MINUTES
County Council Meeting

June 15, 2020

Spartanburg County Council met on Monday, June 15, 2020, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Manning Lynch, Chairman; Honorable 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.

IV.

A. Motion made by Mr. Britt to adopt Resolution expressing recognition and appreciation for the pride and honor bestowed upon Spartanburg County by the dedicated services of Henry C. Giles, Jr., President of Spartanburg Community College. Motion seconded by Mr. Brown and carried. Resolution will be presented to Mr. Giles by Chairman Lynch at a Retirement Reception at Spartanburg Community College on Thursday, June 18, 2020.
V.

Mr. Earl Alexander, Deputy County Administrator, recognized Jamie Nelson, Director of Environmental Enforcement; Sheryl Shropshier, Senior Property Maintenance Officer; and Christian Powell, Property Maintenance Officer; for their hard work and efficient service to the Spartanburg community.

VI.

A. Motion made by Mr. Britt to approve the minutes of May 18, 2020 (Regular Meeting). Motion seconded by Mr. Brown and carried.

VII.

A. Chairman Lynch declared open a public hearing to consider an Uncodified Ordinance to authorize the Sale of County Owned Property identified as Tax Map Number 7-12-20-049.00 and 7-12-20-049.02, located at 187 West Broad Street, Spartanburg, South Carolina. No one appeared, and the matter was closed.

VIII.

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

1. 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 ND1**. Motion carried. Mr. Farr opposed.

2. 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 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 carried. Mr. Farr opposed.

3. Motion made by Mr. Britt to render first reading to an Ordinance authorizing the execution and delivery of a Special Source Credt Agreement by and between Spartanburg County, South Carolina and **Project Norris**. Motion carried. Mr. Farr opposed.

4. Motion made by Mr. Britt to render first reading to 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. Motion carried. Mr. Farr opposed.
B.** Public Health and Human Services Committee** (Honorable Whitney Farr, Chairman)
   1. As a part of the CARES Act, the Housing and Urban Development (HUD) has allocated $919,000 to Spartanburg County for preventing, preparing for, or responding to the COVID-19 pandemic. Motion made by Mr. Farr to approve the **Community Development Block Grant Coronavirus (CDBG-CV) FY2020-2021 Annual Action Plan**. Motion carried.
   2. Motion made by Mr. Farr to adopt the **County Duplication of Benefits Policy**. Motion carried. The Duplication of Benefits Policy is required by the Stafford Act, because the County will receive funds as a result of the pandemic. The policy would ensure no duplicate benefits are paid by local, state or federal agencies on behalf of its citizens.

C. **Personnel and Finance Committee** (Honorable Bob Walker, Chairman)
   1. Motion made by Mr. Walker to approve the **Accommodations Tax Advisory Committee Recommendations for Fiscal Year 2021**. Motion carried.
   2. Motion made by Mr. Walker to adopt a Resolution to adopt various **County Fee Schedules** so as to establish the amount of certain fees in Spartanburg County. Motion carried.
   3. Updated financial data and personnel vacancy reports were received.

D. **Livability Committee** – (Honorable Jack Mabry, Chairman)
   1. Motion made by Mr. Mabry to render first 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 carried. Mr. Stiens showed a map of the 295 Sports Complex during the Livability Committee meeting. (A copy of the map is included in backup.)
   2. Information received regarding activities of the Parks Department.

E. **Public Safety and Judiciary Committee** – (Honorable Michael Brown, Chairman)
   1. Mr. Brown stated the Public Safety and Judiciary Committee received information and had a request to take desired action in reference to a request from the **Solicitor’s Office** to apply for a grant titled, “Operation Safe Courtroom.” Motion made by Mr. Brown to approve the grant application submission. Motion carried.
   2. Motion made by Mr. Brown to approve the **Commission of Zachary D. Taylor**, Building Codes Department, as a Spartanburg County Building Codes Enforcement Officer. Motion carried.
   3. Updated information received regarding activities of Building Codes Department.

F. **Land Use Committee** (Honorable Roger Nutt, Chairman)
   1. Updated Planning Department Reports on Development Activity were received.
G. **Public Works, Buildings and Grounds Committee** (Honorable Roger Nutt, Chairman)

1. Mr. Alverson presented a **Capital Penny Phase I Update**. (Slides included in backup) Around July 6, 2020, Turner Construction, our contracting group, will begin to have some site activity. They have already begun to move their technology pieces into the Construction Office, which is a former CPA firm. Shortly after July 6, 2020, construction fencing will be going up. They will begin utility relocation. A constant series of activities will start. They will fence off the areas of the construction site where the parking deck will take place. They will also put up construction fencing sometime over the summer months for the temporary parking lot for the Judges at the corner of Magnolia Street and St. John Street. They will also begin to close off Library Street. For the first phase of the project, which will be several months long, the construction entrance will be at Daniel Morgan and Library Street. There will be fencing there that cuts off Library Street. There will no longer be any parking along Library Street. This will be their primary way to access the sites and to make sure they keep any construction activity and traffic off of Daniel Morgan for the foreseeable future and to make sure they keep it away from pedestrians and individuals at the Courthouse. Some portion of Library Street will be kept open to make sure the individuals that patronize the two law offices are able to access the offices. Those are private offices, and we do not own the property. They will have to do some tree removal on the temporary parking lot for the Judges. They will also have to do some earthwork and stormwater work. A parking lot will be put in for around 20-25 people. The current parking lot for the Judges will become a future construction site for an essential energy plant. Around the same time, they will begin to do some of the site work of the parking deck itself.

In Phase Two, Judges will begin parking in front of the Courthouse. They will take their primary entrance to the Courthouse through a different entrance than the one they use now. Their current parking lot will be fenced in and become a construction area where the Central Energy Plant will be built and all the mechanicals installed. The plant has to serve two purposes. The first one is to backfeed the existing Courthouse, because all the existing mechanicals are on the roof and in the basement of Annex I, which is the old Jail at the Courthouse. The second one is to be the sole power plant and the sole HVAC plant of the new Courthouse. It has to come up very early in the process. The foundational work for the parking deck will occur, and the erection of the parking deck will come up. We have a Precaster on board for the parking deck. Some of those announcements as to our partners will be made next month. We have found the one for the low bid and have that group on board. They are actively working with our Design Team to finish up construction documents. At this point, the parking deck will be up. We will have around 647 spaces. The deck itself will have about 580 spaces. At some point, a future surface lot will hold the remainder of the spaces.
In Phase 3, the Central Energy Plant will be up and running. It will be backfitting the existing Courthouse and will have allowed for removal of Annex I. During each one of the phases, the public ingress and egress into the building will have to change to keep the public and employees away from construction activity. At most times through the phasing of the projects, our main entrance will be open. We are trying to make sure we also have the access along Library Street open as well to handle the security needs for the Courthouse.

During Phase 4, the employee access and the public access to the building will be routed around and behind the existing Courthouse through a protective walkway. The building we are currently using will be vacated. It has to be prepared for demolition. At the same time, the area behind it will be cleared up in preparation for making a surface lot. During this phase, the Courthouse will begin to come down as well as the CPA office. Once these two structures go away, the surface lot will be completed that will be accessed through the parking deck. The plaza will then be shaped up. At this juncture, Turner Construction will have moved their Construction Office temporarily to the basement of the new Courthouse while they finish up operations. More updated renderings will be presented at the July meeting.

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

IX.

No one appeared during the Public Comment Period.

X.

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 Duncan Industrial Owner, LLC [Project Apple Valley]. Motion seconded by Mr. Nutt and carried. Mr. Farr opposed.

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 Stäubli Corporation [Project Tennis]. Motion seconded by Mr. Nutt and carried. Mr. Farr opposed.

C. Motion made by Mr. Walker to render third reading to an Ordinance conveying 187 Broad Street to the Downtown Development District. Motion seconded by Mr. Britt and carried.

D. Motion made by Mr. Nutt to render third reading to a Budget Ordinance relating to the fiscal affairs of Spartanburg County making appropriations therefore, levying taxes for the fiscal year beginning July 1, 2020 and ending June 30, 2021; to provide for budget control of said appropriation by the Spartanburg County Council. Motion seconded by Mr. Walker and carried.
E. Motion made by Mr. Walker to render third reading to a Budget Ordinance to establish **Capital Project Budgets** for the FY 2020-2021 Budget Year of the Five-Year Capital Improvement Plan. Motion seconded by Mr. Nutt and carried.

XII.

A. Mr. Britt stated that in light of what Mr. Brown stated during the Public Safety and Judiciary Committee meeting, he wanted to let him know that he has been very proud to serve with him. Mr. Brown has always stood up, even in tough times, for his beliefs. In the last couple of weeks, Mr. Britt stated that he has heard what Mr. Brown has said, and he has seen the way he represented himself, County Council, and the people of Spartanburg County. Mr. Britt is real proud of him. Mr. Britt too feels a lot of the pain. He grew up in a very different time in the fifties in Dillon County. There was racism there. People were judged by the color of their skin. Mr. Britt stated that he was born a poor white person on a little tobacco farm, and he knows how it is to be looked down upon because of where you live, but he did not feel what it was to be black. He knows that would have made it much more difficult if his skin had been a different color. His grandfather taught him that you never judge a person by the color of skin, because they did not have a thing to do with being born white, black, red, or brown. God made us that way, and you should look at every person as God’s gift. As a little boy, he still did not understand it from where he grew up. It was only coming to Wofford that he really started seeing people and seeing what his grandfather meant. Mr. Britt stated that he commits to doing better in trying to be a better person to reach out and do some of the things Mr. Brown has mentioned like having conversations. What can we do to do better? Mr. Britt appreciates Mr. Brown’s comments. He stands with him and supports him. Mr. Britt supports us being better.

The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Number 66-12 sets up for use program income received from HOME and CDBG participants in May 2020. Budget Amendment Number 272-12 sets up C-Fund projects approved at the May 21, 2020 CTC Meeting. Budget Amendment Number 273-12 is a South Carolina Department of Commerce pass-through grant. Funds will be used for site preparation and building construction to assist Tindall Corporation (Project Storm Drain). Budget Amendment Number 358-12 sets up budget for revenue received in May 2020 in the Gambling, State Drug and Federal Drug Accounts. Budget Amendment Number 542-12 recognizes bond premium revenue received for the GO Bond Series 2020 and sets up the corresponding expenditure budget in Principal account. Budget Amendment Number 545-12 – The Charles Lea Center has requested an increase of $150,000 to their appropriation for the current fiscal year due to reduced funding from other sources related to the COVID-19 pandemic. Budget
Amendment Number 547-12 recognizes insurance revenue received by the County for damage caused by the tornado this spring and reimburses the expenditure account from which funds were transferred to pay for some of the repairs. Budget Amendment Number 550-12 reduces the transfer to the Capital Projects Fund from the 911 System Phone Fund and closes project CP20200520, Radio Service Monitor Replacement. Budget Amendment Number 551-12 recognizes interest income already collected in excess of the budget and sets up a corresponding expenditure amount in the County's contingency account as well as leases and rentals for the DSS building rental, and professional services in the County Council budget for the external audit. Budget Amendment Number 552-12 closes four Public Works projects: (1) CP30000719 Sign Reflectivity Mandate FY19 will be closed and the balance transferred to the current Sign Reflectivity Mandate project; (2) CP30500519 – Collection Center Planning Services and CP30500720 – Landfill Wood Chip Mulch Relocation, both Solid Waste projects, have finished and their remaining balances will be transferred back to the Solid Waste Fund to fund future projects. Budget Amendment Number 553-12 (1) moves funds from the Mental Health and Juvenile Transport account to the transfers out account in the general fund to provide additional funding to the Victim Witness Fund to offset a reduction in court fines related to the COVID-19 pandemic. Additionally, expenditure accounts in the Victim Witness Fund are reduced for saving realized during the fiscal year. (2) Combines remaining balances of group insurance line items for general fund and general fund supported departments (Detention) to transfer to the health insurance fund. Budget Amendment Number 554-12 sets up restricted revenue received in the Special Revenue Fund associated with the Clerk of Court, Solicitor's Office, and the Sheriff's Office. Budget Amendment Number 20017 amends the original project scope of the Communications Center Renovation Project (CP20201119).

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

XIII.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: 
A. Manning Lynch, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council