

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, AUGUST 14, 2012 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

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

Absent: Councilwoman Dora Martin-Jennings

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 - Present

Ben Ivey, District 4 - Present

Randall Hanvey, District 5 - Present

Kacie Petrie, District 6 - Present

Chairman Tommy Sinclair stated Councilwoman Dora Martin-Jennings is home from the hospital but her medication causes some immune system considerations so visits are limited. She seems to be doing well. Councilman Randall Hanvey and Councilwoman Joan Little both described their recent visits with her.

Tommy Ford: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on June 26, 2012, the regular monthly meeting of the Union county Council held on July 10, 2012, the special meeting of the Union County Council held on July 16, 2012, the special meeting of the Union County Council held on July 24, 2012 and to adopt the minutes as written.

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

Chairman Tommy Sinclair told Mr. Howard Johnson that Council had received his letter concerning the old Buffalo Mill property and that it had been discussed at the County Council Committee on County Administration and Finance and that he would get in touch with him with some responses, considerations, comments and dialogue. Mr. Johnson provided copies of receipts where he had taken loads to the landfill. He said DHEC only requires him to keep a log whenever he dumps a load. When he goes to Mark Lancaster's he just jots it down. He

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said he planned to have the site bushhogged next week. Mr. Johnson said when he was first told he had to clean up the site that the County Council had voted out the grandfather clause but he had read recently in the newspaper where the County came under the grandfather clause for the County stadium so he was confused. Council explained that was referring to ADA Compliance and the County had voted out the grandfather clause for any new or ongoing construction. It did not cover demolition. Councilman Randall Hanvey said they could see where there was some progress made on the property and he understood there would be further discussion from the Committee on County Administration and Finance concerning the letter from Mr. Johnson.

Chairman Tommy Sinclair presented service awards and gift certificates to John Anthony for 5 years, for Allen Owens for 5 years, to Robert Fraim for 5 years, to Kindra Horne for 10 years, to Sue Farr for 10 years, for Elnora Jeter for 15 years, for Frances Martin for 15 years, to Harriett Belk for 20 years and for Linda Mitchell for 20 years of dedicated service to Union County.

Chairman Tommy Sinclair stated there were two vacancies on the Tourism Commission. He stated he received a request from Yates Giles to serve on that commission.

Kacie Petrie: Made a motion to appoint Yates Giles to serve on the Union County Tourism Commission.

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

Chairman Tommy Sinclair stated there were two vacancies on the Library Board. He stated Michael C. Rupp had sent a letter of application for appointment.

Ben Ivey: Made a motion to appoint Michael C. Rupp to serve on the Carnegie Library Board.

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

Councilman Randall Hanvey suggested advertising the vacancies left on the Tourism Commission and Library Board.

Development Board Director Andrena Powell-Baker stated there were four positions on the Development Board which were vacant due to term expirations which had been advertised and one at-large position. Two of the applicants had to be from higher education and two had to be from existing industries with over fifty employees. These four positions would be for three year terms. The at-large position is appointed at the discretion of the development board director to serve two years. She recommended Dr. Steve Lowe with USC-Union and Kathy J. Lancaster with Advanced Technology Center as representatives from Higher Education. She recommended Marvin Joyner with Haemonetics and Dale Wendel with Carlisle Finishing as representatives from industries with over fifty employees. She stated there were no other applicants. Mrs. Andrena Powell-Baker recommended Joe Hines, Jr. be appointed to serve as the at-large member.

Ben Ivey: Made a motion to appoint Dr. Steve Lowe, Kathy J. Lancaster, Marvin Joyner, Dale Wendel and Joe Hines, Jr. to serve on the Development Board.

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

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Mrs. Andrena Powell-Baker gave a powerpoint presentation updating Council on what has been happening with the Union County Development Board. She stated the mission of the Development Board is to provide a unified approach for recruiting new industry, retaining existing industry, encouraging economic development and supporting industry and business expansion. The presentation covered their board structure, marketing initiatives, new industry recruitment, existing industry expansion, new and expanding industry totals, collaborative partnerships/projects, and future/ongoing projects. New industries included ESAB, Belk, and Gonvauto. Mrs. Powell-Baker said they would be talking to Council about building a spec building. Councilman Randall Hanvey asked the average size of a spec building and Joe Nichols as Chair of the Development Board responded that it was 100,000 square feet.

Chairman Tommy Sinclair said he had a letter from the Tourism Commission that they had requested be read into the minutes of the Council meeting. The letter was concerning Council's decision to allow ball teams to practice at the Timken Sports Complex. They felt we are very fortunate to have such a state of the art facility at Timken and were concerned that any activity on the fields other than games would be detrimental. They understood that maintenance of a facility this size can be a challenge in itself. With economic and personnel resources being stretched as far as they can go, it would be difficult to maintain a pristine playing field for games if they are also being used regularly for practice. There are other complexes in our region that offer facilities for baseball and softball and tournaments. With this increase in competition, it is paramount that we keep Timken Sports Complex in 'game-ready' shape at all times. For some of these teams, it is their first visit to Timken and they want to make a great and long-lasting impression. As a commission they are very excited about continuing to work with Timken and its new assistant director, Dolton Williams. They want to make sure that we are marketing this great complex to as many different organizations as possible while also being able to provide them with a great atmosphere and superior fields.

Chairman Tommy Sinclair stated the Arts Council expressed their appreciation to Council for helping them with new computers.

Chairman Tommy Sinclair presented a resolution authorizing and directing the County Board of Election to change the format of the ballot slightly so that it conforms to the requirements of the voting machines to be used per the State Election Commission. The referendum question itself would not change concerning whether or not to change to the Council/Administrator form of government.

Randall Hanvey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution to change the format of the ballot to conform to the requirements of the voting machines as stated.

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

Clerk of Court Freddie Gault stated they are in the process of installing the Cott System for mortgages and deeds so they would be more accessible.

Chairman Tommy Sinclair stated they had talked to Motorola about a lease to purchase which equates to bonded indebtedness for the County as they would be obligating funds for the future according to McNair Law Firm. The County would be in debt for that system for five years. The Council would need to adopt an ordinance which requires three readings and

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would also have to hold a public hearing which would require a fifteen day prior notice. The public hearing has been scheduled for Tuesday, September 4th. Because of the FCC mandate to go to narrow banding it would create a loss in communications coverage area and would not provide adequate communications back to the base. Narrow banding has to be implemented by January 1st of 2013. Sheriff David Taylor stated that the need for adopting an ordinance would push their schedule back by two weeks creating time constraints for them. He wanted to make sure McNair Law Firm was reviewing the contract with Motorola so that the process would not be held up any further.

Chairman Tommy Sinclair informed Council that Shop Foreman Troy Champion had moved into the new shop at the old Chrysler building.

Chairman Tommy Sinclair stated the Tax Assessor's Office was working on getting the properties set up in the correct fire districts. There was one man whose insurance increased from \$700 to \$4,000 but they were trying to work that out. He said he understood the ISO presentation went well. Councilwoman Kacie Petrie stated some of the insurance increases were not related to the changes in the boundary lines of the various fire districts. The insurance company's access to GPS systems allows them to better pinpoint where a person lives and their distance from fire hydrants and fire stations.

Chairman Tommy Sinclair presented a drawing or rendition of the proposed Miracle League Field at Timken Sports Complex. Chairman Tommy Sinclair stated the Ray Tanner fund raiser for the Miracle League would be held the next evening.

Stadium Manager Ronnie Wade stated he understood they would be playing football at the stadium. There had been some previous concerns about who would prepare the stadium. There had been requests from the High School for two benches for the sideline which had been ordered. They are in the process of getting everything ready for play. He went on to explain that the new sign at the stadium was purchased from funds raised by allowing placement of advertising signs for various businesses to be placed on the fence at the stadium as well as the revenue generated from providing spaces at the stadium parking lot for Saturday morning yard sales. Those same funds provided two handicapped areas at the stadium. He stated they still need a building for storage.

Chairman Tommy Sinclair stated the issue of the School District using the stadium was discussed at the meeting of the Council Committee on County Administration and Finance. The outcome was that County Council wants to extend an invitation to the School Board to hold a joint meeting. The citizens expect and deserve to have them work together to resolve the matter.

Councilman Randall Hanvey stated he had some legal questions concerning the two proposed ordinances on the agenda. One places boards and commissions under the purview of County Council and the other ordinance would amend all prior ordinances that create any criminal offense. He said he would like to discuss these in executive session.

Randall Hanvey: Made a motion to go into executive session to discuss legal matters.
Kacie Petrie: Seconded the motion. The vote was unanimous.

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

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

Chairman Tommy Sinclair introduced an ordinance to place all boards and commissions created pursuant to Union County Council authority under Section 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.

Tommy Ford: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance pertaining to placing boards and commissions created pursuant to Union County Council authority under the purview of Union County Council as stated.

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

Chairman Tommy Sinclair introduced an ordinance to amend all prior Union County ordinances that create any criminal offense which is held to be in violation of Article VIII Section 14 of the Constitution of South Carolina so as to declare any violation thereof an infraction and to declare the conduct prohibited therein a public nuisance; and other matters related thereto.

Randall Hanvey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance to amend all prior Union County ordinances that create any criminal offense as stated.

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

Chairman Tommy Sinclair stated he wanted Council to approve a proclamation recognizing WBCU for receiving three awards at the State convention.

Randall Hanvey: Made a motion to approve the proclamation recognizing WBCU as stated.

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

Chairman Tommy Sinclair presented audits and financial statements for Council to review and approve. The audits and financial statements were for Clemson University, Catawba Regional Council of Governments, Historical Society, Soil & Water Conservation, Veterans Memorial Park, Southside Fire District, Agricultural Fair Association, Mental Health, and Olde English District.

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

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

Chairman Tommy Sinclair called for any other business but there was none.

Randall Hanvey: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 7:20 p.m.

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Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council