

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA**

Regular Meeting - December 5, 1995 - 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, 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.

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
Jack McIntosh, County Attorney
Gary A. Smoak, Administrator
Linda N. Gilstrap, Clerk

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, December 5, 1995 at 7:00 p.m.

The Chairman called the meeting to order and welcomed the group. Mr. Gary Smoak opened 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 minutes from the November 21, 1995 meeting.

Council heard from Nancy Webb, a concerned citizen. She asked that Council have the County Attorney to review the bill for the attorney in Greenville to see if this action was appropriate.

Mr. Garrison presented third and final reading of Ordinance #95-025 - an ordinance to amend Section 55-30 - Grievance Procedure and Discrimination resolution for the Anderson County Code of Ordinances. Mr. Smoak explained two changes.

Under 1. (3) a. Step 1 ADD: "The employee must identify the letter as being a letter of grievance by placing under the inside address the words: "RE: A GRIEVANCE CONCERNING _____." The department must date stamp the letter when received. The same actions must appear on all successive letters used in Steps 2-5. If the employee fails to include this heading, the letter shall not be deemed a letter of grievance." Mr. Tolly moved to approve the ordinance on third reading with the changes as presented by Mr. Smoak. Mr. Floyd seconded and vote was unanimous.

Mr. Garrison presented second reading of Ordinance #95-026 - an ordinance authorizing the issuance and sale of not exceeding \$1,200,000 Special Source Revenue Bonds (Plastic Omnium Project). Mr. Gerrard moved to approve on second reading and Mr. Banister second. Council discussed. Mr. Smoak called Council's attention to the letter from Karen Woodward, Superintendent for Anderson School District #5. The Anderson School District Five Board of Trustees agreed to support the additional bond request with two stipulations:

1. the county absorb one-half of the additional cost, and
2. County stand by original plan, to not receive any of the fee-in-lieu of taxes for the first five years. Questions need to be answered before third reading at which time Council may consider the stipulations set forth in the letter, Mr. Garrison said. Vote was four in favor and one abstention (Floyd) to approve without changes.

Mr. Garrison presented second reading of Ordinance #95-027 - an ordinance to amend the formal contract procedure as stated in Section 2-634 (Purchasing Ordinance). Formal contract procedure subparagraph (f): No advance payment shall be made without the consent of Anderson County Council. On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to approve the ordinance on second reading.

Mr. Garrison presented second reading of Ordinance #95-028 - an ordinance to provide supplemental appropriations for the fiscal year beginning July 1, 1995 and ending June 30, 1996, for the Anderson County budget for ordinary county purposes; to provide for funding; to provide for matters relating to Anderson County; and to provide for the expenditure of said appropriations. Mr. Banister moved to approve and Mr. Tolly seconded. Voted was unanimous.

Ms. Eleanor Farmer, Chairperson of the Anderson County Library Board, gave Council a brief update on the sites which have been examined for a new main library building in Anderson. The Town of Honea Path has requested an addition to the Jennie Erwin Library in order to provide more space. Ms. Farmer explained that in the near future the Committee would like to present a

short list of sites for Council's consideration. Council received as information.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted four in favor (Banister, Gerrard, Garrison, Floyd) and one opposed (Tolly) to award the bid for auction services in the amount 04.5% to Allen Ashley, the low bidder. Mr. Tolly voted against the motion because the Purchasing Department recommended Martin & Martin.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted unanimously to approve the purchase of two (2) 1996 Ford Ranger pickup trucks for Land Use from Century Ford.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve the purchase of a transfer trailer with walking floor from Amick Equipment Company in the amount of \$46,114.35. The purchase will be funded with funds from the Solid Waste budget in the amount of \$13,864 and a DHEC grant for \$32,250.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted unanimously to approve the bid for floor tile replacement (Agriculture Building basement area) for \$4,294.70 from Ellison Carpet & Tile.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to approve bids to insulate ducts, steam and condensate lines (add 4" gate valve) in the Agriculture Building. The work will be done by D & M Services for \$5,925. This will be covered by the General Obligation Bond.

Mr. Smoak presented the following for the I85/Hwy. 86 sewer project. The actual cost to relocate pump station on Barton property for the I85/Hwy. 86 sewer project is \$1,800. The County will also have to relocate Sanitary sewer line to Bore I85; required by the SC DOT, will cost \$1,200.00. To change drawing and bid documents to comply with grant requirements it will cost \$400. This is a total additional money of \$3,400.00. Council at the last meeting approved the project for not-to-exceed \$4,000.00. Mr. Tolly moved to approve the additional funds and Mr. Banister seconded. Vote was four in favor (Banister, Gerrard, Garrison, Tolly) and one opposed (Floyd). Motion carried. The funds will come from the Sewer Department's budget.

Mr. Smoak said that the LEPC (Local Emergency Planning Commission) had requested a change in the fee structure. This was a request to reduce to \$25.00 per retail gasoline dealer the charge (charge was \$50.00). On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to change the fee structure for the Anderson County Local Emergency Planning Commission (LEPC) as discussed by Mr. Smoak.

On the motion of Mr. Floyd, seconded by Mr. Banister, Council voted unanimously to go into executive session at 7:40 p.m. to discuss contractual and personnel matters.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to come out of executive session back into regular session at 9:05 p.m.

Mr. Garrison stated that Council was presented terms of agreement by Mr. Smoak that he is willing to accept for the buy out of his contract. He will accept \$5,000 in lieu of automobile, telephone, and credit cards for the remainder of the contract. The buy out of the contract will be according to the terms specified in the contract, and he will be furnished a temporary office here for a period of 90 days. Mr. Gerrard moved that the offer be accepted and Mr. Banister seconded. Mr. Tolly stated that he regretted that Council decided to buy Mr. Smoak out. This will leave the County without an Administrator and the County will probably be paying two administrators for several months and hates to see the County have to pay out this additional money and expense and be without an administrator and therefore will vote against the motion, he said. Mr. Floyd stated that he thought it was a sad day for Anderson County and feels like that the direction of the County had been good and positive and it is very unfortunate. Vote was three in favor (Gerrard, Banister, Garrison) and two opposed (Tolly, Floyd). Motion carried.

Mr. Tolly said that he was concerned about the Tri-County Solid Waste Landfill and asked that a joint meeting with the three County Councils, and Administrators and Supervisors be set up. It appears that the composting process, originally considered, may be a very costly, he stated. Mr. Garrison said he would write the Council of Governments on Wednesday and ask that a meeting be setup maybe sometime in January, after the holidays.

Mr. Banister said that Mr. Tom Allen appeared before Council and requested \$60,000 for the purchase the old P & N Railroad freight depot and warehouse for the purchase for the Anderson County Museum Foundation. This was placed in the budget on third reading of the budget. Council voted to give the \$60,000 (payable to Anderson Heritage), the City of Anderson was suppose to pay \$120,000. The option has run out and the City did not put up any money. He asked where the County's \$60,000 could be. He suggested that Tom Allen come before Council and explain what the \$60,000 was spent for. Mr. Garrison said that he would contact Mr. Allen to come before Council at the next meeting.

Council agreed to change the time of the December 19, 1995 meeting to 4:30 p.m.

Mr. Garrison said that Mr. Smoak wishes for the payoff to happen immediately; therefore, he suggested that Council offer Mr. David Watson to serve as temporary Administrator and immediately start the process of advertising for the position of County Administrator. Mr. Banister moved that this be approved and Mr. Gerrard seconded. Vote was unanimous.

On the motion of Mr. Gerrard seconded by Mr. Floyd, Council voted unanimously to adjourn at 9:20 p.m.

Respectfully submitted,

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