

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting – March 19, 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 (became ill and left early)  
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, March 19, 2002 at 6:00 p.m.

Citizens Comments: (1) Ms. Elizabeth Peace thanked Mr. Preston for being the first public official in the 54 years that she has been a resident of Anderson to acknowledge there was such a thing as a veteran. She thanked Mr. Preston for building the first monument in South Carolina at County expense on County property to honor all veterans. She thanked Mike Holden and the late William Floyd for their contribution for their original idea of bringing into fruition this tribute to all veterans. She asked Council to form a study committee to completely study this monument and its location. She held a quarter and said that the head side represented the present monument and its present location. The other side (tail) represents the moving of the monument to a more highly trafficked area, a more accessible area for all the citizens and a site that is traveled daily by the youth of Anderson to see the monument so that it might become an educational tool to truly teach the youth the of price freedom. The coin has an equal value regardless of what side of the coin is up. She said that so is the monument – it has equal value. She said that she has never asked anyone to draft a resolution, she only wrote a letter to Chairman Larry Greer asking him to ascertain whether there is a more of a need to enhance the area landscape at the present site or whether to move the monument to a more heavily trafficked area for the youth. (2) Mr. Steve Barnes, Vice Commander of Post 5996 Highway 29 North stated that they represent nearly 700 members and no complaints have been received as far a the location of the Veterans monument. (3) Mr. Tom Clark said he has had plenty of complaints through individuals that are not happy with where the monument is located. He said he supports Ms. Peace and her efforts to put the monument in a more visible and accessible place. He also said that he did not think that no one has done as much for the veterans that Ms. Peace and she deserves the recognition and respect of every veteran in the County. He also said that he supported Ms. Wilson 100% in her effort concerning an audit. (4) Mr. Ed Jean stated that he thought the monument was in a good place and there was no reason to move it. He said that he

has a great deal of respect for the monument and he hasn't received any complaints. (5) Mr. Johnny Caldwell said that he had to do a difficult thing at this time and that was to speak against something that Ms. Lib Peace said. He said that in 1967 he and a friend went to their teacher (Ms. Peace) and said, "we've joined the Marine Corp and we're going to Vietnam". His name, along with his brothers and best friend Bud McDowell, posthumously are on the monument. He said that he had the honor to be one of the speakers at the dedication and it was a special time that he will always remember. He said that he had statistics of which he read which he said might help Council Members making a decision about the monument. He said that the monument was in a great place and a very sacred place and he was personally offended that it would be politized in any manner whatsoever. (6) Carl Johnson of 2200 Marchbanks Avenue a World War II veteran said that Ms. Peace has been a mother of each veteran in this County and he knows no one that has done as much as she has. He said he does not like the location and doesn't care who knows it. He feels that the monument should be in front of the County seat. He also said he was in favor of an audit - 1000%. (7) Dan Harvell stated the monument could have been put in a better place however personally; the County would be doing a good service to form a committee to check on the feasibility of moving it to a more prominent location. (8) Mr. Mike Holden made following statement on behalf of Mr. Garrett Hanley the Chaplin at Richard Campbell Hospital. He said that all the veterans that he has talked with are proud that Anderson County has built a monument in their honor and wanted to keep it where it is location. (9) Ed Jean spoke under "Other Matters". He said that the conduct of the last Council meeting. He thanked Chairman Greer for enforcing the procedural rules with regard to the conduct and the times allowed for citizens speaking. He said that the decorum in speaking should be exhibited by everyone.

Chairman Greer recognized Boy Scout Troop 84 led by Rod Cutts.

Ms. Gracie S. Floyd recognized "MEN AT WORK" an organization established 4-5 years ago to lend "helping hands" to our youth, senior citizens, and citizens of Anderson County. She recognized some of the members present at the meeting: President is Mr. Marion Terrance, Mr. Rufus Clinkscales, Mr. Charley Ervin and Mr. Ullis Broome. Ms. Floyd presented a plaque to the group for their outstanding work to Anderson County Citizens. Council commended the group also.

Ms. Gracie S. Floyd and Mr. Mike Holden recognized employees of MedShore Ambulance Service for receiving the "EMS System of the Year" award. Mr. Greg Shore commended Council for their recent changes to the EMS system and then he presented his award to Anderson County for the County to display in a prominent place.

Mr. Chuck Watkins presented Mr. Tommy Whitaker as Employee of the Month of February. He received all the special "Employee of the Month" gifts and was commended for his outstanding work for Anderson County for over 20 years at the Starr C & D Landfill. Council also commended Mr. Whitaker for a job well done.

With no objections from members of Council, item #9C was moved up to be next on the agenda. Chairman Greer presented Resolution #R2002-034 - a resolution supporting the local match for the CDBG Community Investment Application. Ms. Gracie S. Floyd stated that she is offering this resolution for a CDBG Community Investment Application and then she read the resolution. Ms. Floyd moved to approve the resolution for public sewer lines for the Lyonswood Community. Ms. Wilson and Mr. Tolly seconded. Council discussed. Ms. Wilson said that she fully supports the Resolution but she said that it would be helpful to receive a preliminary engineering

report in order to have some idea of the cost. She also stated that she would like to add to the Resolution that this funding should come out of the Sewer fund, which is primarily funded by the 3-mill sewer tax. Mr. Preston said that the preliminary budget is around \$700,000-\$750,000 maybe less. When the bids come in he will know for sure. The matching funds will come from the Sewer Capital Projects fund that will be included in the next fiscal year budget. Mr. Holden stated that he has several areas in his district that are in desperate need also. He suggested that the County needed to prioritize how the grants are distributed. Mr. Wright also agreed with Mr. Holden because he has several communities in his district that need help also. He would like the same opportunities for his district as any other district. Vote was unanimous.

Mr. Dees asked Mr. Preston to report on the Pelzer Sewer issue. Mr. Preston said that he had met with Senator O'Dell regarding the request from the Town of West Pelzer and the information was forwarded to the State Budget and Control Board. District #7 representative appropriated \$3,000 and the check was sent to West Pelzer. He has been notified that the State Budget and Control board will honor the balance of the invoices, which is \$1,700.00 to make the project complete.

Mr. Dees moved to reconsider 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. Holden seconded the motion to reconsider. (On February 5th the resolution was tabled; on March 5<sup>th</sup> the resolution was removed from the table and approved with amendments.) Motion to reconsider was six in favor and one opposed (Wright). Motion carried. Mr. Dees said that he had spoken with more than one EMS provider and he had received calls with concerns regarding Council's laxity in looking at criminal background investigations. After researching and receiving information from the state, he realized that Anderson County does not employ EMS providers but however the County does fund a great deal of that, it is in his opinion that Council had an obligation to protect the public as much as possible from folks who may have a criminal conviction entering their home or dealing with their property. He suggested that the County Attorney come up with some sort of standard for EMS providers within this County concerning hiring of and current employees regarding background investigations and who should stay and who should not. Mr. Wright said that he would like to see the new information that Mr. Dees referred to, so he then moved to table Resolution #R2002-008 in order to review the information. Mr. Tolly seconded and vote was unanimous.

Chairman Greer read Resolution #R2002-033 – a resolution recognizing and honoring Anderson County resident and Tri-County Technical College Graduate, Teresa E. Smith, for being selected as the outstanding educator of the year by the South Carolina Technical College system. Mr. Holden moved to approve the resolution and Mr. Tolly seconded. Vote was unanimous. Mr. Holden presented a framed copy of the resolution to Dr. Teresa Smith. All members of the family were recognized.

At this time, Ms. Floyd became ill and had to leave the meeting.

Chairman Greer read Resolution #R2002-032 – a resolution recognizing and honoring Anderson County Registration and Elections Commission Director, Patsy B. Brown, for being selected as the 2001 Outstanding Registration and Election Official by the S. C. State Election Commission. Mr. Greer moved to approve and Mr. Wright seconded. Vote was six in favor and one absent. (Ms. Floyd absent). A framed copy of the

Resolution was presented to Ms. Brown and she was commended for her achieving the award and for her outstanding job performance.

Chairman Greer read Resolution #R2002-026 – a resolution honoring and recognizing Mrs. Edna H. Cason, retiring Clerk and Treasurer for the City of Belton, South Carolina, for her many years of dedicated public service; and other matters related thereto. Mr. Greer moved to approve and Mr. Dees seconded. Vote was unanimous. (6/0)

Chairman Greer read Resolution #R2002-027 – a resolution honoring and recognizing Mr. Miles B. Hadley, upon his retirement as City Administrator for the City of Belton, South Carolina; and other matters related thereto. Mr. Greer moved to approve the Resolution and Mr. Wright seconded. Vote was unanimous. (6/0)

Council recessed at 7:10 p.m. Chairman Greer called the meeting back to order at 7:17 p.m.

Ms. Wilson asked for a point of Personal Privilege. She reported that the Small Business Ad Hoc committee met today. The committee received a presentation by two professors from Clemson University and from Appalachian Council of Governments. A lot of great ideas have been brought up that will help our small businesses, she said. A lot of small businesses are struggling to meet their insurance requirements and the presentation gave updates on efforts in that direction. Another update will be given later. Ms. Wilson said that it appeared that she is being blamed for the length of the meetings and at the last meeting there were a number of breaks that did exceed 5 minutes and was not her prerogative. There was also an item brought off the table also, which was not her prerogative. She said that she had requested of the Chairman and the Administrator for a list of participants and the minutes of a meeting which took place on March 7 to which the District #7's representative was not invited or notified. She said that the meeting could have violated the state's FOI requirements. Chairman Greer asked what meeting she was referring to and she said the one dealing with Oconee County. Chairman Greer read the letter from Ms. Wilson and he said that #1 - her letter implied that he as chairman and other members of Council held in meeting without notifying the District #7 representative, #2 - the letter implies that Council members during this fictitious meeting discussed expending millions of dollars on sewer and solid waste projects, #3 - the letter also implies that the Chairman violated the State FOI requirements, and #4 - the letter states that the District #7 representative requires the complete minutes of this meeting listing all participants. Points and Fact: #1 - Mr. Greer said that the meeting reported by the news article was a meeting of the Oconee County Council to which Anderson County officials were asked to attend. #2 - the implication that he as Chairman and other Members of Council held an unannounced meeting is false. The Anderson County Council Chairman and the Anderson County Council have no authority or power to schedule a meeting of the Oconee Council governing body. #3 - the implication that Anderson County Council members discussed the expenditures of millions of dollars in an unannounced meeting is also false. Not only did the governing body of Anderson County Council not schedule this reported meeting, no Council members were present at the meeting of the Oconee County governing body. #4 - the implication that State FOI requirements concerning this meeting were violated is also false because Anderson County has no FOI responsibilities related to meetings of the Oconee County governing body. It is suggested that the District #7 representative contact the Oconee County Council for the minutes and other information because those are within the confines of the Oconee County Council. Chairman Greer asked Mr. Preston to expand on the meeting. He made the following remarks. He said in 1997, the Anderson County Council voted to

sell the Big Creek Landfill and also in that contract agreed to offer to Oconee and Pickens Counties terms for the use of that landfill. The County has been negotiating the project for over 5 years. The County received a letter recently that Pickens has signed onto the contract. Oconee County invited Mr. Preston to attend the meeting along with staff members to discuss the landfill agreement and the proposed arrangement. It is one of several meetings the County has had with numerous officials over the past 5 years. The Oconee Council was very intrigued impressed about the Anderson County Sewer Plan. A lot of questions were asked about the plan and they felt like they could make and model a plan for Oconee like Anderson county's plan. The questions were simply answered.

Dr. Bob Austin recognized individuals who have had an impact on beautification in Anderson County. He said that they applaud Council for their efforts with controlling litter in Anderson County. Ms. Michelle Strange gave an update on projects going on in the County. Council received as information.

Chairman Greer read and presented third and final reading of Ordinance #2002-005 – an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone from R-A to R-20 approximately 45.048<sup>±</sup> acres of property in the Hammond School Precinct on the west side of Stringer Road: BEING described generally as beginning at a point on Stringer Road approximately 1740.8<sup>±</sup> feet north-northwest of its intersection with Old Williamston Road, thence north 144<sup>±</sup> feet to a point, thence west-northwest 1428.4<sup>±</sup> feet to a point, thence west-southwest 164.3<sup>±</sup> feet to a point, thence southwest 444.2<sup>±</sup> feet to a point, thence west 396<sup>±</sup> feet to a point, thence northwest 248.1<sup>±</sup> feet to a point, thence west-southwest 254.75<sup>±</sup> feet to a point, thence west-northwest 390<sup>±</sup> feet to a point, thence southeast 504.83<sup>±</sup> feet along Beaverdam Creek to a point, thence east 1791.83<sup>±</sup> feet to a point, thence southeast 711.2<sup>±</sup> feet to a point, thence south-southeast 468<sup>±</sup> feet to a point, thence east 450<sup>±</sup> feet to a point, thence north-northwest 800<sup>±</sup> feet along Stringer Road to the point of beginning. The property is identified by TMS#172-00-02-016 and is fully described by Plat Book 17, Page # 114. Mr. Ricketson explained that the Planning Commission and the Citizens Advisory Board both recommended approval. Mr. Dees moved to approve and Mr. Wright seconded. Ms. Wilson stated that she had a conflict of interest and would recuse herself and also she would submit a recusal form to the Clerk. Vote was five in favor, Ms. Floyd absent and Ms. Wilson recusing herself.

Chairman Greer read and presented third and final reading of Ordinance #2002-006 – an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone from R-A to C1-R approximately 2.35 +/- acres of property in the Hopewell precinct on the south side of Long Road: Being described generally as beginning at a point on Long Road approximately 702 +/- feet northwest of its intersection with Wilson Road, thence southwest 389.65 +/- feet to a point, thence northwest 294.64 +/- feet to a point, thence northeast 383.61 +/- feet to a point, thence southeast 236.90 +/- feet along Long Road to the point of beginning. The property is identified by TMS#170-00-05-002 and is fully described by Plat Book Reference DB 9v, page #261. Mr. Ricketson informed Council that the Planning Commission and the Zoning Advisory Group recommended approval. Ms. Wilson said that she also had a conflict of interest and she would recuse herself. Mr. Wright moved to approve and Mr. Dees seconded. Vote was five in favor, Ms. Floyd absent, and Ms. Wilson recused. Motion carried.

Chairman Greer presented third and final reading of Ordinance #2002-010 – an ordinance amending in certain limited particulars Chapter 30, Article VI, of the Anderson County Code of Ordinances pertaining to regulation of security and/or burglar alarm systems in Anderson County; and other matters relating thereto. A public hearing was held and no citizens wished to speak; therefore the public hearing was declared closed. Mr. Dees moved to approve on third reading and Ms. Wilson seconded. Vote was 6 in favor and zero opposed. (Floyd absent).

Chairman Greer presented second reading of Ordinance #2002-008 – an ordinance authorizing the leasing of available commercial office space at the Anderson Airport; and other matter related thereto. A public hearing was held however no citizens wished to speak and the public hearing was declared closed. Mr. Wright moved to approve and Ms. Wilson seconded. Vote was unanimous.

Chairman Greer presented second reading of Ordinance #2002-011 – an ordinance amending, in limited particulars only, section 38-638 of the Anderson County Code of Ordinances pertaining to the means by which a road may be designated as a County road, and other matters related thereto. A public hearing was held; no comments were received. On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve on second reading as presented.

Chairman Greer presented Resolution #R2002-030 – a resolution to form an advisory committee to study the advisability and feasibility of moving the Veterans Monument to a more accessible and approachable location including the associated costs and selection of other sites. This committee should also, study the option of keeping the monument at its current site with recommendations to include landscape improvements and accessibility improvements. Mr. Greer called on Ms. Wilson, the sponsor of the Resolution. She reported that she had a lot of calls concerning the Resolution. She then read the resolution in its entirety. Ms. Wilson moved to approve the resolution. The resolution died from lack of a second.

Chairman Greer presented Resolution #R2002-031 – a resolution calling for an arms length audit of the finances of Fleet Services Department, Solid Waste fund and associated accounts including recycling; Airport Fund, Michelin Project, and the 38 accounts labeled miscellaneous. He then called on Ms. Wilson the sponsor of the resolution. She said that at the last meeting there was not ample time to discuss this and Mr. Holden had informed her that there were some really bad things in Fleet Services Department and that is where Council needed to be looking. Ms. Wilson said that on the Airport fund there was much discussion concerning the use of a federal grant in the amount of \$505,000 used as retained positive earnings for two years without expenditures and she had questioned whether that was proper or not. She called Council's attention to page 45 where there was a restatement in the audit. Also the use of loans that has been made to the Airport funds and there are some very serious losses. Ms. Wilson reserved the right to make other comments under the Administrator's report. She also stated that the 38 accounts labeled miscellaneous would be better served having a title for what they are actually used for. From July to November there were more than \$300,000 spent out of accounts labeled miscellaneous. She said that they owe this to the public to do an arms length audit. She said that there were some very serious matters to be contemplated and with County Council members being responsible and if there are problems; should something be found that is inappropriate or criminal, she wanted to make sure she was exonerated in her efforts to be accountable. Ms. Wilson moved to approve. The

resolution died from a lack of a second. Mr. Holden said that he has never given Ms. Wilson any information that would lead her to ask for investigations.

Mr. Greer presented a proclamation proclaiming April 2002 as Anderson County Child Abuse Prevention and Awareness Month and April 11, 2002 as Guardian Ad Litem Child Advocate Day. Ms. Betsy Chapman, the S.C. Public Relations Director for the Guardian Ad Litem Program asked Mr. Greer to present the Proclamation at the special program planned for April 11 at 5:30 p.m. in front of the Courthouse steps. Ms. Wilson moved to approve the proclamation and Mr. Holden seconded. Vote was unanimous.

Mr. Greer asked for a Point of Personal Privilege. He asked that when council is dealing with items on the agenda, the correct procedure for these items is to have a motion and a second on the floor before Council entertains any discussion on the subject. He asked all Council members to following this procedure.

Mr. Tolly asked the Administrator to look into the possibilities of placing at the New Courthouse and the Civic Center automatic defibrillators and report back.

Mr. Tolly moved to appropriate \$5,000 for the Salvation Army's Boys and Girls Club from District #1 Recreation Account. Mr. Dees seconded and vote was unanimous.

Mr. Holden presented a request for Ms. Floyd in her absence of an appropriation of \$1,000 from District #2 Recreation Account for the YMCA. He moved to approve and Mr. Tolly seconded. The money will be used for youth programming. Vote was unanimous.

Mr. Holden presented a request for Ms. Floyd for an appropriation of \$1,000 for ESL (English Second Language) from District #2 Recreation Account funds. Mr. Dees seconded and vote was unanimous.

Mr. Holden moved to appropriate \$5,000 for Senior Solutions from District #5's Recreation account and Mr. Tolly seconded. Vote was unanimous.

Mr. Greer moved to appropriate \$2,000 for Senior Solutions to help the serve the seniors of Anderson County and particularly the Belton Mill Site and Mr. Tolly seconded. The funds will come from District #3 Recreation Account. Vote was unanimous.

Mr. Greer moved to appropriate \$400 for the Honea Path Recreation Association and Mr. Tolly seconded. This is for the t-ball field dug outs and the funds will come from District #3 Recreation Account and to be paid upon completion of work and presentation of invoices. Vote was unanimous.

Mr. Greer moved to appropriate a total of \$5,000 (\$2,500 each) for two fire hydrants from District #3 paving funds. One fire hydrant will be placed on Campbell Road and one will be placed on Rice Road in the Friendship Fire district. Mr. Holden seconded and vote was unanimous.

Mr. Greer moved to appropriate \$30.55 for pipe in the City of Belton. The funds will come from District #3 paving account. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$39,850 for paving repairs at the tennis courts at Leda Poore Park in Belton. The funds will come from District #3 paving account. Mr. Dees seconded and vote was unanimous.

Mr. Preston announced that the County had received the judges' order concerning the storm water and sediment control permits for the Beaverdam Creek Sewer project and the Judge ruled in the county's favor. He handed out a letter from Mike Gullledge for the approval of a SRF loan for the Beaverdam Creek and the Powdersville Sewer improvements at a 3.75% interest rate. This loan is for "1B" of the Beaverdam Sewer project and the county will not qualify for a SRF loan for "1A" as a result of the appeals on the project. He also stated that it will probably cost the County an additional \$300,000 in over the life of the loan and in addition to that the County has invested over \$200,000 in legal fees at this time.

Ms. Wilson stated that Phase "1B" has nothing to do with Beaverdam Creek. It provides sewer down 81 North and the County was advised not to attach this project to the Beaverdam project

**ADMINISTRATOR'S REPORT:**

- a. Anderson County SRF Wastewater Facilities Loan Application
- b. U.S. Department of Justice - 2001 Redistricting Plan
- c. Chamber of Commerce 2002 Minority Membership Drive Proposal
- d. Certificates and Training:
  1. Ms. Judith Shelato - Professional Engineer Certification
  2. Ms. Julia E. Nichols - Hazardous Materials: Operations
  3. Officer Warren L. Fountain - Class Leader Award Detention Center graduate from the Academy
- e. Letters of Appreciation:
  1. For: Mr. Michael Miller From: Mr. Jim Graham - S.C. Department of Public Safety
  2. For: Mr. Holt Hopkins From: Sheriff's Office
  3. For: "Morris" at the Convenience Center From: Ms. Joan Scott
- f. Minutes: Airport Meeting of February 4, 2002
- g. Reports:
  1. Building and Codes Department February 2002 report
  2. Environmental Enforcement February Report
  3. Compliance February Report
  4. Road Maintenance Litter Report for February 4 - March 1, 2002
  5. Detention Center's Litter Report for February 21, 2002
- h. Charter Communications - Revised Late Fee
- i. Charter communications - Upcoming Channel changes
- j. MedShore Ambulance Service Awarded "EMS System of the Year"
- k. Letter from Governor concerning Local Government fund
- l. Grant Award: Emergency Management Performance Grant \$22,147
- m. Grant Award: Terrorism Consequence Management Preparedness Assistance grant (FEMA TCMPPA) - \$10,000
- n. Grant Award: Additional FEMA TCMPPA Grant - \$5,000
- o. Michelin Boulevard Construction Project
- p. Big Smiles Little Scholars (A community dental task force)
- q. Civic Center Events for March 2002
- r. Letter from Senator Billy O'Dell - Resolution R2002-001

There being no further business, Council adjourned at 8:20 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk to Council  
ANDERSON COUNTY COUNCIL

Attachment:           Exhibit A – Ms. Wilson recusal form.