

ORIGINAL

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - January 5, 1993 - 4:30 p.m.
Linda N. Gilstrap, Clerk

AMENDED
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 OF THIS MEETING: G. Fred Tolly, Jr., William Floyd, Harvie Banister, Ed Allgood, Mike Holden, David Watson, Tom Martin, Jack Crowe, Jacky Hunter, Brantley Jordan, Scott Wyman-INDEPENDENT MAIL, Brad Cooper-GREENVILLENEWS, Sandy Ashworth, Jana Pressley, J.R. McClure, Howard Eaton-HOME BUILDERS ASSOCIATION, Walker Pickens-HBA, Chris Richardson,-S.C. NATIONAL BANK, Mark Cox, CHANNEL 4, Mike Downs-CHANNEL 7, Paul Brown-CHANNEL 7, Tim Brett-MICHELIN TIRE, Brenda Brady-EASLEY PROGRESS, BELTON NEWS, Dodie Carner-HUMANE SOCIETY, LAKE HARTWELL ASSOCIATION, WWMM RADIO STATION, Matt Phillips-WRIX RADIO, Lloyd Wilson-PIEDMONT NATURAL GAS, Bill Meade-THE JOURNAL, Roy Ethridge, Judy Fleming-CHANNEL 13, Ed Grover-WASTE MANAGEMENT, Karen Hamilton-WLFJ, Peggy Hill-ASSOCIATION OF REALTORS, Carl Stone-LIBRARY, Dale Thompson-M-R BOARD, Joanne Thrift-INDEPENDENT MAIL, WAIM RADIO, Roxanne Walker-WMYI RADIO, Lamar Whitfield-ANDERSON LUMBER COMPANY, Joe Newton-COUNCIL OF GOVERNMENTS, Jennifer Owens-GREENVILLE NEWS, Carolyn Palmer-THE PIEDMONT GROUP, Jack Pettigrew, Orien Parris, Clifton Thomas, Jack Symons, Vern Gillem, L.J. "Bill" Evans, Tony Cirelli, T.C. Madden, Doris Lark, Carl Johnson, John T. Hinton, John T. Pruitt, James Anderson, Harold Mitchell, W. H. Underwood, Jerry Fleming

A regular meeting of the Anderson County Council was held on January 5, 1993 at 4:30 p.m. at the Anderson County Civic Center. Chairman Mike Holden presided.

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
David Watson - Administrator
Linda N. Gilstrap - Clerk

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

Vice Chairman Allgood called for nominations for Chairman for 1993. Mr. Banister nominated Mr. Allgood and Mr. Allgood seconded. Mr. Tolly nominated Mr. Holden and Mr. Floyd seconded. Mr. Tolly withdrew his motion and Mr. Floyd withdrew his second to allow only one motion on the floor at a time. Vote on Mr. Allgood as chairman was two in favor (Allgood and Banister) and three opposed (Holden, Tolly, Floyd). Motion failed. Mr. Tolly moved to nominate Mr. Holden as Chairman and Mr. Floyd seconded. Vote was three in favor (Floyd, Holden, Tolly) and two opposed (Allgood, Banister). Mr. Allgood relinquished the chair to the newly elected chairman, Mike Holden.

Chairman Holden called for nominations for vice chairman. Mr. Holden nominated Mr. Fred Tolly and Mr. Floyd seconded. Vote was unanimous.

The new elected Council members; Fred Tolly and William Floyd were welcomed. Chairman Holden stated that he would like to see the meetings limited to two hours.

Mr. Tom Martin, County Attorney, explained one typographical error in the December 1, 1992 minutes. Page 4 - first paragraph should read: "Mr. J.R. McClure said that the Sewer Authority approved to allow the increase in the County sewer rates. Ordinance #367 increasing the rates from \$1.95 to \$2.23 per 1,000 gallons for customers of the Anderson County Sewer Authority and establishing prepayment fees in the amount of \$30.00 for each month of the billing period for such customers was explained for approval on first reading." Mr. Banister moved to approve the minutes as amended and Mr. Floyd seconded. Vote was 5-0.

Council recessed for five minutes as this time.

The meeting was called back to order at 4:45 p.m.

Mr. Tom Martin presented Ordinance #365 an ordinance regulating the costs and user fees pertaining to operation of material recovery facilities for Council's consideration on third reading. A public hearing was held. Several citizens spoke. The public hearing was closed. Mr. Allgood moved to approve Ordinance #365 on third and final reading and Mr. Banister seconded. Vote was unanimous.

Mr. Martin presented second reading of Ordinance #366 establishing jurisdictional limits of County regulatory ordinances and personnel. Mr. Holden moved to approve on second reading and Mr. Floyd seconded. Vote was unanimous.

Mr. Martin presented second reading of Ordinance #367 which amends Anderson County Sewer ordinance #350. Ordinance #367 would amend that ordinance in two ways. First it would change the amount of sewer rates from \$1.95 per 1,000 gallons (current) to \$2.23/1,000 or \$1.67 per 100 CF. This will bring our sewer use fees in accordance with the actual cost of

treating and will be the same as the City of Anderson's rate. The other thing the ordinance will do is change the prepayment that new customers have to make. They currently have to pay \$25. This will change it to \$30 for each month of billing. Also provided in the Council packet is a resolution dealing with collecting delinquent sewer accounts. Mr. Martin suggested that the Ordinance be amended to include the resolution as a part of the ordinance. Mr. Holden moved to amend the ordinance to include the resolution and Mr. Allgood seconded. Vote was unanimous. A public hearing was held and Mr. Carl Johnson and Mr. Orien Parris spoke. The public hearing was declared closed. Mr. Banister moved to approve second reading of Ordinance #367 as amended and Mr. Allgood seconded. Vote was unanimous. Mr. Floyd asked that a field trip be set up to visit all sewer sites. Mr. McClure agreed to do this.

Mr. Martin said that Ordinance #368 standardizes all county boards and commissions and prescribes the functions, duties and appointments.

Ordinance #369 creates an Economic Advisory Board, dissolves current sewer and Planning & Development.

Ordinance #370 creates a County Planning Commission.

Mr. Holden proposed an amendment to Ordinance #370 to change the number of members from 7 to 9 on the Planning Commission. Mr. Floyd seconded. Council discussed. Council agreed that the Commission would be composed of 9 members; five single members with 4 at large members. Vote was unanimous. Mr. Holden moved to approve on second reading Ordinance #370 as amended and Mr. Banister seconded. Vote was unanimous.

Mr. Martin said Ordinance #369 establishes an Economic Advisory Board. Mr. Holden offered an amendment to add five ex-officio members to the Board. 1-President of Clemson University or designee, 2-President of Tri-County Technical College or designee, 3-Board Chairman of the Anderson Area Chamber of Commerce or designee, 4-President of the NAACP or designee and 5-President of Anderson College or designee and increase the membership from 7 to 15. Mr. Floyd seconded the amendment. Council discussed. Mr. Banister said that he would have to oppose because of the lack of time to study the amendment. Vote on the amendment was four in favor (Holden, Tolly, Floyd, & Allgood) and one opposed (Banister). Mr. Holden moved to approve Ordinance #369 as amended on second reading and Mr. Allgood seconded. Vote was four in favor and one opposed (Banister).

Mr. Martin presented Ordinance #368 which standardizes all county boards and commissions and prescribes the functions, duties and appointments for consideration on second reading. Mr. Watson explained the ordinance. Mr. Martin will make the needed changes prior to third reading. Mr. Holden moved to approve on second reading and Mr. Floyd seconded. Vote was unanimous.

Mr. Martin asked for an executive session to discuss three contractual matters. Council agreed to hold at the end of the meeting.

Mr. Jack Crowe presented the following purchases:

1. For Animal Shelter - 1 each - 1993 Ford F-150 with Standard equipment plus air conditioning AM/FM radio 8' body truck - from Century Lincoln Ford for \$9,900.00 - 2. for Road Maintenance - Tires from Anderson Tire and Auto for \$3,191.45. No additional funding will be needed.
3. for Solid Waste - Material recovery facility building and concrete pad 100 X 200 X 26' with 25' bays - White Street Extension from Fowler & Moates (concrete) for \$28,626.41 and the Building Kit/Erection from

McElhannon & Amick for \$83,786.25. This is a budgeted item and no additional funding will be required. 4. - Building Maintenance - Asbestos Abatement for Revco and Penney Buildings from Triple R Industrial Services for \$13,480.00. This is a budgeted item and no additional funding will be needed. 5. Building Maintenance - Building Demolition for Revco and Penney Buildings - Harold A. Pickens and Sons for \$34,055. Mr. Holden moved to approve the above purchases as recommended and Mr. Banister seconded. Vote was unanimous.

Mr. Crowe asked for approval of an expenditure not to exceed \$42,000.00 to cover the purchase of three trash compactors and four containers. The money will come from the Solid Waste Household Fee. The new compactor will be located at the Three and Twenty and Jockey Lot transfer stations and the used unit will be at King David transfer station. Mr. Allgood moved to approve and Mr. Banister seconded. Council discussed. Vote was unanimous.

Mr. Jacky Hunter presented the following budget transfer for the Registration and Elections Office: from: 423-155-085 to 423-100-003 - \$5,155.25 and from 423-155-085 to 423-100-003 - \$256.80. Mr. Banister moved to approve and Mr. Allgood seconded. Vote was unanimous.

Mr. J.R. McClure proposed the following increase in landfill disposal fees from cubic yards to pounds or tonnage:

<u>Present Rate</u>	<u>Proposed Rate</u>
REGULAR SOLID WASTE	
\$1.88/ cu. yd.	\$2.44 cu. yd.
\$16.00 ton	\$22.00 ton
<u>Present Rate</u>	<u>Proposed Rate</u>
SPECIAL HANDLING WASTE	
\$3.88/ cu. yd.	\$4.44 cu. yd.
\$35.00 ton	\$40.00 ton

Mr. Banister moved to allow the change and Mr. Floyd seconded. Vote was unanimous.

Mr. David Watson handed out information on the request from the Alcohol and Drug Abuse Commission for land.

Mr. Watson said that the Council received a grant last year for a Detention Center Needs Assessment Study. He said a work session needed to be scheduled to discuss the study.

Mr. Watson said that the retreat was scheduled to begin at noon on Thursday, February 25 through noon on Saturday, February 27, 1993.

Mr. Holden moved to go into executive session at 5:50 p.m. to discuss contractual matters and Mr. Floyd seconded. Vote was unanimous.

Chairman Holden moved to come out of executive session back into regular session at 6:50 p.m. Mr. Floyd seconded and vote was unanimous.

Mr. Holden moved to authorize the County Administrator to enter into a contract through the architect, Frank Clark, with the current low bidder on the project; subject to the contractor and the County completing successful negotiations of various penalty clauses and time construction restraints in the contract. The contractor is Sherman Construction Company for \$1,168,950. Mr. Holden moved to approve if all conditions stated are met. Mr. Tolly seconded. Mr. Banister said that he opposes because it was agreed to spend \$900,000 and the architect agreed to get the project done for that amount. Vote was three in favor (Holden, Floyd, Tolly) and two opposed (Allgood, Banister). Motion carried.

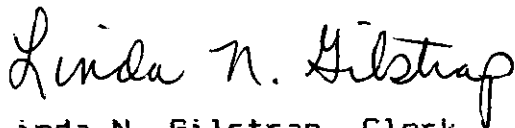
Mr. Holden moved to allow current negotiations to continue with IRS (Internal Revenue Service) to resolve the arbitrage matter for the new courthouse and the Civic Center. Mr. Allgood seconded and vote was unanimous.

Mr. Martin said there was a proposed development in Anderson County in which the developer will be constructing a new roadway. There is some environmental remediations that must be done as part of the roadway in which the contractor is working out a solution with DHEC and would not involve Anderson County. The developer desires a commitment from Anderson County that it will accept the roadway if completed. Mr. Banister moved that Anderson County will accept the roadway as discussed in executive session if it meets the Anderson County Road Construction Standards, encroachment permits issued by the County and if the developer does the proposed remediations called for in the proposal to DHEC. Mr. Floyd seconded and vote was unanimous.

Council heard from Mr. Carl Johnson and Mr. Brantley Jordan, concerned citizens.

There being no further business, Council adjourned at 7:00 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL