

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting - November 6, 2001 - 6:00 p.m.  
Linda N. Gilstrap, Clerk to Council

AMENDED  
MINUTES

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 Clint Wright - District #4 - Presiding  
G. Fred Tolly - District #1  
Gracie S. Floyd - District #2  
Larry E. Greer - District #3  
Vice Chairman 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

*(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 6, 2001 at 6:00 p.m. Chairman Wright called the meeting to order and then read the quote.

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

Mr. Dees moved to approve the minutes of the October 16, 2001 meeting with certain typographical errors that have been discussed with the Clerk to Council. Ms. Wilson asked that on page 10- bottom paragraph - add, "The detail of the survey as presented to Council clearly depicts that there is a strip of the Armstrongs' land laying between Mr. Tribble's property and the road." Mr. Greer stated that on page 15, top paragraph - first reading of Ordinance #2001-046 add: "This ordinance extends the agreement by two

years and reduces the assessment from 10.5% to 6% and extends any Special Source Revenue bond by two years which in effect reduces the tax burden to Milliken and Company." Mr. Holden seconded. Vote was unanimous to approve the minutes as amended.

Mr. Larry Greer presented a resolution (#R2001-053) recognizing and honoring over 1000 paid and volunteer firefighters in Anderson County, South Carolina, and other matters relating thereto. He moved to approve and Mr. Mike Holden seconded. Vote was unanimous. Mr. Greer and Chairman Wright presented the 32 different Fire Departments in Anderson County a framed resolution for their service to Anderson County. After Mr. Greer's presentation to all the fire departments, he presented a copy of a framed memorial picture made of firemen at the September 11 Terrorists Attack in New York. He stated that he believes that this picture will go down in history and he asked Chief Ray Cramer to accept the picture and asked that it be hung in the Fire Headquarters Building. Chief Ray Cramer thanked Council for this recognition.

Mr. Douglas McDougald of The McDougald Funeral Home read a letter from Douglas C. McDougald, Jr., Jesse McDougald, and himself addressed to Chief Glenn Gable of the Anderson County Fire Department. (The same letter also went to Sheriff Gene Taylor). The letter states that to show meaningful support for the firefighters of the County and City, and for support of the Law Enforcement Officers in the event an Anderson County Firefighter or Law Enforcement Officer is fatally injured as a result of being placed in harm's way while performing his or her duty, the McDougald Funeral Home will provide its services, facilities and automotive equipment for the funeral service of the victim at no cost to the victim's family. He said that the policy would also embrace the City of Anderson's Fire Department, Police Department and the Sheriff's Department.

Public Comments: Margaret Richey said she spoke with several members of Council regarding the Alarm Systems Ordinance (#2001-035). She received a copy about 1-1/2 weeks ago and now she discovered today that it had been revised. Several things in the ordinance need to be looked over again and after talking with several alarm company owners they knew nothing about the ordinance. She asked Council to table for two more weeks to allow input from others into the ordinance. Pat Hasenfuss of 3250 McGee Road said

that she had the pleasure of meeting with Mr. Broyles last week and he informed her of what he was willing to compromise on the Highway 81 property. She said she lives next door to the property and still has misgivings about the whole thing and the traffic on McGee Road. She said that she would like to be assured tonight that all the changes couldn't be changed again if they are approved tonight. Bill Brissey asked that Council not approve the Resolution (#R2001-050) that puts bad news out to the public about how much water Hartwell Lake does not have. He said that the lake does have some problems but he doesn't believe it is with the Corps of Engineers. He asked Council not to approve the resolution. Jim Mize said he would wait for the public hearing on ordinance #2001-037. Bill Kester of 108 Windward Court in Pendleton urged support of the Clemson Area Transit System's plan to expand its bus service into Anderson County. He said that this service would not only benefit college students, but the elderly and/or disabled. Brantley Jordan said that he was proud to see all the planes coming in because of the football game. He said for several hours he was out there on Friday, Saturday, and Sunday and he had never seen so many planes before coming in and out. He also said that the group of people running the Airport was very efficient and well organized. He said that at the Airport meeting last night he had an opportunity to meet the new Airport Manager and he was very pleased with the type of people that are coming to work for Anderson County. He also stated that he attended a meeting at the Public Safety building and hears a good discussion of what is taking place with all the departments in that division. He said Anderson County was progressing and he was proud to live in Anderson County. Mr. Frank Kellam said that on September 11 was the day that the Lord Eternal took protective hand away from our great nation. The Pentagon was the symbol of freedom and security to the world and now it is more unsafe than Osama bin Laden's home. Jesus Christ our creator gave us an instruction book for a happy and meaningful life. He asked Council to set aside December 6, 7, & 8 for a time of County and National repentance before the Almighty God that he will do as he promises that he will hear our prayers and heal our land. Ed Jean complimented Mr. Jordan on his remarks. Mr. Jean said that he was for the design overlay district and with regard to special interest to him it seems about the listing in the petition, the numbers and the names, he feels that a number of those people were living right on the road who have already had their property zoned commercially by the County. He said that he feels the design overlay can work just like they do in the

City of Anderson. Dan Harvell said that redistricting was just around the corner. Due to his interest in the process, he obtained information to pertaining to the districts in place prior to the 1998 election. In comparing the old five-district map with the new seven-district map along with precinct-by-precinct results of the 1998 election, it was his opinion that the redrawing of lines to accommodate seven districts favored certain incumbents. Also was the fact that the new District #6 line barely looped in Teresa Locke Morgan forcing her to run a campaign in an area mainly out of her former district all the way to southern Greenville County. He said he found this quite curious he did not make any allegations he just called it a questionable circumstance. He said that they will be watching very closely the adjustments to be made as the new lines are drawn and they will be ready to follow "due process" should they find the new lines inappropriate. He said his only wish was that the district be configured in a totally and impartial manner so as to make sure that they have a level "playing field" for all candidates in the next County Council election. No others wished to speak under the Citizens Agenda.

Mr. Alex Spainhour said that about a month ago, the County, City, GAMAC, and the *Anderson Independent Mail* engaged in Celebrate Anderson. An award was presented to the County for their participation and cooperation with the County and the City. Ms. Louise Trammell read the award, which they presented to Chairman Wright. Council thanked them for the award.

Mr. Dean Harbert appeared before Council on behalf of Governor Hodges and his staff. He said "Thank You" to all involved with the Governor's visit to Anderson last week. He said the Governor expressed what a great day it was last Tuesday and looks forward to his next visit to Anderson County. He publicly thanked Mr. Henry Adair, Ms. Sarah Coffey, Mr. Carl Stone, Senator O'Dell, Senator Waldrep, Mr. Rusty Burns, staff from Hospice of the Upstate, Solicitor Druanne White and staff, Mr. Scott Stevens at Calvary's Home, Mr. Preston and staff, several Fire Stations. He said this was not a political stop but was all about Anderson County. Ms. Floyd stated that the Governor would be the Keynote Speaker at the Anderson-Oconee Council on Aging's Annual banquet scheduled for November 15. Everyone was invited.

Ms. Tina Watkins appeared before Council with information concerning Eminent Domain. She said that it was her understanding that to condemn property by the right of Eminent domain it would take a vote of the highest governing body (County Council). She said that what concerned her was a highway coming out in front of a high school. She asked members of Council how they could not know about the property being taken by eminent domain when they should have voted on it. Mr. Holden said that he stated earlier that the County did not intend to kill the Michelin Project for a hand full of people for the benefit of the entire County. He said he did not support the route of the road. Also Mr. Holden asked Ms. Watkins what she and her family was offered/compensated for their property of which they will get back after three years. She responded 57 cents per square foot (grandfather's) and \$1.15 per square foot (parents'). Mr. Holden said that that equated out to approximately \$58,000 per acre, which is pretty high. He also reminded Ms. Watkins that Senator Waldrep stated that the money was not in Columbia and the Council told you that the County didn't have the money. Chairman Wright explained to Ms. Watkins that the reason he did not know is because when Council approved the first "Beta" project ordinance, it includes the beginning to the end of the project. Council received as information.

Ms. Floyd asked for a Point of Personal Privilege. Chairman Wright granted the request. Ms. Floyd asked Mr. Preston to introduce the new Airport Manager. Mr. John M. Ferguson is from Montgomery, Alabama where he served as an aviation consultant and is a graduate of Auburn University. Everyone welcomed Mr. Ferguson to Anderson County.

Mr. Tom Martin read third reading of Ordinance #2001-035 - an ordinance regulating security and/or burglar alarms in Anderson County by requiring the registration of all alarms, establishing audible alarm standards, prohibiting certain automatic dialing alarm systems, and imposing fines for excessive numbers of false alarms; and other matters related thereto. Mr. Dees moved to approve the amended version of the ordinance and Mr. Greer seconded. Ms. Wilson asked that Council hold off until the next meeting to allow for further study. She moved to table until the next meeting in order that she may support the ordinance. The motion died from a lack of a second. Ms. Dees stated that the Anderson County Sheriff's Office has responded to 8303 alarms all were false. This required 1.7 deputies to

answer these calls in Anderson County. Mr. Greer asked Mr. Dees if the ordinance take in consideration the elderly on fixed incomes. Mr. Dees responded yes it did. Mr. Greer called for the question. Vote was six in favor and one abstention (Ms. Wilson). Motion passed. Mr. Dees stated that on page 5 under Section 3-Subsection (c) 6: he wanted to add "audible alarms". Mr. Dees then moved to reconsider and Mr. Greer seconded. Vote was six in favor and one abstention. (Ms. Wilson abstained). Mr. Dees moved to approve the amendment and Mr. Greer seconded. Mr. Greer called for the question. Vote was six in favor and one abstention. (Ms. Wilson abstained). Vote on the ordinance as amended was six in favor and one abstention. (Ms. Wilson abstained).

Ms. Cindy Wilson asked for a Point of Personal Privilege. The Chairman granted it. Ms. Wilson said that this was concerning the overlay district and there were many irregularities. She respectfully requested that all members of Council join together to work through what actually happened and make some explanation to the public. She said there was one matter that she had requested an explanation from the Chairman and the County Attorney. She said the Clemson lease at the Airport ordinance was pulled from the agenda and it was stated that they were not prepared. The overlay had been deleted on Monday because there were some problems with it. The Chairman of the Planning Commission had directed that the Planning Director to draft an ordinance based on some guidelines given. All that was in the packet was the set of guidelines and a letter from Planning Commission of which he claims he did not write. So considering all the problems and no ordinance to address or consider it seem prudent to pull it from the agenda until it was prepared. Also a member of the Planning Commission who was in attendance, he left to go get something from his car and he was locked out. She then asked for some explanation on these above items. Mr. Wright stated that he received the letter concerning the agenda item of Airport/Clemson University Lease and was unable to fax his reply after calling for fax number. He read the following explanation. He said he personally thought both of them should have been removed and he voted with her to table and lost. The Council by a 5-2 vote decided to hear the overlay issue. On the second issue, no one questioned that. Ms. Wilson said that the overlay was not a cohesive document that anybody could have voted on. However, the overlay would have gone through a very similar process as the billboards and mobile homes and it was a shame that the process was not

allowed to continue. Mr. Holden stated that the overlay was only for a small section and did not consider the county as whole, and as a represented for the south and west side of town. Council needs to look at the "big" picture. Ms. Floyd said that she was informed of an overlay plan that encompasses the entire County. Mr. Greer said he has consistently voiced his concerns for the rights of the individual property owner and protection of those rights. He said one of the major flaws in the overlay district was that it was a dictation by one part of the community as to what was happening in a different part of the community and the lack of input from the part of the community that was immediately affected. In his opinion the overlay almost mirrors what a zoning ordinance does, he said. Mr. Greer offered a motion to direct the Planning Department and County Attorney to develop a tentative ordinance to address a process by which a community can implement an overlay district in their community. Mr. Tolly seconded. Mr. Tolly said that if you are going to change an ordinance that is on the books then you certainly need a referendum to change what a prior referendum had originally voted on. So it is his opinion that a referendum item should be included. Mr. Greer said that it was his opinion that the "affected people" would constitute the parties that would participate in the 15%, which would be the residences that are directly affected. Mr. Wright agreed with Mr. Tolly on the referendum. Ms. Floyd said that she was really worried about this. Mr. Dees called for the question. Vote was five in favor and two abstentions. Mr. Holden and Ms. Floyd abstained. Motion carried.

Council recessed at this time from 7:40 p.m. until 7:50 p.m. Chairman Wright called the meeting back to order after the recess.

Mr. Tom Martin read second reading of Ordinance #2001-027 - an ordinance to amend Ordinance #98-019, as previously amended by Ordinance #99-029, #2000-063 and #2001-014, relating to the Industrial/Business Park of Anderson and Greenville Counties so as to enlarge the park. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve second reading as presented.

Mr. Martin presented second reading of Ordinance #2001-037 - an ordinance amending the Anderson County Comprehensive Plan to change the future land use in specified areas outside the Williamston City Limits from low density residential to commercial and high-density residential. Chairman

Wright opened a public hearing and Mr. James Mize who lives right outside the Williamston City limits spoke. He asked for the specified areas. No other citizens wished to speak. The public hearing was declared closed. Council informed Mr. Mize that this was the Ruby Roberts Estates only. Mr. Greer moved to approve and Mr. Dees seconded. Mr. Ricketson presented maps for the comprehensive plan change and explained the process. Ms. Wilson talked about a process where a pyramid type process is used in classification of land. Mr. Ricketson explained that some Counties use this practice in their ordinances. He said that he would provide some information and recommendation on this. Mr. Greer stated that the land use map is a guide and is not binding; however a zoning map is binding and has been voted on by council and imposed based on the will of the people. Mr. Greer also pointed out that there was a process to carry out a rezoning process. Council discussed further. Mr. Greer called for the question. Vote was unanimous.

Mr. Martin read second reading of Ordinance #2001-038 - an ordinance to approve a rezoning request by the Estate of Ruby Roberts and Hugh Durham to rezone a 35-acre parcel of land on State Road 77 near Williamston. The parcel is currently zoned R-A (Residential Agriculture). The requested zoning is C-2 (Highway Commercial). The property is a portion of a tract identified by tax map #221-00-09-005. On the motion of Mr. Dees, seconded by Ms. Wilson, Council voted unanimously to approve on second reading.

Mr. Martin read second reading of Ordinance #2001-039 - an ordinance authorizing pursuant to Chapter I of title 4, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a multi-county industrial park agreement between Anderson County, South Carolina and Greenville County, South Carolina; and matters relating thereto. A public hearing was conducted. Mr. Rufus Gleason asked for the Bond Attorney to explain this ordinance. Mr. Robert Galloway stated that this involved the participation by Anderson County in a multi-County industrial park agreement with Greenville County at the present time this involves one project in Greenville County. At this point it may be the only project in the park and Anderson County can share 1% of revenues generated in the project for participating with Greenville in the agreement. Mr. Tolly moved to approve on second

reading and Mr. Holden seconded. Mr. Greer called for the question. Vote was unanimous.

Mr. Martin read second reading of Ordinance #2001-043 - an ordinance amending in certain limited particulars Chapter 42, Article III, Division 5 of the Anderson County Code of Ordinances pertaining to litter, by prohibiting individuals, businesses, or other entities from intentionally blowing or otherwise moving organic or inorganic debris from public or private property onto public thoroughfares, or other public property; and other matters relating thereto. A public hearing was conducted; however no citizen wished to speak. Mr. Dees moved to approve and Mr. Holden seconded. Vote was unanimous.

Mr. Martin read second reading of Ordinance #2001-046 - an ordinance authorizing the execution and delivery of an amendment to a lease purchase agreement between Anderson County and Milliken and Company, so as to extend the initial investment period to seven years for investments in excess of the initial commitment. A public hearing was held. Mr. Rufus Gleason asked that the Bond Attorney speak prior to hearing from citizens' questions. Mr. Galloway stated that this ordinance involves a fee in lieu of taxes. Under state law County Council may grant an additional two years to give incentive for an additional investment by the Company, provided the Company has met their minimum investment obligations. Mr. Gleason then spoke. He said that he was delighted to have Mr. Galloway present to explain the ordinance. He said Milliken was a great corporate citizen and he recommended that Council approve the ordinance. Chairman Wright stated that the same explanation was given at the first reading. Mr. Tolly moved to approve on second reading and Mr. Dees seconded. Mr. Greer stated that Mr. Gleason had been a vocal opponent of Anderson County's Fee in Lieu of tax agreements. He said that it was good to verbally hear him endorse this fee agreement, which in effect will reduce the tax burden of this industry. Mr. Holden called for the question. Vote was unanimous.

Mr. Martin presented first reading of Ordinance #2001-040 - an ordinance to approve a rezoning request by Gerald Terry to rezone property on Highway 81 near Concord Road intersection, identified by TMS 145-00-03-011 from C1-N (Neighborhood commercial) to C-2 (Highway commercial) Property located in the Hopewell Zoning precinct. A public hearing was held

and the following individuals spoke. Mr. Gerald Terry - asked Council to approve the rezoning change variance. Ms. Pat Hasenfuss said that she has a vested interest in her own property where they live which is in the neighborhood. She asked for a list of what highway commercial businesses that would be permitted. Then they would know what they were agreeing on. Chairman Wright asked Mr. Ricketson to get her a list. Ms. Wilson asked for a map to look at to see what surrounds it. Mr. Larry Mitchell said that the YMCA ball fields bound the property on the back down the street and there are residences in there. There are approximately 10 houses within 1000 feet. The residences on the backside make the area residential/commercial. He said they wanted orderly, sensible, reasonable growth. No further comments were received; the public hearing was closed. Mr. Holden moved to approve the Ordinance on first reading and Mr. Dees seconded. Both the Citizens Advisory Board and the Planning Commission voted against this request. Council discussed. Mr. Greer stated that because of the uncertainty of what Mr. Terry is planning to use the land for, he would like to see Mr. Terry come back with a concrete decision on what he plans for the land. Mr. Greer moved to table and Mr. Dees seconded. Vote was six in favor and one abstention. (Ms. Wilson abstained.)

Mr. Martin presented first reading of Ordinance #2001-041 - a request by Jim Broyles/LINWA, LLC to amend a Planned Development district in the Hopewell Zoning Precinct. Property is located on Highway 81 across from Hopewell Crossing Subdivision and bound by Hub Road and McGee Road. A public hearing was held. Mr. Jim Broyles stated that he started this in late June. He said he was not an owner of the property, his Mother is the owner and he was there representing his mother. The area in question has Highway 81 frontage presently zoned single-family residential. As zoning was implemented in the County, the areas around them became zoned commercial. They did not feel like they could do an up-scale residential development in the area because of this change. The change occurred after they put their plan in place. So they have requested a change in zoning of the highway 81 frontage. Since June they have met with the neighborhood to come together with an agreeable solution. He said that they propose to put 36 single-family homes on the 12 acres at the rear of the property across from Beaver Creek Subdivision. The property is currently zoned to place 62 homes on 24 acres so the change is minimal. They have made minor changes to the plan and he understands it can be done without going back

through the Planning Commission. A portion of the multi-family property, which borders Ms. Hasenfuss will be changed to single-family residential. Members of the Planning staff in accordance with the Comprehensive Plan have endorsed the new plan. Mr. Ed Jean of Crestview Road recommended to County Council that the new proposal of Mr. Broyles' be accepted. Mr. Holden stated that Mr. Broyles had bypassed the Planning Commission and he thought that was not right. Mr. Greer asked Mr. Broyles did he state that he had made changes to the entrances on Hub Road. Mr. Broyles said yes that when they went to the Planning Commission the first time they had proposed two entrances on Hub Road and because of the disapproval of the residents they had been eliminated and the change from multi-family to single-family. Mr. Greer read a section from the Zoning Ordinance which states that an increase/decrease in entrances of a planned development is considered a major change and would require that it go back through the Planning Commission. Mr. Larry Mitchell said that a committee was formed and it has been difficult. He complimented the Citizens Advisory Board and the Planning Commission who listens to the desires of the people. He said the plan before Council should be a viable plan which should be acceptable by everyone. Mr. Dan McKinney a resident of 4034 Windward Trail stated that he was in favor of Mr. Broyles' plan and asked for Council's support. Ms. Nicole McMahan of White Oak Drive said that as a member of the Board of Directors for the Highway 81 Citizens Development Committee said that she did support the plan. Ms. Pat Hasenfuss said that she had some misgivings however she believes that Mr. Broyles had done a good job and asked council to go ahead and approve. Mr. Darrell Sage of 400 Cumberland Way urged Council to approve. The public hearing was closed. Ms. Wilson moved to approve on first reading Ordinance #2001-041 and Mr. Greer seconded. Mr. Holden questioned why procedure was not followed. Mr. Dees amended the motion that the ordinance receives cursory approval contingent upon Mr. Broyles going back before the proper committees/commissions. Mr. Greer asked Mr. Ricketson was it true that the proposal before County Council tonight has never been before the Citizens Advisory committee or the Planning Committee. He said yes. Parts have been before the committees. Mr. Greer stated that Council should respect the process and it was critical to protect the process. He asked that the Planning Commission and the Citizens Advisory Committee to call a special called meeting to hear the request so Council can expedite this. He asked Mr. Dees to withdraw his amendment and he would immediately put another motion on the floor that

the request be sent back to the zoning committee and planning Commission for special called meetings in order to expedite the process. Mr. Dees withdrew his motion and stated that he thought Mr. Broyles' plan was outstanding and excellent. Mr. Tolly called for the question again. Mr. Greer wanted to ask a question concerning the ordinance. Mr. Tolly called again for the question. Vote was six in favor and one opposition. Mr. Holden opposed.

Mr. Greer asked for a Point of Personal Privilege. He said since he couldn't get this in on the discussion. He asked Mr. Robert Galloway to come to the microphone. He asked Mr. Galloway earlier on the phone regarding concerns of the Inducement Agreement between LINWA and Anderson County and how the increasing the commercial area of that property could effect the inducement agreement. His reply was that he saw nothing in the inducement documents that would limit the amount of commercial properties that would benefit from the incentive. He asked the following questions. He asked if the Continuing Nursing facility considered commercial and could it expand the inducement agreement that was offered to LINWA. Mr. Galloway said that as he reads the inducement agreement it provides a Special Source Revenue bond incentive with respect to the commercial and office development for the project. It is not limiting to as which commercial development or which office development. It is generic and he assumes a continuing care facility would be considered a commercial facility but he really didn't know. Mr. Ricketson said that a continuing care facility was not one of the uses allowed in the County's single-family zones. It is allowed in the county's multi-family zones and in some of the commercial zones. Mr. Ricketson could not say whether it would be considered commercial. Chairman Wright stated that the only portion of the property that would be entitled to the tax-credits would be the center portion, which was originally approved. Mr. Broyles was asked for the record that he agrees to stipulate in writing that the inducement agreement applies only to the green center portion and no other properties outside of the green section. He replied yes and they have all along agreed that the continuing retirement center is residential use and the inducement agreement only applies to infrastructure within the green section. He said that he would stipulate that in writing. Mr. Greer moved that the LINWA be referred back to the Citizens Advisory Committee and the Planning Commission to schedule special called meeting to consider this so this can come back for third by the first

meeting in December. Mr. Holden seconded. Chairman Wright stated for the record that Council was trying to protect the process. Mr. Holden said that was the reason that he voted against the motion however he wants Council to follow the process. Ms. Floyd asked to go on record that it was not her intention that they skirted the Planning Commission only to work with Mr. Broyles. Vote was unanimous.

Mr. Martin presented first reading of Ordinance #2001-042 - a rezoning request by Larry Davenport from C-2 (Highway Commercial) to R-2 (Residential Agriculture) Property located in the Cedar Grove Zoning Precinct. A public hearing was held and no comments were received. A public hearing was held; no comments were received. Mr. Greer moved to approve on first reading and Ms. Floyd seconded. Vote was unanimous.

Mr. Martin presented first reading of Ordinance #2001-044 - an ordinance to authorize the leasing of certain Anderson Regional Airport property and facilities to Clemson University for use by the CU Safe: car seat safety program; and other matters relating thereto. Mr. Greer moved to approve and Mr. Dees seconded. Mr. Greer asked what premises are being used leased. Office space in Hangar 4, Mr. Carroll replied. Mr. Greer asked about page 6 - Article 14: Exemptions. He asked Mr. Martin if the county was giving away any rights in the agreement. Mr. Martin replied that it was a standard real estate form and has been reviewed by the County's real estate attorneys. They do not believe that the county is giving any of the county's rights away. Ms. Floyd asked about how much the rent was. She said she would hold her questions regarding this. Mr. Greer called for the question. Vote was unanimous.

Mr. Martin presented first reading of Ordinance #2001-047 - an ordinance to amend certain sections of Anderson County Code of Ordinances pertaining to Noise Restrictions; and other matters related thereto. Ms. Floyd moved to adopt and it was seconded. Ms. Floyd moved to table the ordinance until members of the Noise committee and sheriff are present. Mr. Greer seconded. Vote was unanimous.

Mr. Martin presented first reading of Ordinance #2001-049 - a general bond ordinance authorizing and providing for the issuance of Anderson County, South Carolina, Special Source Revenue bonds (Plastic Omnium II

project). Prescribing the form of bonds; limited the payment of the bonds solely from certain revenues; and pledging certain revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing. Mr. Dees moved to approve and Mr. Greer seconded. Mr. Greer called for the question. Ms. Wilson said that she would hold her questions until the next meeting on this ordinance and Ordinance #2001-050. Vote was unanimous.

Mr. Martin presented first reading of Ordinance #2001-050 - an ordinance approving a first supplemental ordinance providing for the issuance and sale of an Anderson County, South Carolina, Special Source Revenue bond (Plastic Omnium II Project) series 2002, not to exceed \$1,000,000; and other matters relating thereto. Mr. Greer moved to approve and Ms. Wilson seconded. Mr. Greer called for the question. Vote was unanimous.

Mr. Fred Tolly presented Resolution #R2001-050 - a resolution requesting that the United States Army Corps of Engineers take immediate and meaningful steps to rectify the many injustices caused to Anderson County and it's people by the consistent, continuing and long-term low water levels of Lake Hartwell. Mr. Tolly moved to approve and Mr. Holden seconded. Ms. Wilson stated that there is a real and existing fear regarding the Habersham permit and she thought it would be more appropriate to try to work out something with the Corps of Engineers regarding this. Vote was six in favor and one abstention. Ms. Wilson abstained.

Mr. Martin presented Resolution #R2001-051 - a resolution approving the sale by Anderson county, South Carolina, of its \$4,000,000 Special Source Revenue Bond anticipation note, 2001 (Michelin Project) pursuant to the provisions of South Carolina Code annotated Section 4-29-68 and Title 11, Chapter 17; providing for the form and details of the note; providing for the payment of the note; providing for the disposition of the proceeds thereof; and other matters relating thereto. Mr. Greer moved to approve and it was seconded. Mr. Greer called for the question. Vote was unanimous.

Mr. Fred Tolly presented Resolution #R2001-052 - a resolution of the Anderson County on Port of Charleston. Mr. Tolly moved to approve and Mr. Holden seconded. Ms. Wilson said that there was so much contradictory

information that she would request that the resolution be tabled until Council hears all information coming up in December and January 2002. She stated that the figure of 60% of the ports traffic that comes to the upstate but actually in the draft of the Environmental Impact Statement it states that 1/3 of the ports' traffic goes to South Carolina business and of 1/3 or less, 60% comes to the upstate which according to these sources amounts to 18%. There is another factor, she said. The Ports Authority hired the Mercer Management Consulting Firm and in their statement they said the SPA should first focus to expand the capital investment to expand the capacity of the existing access base and only then should they expand. There is also information that there is a private sector project that is looking at Jasper County now that would not require us as a state to spend between 1-3 billion dollars to do Daniel Island. Motion to table died from lack of a second. Mr. Tolly said that it was vital to upstate industries (Michelin & BMW) that this moves forward. Mr. Greer stated that he remembered in the discussion the speaker talked about how many times a tire or parts of a tire that actually goes through the port. So the port is very critical to the upstate. Mr. Holden and Ms. Floyd stated that they also attended the meeting. Chairman Wright said that there seemed to be contradictory information out. Mr. Greer called for the question. Vote was six in favor and one opposed (Ms. Wilson). Motion carried.

Mr. Martin presented Resolution #R2001-054 - 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 (Plastic Omnium II Project), series 2002 in an aggregate principal amount of \$1,000,000 pursuant to the provisions of South Carolina Code annotated, Title 4, Chapter 1 and 29 (1976), as amended. Mr. Dees moved to approve and Mr. Holden seconded. Vote was unanimous.

Mr. Jeff Ricketson presented the recommendation from the Accommodations Tax 2% revenues for Council's approval. The total available this year was \$130,642 with a carry over of \$9,600 carried over from last year for a total of \$140,242 for allocation this year. Mr. Tolly moved to approve and Mr. Dees seconded. Chairman Wright asked to go on record as being extremely disappointed that Pendleton did not get and would like an explanation as to why the Pendleton Historical Foundation was the only zero

on the list. This foundation brings a lot of money into the area. Mr. Greer said that last year he pointed out that communities in his area were slighted. He said that he noticed that things in the Greater Anderson area tend to be funded at a higher level. He said that this concerns him. Ms. Wilson also agreed. Vote was four in favor, two opposed, and one absent. (Chairman Wright and Mr. Greer voted in opposition and Ms. Wilson had left the room when the vote was taken.) Motion carried.

Mr. Bill Dees moved to appropriate \$5,770 for the Wren Fire Department repaving of parking lot, \$5,000 for the Town of Pelzer for the refurbishment of Depot (this is for this year only), up to \$5,640 for a walking track at the Hurricane Springs Park. Funds will come from District #6 paving account. Mr. Greer seconded and vote was unanimous.

Ms. Cindy Wilson moved to appropriate \$50,000 for Belton-Honea Path Water Authority to go towards waterlines in the Barkers Creek area and other areas, \$4,400 for fire hydrants for the Friendship Fire Department area, and for the Town of Belton \$5,292.10 for pipes in the Belton area. All funds to come from District #7 paving account. Mr. Tolly seconded and vote was unanimous.

Chairman Wright moved to appropriate \$1,500 for the Sandy Springs Fire Department to help with community center area, \$1,000 for Crisis Ministries for their camp. Funds will come from District #4 Recreation Account. Mr. Greer seconded and vote was unanimous.

Mr. Mike Holden moved to give \$1,000 for Crisis Ministries out of District #5 paving account. Ms. Floyd seconded and vote was unanimous.

Ms. Floyd moved to give \$1,000 for Crisis Ministries out of District #2 Recreation Account. Mr. Dees seconded and vote was unanimous.

Mr. Dees moved to give \$1,000 from District #6 paving account for Crisis Ministries. Motion was seconded and vote was unanimous.

Ms. Wilson asked for a point of personal privileged. The chairman granted her request. She said that Rev. Wendell Cox had resigned from the Human Relations Council because he was away at Divinity School. Ms. Cox has

agreed to fill his vacancy. Ms. Wilson moved to replace Rev. Cox with his wife. The motion was seconded and vote was unanimous.

**Council Members Remarks:**

Mr. Dees reminded the Chairman that he was to find out about the agenda packets and respond by this meeting. Chairman Wright suggested/recommended that the Council limits 10-12 packets per council member. Mr. Martin said that there was a procedure in place to obtain documentation back in 1991-1992. The FOI ordinance that the Council agenda would be made available with complete backup in the office of the Clerk to Council and the Library and members of the public can obtain a copy of the agenda only at no charge. But the entire agenda packet, he believed, would be treated under the FOI act. Chairman Wright said that Council members should have the ability to obtain additional copies, but there should be some limit to what can be obtained. Mr. Dees said he did not desire to prevent this, but to make it that Council can all have the same privilege and not set a precedent. Mr. Greer said that he feels like that the work load with 12 per council member would be a little out of hand. Mr. Tolly suggested three copies for any individual Council member. Mr. Greer moved to approve a limit of three packets for any individual Council members. It was mentioned that all division heads need packets. Mr. Dees seconded. The motion was amended to furnish any schools a packet if they request one at no charge. Mr. Dees seconded.

The above discussion is verbatim at the request of Council:

Mr. Greer directed the Clerk to Council to give Ms. Wilson his three packets.

The Administrator's Report is on file in the Clerk to Council's office.

There being no further business, Council adjourned at 10:45 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council  
ANDERSON COUNTY COUNCIL