

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - September 7, 1999 - 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 of the Freedom of Information Act.

PRESENT

G. Fred Tolly - District #1
Larry E. Greer - District #3
Chairman Clint Wright - District #4
J. Mike Holden - District #5
Joey Preston - Administrator
Tom Martin - County Attorney
Linda N. Gilstrap - Clerk to Council
Stacey R. Russ - Assistant Clerk to Council

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, September 7, 1999 at 6:00 p.m.

At Mr. Mike Holden's request a moment of silence in memory of Mr. Timmy Dawson, the Fireman who lost his life last week was observed.

Mr. Fred Tolly gave the invocation and everyone stood and pledged allegiance to the flag.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve the minutes from the August 17, 1999 meeting as mailed.

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Citizen's Agenda: Ms. Kim Harper - Ms. Harper of 147 Cleveland Road stated that she represented the citizens of Southern Anderson County. She said that she was glad that the Michelin Project vote was postponed and hopes that Council will take a minute to look at the concerns and address them before the final vote. She asked for final vote postponement of the Beta project. The reason is because of the information from a FOI request concerning the Anderson County Generostee Creek Wastewater Treatment Plant. Dating from July 1997, to present the growth and environmental protection of Southern Anderson County is a growing concern. After reviewing the documents collected from the FOI, it was a great need to inform Council that Generostee Creek Wastewater Treatment Plant has been in violation of meeting the State requirements of wastewater discharge every month for the last two years. Most of the failed tests were classified as chronic toxicity. The EPA has informed her that there is great concern and they will begin looking into the matter as soon as possible. The industry of the Beta Project (Michelin) will in no way will be able to discharge their wastewater until this matter is corrected, she said. There are numerous industries discharging into Generostee WWTP which raises the question; "Can this facility handle an industry of this magnitude when they cannot handle what they already have?" #2 Reason for postponement is: The existing sewage lines leak and overflow. As taxpayers their concerns are how can the County afford to pay more money on additional sewer capacity when the present one is already in great need of repair? #3 No additional capacity granted until the existing lines are repaired and corrected. #4 Documentation as to the correction of these problems mentioned. Ms. Harper stated that there is a family that lives about a mile down Genorostee WWT Plant on the creek, in the past year two of their children has become sick. One had boils all over her legs, she took numerous antibiotics after doctors could not pen point the problem. The other child had a germ in his lungs and was hospitalized a couple times within six weeks. The doctors could not pin point. They found out that the creek had fecal contamination. She said think about this and about the farmers who have live stock down the creek and they drink the water and we eat.

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Mr. Holden stated for the record that the story of the ill children cannot be confirmed. Mr. Holden said that he has a problem with people standing up and saying things that may or may not be true. He said that anything that has come up pertaining to DHEC problems we've had; our people in Columbia and the problems have been addressed and Anderson County continues to come out on top. Mr. Holden stated that everything that is stated on the floor is not true and cannot be proven. Mr. Martin stated also for the record that the Generostee Creek Wastewater Treatment Plant is owned and operated by the City of Anderson and is not under the control of the County. Mr. Brantley Jordan - Mr. Jordan stated that he was so impressed by the way County council handled the AMR situation at the called meeting last week. He also thanked Council for having the meeting open to outsiders. He said that he appreciates the job that they are doing. Mr. Michael Deanhardt - Mr. Deanhardt said that it is a shame to be limited to three minutes to express ourselves on important issues. He said it was easy to stand and Pledge Allegiance to the flag however, it was hard to uphold the constitution of the United States. He said he would like to uphold the principles "You're innocent until proven guilty", "due process of law" and "the right to confront your accusers in court". He said he was present on behalf of Penny Cann who the Sheriff's Department went into her home and stuck a gun to her head, seized all of her property on drug charges. They took the case to the Grand Jury and the Grand Jury handed down an indictment. They did not have the evidence on the lady and the judge took it out of the hands of the jury and acquitted her. The County Sheriff's Office then took a civic action against her property and now she has been fighting an 8 year fight to get her property back as of this date it has not been settled. Someone stole her five silver dollars and Sheriff Taylor was playing "hardball." He requested a meeting set up to settle the matter. Mr. Holden asked the County attorney wasn't it correct that the Council has no control over the Sheriff. Mr. Martin replied yes and that Council has no control over the process. Chairman Wright stated that a lot that is heard is a combination of facts and opinions and a lot of times Council listens to opinion and they have to try to make their way through to the fact. Council received as information.

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Mr. Dale Thompson was sick and unable to attend the meeting; therefore, agenda item #1. "Presentation of Palmetto Award to Anderson County Council" was delayed until a later meeting.

Mr. Preston stated that Mr. Rodney Jenkins, next on the agenda, could not attend; therefore, he asked that the formal presentation be delayed until the Finance staff and Mr. Jenkins can attend. He said for the third straight year in a row the Finance Department has received the "Certificate of Achievement for Excellence in Financial Reporting". The highest form of recognition for state and local governments in governmental accounting and financial reporting.

Mr. Rick Tribble, Chairman for the Board of Directors for the Townville Recreation Association. Mr. Barry Stevenson and Mr. Tim Elgin also members of the board were recognized. Mr. Tribble gave a brief update on the ball fields. He thanked Council for all of their assistance with the projects. Council received as information.

Ms. Julia McLellan asked Council for consideration in appointing a new Workforce Investment Board. Mr. Tolly moved to approve the nominations as presented by Ms. McLellan and Mr. Holden seconded. The following were nominated: Dr. Don Garrison, Ms. Brenda Scotland, Mr. Alfonso Norris, Mr. Eddie Nail, Mr. Roger Hutton, Mr. Danny Mize, Mr. Dan Gissendanner, Mr. Leon Harris. Vote was unanimous.

Mr. Preston stated that Hershburger Eltex; U.S. Incorporated would like to purchase two acres in the Airport Industrial Park in the rear or near Burger King headquarters. They will invest around \$1,000,000 in a building facility (15,000 square foot building) to manufacture the treatment of yarn for use in indoor furniture, clothing, and lightweight luggage. No incentives are involved in this. Mr. Preston recommended that the County approve by title only an ordinance (#99-023) to sale approximately two acres to Hershburger Eltex U.S. Incorporated. Mr. Tolly moved to approve and Mr. Greer seconded. Vote was three in favor, none opposed, and one abstention (Holden). Motion carried.

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Mr. Wright presented third and final reading of Ordinance #99-007 - an ordinance authorizing the assignment and transfer of that certain lease agreement between Anderson County, S.C. and Apache Products Company, Inc. dated December 17, 1996, and certain property, other rights, and other matters related thereto to Eagle Polyiso Corporation; authorizing the sublease or other assignment of the lease and other property and rights assigned and transferred hereunder back to Apache including the release of Apache Products Company from its obligations under the lease agreement, the transferee of Apache Products Company, and the continuation of a fee in lieu of tax pertaining to such lease agreement. A public hearing was held; no comments were heard. Mr. Tolly moved to approve third and final reading of Ordinance #99-007 and Mr. Holden seconded. Vote was unanimous.

Mr. Wright presented second reading of Ordinance #99-019 - an ordinance to provide for the creation of the Shenandoah Country Subdivision 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. A public hearing was held; no comments were received. On the motion of Mr. Greer, seconded by Mr. Holden, Council voted unanimously to approve the ordinance as presented on second reading.

Mr. Wright presented first reading of Ordinance #99-020 - an ordinance amending in certain limited particulars and readopting the Anderson County Unfit Dwellings Ordinance; and other matters relating thereto. The County Attorney stated that this ordinance would allow the County to adopt the new provisions of state law. Mr. Holden moved to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Wright presented first reading of Ordinance #99-021 - an ordinance to revise and amend that certain fee-in-lieu of tax lease agreement between Anderson County, South Carolina and Orian Rugs Inc. dated as of December 1,

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1997 so as to authorize the inclusion of, and to include real estate and improvements thereon in such lease agreement; and other matters related thereto. On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted unanimously to approve Ordinance #99-021 on first reading.

Mr. Wright presented Ordinance #99-022 - an ordinance authorizing the execution and delivery of not exceeding \$800,000 principal amount Hospital Revenue Bonds (Anderson-Oconee Behavioral Health Services Project), 1999, of Anderson County, South Carolina to Branch Banking & Trust Company; authorizing the application of the proceeds of said bond to the cost of certain capital expenditures of Anderson-Oconee Behavioral Health Services in connection with the expansion and upgrade of its existing hospital facilities; approving the refunding of certain tax-exempt obligations issued on behalf of the commission for certain of its hospital facilities; entering into of certain covenants and agreements and authorizing the execution and delivery of certain instruments relating to the issuance of the aforesaid bond including a loan agreement among the County, the Commission, and the lender, pursuant to which the building or buildings will be financed by the County; and other matters relating thereto. Mr. Greer moved to approve on first reading and Mr. Holden seconded. Vote was three in favor (Holden, Greer, and Wright) and one abstention (Tolly). Motion carried.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve Resolution #R99-030- a resolution authorizing the execution and delivery of an equipment lease purchase agreement in the amount of not exceeding \$1,597,260 to defray the cost of acquiring various equipment as approved in the County's 1999-2000 annual budget; and other matters relating thereto.

On the motion of Mr. Holden, seconded by Mr. Greer, Council voted unanimously to approve Resolution #R99-031 - a resolution declaring March 31, 2000 as Census 2000 Day in Anderson County.

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Mr. Tolly moved to re-appoint Ms. Kleo Stathakis to the Library Board for a term up until January 1, 2001 at which time Council Members will change from 5 to 7. Mr. Wright moved to re-appoint Ms. Fran Shirley to represent District #4, and Ms. Helen Farmer to represent District #2. Mr. Holden asked that Mr. Don Bridges be re-appointed to represent District #5 on the Library Board. Mr. Holden seconded and vote was 4 and zero.

Mr. Preston stated that Mr. Adam Morgan, Manager of Waste Technology Program was unable to attend the meeting for a presentation and update on the Research and Resource Recovery Program. He said that Council approved a contract with the Department of Energy to develop a Research and Resource Recovery Pilot Project at the Anderson Regional Landfill. The project has been under way for a while. The latest reports from Mr. Morgan with the Technology Program is that the County is moving ahead and it appears that the County will be developing a new technology and a new analytical tool that will be used for all types of demonstrations nationwide. Mr. Morgan will appear periodically to keep Council updated on this project. Mr. Preston stated for the record that the County of Anderson did invite Oconee and Pickens County to participate in the project. This program will bring good recognition to Anderson County.

Item #12 "Anderson County Tax Levy/History - Ms. Gina Smith-Dahle" was deferred until another meeting.

Mr. Preston stated that about 1-1/2 years ago, Council approved the utilization of part of the "host fee" that the County collects at the landfill to help fund a litter road side collection program and to help keep roads clean. Mr. Daly gave the following short report on the program. He said that they are in the 4th week and five State inmates have been received. A copy of a report is submitted each week to the Administrator showing the roads and the types of trash picked up. Mr. Jerry Shealy also said that the County had several individuals who were members of the Task Force, several state agencies involved from D & R to DHEC, and a

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number of County Departments, involved private citizens, and magistrates. He said that they were looking at it from the viewpoint of keeping it off of the roads first to getting it off of roads and catching those putting it there. Council received the report as information.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve a request from the Board of Trustees of the Anderson County Library for acceptance of proposals for (1) telecommunications wiring in the amount of approximately \$220,000.00 from Fiberworks. This will provide the wiring for the computers, audiovisual and etc. Vote was unanimous.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to award a contract to Brodart, Inc. for Opening Day Collection (books) for the Library. Vote was unanimous. The cost of the project is \$500,000.00 and was included in the bond proposal.

Mr. Carl Stone informed Council that the Anderson County Library received a \$238,000 Gates Learning Foundation grant for Gateway computers loaded with Gateway software. On the motion of Mr. Holden, seconded by Mr. Greer, Council voted unanimously to approve the acceptance of the grant and the purchase of the computers and hardware.

On the motion of Mr. Holden, seconded by Mr. Greer, Council voted unanimously to approve the projects presented by Mr. J.R. McClure to be done by ACTC (Anderson County Transportation Committee) in the amount of \$324,683.96 for state projects and \$629,163.00 for local projects in Anderson County.

The next item: *17 (a) Townville Walking Track - Mr. Mike Holden* was deferred until cost figures are complete.

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On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve \$1,400 for two permanent picnic tables at the Double Springs Community Park. The funds will come from District #5 Recreation Funds.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve a project estimated at \$5,500 for a paving project at the Townville Fire Department and the funds to come from District #5 paving account.

Mr. Wright moved to approve the appropriation of \$1,000 for the Pendleton High School Band contest. This contest will bring approximately 4-5,000 people into the Pendleton Area. The \$1,000 will come from District #4 Recreation Funds, Mr. Tolly seconded. Vote was unanimous.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to resume minimum maintenance on Hopkins Drive. The Public Works Department has documentation from a previous Council Member and Chairman that this road is a County road and was maintained by the County.

Mr. Wright moved to approve a request for paving of a small area at the Pendleton High School (ramp) estimated to cost \$1,064. The funds will come from District #4 paving account. Mr. Holden seconded and the vote was unanimous.

On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to resurface and seal the Walker McElmoyle Fire Department parking lot around the fire station. The \$1,200 will come from District #4 paving account.

ADMINISTRATOR'S REPORT:

- (a) Employee Certificates and Training:
 - I. Recognition of Ms. Karolyn Pinson by Who's Who of Professional Management
 - II. Ms. Mary Brooks, IS-3 Radiological Emergency Management
 - III. Ms. Laura Johnson, IS-7 A Citizens Guide to Disaster Assistance

- IV. Medical Dispatch, IS-3 Radiological Emergency Management, Emergency Response to Terrorism
 - V. Ms. Willie M. Clinkscales, IS-5 Hazardous Materials - A Citizen's Orientation, Principals in Emergency Management
 - VI. Mr. Johnie Johnson, Principals in Emergency Management, IS-3 Radiological Emergency Management
 - VII. Mr. Mike Glenn, Course of Instruction Freeze Plus POC Spray
 - VIII. Mr. Jesse Robinson, Course of Instruction Freeze Plus POC Spray
 - IX. Mr. James Freeman, Employee Motivation and Team Building
 - X. Ms. Karolyn Pinson, Employee Motivation and Team Building
 - XI. Ms. Gail King, Employee Motivation and Team Building
 - XII. Ms. Gina Smith-Dahle, Motivation and Team Building
- (b) Letters of Appreciation:
- I. To: Mr. Jerry Stamps From: Mr. Holt Hopkins - Excellent Job Performed by Road Crew
 - II. Mr. J.R. McClure, Mr. Roy Graham, Mr. Jerry Bannister From: Sam & Wilma Bigger
 - III. To: Mr. Charles Wyatt and Staff From: E.W. Nail, Jr. Senior Vice President, Anderson Area Chamber
- (c) Minutes:
- I. Public Works Safety Meeting
 - II. EMS Commission Minutes
- (d) Reports:
- I. County Accommodations Fee
 - II. Recreation Fund Account
 - III. Paving Report
- (e) Boot Camp Donation - *Mr. Preston announced that Michelin had donated \$3,000.00 toward the County's Boot Camp.*

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- (f) Central Dispatch July Call Volume
- (g) Weekend Animal Control Officer - Update
- (h) Broadway Lake IFLOW Gauge Installation
- (i) Civic Center Activities

Mr. Preston announced that the County working with the State and the Department of Commerce has come up with a successful plan to assist the citizens that live along Marshall Road. The plan will be to relocate the road. About a quarter of a mile to the west of the existing road. This will not solve all of the problems but will be a great improvement. The County received funding from the State to do the changes.

Mr. Preston verified Mr. Greer's impression that the road would be a four-lane route from the 28 Bypass to Master's Boulevard. Mr. Preston said that was a good point and that Cherokee Trail would be four laned from the intersection of Lee Dobbins Road and Highway 29.

Mr. Greer stated that a citizen referred to the fecal content in Genorostee Creek earlier in the meeting, he has previously researched such and found that where there is cows you have high fecal content in the creeks.

Mr. Tolly explained that he had received a request from Mr. John McCormick for the County to research State Law 4-9-30 Section 16-2. He asked Mr. Martin to research the law and see if there is a possibility of activating the law.

Mr. Greer stated that last week there was a special called meeting to discuss the contract with AMR. The newspaper article the next day gave the impression that he was the only Council Member that intended to support the granting of the increase. He stated for clarification that he has a 2-page hand written letter where the patient is deceased and has been for 2 years and they have turned over

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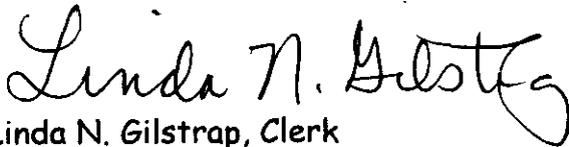
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to a collection agency. He said that to make it perfectly clear his position is that he is not willing to give them one more dime of County tax money based on the letter if they are billing indigents or deceased individuals then we should cut off any funds currently being allocated to this group for this purpose. He does not agree with this type action.

Mr. Greer commended Public Safety for the part that they had in conducting the traffic at the funeral of Fire Fighter Timmy Dawson. They did an outstanding job he said. He also commended Mr. J.R. McClure for the outstanding job that he does for Anderson County and especially during a recent meeting that they attended.

There being no further business, Council adjourned at 7:20 P.M.

Respectfully submitted,



Linda N. Gilstrap, Clerk

ANDERSON COUNTY COUNCIL