

ORIGINAL

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - July 16, 1991 - 7:00 p.m.
Linda N. Gilstrap, Clerk

M I N U T E S

A regular meeting of the Anderson County Council was held on July 16, 1991 at 7:00 p.m. in the Anderson County Courthouse-Courtroom. Chairman Mike Holden presided.

PRESENT

Bob Waldrep - District #1
David L. Hooper - District #2
Harvie E. Banister - District #3
Ed Allgood - District #4
Mike Holden - District #5
Tom Martin - County Attorney
David Standeffer
David Watson - County Administrator
Linda N. Gilstrap - Clerk

Chairman Mike Holden called the meeting to order and Mr. David Hooper gave the invocation. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Holden, seconded by Mr. Banister, Council voted unanimous to approve the June 18, 1991 minutes as mailed.

Mr. Tom Martin, County Attorney, said that the Municipal Association asked that County Council address the issue of a local option sales and use tax within the Anderson County area. State law authorizes County Councils to call for another referendum. A proposed ordinance was presented for Council's consideration on first reading. Mr. Holden moved to approve on first reading and place the question on the ballot as described in the Ordinance. Mr. Waldrep seconded the motion and vote was four in favor on one opposed (Allgood). The ordinance must receive three readings by September 1.

Mr. Martin presented to Council for information only an ordinance addressing the enforcement and collection of the Anderson County Solid Waste Household fee. This would be an amendment to the 1991-1992 fy budget (Ordinance #331). The ordinance created the fee but did not create any enforcement provisions for the collection of it. The ordinance will be placed on the next agenda for first reading.

Mr. Martin presented a resolution for information concerning a request from Pickens County asking that Anderson County initiate an annexation process for a thirty-four acre tract of land being used as a park. All of the land is within the municipality of City of Clemson and is a tax free area. One change requested by Mr. Stephen Crawford would be to

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add that Anderson County Council require that no additional fees be charged to Anderson County citizens other than that which would be charged to Pickens County citizens. Council received as information. The resolution will be placed on the next agenda.

Mr. Holden explained that the Animal Control ordinance would not come up for action tonight.

Mr. Ed Allgood presented his proposal on a centralized magistrates system in Anderson. The proposal includes computer terminals, fax machines, printers and a secretarial pool. He said that there would be three full time magistrates at the Courthouse, seven part time magistrates, two ministerial magistrates, one School District #5 (full time) magistrate. This would a total of 13 magistrates and six secretaries. The proposal would give the County total control. The Chief Magistrate would direct the duties of the magistrates. Mr. Allgood moved that his proposal be adopted and sent to the Anderson County Delegation and Governor's Office. Mr. Martin explained that it was a requirement of State law that the governing body of the County provide certain information to the Senatorial Delegation within 60 days of enactment of the particular statute in question. This would be August 11. No additional funding will be needed for the proposal. Mr. Waldrep moved to approve Mr. Allgood's plan with the centralized court and 13 magistrates. All present magistrates will remain in their same locations. Three magistrates will be located at the courthouse. Mr. Hooper said he would not vote to bring three magistrates to the Courthouse. Judge Anderson, Judge Steele and another new position would be at the courthouse according to the proposal. Council heard from Judge Carl Anderson. Council must determine the number of full time, part time magistrates, their hours, compensation and general location of each position. Anything not provided will revert back to the way it was done last year. Mr. Waldrep amended his motion that Council approve the number of magistrates being 13. Mr. Banister seconded the motion. Mr. Holden said that Mr. Allgood had a motion on the floor. Mr. Banister withdrew his second. The Chief Magistrate has the power to assign duties and locations. Mr. Martin said that the new chief magistrate would have an increase in compensation and a decrease in the prior chief magistrate's salary. The Chief magistrate is responsible for the assignment of magistrates in the entire county. Mr. Waldrep renewed his motion that the 13 magistrates be approved and to maintain the time that they are presently working. Mr. Banister recommended that it be left as it presently is and allow the chief magistrate to assign the magistrates as needed. Mr. Waldrep included that in the motion and Mr. Banister seconded. Mr. Hooper amended the motion to include the computerization of the magistrates. Mr. Waldrep added to include computer centralization to his motion. It was understood by all members that all magistrates positions can be utilized by the Chief Magistrate as needed. Motion was 5-0.

Mr. Stephen Crawford asked for Council approval for the appropriation of \$9,000 to purchase and install playground equipment at the Pendleton Elementary School. This is District #4 - Recreation Money. Mr.

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Allgood moved to approve the expenditure and Mr. Banister seconded. Vote was unanimous.

Mr. Gene Davis appeared before Council with a problem with a neighbor discharging firearms within the proximity of his home. He asked Council to consider a county ordinance to cover his problem. Council received as information. Council asked that the County Attorney take a look at what might be available for a solution. Mr. Banister asked that the ordinance include bow and arrows. Mr. Martin reported that Planning & Development was reviewing the comprehensive plan for the county which could address the problem. Mr. Burns said it was about two weeks away from completion.

Mr. David Acker, Anderson County Fire Marshall, explained to Council a problem with road name changes with the 911 system. He explained several instances that caused problems with road names being constantly changed and asked Council for some type solution. Mr. Rusty Burns offered a solution to the problem that all parties sit down and try to come up with a recommendation. Mr. Burns suggested that Council look toward a centralized dispatch system.

Dr. Reggie Christopher thanked Council for help in School District #1 with the new school. The sewer project problem will be solved within the next few days and the lines will be in service and in use by time school starts. Mr. Waldrep assured Dr. Christopher that Council will continue in their negotiations to work out the problem.

Mr. David Beville reported that at the present time the Department of Health and Environmental Control (DHEC) has not submitted the report agreement to Anderson County. The report will be submitted within the next week and the project will be on go.

Mr. Harvie Banister read a letter from Mayor Billy Gilmer from the Town of Honea Path. He explained that in order to complete a sewer project going from Honea Path to Ware Shoals right of ways were needed. One property owner of four parcels of property has agreed if the County will cut the road into the lift station and carry out through his property, he will sign over the right of ways. Mr. Banister moved to grant the request from the Mayor and cut the road. Mr. Hooper seconded. The road will not be surface treated. Vote was unanimous.

Council heard from Mr. Mike Jones asking that Council do something about septic tank waste disposal in Anderson County. Chairman Holden explained that Council appropriated money in the new budget for a solution. Mr. William McCoy reported that they were looking into options available for this. Council discussed. Council received as information.

Mr. Jimmy Jackson asked for approval to replace two employees. He asked that he be allowed to promote within his department to fill the "Adopt-A-Highway" position and to hire a new secretary at a lower pay grade. No new money will be needed. Mr. Banister moved to approve the

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request and Mr. Holden seconded. Vote was unanimous.

Mr. Rusty Burns asked for a financial contribution of \$5,000 for Business and Education Partnership to continue their operations. Mr. Hooper will give the \$5,000 from his District #2-Special Projects. Mr. Hooper moved to approve and Mr. Banister seconded. Vote was unanimous.

Mr. Burns explained that the County has no sewer lines in the vicinity of Sayre Street and Highway 29 where the new shopping center plans to locate and requested that the City be allowed to serve the area. Mr. Holden moved to allow the City to serve the shopping center and Mr. Allgood seconded. Vote was unanimous.

Mr. David Standeffer asked for an executive session before entering into discussions on boards and commissions and also to brief Council on three litigation matters. Mr. Holden moved to go into executive session for the reasons stated at 8:35 p.m. Mr. Banister seconded and vote was unanimous.

Mr. Holden moved to come out of executive session back into regular session at 9:35 p.m. Mr. Banister seconded and vote was unanimous.

Mr. Tom Martin explained that Council discussed certain personnel and legal matters and no action was taken.

Mr. David Standeffer presented ordinance #337 dealing with Boards and Commission for Council's consideration on first reading. Mr. Holden moved to pass on first reading and Mr. Waldrep seconded. Vote was unanimous.

Mr. William McCoy presented a request from the McQuire family on South Warner Road for a driveway right of way. Mr. Holden moved to allow the right of way and Mr. Banister seconded. Vote was unanimous.

Mr. Hooper asked the County attorney to look into getting the Solid Waste Commission appointed as required by the Solid Waste Bill by September.

Mr. Allgood reported that the County could rent a tire cutting machine for \$2,000 per day that could cut 1400 tires per hour.

Council heard from Mr. Roy Perry, a concerned citizen.

There being no further business, Council adjourned at 9:50 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL