

MINUTES

County Council Meeting

June 14, 2004

Spartanburg County Council met on Monday, June 14, 2004, in the County Council Chambers, 366 N. Church Street, Spartanburg, SC, at 5:30 p.m. The following attended: Honorable Jeff Horton, Chairman; Honorables Johnnye Code Stewart, Steve Parker, David Britt, Rock Adams, Ken Huckaby, and Frank Nutt, Council Members; along with James K. Hartmann, County Administrator; Glenn Breed, Assistant County Administrator; Chris Story, 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 parties.

I.

Chairman Horton called the meeting to order.

Invocation was rendered by Rev. Clint Smith, Minister to Children, First Baptist Spartanburg. Hon. Rock Adams led in reciting the Pledge of Allegiance.

II.

No presentations scheduled.

III.

- A. Chairman Horton declared open a Public Hearing to consider the adoption of an annual operating budget for Spartanburg County for the Fiscal Year 2004-05. No one appeared, and the matter was closed.
- B. Chairman Horton declared open a Public Hearing to consider the proposed abolishment of the Inman Mills Fire District. Mr. John Lee Inman appeared in objection to the abolishment of the Inman Mills Fire District. Mr. Inman lives on Mill Village. Mr. Chris Cothran, Chief of the Inman City Fire Department, stated that he was asked to come on their behalf. Mr. John Inman and Mr. Bo Cantrell had called him this morning. Chief Cothran was also in opposition to the abolishment of the Inman Mills Fire District. Mr. Bo Cantrell, Commissioner with Inman Mills Water, also appeared in opposition to the abolishment of the Inman Mills Fire District. Mr. Cantrell requested that this be postponed until all options are reviewed. Matter was closed.
- C. Chairman Horton declared open a Public Hearing to consider the proposed enlarging of the Inman Community Fire Service Area to include the area within the boundaries of the Inman Mills Fire

District. Mr. Dale Culbreth, Assistant Chair for Inman Community Fire Department, stated that Inman Community Fire Department has a good response time. They have a full-time Fire Department with people on staff 24 hours a day. Mr. Culbreth feels that Inman Community Fire Department would give Inman Mills the best fire protection possible. Matter was closed.

- D. Chairman Horton declared open a Public Hearing to consider an Ordinance to provide for the issuance and sale of not exceeding two million five hundred thousand dollars (\$2,500,000) General Obligation Bonds, Series 2004, 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 relating thereto. No one appeared, and the matter was closed.
- E. Chairman Horton declared open a Public Hearing to consider an Application for special Public Event Exclusion from Noise Ordinance for May 14, 2005, from 1:00 p.m. until 8:00 p.m. for a Lake Bowen Baptist Church Christian Concert at 404 Sugar Ridge Road, Inman. Mr. Kenny McDowell, Minister of Education and Outreach at Lake Bowen Baptist Church, was present. Mr. McDowell stated that the Christian Concert will be held on their church property. Matter was closed.
- F. Chairman Horton declared open a Public Hearing to consider an Application for special Public Event Exclusion from Noise Ordinance for July 3, 2004, from 7:00 p.m. until 12:00 a.m. for a July 4th party at Carolina Foothills Resort, 90 Carolina Foothills Drive, Chesnee. Mr. Jack Lee was present in opposition of this exclusion. Mr. Lee resides at 753 Rabbit Moffitt Road, Chesnee, SC. His yard and property is adjacent to the Carolina Foothills property. He is opposed to the noise from the events held at this establishment. Matter was closed.

IV.

No appearances were scheduled.

V.

Public Health and Human Services Committee (Honorable Johnnye Code Stewart, Chairman)

No items scheduled.

Personnel and Finance Committee (Honorable Ken Huckaby)

- A. Motion made by Mr. Huckaby to assist Mountainview Nursing Home with a complete sprinkler system. The Personnel and Finance Committee recommends that the County finance this. It is a mandate from Medicaid and Medicare for every Nursing Home to have a sprinkler system. This facility was built in early 1975. It met all the requirements, but this mandate just came down within the past few months. It has to be completed by the end of the year. This is a reimbursable item with Medicaid and Medicare. This will be reimbursed over a matter of time. Motion seconded by Mr. Britt and carried.
- B. Updated financial data and personnel vacancy reports were received.

Recreation Committee – (Honorable Jeff Horton, Chairman)

- A. Mr. Jeff Caton presented a Parks Projects Update. Va-du-mar Park is on schedule. They are getting bids now for playground equipment. The sprinkler system will be going in soon. Also, additional work has been done at Cleveland Park.

Economic Recruitment and Development Committee – (Honorable David Britt, Chairman)

No items scheduled.

Public Safety and Judiciary Committee – (Honorable Rock Adams, Chairman)

- A. Information received regarding activities of the Building Codes Department.

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Land Use Committee (Honorable David Britt, Chairman)

- A. Mr. Emory Price presented an update concerning Amendments to the Land Use Ordinance. This will be taken up at a later date.
- B. Updated Planning Department Reports on Development Activity were received.

Public Works, Buildings and Grounds Committee (Honorable Frank Nutt, Chairman)

- A. Motion made by Mr. Nutt to approve a recommendation from the Water and Sewer Advisory Committee to authorize the Greer Commission of Public Works to provide Sewer Service in Spartanburg County within the area between Highway I-85 South on Highway 101 to Highway 296 and West to the Enoree River, turning North following the Enoree River to I-85; and to request that the Spartanburg Delegation pursue Legislative Actions to annex this same area into the Western Carolina Regional Sewer Authority Service Boundaries. Motion seconded by Mr. Huckaby and carried. Mr. Steve Evatt, Chairman of Water and Sewer Advisory Committee and Mr. Jerry Balding, General Manager of Greer Commission of Public Works, were present. Plat is enclosed in backup.
- B. Motion made by Mr. Nutt to approve the Amendments to the Solid Waste Management Plan Updated June 2004 Edition. Motion seconded by Mr. Britt and carried.
- C. Information received regarding activities of the Public Works Department.

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VI.

- A. Motion made by Mr. Parker to render third reading to FY05 Budget Ordinance with the changes made earlier today in reference to the agencies that Council voted to change. Motion seconded by Mr. Adams and carried. Two opposed.
- B. Motion made by Mr. Britt to render third reading to an Ordinance to provide for the issuance and sale of not exceeding two million five hundred thousand dollars (\$2,500,000) General Obligation Bonds, Series 2004, 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 relating thereto. Motion seconded by Mr. Huckaby and carried.
- C. Motion made by Mr. Britt to render second reading to an Ordinance to repeal out-of-date Technical Codes set forth in Section 10-91, 10-101, 10-111, 10-121, 10-141, and 34-26 of the Spartanburg County Code and to adopt by reference pursuant to S.C. Code Section 6-9-50(1976) the latest edition of the Building, Residential, Gas, Plumbing, Mechanical, Fire, and Energy Codes as promulgated, published, or made available by the International Code Council, Inc. and the National Electrical Code as published by the National Fire Protection Association. Motion seconded by Mr. Nutt and carried.
- D. Motion made by Mr. Britt to render second reading to an Ordinance to place Local Option Sales Tax on ballot for the November election. Motion seconded by Mr. Huckaby and carried.
- E. Motion made by Mr. Huckaby to render second reading to an Ordinance abolishing the Inman Mills Fire District. Motion seconded by Mr. Adams. Motion did not carry. Mr. Britt stated that he thought there was an agreement and understanding that all this was taking place. Mr. Glenn Breed stated that based on direction from County Council they have been looking for ways to improve efficiencies in the Fire Service. This was one of them. Discussions were held. Resolutions were received from each of the Fire Commissioners from Inman Community, as well as Inman Mills. Both of them were very specific in what to do. Inman Mills abolish the district and move into Inman Community. There were some discussions with the Town. Based on those discussions, Administration continued in this direction. Mr. Britt asked how the group decided on Inman Community versus the Town of Inman? Were the people involved?

