



# **MINUTES**

## **County Council Meeting**

**March 26, 2012**

Spartanburg County Council met on Monday, March 26, 2012, 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 Hubbard, County Administrator; Jim Hipp, Deputy County Administrator; Lisa Claxton, County Attorney; John Harris, Deputy County Attorney; and Ginny Dupont, Associate 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 Clevenger. Mr. Culbreth led in reciting the Pledge of Allegiance.

### **II.**

- A. Motion made by Mr. Britt to adopt a Resolution proclaiming April 8-14, 2012 as Community Development Week in Spartanburg County. Motion seconded by Mr. Culbreth and carried. Ms. Jamie Steed, Community Development Fiscal Coordinator, and Mallory Beckett, Community Development Senior Planner, received Resolution.
- B. Motion made by Ms. Hall to adopt a Resolution proclaiming March 2012 as Disabilities Awareness Month in Spartanburg County. Motion seconded by Mr. Mintz and carried. Ms. Ernestine Canty, Vice-Chair of Disability and Special Needs Board, received Resolution.
- C. 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 8-14, 2012 as Telecommunicators' Week. Motion made by Mr. Britt and carried. Mr. Keith Lee and Staff received Resolution.

- D. 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 Chrissy Davis of Spartanburg County Communications/9-1-1 in being named Telecommunicator-of-the-Year. Motion seconded by Mr. Britt and carried. Ms. Chrissy Davis received Resolution.
- E. Mr. Brown recognized Brad Parrish for receiving the Donald E. Caldwell award, the Spartanburg County Fire Chief's Association Telecommunicator of the Year award, at the Fire Chief's Association banquet on March 3, 2012.

III.

Ms. Hubbard recognized several employees for their acts of kindness and deliberate choice to help. Investigator Ellen Holmes, Coroner's Office, was recognized for her efforts to help a family. Mr. Jamie Nelson, Environmental Enforcement Director, was recognized for he did for the Rock Springs Home Owners Association. They stated that he is always available to answer questions with timely and accurate responses. Mr. Nelson was recognized for the positive manner in which he represents Spartanburg County. Mr. Don Arnold was recognized for his service to the County.

IV.

- A. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Eddie S. Tan** from 12:00 p.m. to 11:59 p.m. on Saturday, April 7, 2012 and 10:00 a.m. to 7:00 p.m. on Sunday, April 8, 2012 for a Cambodian New Year Celebration at 841 Shiloh Church Road, Wellford. Mr. Mike Padgett, Building Codes Director, stated that he received a couple of calls from individuals living on Shiloh Church Road, Wellford. They were concerned about the amplification of the music last year and asked if they could tone it down this year. 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 **Robert P. Pek** from 7:00 a.m. until 7:00 p.m. on April 13, 14, 15, and 16, 2012 for a Cambodian New Year Celebration at 770 Bryant Road, Spartanburg. 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 **Johnny Senchantixay** from 9:00 a.m. until 1:00 a.m. on Friday, April 20, and Saturday, April 21, 2012 and Sunday, April 22, 2012 from 9:00 a.m. to 8:00 p.m. for a Celebration Lao New Year 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 **Greer Dragway** from 4:00 p.m. until midnight on Saturday, April 14, 2012 for a drag race at 1792 Dragway Road, Greer. 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 **Greer Dragway** from 4:00 p.m. until midnight on Saturday, April 28, 2012 for a drag race at 1792 Dragway Road, Greer. 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 **Casey Sanders** from 12 p.m. until 12 a.m. on Saturday, April 28, 2012 for an Outdoor Concert at 12651 Hwy. 56, Enoree. No one appeared, and the matter was closed.

V.

- A. Mr. Brian P. DeVito, 120 Wellington Road, Wellford, called to advise he would not be able to attend the meeting.

VI.

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

- A. Ms. Elizabeth M. Smith, MS Ed, CBA, Area Manager & Business Consultant, presented information in reference to the newly-reopened Small Business Development Center. No action taken.

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

- A. Ms. Kathy Rivers, Director of Community Development Department, presented information in reference to Community Development Block Grant Program and Home Investment Partnerships Program Funding Recommendations. Motion made by Ms. Hall to approve the FY 2012 Annual Action Plan. Motion seconded by Mr. Mintz and carried.

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

- A. Mr. Cole Alverson, Budget Director, presented an FY11-12 Budget Update including proposed amendments. (Presentation included in backup) Motion made by Mr. Culbreth to render first reading to an Ordinance to amend Ordinance No. O-11-08 which related 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 and to provide for Budget Control of said appropriation by the Spartanburg County Council by amending expenditure appropriations to provide additional funding for the Coroner's Office, recognize utilization of reserves related to the 0.5 mil fire levy, adjust General Fund and Special Revenue Fund appropriations for the shift of Detention related revenues and expenses, acceptance of grant funding related to Narrow Banding, and authorize three mandated Magistrate positions. Motion seconded by Ms. Hall and carried.

- B. Updated financial data and personnel vacancy reports received.

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

- A. Ms. Mary Speed Lynch, Library Board Chair, presented an Update on Spartanburg County Public Libraries. (Presentation included in backup) No action was taken.
- B. Mr. Chris Jennings, Executive Director, Spartanburg Convention & Visitors Bureau, presented an Update on Tourism. (Presentation included in backup) No action was taken.

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

- A. Captain Mark Barry, Sheriff's Office, presented information in reference to mutual aid agreement between the Spartanburg County Sheriff's Office and the Newberry County Sheriff's Office. Motion made by Mr. Brown to approve agreement and authorize County Administrator to execute agreement. Motion seconded by Mr. Brown and carried.
- B. Captain Randy Hollifield, Sheriff's Office, presented information in reference to a Resolution approving the mutual aid agreement between the Spartanburg County Sheriff's Office, Florence County Sheriff's Office, and Darlington County Sheriff's Office for Operation Strike Force. Motion made by Mr. Brown to adopt Resolution. Motion seconded by Mr. Culbreth and carried.
- C. Mr. Doug Bryson, SC CEM, Emergency Management Coordinator, presented information in reference to a Resolution to adopt the Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan. Motion made by Mr. Brown to adopt Resolution. 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. Information received regarding activities of the Public Works Department.

VII.

- A. Motion made by Ms. Hall to render third reading to an Ordinance finding that the **Woodruff-Roebuck Water District**, South Carolina may issue not exceeding \$4,000,000 General Obligation Bonds and to provide for the publication of notice of the said finding and authorization. Motion seconded by Mr. Nutt and carried. Mr. Brown and Mr. Mintz opposed.
- B. Motion made by Mr. Britt to render second reading to an Ordinance to amend Section 2-53 of the Spartanburg County Code of Ordinances relative to County Administrator's authority to execute documents which do not obligate County funds. Motion seconded by Mr. Culbreth and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance to amend Chapter 46, Article II of the Spartanburg County Code of Ordinances to reinstate provisions relative to the Voluntary Work Release Program, the Home Detention Program and Workers Compensation coverage for prison laborers and to delete Division 2 of the same Chapter and Article relative to the Department Head in accordance with the assumption of the custody of the County Jail by the Sheriff of Spartanburg County. Motion seconded by Ms. Hall and carried.

VIII.

- A. Motion made by Mr. Brown to add to the agenda a motion to render for first reading an Ordinance to sell a lot on Edwards Avenue known as Parcel No. 7-16-06-097.00. Motion seconded by Mr. Britt and carried unanimously. Motion made by Mr. Brown to render first reading to an Ordinance to sell a lot on Edwards Avenue known as Parcel No. 7-16-06-097.00 and authorize the County Administrator to solicit bids for a period of thirty (30) days for the sale of that lot and the remaining three County-owned lots conveyed to the County by Deed 50-M, Page 326. Motion seconded by Mr. Culbreth and carried.
- B. Motion made by Mr. Culbreth to adopt a Resolution ordering a public hearing to be held for the purpose of determining whether it may be in the interest of Spartanburg County for the Spartanburg County Election Commission to accept the transfer of all authority from the **Town of Campobello** Election

Commission for the conducting of Municipal Elections in the Town of Campobello; providing for notice of a public hearing; and other matters relating thereto. Motion seconded by Mr. Britt and carried. Mayor Ray Copeland and Mel Puckett, Clerk, were in attendance.

- C. Motion made by Mr. Culbreth to render first reading to an Ordinance authorizing the acceptance of the Transfer of Authority for conducting Municipal Elections in the **Town of Campobello** to the Spartanburg County Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the Town of Campobello; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Motion seconded by Mr. Britt and carried.
- D. Motion made by Mr. Culbreth to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Eddie S. Tan** from 12:00 p.m. to 11:59 p.m. on Saturday, April 7, 2012 and 10:00 a.m. to 7:00 p.m. on Sunday, April 8, 2012 for a Cambodian New Year Celebration at 841 Shiloh Church Road, Wellford. Motion seconded by Mr. Brown and carried. Mr. Mintz opposed.
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- G. 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, April 14, 2012 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
- H. 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, April 28, 2012 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
- I. Motion made by Ms. Hall to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Casey Sanders** from 12 p.m. until 12 a.m. on Saturday, April 28, 2012 for an Outdoor Concert at 12651 Hwy. 56, Enoree. Motion seconded by Mr. Britt 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.

No items scheduled.

XI.

Motion made by Mr. Britt to approve minutes of February 20, 2012 (Regular Meeting). Motion seconded by Ms. Hall and carried.

XII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:   
Jeffrey A. Horton, Chairman

Attest:

  
Deborah C. Ziegler  
Clerk to Council