

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
TUESDAY, MARCH 11, 2014 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Tommy Sinclair, Vice Chairman Tommy Ford, Councilwoman Joan Little, Councilman Frank Hart, Councilman Ben Ivey, Councilman Randall Hanvey, Councilwoman Kacie Petrie, 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, Mrs. Anna Brown with the County News, Spartanburg Herald Journal, the Union County Development Board, Mrs. Anne Brock with Clemson Extension, Mr. Mickey Gist, and Mr. Robert Small. A notice of the meeting was also posted on the County's website.

Chairman Tommy Sinclair called the meeting to order. Councilman Ben Ivey 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
Frank Hart, District 2 - Present
Tommy Ford, District 3 - Present
Ben Ivey, District 4 - Present
Randall Hanvey, District 5 - Present
Kacie Petrie, District 6 – Present

Tommy Ford: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on February 18, 2014, the special meeting of County Council held on February 27, 2014 and to adopt the minutes as written.

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

Chairman Tommy Sinclair presented a service award certificate and gift certificate to Troy Champion for 20 years of dedicated service to Union County.

Chairman Tommy Sinclair stated that first on the agenda was a public hearing for Project Midas. The proposed ordinance authorizes the execution and delivery of a Fee-In-Lieu of Tax Agreement by and between Union County and Project Midas; and other matters relating thereto. He called for any comments from the public but there were none and the public hearing was closed.

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing the execution and delivery of a Fee-In-Lieu of Tax Agreement by and between Union County and Project Midas; and other matters relating thereto.

Ben Ivey: Made a motion to adopt the ordinance pertaining to Project Midas as stated.

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

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Mr. Bryan Stone as Chief Operating Officer with Lockhart Power Company stated Project Midas is a landfill gas to power generation project which would be located at Republic Services landfill on Wildcat Road. They would use methane gas captured from the landfill as fuel to make electricity. They are going to install two landfill gas generators. The generators could supply enough power for around 2,000 homes. The gas-to-power facility would produce 3,200 megawatts of power that would not have to be brought in from other areas.

Libbie Cheek with United Way thanked Council for hearing out a vision and seeing a need for United Way. They looked around the community and saw a lot of agencies serving the residents of Union County but people were going out of town to receive those services. Agencies like Red Cross, Alzheimer's, and therapy group sessions were taking place outside of the needed community. They are coming up on their one year anniversary for the Union Non-Profit Partnership Center and will be holding a celebratory drop-in on Tuesday, March 18th. They currently have six partners and have recently acquired the Miracle League. They have provided tax clinics and hosted Alzheimer's support group sessions. The Red Cross has provided local disaster training and the Children's Advocacy group provides counseling and therapy services for children who have been abused and sexually assaulted. They plan to keep growing as there is interest from other non-profit agencies. Chairman Tommy Sinclair stated they are located in the Health Department facility.

Chairman Tommy Sinclair presented a letter requesting \$1,500.00 from the County Hospitality Fund to support the Upcountry Literacy Festival. Council had agreed to reconsider the request at this meeting. Councilman Frank Hart asked Curtis Hunter with the Tourism Commission if they had talked to USC-Union about this event. Mrs. Hunter stated the Tourism Commission was a sponsor at the \$1,500.00 level. Chairman Tommy Sinclair stated he was an advocate for using Hospitality Tax money to grow Union. He suggested being a sponsor this year and having them track the event to show some progress to help determine if the County would fund it in the future.

Frank Hart: Made a motion to provide \$1,500.00 from the County's Hospitality Tax Fund for the Upcountry Literacy Festival with the understanding that for next year Council would expect to see some data on the success of the event.

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

Mr. Clay Andrews with Upstate SC Alliance stated the Upstate region was accepted into the Global Cities Exchange which is a four year program of the Global Cities Initiative run by the Bookings Institution and supported by JPMorgan Chase. As members of the exchange, the Upstate SC Alliance and partners would guide leaders in our area to develop a regional plan for increasing exports and a regional plan for increasing foreign direct investment. The plan would serve as the basis of a stronger global engagement strategy for the region and would drive the Upstate's economic development efforts for years to come. There was discussion as to how the strategy would be implemented.

Angela Kirkpatrick with Catawba Regional Council of Governments addressed Council about a Housing Consortium for the Catawba Region. The main objective would be to increase affordability opportunities for low-income households. HUD distributes millions of dollars annually through the HOME program for affordable housing and our region could have direct access to those funds through a Housing Consortium. Non-profits, Community Housing Development Organizations, Housing Authorities and other eligible interested parties would be eligible to apply for funding from the Consortium each year. All localities in the Catawba Region could choose to participate in the

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Consortium. Participation would not guarantee that the locality would receive funds during any given year nor would it require that localities would have to provide match funds. She addressed the particulars of the funding activities, administration costs, and match requirements. There was some discussion as to who could apply. She told Council she would be providing a resolution for Council to consider for participation in the Consortium.

Mrs. Curtis Hunter with the Tourism Commission and Mr. Steve Stone with the Coon Hunters Association addressed Council about helping to fund a Coon Hunters event in Union County. They discussed other localities that have hosted this type of event and the financial impact on those locals. Mr. Stone stated Union County has an asset in the National Forest and land available for coon hunting. He estimated the other events bring in 200-300 dogs and is a family event. He requested Council provide \$20,000.00 from the Hospitality Tax through the Tourism Commission to hold the event the first week in December. The funds help cover the payouts, purses and other expenses. They suggested the event be held at the fairgrounds. Councilwoman Kacie Petrie asked if the National Forest was on board with this and Mr. Stone stated they were. Councilwoman Kacie Petrie asked if they had a proposed budget for the event. Mrs. Curtis Hunter stated that if Council expressed interest in the event then they planned to do a line item budget. Council asked them to get some numbers together before the next meeting.

Chairman Tommy Sinclair stated in discussions with officials with Spartanburg Community College concerning Quick Jobs the primary concern was financial viability. He said he had a contractual solution to discuss with Council in executive session. Mr. Henry Giles as President of Spartanburg Community College stated the current agreement was drawn up three and a half years ago. They are offering a welding program at Quick Jobs which has general education components which can be transferable. USC-Union thinks they have the sole right to offer those components. Spartanburg Community College is interested in offering a full curriculum but it has to be financially viable. Mr. Giles stated they had provided classes for welding, mechatronics, and critical care nursing. Councilman Frank Hart asked if he had a vision for what that campus could become. Mr. Giles stated this center should have two to three hundred students with a core that supports manufacturing and things like business, marketing, management and accounting. There is limited space in the current facility. Councilman Randall Hanvey stated he thought there was enough land there that it could be expanded. Mr. Henry Giles stated for it to be successful Spartanburg Community College would need some latitude to make the decisions. Currently the County owns the building and they allow them to provide classes there. Councilman Randall Hanvey asked if Spartanburg Community College would be interested in purchasing the facility. Mr. Giles responded they would be willing to see if they could purchase it but the other part would be the financing. They may come back to the County for the money to allow them to purchase it. Chairman Tommy Sinclair stated he would need to discuss some numbers with Council.

Council took a break at 7:07 p.m. and reconvened at 7:14 p.m.

Chairman Tommy Sinclair referred to a letter from Union County Dixie Girls Softball Association requesting a donation to help offset general expenses incurred by the league. Councilman Randall Hanvey recommended Councilmembers consider using funds from their Special Projects account if they choose to make a donation.

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Chairman Tommy Sinclair stated next on the agenda was to consider vacancies on the Appeals Board and Hospital Board. Councilman Tommy Ford suggested going into executive session to talk about the appointments to the Hospital Board. Councilman Frank Hart suggested it be discussed in executive session as it relates to the ongoing contract negotiations with Wallace Thomson Hospital and how the appointments could impact that process as well as an update on where they are at. Chairman Tommy Sinclair stated the Hospital is in transition and the board members are an integral part of that discussion.

Chairman Tommy Sinclair called for any elected officials or department heads who wished to address Council but there were none.

Chairman Tommy Sinclair stated he had provided a handout on the ball field in Buffalo. The School Board agreed to extend the contract for five years for what was previously referred to as the Dixie Youth Field and he now calls Buffalo Ball Field. He also has a five year commitment from the Union County Dixie Youth/Dixie Boys Baseball Organization as well as the practice rules and regulations for use of the fields set by the Union County Recreation Department.

