

MINUTES

County Council Meeting

August 16, 2010

Spartanburg County Council met on Monday, August 16, 2010, 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 Tom Foster, Council Members; along with Glenn Breed, County Administrator; Jim Hipp, Deputy 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.

Invocation was rendered by Chaplain Jerry Clevenger. Boiling Springs Area Boy Scout Troop 413 led in reciting the Pledge of Allegiance.

II.

A. Motion made by Mr. Foster to adopt a Resolution to welcome the Fleet Reserve Association to Spartanburg County and to recognize and congratulate the Association on its 85th Anniversary. Motion seconded by Mr. Mintz and carried.

III.

A. Chairman Horton declared open a public hearing to consider an Ordinance authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement and any amendment required to Ordinance No. 544 for a Project "E" sponsored by CT&T Southeast, LLC to be located in a multi-county industrial park and matters relating thereto. No one appeared, and the matter was closed.

B. Chairman Horton declared open a public hearing to consider an Ordinance finding that Whitney Area Fire District, South Carolina may issue not exceeding \$2,000,000 General Obligation Bonds; to authorize the Board of Fire Control of the Whitney Area Fire District, South Carolina to issue such bonds and to provide for the publication of notice of the said finding and authorization. No one appeared, and the matter was closed.

- C. Chairman Horton declared open a public hearing to consider an Ordinance to amend ordinance O-10-06 (FY 2010/11 Capital Year Budget) to recognize new revenue and expenditures related to project ER0001 (General Fund Vehicle and Capital Equipment Replacement) and project IT0004 (9-1-1 System & CPE Upgrade and Replacement), allowing for the master lease of components related to the capital projects. 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 Lao Association of Spartanburg on Saturday, September 4, 2010 from 8:00 a.m. until 1:00 a.m. and Sunday, September 5, 2010 from 8:00 a.m. until 12 midnight for a Labor Day Celebration at 470 Fox Drive, Spartanburg. No one appeared, and the matter was closed.

IV.

No appearances scheduled.

V.

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

- A. No items scheduled.

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

- A. Mr. Harold Mitchell, H. Mitchell Group, presented an update on the Victor Mill cleanup project. (Presentation included in backup.) The project is on schedule without any major obstacles.

Personnel and Finance Committee (Honorable Dale Culbreth, Chairman)

- A. Motion made by Mr. Culbreth to render first reading to an Ordinance to amend Ordinance No. O-10-06 which established the Capital Project Budgets for the FY 2010/11 Budget Year of the Five-Year Capital Improvement Plan in order to provide additional funding for Va-du-mar McMillan Regional Park, to accelerate funding for Holston Creek Regional Park and to reduce funding for the Outdoor Adventure Center. Motion seconded by Ms. Hall and carried.
- B. Mr. Jeff Caton Director of Parks and Recreation presented information in reference to changes to the FY 2011-15 Capital Improvement Plan. (Presentation included in backup.)
- C. Motion made by Mr. Culbreth to render first reading to an Ordinance amending Ordinance No. 141 which created the Spartanburg County Safety Review Board and provided for its membership, powers, and duties. Motion seconded by Mr. Foster and carried.
- D. Updated financial and personnel vacancy reports were received.

Livability Committee – (Honorable Tom Foster, Chairman)

- A. Mr. Todd Stephens, County Librarian, and Ms. Mary Speed Lynch, Library Board Chairman, presented information in reference to the Spartanburg County Public Library.
- B. Ms. Angela Viney, Director, Upstate Forever Spartanburg Office, presented information in reference to Air Quality for a Healthy Community. (Presentation included in backup.)

Public Safety and Judiciary Committee – (Honorable Jeff Horton, Chairman)

- A. Updated information received regarding activities of Building Codes Department.

Land Use Committee (Honorable Jeff Horton, Chairman)

- A. Mr. Ron Kirby, County Engineer, presented information in reference to an Ordinance amending Flood Damage Prevention Ordinance O-04-01 to make revisions to Ordinance and maps as required by Federal Emergency Management Agency (FEMA). (Presentation included in backup.) Motion made by Mr. Horton to render first reading to Ordinance. Motion seconded by Mr. Mintz and carried.
- B. 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. Britt to render third reading to an Ordinance authorizing pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee agreement and any amendment required to Ordinance No. 544 for a Project "E" sponsored by CT&T Southeast, LLC to be located in a multi-county industrial park and matters relating thereto. Motion seconded by Mr. Foster and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance to amend the agreement authorized by Ordinances No. O-09-04 and O-10-04 relating to the joint county industrial and business park of Spartanburg and Cherokee Counties so as to enlarge the park. (Parkdale America, LLC) Motion seconded by Mr. Brown and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance finding that Whitney Area Fire District, South Carolina may issue not exceeding \$2,000,000 General Obligation Bonds; to authorize the Board of Fire Control of the Whitney Area Fire District, South Carolina to issue such bonds and to provide for the publication of notice of the said finding and authorization subject to approval of referendum. Motion seconded by Mr. Foster and carried.
- D. Motion made by Mr. Foster to render second reading to an Ordinance to amend ordinance O-10-06 (FY 2010/11 Capital Year Budget) to recognize new revenue and expenditures related to project ER0001 (General Fund Vehicle and Capital Equipment Replacement) and project IT0004 (9-1-1 System & CPE Upgrade and Replacement), allowing for the master lease of components related to the capital projects. Motion seconded by Mr. Britt and carried.

VII.

- A. Motion made by Mr. Britt to approve an Application for special Public Event Exclusion from the Noise Ordinance requested by Lao Association of Spartanburg on Saturday, September 4, 2010 from 8:00 a.m. until 1:00 a.m. and Sunday, September 5, 2010 from 8:00 a.m. until 12 midnight for a Labor Day Celebration at 470 Fox Drive, Spartanburg. Motion made by Mr. Britt to amend his motion to approve with time change of 8:00 a.m. until midnight on Saturday, September 4, 2010. Motion seconded by Mr. Foster and carried.

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.

No items scheduled.

X.

Motion made by Mr. Culbreth to approve minutes of July 19, 2010 (Regular Meeting). Motion seconded by Mr. Foster and carried.

XI.

Motion made by Ms. Hall to adjourn. Motion seconded by Mr. Britt and carried.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council