

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA

Regular Meeting - February 7, 1995 - 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 AND/OR FAX OF THIS MEETING:

G. Fred Tolly, Jr., William Floyd, Harvie Banister, Ernie Garrison, Bruce Gerrard, 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- SENIOR REFLECTIONS, Brantley Jordan (picked up and paid for).

A regular meeting of the Anderson County Council was held on February 7, 1995 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  
Ernie Garrison - District #4  
Bruce Gerrard - District #5  
Tom Martin - County Attorney  
Gary A. Smoak - Administrator  
Linda N. Gilstrap, Clerk

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

Mr. Garrison welcomed and recognized members of the Youth Leadership Club from Pendleton High School.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted unanimously to approve the January 17, 1995 and January 26, 1995 minutes as mailed.

Council heard from Mr. Carl Johnson, a concerned citizen. Council heard from Mr. Randall Jefferson from 5 Honeysuckle Lane, Anderson about a recent change in his house number. He complained that he received the notice on 1-26-95 of his new address and the change actually took place on 1-27-95 when he received his phone bill with the new house number on it. The letter he received was not signed. He asked Council to consider some type advance notice; at least 120 days, prior to the changes being done. He also asked if some type reimbursement could be made to him for expenses of \$140.00 for checks and business invoices with the wrong address. Mr. Jefferson also presented a petition to Council asking that a mobile home park be cleaned up and old unfit mobile homes be removed on Jerry Drive in the Homeland Park Community and also complained of the outside burning in the area. The dwellings are unfit for human habitation and according to Article V of the Anderson County Code; something should be done about them, he said. Mrs. Katherine Carroll also addressed Council on the changing of the road names. Mr. Garrison asked Mr. Smoak to check into the changing of the street numbers and report back to Council with his findings. Mr. Gerrard stated that he would like to see the ordinance amended for advance notice prior to changing house addresses. Mr. Smoak reported that two mobile homes were already gone and the remaining should be gone within three weeks.

Chairman Garrison presented second reading of Ordinance #95-002-an ordinance to provide supplemental appropriations for the 1994-1995 fy budget as amended. Mr. Garrison explained an amendment: Section III - Rescissions, Deletions and Additions to Anderson County Ordinance #94-012 "The body of Section VIII, TRANSFERRING OF FUNDS, and the first two (2) sentences of the first General Proviso of Anderson County Ordinance #94-012 are hereby rescinded and deleted in their entirety. The following sentence shall be inserted as the new language of Section VIII of that Ordinance, "All transfers will be reported to County Council before they happen." He said that a limit should be put on the amount of budget transfer that the Administrator can transfer. Mr. Banister moved to amend the ordinance that all transfers above \$2,000 will come before County Council in writing and approved before they take place. Mr. Tolly seconded and vote was unanimous. A public hearing was held prior to second reading approval and no comments were heard. Mr. Gerrard moved to approve the ordinance on second reading as amended and Mr. Banister seconded. Vote was unanimous.

Chairman Garrison presented first reading of Ordinance #95-003 - rescinding of Ordinance #387 - policies and procedures for County Council. He explained that this was the ordinance which governs the rules and procedures for County Council and in order to put Council in its proper perspective; Council should have the ability to have directly under Council the Administrator, Clerk to Council, Attorney and a position of Internal Auditor. The County Attorney has advised that two positions are illegal; County Attorney and Internal Auditor.

The sole purpose was for Council to have checks and balances over the operation of a \$26,000,000 business, personalities and jobs were not involved, Mr. Garrison said. This was strictly to insure the voters of Anderson County that Council was doing their job. Mr. Garrison said he wanted to rescind the ordinance and replace with a Resolution which would allow County council to have committees on Council that would be assigned all areas of County government. A committee would be appointed to a certain area when something came up to look into it and report back to Council. Ordinance #387, under the new code, has been distributed into many sections of the new code, he said. The advantage of a resolution would be for future Councils, who wish to make changes in procedures, may do so without three readings of an ordinance. Mr. Banister moved to rescind the following sections of the County Code 2-36, 2-37, 2-38, 2-39, 2-40, 2-41, 2-42, 2-61, 2-62, 2-63, 2-64, 2-65, 2-66, 2-67, 2-81, 2-82, 2-83, 2-136, 2-137 which is the entire section of old ordinance #387. Mr. Gerrard seconded. Vote was four in favor (Garrison, Gerrard, Banister, Tolly) and one opposed (Floyd). Motion carried.

Chairman Garrison presented first reading of Ordinance #95-004 - an ordinance to provide for the creation of the Lone Oak/Broadview/Johnson Special Sewer Assessment District, the imposition of Sewer service charges, sewer connection charges and capital sewer service charges therefore, and the issuance and sale of not exceeding Six Hundred Thousand Dollars (\$600,000) General Obligation Bond anticipation notes. Mr. Floyd moved to accept the ordinance on first reading and Mr. Tolly seconded. Vote was unanimous.

Mr. Smoak presented first reading of Ordinance #95-005 - an ordinance to prohibit obstruction of Fire Lanes in Anderson County. Mr. Banister moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Garrison presented first reading of Ordinance #95-006 - an ordinance to impose fees for certain County services. Sec. 2-710. Fees for use of county offices and personnel. Anyone using any Anderson County office and/or personal wedding ceremony during normal county office hours shall be charged a fee of \$20 per ceremony. Mr. Garrison read ordinance #2-700 - General: The offices and personnel of the County of Anderson Government exist solely to serve the overall public needs of the citizens and taxpayers of the county. Use of the office and personnel for personal, nongovernmental reasons should be on an actual cost, time available, fee basis and said that it would suit him better if that section was handled by policy rather than by ordinance. Mr. Banister moved to amend the motion to delete section 2-700 and make a policy for it. Mr. Gerrard seconded. Vote was 5-0. Mr. Garrison also explained another section that needed to be amended. Sec. 2-710 Anyone using any Anderson County Office and/or personnel for a personal wedding

ceremony during normal county office hours shall be charged a fee of \$20 per ceremony payable to the Anderson County Treasurer and deposited in the general fund of the county. The Probate Judge has requested that the words "Anderson County Treasurer" be changed to "Anderson County Probate Judge". Mr. Tolly moved to make the changed as recommended and Mr. Banister seconded. Vote was unanimous. Mr. Tolly moved to approve on first reading and amended and Mr. Banister seconded. Vote on the original ordinance as amended was unanimous.

Mr. William Floyd presented Resolution R95-003 - a resolution honoring Christopher Todd and Resolution #R95-004 honoring Travis Lawson for their quick thinking, concern for their sister's well-being, and appropriate action in having the presence of mind and knowledge to immediately call 911 to summon appropriate rescue personnel for their sister when she accidentally fell into the family's backyard swimming pool. Mr. Floyd moved to approve the above resolutions as presented. Mr. Banister seconded and vote was unanimous.

Mr. Floyd presented Resolution #R95-005 - a resolution endorsing the continuation of the Appalachian Regional Commission and the funding of the Commission's activities. Mr. Floyd moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Tolly moved to approve Ms. Gwendolyn D. McGowens to the Human Relations Commission and Mr. Floyd seconded. Vote was unanimous.

Mr. Garrison called for a 5 minutes recess at 5:30 p.m.

The meeting was called back to order.

Mr. Smoak presented bids for Orthophoto mapping for the Assessor's Office. The low bid is from Kucera International, Inc. for \$557,660. Mr. Smoak explained that the project was partially funded in the present budget (\$336,000) and the balance would need to be provided in the 1995-1996 budget (\$221,660). Mr. Gerrard moved to go with the company and that a clause be added that 20% of the money will be with-held until the mapping is satisfactory completion of the project and a penalty of a \$10 fee for sheets not usable. Mr. Banister seconded. Vote was unanimous.

Mr. Floyd moved to transfer the following funds for the Sheriff's Department:

From Acct.# 361 to #271 - \$5,000

From Acct.# 361 to #303 - \$25,000

Mr. Tolly seconded and vote was unanimous. Vote was unanimous.

Mr. Smoak explained repairs that needed to be done on the dam at Broadway Lake. He said that cost is estimated at \$7,500 to buy rip rap and metal pipe and would like to secure those funds through the Delegation from the Watercraft Tax Funds in which this would be eligible for. The County will do the work and then be reimbursed; if approved. Mr. Banister moved to approve the recommendation and appeal to the Delegation for reimbursement. Mr. Tolly seconded and vote was unanimous.

Mr. Smoak presented a budget transfer for the Public Works Department in the amount of \$900 from acct. #5221-000-266 to #6500-341-5951-000-401. This was for overages for the new building. Mr. Floyd moved to approve the transfer and Mr. Banister seconded. Vote was unanimous.

Mr. Smoak said that the County parks county vehicles at the old P & D Building overnight and on weekends. Because of considerable vandalism and theft he recommended that the County fence the area in with 6' chain link at \$5,996 and add two high pressure sodium lights for \$9.55 monthly to cut down on the vandalism and theft. Mr. Floyd moved to transfer the needed money from contingency and do as recommended and Mr. Banister seconded. Council discussed other options. Vote was unanimous.

Mr. Smoak explained that the firm of Cherry, Bekaert & Holland quoted a fee of \$24,500 for the fiscal year 1995 audit, which is an increase of \$650 over 1994. The County awarded one additional year in December, 1993 and can award another year extension. Mr. Banister moved to take bids for the next year's audit and Mr. Gerrard seconded. Vote was 5-0.

Mr. Gerrard moved to ratify a telephone poll done on January 27, that all jobs vacated since the time of the hiring freeze of January 3, 1995, be replaced and the county retain the county employment at the same figure as then. Mr. Banister seconded and vote was unanimous.

Mr. Smoak explained that the Rescue Squads would like to have titles to ambulances titled over to them. The County agreed, last year, that the County would carry the insurance on two ambulances and one rescue truck per squad. All others would be paid for by the squad themselves. However, they may buy the insurance through the County, if those units are dual titled. He recommended to Council that the County give clear title to any vehicle that is the sole property of the squads and give clear title to any County owned vehicle that is more than five (5) years old to any squad that desires that we do so and if we do, the insurance will be discontinued. All remaining squad vehicles will be dual titled to the county and the respective squad for insurance purposes.

Proceeds for the sale of the vehicles would go for replacement vehicles or for other use by the squads. The disposal of any County owned vehicle less than 5 years old, would be done by the County with all proceeds going to the County. Mr. Banister moved to accept the recommendation with the exception of Squad 9 (Med-Shore) and Mr. Floyd seconded. Vote was 5-0.

Mr. Smoak presented a request from the Anderson County Soil and Water Conservation District to assist with additional personnel. The County presently funds one part-time position. Council agreed to ask that the Soil and Water Conservation District make the request at budget time.

Mr. Smoak said that on January 16, Councilman Bruce Gerrard, met with Council Chairman Ernie Garrison, various members of the Public Works Department and Mr. Brantley Jordan, to discuss renovations of the Agricultural Building and DSS Buildings as provided for in the recent general obligation bond. It was agreed that the \$500,000 allocated for this project, could best be spent on one building rather than two. After checking with Bound Counsel to see if it was possible to do work only on one, it could be done provided the County Council passed a resolution to indicate that the work would be done only one building and to include a revised scope of work. He suggested that the County begin work with the Agriculture building. Mr. Smoak read the scope of work to be performed and explained that time was important to avoid arbitrage. He said a General Contractor must be employed or utilize one in order to use his licenses to obtain the proper permits. In order to save money, the county will act as its own project manager and will work with various architects and engineers to review plans provided by our in-house staff. These plans will be appropriately stamped, and the work will go forward, he said. On the motion of Mr. Banister, seconded by Mr. Gerrard, Council unanimously approved Resolution 95-006 agreeing with the project to renovate only one building (Agriculture Building) and agreeing to moved forward with the scope of work and the employment of a Project Manager to oversee the project. Mr. Smoak said that the County needed to spend \$305,000 by June 15, and another \$1,235,000 by December 15 in order to avoid arbitrage. The new HVAC unit for the Health Building is already out on bids.

Mr. Smoak presented a request from the S.C. Department of Wildlife for stone to be placed on boat ramp. This is off county right-of-way and is estimated at \$1,025.00. Mr. Smoak said that the project is eligible to be paid out of Wildlife Funds and suggested that the County approach the Delegation for funding. Mr. Smoak will write the Delegation to request this. Mr. Smoak will work up figures for maintenance of all the landings in the County and contract with the State to handle on a yearly basis; the County do the work and the state reimburse the County.

The Anderson County Fire Protection Commission has requested that the County give them a Sheriff Deputies' car that the county may be replacing to be used by one of their investigators. The Sheriff has indicated that he has one that will do well; a 1986 Ford LTD. Mr. Floyd moved to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Smoak explained that the 15 years ago, water mains were only partially laid to serve the Airport. Now the West Anderson Water Company has completed water mains along Airport Road providing convenient access and more reliable service. Both FBO's need situations corrected. Anderson Aviation has been receiving water from the terminal building without metered service for a fixed fee. White's Aviation had to contend with a lengthy connector line that was frequently broken by other airport activities. Now we have the opportunity to correct both situations if the County agrees to tap into the water main with meter and connector lines to the FBO's property. This will cost the County \$2,658.74. Mr. Floyd moved to approve and Mr. Gerrard seconded. Vote was unanimously. The money will come from the Contingency Fund.

Mr. Garrison explained that he felt Council needed to "revisit" the design and construction of a new Detention Center facility to see if the Council wanted to start back at "ground zero" and decide on a new approach, to design the facility and put out for bids. DSP Architects charges to date are \$37,000. This is for the programmatic materials, the design build criteria. Council discussed. Mr. Banister asked about the figure \$2,420,000 for the total project; which is \$70,000 over the amount Council voted to spend. Mr. Gerrard stated that the County would be best served if the County used a design firm that deals exclusively with jails and prisons. Mr. Gerrard moved to reject the bid from DSP Architects and Mr. Banister seconded. Vote was unanimous.

Mr. Garrison said that he would like to hear from 3-4 contractors to see exactly what the County can build for the \$2,300,000. Then Council can go to a design firm. Mr. Smoak will arrange the meeting.

Mr. Gerrard moved to terminate the contract with DSP Architects at the agreed price of \$9,500 which is the balance to be paid and all materials will be in-hand prior to the last check being issued. Mr. Banister seconded and vote was unanimous.

Mr. Smoak presented a request from the S.C. Army National Guard, who presently occupies the a hangar at the Anderson County Airport. They find the hangar to inadequate and would like to build a new building. The County Council previously designated 10 acres for this purpose across from the present site; however, the National Guard decided that they need larger facilities.

The National Guard along with the Airport Commission has recommended that the County offer them 25 acres at the Airport and they will seek funding in the amount of \$6,000,000 in the 1996 Military Construction appropriation bill for the project. It will include reversionary clauses in case they decide not to build. The survey will be the only cost to the county. Mr. Banister said he was not in favor of giving away any of the County's land. Mr. Tolly moved to deed this land with the reversionary clauses to the National Guard and ask that they do the survey. Mr. Floyd seconded and vote was four in favor (Tolly, Floyd, Garrison, Gerrard) and one opposed (Banister). Motion carried. This will free up more valuable land to the county and also the hangar.

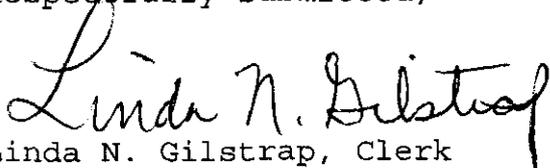
Mr. Banister moved to go back to the budget form used in 1992 and Mr. Gerrard seconded. Vote was four in favor (Tolly, Banister, Garrison, Gerrard) and Mr. Floyd opposed. Motion carried.

On the motion of Mr. Floyd, seconded by Mr. Banister, Council voted unanimously to approve the budget calendar for 1995-1996 as presented.

Council discussed a work session for Thursday, February 16 to discuss the multi-county landfill at 6 p.m.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council adjourned at 7:35 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk  
ANDERSON COUNTY COUNCIL