

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - April 20, 1999 - 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 of the Freedom of Information Act.

PRESENT

G. Fred Tolly - District #1
Chairman William A. Floyd - District #2
Larry E. Greer - District #3
Vice Chairman Clint Wright - District #4
J. Mike Holden - District #5
Joey Preston - Administrator
Tom Martin - County Attorney
Stacey R. Russ - Assistant Clerk to Council

ABSENT

Linda N. Gilstrap - Clerk to Council

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, April 20, 1999 at 6:00 p.m.

Chairman William Floyd gave the invocation and everyone stood and pledged allegiance to the flag. Mr. Floyd welcomed the group and invited everyone to come back.

On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve the minutes from the April 4, 1999 meeting as mailed.

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Public Comments: Mr. *Ed Allgood* stated that Pier 19 would be a great project for the County. He said the Company was asking for 35% infrastructure, which will be \$6,125,000. Of that the schools will probably have to pick up about 2/3s of the tab. The fee-in-lieu will put a great burden on the people of District #4 and the County will be setting precedence. The County is going to end up helping the retailers instead of trying to create jobs. *Mr. Brantley Jordan* - spoke in favor of Pier 19. He said that he had attended several meetings regarding Pier 19 and he was not familiar with the incentives but believes that the project will be a very good undertaking. *Rep. Becky Martin* - Ms. Martin feels that Pier 19 is a great thing to have in Anderson County and her District. The people behind the project are winners and this project will be a Win for Anderson County. She said that it is time for everyone to work together (City, County, State, and Federal). All working together to try to promote a better Anderson County. The County is working better than ever before and the Pier 19 project will bring people from all over and they will see a *First Class Act*. *Mr. Hurley Badders* - Mr. Badders said is also present because of Pier 19. Almost daily he or his staff tell people about Exit 19A and Exit 19B in Anderson County to the tourist from all over the Country coming into this area. The impact of Pier 19 will be very tremendous. Out of state visitors spends in excess of \$85,000,000 and 8.2 million in capital improvements in 1997. There was 1190 tourism jobs with wages of \$14.8 Million before the additional accommodations tax to benefit the County came into being. *Ms. Annette Epstein* - is an 18-year community volunteers who has volunteered thousands of hours predominantly in the school system, Just Say No Program, YMCA, and most importantly the Arts of Anderson County. The Arts really have exploded in the last few years. It's really excited to bring people in and to the beautiful parts of our City. Pier 19 would be a gorgeous gateway. This will help subsidize the Arts and really an incredible amount of Accommodations Tax monies, which not only will make Anderson County more beautiful, and will look and sound beautiful for Anderson County. *Mr. Robert Tugwell* - Mr. Tugwell said he was here to speak about the comprehensive plan. He had studied the plan the Department of Transportation has had for the last 15 years. The current plan recommends going up Main Street up the middle of Belton. I don't believe that is the best plan, he said.

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The plan by the DOT indicated that several houses and businesses would have to be demolished in order to make the plan feasible. This was before Ingles, McDonalds and other businesses was built. The plan does nothing for Belton's worst problem - Anderson Street. In fact it probably makes it worst. It does nothing for SC247 (River Street) with its off center interchange with 76 and 178. It creates a worst intersection of Anderson and Main Streets at a railroad crossing. Even if the railroad was removed it still will not solve the problem with traffic flow in Belton, he stated. *Ms. Pat Seawright* stated that the Comprehensive Plan is up for third reading tonight, the 1997 Sewer Plan is referenced in that plan. The 1997 plan calls for a 12" sewerline to serve the Hwy. 81-85 interchange allowing for light industry. Since that time they have heard about an 18" or 36" line going down the creek. The property owners of the Beaverdam Creek Area are seeing very clearly that you're getting ready to sacrifice the quality of life that they have the Beaverdam Area and you will be doing it for the people who own property on highway 85 and for the large industry without regard for the people who live and own property. She also asked for complete comments in the minutes since something was left out, she said. *Mr. Chuck Sitka* - Mr. Sitka resides in Carolina Estates. It is obvious that the Comprehensive Plan will be approved on third reading later tonight. One quote that keeps coming back to him is that this is not an industrial sewer line as referenced by Ms. Seawright. The purpose of the sewer is to open up Highway 81 and the rest of the big Beaverdam Creek basin to development. The existing development that is currently in there with large lots with septic tanks is generation farms and family ownership. She questioned whether there was a plan to break up these ownerships that the owners don't know about. Land can be developed with septic systems as current done, zoning could control irresponsible and undesirable development so that the general quality of life could be maintained and the tax base could be increased appropriately. It appears that assumptions have been made that the Rocky River Discharge limits will be kept at the higher rates which are counted on when the current permit expires this next year. That's an assumption. There are existing problems with Lake Secession

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where Abbeville County takes its water source for McCormick and Calhoun Falls with water that will come out of this source. Once again we are dealing with the issue with discharge at the Rocky River Treatment Plant which is already a documented problem. Where are the studies, which show the economic justification, the residential justification, and the residential development justification? They are not to found at this point. This issue of continually increasing sizes of pipe could change the report. Why are the sizes continually changing sizes, what is the real justification, what is really at the head-end? The new Industrial Park. There are no covenants, which dictates the type of industry. He recommended that the County be judicious in where we allow and recruit the different types of industry so that they work to our advantages and not to the disadvantages to certain parts of the County for the benefit of certain people.

Ms. Emily Wilson Payne - She said about a year ago they were notified that a sewer line would be run through their farm. As they began to investigate this situation, it became clear to us that there was something more to this than just a sewerline. We've had to dig to learn everything we can. It is now obvious that the sewerline is to benefit a large industrial park with high polluting industries which are not welcome in their community, she said. She said that they were not opposed to progress-just what the County calls progress. She asked that all community input meetings held prior to adopting the Anderson County Comprehensive Plan, and they want Council to listen to what each community wants, they want to know the secret to getting five individuals to consistently vote five and zero on each issue.

Ms. Cindy Wilson - stated that she wanted to address the issue of her being attacked for spreading misinformation and also using unfair tactics. On May 5, they received a letter from the County in regards to the sewerline. It has always been referred to as industrial sewerline in documents yet Mr. Tolly has referred to it as strictly for commercial business and residential development. She said to please keep minutes and they have been deprived of having minutes recorded in the past. She asked was it true that the County sewer proposal gives people on 81 sewer immediately? Their plan gives sewer to people on 81 immediately while they are widening the road. Ms. Wilson asked how Home Rule had anything to with FCC, Cable, or state utilities. Also, she requested that someone explain to everyone, if you've read the Comprehensive Land Use guide,

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why developers have to run collector lines (thousands of feet) with lift stations to get over the hill through property into the basin. How can the line go from 12" to 36"? She said that there were many elements in the Comprehensive Plan which are not correctly in the plan. You have opened yourself to many challenges ahead .

Mrs. Teresa Morgan - Ms. Morgan said that she felt a good bit of remorse for the Beaverdam area and Mr. Allgood with the Pier 19. Two areas of concern are the environment and the beauty in Anderson County and mainly the water. She said the County had already allowed contamination in her community and Big Creek to be contaminated. It has a brand new sewer line going down it, which was just put in. If you're going to contaminate one area (our community) just go ahead and bring industry into our area and leave the pristine creek alone. She stated to Mr. Greer that he had openly said to the community of Belton that he would not put that road down Pine Top, Cox Road if they did not want this. She prays that he will hold to that announcement. She asked Council not to go "five and zero". The Comprehensive Plan is scheduled for third reading before the public hearing is scheduled (May 13) which is after the fact of third reading; therefore, her community cannot have input "after the fact". Ms. Morgan said Mr. Floyd said at several meetings that as long as there is a contract with Allied Waste, the County can control what comes in. Now you're saying that the County cannot control what comes in because of the Department of Commerce.

Mr. Nelson Waller - Mr. Waller said that there were two issues on his mind on the "drawing board". Zoning. He is opposed to it for the County at this time and will not support the institution of any expansion of the County's work in any form. He said there were too many legal and ethical questions hang over Council's heads to admit of any new initiatives. This would cause new lines in the budget, new duties for officials, and new restrictions on a populace, which is already strained to the limit in terms of in terms of regulations, monitoring and taxpaying. The major development plan of the Beaverdam Creek area is another issue on his mind. He said he was surprised that Council would only think of third reading of the Comprehensive plan before the cycle of community meetings for community input is completed. He urged Council to delay third reading and complete the hearing process. He also asked for an accounting of what public notification there has been and the meetings that have been held.

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Mr. Floyd presented third and final reading of Ordinance #99-003 - an ordinance to adopt the Anderson County Comprehensive Plan. A public hearing was held. Mr. Albert Sparrow - an attorney from Greenwood and also a planner with a master's degree from Clemson and he presently does consulting work for cities, counties, and groups. He has been asked to do preliminary works into the basics of the Comprehensive Plan up for consideration. He has, in the last 4-5 days, run into serious concerns which is the lack of public hearings. The statue for the passing of this ordinance has caused several counties including Greenville, Abbeville and Anderson looking for third reading tonight in a rush to get this passed before May 3. He said that there was a problem if the County rushes ahead and adopts a comprehensive plan that is not based upon the data and the studies to support it. He urged Council to delay third reading. Mr. Holden asked Mr. Sparrow if he was hired to represent this group against the sewerline. He replied that he had been hired to look at information not to represent them in a legal capacity to simply to answer questions. Mr. Holden said that he has a problem with these groups that hire attorneys that come up and take up for them and the county has no one to respond on the County's behalf and it makes Council look like their just sitting there doing nothing. Mr. Holden said that the County paid good salaries and he wanted to hear something out of somebody. Mrs. Cindy Wilson the bare-land values in the Beaverdam Creek basis is appraised at 8-15 thousand dollars per area undeveloped. Developed the prices are \$30-35,000 per acre. The average industrial track site developed runs \$5-15,000 per acre. She wanted the County to know that if they locate a heavy polluting industry up at the head of the basin that the County will damage the approach to Anderson and damage their bare-land values. Mr. Chuck Sitka a resident in the Beaverdam Community. He thanked Mr. Holden for what he said. He said the more that the County can deal with what the real facts and issues are and the more they come out so that the parties dealing with can come out, the emotions can be kept down. He asked Council to offer his services as a planning consultant to sit down and make sure that everyone is dealing with facts and figures to enable the possibility of looking at alternatives. Council received as information. No others wished to speak; therefore the public hearing was closed. Mr. Jeff Ricketson tried to make the issue clearer to

members of Council and the audience my showing the maps that is in the 1994 Comprehensive Plan. The map has no changes which is included the new Comprehensive Plan. The Council has allowed an opportunity for the Council employees to go out into the Community and gather community input into these plans. Mr. Preston said that several people have made it appear that this is all brand new and it is not. Eight meetings over the county have been held and over 500 residents of Anderson County come out and participate. All 20 communities identified have not had meetings and are not required by law but the County still intends to. Mr. Wright said that he had attended all of the community based planning meetings and they were all very good with good turns, good conversations and feedback and all the information he received back in going into this. The County will readopt the map already in place and when the community-based meetings are complete the county will adopt a new map. School District #4 is complete. Mr. Ricketson said that as each school district is complete then the map will be considered and the plan would be amended at that time. Mr. Greer asked if the Belton bypasses were still in the Comprehensive Plan or maps. Where the western and eastern bypasses for the Belton Area in the Comprehensive Plan or maps on second reading. Mr. Ricketson replied no. Are they in the plan up for third reading? Mr. Ricketson said no. Mr. Wright said that the more detailed plans like the road study, sewer plans - if there are any amendments to those plans they were supersede the Comprehensive Plan. Yes sir, he said. Mr. Holden asked if the Beaverdam Sewer project was included in this Comprehensive Plan. Mr. Preston replied that it was. Mr. Tolly reported that the meeting previously scheduled for May 13 has been changed to May 20 from Palmetto High to the Town Hall in Williamston at 7:00 p.m. Mr. Holden stated that he felt there was not enough information. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted four in favor and one opposed (Mr. Holden) to approve Ordinance #98-003.

Mr. Floyd presented second reading of Ordinance #99-004 - an ordinance establishing procedures for establishment and implementation of further zoning regulations for selected areas of Anderson County with amendments. Mr.

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Ricketson explained the procedures of the ordinance required to zone certain areas. The area would have at least a minimum of 10% of the registered voters sign a petition from that precinct or a group of precincts. Then a referendum would be called for. Must have 50% plus one to approve. The ordinance then states that the County Council would move to zone that area of the county. Council discussed. Mr. Wright asked if the County had addressed the minimum numbers of people on local zoning boards. Mr. Ricketson said yes and explained that if it was only 1 or 2 precincts; there would be a minimum of three people from that sub-area to serve on that advisory committee. Expansion will be considered prior to third reading. Mr. Tolly stated that he was "sold" on the idea of precincts. Mr. Greer said that from his surveys; his district would like to see a means to protect their community from unwanted growth and development and the zoning ordinance is a potential tool to assist those citizens. Mr. Greer asked that he had discussed with Mr. Preston the possibility of helping the farming operations by "grandfathering-in" these farming operations to continue operations or until the farming direction change. On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve second reading of Ordinance #99-004 - zoning.

Mr. Ricketson presented second reading of Ordinance #99-006 - an ordinance reaffirming in certain limited particulars and readopting the Anderson County Land Use and Development Standards Ordinance; and other matters relating there. This ordinance sites the new planning act as the authority that the County has for implementation. On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve Ordinance #99-008 on second reading.

Mr. Ricketson presented second reading of the Major Road Study (Ordinance #99-008). Mr. Greer stated for the record that neither of the bypasses nor the Austin Route is in the major road study ordinance and were not in the ordinance on first reading. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve on second reading.

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Mr. Preston presented second reading of Ordinance #99-005 - an ordinance authorizing the issuance and sale of general obligation bonds, series 1999, of Anderson County in the principal amount of not exceeding \$750,000 (Airport Project). He stated that this ordinance helps the County meet its obligation to current contracts for the purchase of property at the Airport and provides for the funding for the new hangar space. On the motion of Mr. Greer, seconded by Mr. Tolly, Council voted unanimously to approve on second reading.

Mr. Preston presented second reading of Ordinance #99-007 - an ordinance authorizing the assignment and transfer of that certain lease agreement between Anderson County and Apache Products Company, Inc. On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve on second reading.

Mr. Steve Blake, representing Cline, Brandt & Kochenower, & Company, presented the County's financial statement for year ending June 30, 1998. Some of the major issues in the financial statement are materiality, compliance, financial information, and performance, planning (reacting) and the financial award, which puts the financial statements through a review process at a National level. The Finance Department received this Financial Award last year. Mr. Floyd thanked Mr. Blake for his presentation.

Mr. Floyd presented a Resolution #R99-007 - a resolution authorizing the execution and delivery of an inducement agreement by and among Anderson County and Pier 19 Development Group. Mr. Tolly moved to approve the resolution and Mr. Holden seconded. Council discussed. There is no financial responsibility on the part of the County. Mr. Greer asked if it was possible for Pier 19 to guarantee that 50% of 1500 jobs created would be non-construction, non-temporary, full-time 40 hour per week jobs? Yes, if they qualify under state law. Will other developers be offered the same consideration? This is the first time that the County has ever faced this type of inducement for a commercial retail type project. Mr. Holden recommended that each development be looked at separately. Anderson County ranks third in this area in wholesale and retail sales

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which is a major drawing card for industry such as Pier 19 to our area, Mr. Greer said. He said is not opposed to Pier 19 but feels that this is one of those times that we do not need to go the 35%. Mr. Robert Galloway stated that there was nothing in the law that regulates or limits that percent payback. Anderson County does not have a policy that would limit us to having a lower payback. Mr. Preston replied no. Mr. Greer moved to amend the resolution to state that the 1500 guaranteed jobs that 50% of those would be required to be non-construction, non-temporary, full-time, 40 hour per week jobs. Motion died from lack of a second. Vote on the motion to approve was three in favor (Floyd, Tolly, Holden) and two opposed (Greer, Wright). Motion carried.

Council recessed at this time for 15 minutes.

The Chairman called the meeting back to order at 8:10 p.m. On the motion of Mr. Greer, seconded by Mr. Holden, Council voted unanimously to go back into regular session.

Mr. Preston said he would like to address in writing all those individuals who requested the size of the sewer line, basis engineering when you have a sewer line depending on the length, basin, the line would start small and get larger as it goes down hill or it would back up. Mr. Preston said that he would try to get detailed minutes. Mr. Martin explained that the minutes are summarized and not verbatim.

Council held a public hearing for the S.C. Jobs Economic Development Authority proposed issuance and delivery of not exceeding \$65,000,000 aggregate principal amount of its Hospital Revenue Bonds (Anderson Area Medical Center). Anderson County is not the issuer of these bonds. The public hearing was held and no comments were heard. The public hearing was declared closed.

Mr. Preston presented his 1999-2000 Administrator's Proposed Fiscal Year budget for Council consideration on first reading.

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Mr. Preston and Ms. Gina Smith did a budget slide presentation. Total general fund departmental requests equaled \$43.27 million, total projected general fund reserves - \$33.08 million, Excess of requests over revenues- \$10.18 million. The following is the 1999-2000 Budget Summary - Proposed expenditures by category - General Fund

Category	Amount (millions)
General Government	\$13.61
Public Safety	\$11.12
Culture & Recreation	\$ 0.11
Health & Human Services	\$1.99
Highways & Streets	\$4.59
Transfer Out	\$7.36
TOTAL	\$38.78 Million

Summary: June 30, 1999 - General Fund Budget - \$38,091,290

June 30, 2000 - General Fund Budget - \$38,773,140. This budget has several new and improved services. It implements phase three of our Wage & Comp. Plan, recognizes our organizational plan, year three of our sewer plan, provides year three of our capital lease purchase program, year three of our building program, with an increased emphasis on curb-side recycling in municipalities, the \$40 household fee remains the same, continues support for Airport operations and capital improvements, focuses on existing industries, additional monies for park maintenance and improvements, develops a comprehensive litter program, increases emphasis on planning, emphasis on Animal Shelter and animal control, additional funding for our County's senior citizens programs, and provides for our juvenile delinquency boot camp. Five new road deputies are proposed for Anderson County. The County is trying to replace patrol cars around 100,000 miles, Mr. Preston reported, and over the last three years we've been able to accomplish this. In 1997 the County purchased 30, 1998 - 20, and this year he is proposing an additional 25. This is a balanced budget. Ms. Smith gave the following information on the Wage & Comp. Plan. Recommended in proposed budget is a 2% cost of living, 2% merit increase, 2%-5% longevity increase. New: the county will match the first \$25 per month that each employee contributes to 401K plan. The will give the employee an additional \$300 per year in the retirement fund. Total General

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Fund: \$38,773,140, Total Special Revenue Funds: \$14,193,800, Total Debt Service Funds: \$6,755,080, Total Capital Project Reserve funds: \$2,042,850, Total Enterprise funds: \$7,223,210, Total Capital Budget: \$2,290,030.

Grant Total 1999-2000 budget is \$71,327,835 (last year: \$69,543,802) which is an increase of 2.6 percent. Total General Fund Balance: \$16.1 million we may use \$1 Million leaving a fund balance of \$15.1 Million. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve first reading of the budget ordinance #99-009.

On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve a construction bid in the amount of \$62,900 for Hwy 28 Bypass Force Main relocation. Funding will be in the budget.

Mr. Holden asked that action on the Tolly Street Senior Center Building be deferred until the next meeting.

Mr. Tolly moved that he be allowed to spend \$14,040 at the New Hope Sports Complex for the construction of a walking track. The money will come from 1999-2000 paving contract. Mr. Wright seconded the motion and vote was unanimous.

Mr. Wright asked that \$500 from his District #4 Recreation Fund be allocated to the Old Farm Days in Pendleton. Mr. Tolly seconded and vote was unanimous.

Mr. Wright asked that \$500 be allocated to the Six and Twenty Senior Center and the money to come from District #4 Recreation Funds. Mr. Tolly seconded and vote was unanimous.

Mr. Greer asked for approval to allocate \$1,000 each for Belton and Iva for repair and maintenance of their parks and ballfields. The money will come from District #3 Recreation Funds. Mr. Wright seconded the motion and vote was unanimous.

Mr. Jerry Shealy gave a update on the new 9-1-1 Centralized Communications. There were a few anticipated problems. Council received as information.

ADMINISTRATOR'S REPORT:

- (a) Letters of Appreciation:
 - I. To: Mr. Bob Daly From: Mr. John D. Elliott, Atty.
- (b) Certificates and Training:
 - I. Ms. Linda Rook - IS-2 Emergency Preparedness, USA
 - II. Ms. Melissa Rhodes - National Fire Academy Field Course
 - III. Mr. Bill West - American Institute of Certified Planners
 - IV. Ms. Miriam Wooten - The Pesticide Challenge
- (c) Reports:
 - I. Museum Commission Field Report
 - II. Accommodations fee Report
- (d) Landfill
- (e) Census 2000
- (f) Recycling
- (g) Press Releases - Amelia Earhart, Celebrate Anderson, Indigent Cemetery
- (h) Veterans Monument
- (i) Personnel Training
- (j) Departmental Transfers
- (k) Beaver Dam Creek Community Meeting Summary
- (l) Minutes:
 - I. Public Works - Safety Meeting
 - II. Airport Commission Minutes

There being no further business, Council adjourned at 9:45 P.M.

Respectfully submitted,

Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL