

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting - December 17, 2002 - 6:00 p.m.
Linda N. Gilstrap, Clerk to Council

M I N U T E S

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

PRESENT

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

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

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, December 17, 2002 at 6:00 p.m.

Mr. Bill Dees gave the invocation and everyone stood and pledged allegiance to the flag.

Chairman Greer called on Mr. Preston who requested time to make a change in the Administrator's Report. Mr. Holt Hopkins handed out information concerning a mistake in the back up in the Administrator's Report (item 7d (2)) Epstein Lease at the Anderson County Airport. He said that the correct square foot price was \$6.75 for a total of \$265.95 per month. No members of Council objected to the insertion of the correction into the Administrator's Report.

Mr. Wright moved to approve the minutes from the November 19, 2002 meeting as mailed. Mr. Tolly seconded. Ms. Wilson said that she had discussed with the Clerk several typographical errors that needed to be corrected. Vote was unanimous.

Citizens Comments: No one signed up under Agenda Matters. Other Matters: Mr. Ed Jean wished everyone a happy holiday. He said that he heard his Council Member, Ms. Wilson, on the radio (WAIM). He said that she was discussing the budget. He said that he agreed with a member of council that there was a wrong way and a right way to get information to constituents. He told Ms. Wilson that when she gathers her information, to please do some research and take advantage of people that can give you answers instead of making it look like that she is making a lynching of someone. Mr. Rodney Sanders talked about automobile emissions test and he said it seems Anderson County is going to go a "route" that other folks have said no to. He also urged Council to consider whether the people in their districts will be able to afford this. Mr. Dan Harvell asked Council not to take any of the questions that the Tax Payers Association ask or pointed in a personal way to any members of council. They just seek an open, honest government that they think are accountable to the

taxpayers. Mr. Carl Johnson wished all members a Merry Christmas. He said that he would like to see Council treat each other the same. He said if the shoe fits the foot - wear it.

Ms. Gracie S. Floyd asked for a Point of Order. The chairman asked her to state her point. She asked Council adhere to the time limits that are set in the agenda. She also reminded Council that the County Code of Ordinances state that once the time limit has been set by the Administrator, council must adhere to it. Chairman Greer said that Ms. Floyd had raised a Point of Order and under Robert's Rules of Order it is up to the chairman to render a decision based on that point of order. Chairman Greer said that based on the Code of Ordinances governing the procedure of the operation of the County Council meetings, council must adhere to the time limits established in the agenda. The Chair then directed the County attorney to time Council members on each agenda items. Once the given time arrives, time will be called, discussions will end. Council will immediately vote, if appropriate, and then move on to the next item of discussion.

Ms. Elaine Rollins, Chairperson of the Human Resources Committee, announced that the November Employee of the Month was Jay Patterson of the Road Maintenance Department. Mr. Patterson was given all gifts associated with this and Council commended him for his hard, outstanding job performance.

Chairman Greer stated that he would recuse himself from the next item on the agenda because of a Conflict of Interest. He stated that his son is an employee of the Bosch Corporation. Vice - Chairperson Floyd presented Resolution #R2002-078 - a resolution authorizing the application for, acceptance of, and distribution of all available state and other grant funds, including, without limitation, South Carolina Department of Commerce Grant funds and South Carolina Coordinating Counsel for economic development set aside funds, for project Kudzu; and other matters relating thereto. Ms. Wilson moved to approve the resolution and Mr. Dees seconded. Vote was 6 in favor and one recusal (Mr. Greer). Motion carried. (Mr. Greer's recusal form is attached and designated as Exhibit 1).

Chairman Greer presented resolution #R2002-082 - a resolution authorizing and directing the Chairman of Anderson County Council to execute an Early Action Compact with the United States Environmental Protection Agency and South Carolina Department of Health and Environmental Control, agreeing that Anderson County will attain the mandated 8-hour ozone standard by December 31, 2007; and other matters related thereto. Mr. Holden moved to approve and Mr. Dees seconded. Ms. Wilson said that during the Summit held the vehicle emissions program would be voluntary. Ms. Wilson said that knowing there is a serious problem here, she asked that maybe the new Chairman for 2003 could have some scientific presentations in the next few months. Vote was unanimous.

Ms. M. Cindy Wilson read a prepared list of questions concerning the County budget and finances. This list is attached and designated as Exhibit 2. Ms. Wilson said that the County was going into a very tight fiscal year and said that this was "food for thought" and hopes that council will start look at spending very carefully so they council will have the amount of money to run the county properly. She said that she has requested of the Administrator that the Council go ahead and have the presentation of the county's financial audit. Ms. Wilson's time lapsed before Ms. Wilson completed her list of questions. Mr. Preston was given a copy of the questions so that he would respond to Ms. Wilson.

Mr. Tom Martin explained that the low bid for the \$8,000,000 General Obligation Bonds was at the rate of 3.174000% out of eight bids. The low bid was from Bank of America and was the lowest bid in the history of Anderson County's financial transactions. It was noted that the Bank of America stated

that the credit worthiness of Anderson County was identical of the credit worthiness of the United States of America; both category 1 credits. Ms. Floyd said that she was so pleased and proud of this.

Ms. M. Cindy Wilson asked Mr. Larry Greer where the \$10,000 came from to help pay for the waterline on Sherard Road. He responded that the funds came from a matching grant fund account 164-5828. She said that she requested money for waterlines and she had to make appropriations from her paving account to get it. Mr. Greer said that the matching grant fund account budgeted a total for the year 01-02 was \$311,000, and Council District #7 was tentatively budgeted for a total of \$96,000 of the \$311,000 total. This amounts to 31% of the total funds for the budget 01-02 for the people of Council District #7. During this current budget year the matching grant fund #164-5828 was budgeted for current budget year 02-03 of \$135,000, projects within Council District #7 are budgeted for a total of \$35,000 of the \$135,000 this amounts to 26% of the total funds being budgeted for the people of District #7. Ms. Wilson asked for the information in writing. Mr. Greer stated that since Ms. Wilson had come on Council, he asked Mr. Preston for a tally of the number of pages of budgetary information that she had received. This total is (not counting tonight's information) 34,864 pages.

On the motion of Mr. Wright, seconded by Mr. Holden, Council voted unanimously to approve an appropriation of \$175.00 for Townville Elementary for assistance with projects on school grounds. The funds will come from District #4 recreation funds.

On the motion of Mr. Wright, seconded by Mr. Holden, Council voted six in favor and one abstention (Tolly) to approve an appropriation of \$3,100 for the Piercetown Fire Department to help with a structural issue around the building. The funds will come from District 4 Paving Account.

Mr. Greer moved to reallocate funds \$3,440 of \$5,000 previously allocated to the Friendship Fire Department for fire hydrants to the Rock Springs Fire Department for installation of a fire hydrant for the Rock Springs Fire Department and to appropriate \$1,200 from District #3's recreation account to the City of Belton for the operation of the Farmers Market. Mr. Dees seconded the motion and vote was five in favor and two abstentions (Ms. Wilson and Mr. Tolly). Motion carried.

Ms. Floyd asked that council consider Resolution #R2002-084 that would allow her to amend the agenda to add an item that cannot wait until the next meeting. Council voted unanimous to add an item to the agenda by resolution #R2002-084.

Ms. Floyd moved to appropriate \$200 for the Charter Communications toy drive. The funds to come from District #2's Recreation Account. Ms. Wilson seconded and vote was unanimous.

Mr. Preston announced that Joel F. Holliday had donated a monetary amount of \$19,493.09 for the Animal shelter.

Mr. Dees moved to ask the County Attorney to draft a resolution honoring and accepting this donation from the estate of Mr. Joel F. Holliday. Mr. Tolly seconded and vote was unanimous.

Administrator's Report:

a. Certificates and Training:

1. Mr. John Ferguson, Ms. Beth McGovern - Fuel Management Seminar

b. Letters of Appreciation:

2. For: Building & Codes Staff - From: Charter Communications
3. For: Mr. Andy Driver/Road Maintenance - From: Mr. Carr

4. For: Mr. Allen Robinson, Mr. Andy Driver/Road Maintenance - From: Mr. Bill Cantrell
 5. For: Ms. Michelle Strange - From: Ms. Katie Embree. Children's Wish Foundation
- b. Reports:
1. District Paving Accounts
 2. Building & Codes November Monthly Report - Mobile Home Activity, Revenue for the Month, Permits issued, Building Inspections performed, Mobile Home inspections performed, Plan review, Powdersville Office Revenue, Plan review revenue
 3. Detention Center Litter Reports - November 18 through December 6, 2002
- c. Minutes:
1. EMS Commission Minutes - November 14, 2002
 2. Anderson Regional Airport Minutes - November 4, 2002
- d. Departmental Transfers

There being no further business, the meeting was adjourned at 7:10 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL

Exhibit 1- Recusal form.

Exhibit 2 - Ms. Wilson list of budgetary and financial information.

12-19-02 Exhibit 1
mtg.

MEMORANDUM

ANDERSON
COUNTY
SOUTH CAROLINA

Making News.
Making Progress.

TO: COUNTY COUNCIL CHAIRMAN, ANDERSON COUNTY

FROM: Larry Allen Council Dist 3

DATE: 12/3/02 & 12/17/02

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

County Administrator
R. Preston

Council Members

Wright
Chairman
District 4

Holden
Vice-Chairman
District 5

Fred Tolly, Jr.
District 1

Macie S. Floyd
District 2

My E. Greer
District 3

William C. Dees
District 6

Cindy Wilson
District 7

Clark to Council

Nelda N. Gilstrap

Pursuant to Section 8-13-700, Code of Laws of South Carolina, 1976, as amended, I am hereby giving notice of my abstention from the matter regarding the issue of agenda item 5 a resolution dealing with Economic Development involving Bosch as it appears before Anderson County Council on 12/3/02 & 12/17/02, 2002.

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

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

Respectfully submitted,

Larry E. Allen

Anderson
County



2000

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

www.andersoncountysc.org

12/19/02 Exhibit 2

mtg.

- 1) What is the policy regarding paying County Employees consulting fees to their private consulting firms?

Jff Pictetson & Burris Nelson

* Upstate Alliance paid \$25,000 9/20/02

- 2) Re: asset ledger Fund #174 - account 1110-079-174, the Emergency Telephone System Fund

O'Budget \$983,641.51 balance carry forward 7/1
\$587,207 fund balance

2002-03 Budget budgeted over \$500,000.00

Please explain these differences.

- 3) Why would we be paying one Kathryn Campbell \$8652.45 out of acct. #5031 - 000 - 314 Development Construction? Your previous answer's #2 did not add up. In other ledger reports it appears that we paid the Balloon Federation over \$13,500 to ever come here. This does not include the cost to our taxpayers to provide the facilities, staff & other support for this function.

- 4) Where is budget transfer for cost over-run on the museum? Shouldn't County Council have approved? Who authorized? What was the total cost: Budget & actual costs?

5) What would we pay WR1X, a local radio station, \$45,000+, in a 14 month period?

6) It appears that we are paying Dewey Pearson to attend County Council meetings & other meetings. It appears that we have paid him approx. \$144,000 from April, 2001 to October, 2002. What ~~else~~ other functions does he perform?

7) What are the accounts numbered 5066 & 5067? I could not find them in the chart of accounts given to me last year.

8) According to the ~~Oct~~ October 16LR 153 there are many accounts showing '0' budgeted yet many expenditures above \$2500.

Two examples:

1. ^{Spent} \$40,000 ^{Fund} 331 Broadway Revitalization ^{Date} 6/32/02
transferred last fiscal year 6/30/02
money spent after 7/1

2. acct. 1600 - 100 - 360 asset ledger (4/9/02 - 10/2/02)
transfer from GF to Capital Projects
7/30/02 - \$50,000

Please tell us what these expenditures are:
9) account 5833-000-238 Misc / Dept of Commerce
Event

9/07/01 Matilda Bay Excursion (ons?) \$1,350.⁰⁰
10/18/01 First Citizens \$1,821.⁰⁰

What measures are being taken to
meet the GASB, ^{pronouncement} 34 (Gen. acct. Standard
Board) requirements due June 30th?

modified accrual vs. full accrual