

MINUTES

County Council Meeting

May 17, 2010

Spartanburg County Council met on Monday, May 17, 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; Jim Hipp, Deputy 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. Christopher Ryan Hyatt, Boy Scout Troop 211, led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Britt to adopt 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. Motion seconded by Mr. Foster and carried. Coaches and several players received the Resolution.
- B. Motion made by Mr. Foster to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Dorman High School's Volleyball Team, the "Cavaliers," for winning the South Carolina Region II 4A Championship and to recognize Coach Paula Kirkland for her outstanding achievements. Motion seconded by Mr. Culbreth and carried. Coach Kirkland and players received the Resolution.
- C. Motion made by Ms. Hall to adopt a Resolution proclaiming the month of May 2010 as Mental Health Month in Spartanburg County. Ms. Jane Clemmer, Executive Director, New Day, Inc. of Spartanburg, and Ms. Caroline Broyles, Partnership Chair, Carolina Center for Behavioral Health, accepted Resolution.
- D. Motion made by Mr. Culbreth to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Ms. Janet Lowe and Ms. Linda Pruitt in being named 2010 March for Babies Team Captains of the Year, and recognizing the

March of Dimes Leadership Team and Spartanburg County for receiving the #1 Government Award. Motion seconded by Mr. Brown and carried.

- E. 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 State and County Departments, Agencies, and their Officers and Employees for their outstanding performance of public service in the Region IV Kentucky Twister National Disaster Medical Service Exercise. Motion seconded by Mr. Mintz and carried.
- F. Mr. Mintz presented a certificate of recognition to Christopher Ryan Hyatt in appreciation for his contribution to the community by achieving the rank of Eagle Scout.
- G. Chairman Horton recognized the Graduates of the 6th Spartanburg County Citizens' Academy.

III.

- A. Chairman Horton declared open a public hearing to consider an Ordinance to amend Ordinance No. O-99-014, as previously amended by Ordinances No. O-00-016, O-01-18, No. O-03-03, No. O-03-13, and No. O-08-29 relating to the joint county Industrial and business park (Park No. 2) of Cherokee and Spartanburg Counties so as to enlarge the park. (Leigh Fibers, Inc. and ResMed, Inc.) No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider 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. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider 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. Mr. Michael Murphy, Spartan Alarm and Security, Inc., Roebuck, spoke against the Ordinance. Mr. Murphy's comments are included in backup. Sheriff Wright commented on Mr. Murphy's concerns stating the intent of the ordinance is to deter multiple false alarms and offered to meet with Mr. Murphy to discuss the proposed ordinance.
- D. 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 4:00 p.m. on Saturday, June 12, 2010 until midnight for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.
- E. 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 4:00 p.m. on Saturday, June 26, 2010 until midnight for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.
- F. 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 4:00 p.m. on Saturday, July 3, 2010 until midnight for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.
- G. 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 4:00 p.m. on Saturday, July 24, 2010 until midnight for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.

IV.

- A. Rev. Don Rollins, Interim Minister, Unitarian Universalist Church of Spartanburg, appeared regarding

policy on invocations.

V.

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

- A. Motion made by Mr. Britt to adopt a Resolution designating certain parcels for inclusion in the Spartanburg County/Union County Joint County Industrial and Business Park located in the City of Spartanburg, South Carolina, in accordance with Spartanburg County Ordinance No. 673 and the Intergovernmental Agreement, as amended, authorized by that ordinance, between the City of Spartanburg and the County of Spartanburg, South Carolina; and other matters related thereto. (RJ Rockers Brewery & adjacent businesses (Main St. Pub, The Tap Room retail space for lease) 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 authorizing the County Council of Spartanburg County to publish a notice of public hearing regarding whether it may be in the interest of the Hilltop Area Fire District for the Spartanburg County Council to authorize the board of fire control to issue general obligation bonds of the fire district in the principal amount of not exceeding \$800,000, and authorizing the form of such notice of public hearing. Motion seconded by Ms. Hall and carried.
- B. No action was taken on the Accommodations Tax Advisory Committee Recommendations for Fiscal Year 2011.
- C. Motion made by Mr. Culbreth to adopt a Voluntary Retirement Plan. Motion seconded by Ms. Hall and carried.
- D. Honorable Lindsey Brady, County Treasurer, presented information regarding recently passed Senate Proviso 89.135 - State required additional \$6 charge on all vehicles registered in the State. This was received as information. Mr. Brady stated this passed the Senate recently as a proviso. It has gone back to the House. The House has not adopted it yet. It is his understanding that they are going to adopt it. If it does pass, there will be a \$6 per year service fee.
- E. Updated financial and personnel vacancy reports were received.

Livability Committee – (Honorable Tom Foster, Chairman)

No items scheduled.

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

- A. Chief Jamie Caggiano, Chairman, presented a Spartanburg County Fire Advisory Committee Update. Handout is included in backup. No action was taken.
- 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 an Ordinance to amend Ordinance No. O-99-014, as previously amended by Ordinances No. O-00-016, O-01-18, No. O-03-03, No. O-03-13, and No. O-08-29 relating to the joint county Industrial and business park (Park No. 2) of Cherokee and Spartanburg Counties so as to enlarge the park. (Leigh Fibers, Inc. and ResMed, Inc.) Motion seconded by Mr. Foster and carried.
- B. Motion made by Mr. Britt to render third 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 third 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 third 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.
- E. Motion made by Mr. Britt to render second 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. Motion seconded by Ms. Hall and carried.
- F. Motion made by Ms. Hall to render second reading 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 seconded by Mr. Mintz and carried. Changes were recommended by Mr. Mintz which will be incorporated into the ordinance prior to third reading.

VII.

- A. Motion made by Mr. Culbreth to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by Greer Dragway from 4:00 p.m. on Saturday, June 12, 2010 until midnight for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
- B. Motion made by Mr. Culbreth to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by Greer Dragway from 4:00 p.m. on Saturday, June 26, 2010 until midnight for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
- C. Motion made by Mr. Culbreth to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by Greer Dragway from 4:00 p.m. on Saturday, July 3, 2010 until midnight for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
- D. Motion made by Mr. Culbreth to consider an Application for special Public Event Exclusion from the Noise Ordinance requested by Greer Dragway from 4:00 p.m. on Saturday, July 24, 2010 until

midnight for a drag race at 1792 Dragway Road, Greer. 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.

No items scheduled.

X.

Motion made by Mr. Culbreth to approve minutes of April 19, 2010 (Regular Meeting). Motion seconded by Mr. Mintz and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council