

MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, FEBRUARY 8, 2022 AT 5:35 P.M.
GRAND JURY ROOM AT THE COURTHOUSE AT 210 WEST MAIN STREET
STREAMED TO FRANK HART UNION COUNTY
SUPERVISOR FACEBOOK PAGE

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

Absent: 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, emailed or delivered to the members of the Union County Council, the County Attorney, Jeff Fellers with Clemson Extension, Mr. Mickey Gist, Mr. Robert Small, Mr. James Kollock, Mrs. Casie Jolly, Daniel Prince at WBCU Radio Station, Graham Williams at the County News, the News Room at 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. He asked for a moment of silence in remembrance of Councilman Tommie Hill who passed away this past week. Councilman 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 – Absent

David Sinclair, District 3 - Present

Ben Ivey, District 4 - Present

District 5 - Vacant

John Flood, District 6 – Present

David Sinclair: Made a motion to approve the minutes as written of the regular monthly meeting of the Union County Council held on January 11, 2022, a special meeting on January 24, 2022 and a special meeting on January 31, 2022.

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

Bryan Stone with Lockhart Power presented a check to Union County in the amount of \$155,000.00. Chairman Frank Hart stated that had there not been a partnership with Lockhart Power there would have been no spec building.

Mitch Sinclair with Jacobs Well stated they are a non-profit charitable organization and their vision is to give hope to those in need. They currently have two food distributions monthly in the Cross Keys area and the Kelly Kelton area. He requested they be allowed to use the Buffalo Senior Citizen building on Flat Drive in Buffalo. Councilman David Sinclair asked about the operating hours and Mitch Sinclair

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responded that would be dependent upon volunteers. Chairman Frank Hart stated the only others using the building was the American Legion and they are open to cohabitating in the building. Chairman Frank Hart stated they would have to work through the logistics of a use agreement and liability. He asked Council, provided they reach an agreement with American Legion and defining exactly how Jacobs Well will be using the building, to authorize negotiation of an agreement to be able to access and use that building for the community.

John Flood: Made a motion to authorize the negotiation of an agreement with Jacobs Well to be able to access and use the building formerly used for the Buffalo Senior Citizens on Flat Drive in Buffalo.

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

Dr. Randy Lowell as Dean of USC-Union gave an update. He stated one of the biggest pieces of support has been the Scholarship Program sponsored by Union County as it has helped a lot of students from Union to be able to stay here and go to school for free. During the past semester, that scholarship was awarded to 33 students at a cost of nearly \$48,000.00. Enrollment continues to increase with 1,224 students enrolled this semester. He discussed the new nursing program and said the athletic program has been a big boost. The students are doing well in the classrooms and this past semester the overall GPA was 3.35. They have a partnership with Carnegie Library which will be featuring an Apple Lab. They provide the opportunity for first responders in Union County to take classes tuition free with them only being charged for fees. They offer an on-line Associates and Bachelor Degrees program. They are offering an early college track to expose students to courses in nursing or teaching to see if they want to pursue further education in those fields. They also feature a program that allows students to study abroad in Europe. Chairman Frank Hart said we appreciate our partnership with USC-Union and that they are the economic driver for the downtown area.

Community Development Director Kathy Jo Lancaster introduced James Knox and Ben Breazeale with Charter to give an overview of the broadband buildout in Union County. Mr. Ben Breazeale stated Union County is a very rural county which is not great for broadband. The federal government released the FCC Program called RDOF which is the Rural Digital Opportunity Fund for which Charter was the largest recipient in the State of South Carolina for forty different counties. They have until 2027 to buildout the areas in those counties. Union County will be done in 2022 and 2023. They estimate 2,793 locations that should be added for service at no cost to the county since it is being done under the federal subsidy. They estimate in 2022 that 1,280 locations and 178 miles of fiber will be completed. The total project will be over 330 miles of fiber optics for the 2,293 locations which is projected to be completed by the third quarter of 2023. They estimated there were 750 homes that are not included in the current project. The County is planning to apply for a State NTIA Grant to cover those. The State office of broadband will be handling the infrastructure grants from the Biden Administration and have allocated \$400 million. The main thing on this application is showing local county support. Chairman Frank Hart thanked them for their partnership and said this was a major issue for all rural areas.

Charlie Wilson with the Rotary Club requested permission to put trailers at the County Recycle Centers for the collection of aluminum cans. He said they use the funds from the sale of the aluminum cans for scholarships and donations to charities. He said they would provide an insurance certificate to cover any liability. Chairman Frank Hart recommended Council authorize the County Supervisor to formalize an arrangement with Rotary.

John Flood: Made a motion to authorize the County Supervisor to formalize an arrangement with Rotary to allow them to put trailers at the County Recycle Centers for the collection of aluminum cans.

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

Chairman Frank Hart asked if there were any requests to fill vacant budgeted positions. Chairman Frank Hart requested permission to fill Ken West's budgeted position as Building Superintendent since he is retiring.

David Sinclair: Made a motion to approve the request to fill the budgeted Building Superintendent position.

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

Tax Assessor Jake Black requested permission to fill a budgeted Clerk position in his office.

Ben Ivey: Made a motion to approve the request to fill a budgeted Clerk position in the Tax Assessor's Office.

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

Christina McDowell as Director of Alcohol and Drug Abuse requested permission to fill two budgeted positions in that office for a Clinical Counselor and a Finance Coordinator.

John Flood: Made a motion to approve the request to fill the budgeted position for a Clinical Counselor and a budgeted position for a Finance Coordinator at the Alcohol and Drug Abuse Office.

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

Sheriff Jeff Bailey asked Council to commit funds from the upcoming budget for the next fiscal year for the purchase of three 2022 Chevrolet Tahoe pursuit ready vehicles and one 2022 truck at a total cost with upfits of \$213,655.00. Each of the Tahoe vehicles costs \$36,932.00 plus \$20,828.00 each to upfit. The truck costs \$33,375.00 plus \$7,000.00 to upfit for a total cost of \$40,375.00. Councilman John Flood discussed the high mileage on the Sheriff's Office vehicles and the need for a replacement program so they could purchase more than four vehicles each year. Sheriff Bailey asked Council to commit to the purchase so the vehicles can be ordered since they are having a hard time getting vehicles. Chairman Frank Hart recommended Council give the County Supervisor authority to bind the County for three Tahoes and one truck at a cost not to exceed \$220,000.00 with the expectation that the vehicles will be paid for out of the 2022-2023 Union County Budget.

John Flood: Made a motion to give the County Supervisor authority to bind the County for three Tahoes and one truck at a cost not to exceed \$220,000.00 with the expectation that the vehicles will be paid for out of the 2022-2023 Union County Budget.

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

Chairman Frank Hart called for any other requests for capital funds but there were none.

Chairman Frank Hart called for any recommendations for appointments to vacant positions on the boards and commissions. Chairman Frank Hart recommended Dr. Kristi Ford-Scales be appointed to serve on the Library Board to fill an unexpired term due to the resignation of Lauren Ward.

Ben Ivey: Made a motion to appoint Dr. Kristi Ford-Scales to fill the unexpired term on the Library Board as recommended by Chairman Frank Hart.

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

Chairman Frank Hart called for any other appointments but there were none. He stated there were positions on the Appeals Board that need to be filled as they will need to hold an Appeal Hearing.

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Tim Black as Executive Director for the Council on Aging gave an update. He said Council had previously approved \$20,000.00 for matching funds if they received a grant for two vans. They decided not to purchase those vans because of their size. They have since received a grant in the amount of \$136,834.75 they used to purchase two vans, a walk-in freezer and a generator. They provide 3,100 hot meals each month in addition to their frozen meal program. He said they need help with the fuel bill and mileage expenses and he asked the \$20,000.00 previously approved for the two vans be redirected for this purpose. He also requested they be reinstated in the County's budget for \$89,000.00. Chairman Frank Hart recommended Council authorize the transfer of the \$20,000.00 to the Council on Aging to help them with their costs due to loss of revenue because of COVID.

Ben Ivey: Made a motion to authorize the transfer of the \$20,000.00 to the Council on Aging to help them with their costs due to loss of revenue because of COVID

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

Chairman Frank Hart suggested deferring the discussion about airport property as they were getting additional information from the FAA.

Chairman Frank Hart stated the Town of Lockhart will be submitting an application to the Appalachian Regional Commission for the Lockhart Community Development Plan Project. The plan will identify the Town's unique cultural, historical, and geographical features in order to develop a strategy to attract businesses, visitors, and residents. They will include identifying priorities for nature based and heritage tourism development. They are asking a commitment from the County to contribute \$11,500.00 for the project as part of the local match. Chairman Frank Hart recommended the \$11,500.00 be taken from Fund 327.

Ben Ivey: Made a motion to authorize taking \$11,500.00 from Fund 327 as part of the local match for funds for an ARC Grant for the Town of Lockhart.

John Flood: Seconded the motion. The vote was unanimous.

Chairman Frank Hart asked if any elected officials wanted to address Council but there were none.

Chairman Frank Hart presented a resolution stating the support of Union County for an application for funding from the US Department of Commerce, pledging matching local funds for the regional infrastructure grants for Union County, and other matters related thereto. He said this was the \$9.7 million grants to provide industrial grade wastewater from the City of Union to the Town of Jonesville and at the Trakas site. The project would be done with CDBG grant funds and funds from the South Carolina Power Team. This project is being done as part of the County's partnership with the Town of Jonesville and the City of Union. The resolution states that Union County agrees to provide up to \$1,311,675.00 in local funding to complete the project.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution stating the support of Union County for an application for funding from the US Department of Commerce, pledging local funds for the regional infrastructure grants for Union County, and other matters related thereto.

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

Chairman Frank Hart presented a resolution that Union County Council agrees to provide the required match of \$180,877.50 which is 30% of the estimated project cost, as well as any additional funds needed

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to complete the project to make upgrades and improvements to the Buffalo Mill Village Park. The project would include dredging the Buffalo Mill Pond, redoing the walking trail around the park, installing a new pedestrian bridge, stabilizing the bank as well as doing mitigation on the creek to prevent sediment from flowing into the pond. He said they were working with a developer for the Buffalo Mill Village who is looking at doing some single-family workforce housing in that area and is an expert in textile redevelopment.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution that Union County Council agrees to provide the required match of \$180, 877.50 which is 30% of the estimated project cost, as well as any additional funds needed to complete the project to make upgrades and improvements to the Buffalo Mill Village Park.

David Sinclair: 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 Fee Agreement by and between Union County, South Carolina and MycoWorks, Inc (previously identified as Project Vidar) providing for a payment of a fee in lieu of taxes and other matters related thereto.

John Flood: Made a motion to adopt the ordinance authorizing the execution and delivery of a Fee Agreement by and between Union County, South Carolina and MycoWorks, Inc (previously identified as Project Vidar) providing for a payment of a fee in lieu of taxes and other matters related thereto.

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

Chairman Frank Hart presented for third and final reading an ordinance authorizing and approving (1) the development of a new joint County industrial and business park (Project Vidar/MycoWorks, Inc.) 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 the 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.

John Flood: Made a motion to adopt the ordinance authorizing and approving (1) the development of a new joint County industrial and business park (Project Vidar/MycoWorks, Inc.) 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 the 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.

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

Chairman Frank Hart presented for third and final reading an ordinance to approve and adopt a reapportionment plan for the election districts used to elect members of County Council; to authorize the County Supervisor and other County officials to take any necessary actions to effectuate the purposes of this ordinance; and other matters related thereto.

David Sinclair: Made a motion to adopt the ordinance to approve and adopt a reapportionment plan for the election districts used to elect members of County Council; to authorize the County Supervisor and

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other County officials to take any necessary actions to effectuate the purposes of this ordinance; and other matters related thereto.

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

Chairman Frank Hart gave his Supervisor's Report. He stated Spartanburg Community College and the Union County School District are working out the details of the operation of the new Advanced Technology Center. They are still working with the developer on housing and anticipate groundbreaking of the site development this spring with homes available in 2023. He said they were working with the City of Union and the Town of Jonesville on the sewer infrastructure from the City of Union to Jonesville. This is a \$9.7 million grants project to run wastewater to the Trakas site in Jonesville. They have formally requested \$1 million from the South Carolina Power Team. They will apply for the grant after we receive a commitment from the Power Team which will be in the mid-March to April timeframe. Council received a good update from Charter on the broadband project. One of the areas that was not initially included was the Town of Carlisle so they are working with a vendor who has a wireless solution which can offer broadband in rural communities. They are planning to come back to Council with a proposal. He said he asked the Recreation Department to put together a plan to provide weekly activities for youth at the stadium and fairgrounds during the summer months. They should come back with a proposal in March. He said he signed a contract to do Phase I of the Sims Redevelopment Project. We have an Option Agreement with the School District and that will probably be executed after the receipt of Phase I once we make sure we are covered from an environmental perspective. The Option Agreement is for \$5 and the County takes title to the building. They are currently working with the developer who has made an offer which needs approval from the School District. Any funds paid for the property will go to the School District less our cost such as for the Phase I or any legal work the County does. They are working with a developer on the Buffalo Mill Redevelopment that specializes in redevelopment of abandoned textile mills. The concept involves constructing market value homes in and around the mill village. They are working with Catawba Regional COG to apply for an ARC grant to take care of the pond.

Chairman Frank Hart called for any committee reports. Councilman David Sinclair said the Road Committee had previously talked to Jerry Brannon and Rusty Snider about a couple of roads they wanted considered for acceptance into the County Road Maintenance System. There was a road in Mount Vernon and one off the Bailey Road. Mr. Brannon and Mr. Snider stated at that time that those roads met the current criteria. Chairman Frank Hart asked when they could hold a meeting of the Road Committee to discuss this and some other issues and Rusty Snider said he would talk to Jerry Brannon to try to get that scheduled.

Chairman Frank Hart called for any other business. Councilman John Flood suggested former Councilman Tommie Hill be considered for inclusion to have a plaque in his honor added to the wall in the hall of the Courthouse for the Cornerstone Wall. Chairman Frank Hart stated he would put it on the agenda for the meeting in March and have a process they can present.

David Sinclair: Made a motion to go into executive session to discuss personnel and contractual matters.

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

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

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

John Flood: Made a motion to close executive session.

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

The Union County Council returned to regular session.

David Sinclair: Made a motion to adjourn the meeting.

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

The meeting was adjourned at 7:38 p.m.

Frank Hart, Chairman
Union County Council

Linda G. Jolly, Clerk to Council