

MINUTES

County Council Meeting

May 19, 2014

Spartanburg County Council met on Monday, May 19, 2014, 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, Jane Hall, Dale Culbreth, and Roger Nutt, Council Members; along with Katherine O'Neill, County Administrator; Jim Hipp, Deputy County Administrator; 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 to order.

Invocation was rendered by Chaplain Jerry Clevenger. Mr. Culbreth led in reciting the Pledge of Allegiance.

II.

- A. Motion made by Mr. Mintz to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Lauren Cabaniss, Miss Boiling Springs. Motion seconded by Mr. Britt and carried.
- B. Motion made by Mr. Mintz to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County and the Chesnee Eagles by the achievements of Alex Deleon in being named the South Carolina High School Cheerleader of the Year. Motion seconded by Ms. Hall and carried.
- C. Mr. Culbreth presented a Resolution proclaiming May 2014 as Building Safety Month in Spartanburg County to Mr. Jerry Glover, Director, Building Codes Department. Motion made by Mr. Britt to adopt Resolution. Motion seconded by Mr. Nutt and carried.
- D. Chairman Horton recognized the Graduates of Spartanburg County Citizens' Academy. The Spring 2014 graduates were Dickie Adams, Ingrid Belue,

Becky Brady, Ronny Brady, Kathy Buckson-Fullenwider, Ralph Clark, Vanessa Davis, Teresa Ferguson, Lisa Hall, Ruben McKissick, Marion McMillan, Michael Meissner, Paulette Roberson, Israel Robinson, Glenda Sparnell, Tony Thomas, and Lyn Turner.

III.

Ms. O'Neill recognized Todd Stephens, Spartanburg County Library, for the donation of eight microfilm machines and four printers to the County. Ann Angermeier, Director, Workforce Investment Board; Johnny-Lyn Crosby, new Director of SC Works; and Brenda Connelly, Workforce Investment Board Liaison to the SC Works Center, were recognized for SC Works Spartanburg being selected to receive the Outstanding SC Works Center award. Jessica Gilliland, Information Technologies Department, was recognized for receiving her certification as an OnBase Administrator. Jerry Glover, Building Codes Department; Richard Cash, Assessor's Office; Dorothy Earle, Register of Deeds Department; Sharon West, County Auditor, and our Sheriff's Deputies were recognized for being commended in the Stroller column of the Spartanburg Herald-Journal for being responsive, professional and knowledgeable employees. Mike Emory, Administrative Services Manager, and Terry Sizemore, Maintenance, were recognized for going over and above their duties by cutting the grass to make our County Judicial Building look incredible during our transition period with a new vendor. Dennis Hodges, Trey Glover and Chad Bragg, Parks Department, Tyger River Park, were recognized for being helpful and friendly to the young players at Tyger River Park.

IV.

- A. Chairman Horton declared open a public hearing to consider a Budget Ordinance relating to the fiscal Affairs of Spartanburg County making appropriations therefore, levying taxes for the fiscal year beginning July 1, 2014 and ending June 30, 2015; to provide for budget control of said appropriation by the Spartanburg County Council. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider a Budget Ordinance to establish Capital Project Budgets for the 2014-2015 Budget Year of the Five-Year Capital Improvement Plan. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to determine whether and to what extent the service area of the Spartanburg Sanitary Sewer District shall be enlarged. 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 Mark Morey from 12:01 p.m. until 11:59 p.m. on Saturday, June 7, 2014 for a

Benefit at the Spartanburg Moose Lodge, 150 Pioneer Fish Camp Road, Roebuck. 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 Samantha Som from 4:00 p.m. until 11:59 p.m. on Saturday, May 24, 2014 for a Cambodian Baby Shower Party at 3890 Compton Bridge Road, Campobello. 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 Johnny Senchantixay, Lao Association of Spartanburg, from 11:00 a.m. until 11:59 p.m. on Saturday, May 24, 2014, and from 11:59 a.m. until 11:00 p.m. on Sunday, May 25, 2014 for a Memorial Day Celebration at 470 Fox Drive. 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, June 7, 2014 and Saturday, June 21, 2014 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)

- A. Motion made by Mr. Britt to render first reading to an Ordinance (1) to amend an existing agreement for the Development of a Joint-County Industrial and Business Park by and between Spartanburg County, South Carolina and Union County, South Carolina to enlarge the boundaries of the park to include certain property located in Spartanburg County presently owned and/or operated by **Michelin North America, Inc.**, or one or more companies related thereto; and (2) authorizing other related matters. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Britt to render first 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. Motion seconded by Mr. Brown and carried.

Public Health and Human Services Committee (Honorable Roger Nutt, Chairman)

No items scheduled.

Personnel and Finance Committee (Honorable Dale Culbreth, Chairman)

- A. Mr. Darryl Kosiorek, Accommodations Tax Advisory Committee Member, presented information in reference to the Accommodations Tax Advisory Committee Recommendations for Fiscal Year 2015. Recommendations are included in backup. This item was carried over until the June meeting.
- B. Motion made by Mr. Culbreth to Amend Part 1 of the Budget Ordinance, Operation of County Government, Section 8, Appropriations as follows: Amend the General Fund expenditures by increasing the appropriation to the Emergency Services Academy Department by \$35,000 to \$227,021 and decreasing the appropriation to the Transfers between Funds department by \$35,000 to \$15,502,690. Motion seconded by Mr. Britt and carried. Motion made by Mr. Culbreth to Amend Part 1 of the Budget Ordinance, Operation of County Government, Section 8, Appropriations related to the Alcohol and Drug Abuse Fund (SADAC): To increase the Fund Balance and Alcohol and Drug Abuse Revenue line items and to increase the following departments: Community Referral, Prevention, and Drug Court by the amounts shown in the table included in backup, and to increase the authorized staffing by one slot, 0.67 Full-Time Equivalent (FTE) for a part-time position related to a new grant, and change the total Alcohol and Drug Abuse Fund revenue and expenditure appropriation to \$3,110,085. Total revenue and expenditure appropriation for all funds will change to \$177,438,496. Motion seconded by Ms. Hall and carried. Motion made by Mr. Culbreth to render second reading to a Budget Ordinance relating to the fiscal affairs of Spartanburg County making appropriations therefore, levying taxes for the fiscal year beginning July 1, 2014 and ending June 30, 2015; to provide for budget control of said appropriation by the Spartanburg County Council as amended. Motion seconded by Mr. Britt and carried.
- C. Motion made by Mr. Culbreth to amend Part 1, Section 1, of the Capital Budget Ordinance, for Fiscal Year 2014/2015 as related to the General Fund Transfer and Public Safety project expenditures. This amendment will decrease the transfer from the General Fund by \$35,000 from \$435,000 to \$400,000 and decrease the Public Safety appropriation by \$35,000 from \$2,056,371 to \$2,021,371 thereby decreasing the total Capital Budget from \$19,149,620 to \$19,114,620. Motion seconded by Ms. Hall and carried. Motion made by Mr. Culbreth to render second reading to a Budget Ordinance to establish Capital Project Budgets for the 2014-2015 Budget Year of the Five-Year Capital Improvement Plan as amended. Motion seconded by Mr. Nutt and carried.
- D. Mr. Chris Rogers, Rogers Law Firm, presented information in reference to a Resolution of historic designation for special tax assessment under Section 70-169 of the Spartanburg County, South Carolina Code of Ordinances for that certain parcel of improved real property known as the Apache Mill. Motion made by Mr. Culbreth to adopt Resolution. Motion seconded by Mr. Nutt and carried.
- E. Updated financial data and personnel vacancy reports were received.

Livability Committee – (Honorable Jane Hall, Chairman)

- A. Ms. Elizabeth Hardee, Recreation Programs Assistant Manager, and Ben Palmer, Recreation Coordinator, Spartanburg Parks, presented information in reference to the "Tame the Tyger Race" that took place this spring. It was very successful with 148 participants on the river and 96 competitors during this race. A video was shown of the "Tame the Tyger Race."
- B. Information received regarding activities of the Parks Department.

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

- A. Ms. Denise Rider, Lake Bowen Baptist Church, presented information in reference to a request from Lake Bowen Baptist Church to sell World's Finest Chocolate bars to the motorists in the Boiling Springs area on Saturday, May 24; Saturday, May 31; and Saturday, June 7, between the hours of 10:00 a.m. and 2:00 p.m. at the intersection of Highway 9 and Old Furnace Road and the intersection of Highway 9 and Rainbow Lake Road to raise funds to help send two mission teams on trips this summer to Alaska and Nicaragua. Motion made by Mr. Brown to approve this request. Motion seconded by Mr. Culbreth and carried.
- B. Mr. Murray Glenn, Office Administrator, Solicitor's Office, presented information in reference to a Victim Assistance Grant. Mr. Glenn stated this is a continuation grant for a Domestic Violence Prosecutor. Motion made by Mr. Brown to approve submittal of grant. Motion seconded by Mr. Culbreth and carried.
- C. Information was received in reference to Alternative Residential Housing Requirements as by way of discussion. Motion made by Mr. Brown to direct Staff to review the matters relating to Alternative Residential Housing Requirements and to prepare options as to where such uses can be located in the County. Motion seconded by Mr. Nutt and carried.
- D. 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 O'Neal Mintz, Chairman)

- A. 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 third reading to an Ordinance authorizing (1) the execution and delivery of an Amendment to Fee Agreement by and between Spartanburg County, South Carolina (The "County") and **Michelin North America, Inc.**, acting for itself, one or more sponsor affiliates or other project sponsors and previously identified as Project Journal, (The "Company"), in connection with investment in certain facilities at one or more locations in the County (the "Additional Project"), approving and providing for (A) a five-year extension of the investment period of the existing fee in lieu of tax arrangement set forth in such fee agreement, (B) a ten-year extension of the term of the existing fee in lieu of tax arrangement set forth in such fee agreement, and (C) certain Special Source Revenue Credits in connection with the Additional Project; (2) the execution and delivery of one or more amendments and other agreements or instruments including, but not limited to, an Amendment to Lease Agreement by and between the County and the Company, approving and providing for a ten-year extension of the term of an additional existing fee in lieu of tax arrangement set forth in such lease agreement; (3) the benefits of a Multi-County Industrial or Business Park to be made available to the Company and the Additional Project; and (4) other matters relating thereto. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Nutt to render third reading to an Ordinance authorizing the **Woodruff-Roebuck Water District**, South Carolina to (1) enlarge its service area, and (2) reapportion its voting areas; providing for the publication of notice of the said findings and authorization; and generally approving other matters relating thereto. Motion seconded by Mr. Mintz and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement to provide for a fee in lieu of ad valorem taxes incentive and infrastructure credits to **(Project McDonald's)**; the inclusion of certain property in Spartanburg County, South Carolina in a multi-county industrial park; and other matters related thereto. Motion seconded by Mr. Nutt and carried.
- D. Motion made by Mr. Nutt to render second reading to an Ordinance authorizing the Spartanburg Sanitary Sewer District, South Carolina to enlarge its service area; and generally approving other matters relating thereto. Motion seconded by Ms. Hall and carried.
- E. Motion made by Mr. Britt to render second reading to an Ordinance to provide for the adjustment of certain fees by Resolution of County Council. Motion seconded by Mr. Nutt and carried.

- F. Motion made by Mr. Britt to render second reading to an Ordinance to amend the Unified Land Management Ordinance to provide for the adjustment of certain fees by Resolution of County Council. Motion seconded by Mr. Mintz and carried.

XIII.

- A. Motion made by Mr. Britt to adopt a Resolution authorizing the Delinquent Tax Collector of Spartanburg County to transfer property to the Spartanburg County Forfeited Land Commission. Motion seconded by Mr. Culbreth and carried.
- B. Motion made by Mr. Britt to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by Mark Morey from 12:01 p.m. until 11:59 p.m. on Saturday, June 7, 2014 for a Benefit at the Spartanburg Moose Lodge, 150 Pioneer Fish Camp Road, Roebuck. Motion seconded by Mr. Culbreth and carried.
- C. Motion made by Mr. Culbreth to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by Samantha Som from 4:00 p.m. until 11:59 p.m. on Saturday, May 24, 2014 for a Cambodian Baby Shower Party at 3890 Compton Bridge Road, Campobello. Motion seconded by Mr. Britt and carried.
- D. Motion made by Mr. Culbreth to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by Johnny Senchantixay, Lao Association of Spartanburg, from 11:00 a.m. until 11:59 p.m. on Saturday, May 24, 2014, and from 11:59 a.m. until 11:00 p.m. on Sunday, May 25, 2014 for a Memorial Day Celebration at 470 Fox Drive. Motion seconded by Mr. Britt and carried. Mr. Mintz opposed.
- E. Motion made by Mr. Culbreth 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, June 7, 2014 and Saturday, June 21, 2014 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz 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 14288 authorizes the use of \$35,000 of the 0.5 mil Countywide Fire escrow funds to provide for repairs to the burn building at the Emergency Services Academy (ESA). Budget Amendment Resolution Number 14289 accepts donation of 8 microfilm machines and four printers from The Spartanburg County Library System for use in our Register of Deeds Office as well as other County offices. Budget Amendment Resolution Number 14290 authorizes the recognition of additional revenue generated by the road maintenance fee, which is currently expected to exceed the budgeted amount. Budget Amendment Resolution Number 14291 establishes contingency accounts using Fund balance to provide for the payment of federal employment taxes on deputies and officers working as contract employees for various programs with SADAC. Budget Amendment Resolution Number 14292 accepts the *Imagine That* grant from the United Way of the Piedmont as well as a donation from the Spartanburg Little Theatre For the *Imagine That* program. Budget Amendment Resolution Number 14293 sets up projects approved at the CTC 05/19/14 Meeting on April 17, 2014. Budget Amendment Resolution Number 14294 accepts unsolicited donation of kayak paddles, canoe paddles and other outdoor recreation equipment from Confluence Outdoor, 575 Mauldin Road, Suite 200, Greenville, SC 29607. Budget Amendment Resolution Number 14295 authorizes the transfer of \$6,000 from within the 295 Sports Complex capital project (PR0020).

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

Ms. O'Neill thanked Confluence Outdoor for their donation of kayak paddles, canoe paddles and other outdoor recreation equipment valued at approximately \$3,000.

XI.

Motion made by Mr. Britt to approve the minutes of April 21, 2014 (Regular Meeting) and May 2, 2014 (Special Meeting). Motion seconded by Mr. Culbreth and carried.

XIII.

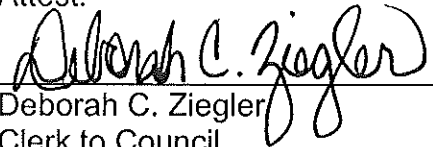
Meeting adjourned.

Spartanburg County Council
May 19, 2014

SPARTANBURG COUNTY COUNCIL

By: 
Jeffrey A. Horton, Chairman

Attest:


Deborah C. Ziegler
Clerk to Council