

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - March 7, 1995 - 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, Ernie Garrison, Bruce Gerrard, 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-SENIOR REFLECTIONS, Brantley Jordan.

A regular meeting of the Anderson County Council was held on March 7, 1995 at 4:30 p.m. in the Anderson County Council Chambers - Old Courthouse - Second Floor.

PRESENT

Ernie Garrison - District #4, Chairman
G. Fred Tolly, Jr. - District #1
William A. Floyd - District #2
Harvie E. Banister - District #3
Bruce Gerrard - District #5
Tom Martin - County Attorney
Gary A. Smoak - Administrator
Linda N. Gilstrap, Clerk

Chairman Garrison called the meeting to order and then Mr. Tolly gave the invocation. Everyone stood and pledged allegiance to the flag.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted unanimously to approve the February 16, February 21, and February 27, 1995 minutes as mailed.

Council heard from concerned citizens at this time. Mr. Melvin Robinson spoke in opposition to ordinance #95-005 and #95-007. Mr. Carl Johnson spoke on the bids for the HVAC system for the Health Building.

Chairman Garrison presented Mr. Tom Martin, County Attorney, with a plaque for his service to Anderson County. Mr. Martin will leave Anderson County on March 10 to work for McNair and Sanford Law Firm.

Mr. Garrison presented Ordinance #95-003 - an ordinance revoking, repealing, and rescinding certain sections of the Anderson County Code for a public hearing only. He stated that at the last meeting he said that he would have the resolution providing for the rules and procedures to Council at least one week prior to the meeting. This was not ready at agenda time; therefore, he recommended that Council hold only the public hearing and delay third reading until a later date. With no objections from Council this was done. A public hearing was held; no comments were heard.

Mr. Garrison presented third reading Ordinance #95-004 - an ordinance to provide for the creation of the Lone Oak/Broadview/Johnson Special Sewer Assessment District as amended. A public hearing was held. Mr. Amos Wells, Mr. Leroy Garrison spoke and thanked Council for their efforts to provide this subdivision with sewer. Mr. Norman Boggs, Boggs Builders Incorporated, stated that they had approximately 20 lots in the area. He asked would Boggs Builders be responsible for this \$2,200-\$2,400 sewer charge for each lot that they own. Mr. Martin replied yes he would have to pay this and every lot owner (of record), within the special assessment district, must pay the same assessment whether the lot is developed or not. This would be added to the tax bill over a 15 year tax period. Mr. Boggs asked if a grandfather clause could be set up so that an undeveloped lot could be passed over until an improvement is done or a house is built. Mr. Martin replied no. He said this was an assessment rather than a tax and each lot must be charged equally. As required by Ordinance, 75% of landowners have accepted the proposal. No further comments were heard and the public hearing was closed. Mr. Floyd moved to approve Ordinance #95-004 and Mr. Gerrard seconded. Vote was unanimous.

Mr. Garrison presented third reading of Ordinance #95-005 - an ordinance to prohibit obstruction of fire lanes in Anderson County. A public hearing were held; no comments were heard. Mr. Gerrard moved to approve the ordinance as presented and Mr. Banister seconded. Mr. Banister asked about the establishment of what an emergency vehicle is. Mr. Martin explained that the key to the ordinance was keeping the lane open so that any emergency vehicle would not be obstructed therefore we would not need to be concerned with what emergency vehicle would use it. When naming emergency vehicles the county could inadvertently leave one out, Mr. Garrison said. Vote was unanimous.

Mr. Garrison presented third reading of Ordinance #95-006 - an ordinance to impose fees for certain county services (Probate Judge - marriage ceremonies) as amended. A public hearing was held; no comments were received. Mr. Tolly moved to approve and Mr. Floyd seconded. Vote was unanimous.

Mr. Garrison presented second reading of Ordinance #95-007 - refusal to accompany arresting officer. The ordinance died from lack of a motion.

Mr. Garrison presented second reading of Ordinance #95-008 - an ordinance to amend the Anderson County Code of Ordinances with regard to street names and numbers as amended. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Garrison presented second reading of Ordinance #95-009 - an ordinance to amend the Anderson County Code of Ordinances with regard to certain Multi-County Parks. Mr. Tolly moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Garrison presented first reading of Ordinance #95-010 - an ordinance to avoid duplication of a Twenty-Five Dollars (\$25.00) Commercial Solid Waste Fee. Mr. Banister moved to approve and Mr. Gerrard seconded. Vote was unanimous.

Mr. Garrison said that he had additional resolutions (resolution #R95-009, R95-010, R95-011) to add to the agenda. No one objected.

Mr. Garrison presented Resolution #R95-012 - a resolution recognizing and honoring firefighter Author Arnold as Firefighter of the year, #R95-009, #R95-010, R95-011 - resolutions recognizing Assistant Chief Dean Gibson, and Lieutenant Robby Hunt, and Brian Stegall for their heroic and selfless actions of December 24, 1994, in risking their lives and safety to attempt to save a fire victim. Mr. Tolly moved to approve the resolutions and Mr. Gerrard seconded. Vote was 5-0. These gentlemen were recognized and presented framed resolutions for their heroic actions.

Mr. Garrison presented Resolution #R95-021 - a resolution authorizing the execution and delivery of an assistance agreement by and between Anderson County, South Carolina and Mikron Corporation Anderson, whereby under certain conditions, Anderson County will issue not exceeding Six Million Dollars (\$6,000,000) Industrial Development Revenue Bonds or Notes. Mr. Floyd moved to approve resolution #R95-021 as presented and Mr. Gerrard seconded. Vote was unanimous.

Mr. Floyd moved to appoint Mr. J.T. Boseman of 1198 Vandale Place, Anderson, SC 29624. Mr. Gerrard seconded and vote was unanimous.

Mr. Garrison presented an administrative and servicing agreement between A & M Cleaning Products, Inc. and Carolina Capital Investment Corporation (to provide for Administrative and operational support for CDBG loans through JEDA). Mr. Smoak said that JEDA created Capital Investment Corporation to provide for the administration and services under the name of JEDA. This is a corporation that will service loans made to the industry. Also enclosed is a Memorandum of Understanding from The Richardson Company for execution. The Memorandum outlines the agreement between Larry Richardson and the County to complete the Community Development Block Grant application on behalf of the project known as A & M Cleaning Products, Inc. Mr. Floyd moved to approve both the Administrative and Servicing Agreement between the County and Carolina Capital Investment Corporation and the Memorandum of Understanding between the Company and The Richardson Company to complete the application. Mr. Banister seconded and vote was unanimous.

Mr. Smoak presented bids to replace the HVAC system at the Health Department Building. He explained the savings to go with gas heat and electric air. The total bid in the amount of \$204,228 is from D & M Services. Mr. Banister moved to go with the gas heat instead of electric and electric air. Mr. Floyd seconded. Vote was four in favor (Tolly, Floyd, Banister, Garrison) and one abstention (Gerrard). Motion carried.

Mr. Smoak presented bid for the annual road paving list for Council's approval. Vulcan, the low bidder, has agreed to complete the project by June 30; however, they have requested that the contract be extended until September 30, 1995 and would lower the price one dollar cheaper per ton (\$23.80). Mr. Smoak recommended that the county agree to the extension of the completion which would allow the county to pave additional miles with the savings. The savings would be approximately 2 miles of additional roads. Mr. Smoak also recommended that the County transfer \$200,000 from the Maintenance Account into the Paving Account and therefore make up for other roads that need to be paved. Mr. Banister moved to approve the bid and extend the contract, and allow the transfer of \$200,000 and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak presented information on placing of decals on all county-owned vehicles and equipment. The following policy was recommended:

All vehicles and light and heavy equipment will be decaled in Anderson County with the exception of the following:

- 1) Sheriff's vehicles which are already predominately marked and detective's cars which in the best interest of the county will not be marked;

- 2) Administrator's car;
- 3) Economic Development Director's van will be marked with magnetic seals which may be taken off when in the best interest of the county when showing various properties to industrial prospects; and
- 4) Ambulances already predominately marked.

The cost is approximately \$1,200.00.

Council discussed the Coroner's car and if it should be an exception. Council agreed that the Coroner should not have a problem with decals on his car.

Mr. Gerrard moved to approve the decaling of vehicles and equipment as presented. Mr. Tolly seconded and vote was unanimous.

Mr. Floyd moved to approve the resurfacing of the Broadway Fire Department. With the approval of the new paving bid the cost will be \$4,593.40. Mr. Banister seconded and vote was 5-0.

Mr. Tolly explained Grubb Drive and the request to continue county maintenance. He moved that the County continue maintenance of Grubb Drive, after obtaining a 50' right-of-way (25' from centerline) and the diagram presented with the gravel driveway extending from the pavement, NOT BE INCLUDED IN THE MAINTENANCE OF THIS road. Mr. Banister seconded and vote was unanimous.

Mr. Smoak presented the request to resume county maintenance on the following roads:

Roads in Holliday Acres (Zula Circle C-12-19, Joseph Drive, C-12-19B, and Gibson Street, C-12-19C)
Fields Avenue (C-04-60)
Calvin Estates (C-15-139A)
Crick Hill Road (P-08-37)

Mr. Banister moved that they all be approved as recommended in the cover memorandum from Mr. J.R. McClure and Mr. Floyd seconded. Vote was unanimous.

Mr. Smoak presented a budget transfer for \$22,338.22 to pay for retiree insurance, as previously approved by County Council. This funds to come from the Contingency account. Mr. Banister moved to approve the transfer and Mr. Tolly seconded. Vote was unanimous.

Mr. Floyd moved to approve a temporary position to provide legal services after March 10 to the County until the County Attorney's position can be filled. Mr. Banister seconded and vote was unanimous.

Mr. Smoak presented a request from the Sewer Department for approval for an alternative sewer route for the I-85/Hwy 86 sewer project. The following routes were explained: Route

marked in red (on map). A pump station would be placed at Shiloh Church Road and a force main would be run from there to the Piedmont WWTP. The estimated cost for this alternative would be under one million dollars. The major drawback would be that only the interchange would be served. The major pump station and lines along Hurricane Creek would not be constructed as proposed in the Saluda River Basin Long Range Plan. The other alternative (route #2) would be to follow the route as shown in green on the map provided to Council. This would not only serve the I85/Hwy 86 Interchange, but the County would have much more of the major trunk line along Hurricane Creek in place. This would make it much easier to serve the other interchanges and the Wren School area, Pelzer and West Pelzer, in the future. The estimated cost is \$2,268,745. Mr. Garrison recommended that Council seriously consider the green route because of it would do two things, the "red" route would not do. It would afford easier access by Wren School to meet the deadline to complete their sewer facilities and this would take the County half way furnishing sewer to the I85/Hwy 86 interchange. Mr. Tolly moved to approve the green route (#2) with the difference of \$26,495 being appropriated in the next budget. Mr. Gerrard seconded and vote was 5-0.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to go into executive session to discuss legal matters, contractual, and personnel matters at 6:00 p.m.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to come out of executive session back into regular session at 7:10 p.m.

Mr. Garrison explained that during executive session, Council discussed legal, contractual and personnel matters and no action was taken.

Mr. Tolly moved that Council approve the contract with James E. DeLaune and Associates for the architectural services for the construction of the Detention Center. Mr. Floyd seconded and vote was unanimous.

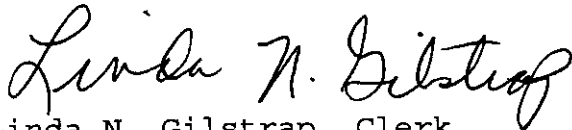
Mr. Banister reported that he attended a meeting at the Sullivan Shops for the Heritage Group and was presented a tape of a historical account of Anderson County's first generator built on High Shoals SIX MILES THAT CHANGED THE COURSE OF THE SOUTH. He said the tape would be available for watching. Anyone interested could check the tape out through the Clerk to Council.

Mr. Gerrard commended Mr. Martin for a job well done and wished him much luck in his new endeavor.

Mr. Garrison appointed an ad hoc committee comprised of Mr. Gerrard and Mr. Floyd to secure information and keep Council informed on the renovations to the Detention Center. Mr. Garrison appointed Mr. Tolly and Mr. Banister to an ad hoc committee to secure information and keep Council informed on the renovations of the Agriculture Building. Mr. Banister moved to approve the ad hoc committees and Mr. Gerrard seconded. Vote was unanimous.

Mr. Floyd moved to adjourn at 7:30 p.m. and Mr. Gerrard seconded. Vote was unanimous.

Respectfully submitted,

A handwritten signature in cursive script, reading "Linda N. Gilstrap".

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL