

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, JULY 10, 2012 AT 5:32 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chair Kacie Petrie, Councilwoman Joan Little, Councilman Ben Ivey, Councilman Randall Hanvey, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly

Absent: Councilwoman Dora Martin-Jennings and Councilman Tommy Ford

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. Frank Hart, Mr. Ray Treadway, Mr. Howard Gibson, 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
Dora Martin-Jennings, District 2 - Absent
Tommy Ford, District 3 - Absent
Ben Ivey, District 4 - Present
Randall Hanvey, District 5 - Present
Kacie Petrie, District 6 - Present

Ben Ivey: Made a motion to dispense with reading of the minutes of the special meeting of the Union County Council held on June 5, 2012 and to adopt the minutes as written.

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

Chairman Tommy Sinclair stated there were three vacancies on the Tourism Commission. Chairman Tommy Sinclair stated he received a letter from Elizabeth T. Lemaster with the Enoree Ranger District of the Sumter National Forest requesting Alice Riddle be reappointed to the Tourism Commission as the Forest's representative.

Randall Hanvey: Made a motion to appoint Alice Riddle to serve another term on the Union County Tourism Commission and to advertise the other two vacancies.

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

Chairman Tommy Sinclair stated there were vacancies on the Development Board and the Library Board that needed to be advertised.

Randall Hanvey: Made a motion to advertise those vacancies

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

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Chairman Tommy Sinclair stated Howard Johnson had called and talked to Kindra Horne in his office. Mrs. Horne said he told her he was calling to let Council know he would not be at the Council meeting. He had planned to be at the meeting but he was not going to be able to make it but plans to be at the meeting next month. Councilman Randall Hanvey said he understood Council planned to hold a special meeting on Monday, July 16th and asked if Howard Johnson could be notified to be at that meeting and Chairman Tommy Sinclair responded yes. Chairman Tommy Sinclair stated he had planned to hold a special Council meeting on Thursday, July 12th to hold second reading on the ordinance for Project Metric. He found there would not be a quorum for July 12th and since the law requires seven days between second and third reading of an ordinance he suggested Council hold a special meeting on Monday, July 16th at 5:00 p.m.

Randall Hanvey: Made a motion to hold a special Council meeting on Monday, July 16th at 5:00 p.m.

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

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

Chairman Tommy Sinclair suggested any Council members who had an opportunity should go by and take a look at the progress being made at the old Chrysler Building. All that is really left is doing the floor. The biggest complaint has been the Building Inspector who has not cut any slack.

Tax Assessor Susan Hanvey stated they had started on the fire district changes and they are not one hundred percent through but will be by the deadline. Chairman Tommy Sinclair stated a lot of time and effort had gone into getting that done. With that much stuff nothing would be perfect but they are trying to get there.

Ronnie Wade as Stadium manager stated he wanted to let Council know where we stand since they had sent the School District some information to answer us back. He wanted to talk to Council about some of the things they have going on. He showed Council a copy of the sign they would be putting up at the Stadium. They already have it in stock and are trying to get it up now. They don't know how they will come out with the School and who would be in charge of what is going on. He said he had talked to Councilman Ben Ivey about some buildings and things. What they are trying to do is put up a building where they had a building blown down in the end zone. What he wants to do is put the building up but if they are not going to have use of the building then he is kind of stuck. He needs three to six weeks to get the building up. They are talking seven weeks to play football. He met with School Superintendent Kristi Woodall, Lynn Lawson, Will Hickson and football coach Tanneyhill last week who showed him how they want things set up. They want one team over by the end zone concession at the fairgrounds. They want the other team on the other side away from them. They are talking about putting in porta johns on one side for this team and having tents at the end zone for them. Some of this is not the County's concerns. If they are going to put a building in the end zone then it could be a problem but he needs something because he does not have a place to put his materials to do the irrigation, lights, and repairs for their equipment. He does not have a place to store that. The top is off the old building and the sides are falling out of the building. They are trying to get to a point where they can do this.

