

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA**

Regular Meeting - November 19, 1996 - 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, Joey R. Preston, 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, County Attorney
Joey Preston, Administrator
Linda N. Gilstrap, Clerk

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, November 19, 1996 at 7:00 p.m.

Mr. Fred Tolly gave the invocation and members of the Whitehall Elementary Colonial Color Guard did the pledge of allegiance. Members are: Jessica Roan, Jenny-Lynn Coats, Russell Buchanan, Brooke Sammons, and Cody Smalls.

On the motion of Mr. Floyd, seconded by Mr. Banister, Council voted unanimously to approve the November 7, 1996 minutes as mailed.

Council heard from Mr. Willard Hursey requesting Council to consider zoning in Anderson. Council received remarks as information.

Mr. Harold Lowrey, President of the Anderson County Bar Association, presented Council and Mr. Carl Stone with a set Encyclopedia of the Law of South Carolina to be placed in the Law Wing at the Anderson County Library. This set includes about 30 volumes of the law. Council thanked Mr. Lowrey and the Anderson County Bar Association for the generous donation.

On the motion of Mr. Gerrard, seconded by Mr. Tolly, Council voted unanimously to approve the second reading of Ordinance #96-024 - an ordinance authorizing the issuance of Anderson County Industrial Revenue Bonds for Michelin North America, Inc. A public hearing was held and no remarks were heard.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted four in favor and one abstention (Floyd) to approve first reading of Ordinance #96-026 - an ordinance amending Section 10 of the Anderson County Code of Ordinances by adding Section 10-42 entitled Exemption for Public Schools (Buildings & Building Regulations). Mr. Preston recommended that the ordinance not be retroactive. Mr. Floyd abstained because of his employment with the State School system.

Mr. Preston presented first reading of Ordinance #96-027 - an ordinance providing for the amendment to the agreement for development for Joint County Industrial Park with Clarendon County. Mr. Floyd moved to approve on first reading and Mr. Banister seconded. Vote was unanimous.

Mr. Preston presented first reading of Ordinance #96-028 - an ordinance authorizing the issuance and sale of Anderson County Special Source Revenue Bond (BASF Corporation Project); entering into certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bond, including (i) a lease agreement, (ii) a purchase agreement, (iii) an Indenture, and (iv) certain matters relating thereto. Mr. Tolly moved to approve on first reading and Mr. Floyd seconded. Vote was unanimous.

Mr. Preston presented first reading of Ordinance #96-029 - an ordinance authorizing the execution and delivery of not less than \$45,000,000 and not exceeding \$110,000,000 Industrial Revenue Bonds for BASF Corporation Project. Mr. Banister moved to approve on first reading and Mr. Gerrard seconded. Vote was unanimous.

Mr. Jack McIntosh, County Attorney, presented first reading of Ordinance #96-030 - an ordinance to create a Special Tax District in the Cobb's Glen Subdivision; to define the boundaries of the District and the purposes for which it is created; to establish the Cobb's Glen Subdivision Tax District Commission; and to impose millage on all taxable real property located within the district sufficient to have street lights installed and maintained annually. Mr. Craig Chamblee, representing the Homeowners Association, spoke on behalf of the citizens in the area and said that the ordinance would put street lights in the

subdivision. Mr. Floyd moved to approve the ordinance as presented and Mr. Tolly seconded. Mr. Banister called attention to Section 6. Effective Date. The date for the tax levy to be charged is for the 1995 tax year. He asked for the reason for 1995. Mr. McIntosh apologized and explained that it was a typing error and should be 1996. The correction will be made for second reading. Vote was unanimous.

Mr. Preston presented Resolution #R96-037 - a resolution making application to the State Budget and Control Board of South Carolina for approval of the issuance by Anderson County, of its Industrial Revenue Bonds for BASF Corporation Project in the principal amount of not less than \$45,000,000 and not exceeding \$110,000,000 and of a special source Revenue Bond in the principal amount of not exceeding \$3,500,000. Mr. Gerrard moved to approve the resolution and Mr. Banister seconded. Vote was unanimous.

Mr. Garrison asked that Ms. Jane Milam (P.O. Box 36, Sandy Springs) be appointed to the Museum Commission and Rut Galloway (P.O. Box 256, Easley, 29640) to the Economic Advisory Board. Mr. Banister moved to approve and Mr. Tolly seconded. Vote was 5-0.

Ms. Thwanda L. Davidson, Co-President of the L.D. Barksdale Sickle Cell Anemia Foundation, asked Council for financial assistance. She explained that the nonprofit organization has been in existence for 22 years and now serves 15 counties in Upstate South Carolina. She requested support of the organization in the amount of \$11,000 and consideration for an annual allotment in the amount of \$5,000. Council received as information and agreed to pass on to the next Council for consideration in the 1997-1998 fiscal year budget.

Council heard from Mr. David McCombs, representing citizens from the north side of Little Creek, concerning a drainage problem on LeConte Road and Little Creek Road which runs behind their homes. The county purchased 300' of pipe about three years ago and the City installed. Since that time Ordinance #385 has been enacted which stopped all work. A videotape of various sections of Little Creek was shown. Council agreed to receive as information and ask the Administrator to follow-up on the problem. Mr. Floyd stated for the citizens present that it would take three readings of an ordinance to amend the present policy.

Administrator's Report:

Mr. Preston recognized several county employees for completion of training courses in the last year. A framed certificate was presented to Mike Freeman, Assessor, for successfully completing a local government management course.

Mr. Preston stated that the County Attorney will report to Council on all pending litigation around the first of the year.

The completion date for the Carswell Convenience Center site will be January 15, 1997.

Mr. Preston clarified a question asked at the the last meeting on some PARD projects. Wellington Mill Park - the local match money has been committed and is on hand. The Belton Project is temporarily on hold and the County need not be concerned about the local match money. The Hurricane Springs project match money needed must be taken up sometime in the future.

Mr. Preston has a copy of normal closing procedures for inclement weather. He will study and possibly recommend changes.

Mr. J.R. McClure, Jack McIntosh and Mr. Preston attended a meeting in Columbia with the Highway Department Manager about a drainage problem on Hugh Street and Highway 28 of which the County has pending litigation, Mr. Preston reported.

Mr. Preston said that the "C" fund monies were running in the red. The State currently is holding these monies and receiving the interest. Steps will be taken to see if these monies can come directly to the county.

Mr. Preston stated that Anderson County's first drug dog, Bruno, died, and will be buried at the Chris Taylor Memorial Park.

Ms. Myrna McCrary, Animal Shelter Supervisor, was introduced and welcomed to Anderson.

I. Animal Shelter - a summary of activities completed since the new supervisor came to work was discussed.

II. Reassessment Data - Reassessment notices will be mailed out on February 1, 1997. It is anticipated that the County will hear approximately 10,000 appeals, Mr. Preston reported.

III. Delegation Officers - elected officers of the Legislative Delegation were presented to Council.

IV. Bids - Requests for Approval to Purchase - several bids were presented (approximately \$500,000) were given out for Council to study prior to the next meeting.

V. New Courthouse Cleanup - work done on the inside of the new courthouse was presented along with a schedule for other areas.

VI. Economic Development Grants - CDBG grant project for Anderson County were listed.

VII. Ethics - a Conflict of Interest Statement of Policy has been developed for all staff members to sign.

VIII. Magistrate Study Committee Hearings - the committee studying the magistrate system has now had two public hearings. Mr. Preston plans on attending the next two scheduled meetings. This will be a very expensive proposition for the County. It is possible that state may take all of our Fines and Fees.

IX. Sandy Springs Fire Department - a thank you letter from the Sandy Springs Fire Chief for paving the Fire Department's parking lot was presented.

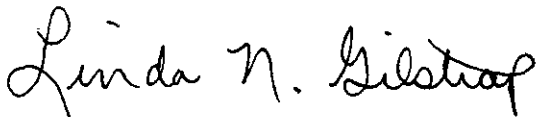
On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to go into executive session at 8:30 p.m. to discuss Contractual matters.

Council voted unanimously to come out of executive session back into regular session at approximately 10:00 p.m.

Mr. Gerrard moved to accept the recommendations of Mr. McIntosh, County Attorney, as a solution for the citizens of Eastlake Subdivision. Mr. Garrison turned the gavel over to the Vice-Chairman, Mr. Banister. Mr. Garrison then seconded the motion made by Mr. Gerrard. Council discussed. Vote was two in favor (Gerrard, Garrison) and three opposed (Banister, Tolly, Floyd). Motion failed. The gavel was returned to the Chairman.

There being no further business, Council adjourned at 10:05 (approximately).

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL