

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, MAY 13, 2014 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, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly

Absent: 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 - 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 – Absent

Tommy Ford: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on April 8, 2014, the special meeting of County Council held on April 22, 2014 and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented service award certificates and gift certificates to Andrew T. Shugart for 5 years, for Michael C. Robinson for 5 years and for Scotty R. Griffin for 25 years of dedicated service to Union County.

Chairman Tommy Sinclair stated next on the agenda was to consider an updated agreement between the City of Union and the County of Union to share a Victim Advocate Office with the agreement setting forth certain terms and conditions for participation in, and funding of, the joint office. This had been done in the past and the State had asked for a more recent agreement. There was some discussion as to whether it should include the Town of Jonesville but it was determined they have a separate agreement.

Ben Ivey: Made a motion to accept the agreement with the City of Union as presented.

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

Mr. Steven Broadbent addressed Council and stated he did not think the County was enforcing the Building Code as it pertains to the junkyard and towing service operating near his property.

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

Sheriff David Taylor stated he had a mutual aid agreement for the City of Myrtle Beach which by law has to be approved by the County Council. The agreement would provide for the temporary transport of officers from one county to the other for natural disasters or mass processing of arrest and transporting of prisoners and riot and disorder events. He asked Council to approve the mutual aid agreement and Chairman Tommy Sinclair to sign it.

Tommy Ford: Made a motion to approve the mutual aid agreement with the City of Myrtle Beach as requested.

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

Chairman Tommy Sinclair stated there was some feedback as a result of the section of the new animal control ordinance pertaining to registering livestock. The intent was to allow some degree of understanding of who owns livestock and where in case some get out and 911 got a call then they would have a way to contact the owner. It would be a way to manage stray livestock on the roads. The wording in the ordinance needs to be changed and he had directed the Animal Control Officer Heather Sealy not to enforce that section of the animal control ordinance. There was discussion about whether the ordinance was too invasive and about the fine. There was further discussion about using a GIS layer of approximate location of cows that might make it easier to locate the owner.

Tommy Ford: Made a motion to table this for now and that section of the ordinance would not be enforced until it can be rewritten.

Chairman Tommy Sinclair suggested getting input from all those that would be affected which would include the owners, 911 dispatch and law enforcement. They want to know where the livestock is located and not necessarily the number of livestock. Councilman Frank Hart asked if they could table the livestock section of the ordinance or postpone enforcement of that section. Chairman Tommy Sinclair stated all he would need to do would be tell the Animal Control Officer not to enforce that section right now because common sense has to prevail. Councilman Frank Hart stated that section of the ordinance was poorly written. There was discussion about the liability to the owner if a cow gets out. Chairman Tommy Sinclair stated no motion was needed since he had given Heather Sealy a directive not to enforce the Livestock section of the Animal Control Ordinance.

Chairman Tommy Sinclair stated they were looking at improving the GIS layer for parcel fabric at a cost of approximately \$15,000. Tax Assessor Susan Hanvey stated it would make the work they do as far as changing parcels more accurate. It is easier to use and is more user friendly. The mobile application works for the Tax Assessor's Office as well as the Delinquent Tax Office. It allows the Assessor's Office to do all their updating and changes to property out in the field. For the Delinquent Tax Office, it uses GIS stamping and takes pictures when the property is posted. Chairman Tommy Sinclair stated in the past they had paid people to do the posting of property but they were going to stop doing that. Tax Assessor Susan Hanvey stated they no longer have a data collector so the mobile application would make the appraiser's job easier. Councilman Randall Hanvey asked if the \$15,000 cost was a one-time cost or reoccurring. Mrs. Hanvey said it would be a one-time cost to hire a company to convert their data as it is now into the parcel fabric. The mobile application is a different system. Chairman Tommy Sinclair stated the company they are looking at does both.

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Airport Manager Ronnie Wade stated they were doing the clear zoning at the airport. They had some problems finishing up but they had the County down there and the yards are looking well. They have a meeting set up with WK Dickson and the people doing the mowing. They will finish the lot on the Lover's Lane Road. It is not compatible with what they had asked for but they are working on that. It will be compatible before they finish. The yards will look better than when they started. He has talked to most of the people involved and they are fairly well happy with what they have. They have some landscaping to do in those yards and grass has been planted. The property has to be maintained in an acceptable condition.

Chairman Tommy Sinclair stated parking is an issue at the Timken Sports Complex that needs to be resolved. Part of the problem is with cars parking in such a manner that it restricts emergency vehicles from getting through. The problem needs to be rectified before next year's season.

Chairman Tommy Sinclair introduced an Inducement Resolution for Project Southern. Council would agree that if the company would locate in the County and invest \$40 million and create 20 new, full-time jobs (with benefits) at the Project between January 31, 2014 and January 31, 2018, then the terms of each of two different credits provided under an existing SSRC Agreement would be extended by an additional five years.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to Project Southern as presented.

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

Chairman Tommy Sinclair introduced a resolution to consent to a transfer by 3805 Jonesville, LLC of its interest in a 1998 FILOT Lease Agreement, and a 2012 Special Source Revenue Credit Agreement to another party.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to 3805 Jonesville LLC as presented.

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

Chairman Tommy Sinclair introduced a resolution authorizing execution of an agreement to participate in the Lancaster County HOME Consortium dba Catawba Region HOME Consortium.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to the HOME Consortium as presented.

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

Chairman Tommy Sinclair introduced a resolution directing that all flags on County buildings be flown at half-staff on May 15, 2014 in recognition of Peace Officer's Memorial Day.

Tommy Ford: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution pertaining to Peace Officer's Memorial Day as presented.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing the issuance and sale of a not exceeding \$275,000.00 General Obligation Bond (Carlisle Fire District), Series 2014, of Union County, South Carolina; fixing the form and certain details of the Bond; authorizing the County Supervisor to determine certain matters relating to the Bond; providing for the payment of the

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Bond and the disposition of the proceeds thereof; and other matters relating thereto. He stated the public hearing had been held in Carlisle on April 28, 2014.

Ben Ivey: Made a motion to adopt the ordinance pertaining to a Bond for Carlisle Fire District as stated.

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

Chairman Tommy Sinclair presented for second reading the ordinance to adopt the Union County Budget for fiscal year 2014-2015.

Ben Ivey: Made a motion to accept second reading of the Budget Ordinance as presented.

Joan Little: Seconded the motion.

Councilman Frank Hart stated the provisions concerning job replacements and prior approval of funds coming out of the Non-Departmental Contingency Fund and Non-Departmental Capital Improvements accounts were not reflected in the copy of the ordinance he had and needed to be put back in prior to third reading.

The vote was unanimous.

Chairman Tommy Sinclair introduced an ordinance authorizing pursuant to Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of an amendment to a Special Source Revenue Credit Agreement, as previously amended, relating to Project Southern and matters relating thereto.

Randall Hanvey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance pertaining to Project Southern as stated.

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

Chairman Tommy Sinclair stated for the record that he had sent Mr. Broadbent a registered letter a couple of days ago to the address of record which was a post office box. The letter addressed the court situation they are in out there. He said he had discussed it with some attorneys before he wrote the letter.

Chairman Tommy Sinclair called for any other new business.

Councilman Randall Hanvey stated the Committee on Personnel, County Offices and Departments had approved to recommend to Council for openings to be filled in both the Maintenance Shop and the Probate Judge's Office.

Frank Hart: Made a motion to accept the recommendation of the Committee as stated.

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

Chairman Tommy Sinclair stated someone had retired from the Probate Judge's Office and someone that worked at the Maintenance Shop got a better paying job which created those two vacancies.

Councilman Frank Hart stated he had a letter and they had received a presentation from the Development Board asking Council to formally commit by way of resolution or ordinance to appropriate 2% of the total annual funds for future allocations to the Development Board. Frank Hart said he wanted to make a motion to draft that by resolution to have that available for approval as part of the budgetary process. Chairman Tommy Sinclair said he had told Development Board Director Andrena Powell-Baker that would be handled as a resolution at the final budget reading.

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Chairman Tommy Sinclair presented for review and approval financial statements from the Council on Aging and the Southside Fire District.

Ben Ivey: Made a motion to accept both financial statements as presented.

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

Randall Hanvey: Made a motion to adjourn the meeting.

Ben Ivey: 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