

May 20, 2002

Spartanburg County Council met on Monday, May 20, 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 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; and William McBee Smith, Assistant County Attorney. Honorable David Britt was absent.

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 Hugh Brantley, Spartanburg Christian Community Foundation. Mr. Glenn Breed led in reciting the Pledge of Allegiance.

II.

No presentations scheduled.

III.

- A. Chairman Floyd declared open a public hearing to consider a proposed Ordinance by Spartanburg County, South Carolina, authorizing an Infrastructure Tax Credit Agreement and Intergovernmental Agreement with the City of Spartanburg to be entered into by Spartanburg County with Extended Stay America, Inc. No one appeared and the hearing was closed.
- B. Chairman Floyd declared open a public hearing to consider a proposed 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. No one appeared and the hearing was closed.

- C. Chairman Floyd declared open a public hearing to consider a proposed 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. No one appeared and the hearing was closed.
- D. Chairman Floyd declared open a public hearing to consider a proposed 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. No one appeared and the hearing was closed.
- E. Chairman Floyd declared open a public hearing to consider an Application for Permit for special Public Event Exclusion from Noise Ordinance for May 25, 2002, from 7:00 p.m. – 11:45 p.m. at 90 Carolina Foothills Drive, Chesnee, SC. No one appeared and the hearing was closed.
- F. Chairman Floyd declared open a public hearing to consider an Application for Permit for special Public Event Exclusion from Noise Ordinance for June 8, 2002, from 7:00 p.m. - 11:45 p.m. at 90 Carolina Foothills Drive, Chesnee, SC. No one appeared and the hearing was closed.
- G. Chairman Floyd declared open a public hearing to consider an Application for Permit for special Public Event Exclusion from Noise Ordinance for August 24, 2002, from 11:00 a.m. – 8:00 p.m. at 1090 Austin Lane, Greer, SC. No one appeared and the hearing was closed.

IV.

No appearances were scheduled.

V.

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

- A. Dr. David Goolsby presented a report concerning the Community Health Center for information. Everything looks favorable according to his report. It is in good standing that they will receive the grant for the Community Health Center. They have not decided on a site.

Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Updated financial information was received as information only.

Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Cleveland Park Renovation project is scheduled for opening in latter part of July.
- B. Information received in regard to Va-du-Mar McMillan Park property. Our grading permits have been sent to DHEC and are pending DHEC approval.

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

No items scheduled.

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

- A. Motion made by Mr. Adams to approve a request from Westview-Fairforest Fire & EMS Department and the Roebuck Fire Department to have a boot drive to raise money for Muscular Dystrophy Association at the intersection of Hwy. 29 & Blackstock Road on Saturday, June 29, 2002, between the hours of 9:00 a.m. to 1:00 p.m. and 5:00 p.m. to 8:00 p.m. Motion seconded by Mr. Horton and carried.
- B. No action was taken in reference to furnishing a mediator to resolve Woodwinds residents' issues.
- C. Information received regarding activities of the Building Codes Department.

Land Use Committee (Honorable David Britt, Chairman)

- A. Chairman Floyd presented information in reference to an Ordinance to provide for additional Building Setback Lines to preserve corridors identified by the SPATS Transportation Program. When right-of-way acquisitions are ready to occur, oftentimes we know that there is going to be right-of-ways along corridors. We have no mechanism in place to keep people from building right up to areas we know are going to be taken for the widening of roads. This is a mechanism that would replicate what Greenville County currently has in place which would keep us from having to eventually condemn or incur much more than what we would have to incur with good planning. There is a caveat to the motion before us. Our legal department must be sure to analyze all laws to ensure we do not have a compensation or condemnation issue on our hands. Motion made by Mr. Horton to render first reading to an Ordinance to provide for additional Building Setback Lines to preserve corridors identified by the SPATS Transportation Program. Motion seconded by Mr. Adams and carried.

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

- A. Information was presented earlier from the Spartanburg Men's Garden Club in reference to a 5-mile treescape project for US-221 south of the city from SC-295, past the new Dorman campus site, to I-26. There is no money involved in it to the County, but the County is being requested to act as a sponsor and apply for the grant. Motion made by Mr. Nutt to approve request with the stipulation the Spartanburg Men's Garden Club will be responsible for the maintenance. Motion seconded by Mr. Horton and carried.
- B. Motion made by Mr. Nutt to sale surplus property owned by the county for some period of time. First steps will be to put up a sign, get appraisals and try to get some offers on the list of properties provided. Motion seconded by Mr. Huckaby and carried.
- C. Motion made by Mr. Nutt to approve the Short Term Business Plan and Long Term Disposal Options recommended from Olver, Inc. Motion seconded by Mr. Huckaby and carried.

D. Information received regarding activities of the Public Works Department.

VI.

- A. Motion made by Mr. Horton to render third 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 Mr. Nutt and carried.
- B. Motion made by Mr. Horton to render third 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. Nutt and carried.
- C. Motion made by Mr. Horton to render second 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 Ms. Stewart and carried.
- D. Motion made by Mr. Nutt to render second 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. Horton and carried.
- E. Motion made by Mr. Adams to render second reading to FY-03 Budget Ordinance. Motion seconded by Ms. Stewart and carried. Chairman Floyd and Mr. Nutt opposed.

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.

No miscellaneous Council/Administrative matters.

X.

Motion by Ms. Stewart to approve minutes of April 22, 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