

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA**

Regular Meeting - January 17, 1995 - 7:00 p.m.
Linda N. Gilstrap, Clerk

M I N U T E S

PURSUANT TO SECTION 30-4-80 OF THE STATE FREEDOM OF INFORMATION ACT THE FOLLOWING PERSONS/ORGANIZATIONS WERE NOTIFIED BY MAIL AND/OR FAX OF THIS MEETING:

G. Fred Tolly, Jr., William Floyd, Harvie Banister, Ernie Garrison, Bruce Gerrard, Tom Martin, INDEPENDENT MAIL, GREENVILLE NEWS, WYFF - CHANNEL 4 TELEVISION, WSPA - CHANNEL 7 TELEVISION, WLOS - CHANNEL 13 TELEVISION, CATV (AND. CABLE), CENCOM CABLE TV, EASLEY PROGRESS, Matt Phillips- WRIX RADIO, Bill Meade-THE JOURNAL, Roy Ethridge - AND. MONITOR, WAIM RADIO, WCCP RADIO, Joe Newton-COUNCIL OF GOVERNMENTS, Rosemary Garrick-SENIOR REFLECTIONS, Brantley Jordan (picked up and paid for).

A regular meeting of the Anderson County Council was held on January 17, 1995 at 7:00 p.m. in the Anderson County Council Chambers - Old Courthouse - Second Floor.

PRESENT

G. Fred Tolly, Jr. - District #1
William A. Floyd - District #2
Harvie E. Banister - District #3
Ernie Garrison - District #4
Bruce Gerrard - District #5
Tom Martin - County Attorney
Gary A. Smoak - Administrator
Linda N. Gilstrap, Clerk

Chairman Garrison called the meeting to order and Mr. William Floyd gave the invocation. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted unanimously to approve the December 20, 1994, January 3, & January 10, 1995 minutes as mailed.

Chairman Garrison presented first reading of Ordinance #95-002 - an ordinance to provide supplemental appropriations for the 1994-1995 fy budget. Mr. Smoak explained that the budget supplement was to transfer monies from last year to this year for items that were budgeted & purchased last year but not paid for until after July 1 of this year and is simply a formality. Another reason is to provide for some equipment that was budgeted in this years' budget but for some reason, in which no one can explain, after it was approved the monies were dropped. This equipment includes two backhoes, two motorgraders, two flatbed trucks, and two utility trailers. The road tractor that Council approved the purchase at the last meeting, contingent upon the adoption of this ordinance, will not be delivered until December; therefore, this can be paid for out of the next budget. The total figure at this point will be \$743,847 instead of \$806,973. The amount in the Public Works-Maintenance budget will be \$399,663 instead of \$462,789. \$541,417 is coming over from the obligated fund balance and \$202,430 is from the unrestricted fund balance, he said. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Garrison explained that the next item on the agenda; Ordinance #387 which is an ordinance to provide requirements and guidance to County Councils for the conduct of meetings, and for other procedures as may be employed by local governments was for information and discussion only. He said there were 2-3 minor changes that he would like to make and thought that Council may want to study to see if there are any changes they wish to make.

Mr. Smoak recommended the purchase of three flat bed trucks at a unit price of \$28,103. One is budgeted and the funds for the other two are included in the budget supplement. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak presented bids for an Image Capture Station to be used jointly by the Sheriff's Department and the Detention Center. The sole source bid from TFP, Inc. is \$61,011.70. This equipment will allow them to put mug shots on the computer for storage. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak presented bids for sewer for the SC 24 Sewer construction project. He said that the low bid was Young Plumbing in the amount of \$268,897.50. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak presented a request to sell the Piedmont Library Property which includes an old burned out building. The high bid for \$5,000 was recommended from Tru Tint Painting. Mr. Floyd moved to accept the proposal to sell and Mr. Banister seconded. Vote was unanimous.

Mr. Smoak presented a request to resume maintenance on County road C-12-47A known as Vickery Circle. For the County to pick up the maintenance on the road once again will cost \$1,800 (approximately) to scrape and add stone. This will be a maintenance situation as a dirt road once this work is complete. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak said that the Town of Pendleton had asked for the County's assistance with utilizing County staff with reviewing the Stormwater & Sediment Control Plans and the inspection of the new roads in the Town. Mr. Smoak said that the County did not have a certified person to do the Stormwater & Sediment & Control Plans and the state is presently doing the County's. The County can do the inspections of the new roads. Mr. Banister moved to grant the request after an employee is certified and Mr. Floyd seconded. Mr. Garrison said that this is a service to our citizens living inside of a municipality.

Mr. Smoak presented the annual contract for law enforcement services at Hartwell Lake recreation areas. Mr. Floyd moved to approve the contract and Mr. Banister seconded. Vote was unanimous.

Mr. Smoak explained that the law requires the Counties, every four years, to notify the Senators representing each County, the number of full-time and part-time magistrate positions available, hours required by each, compensation and area to be served by May 1, 1995. He presented Chief Judge Carl Anderson's recommendations and called attention to the following changes: change Magistrate Charles McDowell's salary from \$18,519 to \$14,872 (ministerial magistrate). The same salary will be for the blank spot. The total figure proposed is \$349,560. He said that Judge Rogers, Pelzer magistrate, retired December, 1994 and the position will be used as a ministerial magistrate for the Detention Center and Charles McDowell will not be reappointed leaving his slot a new position as a ministerial magistrate. The Starr position is only funded until April, 1995. Mr. Banister moved to accept the recommendations and to include the Starr magistrate and Mr. Gerrard seconded. Any monies needed to fund the Starr position from May 1 until July 1 will be transferred from the Contingency Fund. Council discussed. The County currently has 4.75 positions at this time. The number authorized by state law is 5.25. Mr. Tolly moved to amend the motion to include a part-time magistrate for the Town of Pelzer and asked that Senator Billy O'Dell be notified. Mr. Banister seconded the amendment and vote was unanimous. Vote on the original motion as amended was unanimous.

Mr. Floyd talked about the hiring freeze and the hiring of the new crews in the Public Works Department. He asked about either lifting the freeze or instructing the Public Works Department to go ahead on this request. Mr. Floyd moved to instruct Mr. McClure to go ahead and hire the needed crews and Mr. Banister seconded. Vote was unanimous.

Mr. Tolly moved to go into executive session at 7:35 p.m. to discuss contractual matters and Mr. Floyd seconded. Vote was unanimous.

Mr. Floyd moved to come out of executive session back into regular session at 9:20 p.m. Mr. Tolly seconded and vote was unanimous.

Mr. Garrison stated that during executive session, Council discussed two economic development matters and one contractual matter. No action was taken.

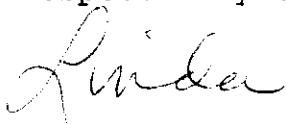
Mr. Tolly moved to take no action on the Hotel and Golf Complex on the Civic Center property at this time. Mr. Floyd seconded and vote was unanimous.

Mr. Gerrard moved to allow the Director of Economic Development to proceed with negotiations as discussed in executive session. Mr. Banister seconded and vote was unanimous.

Council heard from Mr. Melvin Robinson, a concerned citizen. Mr. Robinson talked about citizens having the right to legal assistance in magistrate court and said he feels that citizens are being denied legal representation by the magistrates. Council received as information.

There being no further business, Council adjourned at 9:35 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL