

MINUTES

County Council Meeting

July 18, 2005

Spartanburg County Council met on Monday, July 18, 2005, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable David Britt, Vice-Chairman; Honorables Johnnye Code-Stewart, Steve Parker, Rock Adams, Ken Huckaby and Frank Nutt, Council Members; along with Glenn Breed, County Administrator; Chris Story, Assistant County Administrator; and Edwin Haskell, County Attorney. Honorable Jeff Horton, Chairman, was absent.

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.

Vice-Chairman Britt called the meeting to order.

Invocation was rendered by Hon. Steve Parker. Mr. Marvin Sanders led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Nutt to adopt a Resolution remembering and recognizing South Carolina Army National Guard Sgt. Stephen C. High of Spartanburg for his military service. Motion seconded by Mr. Adams and carried. Mr. and Mrs. Eugene High, Sgt. High's parents, were present to receive Resolution.
- B. Motion made by Ms. Stewart to adopt a Resolution recognizing Mary Beth Solesbee for her dedicated service as Director of Emergency Management for Spartanburg County. Motion seconded by Mr. Huckaby and carried.
- C. Motion made by Mr. Huckaby to adopt a Resolution recognizing Marvin O. Sanders, Jr. for his dedicated service as Veterans Affairs Officer for Spartanburg County. Motion seconded by Mr. Adams and carried.

III.

- A. Motion made by Mr. Nutt to carry over the public hearing to consider a proposed Digital Plat Submission Amendment to the Unified Land Management Ordinance. Motion seconded by Mr. Huckaby and carried.

- B. Vice-Chairman Britt declared open a public hearing to consider a proposed Ordinance entitled "An Ordinance authorizing certain economic incentives, including payment of a fee in lieu of property taxes and other related matters, pursuant to a fee agreement between Spartanburg County, South Carolina, and MPI International, Inc., a corporation organized and existing under the laws of the State of Michigan, pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended, for a project involving an investment of not less than \$8,000,000. No one appeared, and the matter was closed.
- C. Vice-Chairman Britt 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 Spartanburg Automotive, 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)

No items scheduled.

Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Motion made by Mr. Huckaby to adopt a Resolution authorizing the purchase or replacement of fidelity bond for county officials and employees. Motion seconded by Mr. Nutt and carried.
- B. Motion made by Mr. Huckaby to approve the recommended year-end amendments to the FY05 general fund budget. Motion seconded by Ms. Stewart and carried.
- C. Motion made by Mr. Huckaby to render first reading to an Ordinance to provide for the issuance and sale of not exceeding fifteen million dollars (\$15,000,000) General Obligation Refunding Bonds, Series 2005, of Spartanburg County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto. Motion seconded by Mr. Nutt and carried.
- D. Motion made by Mr. Huckaby to approve and adopt the Spartanburg County Fraud Policy. Motion seconded by Mr. Nutt and carried.
- E. Updated financial and personnel vacancy reports were received.

Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Mr. Jeff Caton presented a Parks Update. A Fishing Rodeo was held at Cleveland Park on July 18, 2005. Over 300 participated. The following weekend our "Name the Train" Contest was held. The winning name was Sparkles. Grass is growing at Va-du-mar Park. The installation of a significant playground structure has been completed, compliments of a \$75,000 land and water conservation grant that was provided to Spartanburg County. Our disk golf course is in the final stages of design and will be at Va-du-mar as well. Installation is anticipated to begin in August. Ms. Virginia Parker, the lady who donated the property for the park, intends to be back in the area the latter part of August and early September for a Park Dedication around September 10.

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

- A. Motion made by Mr. Britt to adopt a Resolution authorizing the extension of the investment period under the fee agreement by and between Spartanburg County, South Carolina, and Cryovac, Inc. dated as of December 1, 2002, to allow the completion of the project, agreeing to place the project in a multi-county industrial park and other matters relating thereto. Motion seconded by Mr. Nutt and carried. They are going to add about \$16 million, and they want to move the agreement out for five years. This will create an additional 36 jobs.

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

- A. Mr. David Jones presented information in reference to the contracts with seven rescue squads that did not meet Spartanburg County performance criteria. The recommendation brought forth by the County Administrator was to extend a contract to Pacolet Rescue 6 with two stipulations. The contract would be reevaluated at the end of six months to determine compliance with the minimum performance standards, and if there are two consecutive months of noncompliance that the contract automatically be voided. This was the recommendation made by the Administrator to Council. After considerable discussion and the effort to move forward, the recommendation was made to Council that they extend that same opportunity to the four rescue squads that remain. Rescue 2 Whitney dissolved itself. Rescue 15 Drayton did not submit any type of proposal to continue service. Those two were not a part of this thought process. With regard to the four remaining, Rescue 7 Chesnee Community, Rescue 8 Chesnee Town, Rescue 17 Woodruff, and Rescue 20 Enoree, the decision by Council was to extend the contract to the four of them, for a total of five to include Rescue 6 Pacolet, and again the same stipulations would apply. The contract would be extended for the term, but it would be reevaluated after six months. At any time, there are two consecutive months of noncompliance with the existing minimum performance standards in the contract, said contract will be automatically voided. Mr. Jones stated that a certain amount of dollars were budgeted in the current fiscal year. The distribution of money was based upon those rescue squads that complied with the minimum standards. In addition to the contract extension, the recommendation was made for authorization of the distribution of funding to those five original rescue squads that complied with the minimum performance standards. Fifty percent of the allocated amount goes toward the eligible rescue squads per unit. The other fifty percent is allocated to the rescue squads based upon call load. Motion made by Mr. Nutt to approve the recommendation. Motion seconded by Mr. Adams and carried.
- B. Mr. Steve Evatt presented information on service agreement between North Spartanburg Fire District and Metro B Board of Commissioners for fire protection services. This was presented as information only. No action was taken.
- C. Motion made by Mr. Nutt to approve the addition of a School Resource Officer at Dorman High School. Motion seconded by Mr. Huckaby and carried. The school will be paying the total expense including car, equipment, uniform, and any other expenses involved. There will be no expense to Spartanburg County.
- D. Information received regarding activities of the Building Codes Department.

Land Use Committee (Honorable David Britt, Chairman)

- A. Motion made by Mr. Britt to authorize County Administrator to execute the Cooperation and Participation Agreement with Anderson and Greenville Counties in connection with the appeal of the EPA's finding for the PM 2.5 monitoring and to appoint Mr. Breed to serve as the representative from the county on the Steering Committee. Motion seconded by Mr. Nutt and carried.
- B. Motion made by Mr. Nutt to carry over the third reading to a proposed Digital Plat Submission Amendment to the Unified Land Management Ordinance. Motion seconded by Ms. Stewart and carried. Motion made by Mr. Nutt to add to the Agenda a proposed Ordinance to provide for the submission of Digital Land Record Plats. Motion seconded by Mr. Adams and carried. Vote was unanimous. This will create a standalone Ordinance for Digital Plats. Motion made by Mr. Nutt to render first reading to an Ordinance to provide for the submission of Digital Land Record Plats. Motion seconded by Mr. Huckaby and carried.

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

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

- A. Mr. Mike Garrett presented information in reference to an update on the request for proposals process relating to solid waste services. It is proposed to proceed with the Solid Waste Request for Proposals in a two step process. The first step will be solicitation of a statement of interest from Solid Waste Management Firms. In this first step, firms will provide a description of the services they are prepared to provide along with the range of cost for these services. Firms would provide information on those services they are interested in providing for collection, recycling, transporting, hauling and disposal as well as possible alternative disposal methods. After analysis of the statement of interest submittals, the second step will be to request proposals for those services determined to be most favorable to the County. It is expected that this process will require approximately six months. An outline of the proposed process and schedule target dates is included in backup. Motion made by Mr. Nutt to approve the proposed Solicitation Plan and schedule and authorize staff to proceed. Motion seconded by Mr. Adams and carried.
- B. Information received regarding activities of the Public Works Department.

VI.

- A. Motion made by Mr. Nutt to render third reading to an Ordinance to amend Ordinance No. 543 relating to the joint County Industrial Park (Hillside Industrial Park) of Spartanburg and Union Counties so as to enlarge the park. Motion seconded by Ms. Stewart and carried.
- B. Motion made by Mr. Nutt to render third 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 BFS Diversified Products, LLC 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 Ms. Stewart and carried.
- C. Motion made by Mr. Nutt to render second reading to an Ordinance authorizing certain economic incentives, including payment of a fee in lieu of property taxes and other related matters, pursuant to a fee agreement between Spartanburg County, South Carolina, and MPI International, Inc., a corporation organized and existing under the laws of the State of Michigan, pursuant to Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended, for a project involving an investment of not less than \$8,000,000. Motion seconded by Mr. Huckaby and carried.
- D. Motion made by Mr. Huckaby 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 Spartanburg Automotive, 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. Nutt to render third reading to an Ordinance authorizing the execution and delivery of a fee agreement by and between Spartanburg County, South Carolina, a company referred to herein as Project Janus, Invista, its affiliates and assigns, to provide for a fee in lieu of taxes incentive and other matters related thereto. Motion seconded by Mr. Huckaby and carried.

VII.

- A. Motion made by Mr. Huckaby to amend Article 9-3 of the Council Rules and Procedures to read as follows: "9-3. FIRST READING: An ordinance may be introduced for first reading at any meeting of the Council by title only. The title to the ordinance shall be in writing at the time the ordinance is introduced and shall disclose the object of the ordinance. No vote shall be taken and no debate or

amendment shall be in order. The ordinance shall be referred by the Chairman to an appropriate committee or to the Council as a whole.” Motion seconded by Mr. Nutt and carried.

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. Britt recognized Public Works, Buildings and Grounds Department for the outstanding work they have done during the rain, as well as Mr. Breed and his staff.

X.

Motion made by Mr. Parker to approve minutes of June 2, 2005 (Budget Work Session) and June 13, 2005 (Regular Meeting). Motion seconded by Ms. Stewart and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council