

# MINUTES

## County Council Meeting

February 21, 2005

Spartanburg County Council met on Monday, February 21, 2005, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Jeff Horton, Chairman; Honorables Johnnye Code Stewart, Steve Parker, David Britt, Rock Adams, Ken Huckaby and Frank Nutt, Council Members; along with Glenn Breed, Interim County Administrator; Chris Story, Assistant County Administrator; 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 Horton called the meeting to order.

Invocation was rendered by Hon. Steve Parker. Jesse Tesh, Boy Scout Troop 3, and several other Boy Scouts led in reciting the Pledge of Allegiance.

### II.

- A. Motion made by Mr. Nutt to adopt a Resolution remembering and recognizing First Lt. Andrew C. Shields of Campobello, South Carolina, and member of the South Carolina Army National Guard for his military service. Motion seconded by Mr. Britt and carried. Parents Don and Emily Shields and Twin Brother Philip Shields were present to receive Resolution.
- B. Motion made by Ms. Stewart to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the acts of bravery of Chelsea Rollins of Boiling Springs, South Carolina. Motion seconded by Mr. Adams and carried.
- C. Motion made by Mr. Huckaby to adopt a Resolution recognizing the Honorable Raymond C. Eubanks, Jr., for his dedicated service as Spartanburg County Probate Judge. Motion seconded by Mr. Adams and carried.
- D. Motion made by Ms. Stewart to adopt a Resolution proclaiming March 6<sup>th</sup> through March 12<sup>th</sup>, 2005, as "National Women in Construction Week" in Spartanburg County. Motion seconded by Mr. Adams and carried. Ms. Carol DeShields, DeShield's Grading, and Ms. Ann Fesperman, Executive Director, Upstate Workforce Investment Board, were present to receive Resolution.
- E. Mr. Parker presented an Award recognizing and awarding David Taylor for his outstanding service and initiative.

### III.

- A. Chairman Horton declared open a Public Hearing to consider a proposed Ordinance to consolidate Riverdale Mills Water District and Woodruff-Roebuck Water District, provide for the constitution of the governing body of the consolidated district, and other matters related thereto. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a Public Hearing to consider a proposed Ordinance finding that the boundaries of Woodruff-Roebuck Water District shall be expanded as provided herein, that Woodruff-Roebuck Water District may issue not exceeding \$1,500,000 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 findings and authorization. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a Public Hearing to consider a proposed Ordinance establishing a uniform road maintenance fee for the maintenance and improvement of the County road system. Mr. Glenn Breed presented information on the Road Maintenance Fee. A copy of the presentation is included in backup. The Spartanburg County Road Improvement Plan dated February, 2005, Road Maintenance Fee Administrative Procedures, and a copy of the draft Road Maintenance Fee Ordinance were made available to the public and are included in backup. The following individuals spoke in favor of the Road Maintenance Fee: Mayor Bill Barnet, Danny Allen, John Poole, Mayor Paul Bell, Don Bramblett, Eddie Pruitt, Bill Painter, James Clamp, Jr., and Woody Willard. The following individuals spoke in opposition to the Road Maintenance Fee: Harold Osborne, Jack Braghirol, Sr., Leonardo Ortiz, Robin Harper, Dave Salyer, Ernest Taber, Jimmy Edwards, Aurelia Hood, Margaret Howard, and Ryan Brennan. Public hearing was closed. Motion made by Mr. Parker to take the second reading to an Ordinance establishing a uniform road maintenance fee for the maintenance and improvement of the County road system, which is listed on the Agenda under Old Business, out of order. Motion seconded by Mr. Huckaby and carried. Motion made by Mr. Huckaby to render second reading to an Ordinance establishing a uniform road maintenance fee for the maintenance and improvement of the County road system. Motion seconded by Mr. Adams and carried. Three opposed.

#### 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 render first reading to an Ordinance extending the date for filing returns and the payment of property taxes for persons serving with United States Armed Forces or National Guard in or near a hazard duty zone. Motion seconded by Ms. Stewart and carried.
- B. Updated financial and personnel vacancy reports were received.

#### - Recreation Committee – (Honorable Jeff Horton, Chairman)

No items scheduled.

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

- A. Motion made by Mr. Britt to adopt a Resolution approving the execution by Spartanburg County, South Carolina (The "County") of an acknowledgement and notification agreement by and among Spartanburg County, South Carolina, Benore Logistics Systems, Inc. (The "Borrower", Benore Properties, LLC (The Guarantor) and Great Lakes Business Credit,, LLC (The "Lender"). Motion seconded by Mr. Huckaby and carried.
- B. Mr. Britt stated that Benteler Automotive made the decision to come to Spartanburg. This will create approximately 130 jobs with a \$30 million investment. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery of an Inducement and Millage Rate Agreement by and between Spartanburg County, South Carolina, and Benteler Automotive Corporation, whereby, under certain conditions, Spartanburg County will (1) execute a fee in lieu of tax agreement with Benteler Automotive Corporation with respect to an industrial project to be established in the county, whereby the project would be subject to payment of certain fees in lieu of taxes, and (2) provide certain credits against such payments in reimbursement of investment in related qualified infrastructure; and providing for related matters. Motion seconded by Mr. Huckaby and carried.
- C. 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 and an Infrastructure Finance Agreement by and between Spartanburg County, South Carolina and Benteler Automotive Corporation with respect to certain economic development property in the county, whereby such property will be subject to certain payments in lieu of taxes and Benteler Automotive Corporation will receive certain infrastructure credits in respect of its investment in related infrastructure; and other matters related thereto. Motion seconded by Mr. Nutt and carried.
- D. Ms. Martie Bean presented a demonstration of Infomentum Mapping, Demographic and Economic Development Tool.

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

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

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Land Use Committee (Honorable David Britt, Chairman)

- A. Motion made by Mr. Britt to render first reading by title to an Ordinance amending County Ordinance #O-99-015, as amended, (The Unified Land Management Ordinance); providing a new Article (Section 3.26) setting forth siting standards for the placement of Tattoo Establishments in Spartanburg County; amending Table 3-Setbacks and Other Requirements to include Section 3.26; and to add new definitions pertaining to tattooing. Motion seconded by Mr. Nutt and carried.
- B. Updated Planning Department Reports on Development Activity were received.

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

- A. Motion made by Mr. Nutt for Spartanburg County to serve as "Local Government Entity Sponsor" of four proposed enhancement projects. No money will be involved for the County. Motion seconded by Mr. Britt and carried.
- B. Information received regarding activities of the Public Works Department.

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VI.

- A. Motion made by Mr. Nutt to render third reading to an Ordinance to consolidate Riverdale Mills Water District and Woodruff-Roebuck Water District, provide for the constitution of the governing body of the consolidated district, and other matters related thereto. Motion seconded by Mr. Huckaby and carried.
- B. Motion made by Mr. Nutt to render third reading to an Ordinance finding that the boundaries of Woodruff-Roebuck Water District shall be expanded as provided herein, that Woodruff-Roebuck Water District may issue not exceeding \$1,500,000 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 findings and authorization. Motion seconded by Mr. Adams and carried.

- C. Second reading to an Ordinance establishing a uniform road maintenance fee for the maintenance and improvement of the County road system was moved up on the Agenda and followed the Public Hearing.

VII.

No Items 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. Nutt to add discussion on the formation of a Blue Ribbon Panel to review Jail population and process to the Agenda. Motion seconded by Mr. Adams and carried.

Mr. Britt stated that he attended the Criminal Justice Coordinating Committee meeting on February 18, 2005. Motion made by Mr. Britt, based on conversations with Solicitor Trey Gowdy, for the Solicitor to establish a five member Blue Ribbon Panel to look at jail population and the whole process of moving inmates through our system. The Solicitor thinks he can present a plan to Council within 30 to 60 days. Rock Adams will represent Council on the committee. Motion seconded by Mr. Nutt and carried.

Hon. Paul Bell, Mayor of Woodruff, requested to appear before Council. Mayor Bell apologized to Council for any inconveniences or hardship caused by the publicity campaign about reopening B. J. Workman Hospital. He stated that the people of Woodruff do not understand why they are without a hospital. There are 43,000 people in the lower part of the County that want a hospital. They have 7,020 signatures on a petition to reopen or give the hospital back to the City of Woodruff.

X.

Motion made by Mr. Britt to approve minutes of January 10, 2005 (Regular Meeting). Motion seconded by Ms. Stewart and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

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

Attest:

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Deborah C. Ziegler  
Clerk to Council