

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, AUGUST 13, 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 Ben Ivey, Councilman Randall Hanvey, Councilwoman Kacie Petrie, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly
Absent: Councilman Frank Hart

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 - Absent
Tommy Ford, District 3 - Present
Ben Ivey, District 4 - Present
Randall Hanvey, District 5 - Present
Kacie Petrie, District 6 - Present

Chairman Tommy Sinclair stated there was one vacancy on the Airport Commission but there were no applicants. It was suggested to advertise that position again.

Chairman Tommy Sinclair stated there was one vacancy for an unexpired term on the Alcohol and Drug Abuse Commission but there were no applicants. It was suggested to advertise that position again.

Chairman Tommy Sinclair stated there were three vacancies on the Appeals Board.

Randall Hanvey: Made a motion to appoint Jay Coffey to serve.

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

Councilwoman Kacie Petrie and Chairman Tommy Sinclair stated they were still working on their recommendations.

Chairman Tommy Sinclair stated there was one vacancy on the Stadium Commission with one applicant who was Andrew Tyler Shugart.

Randall Hanvey: Made a motion to appoint Andrew Tyler Shugart.

Kacie Petrie seconded the motion. The vote was unanimous.

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Chairman Tommy Sinclair stated there were two new upcoming vacancies on the Alcohol and Drug Abuse Commission.

Tommy Ford: Made a motion to advertise the vacancies.

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

Ben Ivey: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on July 9, 2013, the special meeting of County Council on July 19, 2013, the special meeting of County Council on July 31, 2013 and to adopt the minutes as written.

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

Chairman Tommy Sinclair referred to a letter from the Workforce Investment Board stating the term for the position held by Lisa Morris had expired and that she had requested to be reappointed.

Ben Ivey: Made a motion to appoint Lisa Morris to serve another term on the Workforce Investment Board.

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

Chairman Tommy Sinclair stated next on the agenda was Steve Broadbent to discuss the agenda process, road systems and code enforcement. Mr. Steve Broadbent stated he lives at 159 Ashley Acres in Union County and asked if he were only supposed to speak for five minutes. Chairman Tommy Sinclair stated that normally speakers are asked to limit their comments to five minutes but since he had requested to speak on three topics they would allow him fifteen minutes. Mr. Broadbent stated he lives on a small one lane road and when it rains it floods and is muddy afterwards. The water runs off from the junkyard next door. He provided pictures of the road. SCDOT determined this was a local road owned and maintained by Union County. He said the road is frequently littered with broken glass, debris and scrap metal that falls off the flatbed tow trucks from the junkyard business. There are two businesses next door. There is the auto salvage yard and the twenty four hour seven day a week towing and salvage business. The latter brings the junk in and the former rips the cars to pieces, smashes them, tears the roofs off cars and then hauls it out on flatbed trucks. He stated he was also concerned about debris falling off the trucks on Highway 18 which would be a public safety issue. He wondered if it would not be better for them to put a tarp over the junk or put it in a container to keep from littering the roads. He said he was told on July 9th the road would be repaired in six to eight days which was five weeks ago. He said he has a right to safe access and egress to his home and property. The road continues to deteriorate from the tow trucks. The neighbor has dumped asphalt and crushed gravel on the road but he questioned his authority to do that. He thought it was wrong for the taxpayers to fix Ashley Acres Drive when the two businesses have wrecked it. He questioned the protocol and criteria for fixing roads. Mr. Broadbent stated the County adopted the Building Code Ordinance on June 10, 2009. He read from a newspaper article about the adoption of the ordinance, its purpose, and enforcement to protect the people of Union County and their property. On August 27, 2009 County Council voted unanimously against including a grandfather clause. On May 17, 2010, he stated a junkyard appeal was rejected. Mr. Broadbent stated he filed a written complaint. Council held a hearing and rejected the appeal to his complaint therefore his complaint is valid. His neighbor was sent a certified letter giving him 150 days to come into compliance and it has been years. The problem continues to get worse. There are fifty abandoned cars next to his house which are not part of the regular salvage business and have been sitting there for two years. They were placed there after County Council rejected his appeal. They are overgrown with weeds and are infested with rats causing a health and safety issue. Not one of the code enforcement officers has met with him to look at the problem. He said he felt ignored, neglected, and

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discriminated against. The fourth article of the Codes Ordinance is dedicated to the regulation of junkyards. He questioned the enforcement of the Building Code ordinance. He stated he was restoring his home and wants to preserve it. He provided some pictures. He stated he had filed complaints since August of 2009 and the latest was on June 11, 2013. He talked to the code enforcement officer Mr. Riddle last Monday who said he would look into it. Mr. Steve Broadbent said he would like to discuss the process of the Council agenda. He stated the Chairman of Council read a document during the last meeting and at the end of it he had no idea what was talked about. He said he would have liked as a taxpayer and as a citizen to ask questions. The way the process is now he has to wait to be placed on the agenda to address Council. He questioned the five minute allotment of time to address Council on a topic. Citizens and taxpayers have a right to address County Council and have a right to question and criticize local government. County Council works for the people. Councilman Randall Hanvey asked Mr. Broadbent about when he filed his last complaint to which he responded June 11, 2013. Councilman Randall Hanvey asked Mr. Broadbent when he talked to the code enforcement officer and he responded he talked to him last Monday.

Chairman Tommy Sinclair stated Mr. Donald Lyles who was next on the agenda had called him and said he would not be coming before Council.

Chairman Tommy Sinclair called for any elected officials or department heads that wished to address Council. He informed Council that Clerk of Court Freddie Gault had requested a meeting of the Personnel Committee.

Sheriff David Taylor stated their new Computer Aided Dispatch (CAD) system was up and running. They have been online with that since July 25th and it is working great. The dispatchers are happy with it and it did not have any bugs in it. He requested a meeting of the Law Enforcement Committee to discuss a couple of items. Chairman Tommy Sinclair stated the security of NCIC would require a lot to comply with. Sheriff David Taylor stated they were going to have to put in video equipment over each computer where they have the NCIC network and secure the computers that have access to NCIC which is the National Crime network. There will be some costs involved in getting this in compliance. He said they did not know it was going to be that involved. Until they come into compliance they will not be able to get any of their people certified. He stated Diane Freeman along with the network crew was working on the policy and procedures on how to prevent a security breach and how to report that.

Tax Assessor Susan Hanvey announced that they now have the tax parcels on line and that it can be accessed by going to the County's website.

Chairman Tommy Sinclair stated they had been informed by the South Carolina Department of Transportation they had identified railroad crossings as a priority issue. He said John Gibson had received a list of about thirty railroad crossings that would have to be addressed.

Paul Newhouse as CEO of Wallace Thomson Hospital gave out an outline to Council prioritizing what they were focusing on at the hospital. He discussed the number of persons going to other facilities outside of Union County. They were focusing on key physician needs. They are looking at partnering with other hospitals. They are looking at saving money and getting access to capital. They have some old equipment that could become an issue. Chairman Tommy Sinclair asked Mr. Newhouse when he said they were talking to people about partnering did he mean they were they talking to representatives

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of institutions and organizations and Mr. Newhouse responded that was correct. Councilman Tommy Ford said they had talked before about starting an urgent care unit in the hospital and asked if there had been any further discussion. Mr. Newhouse said it was the last item on the list and they were looking to have the FQHC help with providing care to the uninsured, underinsured and Medicaid patients which is part of the Proviso 33.34. Councilman Ben Ivey said he noticed on the list the need to repair a retaining wall and asked where it was located and what was proposed to be done to repair it. Mr. Newhouse stated they had applied for a grant to help with that but it could be a year down the road.

Chairman Tommy Sinclair recognized Ben Loftis with Carnegie Library and Will Boyles with the Tourism Commission. Councilwoman Kacie Petrie stated she was excited about Uniquely Union because it is moving back to downtown and it is growing. They have input from the Tourism Commission, Development Board, Arts Council and committee members.

Chairman Tommy Sinclair stated Sheriff David Taylor had moved to his new office space in the old jail. Al Black's office had been relocated to the old jail. Linda Mitchell's office had been relocated to the 911 building.

Chairman Tommy Sinclair stated he was continuing with the Economic Development presentation about Trakas and the spec building for the bond issue with Santee Cooper to move forward on the spec building. He talked to them about a special source revenue bond and the legalize relating to that.

Chairman Tommy Sinclair presented for third and final 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"), Timken US LLC ("Timken US") and the Timken Company ("Timken 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 Timken US to Timken Company of certain rights, interests, and obligations under the lease agreement and related agreements; and (3) authorizing other matters relating thereto.

Ben Ivey: Made a motion to adopt the ordinance authorizing the execution and delivery of a First Amendment to Lease Agreement by and between Union County, Timken US LLC, and Timken Company approving a ten-year extension of the term of the Fee in Lieu of Tax Arrangement as stated.

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

Tommy Ford: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 6:05 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council