



# MINUTES

## County Council Meeting

July 20, 2020

Spartanburg County Council met on Monday, July 20, 2020, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Manning Lynch, Chairman; Honorables Michael Brown, Jack Mabry, David Britt, Whitney Farr, Bob Walker, and Roger Nutt, 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 Amos Durham.

III.

Honorable Bob Walker led the Pledge of Allegiance. Mr. Lynch took a quick moment of personal privilege to recognize Mr. Walker on his birthday.

IV.

- A. Motion made by Mr. Nutt to adopt a Resolution expressing recognition and appreciation for the invaluable services provided by Licensed Professional Engineers and proclaiming August 5, 2020 as **Professional Engineers Day** in Spartanburg County. Motion seconded by Mr. Britt and carried. Mr. Blake Loudermilk, PE, MBA, South Carolina Society of Professional Engineers Spartanburg Chapter President, received the Resolution.

V.

- A. Motion made by Mr. Britt to approve the minutes of June 15, 2020 (Regular Meeting) and the July 2, 2020 (Special Meeting). Motion seconded by Mr. Brown and carried.

VI.

- A. Chairman Lynch declared open a public hearing to consider an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina and **Spartanburg RE Investments, LLC** (Project ND1). No one appeared, and the matter was closed.
- B. Chairman Lynch declared open a public hearing to consider an Ordinance authorizing the execution and delivery of an Amended and Restated Fee In Lieu Of Tax Agreement by and among Spartanburg County, South Carolina, **Keurig Green Mountain, Inc., and Veyron/KDP I Partners LLC** to clarify the investment period thereof, to ratify a partial assignment of the Agreement pursuant to a sale-leaseback transaction, and other matters related thereto. No one appeared, and the matter was closed.
- C. Chairman Lynch declared open a public hearing to consider an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina and **New Spartanburg Owner, LP** (Project Norris). No one appeared, and the matter was closed.
- D. Chairman Lynch declared open a public hearing to consider an Ordinance authorizing the execution and delivery of an Special Source Credit Agreement by and between Spartanburg County, South Carolina, **Smith Animal Hospital, P.A., and Spartan Investment Holdings, 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. No one appeared, and the matter was closed.
- E. Chairman Lynch declared open a public hearing to consider an Uncodified Ordinance to grant a **utility easement to Piedmont Natural Gas Company, Inc.** to install underground gas pipelines through the 295 Sports Complex owned by Spartanburg County and identified as Tax Map Number 7-21-00-006.00. No one appeared, and the matter was closed.
- F. Chairman Lynch 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 11:30 p.m. on Saturday, July 25, 2020; Saturday, August 8, 2020; and Saturday, August 22, 2020 for a drag race at 1792 Dragway Road, Greer. No one appeared, and the matter was closed.

VII.

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

1. Motion made by Mr. Britt to render first reading to an Ordinance authorizing and approving (1) the development of a new Joint County Industrial and Business Park (**Nestle Prepared Foods Company**) in conjunction with Cherokee County such park to be geographically located in Cherokee County and to include the aforementioned project; (2) the execution and delivery of a written Park Agreement with Cherokee County; (3) the distribution of revenues from the Park to the counties and relevant taxing entities; and (4) other matters related thereto. Motion carried. Mr. Farr opposed.
2. Motion made by Mr. Britt to render first reading to an Ordinance authorizing and approving (1) the development of a new Joint County Industrial and Business Park (**Old Castle APG South, Inc.**) in conjunction with Cherokee County, such park to be geographically located in Cherokee County and to include the aforementioned project; (2) the execution and delivery of a written Park Agreement with Cherokee County; (3) the distribution of revenues from the Park to the counties and relevant taxing entities; and (4) other matters related thereto. Motion 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 Stitch**. Motion carried. Mr. Farr opposed.
4. Motion made by Mr. Britt to adopt a Resolution authorizing the execution and delivery by Spartanburg County, South Carolina of a Fee In Lieu Of Tax Agreement with **Oriole Solar LLC and Spring Solar LLC** (Project Oriole). Motion carried. Mr. Farr opposed.
5. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of Fee In Lieu Of Tax Agreements by and between Spartanburg County, South Carolina and **Oriole Solar LLC and Spring Solar LLC** (collectively, "Project Oriole." Motion carried. Mr. Farr opposed.
6. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina and **Project LPA**. Motion carried. Mr. Farr opposed.
7. Motion made by Mr. Britt to render first 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, **Blue Ridge Log Cabins, LLC, and BRLC Properties DE, LLC**. Motion seconded by Mr. carried. Mr. Farr opposed.

Mr. Britt stated these projects represent \$38.5 million worth of investment and about 120 new jobs in the County.

**B. Personnel and Finance Committee** (Honorable Bob Walker, Chairman)

1. Motion made by Mr. Walker to approve a request from Human Resources to apply for the **"Let's Go 3.0 Eat Smart Move More" Mini Grant**. The Human Resources Department requested approval to apply for this grant in order to do some upgrades to the kitchen at the Administrative Building. There is no match required. Motion carried.
2. Motion made by Mr. Walker to approve a request from the **Sheriff's Office** to take an open Pilot position (Grade 67/15) and reclassify it as a Special Services Team Leader (Grade 67/15). Motion carried.
3. Motion made by Mr. Walker to approve a request from the County Attorney's Office to reclassify position #1962, currently a Legal Assistant, Grade 8, to its previous classification of Paralegal II, Grade 11. Motion carried.
4. Mr. Michael D. Morin, Circuit Chief Public Defender, presented information in reference to a request from the **Seventh Judicial Circuit Public Defender's Office** to reclassify the Chief Public Defender position in the Cherokee Office (Position #1056, Grade 22) to a Senior Assistant Public Defender III (Grade 21). Mr. Morin took over as the new Public Defender on July 2, 2020. One of the things he did right away was to review the Budget situation in both Cherokee and Spartanburg. Mr. Morin thinks the money would be better used for other needs. There are some other things that need to be done so the offices can better serve the people they represent. Motion carried.
5. Updated financial data and personnel vacancy reports were received.

**C. Livability Committee** – (Honorable Jack Mabry, Chairman)

1. Information received regarding activities of the Parks Department.

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

1. Motion made by Mr. Brown to authorize the Commission of **Ms. Jennifer L. Paton**, Animal Control Division, as a Spartanburg County Code Enforcement Officer. Motion carried.
2. Updated information received regarding activities of Building Codes Department.

**E. Land Use Committee** (Honorable Roger Nutt, Chairman)

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

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

1. Motion made by Mr. Nutt to approve submittal of an Annual Solid Waste grant application to help maintain **Tire Recycling Management Program**. Motion carried.
2. Motion made by Mr. Nutt to approve submittal of an Annual Solid Waste grant application to promote the **Waste Oil Recycling Program**. Motion carried.
3. Mr. Nutt stated that a new rendering was shown of the Courthouse. It will be a very special place for Spartanburg County. It is right in the middle of the City of Spartanburg. It is going to be a great centerpiece to a fantastic City. It is going to be a marvelous place. (Pictures included in backup)
4. Updated information received regarding activities of the Public Works Department.

VIII.

Mr. Evan Mulch appeared during the Public Comment Period in reference to COVID-19. (Mr. Mulch gave Council a pamphlet entitled "Forced Vaccines and Digital IDs" which is enclosed in backup.)

IX.

- A. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina and **Spartanburg RE Investments, LLC** (Project ND1). Motion seconded by Mr. Brown and carried. Mr. Farr opposed.
- B. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of an Amended and Restated Fee In Lieu Of Tax Agreement by and among Spartanburg County, South Carolina, **Keurig Green Mountain, Inc., and Veyron/KDP I Partners LLC** to clarify the investment period thereof, to ratify a partial assignment of the Agreement pursuant to a sale-leaseback transaction, and other matters related thereto. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.
- C. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina and **New Spartanburg Owner, LP** (Project Norris). Motion seconded by Mr. Nutt and carried. Mr. Farr opposed.
- D. Motion made by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a Special Source Credit Agreement by and between Spartanburg County, South Carolina, **Smith Animal Hospital, P.A., and Spartan Investment Holdings, 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. Motion seconded by Mr. Brown and carried. Mr. Farr opposed.

- E. Motion made by Mr. Britt to render second reading to an Uncodified Ordinance to grant a **utility easement to Piedmont Natural Gas Company, Inc.** to install underground gas pipelines through the 295 Sports Complex owned by Spartanburg County and identified as Tax Map Number 7-21-00-006.00. Motion seconded by Mr. Brown and carried.

X.

- A. Motion made by Mr. Walker to approve an Application for Special Public Event Exclusion from the Noise Ordinance requested by **Greer Dragway** from 4:00 p.m. until 11:30 p.m. on Saturday, July 25, 2020; Saturday, August 8, 2020; and Saturday, August 22, 2020 for a drag race at 1792 Dragway Road, Greer. Motion seconded by Mr. Britt and carried.

XI.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Number 44-1 moves the balances from the Sheriff's Office restricted revenue funds (Funds 230, 231, and 232) to new restricted revenue funds (Funds 239, 240, and 241). Budget Amendment Number 140-1 sets up the Department of Justice (DOJ) awarded to the Sheriff's Office for the Coronavirus Emergency Supplemental Project. Budget Amendment Number 21001 amends the Authorized Staffing for FY 2020/21 for the Sheriff's Office. Position #532, Pilot Sheriff (grade 15), will be retitled to a Special Services Team Leader (grade 15) to better reflect the skill set needed in the department. Budget Amendment Number 21002 amends the Authorized Staffing for FY 2020/21 for the County Attorney's Office. Vacant position #1962, a Legal Assistant (grade 08), will be reclassified to a Paralegal II (grade 11) to better reflect the skill set needed in the department. Budget Amendment Number 21003 authorizes a project scope change for the Grant-in-Aid funding awarded to the Spartanburg Regional Health Services District (SRHS) for the Spartanburg Medical Center Transportation Services program. Budget Amendment Number 21004 amends the Authorized Staffing for FY 2020/21 for the Cherokee Public Defender's Office. Vacant position #1056, Cherokee County Chief Public Defender (grade 22), will be reclassified to a Senior Assistant Public Defender III (grade 21) to better reflect the skill set needed in the department. Budget Amendment Number 21005 approves an increase in salary for the Director of Administrative Services commensurate with additional project management duties related to the Capital Penny.

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

Spartanburg County Council  
July 20, 2020

XII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: \_\_\_\_\_

A. Manning Lynch, Chairman

Attest:

  
\_\_\_\_\_  
Deborah C. Ziegler  
Clerk to Council