

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - January 4, 2000- 6:00 p.m.

Linda N. Gilstrap, Clerk to Council

MINUTES

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

PRESENT

G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Larry E. Greer - District #3
Chairman Clint Wright - District #4
J. Mike Holden - District #5
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Gilstrap - Clerk to Council

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, January 4, 2000 at 6:00 p.m.

Mr. Larry Greer gave the invocation and everyone stood and pledged allegiance to the flag.

Mr. Clint Wright presented Ms. Gracie Floyd a plaque in honor of Mr. William Floyd's tenure as Chairman for his third year. Mr. Wright read the plaque and then a poem that reminded him of Mr. Floyd.

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Mr. Wright opened the floor for nominations for Chairman for the year 2000. Mr. Fred Tolly presented Mike Holden as nomination for Chairman and Ms. Floyd seconded. No further nominations were heard. Vote was unanimous. Mr. Wright relinquished the gavel to Mr. Holden and they exchanged seats. Mr. Holden thanked Mr. Wright for his outstanding job as chairman and stated that this was an honor for him and appreciated Council's support. He said it would be a new experience.

Chairman Holden asked for nominations for vice chairman. Mr. Fred Tolly nominated Clint Wright as Vice Chairman and Mr. Greer seconded. Vote was unanimous.

Public Comments:

See Attachment #1 - at end of Minutes.

On the motion of Mr. Greer, seconded by Mr. Tolly, Council voted unanimously to approve third reading of Ordinance #99-034 - an ordinance amending Ordinance #99-008, the Anderson County Major Road Study as adopted May 4, 1999, and appended to the Anderson County Comprehensive Plan - 1999, as amended.

Chairman Holden presented second reading of Ordinance #99-036 - an ordinance to redraft, redraw, and redesignate Anderson County Council Districts in accordance with and so as to effectuate the results of an Anderson County Referendum authorizing and directing the creation of seven (7) County Council Districts in Anderson County, effective with and for the year 2000 General Election; approving the official countywide map of such seven (7) County Council Districts; authorizing the application to the United States Department of Justice for preclearance for the use of such seven (7) County Council Districts; and other matters relating thereto. A public hearing was held and the verbatim transcript of the remarks is as follows: SEE ATTACHEMENT #2 ATTACHED. No further comments were received; therefore the public hearing was declared officially closed. Mr. Tolly moved to approve the ordinance on second reading as presented and Ms. Floyd seconded.

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Mr. Larry Greer stated that he had visited some of the areas of Honea Path and talked with some of the constituents. He stated at the last meeting, when he opposed the proposed map, that one of his concerns was to try to balance the population on two sides of the new district 7. Each Council member was supplied with a proposed map. He explained the map to the Council and public. He said the changes would move the new district 6 up toward the Williamston area and it would move the new District 7 down somewhat from the Powdersville area in an effort to try to give a little more balance in the population areas between the two "dumbbell" sides of the new District 7 for more balance in those areas. This change would reduce the number of split precincts in District #6 from six to three and in District #7 from twelve to nine and the over-all split precincts from 16 to 13. He then moved to amend the maps to incorporate the changes he just discussed. Mr. Wright seconded. Vote was one in favor (Greer) and four opposed (Tolly, Holden, Floyd, Wright). Mr. Wright stated that he seconded the motion to give Mr. Greer the opportunity to discuss. Vote on the motion to approve on second reading was unanimous.

Mr. Holden announced that a called meeting would be held on Wednesday, January 12, 2000 for another public hearing.

On the motion of Ms. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve second reading of Ordinance #99-035 - an ordinance authorizing the issuance and sale of general obligation bonds, series 2000, of Anderson County, South Carolina, in the principal amount of not exceeding \$2,000,000; fixing the form and details of the bonds; authorizing the chairman of County Council and the County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto. (Airport Project). This will reimburse the County for monies already spent on the Airport project.

Chairman Holden presented first reading of Ordinance #2000-001 - an ordinance to adopt a zoning map for the Hammond School Voting Precinct in its entirety

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pursuant to Article 10 of Ordinance #99-004 zoning regulations of Anderson County. Mr. Tom Martin explained at the last council meeting the citizens of that area presented Council with a petition to Council of which has been certified by the Registration and Elections Commission. The vote has been set for February 29, 2000. On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted four in favor (Holden, Wright, Tolly, Floyd) and one abstention (Greer) to approve the ordinance of first reading. Mr. Greer stated for the record that he had a concern over voting on an ordinance that is based on a referendum, which has not taken place at this time. He would prefer that first and second readings take place after the referendum has been conducted.

Mr. Wright moved to approve Resolution #R2000-001 to issue a moratorium on the issuance of building permits and subdivision approval for the Hammond School Voting Precinct until after the special referendum is held on February 29. Mr. Tolly seconded and vote was unanimous.

Chairman Holden presented first reading of Ordinance #2000-001 - an ordinance to amend section 50-36 of the Anderson County Code regarding the definition of a Mobile Home and section 50-61 (J) regarding prohibited conduct and mobile homes. Mr. Tolly moved to approve and Ms. Floyd seconded. Mr. Greer asked the following questions addressed to Mr. Jeff Ricketson. QUESTION 1.) Why is this change necessary? ANSWER: We seem to have influx of these old mobile homes coming into the County. Mr. Greer: "Any other reasons?" Mr. Ricketson responded that all manufactured homes after 1976 are built to a HUD code and prior to that time there were no uniform codes and these homes were built with substandard materials and aluminum wiring. QUESTION 2.) Can a existing pre-1976 mobile home in Anderson County be moved within the County. ANSWER: Mr. Ricketson said yes. This only applies to any homes outside of Anderson County. QUESTION 3.) Can a pre-1976 mobile home be used for anything other than offices, such as for storage? ANSWER: Mr. Ricketson said no. Vote was unanimous.

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On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve first reading of Ordinance #2000-003 - a general bond ordinance authorizing and providing for the issuance of Anderson County, South Carolina, Special Source Revenue Bonds (Michelin {Highway 29} Project); prescribing the form of bonds; limiting the payment of the bonds solely from certain revenues derived from the payment of fees in lieu of tax from the Michelin Highway 29 properties located in the Anderson County Joint County Industrial and Business Park and pledging certain revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing.

On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to approve first reading of Ordinance #2000-004 - an ordinance authorizing the issuance and sale of not exceeding \$5,750,000 Anderson County, South Carolina, Special Source Revenue Bonds (Michelin [Highway 29] Project), Series 2000; limiting the payment of the bonds solely from certain revenues derived from the payment of the bonds solely from certain revenues derived from the payment of fees in lieu of taxes from the Michelin Highway 29 properties located in the Anderson County Joint Industrial and Business Park and pledging certain payments into such funds; authorizing the entering into of certain covenants and agreements and the execution and delivery of certain instruments relating to the issuance of the aforesaid bond, including (1) a purchase contract between Anderson County and the Special Source Revenue Bond purchaser; and (2) certain other matter relating thereto.

On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted unanimously to approve the appropriation of \$8,000 from District #1 Recreation Funds for the Williamston Spring Park.

On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve change orders #9, 10, and 11 for Hwy. 76/Sandy Springs Sewer Project. Mr. Preston stated that the project is still \$299,688 under budget.

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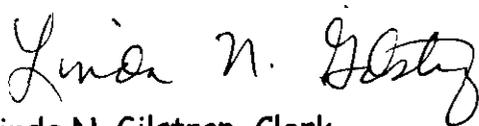
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ADMINISTRATOR'S REPORT:

- (a) Training:
 - 1. Ms. Denise Holley - Bachelor of Science (Human Resource Management)
- (b) Letters of Appreciation:
 - 1. For: Mr. James McAdams From: Mr. Charles G. Campbell
 - 2. For: Mr. Jerry Stamps, Mr. Junior Greenway, Mr. Ken Stone and "Peanut" McElrath From: Mr. Harold McKinley
- (c) Minutes:
 - 1. Public Works Safety Meeting
- (d) Reports:
 - 1. District Paving Report
 - 2. Recreation Fund Report
 - 3. Litter Report Week of December 13-17, 1999
- (e) Anticipated future noise levels on the proposed multi-laning of SC Route 24
- (f) Association of Counties 2000 Legislative Priorities
- (g) Cash Donations for Alliance Park Infrastructure
- (h) Article in GSA - 1999 Review

There being no further business, Council adjourned at 7:00 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL

See Attachment #1

See Attachment #2

VERBATUM – COUNTY COUNCIL MEETING – JANUARY 4, 2000**ATTACHMENT #1****COMMENTS DURING “PUBLIC COMMENTS” SECTION OF AGENDA:****MR. JOHN B. ASHLEY SR.:**

“Mr. Chairman and of course all of the members of Council, this map that I’ve reviewed of the seven districts is the Gerrymandering of the highest order in my opinion. Thank you.”

MR. EARL L. MYERS:

“Mr. Chairman, honorable Councilman, I represent the Town of Honea Path, approximately 5,000 people, and the people in the district #7, which is going to be the new district are very much upset with the way that we have been split up, and we’d like for yall to look at it in a very serious way. We saw there was twelve split precincts in this area, and we also Honea Path has been treated like a prodigal stepchild for many years. Honea Path has had to work hard to get what they wanted, we got our own sewer system, we got our own water system, we got our own industrial park, we’ve got very little help from the County over these many years, but what help we did get we appreciated. And we just feel like yall are pushing us out of the County completely the way you’re moving on this district. And uh, we know that you have got a job to do; I have sat in the same position as mayor, and council for a number of years in Honea Path, and we have some hard problems to solve sometimes, but I just feel like we need to take a good serious look at splitting the districts up, and do it on a more fare basis. We have Honea Path, we have Belton, uh, and I was just thinking last night that many years that there have been a rival between the two towns when we’ve played football together, we’ve always had a rival, and they built BHP High School and they brought the two schools and the two towns closer together. And we are fixin to split the two towns up again and I don’t know what kind of rival this is going to cause, but I would like for yall to look very seriously at this and know that we are a municipality and an Anderson County. Thank you.”

ATTACHMENT #2 BEGINNING OF PUBLIC HEARING:**MR. ALLAN ASHLEY:**

"My name is Allan Ashley, I'm from the new district seven. Uh, I'm from the Honea Path Belton area, uh I'd like for yall to take into consideration ya'll we've got twelve precincts divided in our district, and it's hard enough for us to get public people to work these polls each one of ya'll should know that, because the way you getting people to work the polls and they don't (Tape unclear...) be a mess now we don't want to end up people putting in the wrong voting precinct and then they'll end up suing. We had this happen several years ago in Anderson County Mr. Holden, I know, remembers that when they voted in the wrong one they tried to throw out the election and all that on it. People, we need to really sit down and look at this situation as it is and try to take and make sure that we can get the qualified people to run 'em but we gotta have it so we can understand cause they liable to bring one they did from the Wright School precinct in Greenville County they won't know where uh, Wright School Road or Earl Shirley Road or Hammonds Road, ya know they won't know that. And, you could have some people to mess up in a voting and we need to really not divide these precincts if anyway possible, and our district runs all the way from Jones Chapel Road and Wright Cemetery Road all the way around the lower part of the County all the way up to the Pierce Town Fire Department up to Rogers Store. Now that there is what you call a long hook and I believe that with twelve precincts being divided it could be dropped down and redid some way. I appreciate yalls time and I appreciate you letting me speak and yall have a good day."

MRS. TERESA MORGAN:

"Mr. Chairman, members of the County Council, I also have some concerns of how this has been Gerrymandered more or less. My particular community has been split right down the middle; we have been split physically now. And now I am concerned about our mental splitting because we also Allied Waste has come forward and wanted to offer money to our community if our group would stop dealing with the landfill situation. So they not only split us physically they now you are trying to split us emotionally to, and that's uncalled for. Our community has been placed into the Powdersville area so has part of Williamston. The needs of the people in Williamston, and the Cheddar Community and Honea Path are totally different from the needs of those individuals in Powdersville and in Hammond Community the way this has been districted out. And I think that should be kept in mind, what are the needs of the people. I am from Belton originally and Mr. Greer if you could just move your line back and let the people of Belton come into the Belton Honea Path area and come up to Williamston if you need to put Williamston and Powdersville together that would be an option, and even come over to the Hammond area and come back around. But you need to look at the needs of the individuals as well as the population when you are discussing these issues. And now also I am very concerned about the individuals going to these polls. We have a lot of elderly, and the elderly are usually the ones who do go out and vote because it's sad to say, but the young people many times do not care enough to go out and vote, and if you confuse them more by splitting their precincts or having them to do things in a different manner they are gonna get scared because they are afraid they may make a mistake and they just won't go vote. They deserve the right to vote. They've worked hard in our

community and our counties for years and they've retired and they deserve to have their vote and they deserve to have their vote heard; so let's keep these issues in mind while we are looking at this. I appreciate your time and you have a wonderful day."

MRS. CINDY WILSON:

"Good evening, gentlemen and lady. I'm also very concerned and won't add a whole lot more to what has been said. But, there needs to be a lot more consideration given to the communities, the precincts etc. than what has been given. For example, the Cheddar area. It is long distance to Powdersville and I think that's the case of maybe Honea Path up to other areas. Um, I listen to a lot of people every day who are very concerned about this I guess we are the only ones who are willing to come up and address you on this issue. And we do implore that this be carefully considered, and you do want to make sure that the appearances of this is what you would like. I know the last meeting we were all prepared to look at that map and it was never presented, um, in fact I think the media tried to get copies prior to the last meeting. And all that we continue to ask for is that citizen input be continued to be employed. Thank you."

MR. TOM MARTIN:

"Mr. Chairman, let me interrupt, I apologize but because this matter will have to be submitted to the Justice Department, I would ask that the speakers give their names and a just a general address. They don't have to give a specific street address. I know that Ms. Teresa Morgan spoke and she is from the Cheddar Community and Ms. Cindy Wilson spoke and she is from the Beaverdam Community. That would be sufficient."

MR. MIKE HOLDEN:

"Thank you."

MR. RUFUS GLEASON:

"I am Rufus Gleason, from the proud and metropolis in Craytonville. Uh, what goes on, why am I going to be put in a district with people who live at I-85 and 81, and the people who live in Belton three and a half miles away from me are in another district? What kind of deal is this? Who actually drew this map? Can I ask the question? Who physically sat down and drew this map? Can anybody answer me, who physically sat down and drew this map?"

MR. MIKE HOLDEN:

"I can. The majority of it was put together through the Planning Department of Anderson County and it's been worked on for a couple of months and it did come from our Planning Department."

MR. RUFUS GLEASON:

"Is Mr. Greer going to sit down and present an alternate map?"

MR. MIKE HOLDEN:

"It is my understanding he is."

MR. RUFAS GLEASON:

“And my other question is, and I know that this sounds crazy. The three readings, I know, that is in the State Legislature uh but it seems to me that we vote on things before citizens even get a chance to comment on them. Like I say, a third of the way down the tract before anybody says whoa. I’m just wondering, ya know this is one thing that came up but I’ve been at Council meetings that I’ve been at, why can’t we talk about this before we have a first reading? Why can’t it be introduced without being voted on? Thank you.”

MR. MIKE HOLDEN:

“I think here several meetings ago we uh made the motion uh to have all of our public hearings at least by second reading of an ordinance so that we would have at least two weeks between the time that we had the public hearing and had final reading so that we could consider these comments...”

MR. GLEASON interrupts... “Excuse me, I’m sorry, as a citizen could I ask my County Council if there is an important issue could you please introduce it and let me have the chance to speak on it with my Councilman before you vote on it the first time? Good request? When can yall vote on that... ya’ll can do ordinances. Somebody can say let’s do that as an ordinance and be done with it.”

MR. LARRY GREER:

“It is my understanding that first reading is the process under which an item of business is introduced and from the time that we do first reading on an ordinance if we follow the straight through process and do it at every consecutive Council meeting from there after you would have four weeks during which to study this item of business, regardless of what it is, to attend the public hearing to give your public input (Mr. Gleason interrupts “I understand) Mr. Greer continues “to speak on this matter (Mr. Gleason... “I understand) Mr. Greer continues ... “the first reading even though we vote on first reading that is the introductory process under which items of business are introduced unless it is a resolution.”

MR. GLEASON:

“Yes sir. Yes sir. All I’m saying is uh people get the feeling that you’re going to have the public hearing between #2 and #3 and all of us are pretty well figuring it’s going to pass tonight, ya know (Mr. Mike Holden “well this is the second reading”) Mr. Gleason “we feel like it’s two thirds of the way down the tract before people really get a chance to discuss it, ya know, in depth, and with any important issue I think that it ought to be presented like the newspaper, the Anderson Independent today did not say that there was a County Council meeting. Am I wrong? Am I wrong? The newspaper did not say that there is a County Council meeting tonight. An important issue for goodness sakes can we not take and know about it before it comes up for first reading? That’s all I’m asking. Thank you.”

MR. NELSON WALLER:

“Nelson Waller, I live in the middle of Anderson. I would like to simply second the motion of what the gentleman just said. It seems to me to have a negative public relations impact for votes to be taken even symbolically that seems to be the sense of it at first and second readings. I

wonder if you would be good enough to elaborate why there is voting in fact at the first and second reading.”

MR. MIKE HOLDEN:

“To get the ordinance process started.”

MR. NELSON WALLER:

“How does voting enter into that please? May I ask?”

MR. MIKE HOLDEN:

“How does voting for the ordinances?”

MR. WALLER: “At the first and second readings.”

MR. HOLDEN:

“We have to have so many readings on an ordinance. Takes about six weeks to get one through. So we start the process, we have the public hearing at second reading, which still enables two weeks... (Mr. Waller interrupts “Well would you explain why we have readings which makes all the since in the world, but not the voting part.”) MR. HOLDEN – I don’t understand that part, I think I’ve answered the question.”

MR. TOM MARTIN:

“Mr. Chairman, might I suggest that the public hearing is on the redistricting map only at this point.”

MR. WALLER:

“Thank you.”

MR. TOMMY MARTIN:

“Mr. Chairman, members of Council, My name is Tommy Martin and I’m from the Honea Path area. Uh, one of the things that uh I’ve learned from my brief tenure on City Council is that you’ve got to listen to the public and you’ve got to listen to the people in you ward and the people in your area and everybody that I’ve talked with in my area is very concerned about this new district that includes Honea Path extending far beyond I-85 and ignoring Belton. The thing that is very important for our community is that I think we need to look at the importance of the areas. Belton and Honea Path are very similar. The needs of these areas are very similar. We need representatives in this area that understand the needs. Why separate Belton and Honea Path? We have a school district #2 that includes Belton and Honea Path. There was no effort to separate Starr and Iva. It’s very important to the people in this part of the County, the eastern part, that Honea Path and Belton stay together, and I wish that you would look seriously at the way that the redistricting proposal has been done, it does not make sense to the people that I’ve talked with, why we would be put with areas beyond 85 and in that direction, why our neighbor one or two miles down the road is in a different district. I think it’s time to be responsible, I think it’s time that we listen to the people that we represent. Thank you very much.”

MR. MIKE HOLDEN:

“Thank you. Any other comments from the public? Hearing none public hearing is now closed.”