

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, JULY 9, 2013 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

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

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, 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 - Absent

Frank Hart, District 2 - Present

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 Joan Little's husband had surgery recently.

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 11, 2013, and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented service awards and gift certificates for James P. Littlejohn for 5 years, for Candice M. Helms for 5 years, for Patricia Bogan for 10 years and for Russell Roark for 10 years of dedicated service to Union County.

Chairman Tommy Sinclair stated that next on the agenda were Gloria Roberts and Daniel Bell to discuss animal control problems but they were not present.

Chairman Tommy Sinclair presented a letter from Catawba Regional Council of Governments concerning the Priority Capital Improvements list which needed to be approved by July 31, 2013. Councilman Frank Hart stated it looked relevant to him.

Kacie Petrie: Made a motion to accept the list as presented.

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

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Chairman Tommy Sinclair stated they had received a letter requesting sponsorship for the Uniquely Union Festival. Councilwoman Kacie Petrie stated she would refrain from discussion since she was directly involved with that and serves on the committee. Councilman Randall Hanvey suggested that the Councilmembers as individuals decide if they want to provide any funding for the Uniquely Union Festival from their special projects funds.

Chairman Tommy Sinclair stated next on the agenda was to consider vacancies on boards and commissions. The order for recommendations are Councilwoman Kacie Petrie first, Councilman Tommy Ford second, Councilman Randall Hanvey third and Councilman Frank Hart last. First to be considered are three vacancies on the Airport Commission. There were two applicants who were Dale Spiers and John L. McKnight, Jr.

Councilwoman Kacie Petrie recommended Dale Spiers.

Councilman Frank Hart seconded the recommendation. The vote was unanimous.

Councilman Tommy Ford recommended John L. McKnight, Jr.

Councilman Ben Ivey seconded the recommendation. The vote was unanimous.

There was one vacancy for an unexpired term on the Alcohol and Drug Abuse Commission but there were no applicants.

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

Frank Hart: Made a motion to appoint Sally Morgan to serve another term.

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

Councilman Randall Hanvey, Councilwoman Kacie Petrie and Chairman Tommy Sinclair stated they plan to make their recommendations at the next regular monthly meeting.

Chairman Tommy Sinclair stated there were five vacancies on the Development Board. The applicants were Doug Wilson representing private utilities, Joe Nichols representing public utilities, Paul Newhouse representing local healthcare for an unexpired term, and Roger Fuller representing an existing industry with more than 50 employees for an unexpired term. Development Board Director Andrena Powell-Baker recommended Joe Hines, Jr. as her at-large representative.

Kacie Petrie: Made a motion to appoint Doug Wilson, Joe Nichol, Paul Newhouse, Roger Fuller and Joe Hines, Jr. for the expired and unexpired terms as specified.

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

Chairman Tommy Sinclair stated there were two vacancies on the Library Board and two applicants. The applicants were Cindy Langley and Connie Springs.

Kacie Petrie: Made a motion to accept Cindy Langley's application.

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

Councilman Tommy Ford nominated Connie Springs.

Councilman Ben Ivey seconded the nomination. The vote was unanimous.

Chairman Tommy Sinclair stated there were three vacancies on the Stadium Commission and only two applicants. The applicants were Tony Gregory and Paul Winters.

Councilwoman Kacie Petrie recommended Tony Gregory.

Councilman Randall Hanvey seconded the recommendation. The vote was unanimous.

Councilman Tommy Ford recommended Paul Winters.

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Councilman Ben Ivey seconded the recommendation. Councilman Randall Hanvey questioned whether he would be eligible to serve on the Stadium Commission because of his affiliation with the Fair Board. Council agreed that since he is employed as director by the Fair Board that he would be eligible.

The vote was unanimous.

Councilwoman Kacie Petrie asked that the Clerk to Council send letters to all the appointed members of the various boards and commissions stipulating the term limits.

Chairman Tommy Sinclair called for any elected officials or department heads that wished to address Council.

Clerk of Court Freddie Gault informed Council he had sworn in a new magistrate as Les Anderson had retired due to his age. The new magistrate is Toney Farr.

Sheriff David Taylor asked permission to spend the money set aside for the purchase of new vehicles in the amount of \$100,000 to buy as many vehicles and equipment as the funds would allow. He said Council probably saw in the newspaper where they had received the car they had won by the lottery. It is already on the road.

Ben Ivey: Made a motion to allow Sheriff David Taylor to spend the \$100,000.00 set aside in the Capital Expenditures budget for cars.

Frank Hart: Seconded the motion. The vote was unanimous.

Tax Assessor Susan Hanvey stated they had started the 2015 reassessments on June 24th. Councilman Frank Hart asked how they were coming with the online information on parcels. Mrs. Hanvey stated they were rewriting the program based on some information that she had asked be included and made available. She told Councilman Hart that she would be glad to show him what would be able to be accessed if he wanted to come by her office.

Chairman Tommy Sinclair stated the girls softball team had won the championship but not in time to be placed on the agenda. Chasity Farrell requested financial assistance to go to the State playoffs. Councilman Tommy Ford stated he was president of Dixie Youth and stated they need the money to pay for the motel and food. Councilman Frank Hart asked how many kids would be going and Ms. Farrell stated they would have 12 girls. Councilman Hart stated he would commit \$250 from his community development fund. Other members of Council stated they would contribute as well on an individual basis.

Chairman Tommy Sinclair presented for third and final reading an ordinance consenting to the assignment of the Fee in Lieu of Tax Agreement dated December 1, 2009 from Sloan Construction Company, Inc. to Strawser Construction Inc., authorizing the written consent of the County releasing Sloan Construction Company, Inc. from any further obligations under such agreement, and authorizing the execution and delivery of a written agreement by and among Sloan Construction Company, Inc., Strawser Construction, Inc., and Union County; and other matters related thereto.

Ben Ivey: Made a motion to adopt the ordinance consenting to the assignment of the Fee in Lieu of Tax Agreement from Sloan Construction Company, Inc. to Strawser Construction Inc. as stated.

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

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Chairman Tommy Sinclair introduced an ordinance authorizing the execution and delivery of a deed to Rubin B. Morris and Jeffrey L. Morris, for and during the term of their joint natural lives and upon the death of either of them, then to the survivor of them, His or Her heirs and assigns forever, reserving, unto Mack M. Ochiltree & Charlotte K. Ochiltree, the full use, control, income and possession of the property for and during his/her natural life, conveying the interest of Union County, South Carolina in a certain parcel or real estate located on the southern side of Highway 215 containing 0.69 acres and shown on a plat of survey made for Union County by Charles A. Whitaker, P.E., PLS #7396 dated May 7, 2013 and is part of the property conveyed to Union County, South Carolina in deed book 232 at page 416.

Tommy Ford: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance pertaining to the deed as stated.

Randall Hanvey: Seconded the motion.

Chairman Tommy Sinclair stated this property is contiguous to property owned by Mr. Ochiltree and bordered by a creek. A tree had previously been removed from the property.

The vote was unanimous.

Chairman Tommy Sinclair introduced an Inducement Resolution for Project Modern which he read in its entirety.

Randall Hanvey: Made a motion to dispense with referring the resolution to a committee and to adopt the Inducement Resolution for Project Modern as stated.

Ben Ivey: Seconded the motion. Councilman Frank Hart asked how they know if the company is meeting the requirements. Development Board Director Andrena Powell-Baker stated they obtain that information quarterly from the company through their HR manager and plant manager. Councilman Frank Hart asked if that information could be made available to County Council and Mrs. Powell-Baker stated that in most cases it is available on their website. The Department of Revenue validates the investments and that information is also available to the public.

The vote was unanimous.

Chairman Tommy Sinclair called for any new business.

Councilman Frank Hart suggested having Jenna Stephens with the South Carolina Association of Counties come before Council to let them know what services they can provide the county.

Chairman Tommy Sinclair stated Council needed to review and approve eight audits and financial statements which were for Clemson University, the Historical Society, Mental Health, Union Services, Council on Aging, the Town of Jonesville, the Arts Council, and the Southside Fire Department.

Tommy Ford: Made a motion to approve the audits and financial statements as stated.

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

Chairman Tommy Sinclair stated Council needed to go into executive session to discuss a legal matter.

Tommy Ford: Made a motion to go into executive session as requested.

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

Union County Council went into executive session to discuss a legal matter

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

Kacie Petrie: Made a motion that the County assists Wallace Thomson Hospital with indigent care costs while they are awaiting government reimbursement in an amount not to exceed the tax millage allotment for EMS.

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

Tommy Ford: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 8:16 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council