

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - October 18, 1988 - 5:00 p.m.
Linda N. Gilstrap, Clerk

MINUTES

A regular meeting of the Anderson County Council was held on October 18, 1988 at 5:00 p.m. in the Anderson County Council Chambers - Room 109. Chairman James M. "Jimmy" Cox, Jr. presided.

PRESENT

Chairman James M. Cox, Jr. - District #1
David L. Hooper - District #2
Robert L. Wiles - District #3
Ernie Garrison - District #4
Mike Holden - District #5
David Watson - County Administrator
Mike Mullinax - County Attorney
Linda N. Gilstrap - Clerk

Chairman Cox called the meeting to order and David Watson gave the invocation. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Wiles, seconded by Mr. Garrison, Council voted unanimously to approve the October 4, 1988 minutes as mailed.

Mr. Jack McIntosh spoke to Council in opposition to the proposed agreement to implement legislation passed under R544 and H3706. This is a provision to provide for payments in lieu of taxes for industrial development projects valued at \$85,000,000 or more. He asked County Council not to obligate the community to a twenty (20) year, or even a multi-year agreement, with any industry for the theory that they generate jobs that we will profit from. He said that if Council thinks they should do this, that they delay it and hold public meetings to receive input. Mr. McIntosh said he would not stand by and let this happen. Mr. Cox stated that the fee in lieu of taxes doesn't apply to any existing industry and it is a negotiation tool for Countys to attract new industry and doesn't relieve the industry from paying taxes; it only reduces the amount that it will pay. The minimum is 6% as opposed to 10%, the maximum. Council received all remarks as information.

Mr. Mullinax requested an executive session to discuss three matters. Industrial development at the Industrial Park at the Anderson Airport, legal advice concerning a junkyard and legal advice concerning "fee in

ANDERSON COUNTY COUNCIL MEETING
October 18, 1988

lieu of taxes". Mr. Cox moved to go into executive session for the reasons stated. Mr. Holden seconded and vote was unanimous. (time: 5:30 p.m.)

Mr. Holden moved to come out of executive session and back into regular session at 5:55 p.m. and Mr. Garrison seconded. Vote was unanimous.

Mr. Cox said after receiving legal advice from the County Attorney concerning a junkyard, he would move to direct Mr. Mullinax to further investigate the matter and to take whatever legal action he deems necessary and appropriate with regard to the matter. Mr. Wiles seconded and vote was unanimous.

Mr. Harold Threlkeld appeared before Council regarding the fee in lieu of taxes. He said he agreed with everything Mr. McIntosh said. He said that it was his understanding that Council could adjust the ratio down to 6% and freeze the present millage up to 20 years. He also questions the assumption that the plan will either solve economic problems or will result in a successful recruitment program. He asked Council to be patient and allow the County to develop in an orderly fashion and to be careful about making 20 year commitments when you can't see the end result. Mr. Cox told Mr. Threlkeld that he was suggesting to Council that they risk losing millions of dollars over the next 20 years of new tax. Council received as information.

Mr. Garrison explained that the City of Anderson had a problem in North Anderson (District #4) and requested 1,060' of pipe at \$13,112.15 to help solve the problem. He moved that the \$13,112.15 come from District #4 - Special Projects and be given to the City. He would also like them to know that the County is participating with the City on this project. Mr. Cox seconded the motion and vote was unanimous.

Mr. Garrison said citizens in his district and the county, are not getting the information or fail to notice adoption of ordinances, amendments and etc. He moved that the Secretary of Council be instructed to send to each fire station and each branch Library, monthly, the changes that are made on Council. This includes copies of ordinances, resolutions and minutes. Mr. Hooper seconded and vote was unanimous.

Mr. Garrison asked that Mr. Rusty Burns be recognized. Mr. Burns explained work being done with the S.C. Highway Department to get S.C. Highway 81 four laned. The County purchased about 1 mile of railroad. He asked Council to approve plans as presented by the SCDHPT for the relocation of the railroad and the abandonment of a small section of rail. He said all right-of-ways have been obtained. Mr. Wiles moved to approve the plans to prevent any further delay on the project. Mr. Cox seconded and vote was unanimous.

Mr. Wiles explained a project in Honea Path that needed pipe installed. The estimated amount needed is \$600 or less. He moved to transfer the

ANDERSON COUNTY COUNCIL MEETING
October 18, 1988

\$600 from Special Projects - District #3 to the Road Maintenance account to cover the bill. Mr. Cox seconded and vote was unanimous.

Mr. Wiles presented an estimate on a drainage problem near Belton on Pine Top Road. The project would require 160' of 24" pipe at \$1,234.80. He moved that this amount be transferred from District #3 - Special Projects for this purpose to Road Maintenance and all labor to come from Road Maintenance. He also said that the City of Honea Path resurfaced their Tennis Courts. He moved to appropriate \$2,000 from District #3 - Special Projects for this purpose. He moved to give Grove Fire Station \$1,000 from District #3 - Special Projects to help with a building project. Mr. Cox seconded the motions and vote was unanimous.

Mr. Mike Holden presented a request from Derrell Clark with the Boys Club for a donation of \$500 from each Council districts for projects. He moved that \$500 come from his special projects. Mr. Hooper seconded. Mr. Wiles said his special projects fund is almost depleted. Council voted unanimous.

Mr. Holden moved to transfer \$500 to the West Franklin Elementary School for a special school project from District #5 - Special Projects. Mr. Cox seconded and vote was unanimous.

Mr. Cox discussed Airport security and problems in the past with security. He offered a motion that David Watson be directed by Council to arrange for bids for a private security service for the Anderson County Airport and report back by the next meeting, if possible, with the cost. Mr. Hooper seconded the motion. Mr. Garrison said he would like to keep the law enforcement and security of this County under the elected official being paid to do this (Sheriff's Department) and would like David Watson to talk with the Sheriff about this. He said there are other County buildings that needed to be secured. (Civic Center, new Courthouse, Road Maintenance and etc.) An amendment was made by Mr. Garrison, that the Administrator talk with the Sheriff and look at the possibility of forming a security force. Mr. Cox seconded the amendment. Vote on the amendment was unanimous. Vote on the original motion as amended was unanimous.

Mr. Tony Cirelli asked Council for first reading approval of Ordinance #267, an amendment to Ordinance #260. The amendment deals with private roads which were caught in the transition of adopting ordinance #260. The amendment states: "Only those private roads under construction with documented proof of construction, prior to August 2, 1988, are exempt from Ordinance #260. This exemption shall only be good until January 1, 1989, at which time all private roads must be paved to County standard. As originally outlined in Ordinance #260." Mr. Holden moved to approve on first reading and Mr. Hooper seconded. Vote was unanimous.

ANDERSON COUNTY COUNCIL MEETING
October 18, 1988

Mr. Mullinax said he had a request from Mr. Jack Pettigrew to Quit Claim a County dirt road (C16-26) in the Flat Rock Community to him. The road passes through property owned by Mr. Jack Pettigrew. It has been investigated by Road Maintenance and at that time it did not appear to serve any public purpose. Mr. Mullinax said there now is some objections to this, Mr. Author Loftis, and based upon that fact a petition would have to be filed with the Court of Common Pleas in order to close this road. Mr. Wiles suggested an alternate suggestion that County Council look into changing the course of the road. This would require right-of-ways from Mr. Pettigrew, Mr. Loftis and Mr. Gallant. He moved that Council investigate and ask Road Maintenance to help with right-of-ways and the County Attorney to help if necessary. He also asked that the property owners involved help with this to change the course of the road and Mr. Hooper seconded. Vote was unanimous.

Mr. Mullinax presented first reading of Ordinance #264 authorizing the issuance and sale of not exceeding \$100,000 general obligations bonds for the purpose of defraying the cost of acquiring land for recreational purposes. Mr. Cox moved to approve on first reading and Mr. Hooper seconded. Council discussed the financing and repaying of the bond. Mr. Garrison said he was against the motion to purchase the land because of priorities; therefore would oppose the funding of it. Vote was four in favor (Cox, Hooper, Wiles, Holden) and one opposed (Garrison).

Mr. Mullinax presented second reading of Ordinance #265 authorizing an inducement contract between Anderson County and Michelin Tire Corporation relating to the County's issuance and delivery of certain industrial revenue bonds pursuant to Title 4, Chapter 29, Code of Laws of South Carolina 1976, as amended. Prior to asking for a motion, Mr. Mullinax commented about the bonds. (amended 11-1-88). Mr. Garrison stated that he talked with Mr. Chaiken with School District #4 and was told that after discussing with many people and looking in depth, he thought that by Council allowing Michelin the fee in lieu of taxes that his position would be as good as it is today or ever better. Mr. Garrison moved to approve the ordinance on second reading. Mr. Cox seconded and vote was unanimous.

Mr. Mullinax presented a Resolution (#480) and petition making application to the State Budget and Control Board of South Carolina for approval of the issuance by Anderson County, South Carolina, of its Industrial Development Revenue Bonds for Kravet Fabrics, Inc. Project, the principal amount not exceeding \$5,000,000. Mr. Holden moved to approve and Mr. Hooper seconded. Vote was unanimous.

Mr. Mullinax presented first reading of Ordinance #266 authorizing the execution and delivery of not exceeding \$5,000,000 Industrial Development Revenue bonds for Kravet Fabrics, Inc. Project. Mr. Holden moved to approve and Mr. Hooper seconded. Vote was 5-0.

ANDERSON COUNTY COUNCIL MEETING
October 18, 1988

Mr. Mullinax presented a resolution (#479) allowing Homeland Park Water District to hold a public hearing for the purpose of making a determination as to whether and to what extent the district boundaries of Homeland Park Water District may be enlarged. Mr. Cox moved to approve and Mr. Holden seconded. Vote was unanimous.

Mr. Cox explained that the agreement with Business Records for re-creation of all deeds, mortgages and plats currently of record in Anderson County needed to be adopted. He moved to adopt the contract with Business Records and Mr. Garrison seconded. Vote was four in favor (Cox, Wiles, Hooper & Garrison) and one opposed (Holden).

Mr. Watson explained a request from the Health Department for assistance in installing carpet and wall paper. They were able to secure approximately \$13,000 of carpet and wall paper. Mr. Watson recommended that the amount needed come from the Contingency Fund. Mr. Hooper moved to take the \$5,500 needed out of the Contingency Fund as recommended. Mr. Wiles seconded and vote was unanimous.

Mr. Burns said that a developer had requested a right-of-way across County Farm property. He requested that he have two weeks to study and bring back to County at the next meeting. Council agreed.

Council heard from concerned citizens at this time.

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

Respectfully submitted,

Linda N. Gilstrap

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ANDERSON COUNTY COUNCIL