

April 22, 2002

Spartanburg County Council met on Monday, April 22, 2002, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Karen Floyd, Chairman; Honorables David Britt, Jeff Horton, Frank Nutt, Ken Huckaby, Johnnye Code Stewart and Rock Adams, Council Members; along with James K. Hartmann, County Administrator; Bill Dennis, Deputy County Administrator; Chris Story, Assistant County Administrator, Glenn Breed, Assistant County Administrator; Roy McBee Smith, County Attorney; William McBee Smith, Assistant County Attorney; and Edwin Haskell, Assistant 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 Floyd called the meeting to order.

Invocation was rendered by Rev. Kenny McDowell, Minister of Education & Outreach at Lake Bowen Baptist Church. Mr. Adam Nelson, First Presbyterian Boy Scout Troup, led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Adams to adopt a Resolution recognizing the invaluable services provided by the Spartanburg County Communications/9-1-1 Department and proclaiming the week of April 14-20, 2002 as Telecommunicators' Week. Motion seconded by Mr. Britt and carried.
- B. Motion made by Mr. Adams to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Tammy Johnson of Spartanburg County Communications/9-1-1 in being named Telecommunicator of the Year. Motion seconded by Mr. Horton and carried.
- C. Motion made by Ms. Stewart to adopt a Resolution proclaiming April as Fair Housing Month in Spartanburg County. Motion seconded by Mr. Horton and carried.
- D. Motion made by Mr. Horton to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the acts of bravery of Connie C. Long. Motion

seconded by Mr. Huckaby and carried.

III.

No Public Hearings were scheduled.

IV.

No appearances were scheduled.

V.

Public Health and Human Services Committee (Honorable Johnnye Code Stewart, Chairman)

- A. Ms. Elena Rush presented a report regarding FY 2002 Annual Action Plan-CDBG Projected Use of Funds. Motion made by Ms. Stewart to recommendation from Community Development Advisement Committee regarding projected use of funds. Motion seconded by Mr. Britt and carried.

Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Mr. Randy Thomas presented County Audit for information only.
- B. Motion made by Mr. Huckaby to adopt a Resolution authorizing the County Council of Spartanburg County to publish a Notice of Public Hearing regarding whether it may be in the interest of the Roebuck Fire District for the Spartanburg County Council to authorize the Board of Fire Control to issue General Obligation Bonds of the district in the principal amount of not exceeding \$1,500,000, and authorizing the form of such Notice of Public Hearing. Motion seconded by Mr. Horton and carried.
- C. Motion made by Mr. Huckaby to render first reading to an Ordinance authorizing the Board of Fire Control of the Roebuck Fire District to issue General Obligation Bonds in the principal amount of not exceeding \$1,500,000 of the Roebuck Fire District; and other matters relating thereto. Motion seconded by Mr. Horton and carried.
- D. Motion made by Mr. Huckaby to accept Administration's request to change coverage from CIGNA to Blue Cross Blue Shield with each member contributing \$15 per month. Motion seconded by Mr. Britt and carried.
- E. Mr. Gil Bulman presented information in reference to the history of Revaluation/Reappraisal Program as information only.
- F. Updated financial information was received as information only.

Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Motion made by Mr. Horton to name two parks in Ms. Brenda Lee's district Priscilla Rumley Park and Edward C. Stewart Park.
- B. Cleveland Park Renovation project is scheduled for opening in June.
- C. Information received in regard to Va-du-Mar McMillan Park property. Public Meeting was held on April 8, 2002, at Boiling Springs High School Cafeteria. Positive comments came out of discussion

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

- A. Motion made by Mr. Britt to adopt a Resolution identifying a proposed investment by a company, which investment shall be referred to as Project Black, and other matters related thereto. Motion seconded by Mr. Huckaby and carried.
- B. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the amendment of the Joint County Industrial and Business Park Agreement by and between Spartanburg County and Union County (Renaissance Park Project) to include certain additional property; authorizing the issuance of an Infrastructure Credit to Renaissance Park, Inc. (the "Company") pursuant to an Infrastructure Financing Agreement between the company and the county; authorizing the issuance of an Infrastructure Credit to the City of Spartanburg (the "City") pursuant to an Infrastructure Financing Agreement between the city and the county; and other matters relating to the foregoing. Motion seconded by Mr. Huckaby and carried.

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

- A. Information received regarding activities of the Building Codes Department.

## Land Use Committee (Honorable David Britt, Chairman)

- A. Mr. Emory Price presented an update on the work the Land Use Committee has been doing.

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

- A. Motion made by Mr. Horton to take items out of order and present item relating to Stafford Road Closing immediately after Presentations. Motion seconded by Mr. Britt and carried. Mr. Nutt stated proposal by County was explained earlier in the Public Works, Building and Grounds Committee Meeting. County Council gave the Stafford Neighborhood Association an opportunity to ask questions. Chairman Floyd advised this was discussed in subcommittee and passed to the County Attorney for help in putting it in legal parameters. The purpose in Arbitration is to resolve this matter. The County is willing to provide for the cost of Arbitration. The County will give a quick claim deed to the entity that does not reach a final agreement. Mr. Mario Insabella, President of the Neighborhood Association of Woodwinds, appeared before Council representing the neighborhood members present. Mr. Insabella stated this has grown. To them, it appears that as each new twig comes out of the tree that they are placed on this new twig to consider some new idea or some different avenue. They feel we are getting further and further away from the center of the issue. They tried to comply and be agreeable to each new idea. The last one of Arbitration is very disconcerting to them, because they are way too unsure of what could possibly happen with the whole thing. They feel they are being asked to do something that should have been done months ago by County Council as a respondent in the Judge's Order. They are not here to reopen the road. They do not want to reverse anything, but they do want compliance with the Judge's Order; lower the curb, access to emergency vehicles, drainage, and public access. Mr. Insabella stated that for the last nine months, their neighbors have been subjected to harassment. Adults and children have been intimidated and told not to cut through what use to be a road. Now their access would be Carolina Country Club Road. One neighbor has been arrested for walking through. They would like to discourage Council Members from voting on Arbitration. Chairman Floyd stated we have made efforts to work through a process to figure out what would be best. This case was tried in Supreme Court. In our opinion it would be beneficial for both parties to work through the issues and reach a compromised situation that can be agreed to and enforced. This would be the purpose of Arbitration. Arbitration is an efficient way to reach consensus. County Council will support will help in any way they can. County Council is willing to pay Arbitrator. We will Quick Claim our rights to property if agreement is reached. Chairman Floyd stated you can use Mediation or Arbitration. There is more

negotiation in Mediation. Mr. Insabella asked if decision has to be made today or could they come back next session? Chairman Floyd stated they could either come back next Council Meeting, meet with Staff, Frank Nutt and subcommittee, or handled under other at Special Meeting.

- B. Solid Waste Business Plan and Long-term Disposal Options will be carried over to another session.
- C. Motion made by Mr. Horton to give Administrator authority to initiate purchase and disposal of county properties associated with Solid Waste System. Motion seconded by Mr. Britt and carried.
- D. Information received regarding activities of the Public Works Department.

## VI.

- A. Motion made by Mr. Britt to render third reading to an Ordinance to develop a jointly owned and operated Industrial/Business Park ("Donnelley 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 Law 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 Ms. Stewart 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 R.R. Donnelley & Sons Company (The "Company") pursuant to a fee agreement between Spartanburg County, South Carolina (The "County") and the company; authorizing the issuance of an infrastructure credit to the company pursuant to an infrastructure financing agreement between the company and the county; and other matters relating to the foregoing. Motion seconded by Mr. Adams and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance by Spartanburg County, South Carolina, authorizing an Infrastructure Tax Credit (Extended Stay America, Inc. Project); the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid Infrastructure Tax Credit, including certain other matters relating thereto. Motion seconded by Ms. Stewart and carried.
- D. Motion made by Mr. Britt to render second reading to an Ordinance to develop a jointly owned and operated Industrial/Business Park ("Weavetex Park Project") in conjunction with Union County, such Industrial/Business Park to be geographically located in Union 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 job 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. Huckaby and carried.

## VII.

No items were scheduled.

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.

Motion made by Mr. Britt to adopt a Resolution proclaiming May 10-11, 2002, as Zero Tolerance for Litter Day.

X.

Motion by Ms. Stewart to approve minutes of March 18, 2002. Motion seconded by Mr. Horton and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:\_\_\_\_\_

Karen Floyd, Chairman

Attest:

\_\_\_\_\_

Deborah C. Ziegler

Clerk to Council

