

July 19, 1999

A regular meeting of the Spartanburg County Council was held on Monday, July 19, 1999, at 5:30 p.m. in County Council Chambers, 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 J. E. Klugh, Interim County Administrator; Paula J. Wayne, Deputy County Administrator; Glenn Breed, Assistant County Administrator, Roy McBee Smith, County Attorney, Edwin Haskell and William McBee, Assistant County Attorneys.

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.

Invocations were rendered by Reverend Jim Oliver, Bethlehem Baptist Church, and the Honorable Jeff Horton.

3.

Mr. Harold Osborne led the Pledge of Allegiance.

4.

- A. Motion by Mr. Britt to adopt a resolution recognizing individuals involved in the design and development of the Marsha and Jimmy Gibbs Cancer Center. Motion seconded by Mrs. Stewart and carried.
- B. Motion by Mr. Horton to adopt a resolution recognizing Mr. Wilson Casey. Motion seconded by Mr. Nutt and carried.
- C. Mrs. Stewart presented Bernice Brewer and Ms. Millie Stein, members of the Spartanburg County Elder Abuse Committee, with the National Association of Counties Achievement Award for the Spartanburg County Roving Rural Elder Day Care Program.

5.

- A. Chairman Floyd declared a public hearing open in regard to an the proposed sale of property located on Laurens Road, Woodruff, South Carolina (block Map Reference 4-32-08-015.00) No one appeared. The Chairman declared the public hearing closed.
- B. Council held a joint public hearing with the Planning Commission pertaining to Ordinance amending Ordinance No. 452 as amended, so as to remove the Spartanburg County Council from the appeals process and to make certain other editorial corrections. Mr. Whitt Kennedy, Chairman of the Planning Commission, declared the hearing open. Mr. Haskell summarized the proposed amendments, stating that variances would be granted by the Board of Appeals, and Appeals would then go to the Circuit Court. Mr. Alec Evins, Attorney, appeared in support of the amendments. Mr. John Gramling stated that he is concerned that the avenue to our elected officials will be eliminated. Ms. Mary Jane Poole Stated that she does not want County Council removed from the process. She asked that Council put more emphasis on enforcing ordinances. Ms. Peggy Ferrell of Fairlane Drive requested that the public be notified of variance requests. Motion by Mr. Nutt to close the public hearing to allow the Planning

Commission to hold its required public hearing. Motion seconded by Mr. Britt and carried.

6.

No appearances scheduled.

7.

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

- A. Information was received from Karen Mitchell and Jack Bundy regarding an update of the activities of *Healthy Spartanburg!* Received as information only.
- B. Motion by Ms. Stewart to enter into a consulting agreement with Holmes & Associates relative to the Census 2000 Project. Motion seconded by Mr. Britt and carried.
- C. Motion by Mr. Horton to endorse a grant application for the development of a Regional Intermodal Transportation Plan. Motion seconded by Mr. Adams and carried.
- D. Motion by Mr. Huckaby to authorize a grant agreement between the South Carolina Budget and Control Board and Spartanburg County Water System for the installation of water lines on Spring Street in Pacolet. Motion seconded by Mr. Adams and carried.

Personnel and Finance Committee – Honorable Ken Huckaby, Chairman

- A. Motion by Mr. Huckaby to allow a 30 day extension to the contract for sale of the old EMS Headquarters on St. John Street. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Huckaby to render first reading to an ordinance assigning and transferring two cable franchises from Intermedia Partners Southeast to Charter Communications, LLC, with the stipulation that franchise fees due Spartanburg County will be paid prior to third reading. Motion seconded by Mr. Britt and carried.
- C. Updated financial data was received.

Recreation Committee – Honorable Jeff Horton, Chairman

- A. Motion by Mr. Horton to authorize Jeff Caton to proceed with contract negotiations for acreage for a recreation complex in western Spartanburg County. Motion seconded by Mr. Britt and carried.

Economic Recruitment and Development Committee – Honorable David Britt, Chairman

No items scheduled.

Public Safety and Judiciary Committee – Honorable Rock Adams, Chairman

- A. No action was taken regarding a technology grant for the Spartanburg County Sheriff's Department. This item carried over to August meeting.
- B. Information was received regarding FY 00 Fire Services Area Budgets. No action taken.
- C. Motion by Mr. Huckaby to render first reading to a proposed Ordinance prohibiting cruising in Spartanburg County at certain times in certain designated locations. Motion seconded by Mrs. Stewart and carried.
- 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 to August meeting (receive information and take desired action in reference to a proposed Storm Water Drainage Policy). Motion by Mr. Nutt to delete the \$12,500 cost limit and revise the language relative to cosmetic repairs. Motion seconded by Mr. Adams and carried. Revised policy to be presented at August meeting.
- C. Information was received regarding activities of the Public Works Department. No action taken.

8.

- A. Anna Coggins' appeal of the decision of the Planning Commission regarding the Roberts Property located between Sloans Grove Road and Fernwood Glendale Road was discussed. Chairman Floyd, Mr. Britt and Mr. Nutt have toured patio home subdivisions and have researched these developments. Mr. Britt stated that they found the variance to be consistent with other patio home subdivisions, and other patio homes have actually been built on smaller lots. The Comprehensive Plan incorporates this idea, and the public had an opportunity to review that Plan. Mr. Nutt encouraged those present to tour patio home developments in the County. No action was taken, and this item will be removed from the agenda. Chairman Floyd stated that she and other members of Council would schedule a meeting with the developer and neighbors to discuss safety concerns.
- B. Motion by Mr. Britt to render third 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, payment of a fee in lieu of taxes. Motion seconded by Mr. Huckaby and carried.
- C. Motion by Mr. Britt to render third reading to an Ordinance authorizing the execution and delivery of a lease agreement between Spartanburg County, South Carolina, 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. Huckaby and carried.
- D. Motion by Mr. Adams to authorize staff to enter into a contract for sale of property located on Laurens Road, Woodruff, South Carolina. Motion seconded by Mr. Britt and carried.
- E. Motion by Mr. Britt to render second 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. Huckaby and carried.
- F. Motion by Mr. Nutt to render second 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. Britt and carried.
- G. Motion by Mr. Britt to render second reading to an Ordinance amending Video Poker Ordinance Number 517 and 661. Motion seconded by Mr. Huckaby and carried.

9.

- A. Motion by Mr. Nutt to render first reading to an Ordinance amending Ordinance No. 429 (Spartanburg

Subdivision Regulations) Ordinance 477 (Spartanburg County Mobile Home Ordinance); and Ordinance No. 452 (Spartanburg County Development Standards Ordinance).

10.

No further information regarding vacancies.

11.

For nominations and appointments, see minutes of meeting held at 2:00 p.m. on July 19, 1999.

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 including in the office of the Clerk of Court for Spartanburg County.

14.

Motion by Mr. Horton to table the Ombudsman Program issue until the new Administrator is on board. Motion seconded by Mr. Adams and carried.

15.

Motion by Mr. Britt to approve minutes of June 21, 1999, July 8, 1999, July 10, 1999, July 11, 1999, July 13, 1999, and July 17, 1999. Motion seconded by Ms. Stewart and carried.

Motion by Mr. Britt to go into Executive Session at 7:30 p.m. Motion seconded by Mr. Horton and carried. Motion by Ms. Stewart to reconvene at 8:15 p.m. Motion seconded by Mr. Adams and carried. Motion by Mr. Britt to select Mr. Jim Hartmann as the new County Administrator. Motion seconded by Mr. Nutt and carried. Motion by Mr. Britt to empower the Personnel Committee to negotiate an employment contract for the new Administrator through the County Attorney's office. Motion seconded by Mr. Horton and carried.

Meeting adjourned.

Spartanburg County Council

By: _____

Karen Floyd, Chairman

Attested:

Lori A. Hinds

Clerk to Council