

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting - June 7, 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 June 7, 1994 at 4:30 p.m. in the Anderson County Council Chambers - Old Courthouse - Second Floor.

PRESENT

G. Fred Tolly, Jr. - District #1  
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

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

On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted 5-0 to approve the minutes from the May 17, 1994 meeting.

Council heard from Carl Johnson; a concerned citizen.

Mr. Tolly presented third 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. Mr. Floyd moved to approve and Mr. Allgood seconded. Vote was 5-0.

Mr. Tolly presented second reading of Ordinance #094-012 - 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. A public hearing was held and the following citizens were heard:

Tom Allen - Anderson Heritage- (Anderson County Museum Foundation)

Elizabeth Meehan - Anderson Museum

Hurley Badders - Museum, Pendleton Historical Foundation

Pat Harris - YMCA

Cleo Stathakis - Library

Maj. Edwin Stephens - SC National Guard

Betty Rudisill - Special Olympics

Kay Elrod - Clemson Extension Service

Carroll Culbertson - Clemson Extension Service

Betty Moore - Special Olympics

Ruth Smith - FCE (Clemson Extension Service)

Shirley Huitt - Clemson Extension Service

Walt McPhail - Forestry Association

John Stathakis - Electric City Playhouse

Kimberly Spears - Arts Council

John Koppelmeyer - Anderson Youth Association

Annie Ruth Morse - Black History & Culture

Daisy McFall Hanna - Museum

The following were additional budget requests:

- |   |                  |
|---|------------------|
| 1. Anderson Heritage, Inc.              | \$60,000         |
| 2. Airport Commission - Airport Manager | 35,000 + Fringes |
| 3. Development Partnership, Inc.        | 25,000           |
| 4. YMCA                                 | 25,000           |
| 5. Library - Purchase of Land           | 150,000          |
| 6. Building & Codes Dept. - Overtime    | 8,500            |
| 7. Rocky River Basin                    | 41,000           |
| 8. Belton Chamber                       | 50               |

Mr. Smoak presented the following three items for Council's consideration as amendments to Ordinance # 94-012 (1994-95 fy budget):

| Department           | Number | Reason                                     | (Decrease)<br>Increase |
|----------------------|--------|--|------------------------|
| 1. Finance           | 5043   | 160 Insurance transposition                | \$ 36                  |
| 2. Employee Benefits | 5831   | 140 Unempl. Compen. omitted from budget    | 36,000                 |
| 3. EMS               | 5331   | 375 Service Contracts Special Revenue Fund | \$ (147,000)           |
|                      |        | NET DECREASE                               | \$ (110,964)           |

Council agreed to hold off on all amendments until third reading of the ordinance. The public hearing was declared closed at this time. Mr. Holden moved to approve on second reading and Mr. Allgood seconded. Mr. Holden announced that there was a work session scheduled for June 15 at 5 p.m. and he would, at that time, ask to reinstate Clemson Extension Service to the tune of \$3,500.00. Also discussion is needed about the Special Olympics program, Electric City Playhouse, and other agencies that got cut, he said. Vote was 5-0.

Mr. Holden asked that the County donate to the Anderson Chapter of the National Federation of the Blind the old van that was previously used by the Planning & Development Board. Mr. Banister seconded and vote was 5-0.

Mr. Holden had to leave at this time.

Mr. Tolly presented second 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. A public hearing was held and no comments were heard. Mr. Floyd moved to approve on second reading as presented and Mr. Allgood seconded. Vote was 4-0.

Mr. Floyd presented second reading of Ordinance #94-014 - an ordinance authorizing the lease of certain county property to Dial Call, Inc. A public hearing was held. Mr. Banister moved to approve on second reading and Mr. Tolly seconded. Vote was 4-0.

Council took a 15 minute break at this time. The meeting was called back to order by the chairman.

Mr. Tolly presented first reading of Ordinance #94-015 - an ordinance to provide for the funding by user fees of the Chemical Response Team of Anderson County. Mr. Tolly moved to approve and Mr. Allgood seconded. Vote was 4-0.

Mr. Tolly presented first reading of Ordinance #94-016 - an ordinance to lease real property to Al McClain. Mr. Tolly moved to approve and Mr. Banister seconded. Mr. Allgood moved to amend the ordinance that the County will be allowed to give a 12 months written notice of termination at a charge of \$10.00. Mr. Banister seconded the amendment and vote was 4-0. Vote on the original motion as amended was 4-0.

Mr. Tolly presented first reading of Ordinance #94-017 - an ordinance to lease real property to Al Dobbins. Mr. Allgood moved to approve with the same amendment included in Ordinance

#94-016 (add that the County can cancel with a 12 month written notice of termination at a charge of \$10.00). Mr. Banister seconded and vote was 4-0.

Mr. Tolly presented resolution #R94-014 - a resolution to provide for the commissioning of certain named law enforcement officers (Tressa June Brock - Animal Shelter), to provide for the proper security, general welfare, and convenience of Anderson County. Mr. Allgood moved to approve and Mr. Floyd seconded. Vote was unanimous.

Mr. Tolly moved to approve Resolution #R94-015 - a resolution to direct the Anderson County Planning Commission to consider recommendations to Anderson County Council for amendments to certain ordinances dealing with maximum density. Mr. Allgood moved to approve and Mr. Banister seconded. Vote was unanimous.

Mr. Tolly presented Resolution #R94-016 - a resolution authorizing a private property agreement regarding the location of MRF at Big Creek Landfill. Mr. Banister moved to approve and Mr. Floyd seconded. Vote was 4-0.

Mr. Floyd moved to approve Resolution #R94-017 - a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, South Carolina, and Glen Raven Mills, Inc. whereby under certain conditions, Anderson County will issue not exceeding one hundred ten million dollars (\$110,000,000) industrial development revenue bonds and notes. Mr. Allgood moved to approve and Mr. Banister seconded. Vote was 4-0.

Mr. Allgood moved that the County purchase a noise sensitivity meter and send an employee to school to learn the operation of it. Mr. Allgood said that the amount of money would not exceed \$3,000 and will come from the contingency fund. Mr. Tolly seconded the motion and vote was 4-0.

Mr. Banister asked that he be allowed to switch Parkridge Circle with Longshore Drive in Belton. Longshore Drive needs work done by the Town of Belton and will be put on next year's work program. Mr. Banister moved that this be done and Mr. Floyd seconded. Vote was 4-0.

Mr. Tolly asked that the track at Concord Elementary School be paved out of District #1 - Paving account for approximately \$2,000. Mr. Floyd seconded and vote was 4-0.

Mr. Allgood moved to table the next item on the agenda: Abandonment of Spear Lane until the next Council meeting. Mr. Tolly seconded and vote was 4-0.

Mr. Smoak asked for permission for the County to apply for a CDBG (Community Development Block Grant) for assistance to Glen Raven Mills for the purchase and construction of a ground level water tank, fire pump and fire loop. Mr. Allgood moved to allow and Mr. Floyd seconded. Vote was unanimous.

Mr. Smoak explained that Mrs. Katherine Ware and family gave to Anderson County Solid Waste, .216 acres of property at the Big Creek Landfill facility. The County now needed to vote to accept the deed to the property. If the County does accept, Mr. McClure has recommended that 2-4 hours of in-kind dozer work be approved to help clean up an area on the Ware's property. Mr. Floyd moved to accept the proposal and do the in-kind work and Mr. Banister seconded. Vote was 4-0.

The following budget transfers were presented for consideration:  
1. From: Planning Department to the Building and Codes Department: #5061-000-101 to 5411-000-102 - \$3,000. Mr. Banister moved to approve and Mr. Tolly seconded. Vote was 4-0.

2. Mr. Smoak presented a transfer in Public Works-Road Maintenance from Salaries (full-time) to Salaries (temporary) in the amount \$25,882. Mr. Banister moved to approve and Mr. Tolly seconded. Vote was 4-0.

3. From: Probate Court-#5053-000-230 to 5053-000-426 - \$2,088.00 from Contingency. Mr. Banister moved to approve and Mr. Banister seconded. Vote was 4-0.

4. Health Department: from: 5331-000-245 to #5331-000-212 - \$3000.00. Mr. Allgood moved to approve and Mr. Tolly seconded. Vote was 4-0.

Mr. Smoak presented the contract for sale of soil to Evergreen Properties with changes as recommended at the last meeting. The changes in the contract was explained. Mr. Allgood moved to approve the contract and Mr. Tolly seconded. Vote was three in favor (Allgood, Floyd, Tolly) and one opposed (Banister). Motion carried.

Council discussed the piping of the ditch at the Civic Center. Mr. Allgood moved to table action until the next meeting and Mr. Floyd seconded. Vote was 4-0.

Mr. Smoak presented the contract for the Project Manager for the Detention Center. Mr. Martin, County Attorney, recommended that Council drop the provision dealing with liquidated damages. Council decided that 10% liquidated damages would not be that much and asked Mr. Smoak to negotiate it out. Mr. Tolly moved to approve as presented and Mr. Floyd seconded. Mr. Banister said that he asked if they would hire an additional architect and the reply was no; the contractor would. Vote was 4-0.

Mr. Smoak explained that the County was trying to create and operate a multi-county regional solid waste disposal facility. The proposed Intergovernmental Agreement was presented and explained. The steps for implementation were discussed and Mr. Smoak reported that Anderson County's portion, at this time, would be \$98,600 which has already been allocated. Steps 4-7 - Anderson County's portion is \$1,210,000. Step 8: Construction of the landfill. It is agreed by all three Counties to escrow the amounts with the Appalachian Council of Governments for the funding of Steps 1-7. The first part of \$98,600 and escrow \$2.5 Million by September 30 (Anderson County's portion of the \$2.5 Million is \$1,210,000, as previously reported.) Each County will participate fully and share in the cost; the cost will be born on a percentage basis which is based on the population of each County. Anderson County's percentage is 48.95%, Pickens County is 31.66% and Oconee County is 19.39%. The commitment is that the County will commit to all phases of the development of the regional approach and that the Counties will bind themselves together and we will only dissolve the agreement based on certain conditions. One condition is that if the preliminary hydrological characterization report states that this is not a good site or unsuitable, then the County would go forward with some other plan. Another condition is if DHEC denies the permit and third if all Counties mutually agrees to dissolve it. If this happens all escrowed monies would be divided as contributed in the beginning. If any County withdraws, without the mutual consent of the other counties, then they shall forfeit their monies or their payment for services or their right to participate or any interest in or title to any equipment, documents, plans, specifications or property. The remaining Counties may go forward as they deem necessary. The \$1,210,000 will come from some bond or perhaps some short-term borrowing. Mr. Banister moved to approve and Mr. Allgood seconded. Vote was 4-0.

Mr. Smoak explained the agreement with S.C. Appalachian Council of Governments and Anderson, Oconee, and Pickens Counties for work necessary for the regional landfill/resource recovery park as discussed in the intergovernmental agreement. Mr. Floyd moved to approve and Mr. Allgood seconded. Vote was 4-0.

Mr. Smoak presented a permit modification to DHEC Consent Order for vertical expansion. This will give the County an extension to February 28, 1997, or until the regional landfill is operational. The County must be in compliance by 1995. Mr. Banister moved to approve and Mr. Floyd seconded. Vote was 4-0.

Mr. Smoak said that one goal during the retreat was to have the Agriculture Building evaluated as to needed renovation. Mr. Bleckley Jordan, at the request of Mr. Smoak, worked on this project and explained the renovation report. Council thanked Mr. Jordan his hard work on the project and all contractors that contributed time looking and preparing estimates. Council received all remarks as information.

Mr. Tolly moved to go into executive session to discuss economic development issues and litigation issues at 8:20 p.m. Mr. Floyd seconded and vote was 4-0.

Mr. Tolly moved to come out of executive session back into regular session at 9:35 p.m. Mr. Floyd seconded and vote was 4-0.

Mr. Tolly moved to give the Administrator the authority to negotiate a settlement of a potential litigation within the dollar frame discussed in executive session. Mr. Floyd seconded and vote was 3 in favor (Banister, Tolly, Floyd) and one opposed (Allgood). Motion carried.

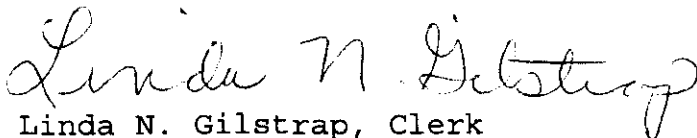
Mr. Tolly moved to approve first reading, by title only, of Ordinance #94-019 - an ordinance to develop a jointly owned and operated industrial/business park in conjunction with Clarendon County. Mr. Floyd seconded and vote was three in favor (Allgood, Floyd, Tolly) and one opposed (Banister). Motion carried.

Mr. Martin explained that the Administrator was currently working on a new Personnel Policy Manuel for the County and Mr. Smoak has requested that Council vote to allow that accrual of leave be cut off December 31 rather than June 30, currently the County's policy. Mr. Tolly moved to approve a new personnel leave target date of December 31, 1994 and Mr. Floyd seconded. Vote was unanimous.

Mr. Martin explained that the County had reached a settlement of a litigation matter; Sandy Brown verses Anderson County. Anderson County would pay one half and the State Reserve Fund the other half. A settlement offer of \$2,000 (\$4,000 total) which would come from the contingency fund. Mr. Floyd moved to approve and Mr. Allgood seconded. Vote was 4-0.

There being no further business, Council adjourned at 10:00 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk  
ANDERSON COUNTY COUNCIL