

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – October 1, 2002 - 6:00 p.m.
Linda N. Gilstrap, Clerk to Council

M I N U T E S

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

Chairman Larry E. Greer – District #3, Presiding
G. Fred Tolly – District #1
Vice Chairperson Gracie S. Floyd - District #2
Clint Wright – District #4
Mike Holden – District #5
William C. Dees – District #6
M. Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Gilstrap – 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, October 1, 2002 at 6:00 p.m.

Mr. Bill Dees gave the invocation and everyone stood and pledged allegiance to the flag.

Mr. Bill Dees moved to approve the minutes from the September 3, 2002 meeting as mailed. Mr. Fred Tolly seconded. Ms. Gracie S. Floyd asked that the word on page 1 "jealous" be changed to "zealous". Vote was unanimous.

CITIZENS COMMENTS:

Agenda Matters:

- 1) Mr. Albert Thomason stated that he resides on Oak Tree Drive of Honea Path along with 14-15 families. He said that they were trying to get a waterline run to this community because their wells are contaminated by septic waste seepage and residents are being sick. He said that the Mayor was presently trying to get a grant to help with the waterline.

Other Matters:

- 1) Mr. Rodney Sanders stated that he noticed the minutes were still not on the County's web site and he complained at the last Council meeting. He said the County was now six months behind. Even though the County continues to advertise how proficient the County is but they cannot get the web site "going", he said.
- 2) Mr. Charles Crowe said there were seven Council members, which makes up a Body. If one member has a problem in obtaining information – where are the other six? He said it was like a family – all the other six turn their backs.

Chairman Larry Greer asked all Council members to refrain from asking for a point of Personal Privilege until Council completes Agenda Item 6 (e).

Ms. Elaine Rollins, Chairperson for the Human Resources Committee, presented Ms. Sandra McCarley of the Sheriff's Department as Employee of the Month of August 2002. Chairman Greer presented her with all the special "treats" that are given to the Employee of the Month. Sheriff Taylor stated that he nominated Ms. McCarley, his

Administrative Assistant, for Employee of the Month. She is a dedicated employee and constantly displays a positive attitude. Council congratulated Ms. McCarley for her outstanding job performance.

Mr. Jeff Ricketson appeared before Council concerning the County's street name changes and readdressing project. He said they expect to have map atlases to all Emergency Service providers within 6 weeks. He said that they are finishing up a process where they are trying to match up road lines from Anderson County to municipalities. The maps should be completed and ready to distribute within six weeks. Mr. Tommy Thompson said that he validated the long and drawn out process because they are supplying the County with a quality product. Once the "bugs" are worked out the County will be able to work out on a periodic schedule to keep a quality product coming along. The end product will serve the County well into the future. Ms. Wilson stated that they were becoming concerned because with the addition of new roads and new subdivisions it made it difficult for emergency providers to find their destination. Council received as information.

Mr. Tommy Thompson introduced Mr. Taylor Jones. Mr. Jones, EMS Coordinator explained a new program that would be beneficial to County citizens and County employees which would be to make available three new automatic external defibrillators. One will be placed in the Public Safety Building, one in the Historical Courthouse, and the Detention Center. Employees have currently trained on the use of the defibrillators for the various locations. Ms. Julie Ellington gave a brief demonstration of how the AED works. Council received as information.

Chairman Larry Greer presented second reading of Ordinance #2002-030 - an ordinance providing for a Five-Year Extension of the investment period for Mount Vernon Mills, Inc. under its lease agreement with Anderson County pursuant to Section 4-12-30 (c)(2), Code of Laws of South Carolina 1976, as amended. A public hearing was held. Mr. Charles Crowe thanked Mount Vernon Mills for still operating in Anderson County. Ms. Wilson moved to approve and Mr. Wright seconded. Vote was unanimous.

Chairman Larry Greer presented first reading of Ordinance #2002-032 - an ordinance to approve a rezoning request by Ms. Linda Eller and Mr. Joe Renna to rezone a 2-acre parcel at 1115 Dunlap Road from R-20 (single family residential) to O-D (office district). Property is located in the Hopewell Zoning district. A public hearing was held. The following individuals addressed the ordinance. Mr. Joe Renna said that MBI was a local and national printer support company servicing many of the upstate's larger corporations. The company has been in business for 15 years and has been a registered "C" corporation in the State for 7 years. For five years they have had fulltime sales people, accountants, and technicians working their facility from 9-5. MBI retains the services of 11 or more sub-contractors and in the past 6 years has paid out tens of thousands of dollars to these sub-contractors. Their location is in a low-density residential area on Dunlap Road with only two other properties with houses and one is already zoned RM-1 which makes MBI - one-third of the neighborhood. MBI is also a community minded corporations. They have donated thousands of dollars and hundreds of computers and printers to local organizations such as Sertoma Club, Anderson Youth Association, Anderson DNS, Big Brothers-Big Sisters, Good Will, Salvation Army, and the Anderson Chamber of Commerce. Ms. Eller and Mr. Renna have invested in excess of half a million dollars into MBI and they have shared their good fortune with their clients and community. He said that in order to stay in business, they needed Council's help. They need to add to their corporate offices on Dunlap Road, in order to consolidate technicians, office personnel and inventory back under one roof. Without this expansion, MBI will have to stop operations and go out of business. He said they are currently paying rent for outside space because they do not have enough space in their current building. Under the new zoning, their

property was zoned R-20 residential and with the "grandfather" clause of using the building as a corporate office they can only add 25% to the building or about 500 square feet. They have planned about 2,000 square feet. In order to expand, they must be zoned something other than R-20 and they have chosen the OD code which fits their business and property. Ms. Linda Eller, Vic President of MBI (Mother Board Incorporated), said that she had lived at 1115 Dunlap Road for 27 years. Seven years ago, the introduction of Orian Rugs Warehouses and truck depots next to and behind her property had radically changed their property. She said the entitlement of peace and quiet as a homeowner had been taken away and the value of her property had drastically been reduced and that is the reason that she had decided to turn her home into a business office in order to salvage some useful benefit to her property. She asked Council to approve the O-D status for their property. Mr. Rudy O'Neal a CPA with Robert Foster Public Accountants, Mother Board is a client of his and he asked Council to approve the rezoning request by MBI. Mr. Ed Jean said he made a comment that he felt a business should not be put in there; however, he has reconsidered and his position would be in support of the rezoning change and feels that the request should be allowed. Mr. Ed Powell of 1114 Dunlap Road said that the area should remain as residents only. He said he was against it. Mr. Jerry Kleppel of 118 Towne Creek Drive expressed opposition to the rezoning request and would like to keep the area residential. Mr. Dan Harvell of 500 Trail Road, Belton said that he went out to see the property. He asked Mr. Ricketson to explain for the public record why this rezoning was handled through this venue rather than going through the Zoning Advisory Group of Appeals. He said doing things like this helps out the small businesses. He said that approving this it would show that Council was really trying to help out the small businesses. Mr. Chad Hicks of Lake Wood Drive, Anderson said that he knows the best business to have in an area is the corporate headquarters where the people live and work in the area and spend their money in the area. From what he has heard and seen it would be a great transition between residential and industrial and he hoped Council would grant the variance. No further comments, the public hearing was declared closed. Mr. Wright moved to approve the rezoning request and Ms Wilson seconded. Council discussed. Mr. Holden presented pictures that were made of the property and told Council that he went out and looked at the property and found that the property was really nice looking and kept up. At the time he was at the property, he heard all the noise of the trucks and fork lifts from Orian Rugs Warehouse. He said he took pictures going into Towne Creek Drive that looks like something you'd see at one of the County's landfills. He said that he could not understand why the residents were so upset about his business with "eye sores" like he saw out there. He encouraged all members of Council to go out and take a look at it before the next meeting. Mr. Wright said that he didn't have a problem with the O-D request and he would support on first reading and afterwards go out and look at it prior to second reading. Ms. Floyd asked what would happen if the business was sold in the future with the O-D zoning. She also asked Mr. Harvell if he said this did not go before the Zoning Board of Appeals and he said yes. Mr. Wright said that it went to the Zoning Advisory Board for District #4 not the board that Mr. Harvell serves on because it is in District #4 and not District #7. Mr. Renna said that the plans for his property were not exactly known and for that reason he had asked for the O-D classification. Ms. Wilson asked when Orian Rugs first acquired their property. Mr. Renna said around 1975. She also asked about the covenants in the neighborhood. Mr. Greer stated that he had not made up his mind and was still "wrestling" it because it was a two-sided issue. Mr. Dees said that he was concerned about the citizens of the County if in the future Mr. Renna decided to sell his business and it was zoned O-D. Mr. Greer talked about the request. He said that several months ago, he walked around his church's cemetery looking at tombstones and as he was looking a thought came to mind that nothing lasts forever except one thing - the way you treat your fellowman. How you treat each other is passed on from one generation to another and that is what zoning is all about - how we treat each other. He told Mr. Renna that if he continues through the entire process he

hopes that he will be a good neighbor in the community. Mr. Holden said that this was a perfect example of overlay situation. Vote on the rezoning request was six in favor and one opposed (Mr. Tolly). Motion carried.

At this time, Council took a 10 minutes recess. Chairman Greer called the meeting back to order.

On the motion of Ms. Wilson, seconded by Mr. Wright, Council voted unanimously to approve an appropriation of \$1,000 from District #7's Recreation Account for the Honea Path Recreation Association for assistance in adding a roof on the t-ball field dugouts.

On the motion of Ms. Floyd, seconded by Mr. Dees, Council voted unanimously to approve an appropriation of \$10,920 to construct a walking track at the Westside Community Club. The funds will come from District #2's paving account.

On the motion of Mr. Holden, seconded by Mr. Dees, Council voted unanimously to approve an appropriation of \$2,000 for the Varennes Elementary School PTO for recreation equipment and \$5,000 for the Westside High School Athletic Department for a fundraiser for softball field project. The funds to come from District #5's recreation account.

Mr. Dees moved to reschedule the November 5, 2002 County Council meeting, which is Election Day, to November 7 at 6 p.m. Mr. Tolly seconded. Ms. Floyd said that she was unable to attend a meeting on November 7th. Mr. Dees amended his motion to change the meeting to November 12th and Mr. Tolly seconded. Vote was unanimous.

ADMINISTRATOR'S REPORT:

- a. Certificates and Training:
 1. Mr. William H. Ray – Advanced Diesel Engine Performance Diagnosis, Microsoft PowerPoint 2000 Proficient and Basic Lift Truck Operator training program
 2. Mr. Charles Pinson – Basic Lift Truck Operator training program
- b. Letters of Appreciation:
 1. For: Mr. Holt Hopkins and crews – From: Councilman Bill Dees and Mr. Allen and Mrs. Deborah Stephens
 2. For: Mr. Joey Preston – From: Mr. Wm. Glen Brown, Corporate Secretary, Santee Cooper
- c. Reports:
 1. Detention Center Litter Report – September 9 to September 13, 2002
 2. KAB Litter Report – August 2002
- d. Minutes:
 1. Anderson County Transportation Division Safety Meeting – September 6, 2002 and September 20, 2002
 2. EMS Commission Meeting – September 12, 2002
 3. Anderson Regional Airport Meeting – August 5, 2002
- e. "WHAT IS CIVIL ENGINEERING?" Article from The State newspaper
- f. Re-Opening of Filing for various seats on the Anderson County Board of Education
- g. Change in time of meeting notice - Legislation Delegation

Council Members Remarks:

Ms. Wilson asked Mr. Preston about her request for information. She said that the information he gave her prior to the start of the meeting would there be a more up to date on the cash balance by accounts. She said the report was dated July 31st. He said that he had the detail that she had requested and it took a county employee about three days to compile the information. Ms. Wilson said Ms. Mackey gave it to her in only a few minutes last year. She also said that she had requested copies of the GLR153 by account funds by written requests, verbally and even filed a FOI request for it. She said that the Attorney General had upheld the right of an elected official to these documents. Mr. Preston said that he told her a while back that if she withdrew her FOI request; but she filed a formal FOI request that she has not official withdrawn. She asked Mr. Martin what a formal request needed to say and he responded that "I withdraw my FOI request dated on such day". Mr. Preston asked Ms. Wilson just to withdraw her request and she could pick up the information on Wednesday. Ms. Wilson withdrew her FOI request. Mr. Preston said that this was a very expensive document to run. Mr. Preston asked that these requests be voted on by the entire Council. Ms. Wilson made a verbal withdrawal of her FOI request.

Ms. Floyd stated that the Broadway Lake levels would begin to go down this winter.

Mr. Tolly asked that everyone keep Mr. Brantley Jordan (who will have surgery this week) and Mr. Greer's Mother-in-law (who had a stroke) in their prayers.

Mr. Holden stated that Ms. Michelle Strange should have the minutes on the Internet by Friday. He also stated that his district needs water very badly also.

Mr. Clint Wright asked that each member contact the water companies within their areas and ask for a list of requests that they have had for water. Then the subcommittee will have something to use to evaluate the need for water in the County. He also asked Mr. Preston to expedite the water study. Mr. Wright asked Mr. Martin if there were criteria for administering a grant for water such as the State Revolving Fund or a matching funds program. Mr. Martin said that there were criteria already in the County's possession. He asked that the County begin to look at the legal issues of a matching grants fund, a special tax district fund that would be administered by the County or by the water districts and how that would be handled. Mr. Wright wished his wife a Happy Birthday.

Ms. Floyd asked Mr. Wright if it would be helpful for the Clerk to Council to contact the water companies to get a list of their water requests. He said yes it would be helpful. Ms. Floyd also asked Mr. Preston to get notices of events (time and location) so these could be provided well in advance of the events.

Mr. Greer asked the Clerks/Council Members to get their water requests by Council districts. Mr. Greer talked about the word "assume or assumption". He said to be careful of what you assume.

There being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL