

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - February 5, 2002 - 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 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, February 5, 2002 at 6:00 p.m.

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

Chairman Greer announced that item #8 (a) Resolution R2002-005 would be moved up for action after Item #1.

Mr. Clint Wright moved to approve the December 4, 2001, December 18, 2002, and January 15, 2002 minutes as mailed. Mr. Dees seconded the motion. Ms. Cindy Wilson asked that on page 16 of the December 4, 2001 minutes (middle of page) verbatim comment by Mr. Preston - "I request an answer" be reviewed and checked to see if Mr. Preston's response was actually "I demand an answer." Ms. Wilson also stated at during the first meeting in January, Council voted to

no longer to allow verbatim to be done unless the approval of full Council. She said that it was her understanding that it was henceforth and not retroactively. Therefore she thinks the December 4 meeting does need to be completed verbatim. Mr. Greer said that it was his opinion that it was the wishes of Council that if it had not been transcribed verbatim at that point, all minutes from that point forward would be in summary form and he instructed the Clerks to stop all verbatim from that point forward on any minutes that had not been transcribed at that time. Ms. Wilson moved to complete the verbatim of the December 4, 2001 minutes. Chairman Greer stated that the motion to approve the minutes had to be disposed of prior to another motion being placed on the floor. Ms. Floyd moved to amend the minutes that the changes to the minutes only be done after the Clerks verify the tapes. Mr. Dees seconded. Vote was unanimous on the amendment. Vote on the minutes as amended was unanimous. Chairman Greer told Ms. Wilson that he would entertain her motion at this time. Ms. Wilson moved that the verbatim be completed for the December 4 meeting because it was her understanding that the approval to stop verbatim was henceforth and not retroactively. Mr. Wright seconded the motion. Vote was two in favor (Wright, Wilson), four opposed (Holden, Tolly, Dees, Floyd) with the Chair not voting. Motion failed.

Citizens Comments: Mr. Dan Harvell talked about Resolution R2002-010 and R2002-011. He said that Ms. Wilson was given R2002-010 when she called and it was faxed to her. She learned later that the numbers had been switched and a resolution by Mr. Tolly for approval of a sewer project had been issued her number. Mr. Tolly stated that it had been reversed and Ms. Wilson was going to be allowed to go first.

Mr Steve L. Blake, CPA with Cline Brandt & Kochenower gave an Overview of Financial Performance. Ms. Gina Smith, Mr. Dan McLeod, Ms. Karen Wicker, and Mr. Joey Preston also presented part of the overview. (Please see Exhibit A for the complete overview.) The Annual Financial Report for the fiscal year ending June 20, 2001 was given to all County Council members. Ms. Karen Wicker presented a Certificate of Achievement for Excellence in Financial Reporting to Anderson County for the fifth year in a row. Mr. Preston made a recommendation to Council that the purchasing policy be changed that the County not retain the same external auditors for a period more than 4 years.

Mr. Bill Dees asked for a Point of Personal Privilege. It was granted. Mr. Dees stated that he wanted to make it perfectly clear that nothing he has discovered or learned during his time on County Council causes him to have any doubt

whatsoever in the ability, trustworthiness, honesty, performance or duties of any County staff member or the County's external professional independent auditors concerning the fiscal affairs of the County. To the contrary, he said, everything he has seen and learned leads him to have confidence in the County staff and the County's external auditors and to believe they are true professionals in the strictest meaning and having engaged in the highest level of fiscal management, accountability and disclosure. It is also his firm belief and conviction that it is vital and necessary for this Council and County Government to continually seek ways to provide additional evidence to our citizens that all County records are public records and that the County is accountable for all dollars. Mr. Dees made a motion to recommend that County Council adopt a policy continuing utilization of independent certified professional accountants and their services and the approved firm shall include a certified fraud examiner (as does the current firm) who shall as part of the Firm's accounting auditing practices similar to current unwritten policy routinely according to accepted and recognized established policies and procedures review for the County as it is currently being done and further that the independent certified professional accountant shall be utilized no longer than four consecutive years at which time the County utilizing the same procurement practices as used in the past for the hiring of the independent certified professional auditor go through the selection process for a new term of 4 consecutive years with the most recently utilized audit firm not eligible to respond to a request for qualifications for a period of two years from the expiration date of its most recent contract with the County. If approved, this policy is to take effect upon the expiration of the current contract with the County's external auditors. Chairman Greer asked the County Attorney, before Mr. Dees' motion was seconded, if it would be more appropriate for this motion to be made as an ordinance so we can amend the ordinance pertinent to procurement policies and if so would we need a two-thirds majority to place this on the floor. Mr. Martin said that he was correct. Vote to place the on floor was six in favor and one opposed (Ms. Wilson). Motion carried. The motion was placed on the floor to incorporate this as an amendment in the form of Ordinance #2002-007. Mr. Tolly seconded. Ms. Wilson stated that she would prefer to read and study in greater detail and would like to see a three-year cap for services rendered. Ms. Floyd asked for something in writing before the public hearing so that she could study more. Vote was six in favor and one opposed (Ms. Wilson). Motion carried.

Ms. Wilson asked for a Point of Personal Privilege. Chairman Greer granted her the request. Ms. Wilson said that on Saturday at the retreat she gave each Council member a copy of a five-month transaction journal summary. She said

that she requested answers to questions at the retreat and has not received any reply. She said that from July 1 until the end of November it was discovered that the County has 38 miscellaneous accounts and the amount spend out of these miscellaneous is over \$300,000. She said she would like for Council to go back and look at this for the last year to see if this was covered by the current audit presented tonight. She again requested to know why the County had so many miscellaneous accounts. She also asked at the Retreat what department was account number 5943 and she still has not been given an answer. Mr. Preston said that Ms. Wilson did not ask him for answers on any questions. She only asked about account 5943, which is the Michelin legal account, which was used to purchase the property for the rights-of-way for Michelin Boulevard. Mr. Tolly commended Ms. Nancy Mackey for her aggressive approach on delinquent tax collection. Ms. Floyd stated that she did not want the impression given that she is not doing her work. Mr. Greer said that he had met with the external auditors and had found them to be very knowledgeable, very cooperative, and very open for discussion. He recommended that members of Council schedule a meeting with them or members of the Finance staff if you have any questions.

Chairman Greer moved item #8 (a) up to be considered at this time.

Ms. Gracie Floyd moved to approve Resolution #R2002-005 - a resolution recognizing and honoring Anderson College Senior Russ Bennett for being selected as the J. Lacy McLean Independent College Student of the Year. Mr. Dees seconded. Ms. Wilson said that the resolution didn't have signature lines for all members of Council. Vote was unanimous. Ms. Floyd read the resolution and then presented the framed Resolution to Mr. Bennett and congratulated him on his achievement.

Mr. Clint Wright moved to take off the table Resolution #R2001-059 and Mr. Tolly seconded. Mr. Dees asked the County Attorney to give him information on his possible appearance of impropriety. Mr. Martin said that the proper procedure would be to recuse himself in writing and then to absent the chamber during discussion. Mr. Dees stated that he would present a written recusal to the Chair. Mr. Wright stated that he had learned that the people that were opposed to the resolution at a prior meeting, when the Resolution was tabled. He then said that there was an active motion on the floor. Ms. Wilson asked if it was confirmed that the land was never properly deeded to the County originally. Mr. Hopkins responded that the County did not have a deed only a prescriptive right-of-way on the road. Vote was 6 in favor to approve the

resolution and one recusal (Mr. Dees). Motion carried. For the record, Mr. Dees left the room during discussion and vote. Mr. Dees recusal form is attached and presented as EXHIBIT B.

Mr. John Henderson, Director of Risk Management Services with the S.C. Association of Counties, presented the County with the Sustained Excellence in Risk Management Award. Mr. Holt Hopkins reported that the County was working toward 400,000 hours of non-lost time accidents. Council commended Ms. Denise Holly and Mr. Preston for this outstanding accomplishment.

Council heard from a member of the Lakeside PTA who asked about the status of the Resource Officer for Lakeside High School. Capt. John Skipper reported that the Resource Officer was put in the school several years ago through a Public Safety grant. The grant has now run out, however, schools have picked up the program. The Sheriff's Department has gone through the process to replace the officer at Lakeside however he is on first shift. They anticipated having some one at the school before now. Dr. Bagley, Superintendent of School District 5 spoke briefly on the issue. Ms. Wilson read a letter from Governor's Hodges concerning grant for drug control for school resource officers. Capt. Skipper said that this was for the Starr/Iva Elementary and Powdersville Middle School resource officers. Council received as information.

Council recessed for five minutes at 7:45 p.m. Chairman Greer called the meeting back to order at approximately 7:50 p.m.

Chairman Greer announced that for clarification the chair will address any issues receiving debate and one question will be received at a time. He asked that members not interrupt another Council members when asking a question or discussing an issue.

Mr. Jeff Ricketson gave an update on the MSAG (Master Street Addressing Guide) Update to Council. A copy of this report is on file in the Clerk to Council's Office. Mr. Ricketson stated that out of 60,000 address structures in the County about 53,000 (90%) was found to be okay. About 7,000 needed to be looked at more closely. Of the 7,000, so far (about half way through) they have found that about 1400 addresses that will need to renumbered or the roads will have to be renamed which is about 2.2% of the entire County that will have to be changed. Council received as information.

Mr. Mike Holden withdrew his request concerning the next item on the agenda regarding Standing Committees.

Mr. Dan Harvell, read a resolution for Ms. Bennie Sue West who was unable to attend, regarding a Resolution of the Anderson County Republican Party Executive Committee. The purpose of the resolution was to ask for an arms length audit and for Anderson County to change the auditing accounting firm for Anderson County for the next fiscal year. Mr. Dees said that he was ashamed of being a republican because you say you demand of this County, a public body politic, an arms length audit. Mr. Greer said that someone performing an audit for Anderson County would have to be paid. Mr. Harvell said that he agreed. Mr. Greer said that once they were paid they're connected to the County so how can the County have an audit conducted that has absolutely no connection to Anderson County. Mr. Harvell said that he thought they were referring to prior connection. Mr. Greer asked if this was the resolution that was voting on at the republican meeting. Mr. Wright explained that the original motion for this resolution was what was read before the amendment and he believes that there was an amendment to the motion that was voted on that would say that since we had an audit it would be expensive for us to do another audit at this time and there was a motion made which the amendment states that this motion and resolution would be simply requesting that the County look at changing the auditors at the end of four years. Ms. Floyd stated that she thought that the Resolution should have been signed. Mr. Greer asked Mr. Wright, in his opinion; the resolution presented tonight does not actually reflect the wishes of the committee that night. Mr. Wright responded that he didn't think it did. Mr. Holden asked how many people actually voted on the resolution. Mr. Wright and Ms. Wilson agreed there were approximately 35-40 people in attendance. The vote was majority of the Executive Committee. Council received as information.

Mr. Greer presented first reading of Ordinance #2002-001 - an ordinance amending in certain limited particulars Section 2-492 of the Anderson County Code of Ordinances pertaining to the Anderson County Economic Advisory Board; and other matters relating thereto. Mr. Tolly moved to approve on first reading and Mr. Wright seconded. Vote was unanimous.

Mr. Greer presented first reading of Ordinance #2002-002 - an ordinance amending in certain limited particulars Chapter 2, Article IV, Section 2-361 of the Anderson County Code of Ordinances pertaining to the appointment of standing committees of Council; and other matters relating thereto. Mr. Greer moved to approve and Mr. Wright seconded. Ms. Wilson stated that at the last

discussion of this, Ms. Floyd had asked that this be discussed at the Retreat and there was not time to do so. Ms. Wilson said that the Standing Committees were very important because they provide a little extra measure of oversight for the taxpayers and voters. Mr. Holden said that there is a lot of confusion involved around standing committees. Ms. Floyd agreed with Mr. Holden and stated that she wanted to be involved in the discussions of important issues and she wants just as much information as anyone else. Mr. Greer stated that the Chair was exercising his right not to vote since the ordinance does give direction to the Chair. Vote was five in favor, one opposed (Wilson) and one not voting (Greer). Motion carried.

Mr. Greer presented first reading of Ordinance #2002-003 - an ordinance approving technical modifications to the Anderson County Code of Ordinances. On the motion of Mr. Wright, seconded by Mr. Dees, Council voted unanimously to approve the ordinance on first reading.

Mr. Greer presented first reading of Ordinance #2002-004 - an ordinance to provide certain requirements for providers/users of compressed oxygen/oxygen tanks. He asked Ms. Wilson to explain the ordinance since she was the supporter. Ms. Wilson stated that there was a miscommunication with staff for the intent of the ordinance. The intent was to make it mandatory for the providers of compressed oxygen to notify our Public Safety office of a delivery of oxygen the first time of the address and then when they discontinue delivery to also notify the Public Safety Office. This was primarily for the concern of a fire at that location sending firefighters into a situation that could be very dangerous. She also stated that during power outages these residents could get their power turned on before others. Ms. Wilson moved to approve on first reading Ordinance #2002-004 in title only and Mr. Wright seconded. Ms. Wilson read the following caption into the record: #2002-004 - an ordinance requiring that health care suppliers and providers of compressed oxygen to residential users provide the Anderson County Public Safety Division with notification identifying where such oxygen is located and further allowing individuals potentially requiring special emergency response assistance to voluntarily provide the Anderson County Public Safety Division with an emergency responders notification form and other matters relating thereto. Mr. Dees asked who would enforce the ordinance. Mr. Greer said that he has a concern of the intrusion of someone's home although he does have some concern with the safety aspect of ordinance. It was agreed that by second reading questions and concerns would be resolved. Vote was five in favor (Wilson, Dees, Greer, Tolly,

Wright) and two opposed (Holden, Floyd) to approve first reading of the ordinance in title only. Motion carried.

Mr. Greer read Resolution #R2002-006 - a resolution supporting South Carolina House bill 4273 that extends South Carolina Health and Dental Insurance Benefits to Employees of private nonprofit corporations that receive public funds to provide emergency medical services in political subdivisions of this state, and further requesting that such benefits also include participation in the state retirement system; and other matters relating thereto. Mr. Dees moved to approve Resolution R2002-006 and Ms. Wilson seconded. Ms. Wilson said that the Ad Hoc Committee discussed and agreed that this is something that they would like to pursue. Mr. Holden asked if this would be another expense that the County would have to be responsible for. Mr. Greer stated that this is for support of the proposed legislation and based on discussions from a committee meeting that the cost of this would be the responsibility of the providers and not the County. Vote was unanimous.

Mr. Greer read Resolution #R2002-007 - a resolution encouraging the City of Anderson and the Anderson County Water Association to mutually continue, in cooperation with each other, to finalize the purchase and transfer of the Duke Water System, further thanking the Duke Energy company for its continued cooperation and patience with regard to the protracted negotiations, and encouraging it to continue cooperating with the City of Anderson and the Anderson County Water Association to complete such purchase and transfer; and other matters related thereto. On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve the resolution.

Mr. Greer read Resolution #R2002-008 - a resolution adopting guidelines requiring all EMS providers in Anderson County to conduct criminal background investigations prior to employing EMS responders; and other matters related thereto. Mr. Dees moved to adopt and Mr. Tolly seconded. Mr. Wright talked about issues that would be relative to the 10-year background on the checks and how this could be discriminatory. He said that he asked Mr. Shealy to address some of his issues and he has and they have been provider; however, at this time he would like to move to table in order that Council could further study this revisions/issues. Mr. Holden seconded and vote was unanimous.

Mr. Greer read Resolution #R2002-009 - a resolution adopting a tiered response emergency dispatch program for Anderson County, as recommended by

the EMS Commission; and other matters related thereto. Mr. Shealy explained the resolution and what was involved. Mr. Wright moved to approve and Mr. Tolly seconded. Vote was unanimous.

Ms. Cindy Wilson read Resolution #2001-011 - a resolution of the County Council of Anderson County, South Carolina authorizing and supporting the construction of sewer infrastructure along Highway 81 North from the area near the I-85/Highway 81 North Interchange, which is currently served, by sewer infrastructure to the approximate location of Hopewell Crossing on Highway 81 North. She said the resolution would provide sewer immediately to the area. She said that one of the main reasons that the resolution has been presented is because of notification she received from the Secretary of State indicating that she had been soliciting donations for the legal fund for the landowners. In the last correspondence it was noted that their association does not meet the criteria as a charitable organization and the last response from the Secretary of State that she had solicited outside of the area. She said she responded that it had come to her attention that they may be basing that on falsified documents. In the meantime, they found that some of the neighbors along Highway 81 did not realize that the creek that serves as their gravity flow does not flow to Beaverdam Creek but into the Six and Twenty Waste Water Treatment Plant. She showed maps showing that the projects have been on the books since the building of the Six and Twenty plant in 1986. They have been told that the plant does not have the capacity. She said that the current treatment capacity of the plant is 500,000 gallons per day and it is permitted to expand to over a million gallons per day. The current treatment flows from the last documents they have, which indicates that only 75-123,000 gallons per day is treated currently which leaves a lot of capacity in the plant, she said. Ms. Wilson moved to approve the resolution and Mr. Wright seconded the motion. Discussion continued. Ms. Wilson said that the LINWA Development was not going to be sewerred into Beaverdam Creek. Their plans show a collection area taking their affluent across McGee Road and down a little branch that goes back into Rocky River. There is a branch in Hopewell Crossing/Highway 81 area that flows away from Beaverdam Creek and goes right into the Six and Twenty Plant. The County has connected, at least the plan to sewer, from near the Cattle Barn all the way down to the Hopewell Crossing area. They connect this to a force main lift station - temporary line of about a mile and a half into Beaverdam Creek, which is something that is totally illogical, in her opinion. What happened is the focus changed from the County saying that they wanted the sewer on Highway 81 North area, which their group/landowners are totally in favor of, which some of her cousins have property on Highway 81 North and they are

totally in favor of. If the County is talking about gravity flow, why would the County talk about pumping up Long Road and why isn't the County looking at the 8" gravity flow line that can be disconnected. Mr. Holden asked Ms. Wilson if she said that this would go across her cousin's property and they were happy about that. She responded yes that it was a commercial zoned area but they do not at this time have plans to develop and they were second cousins. He said he was curious if she was doing this for them and she responded no that this was a plan already in effect. Mr. Greer asked Ms. Wilson if she was presenting this in her capacity as a Councilperson or as a part of the group as she has referred to as "we". She responded that she was presented it as an elected member of Council. She said that this was a plan that could begin immediately without the Long Road connection. She said that for this part of the 10-Year Sewer Plan this could stand alone without the Long Road connection into Beaverdam Creek. This plan's intent is to get sewer down Highway 81 North immediately. Mr. Dees asked if her statement that this can move forward immediately is supported by the County engineers or is it merely an opinion. She said that the County Engineers have supported this plan but they've connected it to Long Road, which is not necessary. She also said that it was an engineer's opinion. Mr. Dees called for the question. Chairman Greer allowed Mr. Wright to speak. Mr. Wright said that this request is part of our 10-Year sewer plan, but also part of the resolution the Council would have to amend the 10-Year Sewer Plan. She responded yes that was correct and it was a "stand alone" project and it can be done immediately. Mr. Wright asked Ms. Wilson if she had this plan that County staff could look at and compare with the 10-Year Plan. Mr. Tolly asked the chairman why was discussion continuing when Council has already received a Call for the Question. Mr. Greer stated that it is the Chair's responsibility to end discussion; call for question doesn't necessarily end discussion. Mr. Holden said that in the past, a Call for the Question has always ended discussion. Mr. Greer asked Mr. Dees to withdraw his question and he did.

Council recessed for 5 minutes at this time.

Chairman Greer called the meeting back to order and called on Mr. Tom Martin, County Attorney to respond to discussions. He said a statement was made that the County's Beaverdam Sewer Project is what has held up the construction of the Highway 81 sewer line. He clarified for the record that the County has not held up any construction and the County is prepared to move forward and remains prepared to move forward. The fact is the litigation involving these permits brought against the County which has prohibited any movement forward of any construction. Mr. Jim Longshore addressed the issue also. He said that

to clarify a couple of things, Mr. Martin was correct that the permit for construction of the lines in the Six and Twenty Creek area that are in the 10 year plan designated as Beaverdam Creek - Phase IB project. Including the force main and the gravity line in the Six and Twenty basin, those permits are tied up in litigation that the County is presently pursuing as far as releasing the Beaverdam Creek project in total. The capacity in the Six and Twenty Waste Water Treatment Plant maybe in the 800-120,000 gallon per day range, flow capacity in the plant is committed up to 75-85% of capacity. Even though the flow is not there, the capacity is committed and you cannot add additional flow on beyond what's available. The plant is 500,000 gallons per day and is not permitted for expansion beyond that. The discharge permit is for 500,000 gallons per day and to go beyond that would require submittal permit application to EPA. In his opinion, it would be very difficult to get a permit to expand the plant beyond its current capacity because of a number of environmental factors including the proximity to the lake and the potable water intake on the lake there. Mr. Tolly asked Mr. Dewey Pearson if the County had enough capacity to handle all the people up 81 and he said yes for Phase 1(a) and Phase 1(b) at the Six and Twenty Plant until Phase 2 was completed. Mr. Tolly asked Ms. Wilson would she and her people be willing to drop litigation on that phase of it? She responded that she had repeatedly stated that the project can stand-alone and the question is that we have to treat more than just fecal coliform. We must be able to treat out certain industrial waste. She said the group would be happy to sit down and talk with anyone. Ms. Wilson remarked again that Highway 81 sewer could stand-alone. Mr. Greer said that what he has heard is discussion about two different drainage basins and sewer is actually installed based on drainage basins; the Beaverdam and the Six and Twenty Drainage basin and what we are talking about is providing sewer capacity through this 10-year sewer plan to both of the drainage basins. The plan that the County has developed is the plan that will provide sewer to both of the drainage basins over a long-term period. The short-term effect is that phase 1 would provide sewer faster to the upper reaches of the Beaverdam Creek Basin while at the same time providing a plan for converting, even though that would be transferred to the Six and Twenty basin on a temporary basis, and then once the outfall line down the remaining Beaverdam Creek Basin was built then the capacity that had been converted to the Six and Twenty Basin would at that time be diverted back to the Rocky River Waste Water Treatment Plant. At that time, that would free up capacity at the Six and Twenty Waste Water Treatment Plant which would tend to serve the Six and Twenty Basin. For the overall impact of this 10 year sewer plan is that if we follow the County's 10 year sewer plan and implement the plan as provided we will provide sewer in the Six and Twenty and have available

capacity at the Six and Twenty plant while providing sewer in the Beaverdam Creek basin and serving that basin as well. Mr. Greer then called for the vote. Mr. Greer announced that he would allow Ms. Wilson one more comment and then he would call for the question. Ms. Wilson said that Six and Twenty and Beaverdam Creek were two different watersheds. The area that needs to be sewerred on Highway 81 currently goes into Six and Twenty and stays in the Six and Twenty basin. It doesn't need to be diverted over to Beaverdam it is part of that watershed and it was no reason to detain the implementation of that plan. They have requested all along that Six and Twenty be separated out from Beaverdam because that it what sewers most of 81, she said. She said that if Council liked, they could table this pending their engineer meeting with County engineers and working this out. She then made a motion to table to allow time between now and the next meeting. Mr. Wright seconded. Vote to table was defeated 2 to 5. (Wilson, Wright) in favor and five opposed (Holden, Tolly, Greer, Floyd, Dees). Mr. Greer then called for question and Ms. Floyd seconded. Mr. Wright stated that he would abstain because he does not have adequate information to vote. Mr. Martin explained prior to the vote that the Resolution contains a statement that the County Council acknowledges that there exists no obstacles to completion of this project posed by the Beaverdam Creek appears or by landowners along Beaverdam Creek. He said that was an incorrect statement because the 401 Water Quality Certification would prohibit Council from proceeding with this project at this time. Ms. Wilson said not if it was separated out. Vote was one in favor (Wilson), five opposed (Holden, Tolly, Greer, Floyd, Dees) and one abstention (Wright). Motion failed and Resolution R2002-011 is dead. Mr. Greer stated for the record that the reason he opposed was that the Resolution contained language supporting the extension of sewer service by the City of Anderson to serve County residents. He said he opposes serving county residents with City sewer because the City of Anderson charges County residents double sewer rates for those residents living outside of Adnerson County. Mr. Tolly stated that if the City extends lines out in the County they would want to annex that area and without Ms. Wilson and her people withdrawing their objection we are at a deadlock. Ms. Wilson said that it is not a given and it is not true that capacity cannot be upgraded and extended in Six and Twenty and in the natural order of things that is what should be done to be most efficient and sewer the greater area in the most cost beneficial way to the County and she asked to table so that the County could resolve the language which was objectionable. Mr. Dees asked Mr. Martin wasn't the entire issue under litigation and why was the County discussing this. Mr. Martin said yes it was under litigation and he didn't know why the Council was discussing this. Ms. Floyd said that is was a lot of confusion who the "me, my, and ours" were and

it seemed that Ms. Wilson was representing District #7 and also representing another set of people on a different issue spearheaded by her that she is in litigation with against the County.

Mr. Greer read Resolution #R2002-010 - a resolution reaffirming and supporting the Anderson County Comprehensive Ten Year Sewer Plan, recommending that Anderson County undertake and complete the projects in the order that they are specified in the plan, including those projects currently under planning and construction, and further endorsing the provision of sanitary sewer service serving not only South Carolina Highway 81 North, but also the surrounding vicinity including the Beaverdam Creek Basin; and other matters related thereto. Mr. Tolly moved to approve and Mr. Holden seconded. Ms. Wilson said that this resolution adds confusion and the original 10-year plan is dated May 1997 and has been amended a number of times. Also most of what is called the Beaverdam project is not necessarily what Council approved in Council meetings. Because Ms. Wilson is involved in the DHEC permit appeals of the permits that is a disclosure that must be made and she must abstain. Mr. Wright stated that he would like to see Ms. Wilson's proposal costed out to see if there is a more cost effective way for supplying sewer to both of those basins. Vote was six in favor and one abstention (Ms. Wilson). Motion carried.

Mr. Tolly moved to approve an appropriation of \$5,000 to the Anderson Sunshine House for supporting golf tournament for helping homeless families with children. Mr. Wright seconded. The funds will come from District #1 Recreation Account. Vote was unanimous.

Ms. Gracie Floyd asked for a Letter of Support for an AnMed Health grant for a project entitled "Hablamos Juntos: Improving Patient Provider Communication for Latinos". Ms. Floyd moved to approve the Letter of Support for AnMed Health Center and Mr. Holden seconded. Vote was unanimous.

Mr. Holden moved to transfer \$50,000 for the Anderson Arts Center from District #5 paving funds and will used for the after school program for middle school students. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved to transfer \$2,000 to the Homeland Park Water Association for a special project from District #5 paving account. Mr. Wright seconded and vote was unanimous.

Mr. Greer moved to reappoint Mr. Mike Gambrell to the EMS Commission for another term and Mr. Dees seconded. Vote was unanimous.

Mr. Holden asked the County Administrator to look at Charter Communications' ordinance, which will be up for renewal. He said he was particularly interested in the wording of service repairs and suggested that "service repairs shall be handled ASAP" and the franchise fee increased from 5% to 8%.

Council wished Mr. Wright a happy birthday.

Mr. Clint Wright gave the following dates for the Alternate Tax Revenue Ad Hoc Committee meetings scheduled in different Council Districts.

- February 12 - District #1 - Conference Room - Historic Courthouse at 6 p.m.
- February 26 - District #2 - Johnson Broadview Community Center at 6 p.m.
- March 12 - District #3 - Ebenezer Fire Department at 7:00 p.m.
- March 26 - District #4 - School District Board Room (Pendleton) at 6 p.m.
- April 9 - District #6 - Powdersville Library at 6 p.m.

ADMINISTRATOR'S REPORT:

a. Letters of Appreciation:

1. For: Mr. Joey Preston and Members of Council From: Centerville Fire Department
2. For: Mr. Jerry Stamp's Mowing Crew (Max Koon, Frank Anderson, and Joby Richardson) From: Johnnie Floyd
3. For: Ms. Paula Reel From: Mr. Bill Dees
4. For: Mrs. Julia Romo and Mr. Dustin Michael Vickery From: S.C. State Board of Education

b. Minutes:

1. EMS Commission Minutes - January 10, 2002

c. Reports:

1. Recreation Fund Account
2. Detention Center Litter Report January 7-11, 2002
3. Detention Center Litter Report January 14-18, 2002
4. KAB Litter Report - December 2001
5. Public Safety Division Training Report for December 2001
6. Veteran Affairs Report
7. Risk Management Report of Detention Center

d. Senator Waldrep Securing of funds for water line on Stegall Road

- e. Bridge Replacement on S-229 over Eighteen Mile Creek
- f. Pelzer Rescue Squad's letter of support for Replacement of Lopez Street Bridge
- g. Town of Pendleton letter concerning change in Corporate Limits
- h. EMS Providers - Financial Statement Due Date
- i. Charter Communications Franchise Agreements
- j. Anderson Sports & Entertainment Center - Upcoming Events
- k. Anderson Sports Center - Tentative 2002 Softball & Baseball Tournament Schedule
- l. Pendleton District Workforce Investment Board 2002 Meeting Schedule

There being no further business, Council adjourned at 10:30 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL