

March 15, 1999

A regular meeting of the Spartanburg County Council was held on Monday, March 15, 1999, at 5:30 p.m. in County Council Chambers, County Administrative Office Building. The following were present: Honorable Karen Floyd, Chairman; Honorable 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 Edwin Haskell, 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 Kenny Moore of Glendale Baptist Church.

3.

Harold Osborne led in reciting the Pledge of Allegiance.

4.

- A. Motion by Mr. Britt to adopt Resolution R-99-005 proclaiming the month of March as Disabilities Awareness Month. Motion seconded by Mr. Horton and carried.
- B. Motion by Ms. Stewart to adopt Resolution R-99-004 proclaiming April 12th through 18th Telecommunicators' Week in Spartanburg County. Motion seconded by Mr. Horton and carried.
- C. Motion by Mr. Horton to adopt Resolution R-99-006 recognizing Spartanburg County Registration and Election Office. Motion seconded by Mr. Britt and carried.

5.

A public hearing was held pertaining to the proposed issuance by JEDA of not exceeding \$9,000,000 aggregate principal amount Economic Development Revenue Bonds. Chairman Floyd declared the hearing open. No one appeared in opposition. Chairman Floyd declared the meeting closed.

6.

- A. Mr. Elford Morgan asked that his name be withdrawn from the agenda. Mr. Henry Schirmer appeared to appeal the decision of the Development Standards Board of Appeals regarding Pineview Drive. Mr. Schirmer submitted a letter for the record, which stated that this tower represents a lack of innovation. He feels that the tower is too close to residences in the area, and it is unsafe. Alec Evans, Attorney, was present on behalf of Triton PCS, along with April Boswell. Mr. Britt explained that Attorney Elford Morgan withdrew his appeal due to the fact that he would rather have the existing tower 30' taller than have a second tower erected. Mr. Britt further stated that Council has tightened up the cell tower ordinance as much as possible, and has encouraged co-location. The Chairman asked if there was a motion to overturn the decision of the Development Standards Board of Appeals regarding Pineview Drive. No motion was made and the appeal was denied.

7.

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

- A. The Quarterly Report of the Spartanburg Alcohol and Drug Abuse Commission was received as information only.
- B. Motion by Ms. Stewart to authorize an expenditure of \$5,500 from contingency for the purchase of a 15 passenger van to transport needy and disabled Veterans to and from the VA Medical Center in Asheville, North Carolina, contingent upon the local VA Chapter providing a match of \$5,500. Motion seconded by Mr. Horton and carried.
- C. Motion by Ms. Stewart to approve a proposal to upgrade the EMS Quick Response Unit for Medic 4 in Cowpens, with expenses for the remainder of this fiscal year estimated at \$240,000, of which \$31,000 is for personnel costs for the remainder of this fiscal year, covered by an overage of projected revenues for this fiscal year. Motion seconded by Mr. Huckaby and carried.

Personnel and Finance Committee – Hon. Ken Huckaby, Chairman

- A. Information was received regarding the County's health insurance benefits from Physician's Health Plan.
- B. Motion by Mr. Huckaby to approve a program to allow for escrow payments of delinquent taxes, which allows property owners to contractually make payments on delinquent taxes provided that the taxes are paid in full prior to the advertisement of the property. Motion seconded by Mr. Horton and carried.
- C. Motion by Mr. Huckaby to approve the reclassification of an Assistant Solicitor Position from a Grade 29 to a Grade 30, at a cost of \$2,800 for the current fiscal year, which is available from salary slippage in the Solicitor's Office. Motion seconded by Mr. Britt and carried.
- D. Updated financial data was received as information only.

Recreation Committee – Hon. Jeff Horton, Chairman

- A. Motion by Mr. Horton to approve a change order at a cost of \$6,000 to upgrade the metal studs of the building for additional storage at the Woodruff Recreational facility, and keep open the possibility of potentially expanding, with funds being allocated from the fencing project at the North Spartanburg Complex. Motion seconded by Mr. Adams and carried.
- B. Motion by Mr. Horton to approve a match of \$7,200 for a PARD project to light ballfields at Cannons and Clifdale Elementary Schools, with funds being allocated from the outfield fencing project at the North Spartanburg Complex. Motion seconded by Mr. Adams and carried.

Economic Recruitment and Development Committee – Hon. David Britt, Chairman

No items scheduled.

Public Safety and Judiciary Committee – Hon. Rock Adams, Chairman

- A. A status report from Mr. David Jones regarding the relocation of the Communications Department to the BellSouth Building was received as information only.
- B. Information regarding activities of the Building Codes Department was received as information only.

Public Works, Buildings and Grounds Committee – Hon. Frank Nutt, Chairman

- A. This item removed from agenda at request of Mr. Steven Thomas. (Receive information and take desired action regarding a request from Mr. Steven Thomas regarding Reynolds Road,

Cowpens).

- B. Information was received regarding the Environmental Services Director Position. No action taken.
- C. Motion by Mr. Nutt to support State Legislation to enlarge the boundaries of the Western Carolina Sewer Authority. Motion seconded by Mr. Britt and carried.
- D. Motion by Mr. Nutt to authorize staff to proceed with obtaining an appraisal on two parcels of property adjacent to the County Administration Building. Motion seconded by Mr. Britt and carried.
- E. Information was received regarding a drainage system for White Oak Estates. No action taken. Item carried over to April meeting.
- F. Motion by Mr. Nutt to approve accepting the low bid for the New Cut Road Project, and authorize Staff to negotiate with TranSystems to provide management, with the understanding that a waiver must be obtained from SC DOT to allow this. Motion seconded by Mr. Britt and carried.
- G. Motion by Mr. Huckaby to authorize an expenditure of \$20,000 in reserve funds from the FY 1999 Solid Waste Operating Budget to support Share the Vision in the development of a comprehensive strategic litter, recycling and beautification plan. Motion seconded by Mr. Adams and carried.
- H. Information was received regarding activities of the Public Works Department.

8.

- A. Motion by Mr. Britt to render second reading to an Ordinance to provide for the issuance and sale of not exceeding \$8 million 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. Motion seconded by Mr. Huckaby and carried.
- B. Mr. Haskell stated that he had reviewed the revised GRID Agreement for road improvement projects and recommended that Council enter into this contract. Motion by Mr. Britt to enter into a GRID Agreement for road improvement projects . Motion seconded by Ms. Stewart and carried.

9.

- A. Motion by Mr. Britt to adopt Resolution No. R-99-008 in support of the issuance by the South Carolina Jobs Economic Development Authority of its Economic Development Revenue Bonds (Seeber, USA, LLP Project) Series 1999, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina, 1976, as amended, in the aggregate principal amount of not exceeding \$9,000,000. Motion seconded by Mr. Huckaby and carried.
- B. Motion by Mr. Britt to render first reading to a proposed Ordinance consenting to the assignment, in part, to Johns Manville Corporation of (1) that certain Lease Agreement between Spartanburg County, South Carolina, and Hoechst Celanese Corporation, dated as of December 1, 1989; (2) that certain Lease Agreement between Spartanburg County, South Carolina, and Hoechst Celanese Corporation, dated as of December 1, 1995; and (3) that certain Lease Agreement between Spartanburg County, South Carolina, and Hoechst Celanese Corporation dated as of December 1, 1996; all pursuant to the terms of the respective Lease Agreements; and other matters related thereto, with Consent Agreement and Addendum to Lease Agreement attached. Mr. Haskell stated that no representative of the company was present, and no representative of the Chamber of the Commerce was present to confirm that environmental issues had been addressed. Mr. Haskell recommended carrying this item over. Mr. Britt withdrew his motion. Motion by Mr. Britt to carry this item over. Motion seconded by Mr. Horton and carried.
- C. Motion by Mr. Nutt to adopt Resolution R-99-007 ordering a public hearing to consider the enlargement of the Liberty-Chesnee-Fingerville Water District. Motion seconded by Mr. Horton

and carried.

- D. Motion by Mr. Nutt to table first reading by title to the Unified Land Management Ordinance of Spartanburg County, South Carolina. Motion seconded by Mr. Britt and carried.
- E. Motion by Mr. Nutt to render first reading to an Ordinance re-adopting the following ordinances under the provisions of the South Carolina Code of Laws, Sections 6-29-310 through 6-29-1200, as amended: Spartanburg County Subdivision Ordinance 429; as amended; Spartanburg Downtown Memorial Airport Environs Ordinance No. 549; as amended; Spartanburg County Multi-Family Development Ordinance No. 336 as amended; Spartanburg County Mobile Home Ordinance No. 477 as amended; Spartanburg County Sign Ordinance No. 626 as amended; Junkyard Ordinance No. 505 as amended; Development Standards Ordinance No. 452 as amended; Flood Damage Prevention Ordinance No. 365, as amended, Spartanburg County Ordinance No. 341 (Statute creating the Spartanburg County Planning and Development Commission.) Motion seconded by Mr. Britt and carried.
- F. Motion by Mr. Britt to add an item to the agenda regarding technical amendments to the Sexually Oriented Business Ordinance. Motion seconded by Ms. Stewart and carried. Motion by Mr. Britt to render first reading by title to amendments to Ordinance O-99-002, relative to technical amendments to the Sexually Oriented Business Ordinance. Motion seconded by Ms. Stewart and carried.
- G. Motion by Mr. Adams to add an item to the agenda regarding the proposed VA Facility in Woodruff; Motion seconded by Mr. Britt and carried. Motion by Mr. Adams to adopt Resolution No. O-99-009 pledging support for the location of a Veterans Administration Nursing Home Facility in the Woodruff area of Spartanburg County, and that Spartanburg County will take the necessary actions to provide funding to underwrite and secure the required local financing of such project. Motion seconded by Mr. Britt and carried.

10.

- A. Information was received regarding procedural changes for appointments to Boards and Commissions. At a future date staff will present information as to how appointments have been made by this Council in the past in comparison to how other Counties make appointments. No action taken.

11.

- A. Domestic Violence Board. Motion by Ms. Stewart to waive rules, nominate and appoint Rosalind Patton Brown. Motion seconded by Mr. Britt and carried. Motion by Ms. Stewart to waive rules, nominate and appoint Catherine Dare. Motion seconded by Mr. Britt and carried.

B. Building Code Board of Appeals & Adjustments. Carried over.

C. Inman Mills Fire District. Carried over.

D. Affirmative Action Committee. Carried over.

E. Lakewood Hills Special Tax District Commission. Carried over.

F. Parks & Recreation Advisory Committee . Carried over.

G. Tyger River Sewer Authority. Motion by Mr. Huckaby to waive rules, nominate and appoint Dan Bridges. Motion seconded by Mr. Britt and carried.

H. Fire Prevention & Protection Advisory Committee. Motion by Mr. Huckaby to waive rules, nominate and appoint Hubert E. Odom. Motion seconded by Ms. Stewart and carried.

I. Board of Junkyard Control. Carried over.

J. Spartanburg County EMS Advisory Committee. Carried over.

K. Employee Grievance Committee. Carried over.

L. Emergency Communications Advisory Committee. Carried over.

M. Assessment Appeals Board. Carried over.

N. Accommodations Tax Advisory Committee. Carried over.

O. Enoree Fire District Commission. Carried over.

P. Poplar Springs Fire District Commission. Carried over.

Q. Community Development Citizens Advisory Committee. Carried over.

R. Cooley Springs/Fingerville Fire District. Motion by Mr. Horton to waive rules, nominate and appoint Edmund Cobb. Motion seconded by Mr. Britt and carried. Motion by Mr. Horton to waive rules, nominate and appoint David Anderon. Motion seconded by Mr. Britt and carried.

S. Piedmont Community Action, Inc., Board. Motion by Mr. Huckaby to waive rules, nominate and appoint Jimmy Littlefield. Motion seconded by Mr. Horton and carried.

T. Planning and Development Commission. Motion by Mr. Britt to waive rules, nominate and appoint Francis Parker Champion. Motion seconded by Mr. Nutt and carried.

A. Una Community Fire Service Area. Carried over.

12.

No further appointments.

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

14.

A. A meeting was scheduled for April 27, 1999, at 10:00 a.m. with upstate counties to discuss Local Option Sales Tax.

B. Staff will coordinate with the Chamber of Commerce to schedule a luncheon meeting with BMW.

15.

Motion by Mr. Britt to approve the minutes of February 15, 1999 (Regular Meeting) and March 1, 1999 (Special Meeting). Motion seconded by Mr. Horton and carried.

Meeting adjourned.

Spartanburg County Council

By: _____

Karen Floyd

Chairman

Attested:

Lori A. Hinds

Clerk to Council