



# MINUTES

## County Council Meeting

**December 15, 2014**

Spartanburg County Council met on Monday, December 15, 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 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 to order.

Invocation was rendered by Chaplain Amos Durham. Chaplain Durham also led in reciting the Pledge of Allegiance.

### II.

Motion made by Mr. Nutt to lay on Table Presentations A through C to take up Presentation D first.

- A. Motion made by Mr. Nutt to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the achievements of Miss Lanie Hudson, a Spartanburg County Native, who won the coveted title of Miss South Carolina 2014 and her many contributions to the community. 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 by the achievements of the Chesnee High School Cheerleaders in being named the South Carolina High School League 2A Competition Cheer State Champions. Motion seconded by Mr. Britt and carried. Dr. Scott Mercer, Superintendent; Ms. Allie Tyner, Head Coach; Ms. Emily Blanton, Assistant

Coach; and the Chesnee High School Cheerleaders received Resolution. Motion seconded by Mr. Britt and carried.

- C. Motion made by Mr. Brown to adopt a Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the Carolina Panthers and their twenty year commitment to Spartanburg. Motion seconded by Mr. Nutt and carried.
- D. Chairman Horton presented Special Recognition Plaques to Honorable Dale Culbreth and Honorable O'Neal Mintz for their conscientious and dedicated public service while serving on Spartanburg County Council from January 2007 through December 2014.

### III.

Ms. Katherine O'Neill recognized the following employees from the Parks Department for obtaining the Certified Parks and Recreation Professional (CPRE) certification: Zac Caldwell, Recreation Coordinator; Caroline Nyvall, Recreation Coordinator; Josh Garrison, Recreation Coordinator; Elise Gosnell, Recreation Coordinator; Trey Glover, Park Operations Manager; Elizabeth Hardee, Assistant Recreation Manager; Koula Metasoumis, Recreation Coordinator; Kristie Oliver, Recreation Coordinator II; Christie Blackwood, Recreation Coordinator; Michael Sapp, Athletics Coordinator; Gary Williams, Assistant Park Operations Manager; and Sean Veilleux, Park Maintenance Manager. Jon Woodsby, Recreation Manager, was recognized for achieving the Certified Park and Recreation Executive (CPRE) designation. Sean Veilleux, Park Maintenance Manager, was recognized for recently passing the test for recognition as a Certified Sports Field Manager by the Sports Turf Managers Association. Mike Nation, Senior Project Manager, was recognized for his role in completing the new Woodruff Greenway. Chris Jennings, Director, Spartanburg Convention and Visitors Bureau; and Trey Glover, Park Operations Manager, were also recognized. Tyger River Park has won two more awards: (1) "Complex of the Year" from the South Carolina Sports Turf Managers Association and (2) the National Softball Association (NSA) "Outstanding Park" award for the third consecutive year.

### IV.

- A. Chairman Horton declared open a public hearing to consider an Ordinance pursuant to Chapter 44 of Title 12, Code of Laws of South Carolina 1976, as amended, to enter into a fee agreement between Spartanburg County, South Carolina, **Eberspaecher North America, Inc.** and Jim Holding, LLC, providing for payment of fees in lieu of taxes and certain special source revenue credits against the same; and matters relating 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 of Joint County Industrial Park dated April 20, 2009, as amended, by and between Spartanburg County, South

Carolina and Cherokee County, South Carolina, providing for the development of a jointly owned and operated industrial/business park and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et sequiter, as amended; so as to include additional property and to further describe such property in that portion of the Joint County Industrial Park geographically located in Spartanburg County, South Carolina, and other matters related thereto. **(Eberspaecher North America, Inc.)** 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 and Business Park in conjunction with Cherokee County, such Industrial and Business Park **(Project Big Ben)** to include property initially located in Cherokee County and established pursuant to Sec. 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, to provide for a written agreement with Spartanburg County to provide for the expenses of the park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxation; and other matters related thereto. 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 adopt a Resolution authorizing the execution and delivery of a fee agreement between Spartanburg County, South Carolina and a project known to the County at this time as **Project Emerald**, to provide for certain fees in lieu of ad valorem taxes and special source revenue credits with respect to the establishment of an industrial facility in the County; and other matters relating thereto. Motion seconded by Mr. Nutt 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. Stan Halliday, McAbee, Schwartz, Halliday & Co., presented information in reference to the annual financial audit (fiscal year 2014). The presentation, the Auditors' Communication Letter, and the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2014, are included in backup.
- B. Major Neal Urch, Director of Jail Operations, presented information in reference to the reclassification of an Administrative Secretary position to create a Victim/Witness Counselor position at the Detention Center and reclassification of an employee into this position. Motion made by Ms. Hall to approve reclassification request. Motion seconded by Mr. Britt and carried.

- C. Ms. Katherine O'Neill, County Administrator, presented information in reference to the Veteran Affairs Officer's salary. Motion made by Ms. Hall to accept approval of the Delegation's request to increase the Veteran Affairs Officer's salary. Motion seconded by Mr. Brown and carried. Motion made by Ms. Hall to amend her motion to increase the salary to \$55,000 per year. Motion seconded by Mr. Brown and carried.
- D. Ms. Katherine O'Neill, County Administrator, presented information regarding establishment of Retiree Health Reimbursement Accounts (RHRA) and Spartanburg County's Post-Employment Health, Dental and Vision Benefits Policy as presented to Council. Motion made by Ms. Hall to approve the Spartanburg County Health, Dental and Vision Benefits Policy as presented. Motion seconded by Mr. Britt and carried.
- E. Mr. Tony Bell, Human Resource Director, presented information regarding Spartanburg County's Family and Medical Leave policy. Motion made by Mr. Britt to approve the Spartanburg County's Family and Medical Leave policy as presented to Council. Motion seconded by Mr. Nutt and carried.
- F. Updated financial data and personnel vacancy reports were received.

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

- A. Mr. Jim Campbell, Interim Parks Director, presented information in reference to a Resolution to approve, in principle, the Parks Department Signage Manual and to revise the names of certain Parks and Recreation Facilities for consistency and improved visibility. (Presentation included in backup) Motion made by Ms. Hall to adopt this Resolution. Motion seconded by Mr. Britt and carried.
- B. Mr. Mike Nation, Senior Project Manager, presented information in reference to a Resolution to adopt preliminary plans for the renovation of Linville Hills Park and the Phase I construction of Clifton Park and Beach. (Presentation included in backup) Motion made by Ms. Hall to adopt Resolution. Motion seconded by Mr. Brown and carried.
- C. Mr. Brad Wyche, Executive Director, and Mr. Van Whitehead, Deputy Director, Upstate Forever, presented information in reference to Upstate Forever's "Reconnecting People to Rivers" Grant Application. Motion made by Ms. Hall to approve the request for South Carolina Department of Natural Resource Funds. Motion seconded by Mr. Britt and carried.
- D. Information received regarding activities of the Parks Department.

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

- A. Mr. Jamie Nelson, Director of Environmental Enforcement, presented information in reference to an Ordinance amending Sections of Chapter 10 and Ordinance Numbers O-04-15 and O-09-26 of the Code of the County of Spartanburg, South Carolina to update and revise certain Sections of the Building and Building Regulations Chapter and to add certain Sections to Chapter 74 Motor Vehicles. Motion made by Mr. Brown to render first reading to Ordinance. Motion seconded by Ms. Hall. Mr. Nutt recommended looking at the wording of the

Ordinance and maybe incorporating some type of an appeal process prior to second reading. Mr. Mintz stated that he agrees with Mr. Nutt that there needs to be some type of appeal process. Motion carried. Mr. Mintz opposed.

- B. Mr. Doug Bryson, SC CEM Coordinator, Spartanburg County Office of Emergency Management, presented information in reference to a request from the Office of Emergency Management to apply for a Hazardous Mitigation Plan Grant. Motion made by Mr. Brown to approve submittal of grant application. Motion seconded by Ms. Hall and carried.
- C. 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. Mr. Todd Carroll, PE, Engineering Supervisor, presented information regarding necessary judicial closures of certain roadways/portions of roadways as a result of recent improvements. Mr. Mintz stated that Blue Ridge Range; Seay Road; Sugar Ridge Road; Florida Avenue; Howard Gap Road; and Shoals Road have all been closed. Motion made by Mr. Mintz to adopt a Resolution to establish that Spartanburg County shall petition to close certain roadways/portions of roadways pursuant to Section 57-9-10 of the Code of Laws of South Carolina 1976 as amended. Motion seconded by Mr. Britt and carried.
- B. Updated information received regarding activities of the Public Works Department.

VI.

Johanna Quinley, 509 South Kentucky Avenue, Chesnee, appeared to speak requesting additional law enforcement to patrol her neighborhood and additional maintenance on the median in the area around her property.

VII.

- A. Motion made by Mr. Britt to render third reading to an Ordinance authorizing an Amendment to the Agreement for Development of Joint County Industrial and Business Park (Park No. 2) by and between Cherokee County, South Carolina, and Spartanburg County, South Carolina, to enlarge the boundaries of the Joint County Industrial and Business Park to include certain real property located in Cherokee County; and other related matters. Motion seconded by Mr. Brown and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance to amend an agreement for development of Joint County Industrial and Business Park (Park No.

- 2) of Cherokee and Spartanburg so as to enlarge the park. **(Polydeck)** Motion seconded by Mr. Brown and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg to certify TNS Mills as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. Motion seconded by Mr. Nutt and carried.
- D. Motion made by Mr. Britt to render third reading to an Uncodified Ordinance to grant a Right of Way Easement for installation of a transformer by Duke Energy Carolinas, LLC at the BMW Performance Center. Motion seconded by Mr. Nutt and carried.
- E. Motion made by Mr. Britt to render third reading to an Ordinance pursuant to Chapter 44 of Title 12, Code of Laws of South Carolina 1976, as amended, to enter into a fee agreement between Spartanburg County, South Carolina, **Eberspaecher North America, Inc. and Jim Holding, LLC**, providing for payment of fees in lieu of taxes and certain special source revenue credits against the same; and matters relating thereto. Motion seconded by Mr. Nutt and carried.
- F. Motion made by Mr. Britt to render third reading to an Ordinance to amend the agreement for development of Joint County Industrial Park dated April 20, 2009, as amended, by and between Spartanburg County, South Carolina and Cherokee County, South Carolina, providing for the development of a jointly owned and operated industrial/business park and established pursuant to South Carolina Code of Laws of 1976 §4-1-170, et sequiter, as amended; so as to include additional property and to further describe such property in that portion of the Joint County Industrial Park geographically located in Spartanburg County, South Carolina, and other matters related thereto. **(Eberspaecher North America, Inc. and Jim Holding, LLC)** Motion seconded by Mr. Brown and carried.
- G. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the conversion and extension of a fee in lieu of *ad valorem* taxes arrangement under Title 4, Chapter 29 Code of Laws of South Carolina, 1976, as amended, between Spartanburg County ("County") and **Trelleborg Coated Systems US, Inc.** ("Company") to a simplified fee in lieu of *ad valorem* taxes arrangement under Title 12, Chapter 44 Code of Laws of South Carolina, 1976, as amended; the cancellation and termination of certain lease and industrial revenue bond documentation between the County and the Company; the reconveyance by the County of related property to the Company; and other matters related thereto. Motion seconded by Mr. Brown and carried.
- H. Motion made by Mr. Britt to render third reading to an Ordinance to amend an agreement for development of Joint County Industrial Park between Lee and Spartanburg Counties so as to diminish the park; to amend an agreement for development of Joint County Industrial and Business Park (Park No. 2) of Cherokee and Spartanburg so as to enlarge the park. **(Trelleborg)** Motion seconded by Mr. Brown and carried.
- I. Motion made by Ms. Hall to postpone second reading to an Uncodified Ordinance to grant a Utility Easement to Broad River Electric Cooperative to install an electrical transformer to serve facilities associated with the expansion of Va-du-Mar

McMillan Park until the next regularly scheduled Council meeting. Motion seconded by Mr. Nutt and carried.

XIII.

No items scheduled.

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. Chairman Horton stated that Council would be attending a Christmas Get Together immediately following the meeting.
- B. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Resolution Number 15118 implements the Legislative Delegation's request to increase the Veteran Affairs Officer's salary. Budget Amendment Resolution Number 15119 provides resources for the relocation of the Boiling Springs Magistrate Office. Budget Amendment Resolution Number 15120 approves the addition of a drug forfeiture vehicle to the County Fleet for limited use by the Sheriff's Office Narcotics Division. Budget Amendment Resolution Number 15121 sets up revenue received in the Forfeited Gambling Fund, the State Forfeited Drug Fund, and the Federal Forfeited Drug Fund for October and November. Budget Amendment Resolution Number 15122 approves the revised Family Care Center Grant to SADAC. Budget Amendment Resolution Number 15123 reclassifies an Administrative Secretary position (grade 43, slot J47) to a Victim/Witness Counselor (grade 48) in the Detention Facility. Budget Amendment Resolution Number 15124 allows budgeted Technical Support Technician II and Technical Support Specialist II positions associated with Information Technologies to be filled at the equivalent entry level position (Technician I and Specialist I) during a budget year. Budget Amendment Resolution Number 15125 – Upstate WIB Board approved the use of grant carryover funds for the Upstate WIB Office budget in order to carry out two special projects, as well as to add \$4,000 to professional development necessary training this coming year. Budget Amendment Resolution Number 15126 amends the funding of project CD0001, County Comprehensive Plan, to add \$40,000 to the project. Budget Amendment Resolution Number 15127 approves a change to the scope of the County Network Infrastructure Project

(IT0005) to authorize the use of leftover project balances, predominantly comprised of master lease proceeds, to purchase replacement switches and network components for the Sheriff's Office, Detention Facility, Administration Building, and other County facilities as needed. Budget Amendment Resolution Number 15128 recognizes insurance proceeds received for the total loss of a Sheriff's Office vehicle.

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. Britt to approve the minutes of November 17, 2014 (Regular Meeting). Motion seconded by Ms. Hall and carried.

XII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:   
Jeffrey A. Horton, Chairman

Attest:

  
Deborah C. Ziegler  
Clerk to Council