

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - October 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, Gary A. Smoak, 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, Roy Ethridge - AND. MONITOR, 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, County Attorney
Gary A. Smoak, Administrator
Linda N. Gilstrap, Clerk

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, October 17, at 7:00 p.m.

The Chairman called the meeting to order and welcomed the group. Mr. Bruce Gerrard opened the meeting with prayer. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve the September 19, September 26 and October 3, 1995 minutes as mailed.

Council heard from Lillie Pulliam regarding the paving of Thornhill Drive in District #1. Thornhill Drive is a private road and is in bad shape with no one to turn to for help. Carl Johnson and Tom Clark also spoke during the Citizens Agenda. Council received as information.

Mr. Garrison presented second reading of Ordinance #95-022 - an ordinance to amend Section 38-732 (a), Piping of ditches and

driveways, of the Anderson County Code of Ordinances. A public hearing was held and Carl Johnson spoke. Mr. Floyd moved to approve Ordinance #95-022 be approved on second reading. Mr. Gerrard seconded and vote was 5-0.

Mr. Garrison presented Ordinance #95-023 - an ordinance to allow for the sale of the Pennell Building for consideration on second reading. Mr. Tolly moved to approve on seconded reading and Mr. Floyd seconded. Vote was 5-0.

Mr. Garrison presented Ordinance #95-024 - an ordinance to amend Ordinance #94-018 creating a Special Tax District in the Sedgewood Community. Mr. Gerrard moved to approve the ordinance on first reading and Mr. Banister seconded. Vote was 5-0.

Mr. Garrison presented Resolution #R95-035 - a resolution authorizing the execution and delivery of an inducement agreement and millage rate agreement by and between Anderson County, South Carolina and Owens-Corning Corporation, whereby Anderson County will enter into a fee-in-lieu of taxes arrangement with Owens-Corning Fiberglas Corporation. A representative for Owens-Corning Fiberglas explained two changes in the resolution. First paragraph add "Fiberglas" and last paragraph (page 1) change the investment by the Company in the project will be \$103,000,000 instead of \$5,000,000. Mr. Tolly moved to approve the resolution and Mr. Floyd seconded. Vote was unanimous.

Mr. Smoak presented bids for construction of water and sewer for Supreme Machined Products Project in the amount of \$148,592.00. The low bid is from Harold A. Pickens & Son. This is a fully funded Community Development Block grant and no county funds will be required. Mr. Tolly moved to approve and Mr. Floyd seconded. Vote was unanimous.

Mr. Smoak presented a contract/bid on \$57,180.00 for cash control, indexing and retrieval system and services for the RMC Department (Land Records @ \$2.92 each and UCC & Records @ \$1.10). Upon formal investigation we found that the price could be locked in for three years. The low bid is Business Records. This is the estimated cost that will take the County from January - June, 1996. Mr. Floyd moved to approve and Mr. Banister seconded. Vote was 5-0.

Mr. Smoak presented bids for 10-laptop computers, adapters and cases for the Sheriff's Office. The low bid is \$20,789 from Winbrook Computer Corporation. Mr. Floyd moved to approve and Mr. Tolly seconded. Vote was 5-0.

Mr. Smoak brought up the US 76 Sewer engineering project bid for consideration. He advised Council that Goldie & Associates, the low bidder, could not provide a Performance and Delivery bond as requested at the last meeting. Council discussed. Mr. Garrison asked Mr. Crowe how the County could be sure of getting the job

done if they selected Goldie & Associates. Mr. Crowe stated that he had no choice but to go on the assumption that Goldie and Associates were qualified. Mr. Crowe suggested a bi-weekly progress report relative to the job. A weekly report/schedule was recommended. Mr. Gerrard moved to approve the low bid from Goldie & Associates in the amount of \$13,925. Mr. Garrison relinquished the chairman to the vice chairman in order to second the motion. Vice Chairman Banister asked for discussion. Mr. Gerrard said that if the job isn't done to the County's satisfaction that the County can hold payment until it is. Mr. Garrison offered an amendment that payment not be made until satisfactory completion. Mr. Gerrard seconded. Vote on the amendment was four in favor (Gerrard, Garrison, Banister, Floyd) and one abstention (Tolly). Vote on the original motion as amended was three in favor (Banister, Gerrard, Garrison), one opposed (Floyd) and one abstention (Tolly). Motion carried.

The gavel was turned over to the chairman.

Mr. Banister moved, that in order to save time, Council approve the next low bidder on the US76 sewer in the event the conditions are not satisfactory with Goldie and Associates with the same stipulations. Mr. Gerrard seconded and vote was three in favor (Gerrard, Garrison, Banister), one opposed (Floyd) and one abstention (Tolly). Motion carried.

Mr. Smoak presented a change order for Engineering services for Rock-Tenn Sewer in the amount of \$2,200.00. This will shift the sewer line from one side to the other. Mr. Floyd moved to approve and Mr. Banister seconded. Vote was unanimous.

