

FINAL AGENDA

**SPARTANBURG COUNTY COUNCIL
EXECUTIVE SESSION
MONDAY, JULY 20, 2015
3:30 P.M.
CONFERENCE ROOM TWO
COUNTY ADMINISTRATIVE OFFICE BUILDING**

- I. Call to Order.....Honorable Jeff Horton, Chairman

- II. Executive Session to discuss five (5) legal matters and two (2) contractual matters.

- III. Adjourn

VISION

Spartanburg County's vision is to be a preferred destination for individuals, families and businesses to live, learn, play and invest.

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**SPARTANBURG COUNTY COUNCIL
GENERAL SESSION
MONDAY, JULY 20, 2015
4:00 P.M.
COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING**

- I. Call to Order.....Honorable Jeff Horton, Chairman

- II. Items requiring a vote following Executive Session.

- III. Receive information and take desired action regarding various Boards and Commissions:
 - A. Behavior Health Commission
 - B. Board of Assessment Appeals
 - C. Health Services District Board
 - D. Hobbysville Fire District Board
 - E. Piedmont Community Actions, Inc. Board of Trustees

- IV. Receive information and take desired action in reference to election of the Chairman of the Water and Sewer Advisory Committee in accordance with Ordinances 486, 490, and 620. (Ms. Katherine O'Neill, County Administrator, to present) – **(Action Requested: Elect Chairman)**

- V. Receive information and take desired action in reference to a Resolution abolishing the Landrum Community Fire Service Area of Spartanburg County as a result of the creation of a Special Purpose District known as the Landrum Fire and Rescue District by the South Carolina General Assembly. **(Action Requested: Adopt Resolution)**

- VI. Adjourn

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AGENDA
ECONOMIC RECRUITMENT AND DEVELOPMENT COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, JULY 20, 2015

COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING

- I. Call to Order-
 - Hon. David Britt, Chairman
 - Hon. Michael Brown, Member
 - Hon. Roger Nutt, Member

- II. Matters before Committee:
 - A. Receive information in reference to “Connected Spartanburg.” (Mr. Jim Stritzinger, Executive Director, Connect South Carolina; and Mr. Allen Smith, President, Spartanburg Chamber of Commerce, to present)
 - B. Receive information and take desired action in reference to a Resolution authorizing, under certain conditions, the execution and delivery by Spartanburg County, South Carolina of an Inducement Agreement with **Apollo 17, LLC** with respect to an industrial project in the County whereby the project would be subject to payment of certain fees in lieu of taxes; and whereby Apollo 17, LLC will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure, and providing for related matters. (Mr. Carter Smith, Economic Futures Group, and Adam Artigliere, McNair Law Firm, to present) – **(Action Requested: Adopt Resolution)**
 - C. Receive information and take desired action in reference to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Apollo 17, LLC** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto. (Mr. Carter Smith, Economic Futures Group, and Adam Artigliere, McNair Law Firm, to present) – **(Action Requested: Render first reading to Ordinance)**
 - D. Receive information and take desired action in reference to a Resolution authorizing the execution and delivery of an Inducement and Millage Rate Agreement by and between Spartanburg County, South Carolina and **Project EMU**, whereby under certain conditions, Spartanburg County will execute a fee in lieu of tax agreement for a project involving

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not less than ten million dollars (\$10,000,000) investment and Spartanburg County will provide special source tax credits. (Mr. Carter Smith, Economic Futures Group, to present) – **(Action Requested: Adopt Resolution)**

- E. Receive information and take desired action in reference to a Resolution authorizing, under certain conditions, the execution and delivery by Spartanburg County, South Carolina of a Fee in Lieu of Taxes Agreement with **Georgia-Pacific Corrugated LLC** with respect to an industrial project in the County whereby the project would be subject to payment of certain fees in lieu of taxes; and providing for related matters. (Mr. Carter Smith, Economic Futures Group, and Mr. Chuck Verdin, Nelson Mullins, to present) – **(Action Requested: Adopt Resolution)**
- F. Receive information and take desired action in reference to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Georgia-Pacific Corrugated LLC** 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. (Mr. Carter Smith, Economic Futures Group, and Mr. Chuck Verdin, Nelson Mullins, to present) – **(Action Requested: Render first reading to Ordinance)**

III. Other

IV. Adjourn

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**AGENDA
PUBLIC HEALTH and HUMAN SERVICES COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, JULY 20, 2015**

**COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING**

- I. Call to Order - Hon. Justin Bradley, Chairman
Hon. Michael Brown, Member
Hon. Bob Walker, Member

- II. Matters before Committee:

No items scheduled.

- III. Other

- IV. Adjourn

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**AGENDA
PUBLIC WORKS, BUILDINGS & GROUNDS COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, JULY 20, 2015**

**COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING**

- I. Call to Order-
 - Hon. Roger Nutt, Chairman
 - Hon. David Britt, Member
 - Hon. Justin Bradley, Member

- II. Matters before Committee:
 - A. Receive information and take desired action in reference to a request for funding from the Steve Belue Fund. (Mr. Jim Hipp, Deputy County Administrator, to present) – **(Action Requested: Approve Request)**
 - B. Receive information regarding activities of Public Works Department.

- III. Other

- IV. Adjourn

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MAIN AGENDA
County Council Meeting

MONDAY, JULY 20, 2015, 5:30 P.M.
COUNCIL CHAMBERS, ADMINISTRATION BUILDING, SPARTANBURG, SC

1. **Call to Order**..... Honorable Jeff Horton, Chairman

Invocation..... *Chaplain Amos Durham*

Pledge of Allegiance

2. **Presentations:**

No items scheduled.

3. **Employee Recognition**..... Katherine O'Neill, County Administrator

4. **Conduct Public Hearings Pertaining to the Following:**

A. To consider an Ordinance authorizing and approving (1) development of a Joint County Industrial and Business Park pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Cherokee County (the "Park"), such park to be, at the time of its initial development, geographically located in Cherokee County and to include certain property owned and/or operated by the **Timken Company**, a company previously identified as Project Paper or one of more of its affiliates or other related companies; (2) the execution and delivery of a written park agreement with Cherokee County as to the requirement of payments of fee in lieu of *ad valorem* taxes with respect to park property and the sharing of the revenues and expenses of the park; (3) the distribution of revenues from the park within Spartanburg County; and (4) other matters related thereto.

B. To consider an Ordinance to amend the agreement for development for Joint County Industrial Park by and between Spartanburg County and Cherokee County, South Carolina, so as to include additional

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property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. **(Berrang, Inc.; Mairec Precious Metals U.S., Inc.; and Rite Aid of Georgia, Inc. and Flatwood Farms I, LLC)**

- C. To consider an Uncodified Ordinance to grant a Right-Of-Way Easement for installing utilities at Holston Creek Park to Duke Energy Carolinas.
- D. 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, August 8, 2015 and Saturday, August 22, 2015 for a drag race at 1792 Dragway Road, Greer.

5. **Committee Reports:**
(Committee Meetings to be held at 4:00 p.m.)

ECONOMIC RECRUITMENT and DEVELOPMENT COMMITTEE –

Hon. David Britt, Chairman

- A. Receive information in reference to “Connected Spartanburg.”
- B. Receive information and take desired action in reference to a Resolution authorizing, under certain conditions, the execution and delivery by Spartanburg County, South Carolina of an Inducement Agreement with **Apollo 17, LLC** with respect to an industrial project in the County whereby the project would be subject to payment of certain fees in lieu of taxes; and whereby Apollo 17, LLC will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure, and providing for related matters. **(Action Requested: Adopt Resolution)**
- C. Receive information and take desired action in reference to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Apollo 17, LLC** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto. **(Action Requested: Render first reading to Ordinance)**
- D. Receive information and take desired action in reference to a Resolution authorizing the execution and delivery of an Inducement and Millage Rate Agreement by and between Spartanburg County, South Carolina and **Project EMU**, whereby under certain conditions, Spartanburg

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County will execute a fee in lieu of tax agreement for a project involving not less than ten million dollars (\$10,000,000) investment and Spartanburg County will provide special source tax credits. (Mr. Carter Smith, Economic Futures Group, to present) – **(Action Requested: Adopt Resolution)**

- E. Receive information and take desired action in reference to a Resolution authorizing, under certain conditions, the execution and delivery by Spartanburg County, South Carolina of a Fee in Lieu of Taxes Agreement with **Georgia-Pacific Corrugated LLC** with respect to an industrial project in the County whereby the project would be subject to payment of certain fees in lieu of taxes; and providing for related matters. **(Action Requested: Adopt Resolution)**
- F. Receive information and take desired action in reference to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Georgia-Pacific Corrugated LLC** 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. **(Action Requested: Render first reading to Ordinance)**

PUBLIC HEALTH AND HUMAN SERVICES COMMITTEE –

Hon. Justin Bradley, Chairman

No items scheduled.

PERSONNEL and FINANCE COMMITTEE - Hon. Bob Walker, Chairman

- A. Receive information and take desired action in reference to outstanding Accommodations Tax Advisory Committee Recommendations for Fiscal Year 2016.
- B. Receive information and take desired action in reference to an Ordinance governing the establishment of an Employee Grievance Committee and appointment of members to such committee. **(Action Requested: Render first reading to Ordinance)**
- C. Receive updated financial data and personnel vacancy report.

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LIVABILITY COMMITTEE - Hon. Jane Hall, Chairman

- A. Receive information and take desired action in reference to an amendment to the preliminary plan for the renovation of Chesnee Park in order to reduce the project cost and increase the park's functionality. **(Action Requested: Adopt Resolution)**
- B. Receive as information the activities of the Parks Department.

PUBLIC SAFETY AND JUDICIARY COMMITTEE –

Hon. Michael Brown, Chairman

- A. Receive information and take desired action in reference to a Resolution ratifying a Mutual Aid Agreement between the Spartanburg County Sheriff's Office and the Lexington County Sheriff's Office. **(Action Requested: Approval of Mutual Aid Agreement)**
- B. Receive information and take desired action in reference to an Uncodified Ordinance to grant a Utility Easement to Duke Energy Carolinas LLC to extend existing lighting and power service to serve additional facilities associated with the Spartanburg County Emergency Services Academy. **(Action Requested: Render first reading to Ordinance)**
- C. Receive information regarding activities of Building Codes Department.

LAND USE COMMITTEE - Hon. Jeff Horton, Chairman

- A. Receive Planning Department Reports on Development Activity.

PUBLIC WORKS, BUILDINGS and GROUNDS COMMITTEE –

Hon. Roger Nutt, Chairman

- A. Receive information and take desired action in reference to a request for funding from the Steve Belue Fund. **(Action Requested: Approve Request)**
- B. Receive information regarding activities of Public Works Department.

6. **Public Comment Period**

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7. **Old Business:**

- A. 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 between Spartanburg County, South Carolina, **Rite Aid of Georgia, Inc. and Flatwood Farms I, LLC**; the application of an infrastructure credit to fee-in-lieu of tax payments;; and matters relating thereto.
- B. Render third reading to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement between Spartanburg County, South Carolina and **Berrang, Inc.**; and other matters relating thereto including, without limitation, authorization of a Special Source Credit.
- C. Render third reading to an Ordinance authorizing the execution and delivery of a FILOT (Fee In Lieu Of Tax Agreement) by and between Spartanburg County, South Carolina and **(Mairec Precious Metals U.S., Inc. (Project Kickoff))** with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, including the provision of certain Special Source Credits; and other matters related thereto.
- D. Render second reading to an Ordinance authorizing and approving (1) development of a Joint County Industrial and Business Park pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, as amended, in conjunction with Cherokee County (the "Park"), such park to be, at the time of its initial development, geographically located in Cherokee County and to include certain property owned and/or operated by the **Timken Company**, a company previously identified as Project Paper or one of more of its affiliates or other related companies; (2) the execution and delivery of a written park agreement with Cherokee County as to the requirement of payments of fee in lieu of *ad valorem* taxes with respect to park property and the sharing of the revenues and expenses of the park; (3) the distribution of revenues from the park within Spartanburg County; and (4) other matters related thereto.
- E. Render second reading to an Ordinance to amend the agreement for development for Joint County Industrial Park by and between Spartanburg County and Cherokee County, South Carolina, so as to include additional property in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. **(Berrang, Inc.; Mairec Precious Metals U.S., Inc.; and Rite Aid of Georgia, Inc. and Flatwood Farms I, LLC)**

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F. Render second reading to an Uncodified Ordinance to grant a Right-Of-Way Easement for installing utilities at Holston Creek Park to Duke Energy Carolinas.

8. **New Business:**

A. 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, August 8, 2015 and Saturday, August 22, 2015 for a drag race at 1792 Dragway Road, Greer.

9. Reading and approval of resolutions, ordinances, agreements, petitions, and other documents for the financing of certain industrial facilities through the issuance of Spartanburg County, industrial development or similar bonds or notes, or Fee-In-Lieu of Tax (FILOT) agreements.

10. Miscellaneous Council/Administrative Matters and Budget Amendment Resolutions.

A. Budget Amendment Resolutions if needed.

- General Fund
- Road Maintenance Fee Fund
- Storm Water Management Fund
- Solid Waste Management Fund
- Fleet Services Fund
- Forfeited Gambling Fund
- Alcohol & Drug Abuse Fund
- Drug Enforcement Fund
- Special Revenue Fund
- Facilities Maintenance Fund
- Sheriff Federal Sharing Fund
- Public Defender 7th Circuit Fund
- Community Development Fund
- Methane Fund
- Detention Facility Fund
- C/P Roads State Grants
- 911 Phone System Fund
- Information Technologies Fund
- Spartanburg Parks Fund

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Hospitality Tax Fund
Insurance Fund
Victim Assistance Fund
Workforce Investment Board Fund
CIP Fund
Technical College Fund
Charles Lea Center Fund
Library System Fund
Debt Service Fund

11. Approval of Minutes: June 15, 2015 (Regular Meeting)
June 29, 2015 (Special Meeting)

12. Adjourn

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