

MINUTES

County Council Meeting

March 17, 2008

Spartanburg County Council met on Monday, March 17, 2008, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Jeff Horton, Chairman; Honorables O'Neal Mintz, David Britt, Rock Adams, Dale Culbreth, and Tom Foster, Council Members; along with Glenn Breed, County Administrator; Chris Story, Assistant County Administrator; Tom Gates, Assistant County Administrator; and Edwin Haskell, 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. Jane Bright, Presbyterian Minister and Chaplain with the Sheriff's Office. Chief Larry Brady, North Spartanburg Fire Department, led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Mintz to adopt a Resolution recognizing Brian Mormando for his heroic effort in pulling his friend, Nick Hudson, from a burning car. Motion seconded by Mr. Foster and carried.
- B. Motion made by Mr. Britt to adopt a Resolution proclaiming March 24-30 as Community Development Block Grant Week in Spartanburg County. Ms. Kathy Rivers, Director of Community & Economic Development Department, and Ms. Romesena Holman, Chairman of the Community Development Citizens Advisory Committee, received Resolution.
- C. Motion made by Mr. Foster to adopt a Resolution proclaiming April as Fair Housing Month in Spartanburg County. Motion seconded by Mr. Culbreth and carried. Ms. Kathy Rivers, Director of Community & Economic Development Department, received Resolution.
- D. Mr. John Henderson, Senior Risk Manager for South Carolina Association of Counties, presented the South Carolina Counties Workers' Compensation Trust 2007 Service Award to Spartanburg County for their work being done to promote Risk Management in the whole State of South Carolina and other areas as well. Mr. Terry Booker, Risk Manager, received the award. The award was given in January at the Insurance Trust Membership Meeting. The activity was the development of a Risk Management Tracking Software System that has been quiet extensive and has raised the bar on the level of sophistication to monitor data so better decisions can be made to lower the costs of Workers'

Compensation and safeguard the assets of Spartanburg County.

III.

- A. Chairman Horton declared open a public hearing to consider an Ordinance finding that Startex-Jackson-Wellford-Duncan Water District may issue not exceeding \$10,900,000 General Obligation Bonds; to authorize Startex-Jackson-Wellford-Duncan Water Commission to issue such bonds of the District, the proceeds of which will be expended to defray the cost of improvements. 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 Lao Association Incorporation of Spartanburg from 6:00 p.m. on April 11, 2008, through 2:00 a.m. on April 14, 2008, for a live band outside at 470 Fox Drive. No one appeared, and the matter was closed.

IV.

No appearances scheduled.

V.

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

- A. Mr. Britt presented information in reference to Project Cliffs. An Inducement Resolution was passed in February. Next month, they will be ready to identify the company for second reading. 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 Cliffs; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes. Motion seconded by Mr. Foster and carried.

Public Health and Human Services Committee (Honorable Jeff Horton, Chairman)

- A. Information was received in reference to the Community Development Block Grant Program, Home Investment Partnerships Program, and American Dream Down Payment Initiative Funding Recommendations. The proposed Annual Action Plan for FY 2008 was presented and is included in backup. Motion made by Mr. Horton to approve the FY 2008 Annual Action Plan. Motion seconded by Mr. Mintz and carried.

Personnel and Finance Committee (Honorable Dale Culbreth, Chairman)

- A. Mr. Glenn Breed presented the FY 2009-13 Capital Improvement Plan Overview. Motion made by Mr. Culbreth to render first reading to a Budget Ordinance to establish Capital Project Budgets for the 2008-2009 Budget Year of the Five-Year Capital Improvement Plan. Motion seconded by Mr. Britt and carried.

Livability Committee – (Honorable Tom Foster, Chairman)

No items scheduled.

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

- A. Information was received in reference to an amendment to the County's Ordinance related to the Fire Prevention and Protection Advisory Committee. The proposed Ordinance removes the requirement that currently exists in the Ordinance for fire department agencies to levy at least ten (10) mils before they become eligible for supplemental funding from the County-wide Fire levy. This amendment would eliminate that requirement. There are only three fire service areas with millage below the 10 mil mark (Landrum, Enoree, and Inman Town). Motion made by Mr. Adams to render first reading to an Ordinance to amend Article IV of the Spartanburg County Code relating to the Spartanburg County Fire Prevention and Protection Advisory Committee to revise criteria for funding eligibility of fire departments and for other purposes. Motion seconded by Mr. Mintz and carried.
- B. Information received regarding activities of the 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.

VI.

- A. Motion made by Mr. Britt to render third reading to an Ordinance amending Section 2-121(h) of the Spartanburg County Code to require the unanimous vote of County Council for appointment to a board or commission for more than two consecutive terms, to provide that a partial term is not a term of office for purposes of this section and to provide for service on a board or commission without the requirement of unanimous vote of County Council if there is a break in service. Motion seconded by Mr. Culbreth and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of American Yuncheng Plate Making, Inc. (the "company") pursuant to a fee-in-lieu-of-tax agreement between Spartanburg County, South Carolina (the "county") and the company; authorizing a 5-year extension of the investment period for all investments over the initial \$6,000,000 investment; and other matters relating to the foregoing. Motion seconded by Mr. Culbreth and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance to develop a jointly owned and operated industrial/business park ("American Yuncheng Park Project") in conjunction with Union County, such industrial/business park to be geographically located in Spartanburg County and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et sequitur, as amended; to provide for a written agreement with Union County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxes to the counties and relevant taxing entities; to provide that jobs tax credits allowed by law be provided for businesses locating in said park; and to permit a user fee in lieu of ad valorem taxation within said park. Motion seconded by Mr. Culbreth and carried.
- D. Motion made by Mr. Culbreth to render second reading to an Ordinance authorizing the Board of Fire Control of the Cherokee Springs Fire District in Spartanburg County to issue General Obligation Bonds in the principal amount of \$2,190,000 to be issued by the Cherokee Springs Fire District; and other matters relating thereto. Motion seconded by Mr. Adams and carried.
- E. Motion made by Mr. Culbreth to render second reading to an Ordinance finding that Startex-Jackson-Wellford-Duncan Water District may issue not exceeding \$10,900,000 General Obligation Bonds; to authorize Startex-Jackson-Wellford-Duncan Water Commission to issue such bonds and to provide for the publication of notice of the said finding and authorization. Motion seconded by Mr. Foster and carried. Mr. Mintz opposed.

VII.

- A. Motion made by Mr. Foster to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Lao Association Incorporation of Spartanburg from 6:00 p.m. on April 11, 2008, through 2:00 a.m. on April 14, 2008, for a live band outside at 470 Fox Drive. Motion seconded by Mr. Mintz and carried. Motion seconded by Mr. Mintz 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.

Council agreed to postpone the Council Retreat. It will not be held on March 21, 2008. Another date will be determined.

X.

Motion made by Mr. Britt to approve minutes of February 18, 2008 (Regular Meeting). Motion seconded by Mr. Foster and carried.

XI.

Motion made by Mr. Foster to adjourn.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council