

**MINUTES
SPECIAL COUNCIL MEETING
SATURDAY, JULY 19, 2008
1:30 P.M.**

{Summary minutes of City Council meeting. Audio tapes of the meeting are on file and are included by reference as part of this meeting. An agenda of this meeting has been either mailed or made available to persons, organizations and local news media as per their request. The agenda gives the date, time and place of the meeting as well as the order of business. This disclosure is in compliance with the South Carolina Code of Laws of 1976, Section 30-4-80 (e).}

A special council meeting was held on July 19, 2008 at 1:30 P.M. in the Charleston Place Hotel, Charleston, South Carolina with the following present:

CITY COUNCIL: Mayor Pro Tem Harold Thompson; Councilmembers Tommie Hill, Orangelow Ruff, Ricky Todd Harris, Keith Henderson and Fran Bailey.

DEPARTMENTAL STAFF: Gloria Rogers – Municipal Clerk/Personnel Director.

CITY ATTORNEY: Billy Whitney

NEWS MEDIA: WSPA

OTHERS: Harold Shapiro - Catawba Regional, Chip Boyles-MASC, Garry Baum-SC Election Commission, Ed Schafer- Legislative Council to MASC, Chris Whitmire-SC Election Commission, Howard Duvall-MASC, Jean Harris -Union Citizen and Patsy Whitney-Union Citizen and Debbie Woodard-City Employee.

A. **CALL TO ORDER**

1. Mayor Pro Tem Thompson called the meeting to order. The invocation was given by the Mayor Pro Tem.

Mayor Pro Tem Thompson discussed adding an item to the agenda concerning the financial check signing.

MOTION by Councilmember Harris to add an item to the agenda regarding check signing for discussion and a motion.

SECOND by Councilmember Henderson.

CARRIED UNANIMOUSLY.

The Mayor Pro Tem asked everyone present to introduce themselves.

B. **DISCUSSION ITEMS:**

1. DISCUSSION – HOWARD DUVALL, DIRECTOR OF MASC

Mr. Howard Duvall states that City Council has received a letter of resignation from Mayor Bruce Morgan. He states that Council will need to accept Mayor Morgan's resignation. The effective date of resignation is July 17, 2008. Council will need to determine what the next step will be regarding the November General Election. Mr. Duvall states that Mr. Gary Baum and Mr. Chris Whitmire with the SC Election Commission are in attendance to assist with any questions from City Council. The filing period for the November General Election ended April 29, 2008. The Mayor's race was unopposed. Mr. Gary Baum discussed the election process from the S.C. Code of Laws – Section 7-13-190 (Part E). Mr.

Baum discussed the options that City Council has regarding the election process. One option would be to re-open the filing period for the Mayor's race by ordinance, along with obtaining pre-clearance from the US Department of Justice. The other option would be to leave things as is and have the Mayor's race by write-in votes during the November General Election, which Mr. Duvall states would be the simplest option. There will not be a filing fee for the write-in candidates. Council will need to decide which option they want to take.

Mayor Pro Tem Thompson previously talked with the Mr. Duvall about the Mayor Pro Tem duties and compensation as acting Mayor until the Mayor's seat is filled during the November General Election. Mr. Duvall states that when the City changed the form of government and established a salary for the Mayor, the salary for the Mayor goes with the Mayor's office, and because a vacancy has occurred in that office and that vacancy is being filled by the Mayor Pro Tem, the compensation for that office goes to the Mayor Pro Tem as long as he is serving as Mayor. When the new Mayor is elected, then the new Mayor will assume that salary. Mr. Duvall suggests that in the future, Council may want to evaluate whether or not the City needs a full-time Mayor or whether a Mayor and an Administrator is the best option for the City. The Mayor's salary could be adjusted and Council could take part of the compensation from the Mayor's office to hire a professional Administrator. Mr. Duvall and City Council also discussed the process of changing the form of government.

City Council and Mr. Duvall discussed check signing for the City of Union. Mr. Duvall recommends that as a general rule there be two signatures on a check by appointing two elected officials, the Mayor and one other councilmember and two persons from City staff, the Chair of the Finance Department (whoever handles the finances within the City, the City Treasurer or the City Clerk. One of the elected officials and one of appointed staff person would approve all checks. He states that one printed signature should be sufficient for electronic check signing.

Mayor Pro Tem Harold Thompson states that there is a situation regarding Public Safety Employee Freddie Gault. Mr. Gault is a candidate in the County of Union Sheriff's race. Mr. Duvall states that the employee can not campaign while on duty as a police officer. The Municipal Clerk addressed the subject from a personnel viewpoint. The City of Union policy states that in certain circumstances, involving a potential conflict of interest, the employee may have to be placed on an unpaid leave of absence until after the election. The Mayor states that the employee will be placed on leave of absent until after the November general election.

Mr. Gary Baum states that a good idea between now and the election would be to work with the local media to publicize the qualifications for the office of Mayor. Also ask that all viable candidates contact the County Election Commission so they will be aware of the candidates running for office of Mayor by write-in, in case of a name misspelled or someone with the same name.

City Council again discussed the checking signing for the City of Union.

MOTION by Councilmember Ruff to authorize Mayor Pro Tem Thompson and Councilmember Bailey to sign checks for the City of Union.

MOTION DIED FOR LACK OF SECOND MOTION.

City Council decided to vote on the authorized check signers by ballot.

MOTION by Councilmember Henderson for Mayor Pro Tem Thompson to be one of the elected officials to sign checks and to vote on Councilmember Bailey or Councilmember Harris to be the other elected official authorized to sign checks.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

Councilmember Bailey received 1 vote.

Councilmember Harris received 5 votes

City Council discussed authorizing two City staff employees to sign checks.

MOTION by Councilmember Bailey authorizing Finance Director Walker Gallman and Municipal Clerk Gloria Rogers to sign checks.

SECOND by Councilmember Ruff.

CARRIED UNANIMOUSLY.

MOTION by Councilmember Harris authorizing Mr. Gary Baum to assist City Attorney Billy Whitney with public notice advertisement for the Mayor's office for the general election in November.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

Mr. Duvall states that Chip Boyles is the Field Service Manager for the MASC. Mr. Boyles, as well as himself, is available to assist City Council.

MOTION by Councilmember Bailey to accept Mayor Morgan's letter of resignation.

SECOND by Councilmember Harris.

CARRIED UNANIMOUSLY.

Mayor Thompson thanked Mr. Harold Shapiro for his attendance at the meeting.

C. **ADJOURNMENT:**

MOTON by Councilmember Harris to adjourn meeting.

SECOND by Councilmember Hill.

CARRIED UNANIMOUSLY.

The meeting adjourned at 2:41 PM.

Gloria J. Rogers, Municipal Clerk