

# MINUTES

## County Council Meeting

December 21, 2009

Spartanburg County Council met on Monday, December 21, 2009, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Jeff Horton, Chairman; Honorables Michael Brown, O'Neal Mintz, David Britt, Jane Hall, Dale Culbreth, and Tom Foster, Council Members; along with Glenn Breed, 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 Chaplain Jerry Clevenger. Mr. Foster led in reciting the Pledge of Allegiance.

### II.

- A. Motion made by Mr. Culbreth to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the dedicated services of Clara W. Edwards, Commissioner for Holly Springs Fire-Rescue District. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Mintz to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Brigadier General Stephen M. Twitty of Chesnee, South Carolina. Motion seconded by Mr. Foster and carried. Brigadier General Stephen M. Twitty could not attend, but his parents accepted the Resolution on his behalf.
- C. Motion made by Mr. Culbreth to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by James Hylton for his achievements to Motorsports. Motion seconded by Mr. Mintz and carried.
- D. Chairman Horton recognized two Graduates of the Spartanburg County Citizens' Academy. Graduates recognized were Mitchell and Palma Eisner.

### III.

- A. Chairman Horton declared open a public hearing to consider a request from Duke Energy - Located on the Spartanburg Parks Commission New Cut Road Regional Park site (currently undeveloped), Duke Energy is requesting a right-of-way (0.81 acres) across the corner of the property located off of New Cut Road. Granting this right-of-way will not impact future development of the property. In exchange, Duke Energy will grant the County 0.81 acres of land on a tract of land adjoining the New Cut Road Regional Park property, which can be included in future development of the site. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider a request from Spartanburg Sanitary Sewer – Located on the Spartanburg Parks Commission West Spartanburg Regional Park site (currently undeveloped), Spartanburg Sanitary Sewer is requesting an easement located near the intersection of Dillard and Reidville Roads. Granting this easement will not impact future development of the property, and has been coordinated with engineers at Spartanburg Sanitary Sewer and the County. In exchange, Spartanburg Sanitary Sewer will provide the sewer taps for the West Spartanburg Regional Park, which is tentatively scheduled to begin construction in January, 2010. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider a request from Williams Gas Pipeline – Located on the Spartanburg Parks Commission Soccer Complex site off of Old Canaan Road, Williams Gas Pipeline is requesting an extension of an existing right-of-way, located at the rear of the property. Granting this easement will not impact current operations at the property. In exchange, Williams Gas Pipeline will compensate the Spartanburg Parks Commission for this right-of-way. No one appeared, and the matter was closed. Mr. Foster will abstain from voting on this item since he is employed by Williams Gas Pipeline.
- D. Chairman Horton declared open a public hearing to consider a resolution approving the enlargement of the boundaries of the North Spartanburg Fire and Emergency Services District. No one appeared, and the matter was closed.
- E. Chairman Horton declared open a public hearing to consider an Ordinance to amend Ordinance No. O-99-014, as previously amended by Ordinances No. O-00-016, O-01-18, No. O-03-03, No. O-03-13, and No. O-08-29 relating to the joint county industrial and business park (Park No. 2) of Cherokee and Spartanburg Counties so as to enlarge the park. (Gemini Manufacturing, LLC (Project Astrology), Wellstone Mills, LLC (Project Como), and Suminoe Textile of America Corporation. No one appeared, and the matter was closed.

IV.

No appearances were scheduled.

V.

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

- A. Motion made by Mr. Britt to adopt an Inducement Resolution up to \$6,500,000 Spartanburg County Revenue Bonds (Country Club Road ALF, LLC Project), Series 2010A and \$800,000 Spartanburg County Revenue Bonds (Country Club Road ALF, LLC Project), Taxable Series 2010B. Motion seconded by Mr. Foster and carried.

Public Health and Human Services Committee (Honorable Jeff Horton, Chairman)

No items scheduled.

Personnel and Finance Committee (Honorable Dale Culbreth, Chairman)

- A. Updated financial and personnel vacancy reports were received.

Livability Committee – (Honorable Tom Foster, Chairman)

- A. Motion made by Mr. Foster to authorize the entering into of the Right of Way agreement with Duke Energy Carolina, LLC and the County Administrator to execute agreement. Motion seconded by Mr. Britt and carried.
- B. Motion made by Mr. Foster to authorize the entering into of the Right of Way agreement with Spartanburg Sanitary Sewer District and the County Administrator to execute agreement. Motion seconded by Mr. Britt and carried.
- C. Motion made by Mr. Britt to authorize the entering into of the Right of Way agreement with Williams Transcontinental Gas Pipeline Company and the County Administrator to execute agreement. Motion seconded by Mr. Brown and carried. Mr. Foster is employed by Williams Transcontinental Gas Pipeline Company and abstained from voting on this matter.
- D. Consultants Chuck Flink and Matt Hayes, Greenways Inc., and Ernie Baughman, BP Barber, presented information in reference to the adoption of SPATS Bicycle Pedestrian Master Plan. (Presentation is included in backup.) Motion made by Mr. Foster to adopt SPATS Bicycle Pedestrian Master Plan. Motion seconded by Mr. Britt and carried.

Public Safety and Judiciary Committee – (Honorable Jeff Horton, Chairman)

- A. Mr. Edwin Haskell, County Attorney, and Chief Larry Brady, North Spartanburg Area Fire Department, presented information in reference to a Resolution approving the enlargement of the boundaries of the North Spartanburg Fire and Emergency Services District to include the area of Spartanburg Metro B. Motion made by Mr. Brown to adopt Resolution. Motion seconded by Mr. Culbreth and carried.
- B. Captain Neal Urch, Sheriff's Office, presented information in reference to Sheriff's Office Mobile Data Terminal Project. Motion made by Mr. Brown to authorize County Administrator to execute actions and documents relating to this item. Motion seconded by Ms. Hall and carried.
- C. Discussions were held in reference to an Ordinance to amend the Spartanburg County Ordinance O-09-20 amending the Spartanburg County Code relating to Alarm Systems, Sections 28-51 through 28-55. The Public Safety Committee rendered first reading to an Ordinance to an Ordinance to Repeal Ordinance O-09-20 relating to false alarms in its entirety. Motion made by Mr. Britt to add the Ordinance to Repeal Ordinance O-09-20 relating to false alarms in its entirety to the agenda. Motion seconded by Ms. Hall and carried. Motion made by Mr. Brown to render first reading to an Ordinance to repeal Ordinance O-09-20 relating to false alarms in its entirety. Motion seconded by Mr. Culbreth and carried.
- D. Updated information received regarding activities of Building Codes Department.

Land Use Committee (Honorable Jeff Horton, Chairman)

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

Public Works, Buildings and Grounds Committee (Honorable O'Neal Mintz, Chairman)

- A. Mr. Joe Maple, Master Gardener, and Dr. Jim Weeks, Chairman, presented information in reference to Household Hazardless Waste (HHW). (Presentation included in backup.) No action was taken.
- B. Information received regarding activities of the Public Works Department.

VI.

- A. Motion made by Mr. Britt to render third reading to an Ordinance to amend Ordinance No. O-99-014, as previously amended by Ordinances No. O-00-016, O-01-18, No. O-03-03, No. O-03-13, and No. O-08-29 relating to the joint county industrial and business park (Park No. 2) of Cherokee and Spartanburg Counties so as to enlarge the park. (Gemini Manufacturing, LLC (Project Astrology), Suminoe Textile of America Corporation, and Project Como) Motion seconded by Mr. Brown and carried.

VII.

No items scheduled.

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.

Mr. Breed reminded Council the January meeting would be moved to January 25, 2010 instead of January 18, 2010 due to Martin Luther King Day following on January 18, 2010.

X.

Motion made by Mr. Foster to approve minutes of November 23, 2009 (Regular Meeting). Motion seconded by Mr. Britt and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: \_\_\_\_\_  
Jeffrey A. Horton, Chairman

Attest:

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Deborah C. Ziegler  
Clerk to Council