MINUTES
County Council Meeting

August 20, 2012

Spartanburg County Council met on Monday, August 20, 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, 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 Honorable Jeff Horton. Mr. Nutt led in reciting the Pledge of Allegiance.

II.

A. Motion made by Mr. Britt to adopt a Resolution expressing recognition and appreciation to Polydeck Screen Corporation for its dedication to Spartanburg County and the Spartanburg County Fire Departments. Mr. Peter Freissle, President; Mr. Paul Garner, Director of Administration; Mr. Ken Leconte, Vice-President of Operations; and Mr. David Keating, Human Resource Manager, received Resolution.

III.

Ms. Hubbard highlighted the National Softball Association Tournament. A Summary of the Economic Impact of the NSA World Series held at Tyger River Park was presented to Council and is enclosed in backup. This was an amazing event that showcased Spartanburg County. Ms. Hubbard recognized the Parks Department Team on this amazing feat. Mr. John

Luton, Spartanburg Parks Athletic Director, recognized the Park Staff and the Volunteers. Sixteen hundred staff hours and 780 volunteer hours were spent the week of the NSA World Series. A short video of the NSA World Series was shown. The Economic Impact Report from Clemson University showed $73 per person per day was spent during the NSA tournament. After Clemson University ran the expenditures through their model, the total expenditures came out to $4.2 million. Ms. Hall stated the economic impact to Spartanburg County was $4.6 million and $1.5 million to Greenville County. Mr. Britt thanked the Parks Department Staff for their hard work.

Ms. Hubbard stated a prerequisite for securing the NSA Girls' Fastpitch World Series was the commitment to host a signature event in the form of a downtown street festival for all the participants in the World Series. Ms. Hubbard thanked and recognized the City of Spartanburg for bringing their talents and efforts to the forefront in planning and executing the Hubapalooza event held on Wednesday, July 25, in Barnet Park. Mandy Merck and Jane Warner were a part of the meetings that began months prior to the tournament, and they willingly offered their expertise and took their proposal to manage the event back to the City. The City was extremely gracious in providing many in kind services to execute an event of great magnitude that promoted and displayed the best of Spartanburg. Mandy and Jane had a signature team that worked diligently for months on planning and preparing. Ms. Hubbard and Ms. Hall recognized and thanked Mandy Merck, Special Events Manager; Jane Warner, Festivals Coordinator; Darryl Goodwin, Special Events Coordinator; Scott Page, Parks and Recreation Aquatic Director; Tracy Ballew, Parks and Recreation Manager; and Galia Rodriguez, Special Events Intern. Ms. Hubbard recognized Russ Bradley, Director of Video Services for Wofford Athletics for graciously providing in kind video services by producing a short video clip to promote Tyger River Park. The video was shown. Ms. Hubbard thanked Chris Jennings, Spartanburg Convention and Visitors Bureau. Ms. Hubbard introduced Jessica Sdao, our new Solid Waste Recycling Coordinator.

IV.

A. Chairman Horton declared open a public hearing to consider an Ordinance authorizing (I) the execution and delivery of an Infrastructure Credit Agreement by and between Spartanburg County, South Carolina, and a company known to the County as **Polydeck Screen Corporation** (Project Screen), its affiliates and assigns, to provide for a special source revenue credit, (II) the expansion of the joint county industrial and business park formed with Cherokee County to include the project, and (III) other related matters. No one appeared, and the matter was closed.
B. Chairman Horton declared open a public hearing to consider selling/donating the property Spartanburg County owns at 150 Leonard

Street, Duncan, SC to District 5 Sports & Activities Council, Inc. for $0.00 as consideration. The property is the former Duncan Health Department building. The property is commonly known as 150 Leonard Street, and is also referred to as Tax Map Number 5 20-01 103.00. Ms. Judy Caton, Moore, appeared in opposition to selling/donating the property. Mr. Steve Hisker appeared on behalf of the District 5 Sports & Activities Council to thank Council for their contribution. Mr. Hisker stated that they are a nonprofit organization and intend to use this facility strictly for the purposes of the betterment of Spartanburg County children. They have 1500 children that participate in their sports. The building is in terrible disrepair, but they are looking forward to putting the work into it and getting it ready. 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 **Town of Reidville** to the Spartanburg County 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 Reidville; 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. Larry Flynn, Lister Flynn & Kelly, P.A., was present to answer any questions. 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** from 7:00 p.m. until 1:00 a.m. on Saturday, September 1, 2012 and 6:00 p.m. until midnight on Sunday, September 2, 2012 for a Labor Day Celebration at 470 Fox Drive, Spartanburg. No one appeared, and the matter was closed.

E. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, September 8, 2012 for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.

F. Chairman Horton declared open a public hearing to consider an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, September 29, 2012 for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.

V.

No appearances scheduled.

VI.

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

A. Motion made by Mr. Britt to render first reading by title to an Ordinance authorizing the execution and delivery of a fee agreement between Spartanburg County, South Carolina, and **Spartanburg Rehabilitation Institute, Inc.**, its affiliates and assigns, and one or more sponsor affiliates, to provide for a fee-in-lieu of ad valorem taxes incentive, the grant of certain infrastructure credits as part of the fee-in-lieu of taxes arrangement, the inclusion of the company's property in a multi-county industrial park; and other related matters. Motion seconded by Mr. Brown and carried.

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

A. Mr. Matt Petrofus, Health Director of SC DHEC Region 2, presented information in reference to Spartanburg's Childhood Obesity Taskforce. (Presentation included in backup) Mr. Petrofus stated that over 30% of our children in the categories of first grade, third grade and fifth grade are either obese or overweight. All seven of our School Districts are placing emphasis on healthy eating and the need for all of us to educate families in the need for healthy eating and active living. This was received as information only. No action was taken.

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 upon the question of the issuance of not exceeding $12,000,000 of General Obligation Bonds of Startex-Jackson-Wellford-Duncan Water District and to provide for the publication of the notice of such hearing. Motion seconded by Mr. Nutt and carried.

B. Motion made by Mr. Culbreth too render first reading to an Ordinance finding that Startex-Jackson-Wellford-Duncan Water District may issue not exceeding $12,000,000 of General Obligation Bonds; to authorize Startex-Jackson-Wellford-Duncan Water Commission to issue such bonds and to provide for the publication of notice of the said finding and authorization. Motion seconded by Mr. Nutt. Mr. Mintz stated this is a good project. His vote has been to send any Special Purpose District or any Fire Service Area that has been before Council since he has been on Council to referendum. Mr. Mintz stated that he does not disapprove of this project, but he thinks the people in the districts should be able to vote on these items. Ms. Hall stated that she has polled citizens in the SJWD Water District and is very impressed with the response. They feel the quality

water they receive is unsurpassed. They also stated that as long as they do not have a rate increase, they are fine with what they would like to do. Mr. Brown stated that he appreciated Ms. Hall sharing sentiments of the citizens on this matter and any other matters that may come before Council. Motion carried. Mr. Mintz opposed.

C. A request was received to withdraw from the agenda the Chesnee Community Fire Department request for the holding of a special Bond Referendum within the Fire Service District on the question of the issuance of general obligation bonds in the principal amount of not to exceed $750,000 in order to finance and refinance obligations of the Fire Department to include the purchase of fire apparatus.

D. Updated financial data and personnel vacancy reports were received.

Livability Committee – (Honorable Roger Nutt, Chairman)

A. Mr. Jim Campbell, Interim Parks Director, presented information in reference to a Memorandum of Understanding with Greenville County Recreation. Ms. Hubbard stated that she will work closely with Mr. Campbell in monitoring our partnerships with any of our public or private partners to make sure we are not over obligating our resources and losing sight of our mission. The spirit of this Memorandum of Understanding is to maximize the resources and assured Council that she will be monitoring it. Motion made by Mr. Nutt to approve this Memorandum of Understanding with Greenville County Recreation and to authorize the County Administrator to execute the document. Motion seconded by Mr. Britt and carried.

B. Updated information received regarding activities of the Parks and Recreation Department.

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

A. 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. Motion made by Mr. Mintz to approve adding $155,000 to the Westmoreland Road widening project to complete it from monies leftover from other projects last year. Motion seconded by Mr. Britt and carried.

B. Updated information received regarding activities of the Public Works Department.

VII.

A. Motion made by Mr. Britt to render second reading to an Ordinance abolishing the Spartanburg County EMS Advisory Committee. Motion seconded by Mr. Nutt and carried.
B. Motion made by Mr. Britt to render second reading to an Ordinance authorizing (I) the execution and delivery of an Infrastructure Credit Agreement by and between Spartanburg County, South Carolina, and a company known to the County as **Polydeck Screen Corporation** (Project Screen), its affiliates and assigns, to provide for a special source revenue credit, (II) the expansion of the joint county industrial and business park formed with Cherokee County to include the project, and (III) other related matters. Motion seconded by Mr. Culbreth and carried.
C. Motion made by Mr. Culbreth to render second reading to an Ordinance to sell/donate 150 Leonard Street known as Parcel No. 5-20-01-103.00 to District 5 Sports & Activities Council, Inc. Motion seconded by Mr. Nutt and carried.
D. Motion made by Ms. Hall to render second reading to an Ordinance authorizing the acceptance of the Transfer of Authority for conducting Municipal Elections in the **Town of Reidville** to the Spartanburg County 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 Reidville; 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.

VIII.

A. Motion made by Ms. Hall to adopt a Resolution authorizing the Delinquent Tax Collector of Spartanburg County to transfer property to the Spartanburg County Forfeited Land Commission. Motion seconded by Ms. Hall and carried.
B. Motion made by Mr. Culbreth to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Lao Association of Spartanburg** from 7:00 p.m. until 1:00 a.m. on Saturday, September 1, 2012 and 6:00 p.m. until midnight on Sunday, September 2, 2012 for a Labor Day Celebration at 470 Fox Drive, Spartanburg. Motion seconded by Mr. Brown and carried. Mr. Mintz opposed.

C. Motion made by Mr. Culbreth to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, September 8, 2012 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.
D. Motion made by Mr. Culbreth to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until midnight on Saturday, September 29, 2012 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Mintz and carried.

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. Three members of Council serve on the Appalachian Council of Governments Board. The ACOG Annual meeting is scheduled out of town on November 19, 2012. In order for the three Council Members to attend the ACOG meeting, discussions were held in reference to changing the date of the November Council meeting. Motion made by Mr. Culbreth to change the date of the November Council meeting from Monday, November 19, 2012 to Monday, November 26, 2012. Motion seconded by Ms. Hall and carried.
B. Ms. Katherine Hubbard presented information in reference to proposed Budget Amendment Resolutions. A donation of $35 was received from Ms. Huber for the Environmental Enforcement Department. This donation will be setup to cover office supplies. A donation of $125.15 from the Buffalo Wild Wings fundraiser was received for the Emergency Services Academy. This donation will be set-up to cover expenditures in equipment for training. A Budget Amendment Resolution was presented to provide for the transfer of $155,000 from various funding sources to the Westmoreland Road Widening Project. Several Grant Awards were presented. These are Grants that were in the application process during FY12, and we have been allocated the funds. The Citizen Corps Grant Award to Emergency Management was in the amount of $9,110 with no match. The funding will be used to buy equipment for the Disaster Animal Response Team (DART) program. All of these are to support the Community Emergency Response Team (CERT). The Hazardous Materials Emergency Planning Grant was originally awarded

on October 20, 2011 for $7,274.68. On August 8, 2012, Emergency Management was notified of an additional funding award of $7,457.20. This is an in kind match in Emergency Management. The grant is to provide funding for HazMat training and training materials for responding to HazMat Transportation accidents. The Local Emergency Management Performance Grant of $71,161 will help Emergency Management with transportation, training, and Emergency Operations Center (EOC) enhancement needs. The Upstate Regional EOD Enhancement Grant helps provide $15,000 worth of equipment for the Sheriff's Office Bomb Squad. There is no match required. The Courthouse Security Improvement Grant for $58,993 will improve safety and security at the Courthouse, Sheriff's Office, and Detention Center. There is no match required. The COPS Hiring Grant for $457,636.41 with a match of $167,471 will establish a five man street level drug team to combat drug activity in Spartanburg County. This team must be honorably discharged veterans who served more than 180 consecutive days on active duty after September 11, 2001 and must be retained for a minimum of 12 months after the grant ends. The cost will be approximately $272,188 (personnel and fuel). The Waste Oil Recycling Grant Program for $8,150 with no required match provides funds for the continuation of the used oil recycling program for county residents that change their own oil. The Waste Tire Recycling Grant Program for $18,250 with no required match provides funds for public education to promote the proper management of waste tires, professional development for recycling conferences or trainings, and the purchase of three roll-off containers for use in the collection of waste tires. A Budget Amendment Resolution for $5,360 was presented to allow for the acceptance of funding from C-Funds to purchase a portable digital recording system (including laptop) for the County Delegation office to use to record and transcribe Delegation Meetings as well as County Transportation Committee (CTC) meetings. A Budget Amendment Resolution was presented for a series of C-Fund related transfers as approved by the Spartanburg County Transportation Committee (CTC) at their meeting on July 19, 2012. A recap of these projects is included in backup. A Budget Amendment Resolution was presented to set-up grant LAP-14-11, the Milliken Interchange Project. We received $113,345 from SCDOT while the match, $28,336, comes from the Noble Tree Foundation Organization of the Spartanburg County Foundation. A Budget Amendment Resolution was presented realigning Spartanburg Parks position titles with actual duties performed as well as reinstating the Administrative Services Coordinator position but freezing the position. A Budget Amendment Resolution was presented to authorize the transfer of $73,000 in General Obligation Bond funds from the Detention Facility Laundry Room Expansion Project to two newly identified facility related projects. A Budget Amendment Resolution for $2,250 was presented to expand the current Computer Serves & Software Upgrade project to include e-mail archiving hardware and software. A Budget Amendment Resolution was presented with a zero budget impact for the Tyger River Park project to allow expenditures occurring in accounts

originally funded with Hospitality Tax funds to be applied towards the draw down of Certificates of Participation funds (COPS) for the purpose of meeting the drawdown deadline, provided that those expenditures are eligible. Motion made by Ms. Hall to approve the Budget Amendment Resolutions. Motion seconded by Mr. Britt and carried.

XI.

Motion made by Mr. Nutt to approve minutes of July 16, 2012 (Regular Meeting). Motion seconded by Mr. Brown and carried.

XII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

_____
Deborah C. Ziegler
Clerk to Council