

JANUA 18, 1977

A FORMAL MEETING OF THE ANDERSON COUNTY COUNCIL WAS HELD
JANUARY 18, 1977 AT 7:00 P. M.

PRESENT:

EDWARD POORE, SUPERVISOR
DAVID HOOPER
FRED BRATCHER
JOSEPH G. WRIGHT
DANIEL A RHODES
SAM GERRARD, COUNTY COUNCIL

MR. FRED BRATCHER OPENED THE MEETING WITH PRAYER.

DR. MACK BURRISS, PRESIDENT OF THE ANDERSON COUNTY HUMANE SOCIETY, APPEARED BEFORE COUNCIL TO DISCUSS THE RECOVERING OF FORTY THOUSAND DOLLARS(\$40,000.00)FOR THE COUNTY FROM THE APPROPRIATION THEY HAD RECEIVED. MOTION TO ACCEPT AS INFORMATION BY MR. HOOPER, SECONDED BY MR. WRIGHT. VOTE WAS UNANIMOUS.

MR. MAC WALTERS, COUNTY ENGINEER, GAVE A WORK REPORT FOR DECEMBER 1976.

MR. BOB LOYD, WITH THE MANAGEMENT DIVISION OF COG WAS AUTHORIZED TO CONTINUE AN ORGANIZATION AND MANAGEMENT STUDY, A PURCHASING PROCEDURES STUDY, AND AN OPERATING PROCEDURES STUDY FOR THE STOCKADE. MR. LOYD SAID THE STUDIES WOULD BE COMPLETED AT THE END OF FEBRUARY AT NO COST TO THE COUNTY. MOTION BY MR. WRIGHT APPROVING, SECONDED BY MR. GERRARD. VOTE WAS UNANIMOUS.

MOTION BY MR. WRIGHT TO APPOINT COUNCIL MEMBER DAVID HOOPER TO REPRESENT ANDERSON COUNTY ON THE BOARD OF THE APPALACHAIN COUNCIL OF GOVERNMENTS, SECONDED BY MR. RHODES. VOTE WAS UNANIMOUS.

MOTION BY MR. WRIGHT TO APPOINT MR. JOHN CROSSON, REALTOR, TO BE THE SECOND TO REPRESENT ANDERSON COUNCIL, SECONDED BY MR. HOOPER. VOTE WAS UNANIMOUS.

THE SECOND READING OF THE ORDINANCE SCHEDULING OF MEETINGS FOR COUNTY COUNCIL. MOTION TO ACCEPT BY MR. HOOPER, SECONDED BY MR. WRIGHT WITH THE FOLLOWING CHANGES: FIRST INFORMAL MEETING OF THE MONTH SHALL BE HELD AFTER 6:00 P. M. THE SECOND INFORMAL MEETING OF THE MONTH SHALL BE DURING NORMAL COURTHOUSE BUSINESS HOURS. VOTE WAS UNANIMOUS.

MR. HOOPER DISCUSSED TAXPAYERS ADJUSTMENTS. MOTION BY MR. WRIGHT TO TAKE AS INFORMATION TO TALK WITH MR. CRIDER, TAX ASSESSOR, TO SEE WHAT FORM OF ADVERTISEMENT WAS NEEDED, SECONDED BY MR. RHODES. VOTE WAS UNANIMOUS.

MR. MARK HEHN, ACTING DIRECTOR OF THE PLANNING AND DEVELOPMENT BOARD, WATER & SEWER AUTHORITY, ASKED FOR MONEY FROM CAPITAL EXPENDITURES- WATER & SEWER AUTHORITY. THIS MONEY WOULD BE USED FROM REVENUE SHARING MONEY, TO PURCHASE A TRUCK FOR \$4,707.48, A FILE CABINET FOR \$150.00. MOTION BY MR. RHODES TO MAKE PURCHASES, SECONDED BY MR. BRATCHER. VOTE WAS UNANIMOUS.

MR. HEHN ALSO STATED THAT MR. CALVIN B. BARNETTE, CHAIRMAN OF THE ANDERSON COUNTY PLANNING AND DEVELOPMENT BOARD, WATER & SEWER AUTHORITY, WOULD LIKE FOR COUNCIL TO RECONSIDER LETTING THEM RECEIVE THEIR MONTHLY APPROPRIATION THAT HAD BEEN STOPPED BY THE COUNCIL. MOTION BY MR. RHODES TO LET THEM HAVE THEIR MONEY, SECONDED BY MR. HOOPER. VOTE WAS UNANIMOUS.

APPOINTMENTS FOR POSITIONS OF PURCHASING AGENT, COUNTY ATTORNEY, AND CLERK TO COUNTY COUNCIL WERE MADE BY THE COUNCIL.

MR. MARK HEHN WAS APPOINTED PURCHASING AGENT AT AN ANNUAL SALARY OF \$14,000.00. MOTION BY MR. HOOPER, SECONDED BY MR. GERRARD. MR. WRIGHT WAS IN FAVOR, WHILE MR. BRATCHER AND MR. RHODES VOTED AGAINST THIS.

MR. BILL DOVE RECEIVED TWO VOTES, MR. DAN RHODES AND MR. BRATCHER IN FAVOR.

MISS GERALDINE WITCHER WAS APPOINTED CLERK TO COUNCIL AT AN ANNUAL SALARY OF \$7,000.00. MOTION MADE BY HOOPER, SECONDED BY MR. GERRARD. MR. WRIGHT APPROVED, MR. RHODES AND MR. BRATCHER OPPOSED.

MISS REBECCA PICKENS RECEIVED TWO VOTES, MR. BRATCHER AND MR. RHODES. MR. HOOPER, MR. WRIGHT AND MR. GERRARD OPPOSED.

THE ABOVE WILL REPORT FOR WORK FEBRUARY 1, 1977.

THE COUNTY ATTORNEY WAS VOTED ON.

MR. RHODES MADE A MOTION THAT MR. CALHOUN PRUITT BE APPOINTED COUNTY ATTORNEY, SECONDED BY MR. BRATCHER. MR. HOOPER, MR. WRIGHT AND MR. GERRARD DID NOT VOTE FOR HIM.

MR. WILLIAM RICHARD MCCLELLION WAS APPOINTED COUNTY ATTORNEY UPON MOTION BY MR. HOOPER, SECONDED BY MR. WRIGHT. MR. GERRARD FOR, MR. RHODES AND MR. BRATCHER AGAINST.

ATTORNEY CALHOUN PRUITT SAID AT THE COUNCIL MEETING THAT HE WOULD CONTEST MCCLELLION'S APPOINTMENT IN COURT ON GROUNDS OF BREACH OF CONTRACT. HE SAID HE WAS ELECTED TO A TWO YEAR TERM AS COUNTY ATTORNEY

BY COUNTY COUNCIL IN JULY 1976 AT A ANNUAL RETAINER FEE OF \$12,000.00.

COUNCIL MEMBER DAN RHODES SAID MR. MCCLELLIONS APPOINTMENT IS NOT VALID BECAUSE A TWO-THIRDS VOTE BY COUNCIL, OR FOUR VOTES, IS REQUIRED TO DISMISS PRUITT AS COUNTY ATTORNEY. RHODES ALSO REQUESTED THAT SUPERVISOR ED POORE DISQUALIFY COUNCIL MEMBER JOEY WRIGHT FROM VOTING FOR COUNTY ATTORNEY DUE TO AN ALLEGED CONFLICT OF INTEREST. WRIGHT AND MCCLELLION ARE PARTNERS IN THE ANDERSON TITLE INSURANCE AGENCY, INC. WRIGHT DENIED RHODES CHARGE OF A CONFLICT OF INTEREST, SAYING HE AND MCCLELLION'S "SMALL CORPORATION" HAD NEVER DONE ANY BUSINESS WITH THE COUNTY AND DID NOT INTEND TO. QUOTE "I TAKE THIS AS A PERSONAL INSULT FROM A MEMBER OF COUNCIL".

SUPERVISOR EDWARD POORE HONORED WRIGHT'S VOTE.

MR. CALHOUN PRUITT HAD ADVISED SUPERVISOR EDWARD POORE THAT HE HAD THE AUTHORITY TO NAME A COUNTY ATTORNEY. MR. POORE SAID HE STILL MAY APPOINT A COUNTY ATTORNEY IF HE IS INFORMED BY THE STATE ATTORNEY GENERAL THAT HE AS SUPERVISOR DOES HAVE THE RIGHT TO APPOINT AN ATTORNEY. QUOTE, MR. EDWARD POORE, COUNTY SUPERVISOR, "GET ME A LETTER FROM THE ATTORNEY GENERAL. IF I HAVE THE RIGHT TO APPOINT AN ATTORNEY, I WILL APPOINT A COUNTY ATTORNEY. YOU AS COUNTY ATTORNEY SHOULD HAVE CHECKED IT OUT AND LET ME KNOW ABOUT IT", HE SHOUTED AT PRUITT. "YOU DIDN'T TELL ME UNTIL LATE THIS AFTERNOON".

MR. POORE APOLOGIZED FOR LOSING HIS TEMPER.

MR. POORE ALSO REQUESTED COUNCIL TO DELAY NAMING A COUNTY ATTORNEY UNTIL ITS NEXT MEETING. HE ALSO SUGGESTED REDUCING THE COUNTY ATTORNEY'S RETAINER FEE FROM \$12,000.00 TO \$3,000.00. THE \$12,000.00 RETAINER FEE, IN THE OPINION OF MR. HOOPER AND MR. WRIGHT WAS ENTIRELY TOO MUCH. THE \$12,000.00 RETAINER FEE, HOWEVER, WAS APPROPRIATED IN THE 1976-77 BUDGET AND AS ADOPTED AS COUNTY LAW. (MR. POORE SAID THE ATTORNEY SHOULD BE PAID FOR HIS WORK WHEN HE GOES INTO THE COURTROOM)

MR. RHODES READ ORDINANCE 12 SAYING MR. WRIGHT SHOULD DISQUALIFY HIMSELF FROM VOTING.

MR. CALHOUN PRUITT THOUGHT MR. POORE SHOULD DISQUALIFY MR. WRIGHT ALSO.


MR. EDWARD POORE, CHAIRMAN OF THE COUNCIL, REFUSED TO DISQUALIFY MR. WRIGHT. SAID MR. PRUITT COULD CONTEST THIS APPOINTMENT.

MOTION BY MR. DAVID HOOPER TO ACCEPT THE RECOMMENDATION OF PUBLIC DEFENDER, ROBERT GAMBLE, TO NAME ACTING MAGISTRATE, AL DOBBINS, AS ASSISTANT PUBLIC DEFENDER, AT AN ANNUAL SALARY OF \$13,600.00. SECONDED BY MR. WRIGHT. VOTE WAS UNANIMOUS.

MR. CHARLIE JOHNSON SUGGESTED THAT THE COUNTY BUY AN AMERICAN FLAG FOR THE COUNCIL CHAMBERS. SUPERVISOR ED POORE AGREED TO PURCHASE THE FLAG.

ALL BUSINESS CONCLUDED, MOTION FOR ADJOURNMENT BY MR. WRIGHT, SECONDED BY MR. HOOPER.

MEETING ADJOURNED AT 8:30 P. M.


WILLIAM E. MCGEE, CLERK
ANDERSON COUNTY COUNCIL