

MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, FEBRUARY 13, 2024, AT 5:30 P.M.
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Phillip Russell, II, Councilman Danny Bright, Councilman John Glenn, Councilwoman Annie Smith, Councilwoman Carolyn Rutherford, Councilman John Flood, County Attorney Sammy Diamaduros, and Clerk to Council Kindra Horne.

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, Daniel Prince at WBCU Radio Station, Graham Williams at the County News, 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 Russell opened the meeting at 5:30 PM. Councilman Danny Bright gave the invocation and Vice Chairman David Sinclair led the Pledge of Allegiance. The Clerk performed the roll call with the following results:

District 1 Danny Bright was present.

District 2 John Glenn was not present at the roll call but came in within minutes of the completion of the roll call.

District 3 David Sinclair was present.

District 4 Annie Smith was present.

District 5 Carolyn Rutherford was present.

District 6 John Flood was present.

Councilman John Flood made a motion to accept the minutes for the January meeting as written Vice Chair David Sinclair seconded. Chairman Russell called for questions, but there were none; he called for the vote and the vote carried unanimously.

Chairman Russell presented service awards to the following:

Sandy Clayton-Supervisor's Office for 5 years of service

Rick Garren-Detention Center 5 years of service

Chairman Russell introduced Andrena Powell Baker and Bryan Stone from Lockhart Power to present a presentation about a housing plan for the Lockhart area.

Andrena began the presentation with a story about the vitality of Lockhart in the 60's. She showed a drawing of what the town looked like then. She ended by saying the story was a true story about her childhood in the town. Lockhart Power would like to see Lockhart revitalized into a thriving town again. They would like to introduce some ideas that they feel will bring economic development to Lockhart. Mrs. Powell Baker highlights the past partnerships with LPC and Union County. LPC has invested just over twenty-three million in announced investments and two million in utility tax credits, and seventeen

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million in tax payments. They have also contributed to many quality-of-life projects and will soon be announcing a donation to the new medical center that is being built. They donated to the new boat ramp and the Flat Stack Trails in Lockhart. They also encourage their employees and managers to give back to the community with in-kind services. LPC would like to build a subdivision in the town of Lockhart to provide a modern housing initiative for the people who live and work in the area. We all know that many studies have proven that Union County needs housing in all corners of the county, and we have known that for years. Lockhart is on the edge of a growth corridor being so close to Charlotte and Rock Hill. LPC is willing to advocate for the community and put their money behind growing Lockhart. Mrs. Powell Baker references a drawing of the subdivision showing where it will be located and what the entrance will look like. They have a builder who has committed to building two homes initially. There will be a spec home as well. The homes will sit on .25 acre lots and will be between 1400-1500 square feet. The last phase of the development will depend on demand and the size could change depending on demand. Three things must occur to move forward with this project, we must deploy infrastructure, power, water, sewer, and roads into the subdivision. LPC has the land and will pay for engineering, clearing, and prepping, they will take ownership of project management and the power. The county could construct the entrance, extend water and sewer, and then turn it over to the town for operation and maintenance. Vice Chair David Sinclair asked if what they were requesting of the county would be done in phases. Mrs. Powell Baker said it would connect the existing Town of Lockhart's sewer system to the subdivision. Bryan Stone said they were expecting about 500 feet on each side of the subdivision. We just need the initial infrastructure and then we would take it on from there based on demand. Mrs. Powell Baker points out the financial benefit for the county and the town in the form of tax revenue. In summation, Mrs. Powell Baker says the ask of the County is to construct the entrance, extend the water and sewer into the subdivision, and donate it to the town. The estimated cost would be \$400,000. She opened the floor for questions. Graham Williams asked if they were anticipating people from Charlotte to move here to get away from the city. Mrs. Powell Baker said yes, they did expect sprawl. Tax Assessor Jake Black questioned the size of the homes, he said the sizes he sees going on the books now are much larger than what is planned. Bryan Stone says that the first phase is being hypersensitive to the cost of the homes since there have been no new homes in that area for many years. They feel that by keeping the cost affordable the demand will be higher. The target cost will be \$199,000 for a brand-new energy-efficient home. Councilman Flood asked for clarification on the location in reference to Lockhart Drive and it was pointed out to him on the map provided. Mrs. Powell Baker closed her presentation by stating that she felt we could reimagine Lockhart by working together on this economic development initiative. Chairman Russell said that the council can look at discussing this further in the finance sections of the budget process that are beginning in March.

Chairman Russell introduced Andrew Dobson, CPA with Swartz, and Halliday to present the 2023 Fiscal Year Financial Audit for Union County. Mr. Dobson referenced a letter, a summary page, and two books that he had handed out before the meetings. Union County has a regular audit and a single audit due to the amount of federal funds that are spent. Going forward GASB has clarified some language and in the future, we will be required to capitalize bulk purchases. He mentions this because they may ask us to put a specific policy in place to address this in the future. Mr. Dobson explained the components of the audit such as depreciation, useful life, how the county expenses an asset, the post-employment liability, the landfill post-closure requirements, and how the county reports things. He notes that in preparing an audit he and other auditors ask a lot of questions and look at many things to make sure that the county is following the recommended governmental accounting standards. He referred to the summary page. The county got an unmodified opinion this year, this is the highest and best opinion that

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can be given. There were no findings of material misstatements, and the numbers were materially correct. The county's internal controls were reviewed, and it was found they were all adequately designed and being followed. For the single audit the firm had to pick a federal project and dig into that, this year it was the airport. They had to test several things to make sure the county complied with federal standards. They found that all requirements were met and there were no deficiencies in our reporting or controls; so once again we received an unmodified opinion which is the best that can be given. Mr. Dobson explained the summary sheet that he had given the council and what the numbers meant. He noted that the general fund (which is essentially the day-to-day operations account), and revenues were up, and expenditures were down this year. He stated that this meant that we have conservative management and spending, and we are performing our fiscal responsibility by keeping spending in check and increasing revenue. He stated that the county was doing a good job at stewarding the funds that come to the county. This year the finance team strategically placed funds into interest-bearing accounts and were able to gain interest earnings of over one million dollars. This lays the groundwork for the county to be able to do the things that we want to do in the future. All in all, the county is doing what it needs to do, we are going after grants, wisely using the funds, and picking good projects. Chairman Russell thanked Mr. Dobson and the county employees who worked so hard to result in an audit of this magnitude.

Chairman Russell recognized Sheriff Bailey who requested to procure two vehicles in advance of the 2024-2025 budget due to the shortage of available vehicles and the price increase. The dealership that we purchased from last year has two more trucks just like the ones we bought before on the lot ready to go, they will not be getting any more of them as they are not seeking the state contract next year. He still has 4 people driving cars with over 150K miles on them and he would like to purchase these trucks while they are available. They will give us the same pricing they gave us in July 2023. Chairman Russell says it is a good financial decision to do this now due to the timeline and price. Councilwoman Annie Smith made a motion to proceed with purchasing the two vehicles, vice chair Sinclair seconded the motion. Councilman Flood verified that these would be subtracted from the number allowed in the new budget year and the Sheriff said yes. Chairman Russell verified the funds would come from the capital fund and he called for a vote. The vote carried unanimously.

Chairman Russell announced that two employees are retiring in June, our Delinquent Tax Collector, and our Finance Director. He would like to advertise and hire for the positions now so that the new employees can train with the ones leaving. Councilman John Glenn made the motion to proceed with posting and hiring the positions, and Councilwoman Rutherford seconded the motion. There were no questions, Chairman Russell called for the vote and the vote carried unanimously.

Chairman Russell introduced Laurie Jones to present a request for an extension to apply for Ag use exemption for property. She says she moved in from Florida and was surprised to see a huge tax bill that she was not expecting, she had no idea that she needed to apply for an agricultural exemption on the property and had failed to do so resulting in a \$5000 tax bill. The Tax Assessor had mailed the information to her about the exemption application process; however, she had not received it. She was able to produce documentation from the postal service showing she had been dealing with them for 10 months concerning missing and lost mail during her relocation from Florida to South Carolina. She is requesting that the council extend the deadline to allow her to apply for the Ag use exemption on her property, which will adjust her tax bill down to the level that it was last year when she purchased the property. Tax Assessor Jake Black explained his office mailed the Ag exemption form to her. Her tax

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bill for 2022 was just under \$10.00 but since she did not return the exemption request for 2023 her bill increased to just over \$5200.00. Ms. Jones has documentation from the postal service to prove she was having issues with her mail during the same time frames that the assessor's office sent out batch exemption letters and reminders. Mr. Black told the council that state tax code allows the county council to extend the exemption deadline, but he does not have the power to do that on his own. Ms. Jones has already completed the paperwork; she just needs the county to allow it to be submitted. Councilman Bright asked what the council's options were. Mr. Black stated that the council has the power to grant the extension and allow submission of the exemption or they can refuse to grant the extension. Chairman Russell points out this is not normally something the council can deal with, but state law specifically allows this in Ag use situations. Councilman Flood points out that any decision is precedent-setting. Vice-chair Sinclair asked if mail was the only means of contact the assessor's office had with Ms. Jones. Mr. Black says yes, they do not have phone numbers or email addresses on file for property owners. Councilman Bright made a motion to extend the deadline, and Vice Chair Sinclair seconded. There were no questions. Councilman Flood pointed out we are setting a precedent for anyone with two acres to request an extension for Ag use. Mr. Black says to apply for Ag use you must have 5 acres of timber or 10 acres of pasture or crop use. Councilwoman Rutherford asked if she had fixed her mail issue. Ms. Jones said yes. Chairman Russell called for the vote, and all voted in favor of granting the extension.

Chairman Russell announced 2nd reading of a FILOT Ordinance for Project Tyger. Council had the full text, and it was posted online. Councilman Flood made a motion to dispense with referring to committee and adopt the Ordinance. Councilwoman Smith seconded, there were no questions. Chairman Russell called for a vote and the vote carried unanimously.

Chairman Russell introduced 2nd reading of an Ordinance entering into a Multi-County Industrial Park agreement for Project Tyger, the council had the full text, and it was posted online. Vice chair Sinclair made a motion to dispense with referring to committee and adopt the ordinance. Councilman John Glenn seconded, there were no questions. Chairman Russell called for the vote and the vote carried unanimously.

Chairman Russell went over his supervisor's report which had been sent out and will be attached to the minutes of the meeting.

The council set the dates they plan to meet for budget sessions. The dates will be published in the paper and online.

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Dianard Aughtry who was listed on the agenda was not in attendance.

Councilwoman Annie Smith made a motion to adjourn, and Councilwoman Rutherford seconded. All were in favor and the meeting adjourned at approximately 6:55 PM.

Phillip G. Russell, II, Chair, Union County Council

Kindra W. Horne, Clerk to Council