

MINUTES  
UNION COUNTY COUNCIL MEETING  
TUESDAY, JUNE 21, 2022 AT 5:30 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. 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 – Absent

David Sinclair, District 3 - Present

Ben Ivey, District 4 - Present

District 5 - Vacant

John Flood, District 6 – Present

John Flood: Made a motion to approve the minutes as written of the regular monthly meeting of the Union County Council held on May 10, 2022.

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

Chairman Frank Hart presented a service award certificate and gift certificate for Dorothy L. Rodgers for 15 years of dedicated service to Union County.

Paul Davis, John McKnight, Bobby Hines and Richard Lewis told Council how much Veterans Affairs Officer Cindy Fore had done to help the veterans and their families in Union County. She makes sure they received all the benefits they are entitled to which results in millions of dollars in VA benefits coming into the county. They asked that she be justly compensated for her thirty plus years of service and the amount of work she does. Chairman Frank Hart stated she does a great job working with the veterans and deserves more than we can pay her which is true of many of the County offices and departments. He said the State of South Carolina only provides \$5,000.00 for the operations of the VA

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Office. Councilman John Flood suggested they talk to members of the Delegation to try to get more funding for Union County since the State has a billion-dollar surplus.

Chairman Frank Hart stated Sheriff Bailey had received a letter from Dean Randy Lowell with USC-Union requesting the donation of one of their older patrol vehicles to assist their security department in better protecting their students, faculty and staff. Sheriff Bailey stated they have an older Tahoe that could be donated.

Ben Ivey: Made a motion to donate one of the Sheriff's Office older Tahoe vehicles to USC-Union to be used by their security department.

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

Cathryn Smith with the Union County Museum stated the Union County Historical Society wanted to present a resolution proposal from the South Carolina American Revolution Sestercentennial Commission (SC250 Commission) to recognize and approve the formation of the Union County 250 Committee. They asked that this be done ahead of the "Battle of Blackstock Living History and Reenactment" program set for the Fall. Chairman Frank Hart read the resolution recognizing the Union County 250 Committee as its official committee.

John Flood: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution recognizing the Union County 250 Committee as its official committee.

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

Chairman Frank Hart stated he had received a letter requesting Union County Council give Republic Services an increase in annual tonnage from 910,000 tons annually to 1,060,000 annually which is a net increase of 150,000 tons.

Ben Ivey: Made a motion to allow Republic Services to increase their annual tonnage from 910,000 tons annually to 1,060,000 annually.

David Sinclair: Seconded the motion.

Councilman John Flood asked when the landfill was expected to close. Chairman Frank Hart stated when they negotiated the extension on the landfill it was for a 75-year life expectancy.

The vote on the motion was unanimous.

Chairman Frank Hart stated Council had a copy of a TBA Properties, LLC Release of Parking Easement Agreement with Vaquero Union Partners, LP. This is a parking agreement the County has with TBA on the old Wal-Mart parking lot located across from the stadium. Because of an economic development project, the County has been asked to release a small portion of that parking area.

Ben Ivey: Made a motion to approve the Release of Parking Easement Agreement.

Tracie Campbell: Seconded the motion.

Councilman David Sinclair stated he wanted the public to know this would not affect the walkway or crossway from that parking area providing access to the stadium and fairgrounds.

The vote on the motion was unanimous.

Community Development Director Kathy Jo Lancaster appeared before Council to discuss the Transit Pilot Program. They hope to provide public transportation in Union County by the end of the year. She introduced Curtis Sims with the South Carolina Department of Transportation and Keith Scott who was a former director of transportation for the City of Anderson for 30 years. She said the transit feasibility study was completed in 2019 which came back with recommendations on what the County should be

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looking at to provide transportation in the county. They want to implement a three-year pilot project for rural transportation with some funding from the South Carolina Department of Transportation. The County would need to provide a local match for those funds of fifty percent which is \$150,000 per year for the three-year pilot project and the other fifty percent being provided by the State DOT for operations. They are looking to contract with a provider that is already providing this service which is more feasible for the county. The County would be providing the oversight and everything else would be provided by the contractor. Mr. Sims stated it might not come up to the full \$150,000 per year for operations depending on the amount of transportation services provided. Kathy Jo Lancaster stated it is required by the State procurement process that the County would need to put out a Request for Proposals. She plans to put that on the State website and send it to transportation providers in our area next week and give two weeks to receive proposals. A subcommittee from the Planning Commission would review the proposals and make a recommendation to Council then they would need a resolution approved after holding a public hearing. Mr. Sims stated once they have the resolution from the County then the SC DOT could start the process of entering into a grant agreement. Councilman Ben Ivey asked who would provide the oversight for this project. Kathy Jo Lancaster said they would have to appoint an Oversight Committee which could be a subcommittee of the Planning Commission along with Finance Director Ann Boggs. Councilman John Flood asked what percentage of the County was included in this pilot program. Kathy Jo Lancaster stated Council had been provided a map showing the area which is based on the County's population and services provided. Councilman David Sinclair said it appears the majority of the area served would be within the City Limits and asked if the City of Union planned to provide any funding. Chairman Frank Hart said they were talking to the City and would be asking them if they would participate. He said the purpose of the pilot is to determine the need. He suggested moving forward with the project and said they would need to send a letter to SC DOT saying the Council is on board, we have the funding and we want to get the pilot funding from the State.

Ben Ivey: Made a motion to move forward with the Transit Pilot Program.

John Flood: Seconded the motion. The motion carried with three Councilmembers voting in favor of the motion and one Councilmember (Councilman David Sinclair) abstaining.

Chairman Frank Hart called for any requests to fill any vacant budgeted positions. Probate Judge Toni Allen requested permission to fill a vacant budgeted position in the Probate Judge's Office

John Flood: Made a motion to approve replacement of a budgeted position in the Probate Judge's Office.

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

Director of Alcohol and Drug Abuse Christina McDowell requested permission to replace two budgeted positions which are a Clinical Counselor position and a part-time staff position.

John Flood: Made a motion to approve replacement of two vacant budgeted positions at Alcohol and Drug Abuse which are a Clinical Counselor position and a part-time staff position.

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

Emergency Services Director Dennis Merrifield requested authorization to hire one additional full-time employee with the expectation of returning the staffing level to the thirteen full-time employees within a six-month period or less. They currently have thirteen employees. They have two people on extended medical leave and another employee that plans to retire in September.

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Ben Ivey: Made a motion to allow the Emergency Services Director to hire to hire one additional full-time employee with the expectation of returning the staffing level to the thirteen full-time employees within a six-month period or less.

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

Ben Ivey: Made a motion to advertise for the Clerk to Council position with the budgeted position to start in the next fiscal year.

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

Chairman Frank Hart stated that next on the agenda was to consider any requests for capital funds. He said we have added two new UPS to servers at the Courthouse and proposed adding a generator at a cost of \$26,500.00 from the 2021 General Obligation Bond proceeds. Councilman John Flood asked what happened to the generator we used to have at the Courthouse and Councilman David Sinclair asked if they planned to trade-in that generator. Chairman Frank Hart said he did not know anything about a generator already at the Courthouse. There had been discussion of a backup generator but there was no way to plug it in and nothing was ever done that he was aware of.

Public Works Director Rusty Snider stated he wanted to purchase an excavator as the one they have is undersized and will not pick up a concrete pipe. They need a larger size for loading dump trucks. He is looking at a 306 model and trading in the one he has now. He has a new pickup truck on the approved list for purchase which he is willing to forgo to use those funds against the cost of the excavator which would leave a shortfall of \$20,000.00. Councilman David Sinclair asked what the pickup truck was valued at and Chairman Frank Hart said he thought it was \$31,500.00. Chairman Frank Hart said Mr. Snider was talking about trading in a piece of equipment, cancelling the purchase of the pickup truck which would leave him needing \$21,000.00 to purchase the new excavator from the 2021 General Obligation Bond proceeds.

David Sinclair: Made a motion to approve \$21,000.00 be taken from the 2021 General Obligation Bond proceeds to be used toward the purchase of a bigger excavator for Public Works.

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

Chairman Frank Hart called for any recommendations for appointments to vacant positions on boards and commissions but there were none.

Chairman Frank Hart stated they needed to discuss funds for the Lockhart Boat Ramp project. It was originally supposed to cost about \$500,000.00 but bids came in at \$834,349.58. We got some funding through the Delegation through DNR as well as the CTC was willing to provide \$150,000.00. He asked Council to approve an additional \$50,000.00 for the boat ramp from Economic Development Fund #327.

Ben Ivey: Made a motion to approve an additional \$50,000.00 for the Lockhart boat ramp from Economic Development Fund #327.

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

Chairman Frank Hart stated next on the agenda was to discuss the Project Funding Plan. He provided Council with a list of major projects and proposed funding sources. Of those projects, the jail expansion is the largest. He provided uncommitted balances on some of the funds. The General Fund balance would be at about \$7.1 million. He asked Council to look over the list in hopes of finalizing it at the next meeting.

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Chairman Frank Hart requested the agenda be amended to add an Item 12 to hear from the architects with Mosely concerning the jail expansion.

David Sinclair: Made a motion to add to the agenda an update from the architects on the jail expansion.

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

Vice President Dan Mace with Moseley Architects, Todd Davis, and Jason Hopkins who is the Project Manager gave an update on the schematic design phase of the jail expansion that included the Site Plan, Floor Plan for the Main Level, Floor Plan for the Tier Level, the Overall Project Schedule and the current Total Project Cost Projection. The total estimated project budget is \$7,037,929.00. The expansion would consist of adding approximately 64 beds in three units. They are installing a pre-engineered metal building with cells that are prefabricated which are modular steel cells. There was discussion about flooding issues and how that would be controlled. Chairman Frank Hart stated the purpose in the presentation was to give Council an understanding of the funding requirements and to give an overview of the design. He asked if Council was good with the schematic design and wanted the firm to move forward with the detail design in order to keep the project on track. Councilman David Sinclair asked Detention Center Director Neil McKeown to explain why we need this project. Neil McKeown stated they need to be able to segregate inmates and you need to address the security and liability risks.

Ben Ivey: Made a motion to move forward with the detail design for the jail expansion project.

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

Chairman Frank Hart asked if any elected officials wanted to address Council.

Sheriff Jeff Bailey stated they were getting moved into their new law enforcement offices at the old Wells Fargo Bank building. They received another School Resource Officer grant through the South Carolina Department of Public Safety which will allow them to hire another SRO agent and will provide a vehicle and equipment for that new officer. He said they have their policy completed now and they are in the process of being accredited. He said he would follow the same rules as the officers would have to follow. There is a little expense associated with getting the accreditation and Jim Palmer and Ann Boggs have been working on a grant which covers that. He stated they have three vehicles sitting in the parking lot here and four vehicles in the parking lot in Spartanburg needing to be equipped and upfitted.

Chairman Frank Hart introduced a resolution to provide for the commissioning of certain named Code Enforcement Officers to provide for the proper security, general welfare, and convenience of Union County, South Carolina and other matters related thereto. The resolution calls for the commissioning of David M. Kitchens, Kevin Shane Mitchell, Vallerie Renae White, Arthur Travis Smith and Holly Wise.

David Sinclair: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution to provide for the commissioning of certain named Code Enforcement Officers to provide for the proper security, general welfare, and convenience 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 identifying and designating certain roads in Union County as County roads; accepting such roads into the Union County Road System; and other matters related thereto.

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Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution identifying and designating certain roads in Union County as County roads; accepting such roads into the Union County Road System; and other matters related thereto.

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

Chairman Frank Hart introduced a resolution committing to negotiate a Fee-In-Lieu of Ad Valorem Taxes Agreement between Union County and Project George Washington; identifying the project; and other matters related thereto.

David Sinclair: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution committing to negotiate a Fee-In-Lieu of Ad Valorem Taxes Agreement between Union County and Project George Washington; identifying the project; 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 to adopt the operating and capital budgets of Union County for the fiscal year beginning July 1, 2022 and ending June 30, 2023, 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.

John Flood: Made a motion to adopt the ordinance to adopt the operating and capital budgets of Union County for the fiscal year beginning July 1, 2022 and ending June 30, 2023, 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.

Davis Sinclair: Seconded the motion.

Chairman Frank Hart stated the ordinance had been changed to reflect the position of a new SRO and the revenue to offset those expenses due to the approval of a grant for those funds.

The vote was unanimous.

Chairman Frank Hart presented for third and final reading a Union County Ordinance authorizing the sale and conveyance of certain Union County owned real property to the Union-Laurens Commission on Higher Education; and other matters related thereto. This county-owned property is located at 615 West Main Street.

Ben Ivey: Made a motion to adopt the Union County Ordinance authorizing the sale and conveyance of certain Union County owned real property to the Union-Laurens Commission on Higher Education; and other matters related thereto.

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

Chairman Frank Hart presented for third and final reading an ordinance authorizing the lease of certain county-owned real property and improvements thereon; and other matters related thereto. This is a lease with MycoWorks, Inc. for county-owned property located at 103 W. Main Street.

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Ben Ivey: Made a motion to adopt the ordinance authorizing the lease of certain county-owned real property and improvements thereon; and other matters related thereto.

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

Chairman Frank Hart presented for second reading an ordinance authorizing the execution and delivery of a Fee-In-Lieu of Ad Valorem Tax and Incentive Agreement by and between Union County, South Carolina and Project George Washington to provide for payment of a Fee-In-Lieu of Taxes; authorizing certain Special Source Revenue Credits; authorizing the inclusion of the project site in a multi-county industrial park; and other related matters.

David Sinclair: Made a motion to accept second reading of the ordinance authorizing the execution and delivery of a Fee-In-Lieu of Ad Valorem Tax and Incentive Agreement by and between Union County, South Carolina and Project George Washington to provide for payment of a Fee-In-Lieu of Taxes; authorizing certain Special Source Revenue Credits; authorizing the inclusion of the project site in a multi-county business park; and other related matters.

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

Chairman Frank Hart introduced an ordinance in title only to disclaim any alleged interest in a certain right-of-way; to transfer any such interest in and to such right-of-way to the City of Union; to authorize the execution and delivery of a Quit Claim Deed to the City of Union; to authorize future similar transfers to be done by resolution of County Council; and other matters related thereto.

John Flood: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of the ordinance to disclaim any alleged interest in a certain right-of-way; to transfer any such interest in and to such right-of-way to the City of Union; to authorize the execution and delivery of a Quit Claim Deed to the City of Union; to authorize future similar transfers to be done by resolution of County Council; and other matters related thereto.

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

Chairman Frank Hart gave his Supervisor's Report. He said they were close to having the Sheriff's Office moved into their new location at the old Wells Fargo Bank building. They will hold a Ribbon Cutting Ceremony in the next few weeks. They are still working on the renovations of the old South State Bank Building which will be used for administrative offices. They have run into some issues where the sheetrock will have to be removed down to the studs as well as fixing the HVAC system. That project will probably not be completed until October or November.

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

Chairman Frank Hart called for any other business. Councilman John Flood said he would like Council to make a policy that EMS only be responsible for transporting live humans and the Coroner's Office needs to make other arrangements to transport the deceased. EMS has ambulances tied up pending the Coroner's Office response to calls for the deceased. Chairman Frank Hart referred this matter to the Council Committee on Public Health and Social Services and asked that Councilman John Flood head up that committee.

Chairman Frank Hart stated they need to hold a special meeting of the Union County Council next week. He had a resolution for Catawba Regional Council of Governments that they could not get on the current agenda which needs to be taken care of. Council agreed to meet on Monday, June 27<sup>th</sup> at 5:00 p.m.

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Ben Ivey: Made a motion to go into executive session to discuss a legal matter, a personnel matter and an economic development matter.

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

The Union County Council went into executive session to discuss a legal matter, a personnel matter and an economic development matter.

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.

Tracie Campbell: 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 7:58 p.m.

Frank Hart, Chairman  
Union County Council

Linda G. Jolly, Clerk to Council