

# MINUTES

## County Council Meeting

February 18, 2008

Spartanburg County Council met on Monday, February 18, 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 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.

Moment of Silence was held in remembrance of Honorable Johnnye Code-Stewart.

Invocation was rendered by Dr. Randal Langley, Senior Pastor of Evangel Cathedral. Chairman Horton led in reciting the Pledge of Allegiance.

### II.

- A. Motion made by Mr. Culbreth to adopt a Resolution remembering and recognizing Sgt. Shawn F. Hill, of Wellford, South Carolina for his military service. Motion seconded by Mr. Britt and carried. Ms. Julie Hill, wife of Sgt. Shawn F. Hill, received Resolution.
- B. Motion made by Mr. Foster to adopt a Resolution endorsing and supporting the "Zero Tolerance for Litter" Campaign conducted by the South Carolina Litter Control Association, Keep America Beautiful of South Carolina, and Palmetto Pride, and proclaiming March 27-29, 2008 as Zero Tolerance for Litter Days." Motion seconded by Mr. Culbreth and carried. Mr. Don Arnold, Director of Environmental Enforcement, and Sgt. Jamie Nelson, Environmental Enforcement, received Resolution.
- C. Motion made by Mr. Britt to adopt a Resolution endorsing and supporting the Spartanburg County Environmental Enforcement Department and Palmetto Pride in their efforts to clean up litter and beautify Spartanburg County and proclaiming March 8-15, 2008 as "Spartanburg County Litter Awareness Week." Motion seconded by Mr. Foster and carried. Mr. Don Arnold, Director of Environmental Enforcement, and Mr. Rick Cothran, Director of Operations for Palmetto Pride, received Resolution.

### III.

- A. Chairman Horton declared open a public hearing to consider whether it may be in the interest of the Cherokee Springs Fire District for the Spartanburg County Council to authorize the Board of Fire Control to issue General Obligation Bonds of the district in the principal amount of not exceeding \$2,190,000 subject to the favorable results of a referendum conducted in the district; approving the form of such notice of public hearing; and other related matters. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a public hearing to consider an Ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of American Yuncheng Plate Making, Inc. (the "company") pursuant to a fee-in-lieu-of-tax agreement between Spartanburg County, South Carolina (the "county") and the company; authorizing a 5-year extension of the investment period for all investments over the initial \$6,000,000 investment; and other matters relating to the foregoing. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider an Ordinance to develop a jointly owned and operated industrial/business park ("American Yuncheng 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 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; and to permit a user fee in lieu of ad valorem taxation within said park. No one appeared, and the matter was closed.

### IV.

No appearances scheduled.

### V.

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

- A. 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 Cliffs, whereby, under certain conditions, Spartanburg County will execute a fee in lieu of tax agreement for a project involving not less than nine million dollars (\$9,000,000) investment subject to review by the County Attorney. Motion seconded by Mr. Culbreth and carried.
- 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 Master Precision Global, LLC whereby, under certain conditions, said company will acquire, by construction and purchase, certain property in Spartanburg County and Spartanburg County will execute fee-in-lieu-of-tax or lease agreement(s) and provide certain economic development inducements to Master Precision Global, LLC and execute certain documents and enact certain further legislation for said company's project involving not less than six million dollars (\$6,000,000) in investment contingent upon approval by the County Attorney. Motion seconded by Mr. Culbreth and carried.

#### Public Health and Human Services Committee (Honorable Jeff Horton, Chairman)

- A. Received an Update on Air Quality Efforts and Ground Level Ozone Attainment here in Spartanburg. While some good news was received, we still have some other issues that may arise due to changes from the Federal Government.

Personnel and Finance Committee (Honorable Dale Culbreth, Chairman)

- A. Motion made by Mr. Culbreth to adopt a Resolution ordering a referendum in the Cherokee Springs Fire District in Spartanburg County, South Carolina, to submit the question of whether the Fire District shall be authorized to issue not exceeding \$2,190,000 General Obligation Bonds; providing for the form of ballot to be used; providing for notice of the referendum; and providing for all other matters necessary to submit the aforesaid question. Motion seconded by Mr. Foster and carried.
- B. Motion made by Mr. Culbreth to render first reading to an Ordinance authorizing the Board of Fire Control of the Cherokee Springs Fire District in Spartanburg County to issue General Obligation Bonds in the principal amount of \$2,190,000 to be issued by the Cherokee Springs Fire District; and other matters relating thereto. Motion seconded by Mr. Mintz and carried.
- C. Motion made by Mr. Culbreth to adopt a Resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$10,900,000 of General Obligation Bonds of Startex-Jackson-Wellford-Duncan Water District and to provide for the publication of the notice of such hearing. Motion seconded by Mr. Foster and carried. Mr. Mintz opposed.
- D. Motion made by Mr. Culbreth to render first reading to an Ordinance finding that Startex-Jackson-Wellford-Duncan Water District may issue not exceeding \$10,900,000 General Obligation Bonds; to authorize Startex-Jackson-Wellford-Duncan Water Commission to issue such bonds and to provide for the publication of notice of the said finding and authorization. Motion seconded by Mr. Adams and carried. Mr. Mintz opposed. Mr. Mintz stated that all the other Special Purpose Districts that came before Council have been sent to referendum and asked if Council was considering sending this to a referendum also. Mr. Britt stated this is quite a bit different in his mind than a fire district.
- E. Information was received on Employee Classification and Compensation Implementation. No action was taken.

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Livability Committee – (Honorable Tom Foster, Chairman)

- A. Received information on the process and disposal of Mobiles Homes acquired through Delinquent Tax Sale. No action was taken.

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

- A. Information received regarding activities of the Building Codes Department.
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Land Use Committee (Honorable Jeff Horton, Chairman)

- A. Presentation was received on Flood Prevention, Storm Water Management, Waterway Protection, and Water Quality. This item was carried over for further consideration.
- B. No action was taken on Flood Damage Prevention Ordinance. This item was carried over.
- C. No action was taken on Storm Water Management Ordinance. This item was carried over.
- D. Updated Planning Department Reports on Development Activity were received.

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

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

- A. Motion made by Mr. Britt to render second reading to an Ordinance amending Section 2-121(h) of the Spartanburg County Code to require the unanimous vote of County Council for appointment to a board or commission for more than two consecutive terms, to provide that a partial term is not a term of office for purposes of this section and to provide for service on a board or commission without the requirement of unanimous vote of County Council if there is a break in service. Motion seconded by Mr. Adams and carried.
- B. Motion made by Mr. Britt to render second reading to an Ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of American Yuncheng Plate Making, Inc. (the "company") pursuant to a fee-in-lieu-of-tax agreement between Spartanburg County, South Carolina (the "county") and the company; authorizing a 5-year extension of the investment period for all investments over the initial \$6,000,000 investment; and other matters relating to the foregoing. Motion seconded by Mr. Foster and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance to develop a jointly owned and operated industrial/business park ("American Yuncheng 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 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; and to permit a user fee in lieu of ad valorem taxation within said park. Motion seconded by Mr. Foster 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.

A possible date of Friday, March 21, was discussed for a Council Retreat to discuss the Budget. Chairman Horton asked if a discussion would be held on the Detention Center. Mr. Horton recommended holding the Retreat at Spartanburg Community College.

X.

Motion made by Mr. Britt to approve minutes of January 28, 2008 (Regular Meeting) and February 7, 2008 (Special Meeting). Motion seconded by Mr. Foster and carried.

XI.

Motion made by Mr. Adams to adjourn.

SPARTANBURG COUNTY COUNCIL

By: \_\_\_\_\_  
Jeffrey A. Horton, Chairman

Attest:

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Deborah C. Ziegler  
Clerk to Council