

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - May 2, 1995 - 4:30 p.m.
Linda N. Gilstrap, Clerk

AMENDED

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, 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.

A regular meeting of the Anderson County Council was held on May 2, 1995 at 4:30 p.m. in the Council Chambers - Old Courthouse - Second Floor.

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

Chairman Garrison called the meeting to order and Mr. Gerrard gave the invocation. Everyone stood and pledged allegiance to the flag. Chairman Garrison welcomed everyone.

Council heard from the following concerned citizens: 1. Walter Boggs - Medshore Ambulance Contract, 2. Rosemary Garrick - Purchasing Ordinance (amendments) 3. Nancy Jo Thomason - Animal Control Ordinance (amendments) 4. Ed Hillhouse - paving of his driveway.

Mrs. Janis Hunter presented the 1995 School winners of the Governor's Beautification Poster contest. The following students were recognized and presented County pins:

Present from District #1
Leslie Martin, Nikki Pace, Warren Ricker, Stephen Solesbee
absent - Jason Crist, Jeremy Davis

District #2
Ian Durell, Sarah Deal, Laura Tienken,
absent - Sarah Elizabeth Stevenson, Emily Dunford

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absent - Jason Crist, Jeremy Davis

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absent - Sarah Elizabeth Stevenson, Emily Dunford

District #3

Brett Bratcher, Allison Kay, Andy Holliday

District #4

Anna Weldon, Amanda Henderson, Bryan James

absent - Hayley Ulmer, Michael Byrd, Jennifer Alverson, Rose Marie Payne, Brant Duncan

absent-District #5

Dorothy Mae Campbell, Tarna Taylor, Rita Bolt

Mr. Garrison presented first reading, by title only, Ordinance #95-011 - an ordinance to make appropriations for ordinary county and educational purposes for Anderson County for the fiscal year beginning July 1, 1995 and ending June 30, 1996. Mr. Tolly moved to approve and Mr. Floyd seconded. Vote was unanimous.

Mr. Garrison presented first reading of Ordinance #95-012 - an ordinance to amend section 2-632. Purchasing Review Panel subparagraphs (a) and (e), of the Anderson County Code of ordinances. Mr. Banister moved to approve and Mr. Gerrard seconded. Mr. Floyd said that he did not have enough information at this time to support the motion. This amendment will allow the Council to have the final say in any formal protests of decisions arising from the solicitation and award of contracts. Vote was three in favor (Banister, Gerrard, Garrison) and two opposed (Floyd, Tolly). Motion carried.

Mr. Garrison presented Ordinance #95-013 - an ordinance to amend certain provisions of the Anderson County Code of Ordinances dealing with the Animal Control ordinance. Mr. Garrison said that in the past, ordinances to amend would have words underlined that are being changed in the ordinance. This ordinance does not have that and Council may wish that this be done before this comes to a vote. Mr. Banister moved to table for now and Mr. Tolly seconded. Mr. Tolly explained that in Section 42-120, paragraph H part of the language says that an animal will be impounded for three working days. His desires are that either through the County Attorney or the County Administrator that this be spelled out in the revision/amendment to the original ordinance. It is important for people who have lost an animal to identify and claim them. Council also agreed that Animal Control should have input into the amendment. The motion to table and the second was withdrawn. Mr. Tolly moved to redraft and send to Animal Control and bring back to Council at a later date. Mr. Gerrard seconded and vote was unanimous.

Mr. Garrison presented first reading of Ordinance #95-014 - an ordinance to amend Section 55-30 - Grievance Procedure and Discrimination resolution of the Anderson County Code of Ordinances. He said that this amendment would make the County Administrator the final person/step in the grievance process. Mr.

Banister moved to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Garrison presented Resolution #R95-025 - a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, SC and Venture Packaging, Inc. whereby, under certain conditions, Anderson County will issue not exceeding Forty-Five Million Dollars (\$45,000,000) Industrial Development Revenue Bonds. Mr. Tolly moved to approve and Mr. Banister seconded. Vote was 5-0.

Mr. Smoak presented another change in route for the I85/Hwy. 86 sewer project. He called attention to the map with the route marked in green and blue. The green was the previously approved route and cannot be followed now. Several property owners will not allow a sewer line across their property. The Sewer Department is not proposing that the BLUE route be followed. This route will be shorter and the cost will be cheaper. Mr. Gerrard moved that the blue route be followed and Mr. Banister seconded. Vote was unanimous.

Mr. Smoak presented a change order - engineering design service relative to the above changed route. The amount is \$11,625 from Gray Engineering. Mr. Gerrard moved to approve and Mr. Banister seconded. Vote was unanimous.

Bids for sewer service construction for Venture Packaging were presented by Mr. Smoak. He explained that it was a fully funded CDBG Grant and no county funds would be required. The low bid from Gar Con Construction for \$120,006 was recommended. Mr. Tolly moved to approve and Mr. Gerrard seconded. Vote was unanimous.

On the motion of Mr. Gerrard, seconded by Mr. Floyd, Council voted unanimously to approve the purchase of a movable file system for the Assessor's Office from TAB Products in the amount of \$20,391.00.

Mr. Smoak presented budget transfers for Solid Waste dealing with the landfill closure for the Starr and Pendleton landfills. Mr. Banister moved to approve the transfers as presented and Mr. Gerrard. Vote was unanimous.

Mr. Smoak presented a budget transfer for the Sheriff's Department from account #5061-000-361 (Vehicle repairs) to #5161-000-280 (Uniforms) in the amount of \$2,500.00 Mr. Tolly moved to approve and Mr. Floyd seconded. Vote was unanimous.

Mr. Smoak presented a budget transfer which was caused by a change in the law that caused the County to collect some additional monies and now the law is changed back for the Probate

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Judge. This is about \$7,500 and the money is available in the Contingency Fund. Mr. Floyd moved to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Smoak recommended the installation of a security fence at Public Works which will separate the equipment yard from the gas pumps. A transfer of \$3,200 would be necessary and is available in the Public Work's hardware account. Mr. Floyd moved to approve and Mr. Gerrard seconded. Vote was 5-0.

Mr. Gerrard explained calls he had received from a community in Townville concerning the abandonment of a stretch of road known as Pondersosa Point which runs to a boat landing belonging to the Army Corps of Engineers. This abandonment was voted on and approved in April of 1992. The owners did not seek the proper procedures such as obtaining a Quit-Claim deed to take over the road. The camp ground has closed and they are trying to stop the neighbors from using the road to get access to the boat ramp and are therefore asking that the County resume maintenance of the road. Mr. Gerrard moved to take the road back over and Mr. Banister seconded. Mr. McIntosh, County Attorney, explained that some type court order was brought in last week; however, the County was not a party to it. He explained there could possibly be a problem. Council agreed to refer to the County Attorney for further study and research as to how the County obtained the road to start with. Mr. Gerrard withdrew his motion and Mr. Banister withdrew his second.

Mr. Banister moved that all previous action taken with regard to Maple Manor be rescinded. Mr. Gerrard seconded and vote was 5-0.

Council heard from Mr. Clint Wright concerning the requirement for liability coverage for alcohol permitted events at the Civic Center. He asked for Council's consideration to remove the sentence in the Policies and Procedures of the Civic Center Authority dealing with the requirement. The County Attorney said that the County is covered under Tort Liability and the cap is \$250,000 and in his opinion there is no reason to justify an additional requirement and is a reason why the Civic Center is not used any more than it is. Mr. Tolly moved to remove the sentence. Motion died from lack of a second.

Mr. Smoak presented a form which is needed to enter into an agreement with DSS for the Summer Food Program. Mr. Banister moved to approve the form and Mr. Floyd seconded. Vote was unanimous.

Mr. Banister moved to pave the area around the Rock Springs Fire Department for \$9,670 out of the 1995-1996 paving money. Mr. Gerrard seconded and vote was 5-0.

Mr. Banister moved to approve the paving of the Belton Walking Track for \$7,088 and the funds to come from the 1995-1996 paving money. Mr. Gerrard seconded and vote was unanimous.

Mr. Garrison explained the detailed layout of the Hurricane Spring Park. He said that the parking area is already paved on the left; however on the right there is some gravel. This has not been graded and prepared for parking. He asked for consideration that the area be graded and graveled. In the future as we can, we will pave the area. The estimated amount needed is \$10,000 and the funds to come from the 1995-1996 paving account. Mr. Banister moved that this be approved as requested by Mr. Garrison and Mr. Gerrard seconded. Vote was unanimous.

On the motion of Mr. Tolly, seconded by Mr. Gerrard, Council voted unanimously to allow Mohawk Belton Yarn Mill to apply wastewater land applications. Mr. Tolly moved to approve the process if DHEC grants the permit and Mr. Gerrard seconded. Vote was unanimous.

Mr. Smoak presented the renegotiated EMS Contract with MedShore. He said that Mr. Shore had dropped the price for service to the Detention Center from \$175 per call to \$75 per call, but only when a patient is transported or when a diagnostic procedure is performed and only if the patient has no insurance. Mr. Shore would like for the county to pay these cost retroactively back to January, 1995 for all patients. Mr. Floyd moved to approve the contract as renegotiated. Motion died from lack of a second.

Mr. Smoak said that the removal of dirt from the Civic Center by the Windsor Company was complete. Council had previously approved to leave the land open for approximately 6 months, but now that the work is completed there is no reason to leave the land open and suggested that the contractor be contacted to cover it up, add top soil and reseed. Mr. Floyd moved that this be done as recommended and Mr. Tolly seconded. Vote was unanimous.

Mr. Floyd asked that the Public Works Department take a look at the Broadway Lake film before the County gets into any possible litigation.

On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to go into executive session at 5:55 p.m. to discuss contractual matters.

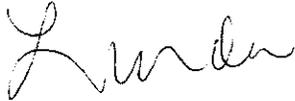
On the motion of Mr. Floyd, seconded by Mr. Gerrard, Council voted unanimously to come out of executive session back into regular session at 7:10 p.m.

Mr. Tolly moved that Council authorize Mr. McIntosh and Mr. Smoak to negotiation a contract with Mr. Dennis Ashley, Architect for the Detention Center, along the lines as discussed in executive session. Mr. Floyd seconded and vote was unanimous.

Mr. Floyd moved to adjourn and Mr. Gerrard seconded. Vote was unanimous.

Council adjourned to the conference room for a budget work session at 7:15 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
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