

# MINUTES

## County Council Meeting

August 16, 2004

Spartanburg County Council met on Monday, August 16, 2004, 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, and Frank Nutt, Council Members; along with James K. Hartmann, County Administrator; Glenn Breed, Assistant County Administrator; Chris Story, Assistant County Administrator; and Edwin Haskell, Assistant County Attorney. Hon. Ken Huckaby 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.

Chairman Horton called the meeting to order.

Invocation was rendered by Rabbi Yossi Liebowitz, Temple B'Nai Israel. Major Doug Horton led in reciting the Pledge of Allegiance.

### II.

- A. Motion made by Mr. Britt to adopt a Resolution recognizing and commending the Spartanburg County SWAT Team for their performance and actions involving the hostage situation at Fast Point Convenience Store. Motion seconded by Ms. Stewart and carried. Mr. Adams presented the Resolution to the Spartanburg County SWAT Team.
- B. Motion made by Ms. Stewart to adopt a Resolution recognizing and commending the City of Spartanburg SWAT Team for their performance and actions involving the hostage situation at Fast Point Convenience Store. Motion seconded by Mr. Britt and carried. Ms. Stewart presented the Resolution to the City of Spartanburg SWAT Team.

### III.

- A. Chairman Horton declared open a Public Hearing to consider a proposed Ordinance acknowledging the exercise of the option to purchase the project pursuant to Section 10.03 of the Lease Agreement regarding fee-in-lieu of tax entered into by Spartanburg County with Waukesha Bearings Corporation dated as of June 1, 2000. 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 Noise Ordinance requested by Laotian Association of Spartanburg for September 4, 2004, from 5:00 p.m. until 11:00 p.m. and September 5, 2004, from 5:00 p.m. until 11:00 p.m. for a Labor Day Party at 470 Fox Drive, Spartanburg, SC. No one appeared, and the matter was closed.

#### 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 Chairman Horton to approve the Accommodations Tax Advisory Committee Recommendations. Motion seconded by Mr. Britt and carried.
- B. Motion made by Chairman Horton to accept the low bid of \$.79 per ad per week from the Spartanburg Herald Journal for the advertisement of properties for the 2004 Delinquent Tax Sale Notice. Motion seconded by Mr. Britt and carried.
- C. Additional Information in reference to special audit procedures relating to delinquent tax collection and disbursement will be presented next month. No action taken.
- D. Updated personnel vacancy report was received.

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Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Mr. Jeff Caton presented a Parks Projects Update on Va-du-mar and other areas. Everything is on schedule.

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

- A. Motion made by Mr. Britt to approve the Quiet Zone status for the former Bailey Plant in Arcadia. Motion seconded by Ms. Stewart and carried.
- B. Motion made by Mr. Britt to render first reading to an Ordinance recognizing and consenting to the conversion of BMW Manufacturing Corp. to BMW Manufacturing Co., LLC and SB Acquisitions

Inc. to SB Acquisitions LLC in connection with a lease agreement (*dated December 20, 1994*), an inducement agreement (*dated September 16, 1992*) and a millage rate agreement (*dated September 16, 1992*) among Spartanburg County, BMW Manufacturing Corp., and SB Acquisitions, Inc. and a related industrial revenue bond. Motion seconded by Mr. Nutt and carried.

- C. Motion made by Mr. Britt to render first reading to an Ordinance recognizing and consenting to the conversion of BMW Manufacturing Corp. to BMW Manufacturing Co., LLC and SB Acquisitions, Inc. to SB Acquisitions, LLC in connection with a Lease Agreement (*dated December 15, 1997*), an inducement and millage rate agreement (*dated December 27, 1996*) among Spartanburg County, BMW Manufacturing Corp. and SB Acquisitions, Inc., and a related industrial revenue bond. Motion seconded by Mr. Nutt and carried.

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

- A. Motion made by Mr. Adams to render first reading to an Ordinance dealing with abandoned and derelict vehicles by title. Motion seconded by Mr. Parker and carried.
- B. Information was received in reference to Inman Mills Fire Service. Committee recommended proceeding with second reading today.
- C. Information received regarding activities of the Building Codes Department.

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#### Land Use Committee (Honorable David Britt, Chairman)

- A. Updated Planning Department Reports on Development Activity were received.

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

- A. Concerned Citizens of the Communities of Wellford, Jackson, Startex presented a request to acquire property in Wellford known as the Wellford Community property. It was deeded to the County in 1994 by District Five Schools. Council requested that they get with our Parks Director and determine what portion of that property we may use and try to proceed from there to accommodate them. Additional information will be presented at the next meeting. No action was taken at this time.
- B. Our Public Works Director has requested reactivating our Stormwater Advisory Committee. The committee requires two citizens to participate. One of them needs to be an Engineer and the other a Contractor. They have recommended that Mr. Bill Blackwood be appointed as the Engineer and Mr. John Gramling, III as the Contractor. Motion made by Mr. Nutt to add this item to the agenda. Motion seconded by Mr. Adams and carried. Motion made by Mr. Nutt to activate the committee with Mr. Bill Blackwood and Mr. John Gramling, III being added to the committee. Motion seconded by Mr. Adams and carried.
- C. Information received regarding activities of the Public Works Department.

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- A. Motion made by Mr. Britt to render third reading to an Ordinance to amend Section 2-121 of the Spartanburg County Code to provide that all members of a Board or Commission appointed by County Council shall be a resident of Spartanburg County and at the time of nomination, registered to vote in Spartanburg County. Motion seconded by Ms. Stewart and carried.
- B. Motion made by Mr. Britt to render second reading to an Ordinance acknowledging the exercise of the option to purchase the project pursuant to the terms of the Lease Agreement between Spartanburg County, South Carolina and Waukesha Bearings Corporation dated as of June 1, 2000 and the payment of all amounts due pursuant to the Lease Agreement. Motion seconded by Mr. Adams and carried.
- C. Motion made by Mr. Nutt to render second reading to an Ordinance abolishing the Inman Mills Fire District. Motion seconded by Mr. Adams and carried.
- D. Motion made by Mr. Adams to render second reading to an Ordinance enlarging the Inman Community Fire Service Area to include the area within the boundaries of the Inman Mills Fire District. Motion seconded by Mr. Parker and carried. Mr. Britt stated that he wanted it to be clear that taxes would be doubled if Council voted to go into the Town of Inman versus Inman Community if you use a \$71,000 home for an example. Mr. Nutt stated that it is by far the best tax wise for the people in Inman Mills to be included in the Inman Community Fire Service Area.

#### VII.

- A. Motion made by Mr. Britt to approve an Application for special Public Event Exclusion from Noise Ordinance requested by Laotian Association of Spartanburg for September 4, 2004, from 5:00 p.m. until 11:00 p.m. and September 5, 2004, from 5:00 p.m. until 11:00 p.m. for a Labor Day Party at 470 Fox Drive, Spartanburg, SC. Motion seconded by Mr. Adams and carried. One opposed.

#### 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. Britt to approve minutes of July 15, 2004 (Special Meeting) and July 19, 2004 (Regular Meeting). Motion seconded by Mr. Nutt and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:\_\_\_\_\_

Jeffrey A. Horton, Chairman

Attest:

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Deborah C. Ziegler

Clerk to Council