

TOWN OF DUNCAN

Council Meeting Minutes

Tuesday September 11, 2018 6:00 PM

MINUTES

The Council Meeting was called to order by Mayor Pro Tem Clopton at 6:00 p.m. Present at call was Councilmember James Waddell, Councilmember Calvin Cowen, Councilmember Greg Rensberger and Mayor Pro Tem Clopton. Mayor Rogers was absent. Also present at Call was Town Administrator Cameron Fant, Fire Chief Barry Frost, Public Works Director Charles Hornack and Police Chief Carl Long.

In compliance with the Freedom of Information Act, notice of this meeting was submitted by e-mail to the Spartanburg Herald-Journal and the Greer Citizen on September 10, 2018. The agenda was posted on the front door of the Duncan Police Department and Town Hall on Monday September 10, 2018. The agenda was also uploaded to the Town of Duncan Website on September 10, 2018.

Town Administrator Cam Fant lead the Invocation and included a prayer for Mayor Rogers. Mayor Pro Tem Clopton led the Pledge of Allegiance.

Mayor Pro Tem Clopton asked for a Motion to approve the minutes from the regular scheduled August 14, 2018 council meeting, the special call August 17, 2018 council meeting and the special call September 4, 2018 council meeting. Councilmember Cowen made a Motion to approve the minutes from the August 14, 2018, the special call August 17, 2018 council meeting and the special call September 4, 2018 council meeting. His Motion was Seconded by Mayor Pro Tem Clopton. The Vote to approve the Minutes from the August 14, 2018, the special call August 17, 2018 council meeting and the special call September 4, 2018 council meeting passed 4-0.

At 6:04 p.m. Mayor Pro Tem Clopton opened the Floor for a Public Hearing for the purpose of zoning property. Clopton said the properties are located on Robin Lake Road in Duncan. The properties are currently unzoned and located in Spartanburg County. The current land use of the properties is residential. The proposed zoning of the properties is a change to GI -General industrial District. The properties are owned by (1) SKY HOLDINGS LLC., (2) INNA HAVRYLOVYCH, (3) JANE M. BLACKWELL AND (4) LOREE M. EDGE. Clopton also said the properties are more particularly described as Spartanburg County Parcel Number (1) 5-24-00-072.00, (2) 5-24-00-072.01, (3) 5-24-00-074.00 and (4) 5-24-00-071.00. Clopton called Town Administrator Cam Fant to the Floor for additional information. Fant informed Council that these properties were being acquired by the developers who were developing project victory. Fant reminded Council about project

victory. Fant told Council that these 4 parcels were essentially residential or agricultural and needed to be rezoned as industrial for project victory. After that Clopton opened the Floor to the Public. No one from the Public spoke. Next Clopton closed the Public Hearing.

At 6:08 p.m. Mayor Pro Tem Clopton asked for a Motion to go into Executive Session to discuss a Contractual Matter related to Stoneledge Park. Councilmember Waddell made a Motion to go into Executive Session. His Motion was followed by a Second from Councilmember Cowen. The Vote to go into Executive Session passed 4-0.

At approximately 6:41 Mayor Pro Tem Clopton asked for a Motion to come out of Executive Session to discuss a Contractual Matter related to Stoneledge Park. A Motion was made by Councilmember Rensberger and a Second was made by Mayor Pro Tem Clopton. The Vote to come out of Executive Session passed 4-0. No action was taken during the Executive Session.

The Police Department report was given by Lt. Miller. Lt. Miller gave Council a copy of the report and went thru a couple highlights on the report.

The Fire Department report was given by Chief Frost. Chief Frost went over the highlights of the report.

The Public Works report was given by Public Works Director Charles Hornack. Hornack went over the highlights of the report.

Next Mayor Pro Tem Clopton called Town Administrator Cam Fant to the Floor to designate Charles Hornack as the Code Enforcement Officer. Fant took the Floor and reminded Council that the Duncan Ordinance called for the Town Council to appoint a Code Enforcement Officer. Fant said that in the past the police department had handled code enforcement for the Town. Fant said he wanted to change that and put the public works director over the code enforcement. Fant said that Hornack was qualified to do the job and Fant recommended Hornack for the job. Next Mayor Pro Tem Clopton made a Motion to designate Charles Hornack as the Code Enforcement Officer. Her Motion was followed by a Second from Councilmember Rensberger. The Vote to designate Charles Hornack as the Code Enforcement Officer passed 4-0.

Next Mayor Pro Tem Clopton called Town Administrator Cam Fant to the Floor for the Second Reading of Ordinance No. 20180904-1, an Ordinance to acknowledge and authorize the execution and delivery of an Infrastructure Reimbursement Agreement by and between the Town of Duncan, South Carolina and RWIOF ACQUISITION, LLC, with respect to Infrastructure Credits to be applied against Fee in Lieu of Tax Payments related to certain investments in the Town; and Other Matters Related Thereto. Fant took the Floor and reminded Council that this was the Second and Final reading of this ordinance. Fant also reminded council that they had passed a resolution for a memorandum of understanding for this project several months ago. Fant said the company was going thru with the purchase of the land and before they did so they wanted the Town to pass this ordinance. Fant said there were a couple of changes from the MOU to this IRA. Fant said that

the language in the IRA based the reimbursement off of a percentage of taxes instead of a millage rate. Fant said they increased the reimbursement amount up to 65% from 50% to help cover the cost of a pump station. Fant said the pump station was going to cost about \$300,000 and that the Town couldn't pay for that so the best option was to allow the developer to pay for it and allow them to get that cost back thru the 15-year IRA agreement. Fant said the language was also changed to take out Duncan and add in Lyman for the sewer aspects of the agreement. After that Fant answered a couple various questions from Council. Next Mayor Pro Tem Clopton made a Motion to accept the Second Reading of Ordinance No. 20180904-1. Her Motion was followed by a Second from Councilmember Cowen. The Vote to approve the Second Reading of Ordinance No. 20180904-1, an Ordinance to acknowledge and authorize the execution and delivery of an Infrastructure Reimbursement Agreement by and between the Town of Duncan, South Carolina and RWIOF ACQUISITION, LLC, with respect to Infrastructure Credits to be applied against Fee in Lieu of Tax Payments related to certain investments in the Town; and Other Matters Related Thereto passed 4-0.

Next Mayor Pro Tem Clopton called Town Administrator Cameron Fant to the Floor for the First Reading of Ordinance No. AN-2018-09, an Ordinance to provide for the Annexation and Zoning of properties owned by (1) SKY HOLDINGS LLC., (2) INNA HAVRYLOVYCH, (3) JANE M. BLACKWELL AND (4) LOREE M. EDGE. The properties are more particularly described as Spartanburg County Parcel Number (1) 5-24-00-072.00, (2) 5-24-00-072.01, (3) 5-24-00-074.00 and (4) 5-24-00-071.00. The properties are located on Robin Lake Road in Duncan, SC and are being annexed by One Hundred Percent Petition; and to establish a zoning classification of GI (General Industrial District) for said properties. Fant took the Floor and reminded Council that we just had the Public Hearing for these properties. Fant said that these parcels would become part of project Victory. Fant reminded Council that the developer of project Victory was going to build two industrial buildings on the property. Fant reminded Council of the MOU that Council passed a couple months ago for Project Victory. After that Mayor Pro Tem Clopton asked for a Motion to approve the First Reading of Ordinance No. AN-2018-09. A Motion was made by Councilmember Cowen. A Second was made by Councilmember Waddell. The Vote to approve the First Reading of Ordinance No. AN-2018-09 passed 4-0.

Next Mayor Pro Tem Clopton called Town Administrator Cameron Fant to the Floor for the First Reading of Ordinance No. AN- 2018-10, an Ordinance to provide for the Annexation and Zoning of property owned by Southeastern Childrens Home, located at 826 Woods Chapel Road Duncan, SC by One Hundred Percent Petition; and to establish a zoning classification of Institutional District for said property. Fant took the Floor and informed Council that the Southeastern Childrens Home decided that they want to explore putting their property up for sale since the area they are located in seems to be going industrial and land prices are high. They also decided they wanted to first annex the property into the Town of Duncan. Fant said the zoning would be for the zoning classification of institutional while they own the property. After that Fant answered a couple various questions from Council. Next Mayor Pro Tem Clopton asked for a Motion to approve the First Reading of Ordinance No. AN-2018-10. A Motion was made by Councilmember Rensberger. A Second was made by Councilmember Waddell. The Vote to Approve the First Reading of Ordinance No. AN-2018-10 passed 4-0.

Next Mayor Pro Tem Clopton called Town Administrator Cameron Fant to the Floor for the First Reading of Ordinance No. 20180911-1, an Ordinance relating to the recovery of collection costs as a part of delinquent debts collected pursuant to the Setoff Debt Collection Act. Fant took the Floor and informed Council that the Town of Duncan from time to time has people that owe for tickets or other citations and they don't have the ability to pay them. Fant said the Town will go thru the process of garnishing any state income tax refund from people who owe the town money and don't make an effort to pay the money. Fant said this ordinance is to add to the amount of money owed that a person who owes money to the Town and can't pay, the cost of collecting on that money. Fant said by doing this the Town had a better chance of collecting all the money owed to the Town. After that Mayor Pro Tem Clopton made a Motion to approve the First Reading of Ordinance No. 20180911-1, an Ordinance relating to the recovery of collection costs as a part of delinquent debts collected pursuant to the Setoff Debt Collection Act. Her Motion was followed by a Second from Councilmember Waddell. The Vote to approve the First Reading of Ordinance No. 20180911-1, an Ordinance relating to the recovery of collection costs as a part of delinquent debts collected pursuant to the Setoff Debt Collection Act passed 4-0.

Next Mayor Pro Tem Clopton called Town Administrator Cameron Fant to the Floor for Resolution No. R-20180091101, a Resolution to Authorize the Municipal Association of South Carolina to act as Claimant Agency for the collection of debt on behalf of the Town of Duncan in accordance with the Setoff Debt Collection Act. Fant took the Floor and informed Council that this Resolution goes along with the ordinance they just passed. Fant said that the Town uses the Municipal Association of SC to collect the debt from people who don't pay on behalf of the Town. Fant said this resolution once passed will continue to give the Municipal Association permission to collect debt for the Town. After that Mayor Pro Tem Clopton asked for a Motion to approve Resolution No. R-20180091101, a Resolution to Authorize the Municipal Association of South Carolina to act as Claimant Agency for the collection of debt on behalf of the Town of Duncan in accordance with the Setoff Debt Collection Act. A Motion was made by Councilmember Cowen. A Second was made by Councilmember Waddell. The Vote to approve Resolution No. R-20180091101 passed 4-0.

Next Mayor Pro Tem Clopton took the Floor and opened the Floor up for Councilmember updates. Councilmember Cowen took the Floor and informed Council about a pothole on River Street. Cowen told Council that he called the SCDOT about the pothole and the SCDOT came out the next day and fixed it.

Next Fant took the Floor to give his Administrative Update. Fant told Council that Duncan employee day at the park was canceled due to Hurricane Florence. Fant then reminded Council that tomorrow the news media would be out at Stonledge Park at 10:00 for a picture of the ongoing construction. Fant encouraged Council to be apart of the picture. Next Fant talked about the Christmas tree and the Christmas wreath lights on the poles in front of Town Hall. After that Fant told Council that we would have a special call meeting before the October meeting for the purpose of the second reading on the bond ordinances for the park.

Next Fant took the Floor and gave the Financial Update thru August 2018. Fant went thru the budget, cash balances and loan balance worksheets. Fant then answered a couple various questions from Council.

At approximately 7:11 p.m. Mayor Pro Tem Clopton asked for a Motion to close the meeting. A Motion to close the meeting was made by Councilmember Cowen. His Motion was Seconded by Mayor Pro Tem Clopton. The Vote to close the meeting was unanimous.

Approved by Council this _____ day of _____, 2018

By:

Mayor Clyde "Rog" Rogers

Attest _____

Clerk to Council, Melody Millwood