Mr. Smoak presented a request to upgrade the electrical outlets in the Agriculture Building while renovations are being done. The cost is estimated at \$5,950.00. Mr. Floyd moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Banister moved to divide the road paving money using the same formula as in the 94-95 budget. Mr. Gerrard seconded and vote was unanimous. (Formula: Total money allocated divided by 2, the first half is divided equally between the five districts, the second half is divided by the percentage of roads; Dist. #1 - 17.6%, Dist. 2 - 9.8%, Dist. 3 - 28.5%, Dist. 4 - 23.3%, Dist. 5 - 20.8%.)

Mr. Tolly moved to include Thornwood Drive, a private road, in the County system for maintenance and Mr. Gerrard seconded. Mr. Banister said that he was all in favor of helping those who need it; however, there are so many of these private roads in the county with no help from anyone in regards to maintenance and upkeep. Mr. Banister suggested that an ordinance be drawn up where Council could accept all of them under certain conditions. He said he had several in his district. Mr. Garrison

suggested that Council ask the Administrator to come up with some viable solution that we can do to help the people of all districts with the same problem. Council discussed further. Mr. Gerrard said that this was a county problem and the Council needed to resolve the situation in a timely manner. Mr. Tolly said that he desired a policy to address situations like this where taxpayers get caught in the middle between a developer and a county policy. Mr. Gerrard & Mr. Banister said voting in favor would be 100% against what the county-wide policy is and the fact that it is private property. Vote was one in favor (Tolly), three opposed (Garrison, Floyd, Banister) and one abstention (Gerrard). Motion failed. Council asked the Administrator to look into the matter and suggest a solution within 60 days.

Council heard from Barbara Cook, a member of the School Improvement Council at Calhoun Street Elementary School, asking for Council's support of installation of a walking track at the school. Mr. Floyd said that the McCants walking track was used quite extensively and feels that this track is justified. Mr. Floyd moved to install a walking track at Calhoun Street Elementary School for approximately \$10,000. Funds will come from District #2 paving. Mr. Tolly seconded the motion. Mr. Garrison asked Mr. Floyd if this was a conflict of interest since it was going on School District #5's property. Mr. Floyd replied that he was not employed with School District #5. Vote was unanimous.

Mr. Smoak presented a contract amendment for Venture Packaging in the amount of \$5,750.00. This is covered by a grant and no county money will be involved. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak presented a list of employees' evaluation schedules from the Public Works Department. These have been in the making for about a year. He recommended that Council bring the positions to the minimum standards for the job. The total amount of monies needed to be transferred is \$25,953.17. Mr. Banister moved to approve the upgrades and make it retroactive to July 1. Mr. Tolly seconded and vote was 5-0.

Mr. Smoak stated that the SCDOT (South Carolina Department of Transportation) had requested a change in the way the county receives "C" funds. Mr. Smoak recommended that Mr. J.R. McClure be the county official responsible for submission of signed Request for Payment Invoices to the SCDOT for these funds. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was 5-0.

Mr. Tolly moved to go into executive session at 8:30 p.m. to discuss contractual matters and Mr. Floyd seconded. Vote was unanimous.

Mr. Gerrard moved to come out of executive session back into regular session at 10:10 p.m. Mr. Banister seconded and vote was unanimous.

Mr. Tolly moved to accept the recommendation of DA Architects to award bid to Mytrix Construction Company for renovation of the Detention Center based on DA Architects' option A for a total of \$2,750,000. This Option A is listed in the documents presented by the Architects and the plan will be the plan Council accepts. The Architects' fee will remain the same. Mr. Floyd seconded and vote was four in favor (Gerrard, Garrison, Floyd, Tolly) and one opposed (Banister). Motion carried.

Mr. Floyd moved to reappoint Ms. J.L. Marina to the Human Relations Council. Mr. Tolly seconded and vote was unanimous.

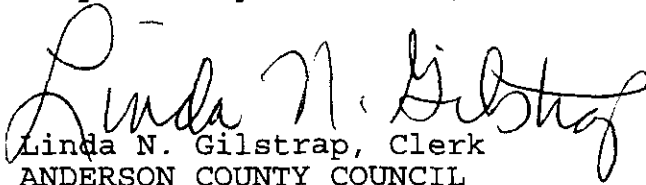
Mr. Banister said that the Starr Fire Department had requested for permission to close a road. The road in Starr (C-12-50) is for 7-8 days to have a spook road. Friendship Fire Department would like permission for one-way traffic on Payton Road - C-19-25 to Chapman Road (S-4-206). This also is for a Halloween season event. This will be no liability on the County. He moved that this be approved and Mr. Gerrard seconded. Vote was unanimous.

Mr. Gerrard moved to reappoint Herbert Campbell to the Human Relations Council. Mr. Banister seconded and vote was unanimous.

Council decided to hold a work session on Tuesday, October 24 at 7 p.m.

Mr. Gerrard moved to adjourn at 10:30 p.m. and Mr. Banister seconded. Vote was unanimous.

Respectfully submitted,


Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL