

MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, JANUARY 12, 2021 AT 5:30 P.M.
MEETING ROOM AT 103 W. MAIN STREET, UNION, SC 29379
STREAM TO FRANK HART UNION COUNTY SUPERVISOR
FACEBOOK PAGE

Present: Chairman Frank Hart, Vice-Chairman Ben Ivey, Councilman David Sinclair, Councilman Tommie Hill, Councilman John Flood, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly

Absent: Councilwoman Tracie Campbell and Councilman Ralph Tucker

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 or emailed to the members of the Union County Council, the County Attorney, Jeff Fellers with Clemson Extension, Jami Trammell with Chamber of Commerce, Mr. Mickey Gist, Mr. Robert Small, Mr. James Kollock, Mrs. Casie Jolly, Mike Stevens and Daniel Prince at WBCU Radio Station, Graham Williams at the County News, the News Room at the Spartanburg Herald Journal, Chris Lavender with the Spartanburg Herald Journal, Shell Suber at MHISC, and Michael Lee with MHISC as well as to elected officials and heads of various county departments and offices. A notice of the meeting and a copy of the agenda were also posted on the County's website.

Chairman Frank Hart called the meeting to order.

Council Chaplin David Sinclair gave the invocation followed by the Pledge of Allegiance.

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

Tracie Campbell, District 1 – Absent

Ralph Tucker, District 2 – Absent

David Sinclair, District 3 – Present

Ben Ivey, District 4 – Present

Tommie Hill, District 5 - Present

John Flood, District 6 – Present

Tommie Hill: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on December 8, 2020 and to adopt the minutes as written.

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

Chairman Frank Hart presented a service award certificate and gift certificate for Lisa Crawford for 5 years, to Katherine Pendergrass for 5 years, to Ben Ivey for 10 years and for William E. Holcombe for 30 years of dedicated service to Union County.

Chairman Frank Hart requested that Sam White and Sheriff Jeff Bailey come forward. He thanked Sam White for serving as the Interim Sheriff and presented him with a small gift as a

COUNTY COUNCIL MEETING
JANUARY 12, 2021

token of the County's appreciation. Sam White stated he appreciated the opportunity to serve as Interim Sheriff and commended the dedicated personnel in the Sheriff's Office.

Chairman Frank Hart stated County Council had been holding their regular monthly meetings on the second Tuesday of each month at 5:30 p.m. The meetings are normally held at the Courthouse but because of COVID-19 the meetings had been at a different site. This will probably continue until the cases of coronavirus improves. There are also meetings scheduled at the three outlying municipalities that will also be dependent upon the coronavirus statistics. The proposed scheduled meeting dates were presented to Council.

David Sinclair: Made a motion to adopt the meeting schedule whereby the Union County Council would continue to hold their regular monthly meetings on the second Tuesday of each month at 5:30 p.m.

Tommie Hill: Seconded the motion. The vote was unanimous.

Chairman Frank Hart called for any nominations for Vice-Chairman of County Council. Councilman David Sinclair nominated Ben Ivey to continue as Vice-Chairman. There were no further nominations and the vote for Ben Ivey was unanimous.

Chairman Frank Hart called for any nominations for Chaplin of County Council. Councilman Tommie Hill nominated David Sinclair to continue as Chaplin. There were no further nominations and the vote was unanimous.

Chairman Frank Hart had sent out an email to the members of Council asking them to indicate which Standing Committees they were interested in serving on. He asked that they get that back to him so the appointments can be made at the February Council meeting.

Chairman Frank Hart stated next on the agenda was to consider a Lease Agreement between the Renaissance Community Organization of Santuck and Union County. He said the lease was for the use of a public recreation area and that Tourism Director Curtiss Hunter was in the process of applying for PARD money for improvements.

Ben Ivey: Made a motion to authorize the County Supervisor to execute the Lease Agreement between the Renaissance Community Organization of Santuck and Union County on behalf of the County.

David Sinclair: Seconded the motion. The vote was unanimous.

Chairman Frank Hart stated it was on the agenda to discuss an invoice from the City for a school resource officer but they were still working with the City on it so he wanted to put that on hold.

Chairman Frank Hart said he had talked with Tim Black as the Director of the Council on Aging about trying to utilize federal transportation funds. Mr. Black has applied for two vans for transportation of senior citizens and one of them would be ADA accessible. This would require local matching funds of \$20,000.00. Chairman Frank Hart said that even though they are not a unit of County government those funds could be committed from the County's Multi-County Park Fund if the grant is approved.

Ben Ivey: Made a motion to provide \$20,000.00 from the Multi-County Park Fund for the local matching funds for the grant for the two vans for the Council on Aging if the grant is approved.

COUNTY COUNCIL MEETING
JANUARY 12, 2021

David Sinclair: Seconded the motion. The vote was unanimous.

Chairman Frank Hart said the Council previously worked toward putting the question of changing the form of government on the ballot but due to COVID-19 it had not been followed through on. If Council still wants to pursue this, we would have to start the process over and decide if we want to hold an election in November to put the question to the voters. Councilman Ben Ivey said Council had previously agreed to pursue this and he saw no reason not to proceed. Councilman David Sinclair said he was in favor of holding the referendum to let the citizens vote on it.

John Flood: Made a motion to proceed with the process necessary to have first reading of the ordinance at the February Council meeting to hold the referendum to put the question to the voters concerning changing the form of government.

David Sinclair: Seconded the motion. The vote was unanimous.

Chairman Frank Hart said the Council previously worked toward putting the question on the ballot of whether or not to implement a Capital Project Sales Tax. Council went through the process of adopting an ordinance and appointing members to serve on the commission but there was not ample time to get the projects established to go on the ballot. If Council wants to pursue this then they would need to start the process over. The commission has to go out and get public feedback in order to develop a list of projects to present to County Council. County Council either accepts or rejects the projects as a whole as you cannot modify the proposed projects. If Council accepts the proposed projects then it is put on the ballot for the voters to decide. If approved by the voters then the funds have to be used for the sole purpose of funding those projects.

John Flood: Made a motion to allow the County Supervisor to work with the attorney to bring back a resolution to Council to move forward with the process necessary to hold the referendum to put the question to the voters concerning implementation of a Capital Project Sales Tax.

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

Chairman Frank Hart said Council had received a copy of the latest version of the burn ordinance for Union County. Councilman David Sinclair said most of the feedback he got from the homeowners was about not being able to burn their yard debris without having to get permission. Councilman John Flood said there was an issue with landowners burning without a permit. This would include leaves and brush but only to provide a level of protection should the fire spread out of control. He felt the fire departments should be able to enforce the State law which they cannot do now because the County does not have a Burn Ordinance. He suggested that landowners should notify 911 when they are doing any burning. Councilman Tommie Hill said the City of Union already has a Burn Ordinance in place. Councilman Ben Ivey stated the City of Union has it where if a property owner puts their leaves and brush at the curb then the City will pick it up but it is different in the County. There was some discussion about having to notify the Forestry Service and 911. County Attorney Sammy Diamaduros wanted to make sure the public understood this would not include firepits or small recreational fires.

Ben Ivey: Made a motion to move forward with holding first reading of the Burn Ordinance at the February Council meeting with the understanding that changes could be made to the ordinance prior to third and final reading.

COUNTY COUNCIL MEETING
JANUARY 12, 2021

John Flood: Seconded the motion. The motion carried with three (3) Councilmembers voting in favor of the motion and one (1) Councilmember (Councilman David Sinclair) opposing.

Chairman Frank Hart said he had provided Council with a rough draft of the Fire Service Fee Ordinance which had been requested by the Fire Chief's Association. Councilman John Flood said the fire districts wanted this implemented to allow them to recoup some of their costs in providing fire services. He said that if individuals carry insurance on their property and vehicles then many of those policies include funds that can be reimbursed for fire services. The fire districts want to be able to receive those reimbursements which they cannot do without a Fire Service Fee Agreement. Councilman David Sinclair expressed his concern about the wording in the ordinance that said the individuals would be billed and held liable. He said he understood from the previous discussions that the fire districts did not want the individuals held responsible. Chairman Frank Hart said in talking with the attorney it had to be directed to the property owner since the policies are in their name. The insurance company cannot be held liable but could be asked to reimburse the property owner. Councilman David Sinclair said the ordinance would have to be modified to fit Union County before he would consider approving it since it currently states a lien could be placed against an individual's real estate. Councilman John Flood said he did not believe it was ever the intent of the fire districts to hold the individuals responsible for payment if the insurance companies did not provide reimbursement.

John Flood: Made a motion to proceed with the Fire Service Fee Ordinance and work on modifications to protect the individual property owners as much as possible.

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

Mark Cathcart as the Clemson 4-H Agent asked Council to consider providing funds to add a lean-to structure to cover the wash rack at the livestock barn at the fairgrounds. He requested the addition of a new water meter to improve the pressure and reliability of the water supply. The cost for both improvements is estimated at \$6,000.00. Labor to erect the structure would be provided by the County Detention Center trustees, Jeff Fellers and himself. Any monies left over at the completion of the projects would be given back to Union County or to the Union County Detention Center for their contribution of labor. Councilman Ben Ivey asked the proposed size of the lean-to structure. Mark Cathcart stated it would be a twenty-three foot by eighty-foot structure. He said they wanted to make improvements at the fairgrounds to bring in more groups that will hopefully spend money in Union County.

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

Finance Director Ann Boggs stated she had provided Council with the financial report for December which puts us at being fifty percent through the fiscal year. She said expenditures were tracking at about forty five percent and revenues should pick up since we are beginning to collect for property taxes. She said she had applied for a reimbursement due to COVID under the South Carolina CARES Act.

Airport and Stadium Manager Ronnie Wade stated the High School graduation has been scheduled for June 19th. They were trying to finish up with a building that they had the funding for. He said he did not know where they are with setting the tax levy on aircrafts at 4%. He had

COUNTY COUNCIL MEETING
JANUARY 12, 2021

someone contact him because he is paying 6% in Florida when he could be saving \$50 a month on his hangar rental if he paid his taxes in Union County. He said you would also have a portion of those taxes going back to Southside Fire Department.

Community Development Director Katherine Pendergrass said on December 21st the Salvation Army distributed toys at the Recreation Department. The taxi service that was providing some services in Union has scaled back due to losing one of their drivers. She said there is still a need for transportation services. She talked about a small business owner that was about to close that they were able to help so they could stay open. There will be a blood drive on February 10th. Beginning tomorrow the COVID vaccinations are going to be offered to those age 70 and over and you have to have two shots. She advised everyone to wear their masks and practice social distancing.

Tourism Director Curtiss Hunter stated the Walker Days Coon Hunt event will be held on February 25th, 26th, and 27th. The Big Buck event will be held on February 20th and 21st. The Tiger Run event will be held April 17th and 18th. She has applied for Parks and Recreation grant funds for improvements to a public recreation area leased by the Renaissance Community Organization of Santuck. Councilman John Flood asked how Tourism worked with the 4-H Agent and events at the Airport. Curtiss Hunter stated they work together to put any of those on the events calendar. Chairman Frank Hart said they formed an Events Committee to look at what could be done to promote tourism and events during COVID-19 because of all the restrictions.

Chairman Frank Hart introduced a resolution relating to the declaration of intent by Union County, South Carolina to reimburse certain expenditures made prior to the issuance of a tax exempt equipment lease financing agreement. This pertains to the 2021 Equipment Lease Purchase as a couple of the items to be purchased have already been paid for with general fund dollars. This would allow those charges to be reimbursed from the proceeds of the Lease to Purchase when we close that out.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution relating to the declaration of intent by Union County, South Carolina to reimburse certain expenditures made prior to the issuance of a tax exempt equipment lease financing agreement.

Tommie Hill: Seconded the motion. The vote was unanimous.

Chairman Frank Hart said he would forego his Supervisor's Report.

Chairman Frank Hart called for any committee reports but there were none.

David Sinclair: Made a motion to go into executive session to discuss a contractual matter.

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

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

Chairman Frank Hart stated Council was ready to close executive session and no votes had been taken during executive session.

COUNTY COUNCIL MEETING
JANUARY 12, 2021

David Sinclair: Made a motion to close executive session.
Ben Ivey: Seconded the motion. The vote was unanimous.

The Union County Council returned to regular session.

Chairman Frank Hart called for any other business but there was none.

John Flood: Made a motion to adjourn the meeting.
Tommie Hill: Seconded the motion. The vote was unanimous.

The meeting was adjourned at 6:55 p.m.

Frank Hart, Chairman
Union County Council

Linda G. Jolly, Clerk to Council