

Family Business Continues To Grow

By ANNA BROWN

Union attorney Melinda Butler said as her practice continues to grow with the opening of a third office, the focus is still on families and what is best for them.

Butler is a contract attorney who represents parents in Department of Social Services cases. She has an office 211 East Main St., Union; on 860 Heckle St. Rock Hill and recently opened a third office in Laurens County on 328 Hillcrest Drive, Suite I front of the courthouse.

"All three support our family law efforts, what we do to protect families, especially against DSS, retrieving children from foster care placements," she said. "We represent relatives who want to get their grandchildren or nieces and nephews out of foster care, we represent parents who want to try and get kids back from foster care. Essentially, our goal is to make sure that a child is left with family rather than a foster care placement and adopted out by folks who are not family. And we really have a good track record with that."

Butler gained attention with her work in a State Supreme Court case, South Carolina Department of Social Services vs. Erica Smith and Andrew Myers.

"In that case we fought for Mr. Myers, he was an incarcerated father," Butler said. "We fought for him to be able to establish his rights with his daughter. The foster parents said he didn't have any rights because he was incarcerated when the child was born and he had not been allowed to visit with the child. He was incarcerated in another state and the child was placed in foster care immediately following her birth. He was never given an opportunity to visit the child."

The case began in June of 2014. A trial to hear the matter lasted six days in Union County in July of 2015.

"There were eight attorneys on that trial," Butler said. "The trial court judge was out of

Greenville and she said my client didn't have any rights. She said the father had abandoned the child essentially- he went to prison and abandoned the child and didn't support the child. We fought the case for another two and a half years and a Court of Appeals came back in March of 2017 we got an opinion back from the appeals court. I had said the judge was wrong, he didn't abandon the child, he didn't fail to support of visit the child, he was in prison."

The Court of Appeals agreed with Butler.

"There was a grandmother, the father's mother who was fighting for the child the entire time," Butler said. "But she lived in Virginia. That was the only thing that kept her grandchild from going to her."

Butler said the ICPC- Interstate Compact on the Placement of Children caused a delay in the grandmother being allowed to have custody of the child. Is a compact between all 50 states, the District of Columbia and the US Virgin Islands, which establishes procedures for the placement of children across state lines.

"They finally got it done six months after the child was put in foster care and by that time the foster parents had filed to adopt her grandchild," Butler said. "Because she lived in another state they would not place her grandchild with her. Because the foster parents had filed an adoption action, the court felt it could not place the child with the grandmother. That child went through the first four years of her life living with foster parents, never having met her father. The paternal grandmother was always willing and able to take the child to visit her father, but she wasn't allowed. The grandmother would come here and visit every month as much as the court would allow her to visit."

The court ruled that the child had been with the foster parents over four years and the foster parents should be allowed to adopt her.

"That was not what



Union attorney Melinda Butler recently opened a third office and has gained recognition for her work in DSS cases.

I would say what justice is," Butler said. "We fought it in the South Carolina Court of Appeals in October of 2016. In 2017 we fought in the South Carolina Supreme Court. We finally, this month (May 9) got a decision from the South Carolina Supreme Court on this case. They said they agreed with the trial judge and overturned the appeals court who said my client had rights. The South Carolina Supreme Court said my client does not have rights."

Butler said she will likely petition the case to the United States Supreme Court.

"But it is not likely they will hear it," she said. "The United States Supreme Court is very picky about the cases they choose. They choose from all 50 states, and the numbers are low for what they choose to hear. I have fought a very long and hard battle for this father to keep his rights to his child and had at least one court reverse another court and say he had rights, and then our Supreme Court stepped in and said no, they didn't agree with that."

This was the fourth case Butler has argued in front of the State Supreme Court. She has worked on around 45 appellate cases all over the state, representing families against DSS.

Butler said even when parents have done everything they need to do or who have suitable relatives who would take the child, some foster parents will fight them and fight DSS to keep the children.

"That is the injustice of it," she said. "That is one thing we fight every single day. We have a poster up in the office of kids we are fighting to get out of foster care and we are fighting foster parents- not DSS- the state agrees they should go home they have done everything they should do or there is a suitable relative for them to go to. The law actually provides they are supposed to go to relatives rather than foster care if there are suitable relatives. The problem comes in when foster parents file their own private actions- they go behind DSS and file their own action with their own name on it against DSS and against the parents and grandparents."

Butler is also an attorney in the case of South Carolina Department of Social Services v. Boulware where the state Supreme Court removed a barrier for private adoption actions. Because of a gag order placed on the case, Butler cannot discuss it. The January 15 issue of South Carolina Lawyers

Weekly said the ruling sets the stage for a potential deluge of adoption filings that could bog down the state's family courts and disrupt efforts to reunite children with their parents."

Butler said the Myers case really hit home with her. Her father was in federal prison from the time she was very young until she started her legal practice.

"I was raised in and out of prison, visiting my daddy in prison," she said. "That was how we spent our weekends. That was my daddy; no one could ever take his place. I never knew until I got into private practice that the government tried to strip away parental rights of people who were in prison. I feel so thankful, with everything I see now with eyes wide open, that this was not my case and not my sisters' case (she has three sisters). I cannot imagine had our rights would been stripped from our father because he was in prison- where would we be? Our lives would be totally different because he was such a strong force in our lives, even from behind bars. He

was very supportive and always available. When I got into practice and saw this was happening, there was passion there to defend against this with everything. And it's not just incarcerated parents. The government comes in and takes children on a daily basis. I don't think it is understood, the depth that this goes on in our society."

Butler said her own family has a strong presence in the law practice. Son Blake Butler is chief operations officer. His fiancée, Shauna Hund, works in litigation support. Butler's mother-in-law, Kathy Butler, operates the front desk at the Union office. Son Jacob also offers front desk support.

"And Jason (her husband) fills in every gap that needs to be filled," she said. "We are completely family run at this time and we will continue to be a family owned business. Even as we continue to grow we will make sure we are family run. We are family strong- we are all about preserving the family, even in our criminal law cases, we go into it with the mindset of preserving the family."

2017 Water Quality Report Rocky Creek Water Company System # 4420003

We're pleased to provide you with this year's Water Quality Report. We want to keep you informed about the water and services we have delivered to you over the past year. Our goal is to provide to you a safe and dependable supply of drinking water. We are committed to ensuring the quality of your water. The source of our water is purchased from the City of Union, which uses the Broad River as its source of surface water.

A Source Water Assessment Plan has been prepared for our system. Our sourcewater assessment is available at the SCDHEC website www.scdhec.gov/HomeAndEnvironment/Water/SourceWaterProtection/mindex.htm. If you have any questions about this report or concerning your water utility, or if you do not have internet access, please contact Randy Spencer at 864-674-1100. We want you, our neighbors and valued customers, to be informed about your water utility. Feel free to attend any of our regularly scheduled meetings on the fourth Tuesday of every month at 6:00 pm at the Rocky Creek Water office located at 209 Pacolet Street, Jonesville, SC.

This report shows our water quality and what it means. Rocky Creek Water Company routinely monitors for constituents in your drinking water according to Federal and State laws. As water travels over the land or underground, it can pick up substances or contaminants such as microbes and chemicals. All drinking water, including bottled drinking water, may be reasonably expected to contain at least small amounts of some constituents. It's important to remember that the presence of these constituents does not necessarily pose a health risk.

The table below shows the results of our monitoring for the period of January 1st to December 31st, 2016. In this table you will find the following terms and abbreviations:

- Action Level (AL)** - the concentration of a contaminant which, if exceeded, triggers treatment or other requirements which a water system must follow.
- Parts per million (ppm)** or Milligrams per liter (mg/l) - one part per million corresponds to one minute in two years or a single penny in \$10,000.
- Parts per billion (ppb) or Micrograms per liter** - one part per billion corresponds to one minute in 2,000 years, or a single penny in \$10,000,000.
- Maximum Contaminant Level** - The "Maximum Allowed" (MCL) is the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology. MCLs are set at very stringent levels. To understand the possible health effects described for many regulated constituents, a person would have to drink 2 liters of water every day at the MCL level for a lifetime to have a one-in-a-million chance of having the described health effect.
- Maximum Contaminant Level Goal** - The "Goal" (MCLG) is the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
- Maximum Residual Disinfectant Level (MRDL)** - The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.
- Maximum Residual Disinfectant Level Goal (MRDLG)** - The level of a drinking water disinfectant below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
- Non-Detects (ND)** - laboratory analysis indicates that the constituent is not present.

LEAD AND COPPER TEST RESULTS (2015)

Contaminant	Violation Y/N	90 th percentile	Unit Measurement	Action Level	Sites over action level	Likely Source of Contamination
Copper	N	0.105	ppm	1.3	0	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives
Haloacetic acids (HAAs) (2017)	N	24.5 Range 18.2-29.8	ppb	60	N/A	By-product of drinking water disinfectant
THM [Total trihalomethanes] (2017)	N	44.4 Range 23.4-75.6	ppb	80	n/a	By-product of drinking water chlorination

City of Union

TEST RESULTS

Contaminant	Violation Y/N	Level Detected	Unit Measurement	MCLG	MCL	Likely Source of Contamination
Fluoride (Sampled 2017)	N	0.22 Range 0.22-0.22	ppm	4	4	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories
Nitrate (Sampled 2017)	N	0.37	ppm	10	10	Runoff from fertilizer use; leaching from septic tanks, sewage; erosion of natural deposits

All sources of drinking water are subject to potential contamination by substances that are naturally occurring or man made. These substances can be microbes, inorganic or organic chemicals and radioactive substances. All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline at 1-800-426-4791.

If you have special health needs--

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by cryptosporidium and other microbiological contaminants are available from the Safe Drinking Water Hotline (800-426-4791).

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. Rocky Creek Water Company is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your drinking water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

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