

REGULAR MONTHLY MEETING OF THE UNION COUNTY COUNCIL
WEDNESDAY, AUGUST 13, 2008 AT 4:33 P.M.
GRAND JURY ROOM AT THE UNION COUNTY COURTHOUSE

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

Absent: Councilman Tommy Ford and Councilman Randall Hanvey

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 and Mr. James Kollock.

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 – Absent

Joey D. English, District 4 – Present

Randall Hanvey, District 5 – Absent

Joe G. Lawson, District 6 – Present

Chairman Donnie Betenbaugh announced that Councilman Tommy Ford was absent to attend his stepfather's funeral.

Joey English: Made a motion to dispense with reading of the minutes of the regular monthly meeting of the Union County Council held on July 9, 2008 and to adopt the minutes as written.

Joan Little: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented a service award and gift certificate for Timothy Gaston for 5 years of dedicated service to Union County.

Chairman Donnie Betenbaugh stated there were four positions on the Union County Tourism Commission which needed to be appointed. The applicants were the U. S. Forest Service representatives, Mr. Gator Hudson, Mr. Graham Williams, Mr. Casey Connell, Mr. Buddy Smith, Mr. Bruce Lawson, Ms. Rebecca Compton, and Mr. Michael Ruff. Chairman Donnie Betenbaugh opened the floor for nominations.

Councilwoman Dora Martin nominated Casey Connell.

Councilman Joe Lawson nominated Graham Williams.

Councilman Joey English nominated Buddy Smith

Councilwoman Joan Lawson nominated the U. S. Forest Service representatives

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Dora Martin: Made a motion to close the nominations.

Joe Lawson: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh stated there were three positions on the Hospital Board to be appointed by County Council. The applicants were Dr. Gerald D. Fielder, Iverson G. Vanderford, William A. Jolly, Rhonda C. Ingle, and Robert F. Speer.

Dora Martin: Made a motion to interview the applicants.

Joan Little: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh stated there were two positions on the Library Board which needed to be appointed by County Council. Since those two vacancies had been advertised, Ms. Pat Bogan had submitted her resignation. The applicants were Dr. Margot Butler, Ms. Julia Krasinski, Mr. Michael Rupp, and Ms. Patricia Ferguson. Mr. Betenbaugh asked if Council wanted to advertise the third vacant position on the Library Board or select from the existing applicants.

Dora Martin: Made a motion to fill the three slots from the applicants already received.

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

Chairman Donnie Betenbaugh opened the floor for nominations to fill the three positions on the Library Board.

Councilman Joe Lawson nominated Dr. Margot Butler.

Councilman Joey English nominated Ms. Julia Krasinski.

Councilwoman Joan Little nominated Michael Rupp.

Dora Martin: Made a motion to close the nominations.

Joan Little: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented a letter from Mrs. Ann Fesperman as Executive Director of the Upstate Workforce Investment Board stating there was an open slot for a public service representative for Union County on their Board. The letter stated that Ms. Susan Lawson had resigned due to the illness of her father. Ms. Lawson nominated Ms. Deborah S. Bishop who is the Director of the Union County Department of Social Services to serve a three year term on the Upstate Workforce Investment Board.

Dora Martin: Made a motion to allow Ms. Deborah S. Bishop to serve a three year term on the Upstate Workforce Investment Board.

Joan Little: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh presented a letter from Ms. Jayne Scarborough as Executive Director of the Olde English District Tourism Commission stating that currently Mr. Casey Connell represents the County on the Commission but his term has officially expired. The letter stated they would be happy to have Mr. Connell serve another three year term if that was his pleasure.

Dora Martin: Made a motion to appoint Casey Connell to serve another term on the Olde English District Tourism Commission.

Joey English: Seconded the motion.

Councilman Joe Lawson stated this would not be a conflict as Mr. Connell is the park ranger at Rose Hill Plantation State Historic Site and would be representing the Tourism Commission.

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The vote on the motion was unanimous.

Chairman Donnie Betenbaugh stated he had been contacted by Mrs. Lou Stackhouse with the Union County Disabilities and Special Needs Board. Councilman Joey English currently serves on their Board as Council's representative and his term is up.

Dora Martin: Made a motion to appoint Councilman Joey English to serve another term as Council's representative on the Disabilities and Special Needs Board.

Joan Little: Seconded the motion. The vote was unanimous.

Mr. David Langley with Langley & Associates gave a presentation on the robotics facility to be located on the site on Highway 176 consisting of 23 acres. Seven acres will be used for the facility which is designed so that it leaves room for expansion in both directions. It is a one story building consisting of 14,600 square feet. The design provides for classrooms and labs for training for high tech jobs. They will be able to do forklift and truck driver training. Mr. Langley showed the floor plan for the facility which includes training rooms with portable set ups, conference, lecture and meeting rooms as well as administrative offices. Chairman Donnie Betenbaugh stated this facility would be run by Spartanburg Community College and USC-Union. The goal is to have the facility open for next fall's academic year. This would save students now going to Spartanburg the out-of-county tuition. There is room to expand to add seven more buildings in the future. Spartanburg Community College and USC-Union have an agreement not to overlap on courses.

Airport Manager Ronnie Wade addressed Council about the reimbursement for the runway expansion. The County had purchased property adjacent to the airport with the understanding they would receive 95% reimbursement from the FAA. Union County had received an appraisal on the property of \$1,000.00 per acre but had purchased the property for \$3,000.00 per acre. FAA wanted to reimburse the County based on the \$1,000.00 per acre appraised value and gave the County a deadline to accept that amount or have the funds rollover to the following year. The County declined to take reimbursement based on \$1,000.00 per acre and was told they could apply for reappraisal. Mr. Wade presented Council with an agreement from WK Dickson to help the County get the paperwork done to get the 95% reimbursement from the FAA on the full purchase amount at a cost of \$24,845.00 which can also be reimbursed at 95% from FAA plus two and a half percent from the State. There is a deadline of September 20th to get the information to FAA.

Dora Martin: Made a motion to enter into the agreement with WK Dickson to assist the County in getting the 95% reimbursement from the FAA on the full purchase price for the property without referring the matter to a committee due to the time restrictions.

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

Chairman Donnie Betenbaugh presented for second reading an ordinance to revise and amend all Union County ordinances creating and establishing special tax districts for the purpose of creating fire protection districts, and all other Union County fire district ordinances, including, without limitation, Union County ordinances number 27, 28, and 29 and the Carlisle Fire District Ordinance, and ordinance number FY 81-82-51, so as to authorize all Union County fire districts and fire departments created under Home Rule, by

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all such ordinances, including, without limitation, Bonham Fire District, Carlisle, Fire District, Cross Keys Fire District, Kelly Kelton Fire District, and Phillipi Fire District, to use both volunteer and paid firefighters; to revise the boundaries of the Carlisle Fire District so as to include certain portions of the former Cone Mills property, to be utilized by and for the Congaree Bio Energy, LLC Project; and other matters related thereto.

Dora Martin: Made a motion to accept second reading of the ordinance pertaining to the fire districts as stated.

Joan Little: Seconded the motion. The vote was unanimous.

Chairman Donnie Betenbaugh introduced 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 dispense with referring the ordinance to a committee and to accept first reading of 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 introduced in title only 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. Mr. Betenbaugh stated the ordinance provides for a 6% FILOT and \$250,000.00 special source credit to be used for infrastructure.

Dora Martin: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of 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.

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

Chairman Donnie Betenbaugh introduced in title only 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.

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Joey English: Made a motion to dispense with referring the ordinance to a committee and to accept first reading of 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 presented for Council to review and approve audits and financial reports from Catawba Regional Council of Governments, Spartanburg Area Mental Health, Union Soil and Water Conservation District, Union County Historical Society, Bonham Fire District, Carlisle Fire District and Kelly Kelton Fire Department.

Dora Martin: Made a motion to accept the audits and financial statements as presented.

Joan Little: Seconded the motion. The vote was unanimous.

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

Joe Lawson: Made a motion to adjourn the meeting.

Joan Little: Seconded the motion. The vote was unanimous.

The meeting was adjourned at 5:16 p.m.

Donnie R. Betenbaugh, Chairman
Union County Council

Linda G. Jolly, Clerk to Council