

February 15, 1999

A regular meeting of the Spartanburg County Council was held on February 15, 1999, at 5:30 p.m. in Council Chambers of the County Administrative Office Building. The following were present: Honorable Karen Floyd, Chairman; Johnnye Code Stewart, 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 Roy McBee Smith, 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 opened the meeting.

2.

Invocation was rendered by Rev. Jack Hames of Boiling Springs First Baptist Church. Mr. Breed led in reciting the Pledge of Allegiance.

3.

Motion by Mr. Britt to adopt Resolution #O-99-001 recognizing Mr. Marvin Banton. Motion seconded by Mr. Nutt and carried. Mr. Huckaby and Mr. Nutt presented the Resolution to Mrs. Banton.

4.

No public hearings scheduled.

5.

Mr. Fred Black appeared to appeal the decision of the Development Standards Board regarding the expansion of a mobile home park. Mr. Black stated that one mobile home on his property lacked 4" of being the required 20' from a second mobile home, while the second mobile home lacks 6' from being the required 20' from a third mobile home. He is unable to get power to these mobile homes without a variance, which was denied by the Development Standards Board. Mr. Mike Padgett, Director of Building Codes, stated that Mr. Black applied for a permit on August 31, 1998, and for a variance on November 11, 1998. The Board heard this matter in December. Mr. Padgett stated that Mr. Black actually requests several variances. He stated that a variance would be required to meet the required set back from street and property lines. The mobile homes are too close together, which is a fire hazard. There are four mobile homes placed on a quarter acre lot; the maximum per regulations is eight mobile homes per acre. The 16' pavement requirement is lacking, and parking spaces do not meet specifications. Chairman Floyd asked if there was a motion to overturn. No motion was made, and the decision of the Development Standards Board was upheld.

6.

PUBLIC HEALTH AND HUMAN SERVICES COMMITTEE - Hon. Johnnye Code Stewart, Chairman

No items scheduled.

PERSONNEL and FINANCE COMMITTEE - Hon. Ken Huckaby, Chairman

A. Motion by Mr. Huckaby to adopt Resolution R-99-002 recognizing the Law Library located in the County Courthouse as a branch of the main library. Motion seconded by Mr. Britt. A vote was taken with Mr. Horton voting

no; the Motion carried. A tour and orientation of library facilities was discussed. Staff will schedule this tour.

B. Information was received regarding establishing goals for County Departments in support of the County's Vision Statement. Staff will be working with Department Heads and will present goals for review at the April 17 Retreat.

C. Motion by Mr. Huckaby to allocate the balance of proceeds from the sale of the old library headquarters, less funds already dedicated to the museum, for renovations to the Spartanburg Memorial Auditorium, with approximately \$3,137,748 being added to the pending bond issue (re: Spartanburg Tech, etc.). Motion seconded by Mr. Britt. A vote was taken with Mr. Adams and Mr. Horton voting no; the Motion carried.

D. Updated financial data was received.

RECREATION COMMITTEE - Hon. Jeff Horton, Chairman

A. Motion by Mr. Huckaby to approve a reporting form for youth sports leagues, with the deletion of item K relating to audit information. Motion seconded by Mr. Nutt and carried.

ECONOMIC RECRUITMENT & DEVELOPMENT COMMITTEE - Hon. David Britt, Chairman

No items scheduled.

PUBLIC SAFETY AND JUDICIARY COMMITTEE - Hon. Rock Adams, Chairman

A. Motion by Mr. Horton to proceed with a performance audit of the Judicial System to include only the Magistrate Court, Solicitor's Office, and Public Defender's Office at a cost of \$42,500, with the additional \$2,500 needed being allocated from Council's contingency. Motion seconded by Mr. Britt and carried.

B. Information was received regarding activities of the Building Codes Department.

PUBLIC WORKS, BUILDINGS AND GROUNDS COMMITTEE - Hon. Frank Nutt, Chairman

A. Motion by Mr. Nutt to proceed with repairs to the Administration Building, with \$8,400 being available from existing maintenance accounts, and an additional \$7,500 being allocated from Council's contingency. Motion seconded by Mr. Horton and carried. Additionally, staff was instructed to pursue possible reimbursement from the insurance carrier.

B. Motion by Mr. Nutt to authorize staff to utilize TranSystems as construction manager for the New Cut Road project if suitable bids are received, and delay hiring an Environmental Services Director until Council has an opportunity to review the entire department and consider reorganization. Motion seconded by Mr. Horton and carried.

C. Information was received regarding activities of the Public Works Department.

7.

A. This item carried over pending modifications. (Render second reading to an Ordinance to provide for the issuance and sale of not exceeding eight million dollars (\$8,000,000) General Obligation Bonds, series 1999, of Spartanburg County, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters related thereto.)

B. Motion by Mr. Britt to adopt Rules of Council as amended, with the exception that Item 2-4 will be deleted. Motion seconded by Mr. Horton and carried.

C. Motion by Mr. Huckaby to render third reading to Ordinance O-99-002 providing technical and administrative amendments to ordinance regulating sexually oriented businesses to facilitate enforcement and compliance. Motion seconded by Mr. Britt and carried.

D. Mr. Roy McBee Smith stated that the County is prepared to convey by quit claim deed the Healthtex Property in Cowpens to a not for profit corporation formed by the Town of Cowpens. However, Mr. Mike Duncan, Attorney for the Town of Cowpens, states that the Town is not in a position to proceed. Mr. Duncan requested that Council consider adopting a Resolution stating their agreement to convey the property. Motion by Mr. Britt to adopt Resolution R-99-003 stating the County's intent to convey by quit claim deed the Healthtex Property in Cowpens to a not for profit corporation formed by the Town of Cowpens. Motion seconded by Mr. Britt and carried.

8.

A. Motion by Mr. Huckaby to approve allocation of \$7,252.72 from Council's contingency for payment for services for transportation of Veterans during the months of September, October and November, 1998. Motion seconded by Mr. Horton and carried.

B. Motion by Mr. Britt to approve a \$600,000 computer update, conversion of GIS data, and implementation of an information access infrastructure, with \$500,000 being carried forward from a rebate from AT&T, and the balance of \$100,000 being made available through reallocation and budget transfers. Motion seconded by Mr. Horton and carried. Motion by Mr. Britt to approve two positions of network administrator and GIS programmer analyst for the MIS Department effective April 1, 1999, with funds available through salary adjustment account. Motion seconded by Mr. Huckaby and carried.

9.

A. Motion by Ms. Floyd to waive rules, nominate and appoint Mrs. Stewart to replace Mr. Dillard as a Council representative on the Spartanburg Memorial Auditorium Commission. Motion seconded by Mr. Nutt and carried.

B. Motion by Mr. Britt to waive rules, nominate and appoint Jay Michael Cariveau to the Spartanburg Memorial Auditorium Commission. Motion seconded by Mrs. Stewart and carried.

C. Community Development Citizens Advisory Committee, carried over.

D. Cooley Springs/Fingerville Fire District, carried over.

E. Piedmont Community Action, Inc., Board, carried over.

F. Planning and Development Commission, carried over.

G. Una Community Fire Service Area, carried over.

H. Fire Prevention and Protection Advisory Committee, carried over.

I. Tyger River Sewer Authority, carried over.

J. Motion by Mr. Horton to waive rules, nominate and appoint Shuford Jack Wiggins to the Chesnee Community Fire District Commission to replace Thomas Anthony Powell, term to expire 07/22/00. Motion seconded by Mr. Britt and carried.

Motion by Ms. Stewart to hold all other appointments in abeyance until a report is received from Mr. Dan Vismor regarding recomposition of Boards and Commissions. Motion seconded by Mr. Nutt and carried. The Chairman reiterated her desire and the need to completely revamp the process for appointments to Boards and Commissions. She stated that Council is open for suggestions in this regard.

10.

No action taken on the following vacancies:

A. Domestic Violence Board

B. Building Code Board of Appeals & Adjustments

C. Inman Mills Fire District

D. Affirmative Action Committee

1. Lakewood Hills Special Tax District Commission
2. Parks & Recreation Advisory Committee

1. Tyger River Sewer Authority

1. Fire Prevention & Protection Advisory Committee
2. Board of Junkyard Control
3. Spartanburg County EMS Advisory Committee
4. Employee Grievance Committee
5. Emergency Communications Advisory Committee
6. Assessment Appeals Board
7. Accommodations Tax Advisory Committee
8. Enoree Fire District Commission
9. Poplar Springs Fire District Commission

11.

There were no additional appointments.

12.

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 included in the Office of the Clerk of Court for Spartanburg County.

13.

A. Information was received regarding a meeting with Dan Vismor to discuss unified land use ordinance. Staff will arrange a luncheon meeting at 12:30 p.m. on March 15, 1999, prior to the regular Council meeting.

B. Ms. Wayne gave a briefing on the scheduled visit by Moody's Investor Service on February 25, 1999. An agenda will be provided to Council.

14.

Motion by Mr. Horton to approve minutes of January 11, 1999 (regular meeting); January 12, 1999 (special meeting); January 25, 1999 (special meeting); and February 8, 1999 (special meeting). Motion seconded by Mr. Britt and carried.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

February 15, 1999

BY: _____

Karen Floyd, Chairman

Attested:

Lori A. Hinds

Clerk to Council