

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - December 3, 2002 - 6:00 p.m.
Linda N. Gilstrap, Clerk to Council

M I N U T E S

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

PRESENT

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

(During times of discussion and presentations the minutes are condensed and paraphrased.)

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, December 3, 2002 at 6:00 p.m.

Mr. Fred Tolly gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Bill Dees, seconded by Mr. Mike Holden, Council voted unanimously to approve the minutes from the November 12, 2002 meeting as mailed.

Citizens Comments: Richard Taylor, a resident of Honea Path stated that he and his family had been in Honea Path since the twenties. He requested that Council approve the closure of Nalley Drive, Wespanee Drive, and Silverado Drive. The entire length of Silverado is .7 mile, .2 for Wespanee and .2 for Nalley. He requested that all three roads be closed because of the trash, parking among teenagers and adults, destructive activities to residents' property, and others. Charles Crowe asked if the public could speak at the Planning session scheduled at the Library from 10-6 p.m.? Chairman Greer stated that this would be a work session for County Council and no discussion would be allowed from the public.

Mr. Michael Cunningham presented Mr. Geoff Cannada, of the Planning Division as Employee of the Month of October. He was presented all the special "goodies" that are given to the Employee of the Month. Mr. Cannada was nominated for his hard work on the County's Readdressing Project. Council commended Mr. Cannada for a job well done.

Ms. Faye Brown, Executive Director of the Foothills Alliance announced that the Alliance has three important programs, which are the Anderson-Oconee Prevent Child Abuse Alliance, the Child Advocacy Center, and the Foothills Rape Crisis Center. She asked Council to focus on the Child Advocacy Center. Ms. Michelle Lewis briefly explained the center. They requested that the Council select two

to three Council members to be part of a special task force in conjunction with City Council and members from the private sector to take on this special project. They expressed the need for a building to house the Child Advocacy Center and they asked Council for assistance with obtaining a building. Mr. Tolly moved to allow the Administrator to work with the group to help them find a building. Mr. Dees seconded and vote was unanimous.

Mr. Jeff Ricketson presented a status report on the new EMS maps. A sample map was distributed to all Council members to show how the map will look once completed. Mr. Ricketson stated that the project is almost completed. Council received as information.

Chairman Greer presented third and final reading of Ordinance #2002-036 - an ordinance to amend Ordinance #98-019, as previously amended by Ordinance #99-029, #2000-063, #2001-014, #2001-046, and #2002-17 relating to the Industrial/Business Park of Anderson and Greenville Counties so as to enlarge the park. A public hearing was held and Mr. Charles Crowe asked a question regarding the industrial park. There being no further comments the public hearing was declared closed. On the motion of Ms. Wilson, seconded by Mr. Wright, Council voted unanimously to approve the ordinance on third and final reading.

Mr. Joey Preston presented Resolution #R2002-072 - a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, South Carolina and Robert Bosch Corporation whereby, under certain conditions, Anderson County will execute a lease agreement for a project involving an investment of not less than Two Hundred Million Dollars (\$200,000,000) and will provide a fee in lieu of tax; and, other matters relating thereto. This agreement involves 200 new full time jobs and one of the largest investments in the State of South Carolina this year. Chairman Greer announced that he would have to recuse himself because a possible conflict of interest. He stated that his son is an employee of the company. At this moment, the Chairman relinquished the chair to Vice-Chair, Gracie S. Floyd. Ms. Floyd asked for a motion to approve. Mr. Dees moved to approve and Ms. Wilson seconded. Vote was six in favor and one absent due to recusal (Greer). Motion carried. See attached Exhibit A - Greer's Recusal Form.

Ms. M. Cindy Wilson moved to approve Resolution R2002-081 (title only) which approves the closing of Silverado Drive C-19-13 and Mr. Tolly seconded. Council discussed. Ms. Wilson said that it appeared to be some very serious law enforcement issues and safety issues on the three roads; Nalley Drive C19-17, Wespanee Drive C19-12, and Silverado Drive C19-13. Ms. Wilson stated that she had intended to include all three roads in the resolution for closure but she was going with the recommendation of the Public Works Department. Chairman Greer stated for clarification that the resolution on the floor was for closing only Silverado Drive. Ms. Wilson moved to amend the resolution to include Nalley Drive and Wespanee Drive along with ALL of Silverado Drive. Mr. Tolly seconded the amendment. It was stated that Council couldn't actually close the road; they can simply consent. The abutting property owners must take the matter to Circuit Court and have the Court actually declare the roads closed and abandoned and the property correctly titled to the abutting property owners. Vote on the amendment was unanimous. Vote on the original resolution as amended was unanimous.

Mr. Tolly moved to appoint Mr. Michael Addison to the Anderson County Planning Commission to fill an unexpired term of Russell Harris who resigned. Ms. Wilson seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$200 from District #2's Recreation Account for the Senior Follies. Ms. Wilson seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$3,000 from District #2's Recreation Account to the Salvation Army's Homeless Shelter. Mr. Holden seconded and vote was unanimous.

Mr. Preston explained that the City had requested repairs to the Old McCants School Parking Lot at \$7,511.60, which will include repaving, and sealing areas not repaired. The City would like for the County to deduct the \$7,511.60 from their city-paving list for this year. Also included in the request is the request from the City to repave John Street parking lot for an estimated \$6,000. Ms. Floyd moved to appropriate \$7,511.60 from District #2's paving funds designated for city streets. Mr. Tolly seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$3,000 from District #1's paving funds designated for city paving and use it to repave the John Street Parking lot. This will eliminate one city street from the paving list and replacing it with the John Street Parking lot as requested by the city. Mr. Wright seconded. Vote was unanimous.

Ms. Floyd moved to appropriate \$3,000 from District #1's paving list for paving of the John Street parking lot as requested by the City. The funds were appropriated for the paving of streets in the City and it was requested by the city that the streets be put off for paving to allow the paving of the John Street Parking lot. Mr. Dees seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$10,000 for assisting the Town of West Pelzer to dig streets and replace waterlines. The funds will come from District #7's paving account. Mr. Holden seconded and vote was four in favor (Wilson, Wright, Holden, Floyd), two opposed (Greer, Dees) and one abstention (Tolly). Motion carried.

Ms. Wilson moved to appropriate \$4,250 needed to complete the Rails to Trails and pathways study, which will involve the extension of pavement - 4' on either side of Midway Road in District #7 and will include the study for other districts also. The funds will come from District #7's paving account. Mr. Holden seconded. Vote was five in favor (Wilson, Dees, Floyd, Wright, Holden), one opposed (Greer), and one abstention (Tolly). Motion carried.

Ms. Wilson moved to appropriate \$5,000 from District #7's paving account for waterlines in the Mt. Nebo area contingent on the matching funds from state grants. Mr. Holden seconded the motion. Vote was five in favor (Wilson, Holden, Floyd, Wright, Dees), one opposed (Greer), and one abstention (Tolly). Motion carried.

Ms. Wilson asked the Chairman for a Point of Personal Privilege and the Chairman granted her the request but asked her to move as quickly as possible through her request. The following is verbatim of Ms. Wilson's remarks.

Ms. Wilson: Recently I've been provided some financial information and in this season of having already been given the potential cuts for our funding for local government fund which I believe for Anderson County we are looking at almost \$500,000 in cuts from the state. In looking at some of our financial data from last year it appears that our tax collections are down from 98% to 92% and what I'd like to convey to you is some of the questions and hopefully Mr. Preston and others can help us with the answers and then a request that we begin as soon as Christmas is over to start holding workshops, conducting workshops, so that we can sit with County staff and have it open to the public to begin a dialog on our budget. It appears that we have some spending that we really need to be very careful about and question right now. First of all, I wanted to ask if Mr. Preston could provide for us information - there were two accounts that I couldn't find in our chart of accounts that had money

flowing through and those were accounts #5066 and #5067. They appear to be new accounts but maybe they were there and I couldn't find them. Second of all, in the matter of fund 174 account #1110-099-0174 it appears that the fund balance was \$587,000(+) and there was a balance brought forward of \$983,641.51. This involves the emergency telephone system and there was zero budgeted. A large volume of money... If there is a possible way to review that so that we understand. I believe that this involves collections of telephone fees. And also we have fund #153 account #5833-000-238 account labeled Miscelleneance. Why would we be paying for a law fee out of a landfill closure? (At this time, Mr. Tolly suggested that Ms. Wilson get with Mr. Preston regarding her questions and then bring any concerns back to Council after that meeting, if she still has any.) This is fund 420 account 5954-000-399 and it's under landfill closure. This is involving fund 001-this is a development construction account #5031-000-0314 and I was wondering why we would be paying the former director for the Convention and Tourism bureau \$8,852.45 out of this account and why we would be paying for World Class Travel education cost and to find out what this lady does for the county. Is she an employee? Mr. Preston said that she worked with the Development Partnership (Kathryn Campbell) for three months to coordinate the event and her salary was paid from funds she raised from the community, which paid the competition expenses for the Balloon event. Does the County have a balloon pilot? Well I found some accounts where it appears we are paying people from Cobb County around \$30,000 what appears to be piloting the balloon. So we're paying the Balloon Federation to hold their championships here and of course we provide the facility and manpower and so forth in addition...Why would we be paying a radio station for advertising-it appears that we have been paying around \$2,500 a month and there is a budget for it. But it just doesn't seem appropriate to be paying around \$25,000 when they could be making public service announcements. Chairman Greer said that at this time he needed to end discussion on this. He then said that Council, in the past several months, has abused the Point of Personal Privilege. A Point of Personal Privilege based on Roberts' Rules is merely to change the accommodations of the meeting room - such as adjusting heat or air, now Council has an open meeting for Council to bring in agenda items. He then offered a Point of Personal Privilege to all County Council members. Ms. Floyd said that she felt, for the last couple meeting, that Council was beginning to work together - a sense of "team spirit". She asked Ms. Wilson not to ruin the progress made with each other and encouraged her to go to Mr. Preston and discuss her questions. She said that as a Council member, Ms. Wilson had a right to answers to her questions. Mr. Greer said that he resented any implication that he, as a Council member, as not been actively involved in the preparation of the budgets since he has been on Council. He said that he has already asked for some budget information from Mr. Preston and he plans to be actively involved, just as in the past, during the budget process.

On the motion of Mr. Dees, seconded by Ms. Wilson, Council voted unanimously to accept Luke's Crossing into the County road system.

Administrator's Report:

- a. Certificates and Training:
 1. Mr. William H. Ray - Microsoft Excel 2000 Advanced, Microsoft Internet Explorer, Microsoft Excel 2000 Proficient
 2. Training Officer, Roger Hunnicutt - Ground Defense Instructor
- b. Letters of Appreciation:
 1. For: Ms. M. Cindy Wilson and Members of Council From: Mr. Oliver P. Case
 2. For: Chief Bill Striewing and Staff From: Ms. Patsy B. Brown
 3. For: Mr. Charles Wyatt and Staff From: Clemson Athletic Department
- c. Reports:
 - 1 District Recreation Account
 - 2 Detention Center Litter Report - November 4-8, 2002
 - 3 Detention Center Litter Report - November 11-15, 2002
- d. Minutes: - Transportation Safety Meeting Minutes (November 15, 2002)

- e. Auditor's letter concerning Legislation for temporary license plates
- f. Detention Center's Inmate Population Increase
- g. Current Paving Contract for roads to be paved by June 30, 2003

Council recognized Patrick Defranko with Boy Scout troop 314 with the LDS Church.

Remarks from Council Members:

Mr. Dees stated that regarding his negative vote on Ms. Wilson's request for the West Pelzer project community, he said that the Powdersville area has had the state tearing up Highway 81 for several months now and the Powdersville Water company will have to pay over one million dollars to repair the roads. This is state money that has been used to tear the roads up; but the County's private water money will have to be used to repair them. He said that he was in favor of the "rails to trails" project but the very day of the last meeting he had a lady approach him and said that they have no water, no job, and her husband was laid off and she told him to vote his conscience. So in that regard, he said he had a problem with priorities.

Mr. Holden – no comments.

Ms. Floyd asked that in 2003 Council make a commitment to do a better job working together.

Mr. Tolly commended Mr. Ricketson on the good work done on the new county maps.

Mr. Wright said the everyone needed to go by Darwin Wright Park to see the "Lights of Hope".

Ms. Wilson asked why the County was paying a retired employee to attend County council meetings. She said that the County citizens and taxpayers deserve information. She said she was not the one making accusations – the very reactions create the atmosphere. She said that her constituents prefer this to be public. She said that the County should have a presentation on the financial statement by the end of December.

Mr. Greer said that the nation just celebrated a National holiday (Thanksgiving). A lot of times we take for granted the things that we have, the rights of our citizens to sit here and address their governing body, the right to drive a car, to go to church, and we take for granted a lot of the freedoms that we have in this country. He said that listening to some of the discussions frankly made him disgusted. He said that everyone needed to examine their own lives and their motives and make sure that council is moving in the direction that council needed to move.

There being no further business, the meeting was adjourned at 8:16 P.M.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL

Exhibit A – Recusal form.

12-3-02



Making News.
Making Progress.

MEMORANDUM

County Administrator
Joey R. Preston

TO: COUNTY COUNCIL CHAIRMAN, ANDERSON COUNTY

FROM: Larry Greer Council Dist 3

DATE: 12/3/02

RE: Recusal from County Council participation due to potential conflict of interest or appearance of impropriety

Council Members

Clint Wright
Chairman
District 4

Mike Holden
Vice-Chairman
District 5

G. Fred Tolly, Jr.
District 1

Gracie S. Floyd
District 2

Larry E. Greer
District 3

William C. Dees
District 6

M. Cindy Wilson
District 7

Clerk to Council

Linda N. Gilstrap

Pursuant to Section 8-13-700, Code of Laws of South Carolina, 1976, as amended, I am hereby giving notice of my abstention from the matter regarding the issue of agenda item 5 a resolution dealing with Economic Development involving Bosch as it appears before Anderson County Council on _____, 2002.

The potential conflict of interest or appearance of impropriety for which I am recusing myself and abstaining from participation is: as written above due to employment by my son at the Bosch Plant.
(for example: a personal or financial interest in the matter in question; a conflict or appearance of impropriety due to business or other relationships with one or more of the parties involved; and so forth).

This document is to be filed as a matter of public record, and is to be included with the official minutes of the County Council meeting at which the matter in question was brought before Anderson County Council.

Respectfully submitted,

Larry E. Greer



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