



# MINUTES

## County Council Meeting

**March 16, 2015**

Spartanburg County Council met on Monday, March 16, 2015, 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, Justin Bradley, David Britt, Jane Hall, Bob Walker, and Roger Nutt, Council Members; along with Katherine O'Neill, County Administrator; Jim Hipp, Deputy County Attorney; Lisa Claxton, County Attorney; John Harris, Senior Deputy County Attorney; and Ginny Dupont, Deputy 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.

Invocation was rendered by Chaplain Amos Durham. Honorable Jane Hall led in reciting the Pledge of Allegiance.

### II.

- A. Mr. John Henderson, South Carolina Association of Counties presented the Lag Time Award and the Sustained Excellence in Risk Management Award to Mr. Terry Booker, Risk Manager.
- B. Motion made by Ms. Hall to adopt a Resolution proclaiming April 6-11, 2015 as Community Development Week in Spartanburg County. Motion seconded by Mr. Nutt and carried. Ms. Sylynda Tarr, Administrative Secretary, Community Development Department, received Resolution.
- C. Motion made by Mr. Nutt to adopt a Resolution proclaiming April 2015 as Fair Housing Month in Spartanburg County. Motion seconded by Ms. Hall and carried. Ms. Sylynda Tarr, Administrative Secretary, Community Development Department, received Resolution.
- D. Motion made by Mr. Britt to adopt a Resolution proclaiming March 2015 as Disabilities Awareness Month in Spartanburg County. Motion seconded by Mr. Nutt and carried. Ms. Ani Samargian, Vice-Chair, Disability and Special Needs Board, received Resolution.

- E. Motion made by Mr. Walker to adopt a Resolution proclaiming the week of April 12 through April 18, 2015 as "Animal Control Officer Appreciation Week" in Spartanburg County. Motion seconded by Mr. Brown and carried. Senior Animal Control Officer Kathy Roberts received Resolution.
- F. Motion made by Mr. Bradley to adopt a Resolution endorsing and supporting the statewide "Zero Tolerance for Litter" Campaign during the month of April conducted by the South Carolina Litter Control Association, PalmettoPride, and Keep America Beautiful of South Carolina. Motion seconded by Mr. Brown and carried. Litter Officer William Roman received Resolution.

III.

Ms. O'Neill and Chairman Horton recognized Honorable Jane Hall for being awarded Spartanburg Methodist College's Political Leadership Award at its annual Pioneering Women's Award Luncheon acknowledging the achievement of women of character, courage, and commitment in the Upstate community. Ms. Hall was also presented a Proclamation recognizing her dedicated service and political leadership in representing Spartanburg County Council. Mr. Nutt recognized and thanked Mr. Bob Harkrader, Planning Director, and Mr. Jim Hipp, Deputy County Administrator, for attending a Homeowners Association meeting with him and commended them on doing a great job answering questions at the meeting. Ms. O'Neill recognized Sandy Poore, Communications, for doing a very professional and efficient job in handling a 9-1-1 call from a man whose wife was suffering acute, heart related problems. Ms. O'Neill and Mike Flynn, Communications Director, re-presented the Donald Caldwell Award to Justen Martin, Communications Dispatch Supervisor. Justen was presented the Donald Caldwell Award from the Spartanburg County Fire Chiefs' Association at their Awards Gala on Saturday, March 7. Justen has dispatched for more than ten years, and he was awarded this honor based on the characteristics that resemble those of Donald Caldwell, which are (1) "Getting the Job Done" in an effort to support the responders and serve the callers; and (2) "Doing it right the first time" which was very important to Donald Caldwell, because he wanted the quality of the work in dispatch to be excellent. Ms. O'Neill recognized the following individuals that helped following a recent Ultralight Aircraft crash: Chief Trent Harper, Assistant Chief Chris Howard, Captain Charlie Lea, Lieutenant John Alley, Lieutenant Tim Cash, Cherokee Springs Fire Department; Captain Health Henderson, Captain Scott Sharrett, Lieutenant Chris Lamb, Lieutenant Ron Hunter, Sergeant Brad Bennett, Spartanburg Advanced Rescue Team; Chief Scott Miller, Boiling Springs Fire Department; Lynn Cole and Coworkers, Spartanburg Emergency Medical Service; Justen Martin, Charles Hill, Kyle Greene, Members of Team One, Members of Team Two, Spartanburg County Communications Center; Cowpens Fire Department; Spartanburg County Sheriff's Office; Duke Energy; and Broad River Electric. Ms. O'Neill stated that on Tuesday, February 24, Spartanburg County suffered a great loss in the passing of Mr. Paul Allen Miller, the father of Chief Scott Miller of the Boiling Springs Fire Department. Mr. Miller had served for many years in the fire service, and he also served his community as a Boy Scout Leader. He served the community for almost 40 years in several different capacities. Chief Scott

Miller, Boiling Springs Fire Department, passed on his gratitude for the "last call" services provided by the Communications Department for his Dad's funeral. Specifically, Supervisor Justen Marten performed the "last call" and Emergency Services Academy Director Chris Massey assisted with the public address system at the cemetery. Ms. O'Neill also recognized Mike Emory and Johnnie Lewis, Facilities Maintenance. Coroner Rusty Clevenger wanted to let the Facilities Maintenance crew know how much he appreciated their help with issues on a vehicle that required a great deal of research and questioning and for keeping his department vehicles running.

IV.

- A. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Kobelco Construction Machinery (U.S.A.), Inc.** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain Special Source Credits; and other matters related thereto. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider an Ordinance to Amend the Agreement for Development for Joint County Industrial Park by and between Spartanburg County and Cherokee County, South Carolina, so as to include Additional Property in Spartanburg County as part of the Joint County Industrial Park, and other Matters relating thereto. (**Kobelco Construction Machinery (U.S.A.), Inc. and Toray Carbon Fibers America, Inc.**) No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Teu Thang, Community of Khher Buddhist Monks**, from 11:00 a.m. until 11:59 p.m. on Saturday, April 4, 2015 and 11:00 a.m. until 7:00 p.m. on Sunday, April 5, 2015 for a Cambodian New Year Celebration at 841 Shiloh Church Road, Wellford. No one appeared, and the matter was closed.
- D. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Johnny Senchantixay, Lao Association of Spartanburg**, from 10:00 a.m. on Friday, May 1 until 1:00 a.m. on Saturday, May 2, 2015; from 10:00 a.m. until 11:59 p.m. on Saturday, May 2; and from 10:00 a.m. until 11:30 p.m. on Sunday, May 3, 2015 for a Lao New Year Party at 470 Fox Drive, Spartanburg. No one appeared, and the matter was closed.
- E. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Jim Brannon, Kingston Terrace Stables**, from 10:00 a.m. until 11:59 p.m. on Saturday, April 25, 2015 for an Outdoor Concert at 140 Double Bridge Road, Boiling Springs. No one appeared, and the matter was closed.
- F. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Tony**

**Shires, Harley Davidson of Spartanburg**, from 7:00 a.m. until 11:00 p.m. on Saturday, March 28, 2015 for a Motorcycle Ministry and church event being held at 365 Sha Lane. No one appeared, and the matter was closed.

- G. 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 4:00 p.m. until midnight on Saturday, April 11, 2015 and Saturday, April 18, 2015 for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.

V.

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

No items scheduled.

**Public Health and Human Services Committee** (Honorable Justin Bradley, Chairman)

- A. Ms. Kathy Rivers, Director of Community Development Department, presented information in reference to the Community Development Block Grant Program and Home Investment Partnerships Program Funding Recommendations. Motion made by Mr. Bradley to approve the FY 2015 Annual Action Plan. Motion seconded by Mr. Nutt and carried.
- B. Ms. Sue O'Brien, Executive Director, Spartanburg Alcohol and Drug Abuse Commission (SADAC), presented information in reference to changing the name of Spartanburg Alcohol and Drug Abuse Commission (SADAC) to "The Forrester Center for Behavioral Health." No action was taken on this item this month.

**Personnel and Finance Committee** (Honorable Bob Walker, Chairman)

- A. County Administrator Katherine O'Neill presented information in reference to a lease agreement on the Second Presbyterian Church parking lot. Motion made by Mr. Walker to approve lease agreement and authorize County Administrator to sign the document. Motion seconded by Mr. Britt and carried.
- B. County Administrator Katherine O'Neill presented information regarding a proposed revised employee handbook. No action was taken. This item will be addressed at a later date.
- C. Updated financial data and personnel vacancy reports were received.

**Livability Committee** – (Honorable Jane Hall, Chairman)

- A. Mr. Chris Jennings, Director, Spartanburg Convention & Visitors Bureau, presented "Tourism Action Plan: Progress Report and Update." (Presentation and Strategy Board handout are included in backup.)
- B. Ms. Marcia Murff, Public Relations and Development Manager, Parks Department, presented information in reference to a request from the Parks

Department to apply for the Spartanburg Regional Foundation Grant. Motion made by Ms. Hall to approve submittal of this grant application. Motion seconded by Mr. Britt and carried.

- C. Information received regarding activities of the Parks Department.

**Public Safety and Judiciary Committee** – (Honorable Michael Brown, Chairman)

- A. Major Neal Urch, Director of Jail Operations, presented information in reference to a grant from the MacArthur Foundation. Motion made by Mr. Brown to approve submission of the grant application. Motion seconded by Mr. Nutt and carried.
- B. Captain Mark Barry presented information in reference to a Resolution ratifying a Mutual Aid Agreement between the Spartanburg County Sheriff's Office and Darlington County Sheriff's Office. Motion made by Mr. Brown to adopt Resolution. Motion seconded by Mr. Britt and carried.
- C. Captain Mark Barry presented information in reference to a Resolution ratifying a Mutual Aid Agreement between the Spartanburg County Sheriff's Office and Florence County Sheriff's Office. Motion made by Mr. Brown to adopt Resolution. Motion seconded by Mr. Britt and carried.
- D. Mr. Brown stated a request was received to adopt a Resolution approving an Agreement for Extended Police Jurisdiction for the City of Inman within the public right-of-way located near the City limits of the City of Inman and known as New Cut Road from the intersection of Southfield to Blackstock Road, a distance of .2 miles and Blackstock Road from the intersection of New Cut to the intersection of 292 for a distance of 1.2 miles. This item was postponed until further notice.
- E. Mr. Brown stated a request was received to adopt a Resolution approving an Agreement for Extended Police Jurisdiction for the City of Inman within the public right-of-way located near the City limits of the City of Inman and known as Southfield from Campton Road to the intersection of New Cut Road – a 1.1 mile stretch of roadway. This item was postponed until further notice.
- F. Updated information received regarding activities of Building Codes Department.

**Land Use Committee** (Honorable Jeff Horton, Chairman)

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

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

- A. Mr. Travis Brown, Solid Waste Manager, presented information in regarding activities at the Landfill, Recycling Capabilities, and the upcoming Household Hazardous Waste Event that will be held on March 28.
- B. Updated information received regarding activities of the Public Works Department.

VI.

No one appeared during the Public Comment Period.

VII.

- A. Motion made by Mr. Britt to render second 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 **Kobelco Construction Machinery (U.S.A.), Inc.** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain Special Source Credits; and other matters related thereto. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Britt to render second reading to an Ordinance to Amend the Agreement for Development for Joint County Industrial Park by and between Spartanburg County and Cherokee County, South Carolina, so as to include Additional Property in Spartanburg County as part of the Joint County Industrial Park, and other Matters relating thereto. (**Kobelco Construction Machinery (U.S.A.), Inc. and Toray Carbon Fibers America, Inc.**) Motion seconded by Mr. Nutt and carried.

XIII.

- A. Motion made by Ms. Hall to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Teu Thang, Community of Khher Buddhist Monks**, from 11:00 a.m. until 11:59 p.m. on Saturday, April 4, 2015 and 11:00 a.m. until 7:00 p.m. on Sunday, April 5, 2015 for a Cambodian New Year Celebration at 841 Shiloh Church Road, Wellford. Motion seconded by Mr. Britt and carried.
- B. Motion made by Mr. Brown to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Johnny Senchantixay, Lao Association of Spartanburg**, from 10:00 a.m. on Friday, May 1 until 1:00 a.m. on Saturday, May 2, 2015; from 10:00 a.m. until 11:59 p.m. on Saturday, May 2; and from 10:00 a.m. until 11:30 p.m. on Sunday, May 3, 2015 for a Lao New Year Party at 470 Fox Drive, Spartanburg. Motion seconded by Mr. Britt and carried.
- C. Motion made by Ms. Hall to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Jim Brannon, Kingston Terrace Stables**, from 10:00 a.m. until 11:59 p.m. on Saturday, April 25, 2015 for an Outdoor Concert at 140 Double Bridge Road, Boiling Springs. Motion seconded by Mr. Bradley and carried.
- D. Motion made by Mr. Britt to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Tony Shires, Harley Davidson of Spartanburg**, from 7:00 a.m. until 11:00 p.m. on Saturday, March 28, 2015 for a Motorcycle Ministry and church event being held at 365 Sha Lane. Motion seconded by Mr. Brown and carried.

- E. Motion made by Mr. Walker to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, April 11, 2015 and Saturday, April 18, 2015 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Britt and carried.

IX.

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.

X.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Resolution Number 15216 amends the Coroner's departmental budget in recognition of revenue being received from the sales of their used cell phones. Budget Amendment Resolution Number 15217 acknowledges an increase in the monthly rent for the Landrum District Magistrate Office. Budget Amendment Resolution Number 15218 provides resources for repair/replacement of a stormwater culvert that runs beneath the main road within the landfill. Budget Amendment Resolution Number 15219 sets up revenue received in the Forfeited Gambling Fund, State Forfeited Drug Fund, and Federal Forfeited Drug Fund for January and February 2015. Budget Amendment Resolution Number 15220 recognizes and budgets funds previously collected in various departments in the Special Revenue Fund. Budget Amendment Resolution Number 15221 allows for the closure of completed C-Fund projects. Budget Amendment Resolution Number 15222 accepts the award of the RecycleMoreSC grant and the Compost Bin grant from SC-DHEC. Budget Amendment Resolution Number 15223 accepts a donation of indoor fitness equipment made by the VSP Foundation to the Spartanburg County Parks Department. Budget Amendment Resolution Number 15224 – The Upstate WIB received funds for an area business to conduct incumbent worker training in safety and lean manufacturing. Budget Amendment Resolution Number 15225 amends the MS4 Monitoring Program (ST0004) capital project to accept a contribution by the City of Spartanburg of \$50,000 and sets up a corresponding expenditure.

Motion made by Mr. Britt to approve the Budget Amendment Resolutions provided to Council. Motion seconded by Ms. Hall and carried.

XI.

Motion made by Mr. Walker to approve the minutes of February 16, 2015 (Regular Meeting) with the correction of two very minor scrivener errors that involves the names of Council Members. Motion seconded by Mr. Britt and carried.

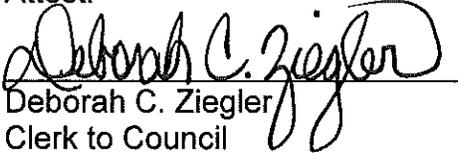
XII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:   
Jeffrey A. Horton, Chairman

Attest:

  
Deborah C. Ziegler  
Clerk to Council