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Where they put the signs on the fence and do the yard sales, that money has been going into a rollover account which has about \$20,000 to use for finishing the sign for the front and putting up a new marquee sign where they can put announcements and that kind of thing in the front where it would be lighted at night. Councilman Ben Ivey asked if Mr. Wade was saying they have a problem with putting a building up and continuing to use it and Mr. Wade said that was correct. Councilman Ivey asked why buy a sign if that is the case. Mr. Wade said a sign had already been purchased and it would still be the Union County Stadium regardless of what the School District ends up doing. He said there was a problem with the asphalt that is there now. Councilman Ivey said he could see where it had been torn up because of the dumpster and the traffic. Mr. Wade said they need the money to put the building up, and the money to put a lean-to up to put the equipment in because it looks pretty tacky. The first two football games will be played here and both will be televised. Not only will we be seen but the stadium will be seen. What he is trying to do is make it look right and do what they are supposed to be doing. Mr. Wade said he needs an answer from the School District as to what they are going to do and he needs it pretty quick. Councilman Ben Ivey asked if there was anywhere they could relocate the dumpster so that when they come to empty it they could reach through the fence to get it and not have to go in and do all the turning. Ronnie Wade said they had a problem with it being in the fairgrounds so they moved it inside. He had it sitting where so you did not have to cross all the asphalt. The band asked that it be moved because it was bothering them because they were selling their products in that same area. You have a limited spot where it can be moved. Councilman Ben Ivey asked what the County puts in the dumpster and asked if it was being emptied weekly. Mr. Ronnie Wade said they had been emptying it weekly but they may have to get it done bi-weekly. Councilman Ivey asked other than the concessions and stuff that goes in the dumpster during programs is the County using it the rest of the year. Mr. Wade said they pretty well do with wrestling and other events. They are using it for more than one thing and it gets multi-use. Councilman Ivey asked if there was any direction the truck could come in where they would not have to do so much turning and tearing up the asphalt. Mr. Wade said that was what they are trying to do now so the truck would come in a shorter distance and he has done some patching in places. Chairman Tommy Sinclair said the old building was made of particle board. The roof came off during a recent storm. He told Mr. Wade he was not sure how much money the County should invest in a building long term until they have a long term picture. Chairman Tommy Sinclair said he showed Council the information he sent to the School District and told them the County needed an answer in a hurry but did not put a deadline on it. He said he would entertain putting a deadline on it because they have to have some decision points. Mr. Ronnie Wade said he had looked at two setups. One is a lean-to to put the equipment under. He could put one wall on the lean-to to cover up the section where equipment would be stored. If they are going to put the teams over there he would not put the equipment in it right away. He would let the teams huddle there instead of putting tents there. The other thing would be a 30 foot by 40 foot building that they could work out of. He has a problem at Timken Sports Complex in that they do not have a place to pull in a tractor to do oil changes and other maintenance. Some of these things they should not be sending to Troy Champion at the County Shop. Some of these things they could be handling themselves. Chairman Tommy Sinclair said tents and porta potties are items he does not want to get in the business of. Mr. Wade said for events they provide a place but do not put on the events. They have run into this with the wall at the Stadium where they wound up with the liability. If you put on the event then it is your event. Chairman Tommy Sinclair said he understood

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the purpose of the tent was to change clothes. Mr. Wade said he understood it would be for that and assumed it was to get out of the weather as well. He said they are co-joined as far as concessions. The band is in the end zone concession and the booster club is in the other concession. They are working as well together as he can ever remember them working together. They do not want that dumpster there and they are trying to solve that issue. They were complaining about the odors but they do not have that kind of food since they provide drinks but they don't have food and those type items. Even if they do it is not there more than a day or two. The asphalt part is terrible. He needs a coating of asphalt there regardless of whoever is going to be handling it. Councilwoman Kacie Petrie said she thought Ronnie Wade should be the one to determine the deadline date. Mr. Wade said they had given them three to six weeks on the building and he has about \$20,000. The shed would cost \$7,000 and the building would cost \$14,000 so you are looking at \$21,000 there. The sign costs would come out of the same money. Chairman Tommy Sinclair said the money was Stadium self-generated with the advertising signs and yard sales. Mr. Wade said the handicapped facilities, shades and other improvements at the stadium came out of those funds. Chairman Tommy Sinclair asked if it was a motion or it should be handled by administrative direction that they establish a deadline. Kacie Petrie said she thought Ronnie Wade should be the one to determine that date because he would know when things need to be done. Ronnie Wade said whichever way it goes they would work it out and there would be a Christian solution to whatever they do.

Chairman Tommy Sinclair said for the record, while it is frustratingly slow, they are trying to finish all the easements at the airport. Airport Manager Ronnie Wade said they are working on the easements and would bring that back to Council. Basically, what they are looking to do is take trees off people's property. He said he had sent several copies of easements to the County Attorney. Mr. Wade said when you talk about smelling the airplane fuel it is in the easement and people are not comfortable with that. He talked with WK Dickson and worked on this and all he wants is an easement that says they are going to clear the trees and the people would be paid for us clearing their trees. Councilman Ben Ivey said he had been contacted by a resident involved in this. The resident says they keep talking trees but asked about adding onto their house five years from now would they be able to do it. Councilman Ivey asked if the airport layout distinctly shows the runway width imaginary line all the way through the properties so they would know where it was coming so they would be comfortable when they sign the easement. Mr. Ronnie Wade said part of that does. What he carried to the property owners was a zoning map that tells the approach to the airport is 608 feet above sea level. To come into the airport you have to be 800 feet above that. The closest person they have would be 60 feet. It could go to 64 feet. One of them has one tree to be cut and one does not have any trees that he knows of. What they are buying is an approach. What makes this so complicated is they are saying to the property owner that they are already living with this and all the County wants to do is clear the trees. Chairman Tommy Sinclair suggested meeting with the property owners individually and show them what he calls the footprint and where they want to be twenty years from now. Mr. Wade said property owners are saying what happens if later on the County wants to go all the way out to the road and wants to buy your house. That is not what he is talking about and even if they do it is not in the easement. Councilman Ben Ivey said he understands easements because he has property involving easements. The property owner is looking at it like if the County comes up here then the property owner could not go out there and build on it which is true. The property

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owner needs to know they cannot encroach on that easement and build something that is going to be an obstruction or have the possibility of being one. Mr. Wade said the County already has a height restriction zoning ordinance for the area around the airport. That already determines how high your building can be and it has to be less than 60 feet. That is controlled. What he is talking about is the trees. Some of them that want to go ahead and sign the easement and get their money have some trees in the front of their house that may be 80 feet tall that is not in this approach. They have to figure out how they are going to solve this problem and they are going to have to take some of those trees. It will be a 90% refundable thing when they start identifying these trees. The County will get 90% of the money back. The paperwork is sitting in Anna Lynche's office in Atlanta letting her know what the problem is and what the person is complaining about and asking how to resolve this. He has people calling wanting their money. County Attorney Sammy Diamaduros stated we are not drawing up the easements. FAA is sending them the easement forms to use but they are more complicated than what is needed. Mr. Wade stated it is a generic easement and it needs to be more specific. Everybody would sign that same agreement and everybody would be paid. Actually, on this agreement it is 95% refundable. Councilman Ben Ivey said everybody has to be on board before anyone gets paid. Mr. Ronnie Wade said if you are not on board you don't have to sell it. County Attorney Sammy Diamaduros stated there are 9 of the 11 property owners who have liens. The property owners need to talk to their bank to see if they would subordinate to the easement which they do not have to do. Mr. Wade said that had been discussed with each of them along with the amount of money they would be paid. He said all he cared about was that they were covered. Chairman Tommy Sinclair stated he started out by telling Council it was a frustratingly slow process and this gives them a picture of just how frustratingly slow it is.

Chairman Tommy Sinclair presented in title only an ordinance authorizing certain economic development incentives for Project Metric, including entering into a fee in lieu of property tax arrangement pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended, the granting of a special source revenue credit, the transfer of land for the project, the grant of an option to purchase additional property for the project, and other related matters between Union County, South Carolina and Project Metric.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance pertaining to Project Metric.

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

Chairman Tommy Sinclair stated when he went down for the close out on the ESAB grant which meant \$950,000 transferred through this office, through ESAB, through construction companies and a lot of things. If we add in the Gestamp numbers he showed Council, Project Metric numbers, Belk numbers, Brownfield numbers, and the Buffalo CDBG grant then they are talking about three plus million bucks flowing through this office. Not the dollars themselves but the accounting of them. When he asked who does this in other counties, more often than not, he was told the Finance Director or the Grants Administrator. They have already worked through ESAB with delineating one person to look after that grant. He said he was looking for a motion to continue to let the Supervisor designate a Grants Administrator and the Council to receive a monthly accounting of grants along with the standard budget report. Council would then receive a monthly budget report and a monthly grants report

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along with the graph they are doing to protect our assets. Councilman Ben Ivey stated that was a personnel issue and asked to discuss it in executive session

Chairman Tommy Sinclair called for any other business before going into executive session but there was none.

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

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

The Union County Council went into executive session to discuss personnel matters.

Chairman Tommy Sinclair announced that they had come out of executive session and no action was taken during executive session.

Kacie Petrie: Made a motion for the Supervisor to continue to designate a Grants Administrator and the Council receive monthly accounting of grants and administration along with standard budget reports.

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

Chairman Tommy Sinclair stated for the record that Councilwoman Joan Little had asked if anyone was attending the reception tonight as Tasha Jeter is returning to Union County to join the existing OB/GYN office which he felt was pretty significant.

Ben Ivey: Made a motion to adjourn the meeting.

Kacie Petrie: Seconded the motion. The vote was unanimous.

The meeting was adjourned at 6:12 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council