

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - April 5, 1994 - 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, Ed Allgood, Mike Hoyden, 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- HOMETOWN REFLECTIONS, Brantley Jordan (picked up and paid for).

A regular meeting of the Anderson County Council was held on April 5, 1994 at 4:30 p.m. in the new Anderson County Council Chambers - Old Courthouse - Second Floor.

PRESENT

William A. Floyd - District #2
Harvie E. Banister - District #3
Ed Allgood - District #4
Mike Holden - District #5
Tom Martin - County Attorney
Gary A. Smoak - Administrator
Linda N. Gilstrap, Clerk

ABSENT

G. Fred Tolly, Jr. - District #1

Vice Chairman William Floyd called the meeting to order and then gave the invocation. Everyone stood and pledged allegiance to the flag. Mr. Floyd announced that Mr. Tolly was unable to attend.

On the motion of Mr. Holden, seconded by Mr. Banister, Council voted unanimously to approve the March 15, 1994 minutes as mailed.

During public comments, Council heard from the following concerned citizens: Mr. Guy York, Mr. Carl Johnson, Mr. Orien Parris, and Mr. Brantley Jordan.

Mr. Gary Smoak, County Administrator, explained that financial reports would not reflect revenues for the month of March; however, if Council so desires this report can be presented to Council at the second meeting which will reflect all revenues. Council agreed to receive this report at the second meeting of each month.

Mr. Floyd presented third reading of Ordinance #94-005 (formerly #413) - an ordinance finding that Homeland Park Water District may issue \$500,000 General Obligation Bonds; to authorize Homeland Park Water District Commission to issue such bonds and to provide for the publication of notice of the said finding and authorization. A public hearing was held; no comments were heard. On the motion of Mr. Holden, seconded by Mr. Banister, Council voted 4-0 to approve Ordinance #94-005 as presented.

Mr. Floyd presented Resolution #R94-011 - a resolution for a grant application, FTA Section 16, for the Anderson County Disabilities and Special Needs Board Advisory Council. Mr. Banister moved to approve and Mr. Allgood seconded. Vote was 4-0. This will allow this agency to purchase vehicles at a discounted cost.

Mr. Floyd presented Resolution #R94-012 - a resolution for a grant application, Mass Transit (Formerly SHIMS) for the Anderson County Disabilities and Special Needs Board Advisory Council. Mr. Banister moved to approve and Mr. Floyd seconded. Vote was 4-0.

Mr. Floyd presented Resolution #R94-013 - a joint resolution from Anderson County and the City of Anderson, SC in support of the establishment of an Enterprise Community in Anderson, South Carolina. Mr. Allgood moved to approve and Mr. Floyd seconded. Vote was 4-0.

Mr. Floyd reappointed Mr. R. Lawton McIntosh to the Anderson County Board of Assessment Appeals. This is a four year term.

Mr. Allgood reappointed Mr. Johnny Meehan to the Anderson County Board of Assessment Appeals for a four year term.

Mr. Wesley Crum with McNair Law Firm presented bids for the \$1,000,000 Special Revenue Bonds for Plastic Omnium. Mr. Crum explained the following interest rate options from Branch Banking & Trust Company of South Carolina: **Option A:** The interest rate for the first five (5) years of the term of the loan will be fixed rate of 7.35% per annum. Thereafter the interest rate for the remaining term of the loan will be the variable rate per annum of the Bank's Prime Rate with a maximum rate of 10% and a minimum rate of 5.5% for the remaining six (6) years of the loan. **Option B:** The interest rate on the loan will be the variable rate per annum of the Bank's Prime Rate less with a maximum rate of 10% and a minimum rate of 5.5%. Mr. Crum answered questions by Council members regarding the loan. Mr. Holden moved to approve Option A - the floating rate and Mr. Floyd seconded. Vote was 4-0. Council decided that Option A was the fixed rate option and not the one they wished to go with; therefore, Mr. Floyd made a motion to reconsider and Mr. Holden seconded. Vote was three in favor and one opposed (Allgood). Vote on Option B was three in favor and one opposed (Allgood). Motion carried.

Mr. Smoak presented bids for lighting at the Hurricane Spring Ballfield. The low bid from Wood Electrical for \$36,500 was recommended. This is a \$28,000 PARD grant; \$7,000 from the Accommodations Tax grant; and the balance of \$1,500 from county funds already budgeted. Mr. Allgood moved to approve and Mr. Floyd seconded. Vote was three in favor and one opposed (Banister). Motion carried.

Mr. Smoak presented a proposal from Windsor/Aughtry Co. (Evergreen Properties) to purchase approximately 225,000 to 270,000 square yards of dirt from an area near the Civic Center for \$ 0.60/cubic yard which could generate approximately \$150,000. Mr. Allgood moved that Council accept the proposal from Windsor/Aughtry Company; use the money to purchase pipe and ask the company to move the dirt needed for filling in the ditch in front of the Civic Center. Mr. Holden seconded. Mr. Smoak stated that Council could allow the company to move the dirt in lieu of cash. Mr. Banister said that he was not in favor of selling the dirt. Mr. Holden said that he would like to make a suggestion that the buyer also move the dirt around to front of the Civic Center and the County purchase the pipe out of the \$150,000. Mr. Holden offered an amendment that the company move the needed dirt for the County at no cost or at the least possible cost, after negotiations. The pipe will be purchased at the least possible price and ask the contractor to reseed the County's property at the lowest cost. Mr. Allgood seconded the amendment. Vote on the amendment was three in favor and one abstention (Banister). Vote on the original motion to accept the bid by Evergreen Properties as amended was three in favor

and one opposed (Banister). Mr. Smoak presented a budget transfer of \$6,000 for the Assessor's office from salaries-temp/part time to salaries-overtime. Mr. Allgood moved to allow the transfer and Mr. Banister seconded. Vote was 4-0.

Mr. Smoak presented the following budget transfer requests from the Sheriff's Department. He said there was \$146,937.51 in salaries that the department wanted to use to replace 10 cars and related equipment. This would include \$6,000 transferred from the video poker money. Mr. Banister moved to approve the request and to retire one car for each new one purchased; except when new personnel is hired and Mr. Allgood seconded. Vote was 4-0.

Mr. Smoak explained that the Sheriff's Department was currently receiving payment from the State DSS for the service of certain Family Court papers titled IV-D. The average amount received is \$1,800. This money must be spent by the end of the year. In order to purchase a car with these funds; the County would have to "front-end" approximately \$2,000 which will be recouped by the year of the fiscal year. Mr. Allgood moved to allow the request and Mr. Floyd seconded. Vote was 4-0.

Mr. Smoak presented transfers from the Video Poker fees in the amount of \$36,000 to purchase two additional cards for a total of 11 new cars (\$6,000 of the \$36,000 approved in motion for the transfer of salaries). Mr. Floyd moved to allow the transfer to purchase the two cars and Mr. Allgood seconded. Vote was 4-0.

Mr. Smoak presented a transfer of \$84,531.54 for the purchase of new uniforms; \$9,000 for new night sights for weapons; \$13,050 for 30 new pistols. If funds run short; they will be allowed to decide on what they cannot purchase. Mr. Allgood moved to transfer as requested and Mr. Floyd seconded. Vote was 4-0.

Mr. Smoak stated that the next item on the agenda was discussed at a prior meeting concerning a request for the County to accept a portion of road-way going into Hunters Cove Subdivision. The developer, Jerry A. Meehan, has requested that the County request the state to transfer ownership to the County and then the County transfer ownership on to an individual. The developer is now asking that the County ask the Highway Department to defer the ownership of this road to the County and that the County keep the road in their system and Council allow him to build a road of less width than the County requires of all other roads. There is not enough width to build on. After the construction is complete to all other county road maintenance standards; then the county will maintain the road. Mr. Allgood suggested that the request be allowed with the stipulation that no building permits may be issued in the subdivision until the road is com-

plete or until a cash bond is posted in the event that someone wishes to get a building permit before the completion of the road. Mr. Holden moved to approve with the stipulation and that all County Land Use requirements be followed. Mr. Allgood seconded and vote was 4-0.

Mr. Smoak recommended that Council vote to relinquish any interest in that old portion of Brown Road. Mr. Floyd moved to abandon any interest in the section of Brown Road as discussed and Mr. Allgood seconded. Vote was unanimous.

Mr. Smoak recommended that the County embrace the concept of a regionalized landfill for Anderson, Pickens and Oconee Counties. He explained the plan to Council and the 48.4% or \$96,800 which would be Anderson County's share. Grant funds would be available to assist the County with the development. The County will have an extra year, if the regional concept is approved, to build in order to comply with the law. Mr. Smoak asked Council to embrace the regional landfill approach, appropriate a sum of money to fund the steps of the process; through step 3 (estimated at \$200,000). This will be done on a population basis. This \$96,800 is the county's share between now and June 30; at which time the County would need to budget in the next years budget for the amount of money needed to cover the development cost as anticipated. Mr. Allgood moved to approve the concept of the regional approach and fund the needed money. Mr. Floyd seconded and vote was unanimous. Mr. Smoak explained the prehydrological steps: Step 1: Feasibility analysis - estimated to cost \$100,000, Step 2: Option on land - \$50,000, Step 3: prehydrological characterization report - \$50,000.

Mr. Smoak presented a request from Stephen Crawford asking that Anderson County cosponsor the Anderson Roadrunners' Midnight Flight Roadrace. The cost is \$1,500 and is a budgeted item. Mr. Floyd moved to approve the proposal and Mr. Holden seconded. Vote was unanimous.

Mr. Smoak recommended that Council accept his recommendation to "short list" the firms who have responded to the Project Manager's position for the Detention Center and to hear presentations at the next Council meeting from 2-3 firms. Mr. Floyd moved to accept Mr. Smoak's recommendations and Mr. Holden seconded. Vote was unanimous. Council agreed to limit the short list to three and receive presentations at the next Council meeting.

Mr. Tom Martin, County Attorney, explained that in 1930 Piedmont Manufacturing Company donated a piece of property in Piedmont, SC to Anderson County for maintenance of a County jail with a reversionary clause that should the County ever cease to use the property for purposes of a jail, the property would revert to

Piedmont Manufacturing Company. WestPoint Stevens, Inc. and J.P. Stevens and Company, Inc. have agreed to convey their reversionary interests to Anderson County. Mr. Banister moved to accept the Quitclaim Deed of Reversionary Right in Piedmont, SC and Mr. Allgood seconded. Vote was unanimous.

Mr. Smoak presented his 1994 goals and objectives for Council's acceptance as the official goals and objectives for 1994. Mr. Floyd moved to approve and Mr. Allgood seconded. Council discussed. Mr. Allgood amended the motion to add one additional item/goal: to put together a regional effort, to recruit electronic industries in California, to the up-county region by allocating \$.05 per capita to produce a brochure and video and the following Counties to be invited to participate with Anderson County: McCormick, Oconee, Pickens, Greenwood, Abbeville and Newberry. Mr. Banister seconded the amendment and vote was unanimous. Vote on the original motion as amended was unanimous.

Mr. Smoak presented Anderson County Road Study/Maps for information. Mr. Floyd moved to accept as information and Mr. Banister seconded. Vote was unanimous.

Mr. Mike Krupsaw presented Council with a petition asking that Phil Watson Road, near Stonewall Woods, be maintained as a residential street. Other concerns about the area was addressed and discussed by Council. Mr. Floyd presented Resolution #R94-010 asking the SC Department of Highways and Public Transportation to prohibit through truck traffic on Phil Watson Road through Stonewall Woods Subdivision, and reassigned from a state road to an Anderson County road. Mr. Floyd read the following requested statement for Mr. Tolly: "I, Fred Tolly, do wholeheartedly endorse and support Resolution #R94-010 concerning Phil Watson Road in Stonewall Woods Subdivision. I also encourage the entire Council to vote in favor of this Resolution." Mr. Holden asked that the Administrator direct the Planning Board to make zoning their top priority for Anderson County. Mr. Banister said he was not in favor of zoning and will not support such an ordinance. He would support spot zoning, he said. Mr. Floyd moved to approve Resolution #R94-010 and Mr. Allgood seconded. Vote was 4-0.

Mr. Holden moved to go into executive session to discuss contractual matters at 7:00 p.m. Mr. Allgood seconded and vote was unanimous.

Mr. Holden moved to come out of executive session back into regular session at 8:15 p.m. Mr. Allgood seconded and vote was unanimous.

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Mr. Martin stated that Council received information and discussed three contractual matters. Mr. Floyd moved to allow staff to pursue a grant application along the lines discussed in executive session with necessary commitments which go along with the application. Mr. Holden seconded and vote was 4-0.

Mr. Holden moved to direct staff to proceed with the Economic Development matter as discussed in executive session. Mr. Floyd seconded and vote was 4-0.

There being no further business, Council adjourned at 8:20 p.m.

Respectfully submitted,

Linda N. Gilstrap
Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL