

April 19, 1999

A regular meeting of the Spartanburg County Council was held on Monday, April 19, 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 Ron Watterwhite, Friendship Baptist Church.

3.

Harold Osborne led in reciting the Pledge of Allegiance.

4.

No presentations scheduled.

5.

- A. A public hearing was held in reference to a request to enlarge the boundaries of the Liberty Chesnee Fingerville Water District to allow the proposed annexed area to receive water service in the immediate future. Chairman Floyd declared the hearing open. Mr. Mike Duncan, Attorney for the Water District, was present and stated that the parcel to be annexed is a small area which is part of a proposed subdivision. No one appeared in opposition. Chairman Floyd declared the hearing closed.
- B. A public hearing was held in reference 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 relating thereto. Chairman Floyd declared the hearing open. Mr. Robert Galloway, Attorney, was present and stated that \$3.1 million of the proceeds shall be expended on the Spartanburg Memorial Auditorium, and \$4.8 million of the proceeds shall be expended on Spartanburg Technical College. No one appeared in opposition. Chairman Floyd declared the hearing closed.

6.

- A. Mr. Chris Story of Share the Vision, appeared and provided a verbal and written update on the litter campaign.

7.

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

- A. Motion by Mr. Horton to accept the Annual Action Plan for Community Development Block Grant.

Motion seconded by Mr. Britt and carried.

PERSONNEL and FINANCE COMMITTEE – Hon. Ken Huckaby, Chairman

- A. Motion by Mr. Horton to approve an extension for the closing of sale on the former headquarters library. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Britt to approve a revision to the Personnel Policy to clarify that 15 days military leave is granted each calendar year rather than each fiscal year. Motion seconded by Mrs. Stewart and carried.
- C. Motion by Mrs. Stewart to authorize review of Estate Clerk positions in the Probate Court by the County's Personnel Consulting firm. Motion seconded by Mr. Britt and carried.
- D. Updated financial data was received as information.

RECREATION COMMITTEE – Hon. Jeff Horton, Chairman

No items scheduled.

ECONOMIC RECRUITMENT and DEVELOPMENT COMMITTEE – Hon. David Britt, Chairman

- A. Motion by Mr. Britt to enter into an Inducement Agreement and adopt a Resolution in regard to not less than \$10 million industrial expansion by SEW Eurodrive. Motion seconded by Mr. Huckaby and carried.
- B. Motion by Mr. Britt to enter into an Inducement Agreement and adopt a Resolution in regard to not less than \$15 million industrial expansion by Specialty Equipment Companies (Beverage Air). Motion seconded by Mr. Huckaby and carried.
- C. This item carried over. (Receive information in reference to 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.)

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

- A. Motion by Mr. Huckaby to approve entering into an agreement for a Local Law Enforcement Block Grant for the Sheriff's Department contingent upon the Sheriff and Ms. Wayne coming to an agreement on a funding proposal. Motion seconded by Mr. Nutt and carried.
- B. Motion by Mr. Horton to enter into a lease agreement with Motorola for radio consoles and equipment for the Communications/911 Center, with a funding plan as recommended by staff. Motion seconded by Mr. Nutt and carried.
- C. Motion by Mr. Horton to authorize staff to enter into three tower co-location agreements with BellSouth Mobility DCS and Airgate Wireless for towers on Westmoreland Street and Fairforest Road.
- D. Information was received regarding activities of the Building Codes Department.

PUBLIC WORKS, BUILDINGS and GROUNDS COMMITTEE – Hon. Frank Nutt, Chairman

- A. This item carried over (Receive information and take desired action in reference to Environmental Services Director Position.)
- B. Motion by Mr. Nutt to authorize staff to proceed with demolition of the old TB Hospital located on Broadcast Drive, with necessary funding available from an insurance settlement and monies remaining from the construction of the Detention Center. Motion seconded by Mr. Britt. A vote was taken with Mr. Horton voting no. The motion carried.

- C. This item carried over. (Receive information and take desired action in reference to a letter of consistency for the Palmetto Landfill).
- D. Motion by Mr. Nutt to authorize staff to advertise a minimum acceptable bid for the old library property in Woodruff on Laurens Road. Motion seconded by Mr. Horton and carried.
- E. Motion by Mr. Nutt to authorize staff to obtain an extension on a contract for the sale of the old EMS Headquarters Property on St. John Street and schedule a public hearing in reference to the proposed sale. Motion seconded by Mrs. Stewart and carried.
- F. No action was taken regarding a request from Mr. Steven Thomas regarding Reynolds Road, Cowpens. The item was tabled pending further information.
- G. Information was received regarding activities of the Public Works Departments.

8.

- A. Motion by Mr. Britt to render third reading to Ordinance O-99-003, as amended, 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. Motion by Mr. Britt to render second reading to the Unified Land Management Ordinance of Spartanburg County, South Carolina. Motion seconded by Mr. Horton and carried.
- C. Motion by Mr. Britt to render second reading to amendments to Ordinance O-99-002 relative to technical amendments to the Sexually Oriented Business Ordinance. Motion seconded by Mr. Horton and carried.
- A. This item carried over. (Receive information in reference to 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.)

9.

- A. Motion by Mr. Horton to adopt Resolution R-99-011 approving the enlargement of the boundaries of the Liberty Chesnee Fingerville Water District. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Horton to render first reading to an Ordinance to provide technical amendment 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 (5). Motion seconded by Mr. Nutt and carried.
- C. Motion by Mr. Huckaby to render first reading by title to FY 99/00 Annual Operating and Capital Improvements Budget for Spartanburg County. Motion seconded by Mr. Horton and carried.
- D. This item covered above under Economic Recruitment Committee. (Inducement Agreement and Resolution in regard to not less than \$10 million industrial expansion by SEW Eurodrive.)
- E. This item covered above under Economic Recruitment Committee. (Inducement Agreement and Resolution in regard to not less than \$15 million industrial expansion by Specialty Equipment Companies (Beverage Air)).

10.

There were no new vacancies noted.

11.

- A. Building Code Board of Appeals & Adjustments. Carried over.
- B. Inman Mills Fire District. Carried over.
- C. Affirmative Action Committee. Carried over.
- D. Lakewood Hills Special Tax District Commission. Carried over.
- E. Parks and Recreation Advisory Committee. Carried over.
- F. Tyger River Sewer Authority. Carried over.
- G. Fire Prevention & Protection Advisory Committee. Carried Over.
- H. Board of Junkyard Control. Carried over.
- I. Spartanburg County EMS Advisory Committee. Carried over.
- J. Employee Grievance Committee. Carried over.
- K. Emergency Communications Advisory Committee. Carried over.
- L. Assessment Appeals Board. Carried over.
- M. Accommodations Tax Advisory Committee. Carried over.
- N. Enoree Fire District Commission. Motion by Mr. Adams to waive rules, nominate and appoint Peggy Reeves and Donald Preston Reeves. Motion seconded by Mr. Horton and carried.
- O. Poplar Springs Fire District Commission. Carried over.
- P. Community Development Citizens Advisory Committee. Carried over.
- Q. Piedmont Community Action Board. Carried Over.
- R. Planning and Development Commission. Motion by Mr. Nutt to waive rules, nominate and appoint Ronald Edward Kirby Jr. to replace Matthew Howard Perry, who does not wish to serve. Motion seconded by Mr. Britt and carried.
- S. Una Community Fire Service Area. Carried over.
- T. Zoar Fire District Board. Carried over.

12.

There were no additional 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.

There were no additional miscellaneous administrative or Council matters noted.

15.

Motion by Mr. Adams to approve minutes of March 25, 1999, March 27, 1999, March 28, 1999; March 29, 1999; April 14, 1999 (Executive Sessions); and March 27, 1999 special meeting; and March 15, 1999 regular meeting. Motion seconded by Mr. Britt and carried.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

BY: _____

Karen Floyd, Chairman

ATTEST:

Lori A. Hinds

Clerk to Council