

MINUTES

County Council Meeting

February 15, 2021

Spartanburg County Council met on Monday, February 15, 2021, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Manning Lynch, Chairman; Honorables Monier Abusoft, Jack Mabry, David Britt, Justin McCorkle, and Bob Walker, Council Members; along with Cole Alverson, County Administrator; Earl Alexander, 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.

Meeting was live streamed via YouTube. Links and instructions for how to access this meeting via computer or mobile device were made available on the County's webpage and provided to the local media.

I.

Chairman Lynch called the meeting to order.

II.

Invocation was rendered by Chaplain James Thomas.

III.

Honorable Bob Walker led the Pledge of Allegiance.

IV.

Mr. Cole Alverson, County Administrator, recognized Rachel Dill, Planning Development Coordinator (Subdivisions), for her professional and committed customer service to the residents of Spartanburg County.

Honorable Bob Walker recognized and thanked Douglas Bonnoitt and Lydia Thompson, Spartanburg EMS, for responding to his home when he had a medical emergency on Tuesday, January 5, 2021.

V.

- A. Motion made by Mr. Britt to approve the minutes of January 25, 2021 (Regular Meeting). Motion seconded by Mr. Mabry and carried.

VI.

- A. Chairman Lynch declared open a public hearing 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 **Pacolet Ft. Prince, LLC** (Project Juniper) 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. No one appeared, and the matter was closed.
- B. Chairman Lynch declared open a public hearing to consider an Ordinance to provide for the issuance and sale of not exceeding ten million dollars (\$10,000,000) Spartanburg County, South Carolina **General Obligation Bonds**, 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. No one appeared, and the matter was closed.
- C. Chairman Lynch declared open a public hearing to consider an Ordinance finding that **Startex-Jackson-Wellford-Duncan Water District**, South Carolina may issue not exceeding \$18,000,000 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 find and authorization. No one appeared, and the matter was closed.
- D. Chairman Lynch declared open a public hearing to consider an Ordinance authorizing the **Woodruff-Roebuck Water District**, South Carolina to (1) enlarge, diminish and confirm its service area, and (2) issue not exceeding \$8,000,000 General Obligation Bonds, in one or more series; providing for the publication of notice of the said findings and authorization; and generally approving other matters relating thereto. No one appeared, and the matter was closed.

VII.

Motion made by Mr. Britt to authorize the disbursement of accommodations tax monies as discussed in Executive Session. Motion seconded by Mr. Mabry and carried.

VIII.

Motion made by Mr. Mabry to appoint Mike Seay, Construction, to serve on the Board of Assessment Appeals. Motion seconded by Mr. Britt and carried.

IX. Economic Recruitment and Development Committee

Honorable David Britt, Chairman
Honorable Manning Lynch, Member
Honorable Jack Mabry, Member

- A. Motion made by Mr. Lynch to render first reading to an Ordinance authorizing and approving (1) the development of a new Joint County Industrial and Business Park (**Project Pigeon**) 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 geographically located in Cherokee County. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to render first reading to Ordinance. Motion carried.

- B. Motion made by Mr. Lynch to adopt a Resolution authorizing the execution and delivery by Spartanburg County, South Carolina of a Fee in Lieu of Tax Agreement with **Project Stone I**. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to adopt Resolution. Motion carried.

- C. Motion made by Mr. Lynch 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 Stone I**. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to render first reading to Ordinance. Motion carried.

- D. Motion made by Mr. Lynch to adopt a Resolution authorizing the execution and delivery by Spartanburg County, South Carolina of a Fee in Lieu of Tax Agreement with **Project Stone II**. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to adopt Resolution. Motion carried.

- E. Motion made by Mr. Lynch 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 Stone II**. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to render first reading to Ordinance. Motion carried.

- F. Motion made by Mr. Lynch to render first reading to an Ordinance authorizing the Amendment and Restatement of the Fee in Lieu of Tax Agreement heretofore entered into between Spartanburg County, South Carolina and **W/C GSP JV III, LLC and subsequently assigned to CP Greer, LLC and W/C GSP Lot 3 Owner, L.L.C.** to add land to the project and other provisions therein; and other matters relating thereto. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to render first reading to Ordinance. Motion carried.

- G. Motion made by Mr. Lynch to adopt an Amended and Restated Resolution authorizing the execution and delivery by Spartanburg County, South Carolina of a Fee in Lieu of Tax Agreement with **Project Spartan**. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to adopt Resolution. Motion carried.

Mr. Britt reported that Project Spartan is an investment of \$93 million. Project Stone is an investment of \$75.4 million. This equates to \$168.4 million investment for these projects. More importantly than the \$168.4 million invested, the number of jobs is 909. To put this in perspective, in the whole year of 2019, we had \$340 million invested in Spartanburg County and 751 new jobs. In 2020, we had \$433 million invested and 446 jobs. We led the State except one County last year. Greenville beat us last year, and it was a great year considering where we had been. As of January and February, when you combine the totals, we have had \$573 million invested in Spartanburg County in two months and 1,349 new jobs. One of the projects puts us in a league that we have not been in. It is in life sciences in development and research. It is the type of jobs that our team has been trying to recruit to Spartanburg for a long time. This means great things for Spartanburg and the Upstate of South Carolina. Mr. Britt thanked everyone for their hard work and especially thanked Katherine O'Neill and Carter Smith with OneSpartanburg, our partners, Cole Alverson, and Chairman Lynch.

X. Personnel and Finance Committee

Honorable Jack Mabry, Chairman

Honorable Bob Walker, Member

Honorable Manning Lynch, Member *(Interim Appointment until the Councilmember from Council District 6 is elected and seated)*

- A. Mr. Stan Halliday, McAbee, Schwartz, Halliday & Co., presented the results of the **Annual Financial Audit (Fiscal Year 2020)**. The presentation, the Auditors' Communication Letters, the Single Audit Report on expenditures of Federal Awards for the fiscal year ended June 30, 2020, and the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2020, are included in backup. The CAFR can be found on the Finance Department webpage under www.spartanburgcounty.org. The other documents can be found under the County Council Department page. Spartanburg County received the Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year ended June 30, 2019 for the 27th consecutive year. The County ended the year with a positive variance to budget of \$16.7 million and an undesignated fund balance of 20.5%. Management committed to Council in the past to raise the General Fund undesignated (unassigned) fund balance to 20% of revenues. Last year (FY19), the fund balance ended in the 20% range. Management has achieved the 20% goal again this year (FY20). Mr. Alverson, Mr. Mabry, and Mr. Britt thanked everyone for their hard work.
- B. Mr. Brad Love, Attorney, Haynsworth Sinkler Boyd, presented information in reference to a Resolution authorizing the **Master Lease Agreement** in the principal amount of not exceeding \$1,665,666 relating to the financing of equipment for public purposes; authorizing the execution and delivery of various documents; and other matters relating thereto. Mr. Love stated this Resolution authorizes the County to enter into its annual Master Lease Program for various equipment for the Sheriff's Department. Five bids were received. The low bid was Truist Bank at 0.79% for four years. It is for various vehicles. Mr. Alverson stated that 40 vehicles are being purchased which is on par with what we planned and what we have done in the past. This is part of our routine plan used to finance vehicles for the Sheriff's Office. In the past, we financed other things, but we have long since gotten away from financing computers and technology. This is a good rate and continuation of what has been our standard procedure for financing vehicles for the Sheriff's Office. Motion made by Mr. Lynch to adopt Resolution. Motion seconded by Mr. Walker and carried.

Council Action:

Motion made by Mr. Mabry to adopt Resolution. Motion carried.

- C. Mr. Pat Britt, Developer, SPD Partners, LLC, presented information in reference to an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg to certify **480 W. Blackstock Road**, the former Dixie Shirt Company property as a Textile Mill Site under the South Carolina Textiles Communities Revitalization Act. Mr. Britt stated that they developed Restorations at Senior Living on Blackstock Road. The County helped them by allowing them to use the Textile Mill Site qualification for that piece of property. It was an old cotton mill. They want to do the same type thing right next door. They own the property. It was an old shirt company. It was on by Spartan Mills after Dixie went under. They want to make sure they can receive the tax credits, so they can do another

great project here in Spartanburg County. The property is behind the post office. They have 16 to 18 acres. Motion made by Mr. Walker to render first reading to Ordinance. Motion seconded by Mr. Lynch and carried.

Council Action:

Motion made by Mr. Mabry to render first reading to Ordinance. Motion carried.

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

XI. Livability Committee

Honorable Jack Mabry, Chairman *(Interim Appointment until the Councilmember from Council District 6 is elected and seated)*

Honorable Monier Abusoft, Member

Honorable Justin McCorkle, Member

A. Mr. Kevin Stiens, Parks and Recreation Director, Spartanburg County Parks Department, presented information in reference to a request from the **Parks Department** to submit a grant application to the South Carolina Department of Parks, Recreation and Tourism, which will allow Spartanburg County to apply for funding through the Parks and Recreation Development Fund Grant Program. Mr. Stiens stated the Parks Department is requesting permission to submit a Parks and Recreation Development Fund (PARD) Grant application to the South Carolina Department of Parks, Recreation and Tourism (SCPRT). The grant funds will be used at Pacolet Park. Council allocated funds to make improvements at that location during this fiscal year. The Parks Department plans to take the funds that we have in place and get additional state funds to increase the scope of work at that location. Council allocated \$150,000 which will be used as the match. Motion made by Mr. McCorkle to approve submittal of Grant Application. Motion seconded by Mr. Abusoft and carried.

Council Action:

Motion made by Mr. Mabry to approve submittal of Grant Application. Motion carried.

B. Information received regarding activities of the Parks Department.

XII. Public Safety and Judiciary Committee

Honorable Monier Abusoft, Chairman

Honorable David Britt, Member

Honorable Bob Walker, Member

- A. Motion made by Mr. Britt to authorize the **Commission of Jacob Snapp**, Building Codes Department, as a Spartanburg County Building Codes Enforcement Officer. Motion seconded by Mr. Walker and carried.

Council Action:

Motion made by Mr. Abusaft to authorize the Commission. Motion carried.

- B. Updated information received regarding activities of Building Codes Department.

XIII. Land Use Committee

Honorable Justin McCorkle, Chairman
Honorable David Britt, Member
Honorable Manning Lynch, Member

- A. Mr. Travis Brown, Public Works Director, presented information in reference to an Ordinance to amend the **Spartanburg County Floodplain Ordinance** to incorporate and adopt new floodplain maps. (Presentation showing the updates to the Flood Maps included in backup) The last time the maps were updated was in 2011. The Flood Study and the Maps are performed by FEMA. Last year, we had a public meeting. Citizens could view the maps. No comments or questions were received. The maps have been public for some time. The FEMA publication date is May 4, 2021. The maps need to be adopted prior to May 4, 2021. If we do not adopt the maps, there is risk of losing the Flood Program. A map of the Tyger River Watershed area was shown. This is the area where the maps will be updated. It is an insurance program. The individuals that live in the Floodplain have flood insurance. If we do not adopt the maps, the program goes away countywide. Mr. Brown stated that this is the only area in Spartanburg County that has a change. There were eight individuals that were taken out of the Flood Zone, and there were seven individuals that were put into the Flood Zone. All fifteen individuals have been notified. Motion made by Mr. Britt to render first reading to Ordinance. Motion seconded by Mr. Lynch and carried.

Council Action:

Motion made by Mr. McCorkle to render first reading to Ordinance. Motion carried.

- B. Updated Planning Department Reports on Development Activity were received.

XIV. Public Works, Buildings and Grounds Committee

Honorable Manning Lynch, Chairman
Honorable Jack Mabry, Member
Honorable David Britt, Member *(Interim Appointment until the Councilmember from Council District 6 is elected and seated)*

A. **Capital Penny Phase I Update** was presented by Mr. Alverson.

A video was shown on some of the highlights at the Courthouse. The video can be found at [Invest Spartanburg | Spartanburg County, SC](#).

Mr. Alverson presented a verbal update on the progress at the Courthouse. We have about 19,000 total project hours so far and about 140 more days until the Parking Deck has reached its substantial completion around the first of July. A lot of work has been going on related to the Central Energy Plant. About 450 pieces have been set so far. They are on the second to the last sequence of erections. They are getting close. In March, they will finish up the actual precast assembly. There are more than 600 pieces and 23 million pounds in total that will go into the Parking Deck. They are starting the backfill operations, doing some waterproofing, and getting ready for the slab on grade. They will pour that in a series of sections. The first will be poured around March 5, and second will be poured around March 23. They are getting ready to pour the bottom slab on the Parking Deck. With the Central Energy Plant, there are about 75 more days until substantial completion. It is due to be completed around April 28. On the Courthouse, we are still in design phase. Our Construction Crew, Turner Contracting, is working on the crane logistics plan. With the Emergency Operations Center, they are still in design development. They are making good progress there. With the Municipal Police Building, initial prices are in, and they are in the process of reviewing the prices.

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

XV.

Mr. Philip Abers, 450 Gowan Road, Inman, appeared in reference to traffic issues on Gowan Road, Inman. Mr. Mike Behnke, Freedom Action Network, 240 Henry Court, Spartanburg, appeared in reference to taxes. Ms. Jekeithlyn Stroble Ross, JC Stroble Foundation, 326 Holly Drive, Spartanburg, appeared in reference to the J.C. Stroble Glaucoma Awareness Foundation saving eyesight. Mr. Blake Douglas, 661 Broken Chimney Road, Inman, appeared in reference to laws to protect and provide for overall animal welfare. Ms. Cyndy Alling and Mr. Stephen Alling, 1430 Gap Creek Road, Lyman, and Ms. Sally Dix, 162 Carshalton Drive, Lyman, appeared in reference to dog on Arlington Street.

XVI.

A. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between

- Spartanburg County, South Carolina and **Drayton Holdings, LLC**. Motion seconded by Mr. Mabry and carried.
- B. Motion made by Mr. Britt to render third reading to an **Ordinance to amend Ordinance No. O-20-26** which related to the fiscal affairs of Spartanburg County making appropriations therefore, by increasing General Obligation Bond proceeds by \$9,500,000 increasing the General Fund transfer by \$3,600,000, and increasing expenditure appropriations for County Buildings and Facilities by \$13,100,000 and other matters related thereto. Motion seconded by Mr. Mabry and carried.
- C. Motion made by Mr. Britt to render third reading to an Uncodified Ordinance to transfer property to the Town of Duncan not included within the Town of Duncan's Annexation Ordinance No. AN-2020-02 which consists of a portion of **Pigeon Haven Road** in order to perform maintenance and upkeep on the roadway for the Citizens of Spartanburg County. Motion seconded by Mr. Mabry and carried.
- D. Motion made by Mr. Britt to 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 **Pacolet Ft. Prince, LLC** (Project Juniper). Motion seconded by Mr. Mabry and carried.
- E. Motion made by Mr. Britt to render second reading to an Ordinance to provide for the issuance and sale of not exceeding ten million dollars (\$10,000,000) Spartanburg County, South Carolina **General Obligation Bonds**, 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. Motion seconded by Mr. Mabry and carried.
- F. Motion made by Mr. Walker to render second reading to an Ordinance finding that **Startex-Jackson-Wellford-Duncan Water District**, South Carolina may issue not exceeding \$18,000,000 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 find and authorization. Motion seconded by Mr. Mabry and carried.
- G. Motion made by Mr. Walker to render second reading to an Ordinance authorizing the **Woodruff-Roebuck Water District**, South Carolina to (1) enlarge, diminish and confirm its service area, and (2) issue not exceeding \$8,000,000 General Obligation Bonds, in one or more series; providing for the publication of notice of the said findings and authorization; and generally approving other matters relating thereto. Motion seconded by Mr. Britt and carried.

XVII.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Number 278-8 will update the Upstate Workforce Board grant original FY21 budget in the financial system to the amounts approved by the Upstate Workforce Investment Board. Budget Amendment Number 293-8

sets up C-Fund projects approved at the January 21, 2021 CTC Meeting. Budget Amendment Number 294-8 sets up the C Funds annual Spartanburg County paving project for FY 21, Project 21009L. Budget Amendment Number 321-8 sets up the budget for revenue received in January 2021 for the Gambling and the Federal Forfeiture Funds. Budget Amendment Number 340-8 and 341-8 adjusts the FY20 to 21 carryover amounts for the Upstate Workforce Board. This is a two-part amendment in the financial system. Budget Amendment Number 741-8 changes the FY21 Capital Budget for the replacement of Sheriff's Office vehicles (project #CP00000221) to the actual amount of master lease proceeds, \$1,665,666. Budget Amendment Number 742-8 recognizes proceeds, in excess of what was budgeted, associated with the sale of the Victor Mill property.

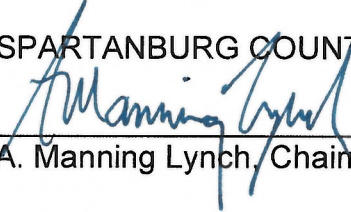
Motion made by Mr. Britt to approve the Budget Amendment Resolutions provided to Council. Motion seconded by Mr. Walker and carried.

XVIII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By:


A. Manning Lynch, Chairman

Attest:


Deborah C. Ziegler
Clerk to Council