

# MINUTES

## County Council Meeting

**November 18, 2013**

Spartanburg County Council met on Monday, November 18, 2013, 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. Honorable Jane Hall led in reciting the Pledge of Allegiance.

Motion made by Mr. Britt to amend the Main Agenda to add an Item 3 in between Items 2 and 4 to permit the County Administrator to provide employee recognitions. This was an inadvertent omission. Motion seconded by Mr. Nutt and carried unanimously.

### II.

- A. Motion made by Mr. Mintz to adopt a Resolution congratulating and recognizing James Cooley for being named the 2013 Swisher Sweets/Sunbelt Expo Southeastern Farmer of the Year. Motion seconded by Mr. Britt and carried.
- B. Motion made by Mr. Culbreth to adopt a Resolution congratulating and recognizing Wanda L. Fowler for her dedicated service as an Educator for Spartanburg County. Motion seconded by Mr. Nutt and carried. Ms. Fowler recognized the Middle Tyger Community Center Board Members, Ms. Andrea Moore, the new Director of Middle Tyger Community Center, and the volunteers.

- C. Mr. Jim Headley, Executive Director, S.C. Recreation and Parks Association, re-presented the award for Tyger River Park being named "Park of the Year" by the S.C. Recreation and Parks Association to Chairman Horton and Ms. Hall.
- D. Chairman Horton recognized the Graduates of Spartanburg County Citizens' Academy. The Fall 2013 graduates were DeWayne Anderson, Jerry W. Brown, Johnny M. Brown II, Trina Brown, Freida M. Carter, Annie Mildred Cates, Juliet Clanan, Joe Davis, Bruce Farr, Daniel B. Ford, Barbara Gooden, Stephen R. Gooden, Michael Henderson, Aurora Martinez, Terry J. Pierce, Beverly K. Robertson, Pamela Jean Samuel, Sylvene Samuel, Dee Walker, Rodney J. Wells, and Arthur N. Williams.

### III.

Ms. Hubbard recognized Kris Brannon, Building Codes; and Maribel Martinez, Clerk of Court's Office; for their excellent customer service. Solicitor Barry Barnette was not present, but Ms. Hubbard acknowledged that our Solicitor was named the South Carolina Law Enforcement Victim Advocate Association Solicitor of the Year. Kim Danner and the Information Technologies Staff were not present, but Ms. O'Neill recognized IT and the Register of Deeds Office for their hard work on going live with the ROD OnBase Document portion of Phase II on October 21, 2013.

Mr. Brown recognized the Spartanburg Alumnae Chapter of Delta Sigma Theta Sorority Members present at the meeting. As of January 13, 2013, they celebrated their 100<sup>th</sup> birthday. Mr. Brown stated that this group is very near and dear to this Council, because of his predecessor. They are quite active in the community. They carry on the tradition that Ms. Johnnye Code-Stewart set in terms of community and public service.

### IV.

- A. Chairman Horton declared open a public hearing to consider an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement between Spartanburg County, South Carolina (the "County") and **Copac Global Packaging, Inc.**, acting for itself, one or more affiliates or other project sponsors (the "Company"), whereby the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes in connection with the expansion of certain facilities in the County (collectively, the "Expansion Project"); and (2) other matters relating 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 consenting to the assignment of the Special Source Revenue Agreement between Spartanburg County and Merit Leasing, LLC; and other related matters. 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. Motion made by Mr. Culbreth to render first reading to an Ordinance amending Ordinance Number O-07-25 to revise the Decertification criteria for Rehabilitated Historic Property subject to a Special Property Tax Assessment. Motion seconded by Ms. Hall and carried.
- B. Motion made by Mr. Culbreth to approve the unfreezing of a part-time Spartanburg Alcohol and Drug Abuse Commission (SADAC) Drug Court position. Motion seconded by Mr. Britt and carried.
- C. Updated financial data and personnel vacancy reports were received.

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

- A. Motion made by Ms. Hall to authorize the County Administrator to execute a contract for the purchase of the VSP Senior Center in Chesnee for a purchase price not to exceed \$100.00 plus closing costs and to execute all documents necessary to complete this purchase. Motion seconded by Mr. Britt and carried.
- B. Information received regarding activities of the Parks Department. Ms. Hall stated the Parks Department has been very busy in bringing us national recognition and also some new tournaments that will be coming into the area in this coming summer and the summer of 2015.

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

- A. Motion made by Mr. Brown to adjust the EMS (Emergency Medical Service) rates to have a realization of a proposed \$105,420. Motion seconded by Mr. Culbreth and carried.
- B. Motion made by Mr. Brown to approve a request from the Spartanburg County Emergency Management Department to apply for the LEMPG

(Local Emergency Management Performance Grant). Motion seconded by Mr. Culbreth 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. Updated information received regarding activities of the Public Works Department.

VI.

Ms. Christina Jeffrey, 801 Palmetto Street, Spartanburg, appeared on behalf of the Spartanburg Swim Center Action Group.

VII.

- A. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Spartanburg County, South Carolina and **A.L. INDUSTRIES, INC.** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes; and other matters related thereto. Motion seconded by Mr. Nutt and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement between Spartanburg County, South Carolina and **Heiche US Surface Technology, LP**; and other matters relating thereto. Motion seconded by Mr. Nutt 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 **Drayton Mill** as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. Motion seconded by Mr. Brown and carried.
- D. 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 **Armitage Mill** as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. Motion seconded by Mr. Brown and carried.
- E. Motion made by Mr. Nutt to render third reading to an Uncodified Ordinance to grant a Sanitary Sewer Easement to Spartanburg Sanitary Sewer District

for the Mountainview Sewer Line Extension Project. Motion seconded by Mr. Britt and carried.

- F. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax and Incentive Agreement between Spartanburg County, South Carolina (the "County") and **Copac Global Packaging, Inc.**, acting for itself, one or more affiliates or other project sponsors (the "Company"), whereby the County shall covenant to accept certain negotiated fees in lieu of ad valorem taxes in connection with the expansion of certain facilities in the County (collectively, the "Expansion Project"); and (2) other matters relating thereto. Motion seconded by Mr. Brown 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. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Number 14120 authorizes the reclassification of seven (7) vacant Telecommunicator II slots down to Telecommunicator I slots and three (3) 9-1-1 Operator slots up to Telecommunicator I slots. Budget Amendment Resolution Number 14121 authorizes the acceptance of the DHEC Hospital Preparedness and Disaster Readiness grant awarded to the Coroner's Office as well as establishes the revenue and expenditure accounts for the grant. Budget Amendment Resolution Number 14122 makes the necessary adjustments to SADAC's budget to reflect the end of the City Drug Free Communities Grant (9/30/13) as well as reduction in funding from the SC Department of Alcohol & Other Drug Abuse Services (DAODAS) across multiple line items due to the federal sequestration. Budget Amendment Resolution Number 14123 allows SADAC to enter into an MOU with the United Way for an AmeriCorps volunteer if their application is approved. Budget Amendment Resolution Number 14124 allows SADAC to unfreeze slot A11, a part-time Clinical Specialist II position in the Drug

Court Department (9744). Budget Amendment Resolution Number 14125 allows for the closure of completed C-Fund projects. Budget Amendment Resolution Number 14126 sets up projects approved at the CTC Meeting July 18, 2013. Budget Amendment Resolution Number 14127 authorizes the acceptance of the SC Emergency Management CERT (Citizen Corps) grant award of \$9,000. Budget Amendment Resolution Number 14128 authorizes acceptance of the Storm Water EPA/DHEC 319 Grant for Boggy Creek and the Enoree River, recognizes the grant revenue, and sets up the expenditure line items. Budget Amendment Resolution Number 14129 recognizes forfeited drug revenue and sets up the expenditure line item. Budget Amendment Resolution Number 14130 – In FY13, the Detention Facility began participating in a program offered by the Social Security Administration whereby the Detention Facility receives funding based upon detainees staying at the Detention Facility. The Social Security Administration removes benefits from the detainee and the County is compensated for participation in the program. Given the variable nature of this new revenue source, the budget is conservatively estimated at \$30,000 annually and the corresponding expenditure budget will be established in the contingency account. Budget Amendment Resolution Number 14131 authorizes the acceptance of the State Criminal Alien Assistance Program Grant. This is a reimbursement grant for Detention expenses incurred during FY12/13. Budget Amendment Resolution Number 14132 retitles slot SC19 in the Parks Department from a Park Maintenance Technician II to a Building Maintenance Mechanic. Budget Amendment Resolution Number 14133 authorizes the acceptance of a grant from the National Park Service through the SC Land and Water Conservation Fund for Holston Creek Park Development.

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

Mr. Britt responded to the comments made by Christina Jeffrey during the Public Comment Period regarding the Swim Center. Mr. Britt stated that we all share the value that the Swim Center has had in the history of Spartanburg County. It is not that Council does not care. We just cannot afford it.

XI.

Motion made by Mr. Nutt to approve the minutes of October 10, 2013 (Special Meeting) and October 21, 2013 (Regular Meeting). Motion seconded by Mr. Culbreth and carried.

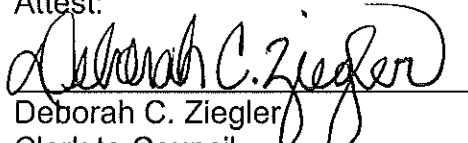
XIII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:   
Jeffrey A. Horton, Chairman

Attest:

  
Deborah C. Ziegler  
Clerk to Council