

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – June 4, 2002 - 6:00 p.m.
Linda N. Gilstrap, Clerk to Council

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 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, June 4, 2002 at 6:00 p.m.

Mr. Clint Wright gave the invocation and everyone stood and pledged allegiance to the flag.

Mr. Fred Tolly moved to approve the minutes from the May 14, 2001 meeting and Mr. Mike Holden seconded. Mr. Dees said that there were several typographical errors that needed to be corrected which is has discussed with the Clerk. Ms. Wilson also said that she had discussed with the Clerk an omission on page 7 that needed to be included. Vote was unanimous to approve the minutes with the corrections mentioned.

Chairman Greer recognized Boy Scout Troop 105, which is sponsored by the Kiwanis Club, and the Scout Leader is Mr. Joe McElwee. Council welcomed the troop. Council also acknowledged in attendance Boy Scout Troop 215 sponsored by the First Presbyterian Church and Mr. Dave Ruben is the Scout Leader. Mr. Tolly asked for a point of personal privilege. He was granted the request. He said that in Troop 215 there was a member by the name of David Suggs. He said that David was his next-door neighbor and might have to help him across the street one of these days.

Mr. Fred Tolly stated that his good friend T. Ree McCoy passed away who was a progressive leader of the County. He stated that the Council wanted his family to know that they greave along with them at the lost of this most distinguished citizen.

Citizens Comments: Mr. Ed Jean said that item #3 on the agenda "More Facts & Figures Presentation Concerning the Proposed 2002-2003 fiscal year Budget (Ordinance #2002-014)" was presented at the last meeting at which time more figures were given out than facts. As he listened to the items/departments recommended for cuts without any explanation. Charles Crowe said that he could not find where authorization was given in the budget or budget ordinance to spend \$25,000 per year on sports/recreation. He asked for someone to make this available to him. He said that at the last meeting there was facts put out. He said that there was a supplementary budget within a budget. He said that what was presented were suggestions. He said that on the agenda was a resolution that was discussed at the last meeting which

states that there would not be any matching funds required. He asked if there had been a study/investigation as to whether or not rail service is needed between here and Clemson.

Other Matters: Ed Jean complimented the Administration and County Council for their over-all good job that they are doing and are continuing to do. Troy Bond of Wellington Court said he lives in an \$8,000 house that he paid \$13,000 and the County says that is worth \$48,000. He said it is 30 years old and only changes are the taxes and utilities. He said he is amused and confused. He said that the first amendment of the Constitution is well and good in South Carolina; three minutes at one time with an interruption at 2 minutes. Charles Crowe said that he had received several reports around County buildings that some of the employees were discussing among themselves are saying such things as people who represent the Taxpayers Association is ready to take all your pay raises and all employee benefits. All he said was that the Association has requested was that if times were good – "share if with them" and if times are little tight "bear with us." He noticed that in the last two weeks employees are reluctant or even seem afraid to talk with citizens. If you call a department they seem like they are under pressure just to get you off the phone. Pat Hasenfuss of 3250 McGee Road asked what the different between hospitality tax and accommodation tax. She also asked how the County could buy a hot air balloon for \$35,000. She said that the price was very cheap and asked if it included everything. Dan Harvell, Vice Chairman of the Taxpayers Association stated that at the last two meetings Council had inquired as to members of the Taxpayers Association. He said that several members of the Association were also candidates and he gets the message that several Council members wished to convey the image that something is not on the level with such a situation. He said that unless the freedoms that Americas enjoy, are for some reason compromised here in Anderson County, their rights to participate in the political system will be exercised to the fullest. Several months ago, Council had an opportunity to extend the time limit for citizens wishing to speak by one minutes (from 3 to 4 minutes). Council found this intolerable or unreasonable. He said that he cannot image more suitable citizens to hold office in Anderson County than the ones that are willing to stand up for the taxpayers' dollar and defend them against lavish, overspending and waste in County government.

Chairman Greer called on Ms. Floyd, the sponsor of Item #1 on the agenda. Ms. Floyd asked that she be allowed to read a fax that she received concerning the issue. Chairman Greer allowed Ms. Floyd the request. Ms. Floyd read a fax stating that the purpose of the fax was to advise her of an unfortunate occurrence on morning radio today. At approximately 7:40 a.m. on WAIM a challenger in the District #6 race was belittling her proposed resolution-recognizing hairdressers involved in "Beauty and the Breast". The talk show host and the council candidates were engaged in juvenile cackling over the word "breast". They continued this obnoxious behavior until this person called the radio station business line to ask if they were so ignorant that they did not realize that their laughter was aimed at cancer patients. Suddenly they were back peddling saying that they thought that this was a "typo". Their excuse does not justify their ill-mannered behavior even if they were unaware of the cancer connection; their conduct was callous and rude. The letter applauded Ms. Floyd's on her admirable efforts. She said that the breast cancer survivors and family members of cancer victim and women almost everywhere resent the remarks. She said "breast" should only generate giggling from 3rd grade boys and not to men wanting to be leaders of Anderson County. Ms. Floyd said her sister died from breast cancer and she commends this group of hairdressers. On the motion of Ms. Floyd, seconded by Mr. Dees, Council voted unanimously to approve Resolution #R2002-048 – a resolution recognizing and commending the sixteen hairdressers who participated in the inaugural Beauty and the Breast Outreach Program in Anderson County, South Carolina. Ms. Floyd introduced all hairdressers present and then presented a framed copy of the resolution and thanked them for their outstanding endeavors to help encourage

female residents of this county to learn more about breast cancer and to realize the importance that early detection can offer in preventing such a devastating disease. Mr. Dees said that he was shocked and astonished, and at what was said on the radio. He said that his mother passed away at the age of 52 with breast cancer. He said that there are many people in District #6 and in this County who are his heroes because they are survivors of breast cancer. He said God bless them and Kathryn Smith they are the survivors. Ms. Wilson asked what the status of the media receiving agenda packets. The Chairman explained that the newspaper, radio stations receive the agenda. If they wish to get the entire packet they can come by the Council office and pick it up. She said that in reading the resolution, if folks were not aware of the incredible endeavor by the group of hairdressers then they would have thought that this was a misprint or a typo. Ms. Floyd said no matter what was thought or misread, common sense dictated that it had to be more to it and it was related to breast cancer.

Chairman Greer presented Resolutions #R2002-049 and R2002-050 - concurrent resolutions recognizing and honoring Anderson County resident and rising Belton-Honea Path High School Senior Stacy Pressley and Anderson County resident and rising Belton-Honea Path High School Senior Casey Hanks for their outstanding academic achievements and for being selected to attend the Governor's School Academic Program this summer in Charleston, South Carolina. Mr. Greer moved to approve and Ms. Wilson seconded. Vote was unanimous. Framed resolutions were presented to each student and they were commended for their outstanding achievement.

Mr. Bob Daly, Detention Center Director advised Council of another un-funded state mandate that will have a negative impact on Anderson County. During the month of May, the Detention Center averaged a day population of 300 inmates. He said it took 12 calendar days to get rid of 25 inmates sentenced to state prison. He said that he did not have the room to house that many high-security inmates. For those 12 calendar days, it cost the County of Anderson \$9,000. He said that he plans to go to the Delegation Meeting scheduled for Thursday, June 13 to propose legislation that will mandate SCDC to accept the County's inmates, which have been sentenced to SCDC facilities in a timely fashion. If they don't, the County will ask that they pay the County for the time that the County houses these inmates. Ms. Wilson asked if it would be possible to write a letter or a resolution endorsing this. Mr. Preston said that a letter had been written to the members of the Delegation. Mr. Martin suggested that Council do a resolution. Mr. Dees moved to add a resolution to the agenda and Ms. Wilson seconded. Vote was unanimous. Mr. Dees moved to approve a resolution (#R2002-052) requesting the state to take inmates in a timely fashion from the Anderson County Detention Center and reimbursement of any costs incurred. Mr. Holden seconded and vote was unanimous. Mr. Greer will sign on behalf of all Council members.

Mr. Dan Harvell appeared before Council regarding the proposed budget. He said that they are hoping that the County provides them with an item-by-item explanation as to why each item cannot be reduced, at least in some part. Mr. Frank Kellam said that he was not related to "Chainsaw Al". He said it was distressful to have to repeat concerns concerning callus spending in Anderson County. Anderson County is adding employees every year to various departments. With technology improvements available today, most companies are combining jobs and illuminating unnecessary tasks to save money. Most companies are giving pay increases every 16-18 months, the County gives pay increases every 12 months and merit and seniority increases. With the current trend give 5 seniority raises over 25 years, accumulative this amounts to 26% raise in 25 years. This is on top of the cost of living and merit raise, he said. He said that County jobs are being the "premiere" jobs in this area and this is also a way to buy loyalty. He said that the association also recommends the illumination of all

seniority pay raises, freezing all pay increases for everyone for one year and the adoption of last years budget for this year with some significant reductions below that. He said that the Civic Center is expected to loose another \$400,000 on top of the annual debt service for a total cost to the taxpayers will exceed \$2 million for the year. He said wonder if Allied wanted to buy the civic center but probably not because they only buy profitable operations at 50% of real value. He asked Council what did they intend to do with the Airport. He asked why the County was going to borrow \$8 million dollars if we are in financially "trying" times. He said that Council was not even involved in the budget preparation at all and they did not have any more input than Mr. Harvell and himself. He said from the notice printed in the paper, none of the millage rates are consistent for the proposed year or when comparing their change from the previous year. He thanked council for their prompt reply on their budget suggestions. He asked Council to help and represent the "working class" of Anderson County. Mr. Dan Harvell said that the Associations' efforts are sincere and they are looking out for those that aren't in the top level of income in the County and they are not trying to make Council look bad. Council received as information.

Mr. Mike Holden asked for a moment of Personal Privilege. The Chairman granted the request. He said that the Association said that people were spreading the remark (rumor) of employee pay cuts. Mr. Holden said that County employees were not spreading the rumors of employee cuts but rather the Taxpayers Association; everyone just heard them say it. He read figures that the association had recommended cutting from the proposed budget.

Council recessed at 7:05 p.m. Chairman Greer called the meeting back to order at 7:15 p.m.

Chairman Greer presented third and final reading of Ordinance #2002-015 – an ordinance to correct, ratify, and amend that certain option and site lease agreement by and between Anderson County, South Carolina and American Towers, Inc., successor in interest to Triton PCS Property Company, L.L.C.; and other matters related thereto. Mr. Holden moved to approve on third reading and Mr. Dees seconded. Vote was unanimous.

Chairman Greer presented third and final reading of Ordinance #2002-017 – an ordinance to amend ordinance #98-019, as previously amended by Ordinances #99-029, #2000-063, #2000-014, and #2001-046, relating to the industrial/business park of Anderson and Greenville Counties so as to enlarge the park. A public hearing was conducted; no comments were received. Mr. Wright moved to approve on third reading and Mr. Holden seconded. Vote was unanimous.

Chairman Greer presented third and final reading of Ordinance #2002-015 – an ordinance to adopt the operating and capital budgets of Anderson County for the fiscal year beginning July 1, 2002, and ending June 30, 2003, 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 Adnerson 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, 2002, and ending June 30, 2003, 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 the said fiscal year; and to provide for other matters relating to Anderson County. Mr. Tolly moved Ordinance #2002-014 on third reading and Mr. Holden seconded. Mr. Preston stated that the budget stands as presented and said that he and staff recommend adoption of the budget. Ms. Druanne White was allowed to speak regarding a recommendation from the Taxpayers Association that the Sheriff's deputies not be allowed to drive their cars home. She said that she had just finished prosecuting a case where a trooper was killed in Greenville and fortunately the defendant was apprehended in Anderson County after shooting one of our deputies between the eyes and shooting at other deputies. She said about one-third of the law enforcement involved in that chase were in plain clothes and they heard about it and they come from their homes. She said if they had not had their cars the outcome might have been different. Chairman Greer called on Capt. Skipper to verify what the solicitor just said concerning the number of off-duty deputies who actually responded in their vehicles. He replied that she was correct. He said that the "take home" cars were something that definitely needs to be kept, in his opinion. Capt. Skipper confirmed to Mr. Greer that the ability of officers to drive their cars to and from work and other places did increase the presence of law enforcement in various communities and acts as a deterrent to crime by that increased presence. Ms. Wilson asked Capt. Skipper, in his opinion, did the Sheriff's have enough deputies. He said that in his professional opinion, the office would never have enough. Ideally, the county needs a deputy every 3-5 square miles. Ms. Wilson asked if the sheriff's office had vests for their bomb dogs. He said no and he explained why. Mr. Preston stated that the Sheriff did not request any additional deputies in the proposed budget. He also notified Council that the County had just received a federal grant to purchase bulletproof vests for the County deputies. Mr. Dees assured Capt. Skipper that he would never take his cars from his deputies and that would be a decision of the Sheriff. He asked Skipper if there was a difference between bomb and drug dogs and he replied yes there was a difference. Mr. Dees stated that the Administrator and County Council were working with 8 deputies to provide community patrol. Mr. Holden stated that he supported the Sheriff and his office and the statement that Council didn't have input into the budget was absolutely FALSE. Ms. Floyd said that she fully supports the Sheriff's office and we are grateful for the presence of a deputy in any neighborhood. She said that she would do everything possible to support the department. Mr. Wright said that from observations it is much cheaper to retain an employee than to retrain a new one. When he came on Council, turnover rate was a problem, since then the wage and compensation plan has been implemented. This is a savings to the taxpayer not a cost. He said that it was stated that Council did not have any input into the budget, so when he asked a question - that just proved that they didn't so he didn't know what to do: sit there or ask questions. Either way, you can't satisfy some of the citizens. He said that he had a problem with the Hazmat truck. Mr. Preston has furnished him detailed explanation on why the truck cost \$250,000 and why the equipment was \$100,000. Mr. Greer asked where the recreation fund account was located in the budget ordinance. Mr. Preston said that it was under account 164-5829 and was included in the book and not the ordinance. Mr. Greer said that hospitality tax was on prepared meals served within a taxing authority; accommodations tax is on lodging at motels and hotels. The County does not have a hospitality tax. Mr. Greer asked Mr. Preston if the \$35,000 for the county balloon, chase vehicle was accurate. He said that it was and it was paid for by Accommodations Tax fee. Mr. Martin explained that state law restricts how the accommodations tax fee can be spent. Mr. Greer said that he was concerned about the County getting into a permanent aircraft maintenance program. He said that he had discussed this with his Airport commission's representative. He said that he now understands that the County's goal is not for the County to become a permanent fixed base operator but to get it to a point that it may be offered to a private operator who at that time would perform that service. Mr. Preston said that the estimated time frame is about 1-2 years. Mr. Martin gave a brief explanation on the liability situation.

Mr. Holden also stated that the Taxpayers Association also recommended that the employees pay all state retirement fees. Mr. Holden then called for the question and Ms. Floyd seconded. Vote was six in favor and one opposed (Ms. Wilson). Ms. Wilson made the following disclosure. She said that a certain city project is in the budget but she can't find it so she will abstain on the vote because she is part of the landowner group and has some challenges to permits issued by DHEC. Vote on the budget ordinance was six in favor and one abstention. (Ms. Wilson abstained). Motion carried. Ms. Floyd asked the Chairman why she had recuse herself from the entire proceedings. Mr. Martin said that if there was a conflict or an appearance of conflict the proper course of action is recusal not abstention. Recusal includes not participating in debate, discussion, or (according to State Ethics Commission) even attendance. The recommended course of action is to withdraw from the chamber during discussion. Abstention is simply failing to vote on a matter. Ms. Wilson said that she has had discussions with the Ethics commission and she does not have an economic interest in the matter. She has challenges to the permits, which does not mean that she will ever gain one penny. She is not a landowner of record on the particular stream however her family is and she has been told that she is to abstain.

Item #5(a) was removed from the agenda until a later time.

Mr. Greer presented first reading of Ordinance #2002-018 – an ordinance to provide for the creation of the Heritage at Cobbs Glenn 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. Martin said that the original ordinance called the road in question Heritage Drive it is also known as Cobbs Glenn Drive and he asked Council to consider action on the substitute version of the ordinance. No one objected to using the substitute version of the ordinance. Mr. Tolly moved to approve the ordinance on first reading and Mr. Holden seconded. Vote was unanimous.

Chairman Greer presented Resolution #R2002-043 – a resolution authorizing and directing the Anderson County Administrator to file grant applications with the Federal Transit Administration, an operating administration to the United States Department of Transportation, for Federal Transportation assistance authorized pursuant to 49 U.S.C. 53, title 23 of the United States Code, and other Federal Statutes administered by the Federal Transit Administration. Mr. Greer said that at the last meeting there was an amended version of the Resolution that should have been considered for adoption. This is the amended version up for consideration. On the motion of Mr Wright, seconded by Mr. Holden, Council voted unanimously to reconsider the resolution. Mr. Wright asked if the purpose of the resolution was to do a study and Mr. Preston replied yes to the bus system. Council would require pre-approval of the use of any county funds. Vote on the amended version was unanimous.

Mr. Wright moved to appoint Ms. Martie Manning to the Human Relations Council. Mr. Dees seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$1,000 for the American Legion to sponsor attendance of boys to Boys State at the Citadel. Mr. Holden seconded and vote was unanimous. The funds will come from District #1 Recreation Account.

Mr. Tolly moved to appropriate \$291.00 for directional signs for the Ducworth/Tucker sports complex from District #1 recreation funds. Mr. Wright seconded and vote was unanimous.

Ms. Cindy Wilson moved to appropriate \$900 from District #7's Paving account to assist the Whitefield Fire Department on a project began in 2001. Mr. Wright seconded and vote was unanimous.

ADMINISTRATOR'S REPORT:

- a. Certificates and Training:
 1. Mr. Jim Abernathy, Mr. Daniel Cawthon, Mr. Rodney Gilstrap, Ms. Susan Pierce, Mr. Johnny Johnson, Mr. Gerald Shealy, Ms. Jean Slattery- Reverse 9-1-1
- b. Letters of Appreciation:
 1. For: Ms. Beth McGovern, Airport – From: Mr. R. Don Cooke
- c. Minutes:
 1. Anderson County Transportation Division Safety Meeting – May 17, 2002
- d. Reports:
 1. Recreation Fund Accounts report
 2. Detention Center Litter Report – May 13- 17 and May 20-May 24, 2002
- e. South Carolina Board of Accountancy correspondence
- f. Terrorism Intelligence Update
- g. Bulletproof vest partnership grant program funding announcement
- h. Drug Control and System Improvement Program grant – Governor Hodges
- i. Drug Lab grant award – Detention Center
- j. Palmetto Power article on Santee Rainey Generating Station
- k. Standridge Road guardrail and "No Parking Anytime" request
- l. Clemson to start next season at Anderson Civic Center

Ms. Wilson talked about an article in the newspaper regarding her reply from the Board of Accountancy.

Mr. Dees asked Ms. Floyd what District was the letter referring to concerning the Beauty and the Breast. She replied that it was District #6. He said he watched his mother die with breast cancer and also his father died of cancer. He was 26 years old. He said that he wanted his contingents and the audience to know that the current District #6 representative did not say those remarks and had nothing to do with it.

There being no further business, Council adjourned at 8:40 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL