

# MINUTES

## County Council Meeting

July 21, 2008

Spartanburg County Council met on Monday, July 21, 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 Michael Brown, 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. Glenn Rusher, Pastor of Bethany Baptist Church. Honorable Tom Foster led in reciting the Pledge of Allegiance.

### II.

- A. Motion made by Mr. Foster to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the exceptional and meritorious service of Chief William Ale, Don Arnold, Tony Barnett, Doug Bryson, Jim Campbell, Lt. John Dyas, Jimmy Greene, Marc Keenan, Christy Lanford, Robin Smith, Jeff Straub, and Robbie Swofford at the Region IV Dirty Bomb National Disaster Medical Service Exercise. Motion seconded by Mr. Britt and carried.

### III.

- A. Chairman Horton declared open a public hearing to consider an Ordinance to amend that certain agreement for the development of a joint Industrial and Business Park between Spartanburg County and Cherokee County dated March 19, 2007. (Iljin America Corp.) 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 Greer Dragway from 11:00 a.m. until midnight on August 16, 2008, for a Drag Race at 1792 Dragway Road, Greer. No one appeared, and the matter

was closed.

#### IV.

- A. Mr. Andrew Washington, President of the Cobb's Creek Neighborhood Watch, and Mr. Chris Emerson, resident of Cobb's Creek subdivision in Boiling Springs, appeared to present concerns about acts of vandalism, speeding in subdivision, and other occurrences.
- B. Ms. Nannie Jefferies, Administrator for the History Museum; Ms. Jennifer Furrow, Executive Director, Historical Association; and Mr. Frank Sanders, Board Chairman, appeared on behalf of the Regional Museum. Mr. Sanders, 358 Mills Avenue, Spartanburg, stated that in the first eight months in the Chapman Cultural Center, they have seen an increase of 450% of visitors to the Museum. Funding is real critical at this time, and an additional \$7,500 was requested for this fiscal year.

#### V.

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

- A. Motion made by Mr. Britt adopt a Resolution authorizing the execution and delivery of an Inducement and Millage Rate Agreement by and between Spartanburg County, South Carolina, and Epsilon Plastics Inc. of South Carolina, whereby, under certain conditions, Spartanburg County will execute a fee in lieu of tax agreement with Alpha Industries, Inc. with respect to an industrial project in the county, whereby the project would be subject to certain fees in lieu of taxes; and providing for related matters. Motion seconded by Mr. Foster and carried.
- B. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of a fee agreement by and between Spartanburg County, South Carolina, and Johnson Development Associates, Inc., its affiliates and assigns, to provide for a fee in lieu of taxes incentive, including the grant of an infrastructure credit; to provide for the inclusion of the project in a multi-county business or industrial park; and other matters thereto related. Motion seconded by Mr. Foster and carried.

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

No items scheduled.

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

- A. Motion made by Mr. Culbreth to adopt a Resolution ordering a referendum in the Mayo Area Fire District in Spartanburg County, South Carolina, to submit the question of whether the fire district shall be authorized to issue not exceeding \$400,000 General Obligation Bonds; providing for the form of ballot to be used; providing for notice of the referendum; and providing for all other matters necessary to submit the aforesaid question. Motion seconded by Mr. Mintz and carried.
- B. Motion made by Mr. Culbreth to adopt a Resolution to express the intention of the County Council of Spartanburg County, South Carolina, to cause Spartanburg County, South Carolina to be reimbursed for certain costs for certain public improvements with the proceeds of tax-exempt obligations. Motion seconded by Mr. Foster and carried.
- C. Motion made by Mr. Culbreth to adopt a Resolution to authorize a change in Project Funding, Rehabilitation/Remediation of Fire Simulator Burn Rooms (PS0005), part of the FY 2008-09 Adopted Capital Budget. Motion seconded by Mr. Britt and carried.
- D. Mr. Chris Bever, Program Evaluation Manager, presented the FY 2007/08 4<sup>th</sup> Quarter Capital Projects Status Report.
- E. Updated financial and personnel vacancy reports were received.

Livability Committee – (Honorable Tom Foster, Chairman)

- A. Mr. Don Arnold, Environmental Enforcement Director, presented a progress report on litter activities in the County.

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

- A. Motion made by Mr. Adams to authorize the Commission of Connie Singletary as an Environmental Enforcement Animal Control Officer of Spartanburg County. Motion seconded by Mr. Mintz and carried.
- B. Discussion of Municipal Prisoner Agreements was held. No action was taken.
- C. Information received regarding activities of the Building Codes Department.

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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. Motion made by Mr. Mintz to approve a petition requesting authorization to publish a public notice relating to the proposed removal of an abandoned cemetery. Motion seconded by Mr. Britt and carried. Mr. Joe Maddox, Attorney for Petitioner, appeared on behalf of Facilities Group of South Carolina. It is a Corporation that is owned by Chuck Langston and some other realtors. The property is located in Boiling Springs at the Intersection of Highway 9 and Rainbow Lake Road.
- B. Information received regarding activities of the Public Works Department.

VI.

- A. Motion made by Mr. Britt to render third reading to an Ordinance to amend that certain agreement for the development of a joint Industrial and Business Park between Spartanburg County and Cherokee County dated March 19, 2007. (Iljin America Corp.) Motion seconded by Mr. Britt and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance to amend Ordinance No. 543, as previously amended by Ordinance Nos. O-05-10 and O-05-20, relating to the Joint County Industrial Park (Hillside Industrial Park) of Spartanburg and Union Counties so as to enlarge the park. (Adidas Sales, Inc.) Motion seconded by Mr. Culbreth and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the amendment and restatement of Ordinance No. O-07-17 authorizing the development of a Joint-County Industrial and Business Park in Spartanburg County in conjunction with Union County. A written agreement with Union County to provide for the manner by which expenses and revenues from such park will be allocated, and a written agreement with the City of Spartanburg consenting to the creation of such park and relating to the allocation and payment of certain fee-in-lieu of tax revenues from said park. (Easton (Lan-Yair) Multi-County Industrial Park) Motion seconded by Mr. Brown and carried.
- D. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a fee agreement between Spartanburg County and Iljin America Corp. and other matters relating thereto including without limitation payment of a fee-in-lieu of taxes. Motion seconded by Mr. Mintz and carried.
- E. Motion made by Mr. Britt to render third reading to an Ordinance finding that Woodruff-Roebuck Water District may issue not exceeding \$2,388,000 General Obligation Bonds; to authorize Woodruff-Roebuck Water District 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 and Mr. Culbreth opposed.

VII.

- A. Motion made by Mr. Mintz to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Greer Dragway from 11:00 a.m. until midnight on August 16, 2008, for a Drag Race at 1792 Dragway Road, Greer. 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.

Discussions were held on taking the Land Use question out in the communities and holding community meetings in each Council District. Mr. Britt would like to have one in his district in September at Broome High School. Mr. Brown offered to have the first meeting in his district.

X.

Motion made by Mr. Britt to approve minutes of June 16, 2008 (Regular Meeting) and June 19, 2008 (Special Meeting). Motion seconded by Mr. Culbreth and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: \_\_\_\_\_  
Jeffrey A. Horton, Chairman

Attest:

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Deborah C. Ziegler  
Clerk to Council