

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
WEDNESDAY, SEPTEMBER 10, 2008 AT 4:30 P.M.
GRAND JURY ROOM AT THE UNION COUNTY COURTHOUSE

Present: Chairman Donnie Betenbaugh, Vice Chairperson Dora Martin, Councilwoman Joan Little, Councilman Tommy Ford, Councilman Joey English, Councilman Randall Hanvey, Councilman Joe Lawson, 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, Mr. Darrell Wade, Ms. Ann Canada, Mrs. Anne Brock with Clemson Extension, Mr. James Kollock and Ms. Kacie Petrie.

Chairman Donnie Betenbaugh called the meeting to order. Chaplain Dora Martin 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 T. Martin, District 2 – Present

Tommy E. Ford, District 3 – Present

Joey D. English, District 4 – Present

Randall Hanvey, District 5 – Present

Joe G. Lawson, District 6 – Present

Dora Martin: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on August 13, 2008, the special meeting of County Council held on August 22, 2008 and to adopt the minutes as written.

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

Chairman Donnie Betenbaugh presented a service award and gift certificate for James D. Brewington for 5 years, to A. J. Shetley for 10 years, to Lucinda Baldwin for 10 years, and to Gwen Williams for 10 years of dedicated service to Union County.

Chairman Donnie Betenbaugh stated that next on the agenda was David Fant to discuss the Union County Council. Mr. Fant was not present but would be allowed to address Council if he came in later during the meeting.

Chairman Donnie Betenbaugh recognized Miss Union Jessica Beam and Miss Teen Union Amber Champion. Miss Union stated that her platform dealt with MS and adoption and Miss Teen Union stated hers dealt with childhood cancer and autism. Both were congratulated and commended for their dedication to these causes.

COUNTY COUNCIL MEETING
SEPTEMBER 10, 2008

Chairman Donnie Betenbaugh stated there were three positions on the Hospital Board which needed to be appointed. Dr. Gerald D. Fielder was the only applicant for the position of practicing physician. The four applicants for the two at large positions were Iverson G. Vanderford, William Jolly, Rhonda Ingle and Robert F. Speer.

Dora Martin: Made a motion to appoint Dr. Gerald D. Fielder.

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

Chairman Donnie Betenbaugh opened the floor for nominations for the first of the two at-large positions.

Councilwoman Joan Little nominated Rhonda Ingle.

Councilman Tommy Ford nominated Iverson G. Vanderford.

The vote was unanimous to appoint Iverson G. Vanderford.

Chairman Donnie Betenbaugh opened the floor for nominations for the second at-large position.

Councilwoman Joan Little nominated Rhonda Ingle.

Dora Martin: Made a motion to close the nominations.

Councilman Joe Lawson nominated William Jolly.

Councilwoman Dora Martin rescinded her motion to close the nominations.

Chairman Donnie Betenbaugh called for any other nominations. There were none.

Dora Martin: Made a motion to close the nominations.

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

Councilman Joe Lawson voted in favor of appointing William Jolly and the other five Council Members voted in favor of Rhonda Ingle.

Dr. Gerald D. Fielder, Iverson G. Vandereford and Rhonda Ingle were appointed to serve on the Hospital Board.

Chairman Donnie Betenbaugh stated there were two positions on the Alcohol and Drug Abuse Commission to be appointed by County Council. The current members whose terms are due to expire reapplied for their positions but the vacancies have not been advertised.

Dora Martin: Made a motion to advertise the two positions on the Alcohol and Drug Abuse Commission.

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

Chairman Donnie Betenbaugh stated the three positions on the Board of Fire Control for the Kelly Kelton Fire Department had been advertised and the only applicant was Mr. Bruce Inman. Mr. Betenbaugh read a letter stating the Kelly-Kelton Volunteer Department requested the three vacancies be filled by Hoyt Haney, Bruce Inman and Betty Jo Taylor for a two year term.

Dora Martin: Made a motion to accept the recommendation to appoint Hoyt Haney, Bruce Inman and Betty Jo Taylor to serve on the Kelly-Kelton Fire Board.

Joe Lawson: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented a request from Bucky Ward requesting an extension under FMLA (Family Medical Leave Act) as his current twelve weeks under FMLA has expired or is ready to expire. Emergency Services Director Stephen Jones

COUNTY COUNCIL MEETING
SEPTEMBER 10, 2008

stated he is a dispatcher at 911 and is one of their most dedicated employees. Mr. Betenbaugh stated Mr. Ward was looking at going under disability.

Dora Martin: Made a motion to honor Bucky Ward's request for an extension under FMLA.

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

Chairman Donnie Betenbaugh presented a letter from Kevin Montgomery requesting a donation of \$500.00 to help with the Fire Fighters Combat Challenge in this year's Uniquely Union Festival.

Randall Hanvey: Made a motion to donate \$500.00 for the Fire Fighters Combat Challenge.

Joe Lawson: Seconded the motion. The motion carried with five (5) Council Members voting in favor of the motion and one (1) Council Member (Joan Lawson) opposing.

Chairman Donnie Betenbaugh presented for third and final reading an ordinance to revise and amend all Union County ordinances creating and establishing special tax districts for the purpose of creating fire protection districts, and all other Union County fire district ordinances, including, without limitation, Union County ordinances number 27, 28, and 29 and the Carlisle Fire District Ordinance, and ordinance number FY 81-82-51, so as to authorize all Union County fire districts and fire departments created under Home Rule, by all such ordinances, including, without limitation, Bonham Fire District, Carlisle, Fire District, Cross Keys Fire District, Kelly Kelton Fire District, and Phillipi Fire District, to use both volunteer and paid firefighters; to revise the boundaries of the Carlisle Fire District so as to include certain portions of the former Cone Mills property, to be utilized by and for the Congaree Bio Energy, LLC Project; and other matters related thereto.

Joe Lawson: Made a motion to adopt the ordinance pertaining to the fire districts as stated.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented for second reading an ordinance authorizing an amendment to that certain multi-county park agreement, dated July 11, 1994, as subsequently amended, governing a multi-county business/industrial park by and between Union County, South Carolina, and Spartanburg County, South Carolina, to authorize the expansion of the boundaries of the park; and other matters thereto related.

Dora Martin: Made a motion to accept second reading of the ordinance authorizing an amendment to the multi-county park as stated as it pertains to the Johnson Development aircraft being located in said park.

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

Chairman Donnie Betenbaugh presented for second reading an ordinance authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement (The "Incentive Agreement") between Union County, South Carolina (The "County") and Congaree Bio Energy, LLC, acting for itself or an affiliate or other project sponsor, (Collectively, The "Company"), whereby, under certain conditions, the County shall grant incentives to the company in connection with the establishment of certain manufacturing facilities in the County (The "Project"); (2) the County to covenant in such incentive agreement to accept certain negotiated fees in lieu of ad valorem taxes with respect to the project; (3) special

COUNTY COUNCIL MEETING
SEPTEMBER 10, 2008

source credits to reimburse the company for a portion of the costs of certain infrastructure costs in connection with a manufacturing enterprise serving the economic development of the County; (4) the benefits of a multi-county park to be made available to the company; and (5) other matters relating thereto.

Randall Hanvey: Made a motion to accept second reading of the ordinance pertaining to the execution and delivery of a fee in lieu of tax and incentive agreement with Congaree Bio Energy, LLC as stated.

Dora Martin: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented for second reading an ordinance to develop, pursuant to Sec. 4-1-170 of the South Carolina Code of Laws, 1976, as amended, a jointly owned and operated industrial/business park, to be known as the Congaree Bio Energy Multi-County Park, in conjunction with Spartanburg County, South Carolina, such industrial/business park to be geographically located in Union County, South Carolina; to provide for a written agreement with Spartanburg County as to the sharing of the revenues and expenses of the park; to provide for the distribution of revenues from the park among the taxing entities having jurisdiction over the park; to provide for a user fee in lieu of ad valorem taxation; and other matters related thereto.

Dora Martin: Made a motion to accept second reading of the ordinance to develop a jointly owned and operated industrial/business park to be known as the Congaree Bio Energy Multi-County Park.

Joe Lawson: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh introduced an ordinance to amend Ordinance No. 142, as previously amended by Ordinances Nos. 212, 213 and 236, relating to the joint County Industrial Park (Hillside Industrial Park) of Spartanburg and Union County so as to enlarge the park to include Epsilon Plastics, Inc. and Lear Operations Corporation/ACPS, LLC.

Dora Martin: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance to amend the ordinance relating to the Hillside Industrial Park to enlarge the park as stated.

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

Chairman Donnie Betenbaugh introduced a resolution setting the County Tax Levy for 2008 at 132.9 mils. There would be no tax increase from 2007. The resolution also set the tax levy for the Bonham Fire District at 14.5 mils, the Carlisle Fire District at 10.3 mils, the Cross Keys Fire District at 10.3 mils, the Phillipi Fire District at 10.3 mils, and the Kelly Kelton Fire District at 20.0 mils.

Joe Lawson: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution setting the County Tax Levy for 2008 at 132.9 mils as well as the tax millage for the fire districts as stated.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh called for any committee reports but there were none at this time.

Chairman Donnie Betenbaugh called for any other business but there was none.

COUNTY COUNCIL MEETING
SEPTEMBER 10, 2008

Dora Martin: Made a motion to adjourn the meeting.

Joan Little: Seconded the motion. The vote was unanimous.

The meeting was adjourned at 4:48 p.m.

Donnie R. Betenbaugh, Chairman
Union County Council

Linda G. Jolly, Clerk to Council