

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL  
TUESDAY, MAY 12, 2009 AT 5:30 P.M.  
GRAND JURY ROOM AT THE UNION COUNTY COURTHOUSE

Present: Chairman Donnie Betenbaugh, Vice Chairperson Dora Martin, Councilwoman Joan Little, Councilman Tommy Ford, Councilman Joey English, 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, Mr. Darrell Wade, Ms. Ann Canada, Mrs. Anne Brock with Clemson Extension, and Mr. James Kollock.

Chairman Donnie Betenbaugh called the meeting to order. Chaplain Dora Martin 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 T. Martin, District 2 – Present  
Tommy E. Ford, District 3 – Present  
Joey D. English, District 4 – Present  
Randall Hanvey, District 5 – Present  
Kacie Petrie, District 6 – Present

Randall Hanvey: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on April 14, 2009 and to adopt the minutes as written.

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

Chairman Donnie Betenbaugh presented service awards to Scott Griffin for 20 years of dedicated service and for James Caldwell for 5 years of dedicated service to Union County.

Chairman Donnie Betenbaugh stated there were three vacancies on the Union County Tourism Commission due to term expirations which had been advertised. There were two applicants who were Monte Lancaster and Antonio Johnson.

Randall Hanvey: Made a motion to readvertise the three vacancies.

The motion died for lack of a second.

Dora Martin: Made a motion to nominate Monte Lancaster to serve another term on the Tourism Commission.

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

Dora Martin: Made a motion to readvertise the two remaining vacancies.

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

COUNTY COUNCIL MEETING  
MAY 12, 2009

Chairman Donnie Betenbaugh stated there were two vacancies on the Library Board due to the resignation of Suzanne Byrd and Julia Krasinski. The positions had been advertised and there were two applicants who were Harriett Berry and Jennifer Tazerouti.

Dora Martin: Made a motion to accept the recommendation from the Board of Trustees for the Library to appoint Harriett Berry and Jennifer Tazerouti to serve on the Library Board.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented a letter from Rita Revels as Chair of the Upstate Workforce Investment Board asking that Council appoint someone with more diversity and recommended Lisa Morris for the position on their board.

Randall Hanvey: Made a motion to accept the recommendation to appoint Lisa Morris to serve on the Upstate Workforce Investment Board.

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

Chairman Donnie Betenbaugh presented a request from Boogaloo for \$5,000.00 to go toward Boogaloo productions.

Dora Martin: Made a motion the Council consider this request when they hold the next budget session to see what kind of money they have to work with.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh stated he had Mr. Mike Spencer on the agenda to discuss Carlisle Fire Department but he called and asked to be taken off. The Board and he are unsure what direction they want to take whether they want to put a GO Bond in place and access appropriate millage to cover the bond payment or seek grant funds.

Chairman Donnie Betenbaugh stated that next on the agenda was Mr. David Fant to discuss county government but he was not present.

Mr. Glenn Sparks appeared before Council to discuss the animal shelter. He asked if they knew about the cruelty case that was in the newspaper. Most of Council indicated they did. He stated he was involved in the case and after investigation he found out that a person convicted of animal cruelty in our county can reclaim their animals. This does not make a lot of sense. He contacted PITA who provided him with some information and said under most circumstances that is not allowed to happen. He talked with City Police Chief White who told him we mirror State law. Under the State law a person can be charged so that they cannot get their animal back unless the judge rules that they can after being found guilty. Mr. Sparks asked Council to consider amending the animal control ordinance so that a person convicted of animal cruelty does not get the animal back. He asked that the animal control officers periodically check on these people. He asked that we try to stop animal cruelty by charging them under the State law which would prohibit them from getting the animal back. Mr. Sparks said they were making improvements on the animal shelter by being open from 3-5 p.m. but wanted to see it open more hours and on weekends. Chairman Donnie Betenbaugh asked the County Attorney to try to find an ordinance that would have the reclamation clause and would allow the animal control officer if a person is convicted to go back on the premises to check periodically.

COUNTY COUNCIL MEETING  
MAY 12, 2009

Chairman Donnie Betenbaugh presented for third and final reading an ordinance to provide for certain amendments to industrial and business park agreements between Union County and Spartanburg County in connection with the distribution of fee in lieu of tax revenues within the respective counties, and other matters related thereto.

Dora Martin: Made a motion to adopt the ordinance pertaining to certain amendments to industrial and business park agreements as stated.

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

Chairman Donnie Betenbaugh presented for second reading an ordinance to provide that reassessment of all property in Union County subject to ad valorem property tax be postponed for one property tax year to be implemented in December, 2011.

Randall Hanvey: Made a motion to accept second reading of the ordinance to postpone reassessment for one property tax year.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh introduced an ordinance to develop a new jointly owned and operated Industrial/Business Park in conjunction with Spartanburg County, such new Industrial/Business Park to be geographically located in Spartanburg County and the City of Spartanburg and established pursuant to South Carolina Code of Laws of 1976 4-1-170, et sequitur, as amended; to provide for a new written agreement with Spartanburg County providing for the expenses of the new 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 jobs tax credits allowed by law be provided for businesses locating in said new park; and to permit a user fee in lieu of ad valorem taxation within said new park.

Dora Martin: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance to develop a new jointly owned and operated Industrial/Business Park in conjunction with Spartanburg County.

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

Chairman Donnie Betenbaugh introduced an amendment to the Development Board Ordinance to change the purpose of the Board to recruiting and retaining industry and business. The amendment would also change the membership to consist of ten (10) members and one ex-officio member qualified by the County Council for terms of three (3) years each beginning with expired terms of current members. Addition of new member appointments are recommended from the following sectors: One (1) from private utilities, one (1) from public utilities, one (1) from local financial institutions or other professional occupations that impact industry recruitment/retention, one (1) from existing industry over 50 employees, one (1) from local healthcare system, one (1) from higher education, and one (1) at large member appointed at the discretion of the Economic Development Director to serve a term of (2) years. Ex-officio member will be the Superintendent of the local school district. The selection process would include submission of a formal application, a resume and a face to face interview. All applications for appointment to the Board would be submitted for review and selection by County Council with the appointments to begin July 1, 2009 and would be made every two (2) years thereafter as needed. The ten member board would select its chairperson and would elect such officers, hold such meetings, and

COUNTY COUNCIL MEETING  
MAY 12, 2009

establish its rules and regulations as it would deem necessary and proper for carrying out its functions. Section 2-235 would be amended to read that one person would be selected and compensated by the Board to serve as Development Board Director. The section 2-236 would be deleted. The board would submit written reports to the County Council at three month intervals. The board would be funded on an annual basis by County Council. Other appropriate funds may be secured to support the economic development efforts of the board.

Dora Martin: Made a motion to dispense with referring the amendment to the Development Board Ordinance to a committee and to accept first reading of the amendment as stated.

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

Chairman Donnie Betenbaugh called for any committee reports but there were none. Mr. Betenbaugh stated the Road Committee needed to look at the Eaves Road, Katelens Way, Kingsmore Road and a road off the Bishop Road.

Chairman Donnie Betenbaugh presented a financial statement from Cross Keys Fire Department for Council to review and approve.

Dora Martin: Made a motion to accept the financial statement from Cross Keys Fire Department.

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

Chairman Donnie Betenbaugh called for any other business but there was none.

Joan Little: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 5:45 p.m.

Donnie R. Betenbaugh, Chairman  
Union County Council

Linda G. Jolly, Clerk to Council