

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL  
TUESDAY, DECEMBER 14, 2010 AT 5:30 P.M.  
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

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

Notice of the meeting and a copy of the agenda giving the date, time and place of the meeting was posted on the bulletin board in the hall of the Union County Courthouse and a copy was mailed to the members of the Union County Council, the County Attorney, WBCU Radio Station, the Union Daily Times, Spartanburg Herald Journal, the Union County Development Board, Ms. Ann Canada, Mrs. Anne Brock with Clemson Extension, Mr. James Kollock, Mrs. Anna Brown with the County News, Mr. Mickey Gist, Mr. Frank Hart, Mr. Ray Treadway, Mr. Brooks Carwile, Mr. Howard Gibson, and Mr. Robert Small. A notice of the meeting was also posted on the County's website.

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

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

Joan Little, District 1 - Absent  
Dora Martin-Jennings, District 2 - Present  
Tommy Ford, District 3 - Present  
Joey English, District 4 - Absent  
Randall Hanvey, District 5 - Present  
Kacie Petrie, District 6 - Present

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 November 9, 2010 and to adopt the minutes as written.

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

Chairman Tommy Sinclair recognized for service award certificates and gift cards James Browning for 5 years of dedicated service, and DeeAnn Parks for 5 years of dedicated service to Union County.

Heather Randall with the Recreation Department awarded prizes in the Christmas House Lighting Contest. In the creative category Paul Burgess won first place, Craig and Gwen Price won second place, and Mary and Fant Austin won third place. In the elegant category Benji Humphries won first place, Tim Seymore won second place, and Buck Peay won third place.

Mr. Steven Broadbent addressed Council about enforcement of the county building code ordinance specifically Article IV Section I. He began with a review stating that on June

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10, 2009 the building code ordinance had third and final reading which was unanimously adopted. It went into effect July 1st. On August 18th he filed the first of four complaints as per Article I Section 4 of the building code. August 27, 2009 the County Council unanimously voted against including a grandfather clause. December of 2009 Union Auto Salvage was issued a citation granting them 120 day to achieve compliance. During December and January an appeal hearing was attempted to be organized. One was postponed and the one scheduled in February the owner of Union Auto Salvage was not notified. April 15th the building code was being reviewed. May 12, 2010 Union Auto Salvage appeal was rejected unanimously. May 15th marked 150 days transpired since the 120 days was granted. May 17th Mr. Tommy Sinclair was quoted in the newspaper as saying the code is enforceable. July 12, 2010 Deputy Scott Coffey was hired as the codes enforcement officer. He referred to a copy of a letter he sent on November 19, 2009. He said he receives his water from the City and he bought a new water line for \$3,000 for a new water main from the highway to his house. A letter from the City said that changing the ground elevation by either adding or removing soil from the right of way is permitted. Substantial soil has been removed from the right of way and he said he was concerned about his water line. If it breaks he has to pay for that. He referred to the County Building Code which was approved on June 10, 2009 and went into effect on July 1, 2009. He stated that under Article IV it refers to junk and or salvage yards which states that no person may accumulate, place or deposit any automobile body or parts other than within an enclosed fence which insures that such materials cannot be seen from adjacent property or the streets. Section 2 states it shall be the duty of the codes enforcement officer to enforce the provisions of this chapter. Mr. Broadbent stated on the front page of the ordinance in the first paragraph it states that Union County acknowledges its responsibility to enforce the aforementioned code in compliance with the South Carolina Code of Laws. Every day new wrecks arrive. They are placed, deposited and accumulated without compliance next to his home. There are two businesses there. There is a twenty four hour seven day a week towing business which places, accumulates and deposits wrecked vehicles next to his home. There is a salvage yard. Six days a week, including Thanksgiving, as early as six thirty in the morning until ten at night his neighbor is running a front end loader moving cars around two hundred feet from his bedroom window. It is time to stop the wrecks from coming in. There are two businesses there and they are both noncompliant. They have had adequate time and Council has had adequate time. He is about out of time. Please enforce the code. No new wrecks coming in. Please stop the front end loader from tearing cars apart next to his bedroom window. Please stop the front end loader from driving back and forth from one side of his house to the other.

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

Chairman Tommy Sinclair said they had talked about the hospital and financing. Treasurer Dianne Wilkins had attended some of those meetings with him.

Chairman Tommy Sinclair stated Clerk of Court Freddie Gault had received the Palmetto Patriot Award along with Col. William J. Whitener.

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Sheriff David Taylor stated there was an article in the newspaper last week about the Delta Alert System. It is a system they have been working on to implement to notify the public about bad weather or inclement weather. It is beneficial as far as reporting crime if there is crime in a certain area or a certain neighborhood. They could make a community aware there may be a problem in their neighborhood. It is a system where they can notify the county officials or department heads if there is a special announcement they want to get out to a certain group of people. The system was purchased with grant money. If you want to be connected to the system you would contact the sheriff's office or 911 and provide them with your telephone number.

Chairman Tommy Sinclair stated there are four county trucks that have three to four hundred thousand miles on them. They will be posting notices on the Christmas holiday schedule for the recycling centers at the centers and in the newspaper.

Chairman Tommy Sinclair informed Council that Neil McKeown has some of the inmates working on a sleigh and reindeers for use in the Union Christmas Parade as there was a problem obtaining a float last year. He also informed Council there were four horses that were picked up by the County with help from Councilman Tommy Ford.

Chairman Tommy Sinclair stated the County had aerial maps done in 1999 and were supposed to have them done every ten years. In the past they have been able to get that waived. In 2005 with some grant money and county money totaling \$35,000 they were able to do some upgrades. They had asked again for a waiver. Some state officials came for a meeting today and they found they could be included with seven other counties and because it would be a regional effort they could get it done for \$20,000. There are several ways to fund it which would not have to be done until mid June. The county is behind on tax maps and digitizing. This would be the primary layer of establishing a system. There may be some grant opportunities available to get updated. They have until mid January to give them a commitment and before that he will get with Council on funding options.

Airport Manager Ron Wade stated they have a grant application with the FAA for some land acquisition for some clear zoning at the airport. This would be a \$66,000 federal grant. They are trying to clear up some clear zoning issues at the airport. It contains eleven pieces of property they are trying to purchase the land acquisition on. They will have a 95% federal grant, 5% state grant and \$1,650 from the county. The idea is to clear all the approaches to the airport so aircraft can land without trees being an issue. He said he would need to sign a contract with WK Dickson to go ahead and start the process. They would look at what kind of property the landowner has and what kind of trees need to be cut. The landowner would be paid the value of their property to clear those. It would be the County's obligation to clear them but the property and the trees belong to the landowner. Once they sell that property it would be in the deed that Union County has clear zone rights on that property from then on.

Randall Hanvey: Made a motion to continue on the clear zoning effort at the airport and the county provide \$1,650 in matching funds.

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

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Airport Manager Ron Wade stated they would be installing tomorrow the new fuel system at the airport at a cost of \$17,800. The funds will come from the airport fuel account.

Stadium Manager Ron Wade stated they have seven signed contracts and thirty five tentative tournaments scheduled for next year at the Timken Sports Complex. Last year the contract fee was \$100 which has been increased to \$500 to cover no shows. They are working with Dixie Youth and working with high school baseball. They will be working with high school girl's softball. They are working on the South Hills Complex and should have the new bathrooms ready. They are working on new batting cages. Chairman Tommy Sinclair said he had looked at some rough numbers on the Timken Sports Complex. One of their biggest concerns is the utility costs so he told them to cut off the lights on the walking trail at night for at least the next thirty days. Timken Sports Complex is above neutral on operational expenses. They are breaking even or better on the budgeted accounts which are offset by the 1% Accommodations and Hospitality Tax. He informed Council that a group of parents had asked the County Council to revisit a request to allow the high school baseball team to practice at the Timken Sports Complex.

Chairman Tommy Sinclair called for any committee reports but there were none at this time.

Chairman Tommy Sinclair said it should be common knowledge since it was in both newspapers that the County is again under a lawsuit concerning the Kelly-Kelton Fire Department. The Christmas breakfast for County employees will be on Friday morning. He said they are working on trying to figure out a way for the municipalities to come under the building codes. Chairman Sinclair said he attended the Hospital Board meeting last night until 10:00 p.m. and they have another meeting scheduled for tomorrow night. The finance officer of record two weeks ago is no longer employed. There is an interim finance officer. They are trying to get him to revisit the finances and he hopes to come back to Council with some final numbers.

Randall Hanvey: Made a motion to go into executive session to discuss a legal matter.  
Dora Martin-Jennings: Seconded the motion. The vote was unanimous.

The Union County Council went into executive session.

The Union County Council closed executive session and stated no action was taken.

Dora Martin-Jennings: Made a motion that the Council establishes some guidelines so that the members of the County Council would be able to guide the activities in their communities in regard to the use of the athletic fields and community centers or county property so that it would come under that area county councilman.

Randall Hanvey: Seconded the motion.

Chairman Tommy Sinclair restated the motion that county property management out within a community (not recycle centers or that type of thing but recreation community gathering type facilities) are managed through the local county council member in that district. The vote on the motion was unanimous.

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Dora Martin-Jennings: Made a motion to adjourn the meeting.  
Randall Hanvey: Seconded the motion. The vote was unanimous  
The meeting was adjourned at 7:16 p.m.

Thomas L. Sinclair, Chairman  
Union County Council

Linda G. Jolly, Clerk to Council