

**MINUTES
REGULAR COUNCIL MEETING
TUESDAY, AUGUST 19, 2008
6:30 P.M.**

{Summary minutes of City Council meeting. Audio tapes of the meeting are on file and are included by reference as part of this meeting. An agenda of this meeting has been either mailed or made available to persons, organizations and local news media as per their request. The agenda gives the date, time and place of the meeting as well as the order of business. This disclosure is in compliance with the South Carolina Code of Laws of 1976, Section 30-4-80 (e).}

The regular meeting of City Council was held on August 19, 2008 at 6:30 P.M. in the City Municipal building with the following present:

COUNCIL: Mayor Harold Thompson, Councilmembers Tommie L. Hill, Keith Henderson, Ricky Todd Harris, Orangelow Ruff and Fran Bailey.

CITY ATTORNEY: Billy Whitney

DEPARTMENTAL STAFF: Gloria Rogers, CMC Municipal Clerk/Personnel Director; Sam White, - Public Safety Director; Joe Nichols – Utility Director; Walker Gallman – Finance Director; Perry Harmon – Public Service Director and Mike Petrie – Maintenance Shop Director.

NEWS MEDIA: Charles Warner – Union Times and Steve Ramsey - WBCU

OTHERS: Ben Ivey, David Fant, Pearl Eison, Ron Wiley, Bucky Sprouse, Torance Inman, Sonja Craig, Debbie Woodard and Laura Hembree.

1. Call To Order

Mayor Thompson called the meeting to order. He gave the invocation. The pledge of Allegiance to the flag was given by all present. The roll was called by Municipal Clerk Gloria Rogers.

2. Minutes

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|-------------------|-------------------------|
| A. July 15, 2008 | Regular Council Meeting |
| B. July 19, 2008 | Special Meeting |
| C. July 21, 2008 | Special Meeting |
| D. July 29, 2008 | Special Meeting |
| E. August 8, 2008 | Special Meeting |

MOTION by Councilmember Ruff to accept minutes as presented.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

3. Communications

- A. Monthly Reports

The monthly reports of all departments were included in the council packages and are on file in the office of the Municipal Clerk.

MOTION by Councilmember Bailey to accept monthly reports.
SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

B. UPDATE – UNION COUNTY CRIME STOPPERS – A.T. “Bucky” Sprouse

Mr. Sprouse gave an update on Union County Crime Stoppers and how the program began.

C. NATURAL GAS OVERVIEW – Bruce Culbertson, SCANA Energy Marketing, Inc.

Mr. Bruce Culbertson, Account Manager for SCANA Energy Marketing, Inc. gave Council an overview on the price of natural gas. He states that increase is due to the rise of crude oil prices, supply and demand and weather.

4. **BUSINESS**

A. ORDINANCE – 2ND READING – LAND EXCHANGE

City of Union has secured a SRF loan for the closure of the Beltline WWTP and construction of the Beltline Pump Station. The City of Union needs to acquire fronting on SC Hwy. 215 (approximately 200 ft x 200 ft). First reading of the Land Exchange Ordinance was passed at a Special Council Meeting on July 29, 2008.

MOTION by Councilmember Bailey to pass 2nd reading of the ordinance.
SECOND by Councilmember Henderson.
CARRIED UNANIMOUSLY.

B. ORDINANCE – 2ND READING – ROBOTICS CENTER PROPERTY – HWY. 176

An ordinance to transfer property to the County for the Robotics Center passed 1st reading at Special Council Meeting on July 21, 2008.

MOTION by Councilmember Bailey to pass 2nd reading of the ordinance.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

C. ORDINANCE – 1ST READING – REZONE 1101 EAST MAIN STREET FROM R-10 RESIDENTIAL TO A-2 HIGHWAY COMMERCIAL

The owner of the property located at 1101 East Main Street is requesting that his property be rezoned from R-10 Residential to A-2 Highway Commercial. The property is adjacent to the property which is already zoned A-2 Highway Commercial and it does comply with the regulation requirements for the A-2 Highway Commercial Zone. A public hearing was held for the rezoning prior to the regular council meeting.

Mr. Charles Barber, Chairman of the Planning Commission, read the following recommendation.

“The Planning commission for the City of Union does recommend to City Council the rezoning of the property located at 1101 East Main Street from R-10 Residential to A-2 Highway Commercial

Charles H. Barber
Bobby Joe Gibbs
Mary Norman

Lynn Eaves
Oscar Gist

MOTION by Councilmember Bailey to accept the Planning Commission's recommendation and to pass 1st reading of the ordinance.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

D. ORDINANCE – 1ST READING – REZONE 306 BUFFALO/WEST SPRINGS HWY. FROM R-15 RESIDENTIAL TO A-2 HWY. COMMERCIAL

The owners of the property located at 306 Buffalo/West Springs Hwy. are requesting that their property be rezoned from R-15 Residential to A-2 Highway Commercial. The property is adjacent to property which is already zoned A-2 Highway Commercial and it does comply with the regulation requirements for the A-2 Highway Commercial Zone. A public hearing was held for the rezoning prior to the regular council meeting.

Mr. Charles Barber, Chairman of the Planning Commission, read the following recommendation.

“The Planning commission for the City of Union does recommend to City Council the rezoning of the property located at 306 Buffalo/West Springs Hwy. from R-15 Residential to A-2 Highway Commercial

Charles H. Barber
Bobby Joe Gibbs
Mary Norman

Lynn Eaves
Oscar Gist

MOTION by Councilmember Hill to accept the Planning Commission's recommendation and to pass 1st reading of the ordinance.

SECOND by Councilmember Henderson.

CARRIED UNANIMOUSLY.

E. ORDINANCE - 1ST READING – AMENDMENT TO THE GENERAL BOND ORDINANCE

Attorney Margaret Pope addressed Council. She discussed an amendment to the General Bond Ordinance. At the time of the issuance of the Series 2004 Bond, the common Debt Service Reserve Fund was funded by a surety bond issued by Financial Guaranty Insurance Corporation (“FGIC”) At the time of the issuance; the surety bond issued by FGIC was rated in the highest category by S&P and Moody's. However, the credit rating of FGIC has recently been downgraded and the surety bond issued thereby is no longer in compliance with the provisions of Section 6.6 of the Original Ordinance, as amended. As a result, the Debt Service Reserve Fund to be established for the Series 2004 bond must be funded with either (i) cash in the amount to be paid over the ensuing five years in equal, successive, monthly installments of (ii) another surety bond or letter of credit. Staff recommends that the City cash fund the \$810,900 Debt Service Reserve Fund in equal, successive, monthly installment over five years.

MOTION by Councilmember Bailey to amend the General Bond Ordinance as presented to Council.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

F. AWARD BID – REHABILITATION TO TOSCH CREEK WWTP SOUTH CLARIFER

Utility Director Joe Nichols states that equipment quotations were received

from two (2) sole source vendors for rehabilitation of the 90' diameter south clarifier at Tosch Creek Wastewater Treatment Plant. This equipment will be identical to the equipment installed in the north clarifier in 1996 therefore requiring sole source providers. A summary of the bids was presented to Council: Jim Myers & Son – \$97,597.00 and Siemens Water Technologies (C/O Heyward, Inc.) The recommendation is to award bid to both vendors at a total cost of the equipment: \$190,497.00.

MOTION by Councilmember Harris to award bid to both vendors.
SECOND by Councilmember Henderson.
CARRIED UNANIMOUSLY.

G. APPOINTMENT – HOUSING AUTHORITY BOARD

Mrs. Ethel Palmer's term on the Housing Authority Board will expire April 6, 2011; however, due to the declining health of her husband, she has submitted her resignation as Commissioner of the Housing Authority Board effective immediately. A public notice was run in the Union Times soliciting candidates. A request letter was submitted by one applicant, Mr. Harold D. Lawson. Should Council wish to appoint Mr. Lawson, a motion to that effect is needed. Should Council decline the appointment request, an appointment can be made at the September meeting.

MOTION by Councilmember Henderson to appoint Mr. Harold D. Lawson to the Housing Authority Board.
SECOND by Councilmember Hill.
CARRIED UNANIMOUSLY.

5. **ANNOUNCEMENTS BY MAYOR AND COUNCIL:**

None

6. **PUBLIC COMMENT:**

A. Please address the Mayor and Council from the lectern and state your name and address for the record.

7. **EXECUTIVE SESSION: TO DISCUSS LEGAL, CONTRACTUAL, AND PERSONNEL MATTERS**

MOTION by Councilmember Henderson to go out of regular session into executive session to discuss a legal matter.
SECOND by Councilmember Harris.
CARRIED UNANIMOUSLY.

MOTION by Councilmember Harris to go out of executive session back into regular session.
SECOND by Councilmember Bailey.
CARRIED UNANIMOUSLY.

No action taken.

8. **ADJOURNMENT:**

MOTION by Councilmember Hill to adjourn.
SECOND by Councilmember Ruff.
CARRIED UNANIMOUSLY.

Council meeting adjourned at 8:42 P.M.

Gloria J. Rogers, Municipal Clerk

Minutes approved _____ 2008