

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, SEPTEMBER 11, 2012 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. 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 dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on August 14, 2012, the special meeting of the Union County Council held on August 20, 2012, and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented service awards and gift certificates for Darren Cody for 5 years, for Michael Littlejohn for 5 years, for Doug Gilliam for 10 years, for Melinda Haney for 10 years, and for Carolyn Hardee for 25 years of dedicated service to Union County.

Chairman Tommy Sinclair stated he was deviating a little on the agenda. An ordinance pertaining to Gestamp was on the agenda and he introduced Attorney Jim Price and Martin O'Connor as a representative from Gestamp. Chairman Tommy Sinclair read the title of the ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of Gestamp South Carolina, LLC, a South Carolina limited liability company, pursuant to a fee-in-lieu-of-tax agreement between Union County, South Carolina and the company; and other matters relating to the foregoing. Mr. O'Connor said he appreciated the consideration and was glad they were growing and adding jobs.

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Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance pertaining to a fee-in-lieu-of-tax agreement with Gestamp as stated.

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

Mr. Howard Johnson addressed Council concerning the old Buffalo Mill property. He provided photos showing where he had the site bushhogged and said he had not hauled anything to the landfill. He said he had hauled about 60 loads of brick and concrete to Mark Lancaster's. Council reviewed the photos and agreed he had made some progress. Chairman Tommy Sinclair stated he has told Council about a proposal Mr. Johnson had made to the County and he said they had been in dialogue about it.

Chairman Tommy Sinclair stated there was one vacancy on the Tourism Commission and Dolton Williams applied to serve on that commission.

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

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

Chairman Tommy Sinclair stated there had been one vacancy on the Library Board with no applicants. We received a letter of resignation from Suzanne Gunter creating a second vacancy. Chairman Tommy Sinclair stated there were also three vacancies on the Alcohol and Drug Abuse Commission due to term expirations.

Tommy Ford: Made a motion to advertise the vacancies on the Carnegie Library Board and the vacancies on the Alcohol and Drug Abuse Commission.

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

Chairman Tommy Sinclair called for any elected officials or department heads who wished to address Council. Sheriff David Taylor stated he had a problem with the sally port doors at the jail. He said he received two quotes on replacing those. One of the motors is a problem. He has quotes two ways. One is with two doors and one motor and the other quote is for two doors and two motors. Those doors have been there since 1994. The highest quote he has gotten is about \$12,000. Councilman Ben Ivey asked if the doors are distorted enough that they are not usable and asked if it was tract or door problems. Sheriff David Taylor stated the guides on the sides of the doors are worn out. Councilman Randall Hanvey asked if they were working manually and Sheriff Taylor stated they were not. Sheriff Taylor said they were able to get the door closed for security reasons. One of the other doors is still working.

Chairman Tommy Sinclair stated Niel McKeown as Director of the Detention Center in involved with the tractor show, with getting the fairgrounds ready, capital improvements at the fairgrounds, opening up football season, Uniquely Union, the camp meeting, and the Lower Fairforest Church's 250th Anniversary. People have asked why we don't get the inmates to do projects since they are up there doing nothing. Sometimes it is not a matter of inmates but rather a matter of having correctional officers available to supervise them.

Sheriff David Taylor said he has a riding lawnmower they use to cut the grass at the Drug Task Force facility. It is shot and he asked if anybody had a mower that could come down there and cut the grass for them until they can buy a new one. Chairman Tommy Sinclair

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stated the people here can do that. As the grass cutting responsibilities seems to expand, we do not have anything but an old riding mower and push mowers. He said they were going to do something about a mower for this area which he said was widely defined.

Stadium and Airport Manager Ronnie Wade said he had provided Council with a handout about the stadium. They had the lights out at the stadium. What they heard back from the school was that they were not going to be taking over the stadium. They got the City to come in to do the lights. They thought they had all the lights repaired. There were two poles they leave off and the City was going to come back and rewire those two. They thought there was a load that shorted out in those two poles. All the lights were on and were burning. The Thursday before the first football game the coaches came up to line off the fields and do their logos. Mr. Wade said when he came in the next morning the lights had gone off about ten minutes before twelve o'clock the night before. The City came back and they went through all the ballasts and fuses. He referred to the costs involved in getting this done. They got the lights back on in time for the ball game. He said he ordered twenty ballasts at a cost of \$180 each and the lights costs about \$40 each. The City came back out to try to fix the problem but ended up calling in an engineering firm. All this cost money. Mr. Wade stated he had overspent his budget he was allocated for the stadium in the amount of \$17,000 and has not finished the year yet. He provided Council with copies of his budgets that go back to 2003 showing where their budget had been cut over the years. He requested \$25,000 be put in that account. He also provided Council with copies of the minutes from the Stadium Commission meetings. You have to pay what it costs to operate the stadium and he needs more money to finish this year. Councilman Tommy Ford asked when the County usually receives the \$45,000 from the School District and Chairman Tommy Sinclair stated he thought it was in May. Mr. Wade stated he has not received the invoice from the City for the work they had done.

Stadium and Airport Manager Ronnie Wade stated the gas pump at the airport is gone and is over twenty years old. It needs to be replaced and can be done for \$7,000 or less which can come from the airport fuel money. Oilmen sells the pump and he wanted someone who could provide the service that would be needed. It would take two weeks to order the pump and two weeks to get it in. We will not be able to sell any gas during the interim.

Stadium and Airport Manager Ronnie Wade said he had asked previously about getting an older County vehicle for the Alcohol and Drug Abuse personnel to use. The sheriff is getting some new vehicles and wanted one of the best ones he turns in to use. They were overspent \$92,000 year before last and were overspent \$30,000 this year. They are working on that and are trying to cut back on expenses. He asked the County to provide a car. He asked that the County provide maintenance and have Alcohol and Drug Abuse reimburse the County for the parts and things that were repaired. He asked that they be allowed to purchase fuel through the County and reimburse the County for those costs on a monthly basis. He asked Council to give the Supervisor permission to look at these items if they are favorable with them and look through what they can and cannot do. Mr. Wade said they would use the vehicle to travel around town or when they have to attend training. Their budget has \$10,000 for travel and they were asked by the director to raise it by \$5,000. The Commission took that out of the budget. They are going to trim the budget back to where it is operational. They are currently

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using their personal vehicles and being reimbursed fifty five and a half cents a mile. They cannot spend more than they take in.

Chairman Tommy Sinclair stated the initial PARD grant came back approved for the Miracle League Field.

Chairman Tommy Sinclair presented for second reading 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 accept second 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.

Chairman Tommy Sinclair stated that before this ordinance is adopted it will need some additional attention in the wording. He suggested it be discussed at a meeting of the Committee on County Administration and Finance prior to the next monthly meeting. The vote was unanimous.

Chairman Tommy Sinclair presented for second reading 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. County Attorney Sammy Diamaduros explained that a lot of the ordinances that create criminal offenses could be shot down because the Supreme Court has turned some of those down. You cannot have a criminal offense different county by county through ordinance. This ordinance is sort of a catchall for any ordinance we have calling for a criminal offense that could be deemed unconstitutional so we can make it a public nuisance and make it a civil matter.

Ben Ivey: Made a motion to accept second reading of the ordinance to amend all prior Union County ordinances that create any criminal offense as stated.

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

Chairman Tommy Sinclair welcomed Councilwoman Dora Martin-Jennings back. She stated she was glad to be able to be back.

Chairman Tommy Sinclair called for any other business.

Councilwoman Kacie Petrie stated they were having an Ottaray Community meeting on September 25th at the Monarch School at 6:00 p.m. They are a little over budget on the plan and are working on ways to trim the budget. She said they were about \$300,000 over the million dollar max budget. They can do the work in two phases of \$500,000 each. Most of the work will be infrastructure such as roads. They are working on possibly having a small recreation area/park area. Milliken has submitted a proposal for a lease agreement.

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Councilman Ben Ivey stated it had been mentioned cleaning up in the Monarch community very similar to the cleanup day in Ottaray. Chairman Tommy Sinclair said he had a discussion with Eddie and that community has to invite the county to help with that. It needs to be internally generated.

Councilwoman Kacie Petrie stated Ottaray has an old reunion committee from people that used to live there. They have a reunion every year and it is being held this Saturday. They asked her to come and speak about the project.

Sheriff David Taylor stated the Stop the Violence March would be held on Saturday starting at 9:00 a.m.

Randall Hanvey: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 6:09 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council