

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – October 5, 2004 – 6:00 p.m.
Linda N. Eddleman, Clerk to Council

AMENDED
M I N U T E S

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

PRESENT

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

ABSENT

Linda N. Eddleman, Clerk to Council

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

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, October 5, 2004 at 6:00 p.m.

Chairman Clint Wright called the meeting to order and Ms. Gracie S. Floyd gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Ms. M. Cindy Wilson moved to approve the September 21, 2004 minutes and Mr. Fred Tolly seconded. Mr. Dees said he spoke to the clerk regarding typographical errors. Vote was unanimous.

CITIZEN COMMENTS:

Agenda Matters: Mr. Ed Jean asked Council to consider the traffic congestion if they approve the rezoning request for Vandiver Road and Cox Road and he requested that Council consider reducing the density for the Cox Road and Highway 29 request by Howell-Black.

Other Matters: Mr. Robert Adams said he lived at Orr Mill and he reminded Council that prostitution and drugs were rampant and the Sheriff's Office would like for Council to believe that they are doing a great job. He also said that where he lives, within a block of his house, three people have been killed in the last two years. He said he would like to know what the Sheriff's office is doing to help with the problem. He begged Council for their help and support. Mr. Holden asked Mr. Martin to prepare a resolution for Council's approval requesting that the Sheriff's Office patrol the areas that are being overcome by prostitutes and drugs. Mr. Greer said that he spoke with a member from the Sheriff's office and he was told that it was not illegal to be on the sidewalk or on the street and their problem is that they must catch someone

in the act of committing a crime. They suggested an ordinance dealing with "Loitering for the Purpose Of" which would give them a "tool" to use in dealing with the problem. Mr. Martin suggested that the sheriff's office work with the solicitor's office to come up with an offense that is prosecutable. Ms. Floyd said that they had been fighting the situations for a while – and every time that they feel they are making progress they come up against a law that stops them. She suggested that everyone contact the state legislators and ask them to change those laws. Mr. Dees said that Council does have ultimate control of the Sheriff by the budgetary process. However, he said that he did not think anyone wanted Council to cut the sheriff's budget so that would eliminate the only effective means of control. He said that he was quite familiar with the ordinance "loitering for the purpose of prostitution" and that most of the time you must use under-cover officers and it must be done day in and day out, week end and week out but when you are dealing with house break-ins, grand larceny, murders, and etc. this does not come "high" on the scale for the Deputies to do. He said he would like to see what could be done after January. Ms. Floyd moved to amend the agenda to place a resolution on the agenda and Mr. Dees seconded. Vote was unanimous. Mr. Holden said that he would like to move to approve a resolution (#R2004-052) in title only to get this started. Mr. Dees seconded. Vote was unanimous. Ms. Floyd announced that on November 8 at 6:00 at the Anderson County Library there would be a meeting with the winner of the sheriff's race to see what he intends to do. Mr. "Possum" Nixon said he was the chairman of the Southside Community Improvement Task force who's working with Ms. Floyd, said some of the things they are working on to improve the neighborhood is abandoned cars, houses, prostitution, drug dealings, trash, and elderly people who are afraid. He asked Council to help them as much as possible. He asked Council to approve the proposed grass ordinance. Mr. Brooks Brown encouraged everyone to get out and vote. He said that only 27% of the registered voters voted in the last election. Mr. Dan Harvell asked the following questions concerning Resolution #R2004-050 - 1. Why does the bond include both roadwork and sewer projects. 2. Most of these projects have been completed. Was a bond anticipation not issued for the entire amounts of these projects and if not, how can the county pay for the projects? 3. What is the bond rating on the bond? 4. What revenues are being obligated for this \$8,000,000 bond? Are C funds being obligated for the roadwork? If so, how will we be able to do roadwork, if we obligate future monies for already completed projects? 5. We do not understand why this bond issue includes both enterprise fund and special revenue fund expenditures. He said that the Taxpayers Association was concerned about the amount of debt service the County will be paying for the next 20 years. He said that with the research that the Association has done – a tax increase would be needed in 2006 and with the County of this size that Council is continuously over-obligating the County – long term. Chairman Wright said for the record that Mr. Harvell was referring to Resolution R2004-048 and not R2004-050. Ms. M. Cindy Wilson said that it was extremely troubling to have 24 million in debt in one night to vote on. She said a "debt" is a "debt" whether it is a general obligation bond or a state revolving fund loan, or a lease purchase loan. They still have to be paid back. She begged each Council member to carefully look at each issue.

ECONOMIC DEVELOPMENT ANNOUNCEMENT - Resolution #R2004-047: Mr. Joey Preston announced that Plastic Omnium Auto Exteriors, LLC plans to invest an additional 30 million dollars and create 100 additional jobs over the next five years. Mr. John Lummus announced that the Economic Development Office recommended the approval of the Resolution and lease agreement and the extension of the fee in lieu agreement for an additional 5 years. This would also include a 30% SSRC for 13 years. Mr. Tolly moved to approve Resolution R2004-047 (a

resolution approving an extension of the investment period under a lease agreement between Anderson County, South Carolina and Plastic Omnium Auto Exteriors, LLC, as amended; approving the provision of infrastructure credits in respect of certain new investment by Plastic Omnium Auto Exteriors, LLC, and the modification of related Anderson County Special Source Revenue Bonds-Plastic Omnium II Project.). Mr. Bill Dees and Ms. M. Cindy Wilson seconded. Vote was unanimous.

ECONOMIC DEVELOPMENT ANNOUNCEMENT (Resolution #R2004-045 and Ordinance #2004-040): Mr. John Lummus announced that Commercial Resources Group, Ltd. would be locating in Anderson County. He asked Mr. Burris Nelson to explain the project. He said the project had a potential to create between 400-600 jobs with between 60 and 70 million dollars investment. The recommendation is for the multi-county industrial park, which will include property between US 76 and Highway 178, South of Welpine Road and North of I-85 that is about 500 acres. The agreement includes an infrastructure tax credit. Mr. Dees moved to approve Resolution #R2004-045 – a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, South Carolina, and Commercial Resources Group, LTD, whereby under certain conditions, Anderson County will enter into a joint county industrial and business park agreement and offer certain infrastructure credits or special source revenue bonds for a new commercial development project in the county; and other matters related thereto. Mr. Tolly seconded. Ms. Wilson asked that someone read Section 2.2 on page 3 of the Inducement Agreement. Mr. Lummus read the section. Mr. Robert Galloway explained the section to Ms. Wilson by saying that the company did not get a reduction in the tax rate. He said on a special source revenue bond that if the company defaults that the county was only liable to the extent of the taxes paid. If the taxes aren't paid then the county has no liability beyond that whatsoever, he said. Ms. Wilson requested that the package have "fee in lieu of taxes" removed and have actual taxes at the regular tax rate. Mr. Galloway said that the reason that fee in lieu in the resolution is because it is located in a multi-county industrial park and by law ad valorem taxes become fee in lieu of taxes – doesn't mean they are lesser amounts – just a different legal bearing. Mr. Greer said that he had the same concerns that he had when the County dealt with Pier 19 and LINWA where the County is offering incentive credits for commercial development. He said that in Anderson there were 26 commercial properties valued in excess of five million dollars and his concern that the County has not established a concrete policy and set the guidelines for when the County will offer this to commercial property. He is also concerned that the Council is setting a precedent that would make this available to all commercial property in excess of 5 million dollars or greater. He said that he was not prepared to vote in favor until the County sets some guidelines on when the county will offer this for commercial property. Vote was five in favor and two opposed (Wilson, Greer). Motion carried.

Chairman Wright presented first reading of Ordinance #2004-039 – (Commercial Resources Group, LTD-Special Source Revenue Bonds – a general bond ordinance authorizing and providing for the issuance of Anderson County, South Carolina, Special Source Revenue Bonds (Commercial Resources Group, LTD Project); prescribing the form of bonds; limiting the payment of the bonds solely from revenue derived from the payments of fees-in-lieu of tax from certain properties located in a joint-county industrial and business park; pledging such moneys to the payment of such special source revenue bonds; creating certain funds and providing for payments into such funds; making other covenants and agreements in connection with the foregoing; and other matters relating thereto. Mr. Dees moved to approve on first

reading and Mr. Tolly seconded. Vote was five in favor and two opposed (Wilson, Greer). Motion carried.

ORDINANCES – THIRD READING:

Chairman Wright stated that Howell-Black had requested that Ordinance #2004-026 – a rezoning request by Howell-Black, LLC, to rezone 109.31 acres at 2729 Highway 29 North from R-A (Residential Agriculture) to PD (Planned Unit Development) be removed from the agenda. This will allow further time for work on the Letter of Intent.

Chairman Wright presented third reading of Ordinance #2004-027 – a rezoning request by Deborah Lynn Bradford and Tony Cirelli rezone 18.24 acres on Vandiver Road from R-20 (Single Family Residential) to PD (Planned Development). Mr. Greer moved to approve and Mr. Dees seconded. Mr. Holden said that Council needed to keep in mind the roads and their conditions. Vote was four in favor (Holden, Wright, Greer, Dees) and three opposed (Wilson, Floyd, Tolly). Motion carried.

Chairman Wright presented third reading of Ordinance #2004-032 – an ordinance authorizing a fee-in-lieu of tax arrangement on behalf of Glen Raven Custom Fabrics, LLC (The "Company") pursuant to a fee agreement between Anderson County, South Carolina (The "County") and The Company; authorizing the issuance of an infrastructure credit to the Company pursuant to an infrastructure financing agreement between the Company and the County; and other matters relating to the foregoing. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

ORDINANCES – SECOND READING:

Chairman Wright presented second reading of Ordinance #2004-033 – an ordinance authorizing the execution and delivery of a Fee in Lieu of tax agreement between Anderson County, South Carolina and Walgreen Company and other matters relating thereto including, without limitation, the payment of a fee in lieu of taxes and the allocation of a special source revenue credit and a potential additional Special Source Revenue Credit. A public hearing was held and no citizens wished to speak. Ms. Floyd moved to approve and Mr. Tolly seconded. Ms. Wilson recused herself because of a possible conflict of interest. Vote was six in favor and one recusal (Wilson). Motion carried.

Chairman Wright presented second reading of Ordinance #2004-034 – an ordinance authorizing and directing the Anderson County Administrator to execute a Wetlands Restrictive Covenant on property at the Anderson Regional Airport and implement the terms contained in such restrictive covenant; and other matters related thereto. A public hearing was held; no comments were heard. Mr. Tolly moved to approve and Ms. Floyd seconded. Vote was unanimous.

Chairman Wright presented second reading of Ordinance #2004-035 – an ordinance consenting to and ratifying the assignment to Timken US Corporation ("Timken") of the rights, duties and interests of the Torrington Company ("Torrington") under the lease agreement between Anderson County, South Carolina (The "County") and Torrington dated as of December 1, 1999 (The "Lease Agreement") and the continuation of a fee-in-lieu of tax arrangement pertaining to such lease agreement, authorizing an extension of the investment period under the lease agreement; reauthorizing the issuance of an infrastructure credit to Timken pursuant to an

infrastructure financing agreement between Timken and the county; and other matters relating thereto. A public hearing was held; no comments were received. Ms. Wilson moved to approve and Mr. Holden seconded. Vote was unanimous.

Chairman Wright presented second reading of Ordinance#2004-036 – an ordinance authorizing the issuance and sale of general obligation bonds, Series 2005, of Anderson County, South Carolina, in the principal amount of not exceeding \$7,350,000; fixing the form and details of the bonds; authorizing the Chairman of County Council and the County Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto. Mr. Preston recommended approval on second reading. Mr. Dees moved to approve and Mr. Tolly seconded. Ms. Wilson asked the following questions. She asked if Ms. Gina Humphrey was back working with the county. Mr. Preston said yes. Ms. Wilson asked if she was back as a consultant or as a full-time employee. Mr. Preston replied that she was a full-time employee. Ms. Wilson asked if her salary was the same. Mr. Preston refused to answer. She asked how much the McNair Law got paid for working on the bond issue. Mr. Preston said he was not prepared to answer the question and when he is prepared he will release the information only after Council approves the release of the information. Ms. Wilson asked where in the budget book was the 7.35 million dollar bond mentioned. Mr. Preston replied that was the reason that you do an ordinance with a public hearing, and a budget is an estimate. He said that he has assured the Council that it is with no tax increase – it is taking a levy that is on the books and shifting it to pay the debt. There is no new debt; there is no increase in anything – no increase in taxes. She said that the County had a principal amount of \$625,000 in 2006 plus the interest and going through 2015 and increasing in 25 to 50,000 dollar increments plus interest. She said that the ordinance had a clause stating that the bonds are not to exceed 6%. Mr. Martin stated that the bond would be bid out but the interest rate is not to exceed 6%. Ms. Wilson asked Mr. Dan McLeod what the typical fee was that the McNair Law firm charges to underwrite one of these type bonds. He responded that they have a standard scale and he would be happy to provide to the Administrator if they are asked. Mr. Preston said that the County Council has directed him to, because of litigation in the past, not to release any information until Council votes and authorizes him to do so. Ms. Wilson moved to ask County Council, along with her, to instruct the Administrator to release the information to any member of council. Motion died from lack of a second. Mr. Preston said that there was no money in the bond for the Friendship Convenience center. Ms. Wilson asked why the host fee was not being utilized for funding of the upgrades to the convenience centers. Mr. Preston said that because of all the litigation. Ms. Wilson said that the litigation ended years ago. Mr. Preston said that it did not. Ms. Wilson said that when the County squanders an asset (landfill) the County can go back and negotiate a far more favorable host fee for the County which could off-set the road work, that would take care of the convenience center upgrades, and other projects that the county wouldn't have to take care through bonds she is seriously concerned. Ms. Wilson said that in her budget book it looks like the GOB should be have been budgeted at \$6,563,400. She said that this was just a "sham" for the people of Anderson County and she was sorry to be contentious on the issue but when the people of Anderson County have a hard time paying their taxes, and there are 5 pages of delinquent taxes someone needs to be concerned. Vote was six in favor and one opposed (Ms. Wilson). Motion carried.

Chairman Wright presented second reading of Ordinance #2004-038 – an ordinance authorizing a West Carolina Rural Telephone Cable Franchise. A public hearing was held and the following individuals spoke. Mr. Brooks Brown asked if the franchise was going to be based on the previous or amended model discussed at the last meeting. Mr. David J. Herring, President of West Carolina Communications, spoke in support of the ordinance for their company to provide cable to the Town of Iva and Starr. Mr. Fender stated that the ordinance for adoption was based on the newest model adopted by the County. No further comments the public hearing was declared closed. Mr. Greer moved to approve and Mr. Holden seconded. Vote was unanimous.

Ms. Floyd moved to take off the table Ordinance #2004-029 – an ordinance amending Chapter 42 of the Anderson County Code of Ordinances pertaining to law enforcement in Anderson County; and other matters relating thereto (dealing with weeds/wild flowers, etc). Mr. Tolly seconded. Vote was unanimous to remove from the table. Ms. Floyd explained that the ordinance was tabled at the last meeting and now there is a proposal to amend the ordinance. Ms. Floyd asked the county attorney would the wild flower section of the ordinance offset the intended purpose of the ordinance. He said that in his opinion the proposed change would actually strengthen the enforceability of the ordinance. Ms. Floyd moved to approve the amendment to ordinance #2004-029 and Mr. Tolly seconded. Vote was unanimous. Mr. Greer said that he agreed with the ordinance. He asked on page 4- Article VII under "Vermin infestation" refers to "large number" who would decide what a "large number" was. Mr. Greer said that basically it would be left up to the Codes Enforcement department. Also, he said that it affected every piece of property in Anderson County. He said he would like to see two definitions for a subdivision. What is being talked about on a platted subdivision, he believes, is a residential development. Vote on the original ordinance as amended was unanimous.

ORDINANCES – FIRST READING:

Chairman Wright presented first reading of Ordinance #2004-037 – an ordinance to approve a rezoning request by Jeff Herbert to rezone 18 acres in the 5200 block of Slater Road from R-A (Residential Agricultural) to R-40 (Single Family Residential); property identified by TMS #118-00-04-001. A public hearing was held; no comments were heard. Mr. Holden moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Wright presented first reading of Ordinance #2004-041 – an ordinance authorizing and providing for the issuance of Special Source Revenue Bonds of Anderson County, South Carolina; prescribing the form of bonds; providing for the issuance of additional bonds and refunding bonds; limiting the payment of the bonds solely to the net fee payments and park agreement Revenues received and of taxes from certain designated Joint County Industrial and Business Parks and pledging the net fee payments and the Park Agreement Revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing. Mr. Martin explained that this was a bond that could only be paid for from taxes that are paid from properties in a multi-county industrial business park. Mr. Tolly moved to approve on first reading and Mr. Dees seconded. Ms. Wilson asked how much the County owed the State Revolving fund for phases 1A and 1B. Mr. Preston said he could get her the information. She asked how much the County owed on the Michelin Boulevard extension. Mr. Martin said that all of the Michelin Boulevard debt was included in the ordinance. The bond anticipation notes approved by Council in prior years are all combined into this single issue. Ms. Wilson asked if the County had received any state

enforcement letters concerning Phases 1A or 1B for violations. Mr. Preston said he was not familiar with any. Ms. Wilson asked everyone to look on page A-2 and note the principal amounts due. Vote was six in favor and one opposed (Wilson). Motion carried.

Chairman Wright presented first reading of Ordinance #2004-042 – a First Supplemental Ordinance providing for the Issuance and Sale of an Anderson County, South Carolina, Special Source Revenue Bond, Series 2004, not to exceed \$8,200,000; and other matters relating thereto. Mr. Preston recommended first reading approval. Mr. Dees moved to approve and Mr. Tolly seconded. Ms. Wilson asked if the 8.2 million dollars represented the total cost of all the projects. Mr. Martin said that the only absolute assurance was the maximum amount of the bond. On projects completed the costs are known. For the projects still pending (Walgreen), the County has set an absolute limit on it so it will not change. The only ones that could change are the ones that have not been completed and for which a cap has not been set. This represents a very fractional share of the total bond issue, he said. Vote was six in favor and one opposed (Wilson).

RESOLUTIONS:

Chairman Wright read Resolution #R2004-046 – a resolution approving a Memorandum of Understanding and Agreement between the County and the South Carolina Association of Counties relating to the South Carolina Association of Counties being authorized and designated as the claimant agent for the County pursuant to the Setoff Debt Collection Act of 2003, as amended; authorizing and directing the Anderson County Administrator to execute such Memorandum of Understanding and Agreement; and other matters related thereto. Mr. Dees moved to approve the resolution and Ms. Wilson seconded. Vote was unanimous.

Chairman Wright read Resolution #R2004-048 – a resolution making application to the State Budget and Control Board of South Carolina for approval of the Issuance by Anderson County, South Carolina of its Special Source Revenue Bond, Series 2004, in an Aggregate Principal Amount of not to exceed \$8,200,000, pursuant to the provisions of the South Carolina Code Annotated, Title 4, Chapter 1 and 29 (1976), as amended. Mr. Greer moved to approve and Mr. Tolly seconded. Mr. Greer said that as he listened he heard reference to debt of over 25 million dollars – he said that Items 8(d) is 7.3 million, 9 (c) - 8.2 million and 10 (b) 8.2 million. He said that item 9 (c) and 10 (b) were the same money. Vote was six in favor and one opposed (Wilson).

Chairman Wright read Resolution #R2004-050 – a resolution to provide for the commissioning of certain named Code Enforcement Officers to provide for the proper security, general welfare, and convenience of the County of Anderson, South Carolina. Mr. Tolly moved to approve and Mr. Dees seconded. Vote was six in favor and one abstention (Wilson). Motion carried.

EMS CONTRACTS: Mr. Fred Tolly said that seven of the rescue squads had requested that their contracts be extended for another 5 years. No additional monies have been requested and there will not be any attorney fees. Mr. Tolly moved to approve and Ms. Floyd seconded. Mr. Greer said that he was in favor of this but Council needs to pause and look at other information as Council considers this. He said that the Council has an EMS system that requires a 7.59 response time. There are areas in the County where the 7.59 response time is not practical (dead zones). He said that Council discussed QRVs to address the problem. He presented a slide presentation that proposed Council should slow down and take another look. He said that

if the County had the QRVs in place there would only be a couple small areas not covered in the County. Mr. Greer said that currently the County has an EMS system that requires a 7.59 response time but the County also has large areas, in more than one location, where the 7.59 time is not practical. He said that council had discussed, on numerous occasions, and tried to come to some type of conclusion concerning QRVs to address the issue. While Council is trying to decide there are people out there possibly dying because Council has not established some type of service that would enable the emergency medical people to get there in a timely manner. He said he was not proposing that the County not renew the contract, he was proposing that Council slow down and look at some other information. He said there were a lot of areas in the County that do not have EMS service provided in the 7.59 response time. They are located in all Council districts. He showed in the presentation five possible QRV sites: one in the Ebenezer area, one in the Williford area, Wild Hog Road –off 187, one near Sandy Springs, and one up above Piercetown. Currently the citizens in the areas un-served by the 7.59 response time are paying the same level of taxation for EMS service as those in the 7.59 response areas. When the County was debating the QRV issue, Mr. Shore, stood before Council and he offered an explanation on why he could provide two QRVs for the price of one. He said that most of the calls for the EMS service were Medicaid and Medicare and he said that South Carolina was the lowest reimbursement state in the nation for Medicaid and Medicare fees. He also said that Congress voted to take the EMS service and put it as a fee-schedule and by doing that it brings the rate in South Carolina providers up while it brings California and New York rates down and he said that they were going to make more profit in the next three years as the fee schedule matures. In doing so, they are able to offer more services to Anderson County for less subsidies, Mr. Shore said. Mr. Greer said that Mr. Shore stated that what was going to happen on the renewal time was they were going to be able to provide the area for less subsidy because Medicare is paying more for the services that they provide. Those increases are going to reduce the subsidy to the taxpayers. The reason taxpayers had to subsidize EMS was because Medicare, their largest payer, paid them such a small amount – they paid less than it cost to deliver the service, stated Mr. Shore. He said that now they would be less dependent upon the taxpayers in the future because of the Medicare increases in their rates. He said that during the discussion he asked Mr. Shore was he willing to lose \$720,000 over a 5-year period and his answer was yes. Based on the above question and answer and the changes in the Medicare payment, MedShore's contract could be reduced by \$144,000. Mr. Greer asked if the revenue collections have improved this well for MedShore was it possible that they have improved similarly for the squads as well. He asked if it was possible to use subsidy reductions to fund the QRV program and allow the squads and MedShore to provide the QRV service so that the County could provide a 7.59 response time to all of the County residents and not just part of them. He said his concern was a Council renews the contracts that they get the best level of EMS service possible for the amount of money the County is spending. He said he did not propose reducing the subsidies to the squads – what he would like to see is an increased level of service so that everyone has the 7.59 response time. Mr. Tolly said that MedShore was a different "animal" from the eleemosynary squads all together and the QRV situation is something he is in favor of (not the County operating them) but the QRV and MedShore is not germane to his motion therefore he called for the question. Ms. Floyd seconded. Vote on the call was six in favor and one opposed (Wright). Motion carried. Vote was unanimous to renew contracts as is.

APPROVAL OF PROPOSED LANDFILL MEDIATION SETTLEMENT: Mr. Lawton McIntosh said that Anderson County was made a defendant in a suit brought on by Oconee County and later

Pickens County joined in leaving Anderson County by itself regarding property purchased and earmarked for a tri-county landfill. On September 2, 2004 mediation was done and a long negotiation process began. He said that they believe to have reached the best-negotiated settlement for the County. He recommended the settlement. Ms. Wilson moved to approve the proposed mediation and Mr. Tolly seconded. Mr. Dees asked the Attorney (Mr. McIntosh) what the distinction between this proposed landfill and the Big Creek landfill. He said the only coalition that would be at the time the deal was made for the Big Creek landfill a provision was made for Oconee and Pickens Counties would be able to utilize those services at a negotiated price. Besides that they are totally different and separate projects, he said. Council thanked the attorneys for all their hard work on the negotiations. Vote was unanimous.

PRESENTATION BY THE CHARPING FARMS NEIGHBORHOOD ASSOCIATION: Mr. Chuck Pinion said that he was representing 70 families of the Charping Farms neighborhood. He said that the appeal was to ask council to have roads adopted by the County. He said that the county engineers came out and looked over the roads to see what would be necessary for the County to take possession of the roads. They were given a list of 30 items with several items under each major item. He gave a brief history of the development and the roads. He said that the developer was Gene Cromer. Mr. Tolly said that the county has a lot of these situations come up with neighborhoods and subdivisions and the ultimate responsibility is the original developer. Mr. Tolly said that they might want to consider a special tax district. Council explained that all districts have the same problem however there were certain standards that roads have to meet before the Council will accept them into the County road system. This is to protect the taxpayer. Mr. Holt Hopkins explained the situation. Council received as information.

PRESENTATION BY THE TAXPAYERS ASSOCIATION: Presentation was postponed until a later time.

PRESENTATION: Ms. M. Cindy Wilson asked if everyone got copies of the depositions that she passed out at the last meeting and if Council had a chance to look over. No member of Council responded. She told the public that copies were available. She said in one of the dispositions that brought great curiosity and a lot of questions involved a gentleman present in the Council Chambers and she said she wondered how many people realized that the gentleman comes all the way from Latta, South Carolina and he is paid \$5,000 per quarter to come attend the council meetings. He also receives a royalty for every ton of garbage that comes into the landfill. There were also many instances where he brought checks to the administrator and members of council. She said that a lot of people have questions. There are campaign contributions made from Allied Waste Industries made to some Council members (\$1,000). There is a gentleman by the name of Jim Swistock who is mentioned several times as a partner in the landfill and he made a \$1,000 contribution to a number of council members. She said she thought this was a serious matter and she said that it was time for along discussion so that the questions can be put to rest. She requested and moved that Council, as a body, instruct Mr. Preston to provide the legal expense vendor files and also provide some of the ledger reports in a timely manner for their review. Motion died from lack of a second.

Mr. Holden said that while Council was talking about campaign contributions ... Mr. Holden was stopped by the Chairman and said that he didn't allow the issue at the last meeting and he was not going to at this meeting.

APPOINTMENTS: Mr. Tolly moved to appoint Mr. Joe Garvin of 218 Middleton Shores Drive, Anderson be appointed to the Planning Commission. Mr. Dees seconded and vote was unanimous.

REQUESTS BY COUNCIL MEMBERS:

Mr. Tolly moved to appropriate \$50,000 from District #1 paving account for the widening of Tolly Street for the Salvation Army. Mr. Dees seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$ 500 from District #1 Recreation Funds for their new Foundations Kick ball fundraising tournament. Mr. Dees seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$5,000 from District #1 Recreation Funds for the YMCA's fundraising golf tournament.

Ms. Floyd moved to appropriate \$50,000 from District #2's paving funds for widening of Tolly Street for the Salvation Army. Ms. Floyd said that payment will be made upon presentation of an invoice. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$2,000 from District #3's Recreation Account to the Town of Iva for repairs to the Iva Civic Center. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 from District #3's Recreation account to the Starr Fall Festival and Beautification Association to support the Starr Fall Festival. Mr. Holden seconded and vote was unanimous.

Chairman Wright moved to appropriate \$2,100 from District #4's Recreation account for lighting at the Townville walking track. Mr. Tolly seconded and vote was unanimous.

Chairman Wright moved to appropriate \$2,000 from District #4's Recreation account for fencing around the Double Springs Park. Mr. Greer seconded and vote was unanimous.

Mr. Holden moved to appropriate \$2,000 from District #5's recreation account for the Westside Chorus. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved appoint Ms. Ann Dixon, Ms. Sharon Dill and Mr. Bob Snider to the District #5 Zoning Advisory Board. Mr. Dees seconded and vote was unanimous.

ADMINISTRATOR'S REPORT: (time requested 5/allotted 5 minutes)

- a. Letters of Appreciation: For: County Council and Administrator From: Mr. James Dawson Smith
- b. Reports: Anderson County Litter Report
- c. Meetings:
 1. Anderson County Legislative Delegation Meeting – October 4, 2004
 2. Anderson County Transportation Division Safety Meeting – September 17, 2004
 3. Anderson County Regional Airport Meeting – August 2, 2004
 4. Anderson County Development Partnership Board Meeting – July 22, 2004
- d. Mr. Preston's Letter to Ms. Wilson dated September 21, 2004 regarding Request for Reimbursement
- e. Mr. Preston's Letter to Ms. Wilson dated September 21, 2004 regarding the GLR 110 and GLR 153
- f. Mr. Preston's Letter to Ms. Wilson dated September 21, 2004 regarding Legal Expense Vendor Files
- g. Detention Center's Increase in Female Population

- h. Letter to Betty Bagley, Superintendent of School District Five regarding use of old mill sites for middle schools
- i. SCDOT letter regarding Interchange Enhancement Project
- j. War Hero Honored (News Articles)
- k. Request from City of Belton to Repair/improve Brookside Circle
- l. Paving Request from City of Belton

REMARKS FROM COUNCIL MEMBERS

Mr. Dees – none

Ms. Floyd – none

Mr. Greer said that he was concerned about the Friendship Convenience Center being renovated. He said he would like to see the center remain open. Mr. Greer requested Mr. Preston to get with Mr. Carpenter and try to get an estimate of how many people from Council District #3 as compared to the total usage of the convenience center. He said he would like to have the information by the next meeting.

Ms. Wilson asked what a "MALSR" was that was mentioned in the Airport minutes. Mr. Holt Hopkins said it was the lights at the end of the run-way. She said that the agenda had a letter in the packet regarding the purchase of mill sites by the school board. She asked where the item was in the budget. Mr. Preston said that it was under demolition and was covered by a \$10,000 grant from DHEC. Ms. Wilson said that the Friendship Convenience Center was a vital part of the community. She said that Mr. Preston hired an engineering firm out of Macon, Georgia and for what he spent on that the county probably could have completed the renovations.

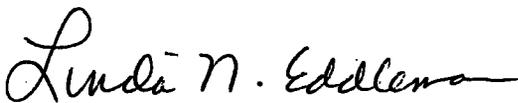
Mr. Tolly – none.

Chairman Wright thanked everyone for staying so late.

Mr. Tom Martin reminded everyone of the agenda deadlines for the November meetings because of the change of dates in the first meeting in November.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted,



Linda N. Eddleman
Clerk to Anderson County Council