

MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, OCTOBER 13, 2020 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, Councilwoman Kacie Petrie, 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 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

Kacie Petrie, 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 September 8, 2020, the special meeting of County Council held on September 28, 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 Kenneth D. Newton for 5 years of dedicated service to Union County.

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Chairman Frank Hart stated next on the agenda was a presentation of a proclamation to Regenesys but he thought there was a mix up on the location.

Chairman Frank Hart stated he had received a letter from Jenny Parrish with the Olde English District which stated Curtiss Hunter currently serves on their commission but her term has expired.

David Sinclair: Made a motion to reappoint Curtiss Hunter to serve another term on the Olde English District Commission.

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

Chairman Frank Hart stated there had been a lease agreement between the Union County School District and what used to be the Union County Recreation Commission for use of the Carlsan ballfield and property. The Recreation Commission no longer exists so it comes to the County as the responsible entity. We no longer use that facility for recreation and the School District wants to sell the property but they need this matter cleared up in order to do that. Chairman Frank Hart said he needs Council's approval to execute a termination of lease agreement document on behalf of Union County.

Ben Ivey: Made a motion to authorize the County Supervisor to execute a termination of lease agreement document pertaining to the Carlsan property on behalf of Union County.

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

Detention Center Director Niel McKeown requested \$12,067.25 from the Non-Departmental Capital Expenditures account for the purchase of grass cutting equipment and leaf blowers.

Tommie Hill: Made a motion to approve \$12,067.25 for the Detention Center from the Non-Departmental Capital Expenditures account for the purchase of grass cutting equipment and leaf blowers.

Kacie Petrie: Seconded the motion. The vote was unanimous.

Sheriff Sam White said he understood there were funds in the Non-Departmental Capital Expenditures account in the amount of \$17,000.00 for the purchase of 32 mobile 800 radios and \$7,500.00 to install them for a total of \$24,500.00.

David Sinclair: Made a motion to approve \$24,500.00 from the Non-Departmental Capital Expenditures account for the purchase of 32 mobile 800 radios and their installation.

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

Chairman Frank Hart stated next on the agenda was to consider appointments to boards and commissions. He stated there is a new vacancy on the Board for Buffalo Fire District because of the resignation of Carolyn Yarborough.

David Sinclair: Made a motion to advertise the vacant position on the Board for Buffalo Fire District

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

There is still a vacancy on the Board of Appeals due to a term expiration. There are two vacancies on the Building Code Board of Appeals as a member had passed away and there is a vacancy for an alternate. There is a vacancy on the Board for Phillipi Fire District due to the resignation of Carrol Alexander, Jr. Chairman Frank Hart asked if any councilmember had any

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recommendations for appointments but there were none. Councilman Ben Ivey said he may have a recommendation for the Board vacancy for Phillipi Fire District at the next regular Council meeting.

Chairman Frank Hart stated it was on the agenda to hold first reading in title only of a Burn Ordinance. Lee Brannon was on the agenda to discuss this but had not arrived yet. Stephen Stone and Mark Lancaster addressed the issue. They stated that without a County ordinance in place they are unable to legally enforce a red flag advisory or any burning in the County. People would need to apply for a burn permit and notify Emergency Services. They said there would need to be a fine included in the ordinance.

Lee Brannon as President of the Fire Chiefs Association addressed the need for a Fire Service Fee Ordinance. He said most insurance policies allow fire departments to request reimbursement of costs. He stated Fire Recovery USA could do the billing with the insurance companies and would keep twenty percent of the funds received. They would be billing insurance companies only and not individuals. Only one fire district can request the funds from the insurance companies no matter how many may have responded to the fire emergency. Lee Brannon suggested the funds from the insurance companies be put in a pool and distributed quarterly among all the fire districts. This would require an ordinance to be adopted by the Council. Chairman Frank Hart called for a motion to move forward with working out the details to come up with an ordinance in draft form for Council to look at.

Ben Ivey: Made a motion to move forward with working out the details of a Fire Service Fee Ordinance in draft form for Council to look at.

David Sinclair: Seconded the motion. The vote was unanimous

Wes Foster as the instructor at the Union County CATE Center and said he is responsible for the fire fighting and law enforcement programs. They are looking for equipment to help with training the students and currently they have 40 students in the introductory class. Chairman Frank Hart recommended Council approve donating a 2012 Dodge Charger with the last four numbers of the VIN number of 5690 to the Union County School District. There is an issue with the cam in the vehicle which would be a project for the School auto maintenance guys and it is a County surplus vehicle.

Kacie Petrie: Made a motion to donate a 2012 Dodge Charger with the last four numbers of the VIN number of 5690 to the Union County School District.

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

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

Finance Director Ann Boggs said as of the end of September we are 25% through the fiscal year with expenses at 21% and revenue at 13%. It is not unusual for the revenues to be that low as most of our real estate taxes will be collected in the next quarter. Revenue from fines and fees are on track. We are gearing up for the annual audit for fiscal year 2019-2020. She said she was working on getting funds from the South Carolina CARES Act.

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Detention Center Director Niel McKeown stated they were near completion on the new multi-purpose building at the Detention Center and provided pictures for Council to view.

Airport and Stadium Manager Ronnie Wade stated there had been a plane crash at the County Airport recently but the pilot did survive the crash. They were having an event at the airport and there were people on hand to assist with getting the pilot out of the wreckage. He said he was grateful for everyone's assistance including the fire departments. There are federal and local investigations being conducted. The fire departments will be conducting training at the dressing rooms at the Stadium on December 14th. There was also an incident at a football game but they were fortunate enough to have people in attendance who were able to save the child's life. On October 24th they will hold an event at the airport where you can jump out of an airplane for \$295.00, fly in an ultra-light aircraft, and for \$25.00 you can take a flight around town. The event will have to be limited to 250 people because of COVID-19. They had a football game scheduled with Broome High School but they were unable to come due to one of their players having the coronavirus but Union High School ended up playing Spartanburg High School instead. He said it cost him \$1,800.00 in cleaning supplies and hand sanitizer for the games at the Stadium.

Assistant Emergency Services Director Rob Fraim stated they had hired three new dispatchers at 911 which should have them fully staffed by the end of the month.

Community Development Director Katherine Pendergrass said on September 26th they had what South Carolina called a Day of Action where all counties in the State were supposed to have a day dedicated to the Census. They held the event for Union County at the stadium where they provided COVID tests, flu shots, drug disposal bags, and a truck that provided free icees. They were told that if they got at least 10 people to sign up for the Census then they would get an extra \$30,000.00 for Union and they got 15 people to sign up. There was another community event held and as a result the Census numbers have increased. She said she facilitated for the Council on Aging to receive a big freezer from Lockhart Power Company. She received a call from the HR Manager at Dollar General to help find housing for a family of four and they were able to secure that through the help of the C4 group. Chairman Frank Hart stated Union County was number 20 in the State with the response rate for collecting the Census data.

Tourism Director Curtiss Hunter stated there was a member of the Alcohol and Drug Abuse Commission who had resigned leaving a vacancy. She said they have a new team of people called Eco Tourism. They will be holding a meeting on October 24th to discuss getting trails in the forest area of the county and they have asked for assistance from Senator Shane Martin and Representative Doug Gilliam to get this implemented.

Chairman Frank Hart presented for second reading an ordinance authorizing and approving (1) the development of a new joint County Industrial and Business Park (TBA Properties) pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Spartanburg County (The "Park") such Park to be geographically located in Union County and to include the aforementioned project; (2) the execution and delivery of a written Park Agreement with Spartanburg County as to the requirement of payments of Fee In Lieu of Ad Valorem taxes with respect to Park property and the sharing of the revenues and expenses of the Park; (3) the

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distribution of revenues from the Park to the counties and relevant taxing entities; and (4) other matters related thereto.

David Sinclair: Made a motion to accept second reading of the ordinance authorizing and approving (1) the development of a new joint County Industrial and Business Park (TBA Properties) pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Spartanburg County (The "Park") such Park to be geographically located in Union County and to include the aforementioned project; (2) the execution and delivery of a written Park Agreement with Spartanburg County as to the requirement of payments of Fee In Lieu of Ad Valorem taxes with respect to Park property and the sharing of the revenues and expenses of the Park; (3) the distribution of revenues from the Park to the counties and relevant taxing entities; and (4) other matters related thereto.

Kacie Petrie: Seconded the motion. The vote was unanimous.

Chairman Frank Hart presented for second reading an ordinance authorizing the execution of an Infrastructure Credit Agreement by and between Union County, South Carolina and TBA Properties LLC to provide for infrastructure credits with respect to a redevelopment project located at 441 N. Duncan By-Pass, and other matters related thereto.

Kacie Petrie: Made a motion to accept second reading of the ordinance authorizing the execution of an Infrastructure Credit Agreement by and between Union County, South Carolina and TBA Properties LLC to provide for infrastructure credits with respect to a redevelopment project located at 441 N. Duncan By-Pass, and other matters related thereto.

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

Chairman Frank Hart introduced in title only an ordinance authorizing and directing that all law enforcement personnel of the County of Union, South Carolina, officially retiring under the Police Officer Retirement System of the State of South Carolina, and qualifying in all regards to own and possess firearms in the State of South Carolina, be given and presented with their official service handgun on their last day of County service; and other matters related thereto. Sheriff Sam White said he had been approached about law enforcement personnel being given their firearm when they retire but he felt he needed authorization from the County Council since it is County property. He said it would cost \$409.00 to replace the firearm through State Purchasing. He felt it was a good token of appreciation which would be appreciated by the officer.

David Sinclair: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance authorizing and directing that all law enforcement personnel of the County of Union, South Carolina, officially retiring under the Police Officer Retirement System of the State of South Carolina, and qualifying in all regards to own and possess firearms in the State of South Carolina, be given and presented with their official service handgun on their last day of County service; and other matters related thereto.

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

Chairman Frank Hart introduced in title only an ordinance to regulate outdoor burning in Union County within all unincorporated areas except as otherwise authorized or provided; and other matters related to, including, without limitation, exceptions and exemptions thereto and therefrom.

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Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance to regulate outdoor burning in Union County within all unincorporated areas except as otherwise authorized or provided; and other matters related to, including, without limitation, exceptions and exemptions thereto and therefrom.

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

Chairman Frank Hart introduced in title only an ordinance creating the position of Union County Fire Service Coordinator in the County of Union, South Carolina, defining the qualifications for holding the position, and establishing the job description for the position; establishing the relationship(s) between the Union County Fire Service Coordinator and certain named fire departments in Union County; and other matters related thereto.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance creating the position of Union County Fire Service Coordinator in the County of Union, South Carolina, defining the qualifications for holding the position, and establishing the job description for the position; establishing the relationship(s) between the Union County Fire Service Coordinator and certain named fire departments in Union County; and other matters related thereto.

Kacie Petrie: Seconded the motion. The vote was unanimous.

Chairman Frank Hart introduced in title only a Union County, South Carolina ordinance implementing the Bailey Bill (Section 4-9-195, South Carolina Code, 1976, as amended) in Union County, South Carolina; and other matters related thereto.

Kacie Petrie: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the Union County, South Carolina ordinance implementing the Bailey Bill (Section 4-9-195, South Carolina Code, 1976, as amended) in Union County, South Carolina; and other matters related thereto.

David Sinclair: Seconded the motion.

Chairman Frank Hart informed the Council that the Bailey Bill allows a person if they purchase a property that is deemed historic and is in need of repairs then the owner can apply with the South Carolina Historical Preservation Office to get that certification that it is an historic property. If the funds that are spent against the property which have to be approved by the Historical Society then it locks in the taxes prior to the improvements for a period of ten years. The vote on the motion was unanimous.

Chairman Frank Hart gave his Supervisor's Report and said Union County had received an Honorable Mention for the project pertaining to improving access to higher education and workforce training submitted for the J. Mitchell Graham Award. Officials with the South Carolina Association of Counties is scheduled to be at the Council meeting in November to make the presentation of the award. Chairman Frank Hart informed the Council he had scheduled a meeting Wednesday night with the Chair of the Board and the Fire Chief for each of the fire districts to discuss the Fire Service Coordinator position. He informed Council that Representative Doug Gilliam had assisted the County in this process and said the South Carolina Department of Transportation would be replacing the bridge that serves Midway Industrial Park at their cost and it should be done in 2021. The County will be going out for bids in the next thirty days or so for rerouting Midway Drive to take it around the Lukesville Community.

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

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

David Sinclair: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 6:24 p.m.

Frank Hart, Chairman
Union County Council

Linda G. Jolly, Clerk to Council