

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA**

Regular Meeting - October 15, 1996 - 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, Joey R. Preston, 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, 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, Interim County Attorney
Joey Preston, Administrator
Linda N. Gilstrap, Clerk

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, October 15, 1996 at 7:00 p.m.

Mr. William Floyd gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Banister, seconded by Mr. Tolly, Council voted unanimously to approve the minutes from the October 1, 1996 meeting as mailed.

Council heard from the following citizens under Citizens Comments: Ms. Bonnie Duckett - Ms. Duckett asked for Council's assistance with the Sheriff's Office and the amount of time it takes for deputies to respond to a call. Ms. Duckett leaves on Corning Street in the Homeland Park area. Ms. Renae Moorhead - Ms. Moorhead explained an incident in which her house was broken into and the slow response time of the deputies. Ms. Moorhead lives in the Robert Church Road area. Mr. Carl Johnson spoke against the request for \$50,000 by the Chamber of Commerce for economic development. Mr. Chris Aiken - Mr. Aiken said that he resides in the Briarfield Subdivision-Old Mill Road in the Powdersville Community. He explained a water problem in which the County was informed of several months ago and the attempt to bring builders in the area in compliance with soil erosion

policies in the area have been unsuccessful. He said that on Tuesday he was placed on the agenda and by Wednesday county crews were on the spot digging out the ditches and driveway drains. He said that the work done may not even work, and looks bad. He also said that the response time for a deputy is averaging about an hour. Ms. Louise Chasteen - Ms. Chasteen informed Council of plans and public hearing for Upstate Heater Utilities, a Minnesota Company, to sell to a Mr. Boone Pickens from Texas. She pleaded for help from Council to get her subdivision and others on to a local utility company, such as Duke Power because of the poor water, high prices provided by Upstate Heater. She asked Council to attend a public hearing to be held on December 9, 1996 at 7 p.m. in the Historic Courthouse. Council received all remarks as information.

Mr. Joey Preston, Administrator, presented third and final reading of Ordinance #96-017 - an ordinance authorizing the execution and delivery of a lease purchase agreement between Anderson County and Milliken & Company whereby certain assets used in the manufacturing process will be leased to Milliken & Company; and other matters relating thereto. He said that the benefits far exceed the cost associated with this project. Mr. Tolly moved to approve on third reading and Mr. Floyd seconded. Vote was unanimous.

Mr. Preston presented third and final reading of Ordinance #96-018 - an ordinance to create and establish the Anderson County Museum Commission and to provide for its duties and powers. Mr. McIntosh, County Attorney, recommended approval. Mr. Floyd moved to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Preston presented second reading of Ordinance #96-020 - an ordinance to amend the Personnel Policy and Procedures as set forth in the Anderson County Code. (Health Care Insurance for employees). A public hearing was held; no comments were received. Mr. Floyd moved to approve and Mr. Banister seconded. Vote was unanimous.

Mr. Preston presented second reading of Ordinance #96-021 - an ordinance authorizing the execution and delivery of a lease agreement between Anderson County, as lessor, and Apache Products Company, Inc., as lessee; and other matters relating thereto including, without limitation, payment of a fee in lieu of taxes. Mr. Preston said that the ordinance may have modifications prior to third reading and recommended approval on second. A public hearing was held concerning the ordinance; no comments were heard. Mr. Gerrard moved to approve Ordinance #96-021 on second reading and Mr. Banister seconded. Vote was unanimous.

Mr. Preston presented second reading of Ordinance #96-022 - an ordinance amending the Rules and Procedures of Anderson County Council for the conduct and Guidance of its Affairs and meetings, pursuant to the authority of Section 4-9-10, as amended, South Carolina Code of Laws, 1976. This ordinance would allow

Council to establish two member subcommittees of Council. The following committees were recommended; Finance Committee to function as a ways and means committee with two members of Council. Public Safety/Health & Human Services Committee to function as a review, oversight, and advisory body on matters relating to police, criminal ordinance, public safety, social services, recreation, civic center, parks & playgrounds, historic sites, airport, cultural affairs, health services, and other matters related. Administration Policy/Rules Committee, Planning/Public Works Committee, Recycling/Solid Waste Committee, Economic Development Committee. Mr. Preston recommended that the ordinance be amended on page 3, #6. delete last part of sentence "unless such notice be waived by a majority of the Council." A public hearing was held; no comments were heard. On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve on second reading Ordinance #96-022, with the change on page 3 as recommended.

Mr. Preston presented Resolution #R96-034 - a resolution to establish procedures for the use of the Anderson County Civic Center by non-profit organizations. Council discussed. Mr. Banister moved to approve and Mr. Floyd seconded. Vote was four in favor and one opposed (Tolly). Motion carried.

On the motion of Mr. Banister, seconded by Mr. Gerrard, Council voted unanimously to approve change order #6 for the I85/SC86 sewer project. The change order in the amount of \$77,963.75 is the result of 864.09 yds rock excavation and \$109,456.50 for 1259.71 tons of stone for a change order total of \$109,456.50.

Mr. Gerrard moved to reappoint Ms. Faye Wideman to the Human Relations Council. Mr. Banister seconded the motion, and vote was unanimous.

On the motion of Mr. Tolly, seconded by Mr. Floyd, Council voted unanimously to approve the expenditure of \$4,490 to pave the Sandy Springs Fire Department Parking Lot. Also included in the motion is to pave the Powdersville Fire Department Parking Lot for \$12,450.30. All funds will come from District #4 paving account.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve the resurfacing of the tennis courts at the Sheppard Swim Center, and to use \$6,000 from District #2 Recreational Funds for that purpose.

On the motion of Mr. Floyd, seconded by Mr. Banister, Council voted unanimously to transfer \$15,000 from the Civic Center account #5955-000-102 (Salaries-Parttime) to the Civic Center account #5955-000-324 (Contracted-Labor).

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to close Tilley Ramp which is in poor condition and is never used.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve the recommendations from the Anderson County Accommodations Tax Advisory Board for use of ATAX funds in the amount of \$73,224.83. The funding formula was explained by Mr. Preston. He also explained the possibility of ATAX funds being used for marketing and promoting the Civic Center.

Mr. Preston explained applications/requests (3) by property owners for extending the deadline for filing Agricultural Use Classification for property. He recommended that Council grant the extension of the deadline for the three property owners. On the motion of Mr. Banister, seconded by Mr. Floyd, Council voted unanimously to grant the request for Mr. James Alexanders. On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to grant the extension for Mr. Mark L. Marienfeld. On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted unanimously to grant the extension for Mr. Clarence Sease, Jr.

On the motion of Mr. Tolly, seconded by Mr. Banister, Council voted unanimously to approve the Career and Technology Center to "Piggy Back" our paving contract for paving of their parking lot.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve the paving of the Old Hammond School - Community Center parking lot. The funds to come from District #2 paving account. The estimate is \$3,368.03 to do the work.

Mr. Garrison explained a need to widen North Broad Street in Pendleton on the County right-of-way. This will allow people at the end of the road the ability to park on the edge of the road. The funds in the amount of \$916.74 will come from District #4 paving funds. Mr. Tolly moved to approve as presented by Mr. Garrison and Mr. Floyd seconded. Vote was unanimous.

Mr. Garrison talked about a request from the Chamber of Commerce to participate in an economic development effort in the amount of \$50,000. He recommended that the Council participate in the this effort on a 1-year basis and in the future, future Councils agree on a year to year basis. Anderson County must be represented on any committee controlling/advising or having to do with this economic development and that representative be our Administrator, Mr. Preston, with representation not limited to only the Administrator. The money will come from the Contingency Fund. Mr. Tolly moved that Anderson County participate with the Chamber of Commerce and designate \$50,000 toward the project from the Contingency Fund. Mr. Preston will be at least, one representative of the County on this project. Mr. Floyd seconded the motion. Council discussed. Mr. Banister amended the motion that the \$50,000 donation be for County-wide economic development and not just for municipalities. Mr. Tolly seconded the amendment. Vote on the amendment was unanimous and vote on the original motion as amended was four in favor and one opposed (Gerrard). Motion carried. Mr. Gerrard stated that the

amount requested was more than the total amount budgeted for the Economic Development office and to vote for the motion would be a direct slap in the face of our own economic development staff.

Mr. Preston, Administrator, reported that the Planning Commission held a public hearing as directed regarding amending the definition of "Adult Uses", amending section 38-174 "Findings of Fact", and amending (Adult Uses) to address the location of Adult Uses (nude bars). No comments were heard during the public hearing. The Commission will continue to study this matter to develop a more comprehensive definition of "Adult Uses", and continue its study of other uses which may be sensitive to the operational characteristics of "Adult Uses". They should complete these recommendations by November 12. Mr. Banister addressed the size of the ad which was placed in the paper and asked that in the future the ads be larger. The Planning Commission was commended on the good work and effort they do for the County.

Mr. Preston asked that the current position funded in the budget for Keep America Beautiful be upgraded to a full-time County Wide Recycling Coordinator. This person will develop a comprehensive recycling program for Anderson County. A salary range is not available at this time; however, it will be within the budgeted futures, he said. Mr. Floyd moved that Mr. Preston be allowed to go ahead and advertise and interview for the position. Mr. Tolly seconded and vote was unanimous.

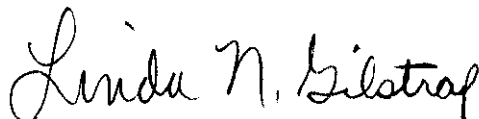
Mr. Banister stated that the Administrative be given the authority to go ahead and get lapel or flexible microphones that will work in the Council Chambers by the end of the year.

Mr. Preston said that the terminology "Transfer Station" has been changed to "Convenience Center".

Mr. Gerrard thanked all employees for work done for the citizens on East Lake Drive and the cleaning and clearing of Morningside Park.

On the motion of Mr. Gerrard, seconded by Mr. Banister, Council voted to adjourn at 8:40 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL