

FINAL AGENDA

**SPARTANBURG COUNTY COUNCIL
EXECUTIVE SESSION
MONDAY, OCTOBER 19, 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 four (4) legal matters and four (4) 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.

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

**SPARTANBURG COUNTY COUNCIL
GENERAL SESSION
MONDAY, OCTOBER 19, 2015
4:15 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. Board of Assessment Appeals
 - B. Building Code Board of Appeals and Adjustments
 - C. Community Development Housing Loan Committee
 - D. Cross Anchor Community Fire Service Area
 - E. Employee Grievance Committee
 - F. Fire Prevention & Protection Advisory Committee
 - G. Hobbysville Fire District
 - H. Lakewood Hills Special Tax District
 - I. Piedmont Community Actions, Inc. Board of Trustees
 - J. Water and Sewer Advisory Committee

- IV. Recommendation from the Citizens' Advisory Committee on Discharging Firearms in Neighborhoods. (Mr. Jim Hipp, Deputy County Administrator, to present)

- V, Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

AGENDA
ECONOMIC RECRUITMENT AND DEVELOPMENT COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, OCTOBER 19, 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 and take desired action in reference to a Resolution authorizing the extension of the investment period under a fee agreement by and between Spartanburg County, South Carolina, and **Leigh Fibers, Inc.** and the execution and delivery of an Amendment to the Fee Agreement in connection with such extension. (Mr. Carter Smith, Economic Futures Group, and Attorney Sam Moses, Parker Poe, to present) - **(Action Requested: Adopt Resolution)**
- B. Receive information and take desired action in reference to an Ordinance to amend the Agreement for Development of 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. **(Coveris Flexibles US LLC, Holroyd Precision Rotors, and Apollo 17, LLC)** – (Mr. Carter Smith, Economic Futures Group, to present) – **(Action Requested: Render first reading to Ordinance)**
- C. Receive information and take desired action in reference to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina and **Palmetto Hospitality of Spartanburg, LLC**, with respect to certain economic development property in the County, whereby such property will receive certain special source credits; and other matters related thereto. (Mr. Carter Smith, Economic Futures Group, and Attorney Seph Wunder, Haynsworth Sinkler Boyd, to present) – **(Action Requested: Render first reading to Ordinance)**
- D. Receive information and take desired action in reference to an Ordinance to develop a jointly owned and operated industrial/business

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

park in conjunction with Spartanburg County, such industrial/business park to be geographically located in Union County and established pursuant to South Carolina Code of Laws 1976, Section 4-1-170 et seq., 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; and matters related thereto. **(Project Veruca Salt)** - (Mr. Carter Smith, Economic Futures Group, and Attorney Wesley Crum, JW Crum Consulting, LLC, to present) – **(Action Requested: Render first reading to Ordinance)**

III. Other

IV. Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

AGENDA
PUBLIC HEALTH and HUMAN SERVICES COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, OCTOBER 19, 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

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

**AGENDA
PERSONNEL and FINANCE COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, OCTOBER 19, 2015**

**COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING**

- I. Call to Order- Hon. Bob Walker, Chairman
Hon. Jeff Horton, Member
Hon. Jane Hall, Member

- II. Matters before Committee:
 - A. Receive information and take desired action in reference to an Ordinance to provide for the issuance and sale of not exceeding sixteen million dollars (\$16,000,000) Spartanburg County, South Carolina General Obligation Refunding Bonds, Series 2015, in one or more series; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto. (Mr. Brad Love, Haynsworth Sinkler Boyd, to present) – **(Action Requested: Render second reading to Ordinance)**
 - B. Receive information and take desired action in reference to a reorganization request from The Forrester Center for Behavioral Health. (Susan O'Brien, MA, Executive Director, to present) – **(Action Requested: Approval of reorganization request)**
 - C. Receive updated financial data and personnel vacancy report.

- III. Other

- IV. Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

**AGENDA
LIVABILITY COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, OCTOBER 19, 2015**

**COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING**

- I. Call to Order-
 - Hon. Jane Hall, Chairman
 - Hon. David Britt, Member
 - Hon. Michael Brown, Member

- II. Matters before Committee:
 - A. Receive information and take desired action in reference to County Trails Funding Request. (Ms. Laura Ringo, Executive Director, Partners for Active Living (PAL) to present) – **(Action Requested: Approval of Funding Request)**
 - B. Receive Parks Department Activities Update.

- III. Other

- IV. Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

AGENDA
PUBLIC SAFETY and JUDICIARY COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, OCTOBER 19, 2015

COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING

- I. Call to Order-
 - Hon. Michael Brown, Chairman
 - Hon. Roger Nutt, Member
 - Hon. Bob Walker, Member

- II. Matters before Committee:
 - A. Receive information and take desired action in reference to a request from the American Legion Boiling Springs Post No. 200 to solicit funds from motorists on Saturday, November 7, 2015 between the hours of 9:30 a.m. and 1:30 p.m. with a rain date of Saturday, November 14, 2015 to collect funds at Rainbow Lake Road/Entrance and Wal-Mart and Lowe's Exits; Double Bridge Road next to Firehouse Subs; Valley Falls Road next to Rite Aid; the intersection of 4th Street at McDonalds and Shoally Creek Road at CVS; and Old Furnace Road off Highway #9 at McDonalds Exit and Bi-Lo Plaza Exit for Community Service and Palmetto Boys State & Law Cadet School. (Mr. Don Faehnrich, Commander, to present) – **(Action Requested: Approval of request)**
 - B. Receive information and take desired action in reference to a request to apply for the PalmettoPride Enforcement Grant. (Mr. Jamie Nelson, Environmental Enforcement Director, to present) – **(Action Requested: Approval of grant application submittal)**
 - C. Receive information and take desired action in reference to a request to apply for the Victims of Crime Act – Special Solicitation Grant. (Mr. Murray Glenn, Office Administrator, Solicitor's Office, to present) - **(Action Requested: Approval of grant application submittal)**
 - D. Receive information and take desired action in reference to the Holly Springs Fire Department property lease at Holston Creek Park. (Mr. Jim Hipp, Deputy County Administrator, to present) – **(Action Requested: Render first reading to Ordinance)**
 - E. Receive information regarding activities of Building Codes Department.

- III. Other

- IV. Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

**AGENDA
LAND USE COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, OCTOBER 19, 2015**

**COUNCIL CHAMBERS
COUNTY ADMINISTRATIVE OFFICE BUILDING**

- I. Call to Order-
 - Hon. Jeff Horton, Chairman
 - Hon. Jane Hall, Member
 - Hon. Justin Bradley, Member

- II. Matters before Committee
 - A. Receive Planning Department Reports on Development Activity.

- III. Other

- V. Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

AGENDA
PUBLIC WORKS, BUILDINGS & GROUNDS COMMITTEE
SPARTANBURG COUNTY COUNCIL
MONDAY, OCTOBER 19, 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 regarding activities of Public Works Department.

- III. Other

- IV. Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

MAIN AGENDA
County Council Meeting

MONDAY, OCTOBER 19, 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 providing for amendment and restatement of Ordinance No. O-09-09, as previously amended by Ordinance No. O-12-27 and Ordinance No. O-14-15, pertaining to distribution of fee in lieu of tax revenues generated from certain joint county industrial and business parks.

B. To consider an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Spartanburg County, South Carolina and **Project HVA** 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.

C. To consider an Ordinance authorizing the execution and delivery of a fee in lieu of tax agreement by and between Spartanburg County, South Carolina and **Project Static** with respect to certain economic development property in the County, whereby such property will be

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

subject to certain payments in lieu of taxes, including the provision of certain special source credits; and other matters related thereto.

- D. To consider an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Rochling Automotive USA LLP** (Project 40) 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.

5. **Committee Reports:**
(Committee Meetings to be held at 4:15 p.m.)

ECONOMIC RECRUITMENT and DEVELOPMENT COMMITTEE –

Hon. David Britt, Chairman

- A. Receive information and take desired action in reference to a Resolution authorizing the extension of the investment period under a fee agreement by and between Spartanburg County, South Carolina, and **Leigh Fibers, Inc.** and the execution and delivery of an Amendment to the Fee Agreement in connection with such extension. **(Action Requested: Adopt Resolution)**
- B. Receive information and take desired action in reference to an Ordinance to amend the Agreement for Development of 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. **(Coveris Flexibles US LLC, Holroyd Precision Rotors, and Apollo 17, LLC) – (Action Requested: Render first reading to Ordinance)**
- C. Receive information and take desired action in reference to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina and **Palmetto Hospitality of Spartanburg, LLC**, with respect to certain economic development property in the County, whereby such property will receive certain special source credits; and other matters related thereto. (Mr. Carter Smith, Economic Futures Group, and Attorney Seph Wunder, Haynsworth Sinkler Boyd, to present) – **(Action Requested: Render first reading to Ordinance)**
- D. Receive information and take desired action in reference to an Ordinance to develop a jointly owned and operated industrial/business

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

park in conjunction with Spartanburg County, such industrial/business park to be geographically located in Union County and established pursuant to South Carolina Code of Laws 1976, Section 4-1-170 et seq., 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; and matters related thereto. **(Project Veruca Salt) - (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 an Ordinance to provide for the issuance and sale of not exceeding sixteen million dollars (\$16,000,000) Spartanburg County, South Carolina General Obligation Refunding Bonds, Series 2015, in one or more series; to prescribe the purposes for which the proceeds shall be expended; to provide for the payment thereof; and other matters relating thereto. **(Action Requested: Render second reading to Ordinance)**
- B. Receive information and take desired action in reference to a reorganization request from The Forrester Center for Behavioral Health. **(Action Requested: Approval of reorganization request)**
- C. Receive updated financial data and personnel vacancy report.

LIVABILITY COMMITTEE - Hon. Jane Hall, Chairman

- A. Receive information and take desired action in reference to County Trails Funding Request. **(Action Requested: Approval of Funding Request)**
- B. Receive Parks Department Activities Update.

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

PUBLIC SAFETY AND JUDICIARY COMMITTEE –

Hon. Michael Brown, Chairman

- A. Receive information and take desired action in reference to a request from the American Legion Boiling Springs Post No. 200 to solicit funds from motorists on Saturday, November 7, 2015 between the hours of 9:30 a.m. and 1:30 p.m. with a rain date of Saturday, November 14, 2015 to collect funds at Rainbow Lake Road/Entrance and Wal-Mart and Lowe’s Exits; Double Bridge Road next to Firehouse Subs; Valley Falls Road next to Rite Aid; the intersection of 4th Street at McDonalds and Shoally Creek Road at CVS; and Old Furnace Road off Highway #9 at McDonalds Exit and Bi-Lo Plaza Exit for Community Service and Palmetto Boys State & Law Cadet School. **(Action Requested: Approval of request)**
- B. Receive information and take desired action in reference to a request to apply for the PalmettoPride Enforcement Grant. **(Action Requested: Approval of grant application submittal)**
- C. Receive information and take desired action in reference to a request to apply for the Victims of Crime Act – Special Solicitation Grant. **(Action Requested: Approval of grant application submittal)**
- D. Receive information in reference to Holly Springs Fire Department property lease at Holston Creek Park.
- E. 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 regarding activities of Public Works Department.

6. Public Comment Period

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

7. **Old Business:**

- A. Render third reading to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax and Special Source Credit Agreement by and between Spartanburg County, South Carolina and **Coveris Flexibles US LLC**, formerly known to the County as Project Stamp, 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.
- B. 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 **Holroyd Precision Rotors, Inc.** (Project EMU) 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.
- C. Render third reading to an Ordinance to amend the agreement for development of a joint county industrial and business park, dated as of March 19, 2007, by and between Cherokee County and Spartanburg County, South Carolina, so as to extend the termination date, as to certain properties, and other matters relating thereto. **(Moderna Products America, LLC)**
- D. Render third reading 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.
- E. Render third reading to an Ordinance providing for amendment and restatement of Ordinance No. O-09-09, as previously amended by Ordinance No. O-12-27 and Ordinance No. O-14-15, pertaining to distribution of fee in lieu of tax revenues generated from certain joint county industrial and business parks.
- F. Render second 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 **Auriga Polymers Inc.** (Project HVA) 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.
- G. Render second 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 **DDA Draexlmaier Automotive of**

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

America LLC (Project Static) 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.

H. Render second 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 **Rochling Automotive USA LLP** (formerly known to the County as “Project 40”) 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.

8. **New Business:**

No items scheduled.

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

Behavioral Health Commission Fund (The Forrester Center)

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

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.

C/P Roads State Grants
911 Phone System Fund
Information Technologies Fund
Spartanburg Parks Fund
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: September 18, 2015 (Council Retreat)
September 21, 2015 (Regular Meeting)
October 8, 2015 (Special Meeting)

12. Adjourn

VISION

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

MISSION

Spartanburg County provides a foundation for a superior quality of life for residents, unlimited opportunities for business, and an exceptional learning environment for education through purposeful planning, investment, and use of resources.