

MINUTES

County Council Meeting

December 15, 2008

Spartanburg County Council met on Monday, December 15, 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 Chaplain Fred Dowden, Retired Colonel. Chief Larry Brady, North Spartanburg Fire Department, led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Britt to adopt Resolution R-08-48 recognizing the Honorable Rock Adams for his dedicated service as District Four Representative on Spartanburg County Council. Motion seconded by Mr. Foster and carried. Honorable Jeff Horton and Honorable David Britt presented the Resolution.
- B. Chairman Horton recognized Graduates of Spartanburg County Citizens' Academy.

III.

No public hearings were scheduled.

IV.

No appearances were scheduled.

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

- A. Mr. Hal Johnson and Mr. Richard Blackwell, Upstate SC Alliance, presented the Upstate Alliance Annual Update. Presentation is included in backup.
- B. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery of an Inducement Agreement by and between Spartanburg County, South Carolina, and Rochling Automotive Duncan, LLP, whereby, under certain conditions, Spartanburg County will execute a fee in lieu of tax agreement with Rochling Automotive Duncan, LLP with respect to an industrial project in the county, whereby the project would be subject to certain fees in lieu of taxes; and providing for related matters. Motion seconded by Mr. Culbreth and carried.
- C. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery of an Inducement Agreement by and between Spartanburg County, South Carolina and Project Thermal, whereby, under certain conditions, Spartanburg County will execute a fee in lieu of tax agreement for a project involving not less than five million dollars (\$5,000,000) investment. Motion seconded by Mr. Culbreth and carried.
- D. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery of an Inducement Agreement by and between Spartanburg County, South Carolina and Project Mizzou, whereby, under certain conditions, Spartanburg County will execute a fee in lieu of tax agreement for a project involving not less than nineteen million dollars (\$19,000,000) investment pursuant to review by County Attorney. 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. Ms. Linda Blackerby, Budget Management Director, presented an Update on the FY09 Budget Action Plan. Presentation is included in backup.
- B. Mr. Gil Bulman, Assessor, presented an Update on Reappraisal, Valuation Appeals, and related items. Presentation is included in backup.
- C. Updated financial and personnel vacancy reports were received.

Livability Committee – (Honorable Tom Foster, Chairman)

- A. Mr. Henry Laye, Registration and Elections Director, presented an Overview of the November election. Presentation is included in backup.
- B. Ms. Jenny Osterman, Executive Director, Hub City Farmers' Market, formerly the Spartanburg Nutrition Council, presented information on Farmers' Markets efforts and local small farm production. Presentation is included in backup.

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

- A. Mr. Don Arnold, Environmental Enforcement Director, presented information in reference to an Ordinance amending Animal Control Ordinance Number 592 to clarify definitions within the Ordinance. This item was tabled during the Public Safety and Judiciary Committee meeting.
- B. Motion made by Mr. Adams to authorize the Commission of Jonathan Emory as Code Enforcement Officer within the Building and Fire Service Department. Motion seconded by Mr. Mintz and carried.
- C. Motion made by Mr. Britt to authorize the Commission of Julio Perdomo as an Environmental Enforcement Litter Control Officer. Motion seconded by Mr. Adams and carried.

D. Information received regarding activities of the Building Codes Department.

Land Use Committee (Honorable Jeff Horton, Chairman)

- A. Ms. Angela Viney and Ms. Erika Hollis, Upstate Forever, offered comments in favor of the draft Storm Water Ordinance during the Land Use Committee meeting. Presentation and Upstate Forever's comments are included in backup. Due to time constraints, Hal Clarkson, PE, CFM, Woolpert Inc., did not appear. Motion made by Mr. Foster to render first reading to Ordinance. Motion seconded by Mr. Adams. Motion did not carry. Mr. Brown, Mr. Mintz, Mr. Britt, and Mr. Culbreth opposed.
- B. Mr. Chris Story presented information in reference to amending billboard siting requirements. Mr. Story stated this is an extension of the radius for siting a billboard from 300 to 1,000 feet. It requires that proposed billboards be in areas that are mostly commercial (or, if mostly residential, have the consent of homeowners). The effect will be to keep billboards further away from residential areas. For purposes of determining residential/commercial, the old ordinance did not define "business." The new amendment does define "business." Mr. Jeff Noland, Fairway Outdoor Advertising, spoke against the proposed 1,000 feet radius for siting a billboard during the Land Use Committee meeting. They feel 600 feet would be adequate. Mr. Foster recommended carrying this item over until the public hearing is held.
- C. Updated Planning Department Reports on Development Activity were received.

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

- A. Dr. Jim Weeks and Mr. Joe Maple, Home Hazardous Waste Spartanburg, presented information in reference to Home Hazardous Waste collection. Presentation is included in backup. Motion made by Mr. Mintz for Administration to put together a study and proposal on Home Hazardous Waste and bring it back in the spring as part of the budget recommendation for consideration by Council. Motion seconded by Mr. Britt and carried.
- B. Information received regarding activities of the Public Works Department.

VI.

- A. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a fee agreement by and between Spartanburg County, South Carolina and MK Metalfoils USA, Inc. (Project Nelson) providing for a payment of a fee in lieu of taxes. 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 by and between Spartanburg County, South Carolina and AFL Telecommunications, LLC 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.
- C. 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 and No. O-03-13 relating to the joint County Industrial and Business Park (Park No. 2) of Cherokee and Spartanburg Counties so as to enlarge the park. (AFL Telecommunications, LLC) Motion seconded by Mr. Foster and carried.
- D. Motion made by Mr. Foster to render third reading to an Ordinance to amend the FY 2008-09 Stormwater Fund (Fund 3) Operating Budget in the amount of \$600,000 to appropriate Stormwater proceeds collected by the County on behalf of the City of Spartanburg and the City of Greer. Motion seconded by Mr. Britt and carried.

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.

No items scheduled.

X.

Motion made by Mr. Culbreth to approve minutes of November 12, 2008 (Special Meeting) and November 17, 2008 (Regular Meeting). Motion seconded by Mr. Foster and carried.

XI.

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

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council