Mr. Huckaby stated that the people in the Mill Village were involved. There was a petition signed by three hundred plus stating that they did not oppose a tax increase up to 21 mils. Mr. Breed stated that there were initial discussions held with the Town early. Some time went by, and there were discussions with Inman Community and Inman Mills. Mr. Breed initiated a meeting with the Mayor and Chief Cothran two to three months ago. Mr. Huckaby stated that the proposal that was made by the City of Inman went to the Fire Protection Advisory Committee. Mr. Britt stated that his concern is that Council is being asked to vote on something, and some citizens are showing up and stating this was not their understanding. Chairman Horton stated that if Council does not feel you have enough information, this item can be carried forward. Motion did not carry. Item will be carried over.

- F. Motion made by Mr. Britt to carry over second reading to an Ordinance enlarging the Inman Community Fire Service Area to include the area within the boundaries of the Inman Mills Fire District. Motion seconded by Mr. Nutt and carried.
- G. Motion made by Mr. Nutt to render second reading to an Ordinance amending Ordinance No. O-99-015, which provides for the Spartanburg County Unified Land Management Ordinance with the inclusion of the additional provision that all landfills constructed or expanded in Spartanburg County must be consistent with the Spartanburg County Solid Waste Management Plan. Motion seconded by Mr. Britt and carried.
- H. Motion made by Ms. Stewart to render first reading to an Ordinance adding the requirement of being a registered voter to the Requirements for serving on all County Council-appointed boards and commissions. Motion seconded by Mr. Britt and carried.

VII.

- A. Motion made by Mr. Britt to place Items E and F from Section III of the Agenda under New Business. Motion seconded by Mr. Nutt and carried. Vote was unanimous.
- B. Motion made by Mr. Britt to approve an Application for special Public Event Exclusion from Noise Ordinance for May 14, 2005, from 1:00 p.m. until 8:00 p.m. for a Lake Bowen Baptist Church Christian Concert at 404 Sugar Ridge Road, Inman. Motion seconded by Mr. Nutt and carried.
- C. No motion was made on an Application for special Public Event Exclusion from Noise Ordinance for July 3, 2004, from 7:00 p.m. until 12:00 a.m. for a July 4th party at Carolina Foothills Resort, 90 Carolina Foothills Drive, Chesnee. This request failed.

VIII.

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.

IX.

Motion made by Mr. Britt to move the October meeting up one week to Monday, October 11, 2004. Motion seconded by Mr. Adams and carried.

Ms. Betsy Boxer, Executive Director of Animal Allies, presented information on spay/neuter program. Ms. Boxer stated that Animal Allies runs a low cost spay neuter program. They are concerned with trying to reduce the number of dogs and cats coming into the Spartanburg Humane Society. The problem is too many pets. About 50% of the animals are owner relinquished, and about 50% are stray animals from the

county. Ms. Boxer wanted to make sure that everyone knows that Animal Allies is not trying to save them all. Approximately 16,000 animals are coming in from the county. About 12,000 of those were euthanized. Ms. Boxer would estimate that 60% of those animals needed to be euthanized. There are sick, injured, and aggressive animals. Animal Allies focus is on the healthy, adoptable animals, which is estimated at 40% of what was put down last year or 7500 animals. Animal Allies measure of success is whether the intake at Spartanburg Humane Society decreases. Animal Allies has facilitated with their eight veterinary practices, one of which is the Spartanburg Humane Society Spay/Neuter Clinic, 2400 targeted spay/neuter surgeries last year in 2003. Two thousand of those were low-income families. This year, they have scheduled 1200 surgeries in the first four months of the year. They anticipate doing 3600 surgeries. Last year in 2003, the overall animal intake at the Spartanburg Humane Society went down by 2.2%. The number of puppies and kittens coming into the Humane Society went down by 8% in 2003. Already in 2004, they have seen a decrease in the overall intake at the Humane Society of 3.7% and another 8% drop on the intake of puppies and kittens.

X.

Motion made by Ms. Stewart to approve minutes of May 17, 2004 (Regular Meeting), and the June 2, 2004 (Special Meeting). Motion seconded by Mr. Adams and carried.

XI.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

By: _____
Jeffrey A. Horton, Chairman

Attest:

Deborah C. Ziegler
Clerk to Council