

October 11, 2004

Spartanburg County Council met on Monday, October 11, 2004, 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 James K. Hartmann, County Administrator; Glenn Breed, Assistant County Administrator; Chris Story, Assistant County Administrator; and Edwin Haskell, 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 Rev. Randy Wright, Fernwood Baptist Church. Chief Larry Brady, North Spartanburg Fire District, led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Parker to adopt a Resolution proclaiming October 18<sup>th</sup> through October 22<sup>nd</sup>, 2004 as "National Business Women's Week" in Spartanburg County. Motion seconded by Mr. Britt and carried. Ms. Cyndi Waters received the Resolution.
- B. 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 Tammy Melton Hodges. Motion seconded by Mr. Britt and carried.
- C. Motion made by Mr. Britt to adopt a Resolution proclaiming Friday, October 22, 2004 as "Let's Just Play Day" in Spartanburg County in support of efforts of the Spartanburg County Parks and Recreation Department to promote a more active lifestyle among our children and their families. Motion seconded by Mr. Parker and carried. Ms. Ann Cunningham received the Resolution.

III.

- A. Chairman Horton declared open a Public Hearing to consider a proposed Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Spartanburg County, South

Carolina and Zeuna Staerker USA, Inc. 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. No one appeared, and the matter was closed.

IV.

No appearances were scheduled.

V.

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

- A. Ms. Vee Daniel, Christmas in Action Organization, brought an up-to-date report on the happenings of the Christmas in Action Organization. They have chosen a site in Arkwright to renovate 40 homes in April. Ms. Stewart attended the celebration held at Community Baptist Church in Arkwright one week ago. They gave out applications. Applications will be approved, and they are ready for volunteers in April. They are going to renovate those 40 homes in one day. They need thousands of volunteers. You will be hearing more about the date.

Personnel and Finance Committee (Honorable Ken Huckaby)

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

Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Ms. Ann Cunningham gave an update on Cleveland Park.
- B. The original train that rode the track at Cleveland Park has been found. Through the generosity of an individual donor, the train is going to be refurbished and returned to Cleveland Park. This will generate additional revenue to use in other areas of our Parks and Recreation. Motion made by Mr. Parker to take \$5,000 from Council Contingency. Motion seconded by Mr. Adams and carried.
- C. Motion made by Mr. Parker to return City Fields back to control of the City and County Fields to be under control of the County. Agreements have been worked out with a stipulation about the parks in one specific area to be discussed later. Motion seconded by Ms. Stewart and carried. Mr. Hartmann stated a Public Hearing will be required at the next Council Meeting. Mr. Hartmann will bring the agreement back to the next meeting.

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 fee in lieu of tax agreement by and between Spartanburg County, South Carolina and Project Brother and its sponsor affiliates and other matters relating thereto. Motion seconded by Mr. Nutt and carried.

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

- A. Information was received in reference to purchasing replacement vehicles for the Sheriff's Office. No action was taken at this time. This item will be discussed again at the next Council meeting.

- B. Information was received in reference to an Autopsy Agreement between Spartanburg County and Spartanburg Regional Medical Center. No action was taken at this time. This item will be discussed again at the next Council meeting.
- C. Information received regarding activities of the Building Codes Department.

Land Use Committee (Honorable David Britt, Chairman)

- A. Motion made by Mr. Britt to render first reading by title of a proposed Digital Plat Submission Amendment to the Unified Land Management Ordinance. Motion seconded by Mr. Nutt and carried. Mr. Nutt stated that this reading is by title only, and we will be getting feedback from the surveying community to make sure this ordinance is going to be fully utilized. Mr. Nutt stated that discussion was held regarding trying to form some blue ribbon type committees that would come in and help some of our departments to make the type of actions like this more effective. Mr. Nutt volunteered to start forming the first committee for the Planning Department.
- B. Updated Planning Department Reports on Development Activity were received.

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

- A. Mr. Glenn Breed presented an update on the Wellford Community Center proceedings. Additional information will be presented at the November meeting. No action was taken.
- B. Motion made by Mr. Nutt to adopt a Resolution calling for a public hearing on the question of the adoption of an Ordinance entitled "An Ordinance to consolidate Inman Mills Water District and Startex Jackson Wellford Duncan Water District, provide for the constitution of the governing body of the consolidated district, and other matters related thereto." Motion seconded by Mr. Adams and carried.
- C. Motion made by Mr. Nutt to render first reading to an Ordinance to consolidate Inman Mills Water District and Startex Jackson Wellford Duncan Water District, provide for the constitution of the governing body of the consolidated district, and other matters related thereto. Motion seconded by Mr. Huckaby and carried.
- D. 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 recognizing and consenting to the conversion of BMW Manufacturing Corp. to BMW Manufacturing Co., LLC and SB Acquisitions Inc. to SB Acquisitions LLC in connection with a lease agreement (*dated December 20, 1994*), an inducement agreement (*dated September 16, 1992*) and a millage rate agreement (*dated September 16, 1992*) among Spartanburg County, BMW Manufacturing Corp., and SB Acquisitions, Inc. and a related industrial revenue bond. Motion seconded by Mr. Nutt and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance recognizing and consenting to the conversion of BMW Manufacturing Corp. to BMW Manufacturing Co., LLC and SB Acquisitions, Inc. to SB Acquisitions, LLC in connection with a Lease Agreement (*dated December 15, 1997*), an inducement and millage rate agreement (*dated December 27, 1996*) among Spartanburg County, BMW Manufacturing Corp. and SB Acquisitions, Inc., and a related industrial revenue bond. Motion seconded by Mr. Nutt and carried.

- C. Motion made by Mr. Parker to render third reading to an Ordinance to amend the International Property Maintenance Code previously adopted by Ordinance which has been approved by the South Carolina Building Codes Council to replace the Standard Housing Code § 10-131 and the Unsafe Building Abatement Code § 10-151. Motion seconded by Mr. Britt 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 Zeuna Staerker USA, Inc. 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. Adams and carried.
- E. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the amendment of the effective date of a lease agreement between Spartanburg County, South Carolina and R. R. Donnelley & Sons Company and the effective date of the infrastructure financing agreement between the county and the company; and other matters relating to the foregoing. Motion seconded by Mr. Huckaby 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.

No Items Scheduled.

X.

Motion made by Mr. Britt to approve minutes of September 20, 2004 (Regular Meeting). Motion seconded by Ms. Stewart and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:\_\_\_\_\_

Jeffrey A. Horton, Chairman

Attest:

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Deborah C. Ziegler

Clerk to Council