

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - March 21, 1995 - 7:00 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, 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 March 21, 1995 at 7:00 p.m. in the Anderson County Council Chambers - Old Courthouse - Second Floor.

PRESENT

Ernie Garrison - District #4, Chairman
William A. Floyd - District #2
Harvie E. Banister - District #3
Bruce Gerrard - District #5
Gary A. Smoak - Administrator
Linda N. Gilstrap, Clerk
Nancy Jo Thomason, Acting Attorney

ABSENT

G. Fred Tolly, Jr. - District #1

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

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve the minutes from the March 7, 1995 as mailed.

At this time, Council heard from concerned citizens. Mr. Steve Forbes presented Council a booklet on Transworld Systems. A professional accounts receivable recovery system for collecting delinquent taxes, EMS bills, insurance, mobile homes and etc. Mr. Garrison asked Mr. Forbes to get in touch with the County Administrator at a later date to discuss his company.

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A group of concerned citizens (Rudy and Donna Latham of Hazelwood Avenue and Jim and Nancy Higginbotham) appeared before Council about a wood burning incinerator company that may be built in their community off Monitor Road-off 28 Bypass. They feel this would be a health hazard, be a danger to their children, and create a traffic problem. The group asked Council to see what could be done about this.

Mr. Garrison presented third reading of Ordinance #95-003 - an ordinance revoking, repealing, and rescinding certain sections of the Anderson County Code. A public hearing was held; no comments were heard. Mr. Gerrard moved to approve on third reading and Mr. Banister seconded. Mr. Floyd asked to go on record as opposing because of the impact, he feels, that this will have on constituents. They will not have the amount of time to respond or the full benefit of time to react to certain issues. Vote was three in favor and one opposed (Floyd).

Mr. Garrison presented third reading of Ordinance #95-008 - an ordinance to amend the Anderson County Code with regard to street names and numbers as amended. A public hearing was held; no comments were heard. Mr. Banister moved to approve on third reading and Mr. Gerrard seconded. Vote was 4-0.

Mr. Garrison presented third reading of Ordinance #95-009 - an ordinance to amend the Anderson County Code of Ordinances with regard to certain Multi-County Parks. A public hearing was held; no comments were heard. Mr. Banister moved to approve on third reading and Mr. Gerrard seconded. Vote was 4-0.

Mr. Garrison presented second reading of Ordinance #95-010 - an ordinance to avoid duplication of the Twenty-Five Dollar (\$25.00) Commercial Solid Waste Fee. A public hearing was held; no comments were heard. Mr. Banister moved to approve on second reading and Mr. Gerrard seconded. Vote was 4-0.

Mr. Garrison presented Resolution #R95-002 - a resolution establishing rules and procedures of Anderson County Council for the conduct and guidance of its affairs and meetings, pursuant to the authority of Section 4-9-10, as amended, South Carolina Code of Laws, 1976. Mr. Gerrard moved to approve and Mr. Banister seconded. Council discussed. Mr. Garrison stated that in response to Mr. Floyd's statement that the resolution would effect constituents; he responded that the resolution takes the procedures from ordinance to resolution form and allows Council to change procedures without having three readings. This allows the chairman to appoint committees which would enable Council to obtain more information with less trouble. The Chairman will try Ad Hoc Committee first and then maybe standing committees. The intent is that your local representative represents you from the time you pay your taxes until it gets back to you in a service as efficiently as possible, Mr. Garrison explained. Vote was three in favor (Banister, Garrison, Gerrard) and one opposed (Floyd).

Mr. Garrison presented Resolution #R95-023 - a resolution which supports and endorses the seeking of funds to assist A & M Cleaning Products, Inc. through the submission of a Community Development Block Grant Application. Mr. Floyd moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Garrison said he would like to appoint Mr. Banister to serve on the LEPC (Local Emergency Planning Commission). Mr. Gerrard moved that the appointment be made and Mr. Banister seconded. Vote was 4-0.

✓ Mr. Smoak presented bids for the 1995-1996 and 1996-1997 audit services with a 2 year renewal option. He said the lowest bid came from Cherry, Bekaert & Holland for 95-96 - \$24,500 and 96-97 - \$25,725 and was a two year audit proposal with a two year renewal option. This amount for 95-96 is a 2.8% increase from the last year and Mr. Smoak asked that he be allowed to negotiate at a not to exceed the amounts given. Mr. Floyd moved to approve with the 2 year renewal option and allow the Administrator to negotiate at a not to exceed amounts given. Motion died from lack of a second. Mr. Banister moved to accept the proposal for one year and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak presented a purchase request for EMS equipment. He said it was an annual purchase of EMS equipment utilizing a State EMS grant of 92.5%. The balance 7.5% will be paid by the individual squads and Medshore on a total reimbursement to the County deal. Mr. Floyd moved to approve the purchase based on the information received from Mr. Smoak and Mr. Gerrard seconded. Vote was unanimous.

Mr. Gerrard presented a request from Ms. Betty Wright who has requested the County to abandon an old dirt road shown on her plat. The dirt road is not actually there. Mr. Gerrard moved to abandon all interest in the road and Mr. Banister seconded. Vote was 4-0.

✓ Mr. Banister moved that the County resurface a city street (entrance to Maple Manor) in the Town of Honea Path and the money to come out of District #3 paving. He said that he would be able, with funds available, to pave the small area which is estimated to cost \$1,200.00. If the money is available, at the time of paving, then the whole job would be paved. Vote was unanimous.

Mr. Smoak presented the closure of a portion of Camelot Drive. The property owners will take the legal actions necessary to close the road. Mr. Banister moved to abandon any interest in the road as indicated on the plat. Mr. Floyd seconded. Vote was 4-0.

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Mr. Floyd talked about previous action on the relocation of Lloyd Drive and the letter from the City of Anderson. He said that he has pledged \$10,000 from his paving account and Mr. Tolly has also done the same. The Anderson County Transportation Committee is contributing \$15,000 from "C" funds. Mr. Floyd made a substitute motion that any amount over \$35,000 be picked up by the City of Anderson in the closure, abandonment and relocation of Lloyd Drive. The County will do the engineering which was previously planned to be done by the City. Mr. Gerrard seconded and vote was 4-0.

Mr. Garrison presented a request from Falcon Industries for wastewater land applications in Anderson County. Mr. Lee Daniel legal counsel for Falcon Industries, explained the process. Several farmers who would be participating in the project were present. He said that Falcon would be responsible for any problem that this land application may cause; however, it is completely safe and is comparable with liquid commercial fertilizer and will be given free to the farmers. Mr. Garrison express concerns that Council should not be involved in the "loop" when they have no monitoring or responsibility in the process. Mr. Floyd moved to approve the process in Anderson County and Mr. Gerrard seconded. Vote was three in favor (Floyd, Gerrard, Garrison) and one opposed (Banister). Motion carried.

Mr. Smoak informed everyone that the County had received funding, in the amount of \$20,000, through the State Mapping Office Grants program to assist the County with its mapping system. A Memorandum of Understanding between the County and the State needs to be executed. Mr. Floyd moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Garrison asked Mr. Smoak to explain Phase I and Phase 2 of the Agriculture Building Renovations. He reported the following: The three phases have been divided into the following groups:

Phase I - Window replacement and Doors-engineering work to be done by Kenneth Pflieger for not to exceed \$3,000.
Phase II - Heating, air conditioning and ventilation system
Phase III - ADA requirements

A proposal from Richard M. Gregory to do Phase II; the mechanical and electrical engineering for the building was talked about. The electrical not to exceed \$2,400 and the mechanical not to exceed \$4,000. Mr. Floyd moved to approve Phase I and Phase II as explained and Mr. Gerrard seconded. Vote was 4-0.

Mr. Garrison explained that Council received a letter from the Coroner asking for other consideration of marking his vehicle with the large County decal. He asked for an alternate marking

and a diagram was enclosed. Mr. Floyd moved to make the Coroner's car an exception to the decaling of county vehicles as requested. The car will be marked as requested. Mr. Gerrard seconded and vote was unanimous.

Mr. Smoak presented a request from West Anderson Water Company asking for the sum of \$500 for establishing a fire hydrant on the corner of South Warner Road adjacent to the new pumping station and also for the paving of a short drive adjoining the pumping station. In return they are willing for the County to continue providing water needs to the County at no charge. Mr. Gerrard moved to approve the two requests and the funds to come from the contingency fund. Mr. Banister seconded and vote was 4-0.

Mr. Smoak said that in 1986, the Highway Department built a new bridge across Rocky Ricer at High Shoals, abandoning the old steel bridge and the road leading through it. The land owner, Jack McIntosh, granted an easement to the Highway Department for the new bridge with the provision that he would have the right to maintain the old diversion dam and the remainder of the water gate which served the mill at High Shoals. His property line encompasses a portion of the abandoned road. He appeared before Council in 1990 and Council approved the abandonment of the bridge and road to Mr. McIntosh. It appears that no one ever wrote him anything and now he is asking that Council reaffirm the position that Council took on January 23, 1990 and to provide him with a letter reaffirming the position of the County. Mr. Banister moved to reaffirm the position to abandon the road and the bridge and write a letter to Mr. McIntosh informing him of the action. Mr. Gerrard seconded and vote was 4-0.

Mr. Smoak presented change order #2 for the Highway 24 sewer project. This will add 360 ft. line to serve 6 to 10 acres and will eliminate an existing pump station. Mr. Gerrard moved to approve the request and Mr. Floyd seconded. Vote was unanimous.

Mr. Garrison said that an executive session was needed to discuss personnel, contractual and economic development matters.

Mr. Floyd moved to go into executive session at 8:05 p.m. and Mr. Gerrard seconded. Vote was 4-0.

On the motion of Mr. Floyd seconded by Mr. Gerrard, Council voted unanimously to come out of executive session back into regular session at 10:55 p.m.

Mr. Garrison stated that no action was taken in executive session.

Mr. Banister moved to overturn the decision made by the Grievance Committee and Mr. Gerrard seconded. Mr. Floyd stated that he accepted the decision given by the Grievance Committee. Vote was three in favor and one opposed (Floyd).

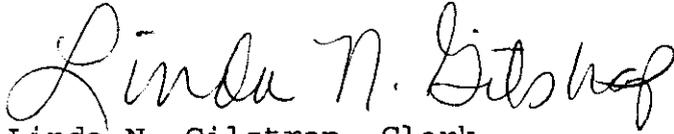
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Mr. Floyd moved to allow the Economic Development Director and the County Administrator to proceed with negotiations as discussed in executive session and Mr. Gerrard seconded. Vote was three in favor and one opposed (Banister).

On the motion of Mr. Floyd seconded by Mr. Gerrard, Council adjourned at 11:10 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL