

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

ORIGINAL

Regular Meeting - June 4, 1991 - 4:30 p.m.
Linda N. Gilstrap, Clerk

M I N U T E S

A regular meeting of the Anderson County Council was held on June 4, 1991 at 4:30 p.m. in the Anderson County Council Chambers. Chairman Mike Holden presided.

PRESENT

Bob Waldrep - District #1
David L. Hooper - District #2
Harvie E. Banister - District #3
Ed Allgood - District #4
Mike Holden - District #5
David Standeffer - County Attorney
Tom Martin - County Attorney
David Watson - County Administrator
Linda N. Gilstrap - Clerk

Chairman Mike Holden called the meeting to order and Mr. Bob Waldrep gave the invocation. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Holden, seconded by Mr. Banister, Council voted unanimously to approve the May 21, 1991 minutes as mailed.

Mr. David Standeffer, County Attorney, opened a public hearing for comments on Ordinance #326 dealing with Boards, Commissions and Authorities within Anderson County. Mr. Eugene Sutton and Ms. Margaret Williams spoke. The public hearing was closed. Mr. Holden moved to approve the Ordinance (#326) on third and final reading. Mr. Banister seconded and vote was unanimous.

Mr. David Standeffer conducted a public hearing prior to third and final reading of Ordinance #327 amending the Anderson County Building and Codes ordinance. Mr. A.B. Roberts, representing the Home Builders Association, spoke in opposition of the ordinance. He suggested that some type permit system be used for the repairs. Mr. Banister moved to approve Ordinance #327 on third and final reading and Mr. Hooper seconded. Mr. Waldrep suggested that some type system be developed to protect the people. Mr. Holden appointed a committee to get with the Home Builders (Mr. Roberts) and two members of County Council to come up with amendments that are regulated by State law. Mr. Waldrep moved to table for more information. Motion failed from lack of a second. Mr. Holden said that Mr. Buck Roberts and other representatives from the Home Builders Association, Mr. Banister and himself will get together as a committee and review the ordinance and needed changes. Vote was three in favor (Hooper, Holden, Banister) and one opposed (Waldrep) and one abstention (Allgood). Motion carried.

Mr. Standeffer conducted a public hearing regarding Ordinance #328 calling for \$4.62 Million Industrial Revenue Bonds for Belton

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Industries, Inc. There were no comments. Mr. Holden moved to approve on third reading and Mr. Banister seconded. Vote was unanimous.

Mr. Standeffer opened a public hearing for comments concerning Ordinance #329 amending the original Anderson County Sewer Authority Ordinance. There were no comments therefore the public hearing was declared closed. Mr. Holden moved to approve ordinance #329 on third and final reading. Mr. Hooper seconded. Mr. Waldrep made the following amendments: All personnel will be responsible to and under the County Administrator, all meetings be held in a public place and all minutes be kept. Mr. Allgood seconded the amendment and said that he was going to vote for the ordinance because it was better than what was in place now. He said it was not what he would like passed. Mr. Allgood said that the budget as it is presently funded, is totally illegal. Vote was two in favor (Allgood, Waldrep) and three opposed (Banister, Hooper, Holden). The amendment failed. Vote on the original motion to approve was four in favor (Allgood, Banister, Hooper, Holden) and one opposed (Waldrep).

Mr. Hooper moved that an independent auditing company come in and audit the Sewer Authority's books before they are turned over to the County. Also bond counsel; Margaret Pope come to the County and call SLED in. Mr. Allgood seconded the motion. Mr. Hooper restated his motion which was to get an independent auditor to come and have Margaret Pope of Sinkler and Boyd come in to clear up the transferring of names on the bond issue and bring in SLED if necessary to see if there is any possible misuse of funds. Mr. Allgood said he would withdraw his second if SLED is not included in the motion. He said that some of the Engineering fees on the bonds are as high as 23-24% which in his opinion should be about 6%. Mr. Hooper then said the motion is to get an independent audit and get SLED to come in. Mr. Allgood seconded once again. Mr. Standeffer restated the motion as Mr. Waldrep requested. Originally was: Call SLED in for an independent audit and have Margaret Pope of the Singler Firm to come and advise Council as to whether funds have been misused. The motion was amended to call simply for SLED to come and perform an independent audit of the books of the Sewer Authority. The auditing firm will be selected through normal County procedures. Mr. Hooper explained that his intentions was to have Sinkler and Boyd to come and advise Council since they were involved and get an independent audit and bring SLED in. Vote was four in favor (Allgood, Hooper, Waldrep, Banister) and one opposed (Holden).

Mr. Standeffer asked that second reading of Ordinance #332 which deals with Sediment and Erosion Control be held off until a later date.

Mr. Standeffer presented first reading of Ordinance #333 calling for a 2.5 Million Dollar Mini Bond for Anderson for funding of several County projects. Bond Counsel's working on a determination on what the money can be used for. The bond includes renovations and repair of the Old Courthouse, purchase of furniture and furnishings for the new Courthouse, renovations to old courthouse, equipment necessary for Solid Waste, and a solution to the septage problem. Mr. Standeffer explained that there may have to be a separate issue for funding for a solution to the septage problem in Anderson County since the bond

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includes the municipalities which have no involvement with the sewer project and is presently being investigated by bond counsel. Mr. Holden moved to approve and Mr. Banister seconded. Mr. Waldrep asked if what he was saying was that general monies cannot be used for sewer projects. Mr. Standeffer explained that the issue would include general obligations bonds for the population in the Cities as well as County and the County sewer projects do not include the municipalities. Therefore the money derived from the bond issue would not be fairly applied to the people inside the Cities. Mr. Waldrep asked about water projects. Mr. Standeffer said that it depended on what they were used for. Vote was three in favor (Holden, Hooper, Banister) and two opposed (Waldrep, Allgood). Mr. Allgood said he thought the bond issue was premature and unless the County had large pools of discretionary money, there was no need for the bonds.

Mr. Standeffer presented first reading of Ordinance #334 calling for a formation of a special tax district for sewer purposes for Gilmer Estates. There is presently a law waiting for the Governor to sign to allow this. Mr. Holden moved to approve and Mr. Banister seconded. Vote was unanimous.

Mr. Holden explained that after the incident with the lion that attacked a local girl in Anderson County on Saturday, he felt that the present Anderson Control ordinance was not tough enough to do what needs to be done. He then instructed Mr. Rusty Burns to study laws from other areas and develop a written draft to be ready in time for second reading in two weeks. Mr. Holden therefore moved to approve first reading of an ordinance (#335) to develop tougher restrictions on these animals. Mr. Hooper seconded and vote was unanimous. Mr. Holden also asked that the ordinance include a person to be available to enforce the animal control ordinance.

Mr. Stephen Crawford presented the following budget appropriations for Council's consideration: CITY OF ANDERSON \$1,800 for windscreens at Hudgens and Sheppard Tennis Courts, \$1,000 for a complete basketball outfit at Sheppard, \$1,200 for the purchase and installation of water fountain (includes water line) at the Hudgens Tennis Courts, SCHOOL DISTRICT #5 - \$10,000 for playground equipment at Centerville Elementary School, \$11,700 toward the purchase and installation of a fitness cluster at the Westside High School and Hanna High School Walking Tracks, \$6,000 for playground equipment at Homeland Park Elementary School, \$4,000 for playground equipment at South Fant Elementary School. Mr. Holden moved to approve the above appropriations and Mr. Banister seconded. Vote was unanimous.

Mr. Gary Kinard, Mr. Hugh Durham, and Mr. David Martin appeared before Council representing the Land Use Committee. They asked Council for third reading consideration of Mobile Home Ordinance #299. A public hearing was conducted and several citizens spoke during the hearing. Council discussed the changes recommended in the ordinance. Mr. Waldrep moved to adopt the ordinance on third and final reading. Motion died from lack of second. Mr. Holden appointed a committee to study the ordinance and recommend changes. Mr. Waldrep, Mr. Kinard, Mr. Durham and Mr. Martin along with Mr. Burns was appointed as a

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committee to recommend changes. The committee will try to have a report by the first meeting in July.

Mr. William McCoy asked for permission to allow Mr. Watson to sign all contracts for trades for construction of the National Guard building. All are within bid. Mr. Allgood moved to approve and Mr. Holden seconded. Vote was unanimous.

Mr. Rusty Burns presented Resolution #590 approving certain road names for the purpose of the implementation of E911. Mr. Holden moved to approve and Mr. Banister seconded. Vote was unanimous.

Mr. Burns asked for Council's approval to have a TDY Hearing System installed at the County Detention Center. This is a machine used by the hearing impaired and can be paid for from Community Development Block Grants. Mr. Holden moved to approve and Mr. Allgood seconded. Vote was unanimous.

Mr. David Watson read a letter from Mr. Laniel Chapman requesting permission to authorize the subcommittee of the Courthouse Authority to select vendors approved by the project engineer to purchase the furniture for the new courthouse. The purchase of said furniture shall not exceed the existing funds plus \$400,000 as planned in the mini-bond issue that is currently pending before County Council. A commitment is needed not in order to get the furniture as soon as possible. Mr. Hooper moved to approve contingent upon approval of the mini-bond. Mr. Holden seconded and vote was four in favor and one opposed (Allgood).

Mr. Watson asked that Mr. David Bevill continue to be the agent for Anderson County to meet with the Eighteen Mile Creek Study Committee along with Mr. Allgood. Mr. Holden appointed Mr. David Bevill and Mr. Ed Allgood to serve on the committee.

Mr. Jack Crowe asked for permission to purchase the following items: (1) Copier for Civic Center #5028-2 Copier for a total of \$5,271.00 from Fant's Office Supply. (1) copier for Solicitor from Plus, Inc. for a grand total of \$9,534.00. No additional funding will be required. Mr. Holden moved to approve and Mr. Allgood seconded. Vote was unanimous.

Mr. Crowe presented Resolution #592 asking Council for authorization of an application for use of two (2) VISA credit cards by the Anderson County Sheriff's Department. Mr. Holden moved to approve and Mr. Waldrep seconded. Vote was 5-0.

Mr. Crowe gave an update on the old Kroger Building. He reported that the owner now has offered to the County the following: lease of building for the first 5 years \$1.00 per sq. ft, second - five years \$1.50 per sq. ft., and the last 10 years for \$2.00 per sq. ft. at which time the County would take title of the building. Council received as information.

Mr. Crowe explained that some time back Council voted to allow the Sheriff's office to convert a confiscated mobile home into office

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space. At this time, they would request that they be allowed to trade the mobile home for a modular office. The dealer can sell and give the County title to a modular office space.

Mr. Jacky Hunter presented the following budget transfers: from Recreation Account #801-160-093 - to Computer Services #421-160-093 - \$2,635.00, from Computer Services #421-125-040 to Computer Services #421-120-024 - \$49.00, from Litter #706-140-065 to Computer Services #421-160-093 - \$2,226.00, from Accommodations Tax #813-140-065 to Road Maintenance #601-140-057 Road Maintenance - \$575.00, from Recreation #801-155-085 to Road Maintenance #601-140-057 - \$4,217.00, from Recreation #801-155-085 to #801-100-002 - \$1,786.00, Recreation #801-100-001 to Recreation #801-100-002 - \$3,500.00. Mr. Holden moved to approve the above transfers and Mr. Hooper seconded. Vote was unanimous.

Mr. Watson presented the 1991-1992 fiscal year budget for Council's consideration on first reading. The total budget for 91-92 fy is \$21,426,519.00 and is a balanced budget. The following changes from the last budget work session were discussed. The Solicitor's account #416 and Contingency Fund has an offsetting amount of \$31,668.00 as a result of an error in calculations. There is no millage increase. One-half of a mill was shifted between Debt Service and General Fund as a result of the Bailes Building Debt being paid off. Also the amount of money generated by the 2-1/2 mills for Tri-County Technical College has increased from \$612,500 to \$650,000 and Tri-County has requested that the remaining amount collected over the \$650,000 be set aside for capital projects. This will satisfy Anderson County's commitment for future capital improvements. All projects will be approved by vote of Council. Last year the Library asked for a one year increase in millage and asked this year to keep it. It was agreed that they repay the balance of the mini-bond (3 years) and leave the millage at present level. Also funds appropriated in excess of \$2,500 for special service districts, schools, civic organizations, municipalities, or other non profit organizations will be expended through the County purchasing and Finance Departments or the recipient will furnish copies of all invoices or contracts prior to the County expending the appropriated funds. Includes also that the County Administrator is authorized to approve transfers and expenditures within a department and to expend contingency funds in an amount not to exceed \$2,500. The budget includes a \$250 per employee as a one time bonus/raise. An amount of up to Five Thousand Dollars is appropriated in the Contingency fund and set aside for employee awards for money saving ideas in accordance with a plan to be approved by County Council. Also included in the budget is a fee of 19¢ per week per household for Solid Waste as enacted by State and Federal laws. Mr. Holden moved to approve the budget (Ordinance #331) on first reading and Mr. Banister seconded. Council discussed. Mr. Allgood explained that he thought the Rural Improvement fund was not divided equally and should be eliminated. He also questioned the legality of transferring any general revenue funds to the Sewer Authority for day to day operations. He said there was about \$1,000,000 (One Million Dollars) in the budget that is not correct and there appears to be a real legal problem with the budget as it stands today. Mr. Waldrep called Council attention to the money proposed in

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the Recreation budget for District #2, #3 and #5. Mr. Holden expanded on his remarks with figures appropriated for District #1 for the Powdersville Park and \$400,000 for Eighteen Mile Creek project and the other districts are short compared to those areas. Mr. Waldrep asked that all members of Council discuss the budget at the same time and would appreciate being involved in all the discussions. Mr. Allgood asked exactly what the money for water/sewer projects would be used for. Mr. Holden said that he personally told each member of Council to let Mr. Watson know what they needed or wanted in the budget and that was what he did. Also every item in the budget can be labeled a "special project" and he feels that his district should not be left out. Mr. Waldrep said that those requested funds happened prior to him coming on Council. Mr. Holden said that if anybody has any special requests to get with David Watson. Vote was three in favor (Hooper, Holden, Banister) and two opposed (Allgood, Waldrep). Motion carried.

Mr. Waldrep asked that Mr. Watson and Mr. Hunter compile a spread sheet on where exactly this special projects money is going.

Mr. Allgood announced that there would be a meeting with the Magistrates Committee at the Civic Center.

Mr. Hooper asked that Mr. Standeffer read into the minutes a Resolution (#593) authorizing and creates ten magisterial positions in Anderson County including two ministerial magistrates. Also requesting that the Legislative Delegation immediately make recommendations to the Governor for appointments. This will be presented for action at the next meeting. Council discussed.

Mr. Banister made the following appointments to the Boards and Commissions as follows: Handicap Board: Mr. Don Watson, 309 Pine Forest Drive, Belton S.C, Phone: 338-7858, Rev. Earl Mathis, P.O. Box 268, Belton, Phone 338-7255 *(h) and office 338-6890, Planning & Development Board - Mr. Steve Cruise, Carol Lane, Belton, Mr. Wallace O. Alewine, P.O. Box 1000, Iva, Town of Honea Path-Mr. Troy C. Davis, 4 Calhoun Street, Honea Path, Town of Starr, Mr. Willis T. McGee, Rt. 2, Starr, SC. Mr. Holden moved to name all appointments to the various boards as appointed by all Council members. Mr. Banister seconded and Vote was 5/0.

Council agreed to have all appointments made by July, 1991.

There being no further business, Council adjourned at 7:40 p.m.

Respectfully submitted,

Linda N. Gilstrap

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL