairman Tommy Sinclair presented the Council meeting dates for calendar year 2014. The second Tuesday in June falls on the date for the Primary and the date in November falls on the holiday for Veterans Day. Council agreed to move those two dates to the third Tuesday of the month which would be June 17, 2014 and November 18, 2014. Council agreed to make the same adjustments in the following years where these conflicts occur.

Councilman Tommy Ford said he had some people express their concerns that the recycle centers would be closed during the Christmas holidays. Chairman Tommy Sinclair suggested the centers be open the Thursday and Saturday after Christmas which would result in paying the attendants at those sites holiday and overtime pay.

Tommy Ford: Made a motion to formalize that suggestion.

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

Randall Hanvey: Made a motion to adjourn the meeting.

Ben Ivey: 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