



MINUTES

County Council Meeting

January 23, 2012

Spartanburg County Council met on Monday, January 23, 2012, 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 Hubbard, County Administrator; Jim Hipp, Deputy County Administrator; Lisa Claxton, County Attorney; John Harris, Deputy County Attorney; and Ginny Dupont, Associate 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 Chairman Horton. Former Representative Bob Walker 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 Kenny Gates during his career as a Gospel Musician. Motion seconded by Mr. Britt and carried.
- B. Motion made by Mr. Brown to adopt a Resolution recognizing Black Boys of Distinction (BBOD) and its efforts to meet the needs of boys, young men and young fathers, who are considered at risk of social exclusion and to enable them through the provision of effective support, to realize their fullest potential and recognizing January 2012 as "Black Boys of Distinction Month" in Spartanburg County. Motion seconded by Mr. Culbreth and carried.
- C. Ms. Hubbard thanked Council for all their warmth and support as she has transitioned into her new position as Administrator. Ms. Hubbard also thanked the Senior Management Team, the employees, and the citizens and partners of Spartanburg County who have welcomed her as well. Ms.

Hubbard recognized Ms. Becky Brasington, 9-1-1 Communications Operator, along with Keith Lee, her Supervisor, for Ms. Basington's actions during the early morning hours of December 25, 2011. Sergeant Rucker sent an email to Ms. Hubbard, because he thought what Ms. Brasington did was very special. During the early morning hours of December 25, 2011, Sergeant Rucker spoke with Ms. Brasington. The conversation was relating to a subject that had become disoriented and drove four hours away from her destination. The elderly female had embarked from Laurens, South Carolina, and was en route to see her daughter in Boiling Springs when she took the wrong road. Due to the subject being physically ill, Sergeant Rucker was unable to get any relevant information regarding the daughter except a name, the city, and the state. The assistance rendered by Ms. Brasington, along with the Officer going to the physical address of the daughter, were crucial in getting information to the daughter. Sergeant Rucker is a retired Patrol Sergeant and currently works with a Company Police Agency in a regional hospital. In 28 years of working as a Law Enforcement Officer, Sergeant Rucker stated that he has seen how important it is for agencies to team together in order to bring about a successful resolution especially in time sensitive situations. This was a pure example of extraordinary team work that exceeded the highest standards of professionalism. Therefore, Sergeant Rucker stated that it was with great honor that he wrote his letter of commendation which reflects upon 9-1-1 Communications and the standard of excellence set for Spartanburg County employees. Ms. Hubbard thanked Becky for reflecting all of us very positively and representing us very well. Chairman Horton also thanked Ms. Brasington, Ms. Hubbard, and all of our 9-1-1 personnel for what they do for us each and every day.

III.

- A. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **Town of Cowpens** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the Town of Cowpens; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Mr. Lawrence Flynn, Lister, Flynn and Kelley, was present on behalf of the Town of Cowpens to answer any questions. The matter was closed.
- B. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the acceptance of the Transfer of Authority for

- conducting Municipal Elections in the **City of Chesnee** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Chesnee; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. No one appeared, and the matter was closed.
- C. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **City of Landrum** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Landrum; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. No one appeared, and the matter was closed.
- D. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **City of Inman** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Inman; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. No one appeared, and the matter was closed.
- E. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **City of Wellford** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Wellford; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. No one appeared, and the matter was closed.
- F. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **Town of Duncan** to the Spartanburg County Voter Registration and Election Commission; to

define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the Town of Duncan; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. 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 **The Lao Association of Spartanburg** from 8:00 p.m. on Saturday, February 11, 2012 until 1:00 a.m. on Sunday, February 12, 2012 for a Valentine Party at 470 Fox Drive, Spartanburg. No one appeared, and the matter was closed.

IV.

- A. Mr. Jordan Liflander, President, Ancient Order of Hibernians, appeared to introduce his organization to Council and inform them of their plan along with the City of Spartanburg to have the first ever St. Patrick's Day Parade through downtown Spartanburg and to bring back Shamrocks in the Square in downtown Spartanburg on St. Patrick's Day, Saturday, March 17, 2012, from 11:00 a.m. until 4:00 p.m. Handout regarding the parade was given to Council and is included in backup.

V.

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

- A. Motion made by Mr. Britt to render first reading to an Ordinance to authorize the execution and delivery of the second amendment to the fee agreement by and between Spartanburg County and **DAA Draexlmaier Automotive of America, LLC** to include the purchase of real property; and to provide for other matters thereto. Motion seconded by Mr. Brown and carried. Motion seconded by Mr. Brown 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 an Illinois Corporation known as "**Project Rise**" whereby, under certain conditions, said Corporation will acquire, by construction and purchase, certain facilities in Spartanburg County, and Spartanburg County will execute a fee-in-lieu of tax agreement with, and make available certain infrastructure credits to, the Corporation. Motion seconded by Ms. Hall and carried.
- C. Motion made by Mr. Britt to render first reading to an Ordinance of Spartanburg County, South Carolina authorizing a fee-in-lieu of tax

arrangement and the provision of certain infrastructure credits for the benefit of an Illinois Corporation known to the County as "Project Rise" pursuant to a fee-in-lieu of tax agreement between the County and the Corporation; and other matters relating to the foregoing. Motion seconded by Mr. Brown and carried.

Public Health and Human Services Committee (Honorable Jane Hall, Chairman)

No items scheduled.

Personnel and Finance Committee (Honorable Dale Culbreth, Chairman)

- A. Motion made by Mr. Culbreth to adopt a Resolution calling for a public hearing to be held regarding the issuance of not exceeding \$4,000,000 of General Obligation Bonds of the Woodruff-Roebuck Water District, South Carolina; providing for the publication of the notice of such public hearing; and other matters relating thereto. Motion seconded by Ms. Hall and carried. Mr. Brown and Mr. Mintz opposed.
- B. Motion made by Mr. Culbreth to render first reading to an Ordinance finding that the Woodruff-Roebuck Water District, South Carolina may issue not exceeding \$4,000,000 General Obligation Bonds and to provide for the publication of notice of the said finding and authorization. Motion seconded by Ms. Hall and carried. Mr. Brown and Mr. Mintz opposed.
- C. Mr. Jim Hipp and Mr. Cole Alverson, Budget Director, presented a Budget Report and information in reference to FY11-12 Budget. (Presentation included in backup)
- D. Updated financial data and personnel vacancy reports received.

Livability Committee – (Honorable Roger Nutt, Chairman)

No items scheduled.

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

- A. Captain Mark Barry, Sheriff's Office, presented information in reference to Law Enforcement Agreement for School District #2. Motion made by Mr. Brown to approve agreement and authorize County Administrator to execute agreement. Motion seconded by Mr. Britt and carried.
- B. Captain Mark Barry, Sheriff's Office, presented information in reference to Law Enforcement Agreement for School District #3. Motion made by Mr. Brown to approve agreement and authorize County Administrator to execute agreement. Motion seconded by Mr. Britt and carried.
- C. Captain Mark Barry, Sheriff's Office, presented information in reference to Law Enforcement Agreement for School District #6. Motion made by Mr.

- Brown to approve agreement and authorize County Administrator to execute agreement. Motion seconded by Mr. Britt and carried.
- D. Motion made by Mr. Brown to authorize the Commission of William Clay Brown, Animal Control Officer, as a Spartanburg County Code Enforcement Officer. Motion seconded by Mr. Culbreth and carried.
 - E. 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. Information received regarding activities of the Public Works Department.

VI.

- A. Motion made by Mr. Mintz to render third reading to an Ordinance to amend Chapter 6 of the Spartanburg County Code of Ordinances relating to Animals. Motion seconded by Ms. Hall and carried. Mr. Nutt opposed.
- B. Motion made by Ms. Hall to render third reading to an Ordinance to grant a Sanitary Sewer Easement to Spartanburg Sanitary Sewer District. The District is requesting an easement on property owned by Spartanburg County. The property is currently used as the Spartanburg County Maintenance Facility. The property fronts on Broadcast Drive, and is known as Tax Map Number 6 13-01 003.00. The easement has been coordinated with engineers at Spartanburg Sanitary Sewer and the County. Motion seconded by Mr. Nutt and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **Town of Cowpens** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the Town of Cowpens; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Motion seconded by Ms. Hall and carried.
- D. Motion made by Mr. Mintz to render second reading to an Ordinance authorizing the acceptance of the Transfer of Authority for conducting Municipal Elections in the **City of Chesnee** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and

responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Chesnee; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Motion seconded by Mr. Britt and carried.

- E. Motion made by Mr. Culbreth to render second reading to an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **City of Landrum** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Landrum; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Motion seconded by Mr. Britt and carried.
- F. Motion made by Mr. Culbreth to render second reading to an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **City of Inman** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Inman; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Motion seconded by Ms. Hall and carried.
- G. Motion made by Mr. Nutt to render second reading to an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **City of Wellford** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the City of Wellford; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Motion seconded by Mr. Culbreth and carried.
- H. Motion made by Mr. Nutt to render second reading to an Ordinance authorizing the acceptance of the transfer of authority for conducting Municipal Elections in the **Town of Duncan** to the Spartanburg County Voter Registration and Election Commission; to define the powers, duties and responsibilities assumed by the Spartanburg County Voter Registration and Election Commission for the conduct of Municipal Elections in the Town of Duncan; to provide for reimbursement of all costs and expenses incurred by the Spartanburg County Voter Registration and Election Commission in the conduct of such Municipal Elections; and to provide for other matters relating thereto. Motion seconded by Mr. Culbreth and carried.

VII.

- A. Motion made by Mr. Culbreth to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by **The Lao Association of Spartanburg** from 8:00 p.m. on Saturday, February 11, 2012 until 1:00 a.m. on Sunday, February 12, 2012 for a Valentine Party at 470 Fox Drive, Spartanburg. Motion seconded by Ms. Hall and carried. Mr. Mintz opposed.

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. Britt thanked Mr. Henry Laye, Director of Registration and Elections, and his staff for their hard work during the recent election. We had 8,000 more people vote this past Saturday than in 2008 without any problems.

X.

Motion made by Mr. Britt to approve minutes of November 28, 2011 (Special Meeting); November 29, 2011 (Special Meeting); December 5, 2011 (Special Meeting); December 9, 2011 (Special Meeting); December 19 (Regular Meeting); and December 20, 2011 (Special Meeting). Motion seconded by Mr. Mintz and carried.

XI.

Meeting adjourned.

Spartanburg County Council
January 23, 2012

SPARTANBURG COUNTY COUNCIL

By: 
Jeffrey A. Horton, Chairman

Attest:


Deborah C. Ziegler
Clerk to Council