

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - July 5, 1994 - 4:30 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 Hoyden, 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, Brantley Jordan (picked up and paid for).

A regular meeting of the Anderson County Council was held on July 5, 1994 at 4:30 p.m. in the 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
Tom Martin - County Attorney
Gary A. Smoak - Administrator
Linda N. Gilstrap, Clerk

ABSENT

Mike Holden -District #5

Chairman Fred 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. Banister, seconded by Mr. Floyd, Council voted unanimously to approve the June 7, 1994 minutes as mailed.

On the motion of Mr. Tolly, seconded by Mr. Floyd, Council voted unanimously to approve the June 21, 1994 minutes as mailed.

Mr. Tolly stated that Mr. Holden had an emergency to come up and would not attend the meeting.

Council heard from several concerned citizens at this time. Mr. Tom Hughes spoke in favor of the proposed sports complex.

Mr. Tolly presented third and final reading of Ordinance #94-015 - an ordinance to provide for the funding by user fees of the Chemical Emergency Response Team of Anderson County. A public hearing was held; no comments were heard. Mr. Floyd moved to approve Ordinance #94-015 on third reading and Mr. Allgood seconded. Vote was 4-0.

Mr. Tolly presented third and final reading of Ordinance #94-016 - Lease of real property to Al McClain. A public hearing was held and no comments were heard. Mr. Banister moved to approve and Mr. Tolly seconded. Vote was 4-0.

Mr. Tolly presented third and final reading of Ordinance #94-017 - Lease of real property to Al Dobbins. A public hearing was held; no comments were heard. Mr. Tolly moved to approve ordinance #94-017 on third reading and Mr. Floyd seconded. Vote was 4-0.

Mr. Tolly asked that third reading and public hearing on the multi-county business park (ordinance #94-019) be deferred until the later part of the meeting. Mr. Martin asked that the public hearing be held at this time while citizens are still present. A public hearing was held and no comments were heard. Vote on the ordinance will be held after an executive session.

Mr. Tolly presented second reading of Ordinance #94-018 - an ordinance to amend Anderson County Ordinance #7 - Anderson County Board of Assessment Appeals. A public hearing was held. Mr. Carl Johnson spoke. Mr. Allgood moved to approve on second reading and Mr. Banister seconded. Vote was 4-0.

Mr. Tolly presented Ordinance #94-020 - an ordinance of Anderson County relating to public nudity; prohibiting public nudity; defining terms; establishing exemptions to the prohibition against public nudity; providing an effect date. A public hearing was held the following persons spoke:

Mr. Joe Pack - President of the SC School Board Association
and a member of Anderson County School District #1 Board of
Trustees - in favor of ordinance

Mr. Hugh Durham - State Certified Realtor - In favor of
ordinance

Dr. Dale Levan - Pastor of Calvary Baptist Church,
Williamston - in favor of ordinance

Mrs. Kay Jackson - (representative for Mr. Bud Tabor -
McDonalds Restaurant - In favor of ordinance.

Mr. Ron Suttles - Youth Minister, Waycross Baptist Church
in favor

Dr. Reggie Christopher - Superintendent of School
District #1 - in favor
Mr. Linden Ellenburg - Owner of Ellenburg
Nursing Home, father of four daughters - in favor
Mrs. Harriet Dial - Shiphrah Ministries - In favor
Mrs. Bennie Sue West - in favor
Mr. Todd Mendrykowski - opposed
Mrs. Doris Bradberry - in favor
Mr. Jordan - in favor
Rev. Bennie Walker - Pastor of Riverside Baptist Church - in
favor --- **ASKED THAT THE SIGN-UP SHEETS BE** (See 5 pages -
MADE A PART OF THE RECORD AS attached)
CITIZENS IN FAVOR OF THE ORDINANCE.
Rev. Mickey Rice - Pastor of Midway Presbyterian Church - in
favor
Rev. Bill Rigsby - North Anderson Baptist Church - in favor
three citizens - no names given - in favor
Mr. Darrell Chapman - in favor

Mr. Tom Martin, County Attorney, made the following legal over-
view. He said that this ordinance deals with two constitutional
issues. 1-United States Supreme Court has indicated that nude
dancing is an art form protected by the First and Fourteenth
Amendments. Also, the Supreme Court has indicated that a commu-
nity can establish their own standards of obscenity. Therefore,
what the Council is doing by passing this ordinance is balancing
the two. It does not outlaw nudity; it outlaws obscenity. Mr.
Floyd moved to approve Ordinance #94-020 on second reading and
Mr. Banister seconded. Vote was 4-0.

Mr. Tolly presented second reading of Ordinance #94-021 - an
ordinance conveying property rights - Evergreen Properties. Mr.
Allgood moved to approve and Mr. Tolly seconded. Vote was 4-0.

Mr. Tolly asked that Ordinance #94-022 - an ordinance specifying
Anderson County Policy with regard to use of County materials,
equipment and personnel be deferred for consideration at the
next meeting. Council agreed.

Mr. Tolly presented Resolution #R94-019 - a resolution regarding
joint development of a recreation park/sports complex with the
City of Anderson, SC. Mr. Tolly explained that this would give
the consensus of Council, that the complex is doable and Council
would like to consider the situation further. Mr. Tolly moved
to approve and Mr. Floyd seconded. Council discussed. Mr.
Banister said that he was opposed from the beginning of the
annexation of the property into the City and is opposed to the
lease of the property for any reason. Mr. Floyd asked to go on
record stating that no land will be given away. Mr. Allgood
said he would support the complex; however, he would like a 50
year plan done by Planning. Vote was three in favor (Tolly,
Floyd and Allgood) and one opposed (Banister). Motion carried.

Mr. Tolly read a letter from the College of Commerce and Industry thanking Mr. Floyd for taking two consecutive days teaching young adults about County Government.

Mr. Floyd stated that he would introduce a newsletter to all Anderson County citizens at the next Council meeting showing the direction of the government and etc. Mr. Smoak is getting cost figures on this which should be ready by the next meeting.

Mr. Smoak presented a request for the relocation of Hampton Road by F & R Asphalt for \$167,703.65 in the vicinity of 81 and I-85. This is a fully funded coordinating Council grant and no county funds will be required. Mr. Allgood moved to accept the low bid from F & R Asphalt and Mr. Floyd seconded. Vote was 4-0.

Mr. Smoak presented a list of City Streets to be paved in the amount of \$35,126. He asked that this money be allocated through the 1993-1994 budget - District #2 paving. Mr. Floyd moved to do the paving and Mr. Tolly seconded. Vote was 4-0.

Mr. Smoak presented a change order for renovations at the Sheriff's office in the amount of \$900. This is for one of the holding cells and make it a polygraph room. Leveling the floor, installing carpeting, installing acoustical wall covering would be required. Mr. Tolly moved to approve this change order and Mr. Floyd seconded. Vote was 4-0.

Mr. Smoak explained that in August of 1992, Mountain Air Cargo had a contract and the County agreed to upgrade Hangar #4 at the County's expense. The amount would be \$21,209.24; the County was able to do it at that time and Mountain Air went ahead with renovations. They are now asking for reimbursement. The funds are available in the current Airport budget in account number 5211-000-375. Mr. Tolly moved to approve and Mr. Allgood seconded. Council discussed. Vote was 4-0.

The next item: "Boundary Line Expansion - Powdersville EMS" on the agenda was deferred for a recommendation from the EMS. Mr. Forest H. Thomas addressed the request. Council agreed to defer. Mr. Tolly said that in his opinion, it was up to the EMS Commission to make a recommendation to Council.

Mr. Smoak presented a request for a sewer line for Plastic Omnium. The engineering fee proposal for design of the line is \$1,200.00; no county funds will be involved. Mr. Tolly moved to approve and Mr. Allgood seconded. Vote was 4-0.

Mr. Tolly moved to go into executive session at 6:25 p.m. and Mr. Floyd seconded. Vote was 4-0.

Mr. Mr. Tolly moved to come out of executive session back into regular session at 7:05 p.m. Mr. Floyd seconded and vote was 3-0.

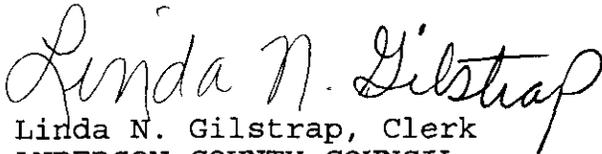
Mr. Banister had to leave during executive session.

During executive session, Council discussed one contractual matter concerning economic development.

Mr. Tolly presented Ordinance #94-019 - Multi-County Industrial Park with Clarendon County. Mr. Tolly explained that tracts 6, 20, 25, and 26 were added since second reading. These tracts will probably be renumbered. There is currently 27 tracts; 1-28 with one mission number in the middle. Mr. Tolly moved to approve ordinance #94-019 on third reading and give Mr. Smoak the authority to execute the agreement. Mr. Allgood seconded the motion. Mr. Allgood moved to amend the ordinance on third reading to include tracts 25, 26, 20 & 6 and Mr. Floyd seconded. Vote on the amendment was 3-0. Vote on the original motion as amended was 3-0.

There being no further business, Council adjourned at 7:20 p.m.

Respectfully submitted,


Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL

(Attachment - 5 pages - signatures in favor of Ordinance #94-020- Public Nudity)

Signatures of Those
 In Favor of ORD. No. 2 # 94 880
 Prohibiting Public Nudity

July 5, 1974
 minutes

Name	Address	Zip
Kenneth Elton	Anderson SC PO Box 4065	29623
Larry Cox	903 Flat Rock Rd. And.	29624
Steve Crawford	2704 Linmar Cir. Anderson	29621
Lanham Deese	1900 Beauclerk Rd, Williamston,	29697
Jimmy Mize	13624 Hwy 20 Pelzer S.C.	29627
Mike Knowles	5900 Hwy 187 Anderson	29625
Furman Martin	204 Oak Knoll Terrace And	29625
Art Stewart	144 MURPHY RD Piedmont, SC	29670
Daniel Chapman	600 Galloping Ghost Rd Anderson	29624
Jerry E Chapman	600 Galloping Ghost Rd. And	29622
Eddie E. Ramsey	15 Duke St. Pelzer, SC	29669
Mickey Lambert	PO Box 306 Pelzer, SC	29669
Ella Jo Wyatt	1928 Cherokee Rd. Williamston, S.C.	29697
Bruce F. Wyatt	" " " " " "	" "
William Crawford Jr.	7004 Midway Rd Williamston, S.C.	29697
Mrs Owen Flint	18 Harper Street, Williamston, S.C.	29697
Leety L. Brown	21 Wakefield Rd. And, S.C.	29655
R. N. Brown	21 Wakefield Rd And S.C.	29655
Bruce W. Evans	7835 Hwy 187 S, EVA, S.C.	29655
Thomas J. Evans	7835 Hwy 187 South And, S.C.	29655
Hazel B. Apple	7805 Hwy 187 South And, S.C.	29655
Sabra B. Bentley	P.O. Box 598, And, S.C.	29655
Amosere O. Jerry	1334 Project Rd, And, S.C.	29655
Amos M. Terry	1334 Project Rd, And, S.C.	29655
Ann A. Tolles	1103 Amity Rd, Anderson, S.C.	29621
Robert A. Welch	1213 Bentley Dr. Anderson,	29621
Paul D. Hall	124 Victoria Cir. Anderson S.C.	

" Helen Brooks 212 Howard Mc Gee Rd 29621 Anderson, SC
Lena Brewster 3401 Keys St. Anderson SC 29621
Ralph Brooks 212 Howard Mc Gee Rd Anderson SC 29621
Forest Thomas 112 Merri Ln. Easley, S.C 29642
Patricia Watkins 206 N. Fork Dr. Anderson, SC 29621
AM Watkins " " " " " "
Don Janke 4853 Midway Rd. 29697
Don Barrs ~~Anderson, SC~~ 29621
Hugh Durham 450 Pine Trail W. 11, Anniston
Claire Durham 450 Pine Trail, Williamston SC 29697
William McCoy 3017 Old Williamston Rd, Anderson, S.C. 29621
J. R. McClure 101 Walter Chamberlaine Rd, Anderson, S.C. 29621
Emie Garrison 1002 Edwards Dr. Anderson, S.C. 29625

W. J. J. WATSON	WILKINSON CLUB IV	ANDERSON, S.C. 2962
Airline Corp	578 Grayton Cir	Anderson, S.C. 29627
Judy J. Wetternan	418 Westview Ave.	Anderson, S.C. 29625
Mrs. Maria J. Turner	3204 Howland Dr.	Anderson, S.C. 29629
T.H. TURNER	3204 HOWLAND DR.	ANDERSON, S.C. 29624
Carl Evans	9418 Hwy 815	1 VA SE 29655
John T. Hinton	385 Crawford Rd.	Belton S.C. 29627
John Bernard	608 Robin Hood Ln	Anderson SC 29621
HARVEY DIAL	8 Niphrah Mill PO 824	Belton SC 29627
Tommy Smith	3226 Howland Dr.	Anderson 29624
Sheila Morgan	1801 Boulevard Heights	Anderson 29621
Margaret Evans	2304 Poplar Lane	Anderson SC 29621
Gray E. Evans	2304 Poplar Lane	Anderson SC 29621
Bill Kephly	502 Spawse Rd. And. Co.	Easley SC 29642
Hershel H. Buchanan	216 Maplewood Rd. ANDERSON S.C.	Anderson, SC 29625
ARVIND POOL	P.O. BOX 5234 SC	ANDERSON S.C. 29623
GAIL V. ADAMS	5601 Highway 17, W	Williamston SC 29697
D.S. SONTU	4123 SIX & TWENTY RD.	WILLIAMSTON 29697
Loris Brodberry	200 Appletree Lane	Williamston 29697
Joe H. Poch	413 Gannan Rd.	Belton S.C. 29627
Charles E. Dalrymple	108 Main St. Belton	947-9546
Michael K. Dalrymple	2 Hardy St	Williamston SC 29697
E.C. Bearden	6916 Hwy 29 North of Belton	29669
W. Dalrymple	91 Main St	Belton S.C. 947-9215
Ann Gardner	2031-A Moudtrie Square	Anderson S.C. 291-9561
Judy L. Price	102 Oak Knoll Ter	Anderson, SC 29625
Joseph F. Price	102 Oak Knoll Terrace	Anderson SC 29625
Bennie Lee + Marion	1308 HANCOCK RD	Anderson SC 29621
WILHELMY + ELAINE WATERS	513 TIMBER LANE	ANDERSON S.C. 29621
TOM TUCKER	117 NEW HOPE Rd.	PELZER, S.C. 29669
Derrell Holland	110 Campbell Rd	Pelzer, S.C. 29669
JOHN C. RHODES	106 Campbell Rd	Pelzer SC 29669

Ordinance #94 020
Prohibits Public Nudity

NAME	Address
Carl Jackson	2200 Westbank Ave Anderson SC 29621
John Clayton	2311 Hanna Rd Anderson SC 29621
Mike Adams	3111 McGee Rd " " 29621
Mike Adams	5601 Hwy 81 W Williston 29697
Tim Crawford	3613 Shady Grove Rd Home Path 29654
Paula B. Price	128 Draylorn Dr / ^{Mailing} P.O. Box 826 Anderson SC 29622
Worthy Simpson	239 Hammond Circle Anderson, SC 29621
Harold S. Simpson	239 Hammond Circle Anderson, S.C. 29621
Thomas M. Stubblefield	600 Wild Cherry St Anderson, SC 29624
Minnie C. Stubblefield	" " " " " "
Donell Stewart	307 Grimes St Anderson SC 29624
Jeri Stewart	307 Grimes St And SC 29624
Bernice Pauls	226 N. Ridge Dr And SC 29621
Joe Pauls	226 North Ridge Dr And. SC 29621
Judy Pauls	200 Capital Dr And. SC 29621
Jeanette Brooks	115 Henry Ave Anderson, SC 29625
Don W. Weaver	P.O. Box 57 Anderson, SC 29621
Lyndon W. Ellenborg	806 E. River St Anderson, SC 29624
Ross Peterson	321 Howard McGee Rd Anderson SC 29621
Richard Gibson	1012 Windwood Dr Anderson SC 29621
Neil Johnson	419 Pea Creek Rd Belton, S.C. 296
Lisa Parkinson	304 Kingston Way, Anderson, SC 29625
Molly Sears	415 Corning St Anderson SC 29624
Larry Sears	415 Corning St Anderson SC 29624
Elsie M. Fields	1932 Wright School Rd, Anderson SC 29621
Frances Hayd	2039 Wright Sch. Rd. Anderson S.C. 29621
April M. Wheeler	309 Eskew Cir Anderson, S.C. 29621
Ruth Vaughan	2809 Millgate Rd Anderson SC 29621

Name	Address
Beverly Walker	118 Giffen Ave. Belton
Phyllis Kion	233 Webb Rd. Williamston
Gerry Darter	45 Partridge Rd. Williamston
Paula Darter	" " " "
Philip McAlister	220 Melton Rd., Pendleton 29670
Helma Brown	525 Martin Rd. Starr 29684
Verna Brown	525 Martin Rd. Starr 29684
Pam McAlister	220 Melton Rd Pendleton 29670
ALVIN PAUL	243c Anderson Hwy. Williamston, SC 29685
Erma Woodson	70 Main ST Pelzer. S.C 29669
36 Holland	Midway Rd Anderson 29621
Blaise S. Angell	102 High C St Anderson SC 29621
J. Acha	401 Jule Martin Rd Anderson S.C 29621
Greg Summers	311 G St Anderson SC
Will Ed Heffer	Townville
Debra Dill	420 Simpson Rd. Anderson SC 29621
Quinn Wagon	413 Timber Lane ANDERSON SC 29621
Janni Evermick	1333 Farmer Rd. STARR SC 29684
Tricia Bradley	1009 White Pine Ln Townville SC 29689
Sparon Baker	201 Driftwood Dr Anderson, SC. 29621
Lesley M White	419 Ellington Rd. Pendleton, SC 29670
W C Dees	206 Wren School Rd. Piedmont, SC 29673

