

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, JUNE 11, 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 May 14, 2013, the Budget Work Session of County Council held on June 4, 2013, and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented a service award and gift certificate to Nathan S. Burdine for 10 years of dedicated service to Union County.

Chairman Tommy Sinclair stated all the horses that were being housed at the fairgrounds are gone.

Chairman Tommy Sinclair stated that next on the agenda were Gloria Roberts and Daniel Bell to discuss animal control problems. They were not able to attend and asked to be placed on the agenda for the July regular month meeting.

Mr. William Sims was next on the agenda to discuss the South Carolina Jewels program but was not present.

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Chairman Tommy Sinclair told Council there was a man that was in the hospital that wanted to get married on Saturday. With some assistance they were able to make it happen.

Mr. William Sims came in at 5:34 p.m. and Mr. Sinclair asked him to proceed with his presentation. Mr. Sims stated the South Carolina Jewels program uses basketball to reach youth in the community especially during the summer months. He went over their mission statement and stated they were seeking facilities they could use for practice. He stated they provide their program to both boys and girls of all ages. They have some traveling teams and want to provide summer leagues for those that do not play on the traveling team. They are currently using the gym at the old Jonesville High School but some children cannot commute that far. Councilwoman Kacie Petrie stated she had some ideas she would bring up at the next Uniquely Union meeting. It was suggested he check into using the Union County Recreation Department facilities or the YMCA. Mr. Sims stated if they could secure facilities then they want to host their own travel basketball tournament next year.

Chairman Tommy Sinclair presented for third and final reading the ordinance to adopt the Union County Budget for fiscal year 2013-2014.

Randall Hanvey: Made a motion to adopt the Union County Budget Ordinance for fiscal year 2013-2014 as presented.

Ben Ivey: Seconded the motion.

Councilwoman Joan Little stated she had not seen the last proposal they had worked on since she had been absent. Chairman Tommy Sinclair stated the main change was for the reduction in convenience center hours across the County. She asked if there would be centers open somewhere in the County. Councilman Frank Hart stated they would all be closed on Wednesdays and Sundays but they would all be open on Saturdays. The motion carried by majority vote.

Chairman Tommy Sinclair presented for second 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.

Ben Ivey: Made a motion to approve second 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.

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

Chairman Tommy Sinclair presented for second reading 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 accept second reading of the ordinance authorizing the execution and delivery of a First Amendment to Lease Agreement by and between Union County, Project Desoto

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LLC, and Project Desoto Company approving a ten-year extension of the term of the Fee in Lieu of Tax Arrangement as stated.

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

Chairman Tommy Sinclair stated that there was a member of the Library Board who was Cayse Crawford Jeter that needed to be considered for removal due to non-attendance.

Randall Hanvey: Made a motion to remove Cayse Crawford Jeter from the Library Board due to non-attendance.

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

Chairman Tommy Sinclair stated the new ordinance pertaining to boards and commissions established seven members for the Library Board. Therefore, this position would not be replaced in order to reduce the Library Board from eight members down to seven members. Councilman Randall Hanvey stated that would mean his district did not have representation on the Library Board and asked when he would be able to reappoint someone. Councilwoman Joan Little stated that Councilman Hanvey had appointed someone from her district to the Fair Board so he did not have a district representative on that board. Councilman Frank Hart stated that each member of Council would make a recommendation but they would come from the County at-large. He understood the recommendations would come from District 2, District 3, District 5, and District 6 first then cycle to the other three districts. Chairman Tommy Sinclair stated during the transition period that those four districts would make the initial recommendations. When Home Rule came into effect, they faced the same problem for the Union County Council. To resolve the issue the four people with the most votes served for four years and the other two served for two years. He said he looked at the South Carolina Election results and figured the percentages for the four districts that would be making recommendations. Councilwoman Kacie Petrie representing District 6 received 78.3% of the votes, Councilman Tommy Ford representing District 3 received 60.03% of the votes, Councilman Randall Hanvey representing District 5 received 54% of the votes, and Councilman Frank Hart representing District 2 received 37% of the votes. The other way to handle it would be to draw names out of a hat. Chairman Tommy Sinclair stated the vacancies would need to be advertised. Councilwoman Kacie Petrie stated in the spirit of fairness that she would forfeit her appointment to the Library Board since four members from her district are already serving on that board.

Ben Ivey: Made a motion to advertise the two positions on the Library Board.

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

Chairman Tommy Sinclair stated there were also three vacancies on the Airport Commission, one vacancy on the Alcohol and Drug Abuse Commission, four vacancies on the Appeals Board, five vacancies on the Development Board and three vacancies on the Stadium Commission.

Tommy Ford: Made a motion to advertise the vacancies on the boards and commissions as stated.

Ben Ivey: Seconded the motion.

Councilwoman Kacie Petrie asked if the first three vacancies would be filled by her, Councilman Ford and Councilman Hanvey because there were a lot of vacancies to be filled. Chairman Tommy Sinclair stated the vacancies would be advertised and if they have someone interested in serving they should make sure they apply. The motion carried by majority vote.

Councilman Frank Hart wanted to be sure that when the new appointments are made that they reflect the new four year terms with the new dates for those terms. Councilwoman Joan Little asked if there would be a representative on the boards and commissions from each district. Chairman Tommy Sinclair stated

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each member of Council would eventually recommend an appointment but the positions would be advertised and the member of Council could recommend someone from their district or from the County at-large. Councilman Ben Ivey stated he found someone to serve on the Library Board after it had been advertised numerous times to fill an unexpired term. One of the members of Council making the current recommendations could appoint her to fill out the term that runs concurrent with their Council term and could be considered again when that term expires. Chairman Tommy Sinclair stated that would be the case if it does not conflict with the terms or any other restrictions set by the new ordinance.

Chairman Tommy Sinclair informed Council that he was called because of snakes at a house because it was so overgrown. He stated he sent inmates to cut the grass. They got quotes for a bobcat bushhog plus a push behind bushhog that would be under State contract for approximately \$7,500.00 to come from this year's funds to handle these kinds of situations.

Ben Ivey: Made a motion to approve the purchase of a bobcat bushhog and a push behind bushhog at a cost not to exceed \$7,500.00 with the funds to come from this year's budget.

Randall Hanvey: Seconded the motion.

Councilwoman Kacie Petrie asked if the County adds a charge to the property tax when the County has to clean it up. County Attorney Sammy Diamaduros stated the cities can do it more easily than the counties. It is more difficult for the County to charge it back to the property owner or put a lien against the property. Chairman Tommy Sinclair stated it was difficult to put a lien against the property but the County could charge the property owner. It would then go before the magistrate for violation of County ordinance where he would receive a fine to try to offset the County's cost. There was discussion about property handled by the Forfeited Land Commission and the condemnation process. The vote on the motion was unanimous.

Councilwoman Kacie Petrie stated she had talked with Jason Vance with Catawba Regional Council of Governments and he said the Ottaray Project was in the hands of the engineer. Chairman Tommy Sinclair stated the work being done by the Detention Center in Ottaray could be counted as in-kind services toward the County's matching funds. Councilwoman Kacie Petrie asked Mr. Vance when they would see some work done and he said he hoped it would be in October.

Councilman Frank Hart stated the Historical Society had a tree removed from the Quaker Cemetery in the Cross Keys Community. This is County property but they want to be the champion for the property and come back to the County when there are issues with maintenance and repairs to request help. Obviously, they do not have the money and might need to request assistance from the County. The Union County Historical Society asked the Union County Council to grant them oversight responsibilities for Quaker Cemetery which would include the building to provide signage, manage upgrades to the property, coordinate routine maintenance projects, and identify potential future projects related to the property for County Council's consideration.

Frank Hart: Made a motion to grant the Union County Historical Society the oversight responsibility for the Quaker Cemetery as requested.

Randall Hanvey: Seconded the motion.

Councilwoman Kacie Petrie asked if this would not be the same situation they ran into with the West Springs House. Councilman Randall Hanvey stated they are not requesting money at this time and because it is a historical site they want to maintain it. Chairman Tommy Sinclair stated it was not uncommon to do this and he liked the idea of them as caretaker. Councilwoman Kacie Petrie stated that because it is County property then in the removal of the tree would they not have to meet the

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requirements of hiring someone with worker compensation coverage to do it. Councilman Frank Hart stated that tree is already gone. The vote on the motion was unanimous.

Chairman Tommy Sinclair stated Council needed to review and approve audits and financial statements which included several fire departments and Veterans Park.

Randall Hanvey: Made a motion to approve the audits and financial statements.

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

Mr. Paul Newhouse as CEO for Wallace Thomson Hospital stated they had talked about cost cutting as the first step toward a break-even point. They had some dream ideas to get them above that level. The first one was getting the State to reclassify them for reimbursement for indigent care. It has not happened yet but looks like it will happen. The second item was getting an outside organization, a federally qualified healthcare center, to take over some of their primary care physician offices which are where they lose quite a lot of money every year. He met with Carolina Health Centers officials and signed a letter of confidentiality to go to the next step to potentially take over some of those offices. This would be a seven to nine month process if everything moves forward quickly. Chairman Tommy Sinclair stated he had talked to Mr. Randy Imler with Catawba Regional Council of Governments and other hospitals in the State the same size are having the same issues. He said he thought they were on the right track.

Councilwoman Kacie Petrie wanted to clarify for the record that the audit and financial statements that were approved were for Carnegie Library and Veterans Park.

Tommy Ford: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 6:24 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council