

MINUTES

County Council Meeting

September 19, 2005

Spartanburg County Council met on Monday, September 19, 2005, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Jeff Horton, Chairman; Honorables Johnnye Code-Stewart, Steve Parker, David Britt, Rock Adams, Ken Huckaby and Frank Nutt, Council Members; along with Glenn Breed, County Administrator; Chris Story, Assistant County Administrator; and Edwin Haskell, County Attorney.

In compliance with the Freedom of Information Act, notice of this meeting was provided in advance to the local news media and other interested parties.

I.

Chairman Horton called the meeting to order.

Invocation was rendered by Hon. Steve Parker. Chief Larry Brady, North Spartanburg Fire Department, led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Ms. Stewart to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Brenda Lee.

III.

- A. Chairman Horton declared open a public hearing to consider a proposed Ordinance to provide for the issuance and sale of not exceeding fifteen million dollars (\$15,000,000) General Obligation Refunding Bonds, Series 2005, of Spartanburg County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider a proposed Ordinance authorizing the assignment and transfer to Celanese Americas Corporation ("Celanese") of a portion of the interest of Indopco, Inc. D/B/A National Starch & Chemical Company ("Indopco") in that certain lease agreement between Spartanburg County, South Carolina, and Indopco, dated as of December 1, 1997, and certain agreements, property, other rights, and other matters related thereto (collectively, the "assigned project"); and other matters related thereto, including the release of Indopco from its obligations under the lease agreement as to the assigned project, the assumption of those obligations by Celanese, and the continuation of a fee in lieu of tax pertaining to such lease agreement for the benefit of Indopco and Celanese, respectively. No one appeared, and the matter

was closed.

- C. Chairman Horton declared open a public hearing to consider an Application for special Public Event Exclusion from Noise Ordinance requested by Greer Dragway for October 1, 2005, from 12:00 p.m. until 11:30 p.m. for a Drag Race at 1792 Dragway Road, Greer, SC. No one appeared, and the matter was closed.

IV.

No appearances scheduled.

V.

Public Health and Human Services Committee (Honorable Johnnye Code Stewart, Chairman)

No items scheduled.

Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Mr. Breed presented additional information in reference to follow-up on personnel matters discussed at the last Council meeting. This information was in regard to the Sheriff's Department and a request from the Sheriff in regard to overtime pay. Sheriff Wright attended the meeting, and discussions were held. This item did not pass through the committee. Two opposed. No action was taken.
- B. Hon. Sharon West presented information in reference to a new position in the County Auditor's Office. The Auditor's Office has been collecting taxes on automobiles using out of state tags on their vehicles while living in Spartanburg County. Approximately \$20,000 has been collected. It is anticipated that this will go higher and higher with one person designated to handle this type of work. Motion made by Mr. Huckaby to approve this request to hire an Administrative Assistant, grade 18, to administer the out of state tag procedure from beginning to end. Motion seconded by Mr. Britt and carried.
- C. Updated financial and personnel vacancy reports were received.

Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Mr. Chris Story presented an update in reference to the possibility of having a Recreation Commission from At large districts. Mr. Story is going to look into the possibilities of term limits, and how it would be equitable for all districts.

Economic Recruitment and Development Committee – (Honorable David Britt, Chairman)

No items scheduled.

Public Safety and Judiciary Committee – (Honorable Rock Adams, Chairman)

- A. Motion made by Mr. Huckaby to adopt a Resolution designating the National Incident Management System (NIMS) as the basis for all Incident Management by all Emergency Services Agencies within Spartanburg County (Fire, EMS, Emergency Management, Law Enforcement, and Dispatch). Motion seconded by Mr. Nutt and carried.
- B. Information received regarding activities of the Building Codes Department.

Land Use Committee (Honorable David Britt, Chairman)

- A. Updated Planning Department Reports on Development Activity were received.

Public Works, Buildings and Grounds Committee (Honorable Frank Nutt, Chairman)

- A. Mr. Mike Garrett gave a presentation concerning our Expressions of Interest from Solid Waste Management Service Providers. Due to time constraints, the committee voted to carry this item over and schedule another Special Meeting as soon as possible.
- B. Information received regarding activities of the Public Works Department.

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VI.

- A. Motion made by Mr. Britt to render third reading to an Ordinance to provide for the issuance and sale of not exceeding fifteen million dollars (\$15,000,000) General Obligation Refunding Bonds, Series 2005, of Spartanburg County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto. Motion seconded by Mr. Nutt and carried.
- B. Motion made by Mr. Nutt to render third reading to an Ordinance to provide for the submission of Digital Land Record Plats. Motion seconded by Mr. Adams and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the assignment and transfer to Celanese Americas Corporation ("Celanese") of a portion of the interest of Indopco, Inc. D/B/A National Starch & Chemical Company ("Indopco") in that certain lease agreement between Spartanburg County, South Carolina, and Indopco, dated as of December 1, 1997, and certain agreements, property, other rights, and other matters related thereto (collectively, the "assigned project"); and other matters related thereto, including the release of Indopco from its obligations under the lease agreement as to the assigned project, the assumption of those obligations by Celanese, and the continuation of a fee in lieu of tax pertaining to such lease agreement for the benefit of Indopco and Celanese, respectively. Motion seconded by Mr. Nutt and carried.
- D. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Spartanburg County, South Carolina and 101 Properties, LLC with respect to certain economic development property, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto. Motion seconded by Mr. Nutt and carried.

VII.

- A. Motion made by Mr. Huckaby to approve an Application for special Public Event Exclusion from Noise Ordinance requested by Greer Dragway for October 1, 2005, from 12:00 p.m. until 11:30 p.m. for a Drag Race at 1792 Dragway Road, Greer, SC. Motion seconded by Mr. Adams and carried.

VIII.

All resolutions, ordinances, agreements, petitions and related documents which were read and approved by Council at this meeting for the financing of certain industrial or similar revenue bonds or notes, are incorporated in these minutes by reference as if fully set forth herein. The reference is to all such documents showing execution by the county on the date of this meeting included in the office of the Clerk of Court for Spartanburg County.

IX.

No Items Scheduled.

X.

Motion made by Ms. Stewart to approve minutes of August 22, 2005 (Regular Meeting) and August 29, 2005 (Special Meeting). Motion seconded by Mr. Britt and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council