Chairman Tommy Sinclair stated the Farmers Market would be located on a lot next to the YMCA and the County had committed to grading and providing gravel on the lot. The property is owned by the City of Union and they would rather bid out the project. The City estimated it would cost between \$7,500 and \$8,000 to do what they want done and asked the County to pay for half the cost. Councilwoman Joan Little asked if the County puts that kind of money into the property when it does not belong to us, do they guarantee that it would be used for so many years. Chairman Tommy Sinclair said that was not part of the discussion.

Kacie Petrie: Made a motion to pay up to \$5,000.00 from the road funds.

Ben Ivey: Seconded the motion.

There was discussion on why the City did not want the County to do the work. The City wanted to contract it out for a turnkey project. Councilman Ben Ivey expressed his concern that the County would be investing money in City property if the Farmers Market does not remain at that location. Chairman Tommy Sinclair stated you could provide the farmers an upfitted and more desirable location but you could not guarantee they would use it. The farmers would also have access to the restrooms at the YMCA. The vote on the motion was unanimous.

Chairman Tommy Sinclair said the Stadium Commission met with the School Superintendent and Mayor about the concept of providing a new dressing room facility at the stadium. They buy into it with the City buying into partial financing of the project. There was also discussion about upgrading the facility. They will be discussing it with their respective council and board members. It would be a slow and sure process.

Chairman Tommy Sinclair stated the Voter Registration offices would be moved tomorrow. In the long term that building should be called something other than the Chrysler Building. They need to invest some money on the front of the building to make it more identifiable and suggested it be discussed during the budget process.

Councilman Frank Hart stated they had hired Dwight Kurtz to do a site plan layout for the Carlisle Fire Department. They worked with SCDOT on encroachment permits and with DHEC on the grading permit. All that work has been done so they now have a layout and topography of the site. They have

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talked with a local bank about the financing so they are ready to move forward. Chairman Tommy Sinclair stated that moving forward would include holding a public hearing as required for the bond issue. Councilwoman Kacie Petrie stated they had discussed holding the public hearing in Carlisle. Chairman Tommy Sinclair stated several fire departments had talked about needing an additional truck and he wondered why they could not share one. Councilwoman Kacie Petrie stated that was where a county-wide fire system would be ideal. Chairman Tommy Sinclair stated there would be a schedule set up to complete the bond for Carlisle Fire Department. Even though they have a quote from a local bank it would still have to be bid out.

Chairman Tommy Sinclair stated Council had an invitation from Miracle League for March 22nd and hoped they could make it.

Chairman Tommy Sinclair stated they had spent \$6,500 extra dollars recently during the storms not counting gas. They spent \$1,800 for salt, the water damage to the downstairs storage area where they had to move some of that to the Annex, they spent \$1,500 for a generator, and they spent \$800 or more at the Dixie Youth fields due to busted pipes. He requested Council approve \$6,500 from the Contingency Fund to cover those costs.

Tommy Ford: Made a motion to approve \$6,500 from the Contingency Fund to cover the costs as presented.

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

Chairman Tommy Sinclair entertained a motion to go into executive session to discuss legal matters concerning board appointments and discuss the contract with USC-Union and Spartanburg Community College. Councilman Frank Hart suggested considering the ordinances prior to going into executive session.

Chairman Tommy Sinclair presented for third and final reading an ordinance authorizing an Infrastructure Financing Agreement on behalf of Standard Textile Carolina Inc. ("The Company"); and the development of a jointly owned and operated Industrial /Business Park in conjunction with Spartanburg County, such Industrial/Business Park to be geographically located in Union County and established pursuant to South Carolina Code of Laws of 1976, 4-1-170, et sequitur, as amended; to provide for a written agreement with Spartanburg County providing for the expenses of the Park, the percentage of revenue application, and the distribution of Fees In Lieu of Ad Valorem Taxes to the counties and relevant taxing entities; to provide that job tax credits allowed by law be provided for businesses locating in said Park; and to permit a user fee in lieu of ad valorem taxation within said Park; and other matters relating to the foregoing.

Randall Hanvey: Made a motion to adopt the ordinance pertaining to Standard Textile Carolina Inc. as stated.

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

Chairman Tommy Sinclair presented for third and final reading an ordinance to amend that certain Union County ordinance enacted October 8, 1997, entitled "An Ordinance to create and establish a special tax district in Union County, South Carolina, to be known as Carlisle Fire District, to define its area and boundaries, to authorize the annual levy and collection of a tax not exceeding ten mils for the operation and maintenance thereof, and other matters relating thereto", and to amend the Code of Ordinances of Union County wherever such Carlisle Fire District Ordinance has been codified, so as, in

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all cases, to increase the Board of Fire Control for Carlisle Fire District from six members to seven members: and other matters related thereto.

Ben Ivey: Made a motion to adopt the ordinance pertaining to increasing the Board of Fire Control for Carlisle Fire District from six members to seven members.

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

Chairman Tommy Sinclair presented for second reading an ordinance authorizing the execution and delivery of an amendment to Lease Agreement modifying and amending a Lease Agreement between Union County and the ESAB Group, Inc. dated as of May 20, 2011 in certain particulars; acknowledging and accepting Midway Drive as a public road included in the County's Road System; authorizing acquisition and acceptance of title in and to certain land located in the county adjoining Midway Drive for the purpose of constructing a parking lane thereon; authorizing the grant of an easement by the County to the ESAB Group, Inc. for ingress, egress and parking over, across and upon the parking lane upon its completion; authorizing the construction of such parking lane; and other matters related to the foregoing.

Ben Ivey: Made a motion to accept second reading of the ordinance pertaining to ESAB Group, Inc. as stated.

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

Chairman Tommy Sinclair presented for second reading an ordinance authorizing the issuance and sale of a not exceeding \$275,000.00 General Obligation Bond (Carlisle Fire District), Series 2014, of Union County, South Carolina; fixing the form and certain details of the Bond; authorizing the County Supervisor to determine certain matters relating to the Bond; providing for the payment of the Bond and the disposition of the proceeds thereof; and other matters relating thereto.

Ben Ivey: Made a motion to accept second reading of the ordinance pertaining to a Bond for Carlisle Fire District as stated.

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

Chairman Tommy Sinclair presented audits and financial statements for review and approval from Catawba Regional Council of Governments and the Union County Tourism Commission.

Randall Hanvey: Made a motion to approve the audit for Catawba Regional Council of Governments.

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

Chairman Tommy Sinclair stated they had received a financial statement from the Tourism Commission but he was not sure that previously they understood that they needed to provide one. He asked that any future financial statement include more detail.

Ben Ivey: Made a motion to accept the financial statement from the Union County Tourism Commission.

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

Chairman Tommy Sinclair called for any other business.

Councilman Frank Hart stated that the Tourism Commission currently has office space downstairs in City Hall. He suggested moving their office back into the County Annex Building where it would be more visible and accessible since the Voters Registration Office was moving to the Chrysler Building. Chairman Tommy Sinclair stated he would research that and discuss it at the next meeting.

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Councilman Randall Hanvey stated the parking lot at the South Hills Sports Complex is a mess and needs some work done on it. Chairman Tommy Sinclair suggested either PARD funds or money from the Road Department account could be used to make those improvements. Councilman Hanvey stated there was a sign missing and the metal is sticking up out of the ground which could be dangerous. He recommended looking into making the needed improvements to the parking lot at the complex.

Tommy Ford: Made a motion to go into executive session to discuss legal and contractual matters.
Randall Hanvey: Seconded the motion. The vote was unanimous.

The Union County Council went into executive session to discuss legal and contractual matters.

Chairman Tommy Sinclair stated they had come out of executive session and no votes were taken.

Chairman Tommy Sinclair stated Wallace Thomson Hospital is in a transition period. The discussion centered around whether it was advisable to change the leadership of the Hospital Board during this transition period and the conclusion was no. The ordinance allows Council to keep the Hospital Board members in place for a period of time. Chairman Tommy Sinclair entertained a motion to leave the Hospital Board intact during this transition period until they understand the end state of the transition.

Randall Hanvey: Made a motion to do so.

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

Tommy Ford: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 8:24 p.m.

Thomas L. Sinclair, Chairman
Union County Council

Linda G. Jolly, Clerk to Council