

# MINUTES

## County Council Meeting

**April 18, 2011**

Spartanburg County Council met on Monday, April 18, 2011, 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 Roger Nutt, Council Members; along with Glenn Breed, County Administrator; Jim Hipp, Deputy County Administrator; Edwin Haskell, County Attorney; and William McBee Smith, Assistant 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. Honorable David Britt led in reciting the Pledge of Allegiance.

II.

- A. Mr. Robert Benfield, South Carolina Association of Counties, presented four Risk Management Awards to Mr. Terry Booker, Risk Manager. The awards were the Silver Award for Lifetime Reporting, the Service Award, the Outstanding Safety Achievement Award, and the Sustained Excellence in Risk Management.
- B. Mr. Dennis Locke, Government Finance Officers Association (GFOA), presented the Distinguished Budget Presentation Award to Ms. Linda Blackerby, Budget Director.
- C. Motion made by Ms. Hall to adopt a Resolution proclaiming April 25 through April 30, 2011, as Community Development Week in Spartanburg County. Motion seconded by Mr. Britt and carried. Ms. Mallory Beckett and Ms. Jamie Steed, Spartanburg County Community Development Department, received Resolution.
- D. Motion made by Mr. Nutt to adopt a Resolution designating the month of May 2011 as Better Hearing and Speech Month in Spartanburg County. Motion seconded by Mr. Mintz and carried. Gregg Wiltfang, Avada Hearing Care Centers, received Resolution.
- E. Motion made by Mr. Brown to adopt a Resolution recognizing the invaluable services provided by the Spartanburg County Communications/9-1-1 Department and proclaiming the week of April 10-16, 2011 as Telecommunicators Week. Motion seconded by Mr. Nutt and carried. Mr. Keith Lee and Staff received Resolution.

- F. 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 John Sawyer of Spartanburg County Communications/9-1-1 in being named Telecommunicator-of-the-Year. Motion seconded by Mr. Britt and carried. Mr. John Sawyer received Resolution.
- G. Motion made by Mr. Culbreth to adopt a Resolution congratulating the Spartanburg County Communications/9-1-1 Department for receiving national recognition as a Flagship System by the Commission on Accreditation for Law Enforcement Agencies. Motion seconded by Mr. Britt and carried. Mr. Keith Lee and Staff received Resolution.

III.

- A. Chairman Horton declared open a public hearing to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, May 14, 2011 for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, May 28, 2011 for a drag race at 1792 Dragway Road, Greer. 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 the Noise Ordinance requested by **Lao Association of Spartanburg** from 9:00 a.m. until 1:00 a.m. on Friday, April 22 and Saturday, April 23, 2011 and 9:00 a.m. until 11:00 p.m. on Sunday, April 24, 2011 for a Lao New Year Celebration at 470 Fox Drive, Spartanburg. No one appeared, and the matter was closed.
- D. Chairman Horton declared open a public hearing to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by the **Spartanburg Parks Commission** from 1:00 p.m. until 10:00 p.m. on Saturday, May 14, 2011 for a Charity Event to benefit Mobile Meals at 591 McMillan Boulevard, Boiling Springs. No one appeared, and the matter was closed.
- E. Chairman Horton declared open a public hearing to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by **Mr. Eddie Tan** from 11:00 a.m. until 1:00 a.m. on Saturday, April 23 and from 11:00 a.m. until 6:00 p.m. on Sunday, April 24, 2011 for a Cambodian New Year Celebration at 841 Shiloh Church Road, Wellford. No one appeared, and the matter was closed.

IV.

- A. Mr. Walter McSherry, Spartanburg County Citizens for Efficient Government, the Spartanburg County affiliate of the South Carolina Association of Taxpayers, appeared. Mr. McSherry's comments are included in backup.
- B. Chris Crowley, Sue Rothemich, and Dr. Sid Fulmer appeared to speak in favor of a smoke-free workplace ordinance.

V.

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

- A. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of a Multi-County Park Agreement, governing a Multi-County Park, by and between Spartanburg County, South Carolina, and Union County, South Carolina, to designate the

boundaries of the park; and other related matters. Motion seconded by Mr. Brown and carried.

- B. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery of an Inducement Agreement by and between Spartanburg County, South Carolina and Project Gear, whereby, under certain conditions, Spartanburg County will execute a fee-in-lieu of tax agreement for a project involving not less than twenty million dollars (\$20,000,000) investment and Spartanburg County will provide Special Source Tax Credits. Motion seconded by Mr. Brown and carried.
- C. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of a fee-in-lieu of tax agreement between Spartanburg County, South Carolina, and Project Gear; and other matters relating thereto including, without limitation, payment of a fee-in-lieu of taxes and granting certain Special Source Tax Credits to Project Gear. Motion seconded by Ms. Hall and carried.

**Public Health and Human Services Committee** (Honorable Jane Hall, Chairman)

No items scheduled.

**Personnel and Finance Committee** (Honorable Dale Culbreth, Chairman)

- A. Mr. Glenn Breed presented information in reference to the FY 2012 Budget. (Presentation included in backup)
- B. Motion made by Mr. Culbreth to render first reading to a Budget Ordinance relating to the fiscal Affairs of Spartanburg County making appropriations therefore, levying taxes for the fiscal year beginning July 1, 2011 and ending June 30, 2012; to provide for budget control of said appropriation by the Spartanburg County Council. Motion seconded by Ms. Hall and carried. Mr. Nutt and Mr. Britt opposed.
- C. Motion made by Mr. Culbreth to render first reading to a Budget Ordinance to establish Capital Project Budgets for the 2011-2012 Budget Year of the Five-Year Capital Improvement Plan. Motion seconded by Ms. Hall and carried.
- D. Updated financial data and personnel vacancy reports received.

**Livability Committee** – (Honorable Roger Nutt, Chairman)

No items scheduled.

**Public Safety and Judiciary Committee** – (Honorable Michael Brown, Chairman)

- A. Motion made by Mr. Brown to authorize the Commission of Charles A. Barnett, Hazmat Coordinator, as a Spartanburg County Code Enforcement Officer. Motion seconded by Mr. Culbreth and carried.
- B. 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. Information received regarding activities of the Public Works Department.

No items scheduled.

VII.

- A. Motion made by Mr. Culbreth to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Greer Dragway from 4:00 p.m. until midnight on Saturday, May 14, 2011 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
- B. Motion made by Mr. Culbreth to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Greer Dragway from 4:00 p.m. until midnight on Saturday, May 28, 2011 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
- C. Motion made by Mr. Culbreth to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Lao Association of Spartanburg from 9:00 a.m. until 1:00 a.m. on Friday, April 22 and Saturday, April 23, 2011 and 9:00 a.m. until 11:00 p.m. on Sunday, April 24, 2011 for a Lao New Year Celebration at 470 Fox Drive, Spartanburg. Motion seconded by Ms. Hall and carried. Mr. Mintz opposed.
- D. Motion made by Mr. Mintz to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by the Spartanburg Parks Commission from 1:00 p.m. until 10:00 p.m. on Saturday, May 14, 2011 for a Charity Event to benefit Mobile Meals at 591 McMillan Boulevard, Boiling Springs. Motion seconded by Mr. Britt and carried.
- E. Motion made by Ms. Hall to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Mr. Eddie Tan from 11:00 a.m. until 1:00 a.m. on Saturday, April 23 and from 11:00 a.m. until 6:00 p.m. on Sunday, April 24, 2011 for a Cambodian New Year Celebration at 841 Shiloh Church Road, Wellford. Motion seconded by Mr. Culbreth and carried. Mr. Mintz opposed.

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 Mr. Britt to approve minutes of March 8, 2011 (Livability Committee Meeting) and March 21, 2011 (Regular Meeting). Motion seconded by Mr. Nutt and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

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

Attest:

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Deborah C. Ziegler  
Clerk to Council