MINUTES
UNION COUNTY COUNCIL MEETING
TUESDAY, JANUARY 14, 2025, AT 5:30 P.M
GRAND JURY ROOM AT UNION COUNTY COURTHOUSE

Present: Chairman Phillip Russell, II, Councilman Danny Bright, Councilman John Glenn, Vice chair David Sinclair, Councilwoman Annie Smith, Councilwoman Carolyn Rutherford, Councilman John Flood, County Attorney Jennifer Williams, 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 on the bulletin board in the Union County Government Building, a copy was mailed or emailed to the members of the Union County Council, the County Attorney, Daniel Prince at WBCU Radio Station, Anna Brown 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 chair 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 present.
District 3 David Sinclair was present.
District 4 Annie Amith was present.
District 5 Carolyn Rutherford was present.
District 6 John Flood was present.

Chairman Russell stated that the first item on the agenda was for Council to approve the minutes for the December 10 Council meeting. Councilman Sinclair made a motion to accept the minutes as written, Councilman Flood seconded. Chairman Russell called for a vote, which carried unanimously.

The next item on the agenda was to appoint Council members to serve as Council Vice chair, Chaplain, and Standing Committees. The current Vice chair is Councilman David Sinclair. The current Chaplain is Danny Bright.

Councilman Bright made a motion to re-appoint Councilman Sinclair to serve as Council Vice chair, Councilperson Rutherford seconded. Chairman Russell called for any other nominations, there were none. Chairman Russell requested a motion to close nominations; Councilman Flood made a motion, Councilperson Smith seconded. Chairman Russell called for a vote, which was unanimous.

Councilman Sinclair nominated Councilman Bright to serve as Council Chaplain, Councilwoman Rutherford seconded. Chairman Russell called for any further nominations, there were none. Chairman Russell called for a motion to close nominations; Councilman Sinclair

made a motion, Councilman Flood seconded. Chairman Russell called for a vote, which carried unanimously.

The Committee on County Administration & Finance includes John Flood (Chairman), Danny Bright, John Glenn, Annie Smith, David Sinclair and Carolyn Rutherford. Councilman Sinclair made a motion to reappoint Councilman Flood as Chairman of the Committee, Councilwoman Smith seconded. Chairman Russell called for any further nominations, there were none. The vote to reappoint Councilman Flood was unanimous.

The Committee on Public Works, Roads, Bridges & County Property includes David Sinclair (Chairman), Danny Bright, John Glenn and Carolyn Rutherford. Councilman Flood made a motion to maintain the Committee members as it stands, Councilwoman Smith seconded. Chairman Russell called for any further nominations, there were none. The vote was unanimous.

The Committee on Personnel, County Offices & Departments includes Annie Smith (Chairman), John Flood, David Sinclair and Danny Bright. Councilman Sinclair made a motion to maintain the Committee members as it stands, Councilman Bright seconded. Chairman Russell called for any further nominations, there were none. The vote carried unanimously.

The Committee on Public Health & Social Services: Carolyn Rutherford (Chairman), Annie Smith, David Sinclair and John Glenn. Councilman Flood made a motion to maintain Chairmanship and members, Councilwoman Smith seconded. Chairman Russell called for any further nominations, there were none. The vote carried unanimously.

The Committee on Law Enforcement, Judiciary & Recreation includes Danny Bright (Chairman), John Flood, Carolyn Rutherford and David Sinclair. Councilman Sinclair made a motion to maintain the Committee members as it stands, Councilman Flood seconded. Chairman Russell called for any further nominations, there were none. The vote carried unanimously.

The Committee on Planning and Development includes David Sinclair (Chairman), Annie Smith, John Flood and Danny Bright. Councilperson Smith made a motion to maintain the Committee members as it stands, Councilman Sinclair seconded. Chairman Russell called for any further nominations, there were none. The vote carried unanimously.

Chairman Russell stated that these Committees are used as a great way to communicate and guide Council and have been used numerous times this past year, and it has been useful.

The next item on the item was to consider appointing Dr. Kristi Woodall as a private sector employer representative for the Upstate Workforce Board. Councilwoman Rutherford made a motion, Councilman Sinclair seconded. Chairman Russell called for a vote, which carried unanimously.

Chairman Russell stated that the next item on the agenda was for Council to consider covering expenditures from Council Contingency Fund. The first was a crystal plaque for former Clerk of Court Melanie Lawson to extend the County's appreciation for 8 years of service as Clerk of Court. The amount of the expense was $175.99. The second was an expenditure to provide

refreshments for the swearing in ceremony for Council in the amount of $58.99. Councilman Sinclair made a motion to approve expenditures, Councilman Flood seconded. Chairman Russell asked if there were any questions, there were none. He called for a vote, which was unanimous.

The next item on the agenda was to consider changes to the Council meeting schedule. The first was a request to move the February 11, 2025 council meeting from 210 W Main Street to 103 W Main Street. Councilman Flood stated that he would prefer to move the location of the regular council meetings back to 103 W Main Street as that is where they were held in the past. Councilman Glenn made a motion to move the February meeting to 103 W Main Street, Councilperson Rutherford seconded. Chairman Russell asked if there were any questions, there were none. He called for a vote, which was unanimous. The second request was to move the June 10, 2025 council meeting to June 17, 2025 to accommodate budget sessions during that time. Councilman Sinclair made a motion, Councilman Flood seconded. Chairman Russell asked if there were any questions, there were none. He called for a vote, which was unanimous.

The next item on the agenda was 1st Reading in title-only of an 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. Councilperson Smith abstained from voting based on her employment. Chairman Russell called for a motion to accept first reading, Councilman Flood made a motion, and Councilman Sinclair seconded. Chairman Russell asked if there were any questions, there were none. He called for a vote and the motion dispense with referring to committee carried with 5 Council members voting in favor; 1 member abstaining. Councilman Sinclair stated that he would like to inform the general public that there is a section that requires that if the property is used for purposed of USC Union and not it's original intent, then it will be conveyed back to Union County. Chairman Russell agreed.

The next item on the agenda was 2nd Reading of an Ordinance authorizing the executions and delivery of a fee agreement by and between Union County and Project Panama. Councilman Sinclair made a motion to dispense with referring to committee and accept 2nd Reading, Councilperson Smith seconded. Chairman Russell asked if there were any questions, there were none. He called for a vote, which was unanimous.

The next item on the agenda was 2nd Reading of an Ordinance authorizing and approving the development of a new joint county industrial and business park with Spartanburg County, such park that will be geographically located in Union County; also authorizing the executions of a written park agreement with Spartanburg County as to FILOT requirements, the distributions of revenues and other matters related thereto. Councilman Flood made a motion to dispense with referring to committee and accept second reading, Councilperson Smith seconded. Chairman Russell asked if there were any questions, there were none. He called for a vote; it carried unanimously.

Chairman Russell stated that the last, in 3rd and Final Reading, was an Ordinance authorizing the termination of that certain written agreement with Union County for the Development of a jointly owned and operated Industrial Business Park, such park geographically located in Spartanburg County and the City of Spartanburg and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et. seq., as amended and other mattes related thereto.

Councilman Sinclair made a motion to dispense with referring to committee and accept the termination, Councilperson Smith seconded. Chairman Russell asked if there were any questions, there were none. He called for a vote; it carried unanimously.

There were no committee reports.

Chairman Russell went over his Supervisor's Report which has been attached to the minutes.

Chairman Russell asked if council had any announcements. Councilman John Flood said he had a couple of things. He explained that he had some calls inquiring about how things were handled in a certain way. It had gotten out that Mr. Russell was heavy handed and had fired Emergency Manager Lee Brannon. Dr. Flood called Mr. Brannon who stated that he has a great working relationship with Mr. Russell and the things that were being said never occurred. The second issue was that a county official entered another county official's office area before they were gone, he wasn't sure what all of the specifics on this were but it is the Supervisor's position to make sure that doesn't happen twice. The last thing he had was that he wanted council members to be transparent. He said that council members should not be calling and polling other council members about changing our form of government. He said he wasn't opposed to changing the form of government, but that there were several things that needed to be looked at. He said that an off-cycle election for that would be costly, the referendum has been on the ballot and turned down (he believes) three times since he has lived here. Currently, council makes the final decision and the Supervisor manages the county. He gave a brief explanation of his interpretation of how two other forms of government would work. He stated that a Council/Administrator form would mean that council would have to hire and fire and manage; and that Council/County Manager is similar to the form we have now except council can fire the county manager. He said that the County Supervisor is paid $85,000-$95,000 per year; he believes to hire an administrator or manager would cost the county upwards of $160,000, and you may have buy out a contract if you fire them during their contract term. He says that we should consider our history and what it would cost us if we make the change, passing a referendum next November (2025) would mean that Mr. Russell would get to complete his term 2026 and them we would hire someone, he would like for council to take some time and talk about it and get public comment on it. Councilman Bright said he had some comments, that in the Council/Administrator form of government the administrator would hire all employees the only person that council would hire would be the administrator; he said that the role of the administrator was the same as the county supervisor with the exception of being hired by council. Councilman Flood said that he believed that councilman Bright was using the word administrator where he was using the word manager. Councilman Bright said that he has studied the forms of government and that he was correct in his interpretation of how the forms of government work. Councilman Bright asked who the councilmember was that was polling other councilmembers. Councilman Flood stated that there were three people that councilman Bright did not call, being Mr. Russell, councilmember Smith and him. Councilmember Bright said that the reason he didn't call councilmember Flood was because he had not answered when he had called in the past and that the last time, he had text councilmember Smith she questioned the text being outside of a council group message. Councilman Bright said that text among the entire council was a quorum. Councilman Bright said that the job of council was to talk to each other and get ideas.

Councilman Glenn asked why we were talking about this and who wanted the form of government changed. Councilman Bright stated that he did and that he wanted it done in November 2025. Councilman Glenn said that some people may not want to change and some may that he was remaining neutral, but he inquired as to why this was such a big issue. Councilman Bright said Union County was the last county in the state to have Council/Supervisor form of government and that he believed it was because other counties had chosen to move forward, councilman Flood said they chose to move in different directions. Councilman Glenn said that it may work for other counties, but it may or may not work for us; but he did not feel that this was the time or place to have the discussion. Councilman Flood said that his issue was the transparency of it that the public needed to have a say. Chairman Russell called the meeting back to order, councilmember Rutherford asked to make a statement, saying that she believed this was not the time for this discussion that council should discuss these ideas prior to bringing them into a business meeting and that this was the first meeting of the new year and that council should present as unified and professional, working together for the citizens. Chairman Russell said that he concurred with councilmember Rutherford and that he suggests that council consider having an Administration & Finance Committee meeting if they wanted to discuss the possibilities of a referendum. Vice chair Sinclair said that he thought we would need to educate the public on the forms of government before anything went on the ballot. Chairman Russell stated there are different forms that can work in the ways that councilmen Bright and Flood mentioned, and that the public did need to understand and know what changes were proposed and that there was much to consider. Councilman Bright made a motion to take it to committee and vice chair Sinclair seconded, chairman Russell called for a vote and it carried unanimously. A committee meeting will be set for a later date.

Chairman Russell recognized Leslie Swigart for public comment. Leslie introduced herself and thanked Council for the opportunity to speak. She stated that the first thing she wanted to speak to Council about was the proper communication of Council through social media. She stated that her concern was due to a Council member who “bashed” another Council member on Facebook. Leslie stated that after she commented, she was blocked from the post and page by the Council member. In addition, she stated that on a separate post, the Council member who blocked her, commented on her Facebook post calling her an “idiot” when she questioned his absence at a meeting. Leslie stated that the comments have since been deleted but she has screenshots of the comments and would be sharing them with the Council members. She stated that she believed Council members should learn to respond to criticism and interrogation in a professional manner or refrain from using social media altogether. Leslie stated that there were Supreme Court cases in 2024 related to this topic due to the rise of censorship on social media. She stated that internet users have a First Amendment right to speak on social media and that right may be infringed when the government seeks to interfere with content moderation. In the Supreme Court case, Lengthy vs. Freed, the court ruled that Government officials, if vested with an exercising official authority could violate the First Amendment right by deleting comments or blocking users. She stated that this is what the Council member has done. Leslie requested that the Councilmember unblock her and for Council members to review the Supreme Court cases that she would be sending to Council members. Leslie stated that, secondly, she would like to remind Council that it is their duty to make decisions based on the wants and needs of constituents, and that many of the Council members have run on a campaign promising transparency. Leslie then read an excerpt from a Social Media post by a Council member regarding an upcoming Economic

Development opportunity. She stated that the people deserve to know what is happening in the County. She stated that the discussions regarding future opportunities should be done in Council meetings and the people should be given the opportunity to have a say. She stated that she was concerned with the upcoming reading of the Ordinance related to Project Panama, and would like Council to have the opportunity to discuss the comments made at the public hearing before making a final vote. Councilman Bright thanked Leslie for coming to the meeting to speak and stated that the post that Leslie read was from a social media post he made. He stated that he almost abstained from voting on second reading because of how it stands. He stated that all they know is "Project Panama" and they would be receiving their Council packets on Friday before the final reading on Tuesday. Councilman Bright stated that Leslie was right and that they needed to know more. He stated that regarding the post that Leslie was referring to, he would like to know who made the post. Councilman Sinclair stated that anytime there is a quorum present, which is at every Committee and Council meeting, they are open to the public. Councilman Sinclair suggested that we may need to do a better job of advertising them, but that he does not know how they are advertised presently. Councilmen Bright and Flood began discussions about social media post; as the business portion of the meeting had concluded, Chairman Russell requested a motion to adjourn, councilperson Smith made a motion, councilman Sinclair seconded chairman Russell called for a vote which carried unanimously.

The meeting adjourned at 6:25 PM.

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

Kindra W. Horne, Clerk to Council