

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, DECEMBER 13, 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, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly
Absent: Councilman Randall Hanvey

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. 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 - Absent
Kacie Petrie, District 6 - Present

Tommy Ford: Made a motion to approve the previous minutes of the regular monthly meeting of the Union County Council held on November 8, 2011, the special Council meeting held on November 2, 2011 and to adopt the minutes as written.

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

Chairman Tommy Sinclair stated that next on the agenda was presentation of service awards. He recognized Cecil W. Comer for 5 years of dedicated service, Michael E. Savage for 10 years of dedicated service, Jackie V. Boulware for 10 years of dedicated service, Myron W. Harris for 20 years of dedicated service, William E. Holcombe for 20 years of dedicated service and Rebecca R. Cobb for 30 years of dedicated service to Union County. The recipients are provided a service award certificate and gift card in appreciation for their years of service.

Heather Randall with the Recreation Department awarded prizes for the Christmas House Lighting Contest. There were ten entries in the elegant category and twelve entries in the creative category. In the creative category Clyde Seymore won first place, Sandy and Joe Wade won second place, and Russ Sanders won third place. In the elegant category Tracy

COUNTY COUNCIL MEETING
DECEMBER 13, 2011

and Lori Sanders won first place, Rufus Walton won second place, and Paul Burgess won third place.

Mr. Phillip Arnold addressed Council about his concerns for Union County baseball and softball. He thanked County Council for their efforts last year to secure a quality place for the high school team to practice and play their games. He said they had spoken to the School Board about the baseball program and urged them to consider building a practice facility on school property in hope of turning it into a long term playing facility but this did not happen. Mr. Arnold recognized this was not Council's concern but was the School District's responsibility. He proposed to Council that they allow practice on the Timken field with the following guidelines: 1) Require all field work to be done by the high school players, baseball and softball, with supervision coming from Timken managers. This includes field maintenance before and after each practice on any field, cleaning and sweeping out the dugouts, watering and any other general use maintenance and preparation before all home games. 2) During batting practice the team is to provide a cover to protect the area around the plate and also a pitching platform to protect the grass between home plate and the pitcher's mound and use a batting cage to prevent balls from traveling outside the field that may damage the press box. 3) Rotate fields as necessary to keep from overuse of any one field. 4) Form a field committee consisting of county employees, Council Members, coaches and/or 3rd party individuals to evaluate the field on a weekly basis to assess if the field is getting too much use and/or damage and make a judgment whether to continue allowing practice. He asked that at the very least the County open up the stadium and prepare the infield for use so the team can get work on a grass infield. Councilwoman Joan Little stated that if the school leaders do not want to use that and they have scheduled it somewhere else then the coaches have to go by what the school has scheduled for them to use.

Chairman Tommy Sinclair stated Council needed to consider a vacancy on the Alcohol and Drug Abuse Commission.

Dora Martin-Jennings: Made a motion to advertise the vacancy.

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

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

Chairman Tommy Sinclair stated he had provided Council with a report from Tax Assessor Susan Hanvey about their activities. He stated Keith Vanderford with the Election Commission talked to him about the presidential preference on the 21st of January and lack of State funding to have it. He told Mr. Vanderford he could commit up to \$1,000.00 to cover the poll workers if they do not get the money from the State.

Development Board Director Andrena Powell-Baker introduced Mr. Martin O'Conner who is the CFO at Gestamp and Attorney Jim Price with Nexsen Pruet. Chairman Tommy Sinclair stated the Council was at a situation now to approve the resolution and inducement agreement which was discussed at a meeting of the Committee on County Administration and Finance. Attorney Jim Price stated Gestamp has an existing Fee-in-Lieu of Tax arrangement in place and one of the items in the resolution is to extend the investment

COUNTY COUNCIL MEETING
DECEMBER 13, 2011

period for one year to allow them to continue putting property into the original FILOT arrangement for the coming year. The new expansion would start in 2013. The inducement agreement is to induce Gestamp to continue investing at this site in the county. This is a good project not just for Union County but also for South Carolina. The Department of Commerce is kicking in some additional incentives. Chairman Tommy Sinclair stated he appreciated Gestamp continuing to invest in Union and he has shown Council the geography of the road changes and they are ready to proceed with that project after adoption of the resolution. Mr. O'Conner stated he appreciated the County's support and it is a delight for them to be adding jobs in a county that does not get quite as much attention. They want to continue to grow their business and add jobs here.

