

May 19, 2003

Spartanburg County Council met on Monday, May 19, 2003, 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, Ken Huckaby, and Frank Nutt, Council Members; along with James K. Hartmann, County Administrator; Bill Dennis, Deputy County Administrator; Glenn Breed, Assistant County Administrator; Roy McBee Smith, County Attorney; William McBee Smith, Assistant County Attorney; and Edwin Haskell, Assistant 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 Honorable Frank Nutt. Mr. David White led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Ms. Stewart to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of the Dorman High School's Girls Basketball Team, "The Lady Cavaliers," for winning their first 4A State Championship. Motion seconded by Mr. Adams and carried. Coach Joy Couch and members of the team were present to receive Resolution.
- B. Mr. Britt presented an Award Certificate of Achievement for Excellence in Financial Reporting to Mr. Tom Gates and Ms. Rita Hill.
- C. Mr. Britt presented the Distinguished Budget Presentation Award to Mr. Tom Gates and Ms. Rita Hill.
- D. Mr. Hartmann acknowledged Captain Freeman and Sergeant Freeman for a job well done in hosting the SWAT Competition. Over the past few days, Spartanburg County had the distinct pleasure of hosting the 10th Annual SWAT Competition this year. It was filmed by ESPN. Captain Freeman and Sergeant Freeman were responsible for hosting this event over the past decade, bringing ESPN to us, and getting Spartanburg County some good recognition for the hard work that Law Enforcement Officers of many types do for us.

III.

- A. Chairman Horton declared open a public hearing to consider an Ordinance pursuant to SC Code §6-1-330(1976) (as amended) providing for fees and charges for Spartanburg County Parks and Recreation Facilities; providing for a Public Hearing; providing for the use of the revenue derived therefrom; and providing for adjustment in established fee rates by Resolution of Council. No one appeared and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider a Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (Waste Management of South Carolina, Inc. and Waste Management of Carolinas, Inc. Project) Series 2003, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended, in the aggregate principal amount of not exceeding \$25,000,000. Mr. Jack Glenn appeared in opposition to this Resolution. Mr. Glenn stated that it is confusing to him as to why JEDA Funds, which are job related, are being advanced to Waste Management. He thought Job Economic Development Funds were for concrete, steel, technical school training, associated business, investment in people. He does not believe JEDA funds were intended for this purpose. Mr. Glenn also expressed concern over the landfills. Ms. April Lucas, Nexsen Pruet Jacobs and Pollard, LLC, stated this is a conduit form of financing. It simply provides the company with access to the Bond Markets where the interest rates are lower. There is no liability on JEDA as a State Agency, nor on the part of the County. This does not impact the County's debt capacity in any fashion. To the extent that there are issues surrounding Landfills, they are a necessary part of our infrastructure. We cannot continue to function as a community without them nor recruit other industries if we do not have this type of infrastructure. We have DHEC, who has the responsibility for the regulatory side of these things. Others present included Mr. Lee McCormick, Waste Management; Mr. David Pepper, Waste Management; and Mr. Ed Kesser, JEDA. The matter was closed.
- C. Chairman Horton declared open a public hearing to consider an Application for Permit for special Public Event Exclusion from Noise Ordinance for May 24, 2003 from 12:00 noon through 12:00 midnight, at the Trout Productions LLC Palmetto Groovefest Music Festival at 190 Childress Road. Mr. Chris Duvall appeared to apply for the Noise Ordinance Exclusion. The matter was closed.

IV.

- A. Mr. Dewey Tullis appeared to thank Council for assisting in getting a road repaired quickly in Arkwright.

V.

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

- A. Motion made by Mr. Britt to adopt a Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (Waste Management of South Carolina, Inc. and Waste Management of Carolinas, Inc. Project) Series 2003, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended, in the aggregate principal amount of not exceeding \$25,000,000. Motion seconded by Mr. Huckaby and carried.

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

No items scheduled.

Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Mr. Jim Hartmann presented County Financial Policies. Motion made by Mr. Huckaby to adopt the recommended County Financial Policies. Motion seconded by Mr. Britt and carried.
- B. Mr. Gil Bulman presented a Reappraisal Update. To date, 4,764 parcels are under appeal. This is about 3.3% of the total tax appraisal notices mailed. There are approximately 73 appeal hearings per day, and approximately 60 appeals have requested to go before the Appeals Board.
- C. Updated financial data and personnel vacancy reports were received.

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Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Mr. Jeff Caton presented a progress report on our parks. Cleveland Park continues to do well. Work continues at Va-du-Mar McMillan Park. Now that the weather is changing, we are moving forward.
- B. Mr. Jesse Campbell, Spartanburg American Legion Post #28, appeared in reference to a request regarding American Legion State Baseball Playoffs. This item was carried forward.

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

- A. Mr. David Jones presented information in reference to 800 MHz radio system. It costs approximately \$330,000 for the County's operating expenses of this radio system. Some of the Municipalities have applied for grants for migrating to 800 MHz. These grants are still pending at this time. This was received as information.
- B. Honorable Marc Kitchens, Clerk of Court, presented information in reference to Courthouse Security. Based on a study by the Sheriff, the Warden, County Administration and the Judges, a change is being recommended in security at the doors at the Courthouse. The recommendation is that the Detention Officers will assume the responsibility for Courthouse Security. This is going to require an additional \$15,000 in addition to the current budgeted amount of \$90,000. Also, they are installing some electronic devices on the doors for staff to enter and exit. This will be an expenditure of \$20,000. Replacement of some keys and locks on the outside doors of the Courthouse will cost approximately \$2,500. This will total \$37,500. The \$22,500 will be one time Capital Expenditures. The \$15,000 will be in addition to the \$90,000, which is a recurring cost. Motion made by Mr. Huckaby to accept the recommendation. Motion seconded by Mr. Adams and carried. The Clerk of Court was approached by the Honorable Donald W. Beatty. He is the new appointee to serve as Judge for the Court of Appeals. He has requested space at the Courthouse. By State Statute, the County is responsible for providing this space. The Clerk has offered to provide the space that he is currently using as storage. The renovation and demolition will cost the County approximately \$22,000 to do this work in-house. Action requested is to renovate and provide this space for Judge Beatty. Motion made by Mr. Adams to

approve this request. Motion seconded by Mr. Huckaby and carried.

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

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Land Use Committee (Honorable David Britt, Chairman)

A. Motion made by Mr. Britt to approve the recommended list of Emission Reduction Strategies under consideration for our Early Action Compact for Air Quality presented by Mr. Jim D'Amato. Motion seconded by Mr. Nutt and carried.

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

A. Mr. Steve Belue presented information in reference to Municipal Road Money. Mr. Belue presented history on the Municipal Road Money. Mr. Nutt stated that there was no desire by the committee to change the recommendation relative to the road money.

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

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VI.

- A. Motion made by Mr. Parker to render second reading to an Ordinance pursuant to SC Code §6-1-330 (1976) (as amended) providing for fees and charges for Spartanburg County Parks and Recreation Facilities; providing for a public hearing; providing for the use of the revenue derived therefrom; and providing for adjustment in established fee rates by Resolution of Council. Motion seconded by Ms. Stewart and carried. Mr. Parker recommended making one change of lowering the charge for the Recreation Center to \$1 for Youth up to 16 years old for the Outside Pools. The recommendation carried unanimously.
- B. Motion made by Mr. Britt to render second reading to an Ordinance amending and restating Ordinance No. O-01-24 to provide for the issuance and sale of not exceeding fifteen million dollars (\$15,000,000) General Obligation Bonds, Series 2003, of Spartanburg County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto. Motion seconded by Mr. Huckaby and carried.
- C. Motion made by Mr. Britt to render second reading to FY-04 Budget Ordinance. Motion seconded by Mr. Nutt 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 Ms. Stewart to approve minutes of April 21, 2003. Motion seconded by Mr. Britt and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:_____

Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler

Clerk to Council