

MINUTES

County Council Meeting

January 23, 2023

Spartanburg County Council met on Monday, January 23, 2023, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:15 p.m. The following attended: Honorable Manning Lynch, Chairman; Honorables Monier Abusoft, Jack Mabry, David Britt, Justin McCorkle, Bob Walker, and Jessica Coker, Council Members; along with Cole Alverson, County Administrator; Earl Alexander, Deputy County Administrator; Kevin Stiens, Assistant County Administrator; John Harris, County Attorney, and Ryan Gaylord, Deputy 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.

IV.

A. Motion made by Mr. Britt to approve the minutes of December 12, 2022 (Regular Meeting). Motion seconded by Mr. Mabry and carried.

V.

- 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 Milo's Tea Company, Inc. (Project Foursight). No one appeared, and the matter was closed.

VI.

There were no items requiring a vote following Executive Session.

VII.

Motion made by Mr. Britt to adopt current **Council Rules and Procedures** to accept addition of Council Member to cover sheet. Motion seconded by Mr. Mabry and carried.

VIII.

Motion made by Mr. Britt to confirm Committee Appointments as required by Rules and Procedures. Motion seconded by Ms. Coker and carried.

IX.

Motion made by Ms. Coker to nominate Mr. Britt to serve as **Vice-Chairperson** for a one (1) year term. Motion seconded by Mr. Mabry and carried.

X.

Motion made by Mr. Britt to appoint Mr. Abusaft, Mr. Mabry, and Mr. Walker to serve on the **Appalachian Council of Governments Board**. Motion seconded by Ms. Coker and carried.

XI.

Motion made by Mr. Britt to appoint Parker Champion, At Large, to the Spartanburg County Planning Commission. Motion seconded by Mr. Mabry and carried. Motion made by Ms. Coker to appoint Ross L. Abrams and Barbara Staton to the Twin Lakes Special Tax District Board. Motion seconded by Mr. Britt and carried. Motion made by Ms. Coker to appoint Larry Easler to the Una Community Fire Service Area Board. Motion seconded by Mr. Britt and carried. Motion made by Mr. McCorkle

to appoint Thomas Davies, District 4, to the Board of Zoning Appeals. Motion seconded by Mr. Britt and carried. Motion made by Mr. Walker to appoint James David Langford Jr. to the Board of Zoning Appeals. Motion seconded by Ms. Coker and carried. Motion made by Mr. Walker to appoint Jack D. Gowan, Jr., At Large, to the Board of Zoning Appeals. Motion seconded by Mr. Mabry and carried.

XII.

Earl Alexander, Deputy County Administrator, presented an Animal Services Update. Since County Council's last meeting in December, our real estate broker has been selected. Our site and site specifics for a facility have been discussed with them. We were looking for a site with public water and public sewer within a five-to-ten-mile radius of the center of Spartanburg, the crossroads of I-26 and I-85. The broker identified ten to fifteen sites. The selection has been narrowed down, and our team is in the final phases of selecting a site. Hopefully, we will have a site under contract very soon. Staff has also put out a quote for Architect and Engineering (A&E) Services. The quotes will open on January 31, 2023. Staff will go through and select an A&E Team for conceptual designs as well as cost estimates. In regard to staffing, two positions have been posted. Staff has gone through the interview process for our Animal Cruelty/Investigator position. The candidate pool has been narrowed down to one candidate. The selection will be made shortly. The individual has a lot of experience and is well known in the community. Our Director of Animal Welfare Services position has been posted. We have roughly 40 applicants. Three to five have some level of Director experience. One candidate has a degree in Veterinary Sciences. The rest are just passionate about animals. Greenville County has identified several who applied with them, but they were unsuccessful. They are going to forward the information to us. Some of the applicants are looking to relocate to Spartanburg County from some other states. They do have an abundance of experience in shelters as well as being Veterinarians. Also, we have extended our contract with Dr. Sara Pizano, Team Shelter USA, to take us into our next phase to go through assisting us with design of facility, crafting policies and procedures, as well as helping us to right size our safety net programs.

XIII. **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 the execution and delivery of a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Project Rock**. Motion seconded by Mr. Mabry and carried.

Council Action:

Motion made by Mr. Britt to render first reading to Ordinance. Motion carried. Mr. Britt stated this is a company that is worldwide. They happen to hear about Spartanburg. One of their board members was on a trip, and they were looking at the research triangle initially. They made a tremendous investment here. It is a company that is in therapeutics and vaccines. They have been blown away by Spartanburg County and the Upstate. They have only been here a little over a year, and this is a \$63 million expansion they are putting in Spartanburg County. It is a strong testament. They have facilities all over the world, but they love Spartanburg.

Mr. Britt thanked Ms. O'Neill, the team at OneSpartanburg, along with our team, for their hard work. Last year, we had a record setting year. We had \$4,023,000,000 in investments. In the Upstate Business Journal that came out last week, one of neighboring Counties had one of their record-breaking years. It was \$468 million in their County with 2,300 jobs. So many other Counties that have done pretty well, if they hit \$100 or \$150 million, it is a great year. For Spartanburg, in 2021, we had \$1,923,000,000. Last year, we had \$4,023,000,000. In 2021 and 2022, about 4,500 jobs were created. Last year, 2,500 jobs were created.

XIV. Personnel and Finance Committee

Honorable Jessica Coker, Chairman
Honorable Bob Walker, Member
Honorable Jack Mabry, Member

- A. Ms. Coker presented information in reference to a Resolution certifying a building 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 **4089 Clifton Glendale Road**, Spartanburg, Spartanburg County, South Carolina TMS #7-14-00-101.00. Brian Leonard, Developer, was in attendance to answer any questions. This property is an old Bilo that has been vacant for 30 years. Motion made by Mr. Mabry to adopt Resolution. Motion seconded by Mr. Walker and carried.

Council Action:

Motion made by Ms. Coker to adopt Resolution. Motion carried.

- B. Motion made by Mr. Mabry to render first reading to an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg to certify the site located at **4089 Clifton Glendale Road**, Spartanburg, South Carolina as an Abandoned Building Site under the South Carolina Abandoned Buildings

Revitalization Act. Brian Leonard, Developer, was in attendance to answer any questions. Motion seconded by Mr. Walker and carried.

Council Action:

Motion made by Ms. Coker to render first reading to Ordinance. Motion carried. Mr. Britt told Mr. Leonard that County Council appreciates him and his team making a difference out on Clifton Glendale Road with this development. Mr. McCorkle wished them well with their business.

- C. Received updated financial data and personnel vacancy report.

XV. Livability Committee

Honorable Jack Mabry, Chairman
Honorable Monier Abusaft, Member
Honorable Justin McCorkle, Member

- A. Information received regarding activities of the Parks Department.

XVI. Public Safety and Judiciary Committee

Honorable Monier Abusaft, Chairman
Honorable David Britt, Member
Honorable Jessica Coker, Member

- A. Motion made by Mr. Britt to approve a request from the **Spartanburg Elite Track and Field Team** to solicit funds from motorists on Saturday, February 11, 2023; March 11, 2023; and April 15, 2023 between the hours of 9:30 a.m. and 5:30 p.m. at the entrance to Peachwood Centre Drive (between McDonalds and Academy), on the sides of Warren H. Abernathy Highway, and between Ingles and BP Gas Station on North Blackstock Road. Motion seconded by Mr. Walker and carried.

Council Action:

Motion made by Mr. Abusaft to approve request. Motion carried.

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

XVII. Land Use Committee

Honorable Justin McCorkle, Chairman
Honorable Bob Walker, Member
Honorable Manning Lynch, Member

- A. Performance Zoning Ordinance (PZO) Discussion was held, and Rollout Calendar was presented by Joan Holliday, Planning and Development Director.

(Presentation enclosed in backup) Vision 2 of County Council's Strategic Vision Plan 2022 – 2027 is to make strategic use of land to foster both quality of life and economic growth. The goal is to improve the ratio of quality space to newly developed space.

County Council recognized the need for new land use policies for the County and began to pursue a new land use policy framework in 2016 as the Unified Land Management Ordinance (ULMO) did not provide the tools needed given Spartanburg County's growth.

Council realized that a Euclidean Zoning System (parcel-by-parcel zoning) would not be a good fit for Spartanburg County. The assignment of a use to every unincorporated parcel is unrealistic given the size and the growth rate of the County. We are almost at 200 parcels.

Council was searching for new land use policies that would strike balance between parcel-by-parcel zoning and the Unified Land Management Ordinance. Performance Zoning was found to most closely fit Spartanburg County's needs.

Council selected performance zoning as it would have little affect on the market value for land; used a Road Classification system and General and Restrictive Districts that have some differentiation in the standards (setbacks, screening, buffers, height, etc.); had been referred to as the "Good Neighbor Ordinance" because of its focus on compatibility standards; and provides better protection for residential use without constraining economic growth. It was only applicable to the Southwest Planning Area of the County because of the economic growth Spartanburg County was having at that time. Maps were shown of the Southwest area, where the PZO is in effect, and the Partial Restriction District, where the ULMO is still in effect.

The proposed schedule was presented. This information will be presented to the Planning Commission at their February meeting. During February and March, Staff will begin meeting with members of Council and the Planning Commission. From April to August, Staff will engage stakeholders and hold public meetings out in Council districts. From July to September, Staff hopes to have a draft Ordinance and solicit feedback. Hopefully, a draft Ordinance will be sent to the Planning Commission for a recommendation in September. Hopefully, County Council will hold first reading in September; second reading and public hearing in October; and third reading in November. Staff hopes for an effective date of January 1, 2024.

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

XVIII. Public Works, Buildings and Grounds Committee

Honorable Manning Lynch, Chairman
Honorable David Britt, Member
Honorable Jessica Coker, Member

- A. **Capital Penny Phase I Update** was presented by Cole Alverson, County Administrator. As it relates to the Courthouse, our Topping Out Ceremony will be held Thursday, February 2, at 10:00 a.m. The structural steel for the portico is up. The precast for the inner façade of the portico is up. They are now constructing the outer area that will ultimately be encased in precast columns and some cornices. Window installation continues. This should be finished by the end of January. The roof will get its permanent gray metal panels placed on it by the first of February. Drywall installation is going on throughout the building. There are about 280 people onsite per day. The permanent installation of elevators is being done.

As relates to the Police Building for the City of Spartanburg, the steel and the slabs are complete. They are doing the exterior framing now. The masonry should start by the end of the month. They have started the early stages of electrical plumbing and roofing. This project is coming along nicely. It will come together much more quickly than the Courthouse with it being a much smaller and simpler building. Both projects are continuing to make good progress.

For Phase II, proposals have been received for private developer potential partners that would do the private, nonpublic, components of the project. No selections have been made. We are not quite ready for programming of the spaces. This work should hopefully begin within a month or so. We are still in the early stages for Phase II, but a lot of different things are in process that will hopefully line up so that we can begin the design phase shortly.

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

- D. Updated information received regarding activities of the Public Works Department.

XIX.

Phil Abers, 450 Gowan Road, Inman, appeared in reference to traffic and noise on Gowan Road. Don Nelson, 2304 Trammel Road, Woodruff, appeared in reference to neighbor doing target practice and bullets coming across road on his property, and he is opposed to the Derelict Vehicle Ordinance. Mike Behnke, 240 Henry Court, Spartanburg, appeared in reference to Emergency Services. Kirsty Schenkel, 172 Dellwood Drive, Spartanburg; Susan Kater, 547 Castleby Drive, Duncan; and Pamela Lyda, 8 Ash Street, Spartanburg, appeared in reference to Children's Literature

available at the Public Library. Bishop Cathaye Jones, 323 Sibley, Una, and Chris Jefferson, 507 Itaska Court, appeared in reference to Una, Saxon, Arcadia (U.S.A.) Community.

XX.

- A. Motion made by Mr. Britt 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 **NP BGO Spartanburg Commerce Center, LLC** (Project House). Motion seconded by Mr. Mabry and carried.
- B. Motion made by Mr. Britt 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 **Evrnu SPC** (Project Verde). Motion seconded by Mr. Mabry and carried.
- C. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement by and among Spartanburg County, South Carolina, **Highland Baking Company, Inc., and B.F.B. Spartanburg III, LLC** (Project Dough and Sponsor Affiliate). Motion seconded by Mr. Mabry and carried.
- D. Motion made by Mr. Mabry to render third reading to an Ordinance to add an Uncodified Ordinance to the Code of the County of Spartanburg certifying certain buildings as State-Owned Abandoned Building Sites pursuant to the South Carolina Abandoned Buildings Revitalization Act, regarding the property located at **Old Furnace Road, Highway 9 and Double Bridge Road, Boiling Springs**, South Carolina, Spartanburg County Tax Map Nos. 2-44-05-007.00, 2-44-01-039.00 and 2-44-00-013.00. Motion seconded by Mr. McCorkle and carried.
- E. 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 **Milo's Tea Company, Inc.** (Project Foursight) and Project Foursight, LLC (Project Foursight Real Property Owner). Motion seconded by Mr. Mabry and carried. Mr. Britt stated this is a fantastic company. In October, Milo's was looking for a place for their east coast distribution headquarters, where they were going to manufacture tea, lemonade, and other things. Seven states were vying for it. They made the decision to come here. They are making a \$130 million investment in Spartanburg County and 105 new jobs will be created.

XXI.

Mr. Walker asked Brent Cobb, Director of Veterans Affairs, to provide information regarding the Vietnam Veterans Wall, the Wall that Heals, which will be coming to Spartanburg November 9 through November 12, 2023. It will be here onsite for Veterans Day, which will be the 40th anniversary of the signing of the Parris Peace Accords ending hostilities in Vietnam. We have 56 veterans from Spartanburg

County whose names are on the wall for paying the ultimate sacrifice for defending our freedoms and our country. There is a lot more activities that will be associated that will be release as it becomes closer. Vietnam Veterans Day is March 29th. A public pushout will be done with our media team. Mr. Walker stated this is an opportunity for those that cannot get to Washington to be able to see this wall, and he commended Mr. Cobb for doing this.

Mr. Britt recognized Santiago Mariana with Berkshire Hathaway HomeServices, C. Dan Joyner, Realtors. He does great videos talking about all the things going on downtown. Mr. Britt also thanked Bishop Jones and Chris Jefferson for coming to the meeting representing the Una Saxon Arcadia area. County Council wants prosperity in every area of Spartanburg County. Sites have been identified in the Una, Saxon, Arcadia for blight removal.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Number 723 sets up for use program income received from HOME and CDBG participants in December 2022 and January 2023. Budget Amendment Number 920 provides additional funding for renovations to the second floor of the Community Services Building. Budget Amendment Number 964 establishes a part-time pool in Magistrate Court. Budget Amendment Number 965 sets up budget for revenue received in December 2022 for the Gambling Fund, State Drug Fund and the Federal Drug Fund. Budget Amendment Number 977 sets up budget funds for the Economic Development Setaside Grant #C-22-3687 (Project Dough). Budget Amendment Number 978 sets up budget funds for the Economic Development Setaside Grant #C-21-3482 (Project Denver). Budget Amendment Number 23017 authorizes converting position 937, Senior Account Clerk, grade 775 to a Jury Coordinator. Budget Amendment Number 23018 amends the Authorized Staffing for FY23 for the Sheriff's Office to accommodate the promotion of a SRO Deputy from Deputy 1st Class to Master Deputy. Budget Amendment Number 23019 expands authorization for the Detention Center to hire employees for the part-time pool at Grade 12. Budget Amendment Number 23020 authorizes staff to set the salary for a current position in the Auditor's Office at an amount not to exceed 2.51% above the midpoint of a Grade 15 position (#1874).

Motion made by Ms. Coker to approve the Budget Amendment Resolutions provided to Council. Motion seconded by Mr. McCorkle and carried.

XXII.


Meeting adjourned.

Spartanburg County Council
January 23, 2023

SPARTANBURG COUNTY COUNCIL

By: 
A. Manning Lynch, Chairman

Attest:


Deborah C. Ziegler
Clerk to Council