

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – April 5, 2005 – 6:00 p.m.
Linda N. Eddleman, Clerk to Council


MINUTES

All area newspapers, radio stations and television stations were informed of this meeting in compliance with the guidelines set forth in the *Freedom of Information Act*.

PRESENT

Chairperson Gracie S. Floyd, Presiding
Vice Chairman Larry E. Greer - District #3
G. Fred Tolly – District #1
Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Eddleman - Clerk to Council
Tammie Shealy – Deputy Clerk to Council

(During times of discussion and presentations the minutes are condensed and paraphrased.)

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, April 5, 2005 at 6:00 p.m.

Chairperson Gracie S. Floyd called the meeting to order and Mr. Bill McAbee gave the invocation. Everyone pledged allegiance to the flag of the United States of America.

On the motion of Ms. Wilson, seconded by Mr. Thompson, Council voted unanimously to approve the minutes from the March 1, 2005 and March 8, 2005 meetings as mailed with corrections to several typographical errors.

Chairperson Floyd wished Mr. Brantley Jordan a Happy 92nd Birthday.

RESOLUTIONS/PROCLAMATIONS:

Mr. Fred Tolly presented Resolution #R2005-08 – a resolution recognizing and honoring an Anderson County resident and businessman John M. Greene on his selection as the recipient of the William H. Van Rensselaer Public Service Award by the National Association of State Boards of Accountancy; and other matters related thereto. Mr. Tolly moved to approve and Mr. Larry E. Greer seconded. Vote was unanimous.

Chairperson Floyd recognized Mr. Holt Hopkins who presented a proclamation declaring the week of May 15, 2005, as National Public Works Week in Anderson County, South Carolina. Ms. Wilson moved to approve the proclamation and Mr. McAbee seconded. Vote was unanimous.

Chairperson Floyd presented a proclamation declaring the month of April 2005 as Anderson County Child Abuse Prevention Month, Sexual Assault Awareness Month, and Victims' Rights Month. Chairperson Floyd moved to approve and Mr. Greer seconded. Vote was unanimous.

Chairperson Floyd moved to add another proclamation to the agenda and Mr. Tolly seconded. Vote was unanimous.

Chairperson Floyd read a proclamation declaring April 16, 2005, as Kleo Stathakis Day in Anderson County, South Carolina. Ms. Wilson moved to approve the proclamation and Mr. Tolly seconded. Vote was unanimous.

WORKERS COMPENSATION REPORT: Mr. John Henderson, Director of Risk Management for the S.C. Workers' Compensation Trust Fund gave the following report. He said that the S.C. Workers' Compensation Trust is a self-insured pool made up of 44 of the 46 counties in the state. The trust was established in 1984. The trust has been an anchor for a lot of Counties for a long time, which brings stability to their premiums, and lately they've seen those premiums going up. The overall premiums for the Trust doubled during 2002-2004. Some of the reasons for the increase are caused from the terrorist attacks on September 11 had a major impact on the international insurance market and the reinsurance market and it's had an impact on the self-insured trust. The concepts of medical inflation are out there and very real and they've had an impact on the claims, he said. Also, adverse judicial decisions and trends have had an impact to increase the trends for losses. They have had a significant increase in the amount of claims in the trust between 1999 and 2004 the amount of outstanding liabilities for the trust has doubled. The Trust is a partnership made up of County members. It is not an insurance company. The members of the Trust own the assets of the Trust and they own the liabilities. They now have more money extended in liabilities for losses than they have reserves in the Trust. The figure is about \$1.5 million in additional costs out there than they have assets to pay. The Board of Trustees voted that they would retire the deficit this year and the process for doing that is an assessment. At the end of the policy period (June 30, 2005) an assessment will be made of each member in the amount 15.2% of their premium. That premium is the final audited premium. Each year at the end of the policy period, they do an audit to determine if the payroll actually matches up with what it was originally reported. It takes about October for the process to be complete. He stated that they believe that the Trust is on "solid ground" but they are asking all members to work with them and to support their Risk Management program. He said that unfortunately there had been claims in Anderson County that have exceeded expectations and as a result of that the premiums are higher based on the losses the County has had over the years. The trends they are seeing now is that it is improving. The Trustees suggested that members of the Trust do a few things to a few basis risk management standards. 1. Would like to have all claims reported within five days from knowledge of the claim. 2. All claims be investigated using a written accident investigation form. The purpose of that is to learn from the claims so they will not repeat. 3. Make light duty or transitional work offers to folks who can do light duty work. Mr. Preston stated that the increase premium for the next budget year would be \$447,000. Mr. McAbee asked about the Experience Modifier and what it was for the county. Mr. Henderson reported that it was 1.59. Chairperson Floyd thanked Mr. Henderson for his presentation. Council received as information.

SHERIFF'S OFFICE PRESENTATION: Sheriff David Crenshaw appeared before Council with a budget proposal. He said it was a budget proposal that reflects their needs and not their wants. And it reflects the constitutional and statutory obligations to the citizens of Anderson County. He said it was a substantial increase over last year's budget but the county budget in the past has fluctuated considerably and has not maintained a growth level that was adequate to keep up with the needs of the citizens of the county and therefore they find themselves in a position of having to somewhat "dig out of a hole". Chief Deputy Tim Busha gave a power point presentation outlining their needs. A copy of the power point presentation is on file in the Clerk to Council's office. In summary the presentation requested 34 new positions, minimum increase in operations budget, 67 new vehicles, laptop computers for investigators and new computers for records. The members of council asked the following questions. Ms. Wilson – How many investigators does the County currently have? Response: 22. Mr. Greer – did you put a total dollar cost for the request? Response: 3.2 million dollars and it includes personnel, equipment, and benefits. Mr. Dees – page 2 of the hand out – this concerns the study that the Sheriff had done - the national average is reported to be what at best? Response: 5 to 7. The sheriff has 20. Mr. Dees asked who would handle the liability issue when one of his sergeants or one of his lieutenants fails to stop a chase when the officer doesn't need to be in—who will suffer that liability if there are no supervisors. The Sheriff responded the State Insurance Reserve fund and ultimately the county and the citizens will suffer it. He said that is why they are requesting the additional positions. Mr. McAbee – The 800 megahertz system – is there any money in the request for the system? The sheriff responded that the monthly use fees are included and they are seeking grant funds to help buy the additional radios. Mr. Dees – what is the total number of warrants on file at this time? Response: 23,000 give or take. Ms. Wilson – after looking at the per vehicle cost -- does the County have a comparison yet on vehicle cost. He said all of their vehicles are purchased from State Purchasing through the State GSA contracts. Mr. Dees moved to allow additional time (10 more minutes) for the Sheriff's presentation. Ms. Wilson seconded. Vote was unanimous. Mr. Dees asked if they had considered using retired deputies as desk officers. Sheriff Crenshaw responded yes. Mr. Dees – the requirements that Deputy Busha spoke of under NCIC guidelines are not local. NCIC are state and federal guidelines. Mr. Dees asked if Sheriff Crenshaw would be assigning someone to the DEA Regional Task force. The sheriff said that not yet but if he gets additional manpower then he would appoint someone. Mr. Dees asked how many deputies are currently assigned exclusively to traffic. Sheriff's response: 3 primarily but not exclusively. Mr. Dees asked the Sheriff what percentage

would he like to be assigned to traffic. He said 5 – minimum. Mr. Dees said that one of his primary concerns is Chief Justice and what her remarks have been concerning sheriffs enforcing and guarding courtrooms-is Summary Court not considered a courtroom. The sheriff said it was absolutely considered a courtroom. Mr. Dees asked what the average mileage was on his cars. Response: minimum is around 125,000 up to almost 300,000. No further questions, the presentation ended. Council received as information.

Council recessed at 7:10 p.m. Chairperson Floyd called the meeting back to order at 7:15 p.m.

CLEMSON EXTENSION OFFICE PRESENTATION: Mr. Marty Watt, County Extension Agent presented a power point presentation on the Anderson County Extension Office. Mr. Terry Sudduth, Regional Extension director talked to Council about the budget and duties of the office. They asked for funding for a County Extension Agent with livestock responsibility in the amount of 50%, which is \$25,000. County Council received as information.

CITIZEN COMMENTS:

Agenda Matters: No citizens signed up to speak during this time.

Chairperson Floyd presented second reading of Ordinance #2005-010 – an ordinance authorizing the leasing of available Commercial Office Space at the Anderson Regional Airport to Anderson Aero, LLC; and other matters related thereto. A public hearing was held; no comments were received. Mr. Dees moved to approve on second reading and Ms. Wilson seconded. Vote was unanimous.

Chairperson Floyd presented Resolution #R2005-014 – a resolution expressing intent to cease county maintenance on and to authorize County consent to Judicial Abandonment and closure of a section of a certain Anderson County road; granting encroachment permits as to such section of said Anderson County road; and other matters related thereto. (Abercrombie Road) On the motion of Mr. Thompson, seconded by Mr. Greer, Council voted unanimously to approve the resolution.

Chairperson Floyd presented Resolution #R2005-020 – a resolution expressing intent to cease county maintenance on and to authorize County consent to judicial abandonment and closure of a section of a certain Anderson County Road; granting encroachment permits as to such section of said Anderson County Road; and other matters related thereto. (Interstate Boulevard- only the un-improved section of the road) Mr. Bill McAbee moved to approve and Mr. Dees seconded. Vote was unanimous.

APPOINTMENTS: – All Districts

District #1 -- Mr. Fred Tolly moved to appoint Preston W. Jones of 111 Augusta National, Anderson, South Carolina to the Assessment Appeals Board. Mr. Thompson seconded and vote was unanimous.

District #2 – none

District #3 – none

District #4 – Mr. McAbee moved to appoint Mr. Clint Wright to the Planning Commission and Mr. Dees seconded. Vote was unanimous. Mr. McAbee moved to appoint Mr. Charles Crowe to the Sports and Entertainment Advisory Committee. Ms. Wilson seconded and vote was six in favor and one opposed (Floyd). Motion carried. Mr. McAbee moved to reappoint Jackie Manley to the Athletic Commission and Mr. Thompson seconded. Vote was unanimous.

District #5 – Mr. Thompson moved to appoint Ms. Judy Watkins to the Airport Commission. Vote was unanimous.

Mr. Thompson moved to appoint Mr. Mike Gray to the Board of Assessment Appeals and the vote was unanimous.

Mr. Thompson moved to appoint Mr. Jack Gerrard to the Broadway Lake Commission and Ms. Wilson seconded. Vote was unanimous.

Mr. Thompson moved to appoint Mr. Mel Gerrard to the Economic Advisory Board and Ms. Wilson seconded. Vote was six in favor and one abstention (Floyd). Motion carried. Mr. Thompson moved to appoint Mr.

Bill Plaxco to the Farmers Market and Ms. Wilson seconded. Vote was unanimous. Mr. Thompson moved to reappoint Mr. Ed Hillhouse to the Museum Committee. Ms. Wilson seconded and vote was unanimous. Mr.

Thompson moved to reappoint Ms. Elma Norris to the Museum Committee and Ms. Wilson seconded. Vote was unanimous. Mr. Thompson moved to reappoint Mr. Newton Rucker to the Sports and Entertainment Advisory

Committee. Ms. Wilson seconded and vote was unanimous.

District #6 – Mr. Dees moved to appoint Mr. Jeff Gallagher to the EMS Commission. Mr. Tolly seconded and vote was unanimous.

District #7 – None.

District #7 – None.

REQUESTS BY COUNCIL MEMBERS:

Mr. Tolly moved to appropriate \$3,000 to the Foothills Alliance for their Fifth Annual Ladies Day Charity Golf Tournament. The funds will come from District 1 Recreation Account. Vote was unanimous.

Chairperson Floyd moved to appropriate \$1,000 to the Meals on Wheels – annual fundraiser. Mr. Tolly seconded and vote was unanimous.

Chairperson Floyd moved to appropriate \$60,000 from District 2 Paving Account for the Boyd Street Bridge repair. Mr. McAbee seconded and vote was unanimous.

Chairperson Floyd moved to transfer \$993.76 from District #2 Recreation Account used for District #2 Leadership Training in District 2 for meals and training back into County Council's budget as listed. Account 5011-000-235 \$243.76 and account 5011-000-277 - \$750.00. Ms. Wilson seconded. Vote was unanimous.

Chairperson Floyd moved to transfer \$166.22 for painting of chairs for the Broadway Lake Community Center back into the County Council's budget account #5011-000-269. The funds will come from District #2 Recreation Account. Ms. Wilson seconded and vote was unanimous.

Chairperson Floyd moved to appropriate \$150.00 for meals for Saturday, April 9 District 2 training course. These funds will come from District 2 Recreation Funds. Mr. McAbee seconded and vote was unanimous.

Chairperson Floyd moved to appropriate \$1,000 for the Hampton Street Youth Program for their summer program. The funding will come from District #2 Recreation Account. Ms. Floyd seconded and vote was unanimous.

Mr. Greer moved to appropriate \$750.00 for the Belton American Legion for the Veterans' Park. The funds will come from District 3 Recreation Account. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 for the Battle of the Civil War Re-enactment from District 3 Recreation Account. Ms. Wilson seconded and vote was unanimous.

Mr. Greer moved to appropriate up to \$500 for a portable toilet at the Grove Community Park from May 1 until money is gone. Mr. Dees seconded. The funds will come from District 3 Recreation account. Vote was unanimous.

Ms. Wilson moved to appropriate \$1,117.20 for 20 stop signs and posts. Mr. McAbee seconded. The funds will come from District 7 Paving account. Vote was four in favor (Wilson, Greer, Thompson, McAbee) and three opposed (Tolly, Dees, Floyd). Motion carried.

Ms. Nicki Wilson, Public Information Director of the General Service Division of the State Budget and Control board, announced that they operate programs that offer products and services that Cities and Counties are authorized to buy from them at a savings to the taxpayers. She said that she went over the information with Mr. Carroll earlier today. She handled out information concerning their programs. Mr. Dees asked if the council was participating or not. She said that the County was participating in the Surplus Property program only. The County does not participate in any other programs. Ms. Wilson said that she furnished to Council a side-by-side comparison of some of the programs that Ms. Wilson's office offers the County. She told Council that under a state lease program – the County can purchase a Ford Crown Victoria Police package from and through the state fleet management program at \$20,244 as opposed to a much higher price elsewhere. The County could lease the same vehicle through the agency for \$100 per month, liability insurance, collision repair, all maintenance, and all fuel would be provided. Also added is a 28-cent per mile for the police package vehicle. She asked by the next County Council meeting, for a comparison with how the County is currently handling this to see how it compares with how the agency can help the county.

Mr. Greer moved to appropriate \$5,000 from District 3 paving account for the Town of Belton for paving to assist with the installation of an access road to the Industrial Park. Mr. Dees seconded. Vote was unanimous.

SECURITY PRESENTATION: Mr. James Bartee, County's Security consultant, gave a brief report on the security at the courthouses. He said that the new courthouse needs a lock and alarm system and all the facilities should go to the County 9-1-1 Center. The Summary Court said that they needed another security personnel he suggested that the Council might want to consider moving that function into the new courthouse. He strongly suggested that the County secure perimeters with alarms and personnel. Council received as information.

Mr. Tolly moved to approve the acceptance of Carson Creek Subdivision into the county road system. Mr. Hopkins stated that to the best of his ability the County was not accepting another person's liability. Mr. Dees seconded and vote was unanimous.

Mr. Tolly moved to approve the acceptance of Drewmar Acres Subdivision (Phase Two) into the County Road system. Mr. Dees seconded. Mr. Hopkins stated that to the best of his ability the county was not accepting another person's liability. Vote was unanimous.

Chairperson Floyd asked for a moment of silence to remember Mr. Bill West and his wife with the loss of their son and the passing of Pope John Paul II.

ADMINISTRATOR'S REPORT: (time requested 5/allotted 5 minutes)

- a. Letters of Appreciation:
 - 1. For: Mr. Bill Dees From: Mr. John M. Harrison
 - 2. For: Mr. Joey Preston and Staff From: Ms. Renae McCormick
 - 3. For: Mr. Tommy Thompson and Staff From: Mr. Greg Dunn with Centerville Fire Department
 - 4. For: Mr. Holt Hopkins and staff at Road Maintenance From: Lt. Chad Puckhaber with Sheriff's Office
 - 5. For: Mr. John Chambers and Officer Wilson From: Ms. Pat Russell, Principal Concrete Primary
- b. Certificates and Training: Mr. Keith A. Bowman – Limited Duty Law Enforcement
- c. Reports:
 - 1. District Recreation Report
 - 2. Anderson County Litter Report for February 2005
 - 3. Anderson County 911 Dispatched Call Report
 - 4. Animal Control Report for February 2005
 - 5. Environmental Enforcement Report for February 2005
 - 6. Anderson County Building and Codes for February 2005
 - 7. Environmental Enforcement – Sign removal report
- d. Minutes/ Minutes/Agendas:
 - 1. Anderson County Development Partnership March 15, 2005 and March 24, 2005
 - 2. Anderson Regional Airport Meeting of February 22, 2005 and March 21, 2005
 - 3. Anderson County Sports and Entertainment Center Advisory Board Minutes (February 2004-present)
- e. Letter from Ms. M. Cindy Wilson to Mr. Michael Cunningham regarding Budgetary Needs for District #7
- f. Request for Mr. Bob Daly to accept invitation to serve on the Department of Justice Technology Working Group for Corrections
- g. Grant Agreement – "Big Generostee Creek TMDL Implementation through reduction of fecal Coliform Pollution"
- h. Grant Award under the Juvenile Accountability Block Grant Program entitled "Juvenile Drug Intervention Court"
- i. Grant Award under the Victims of Crime Act program in the amount of \$38,456
- j. Letters to Lindsay O. Graham, Senator Jim DeMint, Congressman Gresham Barrett regarding the FAA Automated Flight Service Station
- k. City of Belton Land-Clearing Debris and Yard Trash (LCD) Landfill Facility
- l. News Release – Congressman Barrett announces \$1 Million in Transportation Bill for Anderson County
- m. Letter to Mr. Bill Rampey from Mr. Joey Preston
- n. Anderson County Transportation Committee approved projects
- o. Completed Traffic Study completed on Charles Burton Road
- p. Law Enforcement Appreciation Dinner April 7 at 6 p.m.
- q. Departmental Transfers

CITIZEN COMMENTS: Other Matters

Mr. Ed Hench stated that at the last meeting Ms. Wilson had questioned the distribution of the paving funds for her district, which includes several municipalities. After checking he found the reason why. He read section of state law stating that municipalities are responsible for keeping their roads and bridges in good repair. He said he thought it was wrong to use paving funds for things other than paving. Mr. Brooks Brown said that the county spent well over a half million dollars defending against a sewer system. Now Ms. Wilson wants some paperwork and she has two Attorney Generals' opinions. He asked how much money was going to waste fighting the request. He also said that there are laws when she gets the information and start disseminating it then she will be in trouble. Then she will go to jail. You cannot use your position to gain access to information that is not available to the public and disseminate it.

REMARKS FROM COUNCIL MEMBERS

Chairperson Floyd reminded everyone to continue to make their Board and Commission's appointments. She informed Council that the County Council retreat would be held on Thursday, April 21, 2005 from 9 – 3 p.m. Chairperson asked several employees, division heads, County Council, County Attorney, and Administrator to hold April 26 on their calendars for an event, which will start at 6:30 p.m. More information will be given to Council later.

Mr. Dees – none

Mr. McAbee said he was glad to be there and he was glad that the meeting only lasted 3 hours.

Mr. Greer suggested that council reschedule the first meeting in May because of the Washington trip. Everyone agreed to move the May 3 meeting to Monday, May 9, 2005. Mr. Dees moved to approve Monday, May 9 for the first meeting in May and Mr. McAbee seconded. Vote was unanimous.

Mr. Tolly – none

Mr. Thompson said that he was looking for volunteers from his district to help with putting together community action groups in his district. The groups will be responsible for litter pickup, patrolling the neighborhoods for crime. They would be his contact with the community. He said that he wanted to begin with the Homeland Park Community. He said several weeks ago he was on the radio and someone called in asking about what happened to the \$300,000 set aside for the replacement of the Stevenson Road Bridge. He reported that the project was on hold. Funding was not significant enough to warrant building a new one. Also a comment was made the county's landfill had been sited by DHEC. He said that the county currently has 5 landfill sites and all are managed independently. The landfill was sited about 10 years ago and was under a different administration and different staff. He said that Mr. Vic Carpenter has invited anyone who would like to come to his office to find out more about the problem.

█ that this was █ district and █ constituents could contact him.

Ms. Wilson said that as soon as there is a court date she would invite everyone to come and listen about Freedom of Information and public information. She said that she had asked for so much more than just legal expense vendor files. She had also requested a lot of general ledger reports and financial information that are vital and Council members are legally obligated to be aware of the information. She also asked for attachments, schedules, and amendments to certain contracts. More specifically the landfill sale contract. The contract she was given did not have the annex information. She said that she would have more lengthy more detailed list of that soon. She said that the Administrator continues to want everyone to believe that is only legal expense vendor files -- that is one of the questions. She said that she wanted █ a presentation concerning the numerous violations on the County's sewer projects Beaverdam Phase 1a and 1b. There were serious violations. She handed out information concerning highlights of County Council's budget. She said a number of the accounts are seriously over budget and transfers in and out, which is not clear. She said that the evaluation forms given to Council for the Administrator had a disclaimer. She said prior evaluation forms did not have the disclaimer. Ms. Wilson asked for a report on the question. Ms. Wilson also asked for an explanation on the number of violations for Beaverdam Phases 1A and 1B.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Linda N. Eddleman
Clerk to Anderson County Council