

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – October 15, 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

ABSENT

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, October 15, 2002 at 6:00 p.m.

Chairman Larry E. Greer gave the invocation and everyone stood and pledged allegiance to the flag.

Mr. Fred Tolly moved to approve the minutes from the September 17, 2002 meeting as mailed. Mr. Clint Wright seconded. Vote was unanimous.

CITIZENS COMMENTS:

Agenda Matters: Mr. Ed Jean talked about the rezoning request on Dunlap Road. Mr. Bob Steadman said that they reside near the intersection of Brown Road and Concord Road. He said that he had a problem with nuisance noise because the land located in the triangle of Brown Road and Concord Road is used as a motor cross track, which is sometimes referred to as family recreation use. He asked that the Noise ordinance, as it exists, be enforced. Mr. Joe Renna asked Council to grant him his rezoning request.

Other Matters:

Mr. Ed Jean talked about Cindy's Rule #1, Cindy's Rule #2 and asked that there be a Cindy's Rule #3 as to how many times an item can be brought up. He suggested that when certain information is requested it should be available and the person should go to where the information is available and make the copies and the burden should not be placed on the Administrator. Ms. Bennie Sue West talked about the closing of Long Road and Hampton Road, which is to provide entrances to a gated community. Long Road is to be resurfaced at the cost of a million dollars and then turned over to the developers. She said that roads that have been paid for and kept up with taxpayers' money should not be given away. She asked council to reconsider. Mr. Rodney Sanders of 187 South said that he appreciated the efforts made to get the last six months of the County Council meetings on the website. However, Council still has a good ways to go. He talked about the County's "slush funds" – paving and recreation accounts. Ms. Peggy Taylor talked about Ms. Wilson request for information and the memorandum that she received from Mr. Preston stating that it took the county 4

hours and 20 minutes at a cost of \$1,151.00. She had calculated out if the report did take 4 hours 20 minutes and one person did the work – that person is making \$265.00 per hour with an annual salary of \$552,000, if the work was done by 5 people then they each made \$53.16 per hour with an annual salary of \$110,000. If it took 10 people to do the job – they averaged \$26.58 per hour with an annual salary of \$55,000. She said she did not understand what the big deal was. Mr. John Pate said that he had a noise problem with a vacant lot beside him. They ride four wheelers motorcycles and etc. The Sheriff's office told him that a person could do basically anything during the hours of 7 am until 10 p.m. Mr. Dan Harvell also talked about the closure of Hampton Road and turning the road over to private developers. Mr. Charles Crowe said that citizens of the County should have some idea as to how each Council Members stand on land use. He said that issues like this, which controls people's property – they should have some idea as to how each Council member feels. He said that the Land Use is a form of zoning – but worse. He said that he could not believe that the award winning Finance Department would take that long and such cost to produce a financial report.

Ms. Elaine Rollins, Chairman of the Human Resources Committee presented Mr. Vic Carpenter as Employee of the Month of September 2002. He was presented all the gifts that winners receive. Council congratulated Mr. Carpenter for his outstanding job performance.

Chairman Larry Greer presented third and final reading of Ordinance #2002-030 – an ordinance providing for a Five-Year Extension of the investment period for Mount Vernon Mills, Inc. under its lease agreement with Anderson County pursuant to Section 4-12-30 (c)(2), Code of Laws of South Carolina 1976, as amended. Mr. Wright moved to approve the ordinance and Mr. Dees seconded. Vote was unanimous.

Chairman Larry Greer presented second reading of Ordinance #2002-032 – an ordinance to approve a rezoning request by Ms. Linda Eller and Mr. Joe Renna to rezone a 2-acre parcel at 1115 Dunlap Road from R-20 (single family residential) to O-D (office district). Property is located in the Hopewell Zoning district. Mr. Wright moved to approve and Ms. Wilson seconded. Vote was two in favor (Wright and Wilson) and five opposed (Tolly, Floyd, Dees, Greer, and Holden). Motion failed and Ordinance #2002-032 is defeated.

Chairman Greer presented first reading of Ordinance #2002-033 – an ordinance to provide for the creation of the Thornwood Acres Special Tax District in Anderson County; to establish the nature of services to be performed therein; to designate the uniform service charge in the special tax district; to provide for the operation of the special tax district; and other matters related thereto. Mr. Wright moved to approve and Mr. Dees seconded. Mr. Martin explained that this was a special tax district to bring the roads up to County specifications in the Thornwood Acres Subdivision. Vote was unanimous.

Chairman Greer presented Resolution #R2002-074 – a resolution in support of the issuance by the South Carolina Jobs-Economic Development authority of its not exceeding \$5,500,000 South Carolina Jobs-Economic Development authority Economic Development Revenue Bonds (Sargent Metal Fabricators, Inc. 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; no comments were received. Ms. Wilson moved to approve and Mr. Holden seconded. Vote was unanimous.

Chairman Greer presented Resolution #R2002-075 – a resolution acknowledging and supporting the Anderson County Horseshoe Tournament and Anderson County Checkers Tournament, to be sponsored by the Honea Path Merchants Association and

held in conjunction with the Honea Path Fall Festival, October 26, 2002. Ms. Wilson moved to approve and Mr. Wright seconded. Vote was unanimous.

Mr. Jeff Ricketson gave Council an overview of the problem that the Council will have in the coming years with the county's air quality. He said it was not that the County's air was any worse but the Environmental Protection Agency has lowered the "bar" and made the standards more stringent. He said that if the County did not comply that it would affect the County's economic development because the County's air permits would be held up, it would also affect the County's highway money and the ability to build roads. He asked Council to approve Resolution #R2002-076 - a Clean Air Resolution. Mr. Greer asked for a two-thirds affirmative vote to place the resolution on the agenda. Mr. Dees moved to place the resolution on the agenda and Mr. Holden seconded. Vote was 7/0. The resolution asked that each participating County provide individuals to serve on a Steering Committee comprised of 10 members who would strive to finalize an Upstate Air Quality Action Plan that is a guide for implementation of proactive measures that will bring the participating counties into compliance with the 8-hour ozone standard consistent with DHEC's Early Action Plan. Then once the Air Quality Action plan is developed by the Steering Committee, each of the Participating Counties will consider adoption of the Air Quality Action Plan within the boundaries of the respective participating counties consistent with the goals of the Early Action Program. Mr. John Lummus also spoke on the issue. Mr. Tolly moved to approve the resolution and Mr. Holden seconded. Vote was unanimous.

Ms. Wilson said that maybe at the next meeting that Council look at the information on the Clean Air in depth. Chairman Greer said that it would be her prerogative to put it on the agenda if she wished.

Mr. Clint Wright appointed Mr. Ron Hendricks to his Council District 4 Zoning Advisory board. Ms. Wilson seconded the appointment and vote was unanimous.

On the motion of Mr. Dees, seconded by Mr. Tolly, Council voted unanimously to approve an appropriation of \$3,000 from District #6's Recreation Account for the Piercetown Fire Department and to be paid upon presentation of an invoice. This will be used for refurbishment of an old truck.

On the motion of Ms. Wilson, seconded by Mr Holden, Council voted to appropriate \$3,500 for the continued restoration of the Williamston Depot. The funds will come from District #7's Recreation Account.

Mr. Holden moved to appropriate \$2,000 for the Westside Orchestra and \$1,000 for the Homeland Park Fire Department. The funds will come from District #5's Recreation Account. Mr. Dees seconded. Vote was unanimous.

Mr. Tolly moved to appropriate \$30,000 from District #1's paving account for a down payment to the SC Department of Transportation for the Brown Road bridge replacement. Mr. Wright seconded. Mr. Wright amended the motion to include \$30,000 from District #4's Paving Account for the same purpose. Mr. Tolly seconded the amendment and vote was unanimous. Vote on the motion as amended was unanimous.

Ms. Wilson asked Mr. Tolly and Mr. Wright if they didn't have the available funding in their current paving accounts for the Brown Road Bridge would it be in next years' funding. Both responded that they have the funds available in their current paving accounts.

ADMINISTRATOR'S REPORT:

- a. *Anderson County Water Study Update- B.P. Barber & Associates, Inc.*
- b. *Letters of Appreciation:*
 1. For: Mr. Joey Preston/staff - From: KAB Board of Directors and Volunteers
 2. For: Mr. Jerry Stamp, Mr. Jr. Greenway, Mr. Tim Edwards, Mr. Mark McConnell, Mr. Michael Poole and Mr. Tracy Burdette – From: Councilman Bill Dees
 3. For: Mr. Tony Owens, Mr. Mark McConnell, Mr. Ken Stone, Mr. Tracy Burdette and Mr. Robert Mattison – From: Mr. Nick Hopkins
 4. For: Mr. Roger Mudd – From: Mr. Rick Jones, Balloon Federation of America
 5. For: Anderson County Transportation Mr. Tony Owens crew – From: Ms. Deborah Stephens
- c. Reports:
 1. Recreation Fund Accounts
 2. District Paving Reports
 3. Building & Codes September Monthly Report
 4. Detention Center Litter Report – September 16 to September 20, September 23 to September 27 and September 30 to October 4, 2002.
 5. Road Maintenance Litter Report – September 2002
- d. Minutes:
 1. Anderson County Transportation Division Safety Meeting Minutes – October 4, 2002
 2. Anderson Regional Airport Minutes – September 9, 2002
 3. CPR & AED (Automatic External Defibrillator) Training – October 24, 2002
 4. New Horizon Aviation
 5. Anderson Sports & Entertainment Center Calendar
- e. 2003 President of the SC Association of Assessing Officials – Mr. Mike Freeman – **Mr. Preston asked Mr. Freeman to stand and he announced that Mr. Freeman had been elected as President of the S.C. Association of Assessing Officials and Auditor; Annie Marie Brock had been elected as Secretary.**
- f. Departmental Transfers

Mr. Preston wished Ms. Wilson a Happy Birthday. (He said it was Monday, October 14.)

Council Members Remarks:

Ms. Wilson said that with all the rain it still would not be enough to mitigate the water problem. She said that Council and the Ad Hoc Water Committee had discussed the means by which Council could help with the infrastructure funding needs. She called Council's attention to page 18 (section 17) of the current budget, which is the creation, and the appropriation of a public infrastructure fund. She said it appears that Council has the legal mechanism through which they can provide some "seed" funds infrastructure in the county. Now that the Duke Power system belongs to a consortium of water providers and the State Delegation has passed legislation that would allow them to receive funds from the County. She said that she hoped by the next meeting the County council would consider using this fund. Mr. Martin stated that this was money set aside for the multi-county industrial parks to be used for economic development. She also said that she had requested for several months the GLR153 – monthly financial report or the GLR150 – weekly report. She said that she didn't want to have to go through the requesting process so she asked that from this point on Mr. Preston provide her with this report (the GLR150 or GLR153) every month.

Mr. Dees did not have any comments.

Mr. Holden said that several issues had come up again such as the Noise Ordinance and he thought it was time for Council to begin working on the Noise ordinance again. He asked Mr. Martin to clearly specify who is to enforce the ordinance. He said that he be given information on how many highway patrolmen and sheriff's deputies are patrolling Anderson County during nighttime and weekends. He said that at least once a month the County has a half page article where the County is recognizing their employees – he said that he thought that Council should use that space for informing the public about certain things like emergency procedures such as Homeland Security and he asked Mr. Preston to consider utilization of the space which would be more beneficial to the County citizens.

Ms. Gracie Floyd said that the lowering of Broadway Lake would begin in January. She wanted Pete and Linda to know this who are regular watchers of Cable 8. Ms. Floyd said that she wanted to bring the noise up back up at the November 12 meeting. She said that she has received numerous calls on the long wait at the Motor Vehicle Department. She suggested that Council send them a resolution asking them to help correct the problem.

Mr. Wright said that he was extremely disappointed in the rezoning request vote.

Mr. Tolly said that there was a state statute that states you cannot disturb the peace and in order to this enforced and you have the proper audio and video evidence and necessary documents and you take to the solicitor then they need to prosecute.

Mr. Greer said that he sat and listened to Mr. Crowe's remarks regarding the Land Use Ordinance and the fact that it was delayed until after the election. He said he agreed with him and the reason it was delayed was because of his organizations' insistence. He said that he has made no secret since he became a Council member that he believes in the rights of the individual property owner and he believes that Council needs to protect those rights anyway and anytime possible; however at the same time they need to work for the good of the majority at the same time. He said that is some conflict but first and foremost he tries to consider the rights of the individual. He gave some examples such as a 50' set back on each side of a creek for developing property. He said that Council must use some common sense as they address these land use regulations. He said that he has sat here for the last two years and endured both implied and outright accusations of misconduct, poor decision-making, lack of accountability, being more interested in my "pocket book" than the interest of the people. No one has come forward and produced one shred of evidence of any wrongdoing. This Council on more than one occasion has individually and collectively said produce the proof and we'll take whatever steps are appropriate. To date no one has offered any verifiable evidence that warrants for any investigations. They've only tried to sabotage the work of this County by making insinuations of wrong doings. In 1998, one thing that he heard very loud and very clear was that the southern part of Anderson County, (including all area of Council district 3) had not received its' share of the services that Anderson County has provided to the other citizens of this County. He heard this very loud and very clear. When he began to represent Council District 3 he started to pursue a course that would bring increased County services to all areas of Council District 3. He said he believed that he and all residents of Council District 3 have seen an increase in the services coming to this Council district. Examples of the services – the completion of the Starr Sports complex, support of the local fire departments, million of dollars in road paving, the approval and funding of the Starr Iva Sewer Project (in excess of five million dollars), approval and funding of a new Belton Library, support of Senior Citizens programs. Mr. Greer used an ear of corn to show that one kernel of corn produces a whole ear of corn – when they went to Washington they didn't expect an answer when they went – they were "sowing

seeds". Sowing seeds to try to get help in District 3 and that is all its about he said. He also talked about Ervin Street. He said Mr. William Glason was the first to ask that Ervin Street be improved and at that time Mr. Harvie Banister initiated on October 20, 1998, along with Mr. Wright, Mr. Floyd and Mr. Holden approved the resurfacing contract that included the paving of Ervin Street, which was approximately 3 months before he took office. He said that the paving benefited not only 5 residents but also the entire Starr and Iva communities by providing an East/West traffic route. It is and has been clear to him that the paving and improvement of Ervin Street was indeed and requested and sought by the leadership of the Starr community. He said that the group that has criticized does not care about the people of Council District 3 and they are trying to use the people of the Council district to accomplish their own selfish purposes and to slow down or stop the progress that Council District #3 has made over the last four years.

There being no further business, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL