

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA

Regular Meeting - May 17, 1994 - 7:00 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 May 17, 1994 at 7:00 p.m. in the Anderson County Council Chambers - Old Courthouse - Second Floor.

**PRESENT**

G. Fred Tolly, Jr. - District #1  
William A. Floyd - District #2  
Ed Allgood - District #4  
Mike Holden - District #5  
Tom Martin - County Attorney  
Gary A. Smoak - Administrator  
Linda N. Gilstrap, Clerk

**ABSENT**

Harvie E. Banister - District #3

Chairman Fred Tolly called the meeting to order and Mr. Tom Martin gave the invocation. Everyone stood and pledged allegiance to the flag.

Chairman Tolly explained that Mr. Floyd would be late and Mr. Banister was ill.

On the motion of Mr. Holden, seconded by Mr. Allgood, Council voted 3-0 to approve the minutes from the May 3, 1994 meeting.

Council heard from the following concerned citizens at this time: Mr. Carroll Culbertson, Mr. Ron Pagon, Mr. Pat Harris, Mr. Frank Wize, Mr. Orien Parris, Mr. Carl Johnson, Ms. Diane Brock, and Mr. Charles McFall.

On the motion of Mr. Holden, seconded by Mr. Allgood, Council voted 3-0 to approve Ordinance #94-003 - a master ordinance authorizing and providing for the issuance of Anderson County, SC Special Source Revenue Bonds; prescribing the form of bonds; limiting the payment of the bonds solely from certain revenues derived from the payment of fees in Lieu of tax on third reading.

On the motion of Mr. Holden, seconded by Mr. Allgood, Council voted 3-0 to approve Ordinance #94-004 - a first supplemental ordinance providing for the issuance and sale of not exceeding \$1,000,000 Anderson County, SC Special Source Revenue Bonds for Plastic Omnium Industries, Inc. Project. on third and final reading.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted two in favor (Holden, Tolly) and one opposed (Allgood) to approve third reading of Ordinance #94-006 - an ordinance to establish the policies and procedures for compliance with State Mandated Stormwater Management and sediment erosion control for Anderson County, and to revise, repeal, revoke, and supersede all conflicting ordinances or parts thereof, including but not limited to Anderson County Ordinance #214. Mr. Allgood stated for the record that he saw no advantages with the adoption of this ordinance; only disadvantages and it was a direct duplicate of state law. It was stated that the County would use the present staff to enforce the ordinance.

On the motion of Mr. Tolly, seconded by Mr. Allgood, Council voted 3-0 to approve third reading of Ordinance #94-007 - an ordinance to provide for the creation of the Office of Register of Mesne Conveyances as a department of Anderson County and to establish the position of Director providing for the qualifications, selection, and compensation of that director; to outline the responsibilities powers and duties of the director and to establish staff and assistants.

On the motion of Mr. Holden, seconded by Mr. Allgood, Council voted 3-0 to approve third and final reading of Ordinance #94-008 - an ordinance calling for and scheduling a referendum to determine whether the number of Anderson County Single member districts should be changed from five (5) single member districts to seven (7) single member districts.

On the motion of Mr. Allgood, seconded by Mr. Holden, Council voted 3-0 to approve third reading of Ordinance #94-009 - an ordinance calling for and scheduling a referendum to determine whether the terms of office of Anderson County Council shall be changed from two (2) year non-staggered terms to four (4) year staggered terms.

On the motion of Mr. Holden, seconded by Mr. Allgood, Council voted 3-0 to approve third reading of Ordinance #94-010 - an ordinance extending the terms and authorizing the extension of terms of certain commissioners of Homeland Park Water and Sewer District. A public hearing was held; no comments were heard.

On the motion of Mr. Allgood, seconded by Mr. Holden, Council voted 3-0 to approve second reading of Ordinance #94-011 - an ordinance to adopt rules and regulations establishing the current minimum standards for the operation and use of the Anderson County Airport. A public hearing was held; no comments were heard.

Mr. Tolly appointed Mr. Joe Garvin to the Human Relations Council.

Mr. Tolly asked if anyone objected to amended the agenda to consider two items for Mr. Banister. There were no objections.

Mr. Banister would like to appoint Ms. Jean C. Martin to the Museum Advisory Committee. There were no objections.

Mr. Banister requested that the County reimburse the Town of Honea Path \$4,600 paid for Anderson County's portion of work done on the Multi-County Industrial Park. The money to come from the Contingency Fund. Mr. Tolly moved to pay and Mr. Holden seconded and vote was 3-0.

Mr. Smoak presented a purchase request for a fire pump and tank for Schmid Plaza for an estimated cost of \$250,000. This is a fully funded grant and no county funds are required. Upon completion of the job, this system will be deeded over to the Homeland Park Water & Sewer District. Mr. Holden moved to approve and Mr. Allgood seconded. Vote was unanimous.

Mr. Smoak presented the following budget transfers: from Building and Grounds (Fund 001-5021-000-250) to Transfer Out CP 1991GOB - \$2,340.97. Mr. Tolly moved to approve and Mr. Holden seconded. Vote was 3-0.

Transfer from Assessor's office - account #5004-000-102 to Assessor - 5044-000-103 - \$14,000 for May and June to pay overtime for staff to appraise property. Mr. Tolly moved to approve and Mr. Holden seconded. Vote was 3-0. Mr. Allgood said that he had a problem with going over the budget.

Transfer between Departments: from Computer Services - 001-5092-000-273 to Finance #001-5043-000-269 - \$250.00. Mr. Allgood moved to approve and Mr. Holden seconded. Vote was 3-0.

Mr. Smoak talked about a ground lease to TEA Group, Inc. asked for by Dial Page, Inc. for the erection of a 300' self-supporting tower, a 12' X 28' equipment shelter and space within the compound area at the Detention Center for a county equipment shelter. Advantages will be that the County will receive rental payments for 20 years from \$4600 per year up to \$6996 and when the lease period is over, the County will own the tower. The tower will allow communications of the Sheriff's office to be placed on it and it will give the Sheriff much better communications and will allow him to reach all areas of the County. Mr. Martin explained that this must be approved by the adoption of an ordinance. Mr. Tolly moved to give first reading approval to Ordinance #94-014 (by title only) to authorize the lease of certain real property to TEA Group Inc. Mr. Allgood seconded and vote was 3-0. Mr. Martin said that the area being discussed was the area adjacent to the present communications tower next to the Detention Center.

Mr. Smoak asked for approval of an amendment to the Land Acquisition Project at the Anderson County Airport FAA AIP No. 3-45-0004-05 - 91164.30. The actual time and cost is \$24,000 and the budgeted time and cost is \$18,611 making an amendment to the contract of \$5,389 more than budgeted. The County's share is \$269.45 and FAA has approved and already budgeted. Mr. Allgood moved to approve and Mr. Tolly seconded. Vote was 3-0.

Mr. Smoak talked about the sale of dirt at the Civic Center. Council discussed. Council asked the Attorney to revise the Contract and send a copy to the developer with the understanding that Council will consider at the June 7 meeting. Council agreed to include a minimum of 250,000 yards in the contract with the County having the option to remove additional dirt prior to the cover being replaced and reseeded. Council agreed to go to the site with Mr. McClure to determine the amount of pipe and etc. needed for the project.

Mr. Smoak explained that negotiations were complete with Design South Partnership and the agreed upon fee is \$62,500, spread over 14 months. They would be reimbursed for certain items such as reproduction costs, postage, mileage, telephone calls to a maximum cap of \$6,250. Council agreed to have a written contract prepared and presented at the next meeting for Council's consideration. It was agreed to defer until the next meeting.

Mr. Smoak presented the purchase of approximately .3 acres of a right-of-way for relocation of Hampton Road for the I-85 project. It has been made possible by the Coordinating Council a grant of \$500,000. Mr. Tolly moved to purchase as recommended and Mr. Allgood seconded. Vote was 3-0.

Mr. Smoak asked that F & R Asphalt Company be allowed to extend their present contract to include the paving of East Benson Street from Main Street to McDuffie Street, County parking lot between old Woolworths building and East Benson Street, new section between Historic Courthouse and Bailes Building and East Whitner Street from McDuffie Street to Main Street as well as parking lot on old Revco Building site. All of the above to be paid from the \$60,000 "C" Fund allocation. Mr. Tolly moved to approve and Mr. Holden seconded. Vote was 3-0.

(Mr. Floyd arrived at this time.)

Mr. Smoak presented a request from Anderson Heritage, Inc. for a contribution of \$250 to help them option the Old P & N Railroad Freight Station on North Murray Avenue. The plan is to develop this property into a non-profit public cultural Center. Council discussed. Mr. Holden moved to table for further study. Mr. Allgood seconded and vote was 4-0. Mr. Tolly stated that he felt it was not proper that Council spend any funds until certain things were straightened out, although he is 100% in favor of the endeavor.

Mr. Smoak said that some employees were able to take advantage of the early retirement incentive offered by the General Assembly last year; however, funds were not budgeted for some of the employees. He asked Council to allow him to transfer the needed money from now until the end of the fiscal year as required to allow these employees to retire. Mr. Allgood moved to approve and Mr. Tolly seconded. Vote was 4-0.

Mr. Smoak said that the County and City Fire Departments are trying to build a Fire Training Center and they have asked the County to do some grading for the project. He presented grading estimates for the Anderson County Fire Training Center. The total estimated cost is \$4,176 of which \$1,840 is material; the rest is County labor and equipment. Mr. Floyd said that this could possibly be divided up between the five districts. Mr. Floyd moved to approve the expenditure of the funds and Mr. Tolly seconded. Mr. Allgood asked that this is an entity that has it's own taxing authority and some type policy needs to be established and the county would be taking County funds to supplement another agency. Mr. Tolly said that he agreed that it should be done on a cost basis. Council asked that the Administrator come up with an ordinance to govern such requests as these.

Mr. Smoak presented a request from Larry N. Shirley, Principal of Belton Elementary School, asking for some gravel on their dirt drive at the school. Mr. Holden moved to allow the request and the funds to come from District #3 paving account, if it meets Mr. Banister's approval. Mr. Floyd seconded and vote was unanimous.

Mr. Smoak presented a request for the County to put asphalt sidewalks at Centerville Elementary School at a cost of approximately \$2,755.00. Mr. Holden moved to allow the request and the money to come from District 5 paving account. Mr. Tolly seconded and vote was 4-0.

Mr. Tolly presented first reading of Ordinance #94-012 - An ordinance to provide appropriations for the fiscal year beginning July 1, 1994, and ending June 30, 1995, for the Anderson County budget for ordinary county purposes. Mr. Holden moved to approve on first reading and Mr. Floyd seconded. Mr. Holden asked for explanations on the EMS's budget, Solid Waste budget. Mr. Smoak said that Council agreed to keep the Solid Waste Household fee at the present rate (\$10) and not to incorporate the Road & Bridge fee. Mr. Smoak presented the following changes from the last work session: Add: \$2,000 to Salvation Army, \$2,000 to Haven of Rest, decrease the Arts Council to \$6,000, decrease Clemson Extension to -0-, decrease Council on Aging to \$12,500, decrease Pendleton Historic District to \$12,500, decrease Youth Treatment Center to \$27,500, decrease Forestry to -0-, increase Meals on Wheels to \$20,000, increase Disabilities and Special Needs to \$55,000 (which includes the taking of the Special Populations Group into that organization), EMS - each squad funded \$8,000 annually (same as presently getting) and to give each Squad \$41.15 per call for each call made for emergency and transport. This is based on last year's run report. add \$25,000 for the funding of the Development Partnership which will be held until later and a separate vote will be taken to actually appropriate the money after July 1. (The funds are reserved, but not an allocation until Council actually votes.) The same thing was done for Anderson Heritage - partial payment on the old Depot of \$60,000. move \$350,000 from Capital Projects fund to the paving budgets of the County for a total amount of \$1,350,000 for paving in the 94-95 budget. One half of this amount will be allocated equally to each of the five districts and the balance will be allocated based on the number of miles of road in each district. Earmarked \$1,200,000 in the capital projects fund for economic development projects and sewer projects completions. Earmarked \$65,000 in the capital projects fund for possible waterline project which will be voted on after July 1. There will be a commercial fee of \$100 in the City, in the Towns or in the unincorporated areas. Vote was 4-0.

Mr. Tolly presented first reading of Ordinance #94-013 - An ordinance to provide appropriations for the fiscal year beginning July 1, 1994, and ending June 30, 1995, for the Anderson County Budget for Special Education. Mr. Floyd moved to approve on first reading and Mr. Tolly seconded. Vote was 4-0.

Council heard from Mr. John Moore, City Manager, concerning the annexation of property at the Anderson Civic Center and the adoption of Resolution #R94-009 - a resolution authorizing the annexation of certain county property into the corporate limits of the City of Anderson. Council discussed. Mr. Tolly moved to approve the resolution as presented and Mr. Floyd seconded. Mr. Allgood said he would vote against the resolution because it would be a cost and a burden to the County. Vote was three in favor (Tolly, Holden, Floyd) and one opposed (Allgood). Motion carried.

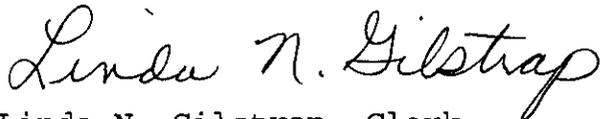
Mr. Holden moved to go into executive session at 9:12 p.m. and Mr. Floyd seconded. Vote was 4-0.

Mr. Floyd moved to come out of executive session at 10:35 p.m. and Mr. Holden seconded. Vote was 4-0.

Mr. Martin explained that Council discussed seven matters concerning economic development, received a short legal briefing and no action was taken.

Mr. Tolly moved to authorize the Economic Development Director to proceed on all seven economic development matters as discussed in executive session and Mr. Holden seconded. Vote was 4-0.

Respectfully Submitted,



Linda N. Gilstrap, Clerk  
ANDERSON COUNTY COUNCIL