

February 18, 2002

Spartanburg County Council met on Monday, February 18, 2002, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Karen Floyd, Chairman; Honorables David Britt, Jeff Horton, Frank Nutt, Ken Huckaby, Johnnye Code Stewart and Rock Adams, Council Members; along with James K. Hartmann, County Administrator; Bill Dennis, Deputy County Administrator; Chris Story, Assistant County Administrator; Glenn Breed, Assistant County Administrator; Roy McBee Smith, County Attorney; William McBee Smith, Assistant County Attorney; and Edwin Haskell, Assistant 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 Floyd called the meeting to order.

Invocation was rendered by Mr. Glenn Breed, Assistant County Administrator. Mr. Harold Osborne led in reciting the Pledge of Allegiance.

II.

No presentations were scheduled.

III.

A. Chairman Floyd declared open a public hearing to consider a proposed Ordinance to amend the jointly owned and operated Industrial/Business Park in conjunction with Union County, dated as of December 1, 1998; as amended as of December 18, 2000 such Industrial/Business Park being 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 tax to the counties and relevant taxing entities; and, to provide that jobs tax credits allowed by law be provided for industries locating in said park, and to permit a user fee in lieu of ad valorem taxation. (City of Lyman) No one appeared and the hearing was closed.

B. Chairman Floyd declared open a public hearing to consider a proposed Ordinance to consider a

proposed Ordinance providing for a Service or User Fee for Cleveland Park Facilities and providing for the use of the revenue derived therefrom. No one appeared and the hearing was closed.

- C. Chairman Floyd declared open a public hearing to consider a proposed Ordinance to consider the lease of 2.2295 acres of property located at 1160 Old Furnace Road, Boiling Springs, SC 29316 No one appeared and the hearing was closed.

IV.

No appearances were scheduled.

V.

Public Health and Human Services Committee (Honorable Johnnye Code Stewart, Chairman)

No items were scheduled.

Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Mr. Gil Bulman, Assessor, updated County Council on procedures to be followed in reference to Revaluation/Reappraisal Program for tax year 2003.
- B. Motion made by Mr. Huckaby to authorize Chairman Floyd to sign IRS form stating Una Community Volunteer Fire Department is a qualified fire department and the county is in agreement with the purchase of a fire truck by Una Community Volunteer Fire Department. Motion seconded by Mr. Britt and carried.
- C. Updated financial information was received as information only.

Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Cleveland Park Renovation project is still scheduled for opening around June 1, 2002. Fundraising is progressing as well.
- B. Information received in regard to Va-du-Mar McMillan Park property. Drawings are available for the public. Public hearings will be held in the next month or so to show the public the first phase.
- C. Motion made by Mr. Horton to enter into an agreement with Spartanburg County Youth Sports Bureau to let this group manage Irwin and Fairforest Parks. These parks are located inside the city. They will have a tax-exempt status through the Spartanburg County Foundation. Motion seconded by Ms. Stewart and carried.
- D. Motion made by Mr. Horton to enter lease agreement with American Bicycle Association for the lease of the BMX Facility at the North Spartanburg Complex, 2.2295 acres of property located at 1160 Old Furnace Road, Boiling Springs, SC 29316. Motion seconded by Mr. Britt and carried.

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

- A. Motion made by Mr. Britt to render first reading to an Ordinance by title to develop a jointly owned and operated Industrial/Business Park ("Donnelley 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 Law 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. Huckaby and carried.

- B. Motion made by Mr. Britt to render first reading by title to an Ordinance authorizing a fee-in-lieu-of-tax arrangement on behalf of R.R. Donnelley & Sons Company (The "Company") pursuant to a fee agreement between Spartanburg County, South Carolina (The "County") and the company; authorizing the issuance of an infrastructure credit to the company pursuant to an infrastructure financing agreement between the company and the county; and other matters relating to the foregoing. Motion seconded by Mr. Nutt and carried.
- C. Motion made by Mr. Britt to approve the amendment of that certain Intergovernmental Agreement and Memorandum of Understanding between Spartanburg County, South Carolina, and the City of Spartanburg, South Carolina, previously approved by Spartanburg County Ordinance #0-01-21, dated November 19, 2001, so as to authorize the issuance of a special source credit, pursuant to Section 4-1-175, South Carolina Code, 1976, as amended, by Spartanburg County, South Carolina; and other matters related thereto. (Renaissance) Motion seconded by Mr. Nutt and carried.

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

- A. Information received regarding activities of the Building Codes Department.

Land Use Committee (Honorable David Britt, Chairman)

No items were scheduled.

Public Works, Buildings and Grounds Committee (Honorable Frank Nutt, 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 finding that Woodruff-Roebuck Water District may issue not exceeding \$1,900,000 General Obligation Bonds; to authorize Woodruff-Roebuck Water District Commission to issue such bonds and to provide for the publication of notice of the said finding and authorization. Motion seconded by Mr. Horton and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the Board of Fire Control of the West View-Fairforest Fire District to issue General Obligation Bonds in the principal amount of not exceeding \$1,600,000 of the West View-Fairforest Fire District; and other matters relating thereto. Motion seconded by Mr. Horton and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a lease purchase agreement between Spartanburg County and Milliken & Company whereby certain assets used in the manufacturing process will be leased to Milliken & Company; and other matters relating thereto. Motion seconded by Mr. Huckaby and carried.
- D. Motion made by Mr. Britt to render second reading to an Ordinance to develop a jointly owned and

operated Industrial/Business Park in conjunction with Union County, such Industrial/Business Park to be geographically located in Spartanburg County and The City of Spartanburg 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; to permit a user fee in lieu of ad valorem taxation within said park; and to provide for an Intergovernmental Agreement with The City of Spartanburg. (Extended Stay America) Motion seconded by Mr. Huckaby and carried.

- E. Motion made by Mr. Britt to render second reading to a Parks Fee Ordinance for Cleveland Park Rates. Motion seconded by Mr. Huckaby and carried.

VII.

No items were 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.

Mr. Hartmann advised Spartanburg County Redistricting Plan and Ordinance is under submission to the U.S. Justice Department for information only.

X.

Motion by Mr. Britt to approve minutes of January 22, 2002. Motion seconded by Mr. Nutt and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____

Karen Floyd, Chairman

Attest:

Deborah C. Ziegler

Clerk to Council