

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – June 3, 2003 – 6:00 p.m.
Linda N. Gilstrap, Clerk to Council
AMENDED
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

Chairman William C. Dees – District #6, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Larry E. Greer – District #3
Clint Wright – District #4
Mike Holden – District #5
M. Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Gilstrap – Clerk to Council
Tammie Shealy - Deputy Clerk to Council
Celia Boyd – Intern

(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, June 3, 2003 at 6:00 p.m.

Chairman Bill Dees called the meeting to order and welcomed all present. Mr. Fred Tolly gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America. Chairman Dees read the Quote. Chairman Dees also announced that it was Ms. Gracie Floyd's birthday and everyone wished her a happy birthday.

On the motion of Mr. Clint Wright, seconded by Ms. M. Cindy Wilson, Council voted unanimously to approve the minutes from the May 20, 2003 called meeting and the regular meeting of May 20, 2003 with changes as discussed by Ms. Wilson and Chairman Dees.

Chairman Dees stated that the agenda was amended because of an item that was inadvertently left off by the Clerk to Council.

Citizen Comments:

Mr. Rock Reinhart who serves on the Water Quality Control Committee of Lake Secession and Rocky River Property Owners Association spoke to Council regarding Resolution #R2003-038. The Resolution proposes spending over \$57,000,000 for a sewer line to Rocky River Waste Water Treatment Plant (RRWWTP) and the upgrading of Generostee and RRWWTP's over the next five years. He said the proposed sewer line is roughly four miles in length and sewer pipe up to 54 inches in diameter. Anderson County, Anderson City and Homeland Park would share the \$57 million cost at 60%, 34%, and 6% respectively. He said that he wondered if the residents of Homeland Park really understood they would be expected to pay over 3.4 million dollars for the project. He said that in today's Anderson Independent Mail newspaper that the project cost was stated as 33 million dollars. He asked about the difference in the estimated cost discussed last April by Design South. He said that Rocky River and Lake Secession residents understand the need for a portion of Anderson county wastewater to head in their directions, but in their opinion the Six and Twenty plant should be expanded to absorb any future sewage needs of Anderson County. They gave the following four reasons for the feelings:

1. It makes more sense to go to Six and Twenty geographically.

2. There is no real justification for expanding RRWWTP (Rocky River Waste Water Treatment Plant) when capacity exists at Six and Twenty.
3. It would be more cost effective to use Six and Twenty for any new sewage line in the northern sector of Anderson County.
4. The historical record of RRWWTP frightens them.

Ms. Wilson told Mr. Reinhart that if he could stay that he could finish his presentation under Item #3 instead of the Citizens' Comment section of the agenda since his three minutes were up. Mr. Roy H. Barber said that he respected each member of Council because they make awesome decisions. He said that the RRWWTP expansion was an awesome decision. He said that he came from North Carolina about a year ago and when he bought his home he could see kids swimming in the water and he could see about 5 foot deep and it was clear and nice. What you will be seeing is another cesspool. He asked Council not to vote for it.

Mr. Jean: Back on May 19, I attended a reassessment meeting that was sponsored by Councilperson over in Williamston. I look forward to that because I am trying to really understand all the issues involved. I had seen the ad in the Anderson Independent Mail or not the ad-the notice-the brief and I was going to be there and we were going to talk about the reassessment – well once things got started it wasn't about reassessment. It was all kind of things about the budget. There was a gentleman back there – Jacky Hunter-and he was looking down the papers and he's hitting all of us – the folks that were up front about all these comments and I won't go through all of those – but suffices to say really had nothing to do with assessment and the process of it. And as they were going through that there was a comment made that "it was not a problem with the state-it was a problem with Anderson County". It's a shell game referred back to 1987 and it keep referring to budget figures. Probably some things – it finally reached a point where some people said that I thought it was going to be on reassessment. Well, my councilperson said that don't you folks up here – and I think an apology is due to Mike Freeman, Anna Marie Brock and to Gina Humphries and to Tom Martin because they really got lambasted. They were there to talk about reassessment and it was basically about budget. Finally after about 20 minutes there were some comments made – I asked the comment – "Ms. Wilson I thought this was about reassessment. Well they go hand and hand, Mr. Jean."

Mr. Ed Hinch of Country Acres of Anderson said that most of the laws that govern the operation of the County are generated in Columbia. He said that it would be helpful if the Delegation would get some input from the Council and the citizens of Anderson. A member of Council recommended a meeting of the Delegation, Council and citizens awhile back and to his knowledge no meeting of that sort has been held. Mr. Brooks Brown said at the last meeting he heard Mr. Wright make the statement to effect in his years of service the County employees have never spent the budget that had been allotted to them. He said this brings a major point that Council passed a budget of a certain amount of money and certain values of commercial property and then the county will assess the citizens for the balance. He said that they are being assessed for "X" amount and if the county is only spending this amount then the citizens' taxes could be lowered.

Chairman Dees read the title of Resolution #R2003-041 – a resolution recognizing and honoring Anderson County Resident Cathy Rudisill for bringing recognition to Anderson County, the State of South Carolina and the United States of America by competing in the 2003 Special Olympics World Summer Games held in Dublin, Ireland; and other matters related thereto. Mr. Tolly moved to approve the resolution and Chairman Dees seconded. Vote was unanimous. Mr. Tolly presented a framed copy of the resolution to Ms. Rudisill and commended her for her outstanding performance.

Chairman Dees read the title of Resolution #R2003-042 – a resolution recognizing and honoring Anderson County residents Roy and Margaret Ivey for bringing recognition to Anderson County and the State of South Carolina by competing in and winning the National Championship in Interpretive Freestyle Canoeing presented by the American Canoe Association; and other matters related thereto. Ms. Floyd moved to approve the resolution and Mr. Tolly seconded. Vote was unanimous. Ms. Floyd presented the Iveys a framed copy of the resolution and commended them for their outstanding accomplishment and for representing Anderson County in this manner.

Chairman Dees read the title of Resolution #R2003-044 – a resolution recognizing and honoring Anderson County resident Brandi Jackson on the conclusion of her outstanding collegiate and amateur golfing career; and other matters related thereto. Ms. Cindy Wilson moved to approve the resolution and Mr. Clint Wright seconded. Vote was unanimous. Ms. Wilson presented a framed copy of the resolution to Ms. Jackson and commended her for her outstanding achievement.

Ms. Gracie S. Floyd talked about a request from the Welfare Baptist Church and Rocky River Baptist Association who will serve as hosts to 2000 women and youth starting Monday, June 9 through Thursday, June 12. The group will represent the Women's Baptist Education and Missionary Convention of South Carolina for a proclamation recognizing this event. Mr. Tom Martin asked Ms. Floyd to consider do this in the form of a resolution (#R2003-047). Ms. Floyd moved to add Resolution #R2003-047 to the agenda and Chairman Dees seconded. Vote was unanimous. Ms. Floyd moved to approve the resolution and Chairman Dees seconded and vote was unanimous.

Ms. Floyd said that everyone in District #2 have worked very hard to promote, encourage, and prepare the youth of the entire county during the summer months. She said she goes by the old saying "Idle hands are the devil's workshop." In the past couple years she has contributed to a youth work program through the SHARE agency to put the youth to work. She said this year she has set aside money in District #2's Recreation account for a summer work program that the county will administer. The needed amount of money for the program to hire 20 individuals would be approximately \$27,000. She asked Council to join her in this endeavor by also allocating money, and she has \$21,000 available in her account and then moved to allocation that amount for the purpose. Mr. Holden moved and also stated that when the agenda item for "Council's Requests" comes up he will then allocate funds for the program. Vote was unanimous.

Council took a 5-minute break at this time. Chairman Dees called the meeting back to order.

Ms. Wilson said that everyone should have received a letter from Mr. Tom Baskin. She read the letter into the record. Mr. Rock Reinhart said that he did not understand why the County would upgrade two treatment plants when common sense said you could do it with one. There would also be required pumping to 81 westward. Pumping would not be a serious obstacle – setting up pumping operations would be a small expenditure compared to completely upgrading a second waste water treatment plant unnecessarily. A single truck line to Six and Twenty Waste Water Treatment Plant would still make sure an industry would have its needs met and would be roughly one-half the district. He asked council why the County Manager, the City Manager, and the consulting engineers are making such a wildly expensive proposal to them. Jobs, dollars, and self-preservation. The engineering firms are selling and the County is expected to buy and sell to the people. If Council surmises that he is wrong, he said, he encouraged them to take a look at the map and check out where Rocky River, Generostee and Six and Twenty Waste Water Treatment Plants are located at. Rocky River and Lake Succession residents understand the need for a portion of the Anderson County Waste water to head their direction. The Six and Twenty Waste Water Treatment Plant should be expanded to absorb any future sewage needs of Anderson County. (His reasons are stated at the beginning of the minutes under Citizens Comments.) He said that Rocky River and Lake Succession are both impaired with high densities of algae. The Federal Energy Regulatory Commission has assessed Lake Succession with high levels of phosphorus has contributed to the pollution. The S.C. Department of Natural Resources has sited frequent discharge violations at Rocky River Treatment Plant. EPA has charged both plants with violations of the Clean Water Act. Any expansion in their minds would simply increase the propensity for error and discharge violations of even greater proportions. They do not except the premise that 99% compliance of the waste water treatment plant is acceptable because it is not, he said. He said that the citizens knew that fine expensive homes are being built on Lake Succession and one-acre lots are being sold for nearly \$100,000. He invited everyone to come down and look at the lake. He urged Council not to be hasty in dealing with the Resolution R2003-038. He then addressed Resolution #R2003-023. He said that he was one of the authors of the six letters referred to in a letter from City Manager, John Moore, and he was concerned because his letter represented over 200 Abbeville and Anderson County homeowners. He also said that his four letters that Mr. Moore has referred to in this correspondence with Mr. Preston expressed the same or similar issue, which is "Don't go forward with the sewer project without a public hearing and dialog." He said that the letter that Ms. Wilson wrote was in his opinion a moot point. Now it is

June and all six letters to DHEC were written last January and responded to by DHEC last February. Since DHEC has reissued the RRWWTP permit without expansion authorization why would County Council waste time on resolutions and more letters after the fact? He encouraged Council not to make a mistake and let the people vote on these issues. A video presentation was given by Ms. Teresa Morgan of the installation of a sewer line in the Town of Williamston. She pointed out the lack of use of silk screening and where the system after completion was leaking due to poor design or poor placement. Council also heard from Ms. Wilson concerning slides that were shown on a project in the County regarding the manner in which it was installed. She said the contract called for best management practices to be put into place prior to and during construction. A county full-time employee should have been on site during the digging and Design South was to have an engineer on site at least 20 hours each week. Landowners were calling regarding the installation of the sewer line. According to the contract the County was to pay up to \$39,000 for Design South. Council also heard from Mr. Dan Harvell. Ms. Wilson said that she thought they owed the citizens of Anderson County the County's compliance when a project is put in. Council agreed that the slides were shown months ago and Council also agreed that the video was of a Town of Williamston sewer line and not the property of Anderson County. Ms. Wilson said that the point of the video was to show that Design South designed the sewer line and they were supposed to have observed construction and corrected any problems along the way. Ms. Wilson said that the Town of Williamston has been addressing the problem with the engineers and DHEC. Ms. Floyd stated that some of the films were not related to Anderson County at all and it was important what goes out over the cable station because of citizens who can attend the meetings. Ms. Wilson asked Ms. Floyd asked when her son began to work for Design South and when did he complete his job. Ms. Floyd said that was an old problem and Ms. Wilson was going to get her to go way back to make a point from 1999 and she was not "going there" with her. She said the County was talking about a new sewer system for Anderson County and Council was talking about doing what is best for the County. Ms. Floyd told Ms. Wilson not to bring her family into this. Ms. Wilson asked Ms. Floyd if her son had anything to do with the Wasserman Group. Chairman Dees called Ms. Wilson out of order and ended the discussion. Council received as information.

Chairman Dees read the title for third and final reading consideration of Ordinance #2003-018 – an ordinance authorizing the execution and delivery of an agreement between Anderson County, South Carolina and Fraenkische USA, LP for granting certain infrastructure credits to Fraenkische USA, LP. A public hearing was held and no comments were received. Mr. Tolly moved to approve the Ordinance on third and final reading and Ms. Wilson seconded. Vote was unanimous.

Chairman Dees read title for third and final reading of Ordinance #2003-019 – an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement between Anderson County, South Carolina, as lessor, and Fraenkische USA, LP; and other matters relating thereto including without limitation, payment of a fee in lieu of taxes. A public hearing was held and Mr. Brooks Brown said he objected to any fee-in-lieu of payment deal, Mr. Rock Reinhart asked if the county had these type agreements in writing, Ms. Barbara Whitlock said that there was so much adversarial and garbage here that it made her heart hurt. She told Ms. Wilson that she needed to pray hard on some of the things that she was trying to do and if there was something really valid to do it but to back off if it was not valid. Ms. Shannon Owensby said she lived on Lake Succession had she gave 4 reasons why she did not want the RRWWTP expanded. No further comments were received and the public hearing was declared closed. Mr. Wright moved to approve and Ms. Wilson seconded. Council discussed. Ms. Floyd called for the question and vote was unanimous. Vote on the approval of the ordinance on third reading was unanimous.

Chairman Dees read the title for third and final reading consideration of Ordinance #2003-020 – an ordinance providing for the regulation of taxicabs and taxicab services in Anderson County, South Carolina; and other matters related thereto. Ms. Floyd moved to approve on third reading and Mr. Wright seconded. Vote was unanimous.

Council recessed at this time. (8:15 p.m.) Chairman Dees called the meeting back to order.

Chairman Dees read the title for first reading approval of Ordinance #2003-021 – an ordinance to approve a rezoning request by Lynn Duckworth Franzen to rezone 35 acres on Stringer Road at Traynum Road from R-A (Residential Agriculture) to R-40 (Single Family residential). Property identified by TMS #171-00-04-009. A public hearing was held and no comments were received. Ms. Wilson moved to approve the ordinance on first reading and Mr. Wright seconded. Vote was unanimous.

Chairman Dees read the title for first reading approval of Ordinance #2003-023 – an ordinance to amend Chapter 70 of the Anderson County Code of Ordinances in certain limited regards; and other matters related thereto. Mr. Wright moved to approve on first reading and Mr. Tolly seconded. Mr. Ricketson said that at the last meeting the Council approved zoning for the Centerville voting precinct and during the Council had zoned several hundred acres of land in Anderson as "I-2". He said that during the past several months the County has had interest in developing the I-2 property. The setbacks in I-2 are excess and this would ordinance modifies the excessive setbacks. Vote was unanimous.

Chairman Dees read the title for first reading approval of Ordinance #2003-024 – an ordinance authorizing the transfer of certain Anderson County real property to the S.C. Department of Transportation; authorizing the execution and delivery of a real property deed related to the same; and other matters related thereto. Mr. Holt Hopkins presented a slide for council and explained that this involved property located at the intersection of S.C. Highway 81 North and Long Road. Ms. Wilson moved to approve and Mr. Wright seconded. Vote was unanimous.

Chairman Dees read Resolution #R2003-023 – a resolution authorizing and directing letters to the City of Anderson, South Carolina, and the South Carolina Department of Health and Environmental Control concerning the renewal of the NPDES permit for the Rocky River Wastewater Treatment Plant, city of Anderson, South Carolina; and other matters related thereto. Mr. Tolly moved to approve and Mr. Holden seconded. Ms. Wilson asked who asked for the resolution and Mr. Martin responded that the City of Anderson's Manager, John Moore. She asked Mr. Preston to read her letter, which seemed to cause the problem. Mr. Preston told her to read her own letter. Ms. Floyd asked for a Point of Order. She said that Robert's Rules state that before a document is read County Council must approve it unless it is an agenda item. Ms. Wilson moved to get Council's permission to read the brief note. Mr. Wright seconded. Vote was three in favor (Wilson, Wright, Greer) and four opposed (Dees, Holden, Tolly, Floyd). Motion failed. Ms. Wilson paraphrased her letter by saying that to set the record straight her letter clearly was not written opposing the renewal but to the proposed expansion of the Rocky River Wastewater Treatment Plant. She said her letter was requesting a public hearing for the citizens of Anderson County. Ms. Wilson read several paragraphs of the resolution concerning the renewal of the NPDES permit and the letter from her. She said that there was a major error in the resolution because her letter referred to expansion and not renewal. She asked Mr. Martin if he did it and he responded he did however he did not at the time have a copy of her letter. She asked if the Council could change the resolution to expansion rather than renewal. She said she was not opposed to the renewal and thinks that the plant has begun to clean up. She said that there is no need for the parallel line in Rocky River except that maybe the engineering company made a mistake when they put the first one in. She said it was important to note that according to the most recent Annual Financial Comprehensive Report sewer revenues for fiscal year- 2002 -2,052,039 plus the \$1,118,543 from a three-mill sewer tax from property in the sewer district. The County has a net income in 2001 of \$133,789 and a net loss this past year of \$418,253. When you compare that Anderson County has a total of 5,250,000 gallons per day of sewer capacity and the County is only using 1,783,000 per day as of June 30, 2002 – then Council members must ask themselves if this is a good deal for the County. She said that it is very interesting that Council finds that it is more appropriate to distract and attack her than to deal with the issues. She said that the agreement should be modified to reflect reality and the County is no where near the capacity at Rocky River and the County should address the County's needs focusing more on Generostee Creek and then upgrading the treatment capability at the Rocky River Treatment Plant. The County doesn't need to expand Rocky River to almost 10 million gallons per day and the county doesn't need to build another line parallel to it when there is already a line in the ground. **Ms. M. Cindy Wilson, Council Member:** "...And Design South, we pay we've paid quite a few hundreds of thousands of dollars. And the question, that I'd asked of one of my fellow Council members is pertinent because there were votes

taken involving Design South that I would think have been tainted. And I think this is the real reason that I'm being attacked. Thank you very much."

Mrs. Gracie S. Floyd, Council Member: "Mr. Chairman."

Mr. William C. Dees, Council Chairman: "Ms. Floyd."

Mrs. Gracie S. Floyd, Council Member: "Mr. Chairman."

Mr. William C. Dees, Council Chairman: "Ms. Floyd."

Mrs. Gracie S. Floyd, Council Member: "Uh, Mr. Chairman, I'm going to ask you please, uh, I don't understand the last comment that was made, but a fellow Council members and Design South it just sends up, it sends up the wrong flag to me, okay. Uh, but, Mr. Chairman, I'm going to ask, is there anything that I can do to stop the insinuations, and the whatever else is being done here about Design South and I, I think I ask that that not be brought up to me again. Mr., Mr. Martin, do I have to answer these questions? I mean what recourse do I have? I feel like I'm being attacked personally here. And I know I said I wasn't going there okay, but you know like enough is enough."

Ms. M. Cindy Wilson, Council Member: "I know the feeling."

Mrs. Gracie S. Floyd, Council Member: "Okay, I, I have uh."

Mr. William C. Dees, Council Chairman: "Mr. Martin."

Ms. Gracie S. Floyd, Council Member: "Maybe I just leave it alone, Mr. Martin."

Mr. Tom Martin, Council Attorney: "Thank you Mr. Chairman. If I understand Ms. Floyd's question perhaps you would care to ask the Council member is question to make direct statements for which there can be legal liability to find out how much faith there is in the accuracy of the statements. In other words, instead of making statements by innuendoes and insinuations, to make a direct accusation."

Mrs. Gracie S. Floyd, Council Member: "Okay. Alright. Okay. Ms. Wilson, I'm asking you, please make a direct accusation. Just come out and say, just come out and say, what you're trying so desperately hard to salvage your case by saying."

Ms. M. Cindy Wilson, Council Member: "Ms. Floyd, with all due respect, you didn't give a straight answer."

Mrs. Gracie S. Floyd, Council Member: "What straight answer?"

Ms. M. Cindy Wilson, Council Member: "I asked a question. I asked a question, you didn't give a straight answer, so you had my question you can determine whether you want to answer."

Mrs. Gracie S. Floyd, Council Member: "Your question wasn't a straight question. You ask a state, you ask a state question, you ask me a straight question. Just go out, just come out and say what's on your mind okay, that's, uh, that's about my son. I want to hear, and I want other folks to hear it before I answer it."

Ms. M. Cindy Wilson, Council Member: "Well, did your son, when did your son go to work for Design South? And when did he leave their employment? The dates please."

Mrs. Gracie S. Floyd, Council Member: "Okay, that's a question. That's a question."

Ms. M. Cindy Wilson, Council Member: "That's a question."

Mrs. Gracie S. Floyd, Council Member: "Okay. All right. Uh, I don't owe you an answer."

Ms. M. Cindy Wilson, Council Member: "Do I owe you one then?"

Mrs. Gracie S. Floyd, Council Member: "I don't owe you an answer. But you said it, but you said it."

Mr. Martin, may I speak with you afterwards please? May I speak with you afterwards please?"

Mr. Tom Martin, Council Attorney: "Yes ma'am."

Mrs. Gracie S. Floyd, Council Member: "Okay, uh, concerning her question to me. Okay. No, I don't owe her or you anything. I don't have to answer her nor you. Mr. Chairman."

She said that the question that she asked her fellow council members was pertinent because there were votes taken involving Design South that she believed have been tainted. And this is one of the real reasons

that she being attacked. Ms. Floyd asked if there was anything that she could do to stop the insinuations by Ms. Wilson regarding Design South. She asked Mr. Martin what recourse does she have. He said that she asked the council member in question to make direct statements for which there could be legal liability to find how much faith in the accuracy in the statements or in other words to make a direct statement. Ms. Floyd asked Ms. Wilson to make a direct statement. Ms. Wilson asked when her son began work for Design South and when did he leave their employment? Ms. Floyd said that she did not owe her an answer. The following statement by Mr. Greer is verbatim as requested by a member of Council. **Mr. Larry E. Greer:** And I apologize, but I'm probably going to be a little bit lengthy. I'll apologize in advance. I've sat here and listen as this discussion has gone on for some time and accusations and insinuations and so forth. And I'm been engaged in the field of agriculture for a good number of years. One of the old sayings I heard old farmers say is that they hate to plowed the same ground twice. And we're plowing it again tonight. We're going on the same ground we've gone over years before. And I guess we're just going to have to plowed it again. Mr. Wright asked me question earlier, where was the water quality in Rocky River the best, when I did the water study and did the presentation to Council some three years ago, four years ago, how long it's been. And my easy answer was it was below the wastewater treatment plant. And it was. Just as an example, and I'm not going to read the entire document, but the fecal test level and the fecal test level that's permitted for the Rocky River Wastewater Treatment Plant discharge is two hundred per milliliters. Everything above the wastewater treatment plant that was tested: Long Road, Hopewell Road, Midway Road, below Big and Little Beaverdam Creek and at White Creek greatly exceeded the discharge level at the wastewater treatment plant. In fact, Hopewell Road was nine hundred and seventy-three as compared to discharge limit of two hundred. The level below the wastewater treatment plant was a hundred and forty-six. Below the permitted discharge level for fecal. The water quality indicated by fecal is consistently better below the wastewater treatment plant; it did go up at Highway 28. And we did tests and studies of that, and I had a summary of the Rocky River Base and analysis that I gave during that presentation. The BO discharges were within the permit limitations. The pH discharges were within the permit limitations. Total suspended solids were within the limitations. Nitrogen discharges were within the limitations. Phosphorus discharges were within the limitations assuming Phosphorus had the same limitations as nitrogen, but it was only required to be monitored. Phosphorus is a major concern to the people in Lake Succession because it's one of the elements that makes the Lake eutrophic. And it is a concern. And then it goes on down and all of the other levels were within the permit limitations. But I tried to be objective, when we looked at this, and there were fecal discharges that did exceed the permit limitations on five occasions. They were excesses in the daily maximums, but they were not consistent and those were handled. The test indicated of all the study, the DMR reports indicated that the Rocky River was operating at ninety-nine percent. Of all the tests that were conducted, they passed ninety-nine percent of them. They were some excursions, and like I said the phosphorus was of a concern and I made this statement when I gave this presentation, 'I'm still concerned however with the phosphorus discharge levels. I would like to see these reduced.' Made that statement when that was presented. And I heard something used here tonight called reality. And I looked around the room and the blinds are closed, all away around the room. But inside here the perception is that it's daytime. The reality is that it's nighttime. We need to be careful of what is perceived versus what is actually reality. Concerning Ms. Wilson's letter that she hand-wrote on County letterhead stationary, and sent to DHEC, and I have read the letter. I've seen a copy of it, and I've read it. She had every right to write a letter to DHEC, as a Council member and to use letterhead stationary. However, we also have a responsible as individual Council members to maintain reality and not create a perception. And when I spoke with a former DHEC employee within the last couple of days, the perception is that when they receive something on letterhead stationary that it's something official from that County. Now, I would have had no problem with Ms. Wilson's letter if it contained a disclaimer statement that I'm acting in my individual capacity and the comments in this letter do not reflect an official action of the Anderson County Council. If that statement had been in there, then I would have had no problem, but the perception is that this is an official action. As far as to reality, in the Rocky River Treatment Plant, and the need for the expansion and the various capacities, the Starr-Iva Sewer Project is currently out for bids. Hopefully, we'll see that project started within the next thirty to sixty days, as soon as we can get the bids in and get started. That project is a primary concern to the people in school district three and to the people I represent. This sewer line all the way to the town of Iva will provide sewer service to the town of Iva as well as it will serve the entire 81 Corridor from Owens Corning to the town of Iva. That sewer line is important to those people. A fact that is also important is that the town of Iva does have infiltration and inflow problems with their sewer lines, which will cause problems for the treatment plant during rainy conditions. So those will have to be mitigated. Capacity wise, Iva is expected to generate somewhere in the neighborhood of two hundred gallons a day. As far as the capacity for the Rocky River Wastewater Treatment Plant and Anderson County's capacity, I made a few phone calls today. Anderson County owns one million three hundred thousand gallons of capacity in the Rocky River Wastewater Treatment Plant. We currently have available five hundred and ninety-three thousand eight hundred and eighty gallons per day. I spoke with a lady there and I said what is your maximum discharges and she gave me some maximum discharges by days. In May, they had a maximum discharge of six million gallons. In April, they had a maximum discharge of six point four. In March, they had a maximum discharge of eight point eight five million gallons. Now those are not reflective of their permitted capacity because those are peak periods. But the thing that is keyed into their permits is what's called a seven day average. And that's what affects their permitted capacity. During the month of March, their seven-day average was five point two. During April it was five point two; and during May it was four point three. And these are all in millions of gallons a day. Their permitted discharge limit is six point one. So these seven-day average have to be below that six point one. Also, the wastewater treatment plant, once it reaches eighty percent capacity must, by order by DHEC, begin the upgrade process. They don't have any choice. DHEC requires that. Based on the numbers I discussed with the lady at the treatment plant this afternoon, Rocky River is currently operating at eighty-five percent capacity. Approximately. So, they're mandated to do the upgrades and improvements. Now I did a little math this afternoon, and I'm going to get into that as far as the capacities, but before I do I want to talk about the reality. The reality is that school district two and school district three are strapped to build their assessed tax base; they need to build that tax base. I listened as they went through the fee agreements tonight. And I don't want to name the company nor the school district that it's in. But because of the high rate of taxes in one of the two school districts I represent, if it had not been for the fee agreement, we may have lost an industry in one of those school districts because the taxes have gotten that high in that district. Our problem now, is being able to attraction industries into school districts where we have high taxes. If we're going to have economic growth in school district two and three, we've got to have the ability to handle wastewater. It's imperative. We can have the best four

lane road system in the nation, we can have water lines going down the side of the roads as big around as this room is, but if you don't have wastewater you're not in the ballgame. Now, as far as the capacities, the Starr-Iva sewer system is designed to utilize the Rocky River Wastewater Treatment Plant. So that treatment plant is important to the economic development of school district three. But school district two is also suffering economically; and wastewater treatment is important in school district two as well. Currently in school district two, the only sewer treatment we have is the city of Belton, the town of Honea Path, and a small line from the high school down to Honea Path. That's the gist of most of the sewer treatment in school district two. Ms. Floyd and I have been working for approximately a year and a half, two years now on pushing forward a plan to provide sewer on the Anderson-Belton Highway, so that we can try to generate some economic development and growth on that highway. And that's not in my council district, that's in Mrs. Floyd, but that is school district two, and what's good for school district two is good for my people as well. Now back to the capacities, Anderson County owns one million three hundred thousand gallons of capacity. We're utilizing seven hundred and six thousand one hundred and twenty gallons currently. We're utilizing fifty-four percent of our capacity in the Rocky River Wastewater Treatment Plant right now. That leaves us with five hundred and ninety-three thousand eight hundred and eighty gallons of capacity. Once Beaverdam Creek sewer line comes on the line, it's projected to utilize two hundred and fifty thousand gallons. Beaverdam Creek sewer line probably will eventually be built. And will come into service. So that drops the available capacity then down to three hundred and forty-three thousand eight hundred and eighty gallons. Town of Iva is projected to utilize two hundred, that doesn't include any growth along the 81 Corridor from Owens Corning to Iva. The town of Iva is projected to utilize two hundred thousand gallons of that capacity. That brings us down to a hundred and forty-three thousand eight hundred and eighty gallons of capacity. I asked some questions this afternoon concerning the wastewater requirements for various things that would be placed in a system. A residence home needs three hundred and fifty gallons of capacity roughly. A restaurant that would seat a hundred people would need five thousand gallons of capacity. A car wash would take two thousand to fifteen thousand gallons of capacity per day. A light industry, it would be a dry industry not a finishing plant or anything like that, would take forty gallons per day per employee. A two hundred-employee plant would take eight thousand gallons per day. You combine all that together and that hundred and forty-three thousand gallons that's left after Starr and Iva come on and Beaverdam Creek comes on and all of a sudden it's gone and where's your economic growth potential then. During 2002, we had one thousand and seventy nine new site built home permitted. We had three hundred and twenty five new mobile homes permitted. We had four hundred and ten multi-families dwelling units permitted. That's a total of eighteen hundred and fifty four new dwellings, residence that would require three hundred and fifty gallons per day. Six hundred and forty-eight thousand nine hundred, if they all were on a County sewer system. They're not. They wouldn't be. What I'm saying is the capacity in Rocky River is almost maxed out as far as the ability to add new growth. My people need economic development in my part of the County. The sewer treatment capacities are critical to that economic development. Without it, we're going to wither up. We've got to have it. Now to the folks at Lake Succession, we've been over this, this is old ground, we've looked at it, the Rocky River Wastewater Treatment Plant is going to be there, it's going to discharge into the Lake. One of plans in this upgrade is to lower the phosphorus content that I mentioned three years ago, whatever it was. Bottom line the water coming out of that sewer treatment plant is cleaner than the water in the river. Now you can shake your heads, you can disagree with me all you what to, but I didn't sit in my office and at my home and study this for days on in and not know what I'm talking about. I looked at the test results; I looked at the DMR reports; I looked at our own tests that we conducted. Bottom line - the water coming out of that wastewater treatment plant is better than the water in the river. I live not too far from the river. I have no qualms about going down and wading in the river, fishing in the river, eating fish from the river. Not a problem. We've got to put our own selfish thoughts aside, and look for what's best for the majority of our people. Concerning the wastewater at these plants, if you want to know what I'm talking about, go to Belton. Ride down 247 toward Ware Place and you'll see the City of Belton sewer discharge going in the Saluda River. If you'll drive about five miles down stream, you'll see the Belton-Honea Path Water Authority intake pipe taking that water back out of that river. It may be more than five, it may be less than five, but anyway they'll dumping it in above and taking it out below. The distance is not really that important. The point is the water being discharged is cleaner than the water in the river. If we don't get these capacities, all of this talk that we hear about increased taxes in school district two and three, you ain't seen nothing yet. Because if we don't get some growth and development in those school districts, people are going to start moving out, those who are left are going to pay more. Industries won't even look at it. So yes, I'm going to vote in favor of this expansion because I think it good for the people that I represent. Thank you Mr. Chairman."

Mr. Larry E. Greer, Vice Chairman: "I understand that while I was out of the room, I don't know if it was outright or if it was implied, that I had not accurately stated the numbers and figures in comments that I made. I was present when the validity of the tests that I referred to were questioned. And I thought I had left it in the file cabinet, but I had already brought it in here with me. Those tests that I used in drawing some of the conclusions that we drew were not performed by me. I don't have the expertise to do that. I went to our staff and I asked for tests to be performed to the same level as would be performed at a wastewater treatment plant. The samples were taken. The chain of evidence, Mr. Dees I know you understand what I mean by chain of evidence, the chain of evidence on those samples was maintained. Those samples were sent to Shealy Environmental Services. There is a copy of one of the test reports. They were not my tests. They were tests performed by a certified agency to perform that. So implication or outright statement that I used flawed results in drawing some of the conclusions that I drew is totally inaccurate. As far as me misrepresenting any numbers that I presented tonight, there is a fax from the City of Anderson Wastewater Treatment Division with those numbers on it, from the City of Anderson Wastewater Treatment Division. Giving the County's allotment and the current available capacity. I didn't ask Mr. Preston, I didn't ask Mr. Carpenter, and I didn't ask Mr. Pearson. I went straight to the source. Now if these numbers aren't correct, then somebody lied to me, but I don't believe they did. I take these numbers to be accurate. To say that three point three million gallons on average, that's not what I said. I said maximum five point two over a seven-day average. There's a difference in an average and a maximum - a big difference. If you've got an average, that means you've got something a lot greater than the average and something less than the average. That's basic math. So yes in March, the maximum over a seven-day period was five point two million gallons - not three point three average. And that five point two million gallons per day maximum is what is required on that six point one million gallons per day permit. And when they get to eighty percent, they must do the upgrades. Now I listened, and I'm just going to have to say it straight out, I listened as Ms. Wilson said I won't make any comments about Generostee. Wonder why? Beaverdam Creek's not going to Generostee. It's going to Rocky River. And if you can kill the capacity at Rocky River you can possibly kill the Beaverdam Creek sewer line or you can make this County, and this Council, and this Administration make a choice between the Starr-Iva sewer line and the Beaverdam Creek sewer line. Then you make me have to fight the rest of the Council members to get the

capacity I need for development in my County - my part of the County. And I'm not going to sacrifice my people for the selfish wishes of the Council member who sits on the other side of this bench. I'm sorry. Mr. Chairman, I call for the question."

Mr. Greer called for the question and Mr. Holden seconded. Vote was six in favor and one abstention (Wilson). Vote on Resolution #R2003-023 was six in favor and one opposed (Wilson). Motion carried.

Chairman Dees presented Resolution #R2003-038 – a resolution authorizing the execution and delivery of an amendment to wastewater treatment and service agreements by and between the City of Anderson and Anderson; and other matters related thereto. Mr. Tolly moved to approve and Mr. Holden seconded. Ms. Wilson repeated her earlier remarks that there is a big difference between allocated capacity and what is actually treated as capacity and it behooves Council to make a process immediately to meet with all the users to find out and determine what they are treating and what their expansion plans are. Council discussed. Mr. Holden had to leave the room at this time. Ms. Floyd called for the question and Mr. Greer seconded. Vote was five in favor, one abstention (Wilson) and one absent during time of vote (Holden). Motion carried. Vote on the resolution was five in favor, one opposed (Wilson) and one absent during time of vote (Holden). Motion carried.

Chairman Dees presented Resolution #R2003-045 – a resolution requesting the Anderson County Legislative Delegation to sponsor Legislation revising all South Carolina State Requirements for periodic reassessment of real property in South Carolina; and other matters related thereto. Mr. Wright moved to approve and Mr. Dees seconded. Mr. Martin explained the reassessment process. Mr. Greer passed out House Bill #4271 and then moved to amend the resolution by inserting the following: this will be a 6th "Where" clause: WHEREAS, Anderson County acting by and through it's County Council desires to thank the Anderson County Delegation for recognizing the hardships that reassessment can impose on some of the people of Anderson county and as a result have introduced legislation that would exempt owner occupied residences from future reassessments, maintain assessed value at the most recent reassessment, changing the assessed value only when ownership of residential property changes and exempting ownership changes between family members." And under "Now, therefore" as #2 change existing #2 to 3 and the existing 2,3, & 4 to 3, 4, and 5 respectively. New #2 will read: "2. Anderson County hereby formally thanks the Anderson County Legislative Delegation for recognizing the hardships that reassessment can impose on some of the people of Anderson County and for undertaking, sponsoring and pursuing enactment of legislation, House Bill #H4271, to amend current South Carolina state law requiring the Counties of the State to periodically reassess all real property values in the State, so as to exempt owner occupied residences from future reassessments, maintain assessed value at the most recent reassessment, changing the assessed value only when ownership of residential property changes and exempting ownership changes between family members." Chairman Dees seconded. Council discussed. Vote was six in favor on the amendment and one abstention (Floyd). Motion carried. Vote on the original resolution as amended was unanimous.

Chairman Dees presented Resolution #R2003-046 – a resolution authorizing the closure and consenting to the judicial abandonment of a portion of Long Road; granting an encroachment permit as to such road; and other matters related thereto. Ms. Wilson moved to approve the resolution and Mr. Greer seconded. Vote was unanimous.

Ms. Wilson moved to approve a request to pave the parking lot at the Honea Path Community Center in the amount of \$6,325 and Mr. Holden seconded. The funds will come from District #7's paving account. Vote was six in favor and one absent during the vote (Wright). Motion carried.

Ms. Wilson moved to approve a request for the Mineral Springs Park in the amount \$2,126.25 from District #7's Recreation account to match a PARD grant for restrooms. Mr. Holden seconded and vote was unanimous.

Ms. Wilson moved to approve a request in the amount of \$7,490 from District #7's paving account to pave the parking area for the Craytonville Fire Department. Mr. Holden seconded and vote was unanimous.

Ms. Wilson moved to approve a request for the South Carolina Watercolor Society to help with a week long program to be held at Anderson College in the amount of \$1,000 from District #7's Recreation Account. Mr. Holden seconded and vote was unanimous.

Mr. Holden moved to appropriate \$6,000 from District #5's paving account for the summer youth program to be administered by the County. Ms. Floyd seconded and vote was five in favor, one abstention (Tolly) and one opposed (Greer). Motion carried.

Mr. Greer withdrew his next item on the agenda.

ADMINISTRATOR'S REPORT:

- a. Certificates and Training: Gerald Shealy – Certificate IS-513 Professional in Emergency Management
- b. Letters of Appreciation: For: Lisa Cook, 911 call taker – From: Tim and Diane Wortham
- c. Reports: Detention Center Litter Reports – May 3 to May 10, May 19 to May 23, 2003
- d. South Carolina Legislature Online – House Bill 4271
- e. Top 25 Richest Counties from 2002 Economic Development
- f. Appalachian Council of Governments meeting hosted by Anderson County on May 23, 2003
- g. Appalachian Council of Governments fact sheets

Remarks from Council Members:

Ms. Wilson said that she had a request sent in and she has asked Mr. Preston of an accounting of the \$10,000 matching grant money that he said had been earmarked for the Broadway Fire Department OUT OF ACCOUNT #5827 on behalf of District #7. She said that the Broadway Fire Department has never been in District #7. She asked that the money come back for District #7's PART grant requests. She said that she was still asking an accounting on the discrepancies between the numbers for the RRWWTP and Generostee WWTP Expansion projects.

Mr. Greer: "Goodnight."

Mr. Tolly and Mr. Holden thanked the staff at the Sports and Entertainment Center for the hard work put forth to make Freedom Weekend such a big success.

Ms. Floyd thanked the Clerks to Council for the hard work and also thanked Mr. Preston, Ms. Phyllis McAllister, and Mr. Michael Cunningham for meeting with her on the Summer Youth Program.

Mr. Wright announced that Mr. Michael Cunningham was a proud new father of a daughter. He was congratulated.

There being no further business, the meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL