

MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, SEPTEMBER 13, 2022 AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE
LIVE STREAMED TO WWW.FACEBOOK.COM/GEARUPUNIONSC

Present: Chairman Robert L. Love, Vice-Chairman Ben Ivey, Councilwoman Tracie Campbell (via telephone), Councilwoman Carolyn Rutherford, Councilman John Flood, Clerk to Council Linda G. Jolly and County Attorney Sammy Diamaduros.

Absent: Councilman Ralph Tucker and Councilman David Sinclair

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, 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 Robert L. Love called the meeting to order. Chairman Robert L. Love 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 (via telephone)

Ralph Tucker, District 2 – Absent

David Sinclair, District 3 - Absent

Ben Ivey, District 4 - Present

Carolyn Rutherford, District 5 – Present

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 August 9, 2022.

Carolyn Rutherford: Seconded the motion.

Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love presented service award certificates and gift certificates for Nicholas A. Gosnell for 5 years, for Darren B. Cody for 15 years, and for Melinda W. Haney for 20 years of dedicated service to Union County.

Chairman Robert L. Love stated next on the agenda is a request from the Town of Jonesville. Michael Tyler who is the Administrator for the Town of Jonesville met with him and Councilwoman Tracie Campbell to discuss some plans for a City Park in Jonesville. It is

COUNTY COUNCIL MEETING
SEPTEMBER 13, 2022

adjacent to the ball field where USC-Union baseball team plays. Because the costs for the project had increased, he asked the County to waive the landfill tipping fees. Those fees are part of the County's annual revenue so we looked for another source and recommend not to exceed \$127,000.00 be allocated from Economic Fund #301.

Tracie Campbell: Made a motion to allocate \$127,000.00 from Economic Development Fund #301 for the City Park Project in the town of Jonesville.

Ben Ivey: Seconded the motion. Councilman John Flood asked the total cost of the project and Chairman Robert L. Love stated the total cost was \$630,000.00. Councilman John Flood said the County would be providing about one fourth of the total cost. Councilwoman Tracie Campbell said she thought it was a great idea and it would incorporate some of the downtown area. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love stated next on the agenda was to consider any requests to fill vacant budgeted positions. Clerk of Court Melanie Lawson requested permission to replace an employee that works in the General Session Court section.

Ben Ivey: Made a motion to approve the request for permission to replace an employee in the Clerk of Court's Office.

John Flood: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love stated next on the agenda was to consider any requests for capital funds but there were none.

Chairman Robert L. Love asked if Council had any recommendations for appointments to any vacant positions on any boards and commissions but there were none.

Chairman Robert L. Love called for any comments from elected officials. Clerk of Court Melanie Lawson stated she was requested by Solicitor Kevin Brackett to look into providing a female holding cell since the Sheriff's Office had moved out of the Courthouse.

Chairman Robert L. Love asked Vice-Chairman Ben Ivey to officiate the meeting for the other items on the agenda.

Vice-Chairman Ben Ivey introduced a resolution to set the tax levy for fiscal year 2022-2023. The total tax levy for County Operations is 168.9 mils. The Local Option Sales Tax Credit was established at 0.002330.

John Flood: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution to set the tax levy for fiscal year 2022-2023.

Carolyn Rutherford: Seconded the motion. Vice-Chairman Ben Ivey did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben

COUNTY COUNCIL MEETING
SEPTEMBER 13, 2022

Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Vice-Chairman Ben Ivey introduced a resolution authorizing a second amendment to the Fee-In-Lieu of Tax Agreement by and among MycoWorks, Inc., CHRP Union SC Myco 1 LLC, and Union County, South Carolina dated February 8, 2022 (as amended), providing for the allocation of the investment requirement, clarifying the rights and obligations of the parties, and other matters related thereto.

Carolyn Rutherford: Made a motion to adopt the resolution authorizing a second amendment to the Fee-In-Lieu of Tax Agreement by and among MycoWorks, Inc., CHRP Union SC Myco 1 LLC, and Union County, South Carolina dated February 8, 2022 (as amended), providing for the allocation of the investment requirement, clarifying the rights and obligations of the parties, and other matters related thereto.

John Flood: Seconded the motion. Vice-Chairman Ben Ivey did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Vice-Chairman Ben Ivey introduced a resolution stating Union County has identified the need for a Fire Sub Station in the southern portion of the county outside the Town of Carlisle town limits but within the Carlisle Fire District. The estimated cost of the new substation is \$555,000.00. The County intends to make an application for \$500,000.00 in Community Development Block Grant funding to pay for the new fire substation. The resolution states the Union County Council agrees to provide a local match of \$55,000.00 and any additional funds required for the completion of the project.

Carolyn Rutherford: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution stating the Union County Council agrees to provide a local match of \$55,000.00 and any additional funds required for the completion of the project.

Tracie Campbell: Seconded the motion. Vice-Chairman Ben Ivey did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Vice-Chairman Ben Ivey presented for third and final reading an 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.

John Flood: Made a motion to adopt 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.

Tracie Campbell: Seconded the motion. Vice-Chairman Ben Ivey did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben

COUNTY COUNCIL MEETING
SEPTEMBER 13, 2022

Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Vice-Chairman Ben Ivey presented for third and final reading an ordinance to develop, pursuant to Sec. 4-1-170 of the South Carolina Code of Laws, 1976, as amended, a joint county industrial and business park, to be known as the Dolgencorp, LLC Multi-County Park, in conjunction with Spartanburg County, South Carolina, such Industrial/Business Park to be geographically located in Union County, South Carolina; to provide for a written agreement with Spartanburg County as to the sharing of the revenues and expenses of the Park; to provide for the distribution of revenues from the Park among the taxing entities having jurisdiction over the Park; to provide for a User Fee in Lieu of Ad Valorem Taxation; and other matters related thereto

John Flood: Made a motion to adopt the ordinance to develop, pursuant to Sec. 4-1-170 of the South Carolina Code of Laws, 1976, as amended, a joint county industrial and business park, to be known as the Dolgencorp, LLC Multi-County Park, in conjunction with Spartanburg County, South Carolina, such Industrial/Business Park to be geographically located in Union County, South Carolina; to provide for a written agreement with Spartanburg County as to the sharing of the revenues and expenses of the Park; to provide for the distribution of revenues from the Park among the taxing entities having jurisdiction over the Park; to provide for a User Fee in Lieu of Ad Valorem Taxation; and other matters related thereto.

Carolyn Rutherford: Seconded the motion. Vice-Chairman Ben Ivey did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Vice-Chairman Ben Ivey presented for third and final reading an ordinance authorizing the conveyance of certain interest in and to Union County-owned real property to Savvy Builders LLC; and other matters related thereto. This pertains to the easement at the Trakas property for water rights for the neighbor.

John Flood: Made a motion to adopt the ordinance authorizing the conveyance of certain interest in and to Union County-owned real property to Savvy Builders LLC; and other matters related thereto.

Carolyn Rutherford: Seconded the motion. Vice-Chairman Ben Ivey did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love gave his Supervisor's Report. He stated that Union County had been added to the Appalachian Regional Council. An application was made for funds for the Buffalo Mill Site improvements. The grant was approved in the amount of \$422,000.00. Council had previously approved providing \$180,878.00 resulting in a total project amount of \$602,878. He stated the partnership with Pacolet Milliken on the building for MycoWorks had resulted in the close of the sale for that property. The agreement with Pacolet Milliken was that we would partner in the development of that building and then split the proceeds when it was sold. The Union County Facilities Corporation will receive some income from that.

Ben Ivey: Made a motion to go into executive session to discuss a contractual matter.

COUNTY COUNCIL MEETING
SEPTEMBER 13, 2022

Carolyn Rutherford: Seconded the motion. Vice-Chairman Ben Ivey did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

The Union County Council went into executive session to discuss a contractual matter.

Chairman Robert L. Love stated they were ready to come out of executive session and no votes were taken during executive session.

Ben Ivey: Made a motion to close executive session.

Carolyn Rutherford: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote.

The Union County Council returned to regular session.

Chairman Robert L. Love called for any other business. Councilman John Flood asked what offices were moving into the old South State Bank building. Councilman Ben Ivey stated those would be administrative offices and the Courthouse would remain court related offices.

John Flood: Made a motion to adjourn the meeting.

Ben Ivey: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell via telephone voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion, Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood voting in favor of the motion resulting in a unanimous vote. The meeting was adjourned at 6:02 p.m.

Robert L. Love, Chairman
Union County Council

Linda G. Jolly, Clerk to Council