

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, JULY 12, 2011 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chair Kacie Petrie, Councilwoman Joan Little, Councilwoman Dora Martin-Jennings, Councilman Tommy Ford, Councilman Ben Ivey, Councilman Randall Hanvey, 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. Frank Hart, Mr. Ray Treadway, Mr. Brooks Carwile, 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. Councilwoman Dora Martin-Jennings 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 - Present
Tommy Ford, District 3 - Present
Ben Ivey, District 4 - Present
Randall Hanvey, District 5 - Present
Kacie Petrie, District 6 - Present

Randall Hanvey: Made a motion to approve the previous minutes of the regular monthly meeting of the Union County Council held on June 14, 2011, the special meeting of County Council on June 28, 2011 and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented service award certificates and gift cards for Harold Smith for five years of dedicated service, and for James Boyd for ten years of dedicated service to Union County.

Mrs. Amy Austin made a presentation to Council concerning the Miracle League. She thanked Council for providing the initial \$500.00 membership fee to the Miracle League Network. She also thanked Council for contributing at least \$2,500.00 to sponsor their first Disability Awareness Day. She thanked the County for allowing them to hold the Miracle League Exhibition Game at the Timken Sports Complex. Their mission is to provide opportunities for individuals with disabilities to play Miracle League baseball regardless of their abilities; to promote community support and sponsorship of the Miracle League; and to promote the construction of special facilities that meet the unique needs of

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Miracle League players and their families. She stated they had established a Board of Directors and bylaws had been established and approved. She said they need a flat and smooth field for them to play on that is accessible for all. They want to provide a playground area and eventually provide a recreational complex. She asked for inclusion to utilize the resources of Union County and the City for the construction and maintenance of the field. She asked for inclusion as a part of the Union County Recreation Department providing services like those utilized by organizations such as the Dixie Youth Leagues. They requested the opportunity for an informal meeting to discuss details for site acquisition, construction, and future maintenance of the field. The Union County Miracle League Board is ready to organize and run the league; continue their fund raising and sponsorship efforts; and continue to solicit organizations for support.

Mr. Robert Croom and Mr. Tim Winslow with the South Carolina Association of Counties gave Council an update of the services they provide that are available to the County. Mr. Croom told Council if they cannot answer the Council's questions or help them they will find someone who can. They regularly send out newsletters and magazines and provide training through the Institute of Government. They keep the counties up with the legislative changes. He encouraged Council Members to sit in on the J. Mitchell Graham presentations at the annual conference because these are all success stories in providing government services. Union County belongs to both the Workers Compensation Insurance Trust and the Property and Liability Trust through the SCAC. They provide risk management training and send a representative out to talk to the counties about jail liability. SCAC provides a set off debt program. They encourage the Council Members to contact their legislators concerning pending legislation that could adversely affect Union County such as the current cuts in the local government funds. They provide publications such as the Home Rule Handbook and Wage and Salary Survey for the State. They also offer assistance with land use and planning by offering the training for those officials. They also hold a County Council Coalition meeting in the fall.

Curtis Hunter and Graham Williams with the Tourism Commission, Andrena Powell-Baker with the Development Board and Torance Inman with the Chamber of Commerce addressed Council about amending the county ordinance that prohibits any alcoholic beverages, beer, wine or container containing the same on any public property owned by Union County. The ordinance was adopted in 1984 and they asked that it be amended by adding a paragraph stating that "Any person, organization, business, lessee, renter and/or occupant that have been given professional control of stated properties are exempt from the above ordinance." Mrs. Hunter stated there are appropriate times or events when adult beverages should be served. They want the ordinance amended to where it would not be the responsibility of Union County but would be the responsibility of the lessee at the time of such events. Mrs. Andrena Powell-Baker stated the Development Board was asked to submit a letter of support which they have done. Mr. Torance Inman stated the letter from the Union County Chamber of Commerce said it was the consensus of their Board of Directors that any persons, organizations, responsible party or person that had been given professional control over a piece of property whether it be by lease, rent or otherwise that they should not be restricted beyond that which is required by law. The ordinance does not take into consideration the cultural, professional, or economic restrictions it places on whoever rents or leases a piece of property. The Boards contention is that once you give

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control over of a piece of property to a professional organization through a lease or whatever the case may be then the property ceases to be public but becomes private. Therefore, they should not be restricted beyond what is required by law.

Mr. Ernie West appeared before Council to request funds to help with the expenses pertaining to the State Championship for the Dixie Youth and Dixie Boys Baseball. Mr. West said he was filling in for Terry Davis and was representing Dixie Boys Baseball for the thirteen and fourteen year old teams. Both teams will be playing in Aiken and they are requesting \$2,000.00 to help with the costs of shelter, transportation and food. Dixie Youth was not included in this request and they would only have the chance of sending one team to the Championship if they advance. Chairman Tommy Sinclair asked if this included the girl's team and he stated it did not. Mr. West stated the funds would not be used for any debts they currently have. Chairman Tommy Sinclair asked him to explain that. Mr. West stated Dixie Youth is currently in debt and he did not know for how much but this is a request for funding to help send these two teams to the State Championship to help provide shelter, transportation, and food. There was further discussion about accountability if a donation is approved.

Randall Hanvey: Made a motion to provide \$1,000.00 for each of the two Dixie Boys Baseball teams for a total of \$2,000.00 with the contingent approval of an additional \$1,000.00 for the Dixie Youth if their team advances to the Championship and that they provide a written accounting back to Council on how the funds were used for the kids within one week of the tournament ending.

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

Chairman Tommy Sinclair called for any elected officials or department heads who wished to address Council. He introduced Mr. John Gibson to Council as the new Public Works Director.

Tax Assessor Susan Hanvey informed Council they have received about one hundred twenty informal appeals on the tax reassessments with at least a hundred being completed. She stated the deadline to file an informal appeal is August 16th.

Chairman Tommy Sinclair stated they were making a lot of progress on building permits without fire hydrants.

Chairman Tommy Sinclair called for any committee reports but there were none.

Chairman Tommy Sinclair stated they have received from the group from Alabama a jail review. The architect that designed the jail has done a plan on what it would take to repair the damaged cell block. They will be going out for bids. The rest of the report has to do with the size and classification ability of prisoners in the additional cell blocks. They did an infrared study of the roof to show any leaks. There is money in the budget for the roof repairs at the jail.

Chairman Tommy Sinclair stated the Workforce Investment Board has a board member whose term expires on June 30, 2011. They recommended Beth Summer-Strait be appointed to serve another term.

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Randall Hanvey: Made a motion to accept the recommendation to appoint Beth Summer-Strait.

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

Chairman Tommy Sinclair introduced a Resolution of Intent resolving that Council assures the Federal Insurance Administration that it will enact as necessary and maintain in force in those areas having flood or flood-related erosion hazards adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Parts 59, 60 and 65 of the National Flood Insurance Program Regulations (44CFR).

Dora Martin-Jennings: Made a motion to dispense with referring the resolution to a committee and to adopt the Resolution of Intent as written.

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

Chairman Tommy Sinclair presented for third and final reading the Flood Damage Prevention Ordinance.

Tommy Ford: Made a motion to adopt the Flood Damage Prevention Ordinance as stated.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing the execution and delivery of a deed to Hope F. Small conveying the interest of Union County, South Carolina, in a certain parcel of real estate located on Cottage Street as shows in deed book 236 at page 882.

Randall Hanvey: Made a motion to adopt the ordinance authorizing the execution and delivery of a deed to Hope F. Small as stated.

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

Chairman Tommy Sinclair called for an executive session to consider a FMLA request.

Dora Martin-Jennings: Made a motion to go into executive session for the purpose stated.

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

The Union County Council went into executive session to consider a FMLA request.

Chairman Tommy Sinclair stated they were now out of executive session and no motions were made and no votes were taken.

Chairman Tommy Sinclair entertained a motion to extend FMLA to the employee of record.

Joan Little: Made a motion to extend FMLA to the employee of record.

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

Chairman Tommy Sinclair presented audits and financial statements from Clemson Extension, Chamber of Commerce and Carnegie Library for Council's review and approval.

Dora Martin-Jennings: Made a motion to accept the audits and financial statements as presented.

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

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Randall Hanvey: Made a motion to adjourn the meeting.
Joan Little: Seconded the motion. The vote was unanimous
The meeting was adjourned at 7:07 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council