

MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, JUNE 16, 2020 AT 5:31 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, Councilwoman Tracie Campbell, Councilman David Sinclair, Councilman Ralph Tucker, Councilwoman Kacie Petrie, Sammy Diamaduros and Clerk to Council Linda G. Jolly

Absent: Councilman Tommie Hill

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, 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 – Present

Ralph Tucker, District 2 – Present

David Sinclair, District 3 - Present

Ben Ivey, District 4 - Present

Tommie Hill, District 5 - Absent

Kacie Petrie, District 6 – Present

David Sinclair: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on May 12, 2020, the special meeting of County Council held on June 2, 2020 and to adopt the minutes as written.

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

Chairman Frank Hart presented a service award certificate and gift certificate for James R. Rice for 5 years, for Joshua M. Woods for 5 years, for Robert C. Martin for 5 years and to Ralph Tucker for 5 years of dedicated service to Union County.

Chairman Frank Hart stated next on the agenda was to discuss a fee schedule for Freedom of Information Act requests. He said Finance Director Ann Boggs came up with the fee schedule when it came to our attention that the County did not have a uniform schedule. It is modeled after the State Department of Administration's fee schedule.

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Ben Ivey: Made a motion to approve the fee schedule presented as the official fee schedule for Union County.

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

Chairman Frank Hart stated Council needed to consider appointments to boards and commissions. There is 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 recommendations for appointments. There were none and he asked the Council to continue to try to recruit someone to fill those open positions.

Phil Garner with Bonham Fire Department said Bonham Fire District was reformed in 2008 under County Ordinance Number 238. Under Section 1 and Paragraph A and B there is an amendment to the wording for volunteer firemen to volunteer or paid firemen. He said the ordinance further states the procurement and supervision of training of firemen to provide fire protection services was amended to add the sentence "All such firemen may be volunteer or paid, and shall be subject to the control, supervision, and discipline of the Board of Fire Control." He felt it was an oversight or omission that it was not included in the new ordinance when Bonham Fire District was recreated in 2016 under County Ordinance Number 306. He requested County Ordinance Number 306 be amended to include paid firefighters. He said FEMA offered grants to all fire departments. They applied for the grant and were awarded funds in the amount of approximately \$100,000. The grant funds were to be used to pay \$12 a call for their firefighters when they answer a call. The grant funds covered the cost of physicals for the firefighters. Once they pass Firefighter 2, which is a national certification, they would receive \$300. If they pass an EMT class then they get an additional \$300. This is about recruitment and retention of firefighters. They currently have an ISO rating of 4 and part of that is based on part-time paid people. If they do not have that ability, there is the possibility of losing that rating which affects insurance premiums. There was some discussion about what affects ISO ratings and how they are determined. Chairman Frank Hart stated that is Council wishes to make that change it would take three readings to amend the ordinance.

Chairman Frank Hart presented a request from Niel McKeown as Director of the Union County Detention Center for \$10,000 from the Non-Departmental Capital Expenditures account to help with the construction of the medical/education building.

Kacie Petrie: Made a motion to approve the \$10,000 from Capital Expenditures for the Union County Detention Center medical/education building as requested.

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

Chairman Frank Hart presented a request from Tax Assessor Jake Black for \$2,500 from the Capital Expenditures account for a new desktop computer.

David Sinclair: Made a motion to approve \$2,500 from Capital Expenditures for the Tax Assessor's Office as requested.

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

Building Superintendent Ken West stated the main HVAC unit for the first floor of the Courthouse is old and operating at about fifty percent capacity. He contacted P&C Mechanical, Humphries, and Compton who had replaced the unit at the jail. He received one quote from P&C Mechanical. Paul

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Sanders with P&C Mechanical and Mr. Humphries agreed to work together on the job at a cost not to exceed \$60,000. It would be a twenty-ton unit and is a ground unit. Chairman Frank Hart stated we would probably lose a couple of parking spaces up next to the building when they install the new system. Ken West requested not to exceed \$60,000 from Capital Expenditures for the new HVAC system.

Ben Ivey: Made a motion to approve \$60,000 from Capital Expenditures for a new HVAC system for the Courthouse.

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

Finance Director Ann Boggs said they had been working on getting internet service at the animal shelter. She requested up to \$2,000 from Capital Expenditures to reimburse the City of Union to run fiber at cost and the City will provide the labor at no cost.

Ben Ivey: Made a motion to approve up to \$2,000 to provide broadband service at the animal shelter.

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

Chairman Frank Hart presented a resolution thanking Henry Giles for his efforts on behalf of the people of Union County and the upstate of South Carolina and congratulating him on his retirement from Spartanburg Community College.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution thanking Henry Giles for his efforts on behalf of the people of Union County and the upstate of South Carolina and congratulating him on his retirement from Spartanburg Community College.

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

Chairman Frank Hart presented for third and final reading an ordinance to adopt the operating and capital budgets of Union County for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and to make appropriations for such Union County budgets for county ordinary purposes and for other county purposes for which the county may levy a tax; to provide for the levy of taxes on all taxable personal and real estate properties in Union County for such county ordinary purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Union County maturing during said fiscal year; and to provide for other matters relating to Union County and Union County budgetary matters.

Ben Ivey: Made a motion to accept second reading of the ordinance to adopt the operating and capital budgets of Union County for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and to make appropriations for such Union County budgets for county ordinary purposes and for other county purposes for which the county may levy a tax; to provide for the levy of taxes on all taxable personal and real estate properties in Union County for such county ordinary purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Union County maturing during said fiscal year; and to provide for other matters relating to Union County and Union County budgetary matters.

Kacie Petrie: Seconded the motion.

Chairman Frank Hart stated there were some changes in the ordinance. Timken Sports Complex and the Recreation Department were combined under Parks and Recreation. There was some language pertaining to pay for employees where they would be at top pay within a certain period of time which was changed to state they would be paid based on the schedule adopted by County Council since the County is working on a new classification study. They added some language that authorizes the Supervisor to determine if additional employees needed to be bonded. Chairman Frank Hart said the Bonham Fire Department budget was updated as he had asked all fire departments to include revenue

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and expenses. Their budget had a \$1,000 increase from the prior budget submitted. Finance Director Ann Boggs stated they added the Community Development FILOT account. Chairman Frank Hart stated that was added to the other funds listed that Council can appropriate funds from.

The motion passed with four (4) Councilmembers (Councilman Ben Ivey, Councilman David Sinclair, Councilman Ralph Tucker and Councilwoman Kacie Petrie) voting in favor of the motion and one (1) Councilmember (Councilwoman Tracie Campbell) opposing.

Chairman Frank Hart presented for second reading an ordinance directing that the implementation of real property reassessment in Union County be delayed for one (1) year, as authorized by statute; and other matters related thereto.

Ben Ivey: Made a motion to accept second reading of the ordinance directing that the implementation of real property reassessment in Union County be delayed for one (1) year, as authorized by statute; and other matters related thereto.

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

Chairman Frank Hart gave his Supervisor's Report and said he was excited about the collaboration between the Town of Jonesville, the City of Union and Union County on the sewer expansion to the Trakas Industrial Site which will give us industrial grade sewer all the way up Highway 176. Each governmental entity has passed a resolution supporting the project. Senator Lindsey Graham's office has agreed to provide a letter of support and the grant application should go in this week. Hopefully within the next ninety days we should hear if we will receive that funding. It is about a \$6 million dollar grant with a \$1.2 million match. We received a preliminary commitment letter from the power team that they will provide support in the amount of \$800,000. The power team is basically the electric cooperatives which includes Broad River Electric who provides power to the Trakas site. That will reduce the County and the City's match requirements. They are also pursuing RIA funds. The goal is to not to have to provide any money out of pocket. It will be a big long-term benefit to the County.

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

Chairman Frank Hart stated he wanted to get some direction from Council on events and gatherings on county property. The Governor in the latest executive order removed any restrictions on assembly on county property and political subdivisions. There had been a requirement of fifty people or less which is no longer in place. Now it is up to the discretion of the local government on how they want to proceed. He said he met with Paul Winters and the Executive Committee for the Fair Association last week since they are starting to make plans about the fair and how they are going to handle it. Chairman Frank Hart stated he had asked Kevin Shropshire to give Council an update on what he is doing about playing ball.

Recreation Facilities Director Kevin Shropshire stated he provided Council with a copy of a notice they have posted at all the playgrounds. The notice states that the public uses the playgrounds at their own risk and parents allowing their kids to use the playground assume all risks associated with the COVID-19 virus. It states the CDC does not recommend the use of playgrounds at this time and went on to list guidelines to follow if you choose to use the playground. Dixie Youth is the only team that chose to play at the ball park and he provided them with a copy of Union County Parks and Recreation COVID-19 guidelines. They had their first ball game last night and they did pretty well. They are resuming rental of the Cross Keys recreation building but he asked them to watch the number of people in the

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building at any one time. They are looking at resuming ball on the weekends around August 1st unless something changes.

Paul Winters stated they are planning the fair to be business as usual or a COVID-19 amended fair which would include the CDC recommendations. There may be some specifics pertaining to the food vendors where they may require the use of masks and gloves. He thought it was time to get back to some type of normalcy and let the public take personal responsibility in relation to COVID-19. Councilman Ben Ivey asked what would happen if they had to cancel the fair. Mr. Winters said they have a contract with the carnival company with a clause that allows them to get out of it if it is cancelled due to an act of God. They lost a day last year for the fair due to the weather. It would be hard to move forward if they cannot hold the fair and generate income this year. Councilwoman Tracie Campbell asked if there was any talk about sanitizing the rides and Mr. Winters replied there was not and it would fall under whatever requirements are in place at that time. The agreement with the carnival company is that they get commissions off the carnival rides and we do not pay them to come here. They do have some entertainers they sign contracts with. Councilwoman Kacie Petrie said she was ready for things to get back to normal. Her concern was that if the President or Governor says we are shutting it down then we have to comply. She felt that if the public doesn't feel safe going to the fair or ball park then you should stay at home. Paul Winters said they had people wanting to rent the fairgrounds for events but it would have resulted in more than fifty people being there so they had to make the decision not to allow that. Chairman Frank Hart suggested moving back to business as usual with the attempt to follow any recommendations by CDC to the extent possible understanding there will be some risk involved. We can't afford to shut down the United States or South Carolina or Union County. Those people at risk need to isolate and mitigate but the rest of us have to get back to work or we are not going to have an economy or a country. Paul Winters said they have to start their marketing and planning now for the fair on October 20th. Chairman Frank Hart said Kevin Shropshire has to make plans for football fairly quickly with the understanding that we will follow any orders of the President or the Governor. Kevin Shropshire said they spaced their games out thirty minutes apart to try to keep the flow of people coming and going for the games. When they are only playing one game a night it gives them time to clean everything. Chairman Frank Hart said they cancelled the Fourth of July events because at the time it was prohibited and we did not feel we could commit money when we did not know if we could have an event.

Ben Ivey: Made a motion to move back to business as normal with the intent to follow CDC guideline.

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

Councilman David Sinclair asked what kind of risk the County assumes by having the kids back on county-owned property. Chairman Frank Hart said there is some liability of a lawsuit but it would be hard for anyone to prove they got the virus at the ball park. Kevin Shropshire said they are asking parents to sign a waiver.

Ben Ivey: Made a motion to go into executive session to discuss three personnel items and a legal matter.

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

The Union County Council went into executive session to discuss three personnel items and a legal matter.

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Chairman Frank Hart stated they were ready to close executive session and no votes were taken during executive session.

David Sinclair: Made a motion to close executive session.

Tracie Campbell: 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.

Councilman Ben Ivey suggested putting American and State flags in all county offices that we meet in. Chairman Frank Hart said he would talk to Ken West about getting the stands and flags in each one of our county facilities.

David Sinclair: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 7:25 p.m.

Frank Hart, Chairman
Union County Council

Linda G. Jolly, Clerk to Council