

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, MAY 14, 2013 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chairman Tommy Ford (left at 6:00 p.m.), 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 April 9, 2013, the special meeting of County Council held on April 2, 2013, the special meeting of County Council held on April 22, 2013 and to adopt the minutes as written.

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

Mr. Harry Dest as the 16th Circuit Public Defender made a power point presentation to Council and stated the current public defender in Union County, Erik Delaney, handled eighty percent of the cases coming through Union County. Mr. Dest provided statistics showing that in 2012 Mr. Delaney handled over one thousand cases. Mr. Dest stated they could not reduce the jail population without adding another public defender. In York County a public defender is hired on a tiered salary plan beginning at \$47,000 the first year, \$51,000 the second year, \$55,000 for the third year and \$58,000 for the fourth year and hoped Union County would come up with something comparable. He said he would like to hire someone from Union County if he could. They still need an investigator but if he had to prioritize the need then the additional public defender would be more important. Mr. Kevin Brackett as Solicitor for the 16th Judicial Circuit supported the need for an additional public defender which would help reduce cases for both the Solicitor's Office and the Public Defender's Office. Mr. Brackett

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suggested the County take \$15,000 from his budget and that Mr. Dest would provide \$11,000 giving them \$26,000 to help with funding the position.

Chairman Tommy Sinclair stated this involves personnel and there were other contractual matters they would need to address in executive session. (Councilman Tommy Ford left at 6:00 p.m.)

Sandra Ligon with the South Carolina Human Affairs Office stated their purpose is to encourage fair treatment, eliminate and prevent unlawful discrimination, and foster mutual understanding and respect among all people in the state. The Community Relations Division uses conference, conciliation and persuasion to bring together a cross-section of people to resolve disputes involving discrimination in police relations, education, business practices, public accommodations, and other non-employment issues. She talked about the importance of having a community relations council and establishing one in Union County. The council would be a gathering of individuals who want to resolve problems in the local community. She stated their agency would help to get the local council set up if requested to do so.

Chairman Tommy Sinclair called for any elected officials or department heads who wished to address Council. Sheriff David Taylor stated they have eight people in jail and could have three or four more in conjunction with the recent stabbing incident.

Tax Assessor Susan Hanvey stated she had been asked what they have in place to locate or find property that has not already been taxed. County wide reassessment is one of the biggest and they are always out on the roads looking for new construction. Sometimes it comes from other offices, state agencies, taxpayers, and from aerial photographs. From aerial photographs, in 2013 and 2014 they added a \$460,000 value increase from swimming pools alone which brings in about \$5,500 in revenue. From reassessment in 2010 they added \$2.2 million in values. Mobile application technology would help which would cost approximately \$60,000 for the Tax Assessor's Office and the Delinquent Tax Office. There was discussion about how often the aerial photographs were done and whether there was a need to have them done more often.

Airport Manager Ronnie Wade stated all the clear zoning had been settled. One piece of property remains to be acquired through eminent domain before the County can proceed with plans to extend the runway. Some of the trees will have to be removed. They will be doing an information seminar to discuss the process. They have applied for a \$400,000 grant which they have been told would be approved. The judgment on the purchase of the last piece of property could take up to six months.

Chairman Tommy Sinclair recognized Mr. Paul Newhouse as CEO of Wallace Thomson Hospital who stated they appreciate the County's support and they are working on turning things around. He said the Director of Medicaid would be at the hospital on Friday to discuss some good ideas.

Graham Williams and Curtis Hunter as members of the Union County Tourism Commission asked questions about the proposed ordinance pertaining to boards and commissions being under the purview of County Council. They understood the Tourism Commission would be

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reduced from fifteen members to seven members and asked how that would be accomplished. Council responded that there are four members whose terms expired March 31, 2013 and there are four members whose terms expire on March 31, 2014. Those positions would not be filled which would reduce the number of members on the Commission to seven. Mr. Graham and Mrs. Hunter expressed concern that those whose terms would be ending were some of the more experienced members serving on the Commission. There was discussion about the loss of representation from certain sectors and the expectations of Council.

Chairman Tommy Sinclair presented for third and final reading an ordinance to place all boards and commissions created pursuant to Union County Council authority under 4-9-30 of the Code of Laws of South Carolina, 1976, as amended, under the purview of Union County Council; adopting certain policies and procedures applicable thereto; and other matters related thereto.

Randall Hanvey: Made a motion to adopt the ordinance pertaining to boards and commissions coming under the purview of County Council.

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

Chairman Tommy Sinclair stated next on the agenda was second reading of the Budget Ordinance for fiscal year 2013-2014. He stated there were some personnel and contractual matters that needed to be discussed in executive session.

Chairman Tommy Sinclair presented for first reading an ordinance consenting to the assignment of the Fee in Lieu of Tax Agreement dated December 1, 2009 from Sloan Construction Company, Inc. to Strawser Construction Inc., authorizing the written consent of the County releasing Sloan Construction Company, Inc. from any further obligations under such agreement, and authorizing the execution and delivery of a written agreement by and among Sloan Construction Company, Inc., Strawser Construction, Inc., and Union County; and other matters related thereto.

Randall Hanvey: Made a motion to dispense with referring the ordinance to a committee and to approve first reading of the ordinance consenting to the assignment of the Fee in Lieu of Tax Agreement from Sloan Construction Company, Inc. to Strawser Construction Inc. as stated.

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

Chairman Tommy Sinclair introduced an ordinance (1) authorizing the execution and delivery of a First Amendment to Lease Agreement (The "Lease Agreement") by and between Union County, South Carolina ("The County"), Project Desoto LLC ("Project Desoto") and Project Desoto Company ("Project Desoto Company") approving a ten-year extension of the term of the Fee in Lieu of Tax Arrangement set forth in the lease agreement; (2) approving and ratifying the partial assignment and transfer by Project Desoto to Project Desoto Company of certain rights, interests, and obligations under the lease agreement and related agreements; and (3) authorizing other 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 authorizing the execution and delivery of a First Amendment to Lease Agreement by and between Union County, Project Desoto LLC, and Project Desoto Company approving a ten-year extension of the term of the Fee in Lieu of Tax Arrangement as stated.

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

Chairman Tommy Sinclair introduced a resolution approving financing terms with Branch Banking and Trust Company (BB&T) for \$49,801.88 with a 1.55% interest rate. This would be the lease purchase of the imaging software for the Auditor's Office, Tax Assessor's Office and Delinquent Tax Office.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to adopt the resolution approving financing terms with BB&T for \$49,801.88 with a 1.55% interest rate as stated.

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

Chairman Tommy Sinclair stated Council needed to consider contractual and personnel issues which needed to be discussed in executive session.

Ben Ivey: Made a motion to go into executive session.

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

The Union County Council went into executive session to discuss contractual and personnel issues.

Chairman Tommy Sinclair announced that Council had come out of executive session and no votes were taken. They had discussed at length a number of budget items.

Ben Ivey: Made a motion to accept second reading of the ordinance to adopt the Union County Budget for fiscal year 2013-2014 as presented.

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

Chairman Tommy Sinclair stated there was a letter from the City of Union pertaining to the old Super 10 building.

Randall Hanvey: Made a motion to pay the City of Union our portion of the overrun dependent on their acceptance of the building.

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

Graham Williams stated depending on the kind of help they can get from the State and the City they are looking at making it a spec type building for shops or a restaurant to tie in with the events center. He said he is serving on a committee working on that.

Chairman Tommy Sinclair said he was leaving with a sense that Council wanted to pursue the public defender issue.

Kacie Petrie: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 9:48 p.m.

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Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council