

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - August 6, 1996 - 4:30 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, David Watson, Jack McIntosh, 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, WAIM RADIO, WCCP RADIO, Joe Newton-COUNCIL OF GOVERNMENTS, Rosemary Garrick- SENIOR REFLECTIONS, Brantley Jordan.

PRESENT

Chairman Ernie Garrison, District #4
G. Fred Tolly, Jr. - District #1
William A. Floyd - District #2
Harvie E. Banister - District #3
Bruce Gerrard - District #5
Jack McIntosh, Interim County Attorney
David Watson, Interim Administrator
Linda N. Gilstrap, Clerk

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, August 6, 1996 at 4:30 p.m.

Mr. William Floyd gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve the July 9, 1996 and July 16, 1996 minutes as mailed.

Council heard from Mr. Frank Elrod concerning item 8(e) on the agenda; Cove Inlet Subdivision Boat Ramp - District #5. Mr. Garrison advised Mr. Elrod that the item was pulled from the agenda for further information. Council heard from Ricky Owenby concerning a mobile home permit that he purchased from Building and Codes and the problems that he was experiencing with them. Council heard additional comments from the owner of the mobile home.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to approve third and final reading of Ordinance #96-006 - an ordinance finding that Homeland Park Water District Commission to issue such bonds and to provide for the publication of notice of the said finding and authorization.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve second reading of Ordinance #96-007 - an ordinance granting consent to the sales, transfer and assignment of the non-exclusive cable franchise to Charter Communications II, L.P. on second reading.

On the motion of Mr. Tolly, seconded by Mr. Floyd, Council voted unanimously to approve second reading of Ordinance #96-008 - an ordinance to exchange real estate owned by Anderson County for real estate owned by Anderson Area Medical Center.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve second reading of Ordinance #96-009 - an ordinance authorizing the transfer of certain real property by special warranty deed from Anderson County, South Carolina, a body politic and corporate and a political subdivision of the State of South Carolina, to Glen Raven Mills, Inc.

Mr. Banister moved to approve second reading of Ordinance #96-012 - an ordinance to authorize the sale of real estate consisting of a residence and 6.67 acres of land (Craytonville Fire Tower), and Mr. Gerrard seconded. The County Attorney, Jack McIntosh, explained that of the 6.67 acres of land there was 1.92 acres conveyed off for a fire tower; therefore the actual amount is 4.75 acres. Mr. Banister amended to the motion that the sale be the actual amount of 4.75 instead of the 6.67 and Mr. Gerrard seconded. Vote was unanimous. Vote on the original motion as amended was unanimous.

On the motion of Mr. Tolly, seconded by Mr. Gerrard, Council voted unanimously to approve first reading of Ordinance #96-010 - an ordinance to amend the tax collecting procedure for Sedgewood Subdivision to place the tax burden on real estate only. (This was approved by title only).

Mr. Tolly moved to approve first reading of Ordinance #96-011 - an ordinance authorizing the execution and delivery of \$4,000,000 Principal amount Anderson County, South Carolina, Tax-exempt adjustable mode Industrial Development Revenue bonds, series 1996 for Mikron Corp. Anderson Project. Mr. Floyd seconded. Council discussed. Vote was two in favor (Floyd, Tolly), one opposed (Banister) and two abstentions (Garrison, Gerrard). Motion carried. Council will talk about this ordinance further in executive session.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve first reading of Ordinance #96-013 - an ordinance authorizing the amendment of that certain lease agreement between Anderson County and Glen Raven Mills, Inc. (to reflect the correct millage rates in effect).

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve first reading of Ordinance #96-014 - an ordinance authorizing the issuance and sale of not exceeding \$1,500,000 Anderson County, South Carolina, Special Source Revenue Bonds (Glen Raven Mills, Inc. Project).

The next item on the agenda 4(a): RESOLUTIONS: R96-025 for Mikron will be discussed in executive session.

Mr. Banister moved to appoint Bobby Kinard, 212 Grady Circle, Starr, SC (phone: 296-9120) to the Planning Commission and reappoint Mr. Willis McGee to the Planning Commission. Mr. Gerrard seconded the motion and vote was unanimous. Mr. Kinard will replace Mr. Nehme.

Mr. Gerrard moved to appoint Mr. M.L. "Pete" Hopkins, 223 Hopkins Road, Townville, SC to the Anderson County Airport Commission. This appointment will replace Mr. David Peters. Mr. Banister seconded and vote was unanimous.

Mr. Garrison asked that 5(c) Appointments - be delayed until the next meeting. Council agreed.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve an emergency purchase for one - front end loader truck for \$59,500 from Nu Life Environmental and the transfer of \$31,000 from account 420-5954/000-423 to 420-5954/000-419, as recommended by the Interim County Administrator. This will replace the truck that burned.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve change order #2 for the Rock Tenn Sewer Project for \$17,407.00. This change is necessary to cover cost of 305.5 CY rock excavation and to avoid unmarked pipe.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to approve change order #5 for I85/SC 86 Sewer Project. This is a deduct of \$972.00 and was made possible by slight line location change to avoid boring under a road.

Mr. Floyd explained that according the response back from the County Attorney the following recommendation is not an ethical violation. He then explained that \$35,384 was needed to replace a 2" water main with a 4" main (2800') on Ramona Drive and Johns Avenue and install 52 new taps. The new line will be in the front of the roads. Mr. Jerry Cox with Broadway Water explained the project. Mr. Floyd moved to spend \$17,692 toward the project and the needed money to come from the District #2 paving account. Mr. Tolly seconded the motion and vote was unanimous.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve a matching grant from the State Budget and Control Board for the Big Creek Water and Sewer District for construction of 8,900 LF of 6" water mains and 37,000 LF of 3" water mains to provide potable water in the Rector Road area currently served by private wells. The County's share would be \$50,000 to come from District #2 paving fund. Mr. Banister suggested that Council discuss limitations/uses of the paving funds for purposes other than paving. Council agreed.

Mr. Floyd moved to approve the expenditure of \$6,000 from District #2 Recreation Fund for tables, chairs, storage cabinet, and repair to floors and walls of the Johnson-Broadview Estates Community Center. Mr. Banister seconded the motion and vote was unanimous.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to correct a drainage problem behind and beside Beulah Land Baptist Church by cleaning out the ditches estimated at \$800.00. This will enable to allow the church to install a septic tank and was recommended by the Public Works Director, J.R. McClure.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to construct a "cul-de-sac" type turn around on Dean Road (C-04-53A) to allow school buses and emergency vehicles to turn around. The cost estimate is estimated at \$1,040. The proper right-of-ways are signed and was recommended by the Public Works Director, J.R. McClure.

On the motion of Mr. Tolly, seconded by Mr. Floyd, Council voted unanimously to build and repair drainage berm on property owner Alonzo Beasley's property on Chelmsford Drive (C-01-29E) in Sedgewood Subdivision. The right-of-way agreement is signed, and is recommended by the Public Works Director, J.R. McClure.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to install a 20' section of 18" corrugated metal pipe and construction of a swale approximately 60 feet in length to correct a water problem on Cole Circle (C-9-88). The proper right-of-way easement has been signed by Mr. Oscar Russell and is recommended by J.R. McClure.

On the motion of Mr. Gerrard, seconded by Mr. Tolly, Council voted unanimously to resume maintenance on Cassena Drive (C-11-31A) off 187 South as recommended by the Public Works Director.

Mr. Floyd moved to approve a request from Duke Power to open cut some roads (only the roads on list provided in packet) in order to install a 20" water line. Mr. Tolly seconded the motion. Council discussed. Mr. J.R. McClure stated and recommended that this be approved. Mr. Gerrard stated that he would abstain because he is an employee of Duke Power. Vote was three in favor (Floyd, Tolly, Banister), one opposed (Garrison) and one abstention (Gerrard). Motion carried.

On the motion of Mr. Gerrard, seconded by Mr. Tolly, Council voted unanimously to approve a request for 120' of 15" pipe for Darby Metal Works as recommended by the Public Works Director. The cost is approximately \$6 per foot. The needed money will come from the Economic Development account.

Mr. Gerrard moved to approve a request from Building & Codes for \$16,112 from Contingency Fund for over-time pay for the Building Inspectors. Mr. Floyd seconded for discussion purposes. After discussion vote was none in favor and five opposed. Motion failed.

Mr. Jacky Hunter talked about the Solid Waste Tipping Fee. He explained that the County had a request from the Municipal Association asking that the County do the billing on the commercial tipping fee for those businesses located within Municipalities. The County is concerned with how to deal with those that do not pay. He recommended that the County receive a list of those commercial businesses from the municipalities, do the billing out of the Finance Department and collect the fees there. He said that the County needed to meet with the Municipalities to make sure they agree to assist the county collecting delinquent accounts. They would be notified of delinquent commercial accounts and ask that pick-up cease of their Solid Waste until the fee is paid to Anderson County. Mr. Banister moved to instruct Mr. Watson to proceed as discussed in the letter. Mr. Hunter and Mr. Watson will meet with the Municipal Association and report back to Council. Mr. Gerrard seconded and vote was unanimous.

On the motion of Mr. Tolly, seconded by Mr. Floyd, Council voted unanimously to approve \$18,320 from the Sewer Enterprise Fund to provide items for a new position in the Sewer Department that was approved in the 1996-1997 budget. Items such as a vehicle, vehicle insurance, vehicle gasoline, uniform, & training was omitted from the Department's budget request and is estimated at \$18,320.

Mr. Garrison stated that he would begin meeting on Monday mornings at 8:30 a.m. with Mr. Pearson, Mr. McClure to discuss the Glen Raven Sewer project.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to go into executive session at 6:15 p.m. to discuss contractual, personnel, economic and legal matters.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to come out of executive session back into regular session at approximately 9:30 p.m.

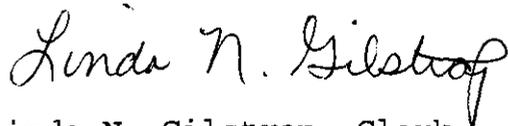
The County Attorney was asked to state the following motion for Council's consideration. Motion: That Anderson County amend its Resolution of February 20, 1996 which offered Fee-in-Lieu of Tax benefits to Michelin and Special Source revenue bonds for

certain infrastructure costs, and extent to Michelin an Inducement by allowing an assessment ratio of 4% at a fixed rate for 30 years provided the Company meets the requirements of the Rural Development Act of 1996. The interest would be for at least \$200 million at the Sandy Springs Plant over the next 8 years and increase employment by 200 persons. Mr. Banister moved to approve the motion as stated above by the County Attorney and Mr. Floyd seconded. Vote was unanimous.

Mr. Floyd stated that at the last meeting the Resolution that was approved dealing with the transfer of an employee's sick leave should take affect as approved at that time; however, the Attorney said that in order to amend the Personnel Policy, as pointed out to him, should be done by Ordinance and recommends that Council pursue that sometime in the future.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to adjourn at approximately 9:35 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL