

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - April 4, 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, 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 April 4, 1995 at 4:30 p.m. in the Anderson County Council Chambers - Old Courthouse - Second Floor.

PRESENT

Ernie Garrison - District #4, Chairman
William A. Floyd - District #2
Harvie E. Banister - District #3
Bruce Gerrard - District #5
Gary A. Smoak - Administrator
Linda N. Gilstrap, Clerk
Jack McIntosh, Attorney

ABSENT

G. Fred Tolly, Jr. - District #1

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

Chairman Garrison apologized to everyone for not introducing Nancy Jo Thomason attending the last meeting as the County Attorney. He also explained that Mr. Tolly was not able to attend the last meeting nor was he present at this meeting; however, he would be back at Council's next meeting.

Mr. Jack McIntosh was recognized as the County Attorney attending the meeting.

Mr. Garrison presented Ms. Shirley Roach a plaque for 10 years of service to the County. Ms. Roach did not receive her plaque at the Awards Banquet held on March 28.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve the minutes from the March 21, 1995 meeting with the following change: Page 3; 6th paragraph - the new paragraph will read:

"Mr. Banister moved that the County surface a dirt section on Wildwood Drive, a city street (entrance to Maple Manor) in the Town of Honea Path and the money to come out of District #3 paving. He said that he would be able, with funds available, to pave the small area which is estimated not to exceed \$1,200. If the money is available, at the time of paving, then the whole job would be paved. Vote was unanimous."

At this time, Council heard from concerned citizens. Mr. Carl Johnson spoke.

Mr. Garrison said that the County was being investigated by the Sheriff's office as a result of complaints by County employees. He said that this was a cloud upon Anderson County and wants the investigation over as quickly as possible; if there has been wrong doings then those people should be brought to justice and remove the cloud from the good people that live and work in this County. Mr. Garrison then asked the Administrator to give as much of his time as possible to these areas, to do our own investigation to find out if there is a lack of procedure or if there is a lack of proper management where we need to make corrections so that in the future our employees feel free to come up through the line of command to let their problems be known. This will enable Council can to take the proper action before some outside agency is asked to come in and "clean our house" for us, if there is a need. Mr. Floyd stated that any complaints by County employees may be justified and may need attention and hopes that this can be resolved as quickly as possible.

Mr. Garrison presented third reading of Ordinance #95-010 - an ordinance to avoid duplication of the Twenty-Five Dollar (\$25.00) Commercial Solid Waste Fee. A public hearing was held; no comments were heard. Mr. Banister moved to approve on second reading and Mr. Gerrard seconded. Vote was 4-0.

Mr. Floyd moved to approve Resolution #95-024 - a resolution authorizing a grant application for the Anderson Youth Association. Mr. Banister seconded and vote was unanimous.

A public hearing was held concerning a request for funding through the South Carolina Jobs Economic Development Authority for A&M Cleaning Products, Inc. No comments were heard.

Mr. Floyd appointed Mrs. Jessena Keith and Chief Mike Smith to the EMS Commission. Mr. Gerrard seconded the appointments and Vote was 4-0.

Mr. Smoak presented bids for sewer engineering services for the US 76 sewer facilities. The Sewer Department recommended Dunn & Associates of Easley; however McElhannon & Amick, Inc. is an Anderson County firm and both have submitted \$50 per hour bids. Mr. Floyd moved to accept go with Dunn & Associates as recommended by the Sewer Department and Mr. Banister seconded. Vote was 4-0. (This is an hourly rate and funds are expected not to exceed \$7,000.)

Mr. Smoak presented the following budget transfers:

RMC Office FROM:	TO:	AMOUNT
#5059-000-269 OFFICE SUPPLIES	5059-000-243 POSTAGE	\$1500.00
#5059-000-428 OFFICE FURNITURE	5059-000-275 TELEPHONES	\$ 700.00
#5059-000-428 OFFICE FURNITURE	5059-000-303 REPAIRS TO EQUIPMENT	\$ 250.00

Mr. Floyd moved to approve the transfers for the RMC office and Mr. Gerrard seconded. Vote was unanimous.

Transfer funds from Public Works Administration to Solid Waste account number 5225-000-233 to #5924-000-315 in the amount of \$47,000.00. This money is legal settlement for payment of fines from DHEC which was budgeted in the wrong department. Mr. Banister moved to approve and Mr. Floyd seconded. Vote was unanimous.

Mr. Smoak presented budget transfers for the Sheriff's Office: From repairs account 000-362 (\$40,000) to 000-420 Vehicle account to purchase two Bronco type vehicles, also transfer \$25,000 to the Computer account for the purchase of lap-top computers for officers. Mr. Floyd moved to approve the transfers. Motion died from lack of second.

Mr. Smoak explained that the Solid Waste budget for this fiscal year was \$2.3 Million budget and because of the new facility built by Waste Management the County lost \$545,000 in revenues. Mr. Smoak recommended that the difference of \$558,000 in the General Fund be transferred to Solid Waste to cover the cash and budget shortages. Mr. Banister moved to make the transfer as recommended and Mr. Floyd seconded. Vote was 4-0.

Mr. Smoak explained that Hammond Water Company has a water tank on Hampton Road that has Anderson County painted on the sides that can be seen from North and South sides of I-85. The lights on top of the tank need to be replaced at a cost of \$310.00. A verbal agreement was made years ago between Planning and Development and the water company to maintain the tank. Mr. Banister moved to replace the bulbs. Motion died from lack of second.

Mr. Smoak said that the Civic Center is projected to lose approximately \$65,000 in funding making the account \$65,000 short. This is because of large event that did not occur at the facility which was expected to at budget time. Mr. Banister moved to transfer the \$65,000 from the contingency fund to carry the Department through the end of the fiscal year. Mr. Gerrard seconded. Vote was 4-0.

Mr. Smoak presented a change in the operating hours at the Big Creek Landfill. The landfill will open up Monday through Friday at 7:30 a.m. and close at 4:00 p.m. This will help to accommodate the daily cover mandate by DHEC at the close of each day. Mr. Gerrard moved to approve and Mr. Floyd seconded. Mr. Banister amended the motion that a display ad be run in the daily papers large enough for the public to see and all radio stations be informed at least 10 days before the hours be changed. Mr. Floyd seconded the amendment. Vote was 4-0 on the amendment and vote was unanimous on the original motion as amended.

Mr. Garrison talked about communication with County employees and a clear understanding with Council as to what Council would like. A letter from Mr. Bill West to Mr. Smoak was read. Mr. Garrison explained that he asked, when he took office, that there be no closed doors to Council and that any member of Council could come and sit down at meetings and listen and ask questions if desired so that Council could learn. Now it must be in writing if a Councilman has a question and then the reply sent out to all members. Mr. Garrison said that he did not want to discourage employees from talking with their Council member or Council from asking for information without interfering with the chain of command that the Administrator has established. Mr. Garrison asked for comments from Council. Mr. Gerrard said that he would like to go out to anyone in this County, whether he is digging a ditch or behind a desk and talk with them and they also feel free to come talk with him and communication is the only way to find out what is happening in the County. Employees are being instructed not to talk with their Council members and not to attend Council meetings, he said. Mr. Gerrard asked to go on record as stating that this practice better stop because these are Anderson County citizens and they pay taxes in this county like everyone else. A Council member should be able to talk with any employee and get answers without them being intimidated that they fear their job is in jeopardy. Mr.

Banister agreed with what was already said and also added that he doesn't mind to stop and talk with any employee and he feels that it is Council's right and the employee's right to talk with Council. Mr. Floyd remarked that Council must be careful as to what is asked. Mr. Garrison said that if there is a problem with Council members directing employees then it should be brought before this group. All Council would like is that when something is asked for that they receive it. Mr. Smoak said that he was glad this was brought up and would reiterate this again tomorrow at the staff meeting.

Mr. Floyd gave the following update on the Detention Center Renovation Committee meeting held last week. He said that the present priority is the kitchen and the intake area/booking. Council must look at maybe cutting back on bed space to accommodate these priorities as requested by the Detention Director. Council will discuss further in executive session at the end of the meeting.

Mr. Garrison presented a figure of \$275.00 for removing the rails, swing gates and repairing one swing gate in the Council Chambers and having them refinished. Council agreed that the rails should be refinished instead of painting. Mr. Gerrard moved to approve the refinishing of the rails and swing gates and the cost not to exceed \$1,000. Mr. Banister seconded and vote was 4-0. Mr. Floyd suggested that seat pads be considered in the next budget.

Mr. Garrison explained a request for the purchase of a water cooler and water to be placed in the Council Chambers. The purchase amount for the cooler is \$282.50 and the water is \$6.50 per 5/gallons. Mr. Banister moved to approve the purchase and Mr. Gerrard seconded. Vote was 4-0.

Mr. Garrison explained a request to pave a 10' wide walkway and an oval area, which is partially paved, at the Hurricane Spring Park in the Wren area. The amount of \$3,200 is needed and is available in the District #4 paving account. Mr. Gerrard moved to approve the request and the money to come from District #4 paving and Mr. Banister seconded. Vote was 4-0.

Mr. Gerrard said that he would like to include in the 1995-1996 budget, funds for a road maintenance satellite. This will save a lot of wear on the County's equipment. There is a need for

approximately 3 acre in the Piedmont/Powersville area. Mr. McClure will be asked to keep good records as to the savings, if approved, which could justify a couple more once the satellite is in place. Mr. Garrison appointed Mr. Gerrard and Mr. Floyd to look into the cost, and etc. so a feasibility study can be done. The Committee will report back to Council.

Mr. Garrison presented a request to close a short dirt road (C-05-28B) off Slater Road (C-05-28). There is a sewer right-of-way that must remain in affect even if the road is to be abandoned. Mr. McIntosh, County Attorney, explained that there was a land owner that was not in agreement and thought that Council may want to get further information. Council agreed to bring up at a later date.

Council discussed the proposed contract to Medshore Ambulance Service. Section II (d) states that the County shall provide an all inclusive fee (to include mileage) of \$175 per patient transported from the Anderson County Detention center provided that the patient has no insurance. Mr. Banister requested that Council ask the Administrator to negotiate the figure with Medshore and report back. Mr. Gerrard seconded and vote was three in favor (Garrison, Gerrard, Banister) and one opposed (Floyd). Motion carried.

Mr. Smoak explained a request from the Starr-Iva Water & Sewer Co. for Anderson County to deed Starr-Iva Water & Sewer Company a tract of land containing 0.844 acre. This property is shown on a plat prepared by Russell & Axon, Inc. and dated March 11, 1988. It was understood that this property would be deeded to Starr-Iva upon completion of the Frigidaire facilities, but for some reason, this has not been done. Mr. Gerrard moved to approve and Mr. Banister seconded. Vote was 4-0.

Mr. Smoak explained the following grants:

1. Solid Waste Grant: Open Top trailer (moving floor) for hauling bales of waste from MRF to Big Creek Landfill \$32,225.00
2. Used Oil Grant: Used oil tanks with containment, 250 gallon tanks. 10 units to replace existing tanks at the transfer station sites. \$12,000.00.
3. Used Tire Grant: Amnesty Month for used Tire, individual households only, with a limit of ten used tires. All tires will be delivered to Public Work Site. Grant will pay for the disposal of tires.

Mr. Floyd moved to approve the application of the grants as described. Mr. Banister seconded and vote was unanimous.

Item 13(a) Sewer Project - I-85/Hwy 86 was deleted from the agenda until a later date. Grant funds may be received.

Mr. Floyd moved to approve the hiring of a supervising engineer for the Lone Oak/Broadview/Johnson Special Sewer Assessment District project. Mr. Gerrard seconded and vote was unanimous. This will be paid for from the Bond Anticipation Note.

Mr. Floyd moved to allow the hiring of three temporary positions at the Detention Center to cover for three currently out with cancer, one with a heart condition and one with an injury because of a job related accident. There is \$12,374 excess funds in the Detention Center's budget to cover the positions between now and July 1. Mr. Banister seconded and vote was 4-0.

Mr. Gerrard moved to fill two laborer positions for summer work only. Mr. Banister seconded and vote was 4-0.

Mr. Smoak presented a request from the United Daughters of the Confederacy asking for the return of a \$10,000 check presented to Anderson County dated 9-18-91 for the new fountain for the court house. The fountain has never been installed therefore they are requesting their money back. Mr. Floyd moved to return the money plus interest (\$11,200.23) and Mr. Banister seconded. Vote was 4-0.

Mr. Floyd moved to go into executive session at 6:10 p.m. to discuss contractual and litigation matters. Mr. Gerrard seconded and vote was 4-0.

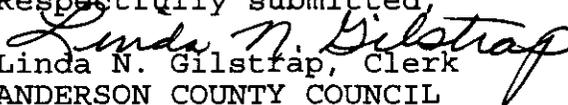
Mr. Floyd moved to come out of executive session back into regular session at 7:55 p.m. Mr. Banister seconded and vote was 4-0.

Mr. Garrison reported that Council discussed contractual and litigation matters and no action was taken.

Mr. Gerrard read a letter from members of New Prospect Baptist Church signed by approximately 45 asking that the Council look into the Senior Citizens program and the decrease in the activities for the past year. Council asked Mr. Smoak to look into the matter. Council received as information.

Mr. Garrison asked that Council establish a job description for an Internal Auditor who will be at Council's disposal. Once this is done, Council will advertise for the position. Mr. Gerrard moved to approve and Mr. Banister seconded. Vote was three in favor (Garrison, Gerrard, Banister) and one opposed (Floyd). Motion carried.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council adjourned at 8:10 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL