

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - August 15, 1995 - 4:30 p.m.
Linda N. Gilstrap, Clerk

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, Gary A. Smoak, Jack McIntosh, 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.

A regular meeting of the Anderson County Council was held on August 15, 1995 at 4:30 p.m. in the Council Chambers - Old Courthouse - Second Floor.

PRESENT

Chairman Ernie Garrison, District #4
G. Fred Tolly, Jr. - District #1
William A. Floyd - District #2
Harvie E. Banister - District #3
Bruce Gerrard - District #5
Gary A. Smoak, Administrator
Jack McIntosh, County Attorney
Linda N. Gilstrap, Clerk

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, August 15, at 4:30 p.m.

The Chairman called the meeting to order and welcomed the group. He then called on Councilman Bruce Gerrard to open the meeting with prayer. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to approve the July 18 and July 25, 1995 minutes as mailed.

Council heard from Mr. Brantley Jordan under public comments.

Dr. James Hite with the Strom Thurmond Institute of Government and Public Affairs, Clemson University, presented a report to Council entitled "The Anderson County Economy in the Late Twentieth Century". The report was explained and discussed. Council received as information.

The next three ordinances concerning Venture Packaging were deferred until after a legal briefing by the County Attorney in executive session.

Mr. Garrison presented second reading of Ordinance #95-018 - an ordinance to create a Special Tax District in the Sedgewood Community; to define the boundaries of the district and the purposes for which it is created; to establish the Sedgewood Community Tax District Commission and to impose sufficient millage to have street lights installed land maintained annually on all taxable property located within the district. A public hearing was held; no comments were received. Mr. Gerrard moved to approve on second reading and Mr. Tolly seconded. Vote was unanimous.

Mr. Garrison presented first reading of Ordinance #95-019 - an ordinance to provide for property owners to rid properties of weeds, undergrowth, trash, and other conditions detrimental to the public health, welfare or safety of county citizens. Mr. Tolly moved to approve on first reading and Mr. Floyd seconded. Council discussed. Mr. Banister said that he thought it would be nice to have; however, the ordinance reaches out beyond subdivisions to residential developed areas of the county, and it needed to be studied to see who would enforce, how will it be enforced, and what the outcome would be if it had to go into litigation. Council discussed further. Mr. Tolly said that rural areas needed to be excluded and Council could ask the County Attorney to incorporate the change for second reading. Vote was four in favor (Tolly, Floyd, Gerrard, Garrison) and one opposed (Banister). Motion carried.

Mr. Garrison presented Resolution #95-031 - a resolution extending the Veterans of World War II an expression of appreciation and commemorating the 50th anniversary of the end of World War II. He asked that Council ratify previous action to approve. Mr. Garrison then moved to approve and Mr. Banister seconded. Vote was unanimous.

Mr. Floyd presented Resolution #95-032 - a resolution recognizing Antonia Y. Allen, Manager of Anderson Gardens Apartments, in receiving a \$125,000 Drug Elimination grant. Mr. Floyd moved to ratify previous action to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Garrison reappointed Mr. Norville Spearman to the Airport Commission, reappointed Mr. T. Ed Garrison to the Economic Development Board, and reappointed Mrs. Laura Rhodes to the Anderson Area Medical Center. Mr. Banister moved to approve the reappointments by Mr. Garrison and Mr. Floyd seconded. Vote was unanimous.

Mr. Floyd moved that the following reappointments be approved: Mrs. Carl Stone to the Anderson County Accommodations Tax Advisory Committee, Mr. William C. Hood to the Alcohol & Drug Abuse Commission, Mr. Al Norris to the Economic Development Board, and Dr. Charles Waller to the Anderson Area Medical Center. Mr. Tolly seconded, and vote was 5-0.

Mr. Gerrard moved that Ms. Joan Black be appointed to the Anderson County Alcohol & Drug Abuse Commission (replaces Frank Hooper) and the reappointment of Mr. Roosevelt Green to the Alcohol & Drug Abuse. Mr. Tolly seconded and vote was unanimous.

Mr. Garrison recommended that Mr. Bruce Gerrard serve on the ANATS Policy Committee. Mr. Tolly moved that the recommendation be approved, and Mr. Banister seconded. Vote was 5-0.

Mr. Smoak presented bids to purchase a Kobelco SK220 Trackhoe for Solid Waste from Pioneer Machinery is \$159,898. Mr. Floyd moved to approve, and Mr. Tolly seconded. Mr. Banister said that the County, in his opinion, would come out better buying Caterpillar. Vote was unanimous.

Mr. Smoak asked for ratification of a change order to fill two window openings under fire stairs and install an egress window on the second floor. This is for the Agriculture Building and was necessary to meet City Building Codes. Mr. Gerrard moved to approve the work to be done by Graham Hodge in the amount of \$553.00. Mr. Tolly seconded, and vote was unanimous.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted unanimously to approve a bid for Agriculture Building - Ceiling improvements by Williams Plastering in the amount of \$55,300.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to approve a bid for electrical wiring for the Agriculture Building by Black Electrical Company in the amount of \$55,900.00.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve a bid for mechanical - HVAC Agricultural Building by D & M Heating & Air in the amount of \$189,826.00.

On the motion of Mr. Tolly, seconded by Mr. Banister, Council voted unanimously to approve pressure wash and seal exterior walls (Agriculture Building) to be done by A World of Difference and paint interior walls of Agriculture Building by RCI, Inc.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to approve the transfer of \$16,000 from account #5055-000-101 (Solicitor's budget) to account 5055-300-304 - Professional services.

Mr. Tolly talked about the situation in the Assessor's office where property owners paid a year in advance on their reassessment. He moved that Council go on record as refunding to all property owners that were unjustly charged their money. Mr. Floyd seconded. Council discussed. Mr. Gerrard recommended that the County pay the money back plus interest.

Mr. Floyd amended the motion that all taxes and penalties will be refunded plus an 8% interest rate for the time the County had their money. Mr. Tolly seconded. The money will come from the contingency fund. Vote was unanimous on the amendment, and vote on the original motion as amended was unanimous.

Mr. Gerrard talked about a stormwater outfall ditch clogged with trees and bushes behind Homeland Park Elementary School. He moved that the County do ditching work to correct the problem. Estimated cost is \$15,160 and the funds would come from District #5 paving fund. All work would be contingent upon the County getting all easements to dredge the ditch. Mr. Banister seconded the motion, and vote was unanimous.

Mr. Gerrard talked about work needed at Fork Rescue Squad for grading and paving to accommodate their new building on S.C. 24. This would open up a road that has been closed. The cost is estimated at \$21,062 and would come from District #5 paving funds. Mr. Gerrard moved that this be approved, and Mr. Banister seconded. Vote was unanimous. This work needs to be done as soon as possible, Mr. Gerrard said.

Mr. Gerrard moved to approve the construction of a walking track at New Prospect Elementary School. The estimated cost is \$10,131 and the funds to come from District #5 paving funds. Mr. Banister seconded the motion, and vote was unanimous. This work can wait until spring.

Mr. Smoak explained a request from the Town of Honea Path to utilize Mr. Wayne Proctor's time to assist them with a design for an "Adopt-a-Tree" Program. The time involved is estimated to be 2-4 weeks full-time work spread out over several months, and is approximately \$1,500-\$2,500 cash labor. Mr. Gerrard moved to approve the request and Mr. Banister seconded. Vote was unanimous.

Mr. Banister moved to pay approximately 11 ambulance calls to MedShore for the Detention Center inmates at \$75 per call and all future charges be approved for payment also. Mr. Gerrard seconded, and vote was unanimous.

Mr. Smoak presented an amended Intergovernmental Agreement between Anderson, Pickens, & Oconee Counties concerning the three county landfill. This amended agreement inserts legal language. Mr. Banister moved to approve the amendment, and Mr. Tolly seconded. Vote was unanimous.

Mr. Smoak explained that the Economic Advisory Board had membership of certain ex-officio members. One is a board member representing the State Development Board which has been dissolved and the position of a representative for the Tenth Judicial Circuit

no longer exists. He recommended that the Anderson County Code be amended to delete the position. Mr. Floyd moved to approve the first reading of an ordinance to make the change (#95-020) and Mr. Tolly seconded. Vote was unanimous.

Mr. Smoak explained a request from Masada Cable Partners II, L.P. to transfer their franchise to another company. (Crown Cable to Charter Communications) Mr. Gerrard moved that the transfer be made and Mr. Banister seconded. Vote was unanimous.

At the last meeting, Council approved the realignment of Roper Road, Mr. Smoak said. \$10,833.33 is the amount of money ("C" funds) allotted for the job; however, additional money may be required. When we know how much additional funds are needed then we can ask the Transportation Committee to reimburse us for the difference, he said. Easements/right-of-ways are required in order to relocate the road from three property owners. Council was furnished a list of what work would be required from the County for the right-of-ways in lieu of the purchase. The Chairman asked the County Attorney if this type of exchange is just as legal as buying the right-of-way. He recommended that the County do the way Mr. McClure recommended and the exchange will be well documented and can be justified in a mutual agreement. Mr. Gerrard moved to approve the additional expenditure of money and the exchange of work in lieu of payment for needed right-of-way. Mr. Banister seconded and vote was unanimous. (The money will come from District #4's paving funds. The total is estimated to cost less than \$20,000.)

Mr. Smoak asked for permission to rent a county owned house adjacent to the dam at Broadway Lake for \$300 per month. Council discussed. Mr. Banister moved to rent the house, but require a deposit of \$300 plus one months rent in advance. Mr. Tolly seconded. Council discussed. Mr. Floyd moved to table until the next meeting. Mr. Tolly seconded and vote was 5-0.

Mr. Smoak presented a request from the Corp of Engineers for a Quit Claim Deed to abandon easements on roads entering various recreational parks - Springfield Road entering Springfield Recreation area, Island Point Road entering Island Point Recreation area, Green Pond Road entering Green Pond Recreation area, and Camper's Way entering Crescent Recreation area. Mr. Gerrard moved to approve the request and Mr. Banister seconded. Vote was unanimous.

On the motion if Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to go into executive session at 6:10 p.m. to discuss contractual, economic development matters, and personnel.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to come out of executive session back into regular session at 8:35 p.m.

No action was taken in executive session.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve third and final reading of Ordinance #95-015 - an ordinance authorizing the execution and delivery of not exceeding \$45,000,000 Principal Amount Industrial Revenue Bonds for Venture Packaging.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve third and final reading Ordinance #95-016 - a Master Ordinance authorizing and providing for the issuance of Anderson County, South Carolina, Special Source Revenue Bonds for Venture Packaging.

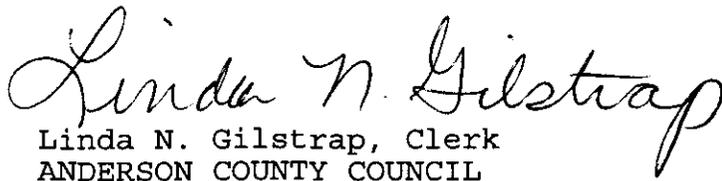
On the motion of Mr. Tolly, seconded by Mr. Floyd, Council voted unanimously to approve third and final reading Ordinance #95-017 - a first supplemental ordinance providing for the issuance and sale of not exceeding \$875,000 Anderson County Special Source Revenue Bonds for Venture Packaging, Inc. Project.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to approve a lease with Sundance Incorporated for a tie-down at the Anderson County Airport.

Mr. Banister called Council's attention to the celebration at Iva on September 30.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to adjourn at 8:45 p.m.

Respectfully submitted,


Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL