

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - October 5, 1999 - 6:00 p.m.

Linda N. Gilstrap, Clerk to Council

MINUTES

All area newspapers, radio stations and television stations were informed of this meeting in compliance with guidelines of the Freedom of Information Act.

PRESENT

G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Larry E. Greer - District #3
Chairman Clint Wright - District #4
J. Mike Holden - District #5
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Gilstrap - Clerk to Council

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, October 5, 1999, at 6:00 p.m.

Mr. Larry Greer gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve the minutes from the August 31, 1999, and September 21, 1999, meetings as mailed.

Public Comments: Mr. Brantley Jordan welcomed Ms. Gracie Floyd to the Council and said that it was with great pleasure that he welcomed her because Mr. Floyd was a great friend of his.

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Chairman Wright explained the following two amendments to the agenda: #1 Change: First Reading of Ordinance #99-027 - conveyance of certain defined real property to the West Anderson Church of God. This will be new item #5 (c). #2 change: Add: Resolution #R99-036 under 6 (c). Mr. Tolly moved to approve the agenda with the changes as explained by the Chairman. Mr. Holden seconded the motion and vote was unanimous.

Chairman Wright explained that Miss Tiffany Wilbanks' "Making Life Quite Happy" poem was awarded the Diamond Homer Trophy, and she has also been named 1999 Poet of the Year Medallion Winner. Miss Wilbanks, a sophomore at Pendleton High School, read the poem to the Council and citizens. Miss Wilbanks is a sophomore at Pendleton High School. Chairman Wright presented her with a Certificate of Achievement. Council congratulated Miss Wilbanks.

Mr. Bob Daly, Detention Director, explained that it was a year ago that Solicitor Ducworth came before Council to ask if the Detention Center could assist him by beginning a Boot Camp. The first year has been very successful, he said. Mr. Daly explained that the Boot Camp received a generous contribution from Mr. Edgar Davis of Greenwood in the amount of \$15,000.00. Mr. Davis was presented a certificate for his generous contribution. Mr. Daily recognized the Boot Camp staff: Capt. Mike Vergis, Sgt. Eric Boggs, Sgt. James Beaty, Capt. Rodney McCullough, Officer Sandy Williamson. The staff members were presented "Officer of the Month" awards. Mr. Davis stated that it was a pleasure to take a part in the Boot camp. Council thanked Mr. Davis for his support.

Mr. Wright presented Ordinance #99-020 - an ordinance amending in certain limited particulars and readopting the Anderson County Unfit Dwellings Ordinance; and other matters relating thereto. On the motion of Mr. Holden, seconded by Mr. Greer, Council voted unanimously to approve on third and final reading.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve third and final reading of Ordinance #99-021 - an ordinance to revise and amend that certain fee in lieu of tax lease agreement between Anderson County, South Carolina, and Orian Rugs, Inc. dated as of December 1, 1997, so as to authorize the inclusion of, and to include real estate and improvements thereon in such lease agreement; and other matters related thereto.

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A public hearing was held concerning Ordinance #99-023 - an ordinance authorizing the sale, by Anderson County, of two (2.0) acres, more or less, of certain property situated within the Anderson County Airport Industrial Park; and, other matters relating thereto. Mr. Tom Martin, County Attorney explained that the ordinance was not ready for third reading because the county is waiting on the survey and the appraisal. No other comments were made during the public hearing therefore the public hearing was declared closed.

Chairman Wright presented second reading of Ordinance #99-024 - an ordinance authorizing the leasing and sale of certain property by Anderson County, South Carolina, to General Nutrition Products, Inc.; the application of an infrastructure credit to fee-in-lieu of tax payments relating to that property; and other matters relating thereto. A public hearing was held; no comments were heard. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve the second reading as presented.

Chairman Wright presented second reading of Ordinance #99-018 - an ordinance amending in certain limited particulars and readopting those provisions of the Anderson County Code of Ordinances pertaining to Anderson County Boards, Commissions, Committees and Councils; and other matters relating thereto. A public hearing was held; no comments were received. Mr. Greer moved to approve the ordinance on second reading and Mr. Holden seconded the motion. Mr. Greer offered an amendment to change the number of representatives on the Museum Commission from 7 to 14. Mr. Tolly seconded the amendment. Vote was unanimous on the amendment. Vote on the original ordinance as amended was unanimous.

On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted unanimously to approve first reading of Ordinance #99-025 - an ordinance authorizing the execution and delivery of a lease agreement between Anderson County, as Lessor, and Fridgidare Home Products, as Lessee; and other matters relating thereto including, without limitations, payment of a fee-in-lieu of taxes. (title only)

On the motion of Mr. Greer, seconded by Mr. Holden, Council voted unanimously to approve first reading of Ordinance # 99-026 - an ordinance authorizing the execution and delivery of a lease agreement between Anderson County, as Lessor, and Torrington Company, as Lessee; and other matters relating thereto including, without limitations, payment of a fee-in-lieu of taxes. (title only)

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On the motion of Mr. Greer, seconded by Mr. Holden, Council voted four in favor and one abstention (Mr. Tolly) to approve first reading of Ordinance #99-027 - an ordinance authorizing the conveyance of certain defined real property to West Anderson Church of God; and other matters related thereto. (title only) Mr. Martin explained that the request was received from the West Anderson Church of God and this property is an alleyway between properties. He stated that the property is approximately 15' wide by 400' long and has never been a public road, just an alleyway.

Mr. Tolly presented Resolution #R99-034 - a resolution honoring the late Anderson County Civic Leader, Pete J. Stathakis; by resolving and proclaiming that the newly renovated home of the Anderson County Economic Development Office, located at 126 North McDuffie Street, Anderson, be identified and known as the Pete J. Stathakis Economic Development Building and a suitable plaque to that effect shall be permanently mounted on the building. Mr. Tolly moved to approve the resolution as read. Mr. Holden seconded and vote was unanimous. The family of Mr. Stathakis accepted the resolution and thanked Council for their kind action.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve Resolution #R99-035 - a resolution honoring the late Anderson County Civic Leader, M.L. "Pete" Hopkins; by resolving and proclaiming that the new commercial aviation hangar at the Anderson County Airport be identified and known as the M.L. "Pete" Hopkins Hangar, and a suitable plaque to that effect shall be permanently mounted on the building.

Mr. Tom Martin presented a request with a former right-of-way of Highway 81 as it crosses the intersection of Concord Road and Hopewell Church Road. When the road was re-routed, the right-of-way was never abandoned or turned over by the State or the County. The McDuffie Street Church of God purchased the property on which the right-of-way sits. Now that property is suitable for development and the Church desires to sell the property. The church's attorney has requested that the County abandon any interest in that right-of-way. Mr. Holden moved to abandon any interest in the right-of-way and Mr. Tolly seconded. The church's attorney will file an action in S.C. Circuit Court requesting that the court actually formally close the right-of-way and turn it over to the abutting property owners, currently McDuffie Street Church of God. Vote was unanimous.

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On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve a change order (#1) in the amount of \$11,353.00 for the addition of HVAC unit, new carpet for existing building, painting of additional walls and installation of three flagpoles.

Mr. Jeff Ricketson and Mr. Phil Rhoads, with the Building and Codes Department, explained the results of Anderson County's ISO Report. The rating has increased from a rating of 6 two years ago to a rating of 4 this year. Mr. Rhoads said that the County Council's support helped accomplish this goal. The ISO (Insurance Services Organization) will in the year 2000 help Anderson County homeowners get a lower house insurance premiums.

Mr. Ricketson presented recommendations for appropriations of the ATAX funding totaling \$115,698. Mr. Greer noted for Council that there were requests that were not funded. This could have been because the ATAX Committee did not have all the necessary information that they needed for the requests. Mr. Greer moved to table and redirect back to the ATAX Committee for re-evaluation for approval at a later date. Mr. Holden seconded and vote was unanimous.

Mr. Holden asked Mr. Tom Martin to explain a problem with Lakeland Drive. Mr. Martin reported that there was a piece of property on Lake Hartwell. A State road (Lakeland Drive) which at one time, ran to the water's edge or to the end of the Corps right-of-way. The State never finished the road going down to the water. Instead, they turned the right-of-way over to Anderson County. It is designated, as a County road (not paved). Mr. Martin was asked to render a legal opinion as to who owned what rights with regard to the road whether the road belonged to the property owner on one side or the other side. A letter was written to the property owner noting that the road and the stud were still designated as county roads and County Council had never voted to abandon interest in them. The reasons that this has become important is that one of the property owners had been granted a quit claim deed over the property, which has been recorded at the Courthouse. This is 66' wide strip of property going to Lake Hartwell. Attorneys for both adjoining property owners have contacted Mr. Martin. Mr. Holden moved to resume minimum maintenance on the road in order not to land lock access to property. Mr. Greer seconded and vote was unanimous.

Mr. Holden stated that the State no longer puts aprons for commercial driveways

in Anderson County. He asked that County employees get a written letter from the State as to why they no longer provide this as a service to the taxpayers of Anderson County. Mr. Holden explained that the road in question was gravel and the gravel in getting in the road was causing a very dangerous situation. He also moved to direct the Public Works department to install a standard apron for the business on Highway 187 and the funds to come from District #5 Asphalt Account. Mr. Tolly seconded and vote was unanimous.

Mr. Holden also explained that there is a problem with too many ducks at Chris Taylor Park. He asked Mr. Preston to contact the Human Society to see what could be done before they multiply even more. Mr. Preston agreed to check out the problem as directed by Mr. Holden.

ADMINISTRATOR'S REPORT:

(a) Employee Certificates and Training:

1. Mr. John E. Chambers - IS-10 Animals and Disaster Awareness and Preparedness & IS-11 Animals in Disaster Community Planning
2. Ms. Willie M. Clinkscales - IS-195 Basic Incident Command system

(b) Letters of Appreciation:

1. From: Mr. & Mrs. Helmut Lemke To: The Civic Center
2. From: Mr. Robert Tugwell To: Mr. J.R. McClure
3. From: Mr. Millard Smith To: Mr. Brantley Jordan
4. From: Mr. & Mrs. Bill Neilson To: Officer Tony Barnette
5. From: Mr. & Mrs. Dennis Dobbins To: Officer Tony Barnette
6. From: Mr. Harry Findley To: Administrator
7. From: Mr. Pelham Medlock, Jr. To: Susan Guynn

(c) Minutes:

1. Anderson Partnership Executive Committee Meeting
2. Public Works Safety Meeting Minutes
3. Litter Task Force

(d) Reports:

1. Recreation Fund Account
2. District Paving Account
3. Four Week Paving Schedule

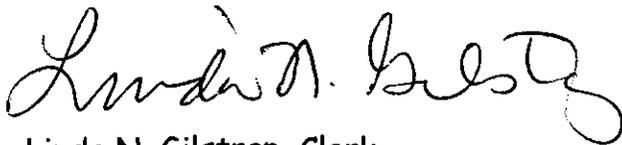
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4. Inmate Litter Report September 7-10
5. Inmate Litter Report September 13-17
6. Inmate Litter Report September 20-24
7. Civic Center Events
8. Proposed Future Land Use Plan for School District #1
9. SCETV Taping at Detention Center
10. Garrett D. Steck - McNair Law Firm
11. Anderson Area YMCA Public Notice

There being no further business, Council adjourned at 7:20 p.m.

Respectfully submitted, ,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL