

June 21, 1999

A regular meeting of the Spartanburg County Council was held on Monday, June 21, 1999, at 5:30 p.m. in County Council Chambers, County Administrative Office Building. The following were present: Honorable Karen Floyd, Chairman; Jeff Horton, David Britt, Rock Adams, Ken Huckaby, and Frank Nutt, Council Members. Also in attendance were Paula J. Wayne, Interim County Administrator; Glenn Breed, Assistant County Administrator, and William McBee, Assistant 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 persons.

1.

Chairman Floyd called the meeting to order.

2.

Invocation was rendered by Reverend Ernie Thigpen of Central Church of Christ.

3.

The Honorable Rock Adams led in reciting the Pledge of Allegiance.

4.

- A. Motion by Mr. Britt to adopt Resolution Number R-99-019 recognizing Ms. Jayne McQueen, Director of Mobile Meals. Motion seconded by Mr. Horton and carried. Mr. Britt presented a framed copy of the Resolution to Ms. McQueen.
- B. Motion by Mr. Huckaby to adopt Resolution Number R-99-020 recognizing Mr. Curtis Walker. Motion seconded by Mr. Adams and carried.
- C. Mr. Huckaby presented Al Rickett, Director of Finance, with the GFOA Distinguished Budget Presentation Award and the GFOA Award for Excellence in Financial Reporting.

5.

- A. Chairman Floyd declared a public hearing open in regard to an Ordinance authorizing a fee in lieu of tax (FILOT) agreement including specifically a lease to be entered into by Spartanburg County by SEW Eurodrive, inc. The property to be leased is located at 1275 Old Spartanburg Highway, Lyman, SC, in Spartanburg County. No one appeared. The Chairman declared the hearing closed.
- B. Chairman Floyd declared a public hearing open in regard to an Ordinance authorizing a fee in lieu of tax (FILOT) agreement including specifically a lease to be entered into by Spartanburg County, with Specialty Equipment Companies, Inc. (Beverage Air). The property to be leased is located at 700 Buffington Road in Spartanburg County. No one appeared. The Chairman declared the hearing closed.
- C. Chairman Floyd declared a public hearing open in regard to a resolution in support of the issuance and delivery by JEDA of not exceeding \$35,000,000 in aggregate principal amount of its First Mortgage Health Facilities Revenue Bonds (The Lutheran Homes of South Carolina, Inc.) Series 1999 pursuant to Title 41, Chapter 43, Code of Laws of SC 1976 as amended, a portion of which bonds are to be issued to finance the acquisition, construction, installation and equipping of a 134 unit continuing care facility in Spartanburg County, SC, to be owned and operated by the Lutheran Homes of South Carolina, Inc., a SC nonprofit Corporation. The project will be located at 200 Fortress Drive near Inman, SC. (Rosecrest) Julie Long, Director of Development for Lutheran Homes, was present and described the project. There were no other appearances and Chairman declared the hearing closed.

- A. Mr. Michael Coggins appeared on behalf of Anna Coggins to appeal the decision of the Planning Commission regarding the Roberts Property located between Sloans Grove Road and Fernwood Glendale Road. Mr. Coggins stated that as a resident of Sloans Grove Road, he opposed the variance granted by the Planning Commission which will allow the developer of this property to reduce the lot size from 8,000 square feet to 4,000 square feet. Mr. Coggins feels that this development is not conducive to the area, and the infrastructure cannot support it.

Mr. John Baker of Wachovia Bank appeared on behalf of the Roberts Estate and Trust. He stated that this is a quality development, which will contain 142 lots with homes valued from \$140,000 to \$160,000. He explained that wooded buffers are planned, as well as a 2 acre wooded park. The main entrance will be off Fernwood Glendale Road with a turn lane approach. Mr. Baker stated that the plans include green space and buffers, which required a variance to reduce the size of the lots. He stated that the green space and extra buffers could be eliminated and the project could proceed without any variances.

Mr. Robert Chenfield of 1881 Fernwood Glendale Road appeared in opposition. Ms. Viola Taber of 176 Sloans Grove Road appeared in opposition, stating that the schools in the area are already overcrowded without added 142 homes. Mr. Charles Powell, a resident of Pierce Acres, stated that he is concerned about the drastic increase in traffic. Mr. Tom Fulk of Calhoun Lakes said that this project is high density and is not in keeping with the surrounding area. Mr. Gerome Lipe stated that he had reviewed the plat and was concerned with the lot size of 40' by 125'.

Mr. Baker responded to these concerns and stated that the project is market driven. The development will include clustered patio homes and green space.

Motion by Mr. Britt to carry this matter over to allow members of Council to visit the site and gather more information. Motion seconded by Mr. Huckaby and carried.

Public Health and Human Services Committee – Hon. Johnnye Code Stewart, Chairman

No items scheduled.

Personnel and Finance Committee – Honorable Ken Huckaby, Chairman

- A. Motion by Mr. Huckaby to deny the request of Mr. Jim Ritchie on behalf of KCCI for payment of interest on cancelled delinquent tax sales. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Huckaby to direct staff to schedule a public hearing regarding the sale of property located on Laurens Road in Woodruff, SC. Motion seconded by Mr. Britt and carried.
- C. Motion by Mr. Huckaby to allow the County to participate in the Arts Partnership Workplace Giving Program. Motion seconded by Mr. Britt and carried.
- D. Motion by Mr. Huckaby to accept the recommendations of the Accommodations Tax Advisory Committee as presented. Motion seconded by Mr. Britt and carried.
- E. Motion by Mr. Huckaby to authorize the use of Council contingency funds for shortfalls in the Coroner's Autopsy Account, the Clerk of Court's Juror Pay Account, and to pay for transportation of Veterans. Motion seconded by Mr. Britt and carried.
- F. Updated financial data was received.

Recreation Committee – Honorable Jeff Horton, Chairman

No items scheduled.

Economic Recruitment and Development Committee – Honorable David Britt, Chairman

No items scheduled.

Public Safety and Judiciary Committee – Honorable Rock Adams, Chairman

- A. Motion by Mr. Horton to render first reading by title to an Ordinance amending Video Poker Ordinance Number 517 and 661. Motion seconded by Mr. Huckaby and carried.
- B. Motion by Mr. Horton to approve of a permit for exclusion from the noise ordinance for John Featherston and Country Livin' Enterprises for musical events scheduled through the end of 1999. Motion seconded by Mr. Huckaby and carried.
- C. No action was taken in reference to proposed ordinances amending ordinance No. 429, 577 and 452. A public hearing will be scheduled in July.
- D. Information was received regarding activities of the Building Codes Department. No action taken.

Public Works, Buildings and Grounds Committee – Honorable Frank Nutt, Chairman

- A. This item carried over (receive information and take desired action in reference to Environmental Services Director Position.)
- B. This item carried over (receive information and take desired action in reference to a proposed Storm Water Drainage Policy).
- C. Information was received regarding activities of the Public Works Department. No action taken.

8.

- A. Motion by Mr. Horton to render third reading to an Ordinance to provide technical amendments to the Spartanburg County Billboard and Sign Ordinance No. 359, 424, 501, 626, and 663 to provide that Section 6 Under Article III Ordinance 626 remains in effect and enforce and has not been repealed by codification of the Ordinance. The amendment is enacted for the implementation and enforcement of the powers of the County Council in reference to Public Health, Public Safety, Police Protection and Sanitation as referred to in SC Code 1976, Section 4-9-30. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a lease agreement between Spartanburg County, South Carolina, as lessor, and SEW Eurodrive, Inc., as Lessee, and other matters related thereto, including without limitation the payment of a fee in lieu of taxes. Motion seconded by Mr. Nutt and carried.
- C. Motion by Mr. Britt to render second reading to an Ordinance authorizing the execution and delivery of a lease agreement between Spartanburg County, SC, as lessor and Specialty Equipment Companies (Beverage Air) lessee; and other matters related thereto, including without limitation payment of a fee in lieu of taxes. Motion seconded by Mr. Nutt and carried.
- D. Chairman Floyd provided an update on the Census Complete Count Committee. She stated that for every person who is not counted, \$20,000 in state and federal funds is lost.

9.

- A. Motion by Mr. Huckaby to render first reading to an Ordinance relating to the fiscal affairs of Lakewood Hills Special Tax District, making appropriations therefore, and levying taxes for the year beginning July 1, 1999, and ending June 30, 2000; to provide for budget control of said appropriations by the

Spartanburg County Council, providing an effective date. Motion seconded by Mr. Britt and carried.

- B. Motion by Mr. Britt to render first reading to an Ordinance relating to the fiscal affairs of the Arcadia Fire Service Area, Campobello Fire Service Area, Chesnee Community Fire Service Area, Cooley Springs Fingerville Fire Service Area, Cowpens Fire Service Area, Draper Fire Service Area, Duncan Fire Service Area, East Greer Fire Service Area, Enoree Fire Service Area, Hobbysville Fire Service Area, Inman Community Fire Service Area, Landrum Fire Service Area, Poplar Springs Fire Service Area, Una Fire Service Area, Wellford Fire Service Area, Woodruff Fire Service Area, and Zoar Fire Service Area, making appropriations therefore, and levying taxes for the year beginning July 1, 1999, and ending June 30, 2000; to provide for budget control of said appropriations by the Spartanburg County Council, providing an effective date. Motion seconded by Mr. Huckaby and carried.
- C. Motion by Mr. Horton to adopt a Resolution in support of the issuance of not exceeding \$35,000,000 in aggregate principal amount of its First Mortgage Health Facilities Revenue Bonds (The Lutheran Homes of South Carolina, Inc.) Series 1999 pursuant to Title 41, Chapter 43, Code of Laws of SC 1976 as amended, a portion of which bonds are to be issued to finance the acquisition, construction, installation and equipping of a 134 unit continuing care retirement facility in Spartanburg County, SC, to be owned and operated by the Lutheran Homes of South Carolina, Inc., a SC nonprofit corporation. The project will be located at 200 Fortress Drive near Inman, SC. Motion seconded by Mr. Britt and carried.

10.

No further information regarding vacancies.

11.

For nominations and appointments, see minutes of meeting held at 2:00 p.m. on June 21, 1999.

12.

Motion by Mr. Huckaby to appoint Gene Klugh as Interim Administrator for Spartanburg County effective July 6, 1999. Motion seconded by Mr. Adams and carried.

13.

All resolutions, ordinances, agreements, petitions and related documents which were read and approved by Council at this meeting for the financing of certain industrial or similar revenue bonds or notes, are incorporated in these minutes by reference as if fully set forth herein. The reference is to all such documents showing execution by the County on the date of this meeting including in the office of the Clerk of Court for Spartanburg County.

14.

Scheduling of the August County Council retreat was discussed. Chairman Floyd asked members of Council to review information provided regarding the Richland County "One Call Response Center" prior to the August retreat.

15.

Motion by Mr. Britt to approve minutes of May 17, 1999 (Executive Session and Regular Meeting), May 25, 1999, May 26, 1999, June 11, 1999, June 14, 1999, and June 16, 1999. Motion seconded by Mr. Huckaby and carried.

Meeting adjourned.

Spartanburg County Council

By: _____

Karen Floyd, Chairman

Attested:

Lori A. Hinds

Clerk to Council