

ANDERSON COUNTY COUNCIL MEETING SCHEDULE

2006

January 3, 2006	@ 6:00 p.m.
January 17, 2006	@ 6:00 p.m.
February 7, 2006	@ 6:00 p.m.
February 21, 2006	@ 6:00 p.m.
March 7, 2006	@ 6:00 p.m.
March 21, 2006	@ 6:00 p.m.
April 4, 2006	@ 6:00 p.m.
April 18, 2006	@ 6:00 p.m.
May 2, 2006	@ 6:00 p.m.
May 16, 2006	@ 6:00 p.m.
June 6, 2006	@ 6:00 p.m.
June 20, 2006	@ 6:00 p.m.
July 4, 2006 <i>cancelled</i>	@ 6:00 p.m.
July 18, 2006	@ 6:00 p.m.
August 1, 2006	@ 6:00 p.m.
August 15, 2006 <i>cancelled</i>	@ 6:00 p.m.
September 5, 2006	@ 6:00 p.m.
September 19, 2006	@ 6:00 p.m.
October 3, 2006	@ 6:00 p.m.
October 17, 2006	@ 6:00 p.m.
November 7, 2006	@ 6:00 p.m.
November 21, 2006	@ 6:00 p.m.
December 5, 2006	@ 6:00 p.m.
December 19, 2006	@ 6:00 p.m.

The meetings are held the first and third Tuesdays of each month at 6:00 PM in the County Council Chambers located on the Second Floor of the Anderson County Historic Courthouse.

Note: Times and dates subject to change.

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – January 17, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3. Presiding
G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee - District #4
Michael Thompson - District #5
William C. Dees - District #6
Cindy Wilson - District #7
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Eddleman - 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, January 17, 2006 at 6:00 p.m. Chairman Larry E. Greer called the meeting to order and asked Mr. McAbee to give the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

APPROVAL OF MINUTES:

Mr. Bill McAbee moved to approve the minutes from the January 3, 2006 meeting as mailed. Mr. Michael Thompson seconded. Chairman Greer moved to amend the minutes by inserting the following verbatim remarks on page 3, middle of twelfth line – "Mr. Greer said that he sees this as a very good project for Anderson County." **Replace with –**

and **Mr. Dees** seconded the motion to amend; and the vote was unanimous. The motion to approve the minutes as amended was passed unanimously.

CITIZEN COMMENTS: Agenda Matters

Mr. Brooks Brown approached and stated that he was in support of the resolution R2006-011 – which puts the County Detention Center under the Sheriff's Office. He said that this would streamline the process, that two sets of administrators would not be necessary, that and it would save the County money.

RESOLUTIONS AND PROCLAMATIONS:

Chairman Larry E. Greer read the title to Resolution #R2006-005 – a resolution recognizing and honoring the Westside High School Football Team for winning its Class AAAA, Division II First Round Playoff Game; and other matters related thereto. Mr. Michael Thompson moved to approve the resolution; and Mr. Tolly seconded. The vote was unanimous. Mr. Thompson read the Resolution into the record and presented the framed Resolution to Coach Ted Luckadoo and players. Council thanked the Coach and players for their outstanding season.

Proclamations – Chairman Greer read a proclamation proclaiming November 27th as Reverend Rufus Mitchell Day in Anderson County, South Carolina. Chairman Greer moved to approve the proclamation. Ms.

Wilson seconded; and the vote was unanimous. Chairman Greer stated that the proclamation would be presented to Reverend Mitchell at a later date.

ORDINANCES – SECOND READING: Chairman Greer read the title for the second reading of Ordinance #2006-002 – an ordinance authorizing the acquisition, ownership and conveyance by Anderson County of lands in the Gemson Research Park and approving a lease with purchase option between Anderson County and the Anderson County Development Partnership as to those lands, and other matters relating thereto. A public hearing was held and no citizens wished to address the issue. Mr. Thompson moved to approve on second reading and Mr. Bill Dees seconded. Ms. Cindy Wilson: "While we always want to do all we can to encourage our Economic Development, I have a few questions because it seems that since public money was used to acquire this property to begin with that the appropriate measure to be made in transferring this property would have been one dollar and other valuable consideration from this group to the County and the County in leasing to the Anderson County Development Partnership. Would someone please tell us what we are actually paying for this property?" Mr. Lummus stated that the County put \$300,000 aside for a portion of the purchase of the land. The additional monies would come from the Anderson County Development Partnership, as well as certain grant sources. The motion to approve was passed six to zero with one abstention (Ms. Wilson).

ORDINANCES – FIRST READING: Chairman Greer read the title for the first reading of Ordinance #2006-001 – an ordinance to approve a rezoning request by Richard Bennett to rezone a portion of TMS#146-00-04-001 from R-20 to C-1N. The rezoning applies only to the front portion of the parcel – 200 feet from and parallel to Highway 81 right-of-way. A public hearing was scheduled. No comments were received; therefore the public hearing was declared closed. Mr. Dees moved to approve on first reading; and Ms. Wilson seconded. Mr. Thompson asked why the Citizens Advisory Committee voted to deny the request. Mr. Ricketson stated that the original request, in October, was for the rezoning of the entire parcel. At that time the Committee recommended denial. The request then went to the Planning Commission. At the Planning Commission, there was further dialog between the applicant and the community. The Planning Commission voted to compromise and recommended approval of rezoning only the front 200' of the property instead of the entire property. Ms. Wilson applauded all the parties involved in the rezoning effort - neighbors, owners, brokers, and the applicant because each made a concerted effort to work this issue out quickly. The motion was unanimously approved.

RESOLUTIONS:

Chairman Greer read the title of Resolution #R2006-011 – a resolution authorizing the Sheriff of Anderson County to commence the orderly transition of the assumption of responsibility for the Anderson County Detention Center from Anderson County; and other matters related thereto. Chairman Greer passed out an amended version of the resolution. He asked Council to note the difference in the agenda packet version and the version he just handed them. He stated that the fourth "WHEREAS" clause was added to the newer version. It reads – "WHEREAS, Anderson County Council desires for all existing work programs at the Detention Center to remain in effect and available, under the same terms and conditions, for all eligible detainees and prisoners." Paragraph two was inserted and the other paragraphs moved further below. The new second paragraph reads – "Anderson County Council desires, urges, and requests the Sheriff of Anderson County, should the operations of the Detention Center be turned over to the Sheriff of Anderson County, to continue to make all existing work programs, under the same terms and conditions, available to all eligible detainees and prisoners." Chairman Greer asked if anyone objected to the substitution of the newer version for the older version in the agenda book. Ms. Wilson asked what were the existing work programs, terms, and conditions. Mr. Preston stated that there were many, such as road and bridges; public works; litter pick-up; the animal shelter; and other clean up efforts. He added that the Sheriff had agreed to continue each of these. Mrs. Floyd said that she felt the amended version should have been given to them earlier. She stated that it would be nice to know what she was "desiring, urging, and requesting". Ms. Preston stated that an ordinance would have to be approved; and he would provide a list of all those programs on the first reading of the ordinance. Chairman Greer stated that since he heard objections, he would open the floor for approval of Resolution-R2006-011 as presented in the agenda book. Mr. McAbee moved to approve with Ms. Wilson seconding. Chairman Greer moved to amend the motion to substitute the updated version in place of the version that was in the agenda packet. Mr. Dees seconded. Mr. Martin stated that state law specifically authorized all work programs. All existing programs would continue once the Sheriff took over the Detention Center. He added that this only applies to prisoners at the Detention Center. Mr. Martin said that the Anderson County Council only supervises and has charge of Anderson County – the County government, as it falls under the State Code. He added that there were certain constitutional offices in Anderson County that were called Anderson County, such as the Anderson County Sheriff's Office, that did not fall under the direction and control of the Anderson County Council. Therefore the Anderson County Council could not direct the operations of the Anderson County Sheriff, including the operation

of the Detention Center, once he took over the supervision of it. He also stated that he believed Council was aware of the Sheriff's close coordination with Anderson County; and the fact that he has always gone out of his way to cooperate and has no reason to expect any differently. He added that County Council does have the budgetary process as a means of effecting its' desires and wishes, but by State Law Council could not actually direct or control – only request of the Sheriff. Chairman Greer said that one of the things he hears, as he moves throughout his district and other parts of the county, is that the citizens paying for the Detention Center want to make sure that the prisoners are doing something during their time of incarceration. They want them to be doing more than sitting and watching television. That is one of the reasons why the amendment is being inserted into the resolution to make it known that this Council wishes for the Sheriff to continue these work programs, so that every available inmate who is eligible and qualified for a work program can actually be out working and serving the people of this county and earning their keep. Sheriff Crenshaw stated that they plan to work every inmate that State law permits. He added that it was a valuable resource for Anderson County Government; and they fully realize that. He assured Council that he had no intention of cutting out any of the programs. He hoped to expand the programs. Ms. Wilson moved to amend the amendment by proposing that in addition, the Sheriff also commence the orderly transition and assumption of responsibility for the Anderson County Park Police. She stated this would aid in more efficient fees and so forth. Motion died from lack of a second. The vote was unanimous to substitute the amended version. The motion to approve the amended ordinance was unanimously passed.

Chairman Greer read the title of Resolution #R2006-008 - a resolution authorizing the execution and delivery of an equipment lease-purchase agreement in the amount of not exceeding \$4,128,960 to defray the cost of acquiring various equipment as approved in the County's 2005-2006 Annual Budget; and other matters relating thereto. Mr. McAbee moved to approve; and Mr. Dees seconded. Mr. Martin explained that before Council was an amended version, which fills in the blanks. He stated that the County received eight bids for the equipment lease purchase, as a result of a "Request for Proposal". The low bid was by Wachovia Bank for 3.485%. The cover bid was 3.5421%, which is less than 1/10th of a percent difference. The resolution has been amended to include Wachovia Bank at 3.485% as the successful bidder, Mr. Martin explained. Mr. Dees moved to amend the motion to substitute the amended version as presented; and Mr. Tolly seconded. Ms. Wilson said that she had not had an opportunity to review the revised version given to Council prior to the meeting. The vote on the amendment was unanimous. Ms. Wilson: "There are many items on the list that I would certainly support the County needing and this looks like a very acceptable interest rate, but more than 4 million dollars in a lease purchase expense is far more even than the Sheriff's deputies' cars needed. It's a lot of money. And I've got a question, and maybe someone can help me answer this, but where is the new 2006 Denali in all of this? There was a 2005 that I was told that had been wrecked and now we have the 2006 and it seems to me that if we're really going to have a fancy, expensive car for Administration that since it occurred well in 2005 – why didn't we buy a 2005 instead of a 2006, if we wanted to be economical. And where is that? Is that in the last lease purchase or is it in the current one up for consideration tonight?" Mr. Preston: "It's not in this package." Chairman Greer said that it was an insurance loss process that the county went through losing one vehicle and purchasing one replacement vehicle, he assumed. Ms. Wilson: "Was it in the original purchase of the 2005 in late 2004 – was that in that lease purchase or where was it?" Mr. Preston responded that it was in the budget and in his contract. Chairman Greer reminded everyone that the bond rating was extremely important in getting the low interest rate. The vote was six in favor, and one opposed (Wilson).

Chairman Greer read the title of Resolution #R2006-009 – a resolution designating the Anderson County DSN Board as an entity in Anderson County to provide transportation to persons with disabilities. Mr. Dees moved to approve the resolution; and Mr. Tolly seconded. The vote was unanimous.

Chairman Greer read the title of Resolution #R2006-010 – a resolution authorizing the Anderson County Administrator to pursue opportunities and programs available through and administered by the United States Department of Housing and Urban Development through creation of a consortium with municipalities with Anderson County and other matters related thereto. Mr. Thompson moved to approve; and Mr. Dees seconded. Mr. Thompson stated that, in the past year, he had been working in his district, particularly in the Homeland Park – Varennes area. This included educating people, such as taking out garbage, picking up their garbage, mowing their yards, and getting rid of their abandoned cars. This year, he stated that he wanted to take the issue a step further, which required grant money. He added that with the consortium with the City – the County could get up to \$400,000. He stated that this particular grant would be targeted toward rental housing and below income families. He added that there were a lot of transients in the area. This type of grant; and this money would go along way in improving housing for those people, he added. He asked Mr. Michael Cunningham to explain. Mr. Cunningham stated that the Housing Consortium would be an agreement between the City of Anderson and the County of Anderson. Low to moderate-income families would be able to enter into non-competitive funding for housing issues includes housing rehab and things of that nature. He stated that the

resolution was the first step in the process. The funds received by the City would be used only in the City; while the funds that the County received would be used in all unincorporated areas of the County. Chairman Greer stated that he assumed, after reading the title, that the program would be available to all municipalities, as well as all unincorporated areas of the County. Mr. Cunningham replied that the funds had that potential. Ms. Wilson said that if these programs were to be available to all municipalities, then she would like an amendment to read that all the municipalities would be equally treated. Mr. Cunningham said that the language included in the Resolution dealt with all unincorporated areas of the County. Chairman Greer said that since the title included municipalities (plural), the door was left open for any other municipally in Anderson County that wished to participate in this program, to do so. Mr. Cunningham said that was correct. Ms. Wilson then asked several questions. What could the Council do to make the program available to all the municipalities? What could be done to make sure that all municipalities are included in the opportunity to participate? And as far as the County, how could areas of need across the County be identified and have the opportunity to participate? She also asked what Council could do to ensure that there is fairness in this program. Chairman Greer suggested that a letter be drafted to all municipalities to inform them that the program is available. Ms. Wilson asked that a copy of the letter sent to all the municipalities be forwarded to her, as well. The motion was passed unanimously.

GROWTH INFORMATION PRESENTATION: Mr. Jeff Ricketson gave a brief presentation on population estimates and projections compiled by the Planning and Community Development Department. A copy was provided to each Council representative. He stated that the County had an historic year, in 2005, in terms of single-family housing permits. The County permitted more new single-family housing last year than any year in history. He added that Anderson County's population has consistently grown at approximately two percent annually for the past decade. He stated that during the last five years, the County grew approximately twenty thousand people. By the year 2010, the population should approach 200,000 residents, according to the projections. A copy of the estimates and projections were placed on file in the Clerk to Council's office.

Council took a 5 minutes recess at 7:05 p.m. Chairman Greer called the meeting back to order at 7:10 p.m.

CLEMSON AREA TRANSIT PRESENTATION: Mr. Keith Moody, Transit Supervisor, stated that on January 10th, the Clemson Area Transit turned 10 years old. He added that there had been a 30% increase in the number of riders on the 4-U System. There were also increases in September, October, and November due to Hurricane Katrina and the fuel shortage making the number of riders rise again. Anderson saw a 27% increase in the year 2005. Council received this as information; a copy of the presentation was placed on file in the Clerk to Council's office.

APPOINTMENTS:

District #1:

Accommodations Tax Advisory Committee – reappointment - Mr. Tommy McDonald

Airport Commission – reappointment - Mr. Dan Gissendanner

Anderson Oconee Behavioral Health Services Board – reappointment Ms. Troyce Anne Ashley, Ms. Danette Hanks (At large appointments)

Construction Board of Adjustment and Appeals reappoint - reappointment Mr. Buck Roberts and Mr. Samuel Greer (At large appointments)

Economic Advisory Board – NEW APPOINTMENT – Mr. Barry C. Visioli

Farmers Market Board – NEW APPOINTMENT – Mr. Preston Jones and Mr. Ron Matheson

Human Relations Council – NEW APPOINTMENT – Ms. Barbara Gaines

Museum Advisory Committee – reappointment – Mr. Joe Farmer

Planning Commission – reappointment – Mr. D. K. Oglesby

Purchasing Review Board – reappointment – Rev. Johnny Shearer

Mr. Tolly moved to approve the appointments. Mr. Dees seconded the motion. Mrs. Floyd stated that four of Mr. Tolly's nominations were appointments at-large – two on the Behavioral Health Services Board and two on the Construction Board of Adjustment and Appeals. Chairman Greer said that any member of Council could make a motion to nominate persons for the at-large positions. Mr. Tolly and Mr. Dees withdrew their motion and second. Mr. Tolly then moved to appoint all nominations except the two for the Behavioral Health Services Board and two for Construction Board of Adjustment and Appeals. Mr. Dees seconded the motion. The motion to approve was passed unanimously.

District #2: None

District #3: None

District #4:
Airport Commission – NEW APPOINTMENT - Mr. Don Acevedo
Mr. McAbee moved to appoint Mr. Acevedo and Mr. Dees seconded. The vote was unanimous.

District #5: None

District #6:
EMS Advisory Committee – REAPPOINTMENT - Mr. Jeff Gallagher
Human Relations Council – REAPPOINTMENT - Ms. Angela Bruce
Land Use and Zoning Board of Appeals – REAPPOINTMENT - Mr. Scott Dunn
Anderson Sports and Entertainment Advisory Committee – REAPPOINTMENT - Mr. James Davis
Mr. Dees moved to reappoint the above listed members; and Mr. McAbee seconded. The vote was unanimous.

District #7:
EMS Advisory Committee – REAPPOINTMENT – Ms. Teresa Morgan
Ms. Wilson moved to reappoint Ms. Morgan; and Mr. McAbee seconded. The vote was unanimous.

Appalachian Council of Governments Appointments:
Chairman Greer moved to appoint Mr. Dennis Claramunt as a Citizen Member on the COG Board. Mrs. Floyd nominated Mr. Joe Davenport as the Citizen Member Representative on the COG Board. Mr. Thompson, Mr. Dees, Mr. McAbee, Chairman Greer and Ms. Wilson voted for Mr. Dennis Claramunt; and Mr. Tolly and Mrs. Floyd voted for Mr. Davenport. Mr. Claramunt was appointment by a majority vote.

Chairman Greer moved to reappoint Mrs. Gracie S. Floyd to serve as the Minority Representative to the Appalachian Council of Governments Board. Mr. Dees seconded and the motion passed unanimously.

REQUESTS BY COUNCIL MEMBERS:

District #1: None

District #2: None

District #3: Chairman Greer moved to appropriate \$2,000 from the District 3 Recreation Account to the Town of Iva for improvements to the East Lake Street Park. Mr. Tolly seconded and the vote was unanimous.

District #4: None

District #5: None

District #6: Mr. Dees moved to officially name the proposed park in Powdersville after Mr. "Dolly" Cooper; and Mr. McAbee seconded. The park is to be known as "The 'Dolly' Cooper Park". Ms. Wilson: "I'm honored to honor Mr. Cooper for the many years of service but it should be noted that our Administrator, at a press conference months back, said that the Council had voted (past tense) to name that park; and I think that's a little bit presumptuous; and I'm certainly Obligation Bond nor in the budget that anyone could see; and everyone that goes over there and looks at it says it's beautiful land but how are you going to get soccer fields in there. It's very rough terrain and even some of the soccer people over there have asked me "We can't get enough money now and help to take care of, I think, Hurricane Park. How are we going to be able to take care of the new park?" So those are issues that certainly should be considered. But Mr. Cooper will have my vote. Thank you." Chairman Greer asked Mr. Preston if he wanted to respond to Ms. Wilson's statement. Mr. Preston stated that he did not say that. He added that he only said that the park would be named "Dolly" Cooper Park; and that was usually done during the budget process. The vote was unanimous.

Mr. Dees moved to appropriate \$35,000 from the District 6 Paving Account for the Longview Road Culvert project; and Mr. McAbee seconded. The vote was unanimous.

District #7: Ms. Wilson moved to appropriate \$300 from the District 7's Recreation Account to go to the Town of Pelzer for the Pelzer Senior Citizens. Mr. Dees seconded the motion; and the vote was unanimous.

SELECTION OF DATE FOR THE ANNUAL COUNTY COUNCIL RETREAT: Council determined that the following days in February would be available days for the Annual County Council Retreat – February 1st, 6th, 8th, 13th, 15th, 20th, 23rd, and 27th. Mr. Preston will select a site and a date.

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

- a. Certificates and Training: Mr. Tommy Thompson – Prevention & Response to Suicide Bombing Incidents
- b. Letters of Appreciation:

1. For: Anderson County Emergency Services Division Employees From: Fire Chief Jack Abraham
 2. For: Road Maintenance – Mr. Joe Moss's Crew (Mr. Ken Stone, Mr. Steve Miller, and Mr. Duanne Hamm) and Mr. Aaron Smart's Crew (Mr. Billy Lomax, Mr. Sam Ellis, Mr. Denver Mills, Mr. Don White, and Mr. Paul Cribbs) From: Mr. Tom Landers
 3. For: Mr. Holt Hopkins and Road Maintenance Crews From: Mr. Bill Dees
 4. For: Anderson-Oconee Regional Forensics Laboratory From: U.S. Department of Justice, Drug Enforcement Administration
- c. Meetings/Minutes:
1. Regional Airport meeting of December 12, 2005
 2. Anderson County Development Partnership – January 17, 2006 meeting
 3. Delegation Meeting – January 23, 2006
- d. Reports:
1. Recreation Account
 2. District Paving Report
 3. Environmental Enforcement – Animal Control Report
 4. Environmental Enforcement December Report
 5. Anderson County Litter Report
 6. Building and Codes Monthly Report (December)
- e. Video of 12-6-05 County Council Meeting for Ms. Cindy Wilson
- f. Letter to Governor regarding aftermath of ice storm
- g. Eagle Scout congratulated
- h. Departmental Transfers

Ms. Wilson: "This is a question referring to the departmental transfers; and it's the last item of the second page; and it involves the Finance Division Director and a transfer of \$14,224 for the stated purpose of reorganization of the Finance Division. What is that all about? What type of reorganization has there been?"

Mr. Preston: "That was needed to provide the additional staff, to assist with increased volume of Finance business."

Ms. Wilson: "Was that possibly the former Treasurer who went to work in that Department?"

Mr. Preston: "No. This has nothing to do with that."

CITIZEN COMMENTS: Other Matters

Mr. Brooks Brown, IV – Mr. Brown stated that he had repeatedly asked, in the past, for Council to consider giving up their paving account funds and putting it under Mr. Hopkins' control. He added that he met with a little opposition. He said that Council would not be giving up any control by giving up the money. He stated that he was not suggesting giving up the Recreation funds.

Mr. Ed Jean stated that at the beginning of the year, it appeared that everything was going to go smooth with the Council meetings and with Council. But by the end of this meeting, the civility seemed to be gone. He added that he was personally tired of the continuous battles between the Administrator and the Council member from District 7. He said that there was no question that Ms. Wilson had a personal vendetta against the Administrator; and that it all began with the Beaverdam sewer project. He added there was no question, in his mind, that the Administrator had kept the game of "one up-man ship" going too long. He asked Council to try to keep the meetings civil.

REMARKS FROM COUNCIL MEMBERS

Ms. Wilson: "In response to some comments that have been made earlier, I do want to point out that public information is just that – public information. When a Councilman asks to look at certain public records or have copies of certain public records, that's not just a simple request that is up to other public officials to grant or not to grant. That is public information. When we deny any sitting Council Member access to public information; which we individually and collectively are obligated and responsible for, that's breaking the law. I have a few things that I want to point out. I've brought my \$25 gift certificate back tonight. I think I've found the one that was given to us last year for maybe \$20; and I'll have to find that again. It somehow got shuffled back in papers, but I'd like to return this \$25 gift certificate and have the County credited \$25 for that. Additionally, I have some questions. I did receive about five or six weeks worth of GLR 110 reports. This is what I've been asking for regularly; and any person – any private citizen – is welcome to look at what I have; and they are certainly able to go and ask the Finance department to look at them. That should be a right and a privilege that's easily provided for. Now I quickly noticed in here that we're spending a huge amount of money. There were four expenditures to someone called Preston Gates and Ellis. And I know during our deposition a couple of months ago – that's a law firm in Washington. What did we pay a total of \$113,494.67 for, to a Washington Lobbying & Law Firm? I would really appreciate knowing that. Also, I had requested a few days ago for some answers concerning had we actually closed out the county building; which we all voted to sell to a Mr. Forrest Thomas last year. Do we know if that has closed out? If so, I would appreciate a copy of the little front and back of the HUD statement; and also we've had the Jockey Lot Convenience Center. We've been told that every general

obligation bond consideration that the Jockey Lot Convenience center is going to be upgraded and improved. Well, we have employees working out there in some absolutely horrible conditions; and I've been told that a piece of property was purchased, I think, last year or the year before; and we still don't have it opened yet. We went and bought a park. A park that is right on the Greenville County line. If you'll forgive my observation, while it's certainly a beautiful addition to that end of the County, it is not going to serve the numbers of people who pay taxes and expect to be able to take their garbage and get it into the convenience center. I'd like to have a status report on that. Since the Economic Development purchase of the Clemson Research property, it's dependent by a previous statement that the Tri-County landfill site is to be sold to fund, in part, that purchase. I wanted to find out why we received a letter from adjoining landowners to the Tri-County landfill site reporting that they have the only access to that property; and that the three counties have no access to that property. May I see a plat of that property and have some explanation? I think all of the Council members may have gotten a copy of that, I know I did. I think it was back in late November. But I had a number of questions; and I would appreciate, at the earliest possible convenience, that this information be shared with all of us on Council. Thank you."

Mr. Dees said that the Anderson County College of Criminal Justice is sponsoring a Banquet of Appreciation for law enforcement in Anderson County on February 11th at the Anderson County Fairgrounds and special recognition will be given to several officers who have been especially outstanding. United States Marshal Johnny Mack Brown will be the speaker at this event. Mr. Dees stated that yesterday there was a large crowd at the Wren High School Auditorium to hear the United States Naval Academy Gospel Choir. He said the performance was absolutely wonderful. He thanked Wren High School, Robbie Binnicker and John Barnette for getting these people to come because it was absolutely terrific.

Mr. Thompson thanked Mr. Preston and staff for their assistance with his work this past year on some revitalization in his district.

Mr. McAbee – no comments.

Mr. Tolly welcomed Mr. Martin back and said that everyone was glad that he was back.

Mrs. Floyd made a request that the Administrator and the Chair not pass out amended materials during times of discussion. She said that she does not have adequate time to go over the material and also keep up with the discussion. She stated that she received a letter from the Department of Commerce for Council's consideration to lower the assessment of aircrafts. She requested information and stated that this is an item that Council must address soon. She thanked Mr. Brooks Brown for speaking up on the Transportation Funds. She added that she plans on asking for an ordinance to be prepared to make a move on addressing the Council's Transportation Funds.

312,000
\$430,000 She stated that the 1-cent tax would go to the Transportation Fund for bridge repair. She asked that an ordinance be done at the next meeting that will address giving the Paving Funds to the Transportation Department after the coming retreat. She added she personally liked the three-year plan instead of a five-year plan. She welcomed Mr. Martin back.

Chairman Greer welcomed Mr. Martin back and said that he wished him the best, as he continues to recuperate. He encouraged everyone to read the material at each Councilperson's station concerning the airport information, the letter from Mrs. Humphrey, and the letter from the S.C. Department of Commerce. He asked if this was really good for all Anderson County taxpayers or just a tax-break for a privileged few? He asked every County employee to stand. He said Mr. Acker, District Manager of Duke Power, wrote a letter to Mr. Preston commenting on the County's assistance to Duke Power during the recent ice storm. He added that the letter was very complimentary – and that it was a major emergency for Anderson County; and the employees stepped up to the plate. He said that a debt of thanks is owned to those employees.

Being no further business the meeting was adjourned at 8:05 p.m.

Respectfully submitted,



Linda N. Eddleman
Clerk to County Council

■ The figures quoted by Mrs. Floyd include incomplete projects, in some cases, for two or more years so the figures do not adequately reflect the balance.

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – February 7, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3. Presiding
G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee - District #4
Michael Thompson - District #5
William C. Dees - District #6
Cindy Wilson - District #7
Joey Preston - Administrator
Todd Davidson - County Attorney
Linda N. Eddleman - Clerk to Council
Tammie Shealy - Deputy Clerk to Council

ABSENT

Tom Martin - County Attorney

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

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, February 7, 2006 at 6:00 p.m. Chairman Larry E. Greer called the meeting to order and asked Mr. Michael Thompson to give the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Ms. M. Cindy Wilson moved to approve the minutes from the January 17, 2006 meeting as mailed; and Mr. Michael Thompson seconded. Ms. Wilson stated that on page 7 - under "Remarks by Council Members" a member of Council was referring to the amounts of money in each District's paving accounts. She pointed out that the numbers were accurate at the top of the line but it didn't reflect the bottom line. For example it showed that there was \$430,000 remaining in District 7's account; however, that figure includes incomplete projects in some cases for two or more years prior. She said that clarification needed to be made. She then moved that on page 7 of the January 17th minutes that an asterisk be placed on those lines with an explanation at the bottom so that any citizens would have a clarification of the matter. Mr. Tolly seconded and vote was 6 in favor and one opposed (Ms. Floyd). Chairman Greer pointed out that the paragraph on page 1 at the bottom, and the paragraph on page 2 at the top were the same. He moved to delete the paragraph on page 2 at the top of page. Mr. Dees seconded and vote was unanimous. The vote on the minutes as amended was six in favor and one abstention (Ms. Floyd). The motion carried.

CITIZEN COMMENTS: Agenda Matters - Mr. Scott Stephens with the Foster Care Review Board said that he was present on behalf of Mrs. Carolyn Pinson, who would be recognized tonight with a Pride Award. He stated that in addition to the Pride Award, Mrs. Pinson has also been recognized as Outstanding Foster Care Review Chairperson of the Year by the S.C. House of Representatives. The Board acts as an advocate for children who have suffered abuse and neglect. He added that the Foster Care Review Board was seeing a growing number of children entering foster care because of the increase in use and distribution of Methamphetamine by their parents. Because of the volatile and addictive nature of the drug, when the children are removed from their home, they cannot take any of their possessions with them. He said that thanks to the leadership and direction of Mrs. Pinson, the Foster Care Review Board members of Anderson and the Anderson Interfaith Ministries have joined together to raise funds to provide care bags for the children of Anderson County who are affected by the growing number of "meth" labs. This service project will provide care bags for the Anderson County Sheriff's Narcotics Division. The bags will consist of sweat pants, shirt, shoes, under garments, dental hygiene items, and personal care items. He asked each Council member to partner with them by contributing \$500 to help with

funding of these items. Mr. Tom Allen said that he serves on the Anderson County Board of Education and his reason for being at the meeting was to encourage Council to give a positive vote on Ordinance #2006-004 – an ordinance to allow early tax payment from Owens-Corning Fiberglas. Mr. Brooks Brown said that he takes contrary review of Ordinance #2006-004. He stated that there was a part of the United States Constitution called an equal protection clause. This means that you cannot do for one person unless it is done for other. He said that Council could not take 100% payment from Owens Corning and then rebate 10% back. He said he wanted the same consideration and he believed that it would not stand up in court. Mr. Larry Waterman, owner of Familyview Cablevision said that he was applying to have his franchise agreement renewed with Anderson County. He said that his company had provided cable service to a small portion of Anderson County for 13 years.

PRESENTATION TO MS. LINDA C. ELLIOTT: Mr. Fred Tolly presented a framed copy of Resolution #R2005-047 to Ms. Linda C. Elliott for the positive impact she has made to Tri-County Technical College. Mr. Tolly and members of Council thanked Ms. Elliott for her outstanding accomplishments and her devotion to the college. The Anderson County Council adopted the resolution on the 15th day of November 2005.

AWARDS PRESENTATION FOR KEEP AMERICA BEAUTIFUL OF ANDERSON COUNTY: Ms. Jennie Stoltz/Ms. Michelle Strange – This item was removed from the agenda.

PRIDE AWARDS AND PROCLAMATIONS:

Pride Award presented to Mrs. Carolyn Payton-Pinson - Ms. Gracie S. Floyd moved to approve the Pride Award and Mr. Dees seconded. The vote was unanimous. Ms. Floyd said that Ms. Pinson had served on the 10B Foster Care Review Board since April 2002. She demonstrates leadership and professionalism. Ms. Floyd presented the Pride Award to Ms. Pinson and commended Ms. Pinson for her dedication to Anderson County and its citizens.

A Proclamation proclaiming March as "READ FOR THE ENVIRONMENT" Month. – This item was removed from the agenda.

ORDINANCES – THIRD READING:

Chairman Greer read the title for the third reading approval for Ordinance #2006-002 – an ordinance authorizing the acquisition, ownership and conveyance by Anderson County of lands in the Clemson Research Park and approving a lease with purchase option between Anderson County and the Anderson County Development Partnership as to those lands, and other matters relating thereto. Mr. McAbee moved to approve and Mr. Dees seconded. Ms. Wilson said that she had raised the question recently about the funding for this project. She stated that the Council had been informed that the land for the Tri-County landfill would be sold and those funds would be used to purchase this property. She added that everyone received a letter in November regarding the adjoining landowners' claim that they owned the only access to the property by way of a road. She asked the Administrator for some information concerning this and has yet to receive anything. She stated that a piece of land-locked property is not as easily marketable when the only way to reach it was by building a bridge anywhere from \$200,500 to \$300,000. She asked what the status of the situation was and where the money would come from if the County cannot sell this piece to off-set this purchase. Mr. Preston reminded Council that the County received a settlement in the amount of about \$400,000. As far as the property, another appraisal on the property was ordered. The vote was six in favor and one abstention (Ms. Wilson). Motion carried.

ORDINANCES – SECOND READING:

Chairman Greer read the title for second reading approval for Ordinance #2006-001 – 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-20 (Single Family Residential) to C1-N (Neighborhood Commercial) a portion of one (1) parcel of land in the Hopewell Precinct in the 3200 Block of Highway 81 North. The parent parcel is identified by TMS #146-00-04-001 and is fully described by Plat Book 6186, Page #0015. The portion of said property to be rezoned to C1-N shall consist of no more than that area located 200 feet or less from the right-of-way of Highway 81 North. Ms. Wilson moved to approve on second reading; and Mr. McAbee seconded. Ms. Wilson said that the rezoning started out as being a very contentious rezoning issue, but all the parties came together in a meeting for a compromise. Each worked hard and worked out the issue. She commended everyone for working together. The vote was unanimous.

ORDINANCES – FIRST READING:

Chairman Greer read the title for the first reading of Ordinance #2006-003 - an ordinance granting a nonexclusive Cable Television Franchise to Broadband Experience, Inc., D/B/A Familyview Cablevision, in accordance with chapter 14 of the Anderson County Code of Ordinances for the purposes of using public right of way to construct, install, maintain, and operate a cable television system in the unincorporated areas of Anderson County, South Carolina; and other matters related thereto. Mr. McAbee moved to approve and Mr. Dees seconded. Council discussed sections of the ordinance. The vote was unanimous to approve on first reading.

Chairman Greer read the title for the first reading of Ordinance #2006-004 – an ordinance authorizing the Anderson County Administrator to enter into a contractual agreement with Owens Corning, in order to allow early receipt of tax payments from Owens Corning by Anderson County Political Subdivisions; and other matters related thereto. Chairman Greer moved to approve; and Mr. McAbee seconded. Chairman Greer said that the ordinance would return on 10% of the property taxes for the year under the bankruptcy proceeding. He said that the ordinance is very important to School District Three because they are planning to build a new elementary school in their district; and their bond referendum is scheduled for February 28th. Collecting this tax will mean the difference between 10-1/2 million dollar bond referendum and an 11 million dollar bond referendum. Chairman Greer said that he thought this would be in the best interest of the people of that school district. The Bankruptcy Court will not allow Owens Corning to pay 100% of the taxes that are owed for the year under the bankruptcy proceedings, but will allow 90%. Superintendent of School District 3, Mr. Hugh Smith, spoke to Council on the issue. Council discussed further. The vote was six in favor and one abstention (Ms. Floyd). Motion carried.

Council took a 5-minute break at 7:15 p.m. Chairman Greer called the meeting back to order at 7:20 p.m.

Chairman Greer stated that Agenda Items 16 and 17 were removed from the agenda.

Chairman Greer read the title for the first reading of Ordinance #2006-005 – an ordinance to repeal Sections 42-26 through, and including, Section 42-33 of the Anderson County Code of Ordinances and Anderson County Council Ordinance Number 280, which relates to the Anderson County Detention Center; and other matters related thereto. Mr. Dees moved to approve; and Mr. McAbee seconded. The vote was unanimous.

RESOLUTIONS:

Chairman Greer read Resolution #R2006-006 – a resolution expressing intent to cease County maintenance on and to authorize County consent to Judicial Abandonment and closure of a section of certain Anderson County Road; and other matters related thereto. (Langston Road C-18-0079) Ms. Wilson moved to approve; and Mr. McAbee seconded. The vote was unanimous.

APPOINTMENTS: Various Boards/Commissions - All Districts
District #1 - Mr. Tolly moved to appoint Mr. David L. Chamblee to the Assessment Appeals Board. Mr. Dees seconded; and the vote was unanimous.

District #2 – none

District #3 – Chairman Greer moved to appoint Mr. Mike Gray to the Accommodations Tax Advisory Committee, reappoint Mr. Barry Wood to the Airport Commission; reappoint Mr. Shawn McGee to the Economic Advisory Board; Ms. Deloris Green to the Human Relations Council; and reappoint Mr. Russell Vickery to the Planning Commission. Mr. Dees seconded; and the vote was unanimous.

District #4 – Mr. McAbee moved to appoint Ms. Amy Plumber to the Economic Development Advisory Committee. Dees seconded; and the vote was unanimous.

District #5 – none

District #7 ~~26~~ – Mr Dees moved to appoint Ms. Margaret Ivey to the Broadway Lake Advisory Committee, Mr. Michael Fitze to the Economic Advisory Board; and Ms. Donna Roper to the Museum Advisory Board. Ms. Wilson seconded the motion; and the vote was unanimous.

District #6 ~~27~~ – none

Council recessed at 7:40 p.m. for 5 minutes. Chairman Greer called the meeting back to order at 7:43 p.m.

AUDIT PRESENTATION: Mrs. Gina Humphreys gave Council a short summary briefing of the financial highlights for the 2004-2005 fiscal year. She said Anderson County operated within its budget; the General Fund balance increased, and debt per capita is the lowest it has been for 10 years. She also informed Council that the County, had once again, won the GFOA Award, and the budget Award. Council also heard from Mr. Tom McNeish, Senior Audit Manager and Ms. Laurie Smith with Elliott Davis, LLC. She stated that the Council had an unqualified Audit Opinion. The Clerk has placed a copy of the presentation and audit on file in the County Council's office for public inspection. Council received all remarks as information.

PRESENTATION ON SOLID WASTE RECYCLING AND CONVENIENCE CENTERS: Mr. Vic Carpenter gave a brief account of the solid waste collection in Anderson County from 1998 until present. He said that a study was done and a plan was presented to County Council about 5 years ago. The first part of the plan was to create 4-5 large full service regional sites. The sites could handle just about anything that could be generated by the County. The sites would be fast and convenient. Also in the plan were 8 smaller existing neighborhood sites that would handle the basics - garbage and recycling. Finally, some manned recycling center designed for those communities that did not want the garbage but they did want the recycling. They wanted the services of recycling with garbage. Finally 15-20 recycling depots; unmanned high visibility locations that would allow people to bring their recycling and drop it off on their way to and from work. The County started phase one several years ago with the King David Convenience Center in West Anderson. It cost almost \$500,000. Currently East Anderson – the Whitefield site is currently under construction. This will replace the old Jockey Lot site and will cost \$550,000 and is almost a 7-acre site. They hope to open this summer (2006). Still to be completed is the North Anderson and South Anderson sites. Also the Recycling Centers – the Wren Site, the Civic Center and the Powdersville site. The neighborhood convenience center – White Street and Crescent: The White Street site is almost finished with thanks to Ms. Floyd for providing the extra money to finish. The Harris Bridge Road site needs to be replaced. He said that citizens are continuing to move away from using convenience centers. More and more citizens are now using curbside service. More than two thirds of the citizens have elected to use a curbside service; either through living in the City limits or hiring someone to pick it up at their house. The costs to provide all the services have skyrocketed; the fuel and costs to move and dispose of them. Sometimes priorities change; what is important one year is not important the next. The citizens of Anderson County are throwing away more garbage every year per person than the year before. The cost per household to get rid of the garbage has gone up to over \$80 per household in Anderson County. Mr. Carpenter stated that the County had funded the major regional sites with bond issues; the smaller neighborhood sites – Council members have stepped up to build those. Council received the presentation as information.

Council recessed at 8:40 p.m. Chairman Greer called the meeting back to order at 8:45 p.m.

REQUESTS BY COUNCIL MEMBERS:

Mr. Fred Tolly moved to appropriate \$5,000 to the Anderson Sunshine House for the annual golf tournament. The funds to come out of the District 1's Recreation Account. Mr. Dees seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$5,000 to the Anderson Arts Council from District 1's Recreation funds. Ms. Wilson seconded the motion and vote was unanimous.

Ms. Floyd said that she had applied to the "C" funds for \$60,000 to complete some work for the Whitner Street area. She said that it was recommended that the county not do the work. She moved to take the \$60,000 in "C" funds and release it back to the "C" fund committee. Mr. Dees seconded and vote was unanimous.

Chairman Greer said that several meetings ago he moved to appropriate \$1,500 from District 3's Recreation fund for the Belton Middle School for a walking track. He moved to re-appropriate the \$1,500 to Marshall Primary for their walking track. Ms. Wilson seconded. Vote was unanimous.

Chairman Greer moved to appropriate from the District 3's Paving Account up to \$9,000 for the paving of a walking track at Belton Middle School. Mr. Dees seconded and vote was unanimous.

Chairman Greer moved to appropriate \$750 to the Iva Fire Department for repairs to their Civil Defense siren from District 3's Recreation Account. Ms. Wilson seconded and vote was unanimous.

Chairman Greer moved to appropriate \$1,000 from the District 3's Recreation account to Camp 43 of the Sons of the Confederate Veterans for the Battle of Anderson pending satisfaction of all obligations to Anderson County being met. Mr. McAbee seconded and vote was unanimous. This is for John Thomas Ashley Camp.

Mr. McAbee moved to appropriate \$60,865 from District 4's paving account for the funding of Roland Road. Mr. Dees seconded and vote was unanimous.

Mr. McAbee moved to appropriate \$5,000 for the Piercetown Fire Department for a fire truck. The funds to come from the District 4's Recreation Account. Mr. Dees seconded and vote was unanimous.

Mr. McAbee moved to appropriate \$1,000 for the John Thomas Ashley Camp #43 Sons of Confederate Veterans for the funding of the Battle of Anderson contingent upon all obligations to the County being met. Mr. Dees seconded and vote was unanimous.

Mr. Thompson moved to appropriate \$150,000 from District 5's paving account to replace the culvert on Nursery Lane. The road is closed due to culvert failure. Mr. Dees seconded and vote was unanimous.

Mr. Dees moved to allocate \$10,000 from District 6's paving funds in addition to the \$40,000 already allocated to provide for the full \$50,000 match for the sidewalk enhancement program for Wren High School. Ms. Wilson seconded. Vote was unanimous.

Mr. Dees moved to allocate \$500 from District 6's recreation account for Anderson Interfaith Ministries as requested by the Foster Care Board for children. Ms. Wilson seconded and vote was unanimous.

Mr. Dees moved to appropriate \$5,000 from District #6's recreation account to the Piercetown Fire Department for a fire truck and to be presented upon receipt of invoice. Ms. Wilson seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$35,205 from District 7's paving account to the Town of Honea Path for replacement of a culvert at Maryland Avenue. Mr. Dees seconded and vote was unanimous.

QUESTIONS CONCERNING EXPENDITURES AND INFORMATION FOR COUNTY COUNCIL AND PUBLIC:

Ms. M. Cindy Wilson: "Thank you, Mr. Chairman. On January 12th, I sent a letter requesting information. One was the copy of the HUD closing statement for Forrest Thomas' purchase of the County building in Powdersville. I've not yet received that and no response as to whether it has or has not closed. The next item that I'm concerned about right now is I've had no information about the Stitchery Project I requested information on, but not limited to, the costs to date, purchase, closing costs. There were some other questions involved there that I'm also asking questions that I have not received any information from. And also no real information on the status of those three landowners who claim that they have the only access to our Tri-County Landfill site. And also in that same letter requesting information, there had been a newspaper article recently about Wilbur Smith and Associates being engaged by the County to conduct engineering studies for roads and bridges and I think the costs mentioned was \$50,000 and I asked for our Council to be provided copies of those reports and other information. Now what I have found is that for most of 2005 we paid Wilbur Smith and Associates \$105,689.04. That's considerably more than what the newspaper reported. I also found that for a period of 37 weeks, and these figures come by the way from the GLR110, that's a weekly report that we all should be receiving. For 37 weeks the GLR110s reflect that we've paid the McNair Law Firm \$700,006.40. That's only one law firm. Our Administrator's protection against being required to provide access to public information to me has cost the County from June 05 until January 4th this year \$61,189.77 Again that's considerably more than what the newspaper reports. Also I want to point out that this County has paid none of my legal costs. The total costs that were found in the 37 weeks for other legal services were \$90,492.77. Preston Gates and Ellis, our lobbying firm, there again the newspaper was way off the mark. From 8-02-05 to 1-10-06 this County paid to Preston Gates and Ellis the lobbying firm in Washington, DC \$141,415.83. I actually offered to provide the newspaper reporter with access to the ledger reports that showed this instead she chose to print numbers; I'm not sure where she got those. Another astounding matter of expenditure is that we paid the Anderson Area Chamber of Commerce a total of \$51,757.47 to the Chamber of Commerce. I think that's somewhat staggering as well. Now, I have yet to be provided and I asked on behalf of all of us, the information

concerning Preston Gates and Ellis. How much have we paid to that firm in the last three years and were they engaged by retainer or do they have a type of bonus arrangement and a copy of their contract where we've engaged them. It appears that we've probably paid them well over \$200,000. I had also requested the GLR 153 for five departments and that has yet to be provided. Now the question that's also associated with a report in our Council package tonight and I've requested information prior to the meeting tonight so I wouldn't have to ask this one, but what is the extent of Anderson County's obligation to the City of Anderson in their expansion of the sewer plant and sewer line installations at Rocky River and Generostee Creek and to cover the rapidly increasing costs overruns due to rock, natural gas pipelines, and other obstacles. The last number that was printed in the newspaper was that the City incurred a one million dollar cost overrun and that Council was not even apprised of that until well after it was spent. I ran into a contractor last week who advised me that he went down with Moorhead Construction Company looking at some of the issues that the City's run into there and he said it is not over yet. And I want to remind y'all that "rock out croppings" are all over this county and particularly along that Rocky River and Beaverdam basin. It stands to reason that if Elberton is the granite capital of the world that rock does not end at the river y'all. So what have we to look forward to and what is our obligation to Anderson – the Town of Anderson for this? Don't have the answers. I'm requesting that y'all look at this and encourage our Administrator to make this material available to us. This involves millions of dollars that you didn't know about. Thank you."

ACCEPTANCE OF ASCOT, HAWTHORNE RIDGE, AND MOSS CREEK (PHASES I, II, III) SUBDIVISIONS INTO THE COUNTY ROAD SYSTEM: Mr. Tolly moved that the items be split and Ms. Wilson seconded. Vote was unanimous.

Mr. Tolly moved to accept Ascot Subdivision into the County road system and Mr. Dees seconded. It was stated that the County knows of no issues with water and drainage in the subdivision. Vote was unanimous.

Mr. Tolly moved to accept Hawthorne Ridge Subdivision into the County road system and Mr. Dees seconded. Mr. Hopkins stated that the County knows of no issues with water and drainage in the subdivision. Vote was unanimous.

Mr. Tolly moved to accept Moss Creek (Phases I, II, III) into the County road system and Mr. Dees seconded. Mr. Tolly moved to table for further study and Ms. Wilson seconded. Vote to table was six in favor and one opposed (Mr. Dees). Motion to table carried.

ADMINISTRATOR'S REPORT:

- a. Meetings/Minutes: Anderson County Development Partnership – 2006 – Meeting Schedule
- b. Reports:
 1. Status Report – Capital Projects from Design South Professionals, Inc.
 2. Building and Codes Monthly Report
- c. Mr. Fred Tolly's daughter contestant on "Survivor"
- d. ACTC approved projects
- e. Letter from Senator John McCain to Mr. Joey Preston
- f. GLR 110 for Ms. Wilson
- g. PalmettoPride letter on litter control
- h. SC Workers Compensation Trust – County Selected for the 2005 Outstanding Safety Achievement Award
- i. SCDOT's Transportation Enhancement Program FY 2005/06
- j. DHEC's Notification of Consistency Findings – Proposed S. Anderson Transfer Station
- k. Benjamin Franklin Johnson inducted into SC Aviation Hall of Fame

Mr. Preston announced that on February 10 at 2:30 p.m. there would be a Ribbon Cutting for the Starr-Iva Sewer Project.

Ms. Wilson said that Council still didn't have an answer to the Council's obligation to the City of Anderson on the sewer costs overruns. Mr. Preston asked that Ms. Wilson look in the envelope provided with his reply. He said that the County had no obligations.

CITIZEN COMMENTS: Other Matters - NONE

REMARKS FROM COUNCIL MEMBERS

Ms. Floyd requested from Mr. Preston about the Airport regarding a tax decrease from 10% to 4% for airplanes. She asked for a report on the jets. Would this benefit Anderson County to do this. Mr. Preston said that staff was working on the report and it should be complete by the end of the week.

Mr. McAbee – none

Mr. Tolly said that some of the presentations made tonight was amazing to see the sophistication now versus when he came on Council 14 years ago. He said it was wonderful to see that the County has such outstanding Division Heads and a good Administrator.

Mr. Thompson stated that on Centerville Road a Highway Patrolman had someone pulled over. He added that the posted speed limit on Centerville is 35 miles per hour but very few people do 35 through that area. He said that it was a big concern of his. He broadcasted that Highway Patrol was very welcome in that area. He said thanks to the help of Ronny Townsend he was able to obtain money from the state and now Centerville Road is under contract to be repaved. He thanked Rep. Townsend. He said last year he received a press release stating that the County had received bids on the Beaverdam sewer line and he was told that there had been two years of delays. With delays there are usually costs associated with it. He asked Mr. Preston to prepare him a report on how much the delays have costs the County, including increase in material costs, increase in labor, legal fees, special tests and any other costs. He asked for the report by the next council meeting.

Mr. Dees said that he had received calls from various EMS Board members concerning a change in policy regarding air flight crews and things of that sort. He asked Mr. Preston that Council be given some type knowledge concerning both sides of the issues because he only heard one side.

Ms. Wilson said that she just heard a request for information about the delays and the costs on the Beaverdam sewer line. She said that the citizens paid their own legal costs and there was no lawsuit involved because the landowners in the opposition of running the sewer line down Beaverdam Creek – their only remedy was to go before DHEC appealing permits that DHEC issued. Any legal expenses were entirely up to the Administrator. She said that Council might want to question him as to why he would have sometimes 3 and 4 attorneys and their legal aids to come. She said that while reviewing paperwork it was discovered that there were at least two incidences where the County falsified documents to obtain permits. She added that there was due process in the law and landowners and citizens should always avail themselves if they feel that there's a wrong is being conducted. She said that they still believe that the sewer line going down Beaverdam Creek is not really needed for another 15-20 years; if ever at all. The Walgreens and the Alliance Park projects are already served by the Six and Twenty Waste Water Treatment Plant and that plant is starved for incoming flow. It has 1/2 million gallons per day of capacity. The last time she looked it was only doing 75,000-80,000 gallons per day. All that Walgreens is capacity sufficient to flush toilets, which is about 5,000 gallons per day. She asked was it worthwhile to spend in the neighborhood of 12-15-20 million dollars to build this sewer line when there are really no users. Because of the topography of that property the best use of the property would probably going to be light industry and office park. She said to bear in mind that all the heavy users of sewer infrastructure mostly went offshore years ago along with all of the jobs. She asked was it valid for the citizens of the County to pay millions for sewer line that will go for several miles where it is really isn't needed?

Chairman Greer reminded everyone of the County Retreat on February 27 and the KAB luncheon on the same day. Chairman Greer asked Mr. Preston, as he pulled together the information for Mr. Dees on EMS, that he provide him with a geographical justification of the service areas that have been dictated as the Air Ambulance service. He said as far as attorney fees, Anderson County spent considerable amount of money on attorneys defending the people of Anderson County – not the Administrator – not the Council. He said that evidently the strategy and the fees were justified because Anderson County won. He said he was a believer of sewer infrastructure and in order to support economic growth and development you must have sewer infrastructure in place. He said that the money spend on the attorneys who represented the County in Washington – he said that there was a bridge in his district that would get one half million dollars allocation as a direct result of that. He said he'd trade 1 dollar for 5 dollars any day of the week.

Chairman Greer asked Mr. Preston to tell Ms. Humphreys and the Auditors that it was a very good presentation.

Being no further business the meeting was adjourned at 9:30 p.m.

Respectfully submitted,

Linda N. Edleman

Linda N. Eddleman

Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – February 21, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3. Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Todd Davidson – County Attorney
Linda N. Eddleman - Clerk to Council
Tammie Shealy – Deputy Clerk to Council

ABSENT

Tom Martin – County Attorney

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

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, February 21, 2006 at 6:00 p.m. Mr. Bill Dees stated that he had prayed to the God that he worships in his office prior to the meeting and many other times during the day. He asked everyone to join him in reciting the Pledge of Allegiance to the flag of the United States of America.

Ms. M. Cindy Wilson moved to approve the minutes from the February 7, 2006 meeting as mailed and Mr. Fred Tolly seconded. Ms. Wilson called attention to page 3 – at the bottom of the page – the District 6 and 7 appointments were transposed. So the minutes should read:
District [redacted] – none

District [redacted] – Mr. Dees moved to appoint Ms. Margaret Ivey to the Broadway Lake Advisory Committee, Mr. Michael Fitze to the Economic Advisory Board; and Ms. Donna Roper to the Museum Advisory Board. Ms. Wilson seconded; and the vote was unanimous. On page 5 – 14th line from the bottom change figure from \$706,006.40 to \$760,006.40. Ms. Wilson moved to amend the minutes as described above and Mr. Dees seconded. Vote was unanimous. Vote on the minutes as amended was unanimous.

CITIZEN COMMENTS: Agenda Matters - Mr. Ed Jean challenged Council to review the audit line by line and to have the budget prepared in a timely manner. Mr. Brooks Brown said that he was a "die-hard" southerner and deep confederate right to his roots. He expressed dissatisfaction with the proposed Resolution # R2006-013 – naming or renaming a street after Martin Luther King. He said he did not like Dr. King's politics and found him to be a very flawed man. He said that to those who admired and respected Dr. King to do it but not to let it end up like Greenville County. Chose a regular street in plain view, not hidden, a prominent street and let the public see that race has no issue in politics in Anderson County.

EMPLOYEE OF THE MONTH: Mr. Charles Pinson, Human Resources Committee Chair presented Mr. Mike Mitchell from the Sheriff's Department as Employee of the Month for January 2006. Mr. Mitchell was presented all the Employee of the Month gifts and he was applauded for his outstanding job performance.

PRESENTATION RESOLUTIONS, PRIDE AWARDS, AND PROCLAMATIONS:
Chairman Greer read the title to Resolution #2006-012 – A resolution recognizing and honoring Joe Davenport for his service on the Appalachian Council of Governments Board for 25 years; and other matters related thereto. Ms. Floyd moved to approve the resolution and Mr. Tolly seconded. The vote was six in favor,

and one abstention (Ms. Wilson). Ms. Floyd presented the framed Resolution to Mr. Davenport and expressed appreciation to him for his many years of service to the citizens of Anderson County.

Mr. Fred Tolly moved to approve a present a Pride Award to Miss. Paige Dockins. Mr. Dees seconded the motion and the vote was unanimous. Mr. Tolly announced that Miss. Dockins was selected the 2006 Outstanding Youth Volunteer of the Year – South Carolina Special Olympics. Council thanked Miss. Dockins for her service to the Special Olympics and presented her with the framed Pride Award.

Chairman Greer moved to present a Pride Award to Miss. Becky Keith and Mr. Dees seconded the motion. The vote was unanimous. Chairman Greer said that Miss. Keith was selected as the 2006 Athlete of the Year – South Carolina Special Olympics. Council thanked Miss Keith for her athletic ability and presented her with the framed Pride Award.

A Proclamation proclaiming March as "READ FOR THE ENVIRONMENT" Month. – This item was removed from the agenda.

ORDINANCES – THIRD READING: #2006-001 – 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-20 (Single Family Residential) to C1-N (Neighborhood Commercial) a portion of one (1) parcel of land in the Hopewell Precinct in the 3200 Block of Highway 81 North. The parent parcel is identified by TMS #146-00-04-001 and is fully described by Plat Book 6186, Page #0015. The portion of said property to be rezoned to C1-N shall consist of no more than that area located 200 feet or less from the right-of-way of Highway 81 North. Ms. Wilson moved to approve the third and final reading of Ordinance #2006-001 and Mr. Thompson seconded the motion. The vote was unanimous.

ORDINANCES – SECOND READING:

Chairman Greer reading second reading of Ordinance #2006-003 - an ordinance granting a nonexclusive Cable Television Franchise to Broadband Experience, Inc., D/B/A Familyview Cablevision, in accordance with Chapter 14 of the Anderson County Code of Ordinances for the purposes of using public right of way to construct, install, maintain, and operate a cable television system in the unincorporated areas of Anderson County, South Carolina; and other matters related thereto. A public hearing was opened and no citizens wished to speak; therefore, the public hearing was declared closed. Ms. Wilson moved to approve the ordinance as presented on first reading and Mr. McAbee seconded. Mr. McAbee moved to approve the amended version presented and as described in the black lined copy and a memorandum by the County Attorney to Council for consideration. Mr. Dees seconded and vote was unanimous.

Chairman Greer reading second reading of Ordinance #2006-004 – an ordinance authorizing the Anderson County Administrator to enter into a contractual agreement with Owens Corning, in order to allow early receipt of tax payments from Owens Corning by Anderson County Political Subdivisions; and other matters related thereto. A public hearing was held and the following individuals spoke. Mr. Brooks Brown stated that he was against this and he gave the following reason why. He said that the U.S. Constitution says that the Congress shall issue no bills of attainder; private bills specifically targeted for one company-one individual-one entity. In rulings from the Supreme Court they have referred to Congress or Government as all government – even on the county level. Once you have gone this step and said that we will have a private bill of attainder for Owens Corning – then Council has a slippery slope – Council will not be able to stop. If Council accepts this from Owens Corning then they must accept them all. Mr. Roy Herring, Chairman of School District #3's Board of Trustees, encouraged Council to adopt the ordinance on second reading. He stated that the ordinance only sets on bankruptcy only. Mr. Greer moved to approve and Mr. Dees seconded. Mr. Greer read a letter dated February 15, 2006 from the Anderson County Legislative Delegation stating that they authorize approval of terms and conditions as set forth in the Ordinance. The vote was unanimous.

Chairman Greer read second reading of Ordinance #2006-005 – an ordinance to repeal Sections 42-26 through, and including, Section 42-33 of the Anderson County Code of Ordinances and Anderson County Council Ordinance Number 280, which relates to the Anderson County Detention Center; and other matters related thereto. A public hearing was held and no comments were received. Mr. Dees moved to approve and Mr. Tolly seconded. The vote was unanimous to approve the ordinance on second reading.

Mr. Michael Thompson asked for a Point of Personal Privilege. The chairman granted his privilege. Mr. Thompson asked that when the public hearing is held that each speaker identify themselves as residents of the area or not.

ORDINANCES – FIRST READING:

Chairman Greer read first reading of Ordinance #2006-007 – a rezoning request by Mr. Jimmy Davis to rezone 45 acres on Sullivan Road from C-1 (Commercial) to PD (Planned Development District). TMS #95-00-03-007. A public hearing was held and the following individuals spoke. #1- Mr. Bob Snider of 115 Rhodehaven Drive in the Gilmer Estates Community off of Whitehall Road spoke in opposition of the rezoning request and explained that Whitehall Road was too overcrowded now. #2 – Ms. Emily McCallum Arnold – Ms. Arnold stated that she was the owner of the property and had lived there for almost 52 years. She stated that she wanted to sell the property and she feels that Mr. Davis had a good plan and the infrastructure is in place with sewer, roads, fire, schools, churches, and others. She said that the community was important to her and she had graciously given 5 right-of-ways over the years and had never asked for anything. She asked Council to approve the rezoning request. #3 - Mr. Jimmy L. Davis of Jolly Wingo Road the developer of the property asked Council to approve the rezoning request. He said the traffic would be much worse with commercial development as presently zoned. #4 – Mr. Thad Arnold of 104 Arnold Drive (wife is owner of property) asked Council to approve the rezoning request. He stated that the County and the state needed progress. He also stated that the traffic problem was at the school. He said that he didn't think the development would create a traffic impact like the residents think. #5 – Mr. Rufus Revis of 522 Shirley Circle on Hartwell Lake and a small developer in the County said that he supports the plan for the property and asked Council to consider approval of the rezoning request. He said that he counted 68 businesses on 28 bypass for rent, which tells him that the growth is north on 81 and other places in the County. #6 -- Mr. Bill Brissey of 1406 Hunters Trail stated that he also supports the project. He said that he would prefer to see a planned development and Mr. Davis' plan seems to be a good plan. #7 – Mr. Don Acevedo of 1311 Bishop Branch Road, Central stated that he supports the project and the first class job that Mr. Jimmy Davis does. #8 – Mr. William Beaver of 105 Wildcat Cliffs said that communities, in order to thrive, function, grow, and to be a useful benefit to a county and to a city needs all types of businesses and infrastructure that allows it to maintain its' identity within the neighborhood. He urged Council to pass the request. #9 – Mr. Dexter Williams of 3821 Concord Road was involved from the first day Ms. Arnold came to them to help her develop her property. He said they knew it was zoned commercial so they hired a company from Greenville to study and recommend a design that would best fit the area. Realtors and smaller businesses felt that it was not the right time to develop the property commercially. If developed commercially it would have about 1600 trips to and from the property and if it were developed residential it would only be about 400 trips per day. #10 – Mr. David Cothran of 3600 Dixon Road – Centerville Community asked Council to deny the rezoning change because of the traffic condition in the area, if the property remains commercial and is developed as such then there would be a stronger chance of state infrastructure funds and road improvements, and he asked would the schools support an added increase in students. He asked Council to deny the request. #11 – Ms. Pam Shiflett of 3531 Dixon Road said that she was requested to read a letter from the owner of 99 acres behind the proposed development to Council. The letter from Julia Baker Chamblee asked Council to deny the request by the Arnolds to rezone the property. Ms. Shiflett also said that she was against the rezoning request. She said that she was against the proposal and asked Council to deny. #12 – Mr. Mike Shiflett of 3531 Dixon Road said that the plan voted down in December was the same plan up before Council again. He said the plan calculates to 5.2 houses per acre, which is high density in his opinion, or 18.81 acres would be used for homes. He said that the community voted for zoning to keep this type land changes from happening, he said. He asked Council to vote against the rezoning and leave the community like it is. #13 – Mr. Joe Beard of the Hilton Hotel said that Mr. Davis asked him to design the subdivision. He said that they plan was low density. The reason for all the green space, he said, was because Ms. Arnold had given up her land to the power company, for sewer, for the Fire Station, for the road through it. This limits the use of the land. He said that they had a study by Sprag and Sprag and they found that Sullivan Road with the subdivision will come to 28% capacity. He said that the plan that Council voted on for future land use on the property is exactly like he has designed it, with the front being commercial and the back residential. He asked Council to approve. #14 – Ms. Susan Spiker of 114 Kingswood Terrace, daughter of Emily & Thad Arnold urged County Council to approve the well-planned development. #15 – Mr. Ed Jean of Crestview Road said that the proposal sounds like a good deal and urged council to approve. #16 – Mr. Forest Cantrell 1418 Hunters Trail said he could not understand why someone would not want to build a house next to a fire station. He said he owns a business on Clemson Boulevard at the end Salem Church Road and that is close to the property. He said that the property would be a good location for the planned development. #17 -- Mr. David Hendrix said that he lives in another district and he has four kids in public school. He said school traffic is a problem in every school in this county. He spoke in favor of the development. #18 – Mr. Carl Edwards of 106 Roundtree Road off Dixon Road said that he did not

care for zoning. Asked Council to consider that water, gas, sewer, railroad sighting, four-lane highway was available so that could be why it was zoned commercial. He asked council to consider what the residents want out there. #19 – Mr. Wyatt Edwards of 1501 Hunters Trail asked why the matter got this far without a traffic count. He asked how the rezoning issue by Mr. Davis came back up before the time period was up. He told Council to look out for the people that put them in office. #20 – Mr. Daniel Draisen attorney for Mr. Jimmy Davis said that the people speaking against this aren't speaking to keep it zoned commercial because they raised questions of traffic – they are speaking out for no development. He said that if the property was actually developed commercial you would have a much bigger traffic problem than residential. He said that Ms. Arnold has constitutional rights in asking to allow her to use her property as she want to. He said that he was asked to read a statement from Ms. Cheryl Gilbert of Wilson Road which stated that she has not experienced any traffic problems that don't exist at all school locations. #21 – Mr. Mike Settle of 105 Savannah Drive thanked Council for allowing everyone to be heard and all the motions on both sides of the issue is pure and should be taken seriously. He asked Council to work together to solve the problem for the community. No others wished to speak; the public hearing was declared closed. Mr. McAbee moved to approve the ordinance and Mr. Dees seconded. Chairman Greer said that he understood that there was a presentation made by the Planning Department to the Planning Commission and he requested that Council view the presentation. Council took a five-minute recess. Chairman Greer called the meeting back to order at 8:35 p.m. Mr. Jeff Ricketson gave a brief Power Point presentation of the property. Mr. Ricketson said that the property in concern has a mixture in the Comprehensive Plan; the frontage is recommended for commercial development and the property in the rear is recommended in the Comprehensive Plan as low-density residential. Mr. Michael Thompson stated that he lives in the community and after checking with the County Attorney it was determined that it was not a conflict of interest. He said that there is a traffic problem on Whitehall Road. From one of the traffic studies, it says that if the property is developed commercial it would cause 2-1/2 times more traffic than residential. It was stated that Mr. Davis and Company tried for over 2 years to develop the property commercial. So the threat of if we don't get what we want, we'll develop the property commercial does not hold water. There is no one interested in the property for commercial purposes. However, there is a lot of concern for those who live in the community are going to have to bear the burden of all the problems caused by the development. Also, in the report is a traffic count map of 28 bypass and Whitehall Road. For 28 Bypass the traffic count is 14,300 and on Whitehall, where Dixon, Whitehall, and Sullivan all merge the traffic count is 14,400. So already according to 2004 information Whitehall is carrying more traffic than 28 bypass, which is a four-five-lane road. So the data proves there is a traffic problem on Whitehall Road. The overwhelming majority of citizens who live in the community are against the project. He said that District 5 was doing well, there's a new plant on 29, and Tri-County Tech just broke ground off 28 bypass. District 5 does not need the development for economic development. He said that there was a letter read on behalf of Ms. Gilbert and he understands that Ms. Gilbert is an employee of Mr. Davis so that would a conflict of interest. He said that the citizens of the community got together and decided that they wanted to protect their homes so they went out and petitioned the community for zoning. The referendum passed overwhelmingly in favor of zoning. Two months after the zoning passed Ms. Arnold had a chance to come back and say that she didn't want her property zoned C-1. That never did happen. He said he had been in contact with Rep. Becky Martin to see what can be done about the traffic problem but to add to the traffic problem will not solve the problem. Mr. Tolly reminded everyone that it was only first reading and he reserves the right to change his opinion. Ms. Wilson said that it was the perennial problem and obstacle for a lot of the rezoning requests to deal with the safe egress and ingress of the public onto these roads when there is an increase in density. She said if she lived in the area she would be pretty miffed with her County. They have been short changed time and time again on road infrastructure and they've been short-changed until very recently on economic development encouragement. If she lived over there she would be passing petitions around to petition ANATS and all the associated entities that took the priority of widening and upgrading to make Whitehall and Centerville Roads a more safe thoroughfare. They took that priority and put it on to the east-west connector. There was a great deal of controversy over that and there was no clear benefit going with the east-west connector and certainly the order of priority as needed here, she said. Chairman Greer said that he typically considers the rights of the property owner when these types of issues come up and he is very pro-property rights. Vote was five in favor (Tolly, Floyd, Greer, Dees, McAbee), one opposed (Thompson), and one abstention (Wilson). Motion carried.

Chairman Greer read first reading title of Ordinance #2006-008 – a rezoning request by Mr. Bill Wilson to rezone 37.78 acres on Stringer Road from R-A (Residential Agriculture) to R-20 (Single Family Residential; 20,000 sq. ft. minimum) TMS #172-00-04-063. A public hearing was held and the following citizens spoke. Mr. Bill Wilson said that the proposed zoning area was surrounded by R-20. He said that the property is not on a sewer line the minimum lot size would be 25,000 sq. ft. The proposal consists of 39 lots averaging over ¾ of an acre. The public hearing was declared closed. Ms. Wilson moved to approve and Mr. McAbee seconded. She

said that there was no relation between her and Mr. Wilson. She commended Mr. Wilson for meeting with the neighbors regarding the zoning change. Vote was unanimous.

Chairman Greer read Resolution **#R2006-013** – A resolution authorizing the Anderson County Administrator to study and all procedures and regulations applicable to naming or renaming a street within Anderson County and to identify streets within the County which may be available for naming or renaming in honor of Reverend Dr. Martin Luther King, Jr. Ms. Wilson moved to approve and Mr. Tolly seconded. Ms. Floyd said that this was only a resolution to ask the Administrator to study the procedures and regulations applicable to naming or renaming a street within Anderson County. Ms. Wilson said if an existing street with an existing name is chosen – she said it would be better not to change the streets name unless the residents are in favor or it. She requested that be considered when renaming a street. Vote was unanimous.

APPOINTMENTS: Various Boards/Commissions - All Districts
Chairman Greer reappointed Mr. Bill Dees, Ms. Gracie S. Floyd, Mr. Larry Greer, Mr. Terrance Hasson, Mr. John Lummus, Mr. Joey Preston, and Mr. Al Young. Mr. Greer moved to rename these individuals to the Anderson County Development Partnership. Mr. Tolly seconded and vote was unanimous.

Mr. McAbee moved to nominate Mr. Jim Chisman to serve on the Museum Advisory Board. Mr. Dees seconded and vote was unanimous.

Mr. Greer moved to appoint Ms. Alice Campbell to the Museum Advisory Board and Mr. Tolly seconded. Vote was unanimous.

District 1 – none
District 2 – none
District 5 – none
District 6 – none
District 7 – none

REQUESTS BY COUNCIL MEMBERS:

District 1 – none
District 2 – Ms. Floyd moved to approve her paving list as presented to her by Mr. Holt Hopkins. Mr. Thompson seconded and vote was unanimous.
Ms. Floyd moved to release the \$60,000 committed for the Boyd Street Bridge project since the County will no longer be doing the project. She would like the \$60,000 put back into her paving account. Mr. Dees seconded and the vote was unanimous.
Ms. Floyd moved to appropriate \$1,000 from the District 2 recreation account for Partners for a Healthy Community to off-set expenses for the Gang Task Force. Mr. Tolly seconded the motion. The vote was unanimous.

District 3 - Chairman Greer moved to appropriate \$5,000 from District 3 paving account to the Town of Starr to be used for paving, grading, and drainage and/or equipment associated with that paving, grading, and drainage and to be paid upon presentation of an invoice. Mr. Dees seconded the motion and the vote was unanimous.

District 4 – none
District 5 – Mr. Thompson moved to appropriate \$500 from District 5 recreation account to Anderson Interfaith Ministries (AIM) for the Division of Foster Care Review. Mr. Tolly seconded and the vote was unanimous.

District 6 – none
District 7 – none

QUESTIONS CONCERNING THE 2004-2005 FISCAL YEAR AUDIT:

Ms. M. Cindy Wilson – “Thank you, Mr. Chairman. As there was insufficient time to really review and ask questions in a timely manner, I’ve requested time for tonight. There were two observations, I don’t know if y’all picked up on them but on page 15 it noted that our county’s total revenues increased by 14.3% to 90.2 million and 49% of that came from property taxes. And I also heard our external Auditors state that our fund balance is on the low end of what they recommend. Now, the basis for my questions tonight is two-fold. Firstly, there were four letters that I sent to Elliott Davis two and three years ago that have yet been unanswered by them. And I’m going to later in the meeting ask one of Clerks to Council, I’ll pass these over, and then ask them to copy each of you and any member of the media – anyone desiring a list of these letters. But there are some issues that I brought out during that time that are still relevant now. For example in our award winning budget it is radically different from what was passed by a 4 to 3 vote. There are important numbers that have been omitted and new verbiage added. And I am not

sure if any of you realize that this county paid a consultant by the name of Janet Kelly Carr \$10,000, which I've found so far so I didn't know if this was the final figure, plus \$960.00 to belong to the Government Finance Officers Association. So that's a rather interesting finding. Now to delve a little more into the concerns of these letters, I've continued requesting, in fact, as part of my "Writ of Mandamus" complaint to the County, I've not been given certain elements of our landfill sale contract and I've also been requesting information as to what accounting measures are now in place to insure that Anderson County is receiving accurate Host fee revenue for solid waste tonnage delivered to the Anderson Regional Landfill. Thirdly, I've asked our external auditor how they determined that amounts that were held as open encumbrances at the time the fiscal year ends are placed into final accounting when they're directed to close the books and if it's not unusual for amounts to be rolled over, losses that is, into the next fiscal year's accounting as opening entries. And I've also asked if it's customary for them as auditor to address issues of misplacing expenses into categories where such entries do not belong. I do understand that there can be instances where items purchased do not fit in to any category very well so I was requesting for expenses that are far more obviously mislabeled. I've also requested information concerning postings in the general ledger using a non-specific description – First Citizens Bank. I saw that those continue to be more common. Those labels appear to be credit card expenditures and as an example it's rather frustrating because you can't figure out when you see different headings some of them are listed meals, some fuel, some lodging, etc. and one of my favorite examples is when they have the category listed as professional services – it doesn't state whether it's an engineer or a call girl for example. We have no way to know. I've requested to review selected credit cards expenses in the past but have been denied. I think that since we have a great deal of money spent for credit cards expenses that it would be part of our [REDACTED] to review those to be certain that we are in order there. Elliott Davis did give me a brief response but basically it was telling me that they were sending the letters to the Administration requesting that they go ahead and respond but host fee appears in our CAFR somewhere around \$600,000 this year. I don't know that we're even getting an accurate figure of revenue here. For example Spartanburg County probably had an over-flow meeting tonight concerning [REDACTED] landfill situation. They were offered 2-1/2 million dollars per year for host fee for 20 years [REDACTED] burying all the residential garbage in Spartanburg County free for 20 years just to get the Council's blessing on the DHEC permits so obviously since we have a huge volume that we hear coming and going from the landfill. [REDACTED] certainly behooves us to be certain that we are getting our proper share. And there were also questions about the designation of corporate pass-throughs. Some of the paperwork that I did obtain at the time was very nebulous in that dates of contributions were omitted. It had the appearance of certain contributions being counted for several years in a row and there were questions about – for example the Balloon Federation – National Championship – that was supposed to be a special event with its own separate accounting but there were figures in one year that I looked where we were paying a person out of a development construction account that related to the Balloon Federation. We paid for hotel accommodations in excess of \$16,000 and I think this past year we paid around \$20,000 for that. There just continuous questions on those [REDACTED] spots. Now what you should be most concerned about and I hope that everybody will turn to their CAFRs but all three county enterprise funds are in serious trouble. The airport has improved slightly but Solid Waste is in very serious trouble and our sewer fund is deep in debt. Page 30 it appears that operating losses and debt service for sewer fund is being paid from the general fund. I have a question about the 8.2 million dollars on page 48 and 49. They are not in the debt table, is this the Starr-Iva sewer line? And on page 19 does the \$18,072,054 obligation to the city of Anderson – does that include the cost of phase 2 of the Beaverdam system? Folks, when you've got an overall debt of \$34,000,000 in the sewer fund and we only have about \$3,000,000 in revenues that is very scary, because Mr. Tolly has been involved in mortgage business for years and I think anyone here knowing that when you go to buy your home you have to be qualified and for the usual rule of thumb you can't borrow more than 2-1/2 times your income; if this is true then we shouldn't be able to borrow more about 7-1/2 to 9 million dollars. We're in danger here. Now, I invite you to turn to page 152 of the Statistics. Your final page in our CAFR and I would like for you to please take note – we have existing sewer capacity of 9,400,000 gallons per day treatment capability in this county. We're only using 1,806,468 gallons per day. That's a huge gap between what we have and what we're actually using. That's been mentioned tonight. Please be aware that the Six and Twenty Sewer Plant has one-half million gallons per day treatment capability. And when you are looking at numbers there, the last time we looked they were only treating about 75 to 80,000 gallons per day of their existing capacity. They can apply and be approved to increase their capacity to a million gallons per day but the bottom line and this is the one part that I did support verbally on the expansion on the city plants – I didn't really support most of the expansion except at Generostee Creek but at ..I did support expansion there but I do greatly support the clean discharge of sewer affluent from our plant and that is somewhat more costly but I think that's an argument and discussion that we should have. It's certainly less expensive to build, plan, and construct this infrastructure where it's really expected to be needed and it's certainly incumbent of us to have clean discharges. Does anyone have any questions of me concerning the numbers that I've used and then I'll look forward to Ms. Smith's responses?

Ms. Smith: I'm not sure I noted all your questions as you read them out. In regard to your concern on your debt on your sewer fund – If you'll look on your table 11 that's a revenue bond coverage on your sewer fund which will note your coverage actually is 2.62 a lot of time when you talk about bankers on debt service coverage they want a 1.25 or greater so I do think your coverage from a revenue bond coverage on your sewer fund is fairly strong for the year 2005 so I don't understand your concern about debt.

Ms. Wilson: The concern is that maybe we're alright for this year but a lot of debt hits starting in April and June of this year the obligation to the City for example starts to be

Ms. Smith: You're over two times the coverage, I think, that's acceptable right now. If you would look at a projection for next year you still would find yourself in an acceptable range. Looking at your debt overall – there is a table 8 that talks about your legal debt margin for the County overall. You can see that your debt limit at 8% is right at 40 million – your total debt applicable to that limit is only 15.6 so you're left with 50% on your debt capacity for the County overall on the GO debt.

Ms. Wilson: That's General Obligation bonds but not...

Ms. Smith: I'm trying to cover both your enterprise fund operations and your county as a whole. I think both of those numbers are within range of reasonable and not of a concern as your external audit firm.

Chairman Greer: If I may interject something.

It was decided that Ms. Wilson would give her written questions to Ms. Smith so that she may answer them.

REPORT ON BEAVERDAM CREEK SEWER LINE COSTS: Mr. Vic Carpenter gave a power point presentation on the costs incurred by delays in construction of the Beaverdam Sewer line. His report ended with an estimation of \$7,500,000 impact to Anderson County as a result of the lawsuits filed and delays conducted against the county by Council Member M. Cindy Wilson. The report is on file in the Clerk to Council's office. Ms. Wilson said that she wanted to make sure that everyone understands that this was not a lawsuit – it was an

appeal to DHEC to rescind the permits. Back in 1998, when 20-25 landowners didn't want the sewer line on their property. They felt like it would be more useful to run the sewer line down highway 81 north. The arguments at the time were that force main lift station was too expensive and just not doable. She said that District 3's Starr/Iva Sewer line has 17 miles and yet it was possible for a short distance on highway 81 north. She said they were only appealing permits and was the only avenue open to the landowners. There is also the issue of Nationwide 12 – streamline permitting being accepted by DHEC and the Corp of Engineers. They had legal advise that it should have never been allowed for any portion of the various phases. The economic was the reason for the failed projects—not the sewer line.

BUDGET CALENDAR ANNOUNCEMENT: Chairman Greer presented a proposed budget calendar. First reading of the budget on April 4, second reading and public hearing on April 18, and third reading on May 2. Ms. Wilson asked when would Council start their budget workshops. Chairman Greer said that budget discussions will probably begin at the retreat. Ms. Wilson asked would it be possible to come to the departmental presentations concerning budget needs. Mr. Preston said that rarely happens and he explained the process for the departmental budget needs. Ms. Wilson said that she was concerned that Council is still not allowing sufficient times to study the needs of the local government, and to study the revenue stream and expenses. Chairman Greer disagreed with Ms. Wilson and said that the process is starting earlier and will continue for 2-1/2 months. Mr. Preston said that he would be happy to meet with any County Council at any time. The budget calendar stands as presented by Mr. Greer.

Chairman Greer stated that the money allocated by Council to the Sons of the Confederate Veterans had been returned to Anderson County. The camp that turned in the application for the funds have declined those funds. The other camp has not applied for those funds. He said that Council needed to make a decision on the unallocated \$4,000 in ATAC funds. He said that he would recommend that Council refer the \$4,000 back to the Accommodations Tax Committee and let them decide if they want to take additional applications for the funds or if they want to allocate them to some of the organizations already on the ATAC list. Mr. Dees moved that the money be reallocated back to the ATAC committee for further disbursement. Mr. Tolly seconded. Chairman Greer asked if the motion was to allow the committee to decide on if they will seek additional applications or strictly to those who have already applied. Ms. Wilson moved to amend the motion to allow the Battle of Anderson to submit an application for the funds. Chairman Greer seconded and vote was five in favor (Wilson, Greer, Tolly, Thompson, McAbee), one opposed (Dees), one abstention (Floyd). The amendment carried. Vote on the original motion as amended was six in favor and one opposed. Ms. Floyd voted in opposition. Motion carried.

Chairman Greer stated that the issue brought up at the last meeting concerning the helicopter protocol is now a moot point at this time. Life Reach has chosen not to maintain their base in Anderson County.

Ms. Wilson asked way there was a letter dated September 22, 2003 in the agenda packet for an appeal on a tax ruling. Mr. Preston said it took that long for the appeal to be heard.

Ms. Wilson also pointed out that in the packet correspondence concerning a rezoning application coming up in District 7 – there were some serious issues dealing with notification. She raised some questions. The letter that was generated rescheduling all these hearings had no date on it.

She said that she returned her \$25 Chamber Check and she sees that instead of applying it to some of the copying expenses in the Council office it was used for another purpose. She asked why it could not be used for the purpose she requested. Mr. Preston said that the Employee of the Month's gift was a Chamber Check so when she returned the check it was used for that purpose. She said that she was still waiting on some information she asked for regarding the Chamber checks.

ADMINISTRATOR'S REPORT:

a. Letters of Appreciation:

1. For: Anderson County Council and Administrator From: Duke Power
2. For: Anderson County Council and Administrator From: Ms. Carolyn P. Pinson
3. For: McNair Law Firm From: Mr. Mike Freeman, Assessor
4. For: Mr. Charles Wyatt and Staff From: Sports & Entertainment Center Advisory Board
5. For: Mr. Charles Wyatt and Staff From: The Taylor Family
6. For: Mr. Tommy Thompson, Mr. Taylor Jones and Staff From: Fire Chief Jack Abraham, EdD

b. Meetings/Minutes:

1. Capital Projects Sales Tax Commission meeting
 2. Sports and Entertainment Center – Advisory Board Meeting minutes (November 18, 2005)
- c. Reports:
1. Recreation Report
 2. District Paving Report
 3. Environment Enforcement and Animal Control Reports
- d. Mr. Preston's Reply to Ms. Cindy Wilson regarding City of Anderson's sewer expansion
- e. Mr. Preston's Reply to Ms. Wilson regarding Senior Citizens Appropriations
- f. Mr. Jeff Ricketson's Reply to Ms. Wilson regarding Rivendell Subdivision, Phase III
- g. Mr. Preston's Letter to Ms. Wilson concerning Chamber Check
- h. Letter from COG regarding Williamston's Financial Situation
- i. Anderson County Awards – 1998-2006
- j. Letter to Mayor Davis, Town of Pelzer (demolition projects)

Being no further business the meeting was adjourned at 9:55 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – March 7, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

AMENDED
PAGE 2 and PAGE 7
MINUTES

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 Larry E. Greer - District #3. Presiding
G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee - District #4
Michael Thompson - District #5
William C. Dees - District #6
Cindy Wilson - District #7
Joey Preston - Administrator
Todd Davidson - County Attorney
Linda N. Eddleman - Clerk to Council
Tammie Shealy - Deputy Clerk to Council

ABSENT

Tom Martin - County Attorney

(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 7, 2006 at 6:00 p.m. Ms. Wilson invited everyone, who wished, to join her in reciting the *Lord's Prayer*. She then led the pledge of allegiance to the flag of the United States of America.

Mr. Thompson moved to approve the February 21, 2006 minutes as mailed and Mr. Tolly seconded. Mr. Dees stated that he had already mentioned a couple typographical errors to the Clerk. Ms. Wilson moved to amend the minutes in the following ways -

Ms. Wilson: "On page 6, I am making a motion that we strike the report on the sewer line project as basically innuendo and hear-say, and lacking concrete numbers. And then on page 7 there were two omissions on line 2 - the sentence starts "They felt like it would be more useful to (*not*) run the sewer line down highway 81 north." And it was (*not*) possible for a short distance down highway 81 north. There were two words omitted."
Chairman: "Ms. Wilson, I want to make sure I understand your motion to amend. Your motion to amend is to delete reference to the presentation on the cost of the Beaverdam sewer delay."

Ms. Wilson: "Yes sir. That appears to be campaign material."

Chairman: "And also to add the words "they felt like it would not be" insert the word "not" between would and be."
Ms. Wilson: "Excuse me. I'm sorry. And it was not possible for a short distance down highway 81 north. That would be the fourth line down. On page 7"

Chairman: "Okay. "not" would go between *was* and *possible* on the fourth line down. Do I hear a second to Ms. Wilson's motion to amend? Hearing no second Ms. Wilson's motion to amend dies from a lack of support. Is there any further discussion on the minutes? Hearing none, we'll now vote on the minutes."

Ms. Wilson: "Excuse me. I will amend my amendment. We will...I would make a motion then to change line 4 to add the word "not" and "down" instead of "on"."

Chairman: "That's on page 7. So you're moving to amend to insert the word "not" between was and possible?"
Ms. Wilson: "There was a typo. Thank you."

Chairman: "Do I hear a second to that motion to amend? Hearing no second that motion to amend also dies from a lack of a second. Hearing no further discussion, we'll now vote on the minutes. All those in favor of the minutes as presented raise your hand. All those opposed. Let the record show... Let the record show that Mr. Dees, Mr. McAbee, Ms. Floyd, Mr. Greer, Mr. Tolly and Mr. Thompson voted in the affirmative and Ms. Wilson voted in the negative."

Ms. Wilson: "And Mr. Chair may I have a Point of Personal Privilege please?"
Chairman: "Not, not at this point and time because we are going to move on into the awards presentation."

Ms. Wilson: "Very, very quickly I am going to request that this exchange be verbatim."
Chairman: "No Ma'am. No Ma'am. No Ma'am. You have not been recognized by the Chairman at this point in time."

CITIZEN COMMENTS: Agenda Matters - Mr. Charles Crowe said that he could not believe that there was a Council member that doesn't know that the minutes are incorrect. The word "suit" keeps being used and

everyone knows that there was not a suit brought against the county or any county official. He said a couple Council meetings back, Mr. Thompson asked for a report on Beaverdam and the Administrator prepared it and a county employee presented it. He said he didn't get permission or an appointment to be at the Council meeting so if there is any reason he should, let him know. He said that it seemed to be a funny thing that he had to sign in on the 24th when he was escorted by a Council member and members of the media and tonight when he showed up, after hours, with this big crowd, he was not required to sign in. He asked who was being protected. He asked why, after their incident on the 24th in the Finance Office, weren't any of the people who were there as witnesses of the Finance Office ever questioned. Mr. Pam Shiflet of 3531 Dixon Road stated that she was opposed to the rezoning request on Sullivan Road. She asked council to deny the request. Mr. Mike Shiflet said he was opposed to the PD-rezoning request on Sullivan Road and he disagreed with Mr. Davis' lawyer when he said that the people of community did not want the land developed at all. Mr. Bob Snider of Rhodehaven Drive in Gilmer Estates read a Section of the Land Use 38-118 that stated that Whitehall Road and Sullivan Roads are connector roads. It also states that the land use is to promote the safety and convenience of vehicular traffic. He read articles concerning the widening of Whitehall. Mr. Tommy Dunn said that Council should hold Mr. Davis to three houses per acre. He said that at the last meeting, it was said that all schools have traffic problems but at 5:30 a.m. it's a traffic problem there. Mr. Brooks Brown talked about Ordinance #2006-004 which is a contract with Owens Corning. According to the S.C. Constitution – Article 1 says that suspension of laws can only be done by the General Assembly therefore County Council does not have authority to do it. He asked Council to vote it down. Mr. William Beaver thanked Council for passing the Owens Corning ordinance on first reading and asked Council to support the ordinance. Mr. Mike Settle of 105 Savannah Drive in Anderson said that he was in support of the second reading. Mr. Daniel Draisen said that he was in favor of the ordinance. Mr. Ed Jean said that he was in favor of the issue and the meeting held on Friday was an excellent way to get everyone together to discuss the issue. Mr. Joe Beard developer and designer of the project presented a letter by Gray Engineering Consultants, Inc. certifying the density. He said that the power easement and railroad easement, under Anderson County rules, can be calculated in the density and that calculates to 3.7 per area. He said that the development is good for Anderson County. Mr. Jimmy Davis, contractor said that he now appreciates council's positions much more now. He thanked Council for all their time spent on the issue. Ms. Kay Sprag, owner of Sprag and Sprag Engineers, said that in December she was asked two specific questions concerning this case – How would trip generation for the proposed single family development compare to the proposed commercial development that could go in under the existing zoning? Using nationally recognized trip generation information, she came up with single-family - 1,000 trips per day, Business Park – 2,800 trips per day, office park – 2,400 trips per day. The second question was if all of the trips generated by the single family went to one point on Sullivan Road and to one point on 28 Bypass would that throw each of the roads over capacity. She responded that as a general rule, looking at total capacity that this would not put the roads over capacity.

AWARDS PRESENTATION FOR KEEP AMERICA BEAUTIFUL OF ANDERSON COUNTY: Ms. Jennie Stultz from KAB recognized all the volunteers with the Board of Keep Anderson Beautiful. She announced the following awards received by Anderson County – Waste Reduction Program – 2nd Place National Award recognizes the County's efforts to educate the public about waste reduction. Third Place – Affiliate of the Year – A National Award that recognizes the affiliate's strength in beautification, waste reduction, and litter prevention. The Presidents Circle Award – A National Citation which honors KAB programs and honors the best of the best, KAB of Anderson has been recognized as a Tree City USA with only 14 counties in the United States with this designation. The National KAB organization asked her to come to Anderson to thank, recognize and congratulate the County for the programs provided to the community, state, and country to congratulate Anderson County for winning these awards.

RESOLUTIONS AND PROCLAMATIONS:

Chairman Greer read Resolution #R2006-015 & #R2006-016 – resolutions recognizing and honoring the Crescent High School Boys Wrestling Team for winning the 2006 South Carolina AA/A State Championship; and other matters related thereto. Chairman Greer moved to approve and Mr. Dees seconded. Vote was unanimous. Coach Chris Strickland and all the members of the Crescent High School Wrestling team were asked to come forward. Chairman Greer read the resolutions and then presented a framed copy to the Coach and team. All were commended for their outstanding hard work and commitment for winning the championship.

Chairman Greer presented a Proclamation proclaiming March as "READ FOR THE ENVIRONMENT" Month. Ms. Floyd moved to approve and Mr. Dees seconded. Vote was unanimous.

Chairman Greer presented a Proclamation proclaiming March as YOUTH ART Month. Mr. Tolly moved to approve and Mr. Dees seconded. Vote was unanimous. Mrs. Kimberly Spears, Director of the Arts Center accepted the proclamation. Council commended Mrs. Spears on her 20th anniversary as Director of the Arts Center.

Council took a 5 minutes recess at 7:00 p.m. Chairman Greer called the meeting back to order at 7:05 p.m.

APPALACHIAN COUNCIL OF GOVERNMENTS' RETURN ON INVESTMENT IN ANDERSON COUNTY:

Mr. Bob Strother gave the following report on the return on Anderson County's investment in the Appalachian Council of Governments. In 2005, and for the past 16 years, the annual investment has been just under \$75,000. The return to Anderson County during 2005 was nearly 6.7 million dollars - a return of \$89 for every \$1 invested by the County. 1.5 Million dollars came from loans made directly to Anderson County businesses through the COG's Appalachian Development Corporation. These loans generated just over 1.7 million dollars in private capital investment. That's the equity investment from the business owner and the funds provided by the private lending institutions to help make up the entire funding package, he said. These funds go directly into the Anderson County economic base. They also resulted in the creation of retention of 77 Anderson County jobs. There were no funds programmed for road improvements since the County finished up a 35 million dollar COG SCDOT Bond allocation in 2004. There is an additional 7.5 million dollars currently scheduled for Anderson County projects starting in fiscal year 2007. Just under 1.7 million came to the County through federal or state grants that the COG assisted with. Those projects include the Gossett Street Mill Site debris removal project, the Anderson Joint Water Project, and the Belton Housing Rehabilitation Project. In addition to the dollar return of 89 to 1, COG also updated the Anderson County portion of the COG's Regional Comprehensive Economic Development strategy, which maintains the County's illegibility to receive federal economic and development administration grant funds. They developed a transit services plan for the County and a grant proposal to secure funding for a Lake Hartwell Economic Impact study. They reviewed 49 sewer discharge requests and responded to 135 requests for information about Anderson County from all over the world. Council received the presentation as information.

FUSION WAREHOUSE PRESENTATION: This item was removed from the agenda and will be put back on the next agenda for consideration.

Chairman Greer granted Ms. Wilson three minutes of personal privilege.

Ms. Wilson: Thank you, Mr. Chairman. My request for a Point of Personal Privilege was to simply point out that the second part of my original motion, when that motion concerning the minutes died from a lack of a second, and I came back with another motion to make the correction in the minutes and that also died from a lack of a second. I was requesting that this part of the exchange be verbatim and that that be noted in the minutes because what was stated during the meeting on February 21 in this part of that agenda item there were two mistakes made. Instead of "on" it was "down" and the word "not" was omitted and I just wanted to make sure that was clear. Thank you.

ORDINANCES – THIRD READING:

Chairman Greer read the third and final reading of Ordinance #2006-003 - an ordinance granting a nonexclusive Cable Television Franchise to Broadband Experience, Inc., D/B/A Familyview Cablevision, in accordance with Chapter 14 of the Anderson County Code of Ordinances for the purposes of using public right of way to construct, install, maintain, and operate a cable television system in the unincorporated areas of Anderson County, South Carolina; and other matters related thereto. Mr. McAbee moved to approve and Mr. Dees seconded. Vote was unanimous.

Chairman Greer read the third and final reading of Ordinance #2006-004 – an ordinance authorizing the Anderson County Administrator to enter into a contractual agreement with Owens Corning, in order to allow early receipt of tax payments from Owens Corning by Anderson County Political Subdivisions; and other matters related thereto. Chairman Greer moved to approve and Mr. Tolly seconded. Ms. Floyd said that this had been one of the hardest decisions for her. She said that she felt the County had found a way to side step the law and she didn't think it was the right thing to do. She doesn't want to stand in the way of the school district therefore she would abstain, she stated. Vote on the ordinance was six in favor, and one abstention (Ms. Floyd). Motion carried.

Chairman Greer read third and final reading of Ordinance #2006-005 – an ordinance to repeal Sections 42-26 through, and including, Section 42-33 of the Anderson County Code of Ordinances and Anderson County

Council Ordinance Number 280, which relates to the Anderson County Detention Center; and other matters related thereto. Mr. Dees moved to approve the ordinance and Ms. Wilson seconded. The vote was unanimous.

ORDINANCES – SECOND READING:

Chairman Greer read second reading title of Ordinance #2006-007 – An ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Zoning Map to rezone from C-1 (Commercial) to P-D (Planned Development District) one (1) parcel of land comprising approximately +/- 45.99 acres of property in the Centerville A Precinct on Sullivan Road. The property is identified by TMS #95-00-03-007, and is generally described on Sheet CV-1 of a Development Plan for Sullivan Hills Subdivision prepared by Grey Engineering Consultants, Inc. dated November 17, 2005, and further described in a Statement of Intent for Sullivan Hills, Anderson County, South Carolina, dated January 16, 2006. Mr. McAbee moved to approve and Mr. Dees seconded the motion. Mr. Tolly asked Mr. Jimmy Davis to come forward. Mr. Tolly said that he thought the density of the project was a concern to the people of the community therefore he asked Mr. Davis if the 3 houses per acre was etched in stone. Mr. Davis responded that the plans tell exactly how many houses with the square footages, and he could not quote the formulas used for density. Mr. Gray with Gray Engineering explained the process and formulas used to determine the houses per acre. Chairman Greer informed everyone that the time allotted for this agenda item had expired and it would be necessary to extend the discussion time. Five members of Council voted in favor (Thompson, Floyd, Wilson, Dees, Greer) and two opposed (Tolly, McAbee). Motion to extend time carried. Council discussed further. Mr. Thompson said that there was nothing about the project that says that the land is fit for residential development. According to data he furnished to Council members, the Centerville Fire Department is the busiest fire department in the County and Council is going to approve a residential community with the fire horn going off. Next to the fire station is a vented pressurized sewer main and when that sewer main vents you will have the odor to deal with and in addition to that there is the Duke Power right-of-way, he explained. Across the street from the Centerville Fire Department you have the natural gas substation and on the end of the property there is the railroad running all hours of the night. He again stated that there was nothing about the property that says residential but commercial and is labeled commercial. He said that it should stay commercial. The proposal is a bad fit for this particular piece of land, but more importantly the project is a bad fit for the County, Mr. Thompson stated. In recent days the County had learned the importance of the railroad system to the economic development of the County and the County is thinking about buying the proposed abandoned line in the southern end of the County. Mr. John Lummus stated that the county needed more rail sites throughout the County. CSX is looking at closing down the rail on the eastern side of the County and rail is very important to a number of industries, he said. The more access of rail the better we are as far the future, Mr. Lummus said. Mr. Thompson read a letter addressed to Senator Lindsey Graham in which Mr. Preston says it is critical to the economic development and marketing of Anderson County and the citizens and companies who reside here. Also, he states that it is an important component of the County's economic development success and marketing to new companies. He is talking about the importance of the railroad system to the county. He also said that if you do the math it comes up with 5 houses per acres when you look at buildable acreage. Ms. Wilson moved to extend discussion by 2 minutes and Mr. Tolly seconded. The vote was unanimous. Ms. Wilson stated that a lot of this serious problem is the ingress and egress and the safety of the traveling public, but going back to when the County began the Comprehensive Land Use Mapping and Planning in the County, Council requested a full menu of zoning options and they were never provided with the full menu – just a few generic captions. She said that one community's version of high density is not necessarily another community's version of high density. This is where the county has had a problem in addition to the traffic issues, the County would be well served to establish density numbers for each community per the zoning and open up a bigger menu, she said. Vote was five in favor (Tolly, Dees, Greer, McAbee, Floyd), one opposed (Thompson), and one abstention (Wilson).

Chairman Greer read the title for second reading of Ordinance #2006-008 – 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 (Residential-Agricultural) to R-20 (Single Family Residential) a parcel of land comprising approximately +/- 37.78 acres in the Hopewell Precinct on Stringer Road. The property is identified by TMS #172-00-04-063. Ms. Wilson moved to approve and Mr. McAbee seconded. Vote was unanimous.

ORDINANCES – FIRST READING:

Chairman Greer read the title for first reading of Ordinance #2006-009 – a second supplemental ordinance providing for the issuance and sale of an Anderson County, South Carolina, Special Source Revenue Bond, Series 2006, in the principal amount of not exceeding \$5,800,000; prescribing the form and details of such bond; and other matters relating thereto. Mr. Tolly moved to approve and Mr. Dees seconded. Mr. Preston

stated that the bond was for the financing for Phase II of the Beaverdam Sewer. The 5.8 million dollars is the County's limit for the year so staff will have to come back the first of next year to complete the balance of the project. Chairman Greer read the following section from page 4 of the Ordinance. That the bond will be "payable solely from a special source that does not include revenues from any tax or license; and does not create a pecuniary liability of the county or a charge against the County's general credit or taxing power of Anderson County." Chairman Greer said that he assumed that this does not affect the tax millage rate for Anderson County on either the general millage or the bond millage of Anderson County. Mr. Preston replied yes that he was correct to assume that. Ms. Wilson: "Yes, Mr. Chairman. A number of points - First of all no where in this ordinance does it state what the name of the project is. It just gives some linear feet and size of pipe. Secondly, as the Anderson County Sewer Enterprise fund is deep in debt more than \$34,000,000 of debt with barely \$3,000,000 in revenues and we have insufficient users. To give you an example, we have almost 9-1/2 million gallons per day of capacity available and we're only using somewhere around 1.8 million gallons per day. So we are not being good stewards of our sewer assets. Now since it is a for drawn (word unclear) conclusion there will be insufficient revenues to fund this special source revenue bond which by its very definition requires repayment by revenues by users. Where will the money come from? Will it have to come from the general fund to pay or we finally have the truth or consequences here that the poor landowners who didn't want the sewer line, who don't plan to use it will now be burdened with impact fees per linear foot perhaps on their property? I think it is very important that the people of this County and those landowners be given answers." Vote was six in favor and one opposed (Ms. Wilson). Motion carried.

RESOLUTIONS AND PUBLIC HEARINGS:

Chairman Greer read the title of Resolution #R2006-017 – 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 2006, in an aggregate principal amount of not exceeding \$5,800,000, pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 1 and 29 (1976), as amended. Mr. Tolly moved to approve and Mr. Dees seconded.

Ms. Wilson: "Excuse me. What are y'all going to do? I'm asking you to think through for just one moment. Where is the money going to come from to pay this huge debt in the sewer fund? It's just amazing that not one of you would ask this question. What would you do when our Administrator goes to another area and we are left burdened with this huge debt? No one has answered me yet. Where the money come from? Are you planning to put impact fees on the landowners or do you plan to take money from the General fund? This is hardly a truthful presentation here because you know you do not have users sufficient – not system wide much less this one. May I please have an answer before we take a vote here? The people deserve an answer." Chairman: "Mr. Preston, would you like to address that?" Mr. Preston: "Yes, Sir. Finance staff along with all of our counsel - everyone involved in the project – they've looked at all revenues and there's sufficient revenues in order to retire the debt. If that wasn't the case the Budget and Control Board would not approve it." Ms. Wilson: "The Budget and Control Board will approve anything for a loan. It's up to us to repay. That's the problem. Thank you." Vote was six in favor and 1 opposed (Ms. Wilson).

Chairman Greer read Resolution #R2006-014 – a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its not exceeding \$42,000,000 Hospital refunding Revenue Bonds (AnMed Health Project), in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended. A public hearing was held and the following spoke. Mr. Charles Crowe asked why Council had to approve this for the Hospital. He also asked if Council knew what the hospital intended to do with the money. Mr. Tolly moved to approve and Mr. Dees seconded. Chairman Greer asked if this was a quirk in the state law that requires local government to approve? County Attorney Davidson replied that he was correct. The County is not at risk for any amount of money for this. Ms. Floyd asked what would happen if the county didn't support the resolution. Mr. Davidson asked Mr. Doug Gray, Attorney for AnMed Health to come forward.

Attorney Gray: "It's that JEDA could not issue the bonds. We had a public hearing today in Columbia and we have one here tonight and both of JEDA's board and this Council has to approve the resolution in order for the bonds to be issued."

Ms. Floyd: "The problem is that we do this but we don't know why. The question has always been what happens to the money, why do we have to do this. It is a lot like just rubber-stamping, without any other type of participation. We just stamp it and hey we just go on. It says on page 2 that the refunding is anticipated to subserve the purposes of the Act and to benefit the general public welfare of the County by maintaining services, employment, recreation or other public benefits to not otherwise provided locally. I just don't understand it. Do you mind?"

Attorney Gray: "What's going to happen with the bonds issued? If this Council approves the resolution, - this is the form of refinancing. AnMed Health issued bonds in 1996 a little over 45 million dollars at a fixed rate this will be at a variable rate. If the variable rate goes as they anticipate that it will go, AnMed Health is going to

realize a savings of in the range of 2.8 to 3 million dollars on interest they have to pay on fixed rate bonds. That's what this money is for. It's a refunding, as the resolution states and it's a refinance of existing bonds. It's not to build any new buildings. Not to create any more office space, but simply to refinance the existing fixed rate bonds to allow AnMed Health to save somewhere, as I said, somewhere between 2.8 to 3 million dollars in interest."

Ms. Floyd: "Okay. Also it says here that this money is to benefit the general public welfare of the county ...that's not otherwise provided locally – for example on the recreation – If there's no recreation provided by the county, locally, does it mean that some of these funds can be directed to that part?"

Attorney Gray: "No. These funds are used by the AnMed Health System and the benefit that the community receives by the refinancing is that the AnMed Health system is going to be better off financially, it's going to save interest and therefore, hopefully will provide health care at a better cost than it would if it had to pay a fixed rate interest over the life of the 1996 bonds."

Chairman Greer: "Since, AnMed stands to save 3-1/2 million .."

Attorney Gray: "About 2.8 to 3 million."

Chairman Greer: "2.8 to 3 million on the refinancing on this, can we see a corresponding reduction in fees by AnMed for the services they provide?"

Attorney Gray: "I can't make that commitment."

Mr. McAbee: "It's common in state law where certain agencies that are issuing bonds in a given area are asked to have it approved by the local governing authority even when the local governing authority has no obligation to repay. The example would be the Homeland Water and Sewer Water District."

Ms. Wilson moved to extend the time for discussion for a couple of minutes and Ms. Floyd seconded. Vote was unanimous.

Ms. Wilson: "While we're all eternally grateful for the numbers and caliber of the doctors and the medical staff and facilities that AnMed brings to our area, there are some questions that we need to ask. First one is – Has AnMed lost sight of its mission here? Four years ago a local business paper printed that the AnMed CEO was one of the top 20 highest paid CEOs in the upstate in the mid \$900,000 range. AnMed has been in a buying spree, buying up a lot of properties including scattered doctors offices and taking other properties off the tax rolls. And I wonder what benefit that brings to our patients here. And there is also, as I understand it, current legal actions concerning AnMed multi-tier billing practices whereby un-insured people frequently are billed higher than those who are insured for medical treatment and I'm hearing all kind of stories about for example \$165,000 custom built Italian board room table and executive suite marble bathrooms – if any of this is true or any that is not true I think it would be very helpful if we knew what was really true here and really require that AnMed return to its mission of providing not only the best available medical health care for the area but also to do anything within their power to make it as reasonable as possible. Thank you." Chairman Greer stated that Council was taking action tonight that would save AnMed close to 3 million dollars and everyone is troubled by the ever increasing high cost of medical care and the impact it has on the people of our communities – so Council must stress to AnMed the need to take a very close look at the charges and the fees that they have for services and look at how this savings could be translated into some reduced cost to provide those services to the people of the County. Chairman Greer made the statement in the form a request to Attorney Gray to take to his Board of Directors and to the CEO. Vote was six in favor and one abstention (Ms. Wilson). Motion carried.

Chairman Greer read resolution #R2006-018 – a resolution allowing the developers of Hunters Glen Subdivision to present a resurfacing and repaving plan to Anderson County Transportation staff in settlement of a lawsuit by the Homeowner's Association; and other matters related thereto. Mr. Michael Thompson said that he had a vested interest in Resolution R2006-018 so he therefore recused himself. His recusal formed is attached marked Exhibit A. Ms. Wilson moved to approve and Chairman Greer seconded the motion to get the item on the floor for discussion. Mr. Tolly said that he feels for the residents of Hunters Glen but in his opinion this would be setting a precedence and would be very costly to the County. Also there would be about 50 other subdivisions that would come under this if this were to pass, he said. The County would be going back to the dark ages and he was bitterly opposed. Mr. Hopkins explained the situation. Vote was 0-6-1. No members voted in favor, six voted against, and Mr. Thompson abstained (recused).

Mr. Tolly made a motion to remove from the table the acceptance of Moss Creek I, II, and III tabled on February 21. Ms. Wilson seconded and the vote was six in favor and one abstention. Ms. Floyd abstained. Vote to accept Moss Creek I, II, and III into the County road system was unanimous.

BUDGETARY AND FINANCIAL DISCUSSION: Ms. M. Cindy Wilson: "Thank you, Mr. Chair. The continuing quest for information concerning the County's finances is far from over. Friday, the 24th, after having been told on a number of occasions that all I had to do is simply show up and I could be allowed to look at some records. That was clearly not the case. I want to read to you my response and then request that certain items of information be provided." Ms. Wilson read a letter that was furnished in the back up material to all Council members from her to Mr. Preston dated February 26, 2006 concerning her trip to the courthouse. This letter is on file in the Clerk to Council's office. "The materials requested going back to January 12, tonight I received a copy of some of the information concerning the sale of the county building in Powdersville. There has been no

closing on that so therefore there is no HUD statement and I received an answer as to why the closing had not taken place. As yet I have not received information concerning the upgrading and expanding of the Jockey Lot Convenience Center as it evolves into a new property called the Whitefield Convenience center. Still don't have those materials. The third item is that the Stitchery budget was never - the Stitchery Project was never in a GOB or budget that was readily discernable. What has been spent to date or obligated including but not limited to purchase, closing costs, studies, and construction and materials. Are you related by blood or by marriage to Bruce Alexander who is involved with the Calhoun Hotel project, which is across the street from the Arts Complex and the Stitchery? Please provide a copy of the HUD closing statement also. And I've also requested information concerning the plight of the landowners adjoining the Tri-County landfill who claim that none of the three counties has access to the property except through their property. This is a serious matter we need to resolve that. And also there was a time of newspaper accounts that Wilbur Smith and Associates were engaged by the County to conduct engineering studies of Anderson County road and bridges and eluded to a public opinion survey that may have also been made by Wilbur Smith and Associates. I requested that we be provided with copies of these reports and a copy of the letter from the county authorizing the work. This is involving the 1-cent sales tax. None of that has been provided. I do have in hand tonight some materials to give to you. One of the items was dealing with Preston Gates and Ellis, which we understand is the law-lobbying firm engaged by the Administrator in Washington, D.C. I requested that we each be provided a copy of the contract engaging this firm and how much we've paid to this firm in the last three years and were they engaged by retainer or do they have any type of bonus arrangement. I have for you where we've already paid from August until the 10th of January \$147,915.83 almost \$148,000 for lobbying in a short period of time. I am going to take this opportunity to hand to each of our council members some of the findings concerning some of the legal expenditures and other matters and it's for your information. Thank you."

APPOINTMENTS: Various Boards/Commissions - All Districts

District #1 – none

District #2 – none

District #3 - Chairman Greer moved to appoint Mr. Charlie M. Wilson to the Assessment Appeals Board and Mr. Dees seconded. Vote was unanimous.

District #4 – none

District #5 – none

District #6 – none

District #7 – none

REQUESTS BY COUNCIL MEMBERS:

Mr. Tolly moved to appropriate \$5,000 from District 1's Recreation account for the Cancer Association of Anderson. Mr. Dees seconded and vote was unanimous.

Mr. Dees moved to appropriate \$400 from District #6's recreation account to replace the nets on the tennis courts at Hurricane Springs Park. Upon presentation of invoices and receipts, the work will be done by the county. Mr. McAbee seconded and vote was unanimous.

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

a. Letters of Appreciation:

1. For: Mr. Vic Carpenter From: Ms. Kelley Blair

2. For: Officer Wilson, Officer Hayes and Ms. Karen Mills of the Compliance Office From: Dr. Leonardo Ortiz

b. Anderson County Transportation Safety Committee

c. Letter to WASTEKO, Inc. concerning a proposed landfill site in Anderson County

d. ACTC Approved Projects

e. Mr. Preston's Letter to Ms. M. Cindy Wilson regarding CAFR questions (Feb. 16, 2006)

f. Mr. Preston's Letter to Ms. Wilson concerning CAFA Questions (Feb. 21, 2006)

g. Mr. Preston's Letter to Ms. Wilson concerning her visit to the Finance Department

h. Letters to Mr. Preston from Ms. Wilson

i. Letter concerning Helicopter Medical Transport

j. Letter of Intent – HOME Consortium

k. Letter to Jim DeMint concerning Murray/Franklin Street Redevelopment Project

l. Departmental Transfers

m. Finding of No Significant Impact from DHEC

n. Letter from Former House Member Dr. Harry C. Stille on property tax

- o. The Kiplinger Letter – Forecasts for Management Decision Making
- p. Letter to Lindsey Graham concerning CSX Transportation's Abandonment of a segment of its line
- q. Letter from School District 5 urging the Delegation not to pass pending legislation (S.1101)

Mr. Preston said that Anderson County had two Presidential helicopters to fly into the county's airport during the weekend. He said that for the third time, \$140,000 was paid to the Attorney's in DC and he reminded everyone that \$90,000 was reimbursed by AnMed Health. In addition, Council has heard and seen the enormous amount of requests that he and his staff have to deal with and it would almost require someone full-time in order to provide information constantly. Concerning the Farmers Market Pavilion, he took Council for a tour of the pavilion and the farmers market, at that time it was discussed about the questions that Ms. Wilson had brought up and she chose to leave the meeting early. Staff is working on trying to provide Ms. Wilson with the answers to her questions as fast as possible.

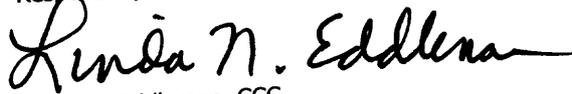
Ms. Wilson asked the following question about the departmental transfers. She said she added them up and the County was \$265,850 out of budget. She said she did not understand when the County moved money from infrastructure, well over \$100,000, it said to "reallocate money dollars from the new positions account into the appropriate line items". She asked what this meant. Mr. Preston said that this was the proper accounting for the budgeted money approved by Council for the new bridge work/department.

CITIZEN COMMENTS: Other Matters - Mr. Brooks Brown talked about the cable television franchise and the request of public assess lines.

REMARKS FROM COUNCIL MEMBERS

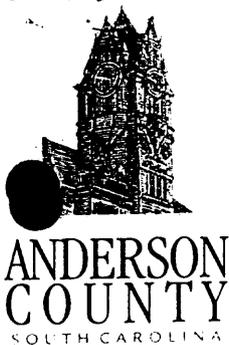
Being no further business the meeting was adjourned at 8:37 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

Attachment: Exhibit A – Mr. Thompson's Recusal form



Making News.
Making Progress.

MEMORANDUM

TO: COUNTY COUNCIL CHAIRMAN, ANDERSON COUNTY

FROM: MICHAEL THOMPSON

DATE: March 7, 2006

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

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 Resolution R2006-018 - Hunters Glen Subdivision as it appears before Anderson County Council on March 7, 2006

The potential conflict of interest or appearance of impropriety for which I am recusing myself and abstaining from participation is: MEMBER OF THE HUNTERS GLEN HOMEOWNERS ASSOCIATION.

(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,



Post Office Box 8002 • Anderson, S.C. 29622-8002
(864) 260-4000

www.andersoncountysc.org

Exhibit A - March 7, 2006

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – March 21, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3. Presiding
G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee - District #4
Michael Thompson - District #5
William C. Dees - District #6
Cindy Wilson - District #7
Joey Preston - Administrator
Todd Davidson - County Attorney
Linda N. Eddleman - Clerk to Council
Tammie Shealy - Deputy Clerk to Council

ABSENT

Tom Martin - County Attorney

(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 21, 2006 at 6:00 p.m. Mr. Fred Tolly gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Dees moved to approve the March 7, 2006 minutes as mailed and Mr. McAbee seconded. Ms. Cindy Wilson said that on page 2, fifth line down the sentence reads: "He asked why, after their incident on the 24th in the finance Officer, weren't any witnesses of the Finance Office ever questioned." She moved to amend to modify the send to read: "He asked why, after their incident on the 24th in the Finance Office, weren't [REDACTED] ever questioned." Mr. McAbee seconded the motion to amend. Vote was five in favor (Dees, Tolly, Thompson, Wilson, McAbee) and two opposed (Greer, Floyd). The vote to approve the minutes as amended was six in favor and one opposed (Floyd).

CITIZEN COMMENTS: Agenda Matters

Mr. Mikey Cole presented a petition to Council for those interested in the Buckland Subdivision. The petition read "As prospective buyers and concerned citizens, we are in favor of the zoning change from R20 to R8. This change is necessary to create the type of community that includes amenities and maintenance programs." She said that she approached Mr. Jeff Ellis and asked him to consider building a community of this type. Mr. Steve Pope asked Council to give a more clear definition in the proposed Ordinance 2006-012 of "loose" as opposed to being wrapped and secured. Mr. Brooks Brown said that it seemed Council was confused as to what zoning was. He talked further about the zoning procedures in Anderson County. Mr. Garry Isbel talked about the Sullivan Road rezoning request. He commended Mr. Michael Thompson for standing up for their community and he asked Council to reject the request. Mr. Dwight Edwards said that Council turned the plan down on December 6 and its back before Council as a P-D. He said Mr. Davis' Letter of Intent did not match his plat. His letter states that the development shall not exceed 3 houses per acre but he's asking Council to rezone 35.7 acres. In reality you cannot rezone 35.71 acres, because 7.16 acres is right-of-way that belongs to Duke Power. 2.71 acres of the property is Norfolk Southern right-of-way so that leaves 25.84 acres to develop, he said. He suggested that Council "do the math". He asked Council to look at the Letter of Intent and deny the request. Ms. Pam Shiflet stated that she opposed the Sullivan Road rezoning from commercial to P-D. She too stated that the Letter of Intent was different than the plat. She also said that 70 of the 98 lots are less than 8300 square feet and that is what the community is against - high density. She asked Council to vote the ordinance down. Mr. David Cothran talked about the zoning of Sullivan Road. He said that zoning was voted on and implemented for the public interests therefore no one should use this as this a forum to ignore zoning. He asked Council to table for

further time to study the plan further. Mr. Mike Settle spoke in favor of the rezoning on Sullivan Road. He said that the developer did appreciate the people of the community. He wants to bring something to the community that is not only profitable but it's also good for the community. The produce is of higher quality than the surrounding homes. The density issue does quality for low-density under the County's definition of "density". The way it is currently zoned, commercial, the traffic would be much more adverse to the community than it would be with the proposed plan. The people are committed in assisting the community to fix other non-related problems such as the traffic situation in front of Whitehall Elementary School. He asked Council to approve the request. Mr. Jimmy Davis, contractor, talked about the density and how it was figured.

RECOGNITION OF THE EMPLOYEE OF THE MONTH AND THE EMPLOYEE OF THE YEAR: Ms. Celia Boyd, a member of the Human Resources Committee said that Council would be recognizing the Employee of the Month for February and the Employee of the Year for 2005 tonight. Mr. Ike Brissey introduced Ms. Jessica Tremble as the Employee of the Month. Ms. Tremble is an employee of Central Dispatch and is an Assistant Supervisor in Dispatch. He said that in 2005 Central Dispatch answered around 136,000 calls. Council congratulated Ms. Tremble for her outstanding job performance. Ms. Celia Boyd presented Mr. Derrick Singleton as Employee of the Year who is an Operations Management Supervisor with the Waste Water Management Department. He has been with the County for over 20 years. Council also congratulated Mr. Singleton, also.

PRESENTATION: Chairman Larry E. Greer stated that on Friday, a week ago, there was an incident that occurred and there had been a lot of talk about it in the media, and in the communities. Chairman Greer asked Sheriff Crenshaw and Chief Deputy Tim Busha to come forward. Chief Deputy Tim Busha gave the following report. He said that in November or December of 2005, when the Administrator brought a complaint forward that anonymous letters were coming in to him; many which were vulgar and salacious. It reached crescendo in January or February. He said that there were incidences where the Administrator and other County Employees were being followed. During the course of the inquiry, which has since evolved into an investigation in which SLED is a part of, he wanted to make sure there was information substantial to involve another agency. He said that February 10th was the first night that they actually observed someone following one of the complainants in this particular case. It has gotten to the point that it is absurd and ridiculous that any individual, public official or not, would have to endure that kind of behavior. He said that it had continued to build and many Council members had received unsigned letters. In order to find out whether Mr. Preston and others were being followed, as part of the investigation the Sheriff's office asked on numerous occasions for Mr. Preston to be in certain places with certain people and to do certain things. The endeavor has in fact led them to certain people that they believe and know have followed Mr. Preston and others of the County. This information was turned over to SLED who is currently conducting interviews. He said that they have videos of phone calls being made at locations from some of the numbers received by Mr. Preston and others that they have identified on camera of individuals making those calls. Again, he said that he wished he could read some of the letters but if he did it would not be fit for publication. Another disturbing fact, on at least one occasion, Mr. Preston's son received a telephone call and was delivered disturbing information. That kind of thing has to stop, he said. A preliminary inquiry was done and then turned over to SLED. Chairman Greer asked Chief Busha if it was an on-going investigation and Chief Busha said it was. Chairman Greer also asked Chief Busha if the incident on the 10th was part of their on-going investigation and Chief Busha replied that it was. The City did not make an incident report because there was nothing immoral or illegal being done at the location that particular time and the park was not under curfew at that time. The Sheriff said that they were going to continue the investigation until they have the individuals and if the evidence seems to be appropriate they will follow through with prosecution. Mr. Dees asked if the Solicitor's office was involved and the Sheriff responded that the Solicitor was aware. Mr. Joey Preston read a prepared statement saying that since September 2005, that he along with his family had received unsigned letters. The letters have been personal attacks on his character, insulting, threatening, and vulgar in nature. To date, he has received at least 75 such letters. On November 28, 2005, he sent Council a letter detailing the harassment and he encouraged all of them, if they became subject of such letters, to pursue law enforcement's involvement. At that time, he asked for and received assistance of the Enforcement in investigating the matter. The harassment increased at that time. He also said that at least 20 calls were received at his home and on at least 2 occasions the caller decided to express their vulgar views to his 12 year-old son. He said that he believes that the belief of the committed group of individuals is to remove him from the community. He said that a little over two weeks ago as a part of that investigation, Law Enforcement directed his involvement in an operation designed to more fully ascertain the identities of those involved and as a result everyone had heard the viscous rumors circulating as a result of the operation. For the record, Mr. Preston's letter states that he and his family have made Anderson their home and he intends to continue to be a vigorous supporter of its healthy growth and progress. A copy of this letter is on file in the Clerk to Council's office. Chairman Greer thanked the Sheriff and Chief Busha for sharing the information with Council and they trust that

what has been going on is not indicative of all the people of Anderson County. He said Anderson County was truly blessed to be populated by some really good people. The Sheriff said that this was being perpetrated by a very small group of individuals who think they can intimidate public officials and they are sadly mistaken.

Council took a 5-minute recess at 7:00 p.m. Chairman Greer called the meeting back to order at 7:05 p.m.

FUSION WAREHOUSE PRESENTATION: Mr. Randall Brown gave a short PowerPoint presentation on his new facility; the Fusion Warehouse which is a student center. They want to motivate students to get involved in the community and to provide a positive non-threatening environment. They hope to partner with many area organizations as possible to provide the best programs and activities for the County's students and to provide the best programs and activities for them. They want to provide classrooms for area organizations and their programs. They are most excited about is their incentive which is an incentive for students to participate in the programs or the Fusion Point system. For any student to participate in the activities from 6 on, there are one or two ways they can actually participate. Everything is assigned a point system and the center will be composed of 100% volunteers. Mr. McAbee moved to allow an additional 5 minutes for discussion. Ms. Floyd seconded and the vote was unanimous. Ms. Floyd said that this was about our young people and she stated that they need everyone's help such as mentors, directors, teachers, and other things. She encouraged everyone to get involved and help with the endeavor. Chairman Greer stated that our young people are our greatest natural resources and steps need to be taken to preserve, nurture, help the young people of the County. The presentation was received as information.

PRESENTATION: Mr. John Spegal introduced himself as the new District Manager of Allied Waste. He replaces Mr. Jim Zieche who accepted a job with their company in Richmond, Virginia. He thanked Council for allowing them to do business in Anderson and they reiterate their commitment to the County and to everyone individually. Ms. Wilson welcomed Mr. Spegal. She stated that there were several issues of great concern. The Allied Waste Landfill is in District #7 and they have quite a bit of concerns about the roads; multiple heavy trucks coming daily and the roads are being very badly torn. A lot of the neighbors complain of the trash blowing, some coming from city trucks not just from Allied Waste. She said there was also a concern of principals and executives of his company making very high campaign contributions and in her opinion it was not appropriate from a major contractor for the County. She invited them to work on the roads in and around the landfill. Ms. Floyd welcomed Mr. Spegal and she thanked him for other contributions, besides campaign contributions, in the County. Chairman Greer said that Allied Waste is a very good corporate partner in Anderson County.

ORDINANCES – THIRD READING:

Chairman Greer read the title for the third and final reading of Ordinance #2006-007 – An ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Zoning Map to rezone from C-1 (Commercial) to P-D (Planned Development District) one (1) parcel of land comprising approximately +/- 45.99 acres of property in the Centerville A Precinct on Sullivan Road. The property is identified by TMS #95-00-03-007, and is generally described on Sheet CV-1 of a Development Plan for Sullivan Hills Subdivision prepared by Grey Engineering Consultants, Inc. dated November 17, 2005, and further described in a Statement of Intent for Sullivan Hills, Anderson County, South Carolina, dated January 16, 2006. Mr. McAbee moved to approve on third reading and Mr. Dees seconded. Ms. Floyd said that she was concerned about the Letter of Intent and the statements made that the letter and the plat do not match. Mr. Jeff Ricketson came forward and stated that this rezoning issue was one of the most debated and analyzed request in along time. It is three units per acre and everything in the Letter of Intent is accurate as submitted by the developer, he stated. Ms. Wilson said that the rezoning request was very difficult with the infrastructure there in place. There are people who want the economic development but it's hard to balance the needs of the community from one to the other and they have the safety issues, and the quiet enjoyment issue to consider. She said that she would therefore abstain on the issue. Mr. Thompson said that at the Retreat Council put in their Vision and Goals that the Council agreed to work toward developing land along the county's railroad system for the economic development of the County. This land on Sullivan Road is along the railroad system. At the retreat Mr. Lummus explained the importance of the railroad system in the County and then on second reading he reiterated those same points. He introduced Vice President Steve Roberts of Systra Consulting. Mr. Roberts wrote a letter and a copy was given to all Council members. Mr. Roberts said that he was in the area last week to meet with County officials about CSX's proposal to abandon approximately 13 miles of railroad. He said that the rail on the Sullivan property, in his opinion, could be made to serve a railroad customer. Some of the geometry makes it very attractive, he said. There have been more railroads taken out of service since 1980 than remains in service today. So railroad service land is becoming more and more a

premium, he stated. Anderson has been and still continues to be a very attractive location for those customers. Mr. Thompson reiterated from the last meeting that it's important to the economic development of this County that this piece of property remain commercial and be developed as commercial or light industrial. The County has limited amount of land along the railroad. He said that nothing about the property says residential so therefore he recommended to Council that the piece of property remain commercial. Vote on the ordinance was five in favor (Dees, McAbee, Floyd, Tolly, Greer), one opposed (Thompson), and one abstention (Wilson). Motion carried.

Chairman Greer presented third and final reading of Ordinance #2006-008 – 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 (Residential-Agricultural) to R-20 (Single Family Residential) a parcel of land comprising approximately +/- 37.78 acres in the Hopewell Precinct on Stringer Road. The property is identified by TMS #172-00-04-063. Ms. Wilson moved to approve and Ms. Floyd seconded. Ms. Wilson stated that everyone was in agreement with the development. Vote was unanimous.

ORDINANCES – SECOND READING:

Chairman Greer read the title for second reading of Ordinance #2006-009 – a second supplemental ordinance providing for the issuance and sale of an Anderson County, South Carolina, Special Source Revenue Bond, Series 2006, in the principal amount of not exceeding \$5,800,000; prescribing the form and details of such bond; and other matters relating thereto. A public hearing was held and the following citizens spoke. Mr. Rick Free Mantle said that he was at the last meeting to hear discussion on the item. He heard questions posed by Ms. Wilson such as where the money was going to come and who would be paying for it. Also she mentioned how far in debt this situation was. He said he could not believe that not one member of Council had any questions or issues with her questions. He asked, as a taxpayer, where will the money come from and who will pay for it and is it going to end up on the back of the taxpayers of Anderson County. No further remarks, the public hearing was declared closed. Mr. Tolly moved to approve and Mr. McAbee seconded. Mr. Mike Burns with McNair Law Firm explained that the bond would be paid for through the multi-county industrial parks in the County. There are three of those parks in the County; the Anderson/Greenville County M/C Industrial Park, Clarendon County Park, and the Abbeville/McCormick Park. So in this case, he said, would be the special source. Mr. Preston said that there was an adequate revenue source that is being collected in order to collect the debt on this bond. Ms. Wilson asked what is the current annual revenue from all the properties in the multi-county park system. She also asked what other expenditures are made from that revenue source and the amounts made. Mr. Preston said that it was used to retire special source revenue bonds. Ms. Wilson said that there was a certain amount that must be used to pay the interest only. Ms. Wilson moved to extend the discussion time by 5 minutes and Mr. Thompson seconded. Vote was unanimous. Mr. Burns said that the total combined debt service for the two Special Source Revenues bonds would be 8.2 million issued in 2004 and this 5.8 million dollars. The total combined debt service would reach their highest point in 2012 according to their projects and according to the interest rate. She asked if any of the companies in the Industrial park left, would it diminish the County's revenue source and Mr. Burns said that it could. Mr. Preston said that this was the financing for Phase II of the Beaverdam sewer line. Chairman Greer called everyone's attention to the first paragraph on Page 4 of the ordinance. "The Bond of 2006, and the interest thereon is, (a) payable solely from all or a specifically described portion of the Pledged Revenues retained by the county; (b) not secured by, or in any way entitled to, a pledge of full faith, credit, or taxing power of the County; (c) not an indebtedness of the County within the meaning of any state constitutional provision or statutory limitation but is payable solely from a special source that does not include revenues from any tax or license; and (d) not a pecuniary liability of the county or a charge against the County's general credit or taxing power." Vote was six in favor and one opposed (Wilson). Motion carried.

ORDINANCES – FIRST READING:

Chairman Greer read the first reading title of Ordinance #2006-006 – a rezoning request by Jeff Ellis to rezone 27 acres off Midway Road and Bowen Road from R-20 (Single Family Residential; 20,000 sq. ft. minimum) to R-8 (Single Family Residential; 8,000 sq. ft. minimum). TMS #171-00-07-004 - A public hearing was held and the following citizens spoke. Chairman Greer said that Mr. Ellis had submitted an application to consider this as a Planned Development so as Council considers this item they may consider this as a PD instead of an R-8 as indicated from information received by all members of Council. Mr. Richard Hanks, 110 Traynum Place, Belton addressed the change from R-20 to R-8 and now to PD without going through the whole process. Based on the amendments, he said that it didn't seem to be the proper procedure. By allowing this to go from R-20 to R-8 or planned development is opening the door for more dense, high density commercial and residential development in the area. Mr. Jeff Ellis of 123 Loudwater in Rivendell said that Mr. Hanks was correct.

They are changing from R-8 to a planned unit develop. They are staying within the guidelines of R-8. He said that they feel like it would be best to submit it as a planned unit development and they are still staying inside the guidelines of R-8. Mr. Melvin Gregory of Horseshoe Bend-Steeplechase, talked about how the community met three years ago to decide the zoning of the area. At that time, he still lived in Charlotte. The consensus was R-8 with lots just over an acre; later the consensus of the citizens showed up on the Planning Department map as R-20. He said that the community asked for nothing less than ½ acre lots; low density. Mr. Timmy Roberts, one of the developers in Rivendell, explained to Council the many aspects of the proposed development. He stated that they were encouraged to do the development because of the need in the community and for those looking for a community without the responsibility of outside maintenance. Mr. James Lister, a developer of 111 Harlond Drive spoke next. He showed drawings of the proposed houses that will be built in Buckland and he showed that they had a 30-40 acre border as a buffer and he called Council's attention to the petition from the Rivendell Homeowners. Ms. Mariea Kautter of 222 Surrey Lane said that their main concern was not about the quality of the homes but rather the density and the roads that are going to be used. She stated that they were also concerned about the run-off and the 8,000 square feet is not big enough to have a septic system since sewer is not available. Mr. Andy Ginn of Devonshire Subdivision stated that he had three areas of concern. Lot sizes are from 2 acres up to 10 acres that surround Buckland. He also discussed traffic, sewer line, intended residents and trips per day issues. Mr. Bill Eaton of 304 Autumn Lane, which is across the street from Rivendell Subdivision, said his main concern was with the zoning change from R-20 to R-8. He said the 8,000 square foot lots are too small. Mr. Frank Harrell also of Autumn Lane said that the property adjoins the property across the creek with the creek being in the middle between his property and what they are talking about. He said that the area was in a floodplain and the development would only create more problems. Mr. John C. Floyd of 300 Surrey Lane said that he was a resident of Devonshire and he was a residential builder. He talked about the retention pond near Devonshire subdivision and other things that needed to be corrected in Rivendell. He suggested other changes needed in Devonshire such as streets, roads, and drainage. He asked Council to postpone a decision until some of the issues are corrected. Mr. Mike Settle of Savannah Drive said that he was proud of the standards that Mr. Jeff Ellis had done in the proposed development. He said he appreciated Mr. Ellis raising the bar. No further comments, the public hearing was declared closed. Mr. McAbee moved to approve and Mr. Dees seconded. Mr. Tolly moved to amend the ordinance to require PD development and Mr. McAbee seconded. Ms. Wilson requested that the Council either deny the request or table until many of the issues are resolved. She said this particular situation involves a safety issue and the property is hilly, and run-off is there and at the very least Council should require the Building and Codes Department to work with the developer. Ms. Wilson moved to extend the discussion time by five minutes and Ms. Floyd seconded. Vote was unanimous. Ms. Wilson moved to amend the PD and send back to the Planning Commission and let Building and Codes work with the developer. Mr. Thompson seconded her amendment. Vote to amend was three in favor (Floyd, Wilson, Thompson) and four opposed (Dees, Greer, Tolly, McAbee). Motion failed. Council discussed further. A call for the question by Mr. Tolly was heard and a second by Mr. Dees was received. Vote on the call was four in favor (Dees, Greer, Tolly, McAbee) and three opposed (Thompson, Wilson, Floyd). Motion carried. Vote on the motion to amend to change from R-8 to P-D development was four in favor (Tolly, Dees, Greer, McAbee) and three opposed (Thompson, Floyd, Wilson). Motion carried. Council discussed further. Mr. Dees moved to allow five more minutes for discussion and Ms. Wilson seconded. Vote was unanimous. Council discussed further. Ms. Wilson moved to table and Mr. Thompson seconded. Vote was three in favor (Thompson, Wilson, Floyd) and four opposed (Tolly, Greer, Dees, McAbee). Motion to table failed. Vote on the original motion as amended was four in favor (Tolly, Greer, Dees, McAbee), two opposed (Thompson, Wilson), and one abstention (Floyd). Motion carried.

Council took a five minutes recess at 8:50 p.m. Chairman Greer called the meeting back to order at 9:00 p.m.

Chairman Greer read the title for first reading of Ordinance #2006-011 – a rezoning request by Orian Rugs to rezone 9.31 acres from R-20 (Single-Family Residential) to I-1 (Industrial). TMS # 146-00-09-004. A public hearing was held; no comments were received. Mr. Thompson moved to approve the ordinance on first reading and Mr. Dees seconded. Vote was unanimous.

Chairman Greer read the first reading title of Ordinance #2006-012 – an ordinance to amend Section 42-146 of the Anderson County Code of Ordinances, which relates to responsibility for loose material on property, in vehicles; and other matters related thereto. Chairman Greer moved to approve and Mr. Dees seconded. Chairman Greer said that he had received complaints over the last several years concerning the County's tarping ordinance and how it's being enforced. He said that he did not want anyone to think that this is an effort to do away with the tarping ordinance and the entire county has a litter problem. He stated that he had complaints about the enforcement of the ordinance in or near the vicinity of the convenience centers and

he'd received such comments as "It's like shooting fish in a barrel." So he is offering this motion to amend this ordinance to require the Codes Enforcement officers to issue a warning on the first offense, maintain a data base of those warnings and when someone is stopped for uncovered load the data base would be checked for a warning and if a warning had been issued then they would issue a citation for the second offense. This would give the residents of the County a little relief with the covered load ordinance. He said that in his opinion that the County needed to stress more on citations for actually for doing the littering than for ticketing people who are actually trying to carry their trash to the appropriate place. Council discussed. Council heard from Mr. Tommy Thompson and Lt. Keith Bowman. Ms. Floyd moved to extend the discussion time by 5 additional minutes and Ms. Wilson seconded. Vote was unanimous. Ms. Floyd said that Anderson County needs all the help in keeping litter off the streets and roads in Anderson. Vote to approve the ordinance on first reading was six in favor and one opposed (Floyd). Motion carried.

Chairman Greer read the title for first reading of Ordinance #2006-013 – an ordinance to amend Section 38-702 of the Anderson County Code of Ordinances, which relates to piping of driveways; and other matters related thereto. Chairman Greer moved to approve and Mr. Dees seconded. Chairman Greer stated that one of his concerns while being on Council is what the County does for small businesses across the County. He said the County did absolutely nothing but instead they are made to "jump through hoops, every ordinance, every regulation, everything going and coming, they don't get a tax break, or incentives – nothing". Companies like Walgreen or Michelin or Owens Corning when they come in the County cuts their taxes from 10.5% down to 6%, they get 20-30-35% in Special Source Revenue bonds to help them put in the necessary infrastructure and we even work with the Commerce Department to put in Michelin Boulevard for Michelin Starr plant. This would allow the Road Maintenance department to put in a second driveway on a piece of property that has a residence on it and a commercial business or some kind on it – it would allow them to put in that second driveway for commercial purposes on this piece of property. They can now get a second driveway but they have to get a permit and then pay the total cost of installation for the second driveway. Mr. Thompson asked Mr. Hopkins to come to the microphone. He asked him what effect the ordinance would have on his budget and he responded that at this point he really didn't know and if it became a new service he would be concerned about how it would be paid for. Ms. Floyd suggested that the County instigate a county business tax to offset some of these funds. Mr. Tolly said that if it took a tax increase or millage increase then he would be very weary of it. Vote was four in favor (Dees, Greer, Tolly, McAbee) and three opposed (Thompson, Wilson, Floyd). Motion carried.

RESOLUTIONS AND PROCLAMATIONS:

Chairman Greer read Resolution #R2006-019 – a resolution requesting the cooperative efforts of Anderson County's Economic Development Resources for Tourist and Recreational Development of the Lake Hartwell area; and other matters related thereto. Mr. Thompson moved to approve and Mr. Tolly seconded. Mr. Thompson stated that the resolution came out of the County Council Retreat and what he wanted to do was make "Anderson County a Vacation Designation". This would increase the County's revenues from non-residents. The resolution requests that the Economic Development Group work together to develop and implement a plan for bringing a hotel/resort facility to the Hartwell Lake area and they would focus on the opportunities for development of the Lake areas a tourist destination, which would include such amenities as golf, hiking and boating, and other water related activities. Vote was unanimous.

Chairman Greer read a Proclamation proclaiming the month of May as Cultural Unity Month in Anderson County. Ms. Wilson moved to approve and Mr. Dees seconded. Vote was unanimous.

BUDGETARY CONCERNS: Ms. Gracie S. Floyd said that she had heard that the County Council budget would be divided by seven council members. She said that she works for District 2. She spends money working for District 2 such as stamps, gas, telephone, travel, and she stays in hotels and she eats for District 2 so she can stay healthy. She said that she didn't know if this was something to keep her "in check" or what. She said that the Council needed to go as usual because she will still work for District #2 – nothing would change. She will spend the money that she needs to take care of her district.

CONTINUED BUDGET DISCUSSION AND RELATED FINANCIAL MATTERS:

Ms. M. Cindy Wilson: "On the budgetary concerns, I did visit the Court House recently and asked to look at some of the credit card expenditures and a certain restaurant vendor file. The restaurant vendor files were not made available to me and they were not available. But what I have found and I want to bring it to everyone's attention because I think we need to have some guidelines setup here is in our credit card expenditures. We have exorbitant amounts of money charged to travel, lodging, and meals and so forth and there is absolutely little or no back up. In private industry a company giving an employee an expense account would at the least

require, for example on a meal, that I had an appointment and an expense account I would be required to have a little written statement of who I took for the meal and what I discussed and provide a receipt in order to charge it or to be reimbursed. In the three or four files that I had an opportunity to look at, other than a few receipts from like Wal-Mart and an occasional hotel there is absolutely no backup. We have for example on March 1st, we paid \$4,339.55 for travel for one department and I'm sure there's probably no back up in the file. The same date we paid \$2,102.92 for travel for another department and these just came from the recent three GLR110 reports. We have expenses on credit cards that when I did go to the file, and look all there is – is a billing statement from the credit card company. So what are we spending thousands of dollars in a three-week period that I just got a few minutes ago, we spent \$19,959.32 in credit card expenditures. Granted there are some expenses that must be made on credit cards but to be accountable and responsible shouldn't we require our employees, including ourselves, to have back up as to why we're traveling and why we're spending the money? And should any of us have to have an appointment to go and look at some files? These are some questions that are very, very serious. Now we've gotten some of the information from my requests that date back to January 12th; however, we still do not have the HUD statement for the Stitchery project and any of the accounting information on expenses related to the purchase, closing costs, studies, construction and materials. We have none of that. We have none of the information as to any relationships between employees and people who own property across the street. We have yet to be provided with the answer on the Tri-County landfill. This is a major asset that the County has an interest in and we were informed in November that the adjoining landowners had the only access to the Tri-County landfill site and we're trying to sell it and we have yet to have a report as to whether or not there is a viable access so that we can sell this property. We have yet to be provided any backup information on Wilbur Smith and Associates, which their company was involved, engaged evidently to conduct engineering studies for the County for the one-cent sales tax and also there may have been an opinion survey involved and I've requested some information or to look at files concerning that and that has also not been provided. Last week I gave you a recap based on about 6 or 7 months of expenditures with Preston Gates and Ellis and also with Wilbur Smith and Associates and I've had no response from any of you regarding that and I've requested of our Administrator a copy of the contract engaging Preston Gates and Ellis in Washington for the lobbying and how much we've paid the firm in the last three years. And do we engage them by retainer or is there any type of bonus agreement. None of that has yet been provided. I'm interested in knowing what your thoughts are on some more guidelines and accountability for our credit card expenditures. Thank you."

APPOINTMENTS: Various Boards/Commissions - All Districts – No appointments were made.

REQUESTS BY COUNCIL MEMBERS:

District #1 - None
District #2 – None

District #3 – Chairman Greer moved to appropriate \$850 from District 3 Recreation Account for the purchase a replacement grill for the Grove Community Park to replace a grill stolen at the park. Mr. Tolly seconded and vote was unanimous.

District #4 - None
District #5 – None

District #6 – Mr. Dees moved to appropriate \$5,000 from District 6's Recreation Account to the Piedmont Public District for playground improvements such as swings, picnic shelters upon receipt of invoice and/or receipt for said items. Mr. Tolly seconded and vote was unanimous.

District #7 – Ms. Wilson moved to appropriate \$1,000 for the Williamston Area Historical Commission for the "Save the Hut" project in the Williamston Spring Water Park. The money will come from District 7's recreation account. They have informed her that they have the proper 01(C)3 form. Mr. Dees seconded and vote was unanimous.

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

a. Letters of Appreciation:

1. For: Mr. Joey Preston From: Congressman Gresham Barrett
2. For: Mr. Joey Preston From: Senator Lindsey Graham
3. For: Mr. Joey Preston From: Anderson County Partnership, Ms. Jane Sosebee, Chair
4. For: Mr. Matthew Littleton From: Chief Billy Gibson

- b. Minutes: Anderson County Development Partnership (November 15, 2006, February 21, 2006, and January 26, 2006)
- c. Reports:
 - 1. Anderson County Environmental Enforcement February Reports
 - 2. District Paving Report
 - 3. Anderson, Pendleton, and Clemson 4-U Ridership
 - 4. Building & Codes Monthly Report
- d. Cub Scouts Letters
- e. Response to Ms. M. Cindy Wilson's inquiry concerning the Powdersville Substation
- f. Request for GLR 153 Report for Ms. Wilson
- g. Letter concerning Opening of Walgreens Training Center
- h. EMS Financial Information
- i. House Bills
- j. S.C. National Heritage Corridor – Corridor Caravan
- k. Departmental Transfers

Mr. Preston advised Council that the Accommodations Tax Advisory Committee had made a recommendation to provide the \$4,000 in ATAX funds for the promotion for the Battle of Anderson to the Tom Ashley Camp. This item will be on the next agenda.

CITIZEN COMMENTS: Other Matters

Mr. Rick Free Mantle said that whatever happened to Mr. Preston is wrong. The citizens need to be caught and prosecuted. He said that if what was happening to Mr. Preston was wrong; how could it be right for another person? When an Elected official has to come to any department and must bring bodyguards from fear of what will happen to her, and the rest of the Council sits here and does nothing is disgraceful. She is a colleague and Council should be doing something about this, he said. It is disgraceful when Mr. Preston makes comments that he [redacted] give her information because she'll give it the public – who is paying for what is going on is also disgraceful. Mr. Steve Pope asked Council to consider some type Long range Planning and Development for areas of the County.

REMARKS FROM COUNCIL MEMBERS:

Mr. Tolly said that to have criticism of the Council or Mr. Preston is okay as long as it's spontaneous and given in good faith but to have something occur that happened to Mr. Preston has got to be organized to go to those depths and those lengths, he said. He said that he also received those vulgar, nasty letters.

Ms. Floyd said that she received a telephone call from out of Tennessee asking about campaign needs. She asked Council to keep their money in Anderson County.

Mr. Thompson said that District 5 was having another Community meeting at Varennes Heights Baptist Church on March 30th at 7 p.m. KAB and Sheriff will be in attendance. The focus will be on Varennes and the Homeland Park area.

Mr. McAbee said that he was glad that Council came through the meeting as good as they did and Council should continue to strive to work out the rezoning issues.

Ms. Wilson said that it seemed that zoning in Anderson County does not work anymore. Rezoning applications are brought to Council for all the wrong reasons and accepted for all the wrong reasons. She said it all goes back to the Comprehensive Land Use Mapping and Planning process and the zoning referendums.

Mr. Dees said that in reference to the PD and the size of lots – that maybe when people get older and decide to retire that they might want a smaller lot because they are tired of cutting grass. He said that things like that disturb him that Council may restrict condominiums for the retirees of the community. He said that he appreciated the Sheriff and the State Law Enforcement Division for their investigation that they are currently doing.

Chairman Greer: "Well, it's my turn. I've listened to all the discussion and comments tonight and I've made a few notes as I sat and listened. And so I'm going to talk about these various things – one at a time. And if I'm long, I apologize. One was dealing with a restaurant vendor file that was asked for when Ms. Wilson made her visit to the Finance Department, I too asked for the same information she did. I had absolutely no

problem getting information in fact I have it on my desk in my office at home. The restaurant vendor file that was asked for, it has been explained to me that the reason that there were no vendor file for that particular restaurant is that no charges had been made to that restaurant this year; therefore there was no file to provide. So you can't get something that does not exist. As far as no back up for expenditures, I too have worked in the public system for along time and when you have the proper checks and balances, you must have backup for expenditures. It's not optional. It's not something that you have any discretion about. If we didn't have backup for these expenditures, our auditors wouldn't have given us an unqualified audit. They would have found those deficiencies as they performed the audit so as far as no backup for expenditures maybe they just were not seen or they were not asked or a part of that material that was given, but I can bet you – I bet you a dollar to a donut that those backup files exist and if somebody really wants to see them – they're there. As far as credit cards, when this credit card issue came up something very troubling came to mind. And like I said I worked in the public system for 30 years and I was accountable for things that belonged to the public and if I'm responsible for something and my name's on the dotted line for it, I don't want anybody else having access to the numbers or whatever that's associated with that item that I'm responsible for. I know that some of the credit card numbers have been moved around and other people have them. I personally would not want to have an Anderson County credit card where anyone had access to my number other than the finance people who are responsible for keeping records for it. I don't want that responsibility for having a number that somebody has access to. So as far as credit cards are concerned, those numbers on those credit cards should be very confidential. They should not be assessable to anyone other than the person responsible for it and those who are responsible for keeping those necessary records that go along with that. And any information that's [REDACTED] concerning those credit card charges and slips should have the credit card number redacted or removed. If I had access to a credit card and you had the number, I'd turn it in. I wouldn't want it because nobody should have access to my credit card number. The one thing that has troubled me as we've moved through this investigation – is the phone call that was made to Mr. Preston's son. I don't know who made it and in my opinion, they are the worst low-life that exists in Anderson County. I asked for this job, I campaigned for it and I spend my money to get it. My children didn't. Mr. Preston asked for this job. He worked for this job. But his children didn't ask to be any part of this and the person that'll do that to a man's child is the worst kind of person I can think of and there's no excuse for that kind of behavior. I don't condone it in any way, size, shape, or form. I sat here and listened to discussions on zoning, and my comments and my thoughts go to this – there's a reason that there's seven of us up here. If one of us was always right and our opinion was always right, then Anderson County wouldn't need but one of us. The rest of us could home. The reason that we have an elected body of more than one person is so that different opinions can be expressed and can be adhered to. And that's why it's a corporate and not an individual body. Individual council members have no authority in and of their own. It's like Ms. Wilson said 'it's just your opinion.' As far as the comment concerning pork barrel, I read the Cacklebur when Nick wrote that just the same as everybody else and I did exactly then what I'm doing now. I smiled about it. It didn't upset me. Folks I make no apology of any kind any size or form about working hard for my Council District – Council District 3 and getting things for the people in my district. That's my job. That's what I'm put here for. I'm put here to represent them and I'm put here to do as much for them as I possibly can. If you want to call me "pork barrel" for doing things to bring things to my district – thank you. I appreciate the compliment. I'm right on with it. Now I heard one other comment and I'm going to shut up and we can go home. I heard one other comment about me today and that is that I'm "pig headed". I think that was said on the radio – on "THE RADIO" this morning you know they never have anything good to say about me. But actually being "pig headed" can be a good thing. Because when I look at the facts of a situation I look at both the pros and the cons and negatives and the positives and when I've gathered information and I make up my mind which direction I'm going – I can be "pig headed". I can stick to my guns and try to make things happen and get things done. Thank you. This meeting is adjourned."

Being no further business the meeting was adjourned at 10:05 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – April 4, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman - 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, April 4, 2006 at 6:00 p.m. Ms. Gracie S. Floyd asked Mr. Michael Cunningham to give the innovation. Everyone stood and pledged allegiance to the flag of the United States of America.

Ms. Gracie S. Floyd asked for a Point of Order. She said that a citizen in the audience spoke with her about not being able to hear Council during the meeting. She asked that everyone please speak loud and into the microphone.

Mr. McAbee moved to approve the minutes from the March 21, 2006 meeting as mailed. Mr. Dees seconded. Ms. Wilson stated that she had discussed some typographical errors with the Clerk. Chairman Greer called attention to page 9 –21st line down – changes “discriminated” to “disseminated”. Chairman Greer moved to amend the minutes as discussed and Mr. Tolly seconded. Vote was unanimous. Vote on the minutes as amended was unanimous.

Chairman Greer said that Anderson County participated in a Heritage Corridor event this past week and Ms. Paula Reel will make a presentation. Chairman Greer said that he would like to add the presentation immediately after “Citizen Comments”. Vote was unanimous.

CITIZEN COMMENTS: Agenda Matters

Mr. Frank Harrell of 331 Autumn Lane addressed item #9 (a) – Ordinance #2006-002 – a rezoning request to change from R-20 to P-D. He said that he was disappointed about how the Council meeting went last week. At the Planning Commission’s meeting they voted not to recommend approval of the request. He said that the people in the community planned for R-20. They are trying to have property around them and sparse kind of houses and going to R-20 is not the way that they want to go. We feel like that when you go to something that is less than R-20; that they are opening the gate and letting the bars down to have more of this type of thing which is not the way that the residents would like to go. He requested that council take another look at the request and then send it back through the proper channels. Mr. Ed Jean of 1212 Crestview Road said that he wanted to talk about agenda item #13. He said that one of his strong concerns was to get the budget going early this year and agenda item #13 did not go into a lot of detail as to what Ms. Wilson will be talking about. He trusts that it is in fact the forth-coming budget for the fiscal year. Mr. Brooks Brown, IV stated that he said before that when the citizens select a zoning preference and then it comes before Council and it’s voted in, the law states that after a year someone can apply to change it. Some members have the mind-set that after a year and it’s their property they can do, as they want. He said that was not true. He urged Council on all zoning instances to require them to show what they intend to do with their property.

Ms. Paula Reel presented Chairman Greer, Mr. [REDACTED] McAbee, Mr. Preston, and Ms. Angie Stringer a trophy for participating and winning the Inaugural Heritage Corridor Caravan. Anderson County beat Oconee and Pickens Counties. The winning County (Anderson) also won a two-page story in the summer addition of the *Sandlapper Magazine*. Chairman Greer said that it was a lot of fun and very educational. Council thanked Ms. Reel for sponsoring the event.

PRESENTATION: Ms. Gracie S. Floyd withdrew her presentation.

THE UNITED WAY OF ANDERSON COUNTY SUCCESS BY 6 PRESENTATION: Mr. Michael Cunningham gave a short PowerPoint presentation on the United Way's Success by 6. All board members were asked to stand and be recognized. Council received as information.

UPDATE ON LAKE HARTWELL AND ECONOMIC DEVELOPMENT: Mr. Burriss Nelson gave the following report. He said that the Corp of Engineers control development on Lake Hartwell and he has been involved with them for about 3 years trying to learn all their rules and regulations for development on Lake Hartwell. They have a Federal mandate to protect and manage the lake resources. They also control Lake Hartwell with a guide referred to as their Shoreline Management guide. The guide shows the different shoreline zones. Red zones are for public parks/access. The Corp has suggested that the County might be able to lease from them, at a very reasonable rate, a particular red zone area and then go about developing that. The County does not have the resources to do major development work. The next option would be to go to the public sector and look at development. The entity would then lease from the Corp of Engineers. The Corp of Engineers must approve a defined Comprehensive Development Plan and then the Governmental entity would sub-lease to a developer. The County has developed an RFP (request for proposals) that took about two years to develop. It calls for a Developer or a Development Corporation who will come to the county and bring to the County a hotel, conference center, golf course with other amenities. The Corps has 5-6 red zone areas that exceed 100 acres that would be conducive and proper for development of that magnitude. The County already has a good many groups that would be willing to tackle this type development project and opportunity. Ms. Floyd asked if any funds had been spent on his preliminary research to date. Mr. Burriss reported that \$2,500 had been spent on consulting information. They received technical information on the subject. She also asked if a bond would have to be done and he said that the developer would be responsible for that. Mr. Thompson said that there is a nationally recognized hotel chain showing an interest in Lake Hartwell in Anderson County. Council received as information.

Chairman Greer reading third reading title of Ordinance #2006-009 – a second supplemental ordinance providing for the issuance and sale of an Anderson County, South Carolina, Special Source Revenue Bond, Series 2006, in the principal amount of not exceeding \$5,800,000; prescribing the form and details of such bond; and other matters relating thereto. Chairman Greer called Council's attention to a revised ordinance, which includes the necessary bid information inserted on page 3. Mr. McAbee moved to approve the ordinance on third reading as presented in the Agenda packet. Chairman Greer read the bids: Bank of America, N.A. – 3.89%, Branch Banking & Trust Company of South Carolina – 4.09%, Wachovia Bank, N.A. – 4.52%. Also added paragraph (g) "After reviewing the proposals, the County Administrator has recommended to the council that the proposal of Bank of America, N.A. be accepted." Mr. McAbee moved to accept the revised version of Ordinance #2006-009 and Mr. Dees seconded. Ms. Wilson: "What is the annual cost of the 5.9 million [REDACTED] at 3.89% interest? The annual cost for the interest at 5.8% [REDACTED]." Mr. Mike Burns came forward and he stated that the bids were received at noon and he did not have an interest schedule for the amount. He did state that they used 4.5% as a guide to see what the interest would be and he could provide that to Council. Ms. Wilson: "While you're looking at that, if we could also have what the annual cost of the \$8.2 million dollar bond at whatever rate we got there and also what the revenues we should have from the industrial parks to cover this." Mr. Burns stated that at 4.5% in June 30, 2007 at \$261,000 and in 2021 it would decrease down to \$20,250. Ms. Wilson: "You said that it starts at \$261,000 a year and then it incrementally drops to \$20,000, that's over a period of 15 years?" Mr. Burns said that was correct. Ms. Wilson: "That would mean that our first years payment on the 5.8 million dollar bond would be somewhere around – it would be more than \$500,000 and less than \$600,000 and presumably 8.2 million you're probably looking at closer to a million. And didn't you tell us at the last meeting that the total revenue from the industrial parks was around 1.6 million?" Mr. Burns said that assuming a 4.5% interest rate for the 2006 bond the combined debt service would be \$1,292,000 and revenues would be \$1,942,000. Chairman Greer announced that time had expired for discussion. Ms. Wilson moved to extend the time for four more minutes and Ms. Floyd seconded. Vote was unanimous. Ms. Wilson: "I would like to make a motion, at this point, because we're talking about serious amounts of money and we don't have the full figures

before us – that we table this until the next council meeting where we could, in the mean time, have been provided with the complete costs in writing so that we can consider what we have in the form of revenues and what we're paying on the other bond that comes from that source of revenue and also what the proposal is before us tonight so that we can look at whether we can handle this." Motion to table the amendment died from lack of support. Chairman Greer explained to Ms. Wilson that the amendment was to approve the revised ordinance. Ms. Wilson: "And we have not had a chance to review it because it was only handed to us moments ago and it's lacking important information, like what the annual cost is for this bond and what the annual cost is for the 8.2 million that was voted on a few months ago." Chairman Greer asked, for the record, if the County has a sufficient revenue stream to pay both the principle and interest on this bond and the other bond? Mr. Burns responded that the County did, at this point. Ms. Floyd talked about the amended version placed at everyone's seat prior to the meeting. She stated for the record that she was just as confused as Ms. Wilson. She also said that she had continuously asked that information be provided in time for everyone to read and study prior to the meeting. Vote on the amendment was six in favor and one opposed (Wilson). Motion carried. Ms. Wilson: "At this point I would like to make the motion that until we have all the figures in writing before us, certainly before the next council meeting, I would make the motion that we would table this item until the next Council meeting so that we will have time to study the total cost of principle and interest over the 15 years for the two bonds combined and also the stream of revenue. Motion to table died from lack of a second. Mr. Thompson called attention to a memo from Mr. Preston that stated the debt payment of the bond would be funded by the Capital Projects infrastructure fund and not by individual taxpayers. There is an adequate revenue stream in this fund to service the debt. Ms. Wilson moved to extend the discussion time by 2 more minutes and Mr. McAbee seconded. (No vote was taken). Mr. Thompson said that he could not understand why the need to micro-manage the issue. The County has sufficient revenue. Mr. Tolly called for the question. Mr. Dees seconded. Vote on the call was five in favor, one opposed (Wilson), and one abstention (Floyd). Motion on the call for the question carried. Ms. Floyd asked for a Point of Order. She said that she had just received her letter from Mr. Preston and she asked for a few minutes to read it.

Chairman Greer called for a 5-minute recess at 6:55 p.m. to allow time for Council members to look over Mr. Preston's letter. Chairman Greer called the meeting back to order.

Ms. Wilson asked for a Point of Order and the Chairman declared her out of order. Vote on the original motion as amended was six in favor and one opposed (Wilson). Motion carried. The Chair recognized Ms. Wilson for a Point of Order. Ms. Wilson: "Well it's rather a moot point. I was going to request that we have our staff provide us the paperwork before the end of this meeting and table this until the end of the meeting after we had the numbers to review. But it's interesting that y'all are willing to vote on a "pig in a poke" and I think that the people of this county will come to recognize as we are deeper and deeper in debt and have insufficient revenues at some point to deal with this." Chairman Greer also asked for a Point of Personal Privilege – He said one of the concerns that he has every time the county looks at a bond issue is he always asks the question – "Can the county do this without a tax increase?" Even when it is bonds related to tax millage, and the answer is no it does not. The main question he has is – is there sufficient revenue from these sources to retire the principal and interest of debt? Mr. Preston said that there are sufficient revenues to retire the bond indebtedness. So contrary to what one Council member has said, the other Council members have looked at and are asking the appropriate questions.

Chairman Greer presented second reading of Ordinance #2006-006 – 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-20 (Single Family Residential) to P-D (Planned Development District) one (1) parcel of land comprising +/- 27 acres of property in the Hopewell Precinct in the Rivendell Subdivision off of Bowen and Midway Roads. The property is identified by TMS #171-00-07-004, and is generally described on a Preliminary Development Plan of Buckland for Jeff Ellis, and further described in a Statement of Intent for Buckland, a Planned Unit Development, Anderson, South Carolina, dated March 15, 2006. Mr. Thompson moved to approve on second reading and Mr. Tolly seconded. Ms. Wilson said that this was in her district. She passed out information to all members and pointed out that the County's Planning Commission composed of each districts' appointee turned down the rezoning request and the Citizens Advisory turned it down twice. She also pointed out, that they were gorgeous homes and lovely people, but there continues to be Stormwater run-off and sedimentation control issues. She said she went to DHEC, some of the complaints weren't in the file, but she did find three. She said of the remedial work has been in progress so maybe it'll be straightened out. She read the following paragraph from a citizen and an adjoining landowner. "I know my husband and I chose to live in Devonshire because the houses were further apart than in other areas. I know the established residents in our area objected to the R-20 zoning but it went through over their desires.

Now we have Rivendell in our backyard. The run-off from that subdivision is eroding my property and the stream. The detention ponds do not seem to be detaining the water so it can run off at a regulated pace. The appearance of the pond next to my house is terrible and I would assume that it will become a breeding pond for mosquitoes. Now we are again faced with the zoning from R-20 to an R-8 – PD-R-8 and even more densely populated area. Where is the run off from this hardscape going to go? We are overloaded as it is. It seems that other Council members are only interested in the taxes they can gather from high density housing." She pointed out that adjoining landowners have informed her that on March 16, the pool was drained into a stream that feeds into Big Beaverdam Creek. According to those people, the little stream was overwhelmed and all the fish was gone. She requested that Council table the issue. The Corp of Engineers will be sending a report soon and Council can have it for the next meeting. She asked was it not important that all of the developers follow the rules and laws so we do not have to revisit problems in years to come. She appealed to Council's sensibilities and sense of fairness by tabling the issue until this is sorted out. Wilson moved to table and Ms. Floyd seconded. Vote to table was two in favor (Floyd, Wilson) and five opposed (Dees, Tolly, Thompson, Greer, McAbee). Motion to table failed. Ms. Wilson said that there were still complaints that needed to be rectified and she requested that the County encourage DHEC and the Building and Codes Department to sort through the issue with the developers to rectify the situation. Mr. McAbee said that he regularly talks with his appointee on the Planning Commission concerning positive and negative votes. It has been suggested to him that this might be a more palatable development where it changed from R-8 to a planned development. Vote was six in favor and one opposed (Wilson). Motion carried.

Chairman Greer read second reading title of Ordinance #2006-011 – 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-20 (Single Family Residential) to I-1 (Industrial) a portion of one (1) parcel of land consisting of +/- 9.31 acres in the Hopewell precinct on Sam McGee Road. The parent parcel is identified by TMS #146-00-09-004, with the rezoned portion being generally described on a "Preliminary Plat of 9.31 acres prepared at the request of Wim DePape", prepared by Farmer and Simpson Engineers and dated August 19, 2004. Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer read second reading title of Ordinance #2006-012 – an ordinance to amend Section 42-146 of the Anderson County Code of Ordinances, which relates to responsibility for loose material on property, in vehicles; and other matters related thereto. A public hearing was held and the following citizens spoke. Mr. Dan McKinney of 4034 Windward Trail said that he was in strong disagreement with the change and urged Council not to support the ordinance on second reading. Mr. Brooks Brown, IV said that if someone was going to litter no amount of ticketing is going to stop them. He said that he changed his mind about the ordinance after he heard about a young boy who went to school with a small army knife in his pocket. Upon getting to the school he realized he had it and took it straight to the office and turned it in. Where he was promptly suspended for 10 days and recommended for expulsion for following the law. Now we are going to ticket someone on his way to the dump, thank you for going to the dump, here is a ticket for not having it covered. This is wrong he said and the first time warning will give the honest citizens an even break. No further remarks the public hearing was declared closed. Chairman Greer moved to approve on second reading and Mr. Tolly seconded. Ms. Floyd said that this ordinance would be taking "a step backward" and she asked to go on record as not agreeing with the ordinance. She said that she didn't think this was the way the County should progress. Ms. Wilson asked that Council consider expanding the definition of "covered" and maybe have a lower fine on the first offense. She also suggested that Council might be able to amend the ordinance to reflect what is more closely in state law. Council discussed further. Ms. Wilson moved to continue the discussion for an additional 2 minutes. Ms. Floyd seconded and vote was unanimous. Council discussed further. Vote was five in favor (Thompson, Tolly, Greer, Dees, McAbee) and two opposed (Floyd, Wilson)

Chairman Greer read second reading title to Ordinance #2006-013 – an ordinance to amend Section 38-702 of the Anderson County Code of Ordinances, which relates to piping of driveways; and other matters related thereto. A public hearing was held and the following spoke. Mr. Brooks Brown, IV said that he takes exception to this especially with no means of paying for it. He gave numbers on businesses/hobbies in homes in Anderson County. He asked Council where would the money come from. Mr. Rick Freemantle said that he was in favor of a small less obtrusive government. No further comments, the public hearing was declared closed. Mr. Tolly stated that he was also concerned about the cost of the ordinance. Chairman Greer moved to approve and Mr. McAbee seconded. Mr. Tolly moved to table the ordinance for further time to consider. Mr. Thompson seconded and vote was five in favor (McAbee, Wilson, Thompson, Tolly, Dees) and two opposed (Greer, Floyd). Motion to table carried. Ms. Floyd asked why was the ordinance tabled. She said that Council tabled things that they are afraid of and also it's she does remember that's election time.

Chairman Greer read first reading of Ordinance #2006-014 – an ordinance authorizing the transfer of certain Anderson County Real Property; authorizing the execution and delivery of a real property deed related to the same; and other matters related thereto. Mr. Dewey Pearson explained the reason for the ordinance. Mr. Thompson moved to approve on first reading and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer read Resolution #R2006-021 – 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. McAbee moved to approve and Mr. Dees seconded. It was stated that the individual(s) would complete the proper weapons training conducted by the Sheriff's Office. Vote was unanimous.

On the motion of Mr. Dees, seconded by Ms. Wilson, Council voted unanimously to approve a proclamation proclaiming April as Fair Housing Month in Anderson County. Mr. Preston read the Proclamation into the record.

VISION STATEMENT, GOALS AND OBJECTIVES: Mr. Joey Preston recommended approval of the vision statement and goals as presented. Chairman Greer asked Mr. Preston to discuss the first reading of the budget. Mr. Preston said that at the present time he was working with the departments to bring the budget proposal in balance so there will not be a proposed tax increase. First reading will be presented at the next Council meeting. Mr. Dees moved to approve and Mr. Tolly seconded. Mr. Thompson said that on page 2 – County Wide Infrastructure – “the county will work to ensure access to rail services needed to sustain and encourage economic development.” He said that he thought the County missed the boat when they allowed Sullivan Road to go residential. Ms. Wilson said she thought it would be important that while the vision statement provides some guidance that council needs, to recognize that it is an un-funded “wish” list at this point. She requested that Council add to the vision statement that Council create the Standing Finance Committee consisting of Council members and also create an advisory Finance Committee where Council can have some very knowledgeable citizens looking at the budget and providing more input. Vote was six in favor and one opposed (Wilson). Motion carried.

CONTINUED BUDGET DISCUSSION AND RELATED FINANCIAL MATTERS:

Ms. M. Cindy Wilson “Thank you, Mr. Chairman. Leaving out, as you have already pointed out, our budget calendar, which was rather late coming to us already, did state that we would have first reading of our budget tonight, which we haven't. I am going to continue to request that we have real budget workshops where we can sit down in a public forum and discuss some of the issues including the needs that are expressed in the vision statement and prior budgetary concerns and current ones. To give our people in the audience an example of what we're looking at, this is a chart of accounts. It represents all the accounts that Anderson County has. It's about 180 pages. It lists every account that we have as of the date the list was given to me. This was the budget that won the award; however it has different verbiage from what we actually voted on and it has additional verbiage. It is lacking in a number of places - some of the numbers that we actually voted on. I want you to see how thick these documents are. Obviously, the chart of account is somewhat thicker than the budget so we've got accounts that we haven't even looked at during our budget process. Now this is the award-winning audit. You see how skinny this is. This represents the fact that many of our accounts and numbers are not actually receiving the full review that we as Council should be making and certainly our auditing firm should be making. The auditing firm simply reviews some of the financial statements for this county, but not all of them. I want to recommend that we consider during this budget process that we, as we are also going to come up on the end of the Elliott Davis contract and we'll be having to acquire a new auditing firm, and even state law section 4-9-150 concerning audits of County records and designation of auditors and public inspection of reports says that the Council shall provide for an independent annual audit of all financial records and transactions of the county and any agency funded in whole by county funds and they provide for more frequent audits as it considers necessary. So this gives us, and actually it confirms our responsibility to be more involved in the financial process. I've made some requests over time for certain financial records and I am going to read a couple of paragraphs from a letter that I sent on December 23, 2003. And I'm hoping that we will finally get some more answers for this now as we go through the budget process. This was a letter addressed to our Auditing Firm Elliott Davis. Number 4 of that letter states: “Is it customary for you as an auditor to address issues of misplacing expenses into categories where such entries do not belong? I do understand there can be instances where items purchased do not fit into any category very well, I'm asking about expenses that are far more obviously mislabeled.” And then down in number 5 I was referring to the non-specific descriptions of First Citizens Bank and making note that there are frequent late entries labeled First Citizens Bank for expenses paid by credit card. Should a credit card category be inserted into department and division category list and would it

serve to further frustrate efforts by Council to inspect those ledger entries? Are there requirements, which could be established to more accurately describe credit card purchases to assist council members in ascertaining if the expenses are appropriate? When I made my brief trip into the Finance Department to look at credit card expenses, I shared with y'all a few numbers at the last council meeting and I've not had a response from you. Should we not also set guidelines during this process as to credit card expenditures where we require our employees to have backup? For example if someone takes clients or vendors to an expensive restaurant, should we not have backup in the file as to who they treated for drinks, dinner, and what was discussed and a receipt? What I found were only billing statements from the credit card companies and we still have not had a response back concerning that. When I came in tonight, I was handed a handful of papers by the Administrator and a question on a January 12 of this year request was #3 – The Stitchery Project was never in a general obligation bond or budget that is readily discernable. What has been spent to date or obligated including but not limited to purchase, closing cost, studies, and construction materials? Then I requested that we have a copy of the HUD closing statements. One of the questions after that was to inquire of the administrator if he was related by blood or by marriage to the individual who owns the Calhoun Hotel. His response to me was it was none of my business basically. But is it not our business if we've spent over a million dollars on property across the street and if he is a silent partner in this project, as he claimed to some folks, then what is that? Is that a conflict of interest perhaps? So these are questions that we definitely need some responses on. I never have gotten a complete answer on how we figure host fee in this county. In fact part of the Writ of Mandamus request was the complete landfill contract which laid out the host fee and who gets royalties from every ton of garbage that goes into the landfill. More unanswered questions and I do enlist y'all to help me get these answers. We do have extraordinary credit card expenditures, we have no real way of knowing if we're getting an adequate host fee as per whatever our contract is and you can look at the county of Spartanburg, which turned down an offer of two and one-half million dollars a year host fee for 20 years. Plus burying that county's garbage free for 20 years by a waste company that simply wanted to get that County Council's blessings on DHEC permits. So the question is, should we not go back and look at what we're getting for host fees and maybe renegotiate that. It doesn't look like we're getting an adequate amount of money and solid waste which is an enterprise fund has continuously cost more and more for the county. And we no longer own the main landfill. But our costs have continued to escalate. Thank you."

Mr. Preston: "Ms. Wilson, would you mind repeating what you said about - who claimed to be a silent partner in what - who are you talking to?"

Ms. Wilson: "There's some folks who told me that you had made the statement that you were a silent partner in Calhoun Hotel project and my request was on January 12 - I requested if you were related by blood or marriage to the individual who's involved in the project. And in the hand out that you gave me tonight, you said that information regarding my relatives is personal. You didn't answer the question if you're related by blood or marriage to that gentleman."

Mr. Preston: "Would you mind telling me who those people are?"

Ms. Wilson: "No, I won't. You have a long history of suing people who ask questions."

Mr. Preston: "It's hard to respond to an allegation whenever you don't get-have all the information concerning the allegation. And I am not going to respond to this because I don't think that deserves it. And Ms. Wilson evidently has made an allegation that she will not back up by naming the people who has said this because I certainly would like to know who they are. And that is all I have to say about that."

APPOINTMENTS: Mr. Tolly moved to appoint Mr. Ted Wentzky to the Farmers Market Board. Mr. McAbee seconded and vote was unanimous.

Ms. Floyd moved to appoint Mr. Ron Moss to the Broadway Lake Advisory Commission. Mr. McAbee seconded and vote was unanimous.

Ms. Wilson moved to reappoint Mr. Ted ████████ to the Human Relations Council and Mr. McAbee seconded. Vote was unanimous.

BID AWARDS – BEAVERDAM SEWER LINE–PHASE II: Mr. Dewey Pearson announced that bids for the Beaverdam Creek Phase II were received on January 26. The construction to be completed will be separated into three separate divisions. Division 1 consists of approximately 18,500' of 36" pipeline and will begin at the upstream end of the City of Anderson's recently completed Rocky River replacement sewer line and follows Rocky River on the eastern side to a point near Cobbs Glen. Where it crosses over to the Westside of the river and it continues on up Cox Road. There are also two short 8" branch lines as part of Division 1. This will take out two existing pump stations in that area. Division 2 begins at the end of Division 1 at Cox Road near the confluence of Big Beaverdam Creek and Little Beaverdam Creek and follows the Big Beaverdam Creek on it's

western side upstream approximately 11,800 to a point near Midway Road. Division 3 begins at the end of Division 2 downstream of Midway Road and continues upstream along the western side of Big Beaverdam Creek to Long Road where it terminates at the end of the existing Beaverdam Creek Phase 1A project. The bids have been evaluated. The following recommendations were made: Contract for Division 1 be awarded to Don Moorhead Construction Incorporated of Belton, Division 2 – Young Plumbing and Electric Company of Starr and Division 3 to [REDACTED] Plumbing and Electric Company in Starr. The signing of the contracts will be April 13. Mr. Tolly moved to accept the bids and Mr. McAbee seconded. Ms. Wilson asked what happens when the County runs into granite and other major expensive engineering obstacles and floods. Mr. Pearson said that any emergency that comes up would be reviewed. There is a substantial amount of rock excavation included in the bid so they don't anticipate anything outside of that and there is a contingency in the over-all project. Mr. Preston said that in January 2007 the County would be requested to approve another special source revenue bond for the final phase. The fee stream is already there, he said. Ms. Wilson asked if the County would be following [REDACTED] what the U.S. Fish and Wildlife commission put on the permits and Mr. Pearson reported that they would follow all the permits issued. Vote was six in favor and one opposed (Ms. Wilson). Motion carried.

REQUESTS BY COUNCIL MEMBERS:

District #1 – none

District #2 – none

District #3 - Chairman Greer moved to appropriate \$2,500 from District 3 Recreation Account to the Flatrock/Bowen Fire Department. Mr. Dees seconded and vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$500 from District 4 Recreation account to the Pendleton District Commission for port-a-potties for the Spring Jubilee. Mr. Dees seconded and vote was unanimous.

District #5 – none

District #6 – none

District #7 - none

ADMINISTRATOR'S REPORT:

a. Letters of Appreciation:

1. For: Mr. Joey Preston From: Richard Eckstrom, Comptroller General
2. For: Road Maintenance - Mr. Joe Moss and Crew (Mr. Michael Poole, Mr. Scott Crawford, Mr. Steve Miller, and Mr. James Smith), Mr. David Boyle's Crew (Mr. Norman McGill, Mr. Chris Robinson, and Mr. Tora Nichols), and Mr. Aaron Smart's Crew (Mr. Phil Brown, Mr. Calvin Scott, Mr. Sam Ellis, Mr. Billy Lomax, Mr. Timothy Wilson, Mr. Denver Mills, Mr. Joshua Vaughn, Mr. John Day, and Mr. Jimmy Leonard) From: Mr. James Moore
3. For: Mr. Joe Moss and Mr. Aaron Smart and Crew (Mr. Phil Brown, Mr. Calvin Scott, Mr. Denver Mills, Mr. Joshua Vaughn, Mr. Timothy Wilson, and Mr. John Day) From: Mr. Allen Walden

b. Minutes:

1. Anderson Regional Airport minutes of January 12, 2006 AND February 23, 2006
2. Anderson Sports and Entertainment Center Advisory Board Minutes of January 30, 2006

c. Newspaper Articles regarding "Legal opinion says Council can't conduct solo inquires" and "Greenville Chairman says Councilman can't direct staff"

d. Community Development Block Grant Cuts, Letters to Ranking Member John M. Spratt, Jr. and Chairman Jim Nussle, House Budget committee expressing opposition to proposed cuts in the FY 2007 HUD Budget

e. "SKYLINES" by Balloon Federation of America

f. Mr. Preston's memorandum to Ms. M. Cindy Wilson regarding GLR 110

g. ACTC approved projects

h. Letter to Mr. Preston concerning the naming of a street/road after Martin Luther King

i. Grant #1533 – Anderson County/Broadway Water & Sewer District (Amended) and #1589-A – Anderson County/Broadway Water & Sewer District

Mr. Preston said that there was an allegation made by Ms. Wilson that he is a silent partner in the Calhoun Project and Ms. Wilson refused to indicate who made the allegation therefore he must assume that it came from Ms. Wilson and as far as he knows it has no basis and is fantasy only. He said there was also a statement made about he sues people. He said for the record that he only sues people who defame him and he has won each time.

REMARKS FROM COUNCIL MEMBERS:

Ms. Wilson pointed out for the record, under Home Rule, Anderson County does have the Council/Administrator form of government and not the other way around as the Administrator informed Council back in February. She said that she did not say that Mr. Preston was silent partner in the Calhoun Hotel project; she said that it was told to her, which was the basis of the question in the letter of January 12 that he refuses to answer if he is a blood relative or related by marriage to the individual named in the letter. He also refuses to provide a copy of the HUD closing statement for the Stitchery Project, and he has not provided the cost spent over there.

Mr. Thompson clarified a statement that there was a "lone democrat that voted against the driveway ordinance." He called attention to the minutes that states there were three votes that opposed it on first reading – Thompson, Wilson, and Floyd. So he stands true to his fiscal responsibilities as a conservative republican.

Mr. Tolly congratulated the Chairman on the good job he did.

Ms. Floyd welcomed Mr. Martin back.

Mr. McAbee – none

Mr. Dees – none

Chairman Greer also welcomed Mr. Martin back.

Chairman Greer: "He, she, and they. It's hard to respond to something when you don't know who is making the statement or the charge. Just as it is to deal with those letters that most of us sitting on this Council got, where the person was such a coward that they couldn't put their name to it. He, she, they. You can't deal with insinuations and rumors."

Being no further business the meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – April 18, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman - 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, April 18, 2006 at 6:00 p.m. Chairman Larry E. Greer stated that he had already offered a prayer to the God he worships in the privacy of his office. Everyone stood and pledged allegiance to the flag of the United States of America.

APPROVAL OF MINUTES: Mr. Tolly moved to approve the minutes from the April 4, 2006 meeting as mailed. Mr. Dees seconded. Ms. Wilson stated that she'd gone over some typographical errors with the Clerk prior to the meeting. Mr. McAbee said that on the top of page 2 – presentation by Ms. Reel – add Mary McAbee on the Anderson County team. Chairman Greer called attention to page 7 – fifth line down – change "John" Plumbing to "Young" Plumbing. He then moved to amend the minutes as listed above and Mr. Tolly seconded. Vote was unanimous. Vote on the minutes as amended was unanimous.

Mr. Tolly moved to amend the March 7, 2006 minutes under the "Requests for Council Members" - change the amount appropriated for the Cancer Association from \$1,000 to \$5,000. Mr. Dees seconded and vote was unanimous.

CITIZEN COMMENTS: Agenda Matters

The following citizens spoke during this time. Ms. Lib Peace, Mr. Ed Jean, Mr. Rick Freemantle, Mr. Steve Pope, an unidentified citizen, Mr. Brooks Brown, IV, and Ms. Bennie Sue West. Council received all remarks as information.

Ms. Gracie S. Floyd withdrew Resolutions **#R2006-020** – a resolution recognizing Mr. Michael Deanhardt for espousing unpopular but courageous positions; and other matters related thereto and **#R2006-023** – a resolution recognizing and honoring Anderson County resident Reverend Doctor James O. Rich for his service and dedication to Anderson County. She stated for the record that she was withdrawing the resolutions because *she* wanted to withdraw them. She said that she was not "bowing down" to anyone else's opinions or any type of intimidation. The resolutions were not written according to what she requested so therefore she would withdraw to allow her to get the resolution done as requested. She said that she had been sick since the last meeting with pneumonia and she might not be able to stay for the entire meeting.

Chairman Greer explained the following changes for the agenda. Items # 5 (a), (b), (e) would be removed from the agenda and 11(b) will be moved up between items 6 and 7.

Chairman Greer read the title of Resolution #R2006-022 – a resolution recognizing and honoring Mr. Kirk Weyman for his service to Anderson County as Project Forester for forty (40) years; and other matters related thereto. Ms. Wilson moved to approve and Mr. McAbee seconded. Vote was unanimous. Ms. Wilson presented the framed resolution to Mr. Weyman and all members congratulated him for his many years of service.

Chairman Greer read the title of Resolution #R2006-026 – a resolution recognizing and honoring Mr. Whit Chamblee for his retirement and his service to Anderson County as Forestry Supervisor for more than Forty-Four (44) years; and other matters related thereto. Chairman Greer moved to approve the resolution and Mr. Tolly seconded. Vote was unanimous. Chairman Greer presented the framed resolution to Mr. Chamblee and thanked him for his many years of service to the County.

The next item - #R2006-024 – a resolution recognizing and honoring Mr. Kirk Oglesby for his service to Anderson County as CEO of AnMed Health for more than thirty (30) years and his recent induction into the Healthcare Hall of Fame; and other matters related thereto was removed from the agenda.

Chairman Greer read the title of Resolution #R2006-025 – a resolution recognizing and honoring the late Mr. Ben Johnson upon his induction into the South Carolina Aviation Hall of Fame; and others matters related thereto. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous. The framed resolution was read by the Chairman and then presented to the family of Mr. Ben Johnson.

Chairman Greer read the title of Resolution #R2006-027 – a resolution proclaiming April 23-29, 2006 As National County Government Week and recognizing the Responders who serve and protect our communities; and other matters related thereto. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous. The Chairman and Council thanked each member present and all those who serve and protect the citizens of Anderson County.

Chairman Greer read the title of Resolution #R2006-028 – a resolution in appreciation and support for the State Community Development Block Grant program. A copy of the resolution was not in the agenda book, but a copy was placed at each Council members' place, the Chairman said. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

AWARD PRESENTATION: Ms. Cindy Allewine, with the Alzheimer's Association, Upstate South Carolina Chapter, said that on February 22 they held their 18th Annual Bowl-a-thon to Strike Out Alzheimer's disease. The money raised is used to help provide support and services to families who are caring for a person with Alzheimer's. She presented the County with a plaque for the "Outstanding Individual Team" in the 2006 Bowl-a-thon. The County Team raised over \$1,350. Council thanked the employees.

Council took a 5-minute recess at 7:00 p.m. Chairman Greer called the meeting back to order at 7:10 p.m.

Chairman Greer read the first reading title to Ordinance #2006-015 – 2006-2007 fiscal year Administrator's proposed budget. Mr. Tolly moved to approve and Mr. Dees seconded. Prior to discussion, Mr. Preston presented a PowerPoint Presentation explaining the 2006-2007 fiscal year budget proposal. Highlights – General Fund budget proposed is \$34,063,700. Not included in the General Fund budget is the Sheriff's Department, the Detention Center (will move over on July 1, 2006), Environmental Services (Sewer, Solid Waste, and Airport), and Special Revenue Funds such as Tri-County Tech, EMS, and Library. Mr. Preston reported that State Retirement is increasing from 7.7% to 8.2% (66,350) effective July 2006. This increase was mandated by the State of South Carolina. Worker's Compensation will be increasing an additional \$75,425 in the General Fund in FY07. This is due to injury and death. Also, fuel cots continue to increase. Mr. Preston has added an additional \$250,000 to the General Fund budget. Health Insurance is increasing by 3.1 % effective January 2007, an additional cost to the County General Fund of \$60,030 and this 3.1% cannot be passed on to the employee. The County could pass on to the employees an additional \$94 per month per covered employee, but County Council and Administration chooses not to pass increases to employees – this equates to an average 3% increase. He has proposed a General Fund budget of \$34,063,700, this includes moving the Detention Center out of the General Fund and into the Special Revenue Fund for the Sheriff. This is a decrease of \$3,478,590 or 9.3%. Special Highlights – the Administrator's proposed budget recommends – increasing the Solicitor's appropriation 3% for operations, an increase of \$39,690, - increasing Soliditor – Case Facilitator's appropriation by \$65,000. This is to cover the costs and benefits of making the Case Facilitator Team full-time. (Solicitor's total appropriation is going from \$40,000 to \$105,000, - increasing Public Defender appropriation by \$61,450 to

cover one full-time attorney to work jail and magistrate court. The above increases equal \$166,140. The purpose, he said, was to reduce the Detention Center population to a more reasonable level. The Administrator's Proposal includes three new positions. Two of the three are required by S.C. Judicial Department as part of the implementation of the 10th Circuit Statewide County and Solicitor Case Management System. The third position is also for MIS, which will be funded by revenue from County Treasurer's issuance of vehicle decals. The position will only be filled when the funds become available during the year. The budget does not include a cost-of-living or a merit increase for employees. The County's longevity plan as well as the \$300 Deferred Compensation match is included in the proposal. The proposal does not include a lease/purchase – only \$6,690 in Cash Capital. The total proposed FY06/07 General Fund budget is \$34,063,700, Special Revenue - \$29,436,495, Sheriff's Office - \$18,200,155, Debt Service - \$8,057,370, Capital Projects - \$9,999,250, Sewer - \$5,470,680, Solid Waste - \$4,669,925, Airport - \$1,169,515, and Capital Budget - \$26,190 for a TOTAL FY06/07 is \$111,273,355 and does not include a tax increase. The PowerPoint Presentation is on file in the Clerk to Council's office for public viewing. Ms. Wilson said that in looking at the proposed budget, in account 5011 – County Council, she asked what was district reimbursables for County Council and Clerks. Chairman Greer said that members of Council requested that various funds (travel, lodging, registration, travel, and telephones) in the County Council account be appropriated on a per Council member basis based on what he felt was a general consensus by members of Council the budget was prepared in that manner. Ms. Wilson: "In 5013, Administrator, why would we go from a \$250,000 to \$350,000 budget?" Mr. Preston: "To pay the bills, Ma'am, quite frankly when we have law-suits filed against the County or general legal work that has to be done, we have to pay the bills." Ms. Wilson: "Well, you've usually been over budget anywhere from 100 to 2 or 3 hundred thousand dollars, so I'm sure that's interesting. Also, in 5014, we've had a dramatic increase in catering. Maybe someone can address that. And also all the exorbitant credit card expenditures for meals and food and lodging. When I came into this at the courthouse, a month or so ago, there was absolutely no back-up on most all of those charges in the credit card files." Mr. Preston: "I don't know what you're looking at, but our catering for our employee picnics and that type thing stayed exactly the same as the current operating budget. Ms. Wilson: "As I recall, we had taken away the catering and you were using Chamber Checks and we increased the amount that we spent on Chamber checks and yet now, I guess we'll continue having Chamber checks plus from \$12,000 in catering to almost \$20,000, is that what I'm reading?" Mr. Preston: "No Ma'am you're not reading that. I don't know exactly where you are coming up with that – but that's not true." Ms. Wilson: "Okay. It's 5014." Mr. Preston: "The Chamber checks that we give the Employees at Christmas time actually come from funding that may be within their budgets in the salary account. It does not come out of catering so I don't know where you'd understand that. I don't see how you come up with that, but that's not true." Mr. Wilson: "But you had said originally that the Chamber checks were being given in-lieu of the big Christmas dinner. You said that, I think, a year or two ago. And here we have catering this year – last year actual was \$19,965 and the current budget is \$12,690. Mr. Preston: "We have 900 employees county wide, and we have employees that work hard and if you look at \$9,000 and you look at the number of employees that we have and you look at the number of events that we have for our employees, there aren't that many." Ms. Wilson: "Oh, I'd never take away from employees." Mr. Preston: "That is just a little bit of money. It just shows a little bit of appreciation for what they do for us each year and we're proposing the exact same budget next year as we have this year. There is no increase. So what you said earlier is not true, there is no increase in that line item. Every single operating budget, for the most part, we're proposing for next year is the same as it was for this year plus those mandated expenses. Nothing new." Ms. Wilson: "Does this catering increase for last year's actual include – I guess it was the reception for one of our wonderful, famous, local authors at your home? Does that include any of that?" Mr. Preston: "No Ma'am absolutely not and I recent that statement. It has nothing to do with it." Ms. Wilson: "There are also some very dramatic increases in salaries in 5046, it appears that that is what used to be the Business Analyst Department and now I see it's being renamed Finance Division Director. It appears that salaries were almost doubled. What is the difference between the former Business Analyst Department and what you're proposing for the Finance Division Director?" Mr. Preston: "The Finance Division Director is over the Finance Department. Title changed. Responsibilities changed. That person, this individual, has an assistant, that position was moved from the Finance Department to the Finance Division, which oversees the department. No new employees there. It's just a relocation-reallocation. The necessary funding for the position came from our salary line-item account. No new positions, money's budgeted. We have a division head that has an assistant. No new positions. The position was already funded." Ms. Wilson: "I just asked did you take the salary out of the Finance Department for the Finance Director and now put into the old Business Analyst Department which in this budget has been renamed Finance Division Director – is that what you did?" Mr. Preston: "No." Ms. Wilson: "How is that when we are only showing revenues, I guess, 5 to 7 thousand a year for the Farmers Market, we have a budget of \$42,575? And I noticed that 5068 and 5069 – Development Standards – salaries dramatically increased there. Does that mean we will finally have an engineer on staff for the Development Standards department. Mr. Preston: "One question at a

time, please. You said \$5,000 it's actually \$12,000. You have to add two numbers together to get the \$12,000. I welcome, I hope you come and sit down with our Finance Department to get answers to these questions that you're asking, it's very difficult sometimes to be able to respond to more than one question at one time. If you would just ask me one at a time." Ms. Wilson: "In the summary of revenues, you have Farmers Market event rental, the budget for this year, proposed budget for next year is \$7,000. So where do we derive the difference in revenues for that department?" Mr. Preston: "You take 143 and you add it to 144. That equals \$12,000." Chairman Greer asked Ms. Wilson to hold her questions, to allow others to ask their questions. Ms. Floyd said that in the past, they have had the opportunity to meet with Mr. Preston or Ms. Humphreys and would that be possible this year. He replied yes. Mr. McAbee said that he noticed the debt service fund increased 19.3%. He asked what in particular was driving that. Ms. Humphreys said that the big part of it was a new capital lease signed back in February and a small amount for special source revenue bonds. Mr. Dees asked if the S.C. Judicial Department Statewide Case Management system was or was not an unfunded mandate from the State of South Carolina. Mr. Preston said that it was a half and half. It's a situation, if the County doesn't go ahead we will not get the \$250,000 from the state for what they'll pay for, Mr. Preston stated. Mr. Dees said that Council and discussed with the Sheriff concerning checking into the housing of Federal prisoners. He asked if the County was currently researching this. Mr. Preston said that he knew an effort had been made to check into it. He asked about the court security. He said that he understands that the S.C. Supreme Court is looking at mandating court security. Mr. Preston reported that a security consultant had surveyed all county buildings. He made several security recommendations and the County has a security plan for all County buildings. Ms. Floyd said in the past Council has had the opportunity to go to the Administrator to get questions answered about the budget. She said that she thought it would benefit her and other members if teams could get together to go meet with Mr. Preston. She said that she would like to know what other members are thinking and questions they are asking. Chairman Greer stated that the budget was flat, it is projecting absolutely no tax increase and the only way that someone could have a tax increase on the County portion is if their assessment increases. The proposed budget's total county levy is 77.0 mils. Ms. Wilson asked for a Point of Order. Chairman Greer recognized her. She asked should Council be voting on the budget when they haven't had a chance to look at it. Chairman Greer said that he asked for further discussion and she offered none so discussion was closed. Your Point of Order was well taken, he said. Vote on the fiscal year budget first reading was six in favor and one opposed (Wilson). Ms. Floyd moved that the Chairman make a list of times when Council can meet in groups of three. Anyone needing more than one session can work with the Chairman. Chairman Greer recommended two groups of three and one group of two. Mr. Dees seconded. Ms. Wilson suggested that it would be easier if Council did it in the form of workshops. Ms. Floyd said she would be more comfortable in a smaller group. Vote was unanimous. Ms. Wilson moved that Council have at least one active workshop where all members attend and the public is notified in addition to the small groups. Mr. McAbee seconded. Vote was six in favor and one abstention (Floyd). Motion carried. Chairman Greer stated that he would be working with Mr. Preston to select a date and hopefully County Council can attend.

Council took a 10-minute workshop at 8:15. Chairman Greer called the meeting back to order at 8:25 p.m. Ms. Floyd left the meeting at this time.

EMPLOYEE OF THE MONTH: Mr. Charles Pinson, Human Resources Committee Chair presented Mr. Brian Banks an employee of the Airport as Employee of the Month. Mr. Banks was presented a gift certificate to a local restaurant and a certificate. Council praised Mr. Banks for his outstanding service to the County.

REZONING REQUEST BY MR. JEFF ELLIS: Mrs. Mariea Kautter of 222 Surry Lane in Devonshire Subdivision gave a PowerPoint presentation to Council, which is on file in the Clerk to Council's office for public view. Things covered were neighborhoods, not increasing value of properties, retention pond, culvert drainage into streams, and environment change. Ms. Kautter: "Every time the developers of Rivendell are asked about the drainage problems onto our properties as a result of the construction of Rivendell (end of tape several words lost) ...talking about how the new homes being built will increase the value of homes. They do not address the issue of runoff. This is what we've been looking at for two years. This is a view of detention pond 1 as seen from my front yard. Trash has not been removed. Grading has not been done. This is a view of a pipe emptying water onto my property as a result of that light rain in March. Notice there has been no pump repairs of eroded areas as required. This is a picture of that runoff continuing across and eroding my property. This water will eventually pour into the stream. This is a picture of the stream at 216 Surry Lane during this light rain. The owner says often it floods their back yard. This is a picture of a drainage pipe that leads from the street culvert and empties directly into the stream. This cannot possibly be considered best management practice. This is also a picture of the floodplain in Hampton Acres that according to Mr. Harrell has not been dry for two years which coincides with construction of Rivendell. This is a picture of the trees that were once alive but now are

dead due to the fact that there is standing water constantly on that floodplain. The following is a list of DHEC inspections and as you can see they have been in constant non-compliance for the past year. 3/3/05 – Disturbed area not completely grassed, 3/9/05 – Disturbed area not completely grassed (Midway), 3/16/05 – Inspection – Storm water devices not installed or maintained properly, offsite impact to stream, 5/26/05 – Sediment control not properly installed, 2/21/06 – sediment control not properly installed, offsite impact to stream and best practices management not properly installed. 3/22/06 – Dunn and Associates Engineering gave a report to the developers and they said that the pond needs to be cleaned out. It was not grassed or stabilized. Silt fences were not maintained, outlet pipe needs attention, storm pipe needs attention, No rip-rap at pipes and spillway, French drain needs inspection for proper installation and the summary of their report says that all sediment devices need to be maintained regularly to protect downstream areas. In conclusion, you can plainly see that the developers of Rivendell have not been in compliance with best management practices requested both by DHEC and Dunn and Associates Engineering report since the beginning of this project. Therefore, I respectfully ask you not to pass the rezoning for the 26 acres of property in the Hopewell precinct and the Rivendell Subdivision. It is apparent that the developers have ~~not~~ taken more than they can handle at this time. I also have a petition signed by the people of Devonshire. Thank you for your attention." Mr. McAbee: "Most of the photographs – when do they date to?" Ms. Kautter stated it was March of this year 2006. Mr. McAbee asked if there were any follow-up reports. She said no. Mr. Tolly asked if there had been any requests for the County to take over these roads. Mr. Hopkins said not at this time. Mr. Harrell: "I won't take but a minute. I've been before you before telling you about some what she has just been talking about and I am Mr. Harrell that she referred to as far as one of the pictures there that was taken behind my house and this is the area I talked about that has been wet now for two years. And as you see the trees are dead as a result of this staying wet because it was normally a floodplain where the water would run off and therefore the trees had no problem, but since they have been under water they have now died. And this is the way in which she has shown you that apparently this developer has been taking care of things. And here we are trying to give him permission to go from R-20 to an R-8, which is making things – going to make things worse as far as water run-off. The picture she showed you was after a light rain. If we get 4 to 6 inches of rain, which we occasionally do out there, I don't know what this place will look like. But I thank you for your time." ~~Mr. Harrell~~ "I spoke earlier. I'm a next-door neighbor of Ms. Kautter. The stream that crosses her property crosses mine. In addition the outflow from Detention pond #1 of the subdivision feeds directly into the stream immediately behind my house. So I see everyday what you see there. What she's touched on about the condition of detention pond #1 and the engineering report was from a single complaint concerning that one pond. There are four ponds on the property there in the subdivision there. There are individual storm drains systems leading into each of those ponds. And none of those currently are up to standards or meet the best management practices. There is work underway by the County Engineering Department to get corrective action taken for all of that drainage system but none has been done yet other than on the detention pond #1. There is an additional storm drain that empties directly into the stream without going into a retention pond at all. The backwash and the outflow from the swimming pool-lazy river was permitted by DHEC to go into a detention pond. There's no detention pond in place to contain that outflow. So that's another matter that needs to be addressed. There's one complaint that's been filed and there are others pending. Thank you." Council received the presentation as information.

ORDINANCES – THIRD READING:

Chairman Greer read the title for third and final reading of Ordinance #2006-006 – 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-20 (Single Family Residential) to P-D (Planned Development District) one (1) parcel of land comprising +/- 27 acres of property in the Hopewell Precinct in the Rivendell Subdivision off of Bowen and Midway Roads. The property is identified by TMS #171-00-07-004, and is generally described on a Preliminary Development Plan of Buckland for Jeff Ellis, and further described in a Statement of Intent for Buckland, a Planned Unit Development, Anderson, South Carolina, dated March 15, 2006. Mr. Tolly moved to approve on third reading and Mr. McAbee seconded. Mr. Bill Dunn, President and Owner of Dunn and Associates Engineer, said that they designed the storm water management program for Rivendell Subdivision. With respect to the storm water permit, they designed the subdivision with the S.C. Department of Health and Environmental Controls regulations and they met the regulations. The permit was approved. Anderson County also reviewed and approved the permit. He said most of the issues seen are the results of on-going construction. The subdivision has been under construction for several years now and the ponds, the biggest issue, were grassed when they started construction although the grass didn't stay. They did go out at the request of DHEC and made a site inspection and report was referenced tonight. Today he looked at pond #1 and it has been regressed and hydro seeded and they expect that the grass to stabilize the banks as soon as the grass comes up. The discharge structure (picture with pipe) has been designed to correct the

situation. They are recommended that Mr. Ellis install box on the discharge side of the structure, which would dissipate the energy of the water as it comes out of the pond. Pond #2 is presently being cleaned and also will be hydro seeded. That is also being corrected. With respect to the backwash from the swimming pool, that has been rerouted and a pipe is present that has been put in a trench and rerouted a lot across the street so that it will discharge into detention pond #1 in accordance with the SC DHEC regulations since it will have chlorine in it. The detention ponds are designed to handle the first 1" of rain. He said he couldn't say that those pictures show – it looks as if the trees may be dead. Right down where Midway crosses the stream, those trees pretty much look like the trees in the photograph so he submits that the subdivision did not do that. He is trying to be a good neighbor, Mr. Dunn said. Mr. Jeff Ellis said that it was their stand to be a good neighbor and they did not intend to damage anyone property. They are adamantly fixing anything that is brought to their attention. Some of the issues were completely oversights by not just them but also DHEC. Ms. Wilson said that there had been a number of rezoning requests in District 7 and in every instance; we have tried to get the parties together to get the issues resolved. They endured the red mud and the creek in spite of the regulations not allowing for it. After the first year, and with the addition of an entrance onto the worst curve on Midway Road, there were a number of concerned citizens who contacted her and requested that the County start getting it safer and attention to the violations. A meeting was called with Anderson County DOT, SC DOT, County Planning staff, county engineers and they met with Mr. Ellis and his developers and engineers. Many promises were made to contain the storm water run-off last year. The complaints really started after many months went by and nothing was being done. Ms. Wilson moved to extend discussion by 5 minutes. Mr. McAbee seconded and vote was five in favor, one opposed (Tolly), and one absent (Floyd). Motion carried. Ms. Wilson said that most of the rezoning issues ended up in the "positive". We are respectfully requesting that it be denied until all the measures are straightened out and a sufficient time allowing the good stewardship to be demonstration. She said that the County was 8" behind in rain for the county so far this year. It is interesting that water is standing in what was considered flood plain and even the county and DHEC engineers have said that it is not wetland but it IS severely underwater and the trees are dying. She asked County staff the amount of the bond posted by the developers and if the work required DHEC and County staff – if it is not demonstrable corrected and completed is the bond sufficient to ensure that the work will be done? Mr. Ricketson said that the County had bonds suitable for payment of putting in all the necessary drainage and road work and the bonds are still in effect and he still has time to get the work done. He said that there was time to either complete the work or renew the bond since the bonds expire on May 13. She said that she spoke with Mr. Polk, with DHEC, that the County has been enjoined to deny any septic tank permits, any building permits and any kind of building permits until this work is complete. She asked Mr. Ricketson if this was true. Mr. Ricketson said that DHEC had requested that the County place a hold on permits on some lots. They met with Mr. Polk and he indicated a willingness to allow the County to work with the developer to release lots as needed; lots that aren't really as critical as some of the other lots. In their conversation with Mr. Polk, DHEC does, under state law, have the authority to "cease and desist" which would totally put Mr. Ellis out of business unless he complies. They also have the ability to impose fines but they haven't done that. He recommended to Council that it was not within their purview to enforce the State's erosion and run-off laws and he recommended that DHEC be allowed to follow their course. Mr. McAbee said that he went out and looked at the subdivision, and he feels that there has been a good faith effort to correct the problems. He said that when Council votes on rezoning they are charged to consider the impact of each individual project on the entire Anderson community including but not limited to economic development, safety, density and sprawl. The decision to vote yes or no lies with the nature of the land in question not the particular developer. This particular project suits the land use for this area; with public water and sewer and all utilities available, Mr. McAbee said. Ms. Wilson moved to extend discussion by 2 minutes. The motion died from lack of support. Vote on the third reading of Ordinance #2006-006 was five in favor, one opposed (Wilson, and one absent (Floyd). Motion carried. Ms. Wilson asked for a Point of Personal Privilege. She was allowed it. Ms. Wilson: "What is the cost of completing all of this if this developer fails to do that. I noticed that we have a huge budget now called Storm water management. Is this not storm water management? I have requested steadfastly that this be denied pending the completion successfully of the work that was requested [REDACTED] Bear in mind that all of this was out of sight and out of mind to people who had financial responsibility and oversight. Are y'all prepared individually and collectively if this neighborhood decides that we failed to do our job and uphold the laws here? What are the ramifications if there are other legal challenges mounted here?"

Chairman Greer read the title for third reading of Ordinance #2006-011 – 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-20 (Single Family Residential) to I-1 (Industrial) a portion of one (1) parcel of land consisting of +/- 9.31 acres in the Hopewell precinct on Sam McGee Road. The parent parcel is identified by TMS #146-00-09-004, with the rezoned portion being generally described on a "Preliminary Plat of 9.31 acres prepared at the request of Wim DePape", prepared by Farmer and Simpson

Engineers and dated August 19, 2004. Mr. McAbee moved to approve and Mr. Dees seconded. Ms. Wilson said that this was obviously a good move for the community and she supports the rezoning, and if Council would look at the rezonings in District 7, that has been the case. She recommended that Council pass it. She said that she was very disappointed in Council's behavior tonight. Vote was six in favor and one absent (Floyd). Motion carried.

Chairman Greer read third reading title of Ordinance #2006-012 – an ordinance to amend Section 42-146 of the Anderson County Code of Ordinances, which relates to responsibility for loose material on property, in vehicles; and other matters related thereto. Chairman Greer moved to approve and Mr. Dees seconded. Ms. Wilson moved to amend by making the language pair more exactly with what the state codes are. Chairman Greer reiterated that the ordinance gives you a one-time break and that is all. Ms. Wilson said that in no manner did she encourage that we let anyone off the hook if they are littering. The amendment died from a lack of second. Vote to approve on third reading was five in favor, one opposed (Wilson), and one absent (Floyd). Motion carried.

Chairman Greer read second reading title of Ordinance #2006-014 – an ordinance authorizing the transfer of certain Anderson County Real Property; authorizing the execution and delivery of a real property deed related to the same; and other matters related thereto. A public hearing was held; no comments were heard. Mr. Dees moved to approve and Mr. McAbee seconded. Chairman Greer informed everyone that they had an amended version at their desks. Chairman Greer moved to incorporate the amended version of the ordinance and Mr. Tolly seconded. Vote on the amendment was unanimous. Vote on the original motion as amended was unanimous.

Chairman Greer read first reading title of Ordinance #2006-016 – an ordinance authorizing the leasing of real property at the Anderson Regional Airport to the Federal Aviation Administration for installation and maintenance of instrument landing system; and other matters related thereto. Mr. Dees moved to approve and Ms. Wilson seconded. Vote was unanimous.

CONTINUED BUDGET DISCUSSION AND RELATED FINANCIAL MATTERS: Ms. M. Gindy Wilson said that there were some questions earlier that were not answered during the budget discussion. They involve Department 5069 – Development Standards. There were large salary increases and what her question was – does this mean that the County will have an engineer on staff for that department. She said that she noticed in 5071 – Engineering Services – the county was almost \$100,000 over budget and now that budget has increased dramatically for the recommendation for the next year. She asked why the County would be paying salary reimbursement in Department 5093 – Park Police – overtime and part-time were pretty dramatically increased and then there was a salary reimbursement account and she doesn't understand that. She asked for the table she requested at the last meeting for the principle and interest payments for the next 15 years on the two special source revenue bonds. She said she still lack copies of the dosing statement and accounting for expenditures made across the street from the Calhoun Hotel at the Stitchery and the related information on that. She still needs the weekly general ledger reports back to early March. She said that she'll look forward to having the budget workshop.

RESOLUTIONS: #R2006-029 – a resolution authorizing a transfer of that certain inducement agreement and lease agreement between Anderson County and Johns Manville as described in Section 4-12-30(M) of the Code of Laws of South Carolina 1976, as amended; ratify any and all previous transfers by and between Apache Products Company, Inc., Eagle Polyiso Corporation and Johns Manville; and other matters related thereto. This item was removed from the agenda because the County was not in receipt of comments from bond counsel. The item will come up at the next meeting.

APPOINTMENTS: Various Boards/Commissions – No appointments were made.

REQUESTS BY COUNCIL MEMBERS:

District #1 – none

District #2 – Mr. Tolly moved to approve an appropriation for \$450 for the Hanna/Westside Extension Campus to assist the Fashion Merchandising Class on an educational fieldtrip. The funds will come from District #2 Recreation account. Vote was unanimous.

District #3 – Chairman Greer moved to appropriate \$1,075 from District 3 Recreation Account to the Ebenezer Fire Department to assist with station repairs. Mr. Dees seconded and vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$5,000 for the Townville Recreation Department and Mr. Dees seconded. The funds to come from the Recreation Account. Vote was unanimous.

District #5 - none

District #6 - none

District #7 - none

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

- a. Letters of Appreciation:
 1. For: Anderson County From: Honea Path Free Clinic
 2. For: Anderson County Council, Administrator, and Staff From: Ewell G. Sturgis, Jr., Director/Curator S.C. Military Museum
 3. For: Mr. Joey Preston From: Harry B. Burchstead, Jr., Major General, SCARNG Commanding
 4. For: Mr. Joey Preston and staff From: Clarence Bowser, MAJ, SC, SCARNG, Battalion Administrative Officer
 5. For: Ms. Elaine Rollins, Ms. Dorothy Striewing, Ms. Windy Palmer, and Ms. Teresa Culpepper From: Kerry Krumsiek, Executive Director – Carolina Recycling Association
 6. For: Ms. Gracie S. Floyd, Mr. Joe Moss, Pipe Supervisor, and Mr. Bernie Wilson, Encroachment Inspector From: Mr. Otis Clinkscales, Booker and Susan Streets Community Group
- b. Reports:
 1. Recreation Report
 2. District Paving Report
 3. Building and Codes Report for March 2006
 4. Animal Control Report, and Litter Control Report
 5. CAT (Clemson Area Transit) Year Comparisons, and monthly reports
 6. Status Reports for Rocky River and Generostee Creek Wastewater Systems
- c. Environmental Enforcement selected to receive a PalmettoPride Enforcement Grant
- d. Anderson County Wastewater Management Intergovernmental Agreement
- e. Letters to Ms. Wilson concerning her requests
- f. Letter from Mr. Michael Graham asking County Council to declare the month of May as Confederate History Month
- g. 2006 Property taxes – Legal Residence – Agricultural Use – Multiple Lot Discount

CITIZEN COMMENTS: Other Matters

REMARKS BY COUNCIL MEMBERS:

District # 1 – none

District # 2 – absent

District # 4 – none

District # 5 – none

District # 6 – none

District # 7 – none

District # 3 - Chairman Greer: "I sat and listened to some of the comments in the discussion tonight and I do have something that I want to say and I'll try to be as brief as possible since it is late. But I'm reminded of an opportunity I had to speak to a 4-H Leadership Group several years ago, and the question was asked to me at that time, "Where does your personal beliefs come in conflict with what you have to do as a member of the Council?" And that's a pretty, pretty tough question from a 16 year old and this resolution that we had on the agenda tonight dealing with Mr. Deanhardt brought that to home. And although I believe Mr. Deanhardt has every right under the Constitution of these United States and the State of South Carolina to be entitled to his opinion and to pursue the course that he's pursued. I also believe that I have a right as an individual to stand by my personal beliefs. I personally believe that abortion is wrong. I think it's wrong. I think it's the taking of a life based on my personal Christian beliefs. I believe that life begins at the point of conception. And I have a problem with honoring someone who participates in that type of activity or has participated in that type of activity. So if I am ever asked to vote to honor or recognize someone, and if every single voter in my district wanted me to vote for it, I would have to stand by my own personal beliefs and convictions and vote no. That's where my personal beliefs come into conflict with my functions here as a Council member. So I would stand by my personal beliefs in that regard and there's other aspects that was contained in that resolution that I have trouble with as well but abortion was one of very strong points that I dealt with. And I'm going to give you a quick story and I'm going to slam the gavel down and we can all go home. I'm acquainted with a couple who has a young daughter. And this couple was advised during the pregnancy of the mother to terminate this pregnancy because of a possibility of Down syndrome. They were advised by the doctors to terminate this

pregnancy. They did not terminate the pregnancy. And today that child is a beautiful young girl who is perfectly normal in all aspects. So I have a problem with abortion. With that said this meeting is done.”

Being no further business the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda N. Eddleman".

Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – May 2, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman - 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, May 2, 2006 at 6:00 p.m. Vice Chairman McAbee gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Thompson moved to approve the minutes from the April 18, 2006 and Mr. Dees seconded. Ms. Wilson called attention to the following typographical errors – page 5 – 8th line down “silk” to “silt”, page 5 – 14th line down – change “untaken” to “undertaken”, page 5 – 27th line down – change “Next speaker did not give his name” to “Mr. John Floyd”, page 6 – 10th line from bottom change “requested” to “required”. Ms. Wilson moved to amend and Mr. Thompson seconded. Vote on the amendment was unanimous. Vote on the minutes as amended was unanimous.

CITIZEN COMMENTS: Agenda Matters - No citizens wished to speak.

Mr. Tolly moved to approve a Pride Award for Mr. Jack Cartee and Mr. Dees seconded. Vote was unanimous. Mr. Tolly presented a framed Pride Award to Mr. Cartee for his dedicated service as a Noble in the Hejaz Shrine Temple for over 45 years. Council commended Mr. Cartee for his dedication to the citizens of Anderson County.

Chairman Greer presented third and final reading of Ordinance #2006-014 – an ordinance authorizing the transfer of certain Anderson County Real Property; authorizing the execution and delivery of a real property deed related to the same; and other matters related thereto. Mr. Tolly moved to approve and Ms. Wilson seconded. Vote was unanimous.

Chairman Greer presented second reading of Ordinance #2006-016 – an ordinance authorizing the leasing of real property at the Anderson Regional Airport to the Federal Aviation Administration for installation and maintenance of instrument landing system; and other matters related thereto. A public hearing was held; no comments were received. Mr. Dees moved to approve and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer presented first ~~second~~ reading of Ordinance #2006-015 – 2006-2007 fiscal year Administrator’s proposed budget. A public hearing was held and the following individuals spoke. Mr. Thomas Culbertson said that he had several concerns about the budget. 1 – the packet was handed out right before first reading, 2-budget work sessions being held 3- taxpayer money coming out of the budget for entertainment, 4- awards to County Employees. They are awarded when they are paid a salary, he said. 5- Parties going on – Different bars and restaurants around Anderson County - Corbit McGee’s, Jacks, Sullivan’s, Hilton Head and etc. Ms. Lib Peace said that she had heard this budget and others dissected by laypersons. She is an accountant and she taught accounting for 30 years. A budget has to be presented and voted upon in order for Council to

question the budget. She said that she was very pleased with the budget and very grateful to Ms. Humphreys and Ms. Davis with the expertise in doing this. Mr. Brooks Brown said that for the last three years the Administrator has stated that the budget could not be cut any further. He recommended that the Council cut the budget by at least one mil, which will not "cripple" the county. He said that each department "puffs" up their budget. So the budget can and should be reduced, he said. He urged Council to send the budget back to the Administrator to reduce at least one mil. Ms. Fay Brown, Director of Foothills Child Advocacy Center said that her organization was notified at 4 p.m. today that their \$20,000 requested budget appropriation was not proposed in the budget. They are usually funded in the Victims Bill of Right each year. However this year they were not recommended for any budgetary funds. She asked Council to try to find the \$20,000 to take care of the county's children. Mr. Mark Bryant, Chairman of the EMS Chiefs' Advisory Board asked Council to consider the Not for Profit EMS Providers in Anderson's request for a 33% increase in the funding schedule as outlined in their current EMS contract. He stated that they are requesting the increase not only to maintain their current level of care provided, but also to increase their realm of care as advances in technology continue. The increase would enhance their capabilities not only to keep up with cost increases, but also to provide the best service possible to all those that need EMS assistance. Mr. Stephen Polk said that it was hard predicting every single variable that will affect the budget. He talked about expenditures and how the county spends the money. He asked Council to consider tightening their expenditures to allow them to find the money to help fund the services that the County needs. No further citizens spoke; the public hearing was declared closed. Mr. Thompson moved to approve the budget and Mr. Tolly seconded. Mr. Preston said that the Foothills Alliance, in the past, had received their \$20,000 from the Victims Bill of Rights funds. He said other agencies use the money – three primary agencies are the Sheriff, Solicitor and Magistrate Court. The Sheriff, Solicitor and Magistrate Court all turned in a request to use all of the funds from the Victims Bill of Rights fund. He said that he would be glad to coordinate a meeting with Ms. Brown and the three agencies and he would like to find some way to fund the organization. Chairman Greer requested that Mr. Preston set up a meeting with the three agencies mentioned to see if the County could accommodate Ms. Brown's funding request. A PowerPoint presentation was presented by Mrs. Gina Humphreys concerning three Greenville newspaper articles from last week. The articles concerning the budget contained miss-information. A copy of the PowerPoint Presentation is on file in the Clerk to Council's office for public viewing. Ms. Wilson: "This is regarding some questions that I've asked recently that do play into the budget. I had requested a copy of the GLX117. I want to report that I received a copy of the GLX117(a), perhaps "a" stands for altered because it's not 117 and I would respectfully request that I be provided with the 117 as requested. Also I want to point out that the continued questions regarding Preston Gates and Ellis, the Lobbying Firm in Washington, D.C., I had requested a copy of our contract and pertinent material regarding how we engaged this lobbying firm and what we've paid them and I want to report to you that I received a copy of a – suppose it would be called a "Letter of Understanding" perhaps in place of a contract and this letter is dated March 8, 2005." The Chair stopped Ms. Wilson and announced that the time allotted for the item had expired. Ms. Wilson moved to extend the time for whatever amount of time is necessary to properly represent our citizens in the matter of the budget. The motion died from lack of a second. Mr. McAbee moved to extend the time by 10 minutes and Ms. Wilson seconded. Vote was unanimous. Ms. Wilson: "This March 8th letter states that this letter supplements our pre-existing agreement of April 8, 2004. I think we should require a copy of this April 8th 2004 letter. It also points out that the County agrees to pay a success fee, which is a commission of 6% of whatever funding that this lobby group gets us earmarked in the fiscal year 2006 Federal Appropriations Legislation. I request that we be provided a copy of the pre-existing agreement firstly. And secondly, I would like to know as to the last sentence on this page - it says as we discussed Federal Law requires that such expenses-such fees and expenses may not be paid out of Federal funds. By what means are we paying this law firm and lobbying firm in Washington? I see now that we have another group showing up called the Ferguson Group. Is that a lobbying group? And may we have a copy of the contract there? I wish to point out that on March 13, 2004, I was requested along with I believe Mr. Tolly and some other folks to show up at Hanna High School at 9:15 a.m. (about a month before this so called letter of a pre-existing agreement) to meet with Congressman Istook and Barrett. We were promised a million and half dollars for bridge money at that point. Month later, we see where the hospital is receiving a million dollars and the County \$732,000. And our budget it refers to an item 'East Reed Road bridge – there is no such thing. I asked that point on Friday meeting with some of our department heads and that should be corrected but this is still very murky accounting on that. I've requested repeatedly on another item – some back-up materials on Host fees. Host fees apply to an agreement that we have with the Allied Waste Industries at the landfill. When I did receive [redacted] a few items [redacted] they represented three or four months and the format for accounting was changed dramatically from one month to the next. Supposedly, we get about \$608,000 for Host Fee. I would warrant to you that we need to re-negotiate; I think we need a much higher amount. That figure should go more correctly to alleviate the Household fee, which this county is planning to raise right after the budget is voted in. There was a memo from Mr. Carpenter in 2002 stating that it should be at \$100 a household. Host fee is supposed to take some of the

cost off the households. Now, when we look at the revenues and total expenditures – if you look at the bottom line our budget for last year – revenues and expenditures was \$110,370,585. Proposed is \$113,936,325. That's a \$3,565,730 difference. To answer the question concerning EMS because the value of the mil has gone up from \$506,000 to \$521,000 roughly in this new budget. The EMS funds will be increased by somewhere around \$359,000. I'm not sure how that relates to what EMS request. That is certainly a very necessary service this county provides and my hat goes off to those who work so hard in that field. If someone would verify that please. I'd also like to request the total dollar amount of transfers reported to Council since July 1. I would wager that it's somewhere around a million or maybe more than that so that is another cause of concern it seems that perhaps we aren't living within our budget. And it would be more appropriate perhaps that we do a supplemental budget when we have large amounts of increases for perhaps insurance and fuel. I have many more questions that have not been answered but I will not take up all the time but if we could get some of these answers now I would greatly appreciate it." Chairman Greer suggested to Ms. Wilson that she put her questions in writing and submit them to Mr. Preston. Mr. Preston reported the following. He said that Ms. Wilson had provided a list of questions at her group budget meeting with County staff to him. He said every question was answered including the question concerning the question concerning the law firm in D.C. that represents the County. He called her attention to the contract that the county has and he said that it was month to month. Ms. Wilson mentioned 1.5 million dollars requested in bridge money – that particular budget year the County received over 2 million dollars. A million dollars went for three bridges. The other was for the "Reed Road Project" which is a city street. The hospital stepped forward and paid the expenses associated with that project. He provided Ms. Wilson and council with a detail with what had been paid. The County has three more bridges that are being funded in the past year's budget. The county has also requested for three more bridges in the new federal budget along with many other project, he said. Those are run through the special revenue fund. The GLX report was provided to Ms. Wilson. The only difference between the report that she received was the employee social security numbers along with addresses. The landfill contract approved by County Council – the schedule that Ms. Wilson keeps asking for does not exist. The Chair informed everyone that the time had once again expired for the item. Ms. Wilson moved to extend by another 10 minutes and Mr. McAbee seconded. Vote was six in favor and one opposed (Tolly). Mr. McAbee asked why there were departments that were requesting money for food and meals and some even have catering. He asked what happened to Planning Services – it just disappeared, he said. Mr. Preston said that was the result of the Planning Department reorganizing. The other question, Mr. Preston said was for food for Jail and meals is when an employee is traveling – reimbursement. Mr. McAbee asked about a new item in the budget – car stickers. Ms. Humphreys explained that the Treasurer was hoping to implement the new program in late fall. Mr. Tolly said that the County needed to fix the spillway and gate at Broadway Lake. Mr. Preston announced that there is a request in now with the Congressional Delegation for that purpose. Mr. Dees asked Mr. Preston to explain double numbering and he did. The Chair asked that Mr. Preston set up the meeting with the Child Advocacy center to see if the County can come up with the needed funding. He said that he looked forward to the chiefs taking their request to the EMS Commission and getting the EMS Commission's discussion and recommendation to Council. Chairman Greer offered the following to the EMS providers concerning the fee schedule that they operate under – Are you currently maxed out on the fee schedule? Are the fee schedules high enough? Are your collection rates high enough on the fee schedules? Could your need for additional funds be addressed through the fee schedules rather than through an additional tax? Chairman Greer said that this was his 8th budget process that he's been involved in and he said it was undoubtedly the leanest since he's been on Council. He said he was disappointed that the Council doesn't have a means for giving the employees a cost of living raise. Ms. Floyd thanked Mr. Preston for setting up the meetings with staff. She said that she would like to schedule some time this week to meet with Ms. Humphreys and Ms. Davis. She said that she was also concerned about the pay increases for EMS personnel and Sheriff's office. Ms. Floyd moved to extend the discussion time by 2 more minutes and Mr. McAbee seconded. Vote was six in favor and one opposed (Tolly). Ms. Floyd said that the County was wasting money when the County trains employees and then they leave to go somewhere else. Chairman Greer announced that Council would be having a Council workshop on May 12 from 9 am – 12 noon at either the Library or Civic Center. Ms. Wilson moved to expend the time once again for discussion by 10 more minutes and Ms. Floyd seconded. Vote was three in favor (Floyd, Wilson, Greer) and four opposed (Tolly, Thompson, Dees, McAbee). Mr. McAbee moved to extend the time for discussion by 5 minutes and Mr. Thompson seconded. Vote was unanimous. Mr. Thompson said that he had two requests – 1 was to have an actual budget on first reading and the other request was there would not be a tax increase. He said both requests were made and he commended Mr. Preston and his staff for their excellence job on the budget. He said that he was concerned about no raises for county employees and the experience that the County needs to maintain. He said another concern was – this year in order to bring the budget in with out a tax increase – capital by 81% that means next years budget will be real tuff. He then thanked Mr. Preston and his staff for their good job. Ms. Wilson asked for the GLX117 (a) without social security number but with addresses.

Schedule 22 – has little to do with host fee it is referred to in the contract, she said. It deals with a brokerage fee that may be paid to a person here in the room. She said in the last 5 years there has ~~been~~ been certain department heads that received dramatic pay increases but the rank and file employees have gotten virtually nothing. She said that she also requested information of the actual catering expenses referred to in Account 5014, which refers to the time period for last year actual. She also requested back up documents to the credit card expenditures in Department 5013. All she received is copies of billing statements from the actual credit card. When the County has major expenditures for lodging and for meals, etc. the least requirement should be a receipt and a description of the purpose the money was spent for. Vote on second reading of ordinance #2006-015 was six in favor and one opposed (Ms. Wilson).

Council took a 5-minute recess at this time. Chairman Greer called the meeting back to order at approximately 7:45 p.m.

Chairman Greer read the title for first reading of Ordinance #2006-017 – a rezoning request by Shera Lynne Ellison to rezone 2.8 acres on Highway 20 (between Parker Street and Gray Drive) from C-2 (Highway Commercial) to R-20 (Single Family Residential). A public hearing was held and no comments were received. Ms. Wilson moved to approve and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer read the title for first reading of Ordinance #2006-018 – a rezoning request by Joaquin Sullivan to rezone 11.17 acres on Old Williamston Road (South of Woodland Drive) from R-12 (Single Family Residential) to RM-7 (Multi-Family Residential). A public hearing was held and the following spoke. Mr. Joaquin Sullivan the contract buyer for the property said that the property joins the city. He asked Council to approve the request. Mr. Brooks Brown, IV said it did not make since for Council to make a decision on rezoning when it will result in property going into the city. He asked council to deny the request. Mr. Mike Stroud the realtor in the deal said that it was a piece of property in the County and would be up to the Council members to approve the request. Ms. Linda Campbell Brown the owner of the property asked Council to approve the request. Mr. Tolly moved to approve on first reading and Mr. Dees seconded. Ms. Wilson: "It's so curious that the staff would recommend denial based on the Comprehensive Plan recommendation of low density residential when they did absolutely the opposite on the last meeting's Rivendell Project. And in that case, the Staff recommended approval and even though it definitely violated the Comprehensive Plan and had serious DHEC violations for storm water run-off both zoning advisory committees turned it down. The Planning Commission turned it down unanimously and it was essentially R-8. This is already R-12 going to RM-7. We really have a process that's been stood on its' head in this county. You'd have to agree with the gentleman who spoke earlier. There's no rhyme or reason to what we're doing here. Did I understand that there's no sewer available from the County and yet there's a possibility that the city will run it. There too is a very murky situation. For example we have the city running sewer out Bailey's Creek, which accessed the new Midway School and it's going a little further and yet it's in the County. So this is very interesting and it raises a lot of questions. It's like we can do it some but we can't do it for others and I think it's time we look at this and make sure it's a level playing field and proper adherence to rules and regulations that we all follow. Thank you." Vote was six in favor and one opposed (Wilson).

Chairman Greer read the title to Resolution #R2006-029 – a resolution authorizing a transfer of that certain inducement agreement and lease agreement between Anderson County and Johns Manville as described in Section 4-12-30(M) of the Code of Laws of South Carolina 1976, as amended; ratify any and all previous transfers by and between Apache Products Company, Inc., Eagle Polyiso Corporation and Johns Manville; and other matters related thereto. Mr. Dees moved to approve and Ms. Wilson seconded. Vote was unanimous.

APPOINTMENTS:

District #1 – none

District #2 – none

District #3 – none

District #4 – none

District #5 – none

District #6 – Mr. Dees moved to appoint Mr. Jon Kazaglis, MD to the EMS Commission and Mr. Tolly seconded. Vote was unanimous.

District #7 – None

REQUESTS BY COUNCIL MEMBERS:

District #1 – Mr. Tolly moved to appropriate \$7,000 from District #1 Recreation Account to the Piedmont Military Officers Association and the Anderson County Veterans Association to be used to build a bell tower and chimes on the new Veterans' Cemetery. Mr. McAbee seconded and vote was unanimous.

District # 2 – Ms. Floyd moved to appropriate \$500 from District #2 Recreation Account for the Special Olympics. Mr. McAbee seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$1,000 from District #2 Recreation Account for the Pastoral Health Summit contingent upon receiving the proper 501(c) 3 papers. Mr. McAbee seconded. Council discussed. Mr. McAbee withdrew his second and Ms. Floyd restated the motion to appropriate \$1,000 from District #2 Recreation Account for the Partners for a Healthy Community contingent upon receiving a letters asking for the funds for the Pastoral Health Summit. Mr. McAbee seconded. Vote was unanimous.

District #3 – Chairman Greer moved to appropriate from District #3 Paving Account \$35,000 for the Sam Turner Bridge, \$53,800 for Field Circle, \$25,000 Parker Bowie Complex for paving, grading, and drainage, and \$6,200 for road C-17-0018A. Mr. Dees seconded and vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$1,945.26 from District #4 Recreation Account for the Walker McElmoyle Three and Twenty Substation for the purpose of a radio and siren system. Ms. Wilson seconded and vote was unanimous.

Mr. McAbee moved to appropriate \$10,000 from District #4's Recreation Account for the Town of Pendleton for construction of bathrooms at the Veterans' Park. Mr. Dees seconded and vote was unanimous.

District #5 – none

District #6 – Mr. Dees moved to appropriate \$1,035.18 for the radio system at the Walker McElmoyle and Three and Twenty Substation and \$910.09 for a siren for a total of \$1,945.27. The funds will come from District #6 Recreation Funds. Mr. McAbee seconded and vote was unanimous.

Mr. Dees moved to reconsider the previously motion. Mr. McAbee seconded and vote was unanimous.

Mr. Dees moved to amend the motion by saying to be paid "upon receipt of invoice" and/or "receipt concerning the purchase of the equipment". The Anderson County Fire Commission will do this work. Mr. McAbee seconded. Vote was unanimous.

District #7 – none

ADMINISTRATOR'S REPORT:

a. Letters of Appreciation:

1. For: Anderson County 9-1-1 Dispatchers From: Mr. Joey Preston
2. For: Fleet Services, Engineering, Airport and Road Maintenance From: Mr. Charles Pinson
3. For: Mr. Charles Wyatt From: New Spring Community Church
4. For: Ms. Michelle Strong, Director of Community Relations From: Ms. Liz Gilland, Community Forestry Coordinator
5. For: Lt. Keith Bowman of Environmental Enforcement From: Mr. and Mrs. Roy Ivey
6. For: Road Maintenance – Mr. Jerry Stamp's Crew – Mr. Jr. Greenway, Mr. Clint Powell and Mr. Joe Moss's Crew – Mr. Brian York, Mr. Michael Poole, Mr. Scott Crawford, and Mr. Duane Hamm From: Mr. Walter Lollis
7. For: Road Maintenance – Mr. Aaron Smarts' Crew – Mr. Phil Brown, Mr. Calvin Scott, Mr. Denver Mills, Mr. Joshua Vaughn, Mr. Timothy Wilson, and Mr. Jimmy Leonard From: Mr. John Mercury
8. For: Road Maintenance – Mr. Aaron Smarts' Crew – Mr. Phil Brown, Mr. Calvin Scott, Mr. Denver Mills, Mr. Joshua Vaughn, Mr. Timothy Wilson, and Mr. Jon Day From: Mr. Jonathon Williams
9. For: Road Maintenance – Mr. Aaron Smarts' Crew – Mr. Phil Brown and Mr. Calvin Scott From: Mr. Jahue Robinson
10. For: Road Maintenance – Mr. Joe Moss's Crew – Mr. Ken Stone, Mr. James Smith, and Mr. Steve Miller From: Mr. Steve Reid

11. For: Road Maintenance – Mr. Aaron Smarts' Crew – Mr. Wallace Simmons and Mr. Russell Simms and Mr. Jerry Stamps' crew – Mr. Jr. Greenway, Mr. Tim Edwards, and Mr. Clint Powell From: Mr. James Lundkovsky
 12. For: Road Maintenance – Mr. Aaron Smarts' Crew – Mr. Phil Brown, Mr. Calvin Scott, Mr. Joshua Vaughn, Mr. Jon Day, Mr. Timothy Wilson, Mr. Wallace Simmons, and Mr. Russell Simms From: Mr. Julio Gonzalez
 13. For: Road Maintenance – Mr. Jay Patterson's Crew – Mr. Andy Driver and Mr. George Tucker From: Ms. Marilyn Waldsmith
- b. Reports:
1. Anderson County Litter Report for March 2006
 2. Recreation Report
- c. Minutes: Airport Advisory Committee
- d. Town of Williamston – Upgrade to wastewater treatment plant
- e. Articles on "Clean up for Earth Day"
- f. Article on Special Olympics Athletes from Anderson County
- g. Public Hearing Notice for 06/07 budget
- h. Letter from Congressman Gresham Barrett concerning methamphetamine abuse
- i. Debt Service Schedule
- j. Amortization Schedules requested by Ms. M. Cindy Wilson
- k. Booker Street Housing Rehabilitation Project Update
- l. Letter from Attorney General
- m. Departmental Transfers
- n. Letter to Executive Director concerning the Heritage Corridor Caravan
- o. Newspaper Article - *Anderson County wins bragging rights in the 2006 S.C. National Heritage Corridor Caravan*

CITIZEN COMMENTS: Other Matters – Mr. Brooks Brown spoke during the Citizens Agenda about the Sales Tax Commission. He said that the recommendations should not be funded by a 1-cent sales tax but by combining the entire Council "slush" fund.

REMARKS FROM COUNCIL MEMBERS:

District #1 – Mr. Tolly said that he was thinking about his first year on Council and it was a zoo. The County was just a mess. He said now we are reasonably normal.

District #2 – Ms. Floyd encouraged staff and Mr. Preston to what was possible for the Foothills Alliance. She thanked all members of Council for approving additional discussion time on the budget.

District #3 – Chairman Greer: "I listened attentively as Mr. Preston, two weeks ago, presented the budget presentation and I watched as we looked at some fairly large increases in the budget items this year and I asked them to put together a list, in fact several of the Council members asked for this list, of some of the major increases in the budget and I'm holding a copy of that list in my hand. These major increases total 1.7 million dollars. These are things that we cannot do without, that the County must do. To give you an example of what some of these are-it's State Retirement, increased cost of electricity and gas, increased cost of fuel and oil, which we're all painfully aware of and then it goes on down. Increased cost for workers compensation, increased costs for Indigent Health Care, and there are several others on this list. But those costs on this list alone came to 1.7 million dollars. That's not all of them there's some smaller increased costs that the County must absorb as it moves through this budget as well. And I too was in one of those meetings, actually yesterday, and one of the things that I heard as we set with the Division Heads and we quizzed them about some of the things in this budget that we've talked about quite often. Some of the items in our budget are beyond our control, because they are mandated by the state of South Carolina. One of those in particular is one I just mentioned – increased cost for State Retirement. When they raised the rate that you pay into the State Retirement system that is an increased cost to Anderson County and we could go on and on and on and list some of these mandated increased, but a lot of the increases you see in the budget are mandated. As far as calculating the amount of additional money from what the change in the value of a mil, you can't do that by multiplying the total millage by the total change in value because everybody doesn't pay their taxes in that same year. You've got to consider something called "percent of collections." That's why you get one number here and one number here and a different number over there, because once you actually get down to utilizing all the numbers and actually use something called "percentage of collections" which ranges anywhere from 90 to 95 to 99% depending on what is actually set. That's where your change in revenue can come in so the percentage collection also affects that. As far as services and taxes – I sat here as we went through the budget presentation and the public hearing tonight, and it's this-you've got service in this hand, you've got taxes in this

hand. If services go up, taxes have to support it or either you have to growth to support it. If taxes go down ultimately your services are going to suffer and they're going to go down. You've got to balance service verses revenue. You have to. It's a must. We heard people here tonight saying, "We don't want the budget to be where it's at. We think you can do this or we think you can do that." Then turn right around and you have a different group of citizens coming up saying, "We want you to fund this, we want you to fund that. We need this service. This service is critical to our community. It's critical to protect the health of our people. It's critical to protect the lives of our children." That's what this Council sits here and does – it weighs the balance - the balance between revenue and services. And hopefully we are doing a good job at that. As far as Mr. Brown's comments when he made the comments concerning the Capital Project Sales Tax, I'm not going to get into the pro or the con on the Capital Project Sales tax, but I am going to take exception to his line of thinking that that part of Anderson County is not deserving of improved infrastructure. They have just as much right to try to improve their communities, as does the greater Anderson community. And you're wrong if you think it's right to deny improvements in those communities. Those people in School Districts 2 and 3 pay a higher percentage of property taxes than anyone else in this county. In fact School District 2 has the highest tax millage of any school district in this County. If you don't believe it – I'm looking at one of my neighbors shaking their head right now. She knows. And they have a right to try to get infrastructure into their communities to improve their tax base and increase their tax base. It's not about having enough people to support that industry. It's just like the movie – "You build it and they Will Come". You build an industry and the people will come there to fill the jobs. Have no fear about that because there are people wanting jobs everyday all the time. So you're wrong, if you think it's right to deny a portion of our County the ability to improve themselves. One other item, that's a housekeeping item, and I'm going to say this as polite as I can and then I'm going to rap the gavel and we're going to go home. There is a composite photo of every Council that sat here for the last 15-20 years probably, it may go back further than that, but this current Council lacks two photos to do the composite photo. Those two photos need to be made within the next two weeks of those council members who have not had their photos made or we're going to have to do the composite with picture not available so that we can complete that during this current year. So I'm urging if you have not done your photo for that composite photo that you get it done within the next two weeks."

District #4 – Mr. McAbee said that he promised his contingents that he would not vote for a tax increase.

District #5 – none

District #6 – Mr. Dees thanked Mr. Preston and Ms. Floyd for the budget meetings. The presentation was extremely well, she said. She also thanked all county staff for their participation and knowledge.

District #7 – Ms. Wilson said that this year's value of a mil as opposed to next year's value multiplied by 77 is roughly \$1,155,000. If the County took the combined total of all the Council district's paving account – it's still only a drop in the bucket for the Council needs in the way of road infrastructure. She said that she was opposed to the 1-cent sales tax but she is definitely for a proper budgetary process where Council can prioritize those things that are needed. She believes that the more roadwork is available in the budget, the Foothills Alliance Project, and the employee rank and file salary increases in available with the stream of revenue that the County has. It means that Council will have to sit down in the workshop and really work on it.

Being no further business the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – May 16, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee - District #4
Michael Thompson - District #5
William C. Dees - District #6
Cindy Wilson - District #7
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Eddleman - 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, May 16, 2006 at 6:00 p.m. Mr. Michael Thompson gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America.

Chairman Greer called attention to a typographical error on page one – bottom of page, last paragraph – change “first” to “second”. Ms. Wilson moved to approve and Mr. Thompson seconded. Mr. Thompson called attention to page 3; third line from the bottom – add, “was cut” between the words “capital” and “by” and correct the word tough. Ms. Wilson also stated that she had spoke with the clerk regarding some typos. Mr. Thompson moved to amend the motion to include his changes and the recommended change by the Clerk. Mr. Dees seconded the amendment. Vote on the amendment was unanimous. Vote on the minutes from the May 2, 2006 meeting as amended was unanimous.

CITIZEN COMMENTS: Agenda Matters – Ms. Petra Massey spoke on the Industrial Announcement concerning “Project Boat” Resolution #R2006-030 and Inducement Agreement and Ordinance #2006-022. She said she was deeply disturbed that there are secret negotiations going on. She urged all members to vote no on the issue. Mr. Richard Voegle seconded the comments made by Ms. Massey regarding public oversight and understanding - exactly what tax dollars would be used for. He offered more comments concerning Project Boat. Mr. Brooks Brown, IV talked about his opposition to Ordinance #2006-020 – Capital Project Sales Tax. He said that it was the most irresponsible use of money ever. He also stated that he was opposed to the majority of the money being spent in one area. Mr. Cordes Seabrook complimented the Administrator and staff on the quality of the Internet budget presentation.

Mrs. Julia Hoyle with the Pendleton District Workforce Investment Board presented their 2006 Annual Modification of its 5-Year Strategic Plan. The changes were explained. Some of the highlights – Change their name - Pendleton District Workforce Investment Board to Worklink, their vision and mission were changed. New Vision: To have a fully employed, skilled workforce. The new mission: Develop the link between employers and the workforce. Mr. Dees moved to approve the plan with the modifications and Ms. Wilson seconded. Vote was unanimous.

Mrs. Hoyle presented the following reappointments/appointments for the Pendleton District Workforce Investment Board. Reappointments: Ms. Charan Lee, Dr. William A. Ward, and Dr. Ronnie Booth, Ms. Brenda Scotland, Mr. Leon Harris, III, Mr. Thomas Chapman. New appointments: Mr. Michael Henthorne, Ms. Stephanie Collins. Ms. Wilson moved to table because the applications were not completely filled out. The

motion died from a lack of a second. Mr. McAbee moved to approve the reappointments/appointments and Mr. Dees seconded. Council discussed. Vote was unanimous.

Mr. Fred Tolly moved to approve Resolution #R2006-030 and Inducement Agreement – a resolution authorizing the execution and delivery of an Inducement Agreement by and between Anderson County, South Carolina and Project Boat, whereby, under certain conditions, Anderson County will execute a fee in lieu of tax agreement for a project involving not less than Ten Million Dollars (\$10,000,000) investment. Mr. McAbee seconded. Vote was unanimous. Mr. Lawrence Campbell explained Project Boat to Council and Ordinance #2006-022 was discussed. He said that the County offered the industry a 6% fee-in-lieu of tax; and they would like to purchase 17 acres at the Airport behind Sargent Metals. He explained that the 17 acres includes about 2.5 acres of floodplain and wetlands near the creek of which the County has agreed not to charge them for so the purchase would be a net 14.83 acres at the appraised price of \$15,000 acre. They plan to construct a 50,000 square ft. pre-cast concrete building and they plan to employ 35 people and invest \$10 Million within a five-year period. Mr. Thompson stated that the project was in his district on Highway 24 and he was very proud that District 5 was growing. He said that he was concerned that there was a group out there saying that there are secret negotiations going on. He explained that Anderson County had an Economic Development Department that did all the negotiations with prospective industries. Mr. Dees seconded the motion to approve the Resolution. Vote was unanimous. Mr. McAbee moved to extend discussions by 3 minutes. Mr. Thompson seconded and vote was unanimous. Mr. Tolly moved to approve first reading of Ordinance #2006-022 – an ordinance authorizing the Sale of Certain Anderson County Real Property located at the Anderson Airport Business Park; authorizing the execution and delivery of a real property deed transferring title of said real property; and other matters relating thereto. Mr. Dees seconded and vote was unanimous.

Chairman Greer read Resolution #R2006-031 – a resolution recognizing and honoring the participants in the South Carolina 4-H Shooting Sports Events; and other matters related thereto. Chairman Greer moved to approve and Mr. Dees seconded. Vote was unanimous.

Chairman Greer read Resolution #R2006-033 – a resolution recognizing and honoring the participants in the South Carolina 4-H Dairy Judging Events; and other matters related thereto. Chairman Greer moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Greer read Resolution #R2006-034 – a resolution recognizing and honoring the participants in the South Carolina 4-H Livestock Judging Events; and other matters related thereto. Chairman Greer moved to approve and Ms. Wilson seconded. Vote was unanimous.

Mr. Greer recognized the following individuals and then presented them a framed copy of the Resolution – #R2006-031 – SC 4-H Shooting Sports Event - Rebecca Borders, Chase Campbell, Luke Fuhrer, Hunter Martin, Emlynn Shoemaker, Adam Willey, Hannah Richey, Kaitlin Richey, and Chip Lankford. #R2006-033 – Junior 4-H Dairy Judging Team – Martin Acevedo, Hallie Elrod, Greyson Elrod, Katie Martin, Mandy Martin. #R2006-034 – Junior 4-H Livestock Judging Team – Mandy Martin, Katie Martin, Chance Rice, Hannah Richey, Kaitlin Richey, Dustin Vickery, and Senior 4-H Livestock Judging members – John Davis and Cameron Durham. Council commended all the individuals for their outstanding achievements.

Mr. Dees moved to approve a proclamation declaring the week of May 21, 2006, as National Public Works Week in Anderson County, South Carolina. Mr. McAbee seconded. Vote was unanimous. Mr. Holt Hopkins read the proclamation into the record.

Chairman Greer moved to approve a proclamation proclaiming June 4-10, 2006 as National Garden Club Week and Mr. Thompson seconded. Mr. Thompson moved to amend the proclamation by changing "Honea Path" to "Anderson County" in the first paragraph. Mr. Tolly seconded and vote was unanimous. Vote on the proclamation as amended was unanimous. Mr. Preston read the Proclamation into the record.

Mr. Charles Pinson, Chairman of the Human Resources Committee, presented Mr. Claude Cromer as Employee of the Month for April 2006 from the Building and Grounds Department. He was congratulated by all Council members and presented a framed certificate, and a gift certificate to a local restaurant.

Chairman Greer read third and final reading of Ordinance #2006-015 – an ordinance to adopt the operating and capital budgets of Anderson County for the fiscal year beginning July 1, 2006, and ending June 30, 2007, and to make appropriations for such Anderson County Budgets for County Ordinary purposes and for

other County purposes for which the County may levy a tax other than for Tri-County Technical College purposes; to provide for the levy of taxes on all taxable personal and real estate properties in Anderson County for such County ordinary purposes, including sufficient tax to pay the principal and interest on outstanding indebtedness of Anderson County maturing during said fiscal year; to adopt the operating and capital budgets of Anderson County for the fiscal year beginning July 1, 2006, and ending June 30, 2007, and to make appropriations for such Anderson County Budgets, for Tri-County Technical College; to provide for the levy of taxes on all personal and real properties in Anderson County on which school taxes may be levied for such Tri-County Technical College purposes; to provide for the levy, assessment and collection of certain other taxes and fees; to provide for the expenditure of said taxes and other revenues coming to the County during said fiscal year; and to provide for other matters relating to Anderson County. A public hearing was held and the following individuals addressed Council. Mr. Rick Freemantle stated that he understood that with a 111 million dollar budget there was no place to make any cuts. He said that comments were not allowed at the work session and the public cannot have input and if someone makes statements in the paper then it generates a PowerPoint Presentation. He asked how much it cost, who authorized it, and who paid for it. He asked if the Tri-County tax levy would be a tax increase, the Sheriff's Department and Library. Mr. Brooks Brown, IV stated that every year he hears that the budget cannot be cut another nickel. He said with the new growth, at least ½ mil could be cut which would be approximately \$250,000. He commended Mr. Preston and staff for the budget on-line. Mr. Stephen Polk said that the budget looked like it was rather lean. He said a budget takes a lot of work. No further citizens wished to speak. Mr. Tolly moved to approve the budget; Ordinance #2006-15 on third and final reading. Mr. Dees seconded the motion. Ms. Wilson: "Would it be agreed that the budget ordinance is an integral part of the County Budget? It's extremely horrifying to me personally, and to a lot of my constituents to learn that we did not have the budget ordinance presented at first reading, which we only got the numbers part in the dark in the middle of the presentation and we didn't get it for the second reading. We got it at the very end of the workshop meeting Friday. The comment was made 'Oh, nothing's been changed.' And then another voice piped in and said that 'Nothing substantial has been changed.' I would invite everyone to look at this budget ordinance because there are serious issues with this. It appears that we have seated more authority to our Administrator and yet we have not removed the responsibility from ourselves. It doesn't seem like a fair trade. If you provide someone else with control and authority, you at least like to remove the responsibility and the consequences if there are mistakes made. I invite y'all to look at page 10, please of what we were given. In the previous budget ordinance it says that the County anticipated issuing a general obligation bond in 2006 to acquire and retrofit a building in order to relocate certain county offices and so on. This was supposed to be a top priority of taking care of our Solicitor's Office, our Judges' Chambers, other offices that are very, very cramped in the new courthouse and also to make it more safe and efficient for the citizens, our judges and our county employees. So now we get it shifted off to 2007 and then toward the end, we see where there's this sneaky little thing put in. It says on page 20 - down at the bottom of Section XXIV; this is an added line, which says - All acts and actions of the County taken with regard to prior year budget ordinances are hereby ratified and affirmed in their entirety. Is that the way we shift 2006 obligations and priorities into 2007. Could it be that because certain projects which were not in last years' budget originally nor in the obligation bonds, at certain points along the way, were shifted in priority instead of making our Judges, our County Employees, and our citizens safer? There are some other questions. For example I see where we will probably be raising the County's Solid Waste collection fee per household or per property. There's a clause here where, let's see; find my page on that one, page 17 - This is in Section XVIII. At the last sentence says - The fees addressed in this section may be changed by simple vote of County Council. Are y'all planning to raise the Solid Waste fees on our households in the County? I don't know how many households but I've heard that it would increase 40 to 60 dollars. That multiplied out by however number of households that our Assessor counts - would be an increase for that. All you have to do is simple vote. Would that mean four to three vote? That's interesting. That's a big concern. Anyway, I have grave concerns about this. I also asked a number of questions for which I have yet to receive all the answers. One was how do we figure our Indigent Care formula. It was noticed that the year before last we paid over \$800,000 for Indigent Care, last year we paid somewhere over \$500,000 and now we're up to \$600,000. It would seem like it would be a reverse there. I've also asked for a total of all the transfers made since July the 1st. I am yet to receive that. This was asked for, I believe, at the last Council meeting. I also asked for the original letter dated April of '04 where our Administrator engaged Preston, Gates, and Ellis and how much was paid in '04 and I also requested a copy of whatever authorizing letter for the Ferguson Group. I've suddenly noticed that we're paying something called the Ferguson Group. You know, I don't know how y'all feel, but I would think that we should table this vote until we've had another workshop and another session. I would agree that there's a lot of "fat" for the last 8 to 10 years that could have been cut out of the budget, perhaps even applied to more worthy projects like road needs and other infrastructure projects. Thank you." Mr. Thompson said that the current budget was at 77 mills. Ms. Humphreys said that was correct. He asked how much of the 77 mills was for Debt services. She replied that in

the current year budget there were 7 mils going to debt service. The proposed budget is recommended at 5 mils. The Auditor sets the debt service. He called attention to Section XXIV, page 19, "Setting of a Millage Rate" - "The Anderson County Council, working in cooperation with the Anderson County Auditor and Treasurer and in accordance with the laws of the Constitution of the State of South Carolina, shall calculate and fix the amount of the millage necessary, not to exceed 72 mils, total, exclusive of debt service millage to be set by the Anderson County Auditor..." He said that all of the "witch hunts" going on are without merit. The current millage is set at 77 mils and Council is setting the current general fund at 72 mils and allowing the Auditor to have another 5 mils. Mr. McAbee stated for his constituents that the budget did not include a tax increase in no way. Most of the new money, generated by growth, is going to fund projected increases in fuel costs, insurance increases, and increase cost in Workers Compensation. He said it was unfortunate that Council could not include a cost of living raise for County employees this year, however Longevity increases were maintained. He thanked all employees for their hard work and dedication. Mr. Tolly said that the growth in Anderson County had created more money, which is true, but the State keeps taking revenue away such as the vehicle tax ratchet down. Mr. Dees said that what Mr. Tolly said was what was on his mind – the Vehicle Racket down process. He said that there were several unfunded state mandates from the State of South Carolina. He said what they were concerned about was the safety of the citizens of the County. An example the Greenville Police Department just added 5 officers and they have a resident population in the City of Greenville of less than 58,000 people. What is our resident population and how many did we add? He said that people in Powdersville said they didn't see Deputies and now they do. Industries will not come to the County without amenities provided by the County. He said that the raises for employees bother him since it has been 3 years since they've had a cost of living raise. It's very concerning to him that Council has not done that in this year's budget and the County owes it to the employees to give them some sort of raise. When you look at salary compaction, which ruins the moral of an entity, employees making more with 5 years than employees with 9-10 years - that's wrong, he said. Ms. Floyd said that it was a good budget. She said that Council needed to pass the budget, knowing that Council did the right thing and the best that they can. She suggested that Council proceed on and consider what Council is going to do about their roads and bridges, and increasing the quality of life for Council's constituency. Chairman Greer said that this was the 8th budget that he's participated in. One of the things that he hears almost every year is that Council doesn't look at it or ask questions. He said he does spend time with the budget. He said this was the leanest budget that he's seen since he's been on Council. He said that taxes for Tri-County Technical College did not increase – the value of a mil increased. They have a dedicated millage. Mr. Greer asked the County Attorney about the section on Page 10 of the Ordinance – issuing of general obligation bonds in 2007-would it have to come back to council for a vote and the County attorney replied yes. He said that a 'simple' vote was a simple majority, which almost every vote of Council is a 'simple' vote. Chairman Greer also said that he shares the same sentiments regarding employee raises as other members of Council. You never regain that ground so the next budget year – Council must look at doing something to keep and retain the quality of employees that the County has. Mr. Tim Busha informed Council that the Sheriff and the Solicitor had agreed to provide \$12,500 each to the Foothills Alliance. This is a \$500 increase from their usual budget appropriation. Chairman Greer announced that time for the item had expired. Ms. Wilson moved to extend the time by 10 minutes. The motion died from a lack of a second. Ms. Wilson moved to extend by 5 minutes and Mr. McAbee seconded. Vote was unanimous. Ms. Wilson: "The questions that were asked were mostly sent to the Administrator in the form of a written letter, Mr. Tolly. The complete answers, or lack of responses is the current state of affairs. Our employees do deserve a raise and it is within our budget to do so. I'll give you a few examples and they are very quick ones because there's a lot that can be trimmed or re-appropriated. We can trim our legal expenses where we paid the McNair Law Firm anywhere from ½ a million to more than a million dollars a year. We could live within our means on that similar to other counties. We could trim about a quarter of a million there. We could omit our housing of the Balloon Federation pilots, which cost this county, even though it's Accommodation Tax money, we could re-appropriate that money. That would be about \$20,000 perhaps to something that could use the funds – we could take the funding from that and put it there. So it's appropriately and properly used. We've got a lot of department heads who are really eating and lodging to a very lavish style. We could set some ~~perimeters~~ perimeters on that. I would warrant that we could easily trim about \$25,000 from Catering, Lodging, eating – well the meals, food etc. We could easily re-appropriate the cost-of-living and merit raise accounts back for that purpose instead of paying the Chamber of Commerce for that. We could easily come up with about 310-350,000 dollars looking at things there. Now, I am going to make a motion concerning some items in the budget ordinance that we need to remove. Since nothing had been changed substantially, I'm sure that this will be appropriate and y'all will find it in your hearts to do that. On page 17, we need to simply delete "simple" that seems to be redundant. On page 19, we need to omit "Use of funds appropriated by County Council district or otherwise, to reimburse members of County Council for reimbursable expenses (that is, for lodging, travel, registration fees, training, meals. And telephone usage) incurred in the discharge of their official duties shall be in accordance with the terms and provisions of the

County Code." We need to omit that. That's also redundant. We also need to omit at the bottom of page 20 the sentence I read earlier where "All acts or actions of the County taken with regard to prior year budget ordinances are hereby ratified and affirmed in their entirety." On page 21 where – right after the County Administrator "(or his written designee, to the extent authority to delegate by the Administrator" Chairman Greer stated that time had expired again. Ms. Wilson moved to extend by one minute and Chairman Greer seconded. Vote was unanimous. Ms. Wilson: "I would like what I mentioned as a motion to omit from this supposedly unchanged budget ordinance – that we omit those clauses. That's a motion on the floor. Motion died from lack of a second. Chairman Greer moved to extend the time by 3 minutes and Ms. Wilson seconded. Vote was six in favor and one opposed (Tolly). Motion carried. Chairman Greer talked about double counted money and flow-through money. Chairman Greer asked Mr. Preston if the County pays for the Balloon Federation and he responded no that it was sponsors' money. Vote on the third and final reading of Ordinance #2006-015 was six in favor and one opposed (Wilson). Motion carried.

At 8:10 p.m. Council took a short recess. Chairman Greer called the meeting back to order at 8:20 p.m.

Chairman Greer asked for a Point of Personal Privilege. Council agreed. "Thank you Council members. One of the things that we've constantly been faced with as we work on the budget is how things happen in Columbia that effect the tax base at local government levels. And there are bills that are being passed down there on an annual basis that impact local property taxes. They're considering a bill down there now that would lower the assessed ratio on motorcycles, SUV, F150s and those things. And that will have a negative impact on the tax revenue generated by the County. It is going to be a tax break to the people who own those and I'm one of those. But it has a negative impact on the tax revenue and I want to give you the line of thinking that exists in Columbia by reading a paragraph from this section. "The State Board of Economic Advisors projected that the bill would give a six million dollar tax break to the owners of motorcycles, big trucks, and SUVs. But the Board of Economic Advisors' way of thinking this tax would actually – wouldn't actually reduce the tax collection by Cities, Counties, and because" in quotations – "Local governments are expected to adjust their millage to make up for the lower assessed values in order to keep their revenue growth at its' historic rate." In other words they are going to pass a bill in Columbia that reduces one class of property taxes but they are encourages local governments to raise it on everybody else. Saying you can make it up somewhere else. You know where it'll be made up – it'll be made up on the homeowners who are crying for relief right now. So if you give a break one place they're saying you can make it up somewhere else. That's what historically is happening to local governments. And you're hearing exactly what I'm reading from this report that we've been looking at."

Chairman Greer presented third and final reading of Ordinance #2006-016 – an ordinance authorizing the leasing of real property at the Anderson Regional Airport to the Federal Aviation Administration for installation and maintenance of instrument landing system; and other matters related thereto. Mr. Thompson moved to approve and Mr. Dees seconded. Vote was unanimous.

Chairman Greer presented second reading of Ordinance #2006-017 – 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 C-2 (Highway Commercial) to R-20 (Single-Family Residential) 1 (one) parcel of land comprising approximately +/- 2.8 acres of property in the Williamston Mill Precinct on Highway 20 between Parker Street and Gray Drive. The property is identified by TMS #221-00-06-013. Mr. Thompson moved to approve and Ms. Wilson seconded. Vote was unanimous.

Chairman Greer presented second reading of Ordinance #2006-018 – 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-12 (Single-Family Residential) to RM-7 (Multi-Family Residential) 1 (one) parcel of land comprising approximately +/- 11.17 acres of property in the Hammond School Precinct at 1351 Old Williamston Road. The property is identified by TMS #149-18-02-001. Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was six in favor and one opposed (Wilson). Motion carried.

Chairman Greer presented first reading of Ordinance #2006-020 – an ordinance to levy and impose a one percent Capital Project Sales Tax, subject to a referendum, within Anderson County, South Carolina, pursuant to the Capital Project Sales Tax Act, as codified in Section 4-10-300, Et Seq., of the South Carolina Code of Laws, 1976, as amended; to define the specific purpose or purposes and designate the projects for which the proceeds of such tax may be used; to provide the maximum time for which such tax may be imposed; to provide the maximum cost of the projects or facilities funded from the proceeds of such tax; to provide for a County-wide Referendum; to provide conditions or restrictions on the use of such tax revenue; to establish the

priority in which the net proceeds of such tax, if approved in a referendum, are to be expended for the projects and purposes stated; to provide for the conduct of such referendum by the Anderson County Registration and Elections Commission; to provide for the Administration of such Tax, if approved; to provide for the payment of such tax; and to provide for other matters relating thereto. Mr. Tolly moved to approve and Chairman Greer seconded to get the item on the floor for discussion. Mr. Thompson said that he had a real problem with the ordinance. First, Council is given two scenarios. One is dealing with a "maybe" if we get the State Infrastructure money or not. The second issue is logistics, he said. The ordinance must go through three readings and then it's turned over to judicial review and they promise no less than 60 days. We are also under a deadline to get it to the Election Commission for preparation of the issue on a referendum by August 15. He said that Council needed community meetings, workshops, and dialog with constituents rather than rushing through to get it on the ballot. He said another issue is the Primary List does not include Whitehall Road even though he's been complaining about the congestion on Whitehall Road all year. He asked how could he support an ordinance that will not resolve one of his major problems. He suggested the best route to take is to table the ordinance and plan for 2007. He said that you "can't plant the seed until the field is plowed." Mr. Thompson then moved to table the ordinance #2006-020. Ms. Floyd seconded the motion to table. Vote was two in favor (Thompson, Floyd) and five opposed (Greer, McAbee, Tolly, Wilson, & Dees). Motion to table failed. Mr. McAbee said that he has concerns also. The fact that Whitehall Road is not getting the consideration that it deserves since it has a higher traffic count than the section of S.C. #24 that is at the top of the list. There are other roads in the County that aren't receiving consideration based on traffic Count. Liberty Highway from Clemson Boulevard to the Interstate has a much higher traffic count than a number of the roads high on the priority list. Mr. McAbee moved to refer the list back to the Capital Projects Sales Tax Commission and suggest that they take into consideration traffic count. The motion died from a lack of a second. Mr. Tolly explained that the time constraint was the problem. Ms. Floyd stated that she could not support the ordinance as it stands because she was not satisfied with what District 2 would get out of it and it appears that District 2 is the last on the "totem pole". If they had gotten approval on Highway 29, it would have opened up that area to new businesses and industries, she said. She also stated that she would not ask District 2 to pay that extra money and only get a small piece of a road and other districts are getting \$325,000,000. She moved that Council refer back to the Commission to study the roads further, let the community do more work and take time to look at what is really needed. Chairman Greer announced that time for discussion had expired. Mr. Dees moved to extend the time by 5 minutes and Mr. McAbee seconded. Vote was unanimous. Mr. McAbee seconded the motion by Ms. Floyd to refer back to the Commission for further study and development. Mr. Dees said that District 6 was getting a "little chunk" of the money; however he was concerned not about allowing the citizens of the County to exercise their right to vote to tax themselves but he feels that the ordinance needs to be amended to say something to the effect that if the money does not come through from the State of South Carolina the motion dies. If the County gets the money – then it lives, he said. Chairman Greer said that he has opposed the Capital Project Sales tax since it was first discussed along time ago. He also said that he did not want to place another tax burden on the people of Anderson County. He does not feel that he has the right to deny the people of Anderson the right to voice their opinion on accepting or denying the state money. He said that the ordinance is a two-fold ordinance, one list with the money and one list without the money. He said his support on this was based solely on the ability to secure the state infrastructure bank money. If the money is gone, then he cannot vote for it as the ordinance is written. The only reason he supported it to start with was because the County stood to gain \$150,000,000 of state money for the people of Anderson County. Mr. Tolly said that he agreed with Chairman Greer and Mr. Dees also and he said Representative Ronny Townsend is on the Commission and next year the Council would not have that influence. He said that whatever is good for one district is good for the entire County. Chairman Greer announced that discussion time had expired. Mr. Dees moved to extend by another 5 minutes and Mr. McAbee seconded. Vote was unanimous. Ms. Wilson said that her concern continues that if the County had been good stewards of the tax money for the last 8-9 years; Council could have made a prioritization of most of the roads (not the big state and federal roads). The Council could have had 40-80 million dollars if the County had carefully husbanded the County's money. She said she found where the County had already engaged Wilbur Smith and Associates in the study last year in June. She said that she could not support in the form that it's in. They need to get the County's input and the citizens' input before moving forward. Chairman Greer strongly disagreed with the statement that the County was not good stewards of the money of Anderson County. That's only one person's opinion, he said. Vote on the motion to refer was five (Greer, McAbee, Floyd, Thompson, Wilson) in favor and two opposed (Dees, Tolly). Chairman Greer told Council that they needed to give the Commission guidance on what they needed to do. Council discussed. Ms. Floyd asked the Commission to take a look at District 2 for projects that would help with the growth. Mr. Holt Hopkins said that by referring it back to the Commission it basically delays it until the next election cycle – 2008. He also said that if Council did not call a special meeting for one of the three readings it would be to late. Chairman Greer moved to reconsider the motion to refer and Mr. Dees seconded. Vote was

six in favor on one opposed (Thompson.) Discussion on the motion to refer continued. Mr. Dees moved to amend to pursue only if state infrastructure bank money is available and Mr. Tolly seconded. Chairman Greer stated that if the amendment passes the second list without the State Infrastructure bank money would be null and void. Ms. Floyd disagreed with the motion to amend saying that it was unfair for District #2. Mr. McAbee said that the amendment was not taking into account traffic count. Mr. Dees moved to amend his amendment by inserting " would consider traffic count" and Mr. McAbee seconded. Mr. McAbee said that he thought that Council couldn't change the list but only refer back to the Commission for them to resubmit another list. Mr. Thompson said that amending the amendment to add traffic count, it automatically goes back to the Commission which puts it back to November 2008 before the referendum is offered. Chairman Greer said that the Commission would have to meet and get back to Council for a special called meeting. Mr. Davidson said that if Council passes in some form on first reading then it could go back to the Commission and they could make changes between now and the second reading. Mr. Thompson said that it still appears that Council is trying to rush this through and Council is setting themselves up for failure without public meetings, public input, and without public buy-in. The wise thing, in his opinion, would be to shoot for 2008. Mr. Dees withdrew his amendment and his amendment to the amendment and Mr. McAbee withdrew his second to the amendment to the amendment. Mr. Tolly said that he would not withdraw his second to the amendment. Mr. Dees restated his amendment that it would not be accepted unless there is State Infrastructure money. Vote was three in favor (Greer, Dees, Tolly) and four opposed (McAbee, Floyd, Thompson, and Wilson). Motion failed. Council discussed further. Ms. Floyd asked Mr. Hopkins what he suggested. He said that Council desperately needed to do some work on county roads and decide what the County was going to do on the State roads. He also said that the State Infrastructure money was not an option. Ms. Wilson called for the question and Mr. Dees seconded. Vote was unanimous. Vote on first reading of Ordinance #2006-020 was none in favor and seven opposed. The ordinance failed from a unanimous negative vote.

Council took a brief recess at 9:10 p.m. Chairman Greer called the meeting back to order at 9:20 p.m.

Chairman Greer read Resolution #R2006-035 – a resolution authorizing the Transfer-by-Acquisition to Rexam Consumer Plastics, Inc. of that certain lease agreement between Anderson County, South Carolina, and Precise Technology, Inc., as successor-by-merger of Courtesy Corporation, dated as of December 1, 1998, and that certain Indenture between Anderson County, South Carolina and Precise Technology, Inc., as successor-by-merger of Courtesy Corporation, dated as of December 1, 1998, and that certain amended and restated lease agreement between Anderson County, South Carolina, and Precise Technology, Inc., as successor-by-Merger of Courtesy Corporation, dated as of December 1, 1998, and certain property, other rights, and other matters related thereto; and other matters related thereto, including the assumption by Rexam Consumer Plastics, Inc. of the obligations of Precise Technology, Inc. under the lease agreement, the indenture, and the Amended and restated Lease Agreement, and the continuation of a Fee-in-Lieu of tax pertaining to such lease agreement and amended and restated lease agreement. Mr. Dees moved to approve and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer read Resolution #R2006-036 - 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. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

APPOINTMENTS: Various Boards/Commissions - All Districts - No districts appointments were made.

REQUESTS BY COUNCIL MEMBERS:

District #1 – none

District #2 – none

District #3 – Chairman Greer moved to appropriate \$4,500 from District 3's paving account for the sealing and striping of the Starr Fire Department's parking lot. Ms. Wilson seconded and vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$3,000 from District 4's Recreation account to the Double Springs Community Athletic Association and Mr. Dees seconded. Vote was unanimous.

District #5 – Mr. Thompson moved to appropriate \$500 from District 5's Recreation account for the 2006 Special Olympics National Games and Mr. Tolly seconded. Vote was unanimous.

Mr. Thompson moved to appropriate \$1,000 from District 5's Recreation Account for the Homeland Park Fire Department for the construction of a new bunkroom and Mr. Tolly seconded. Vote was unanimous.

District #6 – none

District #7 – Ms. Wilson moved to add the following roads to her paving list for paving – C-10-0077 Martin Ford Road @ \$14,386, C-07-0021A (No name) @ \$6,376, C-01-0176 Quail Lane @ \$27,716, C-01-0186 Orr Street @ \$23,803, and C-07-0055-2 Hillcrest Drive @ \$34,043. Mr. McAbee seconded and vote was unanimous. Ms. Wilson moved to appropriate \$1,500 from District 7's paving account for raised markers on the ADA sidewalks in the Town of Williamston and Mr. Dees seconded. Vote was unanimous. Ms. Wilson moved to appropriate from District 7's Paving Account \$22,000 for the Town of Pelzer for paving the parking lot for the Historic gym on presentation of invoices. Mr. Dees seconded and vote was unanimous.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation:
 1. For: Mr. Mike Freeman, Ms. Monica Dickson From: The Director's Award for Outstanding Public Service
 2. For: Lt. Bowman From: Mr. & Mrs. Roy Ivey
 3. For: Mr. Tommy Thompson From: Mr. Keith Sonefelt
 4. For: Mr. Joey Preston, County Council and Emergency Services From: Senator Jim DeMint
 5. For: County Dispatch From: Fire Chief Jack Abraham, EdD
 6. For: Ms. Karen Sigmon, Ms. Jamie Tollison, Mr. Justin McGill, Ms. Brandy Hanks From: Mr. Tommy Thompson
- b. Certificates and Training: Mr. Tommy Thompson – Incident Response to Terrorist Bombings
- c. Reports:
 1. District Paving Reports
 2. Anderson County Building & Codes Report
 3. Anderson County Detention Litter Reports – March 6, 2006, March 13, 2006, March 20, 2006, March 27, 2006
- d. Minutes/Meetings:
 1. Sports & Entertainment Center – March 13, 2006 meeting
 2. Delegation Meeting – June 5, 2006
- e. Copy of FY 07 Budget Detail
- f. Letter from Senator DeMint regarding the Murray/Franklin Street Redevelopment Project
- g. SC Geodetic Grant Funds
- h. Veterans Day Parade
- i. Letter of Support of funding from the City of Anderson for the Church Street Heritage Project
- j. Article – *Greer hires Lobbyist to protect interests* (Chairman Greer stated that he did not hire a lobbyist – this article refers to the Town of Greer.)

CITIZEN COMMENTS: Other Matters -

The following individuals spoke – Mr. Brooks Brown and Mr. Rick Freemantle

Being no further business the meeting was adjourned at 9:40 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – June 6, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman - 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, June 6, 2006 at 6:00 p.m. Mr. Bill Dees stated that he had already said his prayer to the God that he worships in the privacy of his office. Everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Michael Thompson moved to approve the minutes from the May 16, 2006 meeting as mailed. Mr. Fred Tolly seconded the motion. Chairman Larry E. Greer moved to amend the minutes on page 3, line 16 – change "Polk" to "Pote". Mr. Dees seconded the motion to amend. Ms. M. Cindy Wilson moved to amend the amendment to add the following changes – page 3 – middle of page, line 24 - change "seated" to "ceded", page 3, line 35 add "it" between "Could" and "be", page 3, line 36 change "into" to "in" between the words "shifted" and "priority". Page 4 – 12th line from the bottom – change "perimeters" to "parameters". Mr. Thompson seconded Ms. Wilson's motion to amend the amendment. Vote was unanimous on Ms. Wilson's motion. Vote on the motion to amend was unanimous. Vote on the motion to approve the minutes as amended was unanimous.

CITIZEN COMMENTS: Agenda Matters – Ms. Katrina Ricketts said that her and her husband has had a tattoo shop in Elberton, Georgia for about 7 years. She said that she would like for Anderson County to approve an ordinance allowing tattooing in Anderson County. She informed Council that Anderson has "chop shops" that are very dangerous to the public.

PRESENTATION: Mr. Burriss Nelson gave a brief report on demographic information concerning the development of commercial and retail opportunities all through the County. He said they began to look at ways to assist the small towns and communities in Anderson. It was apparent that commercial development in some of the small towns was not meeting their potential. The Anderson County Office of Economic Development wrote and applied for a community development block grant through the S.C. Department of Commerce for a study to acquire specific market information that would highlight the best likely development opportunities for these communities. A Small Business Market Analysis Study of low to moderate-income communities in Anderson, the ones that would qualify for CDBG funding, was the Towns of Iva, Pendleton, and Williamston. The Governor's office and the Department of Commerce announced a grant award of \$55,000 for a total cost of \$61,000 for all the work to be done. The Anderson County Development Partnership supplied the matching funds for the total project for the CDBG match. Buxton was selected. All members were provided a CD with the information. Council received as information.

ORDINANCES – THIRD READING:

Chairman Greer read the third reading of Ordinance #2006-017 – 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 C-2 (Highway Commercial) to R-20 (Single-Family Residential) 1 (one) parcel of land comprising approximately +/- 2.8 acres of property in the Williamston Mill Precinct on Highway 20 between Parker Street and Gray Drive. The property is identified by TMS #221-00-06-013. Ms. Wilson moved to approve the ordinance on third reading and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer read the third and final reading of Ordinance #2006-018 – 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-12 (Single-Family Residential) to RM-7 (Multi-Family Residential) 1 (one parcel of land comprising approximately +/- 11.17 acres of property in the Hammond School Precinct at 1351 Old Williamston Road. The property is identified by TMS #149-18-02-001. Mr. Tolly moved to approve and Mr. Dees seconded. Vote was six in favor and one opposed (Wilson).

ORDINANCES – SECOND READING:

Chairman Greer read second reading title of Ordinance #2006-022 – an ordinance authorizing the sale of certain Anderson County Real Property located at the Anderson County Airport Business Park; authorizing the execution and delivery of a real property deed transferring title of said real property; and other matters relating thereto. Mr. Thompson moved to approve on second reading and Ms. Wilson seconded. Vote was unanimous.

ORDINANCES – FIRST READING:

Chairman Greer read first reading title of Ordinance #2006-024 – an ordinance to develop a joint County Industrial and Business Park in conjunction with Greenville County, such Industrial and Business Park to be geographically located in Greenville County and the City of Greenville, South Carolina and established pursuant to Article VIII, Section 13 of the South Carolina Constitution, and South Carolina Code of Laws of 1976 Section 4-1-170, Et Sequitur, as amended; to provide for a written agreement with Greenville County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees-in-lieu of Ad Valorem Taxes to the Counties and relevant taxing entities; to provide that Jobs Tax Credits allowed by law be provided for businesses locating in said park; and to permit a user fee-in-lieu of Ad Valorem Taxation within said park. Mr. Thompson moved to approve and Mr. Dees seconded. Vote was unanimous.

RESOLUTIONS:

Chairman Greer read the title of Resolution #R2006-032 – a resolution expressing intent to cease county maintenance on and to authorize County Consent to Judicial Abandonment and closure of a section of a certain Anderson County Road; and other matters related thereto. (Jameson Drive – C-03-0030) Mr. McAbee moved to approve and Mr. Thompson seconded. Vote was unanimous.

ACCEPTANCE OF CLARKE LANE COMMONS INTO THE COUNTY ROAD SYSTEM: Mr. Tolly moved to accept Clarke Lane Commons into the County Road System. Mr. Dees seconded. Mr. Hopkins stated for the record that to the best of their knowledge there is no drainage problems in the subdivision and all roads meet County standards. Vote was unanimous.

APPOINTMENTS:

District #1 – none
District #2 – none
District #3 – none
District #4 – none
District #5 – none
District #6 – none
District #7 – none

Chair Appointment – Chairman Greer moved to appoint Mr. David C. King to fill the County's vacancy on the Economic Development Partnership Board. Mr. Tolly seconded the appointment and vote was unanimous.

REQUESTS BY COUNCIL MEMBERS:

District #1 – none
District #2 –

Ms. Floyd moved to appropriate \$1,200 from District 2's Recreation Account for Young Men of Vision and Progress. Mr. McAbee seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$300 to the Anderson County Environmental Services Department to allow five youth from the Anderson Housing Authority the opportunity to participate in Earth Camp. The funds to come from District 2's Recreation Account. Mr. McAbee seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$1,200 for JEBCO Community Center for the Youth Life Skills Program of Summer Camp. The funds will come from District 2's recreation account. Mr. McAbee seconded. Vote was unanimous.

Ms. Floyd moved to appropriate \$1,200 for Friends of Broadway Lake's Family Day at the Lake. The funds to come from District 2's Recreation Account. Mr. Tolly seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$5,400 for the Fusion Warehouse for use for their grant opening on July 13. Mr. McAbee seconded the vote. The funds to come from District #2's Recreation Account.

Ms. Floyd encouraged all Council members to join her at the beginning of the fiscal year with providing summer activities for all of Anderson County's youth.

District #3 – none

District #4 –

Mr. McAbee moved to appropriate \$5,000 from District 4's Recreation Account for the Pendleton District Commission. The money to be contingent upon their receiving a Federal Grant and the money is to be used as the match. Mr. Dees seconded and vote was unanimous.

District #5 – none

District #6 – none

District #7 – none

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

- a. Letters of Appreciation:
 1. For: Mr. Joey Preston, Staff, and Volunteers From: Ms. Gracie S. Floyd
 2. For: Road Maintenance – Mr. Joe Moss's Crew (Mr. Ken Stone, Mr. Duanne Hamm, Mr. Brian York, Mr. James Smith, Mr. Steve Miller, and Mr. Jonathan Pickens From: Mr. Bill Spearman
 3. For: Road Maintenance – Mr. Joe Moss's Crew (Mr. Ken Stone, Mr. Brian York, Mr. James Smith) and Mr. Aaron Smarts' Crew (Mr. Denver Mills, Mr. Jon Day, Mr. Joshua Vaughn, Mr. Timothy Wilson, Mr. Phil Brown, and Mr. Calvin Scott) - From: Mr. John Vitek
 4. For: Mr. Jerry Stamps and Crew From: Ms. Gwen McBride
- b. Certificates and Training: Ms. Michelle Dodd of Environmental Services – 21 hours – Introduction to Management and Supervision course
- c. Reports: Recreation Report
- d. Minutes/Meetings:
 1. Airport Meeting of April 17, 2006
 2. Anderson County Development Partnership – March 23, 2006 meeting
- e. Grant Awarded through the S.C. State Budget and Control Board
- f. Grant Awarded—*Edward Byrne Memorial Justice Assistance Grant* through the U.S. Department of Justice
- g. Consistency Determination and Permit Denial for proposed Greenpointe C&D Landfill
- h. County notified of receiving grant awards under the Justice Assistance Grant Program totaling \$167,300
- i. County Addresses Pelzer's 911 dilemma (news articles)
- j. News Article *Private Contributions help make CAT reality*
- k. Letter from Economic Development concerning recruitment of poultry, swine or cattle rendering/processing facilities
- l. Letter from Economic Development concerning a Community Development Block Grant for a study to acquire market information that would highlight the best likely development opportunities
- m. Letter to Rep. Cooper regarding proposed increase in per diem detention rate
- n. Judgment in a Civil Case – M. Cindy Wilson, Plaintiff, Joey Preston, Defendant
- o. Motion for Summary Judgment – M. Cindy Wilson, Plaintiff, Joey Preston, Defendant
- p. Civil Action – M. Cindy Wilson, Plaintiff, Joey Preston, Defendant
- q. Medically Indigent Assistance Act information for Ms. M. Cindy Wilson
- r. Ms. M. Cindy Wilson's request for GLX117 versus GLX 117A
- s. Departmental Transfers

t. Cost of Documents requested by Ms. M. Cindy Wilson

CITIZEN COMMENTS: Ms. Elizabeth M. Peace said that she was rejoicing that Council did not forget our men and women that sacrificed so much for freedom over Memorial Day. She said that there were 5 different ceremonies in Anderson County. She commended Ms. Michelle Strange for all of her assistance given to the ceremonies.

Ms. Brooks Brown, IV stated that the Veterans Monument has no monument to the Civil War Veterans who fought an honorable fight. He said that twice, first in 1919 and then in 1954, the U.S. Congress recognized that the Civic War Veterans of the South were equal to the Veterans of the Union side and made them eligible for pensions. There were approximately 20 from Anderson County. He talked about tattoos and the need for the County to make sure that the ordinance is stringent so that there is a mechanism to go in and check the parlors out. Under the Administrator's Report he noticed copies of a Judgment in a Civil Case – M. Cindy Wilson, Plaintiff, Joey Preston, Defendant, Motion for Summary Judgment – M. Cindy Wilson, Plaintiff, Joey Preston, Defendant Civil Action – M. Cindy Wilson, Plaintiff, Joey Preston, Defendant. He said the last report he saw, approximately \$800,000 had been spent of County's money fighting a losing battle on a one sided basis. He said that there was a mechanism in place in Charleston County where they took away the discretionary funds of the offending member to pay back the County and he recommended that Council do the same thing.

REMARKS FROM COUNCIL MEMBERS:

Ms. Wilson asked if the County had any type of regulatory authority over tattoo parlors. Mr. Martin explained that the County did not have any type regulatory authority over tattoo parlors and State law pre-empts the entire field in that regard. The County's sole discretion is land use permitting or land use sighting and that is determining where they can be located, and that is even indirect, he said. Ms. Wilson: "There must be a disclaimer made in regards to what a citizen just stated. I don't know where the figures are coming from but the last time I checked the County had spent more than \$70,000 in this matter representing Mr. Preston. At no time has this County ever spent one penny in legal costs for me. There are so many wild numbers floating around about legal costs starting with the sewer appeal to DHEC years ago that that's a very good reason why we should be able to look at the billing statements for legal costs in this county. And there is to be a motion of an Appeal filed. This sets a chilling precedence that Mr. McCauley has ruled. The reason our council was never sued was that it would have imbued our Council members with powers that don't exist. It was a point of law requiring that public documents be open to the public involving public expenditures. And if anyone has any question about that they're certainly welcome to call me. There's already been a young man who called the attorney in Columbia and I think he is well on his way of understanding the situation. Now the other question is – I know that the Jockey Lot convenience center has moved to Whitefield. And I wanted to point out that it is a fabulous place. I wondered when we were going to have our grand opening and that also there is a need for cover for some the employees who are out in the hot sun governing and guiding all of us coming through to take our garage and it's a wonderful facility. I invite everyone to come out to the Whitefield Convenience Center and I think it will make a wonderful place for our District 7 Education for Recycling and so for. And now I have another question, and wondered if someone would please answer me on this. Why would Anderson County pay \$1,847.85 for a Finance department employee to rent a luxury Suburban SUV? It was rented for about 3 weeks and also was there any other employee other than that specific employee who drove that Suburban? Do we have a new black Denali in Anderson County other than the one that we previously owned?"

Chairman Greer – "I have no knowledge." Ms. Wilson: "Okay. Thank you"

Mr. Thompson said that he did attend the Richard Campbell's Veterans memorial service and he met one of his constituents and she was concerned about the double water rates that the City of Anderson is charging the County. He said that he was working on the issue and has been for over a year. In their search, he learned that there was a number of fire hydrants that are either dry or have been removed because of the City's take over of the Duke Power water system. That issue also is being addressed. Back in March, he held a community meeting at Varennes Heights Baptist Church and he has been trying to plan a follow-up meeting with the group. He received a letter from the pastor saying that their calendar was filled. He wanted everyone to know that he wanted to have a follow-up meeting with everyone at the Varennes, Homeland Park, and Mill precincts.

Mr. Tolly publicly thanked Mr. Ed Jean for making sure that Mr. Brantley Jordan, Honorary Council member, makes it to the meeting. He said that Council needed his support.

Ms. Floyd said that Family Day last year at Broadway Lake was wonderful. She asked each Council member to come and attend this year. She stated that Freedom Weekend Aloft was fun. Ms. Floyd said that she was also working with the water issues, even before Mr. Thompson started. She thanked everyone that attended the open house of the Fusion Warehouse. She encouraged everyone to go by if they have not visited.

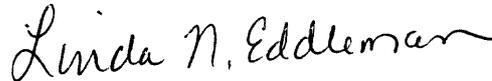
Mr. McAbee said that he also attended the Campbell Nursing home veterans service. He said that it was a wonderful Memorial Day. He said that he read the information on the tattoo parlors and he thinks it's something that Council needs to look at.

Mr. Dees said he too read the state law on the tattooing. He said that his concern was that the County has no regulatory powers. He commended Ms. Elizabeth Peace for what she does for the veterans of Anderson County. He said he recently read that Pendleton was considering turning their police department over to the Sheriff's office and he's done several studies on the issue. In his opinion, it is not a bad idea. He talked about graffiti on the walls around town and he said it was from gangs. He said Anderson was a lovely place to live, work, and to play.

Chairman Greer said that Memorial Day was a day to remember those who made "the supreme sacrifice". He said that should never be taken lightly. We owe those men and women who gave their all so that Council could sit there and conduct a meeting like this free from fear and free from oppression. We are able to go to a church of our choice on Sunday and worship as we choose because of those sacrifices that those men and women have made, he said. As he thinks about Memorial Day, he said he did not want to forget those veterans who came back – they made sacrifices also. He remembers Mr. Clarence Rogers who Council recognized as being symbolic of the WWII veterans. Mr. Rogers has now gone to be with his Maker.

Being no further business the meeting was adjourned at 6:55 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – June 20, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman - 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, June 20, 2006 at 6:00 p.m. Ms. M. Cindy Wilson gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Bill McAbee moved to approve the minutes from the June 6, 2006 meeting as mailed. Mr. Dees seconded. Mr. Michael Thompson moved to amend on page 2; next to the last paragraph, third line from the bottom delete "saying". Next line - replace "Gluke" with "Gluck" Mill. Vote was unanimous on the amendment. Mr. McAbee moved to amend on page 1 – second paragraph (the minutes from May 16, 2006 meeting) correct the spelling of "Pote" to "Pope". Mr. Dees seconded. Vote was unanimous. Vote on the original minutes as amended was unanimous.

Mr. Michael Thompson moved to amend the agenda to add Ordinance #2006-026 for consideration on first reading. Mr. McAbee seconded and vote was unanimous. Chairman Greer said that the new item will be Agenda item #10(d).

CITIZEN COMMENTS: Agenda Matters – No citizens spoke during this time.

THE ANDERSON COUNTY FAIRGROUND'S ECONOMIC IMPACT ON ANDERSON COUNTY: Ms. Gracie S. Floyd said that the Anderson County Fairgrounds had been a vital part of the economy in Anderson County. She said that it was an entity that the county had not really "courted" in order to attract as many people as possible. She asked Mr. John Owens, Manager of the Fairgrounds to give a presentation on the economic impact on the County. He presented the following basic facts for the fairground and Expo Center. Mr. Owens said that he likes to refer to the Anderson County Fair and Expo Center as "a sleeping giant" in Anderson County. The Strates Shows has owned the fairground for over 20 years. They have over 100,000 sq. ft. of building space, 110 RV sites with full hook-ups, the Grand Stand sits on 3-1/2 acres and can seat 10,000. There is over 60 acres of land and for the last 20 years over 2 million dollars have been offered and given out to the youth, local residents of Anderson County, with premiums out of the Strates' pockets. The Fair is in town 52 weeks a year, the Strates shows, is in town once a year, which runs for ten days. This year the fair is October 13-22. The Anderson County Fair is the largest event to take place in Anderson each year with attendance in excess of 200,000 people. The Fair is the largest county fair in South Carolina and the third largest in the State. The State Fair and the Coastal Carolina Fair in Charleston are the only two fairs in South Carolina that are larger than Anderson County's Fair. He said that the fair was a vital and important part of the economic engine of Anderson and Anderson County year round. The Fair and Expo center spends money right here in Anderson. Last year, 2005, the Fair and Expo Center spent \$457,200 directly into the County's economy. The Strates Shows pumped over \$116,000 into the economy with local services and goods purchased. The total amount pumped into the local economy last year was \$573,811. The Facility and Fair economic activity accounts for over 10 million dollars per year in estimated economic impact. He gave examples of how the facility could fit in the community such as an equestrian facility, skate park, small local theme park, more meeting room space, go

cart tracks, soccer fields, baseball park, football stadium, athletic facilities for Anderson University, storage and shop facility for buses and other county/city equipment, emergency shelter and/or staging area for emergency management crews, major outdoor concert venue, police and bus driving training facility, rodeo facility, or a combination of the above or some others. He said that the Strates Family would not mind spending the money if they can show a return on their investment. Council thanked Mr. Owens for his presentation and received his comments as information.

EMPLOYEE OF THE MONTH: Mr. Charles Pinson, Human Resources Committee Chair introduced Mr. Bob Stoker of the Emergency Services Division as Employee of the Month of May 2006. Mr. Stoker was presented a plaque and a gift certificate to a local restaurant. Council commended Mr. Stoker on his good job performance.

Chairman Larry Greer read the title of Resolution #R2006-039 – a resolution recognizing and honoring Mr. Ike Brissey for his service to Anderson County as a Volunteer Fireman and Fire Chief and in many other capacities; and other matters related thereto. Mr. Bill McAbee moved to approve and Ms. Wilson seconded. Vote was unanimous. The framed resolution was presented to Mr. Ike Brissey and Council thanked him for his many years of service to the County as a volunteer fireman and fire chief.

Chairman Larry Greer read the title for third reading consideration of Ordinance #2006-022 – an ordinance authorizing the sale of certain Anderson County Real Property located at the Anderson County Airport Business Park; authorizing the execution and delivery of a real property deed transferring title of said real property; and other matters relating thereto. A public hearing was held; no comments were received. Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was unanimous to approve the ordinance on third reading.

Chairman Greer read second reading title of Ordinance #2006-024 – an ordinance to develop a joint County Industrial and Business Park in conjunction with Greenville County, such Industrial and Business Park to be geographically located in Greenville County and the City of Greenville, South Carolina and established pursuant to Article VIII, Section 13 of the South Carolina Constitution, and South Carolina Code of Laws of 1976 Section 4-1-170, Et Sequitur, as amended; to provide for a written agreement with Greenville County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees-in-lieu of Ad Valorem Taxes to the Counties and relevant taxing entities; to provide that Jobs Tax Credits allowed by law be provided for businesses locating in said park; and to permit a user fee-in-lieu of Ad Valorem Taxation within said park. A public hearing was held; no comments were received. Mr. Thompson moved to approve and Mr. Dees seconded. Vote was unanimous to approve the ordinance on second reading.

Chairman Greer read first reading title of Ordinance #2006-023 – a rezoning request by Rick Whatley for R.D. Garrett, Contractor Purchaser, to rezone 48.33 acres on Whitehall Road between Rhodehaven Drive and Centerville Road from R-20 Single Family Residential to R-15 Single Family Residential. A public hearing was held and the following individuals spoke. Mr. Stephen Pope said that he noticed where the Zoning Advisory Committee had recommended denial because of the conditions of Whitehall Road. He said that Anderson County was growing and Anderson County needed to do a good deal of renovations on County roads. Mr. Kevin Ross with Land Design Services of Easley said that he was the engineer that did the layout for the project. He gave all members a copy of the updated plat. He explained that the main change was that Whitehall might be widened in the future so they are proposing deeding an additional 30' of right-of-way for any future widening that might occur. The total number of lots dropped by one when the additional 30' was given. At this time it is 104 lots, he said. Since there are wetlands to the rear of the property they have requested R-15 zoning to allow them to get closer to what R-20 would normally allow. Mr. Rusty Garrett said that they had gone through the necessary steps and also met with the Planning staff on two different occasions. He said that they have done everything that is possible to satisfy their request of them. No further comments, the public hearing was declared closed. Mr. McAbee moved to approve and Chairman Greer seconded. Mr. Michael Thompson said that the proposed subdivision was on Whitehall Road and he had been complaining about Whitehall Road all year long. He said that it was bumper-to-bumper traffic during school in the mornings and evenings. Any development along that area would exacerbate the current problem. He called attention to information provided where staff recommended denial of the rezoning request. He said that until the County gets 13 and ½ million dollars and widen Whitehall Road then the County could do all kind of development but until that happens he cannot support this. He asked members of Council to support him and vote the request down. Mr. McAbee said that because of the nature of the land the developer needs R-15 to get the same number of lots he would otherwise get on a more suitable piece of property under R-20. He said that everyone is against sprawl and everyone is against high-density. But in order to avoid one, you have to have the other. It stands to reason that there is going to be high-density areas in neighborhoods in Anderson County and the most logical and only location for density is where sewer is available, he said. This property is on sewer and can help generate

additional revenue. He said that they did not want to drive the price of homeownership out of the reach of the average citizen of Anderson. And having homes with smaller lot sizes keeps the American dream of home ownership within the budget of more of the citizens. R-15 would not be inconsistent with the current land use in the area, he said. Council needs to be careful about the precedent Council sets when voting on this and other properties like this, he stated. He said that if Council is to continue to be consistent then Council should vote to allow this property to be rezoned and to do otherwise would be setting a very dangerous precedent. Ms. Wilson said that part of the problem is that Whitehall Road could be greatly mitigated by requiring that when the developers come in with applications for higher density, and higher density than the existing road can handle, Council should require them to meet what S.C. DOT to see what they would require. In most cases, and particularly this case, it would probably require an accel/decel turn lane configuration. She said if the County began to require all of this immediately, then Council can more freely accept the rezoning applications. Then by the time all the adjoining tracts are developed then you have the entire road upgraded and improved without any major expense to the county citizens. She said that you couldn't put a price on human lives and she had requested that this county do this for almost 2 years. Council even approved a motion to study it but yet nothing had been done, she stated. She said that she would vote on this if the developer was willing to do an accel-decel turn land at his expense. Mr. Dees said that his concern was not relative to traffic because Whitehall Road is a state road. He asked Mr. Ricketson how the Planning Commission voted on the issue and Mr. Ricketson replied that they voted to recommend denial because of the well noted-documented traffic congestion on Whitehall Road in the area. Staff recommendation was also denial until improvements are programmed on Whitehall Road. Mr. Dees moved to send back to the Planning Commission to be restudied with the new information that the developer was willing to give an additional 30' right-of-way on Whitehall Road for widening. Motion died from a lack of a second. Ms. Floyd said that the project is being compared to the last project in the area but at the time Council voted on that one they were told that the project had two exits. This proposed development only has one exit planned. Ms. Wilson moved to extend discussion time by 5 minutes and Mr. McAbee seconded. Vote was five in favor and two opposed (Floyd, Thompson). Motion carried to extend time. Ms. Wilson stated that the state was broke when it came to doing roadwork of this magnitude. The easiest and simplest way to address the issue and allow good quality development to go forward, without endangering human lives, is to go ahead and have the state make their recommendation as to what type of turning and accel-decel configuration they would require for the development and Council should put the "teeth" into that, she said. Mr. McAbee asked Mr. Ricketson if it was staff's position that there should be no further development on Whitehall Road. Mr. Ricketson stated that the ordinance calls for low density, and as it is currently zoned for R-20. He said that there was no money available to fix Whitehall Road. Chairman Greer asked what the difference was in the lots (R-20) verses what is actually requested. Mr. Ricketson said that it was the difference of 21 lots. Chairman Greer called Mr. Hopkins to the microphone. He asked Mr. Hopkins if the County had the ability or the authority to enforce anything on State roads and he replied no. The County must get permission from them to even post a sign on a state road. Chairman Greer said that he was impressed with the developer donating the additional right-of-way that is needed on Whitehall Road. Chairman Greer moved to extend by an additional 5 minutes. Ms. Wilson seconded and vote was four in favor (McAbee, Greer, Wilson, Tolly) and three opposed (Dees, Floyd, Thompson). Motion carried. Chairman Greer said one of the key issues on everyone's mind is property taxes. No one is really ready to attack the "beast" that is responsible for escalating property taxes -- reassessment. As you reassess property that causes property values to go which causes property taxes to go up, assuming the rollback provision is not enforced. So if the county requires the developer to provide turn lanes, accel-decel lanes the developer will pay for it but in the long run the homeowner is going to pay for it when the price of those improvements are put on to the price of the houses, Chairman Greer stated. He also said that he recognized the need for improved infrastructure on Whitehall Road and he commends the developers for their efforts to consider the need for that. Ms. Wilson said that Chairman Greer misunderstood the difference between SCDOT recommendation and a regulation. The SCDOT makes recommendations to developers to make it safer and more efficient for vehicular traffic. There's a difference between net acreage and gross acreage. The gross acreage is the total 48.33 acres the net acreage is the acreage minus the road right-of-way, wetland and unusable land and therefore you would probably have less houses. The developers and lot owners pay a premium short-term, but the taxpayers pay the premium long-term. At some point, Whitehall Road, which is a death trap, has to be upgraded, expanded, and maintained at public expense. The end result is that if Council doesn't address each of the issues then the good developers are being penalized, she said. Mr. Tolly called for the question and Mr. Dees seconded. Vote was unanimous. Vote on first reading of ordinance #2006-023 was two in favor (Greer, McAbee) and five opposed (Tolly, Thompson, Wilson, Floyd, Dees). Motion failed.

Chairman Greer read the title for first reading of Ordinance #2006-019 – an ordinance to reduce the Assessment Ratio applicable to General Aviation Aircraft subject to Anderson County Property Tax to a four percent (4%) Rate based on the fair market value of the Aircraft; and other matters related thereto. Mr. Thompson moved to approve and Mr. Dees seconded. Airport Advisory Committee Chairman Dan Gissendanner

explained the ordinance. Members of the Airport Advisory Committee in attendance were recognized. Chairman Greer asked Mr. Martin if state law that allows the reduction also allows the Council to go back if it the 10-1/2% fails to work. Chairman Greer moved to extend discussion time by 2 minutes. Ms. Wilson seconded and vote was unanimous. Mr. Martin explained that the ordinance could be changed by a future Council because state law was "silent" on the matter. He explained. Ms. Floyd thanked Mr. Roy Ivy for his hard work on the issue and also Ms. Gina Humphreys. Mr. McAbee said that if the County reduced the assessment ratio to 4% on aircraft and the county attracts two more jets then we are ahead of the game. Vote was unanimous.

Chairman Greer read the title for first reading of Ordinance #2006-025 – an ordinance to amend Chapters 38 and 70 of the Anderson County Code of Ordinances, which relate to Land Use and Zoning Standards and Regulations; and other matters related thereto. Ms. Floyd moved to approve and Mr. McAbee seconded. Ms. Floyd explained that the ordinance was for establishing guidelines for the location of South Carolina Department of Health and Environmental Control (DHEC) licensed tattoo facilities within the unincorporated portions of Anderson County. She said that she wanted to provide facilities for the people of Anderson that are clean, right, and safe. She asked Council to join her in approving the ordinance. The County Attorney explained that the County has no regulatory authority as to the operation of the parlors. The authority given to the County is as to the location of tattoo establishments. Mr. McAbee said that Council must accept the fact that tattoo parlors are legal now in South Carolina. Council has not addressed the placement of them in the Land Use ordinance and Council should address the issue in the Land Use ordinance. Chairman Greer said his one concern was the DHEC regulations. At one time the tanning bed industry was highly regulated by DHEC. What he is hearing now is that most of the tanning parlors are self-regulated, Chairman Greer said. He also stated that he was concerned that by passing the ordinance Council would allow a business to operate where you are dealing with a possibility of transmission of a blood borne pathogens. He asked that between now and the next meeting he would like staff to investigate how DHEC plans to regulate and inspect these parlors. Vote was six in favor and one opposed (Tolly). Motion carried.

Chairman Greer read first reading of Ordinance #2006-026 – an ordinance amending, in limited particulars only, the Master Road list of all County roads located in and maintained by the County of Anderson, South Carolina, created by Ordinance #2001-007; and other matters related thereto. (Inclusion of Jackson Road) Mr. Thompson moved to approve and Mr. McAbee seconded. Mr. Thompson called attention to an aerial photograph and the fact that in 1969 Jackson Road, in its' full length, was a County road. Other documentation was presented showing that the entire length of Jackson Road was a County road. He said that Mr. Jackson had put up a gate on the county road with part of the gate was on Army Corp of Engineers' property. When Anderson County staff measured Jackson Road they only measured from the "T" down to the gate. His argument is that there was an error – Jackson Road should have been measured from the "T" down to the end at the cul-de-sac. He said that he was proposing an amendment of the County Road List to include the entire length of the road – from end to end. Ms. Wilson asked who the current owner was. Mr. Thompson said he did not know the owner. Mr. Thompson explained to Ms. Wilson that the County had maintained Jackson Road from the "T" down to the gate but not from the gate down to the cul-de-sac. The residents showed him the documents showing the entire road being a county road. He said that he will appropriate the funds from District 5's paving account to repair Jackson Road in its' entirety if approved. Chairman Greer asked if there were residents living in the area from the gate to the cul-de-sac and Mr. Thompson remarked yes about 17 residents. Mr. Dees asked was it correct that the gate was placed there illegally. He responded yes according to their documentation that Jackson Road was a county road. Vote was unanimous.

Council took a recess at 7:30 p.m. Chairman Greer called the meeting back to order at 7:40 p.m.

Chairman Greer read Resolution #R2006-037 – expressing intent to cease county maintenance on and to authorize county consent to Judicial Abandonment and closure of a section of a certain Anderson County Road; and other matters related thereto. (Charles Beaty Road C-16-029). Mr. Tolly moved to approve and Mr. Greer seconded. Vote was unanimous.

Chairman Greer read Resolution #R2006-040 – a resolution expressing appreciation and continued support to the Freedom Weekend Aloft Festival in Anderson County; and other matters related thereto. Mr. Dees moved to approve and Mr. Thompson seconded. Chairman Greer said that he had received a call from a Greenville reporter saying that Greenville County had passed a resolution seeking to bring Freedom Weekend Aloft back to Greenville County. The FWA event brings a lot of recognition to our County to our people and to our community, he stated. He urged Council to pass the resolution. Ms. Wilson said that it was a wonderful festival however it hasn't been without a good deal of public money to support it. She said that the Garrison Arena receives no support from Anderson County yet creates major amounts of economic impact as well as Anderson County Fairgrounds. She said she would support the Resolution if it was amended to reflect that there

would be no more funding provided than what has been provided in the last couple years. Chairman Greer said that Anderson County does not place any tax dollars into Freedom Weekend Aloft event. There is some Accommodations Tax appropriations used to help fund the event. All of the other monies handled by Anderson County in sponsoring the event are from sponsors and they are not tax dollars. Mr. Preston stated that FWA pays Anderson County \$30,000 to lease the facility. Back in 1999 when the County announced FWA, the County solicited a \$30,000 sponsor to help cover the cost. Also the parking fee helps to offset the cost, he said. Also the General Assembly provides \$200,000 - \$250,000 approximately per year to help offset some of the expenses. Ms. Wilson said to Mr. Greer that he again misinterpreted her point – she said public money and she was glad that Mr. Preston and Mr. McAbee pointed out the state tax money. Chairman Greer said that he did not misinterpret her that it was very clear that he thought she was talking about County tax money. Chairman Greer read the resolution into the record. Vote was six in favor and one abstention (Wilson).

Mr. Dees moved to approve the acceptance of Brookstone Meadows, Phase I, II, III (Section 1), Brookstone Village, and Chestnut Springs – Phase I into the County Road system. Mr. McAbee seconded and vote was unanimous. Mr. Hopkins stated for the record that all the roads met County standards.

APPOINTMENTS:

District #1 – Mr. Tolly moved to appoint Mr. Gary Henderson of 1104 Cobbs Way to the Civic Center Advisory Board to represent District #1. Chairman Greer seconded and vote was unanimous.

District #2 – none
District #3 – none

District #4 – Mr. McAbee moved to appoint Mr. Rusty Garrett to the Planning Commission to replace Clint Wright. Ms. Wilson seconded. Mr. Thompson pointed out that Mr. Garrett already serves on the Anderson County Transportation Committee and it would be in violation of county ordinance to hold two positions. Mr. McAbee withdrew his motion.

District #5 – none
District #6 – none
District #7 – none

REQUESTS BY COUNCIL MEMBERS:

District #1 – Mr. Tolly moved to appropriate \$28,000 for the paving of Brookhollow Road from District 1's paving funds. Mr. Dees seconded and vote was unanimous.

District #2 – Ms. Floyd moved to appropriate \$1,500 from District 2's Recreation Account for the East Anderson Community of Shalom for their summer youth program. Mr. McAbee seconded and vote was unanimous.

District #3 – Chairman Greer moved to appropriate \$200 from District 3's Recreation Account for the Starr Athletic Association for their All Star Team. Mr. Dees seconded and vote was unanimous.

District #4 – none

District #5 – Mr. Thompson moved to appropriate \$1,000 from the District #5 Recreation Account to the Fusion Warehouse. Mr. Dees seconded and vote was unanimous.

District #6 – none
District #7 – none

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation:
 1. For: Mr. Joey Preston From: Joseph R. Biden, Jr., United States Senator
 2. For: Mr. Joey Preston From: Mr. Ken Walker
- b. Reports:
 1. Anderson County 911 Dispatched Calls Report, Monthly Litter Control Report, and Monthly Animal Control Report for May
 2. District Paving Report
- c. Letter to City Manager John Moore on the establishment of a residential subdivision on Hall Street
- d. Articles on Opening of Farmers Market
- e. Letter to Foothills Alliance confirming funding in County FY 2007 budget

f. Departmental Transfers (June 2005)

Ms. Wilson: "One moment please, Mr. Chairman. I have some questions about the Administrator's Report please. At the very back we have been given about a million and a half dollars of transfers that were made June of last year. This cannot go unnoted because our ordinance requires that the Administrator report to County Council monthly on all such transfers exceeding \$2,500 and above once received. And it goes on. This is well - a year past the actual transferring of the funds and I would call your attention to the very irresponsible transferring of funds in this instance because major amounts of money are transferred from the cost of living and merit raises accounts. Dramatic amounts of money. There are amounts of money transferred from Road Maintenance and asphalt to over-time. You should look at this. There's one, two, three, four and a half pages and to take money from - for example Indigent Health Care to pay the legal expenses in the Administrator's account. I mean - you really have got to look at this. And then here again Road Maintenance Asphalt to Farmers Market part time. What did it actually cost us to run the Farmers Market? I thought we were spending, I think, \$12,000 something like that and here's an additional amount of money. We have a lot of money - oh here's one that's really interesting and I'd love to have an explanation of this one. From the Treasurer - Treasurer-Retiree accounting to Bank Fee \$31,525 due to low interest rates our balances do not offset the bank fees. I think we should have an explanation. And then we've had a cost overrun on salaries in Keep America Beautiful. We have advertising expenses exceeded by \$19,000 in Public Information. I warrant to you that what you have here one year after the fact and I requested this earlier, in fact, you must realize that these untimely departmental transfers notifications to Council are part of the Writ of Mandamus that's been filed. And there has been a Motion of Appeal that you need to be aware of. And I requested of the Administrator's Department to tell us how much our total transfers have been since July 1st of 05, which is the start of our current fiscal year. I have yet to be given that. And every year for the last several years we have anywhere from a million one now to almost a million and a half transferred. Why do we even have a budget, y'all? Where are the cost of living and merit raises for the employees? They didn't even get to them. Asphalt money didn't go to asphalt. I really request that y'all take a look at this. Thank you."

Mr. Preston: "Yes Sir, Mr. Chair. You'll notice that the memo is dated June the 9th from Ms. Rita Davis; Finance Manager to me and the ordinance requires that - Ms. Wilson said I didn't follow proper procedure but I did. It requires that I report these within 30 days from the time that they are presented to me and I was well within that 30 days that are listed. (Mr. Preston read the memo provided to him from Ms. Rita Davis.) Also, I wanted to remind County Council that transfers are simply an internal process that we go through and I want to remind Council to that we come well within our budget-under our budget. Council's aware of that-saw that during the Comprehensive Annual Report that was presented. So without the drama everything is absolutely up to snuff and done proper, Mr. Chair.

Chairman: I have one question, Mr. Preston. These transfers were actually part of the audit process for that budget year, is that correct?

Mr. Preston: That is correct.

Chairman: And the auditors would have been aware of these transfers as they perform that audit report that they perform for Anderson County in which they gave us a completely clear audit with no occurrences pointed out. Is that correct?

Mr. Preston: That is correct.

Ms. Wilson: Mr. Chairman, one question please. Our audit was presented to us, I believe in January why were these transfers not presented to us in January? It was well after the sixty days close of the fiscal year books. And an additional 30 days to notify us. It's well after the audit was presented to us by six months. This is inexcusable.

Mr. Preston: I just read the response to that.

Chairman: Mr. Preston I believe, has already answered that once. He received these he gave them to us within the 30 day time period. Once he received it during that six month time period the Finance staff was indeed checking and verifying and making sure this was all.

Mr. Preston: Yes sir.

CITIZEN COMMENTS: Other Matters - Mr. Brooks Brown said last time he spoke he talked about the need for recognition of the Confederate Veterans at the Veterans Monument. He said that was not about the war but about the men and women who fought and died in that war. Congress of the United States said they are equal to the Union Veterans and entitled to pensions the same as Union Veterans. He said he was proud of his ancestor for serving and for standing up for what he believed in. He said it was the least we could do to put the names of 20 individuals who fought and died for Anderson County on the monument and put up the proper flag in recognition.

REMARKS FROM COUNCIL MEMBERS

District #1 - none

District #2 – Ms. Floyd asked for another microphone in the Chambers.

District #3 – Chairman Greer said he liked his tie and it was a Father's Day gift from his son. Chairman Greer said that he personally believes that he has a right to pray to his God anyway anytime he chooses; however he made a promise to his God that he worships to uphold the Constitution of the United States of America and to the State of South Carolina and the laws thereof. He made a promise. He's kept his word. He said his word was important to him but it is also important that he keeps his promise to his God. He found a way to deal with it. He dealt with it by offering prayers to his God in the privacy of his office without violating the law of the land.

District #4 – Mr. McAbee said that he just received word that Mr. Garrett would resign from the ACTC Committee so he asked that he be allowed to appoint him to the Planning Commission. No members objected. Mr. McAbee moved that Mr. Rusty Garrett be appointed to the Planning Commission effective from the date of his resignation from the ACTC Committee. Mr. Thompson seconded and vote was unanimous. Mr. McAbee said that the purchase of another microphone was an excellent idea.

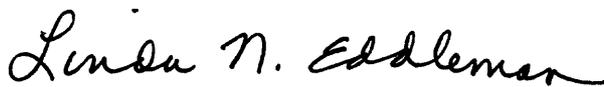
District #5 – none

District #6 – Mr. Dees said that philosophically life was full of challenges and it's how you accept the challenge that makes you who you are. Our reputations are governed by what people think of us and our character is what you think of ourselves. The other thing is he never learned how to drive a car looking out the back window – you have to look out the windshield, you have to look ahead, and you have to be positive. If you're not that then you're a negative person and he does not deal well with negativity. He said he likes to be positive and he likes to be upbeat and Mr. Greer's tie is still ugly.

District #7 – Ms. Wilson said that at the end of the last meeting she requested information about a county finance department employee renting a very expensive, luxury vehicle for approximately 3 weeks at the cost of \$1847.85. No one has answered the question. In addition, she would like to know how and when the County Denali was damaged which was recently repaired at a local collision shop. Who was driving the vehicle at this time? Mr. Preston said that he had some work performed to the vehicle at no cost to the county. She asked did it involve a collision. It involved someone running into the bumper in the rear and completely paid for by the individual who did it at no cost to the County – including the leasing, Mr. Preston said. He said to answer her question about the tag – he changed the tag on the car at no cost to the County because people have been harassing him and following him around. She said she did not ask anything about the tag. She asked for a written account. She said the information she had was that it was a front in collision. Mr. Preston said that was incorrect. She suggested a copy of the invoice would be helpful.

Being no further business the meeting was adjourned at 8:25 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Called Meeting – June 26, 2006 – 9:00 a.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman - Clerk to Council

ABSENT

M. Cindy Wilson – District #7

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

The called meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Monday, June 26, 2006 at 9:00 a.m. Mr. Fred Tolly gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

CITIZEN COMMENTS: None

Chairman Greer explained that the special called meeting was necessary so that Council could cancel or reschedule the July 4, 2006 County Council meeting. Mr. Dees moved to cancel the meeting and Mr. McAbee seconded. Vote was six in favor and one absent (Wilson).

Mr. Thompson moved to adjourn and Mr. McAbee seconded. Vote was unanimous. The meeting adjourned at 9:03 a.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – July 18, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
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, July 18, 2006 at 6:00 p.m. Ms. Floyd invited everyone to join her in a moment of silent prayer. Everyone stood and pledged allegiance to the flag of the United States of America.

On the motion of Mr. Thompson, seconded by Mr. Dees, Council voted unanimously to approve the minutes of the June 20, 2006 and June 26, 2006 minutes as mailed.

Mr. Michael Thompson moved to amend the agenda to recognize the South Carolina National All Stars Team. Mr. McAbee seconded. Chairman Greer amended the motion to move up item #9(a) up after Citizen Comments. Both items will be placed at that location. Mr. McAbee seconded the amendment. Vote on the amendment was unanimous. Vote on the motion as amended was unanimous.

CITIZEN COMMENTS: Agenda Matters

Mr. Brooks Brown said that he was opposed to ordinance #2006-021 – authorizing a Fee-in-lieu of tax agreement. He said that there were other things besides taxes that will bring businesses to the County. He urged Council to table the issue and do away with any further fee-in-lieus.

Mr. Thompson recognized the members of the South Carolina National All Stars Boys 9 and 10 years old baseball team. He said that they won the State Championship and now they are on their way to Virginia to play in the Southeast Regionals. If they win that level; they will travel to the World Series. Council and all citizens present congratulated the team and coaches. Mr. Thompson said that the team also are in need of some funds for their trip to Virginia. Council received as information.

Item #9(a): #R2006-041 – a resolution expressing appreciation and continued support to the Balloon Federation of America for holding the National Hot Air Balloon Championship in Anderson County since 2001; and other matters related thereto. Chairman Greer read the title to the Resolution. Mr. McAbee moved to approve and Mr. Tolly seconded. Vote was six in favor and one abstention (Ms. Wilson). Motion carried. Mr. McAbee read the entire resolution into the record. A framed resolution was presented to the officials of the Balloon Federation of America. All the Balloon Federation officials were recognized. The group presented Mr. Preston the Presidents' Award for his outstanding assistance and involvement and Ms. Michelle Strange was presented the Directors' Award for her work over the past 5 years in assisting them with their National Championships.

EMPLOYEE OF THE MONTH: Mr. Charles Pinson, Human Resources Committee Chair presented Ms. Ann Dove as Employee of the Month for June 2006. A plaque and gift certificate to a local restaurant was presented to Ms. Dove. All members of Council commended Ms. Dove for her outstanding job performance.

Chairman Greer read the third reading title of Ordinance #2006-024 – an ordinance to develop a joint County Industrial and Business Park in conjunction with Greenville County, such Industrial and Business Park to be geographically located in Greenville County and the City of Greenville, South Carolina and established pursuant to Article VIII, Section 13 of the South Carolina Constitution, and South Carolina Code of Laws of 1976 Section 4-1-170, Et Sequitur, as amended; to provide for a written agreement with Greenville County providing for the expenses of the park, the percentage of revenue application, and the distribution of fees-in-lieu of Ad Valorem Taxes to the Counties and relevant taxing entities; to provide that Jobs Tax Credits allowed by law be provided for businesses locating in said park; and to permit a user fee-in-lieu of Ad Valorem Taxation within said park. Mr. Dees moved to approve and Mr. Dees seconded. Vote was unanimous to approve on third and final reading.

ORDINANCES – SECOND READING:

Chairman Greer read the title to Ordinance #2006-019 – an ordinance to reduce the Assessment Ratio applicable to General Aviation Aircraft subject to Anderson County Property Tax to a four percent (4%) Rate based on the fair market value of the Aircraft; and other matters related thereto. A public hearing was held and Mr. Brooks Brown spoke in opposition to the lower of the County property tax to 4% on the fair market value of Aircraft. Mr. McAbee moved to approve and Mr. Tolly seconded. Ms. Wilson suggested that Council contact the Legislative Delegation and ask that they seek to amend the State Constitution where we might consider lowering the taxes from 10½ percent for all the other uses (including industrial and etc.) down to 4%. This would include all vehicles, personal property, and real estate. She said that there were other states that have been far more competitive at economic development than South Carolina and the Fee-in-lieu of taxes was a response to stimulate economic development. It has created confusion among the population and it has increased the cost to a lot of the parties to these issues and it would be a simpler matter to just lower taxes. She said this might be a matter that Council should look at making a resolution and lobbying the County Delegation. Mr. McAbee said the options lower the assessment ratio on aircraft is the only thing that the General Assembly has provided. He said he feels that for Anderson County to remain competitive Council must exercise this. Vote was unanimous.

Chairman Greer read second reading title of Ordinance #2006-025 – an ordinance to amend Chapters 38 and 70 of the Anderson County Code of Ordinances, which relate to Land Use and Zoning Standards and Regulations; and other matters related thereto. A public hearing was held; no comments were received. Mr. Thompson moved to approve the ordinance concerning Tattoo Parlors and Mr. McAbee seconded. Ms. Wilson said that she was not personally in favor of Tattoo Parlors but her concern is the neighborhood surrounding these operations. She said she would like to discuss setting hours of operation that would be in line with surrounding properties. Ms. Floyd explained that the Tattoo Parlors would be regulated by DHEC. By approving the ordinance, Council is assuring that a young child cannot get a tattoo legally in Anderson County. Mr. Ricketson passed out the Zoning requirements for Tattoo Facilities by DHEC. Chairman Greer said that he was concerned how DHEC was going to regulate the business and how DHEC will protect the general public from blood borne pathogens. Mr. Ricketson explained the procedure for the inspection and annual license by DHEC. He also said that after the ordinance is approved on third reading the County is done with the issue and it goes to DHEC. Vote was five in favor (Floyd, Greer, Thompson, McAbee, Dees) and two opposed (Tolly, Wilson). Motion carried.

Chairman Greer presented second reading of Ordinance #2006-026 – an ordinance amending, in limited particulars only, the Master Road list of all County Roads located in and maintained by the County of Anderson, South Carolina, created by Ordinance #2001-007; and other matters related thereto. A public hearing was held; no comments were received. Mr. Thompson moved to approve and Mr. Dees seconded. Ms. Wilson said that there were questions discussed at the last Council meeting. She asked if the gate had been removed. Mr. Thompson said that no work would be done until the Ordinance has been approved. Then the gate will be removed because it is across a County road and physically sits on County property. No development is planned at this time, Mr. Thompson stated. Vote was unanimous.

Chairman Greer presented first reading of Ordinance #2006-021 – an ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement between Anderson County, South Carolina and Famous Craft Boats of South Carolina, Inc.; and other matters relating thereto including, without limitation, payment of a Fee in Lieu of Taxes and authorization of Infrastructure related to the project. Mr. Thompson moved to approve and Mr. McAbee seconded. Mr. Tom Martin stated that the ordinance had been reviewed on behalf of the County and the matter is proper for consideration by Council. Vote was unanimous.

RESOLUTIONS:

Chairman Greer read the title to Resolution #R2006-042 - a resolution authorizing the Sheriff of Anderson County, by agreement, to provide general law enforcement services to the Town of Pendleton; and other matters related thereto. Chairman Greer said that the attachment to the Resolution (Intergovernmental Agreement) was at each Council Members' station and was not available at the time the agenda books were delivered. Mr. Dees moved to approve and Mr. McAbee seconded. Mr. McAbee stated that the Sheriff was a constitutional officer of the state and he asked if the Resolution was necessary. Mr. Martin replied yes it was. Ms. Floyd said that she had not had time to read the Intergovernmental Agreement and she would request time to read before voting on the issue. Chairman Greer called for a 5-minute recess to allow members of Council to read the agreement. Chairman Greer called the meeting back to order at 6:55 p.m. Ms. Floyd said that now after reading the document rapidly she has more questions. Ms. Wilson read item #4 in the agreement - "4. The Sheriff shall provide general law enforcement services within the corporate limits of the Town. The Sheriff will assign eight (8) Deputies and one (1) Investigator, for a total of nine (9) deputy sheriffs, to provide law enforcement services to the Town. The Sheriff will provide the technical and mechanical expertise to the entire Sheriff's office for investigative support and/or backup of the Deputies located within the Town limits on a daily basis. Additionally, the Sheriff will maintain two (2) administrative support personnel, non-commissioned, on existing terms of employment for the aforesaid specified administrative positions, as employees of the Sheriff, to the extent that County staffing and personnel policies permit." "13. The Town shall pay the Sheriff a total sum of five hundred and ninety-five thousand dollars (\$595,000) annually...agreement." She asked if the \$595,000 was sufficient to provide the deputies and technical support employees. She said she didn't really understand how it would work. Mr. McAbee said that this was the total positions created to supply the Town of Pendleton with Law Enforcement - 24 hours a day, 7 days a week. He said that this was similar to their manpower needs in Pendleton. The law enforcement officers with the Town of Pendleton will be the ones offered first to fill the positions with the Sheriff's office. He said that there were a number of municipalities in the State that contract with the County to provide their local municipal law enforcement. Ms. Wilson said that she has a municipality in her District, which may have to do the same thing. She said she was not opposed to doing it but her concerns are with the mechanics of the operating agreement. She said she would like to make a motion that Council take time to consider in depth at this meeting or table for consideration at the next meeting. Ms. Floyd said that her concern was for District #2. A total of 8 deputies and one investigator so she said she was concerned about what this would do the remainder of the County. Mr. McAbee said that currently the manpower for the Pendleton Police Department was at 8 or 9 patrol officers. She asked if the \$595,000 would be enough to adequately cover the cost of the Sheriff's operation in the Town of Pendleton. Mr. McAbee said that the Sheriff had made a determination based on his cost analysis on what it would cost to provide law enforcement for the Town of Pendleton. Chairman Greer said that he too has problems with the agreement. The \$595,000 cost includes a total of 11; not 9. Section 10 of the agreement states - "10. The Town shall permanently transfer ownership of all suitable and acceptable law enforcement equipment..." Also it states "In exchange for the transfer of such equipment, credit will be given at the fair market values of said equipment." He said that he was assuming that the credit given would be subtracted from the first annual payment from the Town of Pendleton to the Sheriff's office, which would lower that \$595,000. Chairman Greer moved to extend the discussion time by 5 more minutes and Mr. McAbee seconded. Vote was unanimous. Chairman Greer continued. He said assuming that the average salary among those 11 employees of \$35,000. That would be an annual payroll of \$385,000. Subtract that \$385,000 from \$595,000 would leave \$110,000 to operate those 11 employees over the course of a year. Then you have to add the benefits packet that County employees have - runs somewhere around 22% - to make the math quicker he figured 25%. That figure comes to \$96,250 for addition costs for those 11 employees. Now the \$595,000 is down to a little less than \$4,000 to operate those 11 employees over the course of a 12 month period. So, he said, he has some questions because he is not seeing the money work out. Mr. Preston said that these are existing employees in existing budgeted positions. No new positions being created. These are already budgeted positions and he has some several vacancies. Chairman Greer stated that Council had three choices - Pass it as presented tonight, table for further consideration at the next meeting, or pass as presented tonight and reconsider at the next regularly scheduled meeting and allow the Sheriff to operate under this agreement for the course of a 30-40 day period before the next regularly scheduled meeting (August 15). Chairman Greer said that if it passed tonight he will offer a motion to reconsider at the next meeting to allow Council the opportunity to go back in and review it. Ms. Wilson said that it was a fourth option - a called meeting. Chairman Greer announced that discussion time had expired. He moved to extend discussion time by 5 more minutes. Ms. Wilson seconded and vote was unanimous. Mr. Tolly said that this might be the first step in consolidating services. Mr. Martin said that if Council approves and at the next meeting moves for reconsideration and change the terms can be done by amendment at that time. Council discussed further. Chairman Greer said just to give example that Council needs to spend some time reviewing the document - #14 says that the Sheriff may adjust the sum under the agreement in accordance with changes in the costs of providing law enforcement services and subject to such salary increases as may be approved by County Council of the County or the Sheriff for all Deputy Sheriffs. Chairman Greer moved to extend the discussion time by 5 additional minutes. Ms. Wilson seconded and vote

was unanimous. Chairman Greer gave the following options again – approve it, approve it subject to being reconsidered at the next regularly scheduled Council meeting, or amend it cover a 35-40 day period, or do a special called meeting a couple weeks from now. Mr. Dees moved to go with the option to approve it subject to being reconsidered at the next regularly scheduled meeting. Mr. Dees said that the Sheriff of Anderson County already has jurisdiction within the Town of Pendleton to provide law enforcement. In his opinion, the County will be coming out better with the 9 additional deputies. Mr. Tolly seconded the motion. Mr. McAbee said that Mr. Dees was correct that the Sheriff currently has authority within the Town of Pendleton. Ms. Wilson requested that Council have some answers to their questions prior to the next meeting. She said that she agrees with the spirit of the issue. Ms. Floyd said that she was concerned about District 2 and she still needs answers as to how it will affect District #2. Chairman Greer said that he has some of the same concerns that Ms. Floyd has because he represents a large land area. He also wants to make sure that this will not reduce the enforcement capability of the Sheriff's office. He said that he would like to request that the Sheriff attend the next meeting to answer some of their questions. Chairman Greer moved to extend the discussion time an additional 3 minutes. Mr. McAbee seconded and vote was 6 in favor and 1 absent. Ms. Wilson was out of room during the vote. Chairman Greer restated Mr. Dees' amendment once again. (To reconsider this at the next meeting). If the motion and the amendment passes then Council would be required to reconsider at the next meeting. Once it is reconsidered at the meeting, Council is in discussion and it is as if no vote has ever been taken, he said. Vote was five in favor and two opposed (McAbee, Floyd). Motion carried. Vote on the original motion as amended was six in favor and one opposed (Floyd). Motion carried.

APPOINTMENTS: Various Boards/Commissions - All Districts

District #1 – None

District #2 – None

District #3 – None

District #4 –

Mr. McAbee moved to appoint Mr. Mike Buchner to the Assessment Appeals Board and Mr. Tolly seconded. Vote was unanimous.

Mr. McAbee moved to appoint Ms. Teresa Windsor to the Library Board to replace Ms. Fran Shirley. Mr. Thompson seconded and vote was unanimous.

Mr. McAbee moved to appoint Mr. Mark Caldwell to the Airport Commission and Mr. Tolly seconded. Vote was unanimous.

Mr. McAbee moved to appoint Mr. Smith Wham to the Construction Board of Adjustment and Appeals. Ms. Wilson seconded and vote was unanimous.

District #5 – None

District #6 – None

District #7 – None

REQUESTS BY COUNCIL MEMBERS:

Mr. Fred Tolly – District #1

Mr. Tolly moved to appropriate \$5,000 from District #1 Recreation Account to the Foothills Alliance for their Junior Golf Tournament. Mr. Dees seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$1,000 from District #1 Recreation Account for the 16 and Under Little League Anderson Braves Baseball team. Mr. Dees seconded and vote was unanimous.

Ms. Gracie S. Floyd – District #2

Ms. Floyd moved to appropriate \$5,000 from District #2 Recreation Account for the Johnson/Broadview Community Center to be used for the Center. Mr. McAbee seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$1,000 from District #2 Recreation Account for the Fusion Warehouse. Mr. Thompson seconded and vote was unanimous.

Mr. Larry E. Greer – District #3

Chairman Greer moved to appropriate \$10,000 each to the Town of Iva and the Town of Belton from the District #3 Paving account for paving, grading, and drainage related work within the municipalities. Mr. Dees seconded and vote was unanimous.

Chairman Greer moved to appropriate \$200 from District 3 Recreation Account to the Iva Recreation Association for their All Star Teams. Mr. Dees seconded and the vote was unanimous.

Chairman Greer moved to appropriate \$1,000 from District 3 Recreation Account to the Iva Fire Department to assist them with replacing and putting back into operation their grass truck. Mr. Tolly seconded and vote was unanimous.

Mr. Bill McAbee – District #4

Mr. McAbee moved to appropriate \$10,000 from District 4 Recreation Account to the Town of Pendleton for the other half of the cost of the restroom facilities at the Veterans' Park. Ms. Wilson seconded and vote was unanimous.

Mr. McAbee moved to appropriate \$4,000 from District 4 Recreation Account for the Pendleton Recreation Association for Youth sports equipment. Ms. Wilson seconded and vote was unanimous.

Mr. McAbee moved to appropriate \$550 from District 4 paving account to be used for installation of Crime Watch signs in the Bishop Branch Community. Mr. Dees seconded. Mr. Tolly asked about the appropriation coming out of paving. Chairman Greer said that Transportation Department considers signage to be a part of work on the roads. Vote was six in favor and one abstention (Mr. Tolly). Motion carried.

Mr. Michael Thompson – District #5

Mr. Thompson moved to appropriate \$2,000 from District 5 Recreation Account for the S.C. National All Star Team for their participation in the Southeast Regionals. Ms. Wilson seconded and vote was unanimous.

Mr. Bill Dees – District #6

Mr. Dees moved to appropriate \$12,000 from District 6 Recreation Account for the Wren Youth Association toward the payment of light bills upon receipt of invoices or receipt. Mr. McAbee seconded and vote was unanimous.

Mr. Dees moved to appropriate \$343,750 from District 6 Paving account for paving, grading, and drainage for the Powdersville Library and the Powdersville Water District Project. Mr. McAbee seconded and vote was unanimous.

Ms. M. Cindy Wilson – District #7

Ms. Wilson moved to appropriate \$5,000 as District 7's match from District 7 Recreation Account for the Piercetown Fire Department for their new truck. Mr. Dees seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$2,300 to the Cheddar Fire Department to replace equipment from the District 7 Recreation Account. Mr. Tolly seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$3,500 for the Caroline Community Center from District 7 Recreation Account for programs and repair work. Mr. McAbee seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$5,000 from District 7 Recreation Account for recreational programs and refurbishing of a park for the Town of Honea Path. She said that the Town of Honea Path would also like some picnic tables for their swimming pool area, if available. Mr. Thompson seconded. Vote was unanimous.

Ms. Wilson explained that three years ago District 7 made a \$5,000 appropriation out of District 7 Recreation Funds for the Cheddar Youth Center for lighting. They have held the money in an account since the appropriation. They have now obtained a PARD grant to build a second ball field and have requested that she redesignate the original \$5,000 for the purpose of matching a PARD grant for seeding, grading, fencing and so forth. Mr. Dees seconded and vote was unanimous.

Mr. Thompson moved to cancel the August 1, 2006 meeting because of the SC Association of Counties Conference. Mr. Dees seconded and vote was unanimous.

DECISION ON CANCELLING THE AUGUST 1, 2006 COUNCIL MEETING: Mr. Thompson moved to cancel the August 1, 2006 County Council meeting and Mr. Dees seconded. Vote was six in favor on one opposed (McAbee). Motion carried.

ADMINISTRATOR'S REPORT:

- a. Certificates of Training: Mr. Keith A. Bowman and Ms. Mary L. Wilson – Preparedness and Response to Agricultural Terrorism Management Level
- b. Letters of Appreciation:
 1. For: Mr. Joey Preston and Mr. Charles Wyatt From: CYT (Christian Youth Theater)
 2. For: Mr. Joey Preston, County Council and County Staff From: Mr. Burford Haynie, Jr., Past Commander – American Legion
 3. For: Mr. Joey Preston From: Mr. Billy Gibson, Anderson County Fire Department Chief
 4. For: Mr. Joey Preston From: Bill Frist, M.D., Senate Majority Leader
- c. Reports:
 1. Building and Codes Monthly Reports (May and June)
 2. Anderson County Environmental Enforcement Litter Control, and Animal Control Reports
- d. County Employees raise \$7,323.75 for March of Dimes
- e. Anderson County awarded a FY2007 Used Oil Grant and a Waste Tire/Automobile Dismantler Recycling Grant by the Office of Solid Waste Reduction and Recycling
- f. News Article on Public Transit
- g. Anderson County Transportation Committee Approved Projects
- h. Letter concerning Anderson County's Application to SC Transportation Infrastructure Bank

REQUEST FOR A LEGAL BRIEFING IN EXECUTIVE SESSION ON THE REPORTED EMBEZZLEMENT AT THE ANIMAL SHELTER

– Ms. M. Cindy Wilson moved to go into executive session to be briefed on an article that appeared in the *Anderson Independent Mail* on June 16. Ms. Floyd seconded. Mr. Thompson said that the issue involves a former County Employee and County Employees do not report to the County Council. Only the Administrator and Clerk. He also said that there was a possible criminal investigation going on and Mr. Preston has said that he cannot disclose any further information until the investigation has been concluded. He said he did not understand what Council hoped to achieve.

Ms. Wilson: "According to this memo from our Administrator, he became aware of some concerns in August '05. I've had many phone calls over the past several years that raised questions about operations over there and I just think that we really need to discuss some of the personnel and legal and contractual issues over there and an executive session is appropriate and it's legal to do this."

Ms. Floyd: "I don't think we will be in there discussing a personnel issue on how a person is doing on a job or any type job problems. But we need to discuss this. We need to get the information about what is happening, how did it happen, what could have been done to keep it from happening again, and how much of it was happening. We don't have the answers to these questions and the only information I get is out of the newspaper. I think Council members we need to start, we need to start asking more questions. Let's look into this thing let's see what happened here. I too received a telephone call about this before. Before the story broke in the newspaper before I could get myself together to start asking the questions, the newspaper wrote the story. But I'd like to- there's just more I'd like to know about it."

Mr. McAbee: "Mr. Chairman, Thank you Mr. Chairman. I'm assuming the other members of Council received a memorandum addressing this. Is there more to be..that we would hear in the briefing that we have not already received in the memorandum regarding this issue."

Mr. Preston: "No Sir. I have been instructed. I cannot discuss the case and the Solicitor has requested that anything that's discussed could actually compromise the on-going investigation. I'll suggest that if you wanted any kind ... (Mr. Martin can't speak to this either because it is an investigation) We have to be very careful of what we say because we're subject to slander and other issues because no one has been convicted of a crime yet. And you might, if you like to have some type of legal briefing you may want to schedule an appointment with the solicitor to discuss it. I cannot discuss it."

Ms. Wilson: Mr. Chairman, may I?

Chairman: Ms. Wilson.

Ms. Wilson: I seem to recall in the 04-05 budget there was a fair amount of discussion about the need for more money at the animal shelter. The need for a lot of other things over there. It's a serious issue to spend public money and I've heard wild stories of hundreds of thousands of dollars going missing over there. We are responsible for the finances of Anderson County. I've also had phone calls. There was a TV station that called me, I guess 18 months – 24 months ago concerning the parvo outbreak over there that evidently cost the County a great deal of money. Perhaps there was a problem with the protocol there in bringing unknown animals into a population where they should have gone into quarantine. There have been stories of acid on animals over there. There are some serious questions that keep popping up. Now that this is before us, I think we need to know a little bit more.

Mr. Tolly said that the issue had already been thoroughly reported to Council and he doesn't see where Council could obtain anything else. Chairman Greer said that in his opinion, if Council discusses anything other than what the executive session was called for then Council would be in violation of the Freedom of Information Act.

Mr. Dees asked if the case was currently under investigation by a local law enforcement authority and Mr. Preston said it was under investigation by SLED.

Ms. Wilson: Well, if y'all decide not to go into executive session perhaps Mr. Tolly will provide me with a copy of his thorough and complete report that he received because I did not. Thank you.

Mr. Preston: I'd like to suggest that some of the operational questions that come about several Council members in the past – if you have issues or concerns about the Animal Shelter you can sit down with me and the department head and express those if you have any questions concerning the operations part of the Animal Shelter. I welcome you and I'll schedule a meeting and you're more than welcome to go do that and to go tour the facility. We do have an expansion underway. And yes we do have parvo at the Animal Shelter – it comes and goes anytime you pick up animals on the street you're going to have that. And we've just recently been able to acquire a piece of property adjacent to it where we can build our addition that was approved by Council so that's being addressed. That's all I have.

Mr. Tolly called for the question and Mr. Dees seconded. Vote was unanimous. Vote on the request for a legal briefing was three in favor (Wilson, Greer, Floyd) and four opposed (Tolly, McAbee, Thompson, Dees). Motion failed.

CITIZEN COMMENTS: Other Matters – Mr. Terry Chapman talked to Council about the overcrowding of the County Jail. Mr. Chapman said that he was in the Jail ministry at the Anderson County Detention Center. He said there were 505 inmates in a 300-person jail. He asked Council to check on the possibility of speeding up the court system.

REMARKS FROM COUNCIL MEMBERS

District #7 – Ms. Wilson: Thank you, Mr. Chair. At the last Council meeting we were given a list of 80 plus transfers from June 2005 and I had some questions that I asked during that meeting which have yet to be answered. Prior to that I had requested a total (a list of and a total) for budget transfers for 05-06 which we've just completed and I'm also going to request for any transfers that have been made in 06-07 to date. It's part of our over-sight responsibility and you know to get the information a year later when there is a 30 day notification and that was just absurd to hear the explanation that even after it was audited back in November and presented to us in, I guess in January, we get it in June. That is absurd and beyond acceptability. I am requesting that information now. I would also like to have my GLR110s from the last date, which I believe was in March, to date. I did want to point out that I was in receipt of a Freedom of Information Act request concerning the wreck to the County owned Denali and I'm in the process of reviewing that. But I do need this information as do each of you as well. Thank you.

District #5 – none

District #1 – none

District #2 – Ms. Floyd warned all staff making copies for Council's consideration and approval, for them not to assume that Council will have to look at each document. Council is not "rubber stampers."

District #3 – Mr. Greer said that Ms. Floyd just said that this was not a rubber stamp Council but if you listen to a certain radio station you would believe that it is. He said that everyone saw tonight that this Council was definitely not a rubber stamp Council.

District #6 – none

Being no further business the meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – August 15, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
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, August 15, 2006 at 6:00 p.m. Chairman Larry E. Greer stated that he had already offered a prayer to the God he worships in the privacy of his office. Everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Michael Thompson moved to approve the July 18, 2006 minutes as mailed and Mr. Dees seconded. Mr. Thompson moved to amend by changing the following: Page 2 – paragraph at bottom concerning Ordinance #2006-026 – Change the next to the last line – “Mr. Thompson said that no work would be done until the ordinance has been approved and then the gate would be removed because it is across a County road and physically sits on County property.” Change “County” to “Corp”. So the new sentence will read: “Mr. Thompson said that no work would be done until the ordinance has been approved and then the gate would be removed because it is across a County road and physically sits on ~~County~~ property.” Ms. Wilson seconded the amendment and vote was unanimous. Vote on the minutes as amended was unanimous.

CITIZEN COMMENTS: Agenda Matters

Mr. Terry Chapman spoke to Council regarding resolution #R2006-048 – a resolution committing the match of \$25,000 for a Community Investment Grant for the purpose of rehabilitating houses in the Appleton Mill Area. He urges Council to vote yes on the resolution. Mr. Brooks Brown talked to Council about Ordinance #2006-019 – to change the Assessment ratio on general aviation aircraft to 4%. He said that the County did not need to reduce the assessment ratio to 4%; it was too low. He said that he was also concerned about the Appleton Mill grant. He asked was the County giving government money to private property owners; if so he said he did not know that it was entirely legal. Mr. Gary Burgess thanked Mr. Bill McAbee for the job he does representing the District 4. He gave Mr. McAbee a prepared statement and asked Council for any consideration that they could give to the school district. (The prepared statement is on file in the Clerk to Council's office.)

PRESENTATION: Mr. Fred Tolly said that he would present a framed copy of Resolution #R2006-024 which was approved by Council in April. He asked Mr. Kirk Oglesby to come forward. He read the Resolution (#R2006-024) into the record and then presented the framed copy to Mr. Oglesby. Council congratulated Mr. Oglesby for his many years of service to Anderson County and to the Hospital and AnMed Health Center.

BRIDGE PROGRAM UTILIZING FEDERAL FUNDING PRESENTATION: Mr. Holt Hopkins gave the following presentation. He said the County had about 5 projects that were funded. Three of the projects are currently under construction: East Reed Road Improvement project, the McClellan Road Bridge replacement project and Brown Road Bridge Replacement Project. They have all the paperwork and are working on the design and trying to get the environmental permits to proceed on with the projects. The East Reed Road Project is a major improvement project and will improve pedestrian safety greatly. There are some drainage issues that needed to be fixed on the road. A PowerPoint presentation was given on the projects. Mr. Hopkins invited everyone to a ribbon cutting on September 5th at 11:30 a.m. McClellan Road Bridge crosses Lake Hartwell and was built in 1930. Work is presently being done. The price tag is \$510,000 and the Federal government has earmarked \$248,000. Mr. Hopkins said that the old bridge being replaced on McClellan Road will go to District #3 and be used on the Sam Turner Road Bridge project. The advertised opening now for McClellan Road

project will be the end of November. Brown Road Bridge - District 4 and 5 both contributed \$30,000 each from paving funds and "C" funds made up the balance of the 20% that the county needed for the grant match for \$620,000. The state is funding \$1.2 million and the Federal earmark is 1.5 million dollars. This is a grand total of \$3.4 million. The \$3.4 million was the SC Department of Transportation's estimate and by the time they went to bid the contract price was \$4.2 million. The contractor immediately went in and re-designed the bridge saving about \$100,000. The bridge will be closed for one day and that one-day will save the County about \$100,000 so they thought it would be worthwhile to do it. The project should be completed by summer of 2007. The County's obligation is 20% of the project, Mr. Hopkins said. Mr. McAbee moved to extend the discussion time by 10 additional minutes. Mr. Tolly seconded and vote was unanimous. Council discussed further. Other bridges funded are Fire Station Road estimated at \$370,000; the Federal earmark is \$184,000, which is in District #6. Cox Road Bridge - \$734,000 that is a revised estimate and construction should begin fall of 2007. This bridge splits District 6 and District 7. Congress has already approved funding for the following other projects - the two Murphy Road Bridges in District #5 and the Milford Road Bridge in District 3. Earmarks for all the projects including the last three totals \$6.5 million dollars; the State's portion on Brown Road is \$1.8 million and the County's effort is \$1.7 million for a total of \$10 million in projects. Ms. Floyd said that she was a little upset because all districts got a "piece of the pie" except for District 2, which didn't get a dime. District 2 has one bridge - Broadway Lake Bridge. The Broadway Lake Bridge is just as important as the other projects, she said. Mr. Hopkins said that the Broadway Lake Bridge and spillway was all connected and is top on the list. Unfortunately it is the most expensive - \$32 million. Mr. Hopkins said that there was some money being spent on the project as well as the Byrum Creek project. He said that the County presently has a flood reduction project that the County is working on in the Susan and Booker Streets in which the Corps of Engineers have been working with the County on. Ms. Floyd said that the County had been working on the Booker Street project for about 7 years. Mr. Preston informed Council that Senator DeMint was coming to Anderson to take a look at the spillway because he sits on a committee that actually allocates funding for spillways, dikes, and etc. He said that the problem right now is that the Federal government is reducing the amount of money it's budgeting for earmarks. Ms. Wilson moved to extend the discussion time by one minute and Mr. Dees seconded. Vote was unanimous. Ms. Wilson said as a point of clarification Cox Road Bridge on the north side is District #7 and on the south side is shared by District #1 and District #2. Council received the presentation as information.

CIVIL AIR PATROL PRESENTATION: Ms. Gracie S. Floyd introduced Lt. Ralph Driver, Flight Commander for the Civic Air Patrol Unit located at the Anderson Regional Airport, who gave a brief PowerPoint presentation. He said that in May 2006 Mr. Holt Hopkins and Mr. John Ferguson approached him about some available storage space for a mobile communication center to be stored at the Anderson Regional Airport. Shortly thereafter they offered the Civic Air Patrol (CAP) space in the community hangar to activate a CAP unit. In July, the Anderson Flight was chartered and they are growing stronger each week. The Civic Air Patrol was established as a Federally Chartered Benevolence Civilian Corporation and was made an official auxiliary of the Air Force in 1948. With almost 1,200 units nationwide and approximately 60,000 all-volunteer members, the CAP is one of the least-known benevolent organizations in the Country. While the Civic Air Patrol has long been associated with search and rescue missions, its work also includes disaster relief and communication, as well as Counter drug and Homeland Security missions. CAP filed 95 percent of all federal inland search and rescue missions, as directed by the Air Force Rescue Coordination Center at Langley Air Force Base, Virginia. On average, each year Civic Air Patrol members fly more than 100,000 hours in operational missions and save over 100 lives. CAP provides air and ground support for disaster relief, flying officials to remote locations, transporting blood or live tissue to critical care sites and performing aerial damage assessment. CAP has one of the largest unified communications networks in the country, and it's available 24 hours a day/7 days a week, he said. CAP promotes and supports aerospace education, both for its own members and the general public. CAP educational programs help prepare the citizens to meet challenges of sophisticated aerospace society and understand its related issues. The Cadet program provides builds strong citizens for the future by providing leadership training, technical education, scholarships and career education to young men and women, ages 12-21. The CAP's cadet program trains young men and women in teamwork, moral leadership, aerospace education, and technical skills to support emergency services and military history and customs. The Civil Air Patrol is recognized that the 501(c) 3 non-profit corporation by the Internal Revenue Service. The Anderson Flight meets each Monday night at 6:30 p.m. Everyone was thanked for making it possible for the Civic Air Patrol to once again serve Anderson County. Special thanks were given to Mr. Holt Hopkins, Mr. John Ferguson, and Mr. Tommy Thompson for their on-going support. Council received as information.

PRESENTATION: Resolution #R2006-047 - a resolution recognizing and honoring Master Sergeant Richard Burnette for his recognition as the 2006 Army Times Soldier of the Year; and other matters related thereto. Mr. Bill McAbee moved to approve the resolution and Mr. Dees seconded. Vote was unanimous. Mr. McAbee introduced all present and then read the resolution into the record. He then presented the framed resolution to the parents of Master Sergeant Richard Burnette. Mr. McAbee said that everyone was honored to have Master Sergeant Burnette as a citizen of Anderson County.

EMPLOYEE OF THE MONTH: Mr. Charles Pinson, Human Resources Committee Chair, presented Mr. Allen Atkins as Employee of the Month for July 2006. He was presented a plaque and a gift certificate. Council commended Mr. Atkins for his outstanding service to the County.

Council took a recess at 7:00 p.m. Chairman Greer called the meeting back to order at 7:07 p.m.

ORDINANCES – THIRD READING:

Chairman Larry E. Greer read the title of Ordinance #2006-019 for third reading consideration – an ordinance to reduce the Assessment Ratio applicable to General Aviation Aircraft subject to Anderson County Property Tax to a four percent (4%) Rate based on the fair market value of the Aircraft; and other matters related thereto. Ms. Floyd moved to approve the ordinance on third reading and Mr. Thompson seconded. Ms. Wilson said that she would certainly vote for the ordinance and she said that she hoped the Council could begin the movement to address the State Constitution, and encourage the County Delegation to make this a 4% assessment across the board. This would really jump-start economic development in the state, she said. Ms. Floyd said that this was going to be a wonderful thing for Anderson County. Mr. McAbee urged passage and said that the ordinance would make Anderson County most competitive in attracting aircraft to the Airport and could expand tax revenue for the County. Chairman Greer said that one of the concerns he had when looking at this, was the direction that's being taken with this reduction from 10.5% to 4% and is it the belief that it will increase the traffic of airplanes at the Airport and increase the number of planes that are based at the Airport which will result in an over-all net increase in the revenue of taxes generated by planes based at the airport. He said that if this doesn't work as intended then Council can come back and increase it back to the 10.5% as it is currently. Vote was unanimous. Ms. Floyd said that one citizen who worked very hard on this asked for a signed copy of the Ordinance. Council agreed.

Chairman Greer read third reading title of Ordinance #2006-025 – an ordinance to amend Chapters 38 and 70 of the Anderson County Code of Ordinances, which relate to Land Use and Zoning Standards and Regulations; and other matters related thereto. Ms. Floyd moved to approve and Mr. McAbee seconded. Ms. Wilson moved to limit the hours of operations to 8 a.m. until 10 p.m. Mr. McAbee seconded. Chairman Greer asked Mr. Martin if the amendment was legal within the guidelines established by the State. Mr. Martin said he had no idea – but he doubted it because State law pre-empt all local regulation on laws that it addresses. The State passed a statute authorizing this and gave the authority to DHEC to set up regulations concerning the operation and use of Tattoo parlors, he stated. He said that the ordinance simply amends the Land Use regulations and does not get into the operations at all. He also said that if the amendment passes he would urge Council to table any further consideration on the Ordinance as amended until he can get answers to the question. Vote on Ms. Wilson's amendment was two in favor (Wilson, Greer) and five opposed (Dees, Floyd, Thompson, Tolly, McAbee). The amendment failed. Vote on the original motion was five in favor (Dees, Floyd, Thompson, McAbee, Greer) and two opposed (Wilson, Tolly). Motion carried.

Chairman Greer read third reading title of Ordinance #2006-026 – an ordinance amending, in limited particulars only, the Master Road list of all County Roads located in and maintained by the County of Anderson, South Carolina, created by Ordinance #2001-007; and other matters related thereto. Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was unanimous.

ORDINANCES – SECOND READING:

Chairman Greer read second reading title of Ordinance #2006-021 – an ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement between Anderson County, South Carolina and Famous Craft Boats of South Carolina, Inc.; and other matters relating thereto including, without limitation, payment of a Fee in Lieu of Taxes and authorization of Infrastructure related to the project. A public hearing was held and Mr. Brooks Brown spoke. He stated that he was opposed to fee in lieu of taxes, which cut taxes from 10.5% to 4%. He said that the Council was raising taxes on taxpayers when a vote on a FILOT is approved. Mr. Tolly moved to approve on second reading and Mr. McAbee seconded. Chairman Greer stated that it was a 6% tax rate and not a 4% as stated by Mr. Brown. Also the statement that when you give a FILOT you raise taxes is false. All FILOT agreements are 6% with certain capital investment, which are state guidelines, Chairman Greer stated. Chairman Greer moved to extend discussion time by 2 minutes and Mr. McAbee seconded. Council discussed further. Vote was unanimous.

ORDINANCES – FIRST READING:

Chairman Greer read first reading title of Ordinance #2006-027 – an ordinance to amend Ordinance #98-019, as previously Amended by Ordinance Nos. 99-029, 2000-063, 2001-014, 2001-046, 2002-017, 2002-036, 2003-022, 2003-047, 2003-051, 2003-053, 2003-054, 2004-004, 2004-044, 2004-047, 2004-048, 2005-032, and 2005-043, relating to the Industrial/Business Park of Anderson and Greenville Counties as to enlarge the park. Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer read first reading title of Ordinance #2006-028 – an ordinance to amend Chapter 38 of the Anderson County Code of Ordinances, which relates to Land Use and Development Standards; and other matters related thereto. Mr. Thompson moved to approve and Mr. Dees seconded. Mr. Ricketson explained that the ordinance was necessary to update the County's Floodplain regulations. The flood maps are approximately 25 years old. The current ordinance requires that development take place within at least 1 foot above the edge of the floodplain. The new ordinance requires 2 feet and was recommended by DNR and County staff for the change. Ms. Wilson said that on page 3 – second sentence up from #4 "Failure to submit the survey or failure to make the corrections required hereby shall because to issue a stop-work order for the project." The sentence should read, "Failure to submit the survey or failure to make the corrections required hereby shall [REDACTED] to issue a stop-work order for the project." Mr. McAbee moved to extend discussion time by 5 minutes and Ms. Wilson seconded. Vote was unanimous. Council discussed further. Chairman Greer talked about sections in the ordinance that he had questions about. Vote was six in favor and one opposed (Greer). Motion carried.

Chairman Greer read first reading title of Ordinance #2006-029 – an ordinance authorizing the Lease of certain real property owned by Anderson County to the Anderson County Disabilities and Special Needs Board; authorizing the execution and delivery of an amended lease agreement related to the same; and other matters related thereto. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

PRESENTATION BY JEDA ON THE FORECLOSURE THE LEGACY PROJECT:

Ms. Cindy Wilson: "Thank you, Mr. Chairman. This was originally a request to have someone from JEDA or whatever organization had something to do with this failed bond to give us a status report. And what I'm about to say has no reflection on what we're about to vote on – a very worthy issue and certainly we have every anticipation that it will be very successful. In 2002, this Council voted to approve the aggregate principal amount of not exceeding \$11,500,000 for a JEDA bond or series of different bonds that supported the development called the Legacy on Highway 81 which is the LINWA – originally was LINWA property. I have made phone calls since last Thursday trying to find out what this encompassed. First of all, there was an ad in the Williamston Paper on July 26, which was the first notion that I had that the Legacy was in default of their bonds. Then subsequently I hear from people who were present at that auction in Judge Drew's court. They gave me some updates and I called Mr. Elliott Franks, who is the Chairman of the Jobs Economic Development Authority in Columbia and he provided a little more information. It appears that this has been in default for some time and it's very shocking that we would not know that. Let me read this very briefly to you. It appears that the first notice was August 13 of 2004. It says we've previously notified you on August 13, 2004 that events of default had occurred under the financing agreement. This is the notification to the bondholders. I just wanted to point it out that I had some grave reservations about this project and voted against it originally and I believe there was one other member of Council who voted against the issuance of this bond. The main question now is – who is left holding the bag. I believe this sold at auction for maybe around 9 million dollars and eleven and one half million dollars appears to have been in default for a good while. It seems like we should be reading the fine print a little better on some of these things. Can anyone tell us who is left holding the bag here? Thank you."

Chairman Greer: "Is that all, Ms. Wilson?"

Ms. Wilson: I will pass out some information and I'll have to fax some material to the Council office, which can be copied to each of you. It came in late to me today. It took a while to find the trustee for this bond. And get some material from him. But I'll pass out to you now what we voted on in August of 2002. I'll pass each of you a copy of what was voted on then. Thank you."

Chairman Greer: "I quickly looked over the agenda item that we have tonight and one of the things that I always look for when we're looking at these type things – if they create a financial obligation on the part of Anderson County and the taxpayers of Anderson County. And in the one that we're going to take up shortly – agenda Item 14(a) I have a check by that section in my agenda packet. Says this project will not give rise to any pecuniary liability of Anderson County or a charge against the general credit or taxing power. That means that the citizens of Anderson County through their taxing power are not liable for any losses incurred as a result of these bonds. Am I correct in assuming that?"

Mr. Martin: "Thank you, Mr. Greer. Answering the question generically, yes sir. I do want to qualify by indicating that my firm represented JEDA, not the Legacy but represented JEDA on the issuance of the bonds. Mr. Robert Galloway reviewed those on behalf of the County. Just addressing the issue generally on these bonds issued by JEDA, not on these bonds, on any bonds issued by JEDA under these circumstances-the County does not have any liability. The County is simply endorsing the issuance by JEDA."

Chairman Greer: "Ok, in the material Ms. Wilson passed out, she just handed us – Section 3 – on the second page it says - "This project will give rise to no pecuniary liability of the county or a charge against the general credit or taxing powers." So this Legacy project based on the information Ms. Wilson supplied did not create a financial obligation on the part of Anderson County and its citizens. Is that correct?"

Mr. Martin: "Yes sir. That is correct."

Ms. Floyd: "Mr. Chair."

Chairman Greer: "Ms. Floyd."

Ms. Floyd: "Okay. If you remember, when we were discussing this project we took a long time discussing because everything came out of it. That question was posed then and we thoroughly discussed the fact – section 3 that Mr. Greer just read would be in effect. We would have no obligation or no liability to the County at all. So that was clear when we all voted on that. Thank you, Mr. Chairman."

Ms. Wilson: "Mr. Chairman. Don't we have the tiniest little bit of moral obligation on the part of the poor bondholders who's lost a lot of money and also the public trust in that it does not appear there were very many jobs created for this. Jobs Economic Development Authority the very spirit of that is jobs creation and jobs retention. The Legacy apparently never fulfilled any of that."

Mr. McAbee: "Mr. Chairman. Of course I share Ms. Wilson's concern for the bondholders, however at this time I am not prepared to spend taxpayers money to bear any more obligation for it. I think the bondholders would have bought it knowing that these bonds were not guaranteed by Anderson County. I don't think that we really incur a moral obligation to make whole the bondholders at any point."

Ms. Wilson: "Oh, I'm not indicating that we pay at all."

Chairman: "Mr. Martin, it's my understanding that one of the advantages of this type of bond is that it offers the bond holders an interest rate, in some causes or most causes is tax exempt so they have financial incentives for participating in these type bonds because it increases their opportunity for income while avoiding paying taxes on these type bonds. So there is a risk associated with it and the bond holders are aware of those risks when they purchase these type bonds, is that correct?"

Mr. Martin: "Thank you, Mr. Chairman, if I may answer generically not as to this specific issue, that is correct. The bonds are issued with full disclosure of what the project is that the bonds are not backed with the full faith and credit of the County or of the State of South Carolina. They are payable solely from amounts paid by the investment or the project in question and they are backed by certain named collateral. In this case I do not know what the collateral was but I would assume it is the land and buildings and they do offer certain tax advantages to investors."

Ms. Floyd: "It's going to kill me if I don't say this. The bondholders knew what they were doing. These are people who invest regularly. I just feel like they know what they are doing. They know that each investment is a risk. The people that we have an obligation to are those people living on Alphabet Streets and New Town. These are the people that we have an obligation to. People who are living across the street from those old dilapidated mill sites and can't get any relief from the dead dogs that are thrown over there or the prostitute activities going on right across the street. These are the people that we owe some type alliance or allegiance to. Thank you for allowing me to say that. It was going to kill me if I didn't." End of Discussion

Chairman Greer asked for permission to add a resolution (R2006-050) recognizing and honoring Representative Ronald Townsend for his 22 years of service to Anderson County. Ms. Wilson said that she called the Council office on Thursday for a request that Council would honor Rep. Townsend and Rep. Martin and do it as a Council. She requested that Council do it at the next meeting. She said she really takes exception at the Chairman "throwing" the issue on the agenda. Because of this, we will have this on the agenda as a Council to honor these fine public servants.

Chairman Greer moved to amend the agenda to add Resolution #R2006-050 and Mr. Dees seconded. Ms. Wilson said that she would have resolutions at the next meeting to honor these fine people. Vote was six in favor and one opposition (Floyd). Motion carried.

Council took a 5-minute recess at this time.

RESOLUTIONS:

Chairman Greer read the title of Resolution #R2006-046 – a resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Authority of its Economic Development Revenue Bonds (Goodwill Industries of Upper South Carolina, Inc. Project) Series 2006, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the Aggregate Principal amount of not exceeding \$14,000,000. A public hearing was held; no comments were heard. Mr. Dees moved to approve and Mr. Thompson seconded. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-048 – a resolution committing the match of \$25,000 for a Community Investment Grant for the purpose of rehabilitating houses in the Appleton Mill area. Ms. Floyd moved to approve and Mr. Thompson seconded. Ms. Floyd said that this was a Community Development Block Grant that is issued through the Federal government to states and communities that are looking for ways to rehabilitate their homes. This is money that any county or community who falls within the guidelines can get. She said one was just finished on Susan and Booker Streets. She encouraged everyone to go by and see it. This is for the Appleton Mill area, which is a low-to moderate-income neighborhood. She asked Council to support the Resolution. Ms. Wilson asked what account would the \$25,000 match come from. Mr. Preston said that this was only for an application for the grant and if it is approved the funds would come from the matching grant

account. Mr. Dees said that he could personally attest to what these rehabilitated areas have done in the City of Greenville for the last 25 years. It is an important project in the entire County. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-044 – a resolution honoring AnMed Health, on the 100th Anniversary of its founding, and the dedicated professionals who work to preserve and promote the good health of Anderson Area residents; and other matters related thereto. Mr. Tolly read the resolution into the record. Ms. Wilson moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-043 - a resolution expressing intent to cease County maintenance on and to authorized County consent to Judicial Abandonment and Closure of a certain Anderson County Road; and other matters related thereto. (Cannon Lane C-01-0096) Mr. Dees moved to approve and Chairman Greer seconded. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-045 – a resolution approving Anderson County Senior Solutions as an entity in Anderson County to provide transportation to the elderly and adults with disabilities population. Mr. McAbee moved to approve and Mr. Dees seconded. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-042 - a resolution authorizing the Sheriff of Anderson County, by agreement, to provide general law enforcement services to the Town of Pendleton; and other matters related thereto. (Up for reconsideration) Mr. McAbee moved to approve and Mr. Dees seconded. Mr. McAbee and Mr. Dees both withdrew their motion and second. Mr. Dees moved to reconsider and Ms. Floyd seconded. Vote was unanimous. Back into discussion regarding R2006-042. Chairman Greer said that he had concerns at the last meeting. Since then he has met with Sheriff Crenshaw and Chief Deputy Busha and went over his concerns. They assured him that the agreement would operate well within the framework of the revenue that would be generated to fund the request and it would not take away from the law enforcement capabilities in any other part of the County in fact it could improve law enforcement capabilities county-wide. So he will offer his support. Ms. Wilson asked that after the agreement has been in place for about 3 months; could Council request that the Sheriff give Council a report on how it is going financially and the implementation stage – just a general idea on how it is going. Sheriff said that the first year they'd be in the break-even mode. Afterwards the County might even make some money. It will increase the services; not only in that area, but it will keep him from having to pull units from other areas of the County in an emergency situation. The Sheriff said it would be a win-win situation for the County and for the Town of Pendleton. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-050 – a resolution recognizing and honoring Representative Ronald Parker Townsend for his Twenty-Two years of service to Anderson County in the South Carolina House of Representatives, for District 7, upon his retirement from the House of Representatives; and other matters related thereto. Chairman Greer moved to approve and Mr. Tolly seconded. Mr. McAbee moved to amend by adding all County Council signatures to the document. Mr. Thompson seconded and vote was unanimous. Ms. Wilson asked if Council could make a formal presentation at the next meeting. Chairman Greer said that the resolution would be presented to Rep. Townsend before the next meeting but he had no problem with making a presentation at the next meeting. Vote on the resolution as amended was unanimous.

APPOINTMENTS: Various Boards/Commissions - All Districts

District #1 – none

District #2 – none – Ms. Floyd said that she has appointments that needed to be made but cannot do so until the County Council office gets the Master Book for the Boards and Commissions. She said that she has made several requests. She asked Mr. Preston once again to see if the book gets returned sometime this week.

District #3 – none

District #4 – none

District #5 – none

District #6 – none

District #7 – none

Chairman Greer moved to appoint Mr. Bill McAbee to the Imagine Anderson Steering Committee to represent the Anderson County Council. Mr. Tolly seconded and vote was unanimous.

ACCEPTANCE OF BECKENRIDGE, NORTSHORE, PENDLETON PLANTATION-PHASE IIA INTO THE COUNTY ROAD MAINTENANCE SYSTEM: Mr. Dees moved to accept as requested the above roads into the County road system. Mr. McAbee seconded and vote was unanimous.

REQUESTS BY COUNCIL MEMBERS:

District #1 – none

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District #2 – Ms. Floyd moved to appropriate \$1,000 from District #2 Recreation Account to the Anderson Free Clinic. Chairman Greer seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$1,000 from District #2's Recreation Account for the Morningside Community Center for their after school program. Mr. Thompson seconded and vote was unanimous.

District #3 – Chairman Greer moved to appropriate \$400 from District 3's Recreation Account for the Town of Iva for their July 4th Celebration. Mr. Tolly seconded and the vote was unanimous.

Chairman Greer moved to appropriate \$1,000 from District 3's Recreation Account to the Belton Center for the Arts for support of programs offered by the Arts Center in Belton. Mr. Thompson seconded and vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$7,000 from District #4's Recreation Account for the Sandy Springs Fire Department for the purchase of oversize hose and equipment. The appropriation will be made upon receipt of invoices. Chairman Greer seconded and the vote was unanimous.

District #5 – Mr. Thompson moved to appropriate \$1,500 from District #5's Recreation Account to Keep America Beautiful and Mr. Tolly seconded. The vote was unanimous.

District #6 – Mr. Dees moved to appropriate \$3,000 from District #6's Paving Account for sealing and striping of the Wren Fire Department's parking lot. The County will do the work. Mr. Thompson seconded the motion and the vote was unanimous.

Mr. Dees moved to appropriate 1200' of 5" LDH supply hose to upgrade the current 3" hose for better water supply to the Wren Fire Department. The approximate cost is \$10,000 and to be paid upon receipt of invoice. This will also include all adapters to fit the engine. The funds to come from District #6's Recreation Account. Chairman Greer seconded and the vote was unanimous.

Mr. Dees moved to appropriate \$1,800 for a complete firefighter turnout gear from head to toe for the Wren Fire Department from District #6's Recreation Account and Mr. McAbee seconded. Vote was unanimous

District #7 – Ms. Wilson moved to appropriate \$5,000 for the Whitefield Fire Department from District #7's Recreation Account to help with the purchase of a 1986 Pierce Rescue Pumper equipped with extrication equipment. Mr. Thompson seconded and the vote was unanimous.

Ms. Wilson moved to appropriate \$2,000 from District #7's Recreation Account for funding to the Friendship Fire Department to help with equipment purchase to help with their upcoming ISO Insurance evaluation. Chairman Greer seconded and the vote was unanimous.

Ms. Wilson moved to appropriate \$1,000 from District #7's Recreations Account for the renovations of the Boy Scout Hut at the Williamston Spring Water Park. Mr. Tolly seconded and the vote was unanimous.

Ms. Wilson moved to appropriate \$5,000 from District #7's Recreation Account for renovations of the Depot in the Town of Williamston. Mr. Tolly seconded and the vote was unanimous.

Ms. Wilson moved to appropriate \$1,000 from District #7's Recreation Account to assist Palmetto High School with the purchase of equipment and suits for the wrestling team. Mr. McAbee seconded and the vote was unanimous.

REQUEST FOR EXECUTIVE SESSION TO DISCUSS PERSONNEL: Ms. M. Cindy Wilson said that after reviewing the situation and discussing it with Ms. Floyd, it appeared that most of the discussion should take place on the floor. This involves the mechanics of hiring an assistant to the Clerk to Council, she said. All Council members discussed personnel issues for several minutes, without an agenda item and without a motion on the floor, until the Chairman ruled that all discussion was out of order without a motion, and struck all discussion prior to that point.

ADMINISTRATOR'S REPORT:

a. Letters of Appreciation:

1. For: Ms. Marlene Hanks From: Ms. Gracie S. Floyd
2. For: Mr. Joey Preston and Mr. Charles Wyatt From: Mr. and Mrs. Philip Thornton
3. For: Road Maintenance – Mr. Joe Moss' Crew (Mr. Michael Poole, Mr. Juane Hamm, Mr. Steve Miller, and Mr. Jonathon Pickens From: Ms. Ashlee Williams

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4. For: Mr. Holt Hopkins and crews From: Mr. David Scott, HOA Board Member
 5. For: Road Maintenance – Mr. Jay Patterson's crew (Mr. Max Koon and inmate crew) From: Ms. Sarah Shirley
 6. For: Road Maintenance – Mr. Scott Brothers and crew – Mr. Phil Brown, Mr. Calvin Scott, Mr. Denver Mills, Mr. John Day, and Mr. Timothy Wilson From: Mr. Joseph Weiler
- b. Reports:
1. Recreation Report
 2. Building and Codes Report – July 2006
 3. Anderson County Environmental Enforcement – Animal Control, Litter Control – July 2006
 4. 4-U Calendar Year Comparisons (Total Ridership) July 2006
- c. Minutes/Agendas:
1. Anderson Sports & Entertainment Center – Meeting of April 24, 2006
 2. Anderson Regional Airport – Meeting of June 19, 2006
- d. Investment and Job Creation Requirements met – Hilton Garden Inn
- e. Email concerning the Center for Carolina Living – Annual Property Taxes in Selected S.C. Cities
- f. Design South Professionals, Inc. – Status Report – Capital Projects
- g. Anderson County receives two Awards of Excellence
- h. County earns financial award for 10th consecutive year
- i. Anderson County wins statewide award
- j. Departmental Transfers

Ms. Wilson asked if Council ever received May, June, and July reports from the Anderson Sports and Entertainment Center. Regarding the Airport, it seems that the self-serve fuel pump that is chronically broken needs to be addressed, she said. There is also an issue in the Maintenance Department where the Maintenance Supervisor has resigned and the next person needs to be trained, she asked. Was any training money put into the Maintenance Supervisor that should be paid back to the county? Mr. Hopkins said that they did lose their head mechanic, and then they moved an existing full time mechanic into the position. Ms. Wilson also asked about the Administrator's Report item #d – the back up states that the FILOT tax information with Hilton Garden Inn – the latest payroll was not attached. She then made a request to review the material at a time that is convenient in a county office. At the back of the packet, the Departmental Transfers include May and July, she requested the month of June transfers. Ms. Wilson also requested the GLR110s from mid-March. Mr. Preston said that he would make an appointment for her to view the payroll materials requested for the Hilton Garden Inn.

Mr. Thompson pointed out that Ms. Angie Stringer won two awards from the National Association of Counties.

Council took a five minutes recess. Chairman Greer called the meeting back to order.

CITIZEN COMMENTS: Other Matters – Mr. Terry Chapman and Mr. Brooks Brown spoke.

REMARKS FROM COUNCIL MEMBERS

Being no further business the meeting was adjourned at 10:10 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC
Clerk to County Council

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – September 5, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

Amended
Pages 3, 5, 6, 7
MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
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, September 5, 2006 at 6:00 p.m. Council member Bill McAbee gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America.

Chairman Larry E. Greer stated that Agenda Item #12(a) #R2006-055 - a resolution supporting the passage of United States House of Representatives House Resolution 5427, which will positively affect the Lake Hartwell area had been pulled from the agenda and would be presented at a later date.

Mr. Fred Tolly moved to approve the minutes from the August 15, 2006 meeting as mailed and Mr. Bill McAbee seconded. Vote was unanimous.

CITIZEN COMMENTS: Agenda Matters - Mr. Brooks Brown IV spoke to Council about the presentation on the agenda concerning the needs of the Courthouse expansion. He said that the Administrator told him that a large "chunk" of the funding had been received from the State. The County still has the severe overcrowding at the Jail. He suggested that Council do like most people do with their own families – when you have a limited amount of money – deal with the needs of the family first before you deal with any "wants".

RESOLUTION PRESENTATIONS:

Chairman Greer read the title to Resolution #R2006-049 – a resolution recognizing and honoring Representative Ronald Parker Townsend for his years of service to Anderson County in the South Carolina House of Representatives, for District 7, upon his retirement from the House of Representatives; and other matters related thereto. Ms. M. Cindy Wilson moved to approve the resolution and Chairman Greer seconded. Vote was unanimous. Ms. Wilson asked Representative Townsend and his family to come forward. The resolution was read into the record and a framed copy was presented to Representative Townsend. Council members thanked Representative Townsend for his many years of service to the County of Anderson.

Chairman Greer read the title to Resolution #R2006-051 – a resolution recognizing and honoring Representative Becky R. Martin for her years of service to Anderson County in the South Carolina House of Representatives, for District 8, upon her retirement from the House of Representatives; and other matters related thereto. Ms. Wilson moved to approve the resolution and Mr. Tolly seconded. Vote was unanimous. Ms. Wilson asked all members of Council and Representative Martin to join her at the podium. Ms. Wilson then read the resolution into the record. A framed copy was presented to Representative Martin. Council members commended Representative Martin for her many years of service to the citizens of Anderson County.

Chairman Greer read the title of Resolution #R2006-054 – a resolution naming a T-Hangar at the Anderson Regional Airport in honor of Mr. Melvin Dwight Jewell, Sr. Mr. Michael Thompson moved to approve the resolution and Mr. Dees seconded. Vote was unanimous. Mr. Thompson asked the family of Mr. Jewell to join him at the podium. He then read the resolution into the record. The framed copy of the resolution was presented to Mr. Jewell's family.

COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDs) ANNUAL UPDATE AND PROGRESS

REPORT: Mr. Steve Pelissier, Assistant Executive Director - S.C. Appalachian Council of Governments said that it was time again to consider the Comprehensive Economic Development Strategy. He said the purpose of the plan was necessary for local governments to be eligible to receive grant funding for projects under the U.S. Economic Development Administration or the Appalachian Regional Commission those projects must be included in the plan. In addition for other Federal sources such as community development block grants and etc. in the ranking criteria you get bonus points for being in a regional plan like the "CED". Mr. Pelissier explained the plan further. He asked for all additions and deletions to be forwarded to him by Monday, September 11. Ms. Gracie S. Floyd said that she thought Council members needed to get together to go through the plan. She then moved to hold a special meeting to review the plans. Mr. Tolly seconded the motion. The vote was four in favor (Wilson, Tolly, Floyd, Thompson) and three opposed (Greer, Dees, McAbee). Motion carried.

VETERANS DAY PARADE: Ms. Elizabeth Peace gave a brief update on the plans for the Veterans Day Parade. She said the parade would be held on Sunday, November 12 at 3 p.m., which will start at the Recreation Center and on to East River Street. Mr. Allen "Bud" Putman will coordinate the parade. He will need the number of participants by November 3 in order to complete plans. Ms. Peace said that she hoped to get a National Guard unit for the Color Guard and a 2 horse drawn military Caissons. There will be two Grand Marshals. She said the only expenditure for the parade would be the purchase of the magnetic signs for the cars and plaques for the Grand Marshals. She asked for permission that after the parade is over – those wishing could go down River Street and down Murray Avenue and back up Benson Street in order to meet at the Courthouse steps to present the plaques to the Grand Marshals. Ms. Floyd suggested contacting the ROTC unit at Belton-Honea Path High School and also invite all the high school bands to participate. Chairman Greer moved to provide the two plaques for the two Grand Marshals for the parade. The funds will come from the Chairman's expense account. Mr. McAbee seconded. Ms. Floyd asked that the plaques be a little larger. Ms. Peace asked Chairman Greer to appoint a committee to work with her on the event. Chairman Greer appointed Mr. McAbee and Ms. Floyd to a committee to work with Ms. Peace. Chairman Greer said that also included in his motion would be the purchase of magnetic signs. Chairman Greer asked Ms. Peace to go through the Purchasing Office with the purchases. Vote on the motion was unanimous.

Chairman Greer welcomed and introduced Boy Scout Troop #314 and Troop Master Matt Helm.

County Council recessed at 6:55 p.m. Chairman Greer called the meeting back to order at 7:00 p.m.

SPECIAL PRESENTATION ON COURTHOUSE SPACE NEEDS AND SECURITY - RESOLUTION #R2006-

056: Mr. Joey Preston gave a PowerPoint Presentation proposal to expand Anderson County's Office space into two additional buildings at a cost of \$7.3 million. The following points were made: The problem – current administrative and court facilities are not adequate, security problems for General Sessions and Magistrates Court system, elected officials' offices are crowded, resulting in inefficient delivery of County services, Jail population exceeds rated capacity, Building and Codes Department experiencing accessibility and parking issues, particularly difficult for handicapped individuals, other state agencies also needing space. The proposed building plan would address security, access, parking, service delivery and the Detention Center overcrowding. The presentation included Five Phases. The Solution - Phase I – purchase and renovate facility for new County Administrative Building. Relocate Assessor, Auditor, Treasurer, Register of Deeds, Building and Codes and Mailroom to new facility. Phase II – Retrofit new courthouse providing for proper and appropriate security for all Court activities and offices. Phase III – Obtain and retrofit second office building to house all State Offices, most of which are currently located in Bailes Building. This will include Legislative Delegation, Registration and Elections, Veteran's Affairs, Summary Court and possibly others. Phase IV – Relocate Department of Juvenile Justice, as needed, and Pre-Trial Intervention from their current respective sites, to the Bailes Building. Phase V – Construct new inmate dormitory at Anderson County Detention Center, and/or upfit old National Guard Armory Building. Phase I would include the purchase of the former Kroger Grocery Store, which has a total area of 47,000 sq. ft. on 6.25 acres. The plan would result in a one-stop facility for citizens needing to conduct real estate and tax business, and it will free up downtown parking and alleviate traffic congestion. Phase II – After Assessor, Treasurer, Auditor and Register of Deeds are located, attention can be turned to retrofitting the new courthouse for appropriate levels of security for court functions, the report said. This will also address space needs for all court offices and functions. Phase II – Security for Court – In 2004 Anderson County performed a Security Analysis on the New Courthouse. The primary objective was to identify vulnerabilities of the building perimeters, interiors, and building design, to make recommendations for enhancing the security of the site, and to provide a basis for future site security planning needs. Ms. Wilson moved to extend the discussion time by an addition 15 minutes and Ms. Floyd seconded. Vote was unanimous. Mr. Preston continued his presentation. Electronic Deficiencies – security equipment outdated at entrances, use of mailroom door to circumvent security by staff, tradesmen, and visitors. Broken lock to Judge's elevator lobby and basement giving access to secure parking area. No intrusion or burglar alarm system. No panic hardware on entrance doors. Phase III – Obtain

and retrofit 2nd Office building to house all state offices, most of which are currently located in Bailes Building. This will include Legislative Delegation, Registration and Elections, Veteran's Affairs, Summary Court and possibly others. Site Specifics – Old Piedmont Natural Gas Building on North Main – Improved, brick, two-story office building, constructed in 1974, 25,602 sq. ft., 2.1 acres, physical address 2404 N. Main Street, inside city limits, handicapped accessible. **Mr. Preston stated that the funding to purchase the building had been secured.** The County has received from the State \$1.6 million to purchase the building. Thanks to Representatives Dan Cooper and Rep. Brian White. Phase III – The County has already received an additional \$2 million for the expansion of the Anderson County Health Department. Phase IV – The County is proposing not to renew the lease on the Nations Bank Building currently being occupied by Pre-Trial Intervention and the Department of Juvenile Justice. Also Clemson Extension needs additional office space that is currently housed in the Agriculture Building. Phase V – construct new inmate dormitory at Anderson County Detention Center and/or upfit old National Guard Armory Building. – Construct a 50-bed; low security dormitory building, 4,200 square feet, estimated cost of \$904,200 (this was a 2005 cost). SUMMARY OF FUNDING: Funding for the 2404 N. Main Site - \$1.6 Million from the State is in the bank. Issue General Obligation Bond – Total of General Obligation Bond to be \$7.3 Million. Of this, \$5.0 will need to be allocated to the purchase and renovation of the Kroger site. The balance will be utilized to provide security for Courts, and to begin construction and/or upfit of Detention Facility. The Building Plan can be accomplished with NO TAX INCREASE now, or in future years. We will continue our policy of planning new debt as older debt issues are paid. This keeps the debt service tax levy flat. The PowerPoint presentation is on file in the Clerk to Council's office. Chairman Greer said that the millage approved calls for 5 mils for bonded indebtedness for Anderson County and did not include a millage increase – no tax increase for the citizens of Anderson County this year. So he asked Mr. Preston if what he was saying was that all this could be accomplished within the 5 millage bonded indebtedness framework. Mr. Preston replied yes. Ms. Wilson asked what the purchase prices individually were and if it would be paid out of County funds or general obligation bond proceeds. The property on N. Main is \$1.6 million – the Kroger Building is \$1.3 million. Ms. Wilson said that they were all brilliant ideas but she thinks Council should accept as information and continue discussion at the called meeting planned for next week. Ms. Wilson said that she wanted it noted that all of this was supposed to be a priority for last year's budget and last year's general obligation bond. It appears that the County bought land up on the Saluda River with Mr. Carithers making a commission there too, she said. She said that she thought it was very important as part of Council's due diligence to continue with Mr. Preston's good ideas that are ideas of merit but like Ms. Floyd said this has just been given to Council. She said that Council needed to know the number of prisoners held in the Detention Center who are held longer than what their maximum sentence would have been had they been able to get to court. She said that she had a number of individuals to tell her that most of this was due to the Circuit Court Judges not keeping regular office – or bench hours. She had reports that some of the Judges come in at 10 – 10:30, breaking for a 2 hours lunch and some of them leaving at 2-2:30 p.m. She stated that if this was the case then maybe the County didn't need to look at doing the dorm space but maybe Council needs to encourage the Circuit Court Judges to keep reasonable hours. Ms. Wilson moved to accept as information and Council have a special called meeting (at the same time that Council looks at the ACOG draft) and have more materials presented. Chairman Greer said that the discussion time had expired. Mr. McAbee moved to extend discussion time by 5 minutes. Ms. Wilson seconded and vote was unanimous. Mr. McAbee seconded Ms. Wilson motion for a called meeting. Chairman Greer said an important fact with any general obligation bond is will it be a tax increase and the clear answer that he's received is 'it will not'. It will operate within the millage currently established for the County's bonded indebtedness of Anderson County. It will not be a tax increase. Vote was one in favor (Wilson) and 6 opposed. Motion failed. Mr. Tolly moved to approve Resolution R2006-056 – the version delivered on Tuesday afternoon with the blanks filled in. Mr. Dees seconded. Ms. Wilson said that she would like to make it clear that while she supports a lot of what was presented because Council is rushing through it after letting it languish for about 18 months, and now suddenly Council is presented some information and they are expected to vote which involves 7.3 million dollars of the citizens money with a million being reimbursed. It seems so elementary that Council would discuss this further before rushing in to this particular curative approach to this problem, she said. Chairman Greer said that he disagreed with Ms. Wilson because he does not feel that Council is rushing. This resolution simply provides for repaying advanced monies from reserve funds that would be paid from the implementing ordinance, once or if it is passed. Vote was six in favor and one opposed (Wilson) approving Resolution #R2006-056.

ORDINANCES – THIRD READING:

Chairman Greer read third reading title to Ordinance #2006-021 – an ordinance authorizing the execution and delivery of a Fee in Lieu of Tax Agreement between Anderson County, South Carolina and Famous Craft Boats of South Carolina, Inc.; and other matters relating thereto including, without limitation, payment of a Fee in Lieu of Taxes and authorization of Infrastructure related to the project. Mr. Thompson moved to approve on third reading and Mr. Dees seconded. Vote was unanimous.

ORDINANCES – SECOND READING:

Chairman Greer read second reading title of Ordinance #2006-028 – an ordinance to amend Chapter 38 of the Anderson County Code of Ordinances, which relates to Land Use and Development Standards; and other matters related thereto. A public hearing was held; no comments were received. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Greer read second reading title of Ordinance #2006-029 – an ordinance authorizing the Lease of certain real property owned by Anderson County to the Anderson County Disabilities and Special Needs Board; authorizing the execution and delivery of an amended lease agreement related to the same; and other matters related thereto. A public hearing was held; no comments were received. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

ORDINANCES – FIRST READING:

Chairman Greer read first reading title of Ordinance #2006-030 – an ordinance to approve a rezoning request by William Epstein, Owner, to rezone 3.03 acres of property at the southeast corner of Old Mill Road and Clemson Boulevard (US Rt. 76) from C-1 General Commercial District to C-2 Highway Commercial District. A public hearing was held the following citizens spoke. Mr. Brooks Brown said that he read in the paper where the owner was asked what his intentions were for the property and the owner said that he had none. He said he still maintains his stand that if someone wants to request a change in zoning – come and tell Council what is going to be done with the property. He asked Council to vote it down. No further comments, the public hearing was closed. Mr. Tolly moved to approve and Mr. McAbee seconded. Ms. Floyd asked Mr. Ricketson what the plans were. Mr. Ricketson said that they had no idea. Ms. Floyd asked what could go there and Mr. Ricketson said that it was in keeping with the rest of the neighboring property on Clemson Boulevard – C-2 - Highway Commercial. Ms. Wilson said that the property abuts a residential area on one side and C-2 on the other. Her two concerns would be somehow require a buffer or better landscaping that would abut the residential area and has the county put any measures in place that would insure safety of the public going and coming – trying to get in and out of the property on the Clemson Boulevard? Mr. Ricketson said that the Land Use ordinance approved back in 2003 does include extensive buffers between residential and commercial property plus there is a significant grade change between this property and the neighboring property as well. Clemson Boulevard is a state highway so they will dictate where the curb cuts are, but the County will try through the site review process to keep all the access on Clemson Boulevard – work with the SCDOT with possible accel-decel lanes. Ms. Wilson asked Mr. Ricketson why he did not require accel-decel lanes on Vandiver Road when the representative promised that he would do it. Mr. Ricketson responded that he would have to go back and check but he believed it was because it was a state road. Ms. Floyd moved to table for more information and Ms. Wilson seconded. Vote was two in favor to table (Wilson, Floyd) and 5 opposed (Dees, Greer, Thompson, McAbee, Tolly). Motion to table failed. Ms. Wilson said her biggest concern was the safety of the traffic and a zoning change would be appropriate to what it abuts. Vote to approve was five in favor (Dees, Tolly, Thompson, McAbee, Greer), one abstention (Wilson), and one opposed (Floyd). Motion carried.

Chairman Greer read first reading title of Ordinance #2006-031 – an ordinance to authorize the issuance and sale of General Obligation Bonds Series 2007 of Anderson County, South Carolina in the principal amount of not exceeding \$7,300,000; fixing the form and details of the bonds, authorizing the Chairman of the 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. Ms. Floyd moved to approve the ordinance on first reading by title only. Mr. Dees seconded.

Ms. Wilson: "I would like for the folks who are present tonight and anyone who bothers to watch this council meeting on cable (she holds up document) this is all that we have to vote on. We've had a presentation with some very interesting and supportable notions but many questions that have yet to be answered. Who in their right mind would vote on 7.3 million dollars of bond and debt for this county with only this and our brief presentation? You know we've had the COG material before us for weeks and it doesn't involve spending money right now. It's just a wish list of what we believe we need in the way of infrastructure. If that is worthy of further discussion and to make sure we put in what we believe our respective districts need and the county needs then why aren't we doing the same with spending almost 10 million or more dollars? Thank you."

Ms. Floyd: "It should be noted that the COG information was a resolution once we vote for that ...that's it. This however, Ordinance #2006-031 is an ordinance. Not only do we have to go through two more readings on this, we have to go through a public hearing. And in the public hearing and in the other two readings all of that will come out. All of the research that we need to do can be done. All of the people, the people that would like to speak to this will be heard. So it's just not like we're voting for this as we will on that resolution and it's a one time thing and boom it's done. We have to go through a lot. We have to jump through all the hoops to get this...to be the law or what ever you call it."

Ms. Wilson: "Yes Sir, Mr. Chairman. With all due respect to my esteemed colleagues, we just did that on this resolution voting to purchase and upgrade, retrofit and etc all these projects incurring certain expenditures in approximate amount of not exceeding \$1,000,000 to be reimbursed. We did that without real complete discussion. Thank you."

Chair: "I want to make a comment and my first comments are to Mr. Preston. Mr. Preston I prefer that we have public hearings on second reading and I'm assuming the second reading on this would be, assuming that it passes tonight, would be on September 19. I would like for you and staff to get as much information as possible to the public by way of the news media, by way of the newspaper, by way of a County website, by way of any of the radio programs. Any way we can get this information out to the public as to what this ordinance actually involves and what it will do for the people of Anderson County. The details. The nuts and bolts of it. I want to disagree again respectfully with Ms. Wilson in that the resolution that was just passed. I made it very clear when I asked Mr. Martin that without the implementing ordinance the resolution is null and void. It has no impact. It has no effect. So if we go through the ordinance process on 2006-031 and it fails on third reading then that Resolution for all practical purposes is dead. It's gone. We have an additional, at least, 30 days to discuss this, to review this, to look at it, to ask questions and I've personally been asking questions prior to this and also asking questions today. I sat down with Mr. Preston and others today and asked questions about what this involves. What are we going to spend the money on? What is it for? Some of my questions were answered very well tonight with the presentation that was presented. I have fielded some of these complaints from citizens of not being able to park and get in the courthouse to take care of paying taxes. To handle other matters over there, and I've personally have been through that courthouse and witnessed the overcrowding and the space problems that that Courthouse has. I am satisfied. I've done my ~~de~~ due diligence. I've asked questions – if this is going to be a tax increase and I know that it will be those out there who will say that I don't know what I'm talking about that it is going to be a tax increase but it IS NOT a tax increase. Mr. McAbee said that one of the first things he did when he took office was to tour the courthouse. The judges were concerned about security and the overcrowding. The situation was bad and Council needed to find some way to move the offices that deal with the general public out of the courthouse. He said he feels that this is where the process is leading to. Ms. Wilson moved to extend discussion by one minute and Chairman Greer seconded. Vote was five in favor and two opposed (Tolly, Dees). Motion carried. Ms. Wilson said that with all due respect this was a major priority 12-18 months ago but Council did a Bait and Switch (~~word not clear~~) with our people buying land up on the Saluda River and then doing the Stitchery Project and the Arts Complex with the money that was basically to be prioritized in the general obligation bond of 06 for this project and now to suddenly rush out and do without more in-depth conversation, discussion, and more citizen input – she finds it offensive on the part of her constituents. Everyone agreed 12-18 months ago that this was what Council needed to do – go forward to come up with curative measures for these problems and yet we did things that were not critically needed. Chairman Greer moved to extend by 2 minutes and Ms. Wilson seconded. Vote was four in favor and three opposed (Dees, Tolly, McAbee). Chairman Greer asked if this (Resolution) authorized any expenditure of monies prior to completion of the ordinance. Mr. Martin said that it was actually a reimbursement resolution. It authorizes funds, which are otherwise authorized to be expended to be reimbursed from the bond. The bond will not be issued until 2007 because that is when the taxes for this will produce the revenue. Chairman Greer asked his question again and Mr. Preston said yes there could be. This will allow the County to pay the architect for the plan presented. Chairman Greer moved to amend Ordinance #2006-031 that the County not advance any monies until the ordinance is approved on third reading. Ms. Wilson seconded. Mr. Preston explained that there were certain things that had to be done to make sure the property is going to be suitable for the County's needs. He said that he would hope that the Council would not pass the motion because he is not sure if the seller would agree. Vote was two in favor (Wilson, Greer) and five opposed (Dees, Tolly, Floyd, Thompson, McAbee). Motion failed. Ms. Wilson said that the Administrator had just stated that monies had been spent from the general fund for an architect so if the County has already spent the money why is a reimbursement resolution necessary. Vote to approve was five in favor (McAbee, Tolly, Thompson, Floyd, Dees) and two opposed (Greer, Wilson). Motion carried.

Council took a 5-minute recess at this time.

Chairman Greer read first reading title of Ordinance #2006-032 – a Third Supplemental Ordinance providing for the issuance and sale of an Anderson County, South Carolina Special Source Revenue Bond, Series 2007, in the Principal Amount of not exceeding \$2,700,000; prescribing the form and details of such bond; and other matters relating thereto. Mr. Tolly moved to approve and Mr. Dees seconded. Mr. Preston said that this was for the Beaverdam Sewer project. Ms. Wilson asked what the total special source revenue bond debt applied/related to the County's sewer fund. She also requested a total of other debt that we are to pay back from the sewer fund. Mr. Preston said that he could provide Ms. Wilson with the Annual Financial report. Ms. Wilson asked if the County had proof of sufficient revenue to pay the bonds back. Mr. Preston said that the banks would not loan the money if the County could not pay it back. Ms. Wilson said that she did not think there was sufficient revenue. She only knows of one user for the entire stretch from Long Road to Cox Road and you have to have users to pay it back. Vote was six in favor and one opposed (Wilson). Motion carried.

RESOLUTIONS AND PROCLAMATIONS:

NOTE: This item was removed from the agenda - #R2006-055 - a resolution supporting the passage of United States House of Representatives House Resolution 5427, which will positively affect the Lake Hartwell area; and other matters related thereto.

Chairman Greer presented Resolution #R2006-053 – a resolution expressing intent to cease County maintenance on and to authorize County consent to Judicial Abandonment and closure of a certain Anderson County Road; and other matters related thereto. Mr. Dees moved to approve and Mr. Thompson seconded. Vote was unanimous.

Chairman Greer presented Resolution #R2006-057 – a resolution relating to the Declaration of Intent by Anderson County, South Carolina, to reimburse certain expenditures prior to the issuance by the County of its 2007 Special Source Revenue Bonds. Mr. McAbee moved to approve and Mr. Tolly seconded. Vote was six in favor and one opposed (Wilson). Motion carried.

Proclamation – a proclamation proclaiming September 2006 as “Diversity Month” in Anderson County. Mr. Dees moved to approve and Mr. Tolly seconded. Mr. Preston read the proclamation into the record. Vote was unanimous.

APPOINTMENTS: Various Boards/Commissions - All Districts - Ms. Floyd said that the Boards and Commissions Book (Master Book) that has been missing for 2-3 months had been delivered to her home. She said the book was delivered to her home and her neighbor can attest to that fact. No appointments were made.

ACCEPTANCE OF MARSH CREEK-PHASES I AND II, AND WATERS EDGE SUBDIVISIONS INTO THE COUNTY ROAD MAINTENANCE SYSTEM: Ms. Floyd moved to approve and Mr. McAbee seconded. Mr. Tolly said that he had been concerned about all the miles of roads accepted into the county system – he said 20 years down these roads would require maintenance and upkeep. He said that Council should consider setting up an impact fee to be available in 20 years for fixing these new roads in 20-30 years down the road. Vote was unanimous.

SETTING TAX LEVY FOR THE 2006 TAX YEAR: Chairman Greer moved that Council authorize him to sign the letter requested by the Auditor setting the tax levy for 2006 tax year. Mr. Dees seconded. Ms. Wilson said that as part of the backup, Council was provided Section 12-43-285 – Certification of Millage rates; excessive rates – under Item B – it basically states that if the County has collected millage in excess of that authorized by law, the County Treasurer shall either issue refunds or transfer the total amount in excess of that authorized by law upon collection to a separate segregated fund which must be credited to taxpayers in the following year as instructed by the governing body and etc. She asked what amount had been collected in the previous several years where a levy was set concerning collections for a bond before they were issued. If that has taken place, she would like to know the amount of money and if Anderson County is going to reimburse that amount of money. Mr. Martin said that he did not know the answer. He said he guessed the question was – has Anderson County collected money in excess of the millage authorized by law. He said he was not aware of any and has simply never researched the issue. Chairman Greer said that he had voted on 8 budgets since being in office – he asked if any of those budgets had a millage rate in excess of what was provided for by state law. Mr. Martin said no not to his knowledge. Ms. Wilson said to better clarify – she rephrased the question. She asked if the County had ever collected funds for a bond that has yet to be issued and then issued the bond later after collections began. Mr. Martin said he did not know the answer but the millage for bond issues are set by the Auditor. Ms. Wilson again asked the question in another way. She asked if the County had ever collected funds for debt service in the way of general obligations or special source revenue bonds prior to the actual bond being issued. And if the County has, in what amount. Mr. Martin said he did not know the answer. Chairman Greer asked was the County proposing to collect taxes on a bond prior to it being issued. Mr. Preston said not that he was aware of. Ms. Gina Humphreys said that in the budget ordinance the County had anticipated issuing a bond. The budget ordinance was passed back in May at that point the County had anticipated the possibility of issuing a bond before this point in time. So therefore the County did have in the budget ordinance three tenths of a mill for the 2007 GO bond. She said that within the last week she spoke with the County Auditor who had reservations about the three tenths of a mill. He said that he would not put on the three tenths of a mill before the third reading of the ordinance. She said that they were not proposing that. Ms. Humphrey said that during the 11 years she had been employed with the County, County Council had never passed a budget ordinance that did not strictly comply with the laws that limit the levy setting. Vote to all allow the Chair to sign the letter was six in favor and one abstention (Ms. Wilson). Motion carried.

REQUESTS BY COUNCIL MEMBERS:

District #1 – none
District #2 – none

District #3 – Chairman Greer moved to appropriate \$1,000 to the Belton Partnership, \$1,000 for the Standpipe Festival, and \$400 for the City of Belton for the operation of the Farmers Market. The funds to come from District #3 Recreation Account. Mr. Tolly seconded and vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$20,000 from District #4 Paving account for road maintenance (paving, drainage, grading) in the Town of Pendleton. A second was heard and the vote was unanimous.

District #5 – Mr. Thompson moved to appropriate \$3,000 from the District #5 Recreation Account. Mr. Tolly seconded and vote was unanimous. Mr. Thompson stated that this was his neighborhoods revitalization projects.

Mr. Thompson moved to appropriate \$28,380 for paving, grading, and drainage of Jackson Road. Mr. Dees seconded and vote was unanimous.

Mr. Thompson moved to appropriate \$10,036 for paving, grading, and drainage of Hall White Road. Chairman Greer seconded and the vote was unanimous.

District #6 – none

District #7 – Ms. Wilson moved to appropriate \$25,000 to the Town of West Pelzer for repair of streets damaged by the waterline construction and for their general maintenance of their streets. Mr. Thompson seconded and vote was unanimous. The funds will come from District #7 paving account.

Ms. Wilson moved to appropriate \$25,000 for the Town of Honea Path for resurfacing and street maintenance needs in Honea Path. Mr. McAbee seconded and the vote was unanimous. The funds will come from District #7 paving account

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

a. Letters of Appreciation:

1. For: Mr. Pinson From: Ms. Jane Mears – Anderson County Library
2. For: Mr. Joey Preston and Staff From: William J. Gibson, County Fire Chief
3. For: Mr. Joey Preston From: Mr. Russell Harris, Ms. Kathy Little, Partners for a Healthy Community
4. For: Road Maintenance – Mr. Joe Moss's Employees (Mr. Michael Poole, Mr. Duane Hamm, and Mr. James Smith) From: Ms. Janet Birkner
5. For: Mr. Vic Carpenter, Ms. Sherry Bryant, and Michelle Dodd From: Jean/Canine Shelter Rescue
6. For: Mr. Vic Carpenter From: Ms. Kathy Williams, S.C. Association of Counties

b. Reports:

1. District Paving Report
2. Semi-Annual Operations Report for the Office of Veterans Affairs
3. 4-U Calendar year Comparisons – Total Ridership

c. Minutes/Agendas: Anderson County Regional Airport – Meeting of July 17, 2006

d. Surface Transportation Board Decision

e. Anderson County named as a 2005 Tree City USA

f. Enterprise C & D Landfill request for annual tonnage increase DENIED

Mr. Holt Hopkins gave a brief update on the CSX railroad and the proposed abandonment of approximately 13 miles of track from Pelzer to Belton. He said that the Surface Transportation Board did deny the abandonment of the track.

CITIZEN COMMENTS: Other Matters – Mr. Brooks Brown spoke concerning the budget and the special source revenue bonds that included in the budget, which are paid from by the users.

REMARKS FROM COUNCIL MEMBERS

Ms. Wilson: "I do want to thank, express my gratitude to county staff, Mr. Preston, for dealing with the CSX EXS issue. That affects district 7 and actually, I think, part of Mr. Greer's district. It's a vital part of our economic development and the future for that and also the sustaining of strong businesses already in that area. And I gratefully accept all your help. Thank you very much. On to some issues – I have requested a printout on what the County has spent for resurfacing annually from 1999 to present excluding "c" funds and this would be the total annual expenditure for the resurfacing of roads. And I don't have that yet. And I have yet to receive the GLR110 from Mid-March until present and some other items that I requested information on. Do I have an answer when I can expect this please?"

Mr. Preston: "How about right now."

Ms. Wilson: "Excellent. Thank you. I don't see the GLR110s though."

Mr. Preston: "It's in there. It's on disc. It saves paper."

Ms. Wilson: "I requested for it to be on paper please. You are quit aware that I am not computer literate."

Chair: "Ms. Wilson, are you through?"

Ms. Wilson: "I've requested that my GLR110s come in the form of green bar sheet which is what I have been accustomed to receiving and what I've accepted. Thank you. When may I get that?"

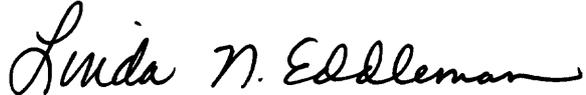
Mr. Preston: "If you would like to have it printed out, you can talk to the Clerk to Council to print it out for you."

Mr. Dees – no comments
Mr. Thompson – no comments
Mr. McAbee – no comments
Mr. Tolly – no comments

Ms. Floyd said that in 1999 when she became a Council member she did a lot of research on Impact Fees. She said that she agreed with Mr. Tolly that the time has come and it's a good idea. She said that a letter was sent to all Council regarding the idea "Pay as you throw" for their consideration. She thanked Council for reading it and discussing it with her.

Being no further business the meeting was adjourned at 9:10 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Called Meeting – September 19, 2006 – 4:30 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly - District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee - District #4 (arrived at 4:50 p.m.)
Michael Thompson - District #5
William C. Dees - District #6
Cindy Wilson - District #7 (arrived at 4:40 p.m.)
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Eddleman - Clerk to Council

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

A called meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, September 19, 2006 at 4:30 p.m. Council member Michael Thompson gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America.

Chairman Larry E. Greer stated that the reason for the called meeting was to discuss further the Comprehensive Economic Development Strategy Annual Update and Progress Report as requested by a member of Council. Mr. Dees moved to approve the plan as submitted. Mr. Michael Thompson seconded the motion. Mr. Thompson moved to amend to add a bus line in the Homeland Park area (page 38). Mr. Dees seconded. Vote was six in favor (McAbee-Absent). Mr. Thompson asked about the Harbor Gate sewer line. Mr. Preston said that it would be included in the updated County Sewer Plan that will be on the agenda at the next meeting.

Ms. Wilson said that there was a typographical error continued in this year's version as it was also in last year's version. She thought it had been corrected. Page 36 and all other places mentioned in the plan - Breazeale Street - should be Breazeale Road. She then moved to amend the plan that Breazeale Street be changed to Breazeale Road in all places mentioned in the plan. Mr. Thompson seconded and vote was six in favor and one absent (McAbee).

Ms. Floyd called attention to page 7 - Broadway Water and Sewerage District - reads: General Water System Improvements. She said that she did not know what improvements they planned on. Mr. Pelissier explained the questions asked by Ms. Floyd.

Mr. McAbee arrived at this time.

Ms. Floyd said that she and Mr. Thompson had been dealing with the water situation in their areas where residents are paying high fees for water. She asked that language be included that pipelines be installed to serve the residents outside the city limits. To install trunk lines and system to improve the distribution of water in the vicinity of the city limits for the purpose of lowering the water rates. Ms. Floyd said they wanted it in the plan and she also was serious about getting something done about the problem. Mr. Thompson seconded and vote was unanimous.

Ms. Floyd called attention to page 43 - Economic Development and Recruitment - she requested that the County put in the implementation of incubator businesses. She is referring to small incubator businesses. Ms. Floyd moved to amend to add the following - To promote and facilitate the development of small to medium scale entrepreneurial businesses through incubator businesses. Ms. Wilson seconded and vote was unanimous.

Mr. Thompson moved to amend on page 36 - to add the widening of Whitehall Road and Ms. Wilson seconded. Vote was unanimous.

Vote on the original motion to approve as amended was unanimous.

Chairman Greer said that he would like to call Council's attention to a letter that needed to be signed and sent to COG. He said that the last sentence in the letter needed to read: "We concur with the report, as amended, and

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feel that it sufficiently reflects the plans and objectives of Anderson County.” Mr. Dees moved to approve the signing of the letter by the Chairman and approve the wording that was recommended. Mr. Thompson seconded and vote was unanimous.

Being no further business the called meeting was adjourned at 5:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda N. Eddleman". The signature is written in black ink and is positioned above the printed name.

Linda N. Eddleman, CCC

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – September 19, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
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, September 19, 2006 at 6:00 p.m. Council member Bill Dees stated that he'd already offered a prayer in the privacy of his office to the God he worships. He asked for a moment of silence in remembrance of Mr. Rutt E. Riddle who was killed in an accident and a moment of silence for the victims and the workers of 9-11. Everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Dees moved to approve the minutes from the September 5, 2006 meeting. Mr. McAbee seconded. Ms. Wilson said that she had called the clerk's attention to a few typos, which were a matter of phonetics. Chairman Greer said that he also located a couple of the typos and then moved to amend. Mr. McAbee seconded and vote was unanimous. Vote on the minutes as amended was unanimous.

CITIZEN COMMENTS: Agenda Matters – Mr. Brooks Brown said that at the last meeting he spoke against a rezoning ordinance - #2006-030. He encouraged Council to ask what the purpose of the property would be for. He said that the Kroger Building was very handicap friendly. He also urged County Council to accept the Kroger property as proposed by the County Administrator.

Chairman Greer read the title of Resolution #R2006-055 - a resolution supporting the passage of United States House of Representatives House Resolution 5427, which will positively affect the Lake Hartwell area; and other matters related thereto. Chairman Greer moved to approve and Mr. Dees seconded. Mr. Mike Gray was asked to come forward and explain the resolution. He said that Bill (HR 5427) was intended to put oxygen into Lake Thurmond to keep from killing fish. If that is done, then the "pump back" units can be used more often in Lake Russell than currently allowed to run, he said. If the pump back units can be used, then the level of the water would not be as low. Vote was unanimous.

EMPLOYEE OF THE MONTH: Mr. Charles Pinson, Human Resources Committee Chair presented Ms. Shirley Smith of the County Mail Room as the Employee of the Month of August. She was presented a gift certificate to a local restaurant and a plaque. Council congratulated her for her outstanding job performance.

PROCLAMATIONS: A proclamation proclaiming the month of September 2006 as THE PALMETTO BANK MONTH in celebration of their 100-year anniversary. Chairman Greer moved to approve the proclamation and Mr. Thompson seconded. Vote was unanimous. Mr. Pruitt Martin and Ms. Sherri Brock were present. Chairman Greer read the Proclamation into the record. A framed copy was presented to the bank officials.

PRESENTATION ON "ONE-STOP": Ms. Teri Gilstrap, Area Director – Employment Security Commission Work Force Center in Anderson gave a brief update on the "One Stop" Center. She explained the core services available, the intensive services, and training services. Mr. McAbee moved to extend the discussion time by 10 minutes. Mr. Tolly seconded and vote was unanimous. Council received all remarks as information.

PRESENTATION MENTAL HEALTH ASSOCIATION – CRISIS MINISTRIES: Mr. Al Watson explained the work of Crisis Ministries. He then asked Council to consider a request for \$1,000 from each Council district for the Crisis Ministries. Council received as information.

Chairman Greer read third reading title of Ordinance #2006-028 – an ordinance to amend Chapter 38 of the Anderson County Code of Ordinances, which relates to Land Use and Development Standards; and other matters related thereto. Mr. Dees moved to approve and Ms. Wilson seconded. Chairman Greer asked Mr. Ricketson a question from page 5 – Recreational Vehicles – Mr. Ricketson said that the section referred to campers or some type used for a dwelling. Vote was unanimous.

Chairman Greer read third reading title of Ordinance #2006-029 – an ordinance authorizing the Lease of certain real property owned by Anderson County to the Anderson County Disabilities and Special Needs Board; authorizing the execution and delivery of an amended lease agreement related to the same; and other matters related thereto. Mr. Thompson moved to approve on third reading and Ms. Wilson seconded. Vote was unanimous.

Chairman Greer read second reading title of Ordinance #2006-030 – an ordinance to approve a rezoning request by William Epstein, Owner, to rezone 3.03 acres of property at the southeast corner of Old Mill Road and Clemson Boulevard (US Rt. 76) from C-1 General Commercial District to C-2 Highway Commercial District. Mr. Tolly moved to approve and Mr. Thompson seconded. Ms. Wilson stated for the record that she had chosen to abstain on the issue not because she doesn't agree that it is a very good and an appropriate move in zoning but she still continues to be concerned about the safe ingress and egress of the traveling public at the site. She said that she still feels that this is a serious issue. Vote was six in favor and one abstention (Wilson). Motion carried.

Chairman Greer read second reading title of Ordinance #2006-031 – an ordinance authorizing the issuance and sale of General Obligation Bonds, Series 2007, of Anderson County, South Carolina, in the principal amount of not exceeding \$7,300,000; 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. The Chairman explained that the ordinance dealt with the purchase of the Kroger building. A public hearing was held and the following individuals spoke at the public hearing. Mr. Jacky Hunter from the Piercetown Community said that he was not against the move of his office (Auditor's Office) from the Courthouse. He spoke against the location of the building (Kroger) and the safety of his employees. He said that the citizens of Anderson County would have to travel all over town to do their business. He said he was a little upset with the letter saying that he had approved the plan when he had not. He also stated that the 1.3 million dollars is too high for the area. He asked Council if they were going to put a bank at the corner of River Street and Fant Street without sufficient security. He requested Council table the ordinance to allow for further study. Mr. Mike Pavay of McCoy Wright Commercial Real Estate said he was present representing Mr. Jimmy Davis. He said that he sent to each member of Council an alternate proposal for a location other than the Kroger site. The reason is because they believe it is worth studying and analyzing to determine whether the Kroger site or some other site would be better. The building (old Carolina First bldg.) was proposed to members of County Council last year. At that time it was proposed, it was a lease arrangement. He said he was talking about the Old Carolina First Building. At that time looking at it as a lease arrangement, it did not make a lot of economic sense to the County or to the County taxpayers. Now they are proposing the building on a sale basis. It is just under 41,000 sq. ft., four stories on one side and two stories on the other. At 3.7 million dollars it can be totally renovated and ready to move in, he said. The location is only a block from the Courthouse. He stated that the building had three vaults. He asked Council to table second reading and fully evaluate the second proposal. Mr. Horace Alexander, Jr., representing the Southeast Anderson Community Task Force, said that for three years the community task force had been begging for life in their community. He said they want it and they want life in the neighborhood. He said that there had been less than five incidents at the Kroger building but there are places on Main Street and Highway 81 that has had more than 5. He applauded County Council for even considering their neighborhood. He urged County Council to move on with the progress and not to table the ordinance. Mr. Ed Hench said that he agreed with Mr. Alexander's remarks. He said he thought the plan was great. Ms. Becky Holmes, Executive Director of the Anderson Housing Authority, said for the last 15 years she's drove past the empty Kroger building on her way to work. She said the South Fant area had come along way in the last few years. She said it would be a natural progression for economic development on the River Street area. Mr. Terry Chapman of Nixon Street said that he was the team leader for the Appleton Mill/New Town community group. He applauded Council and staff for all the work done on the issue. He urged Council to consider the proposal and vote to pass it. Ms. Elizabeth M. Peace said that the proposal also included moving the Veterans Affairs Office to the old Piedmont Natural Gas building. She encouraged Council to go ahead with the plan and approve the ordinance. Martin Brown, Chief of Police, presented crime reports in the area. He encouraged Council to go ahead with the project. Mr. Roy Ivy said that he thought it would be the crowning jewel for District 2. He asked Council to approve the Kroger Site. Mr. Matt Thrasher, representing Skins Hotdogs, said that the area had been neglected to long. He said that this would revitalize the area. He read a prepared statement and then he asked Council to approve the ordinance. Ms. Francis Simons said that with her husband's death recently she had to visit the VA Office in Anderson. She talked about the parking

situation at the Veterans Affairs office. She urged Council to go ahead with the project. Mr. Dexter Williams said that he was involved with the study of the First Federal Building two years ago. He talked about their proposal and then asked Council to table the issue and study the First Federal Building proposal. Mr. Brooks Brown talked about the proposal and said that he didn't see anything to gain by tabling the ordinance. He said it was not Council's decision to decide if this was the best building. He asked Council to approve the ordinance. Mr. Andrew Hammett commented on remarks made by the Auditor, Jacky Hunter. He said he didn't hear Mr. Hunter say anything about the average taxpayer coming in to pay his taxes. With the Kroger Building, Council can start off right away with more parking spaces; it's a handicap friendly building, more space and better layout than any other available option. Mr. Stephen Pope urged Council to make the plans long-term for 20 years down the road. Mr. Steve Hunter said that he lived across the street from Kroger and has never had any problem with the area. He now has an elderly lady in the house and she has not had any problems. Breaks in from the down town area was discussed. Ms. Stacey Ridley said she worked for the Shalom House Ministries and it was a great idea. She said she hoped that Council would move forward with the purchase of the Kroger Building. Mr. David Stoddard urged Council to approve the Kroger building. He said it was a chance to revitalize the area. Mr. Preston read a letter from the City of Belton endorsing the plan to bring government facilities to the eastside of Anderson. He also read a letter addressed to Chairman Greer supporting the purchase of the Kroger Building from Mr. Robert Rainey. The next letter read was to Mr. Preston expressing that the plan was a good plan from Dennis McKee, City Council member. The last letter was from Burriss Nelson with Economic Development saying that the redevelopment of the Kroger Building would provide additional support to revitalize Forrest College and the redevelopment of the old McCants facility. There being no further comments; the public hearing was declared closed.

Council took a five-minute recess at 7:51 p.m. Chairman Greer called the meeting back to order at 8:00 p.m.

Mr. Thompson moved to approve the ordinance on second reading and Mr. McAbee seconded. Ms. Wilson said that it was absolutely exciting to contemplate regentrification and revitalizing blighted areas where infrastructure is already present. It has such an incredible appeal. She explained that she would discuss her concerns about the nuts and bolts of the deal. She was told that the property had been available for \$600,000 and one guy said he looked at it a couple years ago for \$450,000. She said that she talked with the property manager for Bilo, which is the tenant now, and they revealed that there is a real estate broker representing the buyer. She asked Council if they knew the County was being represented by Marshall Carithers. She requested of the Administrator to see the paperwork involved with the purchase. She said that this is something that needs to halt right now and get all the facts together before Council goes forward. The other issue is that the County already owns 18 acres and the McCants building so the Council should be looking more closely at maybe building a building for our needs there and taking the old classroom space and possibly renovating it. She said that she believed that it was very important that the County bring as much economic development as possible within the scope of the Council's responsibilities to the County taxpayers to that area. For example, she represented her mother several years back in the sale of an adjoining tract to the Kroger. She said they didn't get anything near what they were wanting. She said to Mr. Preston, that as a licensed real estate agent, that he surely understands the value of the respective roles that brokers or agents play in a deal and she said she does not believe that Mr. Carithers is getting the county a good deal. She said that she was not sure that he got the County a good deal on the Saluda River property that Mr. Preston engaged him to purchase, which literally bumped this project out of the priority seat for the County for 05-06. She called attention to the 05-06-budget ordinance where this project was to be addressed in 05-06 and in the general obligation bond for 2006. She asked if anyone was aware that the difference between the ceiling that the county cannot exceed is \$22,640,000 and what this particular bond would bring. If the county had a crisis could the County handle anything over \$3 million for General Obligation bond debt? She asked if Council was aware that on page 5 of the proposal the County don't begin to pay principal amounts back until 2011. Is this why Chairman Greer can maintain that the County doesn't have to raise taxes because we pay interest only for several years? She asked everyone if this was a good deal. She said what was presented for the First Federal building had merits there to. She reminded everyone that on first reading it was title only and Council had no information. She said Council still doesn't know about the difference between \$1.3 million and \$600,000. She said she thinks that Council needs to put the "skids" on this for further study. She asked everyone was it worth paying an extra \$700,000 and was it fair to the County taxpayers if the County can get a better deal. Mr. McAbee said that his constituents' main complaints are the lack of parking. The McCant's and the First Federal Buildings would have insufficient parking. Also because of the age of the building there may be the issue of asbestos. He also said that paying the interest only until 2011 was not unusual on municipal bonds. Ms. Wilson moved to extend discussion time by 30 minutes and Mr. McAbee seconded. Vote was unanimous. Mr. McAbee asked Mr. Pavey about a Letter of Intent concerning the First Federal Building – he asked if it was an offer to sell without renovations and Mr. Pavey said yes and that there was a second option including renovations. The building can be purchased for 1.7 million dollars and the total renovated cost is 3.7 million dollars. Ms. Floyd asked Mr. Preston to enlighten council more about what Ms. Wilson just stated. He said Ms. Wilson stated that the broker represented the buyer. He then asked Mr. Robert Carroll to come forward and explain. Mr. Carroll said that it was very clear in the contract that Carithers represents the seller. Mr. Preston said that the Robinson Company appraised the property at \$1.4 million and the selling price is \$1.3 million. He said that the County had a complete analysis on the Carolina First Building. Council discussed further. Chief Brown from the

City came forward and talked about the crime in the area. There were 5 calls within the area generated by Central Dispatch. Ms. Floyd said that she counted over 75 calls for North Main Street, over 25 for the Miracle Mile Plaza, for Concord over 25, and for the Civic Center it over 15 calls. She said that there was more crime elsewhere than on River Street. Ms. Wilson asked Mr. Preston when the County put the project under contract and he said that it has not been put under contract. She said that the appraisal must be wrong which is dated May 19, 2006. On page 3-4 – it says that it is their understanding that the property is under contract for 1.3 million dollars. She said that she has not received the comparable sales for the site. Mr. Carroll stated that the County paid \$2,500 to Robinson for the appraisal and not \$4,000 as Ms. Wilson stated. Mr. Preston said that there were 7 residential nursing homes within one mile of the Kroger Building. *Mr. Greer said that he had received phone calls concerning the issue supporting the Kroger Site; he has also met with a couple people concerning the Carolina First Building. He spoke with citizens this morning concerning it and point blank asked if they favored the Kroger site and the answer was yes. He met with a couple this morning concerning the Carolina First Building. They asked some questions such as had he looked at it and he said that he had scanned the proposal but he planned to sit down and study in-depth and he did this afternoon. He respectfully disagreed with Mr. Brown that Mr. Preston makes the decisions. He made the decision on what to send to the Council, but the Council ultimately makes the final decision. If Council doesn't like what Mr. Preston sends to them; then it is their responsibility as a Council, collectively, to send it back to him for further work. As far as a "bumped" project in the previous budget ordinance – he read the ordinance also and what he read indicated that this project would not be pursued during that current year but it would be part of the over-all plan to move them in the direction to where the County is actually at today. It was a year in advance planning to come to this point in time, he said. He said that he compared the Carolina First Building and the Kroger building. He put together a chart to help him make a decision on what was in the best interest of the people of the County. One of the main considerations, Council must address the needs of the citizens of the County, not the lawyers and not the other people. Parking is a prime concern and a prime consideration, he said. The plan proposed and submitted by the people pushing the Carolina First Building – the plans only called for housing only 3 departments (Auditor, Treasurer, Assessor). The Kroger Building calls for housing of the Register of Deeds, Auditor, Assessor, Treasurer, Mail Room, Building and Grounds, Building and Codes. Available parking spaces: The Carolina First Building has 65 on-site parking spaces that go with the building. The other 25 spaces are leased. That doesn't insure that you'll ever own and possess those 25 spaces. So you're only assured 65 spaces. The Kroger Building has 250 parking spaces. This is a prime consideration for the citizens of this County, Mr. Greer said. The square footage – Carolina First Building has 40,910 sq. ft – the Kroger Building has 47,407.76 sq. feet - that's 6,497.76 more sq. feet than the Carolina First Building, Mr. Greer said. He also looked at the land areas with the buildings – Carolina First .6 acres – Kroger – 6.25 that equals 5.65 more acres at the Kroger site than at the Carolina First Building. Security – Carolina First building has a total of 6 entrances on more than one level. The Kroger Building has 5 entrances on one level. Chairman Greer moved to extend discussion time by another 10 minutes and Mr. Dees seconded. Vote was unanimous. Continuity of Space - The Carolina First building proposal has spaces for some offices on more than one floor. The Auditor's office, for example, could have office space on more than one floor, which would create a supervision problem. Kroger Building - based on the floor plan presented, all office space is on the same floor level and all of the office space for the various departments is in the same area. Cost – the total cost of the Carolina First Building is \$3.7 million. The total cost of the Kroger Building is \$5 million -counting the purchase and the proposed renovations. The Kroger Building will cost 1.3 million dollars more. Room for growth – officials with Carolina First stated that the County could move up. Mr. Greer said that he assumes that it would be expensive. The Kroger site - there is open space/land on the site to expand for additional growth or parking. It was mentioned that the Carolina First Building would cost \$90 sq. ft and the Kroger Building would cost \$106 sq. ft. – based on the cost of the renovations. He said that his conclusion is the Kroger Building in the best expenditure of taxpayers' money, because you are putting more offices, more centrally located, with ample parking to serve the citizens of the County. You are spending \$1.3 million more but you are also putting more offices in more workspace in that building. You can equally compare the two buildings. The statement that the property was offered for \$600,000 – Mr. Preston lives in a very nice home. In 1974, he could have purchased the home for less than 10% of what he paid for it. He said things change. He said if the property had been offered recently for \$600,000, he wants to see something more than "somebody said". He wants to see something documented in writing with proof that the property could be purchased for \$600,000. He said it was his firm belief that the County had an adequate appraisal of the site. Chairman Greer asked that a complete copy of the appraisal be offered to Ms. Wilson. Mr. Dees said that many Councilpersons had made some good points, as well as those in the audience. He is not looking at redevelopment or renovations of downtown, he stated. His primary concern is for the citizens of Anderson County. Chief Brown has given facts about the crime in the area. He suggested that it be looked at from a county prospective and if redevelopment, re-growth and regentrification occur that is absolutely wonderful for the area. He said that the primary concern is for the citizens of the County and them getting the biggest bang for their bucks. Mr. McAbee called for the question and Mr. Dees seconded. Vote was five in favor and two opposed (Greer, Wilson). Vote on second reading approval was six in favor and one opposed (Wilson). Motion carried.*

Council took a recess at this time. The meeting was called back to order at 9:00 p.m.

Chairman Greer read second reading title of Ordinance #2006-032 – a Third Supplemental Ordinance providing for the issuance and sale of an Anderson County, South Carolina Special Source Revenue Bond, Series 2007, in the Principal Amount of not exceeding \$2,700,000; prescribing the form and details of such bond; and other matters relating thereto. A public hearing was held; no comments were received. Mr. Thompson moved to approve and Mr. Dees seconded. Ms. Wilson said that at the last meeting she had requested that Mr. Preston provide back up documentation to support his contention that the county had adequate revenues in the form of user fees and other revenues to support the massive debt that the County is taking on for the sewer fund. She said that she still has not received the information. She also requested a statement from the County as to whether the County is complying with the environmental regulations for the Beaverdam Sewer project in progress. She asked Mr. Preston to provide the information to her. Mr. Preston called on Ms. Gina Humphreys to come forward. Ms. Humphreys stated that Ms. Wilson had the verification in the form of the June year-end audit and in the bond ordinance itself. Ms. Wilson asked if any sewer bond payments were being paid out of the General Fund. Ms. Humphreys said that not to her knowledge – solely from the sewer fund. She said that she could put that in writing and verify it. Ms. Wilson asked Mr. Pearson and Mr. Preston if they could verify that the county was in compliance with all the environmental regulations for the Beaverdam Sewer project. Mr. Pearson replied yes. Vote was six in favor and one opposed (Wilson). Motion carried.

Chairman Greer read second reading title of Ordinance #2006-027 – an ordinance to amend Ordinance #98-019, As previously amended by Ordinance Nos. 99-029, 2000-014, 2001-046, 2002-017, 2002-036, 2003-022, 2003-047, 2003-051, 2003-053, 2003-054, 2002-004, 2004-044, 2004-047, 2004-048, 2005-032, and 2005-043 relating to the Industrial/Business park of Anderson and Greenville Counties so as to enlarge the park. A public hearing was held; no comments were received. Chairman Greer said that there was a piece of property added since first reading. Mr. Dees moved to approve on second reading and Mr. Thompson seconded. Council discussed Tract 26 – Cryovac, Inc. property being added to the ordinance. Mr. McAbee moved to amend by adding Tract 26 and Mr. Dees seconded. Vote was unanimous. Vote to approve as amended was unanimous.

Chairman Greer read first reading title of Ordinance #2006-033 – an ordinance authorizing the acceptance of an Assignment of existing leases; and other matters related thereto. Mr. Thompson moved to approve and Mr. Dees seconded. Mr. Martin explained that this was the ordinance that authorizes the assignment of the existing leases at the Piedmont National Gas Building. Ms. Wilson asked if the County had already purchased the building. Mr. Preston said that the County had a contract on the building but had not purchased it yet. She also asked what the contingencies were and he responded – the leases. Ms. Wilson said that she had only been given the comparable sales data and it looks like a fairly good possibility that she could not vote on this without having the materials in a timely manner so she plans to abstain on the issue. Vote was six in favor and one abstention (Wilson).

Chairman Greer read the title of Resolution #R2006-058 – a resolution requesting the State to impose a prohibition on certain truck traffic on Youth Center Road, designated as Secondary State Road S-04-29; and other matters related thereto. Ms. Wilson moved to approve and Chairman Greer seconded. A member of Council requested the following verbatim.

Ms. Wilson: "Thank you. I've had a number of constituents to call concerning this issue and also the accidents on this road. As part of the "FIN" process, which was the facilities negotiations with the surrounding landowners in the community, Allied Waste Industries selected certain roads with the people that the heavy truck traffic would go down. It's my understanding that this is not one of the roads selected and they were not supposed to go down them and we have other heavy truck traffic in addition to that. So the people who live there have requested that we limit truck traffic to nothing exceeding 6 wheels, which will take care of the general traveling public, but would keep these big heavy trucks off the road. There are other roads that are nearby that were permissible. Thank you."

Mr. McAbee: "First of all secondary 29 stretches from the Town square in Pendleton practically all the way across the county to this. This is near the terminus. But it is a state road; it's part of the secondary system and it is built to a relative high standard. Many parts of it are used by truck traffic. My trucks use it themselves. And I don't think this is something we necessarily should enter into addressing the state and seeking them to restrict truck traffic on one of their roads when there are singularly responsible for them. Thank you."

Mr. Tolly: "I can tell you straight off if it's a state road – which it is. We can't do anything about it without the State's permission."

Ms. Wilson: "This is the state's language and it's required of us to place the prohibition on the road for the state. We're requesting the state to post it. And this is their back up which they sent to me, actually to the Council and to Mr. Martin. Will you please explain this a little better, Mr. Martin, than I'm evidently able to? Thank you."

Mr. Martin: "This resolution is simply a request from the County to the State. By State law only the state can impose this restriction on the road. The letter from the State to the County was somewhat inarticulate in that it seemed to imply that the County can do this. The County cannot. Only the state can impose this particular restriction. The state has indicated that it will follow the County's request. So basically this is a request from the County to the state but the County is not imposing the prohibition it is only requesting it and only the state can actually impose the prohibition."

Mr. Dees: "Mr. Martin. I apology for bringing this to your attention since you probably wrote this. But I've noticed there are some kind of differences here – it says over 6 tires in one place – only 6 wheels in the other. I've never seen a posted road that says over six tires in my life and Mr. McAbee never has either. And I don't think he will. It says over six wheels. But which is it – over six tires or six wheels?"

Mr. Martin: "Yes, or to quote a former President of ours "I feel strongly both ways." You're absolutely correct. We did draft it however the words were handed to us by the State. Again inarticulately, in my personal opinion, as I've already noted. The state statue refers to wheels but in the letter from, I think, is the letter part of the backup-yes, if you'll notice the letter from the S.C. Department of Transportation, it's actually a fax, to Ms. Wilson – it says you have to follow..."

(Everyone saying they didn't get it.) "I do apology, there is backup material consisting of a fax from the S.C. DOT to Ms. Wilson and it said if you don't follow these words you can't do it. So if you'll look, the language that is explanatory is from the statue and is correct. The ordaining words that says, "this is prohibited" that is a quote from the letter to Ms. Wilson from the state. And it says "No vehicles over 6 tires." It actually has a picture of the sign that says 6 tires and I just copied it like I was told to do."

Ms. Floyd: "I have two questions here. One of Mr. McAbee. Mr. McAbee, I don't know this road. I only know what I have been reading here. But this is a road that you said your truck uses."

Mr. McAbee: "Not this particular stretch that I think she is referring to near the landfill but S-29 begins on the square in Pendleton. It's Main Street in Pendleton. It then turns and becomes Lebanon Road and it crosses 178 and becomes Harris Bridge Road, it turns left when it reaches Concord Road and continues as Concord Road until it crosses 81 it then becomes Hopewell Road and Breazeale Road and it winds through the country."

Ms. Floyd moved to extend discussion time by 5 minutes and Ms. Wilson seconded. Vote was unanimous.

Ms. Floyd: "Mr. Hopkins, are you familiar with this road?"

Mr. Hopkins: "I am."

Ms. Floyd: "Mr. Hopkins, if we close this road, I mean if we put these restrictions on this road what would happen? Will this hurt the landfill in anyway because trucks cannot access it? Or what?"

Mr. Hopkins: "I'm not sure if I can answer that question exactly. Apparently trucks are using this road going to the landfill but they can go down 20, a little bit further, Highway 20, and turn on Big Creek Road. But it is a little bit further."

Ms. Floyd: "For some reason, I'm not satisfied. But I don't know the questions to answer. It's going to hurt somebody right? Who's it going to hurt? It's going to hurt the big trucks, right? What big trucks?"

Mr. Hopkins: "That I'm not sure. There's a business in the area on another road close to here. I think the intention is to stop the trash trucks from going up and down this road. Garbage trucks."

Mr. Tolly: "You know I respect Ms. Wilson's area, but from what I've heard, I'm not sure if this road doesn't wind through part of my district. And I'm not willing to vote on it because it might be that some patrolman might be "stop happy" and stop a truck in my district when your road is not supposed to be in my district. But somehow it turns out to be. I'm going to vote against this at this time unless you want to table."

Ms. Wilson: "Well, hold up just a moment. It may start in Pendleton but it becomes a County for a large part of the way and then it reverts back to a state road. It's not a real clear road. As I understand it, and perhaps Mr. Hopkins and Mr. Carpenter might clarify this, it's my understanding that this part-this Youth Center Road which goes through a residential neighborhood that's really not wanting heavy truck traffic through it, it's my understanding that this was a prohibited road for the trash trucks to go down anyway. Am I correct?" (Lost words – end of tape)

Mr. Hopkins: "I've not seen the document that you're referring to so I can't answer that question."

Ms. Wilson: "There were meetings where all the people including Allied Waste and the County and DHEC and the neighborhood met and they selected certain roads for the trash trucks to go down and the residents of this community have requested that we prohibit the big trucks going through their residential area but I think that the FIN process may have taken care of this but we're not enforcing this. Maybe you can clarify it for me please."

Mr. Carpenter: "The FIN process is a voluntary agreement between the local residents and the landfill. It's not a legal document. The County has no ability to enforce any aspect of it. The state required the process to happen. The state did not require any resolution to come from it. They merely required the citizens sit down with any landfill, not just that landfill, any landfill that's getting a permit. They came up with a list of roads, that was one of the roads that was listed as not being approved to be used by the landfill. It's a document that has no teeth in the sense that the County cannot enforce a private document. We cannot enforce an agreement between two parties in which the county was not one of the signatories. We were there merely to answer questions in the process. We were not there – it was not negotiations between Anderson County and the landfill and the citizens. The bulk of the trucks that use that road are either related to the fuel tank farm, the metal company, and other private haulers that are using it. So private haulers, what people tend to call trash trucks are below 6 wheels anyway - they're pickup trucks. So the most of the trucks that use that landfill tend to be the private haulers in this County. As you may recall there are almost 50 of them. With anywhere from one to 15 trucks and they are the largest users – trash related to that road. And we have no way of stopping private haulers. Anderson County has no ability to regulate the private haulers and we have no ability to do anything to the private haulers. So it's a moot point to ask us to stop those trucks from using that road and we cannot require anybody else to not use that road because it was merely an agreement between the residents and the landfill." Chairman Greer moved to extend by an additional 5 minutes. Mr. McAbee seconded and vote was six in favor and one opposed (Ms. Floyd).

Chairman Greer: "I have some questions and comments. I looked at this - this afternoon, along with some other items, and I had a map and I pulled down the map so I'd actually know what I was talking about and looking at. This road runs from Highway 20, which is a road that goes between Belton and Williamston. It's the first road to the right, I believe, past the Cheddar Fire Department as you are going to Belton from Williamston. And it runs from there across, perpendicular to one other road and then comes out on Big Creek Road. Which is near the landfill. So that's the geography of it. Whether it's right or wrong, I'm not going to debate. We have put weight restrictions or restrictions on other roads in the County in the past. I know we put restrictions on Opera House Road when the Santee Cooper plant was being built so that the construction traffic would not destroy the County road out there. I know that has been done. The road that runs between Whitehall Road and Reid Road at one time had speed breakers and I think "No vehicles over 6 wheels" signs are actually still up out there although it has been removed - the application of that has been removed. So this has been done in the past and I'm not arguing pro or con, I'm just stating some facts. Item 3 - under the "Now Therefore" says this resolution shall not apply to Federal, State, County, Municipal and other public service maintenance and emergency vehicles as school buses nor local deliveries serving local addresses. My question is, would this have a negative impact and someone, Mr. Carpenter, you or someone else or Mr. Hopkins can maybe answer this question. Would a trash truck serving the Town of Williamston be considered a maintenance vehicle so that it would be prohibited from using this road as well? So where did the definition "maintenance" come in. To me a truck hauling residential trash for the Town of Williamston is not a maintenance vehicle. It's a service vehicle."

Mr. Carpenter: "I think it would be hard to consider it a maintenance vehicle. It would be considered a delivery vehicle in that case. So it would not, in my mind, maybe Mr. Hopkins would say differently, but they would be governed by the regulations in my mind."

Chairman Greer: "Mr. Hopkins."

Mr. Hopkins: "One thing you do need to consider and Mr. Martin may be able to answer this, I'm not sure being a state road who can actually enforce it. On the road you mentioned earlier about our current restrictions on the county roads, our county compliance officers and the sheriff's office can enforce these. On the state roads though the Sheriff's Office can enforce state laws but he very seldom does on state road because that's normally the jurisdiction of the Highway Patrol. The Highway Patrol is very short handed right now. So to actually make this effective, you're going to have to solicit their support as well."

Chairman Greer: "Mr. Hopkins, I have a follow-up question on that if you don't mind. So what you're actually telling me is that - even if we approve this and pass it and the State posts it, there's no means of enforcing it. So we're basically passing an ordinance that's not enforceable. Can't do anything with it."

Mr. Martin: "I may be better able to answer that. Mr. Chairman, Members of Council. Mr. Hopkins and you are absolutely on point. The paragraph 3-we added simply because that was in the prior ordinances that you have referred to, Mr. Greer. The County did impose speed humps and weight limits and wheel limits on certain County roads, but the difference there is that - that was the County's own ordinance and I'm using that term advisedly. It was an ordinance in that case because it became the law of the County dealing with the County's own roads and the County's own personnel including code enforcement officers could enforce it. Here this is going to be enforced, if at all... First of all, it's going to be imposed, if at all by the state not by the County. You're just requesting it. This language in Paragraph 3 may or may not apply. We're simply saying that our resolution only applies or does not apply to this type of vehicle. The state may or may not honor that if they impose the prohibition. And County Code Enforcement officers will not be able to enforce this. It will be a state road with state enforcement only which means the Sheriff can enforce it, but is not likely to do so only the Highway Patrol and the Transportation office will be able to enforce on behalf of the state."

Chairman Greer: "Mr. Martin, are you telling me that this would be enforced with state guidelines and not any guidelines that the county could impose so section 3 could be thrown out completely."

Mr. Martin: "Yes, sir. It can be. We hope that they would pay attention to it, but they aren't required to."

Chairman Greer: "Thank you."

Ms. Wilson moved to table to get further information. Mr. Tolly seconded and vote was five in favor and two opposed (McAbee, Floyd).

APPOINTMENTS: Various Boards/Commissions - All Districts

District #1 - none

District #2 - none

District #3 - Chairman Greer moved to appoint Mr. Tolly and himself to the Invision Anderson group. Mr. Dees seconded and vote was unanimous.

District #4 - none

District #5 - none

District #6 - none

District #7 - none

ACCEPTANCE OF PENDLETON PLACE - PHASE I, STRINGER ROAD ESTATES, WINDHAM RIDGE - PHASE I SUBDIVISIONS INTO THE COUNTY ROAD MAINTENANCE SYSTEM - Mr. McAbee moved to accept and Mr. Dees seconded. Mr. Hopkins stated that the roads meet County standards. Vote was unanimous.

PRESENTATION CONCERNING COURTHOUSE MOVE/RENOVATIONS OF KROGER BUILDING: Mr. Jacky Hunter – This was removed from the agenda.

PRESENTATION ON FISCAL IMPACT OF LOWERING THE ASSESSMENT RATIO ON MOTORCYCLES/SUV'S: Ms. Gina Humphreys explained House Bill 4307 signed by the Governor in June 2006 and became effective in the middle of the budget year. The total impact to County, schools, County Fire, Tri-County Tech and County sewer is \$11 million due to the combination of House Bill 4307 and the voter approved vehicle assessment ratchet down that was voted on in November 2000. The total \$11 million is a definite loss each year. Council received as information.

REQUESTS BY COUNCIL MEMBERS:

District #1 – Mr. Tolly moved to appropriate \$5,000 for the YMCA for their sixth Annual Charity Golf Tournament. The funds will come from the District #1 Recreational Account. Mr. Dees seconded and vote was unanimous.

District #2 – Ms. Floyd moved to appropriate \$1,000 for the Crisis Ministries from District #2 Recreation Fund. Mr. McAbee seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$1,000 from Recreation Funds for the Public Information for the Booker/Susan Streets Celebration to be held on September 30. Mr. McAbee seconded and vote was unanimous.

District #3 – Chairman Greer moved to appropriate \$1,500 from the District #3's Paving Account to seal and stripe the parking lot at the Grove Fire Department.

Chairman Greer moved to appropriate \$1,000 from the District #3's Recreation Account for the Iva Depot Days. Mr. Thompson seconded and vote was unanimous.

Chairman Greer moved to appropriate \$700 from the District #3's Recreation Account for the Belton Museum Committee for the Heritage Day Exhibit at the Belton Standpipe's festival. Mr. Tolly seconded and the vote was unanimous.

Chairman Greer moved to appropriate \$2,000 from the District #3's Recreation Account to the Parker Bowie Complex. Mr. Tolly seconded and the vote was unanimous.

Chairman Greer moved to appropriate \$6,000 from the District #3's paving account for the Town of Starr for paving, grading, and drainage within the Town of Starr. This will be payable upon presentation of invoices. Mr. Thompson seconded and the vote was unanimous.

Chairman Greer moved to appropriate \$36,000 from the District #3's Paving account for the Town of Belton for paving, grading, and drainage. This will be payable upon presentation of invoices. Mr. Thompson seconded and the vote was unanimous.

Chairman Greer moved to appropriate \$36,000 from the District #3's paving account for the Town of Iva for paving, grading, and drainage. This will be payable upon presentation of invoice. Mr. Thompson seconded and the vote was unanimous.

District #4 – none

District #5 – none

District #6 – Mr. Dees moved to appropriate \$120,000 from District #6's paving account to replace a culvert on Spearman Road. Mr. Tolly seconded and the vote was unanimous.

District #7 – Ms. Wilson moved to appropriate \$850 from the District #7's paving account to remove a large hardwood tree hanging over a street in Williamston. She said she thought it was Academy and Third Avenue. Chairman Greer seconded to get the item on the floor for discussion. Council expressed concern whether the funding was appropriate since the ordinance says it must be for paving, grading, or drainage in order to use paving funds. Mr. Thompson asked if the use of the money was appropriate? Mr. Martin addressed the ordinance setting the law regarding the use of paving funds being used for only paving, drainage, grading or roads. He suggested that Ms. Wilson pay for some paving, grading, or drainage problems for the City to free up the money needed to remove the tree. Council discussed further. Chairman Greer asked Mr. Hopkins if the tree had a negative effect on the drainage or the paving associated with the road, and then could it be considered as part of the paving, grading, and drainage. Mr. Hopkins said that he couldn't answer that but he did say that if a town asked for them to remove a tree, if it is within their capabilities they will do it for the town. This one is near a fence, power lines nearby and houses nearby and the County doesn't have the proper equipment to remove the tree. Chairman Greer suggested that until the Town of Williamston can certify to Council that the removal of the tree or the tree has an effect on the paving or drainage of that particular street then it would be inappropriate for Council to vote to remove the tree. Mr. Martin suggested that the Town free up some of their paving money and remove the tree and then Ms. Wilson can appropriate the \$850 to reimburse the town for the paving in that amount. Ms. Wilson withdrew her motion and Chairman Greer withdrew his second. Ms. Wilson will talk with the Town of Williamston and then bring up at the next meeting.

Ms. Wilson said that the Town of Williamston has requested that the County pave the road going through the historic cemetery in Williamston in the amount of \$8,970.00. She moved to appropriate the \$8,970 from District #7's paving account with the work being done by the County. Mr. Hopkins said that the Town has verbally assured the County that it is a public road but before the work will be done the County will have to have a written certification to that

affect. Mr. Tolly seconded. Ms. Wilson restated her motion that the Town of Williamston will certify the street to the County and then the County will pave as requested. Mr. Tolly seconded. Vote was unanimous.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation:
 1. For: Mr. James Bruce/MIS Department From: Ms. Karen Senn, Office of the Master in Equity
 2. For: Larry and John of Public Works From: Mr. Holt Hopkins
 3. For: Mr. Joe Moss's Road Maintenance Crew – Mr. Michael Poole, Mr. Duane Hamm, Mr. Steve Miller, and Mr. Jonathon Pickens, Mr. Scott Brothers' Crew – Mr. Denver Mills, Mr. Jon Day, Mr. Timothy Wilson, Mr. Joshua Vaughn, and Mr. Jimmy Leonard From: Mr. Mike Sheivert
 4. For: Mr. John Ferguson From: Civic Air Patrol
- b. Reports:
 1. 4-U Ridership
 2. Environmental Enforcement – Animal Control and Litter Control August 2006 Reports
 3. Building and Codes August 2006 Report
- c. Minutes/Agendas: Anderson Sports & Entertainment Center Monthly Meeting: July 31, 2006
- d. Letter to Mr. Jacky Hunter certifying Tax Year 2006 Levy
- e. Clemson Area Transit Service in Seneca
- f. Response to Ms. M. Cindy Wilson's letter from Mr. Joey Preston regarding her request dated August 14.
- g. Grant awarded – Juvenile Justice Formula Grant Program – "Early Intervention Truancy Program"
- h. Report on the ability of local Water Companies to impose Impact Fees
- i. Wasteco, Inc., Greenpointe C & D Landfill vs. S.C. Department of Health and Environmental Control

CITIZEN COMMENTS: Other Matters – Mr. Brooks Brown spoke.

REMARKS FROM COUNCIL MEMBERS

District #1 – none

District #2 – none

District #3 – none

District #4 – none

District #5 – none

District #6 – none

District #7 – Ms. Wilson asked if anyone was present from the Sheriff's Department. There was not. She said that she wanted to ask if the County had any persons working for the Sheriff's Department driving county owned vehicles now or in the past driving under a suspended drivers license.

Being no further business the meeting was adjourned at 9:10 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – October 3, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council**

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
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 3, 2006 at 6:00 p.m. Ms. M. Cindy Wilson gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Chairman Greer called attention to the "Amended Agenda". He said that there was a public hearing advertised for item # 7 (c) - #2006-032 – a Third Supplemental Ordinance providing for the issuance and sale of an Anderson County, South Carolina Special Source Revenue Bond, Series 2007, in the Principal Amount of not exceeding \$2,700,000; prescribing the form and details of such bond; and other matters relating thereto and was omitted from the agenda.

Mr. Michael Thompson moved to approve the minutes from the September 19, 2006 called meeting and the September 19, 2006 regular meeting as mailed. Mr. McAbee seconded. Ms. Wilson called the Clerk's attention to a couple of typographical errors. Chairman Greer said that in the Council discussion dealing with the Kroger Building some Council members are thoroughly quoted in the minutes and some Council members are not included at all. Specifically his comments that he made during the discussion were not included. He then moved to table the minutes to allow the clerk to review the area of the minutes and to include that part of the discussion. Mr. Dees seconded. Vote was unanimous.

CITIZEN COMMENTS: Agenda Matters – Mr. Brooks Brown said that he was a little confused. He said that a few years back a man bought the old Kroger Store for \$375,000 and then assumed a 1-1/2 million dollar mortgage, which means this is a \$1,875,000 investment in the property. He asked why would he offer the property for sale for \$600,000 to anyone. He said the Mayor remembers some mysterious stranger calling him in the middle of the night offering for him to buy the building for \$650,000 and there was no discussion of a mortgage. He said he thought unless someone had some serious allegations with some serious evidence they need to follow the lead he suggested for the "Citizens Against Virtually Everything"- keep their mouths shut. Mr. David Draisen said that the group of people that he will be presenting on behalf of does not oppose the location. He will be presenting a list of significant questions that his folks have that they believe Council should be aware of and answer with regard to the evaluation of the property. He presented Council with a packet of information.

PRESENTATION: Mr. Jimmy Walters with the South Carolina Forestry Commission stated that Anderson County was the only county in South Carolina to achieve the *Tree City USA* recognition. There are 40 communities in the State that has the distinction but Anderson is the only county; the rest are municipalities, he said. He said that Tree City USA was a community improvement program of the National Arbor Day Foundation co-sponsored by the USDA Forest Service, Council of Mayors, Urban League, and the S.C. Forestry Commission. It recognizes communities that have met four criteria. Anderson County has a tree ordinance that provides for the protection and the care of public trees. The

ordinance must provide for a tree board. Anderson County must spend \$2 per capita annual expense for the care of trees and then have an Annual Arbor Day Celebration with a proclamation. This is the third year. The County received a sticker and a bronze plaque to go on the plaque in the hall. Annually you get a new Tree City USA flag. Mr. Walters congratulated the County on their third consecutive year as the only county in the State recognized as Tree City USA.

Chairman Greer said that Ms. Floyd had a group that needs to briefly address Council. He said that unless there were objections, he would approve the request on consensus. Ms. Gracie S. Floyd introduced a group from the Booker/Susan Street community leaders. Mr. Otis Clinkscales, Leader and Mr. & Mrs. Rogers, Co-Chairs. Mr. Clinkscales thanked everyone who participated with restoring the homes in the Booker/Susan Street area. He thanked Ms. Gracie S. Floyd for all her help with their area the last five years. He also thanked Mr. Joey Preston, Mr. Jeff Ricketson and staff, Mr. Holt Hopkins for their help. He added thanks to Ms. Bonnie Amman, Ms. Martha Whitaker and Ms. Jennifer Visage with the Council of Governments who wrote the grant and worked with them so patiently. He thanked the contractor who worked with them. He also thanked Ms. Michelle Strange with KAB for her wonderful celebration that she put together for the community. Ms. Floyd also thanked Ms. Angie Stringer for all her hard work. Council received as information.

PRESENTATION ON PURCHASE OF FORMER KROGER GROCERY STORE: Mr. Daniel L. Draisen provided each member of Council with a packet. Inside were questions asked by the folks that he represent and who asked to remain anonymous for political reasons and connections. They needed a spokesperson and they asked him to do it. He said that there was not a single person who came to him who objected to the location of the building or to improving River Street or anything like that. He said that the concerns of these people are solely - is this a good purchase for Anderson County on the value of the buy – nothing else. First Question – Did the appraiser analyze all the agreements of sale, options, or listings of the subject property current as of the effective day of the appraisal per standard rule 1.5? He said he wonders if the Appraiser saw it if Council has not seen it. If the Federal Law requires that the Appraiser have the information it is important to know why the appraiser didn't have it and issued an opinion of value. 2. Who is getting the lease buy-out for the lease term? Listed on Loop-Net, 2005, states that Bilo would pay \$400,000 to get out of its lease. If the seller is getting a lease buy-out then in essence the County is paying \$1.8 or more for the property, which is above the appraised value. Why would the County not buy the property and collect the remaining lease payments. The lease is in effect until January 2009 and grosses \$238,489 per year. If the County paid \$1.3 and collected the rent then the County would actually have \$763,400 in the building by simply sitting on it for two years after the purchase and collecting the remaining rent from Bilo. Based on the current 2006 listing which is at \$1.8 million and you take the annual rent for 27 months from the \$1.8 million that's \$536,600 and subtract it the total investment by the County at asking price of \$1.8 million would be \$1,263,400 which is still less than the County is willing to pay right now, he said. He said that he has not seen a single financial document that says the purchaser paid \$1.3 million. He asked where the Contract of Sale and Lease that the Appraiser looked at and where were the financial documents that backup the appraisal. Why did the price of the property go up from \$1.6 million in September 2005 to \$1.8 million in 2006 when the remaining lease time was less? This means that there was \$238,489 of rent paid in at that time and yet the price went up for a building that has remained vacant except for the warehouse use of it and the rent payment. Nothing changed about it in that year. The appraisal mentions the existence of a lease but it does not address the lease's affect on value. Why is the value of the remaining lease not discussed in detail in the appraisal? The USE Pack - Standard Rule One – requires the analysis of any current lease. The appraiser mentions the lease on page 48 but says nothing about what is being paid in rent and who is getting the rent only that Bilo is willing to relieve of themselves their obligation to pay rent. Did the appraiser receive a copy of and analyze the existing lease? Has anyone on Council seen the existing lease? What information did the Appraiser have in considering giving his evaluation of the property and establishing the highest and best use? Did the Appraiser have up-fit plans and price estimates to convert to office space for County use when giving value estimates and or when suggesting the highest and best use for office space? If the Appraiser had estimates for up fitting were the estimates from a licensed general contractor or only from an architect? Did the appraiser consider a site value? What value did the site or lot have in relation to the total value of the property? Did the appraiser use the appropriate comparables when forming the value of the property using the income approach? Did the Appraiser actually think that property right off Boulevard is comparable to property on River Street in terms of income? Why was no income data derived from the immediate area using this evaluation for example Shockley Ferry Road? Why didn't he go to Shockley Ferry Road and get rent prices per square foot for buildings? Are the demographics of the comparable neighborhood similar to subject properties – i.e. household incomes and etc. According to the appraisal all comparable income properties were 90-100% occupied and were in good condition, fully operational with up fitting completed for the tenants. Also the properties are not being

used as warehouse space as is the current Kroger Building. Why is this a glaring disparity? Did the Appraiser compare the function of the utilities – i.e. the plumbing, heating, air, and electrical work etc. of the comparables with the subject property? It is his understanding that the building is no more than a shell and it doesn't have any of the utilities. Did the appraiser make an estimate of what would be required to up-fit the property in a way that would allow the property to be leased? Who does Mr. Carithers represent in the transaction? A comment was made that the Appraiser has an MAI certification. He provided Council with the Federal law 12USC3351 that prohibits the disqualifications of a certifier-licensed appraiser from consideration of an assignment solely by membership or lack of membership in any particular appraisal organization. What it basically says is that if someone has a certain certification or does not have a certain certification doesn't mean they are any more or less qualified as an appraiser. He said that if he had more time he would go through the appraisal line by line. Chairman Greer moved to extend discussion time by an additional 5 minutes and Mr. McAbee seconded. He asked Council to step back for about 30 days, give them time to answer all their questions and simply make sure that Council is making an informed intelligent decision. Council received as information.

ORDINANCES – THIRD READING:

Chairman Greer read the third reading title of Ordinance #2006-030 – an ordinance to approve a rezoning request by William Epstein, Owner, to rezone 3.03 acres of property at the southeast corner of Old Mill Road and Clemson Boulevard (US Rt. 76) from C-1 General Commercial District to C-2 Highway Commercial District. Mr. Tolly moved to approve and Mr. McAbee seconded. Ms. Wilson pointed out the reason she would abstain was because she still has the reservation of providing for safe ingress and egress for the traveling public to and from this property. Vote was six in favor and one abstention (Wilson).

Chairman Greer read the third reading title of Ordinance #2006-031 – an ordinance authorizing the issuance and sale of General Obligation Bonds, Series 2007, of Anderson County, South Carolina, in the principal amount of not exceeding \$7,300,000; 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. A public hearing was held and the following citizens spoke. Mr. Brooks Brown said he must take exception to Mr. Draisen stating that he was representing some citizens anonymously. He asked Council to disregard everything that Mr. Draisen said. Mr. Terry Chapman, Team leader with the Appleton/New Town group said that he appreciates all the hard work put into the project and he sees Anderson going forward and not backwards. He asked Council to vote yes on the ordinance. Mr. Stephen Pope said that the County could use their power of imminent domain to get the property at fair market property. Mr. Ron Dillingham, representing the Anderson County Alternative School, welcomed Council's support for their area of town. He said he appreciated Council's forward thinking on the issue. No name given – He said that he supported the use of the Kroger Building for offices and he asked Council not to make another mistake. Mr. Roosevelt Thompson thanked Council for their great jobs they've done over the years. He said that the Kroger Building had a lot of history behind it. He said that one of the founders of Sullivan King Funeral home once lived there, the former solicitor – Fant lived on Fant Street, and the late senator John C. Taylor also lived on River Street. He said that everyone wanted to see something done with the Kroger building, which would help the neighborhood greatly. Mr. Mike Gray spoke in support of the issue and encouraged Council to let the majority rule and not the minority. Mr. Brad Burdette urged Council to consider the issue as if it was Council's own money. He said that Council should use due diligence in making a decision on the issue. He said that he'd looked at the appraisal and he has many questions. Mr. Mike Thrasher encouraged Council to vote yes on the Kroger Building and help out the area on that side of town. Ms. Julia Barnes from Honea Path said that for the last year she had spent a lot of time at Forrest Junior College before she retired. She said that she spent a lot of time there at night alone and on the weekends alone. At no time did she feel unsafe. She said that she felt it was a good move for the County. Mr. Ed Hinch said most people are not opposed to the Kroger site but are opposed to the amount of money being paid for the property. He assumed that the appraisal value is the real value. Ms. Elizabeth Peace said that sometimes you get what you pay for. She asked Council to approve the ordinance. Mr. Al Norris said that he'd lived on the Southside of town his entire life. He has watched all areas around him develop and grow. He also questioned the reason why no one questioned the purchase of the Piedmont Natural Gas building. Mr. Andrew Hammett from the Hopewell Community said that Council had answered enough questions and now it's time to get on with the business of the County. Mr. Joe Monroe said he was a professional investor. He came to Anderson and started a business at the Wilhite House. He said that the south side has infrastructure throughout. He encouraged council to approve the purchase of the Kroger building. Mr. "Possum" Nixon said that he'd been in business for 41 years in the area and thinks the plan is a good idea. He urged Council to go

forward with the plan. Mr. Thomas Culbertson said that he didn't see anything wrong with putting off a vote for 30 days. He also said that River Street Baptist Church was broken into 3 times last year. Mr. Mel Gerrard urged Council to sit back and wait 30 days to get answers. Mr. Michael Deanhardt said that he was 70 years old and he had seen a lot in Anderson. He said he was proud of the progress that Anderson has made and he wanted to thank Mr. Dan Rhodes for the progress made under his leadership to 1985 and the progress up to 2006 under the leadership of County Council and the courageous Joey Preston for the past 15-20 years. Ms. Francis Simons urged Council not to stop with the Kroger building but to vote it in and to continue to make progress in the County. No further comments; the public was declared closed.

Council took a short recess at 7:15 p.m. Chairman Greer called the meeting back to order at 7:22 p.m.

Chairman Greer explained that Council had two copies of Ordinance #2006-031 – one as approved on second reading – the other a black lined copy with all the blanks filled in. Council will need to get a motion to approve and a motion to amend to adopt the black lined version, he said. Mr. Thompson moved to approve and Mr. Tolly seconded. Ms. Floyd said that it would not matter if Council waited 30 days – 130 days - 2330 days Council will have the same problem of not being able to please this group. She asked Mr. Draisen who his clients were that he was present representing and he responded that he has a group that asked for political reasons that they not be identified. Mr. Dees moved to approve the amended version in their agenda packets and Mr. Thompson seconded. Ms. Wilson pointed out that the \$7.3 million bond issue has no interest payment until 2011 and part of the amendments before Council concern increasing the principal amount starting in 2011. In a very important business publication this week there was an article, she said she believed it was the National Association of Bankers, and they were counseling that interest should begin fairly soon because it actually costs so much more in the long run. She recommended that Council amend the ordinance by adding that the County should begin paying back principal and interest starting in 2008 by which time there would have been some "headway" made on the project. Chairman Greer moved to extend the discussion time by 10 minutes. Mr. McAbee said that it was not unusual for principal payments on bond issues to be delayed into the future. Chairman Greer asked Ms. Gina Humphreys to come forward. He said his question to Ms. Humphreys was concerning the delay in paying the principal on the bonds verses paying the principal and interest. He asked Ms. Humphreys if this deviates from what normally occurs when Anderson County issues these bonds? Is it normal procedure to pay interest only for the first few years and the principal to start at a later date? Ms. Humphreys stated that they are proposing the structure of the bond in this manner to delay the principal payment so the County will not have to have a tax increase to pay for it. In April 2005, the County paid off the Civic Center Bond, April 2007, a small Airport bond will be paid off and in April 2010 another bond will roll off for the Detention Center. This will keep the County's debt service principal and interest payment relatively even over the years. Vote on the amendment was six in favor and one opposed (Wilson). Ms. Wilson said that she had requested for three weeks copies or access to the copies of information pertaining to all documents related to the Kroger transaction in particular. She said that from the beginning she said that there is so much positive to the plan – the regentrification of a formerly grand area where infrastructure is already there, hard working people who pay taxes for years who felt left behind. There is much to commend the plan, she said. She again said that her request was for the actual paperwork that the Council is legally charged individually and collectively as a Council to ensure that the people of this county are getting the best deal. She asked Mr. Preston if he had copies of the contracts so Council can to begin looking at it. Mr. Preston said that the County DOES NOT have a SIGNED CONTRACT. She also asked Mr. Preston what the contract date was on the property. Mr. Preston handed out a packet concerning the purchase and explained the letters enclosed. Mr. Corbin Haskell, Appraiser said that he was a managing partner with the Robinson Company Appraisal Firm in Greenville, which has been in existence for 75 years. He said that he has been employed with the company since 1980. He received his MAI designation in 1990, qualified as an expert witness in the courts of South Carolina. Mr. McAbee moved to extend discussion time by another 15 minutes and Ms. Floyd seconded. Vote was unanimous. Ms. Wilson asked Mr. Haskell if he'd seen the actual pre-purchase, option or sales contract that he alluded to the understanding in his appraisal that it was under contract by the county at one 1.3 million dollars in May. He said it was given to him verbally and he had not seen a copy of the contract. He said he believed he said, "it was his understanding" that it was under contract for 1.3 million dollars. She also asked him if he had actually looked at the cost to deal with a slab with only two bathrooms and etc.? He said no that his assignment was to estimate the fair market value of the building as it stands now. As it stand now, she said, is a warehouse but his comparables dealt with retail space that's already in use and already rented. Ms. Wilson said that she would like to see the original copy of Mr. Carithers' brokerage agreement. Ms. Wilson asked Mr. Haskell if he considered the Budweiser property on Shockley Ferry Road as a possible comparable? He said there was little in common with the two buildings. Mr. Thompson said that on a personal note his wife worked just down

the road at Ellenburg Nursing Home on the 3 p.m. – 11 p.m. shift and she had no problems going back and forth to work and coming home. He said the County, Mr. Preston and staff, had been working for about 36 months on this. In 2003 a safety analysis was done on county buildings. When he came on council in 2004, one of the first things he did was to tour the courthouse. He said to wait until the third reading of the ordinance was not the time to "throw up red flags". The issue should have been worked as time progressed. He said that he had a letter from Judge Nicholson dated August 8, 2006, stating 12-18 months ago Council members were given the guided tour. He wants to know what's going on. He also said that he was in the "same boat" as Judge Nicholson. He said that he is not an appraiser but he does know how to pull comps and he did for his own benefit. On 29 South, listed with Gruff and Ellis the Furman Company is the old Winn Dixie building. It has 36,000 sq. ft. and sits on 5.87 acres and is listed for 1.4 million dollars, which gives a price of \$38.79 per sq. ft. He also found an old Ingles building on Pearman Dairy Road across the street from Westside High School, it has 41,515 sq. ft. and is limited for \$1,000,000, which comes out to over \$96.00 per sq. ft. Mr. Thompson said that in the appraisal letter, Mr. Haskell stated that he used \$4.25 for his appraisal. He then looked at rental property. He said that he was hard pressed to find \$4.25 on the list. Most of the properties on the list are in the \$9 - \$10 - \$12 range. So he said he has nothing to even suggest that the building would sell for \$600,000. The owner would be giving the property away. He said he had very high confidence in the appraisal given and he was ready to move forward. Mr. McAbee asked Mr. Draisen if any the members of the Coalition of Concerned Citizens of Anderson County that he is representing, have any financial interest in any other buildings being considered or offered to the county for sale. He said not to his knowledge, he never asked. He asked Mr. Draisen if he ever represented Gulf Stream Investments and he replied no. He asked if he'd ever represented Jimmy Davis Construction Co. and Mr. Draisen said that he had and he'd even been to a Council meeting representing Mr. Davis. He asked if he had ever challenged any commercial real estate appraiser before and he said no. He asked was Mr. Draisen doing the work pro-bono and he replied no. Mr. Draisen said that his main mission here in representing his clients was to point out the questions. Ms. Wilson moved to extend discussion time by 10 minutes and Mr. McAbee seconded. Vote was unanimous. Chairman Greer said that since Council considered the ordinance on second reading he had been moving through his communities and listening to input from both sides of the issue. He said up front, very emphatically that any discussion has nothing to do with location of the Kroger Building. He reviewed at the last Council meeting and wholeheartedly supported the Kroger Building location. So any remarks he makes has nothing to do with the community, the location, and the safety because he personally finds the location very acceptable. The Kroger Building, in his opinion, at this point and time is the best site the County has considered. However, questions have been brought up concerning the purchase of the building. He's heard people saying that there is questions concerning the purchase and people say that everything is okay with the purchase. He finds most of the information acceptable. There are concerns and he is trying to make a decision beyond a reasonable doubt. This assumption or presentation that the building has been offered at some time in the past for something less than what the purchase price is – to him it is all very vague, not proven. He went through the appraisal looking for things that might throw up a red flag or raise questions to him. Page 14 – it mentions something about encroachments on property – "There is an encroachment of a metal building and a fence along the northeast corner of the property." He asked if this was the Kroger Building or another building actually encroaching on the property that takes away from the usefulness of the property? - Page 14 – "For this appraisal the Robinson Company has specifically assumed that any hazardous materials and/or underground storage tanks that may be present or on or near the property do not have an adverse effect on the property." Assuming that hazardous materials is not present on a piece of property that you're about to purchase is a very strong assumption because if those hazardous materials were to exist in his limited ability would have an adverse effect on the value of that property. Page 69 – "No responsibility for hidden or unapparent conditions of the property can be taken by the appraiser. The Appraisers assume no responsibility for the existence of hazardous material in the building, under the ground, in the air space, or from run-off from other properties. The Appraisers have no knowledge of the existence of such materials on the property. Appraisers are not qualified to detect such substances – the presence of asbestos, urea formaldehyde, foam insulation or other hazardous materials can affect the value of the property. The value estimate in this report assumes that hazardous materials are not in any way connected to the property. The Client is urged to contact an expert in the field if desired." Going back to page 19 – where it talks about the sprinkler system - It says the condition of the sprinkler system is unknown. The sprinkler system in a public building is a major cost in the utilization of that building. So this could have an impact on the value of the property. Page 70 - #13 – "If the property is improved it is assumed that all the electrical, mechanical, and plumbing systems are in good working order and that the roof and structure is sound unless otherwise noted." In a previous section on page 20 – he did note that there was evidence that the roof was actually not leaking. This too could have an adverse impact on the property. He said that it was a lot to absorb in 10 minutes. He also said that he was dismayed that the people being represented by Mr. Draisen are not willing to come forward and

openly express their concerns. He said that he hoped that the County was not in a situation where citizens are afraid to voice their opinions concerning matters of this nature. He said he'd like to hear some responses before Council moved on. Mr. Robert Carroll was asked to come forward. Mr. Carroll said that once this is approved and the "Draft" is signed, the County would have a period of time where the County can perform those things such as Phase I Environmental, Phase II Environmental (if needed). There will be 30-60 days before the County closes. Ms. Wilson moved to extend by another 5 minutes and Mr. Greer seconded. Vote was four in favor (Greer, Wilson, Tolly, Thompson) and three opposed (Floyd, McAbee, Dees). Ms. Wilson said that the County had been assured as to the safety because of the City Police Department. As to the issue of the priority – it was in last year's budget and last year's originating language for the general obligation bond but the Administrator chose to purchase land on the Saluda River and he also chose to do the Stitchery before he addressed this need. She asked Mr. Carroll to see a copy, right now, of the draft contract. Mr. Preston said that right now the contract is currently being negotiating and he could not allow that at this time. Ms. Floyd said that she thought Mr. Greer owed her an apology for cutting her off. Ms. Floyd said that all of this was about Joey Preston. She said that this was good for Anderson County and Council should stand up and do what's right for the people of Anderson County. Mr. Thompson called for the question and Mr. Dees seconded. Vote was five in favor (Dees, McAbee, Tolly, Thompson, Floyd) and two opposed (Greer, Wilson). Motion carried. Vote on Ordinance #2006-031 as amended was six in favor and one abstention (Wilson). Motion carried.

Ms. Floyd asked for a Point of Order. She read from the *Robert's Rules of Order* stating "once the floor is assigned to someone, no one neither the Chair not a member of the assembly should interrupt that person by calling for a vote or a motion or by making a motion or by doing anything else." She stated to Chairman Greer that he interrupted her while she had the floor and she thought he owned her an apology. He said that if he did interrupt her, then he apologizes.

Chairman Greer asked Council to indulge him while he makes a few remarks. He said that he truly thought that Council needed to look at some other information for a little longer time. He was not prepared to vote against this tonight, he said. His vote in favor enables him at the next Council meeting, if the information is brought forward, to move to reconsider. If he had voted on the negative side then he would not have been able to move to reconsider this at the next meeting. He wanted everyone to understand that Anderson County is going to grow and move forward regardless of what people think. He said that he was told today that if he voted yes on this he would probably be beat in the upcoming election. He said if he's beat because he did what he thought was right – then so be it. He said that this County in the 8 years, he's been here has made more progress than it has in the last 50 years. The Council needs to keep moving forward. Parking is the one single complaint that he has received more of than anything else. This will solve that problem.

Council took a 10 minutes recess at 8:30 p.m. Chairman Greer called the meeting back to order at 8:40 p.m.

Mr. Dees said that he's heard several times about the land on the Saluda River. He asked Mr. Preston to remark about that and the statement that was made about the budget process that we spent almost the equal amount of money on a recycling center – Whitefield. Mr. Preston said that the County has a recycling center under construction in the Powdersville area on the Saluda River. The other property is the Whitefield Recycling Center budgeted at \$500,000. The County spent about \$600,000 on the Whitefield center. Mr. Carpenter stated that the County purchased approximately 7 acres of land on Highway 29; and the County paid \$180,000 for the property. The County purchased 60 acres on the Saluda River and the County will spend approximately \$200,000-\$225,000 for the center. Mr. Preston said that the Courthouse security was never included in the bond issue.

Chairman Greer read third reading of Ordinance #2006-032 – a Third Supplemental Ordinance providing for the issuance and sale of an Anderson County, South Carolina Special Source Revenue Bond, Series 2007, in the Principal Amount of not exceeding \$2,700,000; prescribing the form and details of such bond; and other matters relating thereto. A public hearing was held; no comments were received. Mr. McAbee moved to approve the ordinance on third reading and Mr. Dees seconded. Ms. Wilson said that she had requested at the last Council meeting for the County to put in writing that our County has sufficient revenues to cover all of the sewer infrastructure construction debt. She said that Ms. Humphreys stated that it was in the Comprehensive Annual Financial Report. She provided Council with the following information (based on year old information). It appears that the County had a year ago about \$34,000,000 debt associated with bonds and so forth with sewer and only \$3,000,000 of revenues. Now the County has added more debt and is about to add further debt and Council still has no real picture of this. She pointed out on page 30 of the 2005 CAFR it appears that the County has

substantial operating losses and the debt service is being paid from the General Fund. In the June 2003 CAFR, there is a note on page 42 stating "At June 30, 2003, the County was not in compliance with the provisions of the series 1990 sewer system improvement revenue bond covenant which requires the Sewer System to yield net earnings of at least 100% of the annual principal and interest payment on the bond in the financial year." It goes on to say that Ad Valorem taxes collected in excess of 1 million dollars were used to fund the deficiency. The County also owes the City of Anderson over 18 million dollars in debt to cover the obligation because of agreements the County made. We do not know if this is included in the debt that is before us. Mr. Preston said that she had a letter that would answer Ms. Wilson's questions. Ms. Wilson moved to table until the next meeting to allow everyone to review the information. Motion died from lack of a second. Ms. Floyd asked Mr. Preston to enlighten Council on Ms. Wilson's remarks she just made. Mr. Preston said that the Council had sufficient revenues to pay the debt; if the County didn't the banks would lend the County the money in order to complete the project. Ms. Floyd said that when these remarks are made, the Council must be prepared to refute or explain. She said that people are now beginning to understand that every time you open your mouth the truth doesn't come out. Mr. Preston said that the reason the Highway 24 sewer line has not been built is because of the double bridges. Chairman Greer said that Council had a black lined version. The motion to approve was to approve the ordinance approved on second reading. Council will need an amendment to accept the amended version in the book. Ms. Floyd moved to amend and Mr. Tolly seconded. Mr. McAbee moved to extend discussion time by 5 minutes and Ms. Wilson seconded. Vote was unanimous. For the record, Ms. Wilson, stated that they may have been 5-7 landowners that did settle. Ms. Wilson said that from the information received from Ms. Humphreys on page 30 on CAFR that the County has operating losses. The County has debt service being paid from general funds and that, as she understands, is a legal question whether the County can spend general fund money to pay debt in the Sewer Enterprise Fund. Mr. Martin said it was a classic case of "apples" and "oranges". He said that Oconee County had never approved operation of sewer by referendum. If a county was not operating a utility at the time of enactment of Home Rule in 1975, then that county can only operate that utility by referendum. Oconee County has not has such a referendum so they cannot fund sewer operations by any purpose other than revenue. They may use revenue from sewer to fund sewer operations. It has to be self-sustaining. That is not the case in Anderson County. Anderson County has had a referendum approved by the people to operate county sewer and the County sewer is operating under that basis at this time. Therefore the County can use revenue funds, general obligation bonds funds, general fund monies and it is a complete disparity between Oconee County and Anderson County, Mr. Martin said. Chairman Greer stated that there was a 3 mil tax levy specifically set aside for sewer so that could be some of the tax revenue included in the CAFR. He said that when he took office the people in his district complained because they had paid the 3-mill sewer tax and only received \$100,000 in sewer construction during that period of time. Ms. Wilson moved to extend discussion time by 5-minutes and Mr. McAbee seconded. Vote was four in favor (McAbee, Greer, Greer, Wilson), two opposed (Dees, Thompson), and one abstention (Floyd). Motion carried. Ms. Wilson asked who chose Branch Banking and Trust Company as the Registrar, what was the criteria, or the selection process. Ms. Gina Humphreys said that it was part of the General Bond ordinance that has been in effect for a couple of years. Mr. Tolly said that the sewer fee was put on to build a treatment plant for the county so that the County would have a place to dump their septic tank waste. Mr. Dees moved to call for the question and Mr. McAbee seconded. Vote on the call was unanimous. Vote on the amendment was six in favor and one opposed (Wilson). Mr. McAbee called for the question and Ms. Floyd seconded. Vote was unanimous. Vote on Ordinance #2006-032 on third reading as amended was six in favor and one opposed (Wilson).

Chairman Greer read second reading title of Ordinance #2006-033 – an ordinance authorizing the acceptance of an Assignment of existing leases; and other matters related thereto. (Piedmont Natural Gas Building) A public hearing was held; no comments were received. Mr. Thompson moved to approve the ordinance on second reading and Mr. Dees seconded. Ms. Wilson asked when the County was accepting the assignment of the leases does that mean that the County is taking the property with the leases. Mr. Martin said that the County was accepting the existing leases because the buy-outs would be extension plus the fact that the County can work around the leases and realize income from the leases during the time they are still in affect. Ms. Wilson said that she wanted it noted that it was a fully useable building, which is already in use with only minor modifications that can be made. And if you compare a fully useable building at 1.6 million dollars to a slab at 1.3 million dollars – it may be worth comparing. Mr. Preston said that the State will provide the funding to purchase the building and the County is in the process to determine the cost of any renovations. Vote was unanimous.

Chairman Greer read the first reading title of Ordinance #2006-03 – an ordinance authorizing the execution and delivery of a Lease Purchase Agreement between Anderson County and Milliken and Company whereby certain assets used in the manufacturing process will be leased to Milliken and

Company; and other matters relating thereto. Mr. Thompson moved to approve on first reading and Mr. McAbee seconded. Chairman Greer said that he operated under the assumption that the threshold in Anderson County for a fee agreement was 5 million yet this one is 2.5 million. Mr. Martin said that during the last legislative session the law was changed by the General Assembly with regard to one type – this type. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-059 – a resolution of Anderson County, South Carolina, agreeing to creation of a Joint City-County Committee for the purpose of examination and discussion of issues, concerns and opportunities of mutual interest and formulation of recommendations in regard thereto. Mr. Michael Thompson moved to approve and Mr. Dees seconded. Mr. Thompson said that the resolution was to form a city-county committee to give a forum for issues that they both share. He also sent letters to Mr. Steve Kirven and the Mayor of Anderson asking for their input. Mr. Kirven later introduced a "sister" resolution to the City Council that passed. He said that he has spoken to Ms. Floyd, Mr. Tolly to serve as a member along with himself. Mr. Thompson moved to amend the resolution to include the three members to be appointed to the committee. Mr. Tolly seconded the amendment and the vote was unanimous. Vote on the resolution as amended was unanimous.

Chairman Greer read the title of Resolution #R2006-060 – a resolution authorizing and supporting the application by Anderson County for all available Federal or State Grant funds for which matching County Grant funds have previously been made available by Anderson County Council through the Anderson County operating and capital budget or for which matching funds are not required; committing such previously budgeted matching funds as required by any such grant; authorizing the receipt and expenditure of such grant funds; and other matters related thereto. Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-061 – a resolution authorizing the execution and delivery of an Inducement and Millage Rate Agreement by and between Anderson County, South Carolina and Milliken & Company, whereby, under certain conditions, Anderson County will execute a Lease Agreement or Agreements for one or more projects involving not less than Two Million Five Hundred Thousand Dollars (\$2,500,000) investment, whereby the project or projects would be subject to certain Fees-in-Lieu of Taxes, and providing for related matters. Mr. Dees moved to approve and Mr. Thompson seconded. Vote was unanimous.

Chairman Greer read the title of Resolution #R2006-062 – 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 2007, in an Aggregate Principal Amount of not exceeding \$2,700,000, pursuant to the provisions of South Carolina Code Annotated, Title 4, Chapter 1 and 19 (1976), as amended. (Beaverdam Sewer – Phase II) Mr. Thompson moved to approve and Mr. Tolly seconded. Vote was six in favor and one opposed (Ms. Wilson). Motion carried.

Chairman Greer read the title of Resolution #R2006-063 – 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. Thompson moved to approve and Mr. Dees seconded. Ms. Wilson asked if any of the individuals was the daughter of the former chief deputy – Tim Busha. Mr. Preston said not that he was aware of. Chairman Greer asked if the officers, who would be carrying weapons be taking the approved training prior to being issued a weapon. Mr. Preston said that they would have the property training. Vote was unanimous.

APPOINTMENTS: Various Boards/Commissions
District #1 – none

District #2 – Ms. Floyd moved to reappoint Mr. Amos Wells to the Economic Development Advisory Board for another term. Mr. Dees seconded and the vote was unanimous.

District #3 – Chairman Greer moved to reappoint Mr. David Jones to the Civic Center Board and Mr. Tolly seconded. Vote was unanimous.

District #4 – none
District #5 – none
District #6 – none
District #7 – none

A motion and a second was heard to accept Blumfield – Phase I, Pine Lakes – Phase II, and Treasure Bay Subdivisions into the County Road maintenance system. Vote was unanimous.

Chairman Greer said that he and Ms. Wilson both have a conflict on the 17th of October – Imagine Anderson has a meeting at BHP High School. He said that he would request the courtesy of Council to reschedule the meeting to the following week. Ms. Wilson said her approach was to request Imagine Anderson to change their meeting to another date. Chairman Greer said that he had talked with the officials and they had already published the notices in the newspapers and impossible to reschedule their meeting. Chairman Greer moved to reschedule for a day in the following week that would work with the Council members. Mr. McAbee seconded. Council would pick a date that would be convenient. Ms. Floyd said that she did not see the reason or the fairness in this because other Council members had to miss for other reasons. Vote was five in favor (Greer, McAbee, Tolly, Thompson, Wilson), and two opposed (Dees, Floyd). Motion carried.

On the motion of Mr. Dees, seconded by Mr. McAbee, Council voted unanimously to cancel the November 7, 2006 meeting because of the General Election.

EXECUTIVE SESSION TO DISCUSS PERSONNEL: Ms. Gracie S. Floyd moved to go into executive session to discuss personnel and Ms. Wilson seconded. Ms. Wilson said that it was her understanding that Council needed to allow the Clerk to Council to have part time/full time help. She is in favor of allowing the Clerk to Council to interview and select someone subject to Council's approval. Ms. Floyd called for a point of order. She then said that her motion was to go into executive session. Chairman Greer said if the motion passes then the only item for discussion is the item in which the motion was made. If any effort is made to make a consensus or vote then he will rule that out of order. Chairman Greer said that his concern was the motion is to discussion "personnel" and that is a very broad field. His opinion is that Council needs to narrow the field. Ms. Floyd moved to amend her motion by adding – to discuss additional personnel in the County Council office. Ms. Wilson seconded. Mr. Martin informed Council that the motion was not a legitimate purpose for an executive session. He said that Executive Session for personnel matters is to deal with a specific person in a particular job. If you don't have the job created or filled by a particular person you can't discuss generally that, he said. If the purpose of the executive session is to discuss an existing position or the capability of the incumbent in that position to do that job – is something that Council may discuss. Chairman Greer asked if it would be appropriate to go into executive session to discuss filling the existing deputy clerk's position. Mr. Martin replied yes if it related to the existing clerk. Ms. Floyd said that the Clerk to Council needed help with trying to carry out her duties as defined. She is also trying to keep up with all Council members. Ms. Floyd said that District 2 also needs help with her workload. Mr. Dees called for the question and Chairman Greer seconded. Vote was four in favor (Dees, Greer, Tolly, Thompson) and three opposed (McAbee, Wilson, Floyd). Motion carried on the call. Vote on the motion to go into executive session was zero in favor and seven opposed. Motion failed.

Ms. Wilson moved to amend the agenda to add the item of discussion concerning the personnel issue. Ms. Floyd seconded. Vote was four in favor (Floyd, Wilson, Greer, McAbee) and three opposed (Tolly, Thompson, Dees). Motion carried. Ms. Floyd asked Council to do the right and fair thing and provide assistance for the Clerk to Council. Ms. Wilson moved to allow the Clerk to Council to interview, run ads and etc. for the Deputy Clerk's position and decide on two persons for presentation to Council for them to make the final decision. Ms. Floyd seconded. Chairman Greer respectfully disagreed with Ms. Wilson and Ms. Floyd that the interviewing should be done by the Clerk to Council. It is his opinion that the Council should be doing the interviewing since they are the body with the personnel authority. It would be more appropriate for a committee of council members to incorporation with the Clerk to Council to advertise for the positions and the Council members interview the potential candidates and not the clerk. Mr. Tolly said he agreed with Chairman Greer. He said he believes that the Chairman should make a survey of the situation and make a recommendation to council with the appropriate steps, he said. Mr. McAbee said that at the Chairman's request, he had been looking into some possibilities/alternatives. Part of the Clerk's job is to transcribe the minutes of the meetings. He said that it would benefit the Clerk if Council could send the minutes out to a transcriptionist service. This would free the clerk of that obligation. The cost of having a transcriptionist would be – generally \$75 sitting fee for first two hours and \$15 for each additional hour and \$3.99 per page. Ms. Floyd moved to amend the motion that instead of the Clerk doing the interviewing that the Council members get together and get an ad in the paper and Council as a body interview and make a selection. Ms. Wilson seconded. Mr. Dees moved to amend the amendment by saying that the Chairman, Vice Chairman and one member at large as appointed by the Chair and vice chair be involved in the selection process, the job review process, the job description process and the amount of hours spent. Mr. Tolly seconded. Ms. Floyd said that everyone has his or her expertise and her expertise is in the area of business. Not

only is she in the area of business, but also she has an accounting major, taught business courses, shorthand, typing and bookkeeping for years. Ms. Wilson moved to make an amendment to the amendment to the amendment by adding that Ms. Floyd be the third member of the committee. Ms. Floyd seconded the motion. Vote was two in favor (Floyd, Wilson), three opposed (Thompson, Tolly, Dees), and two abstentions (Greer, McAbee). The amendment to the amendment to the amendment to the motion failed. Ms. Floyd moved to make an amendment to the amendment to the amendment that since Ms. Floyd was not accepted as a member of the committee – then she would recommend Ms. Wilson. Ms. Wilson seconded. Vote to the amendment to the amendment to the amendment to the motion was two in favor (Floyd, Wilson), three opposed (Dees, Tolly, Thompson), and two abstentions (Greer, McAbee). The amendment to the amendment to the amendment failed. Vote on the amendment to the amendment to the motion that the Chair and Vice Chair along with a three member of Council form a committee to interview applicants for the Deputy Clerk's position was two in favor (Wilson, Floyd) and five opposed (Tolly, Thompson, Dees, McAbee, Greer). Motion failed. Discussion on the amendment to the motion – Council as a whole participate in selecting the Deputy Clerk's position. Vote was two in favor (Floyd, Wilson) and five opposed (Tolly, Thompson, McAbee, Dees, Greer). Motion failed. Vote on the original motion as unamended that the Clerk to Council interview applicants and present a list of candidates to Council for their consideration. Vote was two in favor (Floyd, Wilson). And five opposed (Greer, Dees, Tolly, Thompson, McAbee). Motion failed. Ms. Floyd told Council that they all know that we need help in the office – but they are playing games. Ms. Floyd moved to allow Mr. Preston and Mr. Martin to get Council some applicants for Council to interview. Motion died from lack of a second. Chairman Greer asked Mr. McAbee if he could firm up his transcriptionist information and have ready for a possible agenda item at the next meeting. Chairman Greer said that he would like the county to look at securing at least one year's of minutes as a possible budget item. Ms. Floyd said that this was about more than typing the minutes. The point is we need someone up there to help assist with the work. Mr. McAbee said that transcribing the minutes were very timely. He also jokingly said that maybe council should hire seven deputy clerks.

REQUESTS BY COUNCIL MEMBERS:

District #1 – Mr. Tolly moved to add the following roads to the County paving list to be paved from funds in the District #1 Paving Account. – Lilac Street, Commonwealth Lane, Azalea Drive, Greenview Lane, Old Mill Road, and Alisha Drive. Mr. McAbee seconded and vote was unanimous.

District #2 – Ms. Floyd moved to add the following roads to the County paving list to be paved from funds in the District #2 Paving Account. – Gilbert Street, Kay Drive, York Street, Appleton Street, Crescent Drive, Lance Road, and Hammett Street in the amount of \$116,500 (estimated). Mr. Dees seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$2,000 for the Hanna/Westside Fashion Merchandising class. The funds will come from District #2 Recreation Account. Mr. Thompson seconded and vote was unanimous.

Mr. Tolly moved to reconsider his motion to fund the paving of the roads. Mr. Dees seconded and the vote was unanimous.

Mr. Tolly moved to pave the following roads from District #1 paving funds. Lilac Street - \$12,500, Commonwealth Lane - \$18,000, Azalea Drive - \$54,000, Greenview Lane - \$10,500, Old Mill Road - \$4,000 and Alisha Drive - \$26,000. All figures are estimates. Mr. Dees seconded. Vote was unanimous on the motion as restated.

District #3 – Chairman Greer moved to pave the following roads from District #3 paving funds – Rushton Road - \$43,000, Seigler Road and Simpson Lane - \$68,000, Williams Street and Mary Lane - \$75,500, and Tate Drive and Goodwin Circle - \$20,000. The figures are estimates. Mr. Tolly seconded and the vote was unanimous.

Chairman Greer moved to appropriate \$2,000 from the District #3 for the Starr Sports Complex and the funds to come from District #3 Recreation Account. Mr. Thompson seconded and the vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$128,500 from District #4 Paving Funds for the paving of Hix Road. Mr. Dees seconded and the vote was unanimous.

Mr. McAbee moved to appropriate \$160,000 for the paving of Shackelburg Road. Mr. Dees seconded and the vote was unanimous.

Mr. McAbee moved to appropriate \$100,000 for the Crestview Road Culvert contingent upon a like amount being appropriated from the District #7 Paving Account. Mr. Dees seconded the motion and the vote was unanimous.

Mr. McAbee moved to appropriate \$300 from District #4 Recreation Account for the Pendleton High School Future Farmers of America to be used for their Farm Safety Day. Mr. Dees seconded and the vote was unanimous.

Mr. Thompson moved to approve the paving of Carole Avenue - \$44,000, Bridgeview Drive - \$73,500, and Midway Drive - \$28,000. The figures are estimates. Ms. Wilson seconded and the vote was unanimous.

District #6 – None

District #7 – Ms. Wilson moved to approve the paving of New Hope Road - \$28,500, Pruitt - \$28,000, Andrews Road - \$36,500 and Debbenshire Lane - \$27,500. All figures are estimates. The roads to be paved from the District #7 Paving funds. Mr. McAbee seconded and the vote was unanimous.

Ms. Wilson moved to appropriate \$100,000 (estimated) from District #7 paving Account to help with the replacement of the Crestview Road Culvert. Mr. McAbee seconded. Vote was unanimous.

ADMINISTRATOR'S REPORT:

a. Letters of Appreciation:

1. For: Anderson County Council, Mr. Joey Preston and Staff From: Ms. Jane S. Sosebee, Chairman Anderson County Development Partnership
2. For: Mr. Joey Preston, Mr. Charles Wyatt and Staff at the Anderson Sports and Entertainment Complex From: Mr. Rajeev Malik, M.D.
3. For: Road Maintenance – Jerry Stamps' Crew – Mr. Jr. Greenway, Mr. Scott Crawford, Mr. Steve Shirley, Mr. Jerry Richardson, Mr. Don Dickson and Mr. Scott Goodon – Mr. Jerry Cash's Crew – Mr. Mike Gregory, Mr. Jim Neal, Mr. Ray Johnson, Mr. Carl Dutton, and Mr. Barry Smith – Mr. Joe Moss's Crew – Mr. Brian York and Mr. Matt Wages and Mr. Iriguos Lindsey from Mr. Mark McConnell's Grading Crew From: Ms. Dianne Lollis

b. Reports:

1. Recreation Report
2. District Paving Report

c. Minutes/Agendas: Anderson Regional Airport – August 21, 2006 meeting

d. Wastewater Construction Permit – to Bowen Road Development LLC – Rivendell Phase 3

e. Anderson Boys and Girls High School Classes or 1953

f. Resurfacing Expenditures, per year, Starting with FY '98-'99 through FY '05-'06

g. Departmental Transfers

h. Anderson County Government Profile

CITIZEN COMMENTS: Other Matters – none

REMARKS FROM COUNCIL MEMBERS

District #1 – none

District #5 – Mr. Thompson announced that he would be holding a Community Meeting on October 26, 2006 at 7 p.m. at the First Assembly of God for the Gluck, Varennes, and Homeland Park Communities.

District #7 – Ms. Wilson said that although the bond issue for the \$7.3 million passed, she abstained simply because, while she was for the actual projects she was questioning the manner in which at least one of the projects were purchased. She requested that the materials she previously requested be provided immediately.

District #2 – Ms. Floyd said that she was pleased and grateful that the Kroger Building received its final approval. She thanked everyone who participated in the process. She said that she was disappointed that Council voted to miss a meeting when Council would have a quorum just because two members cannot attend. She said that was the reason for a vice-chairman. She said that Mr. Greer had made a decision that he would never miss a Council meeting. But because he had something to do, Council cancelled two. She said she remembers when Mr. Preston received an award in New Orleans, Council had to vote to cancel the meeting because Mr. Greer was not going to be in

attendance. She also said that she could understand why Council will not help the Secretary when she has asked for help. She said she did not understand it.

District #4 – Mr. McAbee said that Council realized that Chairman Greer and Ms. Wilson both had a meeting in Belton. He said that he felt it was a consideration that Council could extend their fellow Council members.

District #6 – none

District #3 – Chairman Greer said that concerning the Council meeting when Mr. Preston went to New Orleans and he went as the Chair, representing Council, Council did not have to cancel the meeting. He simply said that if you don't cancel the meeting, he would not go. Council chose to cancel the meeting so he went. If Council had not approved, he would have stayed here for the Council meeting.

Being no further business the meeting was adjourned at 10:15 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – October 17, 2006 - 6:00 p.m.
Linda N. Eddleman, 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 the guidelines set forth in the *Freedom of Information Act*.

PRESENT

Chairman Larry E. Greer - District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
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 17, 2006 at 6:00 p.m. Mr. Fred Tolly gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

On the motion of Mr. Thompson, seconded by Mr. McAbee, Council voted unanimously to approve the minutes from the September 19, 2006 called meeting and the September 19, 2006 regular meeting as mailed.

Chairman Greer called on Ms. M. Cindy Wilson for a special recognition. Ms. Wilson welcomed all those present representing the equestrian organizations and others concerned about animal protection.

CITIZEN COMMENTS: Agenda Matters – Mr. Bill Moore thanked Council for the time to discuss an item that is important to the residents of the east side of town – the Kroger Building. He thanked Council for their direction on the issue. No other citizens wished to speak.

Ms. Celia Boyd representing the Human Resources Committee presented Ms. Ashley Rutledge of the Road Maintenance Department as Employee of the Month for September. Ms. Rutledge was able to respond to two first aid calls within the Road Maintenance Department. Ms. Rutledge received a plaque and a gift certificate to a local restaurant. Council congratulated Ms. Rutledge for a job well done.

ANIMAL CONTROL PRESENTATION: Ms. Gracie S. Floyd introduced Sgt. Mary Wilson, an Anderson County Animal Control Officer, who gave a PowerPoint Presentation to Council regarding animal control in the County. She gave the following statistics. Animal Control has responded to 890 maltreatment calls of which 283 were not covered under the County's current ordinances. Animal Control has answered 403 vicious animal calls, 1763 run-at-large, 31 cat bites, and 88 dog bites. She said that the current ordinances do not cover livestock running-at-large at all. The County has many different types of animals that they deal with – zebra, camel, buffalo, lamas and many different others that the current ordinances do not cover running-at-large and reference to specific maltreatment of those animals. Sgt. Wilson introduced Profession Tomas Gimenez, a professor in Veterinary Science at Clemson University. Profession Gimenez said that Anderson County has one of the largest animal populations in the State of South Carolina and Anderson County has the largest population of cattle in South Carolina according to the latest census and the second population of horses in the State. The professor asked Council to change the animal control ordinance to define "animals" differently and to set "minimum standards of care" for all animals. He said that currently in Anderson County the ordinances protect animals for maltreatment that are "any non-human mammal of the order carnivore, including dogs, cats and related carnivorous animals." The definition excludes livestock such as horses, donkeys, cattle, sheep, goats and pigs. He asked Council to amend the current ordinances to

protect all animals – every living vertebrate except humans, and those animals be provided adequate food, water, air, shelter and veterinary care. Ms. Floyd requested that the County Attorney begin the necessary work to amend (section 42-119) the current ordinances to include the recommendations received. Council received as information.

PRESENTATION ON PURCHASE OF FORMER KROGER GROCERY STORE: Mr. Daniel L. Draisen said that he was present at the meeting individually and not at the request of his clients. He said he believed in free government and free speech. He said he went to the courthouse and looked for what he could find as public record and he presented the information to Chairman Greer and members of Council in the form of a letter. He said he graduated from Westside High School and his grandfather and grandmother had a music and jewelry store on Main Street. It was later moved to the Belvedere Plaza and his father still runs Draisen Edwards Music store in the old A & P building. He said that his family was from Anderson and he grew up in retail. So to think that he doesn't understand or know business is about as far from the truth as it could be. He said his first year out of law school he worked as in-house counsel for a real estate investment company. All he did was purchase property for investors. He said all he wanted Council to do was to make a completely informed decision on the Kroger Building. He stated that he did not disagree that it was a wonderful thing for River Street and the County of Anderson. He said it was important that Council looks at the value of the property and not run it through. \$1.3 million for the purchase and \$3.7 million to renovate the building is a lot of money. He said that he discovered that there was \$238,488 per year in rent being paid by Bilo. A triple net (NNN) lease is a lease in which the lessee pays rent to the lessor as well as all taxes, insurance, and maintenance expenses that arise from the use of the property. That means the \$238,488 is a net payment to the Landlord. That's important because there are 29 months remaining on the lease until April 2009. Twenty-Nine months at \$20,000 a month is around \$570,000. The perfect scenario would be for the County to buy the property for 1.3 million dollars and sit on the building for 29 months and collect the rent. That would be less than \$800,000 for the purchase of the building. He said he doesn't know what the details of the sale are. In the 9 years and 3 months (111 months) Bobrow –Anderson, LLC would collect through the term of the lease \$2,206,014; so what they did when they considered paying \$375,000 and assuming the remainder of the \$1.26 million lease – they looked at the value of the income stream because value of the property is looked at only as security. What Bobrow-Anderson, LLC did is they bought into a property that guaranteed them an income stream of 2.2 million dollars for an initial investment of \$375,000 because the rest was mortgage that was going to be paid over payments and time, he said. Mr. Draisen talked about the appraisal and how to him to seemed to be a fee-simple appraisal. He said that in order to create the appraisal that Council saw, someone had to tell the appraiser to assume some facts and disregard the existing lease on the property. As the property sits now, it's not a fee-simple situation – there is a lease on it until 2009. He said he understands that the proper way to evaluate the property is a lease fee. That takes into consideration that there is \$575,000 in remaining rent to be paid under the terms and it reduces that to present value. They have an empty grocery store that they are using for storage and they want out. He asked where the rent money was going because it extremely affects the value. A copy of Mr. Draisen's letter explaining his position is on file in the Clerk to Council's office. He said that what he had provided to Council should make members of Council step back and make sure the County is getting a good deal. He again asked Council to do their civic duty to look after his tax dollars – step back and make sure that this purchase is a good deal on the dollars not on the concept for the citizens of Anderson County. He said he still wanted it to be a fiscal responsibility decision that Council has made. He ended by asking the Council to reconsider. Ms. Wilson said that she still has not been provided a copy of the contract or even the rough draft or any of the back up documents to the sale. She has not been provided with any estimates as to working the property to make it viable. She said that she would rather pay 8-900,000 dollars for the property without the building on it so the County could build it afresh, because she and others can't get Council to sit back and review this sale and do their statutory jobs here. She provided forms that she requested that Mr. Preston, Mr. Marshall Carithers, the legal appointed represented (maybe Mr. Bobrow himself) and also the legally appointed representative for Bilo to sign and have notarized. A copy is on file in the Clerk to Council's office. Ms. Wilson asked Mr. Preston if he had been out having cocktails with Mr. Carithers for long periods of time at night. There was no response. Ms. Wilson said it was important to know the relationship between Mr. Preston and Mr. Carithers. The County's been told that Mr. Carithers is the representative for the seller but yet when she talked with the Bilo-Bruno people in Greenville, she was told that Mr. Carithers was the representative for the Buyer and referred to him in that form. She represented to Council that if the principals and players related to the transaction are unable to sign these documents then perhaps it needs to be investigated because if they can't sign then there is another deal and maybe the County is being cheated. Ms. Floyd asked Mr. Preston to follow-up on the remarks made by Mr. Draisen and Ms.

Wilson. Mr. Dees moved to extend the time for discussion by 10 minutes. Mr. McAbee seconded the motion and the vote was unanimous. Mr. Preston passed out a packet of information. Mr. Preston said that at the last Council meeting he answered the question about whom Mr. Carithers works for – he represents THE SELLER. He will not answer the question again because it's a fact and everyone knows that but it keeps getting asked, he said. Mr. Preston read the following letter to Council – "The proposed purchase of the former Kroger building has generated a great deal of discussion. A brief review of the issues that have been raised thus far can be summarized in the following ways: The first issue raised by those opposed to the project was the safety of the proposed site. This issue was addressed by the public and law enforcement. The second issue raised by those opposed to the project was the safety of the process the County used to select the former Kroger building. The selection process, over a multi-year period, was addressed by County staff. The third issue(s) raised by those opposed to the project, by this time officially named the Coalition of Concerned Citizens of Anderson County and represented by Attorney Daniel Draisen, was the accuracy of the appraisal used to set the purchase price, and what percentage the real estate broker was charging, and who the broker was working for. These issues were addressed in writing and via a presentation by the Robinson Company, which conducted the building appraisal. Finally (at least to this point), the fourth issue thus far raised is the relevance of the existing lease agreement between the owners of the property, Bobrow and Associates, and Bi-Lo. The latest series of questions regarding this project were summarized in a letter dated October 11, 2006 by Daniel Draisen, the attorney hired to represent the anonymous members of the Coalition of Concerned Citizens of Anderson County. In response to Mr. Draisen's questions, the following should be noted: Anderson County requested that the Robinson Company perform a fee simple appraisal of the former Kroger grocery store property. The reason a fee simple appraisal was performed was because the County's desire was to purchase the building as office space and not as jointly owned investment property. The County negotiated to purchase the property outright, with the only caveat being that the title to the property be free and clear. This meant that the owners of the property, Bobrow and Associates, had to settle the issue of the Bi-Lo lease prior to the sale of the property. The County sought no benefit and thus assumed no liability in the negotiation of the lease between Bobrow and Associates and Bi-Lo. The lease agreement between Bobrow and Associates and Bi-Lo is, or should be, a non-issue as it relates to the County's purchase of the property. The only relevance to the County would be that if the two parties (Bobrow and Associates and Bi-Lo) had been unable to reach an agreement, the County would not have moved forward with negotiations because Bobrow and Associates would not have been able to deliver a free and clear title for the property. Again, the County was only interested in an outright purchase of the property for office use, and the appraisal needed to reflect the actual value of the building and acreage. The County's approach was similar to that of a person interested in buying a home. The person buying the home would ask for and receive an appraisal based on the value of the home, not the value of the home plus or minus the amount of the mortgage the seller may have owed on the home – unless the buyer were assuming that mortgage, and the County did not want to assume the Bi-Lo lease, as it would have given Bi-Lo enormous leverage over the County (to keep the County from using the building as an office building without satisfying Bi-Lo), which could have even been used to force the County to buy out Bi-Lo, instead of the other way around. It is our hope that after a fourth round of questioning, with new issues raised each time, three readings before County Council, two public hearings, and one more presentation, this issue can be resolved and the County and the community can move forward with this worthwhile project – though Councilmember Floyd warned us that the questions are not really what this is all about and also cautioned that the questions would like be never-ending." (end of letter) Mr. Preston read from a letter where the appraiser answered all the questions that Attorney Draisen posed - (Page 2 - #2) "In regards to the "Effect of the Lease", it is our opinion that this is a non-issue. The purpose of the appraisal is to estimate the fair market of the Fee Simple Interest of the subject." Mr. Dees asked Mr. Corbin Haskell did he understand him to say at the last meeting that he was qualified expert witness in Federal and State courts. Mr. Haskell replied yes. Mr. Dees then asked in what area was he an expert. Mr. Haskell replied an expert in real estate appraisal. Chairman Greer said that he spoke with Mr. Haskell earlier on the phone and he asked him several questions. He said that he would now go over those questions and answers and summarize the responses he received from Mr. Haskell. Chairman Greer said that Mr. Draisen gave him a list of questions on the appraisal. 1. – Were you advised that there was a lease on the property? Mr. Haskell answered – yes, but he was told that a fee simple lease appraisal – that the lease would not be a part of the transaction. 2. – Were you told to disregard the Lease? Answer: Yes, because the lease was not part of the sales contract. 3. – Were you specifically instructed to prepare a fee simple appraisal? Answer – yes. 4. – If yes, by whom? Robert Carroll requested a fee simple interest approval based on lease being a non-issue. 5. – Why did you agree to prepare a fee simple appraisal and to disregard the Lease? Answer – because the lease was a non-issue. 6. – Do you believe that if you had prepared the appraisal, as a leased fee appraisal the value would have been different? Answer – yes. 7. – Would the value of the property

have been greater or less if you had done a leased fee appraisal? Answer – probably it would have been more with three years remaining on the lease the value would have probably been higher based on the fact that it would have been income-producing property with the lease attached to the property. Part of the discussion was that the appraisal was done on this piece of property not as an appraisal with solely the intent of Anderson County purchasing the property but the appraisal was done as if any one would potentially purchase the property – not specifically Anderson County. Chairman Greer asked if that was what they discussed? Mr. Haskell replied yes. Chairman Greer moved to extend by another 10 minutes and Mr. Dees seconded. The vote was unanimous. Chairman Greer said he listened as Attorney Draisen made his presentation and he wanted to ask him some questions. He said that Council needed to make this decision a completely informed decision. Chairman Greer said that was what he had been striving to do – to get as much information as possible. Another remark made was Council needed to sit back and review the issue. If Anderson County were to purchase the building with the Bi-Lo lease still attached would Bi-Lo leverage in regard to that lease change with Anderson County's intended use of the building? Would it put Bi-Lo at a more powerful position as far as demanding compensation for the lease? Mr. Haskell responded he believed it would. So, if the County bought the lease attached – the county would have two options. 1 - not use the building as intended 2 – or buy out the lease from Bi-Lo. Mr. Haskell said yes that was correct and another option would be to realize the income of the lease until terminated. Chairman Greer said he did review the lease and found that the lease could be renewed and extended on the three years discussed. So the County could be denied the use of the building for an additional 10-15 years. He said that if Anderson County wished to purchase the building with the lease attached to the building and Anderson County desired to terminate the lease to utilize the building for its intended purpose – could Anderson County ultimately end up spending more than the suggested purchase price that the County has been reviewing in buying out the lease? Mr. Haskell said that it certainly could be part of the negotiations if Bi-Lo chose to hold on to the property. So there would be a risk with buying the building with the lease attached that the County could potentially have more than the 1.3 million dollars in the value of the building. Mr. Haskell said that was a correct statement. Chairman Greer said that in his opinion the lease was an issue between the lessee and the lessor and not between the potential buyer of the building. He sees negative implications with Anderson County purchasing the building with the lease attached, he said. Chairman Greer read from Mr. Haskell's written reply to Mr. Draisen's questions - #2) "In regards to the "Effect of the Lease", it is our opinion that this is a non-issue. The purpose of the appraisal is to estimate the fair market of the Fee Simple Interest of the subject. Therefore, we were not provided with a copy of the lease nor did we request one. In Section 12.15 of the contract – Surrender of Lease, it states that the contract is conditional on "Seller obtaining, as of the date of closing, a lease surrender agreement from the current tenant of the property, Bi-Lo, Inc., under the terms of conditions of that certain lease dated April 24, 1984 made by Seller's predecessor-in-interest with said tenant's predecessor-in-interest." If surrender agreement is not obtained by the seller, the seller may elect to terminate this agreement and the down payment shall be promptly returned to the purchaser plus reimbursements to the Purchaser up to the amount of \$10,000 for reasonable fees and expenses incurred by the Purchaser." Chairman Greer asked Mr. Haskell if the paragraph meant that the seller is warranting to the County in the contract that if the County purchases the building there will be no lease on the building, if he defaults on that then they will return the County's good faith money plus cover reasonable costs up to \$10,000. Mr. Haskell said that was correct. Chairman Greer read the following statement from Anderson County Attorney Jim Price who deals with commercial real estate matters. "Since the purpose was to develop the property for owner occupancy then this is exactly the way I would have expected the negotiations and the contract to be. Even if I had prior knowledge of the potential lease buy-out, I would have recommended that the risk benefit be shifted to the seller and not assumed by the County. Frankly, everyone seems to be basing their arguments on the assumptions that Bi-Lo was preparing to stroke a check to buy out the lease at the convenience of the owner regardless of who the owner is and whenever the owner wanted it. What is being ignored is that as a tenant, Bi-Lo has significant control over the use and access of the property and the owner cannot just do whatever he wants to do with the property. I can tell you from personal experience that in another matter where Winn Dixie had a vacant store in Simpsonville that it was going to sub-lease; Winn Dixie was extremely difficult to deal with. Empty big boxes are an industry problem and a cost. Sometimes the retailer may be ready to pay to walk away but sometimes the retailer has significant incentive to get every penny they can to reduce the losses. This is a different situation, but to assume that Bi-Lo is not going to use all the leverage that it has to negotiate the best deal for Bi-Lo is naive. Once Bi-Lo knows that someone wants to occupy the building then the leverage shifts. Bi-Lo may in fact be ready to punt this property and pay the quoted amount to terminate the lease but I would have recommended to the County that it take that risk. The cleanest way to handle this type of transaction is exactly the way it is being handled – pay the FMV for an unencumbered fee simple interest." Chairman Greer read other correspondence that stated that the lease buy-out was never

“on the table”. Chairman Greer said that after listening to everyone and in his opinion the best way to purchase the building is exactly as proposed – a fee-simple purchase. Ms. Wilson moved to extend by 10 more minutes and Mr. McAbee seconded. The vote was unanimous. Ms. Wilson said the question was who does get the lease payments. It has never been answered whether Mr. Carithers or other individuals or entities benefit financially from this. She asked if there was anyone up there that has not benefited from campaigned contributions from Mr. Carithers? She said she has not and Mr. Dees and Mr. McAbee raised their hands. She said if it was a good deal at \$1.3 million, isn't it a better deal at \$600,000? The idea of doing something in that area was wonderful but why should the County overpay. She said that she also offered her services to the county free of charge. Mr. McAbee said that he was troubled that citizens are free to come up and address the Council that they give their name and address yet there is a group called the Coalition for Concerned Citizens that won't reveal their identities because of political reasons. He said that he looked at the S.C. Lobbying Act – you must give the name of your principal (the person paying you) before you can lobby any member of the General Assembly or a group of the General Assembly. Now Mr. Draisen has appeared twice before Council and members still do not know who is paying him. The people have a right to know. Open and honest government wants to know who is paying the lobbyists that are seeking to influence your government. Ms. Floyd said that she would answer Ms. Wilson question regarding who gets the money – the seller. Ms. Floyd said that when Ms. Wilson asked about who got campaign money from Mr. Carithers – she was questioning her integrity and she was trying to insinuate that Council was supporting the issue because he gave campaign money. That wasn't fair, she said. Ms. Floyd said that Ms. Wilson represented one of the sellers of the property when Walgreen was locating here and she made money. Ms. Wilson responded that the transaction that Ms. Floyd was talking about – Easlan Capital approached the sellers who are family connections and friends longstanding and they were concerned that they were going to be condemned. The project took place over a long period of time and no one on her side knew the company until it was announced. Their dealings were with Easlan Capital. Her commission was 3.5 percent and she wrote a full disclosure and recused herself. They did not deal with the Walgreen deal only with the adjoining landowner. Chairman Greer said that campaign contributions are exactly what they say they are. Those cannot be used for anything personal – only campaign expenses. To imply that someone running for political office can use campaign contributions for personal things is totally erroneous. He said he questions the character of a person who will question the character of another person from whom they take campaign contributions. Maybe they are judging others by their own values, he said. Mr. Greer: “I will make this statement one time and one time only publicly. I've made it to people who have contributed to my campaign before. When you contribute to my campaign, that money buys you exactly NOTHING. You get no more consideration, no more leverage, no more anything than any citizen who resides in my Council District. I do not make decisions based on campaign contributions. I am feed up with these implied comments, these implied accusations, and these implied rumors that I would sell my character and my reputation for a campaign contribution. That is erroneous and to me it reflects more on the person making the statement than it does on me.” Ms. Floyd told Mr. Draisen that she hoped he would join Council as they celebrate the new entity in Anderson County that will serve all of our people, better than we've been able to do for them. Council received as information.

PRESENTATION: Ms. Gracie S. Floyd – This item was withdrawn.

PRESENTATION: Chairman Larry E. Greer – This item was withdrawn.

Council took a 5 minutes recess at this time. Chairman Greer called the meeting back to order at 7:30 p.m.

Chairman Greer read the third reading title of Ordinance #2006-033 – an ordinance authorizing the acceptance of an Assignment of existing leases; and other matters related thereto. (Piedmont Natural Gas Building). Mr. McAbee moved to approve and Mr. Dees seconded. The vote was unanimous.

Chairman Greer read the second reading title of Ordinance #2006-035 – an ordinance authorizing the execution and delivery of a Lease Purchase Agreement between Anderson County and Milliken and Company whereby certain assets used in the manufacturing process will be leased to Milliken and Company; and other matters relating thereto. A public hearing was held; no comments were received. Ms. Wilson moved to approve and Mr. Thompson seconded. The vote was unanimous.

Chairman Greer read the first reading of Ordinance #2006-034 – an ordinance to consider a rezoning request by R. Jack Lingefelt to rezone .35 acres in the Mount Tabor Precinct to C-2 Highway

Commercial. The property is located in County Council District #4. A public hearing was held and the following citizens spoke. Mr. Steve Eakes Attorney for Mr. Jack Lingefelt said that Mr. Lingefelt purchased the property (.35 acres) in November 2005 located at Centerville and Sandy Springs Road. It is completely surrounded by Corp property and Lake Hartwell. He said that the brief history would indicate that Mr. J.C. Rhodes purchased two tracts of land in 1943 and 1944. Thereafter he constructed a concrete block store that is still on the property. It was a country convenient store, which sold gas, food, and petroleum products, alcohol. When he died, his son got it. When his son died, it went to another member of the family and he later sold it to Sunco Amusements in 1998. When Sunco purchased the building it was still grocery products on the shelf. It was commercial property. Sunco used it for the amusement video business and a woodworking shop was maintained in it. Before Mr. Lingefelt bought it, it was an Outer Banks store operating as a convenient store that sold hunting/fishing license supplies and etc. and it was in operation as a commercial establishment. He did renovations on the inside. In December of 2005, Mr. Lingefelt leased it to the current tenant - Mr. Don Slater. There is now a Veterans' organization called the Lighthouse at that location. Sometimes in July, his client received a letter from Planning Department that the property was zoned R-20 – residential. The letter gave him 30 days to respond and he did, on behalf of his client, indicating that it had been commercial long standing and they felt like it was still being appropriately used as commercial property. The Anderson County Zoning ordinance was approved in 1999, at that time, Mount Tabor voting precinct was not a part of it. This was a commercial establishment. The Anderson County Ordinance states that it is non-amendatory; therefore this would be a conforming use. At some point, Mt. Tabor voted to allow Anderson County to zone the property and was approved by Ordinance on September 5, 2000. At that point, someone stuck R-20 on the property that has never been anything but commercial. They maintain that it's a conforming use as commercial. State statute and Anderson County ordinance Section 6-Article 6 both provide for non-conforming uses to continue. He asked Council to vote in favor of the zoning request. Mr. Charles Whitten, representing Donnie and Denise Slater talked about the Lakeside Lighthouse being a charitable veterans' organization that has been chartered by the Secretary of State for that purpose. Attorney Whitten talked about the County's zoning ordinance. He urged Council to vote in favor of the rezoning change. Mr. Mike Greer of 203 Sandy Springs Road, (one-half block from the location) said that the magnitude of cars had increased dramatically and activity at the location goes on until midnight almost every night. He asked Council to vote the rezoning request down and maintain the character of the neighborhood. Mr. Pat Radican of 1210 Beaver Run said that the property was a Bait Shop when they bought their house. He said that the operation should be moved to a commercial location where it belongs. Mr. Stephen Miles of 205 Sandy Springs Road said he was representing several members of the community. He also said that they have a petition with approximately 260 names in opposition to the operation and that the business has significantly impacted their quality of life. He asked Council to help them out and support the zoning ordinance and vote the request down. Mr. Bruce Mann of 1222 Beaver Run said that at the bridge and stop sign at Centerville Road there is a dangerous curve and it will be a serious accident there. This was not a problem when there wasn't as much traffic and congestion. He asked Council to deny the rezoning request. No further comments, the public hearing was declared closed. Mr. McAbee moved to approve and Ms. Wilson seconded to allow for discussion. Council discussed further. Vote was zero in favor and 7 opposed.

Ms. Wilson asked for a Point of Personal Privilege and the Chairman granted her the request. Ms. Wilson said she sees a serious dilemma here. She requested that the County go back through the zoning rules and regulations and make sure they are very clear.

Chairman Greer read the title of Resolution #R2006-066 – a resolution suspending Sunday Work Prohibitions during the upcoming holiday season; and other matters related thereto. Mr. Thompson moved to approve the resolution and Mr. Tolly seconded. Vote was five in favor and two opposed (Wilson, Greer). Motion carried.

APPROVAL OF SEWER PROGRAM PROGRESS UPDATE: Mr. Dees moved to approve the update and Mr. Tolly seconded. Mr. Dewey Pearson said that the Anderson County 2006 10-Year plan is a continuation of a planning process, which was initiated in the 1990's. The result was the publication, in 1997, of the first long-range wastewater facilities plan. The plan has been updated a number of times over the years. Wastewater collection, transportation and treatment facilities are very costly. One of the key elements allowing Anderson County to concentrate its resources on projects that offer the greatest return, in terms of economic growth and development, was the evaluation of the countywide wastewater facilities needs and the preparation of a list of priority projects. The overall objective of the County in developing the Ten Year Plan is to provide a logical and systematic mechanism for extending community wastewater collection and treatment services into growing and developing

portions of the County in order to facilitate the economic expansion and to provide a mechanism for extending sewer service to County residents. The purposes are 1. - to serve as a capital improvement plan for wastewater infrastructure construction program. There are many areas within the County, which would benefit from the availability of sewer service. Obviously, it is not economically feasible to attempt to extend wastewater service to all of these areas at the same time. Therefore, the Ten Year Plan allows the County to prioritize the needs and to develop budget and financial planning accordingly. 2. - The Ten Year Plan serves as priority list for project implementation. During previous wastewater infrastructure planning efforts, the County has developed broad priorities for projects. Updating of the Ten Year Plan provides an opportunity for County residents and leaders to have current input into the proposed wastewater infrastructure projects based on developing and changing needs of the County. 3. - To coordinate with other regional wastewater service providers and having a long range plan in place allows Anderson County to more effectively coordinate with other regional wastewater utilities in considering cooperation on joint projects, resolving common problems or satisfying common needs. Since Anderson County not only has its own wastewater treatment facility but also obtains treatment from four other utilities coordination of services and long range plans becomes very important. 4. - To have a quick response to grant programs. Anderson County pursues grant funds for wastewater projects whenever possible. By having a number of well-defined projects planned and primed for implementation, the County is able to quickly compare and match projects with funding availability to maximize the potential for getting grant awards. 5. - Match treatment capacity needs with Infrastructure. Development. Most of the County's wastewater projects are for collection and transportation facilities. In order to insure that adequate treatment capacity is available, there must be a mechanism for projecting future capacity needs. Developing and updating this plan has given the County a method of coordinating treatment capacity needs with the system growth. The Plan also serves as a tool for economic growth and development by allowing the County to tie land use planning with wastewater infrastructure development. In general areas where sewer service is needed to promote economic growth and development, initial trunk line extension routes and line sizes have been developed, he said. The Ten Year Plan also identifies a number of specific sewer service extension projects for Anderson County to pursue in the coming years. The Plan establishes a time schedule for construction of the identified projects and also recommends that other projects in developed areas be considered where the lines can be funded through special tax districts or sewer construction grants. Several projects identified in previous versions of the plan have been completed or are currently under construction. Other projects have been modified in their size or scope and projects have been added. Planning for extension of sewer service within the County is an ongoing process. Anderson County has recognized this and, as pointed out earlier, has made several adjustments in the scope and schedule of projects included in the Ten Year Plan. This report provides an update on the progress which has been made by the county regarding wastewater facilities and improvements and reviews the current status of sewer service within the County, updates projects in the plan and updates estimated project costs. Mr. Jim Longshore said that there had been 27 projects completed. Of which 23 were infrastructure projects. He said Anderson County had invested approximately 41.2 million dollars in wastewater infrastructure since the adoption of the first 10-year plan in 1997. This comprises approximately 75.9 miles of sewer line, 46.7 miles of gravity sewers, and 29.2 miles of force mains. As for as the projects proposed in the current 10 year plan – it's basically a continuation of the projects that have been included in the previous plans. There is a least one new project in the plan along with 19 major projects proposed. Ms. Wilson moved to extend discussion time by 5 minutes and Mr. Tolly seconded. The vote was unanimous. Motion carried. Ms. Wilson asked how old was the Powdersville Line that had the inflow-infiltration problem and Mr. Longshore responded in the mid-to late 80's. She asked which line had the problem. He said that it was distributed through the system, the old part of the system. She said in February – Item #6 – Project Completed – Bypass 24 force main relocation and in the one given today it refers to Bypass 28 Force Main Location. Mr. Longshore said it was Bypass 28. When you take the total from February and subtract it from the total now – there was a difference. There was a discrepancy of \$300,000 when she tried to add the new projects. She asked Council to check the figures and let her know. She asked if Anderson County had an employee assigned to observe construction on the Beaverdam Sewer Project? Making sure that the County has the right-of-way and regulations honored? Mr. Longshore replied yes. She asked what were the employee's qualifications? He said he did not know. Mr. Preston said that it was Jerry Singleton and he was very qualified. Ms. Wilson said that a landowner told her it was another person out there. She said that she did not believe that the person that was out there that day was a qualified engineer. She asked if BP Barber Engineers have an on-site engineer when equipment is running for the project? The reply was yes. She asked were there any violations on the Beaverdam Sewer project. Mr. Longshore said not to his knowledge. Ms. Floyd asked where the Highway 29 project was listed in the plan. Mr. Longshore said that there were actually four highway 29 projects – Broadway Creek Phase I project, Broadway Creek Phase II, Watermelon Creek, and the

last one is Little Beaverdam Creek. He told her they were listed on the map. Ms. Floyd said that she was under the impression that part of the Highway 29 was second on the list. Ms. Floyd moved to extend discussion time again for 10 more minutes and Mr. Thompson seconded. The vote was five in favor and two opposed (McAbee, Dees). In February, the project was 8 or 10 and now it's up to #4, which is the next project to be undertaken as far as design and construction. Ms. Floyd said that she wanted some grant funds for sewer for her district. Mr. Thompson asked Mr. Longshore about cost and the progress of the sewer for the Harbor Gate area. Mr. Dees asked Mr. Preston what role, in the beginning, did the County play in the construction of the Powdersville sewer? Mr. Pearson said very little. It was done by a group of several developers with the idea that the County would eventually pay them for the line. Ms. Floyd asked about the Beaverdam Creek line if it was put there because industry could locate out there and because the 81 corridor is one of the rapidly growing areas in Anderson County. Ms. Floyd said that could offer citizens better jobs, increase salaries, and develop more highly technical jobs. Ms. Floyd told Ms. Wilson that she would take her sewer line because she has a "diamond in the rough" in her area. Mr. McAbee explained for the record the reason he would not like the wastewater from the Beaverdam basin pumped over to the Six and Twenty treatment plant. He said that the future sewer capacity for much of the north end of the county, including much of his district, is at the Six and Twenty plant. Because of the location of the plant, he said it was not certain if the County would ever be able to permit any more capacity there. As long as the County's using that plant to service the 81/85 intersection, the future capacity for his District is being locked up. Mr. Dees called for the question and Mr. McAbee seconded. Vote was five in favor (Dees, Greer, Floyd, Thompson, McAbee) and two opposed (Wilson, Tolly). Motion on the call carried. Vote on adoption of the plan was six in favor and one opposed (Wilson). Motion carried.

APPOINTMENTS: Various Boards/Commissions – no appointments were made. Ms. Floyd asked Mr. Preston to look at the Broadway Lake Commission and try to convene the commission.

Ms. Floyd asked for a Point of Personal Privilege and the Chairman granted it. Ms. Floyd asked Ms. Elizabeth Peace to give an update on the parade. Ms. Peace said that the parade was scheduled for November 12 at 3 p.m. and all the details were finalized except the last two plaques. Council received as information.

REQUESTS BY COUNCIL MEMBERS:

District #1 – none

District #2 – none

District #3 – Chairman Greer moved to appropriate \$10,000 for the Town of Starr for paving, grading and drainage. Payment to be paid upon presentation of invoices, and to pave JLP Farm Road in the amount of \$7,500 from District #3's paving account. Mr. Dees seconded. The vote was unanimous.

District #4 – Mr. McAbee moved to appropriate \$4,900 from the District #4's Recreation Account for the purpose of the recognition of the Army Soldier of the Year. Mr. Dees seconded and the vote was unanimous.

District #5 – none

District #6 – Mr. Dees moved to appropriate \$15,455.71 for the Recycling center at the Dolly Cooper Park in Powdersville for paving, grading, and drainage. The funds to come from District #6 paving funds. Mr. Tolly seconded and the vote was unanimous.

Mr. Dees moved to appropriate \$4,000 from District #6's recreation for the Cancer Association of Anderson and Mr. Tolly seconded. The vote was unanimous.

Mr. Dees moved to appropriate from the District #6 Recreation account \$2,000 for Crime Stoppers and Mr. Tolly seconded. The vote was unanimous.

Mr. Dees moved to appropriate from the District #6 Recreation Account \$4,000 for the Anderson Free Clinic. Mr. Tolly seconded and the vote was unanimous.

Mr. Dees moved to appropriate from the District #6 Recreation Account \$4,000 for Hospice of the Upstate and Mr. McAbee seconded. The vote was unanimous.

Mr. Dees moved to appropriate \$2,000 from the District #6 Recreation Account for the Hurricane Spring park estimated by the County to replace the trashcans. Mr. McAbee seconded and the vote was unanimous.

Mr. Dees moved to appropriate \$6,501.18 for the Powdersville Recycling Center for paving, grading, and drainage from District #6 Recreation account.

District #7 – none

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation:
 1. For: Mr. Joey Preston From: Mr. Bill Dees
 2. For: Road Maintenance – Mr. Tony Owens, Mr. Jerry Stamps and crew (Mr. Steve Shirley, Mr. Donald Dickson, Mr. James Swanson) From: Mr. Jim Johnson
 3. For: Anderson County Litter Office From: S.C. Department of Transportation's Colorful Spaces Program
 4. For: Road Maintenance – Mr. Jay Patterson's Crew (Mr. John Wilson and Mr. Larry Erskine) From: Ms. Alberta Willis
- b. Training and Certificates: Mr. Keith Bowman – Special Events Contingency Planning for Public Safety Agencies, Animals in Disaster-Awareness and Preparedness
- c. Reports:
 1. District Paving Report
 2. Environmental Enforcement – Animal Control Report and Litter Control Report for September 2006
 3. Building and Codes Monthly Report for September 2006
- d. CAT to Central Wal-Mart begins October 16
- e. Letter to Mr. William V. Trammell concerning his Letter to the Editor
- f. Letter from Taylor Jones concerning Public Safety Offices
- g. Letter from Ms. Gina Humphreys concerning BB & T as Trustee for Special Source Revenue Bonds
- h. Anderson County Transportation Committee approved projects

Mr. Preston announced that the Belton Partnership would be having a ribbon cutting for the historic train depot on October 26, 2006 at 5:30 p.m.

Ms. Wilson wanted to comment on the Letter to Mr. Trammell (Administrator's Report Item # e). She said she provided Mr. Trammell with some of the information concerning employee numbers. She informed everyone that in the 03, 04, and 05 CAFRs -the last page in the book has a table. The June 2003 CAFR it stated that the County had employees including full and part time in the amount of 802. In the June 2004, it stated that the County had full and part time employees in the amount of 775. In the June 2005 Comprehensive Annual Financial Report (CAFR) the total was 874. She also received in a letter from Mr. Preston last year stating that the County had approximately 937 or around 950 employees. She said that there was no clear number of employees on any one documentation. Item #g – Letter from Ms. Humphreys – she pointed out that the document was dated in 2004. What is the County's policy concerning selecting this trustee? Wouldn't the Council need to do this on each issue or at least the current council should approve it. Mr. Preston said that there was a difference between the actual number of employees on payroll and the number that is approved in the budget. Mr. Preston said that in the future maybe she could contact staff before providing information like this. Mr. Martin said that on the question concerning the trustee – he is not a bond attorney and he has not researched the issue. He said he would research and get back but it was his belief that the reason B.B.&T was the trustee was that they were the successful proposer for that actual bond issue.

CITIZEN COMMENTS: Other Matters – No citizens wished to speak.

REMARKS FROM COUNCIL MEMBERS

Ms. Wilson said that at the last meeting she asked if any of the employees being commissioned were possibly the daughter of former Chief Deputy Busha and Mr. Preston replied no. She said that she found out to the contrary that one of the officers commissioned is the daughter of Mr. Busha. She received a number of phone cards from the area near the Starr Iva C & D landfill and evidently the county has been giving away dirt that is being hauled to Georgia. She said that they were told that they were giving the dirt away to save money on digging the cell. She said dirt is not dirt-cheap. She said that the County is either being a poor steward of that asset or someone is benefiting at the exception of the County. Mr. Preston read into the record a memo from Vic Carpenter (copy is on file in the Clerk to Council's office) saying that the County does not sell dirt or topsoil. But they do make available at no cost to anyone spoil dirt and mulch. They are currently building a new cell at the landfill and this is a major construction project. The dirt in the way of the cell must be excavated and that dirt is a byproduct of the construction process, and must be removed immediately. This is called

Spoil dirt. She said that she called the people at NW White and they said they rented their trucks to Martin Grading and after calling them he was willing to bring loads of dirt. She said that in addition to saving the County money, the County could have been making the county money in addition to removing the dirt.

Mr. Thompson announced that he was having a community meeting on October 26 at 7 p.m. at the First Assembly of God. He said that one of his concerns last year with the budget was the discrepancies with salary and wages. The year Council gave an increase for those making \$30,000 and less, skewed a lot of the salaries and made it where you have, subordinates who make more than supervisors. He asked for an analysis of the salary and wages be done and include the County Council salaries with others in the state. He also said that when he campaigned for the job, he said that he would work to improve the County's roads and bridges. He said that he has made some improvements on this but the County is still on a 60-year cycle. The County currently budgets \$1.6 million, which is divided into seven districts. He asked Mr. Preston for an analysis of increasing the road money to \$3 million and the impact it would have on the budget.

Ms. Floyd said that she also was interested in the budget packets. She asked Mr. Preston to do an analysis on the Animal Shelter and the Sheriff's office. She invited everyone to attend the Veterans Day parade. She also introduced the new cameraman from Charter; Mr. Peden.

Mr. McAbee invited everyone to join him at the Civic Center to honor the Soldier of the Year on Saturday, October 21 at 6 p.m.

Mr. Dees said that the Western Carolina Wastewater Treatment Plant is in one of the most exclusive areas of Greenville and they do not mind. Mr. Dees asked what difference it makes if it is Tim Busha's daughter as long as they are qualified.

Chairman Greer said that one of his on-going concerns is how well does Anderson County maintain their sewer systems. He said they work very well with trying to solve a problem with a particular pump station. He said that there was a slogan to go with the Christmas season (T'is the season to be jolly) and as we approach the election season – there is a need for a slogan and he would suggest – Tis the season for rumors to be spread. That is what happens during the election season, people try to use rumors to persuade people to lean a certain direction. He has personally dealt with some of the rumors. He said the Bible tells us that the tongue is sharper than a two edged sword and it tells us what we should do about gossip. We shouldn't spread gossip or listen to gossip. Not everything that someone tells you is the truth.

Being no further business the meeting was adjourned at 9:15 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – November 21, 2006 – 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer – District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd – District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman – Clerk to Council

ABSENT

William C. Dees – District #6

(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, November 21, 2006 at 6:00 p.m. Ms. Gracie S. Floyd invited everyone to go to his or her “higher” power for the invocation. Everyone stood and pledged allegiance to the flag of the United States of America. Chairman Greer stated that Mr. Bill Dees was sick and unable to attend.

Mr. Michael Thompson moved to approve the minutes from the October 3 and the October 17, 2006 meetings as mailed. Ms. Wilson moved to include the official attachment to the minutes of the disclosure forms that she passed out on October 17. The motion died from lack of a second. Ms. Floyd moved to amend the minutes to make the following changes – page 1 of the October 17 – change “profession” to “professor” and on page 2 – change Section 42-“119” to Section 42- “116”. Mr. Tolly seconded and the vote was unanimous. (Mr. Dees absent.) Vote on the minutes as amended was five in favor (Floyd, McAbee, Greer, Tolly, Thompson), one opposed (Ms. Wilson), and one absent (Mr. Dees). Ms. Floyd said that at the last meeting she had requested a document for this meeting to amend the animal ordinance section 116 – she was told that the proposal would not be ready for the November 21st meeting. Ms. Floyd moved to amend the agenda to add discussion of the proposed animal ordinance. The motion died from lack of a second. Ms. Wilson said that she would be happy to simply discuss it. Ms. Floyd restated her motion that Council discuss the status of the ordinance. Mr. Wilson seconded the motion. Vote was three in favor (Floyd, Wilson, McAbee), three opposed (Greer, Tolly, Thompson). Tie vote – tie defeats the motion. Motion failed.

CITIZEN COMMENTS: Agenda Matters – Mr. Brooks Brown spoke on Resolution #R2006-030 – an ordinance suspending Sunday Work prohibitions. He spoke to Chairman Greer because it was reported in the papers that Mr. Greer would vote against the issue because of religious reasons. He said that 86% of the residents of Anderson County profess Christianity as their form of religion, 61% of those are Baptists. The paramount tenant of the Baptist faith is “free will” so for Chairman Greer to vote against the proposal would be a vote against free will. He asked Council to vote in favor of deleting the Blue Laws. Mr. Ralph Driver of 150 Green Tree Road in Anderson said that he serves as the Unit Commander of the Civil Air Patrol based at the Anderson Regional Airport and he was present to support Agenda Item #11(a) – annual hot air balloon event in Anderson County. He urged Council to support the issue. Ms. Susan Taylor said that he was opposed to the abandonment of a portion of Twin Cove Road down to the fence. She said that she felt it needed to be left open and the fence taken down. Mr. Lee Luff added his support to the suspending of the blue laws in Anderson County. He also said that he was in favor of a balloon event in Anderson County, also. Mr. Tom Dobbins appearing on behalf of the Anderson County School District said that he was opposed to

Ordinance 2006-040. He asked for an open dialogue on the issue. Mr. Steve Pope said that he was opposed to deleting the blue laws.

PRESENTATION RESOLUTIONS/PROCLAMATIONS:

Chairman Greer read the title of Resolution #R2006-064 - a resolution recognizing and honoring Anderson County Resident Calvin "Bobby" Clinkscales for his dedication to Anderson County. Ms. Wilson moved to approve and Mr. McAbee seconded. Vote was six in favor and one absent (Dees). Ms. Floyd asked Mr. Clinkscales and his family to come forward. Ms. Floyd read the resolution into the record and then presented a framed copy to Mr. Clinkscales. Council congratulated Mr. Clinkscales.

Chairman Greer read the title of Resolution #R2006-065 - a resolution recognizing and honoring Anderson County Resident Randolph Morris for his service and dedication to Anderson County. Ms. Floyd moved to approve and Mr. McAbee seconded. Vote was 6/0. Ms. Floyd asked Mr. Morris and his family to come forward. Ms. Floyd read the resolution into the record and then presented a framed copy to Mr. Clinkscales. Council congratulated Mr. Morris also.

Chairman Greer presented a Proclamation of support for the Anderson County Chapter of the South Carolina Genealogical Society and the Anderson County Heritage Book. On the motion of Mr. Thompson, seconded by Mr. Tolly, Council voted 6/0 to approve the proclamation. Mr. Preston read the proclamation into the record and then it was presented to Ms. Shirley Galloway. Others present were Ms. Carolyn Duncan, President, Mr. Wayne Galloway and Mr. Jim Harper, President Elect.

EMPLOYEE OF THE MONTH: Mr. Charles E. Pinson, Human Resources Committee Chair presented Mr. Perry Roper as the Employee of the Month for October 2006. Mr. Roper works as the Sign Shop Coordinator and has made over 700 signs since the beginning of 2006. Mr. Roper was presented a gift certificate and a framed plaque. Council commended him for his outstanding job performance.

PRESENTATION: Mr. Vic Carpenter, Environmental Services gave the following report concerning an issue of spoil dirt at the Starr C & D landfill. Mr. Carpenter: "I would like to specifically address why Anderson County was not selling the dirt. And there are several reasons. The first reason why we didn't sell the dirt is because the dirt has no value as we stated in the letter. The dirt is, and I will read to you, quoted from the soil survey of the site. It is first of all low in natural fertility and organic matter content. It is strongly acidic or very strongly acidic throughout. The soil that we are excavating now consists of gravel loam and granite rock portions of the soil, which is essentially inert and will not support plant growth. It is not contaminated in any way but the compaction on it is not very dense so it would not be very useful other than for spoils such as filling in lagoons, wastewater process, or other projects where compaction is not necessary. The dirt has no value. You can't grow anything in it. It's not topsoil. It's not clay; you can't compact it of any significant quantity or use. So the first reason why we didn't sell it is because no body wanted it. We called 5 different firms - construction companies in the area. They did not want it buy the dirt. The second reason, and perhaps even the best reason why we are not selling the dirt is because we are not allowed to sell the dirt. We operate under a DHEC permit at that landfill to operate a landfill. If you excavate and sell dirt you become a mine. We'd be required to put in for a mining permit and we'd have to go through the whole process - the whole public hearing process. We'd have to get engineers involved to come up with a mine. You cannot sell dirt or any excavated item. We cannot without a mining permit. Further, the landfill permit that we got that allowed us to dig at that landfill is very specific. It said what we could and could not do with the dirt. We were allowed to get the dirt off the landfill. DHEC allowed us to give that dirt away in order to save the county money. In other words we didn't have to pay someone to stockpile on their site because we had no use for it and it would take up space. So they allowed us on the C & D side to do that. But the second side - the LCD part of the landfill they will not allow us to do it. So we're going to stockpile that dirt ourselves. We will not be able to give it away. So the best reason why we did not sell it is because we are not allowed to sell it. Point blank. We would have been in violation of our permit and would have been subject to significant fines from DHEC if we were selling dirt without a mining permit. The second reason is if we did try to sell the dirt nobody wanted the dirt. In fact one of the construction companies I asked if they would buy the dirt, said the only reason he would take that dirt is because he was selling to someone else because he wouldn't use it himself. Now, I know there are times when dirt is very valuable. Dirt that can compact is good. We keep that dirt. We need that dirt for the cover of the landfill so we've kept that dirt that can compact. Topsoil is very valuable. This is neither - it's neither topsoil nor clay. It is not red clay and it is not black dirt. It is as I described to you. It has course rock in it - it does not compact very well. The fact

that somebody was willing to take it off our hands and the company in question hauled off a total of 1,436 dump truck loads of dirt. At an average cost of \$80 we would pay for a load that was a savings of \$114,000 and some change. We are proud of the fact that we did not spend that money that would have been very easily been possible to spend because someone was willing to take the dirt from us for free. So that is a further explanation of why we did not try to sell the dirt. We are pleased we found someone willing to take the dirt. I guess I didn't do a good enough job explaining why we didn't sell the dirt. And there is the reason why the dirt was not sold." Ms. Wilson stated that when she contacted the trucking company they informed her that they had rented their trucks to another contractor - a Mr. Martin. She said that she understands that he was hauling the dirt for fill dirt to an Ingles site in Georgia. If this is true, she said, is there a DHEC issue that should have been brought forth then. Ms. Wilson asked Mr. Carpenter for a list of the five contractors that he offered the dirt to.

ORDINANCES - THIRD READING:

Chairman Greer presented third reading of Ordinance #2006-035 - an ordinance authorizing the execution and delivery of a Lease Purchase Agreement between Anderson County and Milliken and Company whereby certain assets used in the manufacturing process will be leased to Milliken and Company; and other matters relating thereto. Mr. Thompson moved to approve and Ms. Wilson seconded. Vote was 6/0.

Chairman Greer presented third reading of Ordinance #2006-027 - an ordinance to amend Ordinance #98-019, As previously amended by Ordinance Nos. 99-029, 2000-014, 2001-046, 2002-017, 2002-036, 2003-022, 2003-047, 2003-051, 2003-053, 2003-054, 2002-004, 2004-044, 2004-047, 2004-048, 2005-032, and 2005-043 relating to the Industrial/Business park of Anderson and Greenville Counties so as to enlarge the park. Mr. Thompson moved to approve and Ms. Wilson seconded. Vote was 6/0.

Ms. Wilson asked for a Point of Order and the Chairman granted her request. Ms. Wilson said going back to agenda Item #8 (a) - under Article V, Section 5.2 - the section has a Greenville street address that is incorrect for the Anderson County Council's office. Mr. Martin said that he would get with Mr. Robert Galloway and get the typo corrected.

PRESENTATION: Abandonment of Twin Cove Road - Mr. Rodger Pierce said that the Master Road List shows Twin Cove Road #C-20-0059 as being 413 feet from Cole Road. It is being proposed that the Road be changed to 660 feet. Mr. Hopkins received a request from Mr. Randall Brantley to pave an additional 150 feet of Twin Cove Road, which would take it down to the driveway and gate. According to Mr. Hopkins observations of the old road bed, the tar and gravel surface, conversations with other residents, and an examination of tax maps and other records, lead them to believe that Twin Cove was once a circle, measuring in length 1200+/- feet. Part of the road is now overgrown with trees and brush, but nearly 790 feet has been open to the public for years until Mr. Brantley installed a gate on his property line roughly two years ago. He said that there is already a turn around and a fence at the end of Mr. Brantley's property. Mr. Pierce said that the road on the map was not correct but should go straight. He said he opposed the closing of the road down to the fence at the 968.7 feet because with the gate across the public road it causes traffic to dump into his driveway causing extensive damage to his driveway. There is also a sign "End of Road" maintenance where a lot of water comes down the road and dumps on his property. He said that the county needed to take care of the road ditches. He said that Mr. Hopkins stated that he would install a small 3-point cul-de-sac at the end of the 660' mark. There is already a turn around at the 868.7 ft. mark. He asked why did the Transportation Department allow the road to be blocked for two years? He said he opposed it two years ago. Also, why did the Transportation Department blacktop this portion of the road being abandoned? He asked for Council not to abandon the road. Ms. Wilson moved to extend discussion time by 5 minutes and Mr. McAbee seconded. Council discussed further. Vote was 6/0.

ORDINANCES - FIRST READING:

Chairman Greer read the title of Ordinance #2006-043 - an ordinance amending, in limited particulars only, the Master Road List of all County roads located in and maintained by the County of Anderson, South Carolina, created by ordinance #2001-007; and expressing intent to cease county maintenance on and to authorize County consent to judicial abandonment and closure of a portion of a certain Anderson County Road; and other matters related thereto. Mr. Thompson moved to approve and Mr. McAbee seconded. Mr. Martin said that the ordinance amends the Master Road list for the County that has to be done by ordinance and they also included the abandonment of a portion of the final road once it is added. Council took a five-minute recess at this time. Chairman Greer called the meeting back to order. Mr. Hopkins gave a brief video

presentation and explained the following: the official length in the approved Master Road List for the road was only 413 feet. From photographs it looks like the road was once a circle. Part of the road is overgrown with trees and brush, but nearly 790 feet has been open to the public for years until Mr. Brantley installed a gate at this property line about two years ago. He said he was not sure how it was missed. Mr. Hopkins asked the Council to extend the length from 413 feet to 660 feet. This would connect the Brantley property to a public road and the middle piece of property currently owned by Gulf Atlantic. Seeing that the old roadbed does exist and hearing that school buses went on it, he thought that Council needed to address the rest of the road by recognizing it as a public road and then immediately cutting back to what point Council wants. Council can leave it or change it. Mr. Hopkins showed a 1969 aerial photograph that showed the old road. Mr. Hopkins also stated that there was a plat on record that shows the old roadbed bisecting the lot. He recommended that the County install a 3-point turn-around using the driveway aprons. Council discussed. Ms. Floyd said that all the parties could get together and talk about a solution to the problem. Mr. McAbee moved to extend discussion time by 5 minutes. Ms. Wilson seconded and the vote was unanimous. Mr. Hopkins stated that the gate went up about 2 years ago and the Master Road list was approved in 2003. Mr. McAbee said that he did go out and look at the situation and talk with the citizens involved. The general consensus of the group was a turn around be installed at the gate and extend the length of the Master Road list to that point. Mr. Pierce said that with the gate across the road it causes all the traffic to be dumped into his driveway. He said that if the road was opened back up to the original length there would not be a problem. He also said that there was a turn around area at the end of the 868.7 ft. marker. Mr. McAbee said that if the Council approved the extension of the road to 800 ft. then the County would have more road to maintenance and cost the county more money but if Council extends the Master Road list to the point where the gate is - it will serve all property owners who have property land-locked or property in the area and the County could build a turn around at that point. Ms. Wilson said she heard Mr. Pierce mention water problems on his property. She asked could the county alleviate the water problem. Mr. Hopkins said that if the Master Road list stayed at 413 (ft) then the County would not be allowed to go on the property because the ditch is parallel to it. Chairman Greer said that he and Mr. Thompson both had the same problems in their districts but they had to provide some type of tangible evidence that it was a county road. He asked Mr. Hopkins if he had any type of tangible evidence other than the old roadbed and Mr. Hopkins said that he did not have any documentation that any part of the road was a county road. He said that part of the road is listed as a county road and the tax map shows a longer right of way than what the County is allowed to maintain by the master road list. He said that the aerial photo shows that it's dated back into the 60s. Mr. McAbee moved to extend discussion time by another 5 minutes and Ms. Wilson seconded. Vote was four in favor (Wilson, McAbee, Greer, Tolly), two opposed (Floyd, Thompson), and one absent (Dees). Mr. Hopkins said that if the Master Road List listed the road beyond the gate he would have been compelled to have the gate removed. Mr. Hopkins recommended that the County utilize the right of way marked in "red" and build a small cul-de-sac. The gate would be beyond the pin and the County would build a small cul-de-sac. Mr. McAbee asked Mr. Brantley some questions concerning the road and the gate he installed. He said that the old roadbed runs through his property and serves no one. Ms. Wilson moved to accept what Mr. Hopkins recommended by approving the ordinance on first reading. Also in the motion is to amend by saying that the turn-around and the ditch work would be done so that water would not run onto Mr. Pierce. Also the work will be done at District #4's expense. Mr. McAbee seconded. Vote was five in favor (Tolly, Thompson, Wilson, Greer, McAbee), one opposed (Floyd), and one absent (Dees). Vote on the ordinance as amended was four (McAbee, Thompson, Wilson, Tolly), two opposed (Greer, Floyd), and one absent (Dees). Mr. Tom Martin clarified the motion. He said that the ordinance amends the Master Road List by extending the road for the entire 1200', and consent to judicial abandonment of everything from the end of the red area to the end of the road and it will include the cul-de-sac or turn around and maintenance of the ditches on the part shown in read.

Chairman Greer read the title of Ordinance #2006-030 - an ordinance suspending Sunday Work prohibitions; and other matters related thereto. Mr. Michael Thompson moved to approve and Mr. McAbee seconded. Vote was four in favor (McAbee, Thompson, Floyd, Tolly), two opposed (Wilson, Greer), and one absent (Dees).

Chairman Greer read the title of Ordinance #2006-036 - a rezoning request by Jeff Ellis to rezone 4.5 acres on Crestview Road from R-20 to R-12. A public hearing was opened; no citizens wished to speak. Mr. McAbee moved to approve on first reading and Mr. Tolly seconded. Ms. Wilson asked what happens if the adjoining landowners refuse to allow the sewer to go through their properties. Mr. McAbee said it was his understanding that with R-12 zoning, you cannot use the 12,000 sq. ft. lots unless you have sewer. Mr.

Ricketson said that was correct. She said she read that the developer does not have the right of way to construct a sewer line to tap on to Bailey's Creek. Mr. Ricketson said that it was a civil matter between the neighbors and the developer. Ms. Wilson said that is one reason she will vote against the ordinance and another reason was there is no provision to get traffic on and off of Crestview Road. Vote was five in favor (Tolly, Greer, Floyd, Thompson, McAbee), one opposed (Wilson), and one absent (Dees).

Chairman Greer read the title of Ordinance #2006-037 - a rezoning request by APEX Development to rezone 4.09 acres of property on the east side of Shackleburg Road from R-20 to R-8. A public hearing was held and the following individuals spoke. Mr. Paul Kirkland, developer of Covered Bridge at Jones Creek, stated that he had 221 acres with 63 acres in wetland leaving 157 useable. The current R-20 zoning would give them 314 lots. The rendering is only calling for 155 lots. He also said that it was not a density factor and it is a product variety issue. No further comments; the public hearing was declared closed. Mr. Thompson moved to approve on first reading and Mr. Tolly seconded. Mr. Thompson said that the District 4 Zoning Advisory Board recommended denial because they felt the proposal was premature for consideration since flood and wetlands studies were incomplete. He asked if the concern had been addressed. Mr. Ricketson replied that it had. Ms. Wilson said that she was concerned with the water run-off since it was a very steep piece of property. She asked Mr. Kirkland would he be controlling the water run-off where it would not be rushing into the wetlands. He said that his engineers have sent in their plans to the state officials on their erosion control measures. DHEC has already signed off on the plan. He said that he already had two retention ponds on the property. Mr. McAbee said that he would feel better if it was being brought in as a Planned Development instead of an R-8 zoning with 8,000 sq. ft. lots. Chairman Greer asked if it would be possible to amend on second or third reading to incorporate it as a P-D with the provisions included in it. Mr. Ricketson recommended that if Council wanted to do it as a P-D that it go back to the Planning Commission for their recommendation. Mr. McAbee moved to extend the time for discussion another 5 minutes and Ms. Wilson seconded. Vote was six in favor. Ms. Wilson moved to make Phase 1A - P-D with it going back to the Planning commission for another recommendation and Mr. Tolly seconded. Mr. McAbee moved to amend the motion so the Ordinance itself is amended to read that the rezoning is from an R-20 to a P-D. Ms. Wilson seconded. Chairman Greer asked Ms. Wilson to withdraw her motion and Mr. Tolly to withdraw his second. They complied. Vote was six in favor and one absent (Dees). Motion carried. Vote on the original motion as amended was 6/0.

Chairman Greer read the first reading title of Ordinance #2006-040 - an ordinance amending General Bond Ordinance #2004-041 and Section XXI of Ordinance #2006-015 of Anderson County, South Carolina, to increase the percentage of fee payments received and retained by the County for properties located within Multi-county Industrial and Business Parks from 15% to 30%; and other matters related thereto. Mr. Thompson moved to approve and Mr. Tolly seconded. Ms. Wilson said that this was an outrageous grab for money from the schools. She said that the only reason she would vote for it even on third reading would be so that Council could reconsider it in January. This is part of the tax base and the way it is configured it does benefit the schools, she said. She said that the County is somewhat mandated by the state on how the fee in lieu of taxes are set up to benefit industry and manufacturing in the County. She said it was setup to circumvent the state constitution as to the tax assessment ratios on the various types of property and she would vote in opposition because of the negative impact it has on the schools. Ms. Floyd asked for some additional information from Ms. Gina Humphreys. Ms. Humphreys said that the additional 15% would generate roughly \$2 million for the County. During the budget process there was a big dilemma on how to fund Solid Waste. One of the goals with this is to use this funding to bridge this gap for Solid Waste. Ms. Humphreys said that there was a new Act (#388) in which the Governor just signed and part of the Act will go into effect June 1, 2007 for an additional 1-cent sales tax. There is also a rollback from 5 cent to 3 cent on unprepared food that went into effect October 1, 2006. The concept of Act 388 is to replace school operating taxes on owner occupied property. Mr. McAbee moved to extend 5 minutes and Ms. Wilson seconded. Vote was 6/0. Ms. Humphreys said the whole purpose of the additional 1-cent sales tax is for the owner-occupied school operating tax to go away. Ms. Floyd said that she did have some concerns with the school districts and the way they handle their money. Ms. Wilson said that all the County was doing was shuffling money around; buying expensive cars. She said if anyone votes for the issue they are admitting that the County can't manage their money. Mr. McAbee moved to extend another 5 minutes and Mr. Tolly seconded. Vote was 4 to 2 to extend. Ms. Floyd said that she hated Ms. Wilson said that because she had information to show that the School Districts also paid more for property than the assessed value. Mr. McAbee asked that Ms. Humphreys prepare a report on the impact on School Districts 4 and 5. Ms. Floyd

said that she would like an impact report for each of the school districts. Chairman Greer concurred. Vote was five in favor (Greer, Tolly, Thompson, McAbee, Floyd), one opposed (Wilson), and one absent (Dees).

Chairman Greer read the first reading title of Ordinance #2006-041 - an ordinance consenting to the transfer of property by Project E from a lease agreement arrangement to a Fee Agreement arrangement as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a Fee Agreement between Anderson County and Project E to replace the lease agreement dated as of November 1, ____; and authorizing the reconveyance of the property subject to such lease agreement by Anderson County to Project E. Mr. Tolly moved to approve and Chairman Greer seconded. Mr. Thompson asked what Project E was. Mr. Martin explained that Project E was a Code Name for a particular expansion in the County and the Company had asked that the name remain confidential for business purposes. Vote was 6/0.

Chairman Greer read the first reading of Ordinance #2006-042 - an ordinance consenting to the transfer of property by Project E from a Lease Agreement arrangement to a fee agreement arrangement as provided in Title 12, Chapter 44 of the Code of Laws of South Carolina, 1976, as amended; and authorizing the execution and delivery of a fee agreement between Anderson County and Project E, granting an infrastructure tax credit and replace the lease agreement dated as of December 1, ____; and authorizing the reconveyance of the property subject to such lease agreement by Anderson County to Project E. Mr. McAbee moved to approve and Ms. Wilson seconded. Vote was 6/0.

Chairman Greer read the first reading title of Ordinance #2006-046 - an ordinance amending sections 2-37 and 2-38 of the Anderson County Code of Ordinances pertaining to meetings of the Anderson County Council and Public Hearings; and other matters relating thereto. Mr. Thompson moved to approve and Mr. McAbee seconded. Mr. Thompson said that during the three readings of the ordinance for the purchase of the Kroger Building, a hired representative came before Council to sway Council in favor of his clients - the hired representative refused to disclose his clients. State and Federal levels lobbyists are required to register and state their purpose. Mr. McAbee said that if the County was going to have honest-open assessable county government it is incumbent upon those who wish to sway the members of this body that the people know who they are representing. Ms. Wilson asked what were the ethic rules for lobbying County Council members. Mr. Martin said that there are currently no state laws currently applied to local government. All lobbying rules apply to state government and federal rules apply to federal government. So if the County members are "wined and dined" by someone lobbying for their specific purpose how does that relate to disclosures? She also asked if Council should disclose-accepting meals if it's greater than a certain dollar value. Mr. Martin said that yes if it triggers any rules of the Ethic Act. He said that it does have to be reported if it's greater than a certain dollar value. She asked what the penalty was if it was not reported. Mr. Martin said it was enforced by the state and he had no idea. Ms. Wilson said that she would vote against the ordinance because she knows first hand the retribution that citizens encounter when they come and speak before Council and on a personal level years ago what made her go into public service was a group of landowners opposed a certain issue and the group hired an attorney to come speak for the group and it would be very cumbersome to try and name each and every person he represented. Vote was five in favor (Floyd, Tolly, Greer, McAbee, Thompson), one opposed (Wilson), and one absent (Dees).

RESOLUTIONS & PROCLAMATIONS:

Chairman Greer read Resolution #R2006-069 - a resolution expressing support for an annual hot air balloon event in Anderson County; and other matters related thereto. Mr. Thompson moved to approve and Mr. Tolly seconded. Ms. Wilson said that she thought fostering a hot air balloon would be wonderful and she would like to make the amendment in order to do this that the County only use the ATAX application process to help it get off the ground, advertise, and provide facility and volunteers. She said she would request that no money come out of the general fund because when Freedom Weekend Aloft came to Anderson it appeared that the county spent about \$300,000 out of the general fund. Ms. Wilson then moved that the County provide the facility, some ATAX money and some volunteers. Chairman Greer seconded. Chairman Greer said that he respectfully disagreed with Ms. Wilson that the County had spent county tax dollars on Freedom Weekend Aloft. He said that he knew that the County had sponsorships that went through the County ledger books and then paid out by the County. He said he spoke with members of the Freedom Weekend Aloft board members and the Chairman of the Board and the only tax money, to his knowledge, involved with Freedom Weekend Aloft has been ATAX Committee allocated by the ATAX money and approved by Council. Mr. Preston said there were also expenses that were part of the over-all budget such as appropriate law enforcement, clean

up, and others things. Mr. Preston said that the resolution is not asking for any new money. Chairman Greer stated that time was up. Ms. Wilson moved to add another 2 minutes for discussion. The motion died from lack of a second. Vote on the motion to amend was one in favor (Wilson) and five opposed (Tolly, Thompson, Greer, McAbee, Floyd). Motion failed. Vote on the resolution as originally presented was 6/0.

Ms. Wilson asked for a Point of Order. The Chairman granted her the request. Ms. Wilson said that her vote in favor was to be allow her to bring back up the issue in January for reconsideration. Chairman Greer informed Ms. Wilson that she could not bring the issue back up in January because a "Motion to Reconsider" must be done at the next regularly scheduled meeting. She then asked that she be allowed to withdraw her vote. Chairman Greer informed her that the only way she could do that was by a "motion to reconsider". Ms. Wilson moved to reconsider. The motion died from lack of a second.

Chairman Greer read Resolution #R2006-052 - a resolution expressing intent to cease county maintenance on and to authorize County consent to Judicial Abandonment and closure of a certain Anderson County Road (Roddy Lane); and other matters relating thereto. Mr. Thompson moved to approve and Mr. Greer seconded. Vote was five in favor (Floyd, Thompson, Wilson, McAbee, Tolly), and one opposed (Greer).

APPOINTMENTS: Various Boards/Commissions - Chairman Greer appointed Mr. Michael Thompson to fill the remainder of Mr. Tolly's term on the Appalachian Council of Government's Board. Mr. Thompson seconded and the vote was five in favor (Wilson, Thompson, Greer, McAbee, Tolly), one abstention (Floyd), and one absent (Dees).

RESPONSE AS TO WHY THE FINANCE DEPARTMENT IS FAILING TO CUT CHECKS FOR APPROPRIATIONS MADE BY DISTRICT #7 WHEN PROPER AND LEGAL INVOICES HAVE BEEN PRESENTED: Ms. M. Cindy Wilson said that back in 2003, Council appropriated \$25,000 from District 7's paving account to help with Soccer field work in Williamston because the County had already spent about \$53,000 surveying a field where there was visible rock and was not useable. By mid-October invoices were presented. An individual went to the Finance Department and requested that the invoice be paid and they were told that they would not be able to give them the money because their boss was out of town. Also in Honea Path, there was an African-American community desperately in need of water, after working together with all the parties involved a legal solution was reached. That project was approved using seed money from District #7's discretionary account and the Town of Honea Path took the project on. Everything was in place, invoices were tendered and months and months went by before the County paid those bills, according to the Mayor and Council in Honea Path, this actually put their credit rating in peril. She said that she would greatly enjoy and appreciate knowing how other members present their appropriations to their constituents when things are properly executed. Ms. Gina Humphreys came forward and said she did not understand why they are saying that the county was not paying the invoice. The invoice was dated September 26, 2006 then check was cut on November 15 and a Mr. Hammond picked it up on the 16th. It took three years to get the invoice and only a month to get the check. Ms. Humphreys will check on the other request.

REQUESTS BY COUNCIL MEMBERS:

District #1 - Mr. Tolly moved to appropriate \$5,000 from District #1's recreation account for the Salvation Army Boys and Girls Club - project 53. Mr. McAbee seconded and vote was unanimous.

District #3 - none

District #4 - none

District #5 - Mr. Thompson moved to appropriate \$500 from the District #5's Recreation Account for the Anderson Area Crime Stoppers. Chairman Greer seconded and vote was unanimous.

Mr. Thompson moved to appropriate \$2,000 from District #5's Paving Account for paving, grading, and drainage for Alleyway located in Homeland Park. Ms. Wilson seconded and the vote was unanimous.

Mr. Thompson moved to appropriate \$1,500 from District #5's Recreation Account paid payable to the Westside High School Athletic Department for the Anderson County Invitation High School Wrestling tournament on December 8-9, 2006 at the Civic Center. Mr. Tolly seconded and the vote was unanimous.

District #7 - Ms. Wilson moved to appropriate \$150 from District #7's Recreation Account for the Pelzer Elementary School's Garden Project. Mr. McAbee seconded and the vote was unanimous.

District #2 - Ms. Floyd moved to appropriate \$1,000 to the Crime Stoppers from District #2's Recreation Account. Mr. McAbee seconded. Chairman Greer amended the motion to add \$500 for Crime Stoppers from District #3's Recreation Account and Mr. McAbee seconded the amendment. Vote on the amendment was unanimous. Vote on the original motion as amended was unanimous.

Mr. Preston introduced Mrs. Heather Simmons-Jones to Council as the County's new Economic Development Director. She was welcomed to the County by all members of Council.

Mr. Preston also announced that 2-263d Air Defense Artillery Soldiers Troop would be coming home on November 30th. He encouraged everyone to go out to the Armory and welcome them home.

Chairman Greer said he believed that County Ordinance allows the Chairman the discretion to remove 'Citizens Comments' from the agenda if time does not permit. Mr. Martin, County Attorney, replied he was correct. He said that because of the lateness he would remove the 'Citizens Comments' from the agenda.

Ms. Floyd welcomed Ms. Jones to Anderson.

Ms. Wilson welcomed Tech Source to Anderson County. She asked who was paying for all the blasting on the creek. Mr. Pearson said that there was a 'line' item covering the blasting and he was not sure if funds are still available. Ms. Wilson asked for a report at the next meeting.

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

a. Letters of Appreciation:

1. For: Mr. Joey Preston From: Ms. Jacqueline Wood - Senator Jim DeMint's Office (Broadway Lake Bridge/Spillway Upgrades)
2. For: Mr. Holt Hopkins and staff From: Council Member Bill Dees
3. For: Lt. Keith Bowman and Officer Mike Semones From: Ms. Pamela Rogers, Special Education Teacher at Wren High School
4. For: Mr. Jerry Cash's Crew (Mr. Michael Gregory, Mr. Jeremy Zelenka, Mr. James Neal, Mr. Barry Smith, Mr. Carl Dutton, Mr. Robert Mattison, Mr. Ray Johnson, and Mr. James Smith) and Mr. Scot Brothers' crew (Mr. Denver Mills, Mr. Jon Day, Mr. Timothy Wilson, Mr. Barry Prescott, and Mr. Joshua Vaughn) From: Ms. Pat Capell
5. For: Mr. Joe Moss's crew (Mr. Matthew Wages, Brian York, Mr. Brandon Hamm, Mr. Frank Chester, Mr. James Smith, Mr. Jonathan Pickens, Mr. Michael Poole, and Mr. Steve Miller) Special thanks to - Mr. Town Owens, Mr. Bernie Wilson and Mr. Joe Moss) From: Mr. Robin Moore
6. For: Mr. Jay Patterson's employees (Mr. Max Koon and his inmate crew) From: Ms. Pat Nicholson
7. For: Ms. Sharon Oliver, Assessor's Office From: Ms. Faye Johnson

b. Reports:

1. Building and Codes Monthly Report (October)
2. Animal Control Monthly Report (October)
3. Litter Control Report (October)

c. Minutes: Airport Advisory Meeting - September 18, 2006

d. Glen Raven combining facilities (News article)

e. Engineering Unit of the S.C. National Guard helped clear the old Riverside Mill site on Gossett St.

f. 2005 Investment in Anderson County by Michelin North America

g. Greenville Firm to Market Research Park

h. Tech-Source Packaging Manufacturer expanding operations in Anderson

i. Horry County elects to take on sales taxes

j. Letter to the Editor *Special Olympics sends special thanks to Anderson County*

k. S.C. Army National Guard Newsletter

l. Monthly Construction Progress Reports- B. P. Barber & Assoc. - June - August, 2006 for Beaverdam Creek Interceptor Phase II

m. Design South Professionals, Inc. Status Report - Capital Projects

n. Anderson County Health Department Expansion

o. Ms. M. Cindy Wilson's Letter concerning fill dirt at the Starr C & D landfill

p. CAT providing transportation in Seneca

- q. Greek Festival draws thousands to downtown
- r. Fortune 100 Company Chooses Florence County
- s. Council Priorities for the Year 2007

REMARKS FROM COUNCIL MEMBERS

Ms. Wilson said that at the last meeting she thought she found what appeared to be a \$300,000 discrepancy on a sewer report. She asked that it be checked into it and information be provided. She said she is yet to be given it. On Thursday, she noticed advertisements for a Yukon XL and on October 24, 2006 the County was advertising for a Suburban. She then called the Administrator and requested the page from the budget that enables the purchases to be made. She still does not have the information from the budget. Mr. Robert Carroll said that there were funds left over from the Lease Purchase; savings from other vehicles that will be used to purchase the additional vehicles.

Mr. Thompson congratulated the Westside Rams.

Mr. Tolly congratulated the Gamecocks.

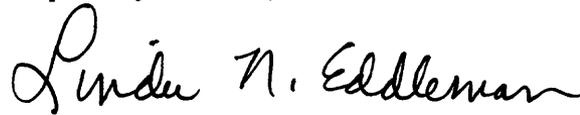
Ms. Floyd said that the Veterans Day Parade was wonderful and she enjoyed it very much. She also asked Ms. Wilson what was happening in January and she responded that there would be two new council members coming on board.

Mr. McAbee thanked Ms. Lib Peace for her work on the Veterans Day Parade and all the hard work she does for the Veterans of Anderson County.

Mr. Greer said that the Veterans Day Parade was a great parade. He reminded everyone to remember the veterans all the time and not just today.

Being no further business the meeting was adjourned at 9:30 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - December 5, 2006 - 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer - District #3, Presiding
G. Fred Tolly - District #1
Vice Chairman Bill McAbee - District #4
Michael Thompson - District #5
William C. Dees - District #6
Cindy Wilson - District #7
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Eddleman - Clerk to Council

ABSENT

Gracie S. Floyd - District #2

(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 5, 2006 at 6:00 p.m. Chairman Larry E. Greer stated that he had already offered a prayer to the God he worships in the privacy of his office. Everyone stood and pledged allegiance to the flag of the United States of America. Chairman Greer stated that Ms. Gracie S. Floyd was out of town on County business and was unable to get a flight back in time for the meeting.

On the motion of Mr. Michael Thompson, seconded by Mr. Bill McAbee, Council voted unanimously to approve the minutes from the November 21, 2006 meeting as mailed.

CITIZEN COMMENTS: Agenda Matters - No citizens signed up to speak.

ORDINANCES - SECOND READING:

Chairman Greer read the second reading title of Ordinance #2006-043 - an ordinance amending, in limited particulars only, the Master Road List of all County roads located in and maintained by the County of Anderson, South Carolina, created by ordinance #2001-007; and expressing intent to cease county maintenance on and to authorize County consent to judicial abandonment and closure of a portion of a certain Anderson County Road; and other matters related thereto. (Twin Cove Road). A public hearing was held; no citizens wished to speak. The public hearing was declared closed. Mr. McAbee moved to approve the ordinance on second reading and Mr. Thompson seconded. Vote was five in favor (Wilson, McAbee, Dees, Tolly, Thompson), one opposed (Greer), and one absent (Floyd). Motion carried.

Chairman Greer read the second reading title of Ordinance #2006-030 - an ordinance suspending Sunday Work prohibitions; and other matters related thereto. A public hearing was held and the following citizens spoke. Rev. Ray Thompson of Mountain Creek Baptist Church stated that he opposed the issue, he said. When the stores are opened the people who will have to work are the ones that go to church. He proposed that Council re-think the issue. Mr. Steve Darby with Darby Electric Company said that they are a service company and must work on Sunday when people require it. They rotate the employees so that the same ones don't have to work on Sunday. He said he supported the issue. Mr. Doug Wright said that he was in favor of abolishing the Blue Laws and urged Council to pass the issue and he supported the option for citizens of the County to choose where they wish to be on Sunday mornings. Mr. Brooks Brown said that nobody was forcing anyone to work on Sunday because it's a State law. He urged Council to abolish the laws and put Anderson County in the 21st century. Mr. Stephen Pope said the ordinance was a bad idea and not in the best interest of Anderson County. He said that it was about greed verses matters of faith. He urged Council to

Chairman Gre
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was sold was a "pig in a poke". The Big Creek landfill that was sold had barely a year's capacity left in it with no guarantees of ever opening. Anderson County got the check upfront. The landfill was under litigation and was reduced to receiving a couple 100 tons per day. They still paid the County the money. Spartanburg County Council voted it down maybe because they didn't want 60% of the waste coming from out-of-state. None of Anderson County's garbage comes from out of state. Waste Management did bid on the landfill and they came in the low bidder - they were re-bid and Waste Management came in again with three bids. Waste Management came in with a different bid but the County had already started the process. The people who work at the convenience centers and in the offices do one heck of a job for the County and they do not deserve to be labeled. He said the County was not trying to hide or cover-up anything. They eliminated about \$250,000 of the budget, by getting rid of everything including employees. That still didn't solve the problem. He said that he was very committed to the people that work the department and believe that the County is well served by them. He invited anyone who has a concern to come in and sit down and look at the books. He said they know exactly what comes in at the landfill because of the cameras that watch the gates. If anyone says that trucks are coming in at night. He said that he'd be glad to show the tapes. He has years of tapes showing trucks coming and going. Chairman Greer moved to extend discussion time by 10 minutes and Mr. Dees seconded. Vote was 6/0. Mr. Thompson said that Ms. Floyd suggested that the County wait to take the additional revenues until the beginning of the next fiscal year. Ms. Gina Humphreys said that it would have a dire impact but as a management group there would have to be some serious discussions and decisions made. Those decisions would impact service delivery of the division. She said that discussions of limiting the hours of the convenience centers - perhaps closing some of the convenience centers, laying off employees, stop taking certain kinds of waste (like metal, household waste). Mr. Carpenter said that the Solid Waste budget was approximately 4.2 million dollars and of that amount actually operating budget is 4 million dollars. Ms. Thompson said that he heard - "don't take this away from the children". There is not a parent in the audience or County that would not give their very lives for their children. He said that it is time to take a business approach to the whole problem. Mr. Thompson said that he took the issue very seriously and he wanted to know all aspects so he asked a lot of questions. He said he wanted to know the organizational structure of the school districts. He said he finds it very appalling of the number of administrators in the various school districts. In one Superintendents office, they have a superintendent, executive secretary and the executive secretary has a secretary and a third person called a communications director. It is broken out into various departments - assistant superintendent, managers, and sub-managers. There are too many chiefs and not enough braves in the entire make up of the educational structure. Then he asked what they are being paid. A person that manages buses makes more per year than the County department heads make. So, in his opinion, the schools are "top heavy" and they are getting paid too much. More funds need to trickle down to the schools, classrooms, and the teachers and not so much to the Administrative costs, he said. Does Anderson County really need five school districts? The School Board and the Board of Trustees are autonomous, they report to some board down in Columbia so if you have a problem with the school boards and the arrangement of districts you have to go there. There is a big concern, in his district, why the County has 5 school districts. He said that the County currently is on a 60-year cycle in paving roads and should be on a 20-year cycle. The County is frequently taking in county roads, which will increase the 60-year cycle to 65-70 and so forth. Until the Council resolves this issue - there road system will collapse. The Council is also looking at the Jail. The current jail was built in the 1950s and is in drastic need of updating and grossly over-crowded. Ms. Humphreys informed him that it would be 2010 before the County pays off enough of the County's bond indebtedness so the County can issue another bond to address the jail issue. The sewer issue - he has subdivisions and homes in his district that would gladly accept sewer if they could get it. Companies would come if the County had better infrastructure. He said that he was a product of the public school system and his hat goes off to the teachers. He said the solution to it was not to attack teachers or to cut programs that are needed but to cut administrative costs. Mr. Thompson then asked the County Attorney if the Act specifies limits or how the fee in lieu of tax revenues must be divided up and Mr. Martin replied that the fees or taxes (anything which is paid within a multi-county park) is considered a fee-in lieu of tax and it is within the discretion of County Council how to allocate those funds. It is specifically the park agreement or the ordinance that enacts the park agreement, which indicates how the funds are to be distributed. Mr. Thompson said he did not understand why the County wanted to give away 70% of a revenue stream when the County is authorized by law to keep 100%. Mr. Thompson called attention to paragraph "F" in Section 1 of the ordinance. He then moved to amend the Ordinance #2006-040 to make effective - July 1, 2007 - the increase percentage of payment distributed to the County to 50%, and then effective July 1, 2008 the payments distributed to the County to be 100%. Mr. McAbee seconded. Ms. Wilson said that it was enlightening that it was admitted that the County couldn't put anymore bond debt on Anderson County until 2010. Ms. Wilson said that the County

has still skirted the issue and that is the County has massive sewer debt and this apparently is the only avenue the county has to meet that debt. The County has also skirted the issue of the three million dollars (plus) Sheriff's Department loss carry forward that's been rumored about. The County failed to have public information provided for possible embezzlement at the Animal Shelter. The Council has not had a presentation on the problems in Fleet Services. The County has a host of financial problems and these two million dollars from fee-in-lieu of taxes will not even begin to address the problems. Ms. Wilson moved to have a complete detailed audit and a study of the major departments and funds and start the budget process immediately and include the school districts in deliberations of fee in lieu of taxes and a study of the county's entire infrastructure. Chairman Greer ruled Ms. Wilson's motion out of order because Council currently has a motion on the floor and Council is currently in discussion concerning an amendment to that motion. Mr. Thompson said that he was not attacking the schools but merely taking information that he's received and applying a business prospective to it. He looked at the organizational structure and the salaries of the members that make up that organization structure. He said that he was very thankful for the education that he received and he was a product of the public school system. He said he was making a business decision based on what he has. Chairman Greer moved to extend time by an additional 20 minutes and Ms. Wilson seconded. Vote was six in favor and one absent. Mr. McAbee said that he understands why Mr. Thompson is attempting to demonstrate with his amendment. The school districts under state law are not entitled to any of the fee in lieu of money - Anderson County has agreed to give them part of the money. Mr. Dees asked Mr. Vic Carpenter if he was familiar with the Solid Waste Plan. He said he was - he wrote it. He also asked Mr. Carpenter if Council was provided a copy and Mr. Carpenter responded yes. Mr. Dees said in the Plan he had made several projections and in 1991 the system was created which was 7 years prior to coming to the County. He said he was glad Mr. Carpenter was with the County and he didn't know for a fact that there is any mismanagement, squandering of funds or embezzlement and if it is they need to be fired or prosecuted. He said that he doesn't play. In the plan, Mr. Carpenter has suggested several cutting options - eliminate some furniture, and C & D from convenience centers saving approximately \$216,000 per year. Eliminate recycling total - savings of \$378,000 per year. Stop paying disposal fee for private haulers - savings of approximately \$500,000, stop paying the disposal fees by the County for the municipalities - saving approximately \$485,000 or close convenience centers. He said it was easy to blame the messenger (Mr. Preston) when there are seven to blame and he is one of them. He said that he'd only voted for two tax increases and he thought they were necessary. The issue is that many running for office tend to say, "I'll never vote for a tax increase no matter how bad we need it." There are problems in the County because Council fails to take the responsibility to do their jobs. He said that there are two things that he believes in - doing the right thing - or the right thing to do. Legally - the County can take all of the money from the school districts; but in his opinion it isn't the right thing to do. He said he does not blame Mr. Preston for any of it, because members of Council told him that they were not going to raise taxes/fees. It's up to Council to vote up or down. He gave the following solutions besides the ones recommended by Mr. Carpenter: Privatization, raising Solid Waste fee from \$40, a dipping fee for private haulers to put the garbage in the landfill, limit hours by population use, close some of the convenience centers. He suggested raising taxes instead of taking the money from the county's children. He said he was proud of the employees of Anderson County and the teachers. Chairman Greer said that he'd heard a lot of blame thrown around on both sides. Heard Mr. Dees accept responsibility for what Council does and when Council took the job they took responsibility along with it. Council has to make decisions that are not easy. They are often extremely difficult. Some folks think that Council makes those decisions in a lighthearted manner but Mr. Greer said that he knows for a fact that he personally have sat in his office and at times "sweated bullets" over what he was going to do. He said he was hearing everything except talk about the real issue. He said that he heard the schools saying that County government in general did not discuss with the schools things pertaining to this. He said that this was probably true. He said that schools at times have located new school in communities without coming to the County to see what kind of impact they will have in the community and what kind of infrastructure improvements will be needed. So the discussion needs to be a two-way street, he said. Chairman Greer said that things were done as a result of the tax committee. He went to Columbia and met with officials to discuss taxes and how they are affecting our communities. He said that there was only one Council member on Council when the landfill was sold - so was it a good deal or a bad deal - time will tell. To sit here and make accusations about this Council and that landfill deal is a total misconception. He has never, never voted on whether or not to sell the Big Creek landfill. He said that he plans on doing what is right in his mind. Mr. McAbee said that he too was a product of the public schools and he's grateful for what he received. All the school districts in Anderson County ask for services from the County. In his district, School District #4 had the largest tax increase in its history. When they had budget overruns they came to the County asking for funding for a sewer line for the new school. They did not consult with the

county on the location of the school. Then they are faced with budget overruns they even came to the Anderson County Transportation Committee and sought over \$800,000 in paving money just for one school. They received probably \$450,000 but it was money the County could have used for County roads. He reminded everyone that the schools get 75% of all local property taxes collected and they get 60% of every state dollar collected. The fact - the fee in lieu of was created specifically but the State of South Carolina to serve as an economic development and industrial recruiting tool. The County has no obligation to share any of it with the schools. One of the things that has troubled him about the debate - is he thinks it is offensive for a school superintendent to use taxpayer funded computers to send out emails; politically motivated emails designed to create fear in the hearts of the parents, teachers, and students. He also does not feel that it is appropriate for school time to be used as a political rallying point against the Anderson County Council. He said it was shameful and would not be tolerated in government anywhere else. He said that he was troubled by the fact that public schools seem to be the only government agency that can politic on government time. Mr. Dees said that School District #1 would not be losing \$191,000 but \$270,000 according to Anderson County staff. Vote on the amendment was one in favor (Thompson), five opposed (Dees, McAbee, Tolly, Greer, Wilson), and one absent (Floyd). Motion failed. Mr. Dees called for the question and Mr. McAbee seconded. Vote was four in favor (Tolly, Dees, Greer, McAbee) and 2 opposed (Thompson, Wilson). Motion carried. Vote on the ordinance on second reading was three in favor (Thompson, McAbee, Tolly), three opposed (Dees, Greer, Wilson), and one absent (Floyd). Tie vote fails. Ordinance died on second reading.

Council took a recess at 8:10 p.m. Chairman Greer called the meeting back to order at 8:20 p.m.

Chairman Greer read second reading title of Ordinance #2006-041 - an ordinance authorizing the execution and delivery of an amended Lease Agreement between Anderson County and Project E to replace the Lease Agreement dated as of November 1, 1998. Ms. Heather Jones, Economic Development Director announced that Robert Bosch Corporation requested approval of Ordinance #2006-041 and 2006-042 to allow the company to announce an additional investment and increase job creation of an estimated 50 jobs and further economic benefit for Anderson County. A public hearing was held; no comments were heard. Mr. Tolly moved to approve and Mr. Dees seconded. Chairman Greer stated that his son was an employee of Robert Bosch Corporation and therefore he would abstain on the vote. Vote was five in favor (Tolly, Thompson, McAbee, Dees, Wilson), one abstention (Greer), and one absent (Floyd).

Chairman Greer read the second reading title of Ordinance #2006-042 - an ordinance authorizing the execution and delivery of an amended Lease Agreement between Anderson County and Project E, granting an Infrastructure Tax Credit and amending and restating the Lease Agreement dated as of December 1, 2003. A public hearing was held and no citizens spoke. Mr. Dees moved to approve and Mr. McAbee seconded. Vote was five in favor (Tolly, Thompson, McAbee, Dees, Wilson), one abstention (Greer), and one absent (Floyd).

Chairman Greer read the second reading title of ordinance 2006-046 - an ordinance amending sections 2-37 and 2-38 of the Anderson County Code of Ordinances pertaining to meetings of the Anderson County Council and Public Hearings; and other matters relating thereto. A public hearing was held and the following citizens spoke. Mr. Brooks Brown said that you could not go into a court of law and represent anonymous people so they should not be allowed here. Mr. Stephen Pope said that item #3 needed to be reworded because it doesn't allow for any type of a public hearing. Ms. Bennie Sue West asked would this not be a violation of attorney/client privilege. No further comments; the public hearing was declared closed. Mr. Thompson moved to approve and Mr. McAbee seconded. Council discussed. Chairman Greer called for the question and Mr. Dees seconded. Vote was five in favor (Dees, Thompson, McAbee, Tolly, Greer) and one opposed (Wilson). Vote on the ordinance on second reading was five in favor and one opposed (Wilson).

ORDINANCES - FIRST READING: #2006-044 - a rezoning request by Mr. Baylis Maxwell to rezone 23.75 acres on the west side of Old Williamston Road and north of Bailey Creek from R-12 (Single-Family Residential with a minimum lot size of 12,000 square feet) to PD (Planned Development). A public hearing was held and the following citizens spoke. Mr. Baylis Maxwell said the project was located on Old Williamston Road - the Trammell property. He said they planned on triplex and duplex type development. Mr. Tolly moved to approve and Ms. Wilson seconded. Ms. Wilson said that if there was a working farm adjoining the property would there be an effort to screen it so that you don't have the adjoining farmer concerned about children coming through his fences. Mr. Maxwell said that the farm was not a working farm. Mr. Thompson asked if it was the developer's intent to keep the streets private in the development and Mr. Maxwell replied yes. Vote was unanimous.

Chairman Greer read Resolution #R2006-067 - a resolution naming the County Services Building located at 2404 North Main Street for Representative Ronald "Ronny" Townsend; and other matters related thereto. Chairman Larry E. Greer moved to approve the resolution. Mr. McAbee and Mr. Dees seconded. Vote was unanimous.

APPOINTMENTS: Various Boards/Commissions - All Districts - No appointments were made.

REQUESTS BY COUNCIL MEMBERS:

District #1 - none
District #2 - absent
District #3 - none
District #4 - none
District #5 - none
District #6 - none
District #7 - none

ACCEPTANCE OF BRIDGEPOINTE SUBDIVISION AND HORSESHOE BEND PHASE II INTO THE COUNTY ROAD SYSTEM: Chairman Greer stated that he had been asked to remove Horseshoe Bend Phase II from the agenda to be considered at a later date. Mr. McAbee moved to accept Bridgepointe Subdivision into the County road system. Mr. Dees seconded. Mr. Hopkins said that all the water and drainage problems were fixed. Vote was unanimous.

PRESENTATION: Ms. M. Cindy Wilson said that there were four disclosures that were provided to the Administrator involving questions concerning the Kroger deal and involved questions about $\frac{1}{2}$ million dollars lease payments and where they went. Since the signed documents were not given back and Council was not concerned enough and she wasn't allowed to have the documents attached as official information - she read into the record a letter from Mr. Preston concerning the documents.

Dated October 24, 2006

"At the last Council meeting last week, four documents concerning the Kroger Building were handed to me by Councilmember Wilson with a request that I sign one of them and obtain signatures on the other three. I do not know who prepared these documents, and I have a policy of not signing documents that I have not prepared and am not familiar with. Nevertheless, I did review them after the Council meeting and I am disturbed that the documents imply that I have something to gain by the sale of the Kroger building. That implication is absolutely false. I have no financial interest at all in the Kroger Building. Though I do not intend to sign the document Council member Wilson handed me with my name on it, I do want to assure all of you that I have no interest, and no business entity with which I am associated has any interest, in the Kroger Building. If I did, I would certainly have already disclosed that fact to you. Also, I have no authority to sign documents on behalf of Mr. Marshall Carithers, Bobrow-Anderson, LLC or Bi-Lo. I hope this letter answers any and all questions concerning my financial involvement with this issue, which is none."

Ms. Wilson then read her response dated November 30, 2006.

"The four disclosure documents you refer to in your 10/24/06 memo to County Council members were generated by an attorney acquaintance at my request and at no charge to me or to the County. You contradict yourself in this memo. Initially, you acknowledge the requirement of your signature and that you were to forward the other three disclosures to the named parties to the "Kroger" deal for their disclosures that there are no other interest(s) than those presented to County Council at the three readings. Then you say you have no authority to sign on behalf of the other parties.

Let's make this simple: 1) you may have our high paid County Attorneys review your disclosure and 2) then you sign it if you do not anticipate any form of compensation and 3) you pass the other documents to the specific parties named: Marshall Carithers, Bobrow-Anderson, LLC and to Bi-Lo.

Simply put, if there are no other deals involving the \$400,000-\$500,000 lease payments no one will have a problem signing these forms. Can it be that your refusal to sign your disclosure and your failure to forward the forms to the other parties indicates that there is another deal?

In reference to your 11/8/06 letter regarding your hiring of then Chief Deputy Tim Busha's daughter shortly after he attempted to aid you in what now appears to be a cover-up of your being found with a female county employee at Cater's Lake at approximately 10:30 p.m. 3/19/06. Please be advised that while I was aware of her name at the Council meeting as it was in our agenda packet (which was provided by you) I never named

her. According to other parties, she was hired by you and placed at the Airport where no one was ever needed before. It is also, understood that she will be absent for maternity leave which was known to you at the time of her hiring.

Since, you state repeatedly that she works for you wouldn't this contradict your 'no' answer that you didn't know whose daughter she is?"

Ms. Wilson then read into the record the following sample of the 4 disclosure forms.

"By signing below, Bobrow-Anderson, LLC hereby represents to the Anderson County Council that:

1. It has not sold, assigned or otherwise transferred any interest it has in the Lease of the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
2. It has not entered into any agreement(s) whether verbally or in writing, with any person(s) or entities regarding the sale, assumption, transfer or buy out of the remainder of the lease term for the former Kroger Building located at 401 E. River Street, Anderson, South Carolina."

She said the form had signature lines for Bobrow-Anderson, LLC and for a notarization.

She read the next document into the record:

"By signing below, Joey Preston, County Administrator, hereby represents to the County Council that:

1. He, nor any entity owned by him or in which he has an ownership interest, has any financial interest in the transaction for the purchase and sale of the former Kroger building located at 401 E. River Street, Anderson County Carolina.
2. He, nor any entity owned by him or in which he has an ownership interest, has purchased any interest Bi-Lo has in the Lease of the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
3. He, nor any entity owned by him or in which he has an ownership interest, has purchased Bi-Lo's option to purchase the property granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
4. He, nor any entity owned by him or in which he has an ownership interest, has purchased Bi-Lo's right of first refusal to purchase the property granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
5. He, nor any entity owned by him or in which he has an ownership interest, has purchased Bi-Lo's six (6) five (5) year lease renewal options granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
6. He, nor any entity owned by him or in which he has an ownership interest, has not entered into any agreement(s), whether verbally or in writing, with any person(s) or entities regarding the sale, assumption, transfer or buy out of the remainder of the lease term for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
7. He, nor any entity owned by him or in which he has an ownership interest, has not entered into any agreement(s), whether verbally or in writing, with any person(s) or entities regarding option to purchase the property granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
8. He, nor any entity owned by him or in which he has an ownership interest, has not entered into any agreement(s), whether verbally or in writing, with any person(s) or entities regarding the right of first refusal to purchase the property granted by the lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
9. He, nor any entity owned by him or in which he has an ownership interest, has not entered into any agreement(s), whether verbally or in writing, with any person(s) or entities regarding the six (6) five (5) year lease renewal options granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina."

There is a signature line for the Administrator to sign and for the Notary Public.

She then began reading the next letter into the record.

"By signing below, Marshall Carithers hereby represents to the County Council that:

1. He, nor any entity owned by him or in which he has an ownership interest, has any financial interest in the transaction for the purchase and sale of the former Kroger building located at 401 E. River Street, Anderson County Carolina.
2. He, nor any entity owned by him or in which he has an ownership interest, has purchased Bi-Lo's option to purchase the property granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.

3. He, nor any entity owned by him or in which he has an ownership interest, has purchased Bi-Lo's right of first refusal to purchase the property granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
4. He, nor any entity owned by him or in which he has an ownership interest, has purchased Bi-Lo's six (6) five (5) year lease renewal options granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
5. He, nor any entity owned by him or in which he has an ownership inters, has not entered into any agreement(s), whether verbally or in writing, with any person(s) or entities regarding the sale, assumption, transfer or buy out of the remainder of the lease term for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
6. He, nor any entity owned by him or in which he has an ownership interest, has not entered into any agreement(s), whether verbally or in writing, with any person(s) or entities regarding option to purchase the property granted by the Lease Agreement for the former Kroger building located at 401 E. River Street, Anderson, South Carolina.
7. He, nor any entity owned by him or in which he has an ownership interest, has not entered into any agreement(s), whether verbally or in writing, with any person(s) or entities regarding the right of first refusal to purchase the property granted by the Lease Agreement ..."

Chairman Greer informed Ms. Wilson that her time had expired unless there was a motion to extend they would move on. Ms. Wilson moved to extend time by 2 minutes. Motion died from a lack of a second. She said that there was another document to Bi-Lo.

PRESENTATION: Mr. Joey Preston said that he intended for the presentation to be by Mr. Taylor Jones but instead he said he would take the opportunity to read his second response to Ms. Wilson. He said he failed to see where he contradicted himself in the first response.

"Dear Ms. Wilson,

Your letter dated November 30, 2006 which copies all media points inaccurately summarizes my previous correspondence to you and it's not surprisingly very misleading. I am attaching copies of my previous correspondence for you to review, again and for those benefit of those persons copied on your November 30, 2006 letter. Regarding the Kroger issue as I indicated in my October 24, 2006 memo to Council, I will not sign any legal document that has been prepared by your attorneys. I've already stated in writing to County Council I have no financial interest in the Kroger property. If you want to know about other peoples' interest regarding Kroger, then I suggest you ask them yourself because I've already told you that I have no authority to speak for them. It appears that you did not like my response to you on October 24, 2006 but I stand by it and do not intend to pursue this matter further for you on your behalf. As for the County employee you asked me about at County Council meeting in early October, I've already explained to you in a letter dated November 8, 2006 at the time you asked me if this employee was related to Tim Busha I answered "no" because I knew there were no county employees with the name "Busha". I was unaware that Tim Busha had a daughter working for the County. After the Council meeting, I investigated and learned that Tim Busha's daughter is a county employee. I also told you that I learned from her department head that she is extremely qualified and certified and a trained officer. You imply in your letter that you would not have hired her just because she was pregnant which would have been a direct violation of the Federal Pregnancy Discrimination Act. To add to that, why does it matter that she's Tim Busha's daughter? Again, I must remind you that all County employees work for me and they are entitled to ordinary respect. Your continued attempts to derogate fame and humiliate county employees is inexcusable. In the future, please leave county employees off your political agenda whatever it may be. "

He said he would like to end by saying that he wondered if Ms. Wilson would have signed that same agreement that she presented to the broker that worked for the company that sold the Kroger building - if she would have signed that same agreement for the Walgreen's Property.

ADMINISTRATOR'S REPORT:

a. Letters of Appreciation:

1. For: Mr. Bill Dees From: Crime Stoppers
2. For: Mr. Jerry Stamps' Road Maintenance Crew (Jr. Greenway, Scott Crawford) and Mr. Jerry Cash's Crew (Mr. Mike Gregory, Mr. Robert Mattison, Mr. James Smith, Mr. Barry Smith, Mr. Jim Neal, Mr. Jeremy Zelenko, and Mr. Carl Dutton) From: Mr. Grover Keough
3. For: Mr. Scott Brothers' Crew (Mr. Russell Simms and Mr. Anthony Williams) From: Ms. Linda Stone

b. Reports:

1. Paving Report
2. Recreation Report
- c. Minutes: Anderson County Development Partnership- September 28, 2006 meeting
- d. Building Consensus and Support Article
- e. Letter to Senator Jim DeMint concerning Broadway Lake and Dam Project
- f. School District Purchases
- g. Taskforce earns International Disaster Preparedness Award
- h. Anderson County Models effective use of Homeland Security Funds

CITIZEN COMMENTS: Other Matters - Mr. Brooks Brown reminded everyone that when matters come up regarding employees it should be discussed in Executive Session. He asked for a moment of silence in remembrance of Mr. Bowman Wakefield. Council held a moment of silence in remembrance of Mr. Wakefield.

REMARKS FROM COUNCIL MEMBERS:

Ms. Wilson said that the County apparently paid \$500,000 more for the Kroger building than was necessary that was the reason she continues to pursue the disclosures. She could have signed the same disclosure forms for Walgreen because she never, ever dealt with an entity known as Walgreen. Easlan Capital, the adjoining landowner to clients and distant family members of hers, contacted her clients wanting to purchase their property. They were concerned that they would be condemned. She did this as a service to them for 3.5 percent commission and at no point did she ever deal with what became Walgreen but it should be noted that the County wouldn't have gotten Walgreen and the 450 jobs if her clients had not agreed to sell.

Mr. Thompson said he was very perplexed as to the alternatives in resolving the shortfall in Solid Waste. No matter what the Council does, they are going to upset some group. He said he laid out three items that he is pursuing - Something must be done about the roads. If Council implements an impact fee then all the developers will be upset or a tipping fee for all private haulers - then they'll be upset. He said that Council is going to have to "step up to the plate" and address the issues. He said he was afraid that if Council continues not doing that - the Council is going to find themselves in a bad place. The 1-cent sales tax was voted down because most of Council campaigned on the fact that they would not raise taxes. He said he was very concerned.

Mr. Tolly - said the burden would be on the new Council.

Mr. McAbee - none

Mr. Dees - Mr. Dees said that he had suggested taking all the paving money and giving it to Mr. Hopkins to spend it as necessary. It may not drop the years down any - but Mr. Hopkins is a better spender of those dollars than he is, he said.

Mr. Greer - Mr. Greer said that a lot of finger pointing had went on at the meeting and the age-old battle with Mr. Preston and Ms. Wilson is still on-going, and assumes that it'll continue to go on. He said he hoped everyone heard him when he said that he tries to do what he thinks is right. Disagree with him but don't challenge his motives. His motives are to do what's right.

Being no further business the meeting was adjourned at 9:10 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – December 19, 2006 – 6:00 p.m.
Linda N. Eddleman, Clerk to Council

MINUTES

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 Larry E. Greer – District #3, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd – District #2
Vice Chairman Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
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, December 19, 2006 at 6:00 p.m. Mr. Bill McAbee gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Michael Thompson moved to approve the December 5, 2006 minutes as mailed and Mr. Tolly seconded the motion. Mr. Thompson moved to amend the minutes. He called Council's attention to *Roberts Rules of Order*, Second Edition, Page 127–Section 16 entitled "Reading Papers". He read the following section – "Members may ask to have papers that are brought before the Assembly read once before voting on them. When a member asks to have a paper read clearly for information and not as a delaying tactic, the Chair should call for it to be read if no one objects." He said that except for this, members do not have a right to read just any material read without the permission from the Assembly. Also, he referred to Anderson County Ordinance – Section 2–37, Subsection F, Part 2 – "Decorum in Speaking". "Every member of County Council, when about to speak shall address himself to Mr. or Madam Chairperson and in speaking shall avoid disrespect to the County Council and any personalities and shall confine himself or herself to the question under consideration." Therefore on page 8 of the minutes – the presentation that begins on page 8 and ends on page 10 violates both the reading of papers and the County Code of Ordinances – Decorum in Speaking. He then said that he would move to expunge the entire presentation, which begins on page 8 and ends on Page 10 for the same reasoning. Ms. Floyd seconded. Ms. Wilson said that it was her presentation that she had on the agenda and a fellow Council member has no right to remove another Council member's item from the agenda or the actual material that was presented. She said that would be in violation of the County's Parliamentary procedures. She told Council to look at the County Ordinances – Council is allowed to put items on the agenda and that was her item. Mr. Thompson said he agreed that each member has a right to place items on the agenda but that right does not mean that an individual has the right to violate the decorum of speech or the Robert's Rules of Order. Ms. Floyd said that about two years ago she "fought" that battle to follow the Robert's Rules of Order with regard to reading any materials. She said that the request fell on "deaf" ears and she wholeheartedly supports the amendment and she hopes that this is something that Council can agree to do. Mr. McAbee said that there was a presentation by one of the Division Heads from Environmental Services or Solid Waste that Ms. Wilson wished to have expunged from the minutes. At that time he would not vote to expunge the material because he believes that everything that happens in Council should be incorporated in the minutes. Ms. Wilson asked Mr. Martin if she voted with the others to expunge the materials, could she bring it back up at the next meeting for reconsideration. Mr. Martin replied that if she was on the winning side she could. She also asked if that also applies to resolutions and other items. He replied yes it applies to any vote taken by Council. Vote was six in favor (Wilson, Tolly, Thompson, Greer, Dees, Floyd) and one opposed (McAbee). Motion carried. Ms. Wilson commented for the record that a

motion to reconsider would be brought up at the next meeting because the public deserves to know and to have material expunged that's important to the public knowledge is really a heinous crime. Vote to approve the minutes as amended was unanimous. Chairman Greer asked Mr. Martin if it was appropriate to reconsider the minutes at this time and he replied that it was appropriate to reconsider at the same meeting or at the next succeeding meeting. Mr. Martin replied yes. Chairman Greer then moved to reconsider the motion to approve the minutes and Mr. Dees seconded. Ms. Wilson asked if it is reconsidered at this meeting - could it be made again at the next meeting. Mr. Martin said that a Motion to reconsider couldn't be made more than once on the same subject. Vote to reconsider was five in favor (Greer, Dees, Tolly, McAbee, Floyd) and two opposed (Thompson, Wilson). Motion carried. Ms. Wilson moved to put the materials expunged back in the minutes and Mr. McAbee seconded. Vote was two in favor (McAbee, Wilson) and five opposed (Tolly, Dees, Thompson, Greer, Floyd). Motion failed. Ms. Wilson said that the reason the material was put in the minutes was because the County had four parties to a very expensive transaction on behalf of the County who refused to sign disclosures. Chairman Greer ruled Ms. Wilson out of order because of the mention of names and personalities. She said that the County had major County employees entering into agreements to purchase expensive real estate property and they refused to sign a disclosure that the deal presented to County Council was the only deal in existence and that the 1.3 million dollars represented the purchase and there were no lease payments that went elsewhere. Ms. Wilson said that she would like for the minutes to reflect what the presentation being removed was all about. Mr. Dees called for the question and Mr. McAbee seconded. Vote was six in favor and one opposed (Wilson). Vote on the minutes as amended was five in favor (Tolly, Thompson, Dees, Floyd, Greer) and two opposed (Wilson, McAbee).

Chairman Greer announced that there was a need to amend the agenda to add two resolutions - Resolution R2006-072 and R2006-071 recognizing Mr. Dees and Mr. Tolly for their service on the Council. Chairman Greer proposed to insert the Resolutions after agenda item #4. A third resolution concerning EMS matters which will be presented during Mr. Taylor Jones' presentation also needs to be added to the agenda. Chairman Greer moved to amend the agenda as explained and Mr. Thompson seconded. Vote was five in favor (McAbee, Greer, Wilson, Thompson, Floyd), and two abstentions (Dees, Tolly). Motion carried.

CITIZEN COMMENTS: Agenda Matters - Mr. Steve Pope talked against abolishing the Blue Laws. Pastor Sam Duncan spoke against abolishing the Blue Laws. He suggested that Sunday be kept as a family day to worship. Dr. Leonardo Ortiz applauded Council for finally taking a stand and hopefully voting to rid the County of unfair, inequitable, and ludicrous laws. Mr. Francis M. Crowder asked Council to leave the Blue Laws in place. Mr. Allen W. Simmons said that the action Council was about to take was equivalent to the people who spit in his face in 1968 when he landed at Travis Air force Base on his way home from Vietnam defending the flag. Mr. Melvin Smith said that he was against abolishing the Blue Laws. Mr. Brooks Brown, IV talked about rights of minorities and a person's right to work or not work on Sunday. Mr. Lee Luff asked Council to repeal the Blue Laws. No further citizens wished to speak.

Chairman Greer moved to approve Resolution #R2006-072 - a resolution recognizing and honoring Anderson County Councilman William C. Dees for his service and dedication to Anderson County. Mr. McAbee seconded and the vote was unanimous. Chairman Greer read the Resolution into the record and then presented a framed copy to Mr. Dees. Council thanked Mr. Dees for all that he has done for Anderson County and its people.

Chairman Greer moved to approve Resolution #R2006-071 - a resolution recognizing and honoring Anderson County Councilman Fred Tolly for his service and dedication to Anderson County. Mr. McAbee seconded and the vote was unanimous. Ms. Gracie S. Floyd read the resolution into the record and then a framed copy was presented to Mr. Tolly. Council thanked Mr. Tolly for all he has done for Anderson County and its people.

Council took a recess at 7:00 p.m. Chairman Greer called the meeting back to order at 7:10 p.m.

ECONOMIC DEVELOPMENT ANNOUNCEMENT (#R2006-070-RESOLUTION AND INDUCEMENT AGREEMENT): Ms. Heather Jones announced that the company represented in the inducement resolution and agreement is considering the development of major new multi-million dollar commercial development involving retail, office, and distribution facilities or a combination. There will also a portion of the proposed project that includes a life-style center comprised of over 500,000 sq. feet of improvements. The project has an anticipated investment in excess of 50 million dollars and an expected employment at build out of nearly 1000 jobs. The company proposes to design, development, pay for, construct, and build certain

critically needed infrastructure for the project. The company requests the inclusion of the property in a multi-county park, the granting of infrastructure credits or the issuance of special source revenue bonds as an inducement to locate the investment in Anderson County and more specifically to build the infrastructure needed for the project. Chairman Greer read the following title to the resolution - a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, South Carolina, and Rosewood Partners, LLC, 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. McAbee moved to approve and Mr. Dees seconded. Ms. Wilson said that economic development was greatly desired in Anderson County but she finds it very reprehensible that the Council would be giving industrial/manufacturing type inducements to commercial development. She said what is done for one should be done for all - or not at all. She requested names of all partners of Rosewood Partners, LLC. She asked if this was the same property that came before Council with a lavish project plan and failed to materialize. She asked how many of the 1,000 jobs would be minimum wage. She also said that she thought it was blatantly wrong to push something of this magnitude through when two new council members coming on board in January. Mr. Ned Pettigrew, Manager and General Partner said that it would be premature for him to identify anyone beyond himself at this time. Chairman Greer announced that time had expired. Ms. Wilson moved to extend by 5 minutes. The motion died from lack of a second. Vote was five in favor (Tolly, Thompson, Wilson, McAbee, Dees), one opposed (Greer), and one abstention (Floyd). Motion carried.

Ms. Floyd asked for a Point of Order. She announced that she abstained because she needed more information.

PRESENTATION: Mr. Taylor Jones introduced Mr. Vince Carlo from the National Weather Service. Mr. Carlo said several years ago the National Weather Service completed a major modernization and restructuring effort throughout the country. The primary reason for the reorganization was to use the latest advances in Science and Technology to improve their warning capabilities. During the past few years, they have documented significant improvements in their warning program in South Carolina and the United States. He said that the National Weather Service has a recognition program called Storm Ready. When communities reach a certain level of readiness; they recognize that achievement. Since they began the process they've worked with Anderson County Emergency Management and other departments to improve readiness throughout the County in severe weather. The County was presented with two road signs in recognition for being storm ready.

Mr. Taylor Jones said that before them was a proposed Resolution #R2006-073 - a resolution authorizing the County Administrator to amend the current Rescue Squad Agreements and the current Emergency Ambulance services agreement to update the maximum rate schedules attached to said agreements; and other matters related thereto. This would allow the providers to charge what the maximum Medicare allowable charges are to the users that receive the services. Mr. Dees moved to approve and Mr. McAbee seconded. Ms. Floyd said that the reason Council was acting on the issue was because the EMS Commission couldn't get a quorum. She asked each member of Council to check with their representative on the EMS board to make sure they are still willing to serve and attend the meetings. Mr. McAbee called for the question and Mr. Tolly seconded. Vote was unanimous. Vote was unanimous on Resolution #R2006-073.

EMPLOYEE OF THE MONTH: Mr. Charles E. Pinson, Human Resources Committee Chair presented Ms. Angie Stringer as Employee of the Month of November 2006. The National Association of Counties also has recognized Ms. Stringer for the Association's Superior Award for writing news releases and the National Association of Counties Excellence Award for special projects for Counties for populations less than 500,000. She was presented a framed certificate and a gift certificate to a local restaurant. Council congratulated Ms. Stringer for a job well done.

ORDINANCES - THIRD READING:

Chairman Greer read the third and final reading title of Ordinance #2006-043 - an ordinance amending, in limited particulars only, the Master Road List of all County roads located in and maintained by the County of Anderson, South Carolina, created by ordinance #2001-007; and expressing intent to cease county maintenance on and to authorize County consent to judicial abandonment and closure of a portion of a certain Anderson County Road; and other matters related thereto. (Twin Cove Road). Mr. McAbee moved to approve and Mr. Dees seconded. Vote was six in favor and one opposed (Greer).

Chairman Greer read the third reading title of Ordinance #2006-030 - an ordinance suspending Sunday Work prohibitions; and other matters related thereto. Mr. Thompson moved to approve and Mr. McAbee seconded. Chairman Greer said that he was reminded of a meeting he went to with a group of 15 year old 4-H members. During the meeting they discussed where personal values and beliefs are in conflict with your duties as an elected representative. He said that he was faced with that situation tonight. He said that this was the peoples' seat - he is a representative of the people but he also has a responsibility to himself and his beliefs and values. He said that his vote would be his personal belief and personal vote. Ms. Wilson agreed with Mr. Greer and her vote will be in favor in order to bring up later. Mr. McAbee said he believed the fair thing to do was to level the playing fields for the County's small businesses and give them the same benefit that the big box retailers are currently taking regardless of the law. Vote was six in favor and one opposed (Greer).

Chairman Greer read the third reading title of Ordinance #2006-036 - 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-20 (Single Family Residential 20,000 sq. ft. lots) to R-12 (Single Family Residential 12,000 sq. ft. lots) that parcel of land consisting of +/- 4.515 acres in the Hopewell precinct on the south side of Crestview Road and shown on a "Survey for John A. and Sandra D. Murray" dated November 11, 1997, prepared by R.D. Garrison and recorded on Plat Slide 833 page 10A. The parcel is further identified as TMS #146-00-05-018. Mr. McAbee moved to approve and Mr. Thompson seconded. Ms. Wilson said that the developer had caused a lot trouble in her district. There was a 90,000-gallon spill of chlorinated water into the stream and there is mud being tracked into the road and she would vote against it. Vote was six in favor and one opposed (Wilson).

Chairman Greer read third reading title of Ordinance #2006-037 - 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-20 (Single Family Residential) to P-D (Planned Development District) one (1) parcel of land comprising approximately +/- 9.18 acres of property in the Hopewell Precinct off Shackelburg Road. The property is identified as part of TMS #144-00-03-005, and is generally described on a Preliminary Layout of "The Preserve At Covered Bridge", and further described in a Statement of Intent for Covered Bridge at Jones Creek Phase IB (The Preserve at Covered Bridge), a Planned Unit Development, Anderson, South Carolina, dated November 29, 2006, and drawn by Gray Engineering. Mr. McAbee moved to approve and Mr. Thompson seconded. Vote was unanimous.

Chairman Greer read third reading title of Ordinance #2006-041 - an ordinance authorizing the execution and delivery of an amendment to the lease agreement between Anderson County and the Robert Bosch Corporation to amend the lease agreement dated as of November 1, 1998. Mr. McAbee moved to approve and Mr. Thompson seconded. Chairman Greer stated that he would abstain because his son is employed by the Robert Bosch Corporation. Even though it is not required, he would abstain so there is no conflict of interest even implied. Vote was six in favor and one abstention (Greer). Motion carried.

Chairman Greer read third reading title of Ordinance #2006-042 - an ordinance authorizing the execution and delivery of an amended lease agreement between Anderson County and the Robert Bosch Corporation, granting an infrastructure tax credit and amending and restating the lease agreement dated as of December 1, 2003. Mr. McAbee seconded and Mr. Thompson seconded. Chairman Greer said that he would abstain for the same reason as mentioned above. Vote was six in favor and one abstention (Greer). Motion carried.

Chairman Greer read third reading title of Ordinance #2006-046 - an ordinance amending sections 2-37 and 2-38 of the Anderson County Code of Ordinances pertaining to meetings of the Anderson County Council and Public Hearings, and other matters relating thereto. Mr. Thompson moved to approve and Mr. McAbee seconded. Chairman Greer moved to amend the ordinance by inserting the requirement that any presentation placed on the agenda must identify the subject matter of the presentation. If the speaker deviates from the subject matter they will be ruled out of order and asked to stop the presentation. Mr. Dees seconded the amendment. This will be for ALL presentations. Chairman Greer and Mr. Dees both withdrew their amendment and second. Chairman Greer moved to amend the ordinance to require that all presentations except presentations as related to economic development issues that the subject matter be identified and if the speaker deviates from the subject matter identified in the presentation they will be ruled out of order and the presentation will stop at that time. Mr. Dees seconded the motion. Council discussed further. Mr.

McAbee called for the question and Mr. Thompson seconded. Vote was unanimous. Vote on the amendment was unanimous.

ORDINANCES - SECOND READING:

Chairman Greer read the second reading title of Ordinance #2006-044 - a rezoning request by Mr. Baylis Maxwell to rezone 23.75 acres on the west side of Old Williamston Road and north of Bailey Creek from R-12 (Single-Family Residential with a minimum lot size of 12,000 square feet) to PD (Planned Development). Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was unanimous.

The next item was removed from the agenda prior to the meeting at the request of Mr. Tony Cirelli.

~~ORDINANCES - FIRST READING: #2006-045 - a rezoning request by Mr. Tony Cirelli representing Mr. Leroy Murphy and Vintage Homes, to rezone 8.2 acres on the northeast corner of Old Williamston and Gilreath Roads from R-12 (Single-Family Residential with a minimum lot size of 12,000 square feet) to PD (Planned Development). - PUBLIC HEARING (No time limit on public hearing) Mr. Jeff Ricketson/Mr. Joey Preston~~

PROCLAMATION: A proclamation proclaiming December as Arbor Day Month in Anderson County. Mr. Dees moved to approve the proclamation and Mr. Thompson seconded. Vote was unanimous.

PRESENTATION OF IMPORTANT INFORMATION: Ms. M. Cindy Wilson said that the Administrator's Report included departmental transfers. She said that she had requested, since the last fiscal year, a list of the June 06 transfers. She asked where they were because it was well beyond the 30 days notification. She said that on the October 17th transfers there was a transfer to cover to professional services and fees in the amount of \$8,000. She asked for some back up. On the 30th of October there was an extra \$8,000 to cover legal fees, she also asked for back up on that transfer. On November 3, 2006 there was a \$33,465 spent to cover litigation. She asked what the county was being sued on and the status of the litigation. She said that the County had several expensive assets that are not resolved yet. One, about 2 years ago, the County accepted a bid from Mr. Forrest Thomas for the purchase of the EMS building in Powdersville. She discovered that the purchase would not close until April of 2007. She also asked for a status report on that. She asked about the status of the Tri-County landfill another valuable asset. She said that she understood there was a real problem with egress and ingress. She requested the disposition of a \$300,000 discrepancy in the BP Barber Engineer's year sewer update that was presented in a meeting in October. She said that the Administrator had asked where the discrepancy was and she reported that it was in the minutes of the meeting. She said if you took the 10-year update provided in February 2006 and what was provided in October - there is a \$300,000 cost difference. She asked was it a typo or a cost overrun.

Mr. Preston said that he had answered the question concerning the Powdersville EMS several times. He asked Ms. Wilson where would the County house the Magistrate's office if the County had already closed on the building. The purchase agreement was done so that once the new building was complete then the agreement would be closed.

PRESENTATION: Mr. Joey Preston said that at the last meeting Ms. Wilson had made some accusations concerning the sale of the landfill and the Animal shelter. He said he felt like it was important to discuss and address her accusations. Mr. Jack McIntosh reported that in 1994 Anderson, Oconee, and Pickens Counties each had a landfill of their own. DHEC told each County that the landfills had to be closed. The Cheddar landfill had a couple of hundred acres in it and of that there was a small area approved and permitted to receive waste. The County was out of compliance and DHEC required the County to close it. The same thing happened to Oconee and Pickens Counties. DHEC was petitioned for an extension and it was granted to vertically add additional waste on top of existing waste until the County could come into compliance. During that time, the Federal government had ordered the County to go into a subtitle D type landfill. It was an expensive process and none of the Counties could do it. In the 1994 Consent Order (94-21-SW) ordered the landfill closed. The County did not know that it had value. Allied Waste wanted to buy it. Negotiations began and the County sold the landfill to them. He said they bought it because it had potential that they could utilize and they did. The County sold them a tract of land in Cheddar with no improvements at all - just land. Allied Waste said they would come in and close the landfill, assume all past, present, and future liability. The real benefit of the transaction came when Allied's Subsidiary agreed to take the County's waste for 20-years at a rate that was substantially below the going rate. The money realized - two million dollars up front and the closing of a three million dollar liability with 40 years of monitoring that had to take place. Mr. Dees

moved to extend discussion time by 10 minutes. Ms. Wilson seconded and the vote was five in favor and two opposed (McAbee, Floyd). Ms. Wilson asked about trucks coming into the landfill at all hours of the night. Mr. Joe Suleymon, General Manger with Allied Waste said that there had been some issues raised recently about the landfill - 1. - Origin of Waste 2. - Security as it relates to operating hours and allegations of receipt of waste after hours 3. - Accountability as it relates to Host Fees. He said Anderson Area Regional Landfill receives waste from transfer trailers from the upstate area. He said that the trailers have tags including Maine, Louisiana, Indiana and many others and it was a normal practice of trucking companies to maintain a variety of tags in their fleet. Anderson Regional landfill abides by both the spirit and the letter of operating permits and agreements with Anderson County. They do not allow disposal after operating hours. There is a satellite hauling operation based out of Anderson Regional Landfill. There are 10 trucks running out of the landfill beginning 2-3-4:00 in the morning. The host fees and the accountability - as of November 1 - the host fees are \$1.25 for in-County waste generated and \$2.50 for out of County generated waste. Mr. Vic Carpenter addressed allegations made at the last Council meeting - classic bungling and mismanagement, no accountability, a total lack of internal financial controls, county staff has cost the taxpayers of Anderson County well over \$100,000, innuendo that Anderson County employees cut deals. Regarding the Animal Shelter - a letter was sent out by a member of Council that made the statement that \$143,000 was embezzled at the Anderson County Animal Shelter. He said that some of the information was very difficult to provide and they need to know themselves. He said that \$26,000 was closer to the figure they had been working on and is an on-going investigation by SLED. Comments were made about dirt - it was insinuated that County staff had cut deals to give away dirt and had cost the taxpayers well over \$100,000. Mr. Carpenter said for the record that there was still 90,000 cubic yards of the dirt at the landfill so if there are individuals that would like to buy the dirt he would like to know who they are. He said that he would make available the tapes of the landfill to Ms. Wilson. For the record, Anderson County has never received a phone call from any citizen around the landfill telling them that garbage is coming in after hours. There was also a statement made that Anderson County should have received 60 million dollars for the sale of the landfill. Time ran out and the presentation ended.

APPOINTMENTS: Various Boards/Commissions - All Districts - On the motion of Mr. Thompson, seconded by Mr. McAbee, Council voted unanimously to approve the appointment by Mr. Thompson of Mr. Fred Foster to the Library Board.

REQUESTS BY COUNCIL MEMBERS:

District #1 - none

District #2 - Ms. Floyd moved to appropriate \$1,000 for District #2's Recreation Funds for the City Recreation Department to help provide students within the County and city with memberships. Also, appropriate \$500 for the Gang Task Force for a sign campaign. The funds to come from District #2's recreational funds and appropriate \$1,250 for Broadway Lake to repair the dock and the sea walls. These funds will come from District #2's Recreation Account. Mr. Tolly seconded and the vote was unanimous.

District #3 - none

District #4 - none

District #5 - none

District #6 - none

District #7 - none

ACCOMMODATIONS TAX ADVISORY COMMITTEE RECOMMENDED DISTRIBUTIONS: Mr. Thompson moved to approve the recommendations by the Accommodations Tax Advisory Committee and Mr. Dees seconded. Chairman Greer offered the following amendment -

Reduce the Anderson YMCA - Midnight flight from \$7,500 to \$5,000

Reduce the Anderson Area Arts Center - Annual Events from \$29,500 to \$23,000

Anderson Business Women's Association - leave at \$250

Increase Anderson Meals on Wheels - Mardi Gras from \$500 to \$964

Anderson County Museum - leave at \$2000

Anderson Senior Follies - leave at \$500

Anderson Soiree - leave at \$4000

Increase Belton Partnership - Standpipe Festival change from \$3,000 to \$4,500

Belton Center for the Arts - Standpipe Art Show leave at \$1,000

Belton Center for the Arts - Promotions leave at \$1000

Increase Belton Center for the Arts - Renovations change from \$5,000 to \$8,000

Belton Tennis Association - leave at \$12,000
Clemson Little Theatre - leave at \$1,014
Lights of Hope - leave at \$1,500
Reduce the Electric City Playhouse - change from \$1,014 to \$500
Foothills Alliance - leave at \$250
Anderson County - International Balloon Festival - leave at \$30,000
Reduce GAMAC - change from \$13,000 to \$11,500
Honea Path Merchants Association - Jollie Day - leave at \$500
Increase Honea Path Merchants Association - Sugarfoot Festival - change from \$2,000 to \$3,500
Honea Path Merchants Association - Horseshoe Park - leave at \$2,500
Increase the Town of Honea Path - Arts Center Renovations - change from \$5,000 to \$6,500
Increase ICIAI - change from \$1,300 to \$2,300
Main Street Program of Anderson - Holiday Walk - leave at \$1,500
Main Street Program of Anderson - Walking Tour - leave at \$500
Main Street Program of Anderson - Car Show - leave at \$2,500
Mina Street Program of Anderson - Regional Advertising - leave at \$2,500
Increase the Pendleton Historic Foundation - Ashtabula Promotion - change from \$1,000 to \$2,500
Increase the Pendleton Historic Foundations - restrooms - change from \$3,000 to \$4,500
Reduce Rotary Clubs of Anderson - US Golf Tour Classic change from \$10,000 to \$6000
Increase Senior Solutions - Upstate Senior Exp - change from \$250 to \$1,500
Sons of Confederate Veterans - Reenactment - leave at \$8,000
Increase the Town of Williamston - Spring Water Festival - change from \$1,000 to \$2,500
Increase the Town of Williamston - Christmas Park - change from \$500 to \$2,500
Spotlight-Manse Jolly Film - leave at \$0
T. Ed Garrison Arena - Promotion and Advertising - leave at \$6,700
Reduce the Tri-State Celtic Association - St. Patrick's Celebration - change from \$1,500 to \$650
Reduce the Home Builders Association - change from \$1,500 to \$650
Anderson County Transportation Division - Ponderosa Point Drainage - leave at \$0
Mr. Dees seconded the amendment.

Mr. Tolly moved to amend the motion to
Reduce T. Ed Garrison Arena down to \$3,600
Increase Arts Center by \$3,000
Reduce the Rotary Club from \$6,000 to \$3,000
Increase Arts Center by an additional \$3,000 (for a grand total of \$29,000). Mr. Tolly's motion died from a lack of a second.

Mr. McAbee moved to reduce the Home Builders Association - Home and Garden Expo - reduce from \$650 to zero and add the \$650 to the Arts Center for a total of \$29,650. Mr. Tolly seconded. Chairman Greer announced that the time for discussion had expired. Ms. Wilson moved to add 5 minutes and Mr. McAbee seconded. Vote was four in favor (Wilson, McAbee, Floyd, Tolly) and three opposed (Dees, Thompson, Greer). Motion carried. Ms. Wilson said that Honea Path did a lot to add to the tourism to the County of Anderson. Vote on the amendment made by Mr. McAbee was two in favor (Tolly, McAbee), four opposed (Floyd, Greer, Dees, Wilson), and one abstention (Thompson). Motion failed. Mr. Thompson said he did not understand because the County has a Committee to make recommendations to Council. Mr. McAbee moved to table to allow Council time to review in writing. Mr. Tolly seconded. Vote was four in favor (Dees, Thompson, McAbee, Tolly) and three opposed (Greer, Wilson, Floyd). Motion to table carried.

Chairman Greer moved to remove from the Table the Accommodations Tax Recommendations and Ms. Floyd seconded. Vote was four in favor (Floyd, Greer, Wilson, Dees) and three opposed (McAbee, Tolly, Thompson). Council discussed further. Vote on the amendment was six in favor and one opposed (Tolly). Motion carried. Vote on the original motion as amended was six in favor and one opposed (Tolly). Motion carried.

ACCEPTANCE OF LANTERN RIDGE, AND MIDWAY CROSSING SUBDIVISIONS INTO THE COUNTY ROAD SYSTEM: Mr. McAbee moved to accept Lantern Ridge, and Midway Crossing Subdivisions into the County Road System. Mr. Dees seconded and the vote was unanimous.

Council took a recess at 8:40 p.m. Chairman Greer called the meeting back to order at 8:50 p.m.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation:
 1. For: Mr. Joey Preston From: Congressman J. Gresham Barrett
 2. For: Mr. Joey Preston From: Ms. Lib Peace
- b. Certificates and Training: Mr. Keith Bowman, Ms. Janet Brock, Mr. Jason Hanks, Mr. Sandy Haynes, Mr. Wade Patterson, Mr. Michael Semones, Jr., Mr. Nathan Trammell For: Satisfactory Completion of Hazardous Materials Operations course
- c. Reports:
 1. Building and Codes Monthly Report - November 2006
 2. Animal Control and Litter Control Reports - November 2006
- d. Minutes: Anderson Regional Airport - October 23, 2006 meeting minutes
- e. Purchase of Property by School Districts
- f. Letter from DHEC - Landscape Development Group Land - Clearing Debris and Yard Trash (LCD) landfill
- g. Mr. Preston's reply to Ms. Cindy Wilson's letter dated December 4, 2006
- h. Sheriff's Department History of Funding
- i. *Westside Community Center Gazette*
- j. Anderson County chosen as the site for the first annual heritage Development Summit January 16-18
- k. Anderson County Palmetto Pride - KAB recognition
- l. Departmental Transfers (October and November 2006)
- m. *County Focus Magazine* - Western Piedmont Regional Emergency Management Task Force
- n. *Sandlapper* Article - Culture and Agriculture

CITIZEN COMMENTS: Other Matters - Dr. Tom Dobbins thanked Council for their vote on the Fee in lieu of taxes. He asked Council to work together with them to make sure that something like this doesn't happen again. Dr. Gary Burgess shared some information on his email he sent to the school representatives. He thanked Council for their support of public schools.

Ms. Floyd moved to go into Executive Session at 9:06 p.m. to discuss possible legal matters and personnel. Mr. Thompson seconded the motion. Vote was five in favor (Floyd, Greer, Thompson, Tolly, Wilson) and two opposed (Dees, McAbee).

Mr. Dees moved to come out of Executive Session at 9:40 p.m. and Mr. Thompson seconded. Vote was unanimous.

Chairman Greer announced that Council, during Executive Session, discussed legal matters related to personnel matters other than the Administrator and Council Clerk. No action was taken and no motions were made. (Note-Mr. Dees left the executive session before the executive session was over.)

Ms. Floyd moved to censure Anderson County Councilmember M. Cindy Wilson for conduct volatile of Anderson County Council procedures, by making unsubstantiated allegations, in public or through published communications, concerning Anderson County employees other than those employed by County Council. Further, she moved that Anderson County Council publicly and officially disavow actions of Councilmember Wilson in that regard, and publicly state that Ms. Wilson's actions in that regard are hers alone and not those of Anderson County or Anderson County Council, County Council not approving of or accepting such actions as those of Council, and County Council hereby urges and demands of Ms. Wilson that she immediately cease such actions. Mr. Thompson seconded. Mr. McAbee called for the question and Mr. Dees seconded. Vote was unanimous. Vote on Ms. Floyd's motion was unanimous.

REMARKS FROM COUNCIL MEMBERS

Ms. Wilson thanked Mr. Suleyman for coming to Council and she will be making an appointment to see him and to review the tapes of the landfill. She asked if the County was still paying the utilities for Mr. Forest Thomas at Northern EMS. Ms. Wilson said that there were a number of votes taken that will probably be brought back up for reconsideration. She also said in reference to what happened...she would never call her fellow Council members ugly names.

Mr. Thompson thanked Mr. Tolly for the privilege of being able to serve with him. He also thanked Mr. Dees for his guidance.

Mr. McAbee said that it was an honor and a privilege to serve with Mr. Tolly and Mr. Dees.

Ms. Floyd said that Council did something that needed to be done years ago. She told Mr. Tolly and Mr. Dees that she appreciated the opportunity to serve with them.

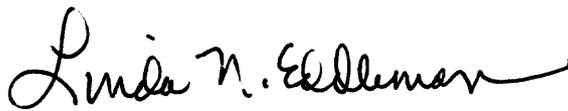
Mr. Tolly thanked everyone for their kind remarks.

Mr. Dees read the following- "One evening an old man told his grandson about a battle that goes on inside people. He said my son the battle is between two wolves inside us all. One is evil, it is angry, envy, jealousy, sorry, regret, greed, arrogance, self-pity, guilt, resentment, inferiority, lies, false pride, superiority and ego. The other is good. It is joy, peace, love, hope, serenity, humility, kindness, benevolence, empathy, generosity, truth, compassion and faith. The little boy thought about it for a moment and he said to his grandfather "Papa, which wolf wins?" Papa said the one you feed wins."

Chairman Greer said that he had enjoyed working with Council and has tried to be as fair as possible. He thanked Mr. Tolly for his service to the County. He said that Mr. Dees was a dear friend and he also thanked him for his service on the Council.

Being no further business the meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC