

UNION COUNTY COUNCIL
TUESDAY, MARCH 13, 2018 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

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

Absent: Councilwoman Joan Little

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, the Union County Development Board, Jeff Fellers with Clemson Extension, Jami Trammell with Chamber of Commerce, Mr. Mickey Gist, Mr. Robert Small, Mr. James Kollock, Mrs. Curtiss Hunter, Mrs. Casie Jolly and emailed to Mike Stevens at WBCU Radio Station, to Graham Williams at the County News, to Charles Warner at the Union Times, to Jason Spencer with the Spartanburg Herald Journal, to Allison Roberts with the Spartanburg Herald Journal, to the News Room at the Spartanburg Herald Journal, to Chris Lavender with the Spartanburg Herald Journal, to Shell Suber at MHISC and to Randall Hanvey. A notice of the meeting was 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:

Joan Little, District 1 – Absent

Ralph Tucker, District 2 – Present

David Sinclair, District 3 - Present

Ben Ivey, District 4 - Present

Tommie Hill, District 5 - Present

Kacie Petrie, District 6 – Present

Ralph Tucker: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on February 13, 2018 and to adopt the minutes as written.

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

Rebecca Rochester with the Friends of the Library discussed the engraved brick fundraiser for Union Carnegie Library. They requested the County Council purchase an 8x8 engraved brick with a custom symbol such as the logo for the County at a cost of \$200.00.

Kacie Petrie: Made a motion to purchase an 8x8 brick from the Contingency Fund at a cost of \$200.00.

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

Andrew Dobson with McAbee, Schwartz, Halliday & Co. gave a report on the annual County audit. At the end of the fiscal year, Union County reported an unassigned fund balance of

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\$4,409,515 in the General Fund which represents 29.54% of total general fund expenditures. This would result in the County receiving a favorable bond rating.

Chairman Frank Hart asked Council to consider appropriation of funds to satisfy a seized funds disposition order. He recommended appropriating \$17,229 from the Non-Departmental Capital Expenditures account.

Ralph Tucker: Made a motion to appropriate \$17,229 from the Non-Departmental Capital Expenditures account.

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

Engineering Consultant Jerry Brannon stated they had taken bids on the renovations of the Emergency Medical Services facility with the low bid coming in at \$995,000 and the high bid at \$1,158,000. He presented information on the low bid and the floor plan. Chairman Frank Hart recommended appropriating \$1.1 million from bond proceeds.

Ralph Tucker: Made a motion to appropriate \$1.1 million from the bond proceeds and authorize the Supervisor to enter into a contract with the low bidder for renovations of EMS facility.

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

Chairman Frank Hart stated Council had previously approved some expenditures in the last fiscal year related to security at the jail. We spent more than what was approved by \$3,152.89 from the Capital Expenditures account and the Contingency Fund.

Ben Ivey: Made a motion to approve additional funds in the amount of \$3,152.89 spent from the Capital Expenditures account and the Contingency Fund during the last fiscal year.

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

Chairman Frank Hart stated Council needed to consider an appointment to the Board for Kelly-Kelton Fire District. There is one vacancy due to a resignation and one applicant who was Robbi Poole.

Kacie Petrie: Made a motion to appoint Robbi Poole to fill the unexpired term on the Board for Kelly-Kelton Fire District.

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

Chairman Frank Hart stated the County purchased the Cudd property consisting of over 70 acres for future industrial development at a cost of \$419,634.90. The County received a grant from the South Carolina Department of Commerce in the amount of \$300,000.00. This left a balance of \$119,634.90 which he recommended be paid from Fund 327 Economic Development Fund.

Ben Ivey: Made a motion to pay \$119,634.90 for the Cudd property from Fund 327 Economic Development Fund.

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

Chairman Frank Hart stated Monarch Fire Department requested a loan from the County in the amount of \$20,000 to upfit a cascade equipment trailer.

Ben Ivey: Made a motion to loan Monarch Fire District \$20,000 to upfit a cascade equipment trailer.

Tommie Hill: Seconded the motion. Councilwoman Kacie Petrie suggested it be tabled since there was no one present from the Monarch Fire Department. Chairman Frank Hart said the

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chief was out of town unless she had some specific questions. Councilwoman Kacie Petrie said she would feel more comfortable if the chief or a member of the board were present. Chairman Frank Hart said we would not send any funds until the County has a formal written request from them. Monarch chose to set up a mobile trailer system for the Air 1 equipment. The County would set up the terms of the loan like they did with some of the other fire districts. Councilwoman Kacie Petrie withdrew her suggestion to table the request since the County would be getting a letter from the Board for Monarch Fire District. The vote on the motion was unanimous.

Consulting Engineer Jerry Brannon stated they had received proposals for the stadium improvements projects. They received proposals from three firms. The Stadium Committee went over the proposals and recommended the contract be awarded to the Kingsmore, DePaul and Langley group under a design to build contract.

Ralph Tucker: Made a motion to appropriate \$1.3 million from the bond proceeds and authorize the Supervisor to enter into a contract with Monty Kingsmore as the general contractor for the stadium improvements project.

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

Chairman Frank Hart stated they had talked about some opportunities to improve the Buffalo area and particularly where the mill has been torn down. He said he was asking the Council to authorize the Supervisor to enter into an option to purchase the Buffalo Mill property and to appropriate \$20,000 from the Non-Departmental Capital Expenditures account.

David Sinclair: Made a motion to authorize the Supervisor to enter into an option to purchase the Buffalo Mill property and to appropriate \$20,000 from the Non-Departmental Capital Expenditures account to facilitate that.

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

Chairman Frank Hart presented a service award certificate and gift card to Tommie Hill, Sr. for 5 years, for Robert Gossett for 5 years and for Jimmy D. Crocker for 20 years of dedicated service to Union County.

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

Finance Director Ann Boggs stated she was glad to have the audit completed and was looking forward to making improvements.

Detention Center Director Neil McKeown said they are working to finalize the application process for the grant from Spartanburg Regional in the amount of \$25,000 for the new medical and educational building.

Code Enforcement Officer David Kitchens stated they had picked up 163 animals in the last 60 days and all but two cats had been either returned or adopted. They had collected 4,100 bags of trash during 2018. He stated that neither the State Highway Department nor the railroad system would help with trash collection.

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Airport and Stadium Manager Ronnie Wade thanked Jerry Brannon and the Stadium Committee for their work on the stadium improvement project. When finished it should be a facility we can all be proud of. Mr. Wade said he will be working on the Fourth of July celebration event. He hoped to coordinate with the Buffalo and West Springs communities to hold the events on different dates to allow everyone the opportunity to attend each event. There is a holding pond located at the airport and DHEC had informed him the County needs to establish a plan for the maintenance of that pond. The AWOS system should be operational in July and will require internet access and a phone line.

EMS Director Eric Harold thanked Council for approving the renovation of the EMS facility and said the floor plans are outstanding. They are looking at purchasing items through grant funds for improvements in pediatric care. They are working with the Sheriff's Office on CPR training and providing first aid kits. They are working on a community crisis mental health project.

Library Director Rieta Drinkwine stated they had received a letter from the National Park Service so they will be proceeding with that project. The renovations have started at the library. They will be holding a Kids Fest at Foster Park on April 14th. She said she would be working with Eric Harold on the mental health project and working with SC Works on the healthcare initiative. They will be working with County sources on getting technology and literacy up to speed at the library. The Smithsonian Exhibit will be at the Library with a kickoff on September 8th.

Workforce Coordinator Katherine Pendergrass stated the Health Task Force meets once a month and is working on ideas for an FQHC, Health Care Urgent Center, or FQHC look-a-like. She stated she had a directory listing of community partners. She has been talking to the seniors and juniors at the high school to educate them on the community scholarship program.

Tourism Director Curtiss Hunter stated she wanted to set up a meeting with DNR and include the County Supervisor concerning John D. Long Lake. She said the Tourism Commission needs some direction on resolving the issue of hospitality and accommodations taxes going to other counties as a result of events being held in Union County. They are discussing the tree lighting ceremony for the Christmas project with Detention Center Director Neil McKeown. They are hoping to bring back the festival in August.

Chairman Frank Hart stated Council had a copy of a letter from the Kelly-Kelton Fire Board requesting issuance of a general obligation bond. He introduced an ordinance in title only authorizing the issuance and sale of a general obligation bond (Kelly-Kelton Fire District) of Union County, South Carolina, in the principal amount of not exceeding \$172,045; 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 dispense with referring the ordinance to a committee and to accept first reading of the ordinance authorizing the issuance and sale of a general obligation bond (Kelly-Kelton Fire District) of Union County, South Carolina, in the principal amount of not exceeding \$172,045; fixing the form and certain details of the bond; authorizing the County

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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.

David Sinclair: Seconded the motion.

Chairman Frank Hart stated prior to third reading of the ordinance the County would hold a public hearing in the fire district for feedback since it would affect the tax millage for that district. The vote on the motion was unanimous.

Chairman Frank Hart introduced an ordinance in title only establishing the records retention policies of Union County, South Carolina in compliance with South Carolina law; 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 establishing the records retention policies of Union County, South Carolina in compliance with South Carolina law; and other matters related thereto.

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

Chairman Frank Hart stated the next item on the agenda is related to the County annex building. He said the County had been working with USC-Union on expanding their programs including development of student housing and supporting their efforts to diversify. He introduced in title only an ordinance of Union County, South Carolina authorizing the lease or other conveyance of certain real property owned by Union County to the Union-Laurens Commission on Higher Education; the execution and delivery of any and all other documents or instruments necessary to effect the contemplated lease or other conveyance; 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 of Union County, South Carolina authorizing the lease or other conveyance of certain real property owned by Union County to the Union-Laurens Commission on Higher Education; the execution and delivery of any and all other documents or instruments necessary to effect the contemplated lease or other conveyance; and other matters related thereto.

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

Chairman Frank Hart stated the South Carolina Association of Counties does an annual inspection of the County Jail and County Detention Center. The County is limited on staffing for the two facilities and putting the jail under the detention center would help with sharing resources and backing each other up. Chairman Frank Hart introduced in title only an ordinance of Union County, South Carolina acknowledging and accepting the devolution and transfer of the Union County Jail from the Union County Sheriff to Union County Council; authorizing and directing the execution and delivery of any and all documents or instruments necessary to effect the accepted devolution and transfer; and other matters related thereto.

Tommie Hill: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance of Union County, South Carolina acknowledging and accepting the devolution and transfer of the Union County Jail from the Union County Sheriff to Union County Council; authorizing and directing the execution and delivery of any and all documents or instruments necessary to effect the accepted devolution and transfer; and other matters related thereto.

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

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Chairman Frank Hart presented for third and final reading an ordinance amending the Union County Code of Ordinances and Procurement Procedures, in certain limited regards and particulars only, establishing the procurement regulations and procedures of Union County, South Carolina; and other matters related thereto.

Ralph Tucker: Made a motion to adopt the ordinance amending the Union County Code of Ordinances and Procurement Procedures, in certain limited regards and particulars only, establishing the procurement regulations and procedures of Union County, South Carolina; and other matters related thereto.

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

Chairman Frank Hart introduced a resolution authorizing the Union County Supervisor to execute a retainer agreement to hire outside legal counsel to represent Union County in investigating and, if appropriate, initiating litigation against any party believed to be responsible to the County for damages incurred as a result of the opioid crisis.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution authorizing the Union County Supervisor to execute a retainer agreement to hire outside legal counsel to represent Union County in investigating and, if appropriate, initiating litigation against any party believed to be responsible to the County for damages incurred as a result of the opioid crisis.

Ralph Tucker: Seconded the motion. Councilwoman Kacie Petrie asked how many other counties had signed on and Chairman Frank Hart responded that Spartanburg County and Greenville County had. Sheriff David Taylor stated that Spartanburg County had already filed a suit. Chairman Frank Hart said it is looking at what the economic cost is to the County for opioids which leads to drug use and other issues such as loss of economic workforce. Each county would file suit independently. The vote on the motion was unanimous.

Chairman Frank Hart stated in the interest of time 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 enter into executive session to discuss two economic development matters and discuss one legal matter.

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

The Union County Council went into executive session to discuss two economic development matters and discuss one legal matter after a brief recess.

Chairman Frank Hart entertained a motion to close executive session and said no votes were taken during executive session.

Ralph Tucker: Made a motion to close executive session.

David Sinclair: 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.

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Ralph Tucker: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 7:35 p.m.

Frank Hart, Chairman
Union County Council

Linda G. Jolly, Clerk to Council