

September 20, 1999

A regular meeting of Spartanburg County Council was held on Monday, September 20, 1999, at 5:30 p.m. in County Council Chambers, County Administrative Office Building. The following were present: Honorables Karen Floyd, Chairman; Johnnye Code Stewart, David Britt, Jeff Horton, Rock Adams, Ken Huckaby and Frank Nutt, Council Members. Also in attendance were James K. Hartmann, County Administrator; Paula Wayne, Deputy County Administrator; Glenn Breed, Assistant County Administrator; and William McBee Smith, Assistant County Attorney.

In compliance with the Freedom of Information Act, notice of this meeting was provided in advance to local news media and other interested persons.

I.

Chairman Floyd called the meeting to order.

II.

Invocation was rendered by Rev. Thraikill of Mt. Calvary Presbyterian Church.

III.

Boy Scout Troop Six from the New Prospect Community led in the Pledge of Allegiance.

IV.

A. Motion by Mr. Huckaby to adopt a resolution and present the International Association of Emergency Managers Media Award. Motion seconded by Mr. Britt and carried.

V.

- A. Chairman Floyd declared a public hearing open in regard to the assignment of certain lease agreements between Spartanburg County, South Carolina and Hoechst Celanese Corporation to Johns Manville Corporation. Mr. Hartmann provided Council with background information. No one appeared and the hearing was declared closed.
- B. Chairman Floyd declared a public hearing open in regard to the proposed enlargement of the Spartanburg Sanitary Sewer District (Fernwood-Glendale/Sloans Grove Road Area Annexation). Mr. Dwight Patterson, Attorney for the Sewer District, appeared along with Janet Cann and Graham Rich. Mr. Patterson explained that high density housing is being built in the area that cannot be served by septic tanks. Residents would be in the sewer district, but would not be charged sewer fees unless they chose to hook up. They would pay an additional ad valorem tax, which would amount fo an additional \$52.00 per year on a \$100,000 home. Mr. Black appeared in

opposition. There were no other appearances and the hearing was declared closed.

- C. Chairman Floyd declared a public hearing open in regard to the appeal of Doris Giles and Stanley Pack relative to the decision of the Development Standards Board of Appeals as it relates to a variance on the rear lot line setback for property located at 3115 Boiling Springs Road. Ms. Giles and Mr. Pack did not appear. Ms. Floyd dismissed the appeal, stating that Mr. Giles and Mr. Pack forfeited their right to appeal by not appearing at this Public Hearing.

VI.

Mr. Chris Story appeared to give an overview of Share the Vision's main objectives for the fall. He also provided an update regarding the litter and community appearance initiative.

Mr. John Perry from USCS appeared to review a proposal for the location of a National Guard Armory on campus. The Army National Guard has contacted the school with this proposal. School officials have met with the Commission on Higher Education and a motion was made to allow the Chancellor to pursue this matter. If this matter goes any further, the University will bring a land lease before council.

VII.

Public Health and Human Resources – Honorable Johnnye Code Stewart, Chairman

- A. Motion by Ms. Stewart to authorize staff to enter into a memorandum of agreement with the Spartanburg Area Mental Health Center. Motion seconded by Mr. Britt and carried.
- B. Updated information was received regarding Saxon Area Conditions.
- C. First reading by title was rendered to an Ordinance amending the Mobile Home Ordinance (No. 491) to remove grandfather clauses and require tiedowns, skirting and stairs for all mobile home parks in the County.

Personnel and Finance Committee – Honorable Ken Huckaby, Chairman

- A. Motion by Mr. Huckaby to approve an expenditure of \$4,804 from Council contingency to help cover conference costs of the NACo 2000 Annual Conference. Motion seconded by Mr. Horton and carried.
- B. Information received regarding updated financial data. No action taken.

Recreation Committee – Honorable Jeff Horton, Chairman

No items scheduled.

Economic Recruitment and Development Committee – Honorable David Britt, Chairman

- A. Motion by Mr. Britt to issue a letter of concurrence relative to the Appalachian Council of Governments Comprehensive Economic Development Strategy. Motion seconded by Mr. Nutt and carried.
- B. Motion by Mr. Britt to authorize the County Administrator to negotiate an inducement and millage rate agreement with KMC Telecom, Inc., with final approval to be given by the Economic Recruitment and Development Committee. Motion seconded by Mr. Nutt and carried.
- C. Motion by Mr. Britt to adopt a Resolution consenting to a redevelopment plan of the City of Spartanburg, South Carolina, and the issuance of obligations to finance the redevelopment project pursuant to the provisions of Title 31, Chapter 6 of the Code of Laws of South Carolina, 1976, as amended; and other matters incidental thereto, subject to final review by the County Attorney. Motion

seconded by Ms. Stewart and carried.

Public Safety and Judiciary Committee – Honorable Rock Adams, Chairman

- A. This item carried over. (Proposed Ordinance prohibiting cruising in Spartanburg County at certain times in certain designated locations.)
- B. Motion by Mr. Huckaby to render first reading by title to an Ordinance changing the name of the Zoar Fire Service Area to the Tyger River Fire Service Area. Motion seconded by Mr. Nutt and carried.
- C. Information was received regarding activities of the Building Codes Department with no action taken.

Public Works, Buildings and Grounds Committee - Honorable Frank Nutt, Chairman

- A. Motion by Mr. Nutt to authorize the County Administrator to negotiate a contract with Lee Blair for part-time executive staffing to enhance transportation project management and strategic multi-modal transportation planning. Motion seconded by Mr. Horton and carried.
- B. Motion by Mr. Nutt to enter into a contract and expend \$118,000 from Council contingency to supplement the Spartanburg Humane Society budget. Motion seconded by Huckaby. Motion by Mr. Britt to enter into a contract and expend \$118,000 from the Palmetto Landfill Fund to supplement the Spartanburg Humane Society budget. Motion seconded by Mr. Adams and carried.
- C. This item carried over to give Committee members opportunity to visit site. (Request to replace bridge on Carver Mill Road).
- D. This item carried over to give Committee members opportunity to visit site. (Request to replace bridge on Farmer Road).
- E. Information was received regarding activities of Public Works Department. No action taken.

VIII.

- A. Motion by Mr. Horton to render third reading to an Ordinance relating to the fiscal affairs of the fire service areas in Spartanburg County. Motion seconded by Mr. Nutt. Mr. Hartmann reviewed the recommendations of staff. A vote was taken and the motion carried.
- B. Motion by Mr. Britt to render third reading to an Ordinance, as amended, approving the assignment and transfer of two cable television franchises from Intermedia Partners Southeast to Charter Communications, LLC. Motion seconded by Mr. Nutt and carried.
- C. Motion by Mr. Britt to render second reading to an Ordinance consenting to the assignment of certain lease agreements between Spartanburg County, South Carolina, and Hoechst Celanese Corporation to Johns Manville Corporation. Motion seconded by Ms. Stewart and carried.

IX.

- A. Motion by Mr. Britt to carry this item over. Motion seconded by Ms. Stewart and carried. (Receive information and take desired action in reference to a proposed Resolution approving the enlargement of the boundaries of the Spartanburg Sanitary Sewer District (Fernwood-Glendale/Sloans Grove Road Area).
- B. First reading by title was rendered to an Ordinance repealing Ordinance Nos. 85 and 472 which provided for the creation of the Spartanburg County Parks and Recreation Advisory Committee.
- C. Motion by Mr. Huckaby to issue a permit for special public event exclusion from the noise ordinance to Michael Greer (Greer Dragway) for October 14, 1999, from 6:00 p.m. until 10:00 p.m.; with a rain date of Saturday, October 16, 1999, if needed; and November 20, 1999, from 9:00 a.m. until 10:00 p.m., with a rain date of November 27, 1999, if needed. Motion seconded by Mr. Nutt and carried.
- D. Motion by Mr. Horton to issue a solicitation permit to the Knights of Columbus. Motion seconded by Mr.

Adams and carried.

X.

No further information regarding vacancies.

XI.

See minutes from 2:00 p.m. meeting this date for nominations and appointments.

XII.

No further appointments.

XIII.

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.

XIV.

Possible meeting dates were discussed to set levies.

XV.

Motion by Ms. Stewart to approve the minutes of August 16, 1999 (regular meeting) and August 30, 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