

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, APRIL 9, 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. 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
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 March 12, 2013, the joint meeting with the Hospital Board held on March 7, 2013, the special meeting of County Council held on February 26, 2013 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 to Albert Roark for 10 years, for David Kitchens for 25 years, and for Mamie Holmes for 25 years of dedicated service to Union County.

Chairman Tommy Sinclair stated Council should have a copy of a letter of resignation from a member of the Alcohol and Drug Abuse Commission.

Ben Ivey: Made a motion to advertise the vacancy.

Tommy Ford: Seconded the motion.

Councilman Frank Hart stated he did not object to advertising the position but did want to hold off on any appointment until the ordinance pertaining to boards and commissions has been reviewed. The vote was unanimous.

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Chairman Tommy Sinclair called for any elected officials or department heads who wished to address Council. Chairman Tommy Sinclair announced that the Clerk of Court and the County had been named in a lawsuit. Contact had been made with the Association of Counties and they had assigned a law firm to handle the case. He stated there was a meeting scheduled for Thursday morning to discuss the magistrate's office and staffing. He had been in contact with Senate members who had been part of that process and he said he would keep Council informed. He told Council the Open House for the Carlisle recycle center went well. Year before last, Union County was in the bottom five counties in the State in recycle tonnage and last year we were in the top five. Chairman Tommy Sinclair said Shop Foreman Troy Champion had the new truck and was glad to have it. He stated the County had placed the first of the horses that had been confiscated. Tax Assessor Susan Hanvey stated they are working with the company to get the website up. Airport Manager Ronnie Wade stated they are working on a new FAA grant for \$435,000. They have some property that will go under imminent domain which was requested by the landowners so it would be favorable for them and the County. There are federal funds available for that at 95%. Chairman Tommy Sinclair informed Council that Howard Johnson would be back in the Magistrate's Office on Friday as he had been cited again on the Buffalo Mill property.

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing the execution and delivery of certain deeds pertaining to the purchase and sell of land for the benefit of Bonham Fire Department such land being located on Highway 18 and Oakgrove Road.

Ben Ivey: Made a motion to adopt the ordinance authorizing the execution and delivery of certain deeds pertaining to the purchase and sell of land for the benefit of Bonham Fire Department as stated.

Joan Little: Seconded the motion. The vote was unanimous.

Chairman Tommy Sinclair introduced a resolution authorizing an amendment to the master agreement governing the multi-county industrial park between Union County, South Carolina, and Spartanburg County, South Carolina, to expand the boundaries of the park to include certain real property located in Spartanburg County; and other related matters. The park would expand to include Spartanburg Rehabilitation Institute, Inc. and MPT of Spartanburg, LLC. Attorney Ray Jones with Parker Poe law firm representing the company Ernest Health stated it would be mutually beneficial to both parties to participate in the multi-county industrial park agreement. It benefits the company by allowing them to receive a tax credit and Union County benefits by receiving one percent of the taxes paid by the company to Spartanburg County.

Kacie Petrie: Made a motion to adopt the resolution to amend the multi-county industrial park agreement with Spartanburg County as stated.

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

Chairman Tommy Sinclair called for committee reports but he did not think they had any. He said he had received thirty five reports of pot holes. They have finished the recycle center at Carlisle and the employees involved with that would be more available. Chairman Tommy Sinclair stated he had provided Council with a copy of a letter from the School District. Council had also been provided with a letter pertaining to COG resurfacing comments for requests specified for intersection improvements typically done for safety reasons.

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Chairman Tommy Sinclair called for a motion of formal support which would be two fold. The first would be for the completion of the Trakas Site defined as doing the gateway. The second would be support of proceeding at least with the planning of a spec building in Commerce Park. Chairman Tommy Sinclair stated this was discussed during the joint meeting with the City Council where the presentation was made by the Union County Development Board. Councilman Ben Ivey asked if they were not going to discuss that jointly with the City Council or was the County Council just going to commit to doing their part. Chairman Tommy Sinclair stated based on the presentation there was proposed sharing of costs including borrowing money from Santee Cooper. Development Board Director Andrena Powell-Baker said they were trying to coordinate a meeting with Santee Cooper before the end of the month. Chairman Tommy Sinclair said he was asking for Council's authorization to meet with the representatives from Santee Cooper to go to the next level of discussion. The County would guarantee half of the cost of the spec building and ideally it would be sold and used in the first five years. If not, then the County would have to pay their part. They had identified the funds to set aside in the worst case scenario that they do not sell it and have to pay for it. He said he wanted to talk to them with the authority of the Council so he was asking for a go to the next level of discussion motion.

Ben Ivey: Made a motion to move to the next level.

Chairman Tommy Sinclair rephrased the motion to partner with the City towards the next level of discussion towards a spec building at Commerce Park along the lines they talked about of the loan from Santee Cooper and working out the repayment terms. Part two of the motion is to continue the entrance upgrade at Trakas Site.

Kacie Petrie: Seconded the motion.

Councilman Frank Hart stated he understood the County would split the liability with the City on the spec building. He asked Chairman Sinclair if he thought he would have more information and details by the next County Council meeting. Chairman Tommy Sinclair stated that would depend on when they could meet with representatives from Santee Cooper. Councilman Frank Hart asked that the details of the meeting with Santee Cooper representatives be reported back to Council for a vote to move forward. Chairman Tommy Sinclair said he did not expect the next vote to be on actual plan but you have to take the steps through the process. Councilman Ben Ivey stated the joint part was for the spec building and was not connected to the Trakas Site. Chairman Tommy Sinclair stated the Trakas Site was independent.

The vote on the motion was unanimous.

Chairman Tommy Sinclair stated there had been a lot of discussion on improvement of fire protection in Carlisle by constructing a new building and possibly a second building. They hit some snags but were going to try to modify the proposal and do it in phases. Councilman Frank Hart provided maps that showed for the Carlisle Fire District that if you do the automatic aid agreements there were areas of the district that would have fire coverage under phase I by building the main station. There are residences that would not be covered until phase II is done to build a substation. Councilman Ben Ivey stated he understood that at some point every house in the County would be included in a fire district. Councilman Frank Hart stated not everybody in the County was covered right now. Chairman Tommy Sinclair stated everybody is covered by being in a fire district. Councilman Frank Hart stated they are paying taxes but they are not receiving insurance benefits. Chairman Tommy Sinclair stated

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they are trying to decrease the ISO rating which would result in lower insurance rates. Councilman Frank Hart stated they want to do Phase I for the primary station with the goal being to do Phase II which would be a secondary station. The Carlisle Fire Control Board is in agreement to go ahead with this. You want to get the application in with the USDA as soon as possible. What the Fire Control Board and he are recommending is proceeding with the grant application for the primary station with the goal of next year doing the satellite station. He asked County Attorney Sammy Diamaduros if the ordinance could be worded so you would only impact millage based on the investment for Phase I and then next year the millage would be available to do Phase II without having to go back through the whole process. County Attorney Sammy Diamaduros stated he thought the bond attorneys could do that. Chairman Tommy Sinclair said they had discussed that you could word the ordinance so as not to impose that additional millage unless you meet the threshold which would be the second building. Councilman Frank Hart recommended doing the ordinance to accommodate the plan for Phase I and Phase II and would only impose millage for what they do as they do it. He asked Council to authorize the Supervisor once he has been provided with the final budget numbers for the main station to go ahead and complete that application with USDA even before Council does third reading and the public hearing on the ordinance. The reason they are not able to do the satellite station is because they have run into title issues on three locations and it is holding the whole process up. They cannot apply to do both buildings unless they have the property that the satellite station is going on. Councilman Randall Hanvey asked if it would limit the amount of grant money. Councilman Frank Hart said \$50,000 is still the grant funds regardless of the number of buildings.

Frank Hart: Made a motion to authorize the Supervisor when he has been provided with the funding numbers to go ahead and do the USDA application based on station one and also move to second reading on the ordinance to generate the funding.

Tommy Ford: Seconded the motion.

Councilwoman Kacie Petrie said she understands you would not impose a tax millage on the people that would not be getting the fire coverage. Councilman Frank Hart stated if they are in the district they would pay the millage. Chairman Tommy Sinclair stated you would raise the millage to pay for the bonds. He said he asked Linda Mitchell to get him a percentage of the people affected. Councilman Randall Hanvey asked based on them not needing all the millage then how much millage increase would be needed to do what they want to do. Councilman Frank Hart said for the ordinance they would want to be authorized to go up to \$310,000 until they get an exact number from a contractor to do the station then they could figure what the Phase I millage would be. Councilwoman Kacie Petrie wanted to make sure nothing was done until the public hearing was held and Chairman Tommy Sinclair stated that was correct. The vote on the motion was unanimous.

Chairman Tommy Sinclair recognized the representative present from Wallace Thomson Hospital who was Trey Arrington who is in charge of the IT Department.

Chairman Tommy Sinclair called for any other business.

Councilman Randall Hanvey provided information he had acquired concerning the use of the ball field at Timken Sports Complex specifically the one the Council decided to keep rather than changing the field to be used by the Miracle League. The one they decided to keep has a grass infield. He wanted to know what the outcome of that decision could be to the

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participation of girls softball at the complex. They will already lose participation on one of the ball fields due to the donation of one field to Miracle League. He contacted eleven people who had something to do with girls softball. None of the people he spoke with said the grass infield was the preferred playing surface for girls softball. Not only would they lose play from girls softball on the field donated to Miracle League but now they would possibly lose play from girls softball on the field they have left with the grass infield. He was told that the dirt infields were more comparable for both boys and girls to play.

(Councilwoman Joan Little left the meeting at 6:07 p.m.)

Councilman Randall Hanvey stated all the people he spoke with said they prefer to play on the dirt fields. There are no grass infields in college softball. In an effort not to lose more revenue he suggested taking up the grass on the infield and make it a universal field.

Randall Hanvey: Made a motion to take up the grass on the infield on Field #2.

Ben Ivey: Seconded the motion.

Tommy Ford: Made a motion to table it since one of the Councilmembers was not present and they needed to do it when they were all there.

Frank Hart: Seconded the motion to table it.

The vote on the motion to table it carried with four (4) Councilmembers (Councilman Tommy Ford, Councilman Frank Hart, Councilman Ben Ivey and Councilman Randall Hanvey) voting in favor. Councilman Randall Hanvey stated he voted in favor of tabling the motion until all the Councilmembers were present. Councilman Tommy Ford stated there was a bigger crowd at the Timken Sports Complex the last day or two than he could remember. They had a Jamboree there on Saturday and had a huge crowd. Councilman Randall Hanvey said Council did not know anything about Opening Day at the complex. Councilman Frank Hart stated there were opportunities for improvement with communications since he did not know about the Grand Opening of the recycle center in Carlisle. He asked if having the grass infield at Timken Sports Complex gave them a competitive advantage to market that field. Chairman Tommy Sinclair stated that Councilwoman Joan Little was no longer present at the meeting and said they would bring back up discussion on Field #2 again when they were all present. As Chairman of Council he can bring back up a topic if it was his estimation that it was not fully discussed. It had previously been a revenue discussion and not a discussion about Miracle League. Council had said that they may have to raise taxes and they would do that only when they have done everything they can to cut costs and increase revenue.

Chairman Tommy Sinclair stated Council had received a letter requesting support of the NAACP Freedom Fund Banquet. He told Mr. James R. Rice as President that the letter was addressed March 11th but he had not received it until April 4th.

Chairman Tommy Sinclair presented audits from Catawba Regional Council of Governments and from Union Services, Inc. for Council's review and approval.

Ben Ivey: Made a motion to accept the audits as presented.

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

Kacie Petrie: Made a motion to adjourn the meeting.

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

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

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Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council