

ORIGINAL

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA

Regular Meeting - February 20, 1990 - 7:00 p.m.  
Linda N. Gilstrap, Clerk

M I N U T E S

A regular meeting of the Anderson County Council was held on February 20, 1990 at 7:00 p.m. in the Anderson County Council Chambers - Room 109. Chairman James M. "Jimmy" Cox, Jr. presided.

PRESENT

James M. "Jimmy" Cox, Jr. - District #1  
David L. Hooper - District #2  
Harvie E. Banister - District #3  
Elise C. Cahaly - District #4  
Mike Holden - District #5  
David Watson - County Administrator  
David Standeffer - County Attorney  
Linda N. Gilstrap - Clerk

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

On the motion of Mr. Hooper, seconded by Ms. Cahaly, Council voted unanimously to approve the February 6, 1990 minutes as mailed.

Mr. David Standeffer, County Attorney, presented third reading of Ordinance #300 concerning additional funding for the Anderson County Civic Center. A public hearing was conducted prior to adoption. No citizens wished to speak. Mr. Hooper moved to approve the ordinance on third reading and Ms. Cahaly seconded. Ms. Cahaly amended the motion to add \$5,000 to help replace the tanker for Zion Fire Department. Mr. Hooper seconded. Vote on the amendment was unanimous. Vote on the original proposition as amended was three in favor (Cahaly, Hooper, Holden) and two opposed (Cox, Banister). Mr. Cox explained that he felt like any funding done at this time should be on an emergency basis and if money is going to be spent, it should be spent on vehicles for the Sheriff's Office which is more of a crisis than funding for the Civic Center.

Mr. Standeffer presented Resolution #530 calling for a public hearing to be held for the purpose of making a determination as to whether and to what extent the district boundaries of Homeland Park Water District shall be enlarged. Mr. Holden moved to approve the resolution and Ms. Cahaly seconded. Vote was unanimous.

Mr. Rufus Keys, appearing as a concerned citizen, talked about referendums held in Anderson County in 1982, 1986 and 1988. These referendums were held concerning two and four year terms for County Council, changing the number of council districts from 5 to 7 (single member districts) and increasing Council districts from 5 to 7 (five

Anderson County Council  
February 20, 1990

single member districts with 2 at large). He explained that 1990 would be a good time to increase to seven single member districts but according to S.C. Code of Laws, section 4-9-10, the 1988 referendum was illegal. Mr. Cox explained that in his opinion, the 1988 referendum was invalid, and Council could go ahead and have the referendum this year. He requested that the County Attorney obtain a written opinion from the Attorney General whether another referendum would be legal. Mr. Standeffer said that the Attorney General would give an opinion that the 1988 referendum was a non-event because of it being an illegal act. Mr. Keys said that the minority group needed to be addressed. Council received as information.

Ms. Nadine Brock, Director of Emergency Preparedness, recognized the 1990 Tornado Poster contest winners.

Grade 1 - Amy Lambert - Whitehall Elementary School  
Grade 2 - Christy Stair - Whitehall Elementary  
Grade 3 - Kaci Mize - Concord Elementary School  
Grade 4 - Heather Hand - Wren Middle School  
Grade 5 - Anna Eaves - Wren Middle School  
Grade 6 - Will Ragland - Wren Middle School

Will Ragland is also the Regional Winner for his grade and his poster has been sent on to be judged on the State level.

Mr. Roy Perry talked to Council about having to provide sewer for industries to locate in Anderson County. Mr. Cox explained that if you do not have water, sewer, gas, roads industries will locate elsewhere. Mr. Cox also said that Council could ignore the needs of the populous for new jobs and let the industries go by but hopefully that will not happen. Mr. Perry said he believed that the taxpayers were having to pay these industries to locate here and feels that the industries should have to pay there own way. Council received as information.

Mr. Tony Cirelli presented first reading of Ordinance #301 concerning amendments to the Anderson County Flood Plain Ordinance. He explained the amendments to Council. Ms. Cahaly moved to approve on first reading and Mr. Hooper seconded. Vote was unanimous.

Mr. William McCoy, Chairman of the Land Use Committee, presented Ordinance #299 - amendments to the Mobile Home ordinance for Council's consideration. Council discussed the amendments and delaying action for further study. Members of the Land Use Committee were present to answer questions. Ms. Cahaly moved to approve on first reading and Mr. Holden seconded. Mr. Cox stated that he would not vote on third reading of the ordinance unless all objections are worked out. Mr. Banister stated that he met with Mr. McCoy on three different occasions and asked for changes and was told that the Committee would not accept the changes. He said that some changes in the ordinance were not right and would not be a rubber stamp for any committee. Mr. Cox asked the committee to met with Council to discuss possible changes. Mr. Hooper moved to table for further study and Mr. Banister seconded. Vote on the motion to table was two in favor (Hooper, Banister) and three opposed (Cox, Holden, Cahaly). Motion failed. Vote on the motion to approve on first reading was three in favor (Cox,

Anderson County Council  
February 20, 1990

Cahaly, Holden) and two opposed (Hooper, Banister). Mr. Cox said that second reading would not be presented until a compromise is worked out on the changes.

Mr. David Watson asked that the Solid Waste Management Authority be named in an advisory capacity until the transition from an authority to a department is complete. This was recommended by the Appalachian Council of Governments. Ms. Cahaly moved to approve as recommended and Mr. Hooper seconded. Vote was unanimous.

Mr. Rusty Burns presented the following purchases for Council's approval: (1) each - 1990 Cab & Chassis tandem axle dump body from Guy Motors (\$41,175.25) for Road Maintenance. Guy Motors is the low bid and the item is budgeted with no additional funding required. (2) 100 each - Memorex tapes 2400' and 50 each memorex tapes 1200' for a total cost of \$1,876.88 from Carlton Chandler & Associates. They are budgeted items and no additional funding will be required. (3) Has Mat Team equipment - total purchase price is \$3,714.49. No additional funding will be required and the items are budgeted. Mr. Holden moved to approve and Mr. Hooper seconded. Vote was unanimous.

Mr. Burns presented Resolution #531 naming certain roads in Anderson County for the purpose of implementing E911. Mr. Hooper moved to approve the resolution and Mr. Holden seconded. Vote was unanimous.

Mr. Watson explained that bids for a motorgrader for Road Maintenance all came back over budget; therefore recommended that a three member committee be established to shop around for one used motorgrader and pan. The committee to consist of Mr. J.R. McClure, Mr. Jack Crowe and the shop manager and would make the purchases based on the committee's judgement. Mr. Banister moved to approve the request as an emergency purchase and form the committee. Ms. Cahaly seconded. Vote was 5-0.

Mr. David Standeffer asked for an executive session to discuss legal and contractual matters at 8:15 p.m. Mr. Banister moved to go into executive session for the reason stated and Mr. Cox seconded. Vote was unanimous.

Mr. Hooper moved to come out of executive session back into regular session at 9:00 p.m. Mr. Holden seconded and vote was unanimous.

Mr. Standeffer asked for permission to direct the Administrator to enter into a consent order with the Department of Health and Environmental Control for settlement on a matter with them. Mr. Banister moved to approve and Mr. Cox seconded. Vote was unanimous.

Mr. Standeffer said that he had a Freedom of Information request concerning a litigation matter from an attorney. The insurance company has recommended that the matter is subject to discovery in the litigation situation and should not be handled through FOI. Mr. Standeffer recommended Council approve the recommendation of the insurance company. Ms. Cahaly moved to approve the action as recommended and Mr. Cox seconded. Vote was unanimous.

Anderson County Council  
February 20, 1990

Mr. Standeffer requested permission to enter into settlement negotiations concerning a litigation matter presently pending against the County. Mr. Hooper moved to approve and Mr. Banister seconded. Vote was unanimous.

Council heard from Mr. J.D. Compton and Mr. Brandley Jordan during the Citizens Agenda.

There being no further business, Council adjourned at 9:10 p.m.

Respectfully submitted,

*Linda N. Gilstrap*

Linda N. Gilstrap, Clerk  
ANDERSON COUNTY COUNCIL