

March 18, 2002

Spartanburg County Council met on Monday, March 18, 2002, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Karen Floyd, Chairman; Honorables David Britt, Jeff Horton, Frank Nutt, Ken Huckaby, Johnnye Code Stewart and Rock Adams, Council Members; along with James K. Hartmann, County Administrator; Bill Dennis, Deputy County Administrator; Chris Story, Assistant 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 Floyd called the meeting to order.

Invocation was rendered by Dr. Mike Hamlet, First Baptist North Spartanburg. Mr. Glenn Breed led in reciting the Pledge of Allegiance.

II.

No presentations were scheduled.

III.

A. Chairman Floyd declared open a public hearing to consider a proposed Ordinance with respect to proceedings in connection with the creation of the Spartanburg County and Union County, South Carolina Joint County Industrial Business Park (the "Industrial Business Park") entered into by Spartanburg County with Union County, South Carolina. The property to be included in the Industrial Business Park includes property owned by Extended Stay America, Inc. located at 100 Dunbar Street, Spartanburg, South Carolina and property owned by Advance America, Inc. located at 135 North Church Street, Spartanburg, South Carolina. Said public hearing is to occur at a meeting of the Spartanburg County Council in the Administration Building, 366 Church Street, Spartanburg, South Carolina on Monday, March 18, 2002 at 5:30 p.m. No one appeared and the hearing was closed.

B. Chairman Floyd declared open a public hearing to consider a proposed Ordinance to develop a jointly

owned and operated Industrial/Business Park ("Donnelley Park Project") in conjunction with Union County, such Industrial/Business Park to be geographically located in Spartanburg County and established pursuant to South Carolina Code of Law of 1976 §4-1-170, et sequitur, as amended; to provide for a written agreement with Union County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxes to the counties and relevant taxing entities; to provide that jobs tax credits allowed by law be provided for businesses locating in said park; and to permit a user fee in lieu of ad valorem taxation within said park. No one appeared and the hearing was closed. No one appeared and the hearing was closed.

- C. Chairman Floyd declared open a public hearing to consider a proposed Ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of R.R. Donnelley & Sons Company (The "Company") pursuant to a fee agreement between Spartanburg County, South Carolina (The "County") and the company; authorizing the issuance of an infrastructure credit to the company pursuant to an infrastructure financing agreement between the company and the county; and other matters relating to the foregoing. No one appeared and the hearing was closed.
- D. Chairman Floyd declared open a public hearing to consider a proposed lease of Irwin Park located on Irwin Avenue and Fairforest Park located on Highland Avenue, Spartanburg, SC. No one appeared and the hearing was closed.

#### IV.

No appearances were scheduled.

#### V.

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

- A. Ms. Elena Rush presented a report regarding the Arkwright Project as information. No action was taken.

#### Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Mr. Bill Dennis presented a report in reference to Leave Donation Policy. This is where one employee can donate vacation to another employee who may have run out of their sick leave. Motion made by Mr. Huckaby to adopt the Leave Donation Policy. Motion seconded by Mr. Horton and carried.
- B. Mr. Bill Dennis presented information and options on Health Insurance for 2003. Staff will continue to review this and will bring back additional information. Motion made by Mr. Horton for Staff to do the following: (1) Get in touch with the state and get more information; (2) Speak with Cigna to see if those dollars could be reduced if the vision plan was perhaps altered. An 80/20 plan could be looked at; and (3) put this out for bid. Motion seconded by Mr. Britt and carried.
- C. Updated financial information was received as information only.

#### Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Cleveland Park Renovation project is still scheduled for opening around June 1, 2002.
- B. Information received in regard to Va-du-Mar McMillan Park property. Drawings are available for the public. Public hearings will be held in the next month or so to show the public the first phase.

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

- A. Motion made by Mr. Britt to render first reading to an Ordinance by Spartanburg County, South Carolina, authorizing an Infrastructure Tax Credit (Extended Stay America, Inc. Project) and an Intergovernmental Agreement with the City of Spartanburg. Motion seconded by Mr. Nutt and carried.
- B. Motion made by Mr. Britt to adopt a Resolution designating certain parcels for inclusion in the Spartanburg County/Union County Joint County Industrial and Business Park located in the City of Spartanburg, South Carolina, in accordance with Spartanburg County Ordinance No. 673 and the Intergovernmental Agreement, as amended, authorized by that Ordinance, between the City of Spartanburg and the County of Spartanburg, South Carolina; and other matters related thereto. (Cedar Springs Crossing) Motion seconded by Mr. Huckaby and carried.
- C. Motion made by Mr. Britt to render first reading to an Ordinance to develop a jointly owned and operated Industrial/Business Park ("Weavetex Project") in conjunction with Spartanburg County, such Industrial/Business Park to be geographically located in Union County at the property formerly known as Rosemont Mill and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et sequitur, as amended; to provide for a written agreement with Spartanburg County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxes to the counties and relevant taxing entities; to provide that jobs tax credits allowed by law be provided for businesses locating in said park; and to permit a user fee in lieu of ad valorem taxation within said park. Motion seconded by Mr. Nutt and carried.
- D. Administration presented an update on House Bill 4737 Multi-County Industrial Park Legislation. County Council, as a whole, will send a letter to our Delegation encouraging them not to support House Bill 4737.

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

- A. Information received in reference to Violent Offender Incarceration/Truth in Sentencing (VOITIS) Grant Application. Motion made by Mr. Huckaby to submit this grant and to live up to the general assurances that are with the grant. If awarded, it calls for a 10% match. Mr. Hartmann advised funding is available for this. If awarded this would remodel the existing old jail facility from 16 beds to 76 beds. Motion seconded by Mr. Horton and carried.
- B. Information received regarding activities of the Building Codes Department.

Land Use Committee (Honorable David Britt, Chairman)

- A. Mr. Emory Price presented an update on the work the Land Use Committee has been doing. Motion made by Mr. Huckaby to render first reading to Unified Land Management Ordinance. Motion seconded by Mr. Horton and carried.

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

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

VI.

- A. Motion made by Mr. Britt to render third reading to an Ordinance to develop a jointly owned and operated Industrial/Business Park in conjunction with Union County, such Industrial/Business Park to

be geographically located in Spartanburg County and The City of Spartanburg and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et sequitur, as amended; to provide for a written agreement with Union County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxes to the counties and relevant taxing entities; to provide that jobs tax credits allowed by law be provided for businesses locating in said park; to permit a user fee in lieu of ad valorem taxation within said park; and to provide for an Intergovernmental Agreement with The City of Spartanburg. (Extended Stay America) Motion seconded by Mr. Huckaby and carried.

- B. Motion made by Mr. Huckaby to render third reading to an Ordinance providing for a service or user fee for Cleveland Park Facilities; providing for a Public Hearing; and providing for the use of the revenue derived therefrom. Motion seconded by Mr. Horton and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance to amend the jointly owned and operated Industrial/Business Park in conjunction with Union County, dated as of December 1, 1998; as amended as of December 18, 2000 such Industrial/Business Park being geographically located in Spartanburg County and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et sequitur, as amended; to provide for a written agreement with Union County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem tax to the counties and relevant taxing entities; and, to provide that jobs tax credits allowed by law be provided for industries locating in said park, and to permit a user fee in lieu of ad valorem taxation. (City of Lyman) Motion seconded by Mr. Horton and carried.
- D. Motion made by Mr. Britt to render second reading to an Ordinance to develop a jointly owned and operated Industrial/Business Park ("Donnelley Park Project") in conjunction with Union County, such Industrial/Business Park to be geographically located in Spartanburg County and established pursuant to South Carolina Code of Law of 1976 §4-1-170, et sequitur, as amended; to provide for a written agreement with Union County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxes to the counties and relevant taxing entities; to provide that jobs tax credits allowed by law be provided for businesses locating in said park; and to permit a user fee in lieu of ad valorem taxation within said park. Motion seconded by Mr. Huckaby and carried.
- E. Motion made by Mr. Britt to render second reading to an Ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of R.R. Donnelley & Sons Company (The "Company") pursuant to a fee agreement between Spartanburg County, South Carolina (The "County") and the company; authorizing the issuance of an infrastructure credit to the company pursuant to an infrastructure financing agreement between the company and the county; and other matters relating to the foregoing. Motion seconded by Mr. Huckaby and carried.

## VII.

No items were 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.

Mr. William McBee Smith advised the U.S. Justice Department issued a letter of no objection to the Spartanburg County Redistricting Ordinance and Plan on March 14, 2002.

X.

Motion by Ms. Stewart to approve minutes of February 18, 2002. Motion seconded by Mr. Horton and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

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

Karen Floyd, Chairman

Attest:

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Deborah C. Ziegler

Clerk to Council