

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, FEBRUARY 18, 2014 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chairman Tommy Ford, Councilman Frank Hart, Councilman Ben Ivey, Councilman Randall Hanvey, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly

Absent: Councilwoman Joan Little, Councilwoman Kacie Petrie

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, Mrs. Anna Brown with the County News, Spartanburg Herald Journal, the Union County Development Board, Mrs. Anne Brock with Clemson Extension, Mr. Mickey Gist, 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. 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 - Absent

Frank Hart, District 2 - Present

Tommy Ford, District 3 - Present

Ben Ivey, District 4 - Present

Randall Hanvey, District 5 - Present

Kacie Petrie, District 6 – Absent

Chairman Tommy Sinclair presented a letter requesting \$1,500.00 from the County Hospitality Fund to support the Upcountry Literacy Festival. Councilman Randall Hanvey stated he did not remember Council helping with this event before and suggested bringing it back up at the next meeting.

Chairman Tommy Sinclair presented a letter from the Town of Carlisle asking for the County's assistance in purchasing two new picnic tables and benches at an approximate cost of \$908.00 each for the children's playground located at the Carlsan Building. Councilman Frank Hart asked if the County owned that building. Chairman Tommy Sinclair stated the County has access to the playground equipment.

Frank Hart: Made a motion to donate the playground equipment consistent with availability.

Ben Ivey: Seconded the motion.

Councilman Ben Ivey asked if anyone had brought it up before. Chairman Tommy Sinclair stated two different churches had asked about it but the Town of Carlisle spreads it out. The vote was unanimous.

Chairman Tommy Sinclair stated next on the agenda was to consider his recommendation to the Appeals Board but he said he was not ready to make one yet.

Chairman Tommy Sinclair stated next on the agenda was to consider appointments to the Airport Commission. There are three vacancies and five applicants. The recommendations would be made by

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Councilman Frank Hart from Council District 2, by the Council Chairman, and by Councilman Ben Ivey from Council District 4.

Frank Hart: Made a motion to appoint Steve Bogan.

Tommy Sinclair: Made a motion to appoint Daniel C. Burnett.

Ben Ivey: Made a motion to appoint Sidney (Danny) Sanders.

Tommy Ford: Seconded all three motions. The vote was unanimous.

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

Chairman Tommy Sinclair stated persons that plan to run for elected office begin filing on March 15th and the question was raised as to where that would be. He stated it would be at the Voters Registration Office at the old Chrysler Building. There are two days of work for the Building Superintendent and the inmates that still need to be done. The IT infrastructure was the big hold up but he wanted to be sure they had everything committed in place.

Clerk of Court Freddie Gault reminded Council that in the past the Statement of Economic Interest forms for the State Ethics Commission had to be filed by April 15th but that has changed to March 30th.

Airport Manager Ron Wade stated they were cutting the trees at the airport. They had some landowners that came back and wanted to purchase some property. They are starting the paperwork for a grant application to start this and they would be talking to Anna Lynch with the FAA in Atlanta. Once they have that in place they would be approaching these people because they have some other intentions they want to be able to offer options on. Chairman Tommy Sinclair stated the grant application was to allow them to buy more personal property to clear that entire side at the airport. Mr. Wade stated they would do a review appraisal to establish the cost of the property. The landowner is entitled to have an appraisal done if they do not agree with the review appraisal to establish a true market value and then you work from there. If the landowner is not satisfied then they can always say no.

Chairman Tommy Sinclair stated Dixie Youth is committed to having their State playoffs and championship held at the Timken Sports Complex in July. The goal would be for this to become home for them. Councilman Tommy Ford stated there would be about 36 teams there at one time. Chairman Tommy Sinclair stated some of the canvas awnings were damaged due to the snow. He said to replace them with what was there would be a mistake. They are looking at different scenarios to determine alternate replacements.

Chairman Tommy Sinclair introduced a resolution confirming the non-assignment of the Fee In Lieu of Tax Agreement dated December 1, 2009 from Sloan Construction Company, Inc. to Strawser Construction Inc. and authorizing the execution of an acknowledgement with respect to Sloan Construction Company, Inc.'s rights and obligations thereunder; and other matters related thereto.

Randall Hanvey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to Sloan Construction Company, Inc. as stated.

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

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Chairman Tommy Sinclair introduced a resolution whereby Union County Council supports a Transit Feasibility Study and agrees to provide the required 20% local match of \$4,375.00. He stated the local match could come from the grant writing money.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution supporting the Transit Feasibility Study and providing the local match as stated.

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

Chairman Thomas L. Sinclair presented for second reading an ordinance authorizing an Infrastructure Financing Agreement on behalf of Standard Textile Carolina Inc. ("The Company"); and the development of a jointly owned and operated Industrial /Business Park in conjunction with Spartanburg County, such Industrial/Business Park to be geographically located in Union County and established pursuant to South Carolina Code of Laws of 1976, 4-1-170, et sequitur, as amended; to provide for a written agreement with Spartanburg County providing for the expenses of the Park, the percentage of revenue application, and the distribution of Fees In Lieu of Ad Valorem Taxes to the counties and relevant taxing entities; to provide that job tax credits allowed by law be provided for businesses locating in said Park; and to permit a user fee in lieu of ad valorem taxation within said Park; and other matters relating to the foregoing.

Ben Ivey: Made a motion to accept second reading of the ordinance pertaining to Standard Textile Carolina Inc. as stated.

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

Chairman Tommy Sinclair presented for second reading an ordinance to amend that certain Union County ordinance enacted October 8, 1997, entitled "An Ordinance to create and establish a special tax district in Union County, South Carolina, to be known as Carlisle Fire District, to define its area and boundaries, to authorize the annual levy and collection of a tax not exceeding ten mils for the operation and maintenance thereof, and other matters relating thereto", and to amend the Code of Ordinances of Union County wherever such Carlisle Fire District Ordinance has been codified, so as, in all cases, to increase the Board of Fire Control for Carlisle Fire District from six members to seven members: and other matters related thereto.

Tommy Ford: Made a motion to accept second reading of the ordinance pertaining to increasing the Board of Fire Control for Carlisle Fire District from six members to seven members.

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

Chairman Tommy Sinclair introduced for first reading an ordinance authorizing the execution and delivery of a Fee-In-Lieu of Tax Agreement by and between Union County and Project Midas; 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 Project Midas as stated.

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

Chairman Tommy Sinclair introduced in title only an ordinance authorizing the execution and delivery of an amendment to Lease Agreement modifying and amending a Lease Agreement between Union County and the ESAB Group, Inc. dated as of May 20, 2011 in certain particulars; acknowledging and accepting Midway Drive as a public road included in the County's Road System; authorizing acquisition and acceptance of title in and to certain land located in the county adjoining Midway Drive for the purpose of constructing a parking lane thereon; authorizing the grant of an easement by the County to

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the ESAB Group, Inc. for ingress, egress and parking over, across and upon the parking lane upon its completion; authorizing the construction of such parking lane; and other matters related to the foregoing. Tommy Ford: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance pertaining to ESAB Group, Inc. as stated.

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

Chairman Tommy Sinclair stated the County had a recent snow event and the roads were kept as clear as they could be and the Hospital never shut down. There was a State of Emergency declared by the Governor for South Carolina and if a Federal State of Emergency is declared then the County may be able to recover some of the costs associated with the snow event. Sheriff David Taylor said he thought the parking lots at 911 and the Sheriff's Office were the only two that did not get scraped. He had two dispatchers fall in the ice as well as an inmate. Chairman Tommy Sinclair stated they could not scrape around the cars and they would have had to coordinate a time to do it. Chairman Tommy Sinclair said he had a discussion with Dr. John Flood about the liability associated with driving and picking up nurses.

Chairman Tommy Sinclair stated the County took bids on the sale and removal of two houses next to the Airport. Mr. O'Shields was the low bidder on Mr. Lloyd's house. He was awarded the bid and will be responsible for removal of the house.

Chairman Tommy Sinclair stated phase one of the Brownsfield study on the Buffalo Mill property is essentially completed. There does not seem to be anything substantial that would warrant doing a phase two.

Chairman Tommy Sinclair stated they had tried to get a loan from BB&T for the Carlisle Fire Department but they would not loan the money for twenty years. They would do a loan for ten years but the interest rate would not hold for a twenty year loan. They talked to the local banks about a loan but they have not heard back from them.

Chairman Tommy Sinclair stated they held a meeting with the farmers about the Farmer's Market and they agreed to move the Farmer's Market to the space between the YMCA and alternative school. They would use the restrooms at the YMCA and the sheds would be moved to the new location. They would obtain permits from the Chamber of Commerce. They are now organized as the Farmers Association and will sell locally grown produce.

Chairman Tommy Sinclair stated the holdup on the Chrysler Building was the IT situation. It cost more money than just what was needed for the Voters Registration Office to accommodate the use of the rest of the building for office space. They still need to put carpet and tile down for the Voters Registration Office and he thought they could move in March 1st. Keith Vanderford asked about a security gate over the window for that office. Chairman Tommy Sinclair stated the gate would cost several thousand dollars and the office is functional as it is. They are looking for restricted access and Councilman Ben Ivey said he could probably point them in the right direction. Chairman Tommy Sinclair stated he did not have the money in the budget for the Chrysler Building to do that kind of gate. Keith Vanderford said they would have to have a camera outside the office hooked to the inside computer to take people's picture.

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Chairman Tommy Sinclair stated the roof at 911 has leaked around the air conditioner which needs to be addressed. They need to consider a raised pitch roof over the flat roof to try to correct the problem and need a cost analysis done.

Chairman Tommy Sinclair suggested closing the County's portion of the New Hope Church Road to through traffic for log trucks. Sheriff David Taylor stated part of that road is maintained by the State Highway Department and they already have their section marked not to allow any log trucks. Chairman Tommy Sinclair asked if the Highway Department supports it would Council have any objections. Councilman Frank Hart said he would not have any objections. You would need to be careful about the wording because the school buses would still need access.

Chairman Tommy Sinclair stated the property on Poplar Road in Jonesville was being donated to the County of Union. The bank would not sell that property to an individual who had expressed interest in purchasing it. They felt it would be easier to donate it to the County and the County could dispose of it however they want. If the County decides to sell the property it would be put up for sale through the proper bid process. Council would have to decide on the disposition of that property.

Chairman Tommy Sinclair stated there was an agreement signed between the County, the City, USC-Union and Spartanburg Community College for the Quick Jobs Center. The spirit and intent of the agreement was that the Spartanburg Community College would do the technology portion and USC-Union would do the general education. Part of the issue is who gets credit for the registered students. Spartanburg Community College contends they lose money if they cannot get credit for more than ten or fifteen people.

Chairman Tommy Sinclair stated Republic has an option to purchase additional land adjacent to their landfill site at Wildcat Road and are seeking approval from DHEC to open more cells on that property. Once they get that they want to encapsulate more of Wildcat Road since they would own land on both sides. They want the County to abandon that road but it would require Council's approval to do that. Councilman Ben Ivey asked if the County would diminish the part of that road maintained by the County as they move the landfill out further or would the County cut it all off at one time. Chairman Tommy Sinclair stated he did not know the answer to that but at this point it would come back toward the main highway. Councilman Ben Ivey stated they needed to establish at what point they want it abandoned so that the County does not maintain any more than they need to. Chairman Tommy Sinclair said he would be looking for a resolution from Council on the abandonment of that road for the record next time.

Chairman Tommy Sinclair presented a letter from Union High School requesting financial assistance for their annual Black History program. There was no specific amount requested and the County does not have anything budgeted for community programs. In the past, donations and contributions came out of the Contingency Fund. Councilman Randall Hanvey suggested Councilmembers use their funds from Special Projects if they want to contribute.

Chairman Tommy Sinclair presented a letter from the Union County High School Band Aide Club requesting financial support for a trip for the Indoor Percussion group to compete in the Indoor World Championships. Councilman Frank Hart suggested it be handled the same way and each individual Councilmember would decide if they want to use their funds from Special Projects.

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Chairman Tommy Sinclair stated they would be opening the bids for the roof at the Buffalo Teen Center tomorrow at 2:00 p.m. if Council wanted to attend.

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

Chairman Tommy Sinclair called for any other business.

Ben Ivey: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on January 14, 2014, the special meeting of County Council held on January 15, 2014 and to adopt the minutes as written.

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

Ben Ivey: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 6:19 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council