

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
WEDNESDAY, OCTOBER 8, 2008 AT 4:36 P.M.
GRAND JURY ROOM AT THE UNION COUNTY COURTHOUSE

Present: Chairman Donnie Betenbaugh, Vice Chairperson Dora Martin, Councilwoman Joan Little, Councilman Tommy Ford, Councilman Joey English, Councilman Randall Hanvey, Councilman Joe Lawson, County Attorney Sammy Diamaduros and Clerk to Council Linda G. Jolly

Absent: None

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 to the members of the Union County Council, the County Attorney, WBCU Radio Station, the Union Daily Times, Spartanburg Herald Journal, the Union County Development Board, Mr. Darrell Wade, Ms. Ann Canada, Mrs. Anne Brock with Clemson Extension, Mr. James Kollock and Mrs. Kacie Petrie.

Chairman Donnie Betenbaugh called the meeting to order. Chaplain Dora Martin gave the invocation followed by the Pledge of Allegiance.

The Clerk to Council gave the Roll Call with the following results:

Joan Little, District 1 – Present
Dora T. Martin, District 2 – Present
Tommy E. Ford, District 3 – Present
Joey D. English, District 4 – Present
Randall Hanvey, District 5 – Present
Joe G. Lawson, District 6 – Present

Tommy Ford: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on September 10, 2008, the special meeting of County Council held on August 22, 2008 and to adopt the minutes as written.

Randall Hanvey: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented a service award and gift certificate for Daniel Young for 5 years, to Heather Daum for 10 years, and to Donna Cudd for 35 years of dedicated service to Union County.

Chairman Donnie Betenbaugh stated there were two positions on the Alcohol and Drug Abuse Commission to be appointed by County Council. There were five applicants who were Arthur G. Jordan, Ronald C. Williams, Robert Lynn Ford, Shirley L. Browning, and Anthony K. Smith. Chairman Donnie Betenbaugh opened the floor for nominations for the first position.

Councilman Joey English nominated Arthur Jordan.

Randall Hanvey: Made a motion to close the nominations.

Dora Martin: Seconded the motion. The vote was unanimous

Chairman Donnie Betenbaugh opened the floor for nomination for the second position.

COUNTY COUNCIL MEETING
OCTOBER 8, 2008

Dora Martin nominated Ronald Williams.

Dora Martin: Made a motion to close the nominations.

Randall Hanvey: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh stated the three positions on the Board of Fire Control for the Carlisle Fire District had been advertised and the three applicants were Ellis W. Jenkins, Marie Whitener, and Ellen Chambers.

Dora Martin: Made a motion to appoint Ellis Jenkins, Marie Whitener and Ellen Chambers to serve on the Board of Fire Control for Carlisle Fire District.

Randall Hanvey: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh informed Council they were invited to attend the Fireman Appreciation luncheon which would be held this Saturday at 12:00 Noon at the Bonham Fire Department. There will be a fireman's parade at 11:00 a.m. on Main Street in Union followed by the luncheon.

Chairman Donnie Betenbaugh announced he had received a check from Senator Linda Short in the amount of \$40,000 representing a Competitive Community Grant for the Timken Sports Complex.

Chairman Donnie Betenbaugh presented for third and final reading an ordinance authorizing an amendment to that certain multi-county park agreement, dated July 11, 1994, as subsequently amended, governing a multi-county business/industrial park by and between Union County, South Carolina, and Spartanburg County, South Carolina, to authorize the expansion of the boundaries of the park; and other matters thereto related.

Dora Martin: Made a motion to adopt the ordinance authorizing an amendment to the multi-county park as stated as it pertains to the Johnson Development aircraft being located in said park.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented for third and final reading an ordinance authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement (The "Incentive Agreement") between Union County, South Carolina (The "County") and Congaree Bio Energy, LLC, acting for itself or an affiliate or other project sponsor, (Collectively, The "Company"), whereby, under certain conditions, the County shall grant incentives to the company in connection with the establishment of certain manufacturing facilities in the County (The "Project"); (2) the County to covenant in such incentive agreement to accept certain negotiated fees in lieu of ad valorem taxes with respect to the project; (3) special source credits to reimburse the company for a portion of the costs of certain infrastructure costs in connection with a manufacturing enterprise serving the economic development of the County; (4) the benefits of a multi-county park to be made available to the company; and (5) other matters relating thereto.

Joe Lawson: Made a motion to adopt the ordinance pertaining to the execution and delivery of a fee in lieu of tax and incentive agreement with Congaree Bio Energy, LLC as stated.

Randall Hanvey: Seconded the motion. The vote was unanimous.

COUNTY COUNCIL MEETING
OCTOBER 8, 2008

Chairman Donnie Betenbaugh 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 jointly owned and operated industrial/business park, to be known as the Congaree Bio Energy 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.

Randall Hanvey: Made a motion to adopt the ordinance to develop a jointly owned and operated industrial/business park to be known as the Congaree Bio Energy Multi-County Park.

Dora Martin: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh gave second reading of an ordinance to amend Ordinance No. 142, as previously amended by Ordinance Nos. 212, 213 and 236, relating to the joint County Industrial Park (Hillside Industrial Park) of Spartanburg and Union County so as to enlarge the park to include Epsilon Plastics, Inc. and Lear Operations Corporation/ACPS, LLC.

Tommy Ford: Made a motion to accept second reading of the ordinance to amend the ordinance relating to the Hillside Industrial Park to enlarge the park as stated.

Joey English: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh called for any committee reports but there were none at this time.

Chairman Donnie Betenbaugh asked for an executive session to discuss a legal matter.

Joe Lawson: Made a motion to go into executive session to discuss a legal matter.

Randall Hanvey: Seconded the motion. The vote was unanimous.

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

Dora Martin: Made a motion to come out of executive session.

Randall Hanvey: Seconded the motion. The vote was unanimous.

The Union County Council returned the meeting to regular session.

Chairman Donnie Betenbaugh announced that no action was taken during executive session.

Chairman Donnie Betenbaugh called for any other business but there was none.

Joe Lawson: Made a motion to adjourn the meeting.

Dora Martin: Seconded the motion. The vote was unanimous.

The meeting was adjourned at 5:04 p.m.

COUNTY COUNCIL MEETING
OCTOBER 8, 2008

Donnie R. Betenbaugh, Chairman
Union County Council

Linda G. Jolly, Clerk to Council