



# MINUTES

## County Council Meeting

October 21, 2013

Spartanburg County Council met on Monday, October 21, 2013, 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 Katherine O'Neill, County Administrator; Jim Hipp, Deputy County Administrator; Lisa Claxton, County Attorney; John Harris, Senior Deputy County Attorney; and Ginny Dupont, Deputy 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. Greg Walker, Veterans Affairs Officer, led in reciting the Pledge of Allegiance.

### II.

- A. Motion made by Mr. Mintz to adopt a Resolution congratulating and recognizing Investigator Rick A. Ellis for his dedicated volunteer service to Spartanburg County. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Mintz to adopt a Resolution congratulating and recognizing Dr. Jackie Cooley-Finger for being named 2012-2013 South Carolina Career Counselor of the Year. Motion seconded by Mr. Britt and carried.

### III.

Ms. Hubbard recognized Mr. Jerry Glover, our new Building Codes Director, and congratulated him for all the Certifications he has received. Mr. Bobby Metts, Delinquent Tax Collector; Ms. Melissa Griffin, Register of Deeds; Rosalyn Dawkins, Register of Deeds; and Paulette Carter, Register of Deeds, were

recognized for being such good Ambassadors for Spartanburg County. Marcia Murff, Development and Public Relations Manager, Parks Department; Elizabeth Hardee, Assistant Recreation Manager, Parks Department; and Christie Blackwood, Office Program Coordinator, Parks Department, were recognized for going above and beyond in their job and in the community.

IV.

- A. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Spartanburg County, South Carolina and **A.L. INDUSTRIES, INC.** with respect to certain economic development property in the County, 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.
- B. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement between Spartanburg County, South Carolina and **Heiche US Surface Technology, LP**; and other matters relating thereto. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg to certify **Drayton Mill** as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. No one appeared, and the matter was closed.
- D. Chairman Horton declared open a public hearing to consider an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg to certify **Armitage Mill** as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. No one appeared, and the matter was closed.
- E. Chairman Horton declared open a public hearing to consider an Uncodified Ordinance to grant a Sanitary Sewer Easement to Spartanburg Sanitary Sewer District for the **Mountainview Sewer Line Extension Project**. The property is located at 340 Cedar Springs Road, and is known as Tax Map Number 7 21-00 038.01. No one appeared, and the matter was closed.
- F. Chairman Horton declared open a public hearing to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by **John M. Brown** from dusk until 1:00 a.m. on October 25 and 26, 2013 for Nightmare Hollow Haunted Trail at 3411 Reidville Road. No one appeared, and the matter was closed.

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 fee in lieu of tax and incentive agreement between Spartanburg County, South Carolina (the "County") and **Copac Global Packaging, Inc.**, acting for itself, one or more affiliates or other project sponsors (the "Company"), whereby the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes in connection with the expansion of certain facilities in the County (collectively, the "Expansion Project"); and (2) other matters relating thereto. Motion seconded by Mr. Brown and carried.

**Public Health and Human Services Committee** (Honorable Roger Nutt, Chairman)

- A. Mr. David Forrester, Director, Spartanburg Alcohol and Drug Abuse Commission, presented information in reference to a Department of Alcohol and Other Drug Abuse Services (DAODAS) grant application for Family Care Counsel/Glenn Springs Academy. Motion made by Mr. Nutt to approve grant application submittal. Motion seconded by Mr. Mintz and carried.

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

- A. Mr. Greg Walker, Veterans Affairs Officer, presented information in reference to a position reclassification in the Veterans Affairs Office. Motion made by Mr. Culbreth to approve request. Motion seconded by Mr. Britt and carried.
- B. Mr. Jerry Glover, Director, Building Codes, presented information in reference to a position reclassification in the Building Codes Department. Motion made by Mr. Culbreth to approve this reclassification request. Motion seconded by Mr. Britt and carried.
- C. Mr. Jamie Nelson, Director, Environmental Enforcement, presented information in reference to reclassification of a full-time Administrative Secretary position to a part-time position and reclassification of an Administrative Secretary position to an Administrative Assistant position in the Environmental Enforcement Department. Motion made by Mr. Culbreth to approve the reclassification requests. Motion seconded by Mr. Britt and carried.
- D. Ms. Kathy Rivers, Director, Community Development, presented information in reference to reclassification of Fiscal Coordinator's position and the addition of an Administrative Secretary in the Community Development Department. Motion made by Mr. Culbreth to approve the

reclassification request and the addition of the Administrative Secretary position. Motion seconded by Mr. Britt and carried.

- E. The Resolution regarding the designation of Apalache Mill was postponed indefinitely at the request of the property owner.
- F. The Resolution regarding the special assessment period for Apalache Mill was pulled indefinitely at the request of the property owner.
- G. Ms. Katherine O'Neill presented information in reference to Health Insurance benefits offered to Spartanburg County employees. (Presentation included in backup) Council had voted on going to the State Insurance Plan earlier. Ms. O'Neill stated that she understands that Council took a vote to move to the State Insurance Plan. She was looking for Council to let her know if they would like to do anything different before she moves forward. Motion made by Mr. Culbreth to have a show of affirmation on moving to State Insurance Plan. Motion seconded by Mr. Britt and carried. Mr. Brown and Ms. Hall opposed.
- H. Updated financial data and personnel vacancy reports were received.

**Livability Committee** – (Honorable Jane Hall, Chairman)

- A. Motion made by Ms. Hall to allow the County Administrator to enter into contract for the purpose and purchase of the former Clifton 2 Mill property located at 5299 Clifton Glendale Road. Motion seconded by Mr. Britt and carried.
- B. Information received regarding activities of the Parks Department.

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

- A. Mr. David Forrester, Director, Spartanburg Alcohol and Drug Abuse Commission, and Major Neal Urch, Director of Jail Operations, presented information in reference to a Department of Alcohol and Other Drug Abuse Services (DAODAS) Recovery Program Transformation and Innovation Grant. Motion made by Mr. Brown to approve grant application submittal. Motion seconded by Mr. Britt and carried.
- B. Mr. Doug Bryson, Director of Emergency Management, presented information in reference to a request from the Spartanburg County Emergency Management Department to apply for the Community Emergency Response Team (CERT) Grant. Motion made by Mr. Brown to approve grant application submittal. Motion seconded by Mr. Nutt and carried.
- C. Mr. Jamie Nelson, Director of Environmental Enforcement, presented information in reference to a PalmettoPride Community Pride Grant. Motion made by Mr. Brown to approve grant application submittal. Motion seconded by Mr. Culbreth and carried.
- D. Ms. Katherine O'Neill presented a Fire Service Radio Systems Update.

- E. Updated information received regarding activities of Building Codes Department.

**Land Use Committee** (Honorable Jeff Horton, Chairman)

- A. Motion made by Mr. Horton to adopt a Resolution to delay the scheduled public hearing on the amendments to the Unified Land Management Ordinance relating to recycling facilities, scrap metal processors and landfills to the January 2014 regular meeting of County Council and to provide notice that County Council has invoked the Pending Ordinance Doctrine relating to the identified uses. Mr. Mintz recused himself, because he is the owner of Mintz Scrap Iron and Metal. Motion seconded by Mr. Nutt and carried.
- B. Updated Planning Department Reports on Development Activity were received.

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

- A. Updated information received regarding activities of the Public Works Department.

VI.

Mr. Gerald Daniel, 5021 Clifton Glendale Road, appeared to thank Council from the Clifton Improvement Association as well as from the Coalition for a Better Clifton for purchasing the Clifton Mill 2 site. Mr. Daniel and Ms. Sherry Horton presented bricks that were made on site at the old mill to Council. Ms. Pat Gotautas, employee in the Clerk of Court's Office, appeared in reference to the Employee Health Plan. Mr. Danny Thrift, Mayo, appeared to request a ban on smoking in the County. Mr. Buddy Green, Boiling Springs; Mr. Jerry Parris, lifelong resident of Spartanburg; and Ms. Judy Caton, Moore, appeared in reference to Berry Field. Mr. Parris gave Council a name with over 100 names on a petition to save Berry Field. Petition is included in backup. Ms. Connie Seay, Flatwood Drive, appeared in reference to Employee Health Insurance.

VII.

- A. Motion made by Mr. Britt to render third reading to an Ordinance consenting to an assignment by **NURRC, LLC** to **INTERNATIONAL RECYCLING GROUP (SPARTANBURG), LLC** of all rights and obligations under a fee in lieu of tax agreement between NURRC, LLC and Spartanburg County dated December 4, 2007, as amended on November 23, 2009; the provision of an

- infrastructure credit; and other matters related thereto. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Brown to render third reading to an Ordinance to consent to the amendment of the **City of Woodruff, South Carolina Tax Increment Financing Plan** so as to extend the term of the plan and the term of bonds issued thereunder; to authorize the execution and delivery of an Intergovernmental Agreement between the City of Woodruff and Spartanburg County; and other matters related thereto. Motion seconded by Mr. Culbreth and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance to amend Ordinance No. O-99-014, as amended, relating to the Joint County Industrial and Business Park (Park No. 2) of Cherokee and Spartanburg Counties so as to enlarge the park. (**FedEx Ground Package System, Inc.**) 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 **A.L. INDUSTRIES, INC.** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto. Motion seconded by Mr. Brown and carried.
- E. 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 between Spartanburg County, South Carolina and **Heiche US Surface Technology, LP**; and other matters relating thereto. Motion seconded by Mr. Brown and carried.
- F. Motion made by Mr. Britt to render second reading to an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg to certify **Drayton Mill** as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. Motion seconded by Mr. Brown and carried.
- G. Motion made by Mr. Britt to render second reading to an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg to certify **Armitage Mill** as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. Motion seconded by Mr. Brown and carried.
- H. Motion made by Mr. Nutt to render second reading to an Uncodified Ordinance to grant a Sanitary Sewer Easement to Spartanburg Sanitary Sewer District for the Mountainview Sewer Line Extension Project. Motion seconded by Mr. Brown and carried.

XIII.

- A. Motion made by Mr. Britt to adopt a Resolution authorizing the Delinquent Tax Collector of Spartanburg County to transfer property to the Spartanburg County Forfeited Land Commission. Motion seconded by Mr. Culbreth and carried.

- B. Motion made by Mr. Nutt to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by **John M. Brown** from dusk until 1:00 a.m. on October 25 and 26, 2013 for Nightmare Hollow Haunted Trail at 3411 Reidville Road. Motion seconded by Mr. Culbreth and carried. Mr. Mintz opposed.

IX.

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.

X.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Number 14087 reclassifies slot #VA5 in the Veterans Affairs Office from a Secretary (grade 41) to an Administrative Secretary (grade 43). Budget Amendment Resolution Number 14088 allows for the reclassification of an Administrative Secretary position, slot DS4, currently at grade 43 in Building Codes to an Administrative Assistant position, grade 45. Budget Amendment Resolution Number 14089 unfreezes slot OC1, Director of Communications in Department 9237 and freezes vacant slot OC2, Supervisor/Radio Maintenance in Department 9236. Budget Amendment Resolution Number 14090 converts Administrative Secretary slot AC9 in Environmental Enforcement from full-time to part-time. Additionally, it reclassifies Administrative Secretary slot AC7 (grade 43) to an Administrative Assistant (grade 45). Budget Amendment Resolution Number 14091 – In July, budget amendment resolution (BAR) Number 14009 was approved authorizing the addition of 11 School Resource Officers and increasing the Sheriff's Office budget in Fund 1, however hiring for these positions and contracts with the schools were held until notification of the approval (or denial) of grant funding for the same positions. We have not received notification of funding approval, therefore this BAR reverses BAR #14009, and a separate BAR will be submitted to recognize the grant funds and grant matches from the School Districts in Fund 9. Budget Amendment Resolution Number 14092 sets up revenue received in the Forfeited Gambling Fund, State Forfeited Drug Fund and Federal Forfeited Drug Fund for August and September 2013. Budget Amendment Resolution Number 14093 authorizes the acceptance of the Drug Free Communities Support Grant to SADAC and sets up the necessary revenue and expenditure line items. The grant provides 100% funding for

the addition of one full-time position, a Prevention Specialist 1, grade 45. Budget Amendment Resolution Number 14094 authorizes the acceptance of the Violence Against Women Act Grant (1K13006) for the Solicitor's Office and adjusts to budget down to the actual awarded amount of \$56,972. This grant is for one position which was already included in the budget, so it will not increase the authorized staffing. Budget Amendment Resolution Number 14095 accepts JAG Grant #1G13010 awarded to the Sheriff's Office for a LIVE SCAN system and sets up the necessary revenue and expenditure accounts. Budget Amendment Resolution Number 14096 authorizes the acceptance of the COPS Hiring Program Grant #2013ULWX0051 for School Resource Officers. Budget Amendment Resolution Number 14097 reclassifies the Fiscal Coordinator position from a grade 83 to a grade 84 in the Community Development Fund retroactive to September 21, 2013. Budget Amendment Resolution Number 14098 increases the authorized staffing for Fund 14 – HUD Entitlement Funds department (9876) by one full-time Administrative Secretary position for FY14 retroactive to September 21, 2013. Budget Amendment Resolution Number 14099 allows for the transfer of remaining carryover funds from Fund 9, the special revenue fund, Department 9310 to Fund 16, the new Detention Fund for FY 14. Budget Amendment Resolution Number 14100 accepts a grant from SCDOT in the Amount of \$400,000 for the Glendale Bridge project. Budget Amendment Resolution Number 14101 – The SC Department of Employment and Workforce awarded an additional grant in Rapid Response Funds for ResCare Workforce Services to assist a specific local company with training as specified by the State. Budget Amendment Resolution Number 14102 adjusts the Workforce Investment Board budget to the actual amounts awarded in Block funding for County FY14. Additionally, rent expense for the Evans Building will be set-up with the corresponding reimbursement revenue. Budget Amendment Resolution Number 14103 authorizes the acceptance of the Tourism and Recreation Wayfinding Signage grant awarded to the Spartanburg County Parks Department. Budget Amendment Resolution Number 14104 allows for the transfer for \$3,000 from the remaining construction funds for the Beech Springs Tennis Court Project (PR0015) to the professional services account. Budget Amendment Resolution Number 14105 authorizes a change to the scope of project ER0005, Parks Vehicle & Capital Equipment Replacement, to allow for a grant to the town of Pacolet for the purchase of a piece of equipment for recreation related purposes. Budget Amendment Resolution Number 14106 ratifies the carryovers from FY13 to FY14 which were approved on R13-123, BAR 14058 at the August 2013 Council meeting.

Ms. O'Neill stated a revision was made to one of the Budget Amendment Resolution that was provided to Council earlier. We received the COPS Hiring Program Grant for School Resource Officers. The grant is for ten Officers while we needed eleven. Administration found out earlier today that we only need ten School Resource Officers, so the Budget Amendment

Resolution was revised to cover this. One Budget Amendment Resolution for a Parks Amendment relating to a Capital Equipment purchase was inadvertently left out of the packet.

Motion made by Ms. Hall to adopt the Budget Amendment Resolutions provided to Council and to also include the revised Budget Amendment Resolution form for the COPS Hiring Program grant and the additional Budget Amendment Resolution for the Parks Department Capital Equipment purchase. Motion seconded by Mr. Mintz and carried.

XI.

Motion made by Mr. Britt to approve the minutes of September 16, 2013 (Regular Meeting) and September 18, 2013 (Special Joint Meeting). Motion seconded by Mr. Nutt and carried.

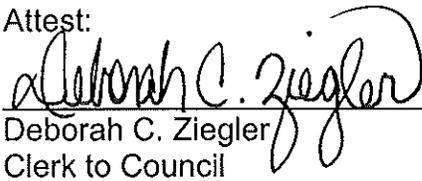
XIII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:   
Jeffrey A. Horton, Chairman

Attest:

  
Deborah C. Ziegler  
Clerk to Council