Chairman Tommy Sinclair introduced a resolution and read the title which is authorizing an extension of an existing Fee-in-Lieu of Tax Agreement between Union County, South Carolina (The "County") and Gestamp South Carolina, LLC (The "Company"); authorizing the County to execute and deliver an Inducement Agreement and Millage Rate Agreement between the County and the Company for a new project involving a total of not less than Fifty Million, Nine Hundred Twenty-Six Thousand Dollars (\$50,926,000) in new, taxable investment and the creation of at least 100 new, full-time jobs; and authorizing the County to execute certain documents and enact certain further legislation for the Company's existing project and the new project.

Dora Martin-Jennings: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to the extension of the existing FILOT for Gestamp and the execution and delivery of an Inducement Agreement and Millage Rate Agreement as stated.

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

Chairman Tommy Sinclair stated the next proposed resolution would authorize the County, on a provisional basis, to continue an agreement with the investment brokerage firm, Pannatoni, that brought Disney to Union County. He introduced a resolution and read the title which authorizes the execution and delivery, as conduit holder only, under a South Carolina Fee-in-Lieu of Tax Lease Agreement, of a Mortgage extension and related documents, containing the same protections for Union County as that certain Mortgage of Real Property, pertaining to the same real property, between Union County, South Carolina and Pacific National Bank, dated as of June, 2008; and other matters related thereto.

Dora Martin-Jennings: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to a Mortgage extension as stated.

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

Chairman Tommy Sinclair stated he had talked to Kevin Brewington's mother and he has moved to a rehab apartment as the next step in his improvement and rehabilitation. He asked Council to approve a statement of their will and support of the recovery and homecoming efforts of Kevin Brewington and his family.

Tommy Ford: Made a motion to approve that statement.

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

Chairman Tommy Sinclair said he did not think it was a secret the County is under a lawsuit involving a fire district. It is the second lawsuit. In an effort to standardize the fire

COUNTY COUNCIL MEETING
DECEMBER 13, 2011

board election process in all fire districts, they found that Kelly Kelton Fire District and Cross Keys Fire District were not within the same guidelines as the other fire districts.

Chairman Tommy Sinclair introduced a resolution and read the title which states it is a resolution of the Union County Council to appoint the members of the Kelly Kelton Fire District of the Board of Fire Control and to establish a procedure for the holding of advisory elections and for the appointment of successors to members of the Board of Fire Control as their respective terms expire and other matters relating thereto.

Dora Martin-Jennings: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to holding advisory elections and the appointments to the Board of Fire Control for Kelly Kelton Fire District as stated.

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

Chairman Tommy Sinclair introduced a resolution and read the title which states it is a resolution of the Union County Council to appoint the members of the Cross Keys Fire District of the Board of Fire Control and to establish a procedure for the holding of advisory elections and for the appointment of successors to members of the Board of Fire Control as their respective terms expire and other matters relating thereto.

Dora Martin-Jennings: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to holding advisory elections and the appointments to the Board of Fire Control for Cross Keys Fire District as stated.

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

Chairman Tommy Sinclair called for any committee reports.

Dora Martin-Jennings: Made a motion to accept the recommendation of the Committee on County Administration and Finance to ask that the County Supervisor seek information about alarm and video monitoring for Courthouse security.

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

Dora Martin-Jennings: Made a motion to accept the recommendation of the Committee on County Administration and Finance to replace the roof on the jail at a cost of approximately \$137,500.00.

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

Chairman Tommy Sinclair reminded those members serving on the committee that there would be a walk through with the committee members from the City at Sims tomorrow.

Chairman Tommy Sinclair invited and encouraged Council to come to the breakfast on Thursday, December 22nd at the Courthouse.

Chairman Tommy Sinclair called for any other business.

Tommy Ford: Made a motion to go into executive session to discuss personnel matters.

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

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

COUNTY COUNCIL MEETING
DECEMBER 13, 2011

Chairman Tommy Sinclair stated County Council had come out of executive session and no votes were taken during executive session.

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

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

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

The meeting was adjourned at 6:25 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council