

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - February 15, 1994 - 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, Ed Allgood, Mike Holden, Tom Martin, 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- HOMETOWN REFLECTIONS, Dodie Carner-Humane Society, Brantley Jordan (picked up and paid for).

A regular meeting of the Anderson County Council was held on February 15, 1994 at 7:00 PM in the new Anderson County Council Chambers - Old Courthouse - Second Floor.

PRESENT

G. Fred Tolly, Jr. - District #1
William A. Floyd - District #2
Harvie E. Banister - District #3
Ed Allgood - District #4
Mike Holden - District #5
Tom Martin - County Attorney
Linda N. Gilstrap, Clerk
Bob Crout, Administrative Services Director

ABSENT

Gary A. Smoak - Administrator

Chairman Tolly called the meeting to order and Mr. Tom Martin gave the invocation. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Floyd, seconded by Mr. Banister, Council voted unanimously to approve the January 25, 1994 minutes as mailed.

On the motion of Mr. Tolly, seconded by Mr. Floyd, Council voted unanimously to approve the February 1, 1994 minutes as mailed.

Mr. Wallace Shaw, President of the Anderson County Municipal Association, appeared before Council and read a special resolution adopted by the Association asking that County Council designate a special account where all revenue derived from the Household Solid Waste fee be deposited and then be used strictly for solid waste disposal. Council assured Mr. Shaw that this was already being done. Mr. Hunter supplied Mr. Shaw an audit. Council received as information.

Council heard from other concerned citizens at this time.

On the motion of Mr. Banister, seconded by Mr. Holden, Council voted unanimously to approve Resolution #703 - a resolution electing, determining, and directing that Anderson County Tax Assessor shall determine and designate the various properties in Anderson County which are to be subject to the special assessment ratio for legal residence. A prior resolution was adopted for this purpose; but it was passed by designating an individual instead of the "Anderson County Tax Assessor".

On the motion of Mr. Allgood, seconded by Mr. Holden, Council voted unanimously to approve Resolution #704 - a resolution to request Western Carolina Regional Sewer Authority (WCRSA) to expand its service boundaries within Anderson County and to seek legislation authorizing such expansion so as to include additional portions of Anderson County, including but not limited to the Towns of Pelzer and West Pelzer. This will allow regional development of the Saluda River Valley Basin.

Mr. Tolly presented first reading of Ordinance #410 - an ordinance to approve the lease of real property to West Anderson Water Company. This will enable the West Anderson Water Company to construct a pump station at the intersection of South Warner Road and Highway 24; the total area involved is .049 acres. Mr. Martin presented the following two changes recommended by the Administrator, Gary Smoak, which will be for consideration on two readings. The lease is for five years at \$300 per year. 1. The rent will be paid in advance 2. Administrator, rather than the Airport Commission, will be the person to whom notices will be addressed. Mr. Tolly moved to approve on first reading and Mr. Floyd seconded. Vote was unanimous.

Mr. Tolly presented Ordinance #411 - a master ordinance authorizing and providing for the issuance of Anderson County, South Carolina, special source revenue bonds; prescribing the form of bonds; limiting the payment of the bonds solely from certain revenues derived from the payment of fees in Lieu of Tax from the properties located in the Anderson County, Abbeville County and McCormick County, Multi-County Industrial/Business Park and pledging certain revenues to such payment; creating certain

funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing. First reading of Ordinance #412 - a first supplemental ordinance providing for the issuance and sale of not exceeding \$1,000,000 Anderson County, South Carolina, Special Source Revenue Bonds, series 1994 (Plastic Omnium Project), and other matters relating thereto was also introduced by Mr. Tolly. Mr. Martin explained that ordinance #411 was the master ordinance which authorizes special source revenue bonds for the Multi-County Industrial/Business Park; already authorized by ordinance. Ordinance #412 calls for issuance of bonds for the first project; Plastic Omnium Project. Mr. Tolly moved to approve Ordinance #411 on first reading and Mr. Floyd seconded. Mr. Banister said he had a problem with the ordinance (Section 10, Section 4, Section 7; Paragraph A, B) as it is presently drawn up but will support an ordinance to issue bonds for the Plastic Omnium project. Council discussed the ordinances with Mr. Wesley Crum from McNair Law Firm, handling the bonds. Vote on Ordinance #411 - first reading was four in favor (Holden, Tolly, Allgood, Floyd) and one opposed (Banister). Mr. Tolly moved to approve ordinance #412 on first reading and Mr. Floyd seconded. Vote was four in favor (Holden, Floyd, Tolly, Allgood) and one opposed (Banister).

Mr. Banister appointed Mr. Tony McAlister of 13 Parkridge, Belton, to the Farmers Market Board.

Mr. Allgood appointed Mr. Lester Brock to the Purchasing Review Panel.

The next item on the agenda; SHARE appointment, was deferred until a later date.

Mr. Bob Crout presented the purchase of 10 each - 40 yard-open top containers from Nu Life Environmental for a total of \$32,497.00. Nu Life Environmental is a local vendor. Mr. Holden moved to approve and Mr. Floyd seconded. Vote was 5-0.

Mr. Crout presented a bid proposal for building renovations at the Sheriff's Office. The low bid is Heritage Construction, a local vendor, in the amount of \$7,778.00. Mr. Floyd moved to accept the bid and Mr. Holden seconded. Vote was unanimous.

Mr. Crout presented a transfer of funds, within the Sheriff's budget, from Repairs to Equipment to Repairs to Buildings in the amount of \$8,000.00 to cover the above renovations. Mr. Tolly moved to approve the transfer and Mr. Floyd seconded. Vote was unanimous.

Mr. Crout presented a budget transfer for the Detention Center from the Contingency fund to the account #5141-000-250 - Repairs to Buildings in the amount of \$2,000 to purchase duck heaters. Mr. Banister moved to approve \$2,000 and Mr. Tolly seconded. Vote was unanimous.

Mr. Martin presented an annual renewable agreement between Anderson County (Sheriff's Office) and the U.S. Army Corps of Engineers to provide additional law enforcement service at certain named facilities on Hartwell Lake. This is a reimburseable agreement. Mr. Banister moved to approve and Mr. Allgood seconded. Vote was unanimous.

Mr. David Sheets, Chairman of the Solid Waste Advisory Board, presented the Solid Waste Management Plan (a 20 year plan for handling solid waste) as required by the Solid Waste Policy and Management Act of 1991. The plan must be submitted to DHEC by February 28; is subject to changes and will be brought back for Council's approval on certain required revisions. The plan must be updated annually and submitted to DHEC by September of each year. Council discussed certain sections in the plan that they did not agree with. Mr. Allgood suggested a work session on the plan to determine if this was the direction that the County wanted to go on solid waste. Council agreed that the document was only a plan explaining what direction the County was headed for the next 20 years, and any changes must come to Council for approval. Council heard from Dr. White, a member of the Solid Waste Advisory Council. Mr. Floyd moved to accept the plan prepared by the Solid Waste Advisory Council and Mr. Holden seconded. Vote was four in favor (Tolly, Banister, Holden, Floyd) and one opposed (Allgood). Mr. Allgood asked that this be an item of discussion at the March retreat.

Mr. Tony Cirelli presented a request from Mr. Baylis Maxwell for permission to develop a new road built to County subdivision regulations, and upon its completion the abandonment of a section of Homestead Road near Concord Road. This will eliminate a bad intersection and this has been endorsed by the Road Department. Mr. Banister moved to approve and Mr. Allgood seconded. Vote was unanimous.

Mr. Cirelli presented a request by Mr. Jerry Meehan to have Anderson County accept, from the South Carolina Highway Department, part of the right-of-way adjacent to I-85 in the Townville area. Mr. Meehan and Ms. Evelyn Schiver have an access road over this part of the Interstate right-of-way which is used as access for the Hunters Cover Subdivision. Mr. Cirelli, Mr. Martin and Mr. Smoak all recommended that this request be denied. Mr. Banister moved that the request be denied and Mr. Floyd seconded. Vote was unanimous.

Mr. Martin explained that two meetings ago, Council discussed an item in executive and then authorized him to take certain action as a result of that discussion on a legal matter. He asked that Council approve the issuance of a check to settle a civil law suit against the County; settled out of court. The amount of \$10,000 for the actual settlement of the case and \$3086.80 Attorney fees for a total of \$13,086.80. Monies are available in the County Attorney's budget; under contracts. Mr. Holden moved to approve as recommended by the County Attorney and Mr. Floyd seconded. Vote was unanimous.

Mr. Crout informed Council that notification had been received from the South Carolina Highways and Public Transportation where the County had been approved for \$60,000 in "C" Funds to be used for paving of Benson and Whitner Streets from McDuffie to Main Streets (with curb and gutter) and resurfacing of parking area/City square area. Council received as information.

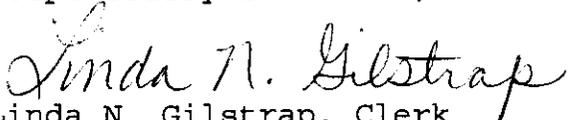
Mr. Tolly moved to go into executive session at 8:40 p.m. to discuss two contractual matters and Mr. Floyd seconded. Vote was unanimous.

Mr. Floyd moved to come out of executive session back into regular session at 9:35 p.m. Mr. Martin explained that Council discussed two separate contractual/litigation matters. No action was taken in executive session.

Mr. Tolly moved to authorize staff to begin negotiations as discussed in executive session. Mr. Holden seconded and vote was unanimous.

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

Respectfully submitted,


Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL