

MINUTES  
UNION COUNTY COUNCIL MEETING  
TUESDAY, NOVEMBER 15, 2022 AT 5:30 P.M.  
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE  
LIVE STREAMED TO [WWW.FACEBOOK.COM/GEARUPUNIONSC](http://WWW.FACEBOOK.COM/GEARUPUNIONSC)

Present: Chairman Robert L. Love, Vice-Chairman Ben Ivey, Councilwoman Tracie Campbell, Councilman David Sinclair, Councilwoman Carolyn Rutherford, Councilman John Flood (via telephone until executive session), 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 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. 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

Carolyn Rutherford, District 5 – Present

John Flood, District 6 – Present (via telephone until executive session)

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

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

Chairman Robert L. Love presented service award certificates and gift certificates to Craig Price for 5 years and to John Fallaw for 15 years of dedicated service to Union County.

Chairman Robert L. Love stated next on the agenda was a presentation by Mary Owens to request a donation for a program for senior citizens. Mary Owens was not present at the meeting.

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Chairman Robert L. Love stated the Council had provided a meal for the County employees in the past and recommended providing gift cards in the amount of \$20.00 for each employee this year. This would be paid from the Non-Departmental Contingency Fund at a cost of approximately \$5,000.00.

Ben Ivey: Made a motion to provide \$20.00 per person for a Christmas meal for the County employees.

David Sinclair: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone 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.

County Treasurer Debbie Robertson stated she has a vacant budgeted position for a tax clerk that she needs to replace.

Ben Ivey: Made a motion to allow the County Treasurer to fill a vacant budgeted position for a tax clerk in her office.

David Sinclair: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone voting in favor of the motion resulting in a unanimous vote.

Probate Judge Toni Allen stated she has a vacant budgeted clerical position in her office that she needs to fill.

Ben Ivey: Made a motion to allow the Probate Judge to fill a vacant budgeted position for a clerk in her office.

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

Clerk of Court Melanie Lawson stated she has a vacant budgeted position in Family Court that she needs to fill.

Ben Ivey: Made a motion to allow the Clerk of Court to fill a vacant budgeted position in Family Court in her office.

Tracie Campbell: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone voting in favor of the motion resulting in a unanimous vote.

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Chairman Robert L. Love stated next on the agenda was to consider any requests for capital funds.

Tourism Director Curtiss Hunter requested the balance of \$28,500.00 in capital funds set aside for the renovation of the old jail for the Visitor's Center. Council had previously approved \$6,500.00 for Phase I.

Carolyn Rutherford: Made a motion to approve the funds requested in the amount of \$28,500.00 from the Non-Departmental Capital Expenditures account for the renovation of the old jail.

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

Finance Director Ann Boggs requested \$11,100.00 from the Non-Departmental Capital Expenditures account for a new phone system for Probation and Parole.

Ben Ivey: Made a motion to approve the funds requested in the amount of \$11,100.00 from the Non-Departmental Capital Expenditures account for a new phone system for Probation and Parole.

David Sinclair: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love stated Council needed to consider a date to hold a special meeting. There are a number of ordinances that need second reading so they could be enacted at the regular monthly meeting on December 13, 2022. Council agreed to hold the special meeting on Tuesday, November 29, 2022 at 5:30 p.m.

Chairman Robert L. Love called for any comments from elected officials.

Sheriff Jeff Bailey stated the vehicles for the School Resources Officers are operational and in place. He said the accreditation process for the Sheriff's Office is moving forward. He and all the officers and staff would operate under the accreditation plan. Councilman Ben Ivey asked if that would include the School Resource Officers and Sheriff Bailey responded that it would.

Chairman Robert L. Love introduced a resolution agreeing to provide the required 20 percent match of \$25,000.00 of the total project cost, through cash and in-kind support, as well as any additional funds needed to complete the project. This pertains to the intent to submit an application for \$100,000.00 of South Carolina Department of Parks, Recreation & Tourism funding through the 2023 Recreational Trails Program to make improvements to the Renaissance Community Park.

Ben Ivey: Made a motion to dispense with referring the resolution to a committee and to adopt the resolution agreeing to provide the required 20 percent match of \$25,000.00 of the total

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project cost, through cash and in-kind support, as well as any additional funds needed to complete the project.

Tracie Campbell: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love presented for third and final reading of an ordinance authorizing the leasing of certain Union County Airport real property, space, improvements, and facilities; the granting of certain privileges to limited fixed-base operators; the sale of aviation fuel at bulk rates; the approval and ratification of certain other leases and grants of rights at the Union County Airport; and other matters relating thereto.

Ben Ivey: Made a motion to adopt the ordinance authorizing the leasing of certain Union County Airport real property, space, improvements, and facilities; the granting of certain privileges to limited fixed-base operators; the sale of aviation fuel at bulk rates; the approval and ratification of certain other leases and grants of rights at the Union County Airport; and other matters relating thereto.

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

Chairman Robert L. Love introduced, in title only, an ordinance to adopt regulations governing the development of land in unincorporated Union County, hereby referred to as the Union County Land Development Regulations; and to provide for other matters related thereto.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading in title only of an ordinance to adopt regulations governing the development of land in unincorporated Union County, hereby referred to as the Union County Land Development Regulations; and to provide for other matters related thereto.

David Sinclair: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love introduced, in title only, an ordinance to authorize and approve an agreement for the development of a joint industrial and business park by and between Union County and Spartanburg County, such industrial and business park to be geographically located in Union County and Spartanburg County and established pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended; to require the payment of a fee in lieu of ad valorem taxes by businesses and industries located in the park; to apply zoning and other laws in the park; to provide for law enforcement jurisdiction in the park; and to provide for the distribution of park revenues to the counties and relevant taxing entities. This is an ordinance pertaining to Project Pluto.

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David Sinclair: Made a motion to dispense with referring the ordinance to a committee and to accept first reading in title only of the ordinance to authorize and approve an agreement for the development of a joint industrial and business park by and between Union County and Spartanburg County, such industrial and business park to be geographically located in Union County and Spartanburg County and established pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended; to require the payment of a fee in lieu of ad valorem taxes by businesses and industries located in the park; to apply zoning and other laws in the park; to provide for law enforcement jurisdiction in the park; and to provide for the distribution of park revenues to the counties and relevant taxing entities

Tracie Campbell: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone voting in favor of the motion resulting in a unanimous vote.

Chairman Robert L. Love introduced, in title only, an ordinance authorizing and approving the expansion of the boundaries of a joint county industrial and business park with Spartanburg County pursuant to Article VIII, Section 13 of the South Carolina Constitution, to include certain property owned and/or operated by South Carolina State Ports Authority or one or more of its affiliates or other related companies; and other matters related thereto. This pertains to the expansion of the State Ports Authority's BMW railyard.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to approve first reading of the ordinance authorizing and approving the expansion of the boundaries of a joint county industrial and business park with Spartanburg County pursuant to Article VIII, Section 13 of the South Carolina Constitution, to include certain property owned and/or operated by South Carolina State Ports Authority or one or more of its affiliates or other related companies; and other matters related thereto.

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

Chairman Robert L. Love gave his Supervisor's Report. He said he attended a ground breaking this morning for the Buffalo Creek Subdivision. The site for this development is just past the Tractor Supply location. It will be built in phases and could include as many as 404 medium income single family homes. The developers are excited to be in Union. Chairman Robert L. Love stated December 1<sup>st</sup> is the projected date for the transition for Phillip Russell to take office as the newly elected County Supervisor.

Chairman Robert L. Love called for any committee reports. Councilman Ben Ivey expressed his concerns about disposal of solar panels and batteries from electric vehicles as they are considered to be hazardous. He felt this was something Council should start looking at and planning for as we have nowhere to dispose of these.

Chairman Robert L. Love called for any other business but there was none.

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Chairman Robert L. Love called for a motion to go into executive session to discuss a contractual matter and an economic development matter.

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

Tracie Campbell: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 via telephone voting in favor of the motion resulting in a unanimous vote.

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

Chairman Robert L. Love stated they were ready to close executive.

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 voting in favor of the motion, Councilman David Sinclair 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 did not remain on the telephone for executive session resulting in a majority vote.

Chairman Robert L. Love stated no action was taken during executive session. There was discussion during executive session concerning the need for a new roof on the old Chrysler Building at a cost of approximately \$600,000.00. Council recommended allocating that money from the County Reserve Fund.

Chairman Robert L. Love introduced, in title only, an ordinance to amend the operating and capital budgets of Union County for the fiscal year beginning July 1, 2022 and ending June 30, 2023, and to amend appropriations for such Union County budgets for County ordinary purposes.

Ben Ivey: Made a motion to dispense with referring the ordinance to a committee and to accept first reading in title only of the ordinance to amend the operating and capital budgets of Union County for the fiscal year beginning July 1, 2022 and ending June 30, 2023, and to amend appropriations for such Union County budgets for County ordinary purposes.

David Sinclair: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair 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 did not remain on the telephone for executive session resulting in a majority vote.

Ben Ivey: Made a motion to adjourn the meeting.

David Sinclair: Seconded the motion. Chairman Robert L. Love did a call for votes with Councilwoman Tracie Campbell voting in favor of the motion, Councilman David Sinclair voting in favor of the motion, Councilman Ben Ivey voting in favor of the motion,

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Councilwoman Carolyn Rutherford voting in favor of the motion and Councilman John Flood did not remain on the telephone for executive session resulting in a majority vote.

The meeting was adjourned at 6:34 p.m.

Robert L. Love, Chairman  
Union County Council

Linda G. Jolly, Clerk to Council