Spartanburg County Council met on Monday, December 18, 2017, 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, Justin Bradley, David Britt, Whitney Farr, Bob Walker, and Roger Nutt, Council Members; along with Katherine O'Neil, County Administrator; Jim Hipp, Deputy County Administrator; John Harris, County Attorney; and Ginny Dupont, 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.

II.

Invocation was rendered by Chaplain Amos Durham.

III.

Honorable Roger Nutt led in reciting the Pledge of Allegiance.

IV.

A. Jim Headley, CPRP, Executive Director of the South Carolina Recreation and Parks Association, re-presented the 2017 Parks Excellence Award for Holston Creek Park to Director Kevin Stiens, Spartanburg County Parks and Recreation, and Staff.

B. Sherry Barrett and Emily O'Sullivan, members of the Healthy Community 50 Task Force, recognized the County participation in the 2017 Healthy Communities 50 Challenge and presented a plaque to Mr. Bradley.
County Administrator Katherine O’Neill congratulated Kevin Stiens and his Team for winning the 2017 Parks Excellence Award for Holston Creek. Michelle Pharis, Christy Snow, John Grooms, and David Jorgensen from the Environment Enforcement were recognized for the work they did in utilizing the Trap and Release program to gain control of an area that was overrun with feral cats. A Citizen wrote to express her gratitude for the work these Officers did in her community. Ms. O’Neill shared a letter from Robert Croom, South Carolina Association of Counties, thanking County Attorney Ginny Dupont for being part of a program for the 2017 Local Government Attorneys Institute.

Mr. Walker stated the Shrine Bowl was held on December 16, 2017, and it was his honor to be there to participate. It was a fantastic day, and there was excellent attendance. Mr. Walker thanked the Shriners for all they do to promote the Shrine Bowl.

A. Company requested to postpone until January 22, 2018, the public hearing on an Ordinance authorizing the execution and delivery of a Special Source Revenue Credit Agreement by and between Spartanburg County, South Carolina and Inland 85 Logistics Center, LLC with respect to Special Source Revenue Credits to be applied against fee in lieu of tax payments related to certain investments in the County; and other matters related thereto.

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

1. Motion made by Mr. Britt to adopt a Resolution authorizing the Amendment of a Lease Agreement between Spartanburg County, South Carolina and Henkel Corporation (as successor in interest to Indopco, Inc.). Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

2. Motion made by Mr. Britt to render first 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 Project Bobsled 1, 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. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

3. Motion made by Mr. Britt to render first 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 Project Bobsled 2, 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. Motion seconded by Mr. Nutt and carried. Mr. Farr opposed.

4. Motion made by Mr. Britt to render first 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 Project Bobsled 3, 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. Motion seconded by Mr. Nutt and carried. Mr. Farr opposed.

5. Motion made by Mr. Britt to adopt a Resolution authorizing, under certain conditions, the execution and delivery by Spartanburg County, South Carolina of a Fee In Lieu Of Tax Agreement with a Company known to the County as Project Addition 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 Project Addition will be provided certain credits against fee payments in reimbursement of investment in related qualified infrastructure; and providing for related matters. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

6. Motion made by Mr. Britt to render first 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 company known to the County as Project Addition 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. Motion seconded by Mr. Nutt and carried. Mr. Farr opposed.

7. Motion made by Mr. Britt to render first reading to an Ordinance developing a Multi-County Park with Cherokee County; authorizing the execution and delivery of an Agreement governing the Multi-County Park (Broad River Energy, LLC); authorizing the inclusion of certain property located in Cherokee County in the Multi-County Park; and other related matters. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

8. Motion made by Mr. Britt to render first reading to an Ordinance developing a Multi-County Park with Cherokee County; authorizing the execution and delivery of an Agreement governing the Multi-County Park (Cherokee County Cogeneration); authorizing the inclusion of certain property located in Cherokee County in the Multi-County Park; and other related matters. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

9. Motion made by Mr. Britt to render first reading to an Ordinance developing a Multi-County Park with Cherokee County; authorizing the execution and delivery of an Agreement governing the Multi-County Park (Core Molding Technologies); authorizing the inclusion of certain property located in Cherokee County in the Multi-County Park; and other related matters. Motion seconded by Mr. Nutt and carried. Mr. Farr opposed.

10. Motion made by Mr. Britt to render first reading to an Ordinance developing a Multi-County Park with Cherokee County; authorizing the execution and
delivery of an Agreement governing the Multi-County Park (Gaffney Meadowcreek ADS Logistics); authorizing the inclusion of certain property located in Cherokee County in the Multi-County Park; and other related matters. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

B. Public Health and Human Services Committee (Honorable Whitney Farr, Chairman)
No Items Scheduled.

C. Personnel and Finance Committee (Honorable Bob Walker, Chairman)
1. Motion made by Mr. Walker to adopt a Resolution Certifying one (1) Unit as an Abandoned Building Site pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding the property located at 2150 E. Main Street, Duncan, SC 29334, Spartanburg County TMS # 5-31-08-015.00. Motion seconded by Mr. Farr and carried.
2. Motion made by Mr. Walker to adopt a Resolution to approve an Extended Special Assessment Period under Section 70-171 of the Spartanburg County, South Carolina Code of Ordinances for that certain parcel of improved real property known as the Arcadia Mill. Motion seconded by Mr. Brown and carried.
3. Motion made by Mr. Walker to render first reading to an Ordinance to provide Certification of Site requested by Cleveland Street, LLC as provided by Section 12-65-60 of the South Carolina Textiles Communities Revitalization Act for that certain property located at 1875 Hayne Street, Spartanburg, South Carolina. Motion seconded by Mr. Brown and carried.
4. During the Personnel and Finance Committee meeting earlier, Mr. Stan Halliday, McAbee, Schwartz, Halliday & Co., presented information on the results of the Annual Financial Audit (Fiscal Year 2017). The presentation, the Auditors' Communication Letter, and the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2017, are included in backup.
5. Updated financial data and personnel vacancy reports were received.

D. Livability Committee – (Honorable Justin Bradley, Chairman)
1. During the Livability Committee meeting earlier, the Blueways Coalition presented a report in reference to initial project priorities for river access for the Tyger River and requested funding through our Parks Capital Improvement Plan funds. Motion made by Mr. Bradley to accept priorities of the Blueways Coalition and authorize $150,000 in funding through our Parks Funds for some river access along the Tyger River. Motion seconded by Mr. Britt and carried. (Presentation included in backup)
2. Information received regarding activities of the Parks Department.
E. **Public Safety and Judiciary Committee** - (Honorable Michael Brown, Chairman)

1. During the Public Safety and Judiciary Committee meeting earlier, Director Doug Bryson, Spartanburg County Office of Emergency Management, presented information in reference to a Resolution to adopt the **Spartanburg County Multi-Jurisdictional Hazard Mitigation Plan**. Motion made by Mr. Brown to adopt Resolution. Motion seconded by Mr. Walker and carried.

2. Updated information received regarding activities of Environmental Enforcement Department.

3. Updated information received regarding activities of Building Codes Department.

F. **Land Use Committee** (Honorable Jeff Horton, Chairman)

1. Updated Planning Department Reports on Development Activity were received.

G. **Public Works, Buildings and Grounds Committee** (Honorable Roger Nutt, Chairman)

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

VIII.

During the Public Comment Period, Ms. Ruth Littlejohn, 284 Marion Avenue, Spartanburg, appeared to thank Mr. Horton for plans to take action through greater efforts in litter control and enforcement. Mr. Bill Coker, South State Bank, Trustee of Mary Black Foundation, 1205 Partridge Road, Spartanburg, appeared to express support for Parks and Trails and Quality of Life issues. Ms. Kimberly McKinney, 180 Magnolia Street, Spartanburg, appeared on behalf of the Clerk of Court’s Office at the Courthouse concerning the mold. Clerk of Court Hope Blackley appeared in reference to the Courthouse.

IX.

A. Motion made by Mr. Britt to render third reading to an Ordinance authorizing (1) the execution and delivery of a First amendment to Fee In Lieu Of Tax and Incentive Agreement by and between Spartanburg County, South Carolina (the "County"), and **Lockhart Power Company**, a company previously identified as Project Tyger, in connection with certain additional investment to be located in the County; and (2) other matters related thereto. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

B. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of an Amended and Restated Fee In Lieu Of Tax Agreement
by and between Spartanburg County, South Carolina and Benteler Automotive Corporation [Project G6] 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. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

C. Motion made by Mr. Brown to render third 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. (Palmetto Hospitality of Spartanburg, LLC) Motion seconded by Mr. Britt and carried. Mr. Farr opposed.

D. Motion made by Mr. Brown to render third 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 located in Spartanburg County as part of the Joint County Industrial Park, and other matters relating thereto. (AWL and Carbon Conversions) Motion seconded by Mr. Britt and carried. Mr. Farr opposed.

E. Motion made by Mr. Brown to render third reading to an Ordinance designating and approving Ernie's Pride, LLC as a Sponsor Affiliate in satisfaction of the requirements of Title 12, Chapter 44 of the South Carolina Code, so as to allow the Sponsor Affiliate to qualify for benefits pursuant to that certain Fee-In-Lieu of Ad Valorem Taxes Arrangement between Spartanburg County, South Carolina and Magna Seating of America, Inc.; and other matters related thereto. Motion seconded by Mr. Britt and carried. Mr. Farr opposed.

F. Motion made by Mr. Brown to render third reading to an Ordinance authorizing the execution and delivery of a Special Source Revenue Credit Agreement by and among Spartanburg County, South Carolina, BMW Manufacturing Co., LLC and SB Acquisitions, LLC, and a Fee-In-Lieu Of Tax and Special Source Revenue Agreement by and among Spartanburg County, South Carolina, BMW Manufacturing Co., LLC, BMW of North America, LLC and SB Acquisitions, LLC with respect to certain economic development property in the County; and other matters related thereto. Motion seconded by Mr. Britt and carried. Mr. Farr opposed.

G. Motion made by Mr. Britt to carry over to January second reading of an Ordinance authorizing the execution and delivery of a Special Source Revenue Credit Agreement by and between Spartanburg County, South Carolina and Inland 85 Logistics Center, LLC with respect to Special Source Revenue Credits to be applied against fee in lieu of tax payments related to certain investments in the County; and other matters related thereto. Motion seconded by Mr. Brown and carried.

H. Motion made by Mr. Brown 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 Carbon Conversions, Inc. and CCI Enterprises, 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 payments in lieu of taxes, including the provision of certain Special Source Credits; and other matters related thereto. Motion seconded by Mr. Britt and carried. Mr. Farr opposed.
A. Chairman Horton stated Council would be attending a Christmas Get Together immediately following the meeting.

B. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Resolution Number 18083 sets up revenue received in the Forfeited Gambling Fund for November 2017. Budget Amendment Resolution Number 18084 (1) recognizes revenue that was received in June 2017 after the last Council meeting and was therefore not set-up in FY17; (2) transfers the FY17 open P.O. balance budget associated with C-funds from the Budget Forward line item to the C-Funds Department; (3) adjusts the Emergency Management Budget for an end of year timing issue; and (4) recognizes the remaining amount of funds granted to the Community Development Department in prior years that were not carried forward previously. Budget Amendment Resolution Number 18085 accepts and sets up the 2016 Local Emergency Management Planning Grant (LEMPG) Supplemental award. Budget Amendment Resolution Number 18086 recognizes revenue associated with a 50+ trip to the Gaylord Opryland Resort in Nashville organized by the Chesnee VSP Center (Parks Department). Budget Amendment Resolution Number 18087 recognizes revenue received for the total loss of vehicle #2403 in the Sheriff's Office. Budget Amendment Resolution Number 18088 ratifies the carryovers from FY17 to FY18 which were approved on R-17-130, BAR 18028 at the August 2017 Council meeting.

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

A. Motion made by Mr. Britt to approve the minutes of November 13, 2017 (Special Meeting); November 17, 2017 (Retreat); November 17, 2017 (Public Works Committee) and November 20, 2017 (Regular Meeting). Motion seconded by Mr. Bradley and carried.
Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: Jeffrey A. Norton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council