

MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, FEBRUARY 11, 2020 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Frank Hart, Vice-Chairman Ben Ivey, Councilwoman Tracie Campbell, Councilman David Sinclair, Councilman Ralph Tucker, Councilman Tommie Hill, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly

Absent: Councilwoman Kacie Petrie

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, Charles Warner at the Union Times, the News Room at the Spartanburg Herald Journal, Chris Lavender with the Spartanburg Herald Journal, Shell Suber at MHISC, Michael Lee with MHISC and Randall Hanvey, 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 – Present

Ralph Tucker, District 2 – Present

David Sinclair, District 3 - Present

Ben Ivey, District 4 - Present

Tommie Hill, District 5 - Present

Kacie Petrie, District 6 – Absent

David Sinclair: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on January 14, 2020, the special meeting of County Council held on February 4, 2020 and to adopt the minutes as written.

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

Chairman Frank Hart presented a service award certificate and gift certificate for Tim Roark for 10 years of dedicated service to Union County.

Chairman Frank Hart stated Council needed to consider appointments to boards and commissions.

There is a vacancy on the Library Board due to the resignation of Connie Springs. There were two applicants who were Rena Goode and Rhonda Hollingsworth.

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Ben Ivey: Made a motion to appoint Rhonda Hollingsworth to serve on the Library Board for an unexpired term.

Tracie Campbell: Seconded the motion. The vote was unanimous.

Chairman Frank Hart stated there was a vacancy on the Planning Commission due to the resignation of Marsha Jordan. Annie Smith was the only applicant.

David Sinclair: Made a motion to appoint Annie Smith to serve on the Planning Commission for an unexpired term.

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

Chairman Frank Hart stated Council needed to consider approval of a license agreement with Midway Green Solar, LLC. He stated Council has a copy of the agreement in draft form. Midway Green is a new solar project off Highway 49 near the Midway Green Industrial Park. This agreement allows them temporary access to the building for safety of materials. It should be a short-term endeavor for three to four months. He entertained a motion to authorize the Supervisor to determine the final form of the agreement and to execute a license agreement with Midway Green Solar on behalf of the County.

Ben Ivey: Made a motion to authorize the Supervisor to determine the final form of the agreement and to execute a license agreement with Midway Green Solar on behalf of the County.

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

Building Superintendent Ken West presented bids for a roof at the recreation department building and painting of the courthouse. He said he received one bid from Guy Roofing at a cost of \$43,990. He received three bids for painting of the courthouse. The bid from Caruso Brothers was \$22,500 to prep and paint all the trim on the courthouse. The bid from Steve Parker was \$34,895 to paint the trim on the courthouse with an additional \$3,000 if we want to paint the other buildings on the property. If you want the exterior of the courthouse pressure washed it would cost \$2,987. The bid from J & L Painting was \$42,500 to paint and to pressure wash the courthouse. Chairman Frank Hart asked if he was recommending accepting the bid of \$43,990 from Guy Roofing for the roof at the recreation department building and accepting the bid of \$22,500 from Caruso Brothers to paint the trim on the courthouse. Mr. West responded that was correct. Councilman Ben Ivey questioned why there was such a difference in the bids. Ken West stated the bid from Caruso Brothers was to pressure wash and paint the trim on the courthouse but the others included pressure washing the entire courthouse and additional fees for painting other buildings. There was some discussion about the funding and whether the County had worked with the painters before.

Ben Ivey: Made a motion to accept the bid of \$43,990 from Guy Roofing for the roof at the recreation department building and accepting the bid of \$22,500 from Caruso Brothers to paint the trim on the courthouse with the funds being approved from the Capital Expenditure account.

Ralph Tucker: Seconded the motion. The vote was unanimous.

Chairman Frank Hart called for any comments from the elected officials and department heads.

Finance Director Ann Boggs said they are gearing up for the budget and finalizing the audit.

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Delinquent Tax Collector Lorene Bevis stated they were getting ready for the Treasurer's Office to turn over the delinquent taxes to them next month.

Airport and Stadium Manager Ron Wade congratulated Ken West and his crew who have been working on the lounge area at the airport. They put in new windows, put new flooring down, put in new fixtures, plumbing, heating and lights. He said it looks really nice and invited Council to take a look at the improvements.

Parks and Recreation Director Kevin Shropshire stated they were supposed to start baseball today but the rain has already put them behind.

EMS Director Eric Harold gave his call stats report for the month of January. Big Buck is scheduled for February 21st through the 23rd if rain is not an issue. The State Grant-In-Aid project was approved. He met with the Upstate Healthcare Coalition and the grant request for 800 radios was denied at the State level. AFG grants are open until March 13th and they will be working on that grant application for a new ambulance. The South Carolina EMS Association is hosting an EMS legislative breakfast on March 4th at the State House to discuss issues facing EMS. They are pushing for legislation on the State and Federal level to improve EMS workplace safety, EMS recruitment and retention. He said they are fully staffed but have some employees out due to workers comp injuries and medical leave.

Community Development Director Katherine Pendergrass said she attended a program at Foster Park Elementary School today. A parent approached her and thanked her because her son attended one of the Operation Workforce Training classes which had saved him close to \$10,000 from his job. Katherine Pendergrass thanked Council again for providing the seed money that started the Operation Workforce Training program.

Tourism Director Curtiss Hunter stated Big Buck is scheduled for the weekend of February 22nd and hopefully it will not get rained out. The following weekend will be Walker Days for the big coon hunt. On February 22nd they have a group from Charlotte doing a four-mile hike in the forest to better utilize our forest area.

Christina Crosby as Director of Alcohol and Drug Abuse stated they have a new prevention director who is Mary Lynn Tollison with thirty plus years of expertise. Ms. Tollison said they would be working on strategies for substance abuse prevention. She will be working with the school on alcohol and tobacco prevention. They received a \$25,000 OPIOD Grant.

Library Director Rieta Drinkwine stated they were designated as a landmark library in 2019 which is national recognition. The satellite sites are almost up and running with the one in Carlisle being the last. This will expand library services and the sites will be used with gathering the census information. They will be working on their marketing strategy for making sure everyone is aware of the census in the county. They have begun their State legislative visits for the funding from the State and their support. They are finishing up a pilot program with the Office of Rural Health where certain college students do their field internship and they get one a year at the library for a social work program. They received a grant to hire a firm to help them develop a strategic plan which they have been working on for the past year.

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Chairman Frank Hart introduced a resolution stating that Union County Council is deeply concerned by the lack of propriety of Sheriff David Taylor which was detailed within File 34-18-0025 of an investigative report issued by the SC Law Enforcement Division and Union County Council calls upon Sheriff David Taylor to voluntarily resign from his position as the Sheriff of Union County.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution whereby Union County Council calls upon Sheriff David Taylor to voluntarily resign from his position as the Sheriff of Union County.

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

Chairman Frank Hart presented for third and final reading an ordinance authorizing the execution and delivery of a Title to Real Estate to Alan James Rose conveying the interest of Union County, South Carolina, in a certain parcel of real estate located at 225 South Street, Buffalo, South Carolina 29321 and as shown as Tax Map #072-06-13-008.

David Sinclair: Made a motion to adopt the ordinance authorizing the execution and delivery of a Title to Real Estate to Alan James Rose conveying the interest of Union County, South Carolina, in a certain parcel of real estate located at 225 South Street, Buffalo, South Carolina 29321 and as shown as Tax Map #072-06-13-008.

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

Chairman Frank Hart presented for second reading an ordinance authorizing an amended and restated Fee In Lieu of Tax Agreement between Union County, South Carolina, Milliken & Company and Milliken Nonwovens, LLC and other matters relating to the foregoing.

Ben Ivey: Made a motion to accept second reading of the ordinance authorizing an amended and restated Fee In Lieu of Tax Agreement between Union County, South Carolina, Milliken & Company and Milliken Nonwovens, LLC and other matters relating to the foregoing.

Tracie Campbell: Seconded the motion. The vote was unanimous.

Chairman Frank Hart introduced in title only an ordinance ordering a referendum in Union County, South Carolina, to submit to the electors of the county the question of whether the county shall create a Union County Police Department which will duplicate or replace the law enforcement functions of the Union County Sheriff in accordance with and pursuant to the authority of Section 4-9-33, South Carolina Code of Laws, 1976, as amended; providing for the form of ballot to be used; providing for notice of the referendum; and all other things necessary to submit the aforesaid question.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance ordering a referendum in Union County, South Carolina, to submit to the electors of the county the question of whether the county shall create a Union County Police Department which will duplicate or replace the law enforcement functions of the Union County Sheriff in accordance with and pursuant to the authority of Section 4-9-33, South Carolina Code of Laws, 1976, as amended; providing for the form of ballot to be used; providing for notice of the referendum; and all other things necessary to submit the aforesaid question.

Ralph Tucker: Seconded the motion.

Councilwoman Tracie Campbell asked if we are one hundred percent sure we can go through with this. Chairman Frank Hart stated yes they have consulted with legal counsel and it is

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authorized under State law. Horry County currently operates under that system. Councilman David Sinclair said the ordinance would allow the question to be put on the ballot so the citizens of Union County can vote on the question. Chairman Frank Hart said he and other members of County Council have received a lot of frustration from citizens in Union County and Council is unable to provide oversight of the Sheriff's Office. The ordinance puts the question to the voters of Union County on whether they want the County Council to have the ability to have oversight of the Sheriff's Office and to put checks and balances in place which could prevent these types of situations. Chairman Frank Hart stated over the past ten years one out of four sheriffs in South Carolina have either pled guilty to or been convicted of a crime in office. The State has struggled with putting proper safeguards in place to prevent this type of thing from happening. He said there is one sheriff in the State that has pending Federal and State charges awaiting adjudication. Councilman Ben Ivey said the sheriff would still be an elected official overseeing county employees. Chairman Frank Hart said currently employees of the Sheriff's Office are not truly county employees even though they are paid by the county they are not subject to the county personnel policy. County Council would appoint the sheriff to oversee the day-to-day operations of the department. If there was an issue with the sheriff either putting the county at risk for a behavior that reflects negatively on the county or some other conduct that is an issue with the office then the Council would have the ability to say he is no longer the head of the law enforcement operations for Union County. The State Constitution requires the counties to have a sheriff. Everett Leigh expressed his concern over the Sheriff having funds that he has sole discretion over and the State not doing any kind of audit on those funds. Chairman Frank Hart stated the referendum would allow the voters to decide if this is the right way to move forward. The vote on the motion was unanimous.

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

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

Chairman Frank Hart requested a motion to amend the agenda to hold an executive session to discuss a legal matter.

David Sinclair: Made a motion to amend the agenda to hold an executive session to discuss a legal matter.

Ralph Tucker: Seconded the motion. The vote was unanimous.

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

Chairman Frank Hart stated no votes were taken during executive session.

David Sinclair: Made a motion to close executive session.

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

The County Council closed executive session and returned to regular session.

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

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David Sinclair: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 6:39 p.m.

Frank Hart, Chairman
Union County Council

Linda G. Jolly, Clerk to Council