

MINUTES

County Council Meeting

April 19, 2010

Spartanburg County Council met on Monday, April 19, 2010, 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 Tom Foster, Council Members; along with Glenn Breed, 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 Chaplain Jerry Clevenger. Honorable David Britt led in reciting the Pledge of Allegiance.

II.

- A. Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Wofford College's Men's Basketball Team, the "Terriers," for participating in its first NCAA tournament was carried over to May.
- B. Sheriff Wright presented plaque of appreciation to Mr. Mark Giambiasi for rendering assistance to deputies on February 19, 2010.
- C. Motion made by Mr. Mintz to adopt Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Lori Cullop, Adopt-A-Road Coordinator with the Spartanburg County Environmental Enforcement Department, and all the Adopt-A-Road Volunteers. Motion seconded by Mr. Foster and carried.
- D. Motion made by Mr. Mintz to adopt Resolution proclaiming the week of April 11th through April 17th, 2010 as "Animal Control Officer Week" in Spartanburg County. Motion seconded by Mr. Foster and carried.
- E. Ms. Karen Wicker, Government Finance Officers Association of South Carolina, presented the Distinguished Budget Presentation Award to County Council. Ms. Linda Blackerby, Budget Director, accepted award.
- F. Motion made by Chairman Horton to adopt a Resolution recognizing Pat Woodward for her

courageous and lifesaving act. Motion seconded by Mr. Britt and carried.

III.

- 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 and an infrastructure finance agreement by and between Spartanburg County, South Carolina and Leigh Fibers, 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 Leigh Fibers Inc. will receive certain infrastructure credits in respect of its investment in related infrastructure; 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 by and between Spartanburg County, South Carolina and ZF Lemforder Corporation 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.
- C. Chairman Horton declared open a public hearing to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by Parks and Recreation Commission on Saturday, May 22, 2010 from 6:00 p.m. until 10:00 p.m. for a Battle of the Bands Charity event to benefit Carolina Miracle League at 591 McMillin Boulevard., Boiling Springs, SC 29316. No one appeared, and the matter was closed.

IV.

No appearances were scheduled.

V.

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

- A. Mr. Douglas Moyer, newly appointed CEO, Mary Black Health System, presented an update on the state of Mary Black Health System and introduced himself to Council. No action was taken. (Handouts included in backup).

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

No items scheduled.

Personnel and Finance Committee (Honorable Dale Culbreth, Chairman)

- A. Mr. Cole Alverson, Program Evaluation Manager, presented the Accommodations Tax Advisory Committee Recommendations for Fiscal Year 2011. This item was carried over to May in order for the Accommodations Tax Advisory Committee Chairman to present information on the requests received and the procedure for determining recommendations and justifications for the recommendations.
- B. Mr. Glenn Breed presented information in reference to FY 2010/11 Budget. (Presentation included in backup)
- C. Motion made by Mr. Culbreth to render first reading to a Budget Ordinance relating to the fiscal Affairs of Spartanburg County making appropriations therefore, levying taxes for the fiscal year

beginning July 1, 2010 and ending June 30, 2011; to provide for budget control of said appropriation by the Spartanburg County Council with the recommendation that Staff return in May with a balanced budget without a tax increase. Motion seconded by Mr. Britt and carried.

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

Livability Committee – (Honorable Tom Foster, Chairman)

- A. Ms. Angela Viney, Director, and Shelley Robbins, Project Coordinator, Upstate Forever Spartanburg Office, presented Spartanburg County Special Places Inventory. (Presentation and handout included in backup.)

Public Safety and Judiciary Committee – (Honorable Jeff Horton, Chairman)

- A. Sheriff Wright presented information in reference to an Ordinance amending the Spartanburg County Code relating to Alarm Systems, Sections 28-51 through 28-55, in order to make provisions for false alarms, service charges for false alarms, notification of alarm system installation and alarm system standards. Motion made by Mr. Brown to render first reading to Ordinance. Motion seconded by Ms. Hall. Ms. Hall withdrew second. Motion made by Mr. Mintz to amend motion to render first reading to Ordinance with the deletion of the words “and pay any associated fee” from Section 3e. Motion seconded by Mr. Brown and carried. Mr. Glenn Mowrey also presented information on this item.
- B. 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.

VI.

- A. Motion made by Mr. Britt to render third reading to a Budget Ordinance to establish Capital Project Budgets for the 2010-2011 Budget Year of the Five-Year Capital Improvement Plan. Motion seconded by Mr. Foster and carried.
- B. 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 and an infrastructure finance agreement by and between Spartanburg County, South Carolina and Leigh Fibers, 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 Leigh Fibers Inc. will receive certain infrastructure credits in respect of its investment in related infrastructure; and other matters related thereto. Motion seconded by Mr. Brown and carried.
- C. 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 ZF Lemforder Corporation 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. Brown and carried.
- D. Motion made by Mr. Brown to render second reading to an Ordinance amending Spartanburg County Ordinance Number O-05-04 which extends the date for filing returns and the payment of Spartanburg County property taxes for persons serving with United States Armed Forces or National Guard in or near a hazard duty zone in order to add Afghanistan as a hazard duty zone. Motion

seconded by Mr. Foster and carried.

VII.

- A. Motion made by Mr. Mintz to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Parks and Recreation Commission on Saturday, May 22, 2010 from 6:00 p.m. until 10:00 p.m. for a Battle of the Bands Charity event to benefit Carolina Miracle League at 591 McMillin Boulevard., Boiling Springs, SC 29316. Motion seconded by Mr. Culbreth 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.

Chairman Horton appointed Ms. Hall to serve on the Economic Recruitment and Development Committee in his stead.

X.

Motion made by Mr. Culbreth to approve minutes of March 5, 2010 (Budget Work Session) and March 15, 2010 (Regular Meeting). Motion seconded by Mr. Foster and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council