

UNION COUNTY COUNCIL
TUESDAY, SEPTEMBER 13, 2016 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Frank Hart, Vice-Chairman Tommy Ford, Councilman Ralph Tucker, Councilman Ben Ivey, Councilman Randall Hanvey, Councilwoman Kacie Petrie, County Attorney Sammy Diamaduros and Acting Clerk to Council Kindra Horne
Absent: Councilwoman Joan Little

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, the Union County Development Board, Mrs. Anne Brock with Clemson Extension, Mr. Mickey Gist, Mr. Robert Small, Mr. James Kollock, Mrs. Curtiss Hunter and emailed to Mike Stevens at WBCU Radio Station, to Graham Williams at the County News, to Charles Warner at the Union Times, to Jason Spencer with the Spartanburg Herald Journal, to Allison Roberts with the Spartanburg Herald Journal, to the News Room at the Spartanburg Herald Journal and to Ed Schafer at MHISC. A notice of the meeting was also posted on the County's website.

Chairman Frank Hart called the meeting to order. County Council Chaplin Ben Ivey gave the invocation followed by the Pledge of Allegiance.

The Acting Clerk to Council gave the Roll Call with the following results:

Joan Little, District 1 – Absent
Ralph Tucker, 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 joint meeting of the Union County Council and the Carlisle Town Council held on August 9, 2016, the special meeting of County Council held on August 3, 2016, the special meeting of County Council held on August 19, 2016 and the special meeting of County Council held on September 2, 2016 and to approve the minutes as written.

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

Chairman Frank Hart presented a service award certificate and gift certificate to Amy Ponder for 20 years, for Robbie Hines for 15 years, for Bradley Woods for 15 years, for Vickie Morgan for 5 years, and for Roger Hill for 10 years of dedicated service to Union County.

Sheriff David Taylor stated that less than a month ago they had an escape from the County jail and he gave an overview of how it happened. The two inmates escaped by untwining the fence in the C block which is in the recreation area. They knew about the escape within five minutes of it happening. He went over some maintenance and design issues at the jail and some areas where weapons could be hidden. There was a risk analysis done after the last attempted escape which said there was a history of the jail being overcrowded. Most of the items in the

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assessment have been addressed and fixed. Plumbing issues are an ongoing battle. The report from 2011 stated based on the materials and type of construction, the facility should be classified as a medium risk facility and nothing had been done to change that. Sheriff David Taylor stated the inmates had been planning the escape for two weeks but they had no plan of action once they had escaped. They have been told by the Risk Management of the South Carolina Association of Counties that they need eleven additional cameras. He stated the jail compound is not enclosed by wire like it should be. Chairman Frank Hart stated there is an ongoing maintenance issue but there is preventive maintenance being done. The inmates are rough on the fixtures and other things. Some of that is the reality of the clientele they are dealing with. They plan to come back with some recommendations to improve the overall security at the jail. They are not contemplating building a new facility and last year the County invested about \$100,000 in the jail related to HVAC and ventilation issues. They want to continue to make improvements. Sheriff David Taylor said he hoped to have the latest report from the South Carolina Association of Counties by the next Council meeting. He stated he would like to go ahead with getting cost estimates for the additional cameras and the wire to enclose the compound. He also wanted to add some wire on the fencing and roof. Chairman Frank Hart stated they inherited a facility that wasn't the best design but they can make changes to improve it.

Sheriff David Taylor stated they had bought twelve body worn cameras and asked to purchase eighteen more for the other officers. He stated he wanted to issue the ones they have now to the investigators and other people and get new high definition version cameras for the road officers. The new ones would have a tilt lens and work better at night. He requested eighteen new body worn cameras with nine hours continuous HD recording time, camera mount, 32 gigabyte of storage, a USB charger, an uploading dock base and a one year warranty for \$16,110 and charging base kit that includes a power and USB cables at a cost of \$95. The total would be \$17,463.50 which would be reimbursed through State funding. We are supposed to receive reimbursement soon for the first twelve cameras purchased at a cost of approximately \$8,000. Councilwoman Kacie Petrie asked if the County would receive full reimbursement and Sheriff David Taylor stated we would.

Kacie Petrie: Made a motion to authorize the purchase of the eighteen body worn cameras at a cost of \$17,463.50 from the County Contingency Fund with the expectation that the County would be reimbursed by the State.

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

Councilman Ben Ivey asked if all the road cars have dash cameras and Sheriff David Taylor stated they do. He said they had received some free ones from the State. Councilman Ben Ivey asked if they download well and have good clarity. Sheriff David Taylor said they were working well and they are not having any trouble with them. The body worn cameras were mandated.

Councilman Ben Ivey asked if the safety guards on the front of the vehicles for the Sheriff's Office were just for protection when they hit a deer. Sheriff David Taylor said they were. Councilman Ben Ivey asked over the last three to five years how many vehicles had hit deer. Sheriff David Taylor stated they were probably twenty-five to thirty and they had spent \$22,000 in insurance claims since 2011. Councilman Ben Ivey asked how much the safety guards cost. Sheriff David Taylor stated they cost approximately \$600 each. He said he hit a deer Saturday night with his car that probably did \$3,000 worth of damage. Councilman Ben Ivey asked about

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the expense of having the graphics on the vehicles. Sheriff David Taylor stated the graphics cost \$650 per vehicle.

Chairman Frank Hart stated Council needed to consider appointments to the Building Code Board of Appeals for the two alternate positions. The positions had been advertised but there were no applicants.

Tommy Ford: Made a motion to advertise the two positions on the Building Code Board of Appeals.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart stated Council needed to consider the appointment to the Airport Commission. There is one vacancy due to the resignation of Dale Spiers which would be for an unexpired term to be recommended by Councilman Tommy Ford.

Tommy Ford: Made a motion to appoint Joey English to serve on the Airport Commission.

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

Chairman Frank Hart stated Council needed to consider the appointments to the Stadium Commission. He stated there were two positions to be recommended. One would be by Councilwoman Joan Little but she is not present. The other position would be recommended by Councilman Ralph Tucker. There were two applicants who were Chris Woodson and Latisha Wages.

Ralph Tucker: Made a motion to appoint Chris Woodson to serve on the Stadium Commission.

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

Chairman Frank Hart stated Council needed to consider the appointments to the Board of Fire Control for Bonham Fire District. Union County Council recreated the Bonham Fire District to clarify some inconsistencies in their ordinance as well as make sure the boundaries were correct. There are seven positions and seven applicants. Four members will serve terms that expire December 31, 2016 and three members will serve terms that expires December 31, 2018. The applicants are Chris Scott, Chastity Crawford, Crystal F. Austin, Ronnie Yount, Kathy C. Gregory, Rodney V. Gallman and Jami Trammell.

Tommy Ford: Made a motion to appoint Ronnie Yount, Crystal F. Austin, Rodney Gallman and Chastity Crawford to serve on the Board of Fire Control for Bonham Fire District with terms that expire December 31, 2016 and to appoint Jami Trammell, Chris Scott and Kathy C. Gregory to serve on the Board of Fire Control for Bonham Fire District with terms that expire December 31, 2018.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Ann Angermeir with the Upstate Workforce Investment Board appeared before Council to discuss the Regional and the Local Plan. Their focus is going to be on diversified manufacturing, then distribution and construction, and others such as health care, retail and IT type jobs. They plan to focus sixty percent of their training dollars on advanced manufacturing. They want everyone who completes their training through them to make twelve dollars an hour and above. Council was provided an email copy of the plan. There will be a thirty day comment period which could result in the plan being amended. They did the Workforce and Economic Analysis and Strategic Vision and Goals Task Forcing. They did a task force on local area

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partnerships and investment strategies, programs design and evaluation and operations and compliance. They made sure they had someone from Union County on all those committees for representation purposes. Union County has the SC Works Office managed by Katherine Pendergrass. Their biggest competitor for training is public assistance. Transportation is an issue, finding jobs for ex-offenders is difficult, and child care is a problem. They have been holding some Workforce Summits and had a Public Health Task Force. Basic computer skills and literacy are big issues in Union County. She invited Council to attend the next meeting at SC Works on Thursday, September 22nd at 10:00 a.m. until 12:00 noon.

Tommy Ford: Made a motion to endorse the draft Regional and Local Plan as written.

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

Elizabeth Oliver and Elise Ashby gave a report on the 2016 AG and Art Tour. This is their second year doing the tour. They had a profit this year of \$672.65 and the dinner did really well. They added a few more sites this year and their attendance went up by 322 people. Elise Ashby will be the chairperson next year and they have already started on fund raising for the next event. Elise Ashby stated they would have four new sites but lose one site on the next tour. They had eight sites this year which was up from the year before. Elizabeth Oliver stated Cross Keys and the Farmers Market did much better this year.

Cassandra Cantey appeared before Council to discuss the Welvista Wellness Event. Welvista is a non-profit organization out of Columbia that gives free prescription medication by mail order for a year to uninsured South Carolinians with income restraints. They are committed to improving health and wellness through twelve pharmaceutical companies that provide them with free medication. In 2013 Union County had a population over 28,000 with 4,000 people uninsured. Welvista received a grant from Duke to help build the program. They are trying to figure out how to reach the masses. They are going to hold a health screening event on November 5th from 9:00 a.m. until 1:00 p.m. at USC-Union in the Truluck Activity Center. They are targeting the uninsured to get them to sign up with Welvista to get them their free prescription medication. They are looking for a partnership with the County to put them in the budget to provide this event each year. It will cost them \$5,000 to hold the event and they are \$1,600 short. Chairman Frank Hart asked when she would need to have the funding in place and Cassandra Cantey responded mid-October.

Chairman Frank Hart stated next on the agenda was Nancy Alexander to discuss code enforcement but she was not present.

Chairman Frank Hart stated they have two open positions at the Public Works Department and requested Council approve filling those budgeted positions.

Tommy Ford: Made a motion to advertise the two positions and authorize the Public Works Department to fill those positions.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart stated next on the agenda is to discuss Union Carnegie Library's request for assistance in purchasing a vehicle for library use. The cost is \$7,400 to purchase a 2009 Dodge Caravan cargo van through State Surplus. Carnegie Library Director Rieta Drinkwine stated they want to get out in the community but they do not have transportation.

Kacie Petrie: Made a motion to approve \$7,400.00 from the Contingency Fund for the vehicle for the Union Carnegie Library.

Ralph Tucker: Seconded the motion. The vote was unanimous.

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Chairman Frank Hart stated the Public Defender's Office had received additional money from the State to fund an investigator position for the Union office. The State appropriated \$39,000 and the County has to provide a local match. Depending on the level of insurance the employee chooses it would cost Union County between \$15,280.77 and \$21,397.17. He recommended Council approve the additional funding to support the position and pull the funding from the Contingency Fund. The estimated cost this fiscal year would be pro-rated based on when the individual is hired and in place. Councilman Randall Hanvey asked how much was allocated in the Contingency Fund and Chairman Frank Hart stated we had not spent any of the \$100,000 allocated. Councilman Randall Hanvey stated they had committed to providing the \$17,000 for the body worn cameras which would be reimbursed at some point in time, the vehicle for the Library and now the money for the investigator. That account would be taking a pretty big hit.

Ralph Tucker: Made a motion to approve the funding for the investigator for the Public Defender's Office out of the Contingency Fund.

Kacie Petrie: Seconded the motion.

Councilwoman Kacie Petrie stated the Public Defender had requested the investigator position for at least the last five years but this is the first time they have brought any money to go with it.

The vote on the motion was unanimous.

Chairman Frank Hart called for any elected officials or department heads who wished to address Council.

Building Inspector and Public Works Director Brad Jolly reminded Council the contract with Pratt Recycling would end September 30, 2016 and they would not extend the contract. After September 30, 2016, Pratt will only pick up cardboard and paper at the sites where we choose to put the containers at a cost of \$72 a month per container. Councilman Ben Ivey asked if all the other recyclable goods would then be put into the compactors and transported to the Republic Landfill and Mr. Jolly stated it would. Brad Jolly stated there is no longer a market for plastic. If Council chooses it can all be compacted and sent to the landfill and the County would be out of the recycle business. Councilman Ben Ivey asked what backup we have if a compactor goes down. Chairman Frank Hart stated if a compactor goes down they can set out the open containers to use until they can get it operational. Councilman Ben Ivey stated if they eliminate the blue containers provided by Pratt for the cardboard and paper then it would put more stress on the compactors. Councilman Randall Hanvey asked what the tonnage increase would be if they took the cardboard and paper to the landfill. Brad Jolly said he would have to get those figures. He stated we currently have three roll off trucks and two drivers. One of the trucks is being repaired and two of the vehicles are fairly old. Chairman Frank Hart stated they have to decide if they want to recycle and if they do it would cost them. Councilman Ben Ivey thought they should remove all the Pratt containers and be out of the recycle business until the market justifies going back into it. Brad Jolly stated there was no money budgeted to continue with Pratt. Chairman Frank Hart asked Council to talk to people in their district to get some feedback.

Chairman Frank Hart introduced Allyson Wentz who is the new code enforcement litter officer being funded from a grant from Republic Services.

Building Superintendent Kenny West stated they were working on the EMS building in Jonesville.

Chairman Frank Hart introduced a resolution setting the tax levy for fiscal year 2016-2017. The proposed total County levy is 146.1 mils.

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Randall Hanvey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution setting the tax levy for fiscal year 2016-2017 as stated.

Ben Ivey: Seconded the motion. The motion carried with four (4) Councilmembers voting in favor of the motion and one (1) Councilmember (Councilman Tommy Ford) opposing.

Chairman Frank Hart presented for third and final reading an ordinance amending Union County Ordinance 295 in certain limited regards and particulars, pertaining to the annual Public Safety Fee, only; rescinding, repealing and revoking certain parts of Union County Ordinance 295, pertaining to the annual Public Safety Fee, only; and other matters pertaining thereto.

Kacie Petrie: Made a motion to adopt the ordinance amending Union County Ordinance 295 in certain limited regards and particulars, pertaining to the annual Public Safety Fee, only; rescinding, repealing and revoking certain parts of Union County Ordinance 295, pertaining to the annual Public Safety Fee as stated.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart presented for third and final reading an ordinance authorizing Union County, South Carolina, to execute and deliver an Equipment Lease Purchase Agreement, 2016B in the amount of not exceeding \$170,000 between the County and the lessor thereof to defray the cost of acquiring certain equipment; authorizing the County Supervisor to determine certain matters relating to the lease; and other matters relating thereto. He stated this is the lease to purchase five vehicles for the Sheriff's Office.

Kacie Petrie: Made a motion to adopt the ordinance authorizing Union County, South Carolina, to execute and deliver an Equipment Lease Purchase Agreement, 2016B in the amount of not exceeding \$170,000 between the County and the lessor thereof to defray the cost of acquiring certain equipment as stated.

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

Chairman Frank Hart presented for third and final reading an ordinance authorizing the issuance and sale of not exceeding \$1,600,000 General Obligation Refunding Bonds, Series 2016A, of Union County, South Carolina for the purpose of refunding the County's General Obligation Bonds, Series 2007; fixing the form and details of the bonds; providing for the payment of the bonds; authorizing the County Supervisor to determine certain matters relating to the bonds; providing for the disposition of the proceeds of the bonds; and other matters relating thereto.

Ben Ivey: Made a motion to adopt the ordinance authorizing the issuance and sale of not exceeding \$1,600,000 General Obligation Refunding Bonds, Series 2016A, of Union County, South Carolina for the purpose of refunding the County's General Obligation Bonds, Series 2007 as stated.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart presented for third and final reading an ordinance authorizing the issuance and sale of not exceeding \$2,800,000 General Obligations Bonds, Series 2016B, of Union County, South Carolina; fixing the form and details of the bonds; providing for the payment of the bonds; authorizing the County Supervisor to determine certain matters relating to the bonds; providing for the disposition of the proceeds of the bonds; and other matters relating thereto.

Ben Ivey: Made a motion to adopt the ordinance authorizing the issuance and sale of not exceeding \$2,800,000 General Obligations Bonds, Series 2016B as stated.

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Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart presented for third and final reading an ordinance authorizing the sale and conveyance of certain real property and improvements thereon (2 LSP Drive), and the execution and delivery of documentation and agreements associated therewith; and other matters related thereto.

Randall Hanvey: Made a motion to adopt the ordinance authorizing the sale and conveyance of certain real property and improvements thereon (2 LSP Drive) as stated.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart introduced in title only an ordinance authorizing the issuance and sale of a General Obligation Bond (Bonham Fire District) of Union County, South Carolina, in the principal amount of not exceeding \$550,000; fixing the form and certain details of the bond; authorizing the County Supervisor to determine certain matters relating to the bond; providing for the payment of the bond and the disposition of the proceeds thereof; and other matters relating thereto.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance authorizing the issuance and sale of a General Obligation Bond (Bonham Fire District) of Union County, South Carolina, in the principal amount of not exceeding \$550,000 as stated.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart stated in the interest of time he would forgo the Supervisor's Report.

Chairman Frank Hart called for any committee reports.

Councilwoman Kacie Petrie stated she still wanted the Committee on Public Health & Social Services to schedule a meeting with Nicki Pyles with Alcohol and Drug Abuse, Sheriff David Taylor, and Katherine Pendergrass. She suggested a lunch meeting that would be convenient for everyone.

Chairman Frank Hart entertained a motion to go into executive session to discuss a legal and contractual related matter.

Ben Ivey: Made a motion to go into executive session to discuss a legal and contractual related matter.

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

The Union County Council went into executive session to discuss a legal and contractual related matter.

Chairman Frank Hart stated they were ready to come out of executive session and no votes were taken.

Ralph Tucker: Made a motion to close executive session and return to regular session.

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

The Union County Council returned to regular session.

Chairman Frank Hart called for any other business

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Ralph Tucker: Made a motion that the County Supervisor be authorized and directed to execute the proposed settlement agreement in the matter of Lawson v. Gault, as discussed in executive session, or with such minor revisions thereto as are not materially prejudicial to Union County, his execution thereof to be prima facie proof of his approval of all such revisions.

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

Ben Ivey: Made a motion to adjourn the meeting.

Ralph Tucker: Seconded the motion. The vote was unanimous.

The meeting was adjourned at 7:57 p.m.

Frank Hart, Chairman
Union County Council

Linda G. Jolly, Clerk to Council