

May 17, 1999

A regular meeting of the Spartanburg County Council was held on Monday, May 17, 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 Ansley Belcher of First Presbyterian Church.

3.

Harold Osborne led in reciting the Pledge of Allegiance. The Chapman High School Airforce Jr. ROTC assisted.

4.

- A. Motion by Mr. Britt to adopt Resolution No. R-99-015 designating the Week of May 16 – 22, 1999, as Emergency Medical Services Week. Motion seconded by Mr. Horton and carried. Mr. Britt presented a copy of the Resolution to Mr. David Comer and Ms. Aleshia Moore and on behalf of the County's Rescue Squads. Mrs. Stewart presented a copy of the Resolution to representatives of Spartanburg EMS, who then dedicated the Resolution to Paramedic Trevor Johnston who was seriously injured in the line of duty on May 16, 1999.
- B. Motion by Mr. Britt to adopt Resolution No. R-99-016 in sponsorship of the Foothills Resource Conservation and Development Council, Inc. Motion seconded by Mrs. Stewart and carried.

5.

- A. A public hearing was held in reference to the proposed sale of the old EMS Headquarters Property located at 451 East St. John Street, Spartanburg, South Carolina. Chairman Floyd declared the hearing open. Mr. Chip Hurst was present and stated that he is a partner of the proposed purchaser. No one appeared in opposition and the hearing was declared closed.

6.

- A. Arnold Edward Applebaum, et al, was to appear to appeal the decision of the Spartanburg County Development Standards Board of Appeals dated March 23, 1999, granting a communications tower permit to Microcell Management. Chairman Floyd stated that Spartanburg County Council is changing the internal process as to how appeals are heard. Mr. Britt stated that he had reviewed the record, and conflicting information on which the decision was made. Motion by Mr. Britt to remand this matter back to the Planning Commission. Motion seconded by Mr. Huckaby and carried.
- B. Ms. Norma Martin appeared to appeal the denial of a variance by the Development Standards Board of

Appeals. Mike Padgett, Director of Building Codes, appeared to provide background information. Ms. Martin wants to place five mobile homes on her property. A variance is required because she does not have the required 50' road frontage. Ms. Martin owns 33.5 acres of property, which is restricted to prohibit subdividing. After a brief discussion, Mr. Britt asked if it would be possible for Ms. Martin to enter into an agreement stating that she will not subdivide the property. Ms. Martin said she was willing to do this. Mr. Haskell stated that he had not had the opportunity to review the information and was hesitant to make a recommendation. Motion by Mr. Nutt to carry this matter over to the June Council meeting to allow the County Attorney, Mr. Mike Padgett, and Ms. Martin to review the facts and attempt to resolve this matter. Motion seconded by Mr. Adams and carried.

7.

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

- A. Information was received in reference to the formation of a 2000 Census Complete Count Committee. No action taken.

PERSONNEL and FINANCE COMMITTEE – Hon. Ken Huckaby, Chairman

- A. Updated information was received from MIS staff regarding the accessing infrastructure project. Council will provide input through the Clerk to Council as to the design and appearance of the Web Page.
- B. Updated financial data was received.

RECREATION COMMITTEE – Hon. Jeff Horton, Chairman

- A. Motion by Mr. Horton to provide up to \$145,000 to complete the north access road and parking area at the proposed Lake Blalock Park, with funding to be allocated from the proceeds of the sale of the Old EMS Headquarters Property on East St. John Street. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Horton to proceed with the conveyance to Vic Bailey Ford of a .11 acre parcel of property located near T. K. Gregg Recreation Center and Brotherhood Park.
- C. Motion by Mr. Horton to authorize an expenditure of \$31,749 from existing Parks and Recreation Accounts to sub in an additional 5,800 square feet of floor joists to allow for a future second story at the Woodruff Recreation Complex. Motion seconded by Mr. Adams and carried.

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

- A. Motion by Mr. Britt to maintain the Private Industry Council service area as is rather than reorganizing as requested by Greenville County. Motion seconded by Mr. Huckaby and carried.

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

- A. Motion by Mr. Adams to authorize the Planning Commission and Interim Administrator to negotiate with a consultant for fees for ongoing support as needed on a trial basis relative to the evaluation of wireless communication facilities. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Huckaby to enter into a labor agreement with the South Carolina Department of Corrections. Motion seconded by Mr. Horton and carried.

C. 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 approve a request for a letter of consistency for a 1.5 acre land clearing debris landfill (Sloan Moss Black Landfill). Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Nutt to approve a request for a letter of consistency for a 5 acre land clearing debris and yard trash landfill (Brown Road Landfill). Motion seconded by Mr. Horton and carried.
- C. This item carried over (Receive information and take desired action in reference to Environmental Services Director Position.)
- D. Information was received regarding activities of the Public Works Departments.

8.

- A. Motion by Mr. Britt to carry this item over. Motion seconded by Mrs. Stewart and carried. (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.)
- B. Motion by Mr. Horton to render second 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. Huckaby and carried.
- C. Motion by Mr. Huckaby to render second reading by title to FY 99/00 Annual Operating and Capital Improvements Budget for Spartanburg County. Motion seconded by Mr. Horton and carried.
- D. Motion by Mr. Nutt to accept an offer of \$145,000 and authorize the sale of the old EMS Headquarters Property located at 451 East St. John Street, Spartanburg, SC. Motion seconded by Mr. Britt and carried.
- E. Updated information was received regarding Local Option Sales Tax. Council will make a decision as to whether or not to place this matter on the ballot by June 1, 1999.

9.

- A. Motion by Mr. Huckaby to render first 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, the payment of a fee in lieu of taxes. Motion seconded by Mr. Britt and carried.
- B. Motion by Mr. Britt to render first 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) as lessee; and other matters relating thereto, without limitation, payment of a fee in lieu of taxes. Motion seconded by Mr. Huckaby and carried.

10.

There were no new vacancies noted.

11.

- A. Building Code Board of Appeals & Adjustments. Motion by Mr. Nutt to waive rules, nominate and appoint Mike Forrester to the Building Code Board of Appeals and Adjustments. Motion seconded by Mr. Britt and carried.
- 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. Motion by Mr. Nutt to waive rules, nominate and appoint Mr. Rand Peterson to the Assessment Appeals Board. Motion seconded by Mr. Britt and carried.
- M. Accommodations Tax Advisory Committee. Carried over.
- N. Poplar Springs Fire District Commission. Carried over.
- O. Community Development Citizens Advisory Committee. Carried over.
- P. Piedmont Community Action Board. Carried Over.
- Q. Una Community Fire Service Area. Carried over.
- R. Zoar Fire District Board. Carried over.

The Chairman stated that in the future, Council will convene at 2:00 p.m. to discuss Board/Commission Appointments prior to the regularly scheduled Council Committee Meetings.

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.

Budget Work Sessions were scheduled for May 25, 26 and 28. Budget Public Hearing was scheduled for June 14, 1999.

15.

Motion by Mrs. Stewart to approve minutes of April 17, 1999 Retreat; April 19, 1999 Regular Meeting; April 22, 1999 Special Meeting; April 28, 1999 Executive Session, and May 4, 1999 Special Meeting. Motion seconded by Mr. Britt and carried.

Meeting adjourned.

SPARTANBURG COUNTY COUNCIL

BY: _____

Karen Floyd, Chairman

ATTEST:

Lori A. Hinds, Clerk to Council