

MINUTES

County Council Meeting

July 19, 2021

Spartanburg County Council met on Monday, July 19, 2021, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:15 p.m. The following attended: Honorable Manning Lynch, Chairman; Honorables Jack Mabry, David Britt, Bob Walker, and Jessica Coker, Council Members; along with Cole Alverson, County Administrator; Earl Alexander, Deputy County Administrator; and John Harris, County Attorney. Honorables Monier Abusaft and Justin McCorkle were absent.

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 McMakin.

III.

Honorable Bob Walker led the Pledge of Allegiance. Mr. Lynch recognized Mr. Walker for his birthday.

A moment of personal privilege was given to Mr. Britt. Mr. Britt recognized Mr. Don Dent, Chief Operating Officer (COO) of Oshkosh Defense, LLC. Spartanburg County is extremely proud of Oshkosh Defense for picking Spartanburg with the first new United States Postal Service Vehicles that will be built in over 30 years. Oshkosh Defense could have gone anywhere in the country, but they chose Spartanburg County, because of our advanced manufacturing and the people in this County. Mr. Britt welcomed Mr. Dent and his wife to Spartanburg County. Mr. Dent thanked the County of Spartanburg and all the people in Spartanburg County on behalf of Oshkosh Defense. They are very excited about the future here and being able to build the next generation of delivery vehicles for the Postal Service. In just a couple of years, the vehicles will start to roll off

the assembly line here in Spartanburg County. For decades to come, those vehicles will be delivering mail across the country.

IV.

- A. Motion made by Mr. Britt to approve the minutes of June 28, 2021 (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 **Oshkosh Defense, LLC** (Project Black Bull). No one appeared, and the matter was closed.
- B. 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 6-47-00-003.01 located at the **intersection of Piedmont Dairy Road and Piedmont Dairy Road Ext.** containing approximately 2.77 acres. 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 Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **Spartanburg SF RRL, LLC** (Project Silver). 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 a Fee in Lieu of Tax Agreement by and between Spartanburg County, South Carolina and **JSD Flatwood PV-1, LLC** (Project Green-Spa 2). No one appeared, and the matter was closed.
- E. 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 **AGA TAG Solar II, LLC** (Project Sunrise - AT2). No one appeared, and the matter was closed.
- F. 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 **The Cubes at Fort Prince, LLC** (Project Next Wave). No one appeared, and the matter was closed.
- G. 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 **SC Global Logistics, LLC** (Project Anderson). No one appeared, and the matter was closed.
- H. 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 **Fort Prince Logistics, LLC** (Project Prince). No one appeared, and the matter was closed.

VI.

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

Motion made by Mr. Britt to rescind the \$25 Road Maintenance Fee Ordinance and direct the County Administrator to bring Council a proper Ordinance that will rescind this Ordinance. Motion seconded by Mr. Walker and carried.

VII. **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 Special Source Credit Agreement by and between Spartanburg County, South Carolina and **Project Chestnut**. 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 an entity or entities known for the time being as **Project Apple**. 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 an entity or entities known for the time being as **Project Apple**. 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 and approving the Assignment and Assumption of a Fee in Lieu of Tax Agreement by and among Spartanburg County, South Carolina, and **RP Spartanburg One**. 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 adopt a Resolution authorizing the execution and delivery by Spartanburg County, South Carolina of a Fee in Lieu of Tax Agreement with entities known for the time being as **Project Wild Turkey and Project Wild Turkey Developer**. Motion seconded by Mr. Mabry and carried.

Council Action:

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

- F. 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 entities known for the time being as **Project Wild Turkey and Project Wild Turkey Developer**. 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 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 **DT Spart Lodging LLC**. Motion seconded by Mr. Mabry and carried.

Council Action:

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

Mr. Britt presented an update on investments in Spartanburg County this year. The items this month represent \$175 million in investment in Spartanburg County and 98 new jobs which bring us for the first seven months of this year to a total of \$1,394,000,000 invested in Spartanburg County creating 3,200 new jobs. This is a record for Spartanburg County in seven months. Mr. Britt thanked Katherine O'Neill, Allen Smith, and Carter Smith with OneSpartanburg for their partnership.

VIII. Personnel and Finance Committee

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

- A. Mr. Brad Love, Haynsworth Sinkler Boyd, presented information in reference to an Ordinance to provide for the issuance and sale of not exceeding thirty million two

hundred sixty dollars (\$30,260,000) 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. Mr. Love stated this is a Bond Ordinance for the County to issue up to \$30,260,000 for various road projects throughout the County. It will be a ten-year Bond. Mr. Alverson stated this was discussed heavily during the Budget process. This is proceeding in the direction that Council chose to go as part of the Budget process. This is a publicly offered Bond, so it will be competitively bid. Once it is approved, it then goes to the Bond markets to bid it out. We do not know the rate yet. Mr. Alverson stated that when we did a Bond about nine months ago, we were right at 1%. The rate will be a little different, but it is an advantageous time to borrow, and we are still seeing low rates. This will be shared with Council as we get closer. It is expected to be sub three percent and hopefully more aggressive. Motion made by Mr. Walker to render first reading to Ordinance. Motion seconded by Ms. Coker and carried.

Council Action:

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

- B. Ms. Dorothy Earle, Director, Register of Deeds, presented information in reference to a request from the **Register of Deeds Office** to reclassify position 76 from an Account Clerk (grade 1) to a Data Recording Technician II position (graded 2). Ms. Earle stated that due to the increase in volume of legal documents recorded in the Register of Deeds Office, they were requesting this reclassification. This employee will perform the duties of a Data Recording Technician II and have additional responsibilities. Mr. Alexander stated this reclass was accidentally omitted from the third reading of the FY21-22 Budget. It was in the Authorized Staffing, but it was not on Council's Summary Sheet. This will result in a net savings for the position. The previous employee that was in this position had a higher salary than the starting position for the Data Technician II. Motion made by Ms. Coker to approve request. Motion seconded by Mr. Walker and carried.

Council Action:

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

- C. Mr. Kevin Stiens, Spartanburg County Parks and Recreation Director, presented information in reference to a Resolution to adopt an **updated Fee Schedule** for the Spartanburg County Parks Department so as to establish the amount of certain fees in Spartanburg County. Now that the County has entered into a Lease Agreement with Boiling Springs Community Park, we need to put those fees on our Fee Schedule. This is a new fee for us. A range has been established. The existing fees that Boiling Springs Community Park was charging for the rental of the building is being implemented. The fees are similar to other properties that we own. Motion made by Ms. Coker to adopt Resolution. Motion seconded by Mr. Walker and carried.

Council Action:

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

- D. Mr. Cole Alverson, County Administrator, presented information in reference to an Uncodified Ordinance to authorize the sale and lease of County Owned Property and to enter into a Development Agreement for property identified for the time being as **Project Chestnut** and located in Spartanburg, South Carolina. Mr. Alverson stated the Ordinance would effectively authorize the County Administrator and the County Attorney to both enter into a Development Agreement with the developer. At this time, the project is code named Chestnut. Council has considered other economic development incentives as part of Mr. Britt's committee. This would effectively allow Staff to continue with the remainder of those deal points. As is typical of any economic development project, we will be announcing later in the process the developer's name as well as more specifics about the project. Because of the nature of this one, it is still in code. Motion made by Ms. Coker to render first reading to Ordinance. Motion seconded by Mr. Walker and carried.

Council Action:

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

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

IX. Livability Committee

Honorable Jessica Coker, Chairman
Honorable Monier Abusaft, Member
Honorable Justin McCorkle, Member

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

X. Public Safety and Judiciary Committee

Honorable Monier Abusaft, Chairman
Honorable David Britt, Member
Honorable Bob Walker, Member

- A. Captain Mark Barry, Sheriff's Office, presented information in reference to a request from the **Sheriff's Office** to apply for the 2021 Justice Assistance Grant (JAG) grant to be used to replace outdated equipment for the dive team. Captain Barry stated that the grant is \$85,000 with no match included. This grant would start in October of this year. We have had several drownings in the last six months. This equipment is needed to keep people safe on the rivers and the lakes in Spartanburg County. Motion made by Mr. Walker to approve the request. Motion seconded by Mr. Britt and carried.

Council Action:

Motion made by Mr. Britt to approve the request. Motion carried.

- B. Mr. Doug Bryson, Director, Office of Emergency Management, presented information in reference a request from **Emergency Management** to apply for the 21EMPG (Emergency Management Performance Grant) Supplemental to address/enhance EM/CERT/SAR/HazMat operations, EOC ops, training, travel, and other needs of the Emergency Management Department and its response teams. Mr. Bryson stated that they like to apply for this grant. Every year they get their Emergency Management Performance Grant. This year FEMA (Federal Emergency Management Agency) has extra money, so they put it out in a second Supplemental Grant. There is a soft in-kind match that the Assistant Director Robbie Swofford and Mr. Bryson can meet every year with their salaries. There is no hard cash match. This Supplemental Grant is just under \$28,000 for this supplemental portion to enhance our ongoing Emergency Management Operations, our volunteer Search and Rescue Teams, and a large portion of this will go towards the new Emergency Management Office Complex and Emergency Operations Center for things such as furniture and computer equipment. They are trying to get grant money to offset any budgetary issues that they can get through the grant process. Motion made by Mr. Walker to approve grant application submittal. Motion seconded by Mr. Britt and carried. Mr. Britt thanked Mr. Bryson, Mr. Swofford, and the team at the Emergency Management System for the work they do.

Council Action:

Motion made by Mr. Britt to approve the request. Motion carried.

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

XI. Land Use Committee

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

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

XII. Public Works, Buildings and Grounds Committee

Honorable Manning Lynch, Chairman
Honorable Jack Mabry, Member
Honorable Jessica Coker, Member

- A. **Capital Penny Phase I Update** was presented by Mr. Alverson, County Administrator.

Mr. Alverson stated that Council is aware and attended our Groundbreaking Ceremony for the new Courthouse on July 13, 2021. This is included in the video. Soon thereafter, they started tearing things up. Over the next month or so, a lot of digging will be seen at the site. Demolition of utilities will be done. Those have been replaced in terms of function by the Central Energy Plant. They will also construct a temporary sediment pond to make sure we can capture any onsite runoff as we do our grading work. About the middle of August or early September, they will start prepping the building pad, and things will start to get more visible. Deep foundation work will be seen in September. The visual steel and such will be seen sometime around the first of the calendar year.

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

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

XIII.

Mr. Philip Abers, 450 Gowan Road, Inman, appeared in reference to Outdoor Burning. Mr. Mike Coggins, 179 Sloans Grove Road, Spartanburg, appeared in reference to the General Obligation Bond issuance.

XIV.

- 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 **Oshkosh Defense, LLC** (Project Black Bull). Motion seconded by Mr. Mabry and carried.
- B. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the delivery by Spartanburg County, South Carolina of a Fee in Lieu of Tax Agreement between the County and **CV QOZP Victor Hill, LLC** (Project Artie). Motion seconded by Mr. Mabry and carried.
- C. Motion made by Mr. Britt 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. (**Pall Corporation; Magna Mirrors of America, Inc.; Limelight Solar I, LLC; Seefried Industrial Properties, LLC; Pacolet Ft. Prince, LLC; CP Greer LLC and W/C GSP Lot 3 Owner VIII, LLC; Exeter Pigeon Haven Land, LLC; Inman Mills; and Auria Spartanburg, Inc.**) Motion seconded by Mr. Mabry and carried.

- D. 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 **Auria Spartanburg, Inc.** (Project Carpet). Motion made by Mr. Mabry and carried.
- E. Motion made by Mr. Britt to render third reading to an Ordinance authorizing the development of a jointly owned and operated Industrial/Business Park in conjunction with Cherokee County, such industrial/business park to be geographically located in Cherokee County and established pursuant to section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended; to provide for a written agreement with Cherokee County to provide for the expenses of the Park, the percentage of revenue application, and the distribution of fees in lieu of ad valorem taxation; and other matters related thereto. (**Kerns Trucking - Project Thunder**) Motion seconded by Mr. Mabry and carried.
- F. 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 **AFL Telecommunications, LLC** (Project Spider). Motion seconded by Mr. Mabry.
- G. Motion made by Mr. Britt to render second reading to an Ordinance amending Ordinance No. O-05-16 providing for the submission of **Digital Land Record Plats**. Motion seconded by Mr. Mabry and carried.
- H. Motion made by Mr. Britt to render second reading to an Uncodified Ordinance to authorize the sale of County owned property identified as tax map number 6-47-00-003.01 located at the **intersection of Piedmont Dairy Road and Piedmont Dairy Road Ext.** containing approximately 2.77 acres. Motion seconded by Mr. Mabry and carried.
- I. 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 **JSD Flatwood PV-1, LLC** (Project Green-Spa 2). Motion seconded by Mr. Mabry and carried.
- J. 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 **AGA TAG Solar II, LLC** (Project Sunrise - AT2). Motion seconded by Mr. Mabry and carried.
- K. 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 **The Cubes at Fort Prince, LLC** (Project Next Wave). Motion seconded by Mr. Mabry and carried.
- L. 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 **SC Global Logistics, LLC** (Project Anderson). Motion seconded by Mr. Mabry and carried.
- M. 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 **Fort Prince Logistics, LLC** (Project Prince). Motion seconded by Mr. Mabry and carried.

- N. 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 **Spartanburg SF RRL, LLC** (Project Silver). Motion seconded by Mr. Mabry and carried.

XV.

Mr. Britt congratulated the Chairman, Administrator, Deputy Administrator, Facilities Manager, and everyone that had a part in the groundbreaking for the new Courthouse. It was a great groundbreaking. Mr. Lynch also congratulated everyone involved. It was a very nice groundbreaking and very well done.

- A. The following Budget Amendment Resolutions were provided to County Council. Budget Amendment Number 187-1 closes C Fund projects 19004S (Traffic Signal at Draexlmaier – Representative Forrester Set-a-side) and 19005S (Traffic Signal at Draexlmaier – Representative Chumley Set-a-side). Budget Amendment Number 382-1 authorizes the acceptance of the Waste Tire Recycling Grant Program award from the South Carolina Department of Health and Environmental Control. Budget Amendment Number authorizes the acceptance of the Used Oil Recycling Grant Program award from the South Carolina Department of Health and Environmental Control. Budget Amendment Number 393-1 – The Upstate Workforce Board has received additional Voluntary Reallocation Requests. One request is \$50,000 in Dislocated Worker funding from the Waccamaw Local Workforce Area. The other request is \$22,250 in Youth funding from the Greenville County Workforce Area. Budget Amendment Number 22001 reclassifies position 76 in the Register of Deeds Office from an Account Clerk (grade 1) to a Data Recording Technician (grade 2) due to an increase in duties.

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

XVI.

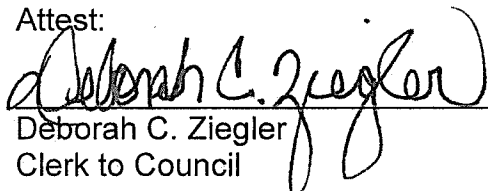
Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____

A. Manning Lynch, Chairman

Attest:



Deborah C. Ziegler
Clerk to Council