

MINUTES

County Council Meeting

August 18, 2008

Spartanburg County Council met on Monday, August 18, 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. Leroy Sheppard, Shepherd's Door Ministries. Honorable Tom Foster led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Britt to adopt a Resolution recognizing William Kirby, Spartanburg County Building Codes Inspector, for his courageous and life saving act. Motion seconded by Mr. Foster and carried.

III.

- A. 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 Saturday, September 13, 2008, for a Drag Race at 1792 Dragway Road, Greer. 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 Northside Missionary Baptist Church from 6:00 p.m. until 7:00 p.m. on Sunday, September 7, September 14, September 21, and September 28, 2008, for an Outdoor Worship Service at 300 New Cut Road. No one appeared, and the matter was closed.

IV.

No appearances scheduled.

V.

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

- A. Motion made by Mr. Britt to render first reading to an Ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of Master Precision Global, LLC (The “Company”) pursuant to a fee-in-lieu-of-tax agreement between Spartanburg County, South Carolina (The “County”) and the company; authorizing a 5-year extension of the investment period for all investments over the initial \$6,000,000 investment; and other matters relating to the foregoing. Motion seconded by Mr. Foster and carried.
- B. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery of an Inducement Agreement by and among Spartanburg County, South Carolina, Lear Operations Corporation and ACPS, LLC, whereby, under certain conditions, Spartanburg County will (1) execute a fee in lieu of tax agreement with Lear Operations Corporation and ACPS, LLC 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, (2) provide certain credits against such payments in reimbursement of investment in related qualified infrastructure, and (3) locate the project in a multi-county industrial and business park; and providing for related matters. Motion seconded by Mr. Foster 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 among Spartanburg County, South Carolina, Lear Operations Corporation and ACPS, LLC with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, and ACPS, LLC will receive certain infrastructure credits in respect of its investment in related infrastructure; and other matters related thereto. Motion seconded by Mr. Foster and carried.
- D. 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 by and between Spartanburg County, South Carolina and Epsilon Plastics, Inc. 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. Foster and carried.
- E. Motion made by Mr. Britt to render first reading to an Ordinance to amend Ordinance No. 543, as previously amended by Ordinance Nos. O-05-10, O05-20 and O-08-14, relating to the joint county industrial park (Hillside Industrial Park) of Spartanburg and Union Counties so as to enlarge the park. (Lear Operations Corporation and ACPS, LLC, and Epsilon Plastics, Inc.) - (Action Requested: Render first reading to Ordinance) Motion seconded by Mr. Foster and carried.
- F. Motion made by Mr. Britt to adopt a Resolution authorizing (1) the execution and delivery of an Inducement and Millage Rate Agreement between Spartanburg County, South Carolina (“The County”) and Project PV, acting for itself or an affiliate or other project sponsor, (The “Company”), whereby, under certain conditions, the County will enter into a fee in lieu of tax and incentive agreement in connection with the expansion of certain manufacturing facilities in the County (The “Project”); (2) the County to covenant in such agreement to accept certain negotiated fees in lieu of ad valorem taxes with respect to the project; (3) the benefits of a multi-county park to be made available to the company; and (4) other matters relating thereto. Motion seconded by Mr. Foster and carried.
- G. Motion made by Mr. Britt to adopt a Resolution consenting to the reinstatement of a Lease Agreement between AFL Telecommunications, LLC, formally Alcoa Fujikura, Ltd., and Spartanburg County, and any other matters related thereto. 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 to authorize a project scope change, Detention Facility Repairs and Maintenance (CB0008), part of the FY 2008-09 Capital Year Budget. Motion seconded by Mr. Adams and carried.
- B. Motion made by Mr. Culbreth to adopt a Resolution to authorize a change in project funding, Croft Landfill Dumpsite Remediation (SW0006), part of the FY 2008-09 Adopted Capital Budget. Motion seconded by Mr. Brown and carried.
- C. Mr. Gil Bulman presented information in reference to the 2008 Reappraisal Program.

Livability Committee – (Honorable Tom Foster, Chairman)

- A. Mr. William L. Haralson, Economic Consultant, William L. Haralson & Associates, Inc., presented the recent water park market and feasibility study. The Market and Feasibility Study for a proposed Water Park is included in backup. No action was taken.

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

- A. Motion made by Mr. Adams to render first reading to an Ordinance amending the Spartanburg County Code so as to redefine Wrecker Service Zones, to provide for Wrecker Service Operators to respond to calls within one hour, and to allow the County Administrator to provide for his designee to remove Wrecker Service Operators from the approved list of the County Sheriff's Office. Motion seconded by Mr. Mintz and carried. This amendment redefines the wrecker service zones, addresses response time requirements, and provides for the adoption of a fee schedule similar to that of the SC Highway Patrol.
- B. Information received regarding activities of the Building Codes Department.

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Land Use Committee (Honorable Jeff Horton, Chairman)

- A. Mr. Chris Story presented information in reference to an Ordinance amending the Flood Damage Prevention Ordinance. No action was taken.
- B. Mr. Chris Story presented information in reference to an Ordinance amending the Storm Water Management Ordinance. No action was taken.

Public Works, Buildings and Grounds Committee (Honorable O'Neal Mintz, Chairman)

- A. Information received regarding activities of the Public Works Department.

VI.

No items scheduled.

VII.

- A. Motion made by Mr. Culbreth 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 Saturday, September 13,

- 2008, for a Drag Race at 1792 Dragway Road, Greer. Motion seconded by Mr. Foster and carried.
- B. Motion made by Mr. Culbreth to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Northside Missionary Baptist Church from 6:00 p.m. until 7:00 p.m. on Sunday, September 7, September 14, September 21, and September 28, 2008, for an Outdoor Worship Service at 300 New Cut Road. 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. Mintz to approve minutes of July 10, 2008 (Land Use Committee Meeting) and July 21, 2008 (Regular Meeting). Motion seconded by Mr. Foster and carried.

XI.

Motion made by Mr. Britt to adjourn. Motion seconded by Mr. Foster and carried.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council