

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – September 2, 2003 – 6:00 p.m.
Linda N. Gilstrap, Clerk to Council

AMENDED
(See pg. 5 and 6)
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 William C. Dees – District #6 - Presiding
Vice Chairman Larry E. Greer – District #3
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Clint Wright – District #4
Mike Holden – District #5
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, September 2, 2003 at 6:00 p.m.

Chairman William C. Dees called the meeting to order. He then gave the invocation and everyone pledged allegiance to the flag of the United States of America.

Mr. Fred Tolly moved to approve the minutes from the August 19, 2003 meeting as mailed. Mr. Holden seconded and council discussed. Chairman Dees stated that on page 4; third paragraph – according to his recollection – because he was not told when he asked the County Attorney to prepare an ordinance for telephone reimbursement that another Council member had asked for another ordinance. Later he said that he was told that he offered his the next morning after Ms. Wilson's request as opposed to two weeks after. He asked that the minutes reflect the statement. Mr. Martin also agreed that it was the next day. Ms. Cindy Wilson stated that she had her memorandum and it went to Mr. Martin on August 22. Vote was unanimous.

Citizen Comments:

Mr. Gregory Sears said that 16-1/2 years ago he first got certified as an EMT, then in 1995 he was certified as a paramedic. To maintain these certifications it requires monthly training to stay updated with all the latest technology and all the latest changes. He said that in addition to all his certifications, and he is a fair representation of the EMS workers in the County, he has to hold pre-hospital trauma life support. That means that he specializes in pre-hospital life trauma, which is a national standard so training and education must be continued month in, and month out. They must also maintain a certificate of advance cardiac life support, which is the same certificate that emergency room doctors must hold to perform in the emergency room. Also required is pediatric advance life support. The national standard is that you have to continue to be re-trained and continue to demonstrate that you can do those skills. If he stopped doing all the training and stopped renewing his skills and renewing his certificates he would then be qualified to be chief of one of the rescue squads in this county. In addition, Mr. Shore has offered to run QRVs at about \$85,000 in the out years, if you do the math it

comes out to about \$27,000 minus taxes would be about \$25,000 per year. That would be the lowest paid paramedic in the county or he will lose money - a for-profit business willing to lose money. An even comparison - Bolder, Colorado - a for profit company runs the county for a dollar a year. Ms. Teresa Morgan, a member of the Belton EMS Board, said that when she came "on board" they didn't have any paid personnel now they have an entire staff of paid personnel. She said that she was in agreement with the QRV system. Mr. John James a resident of the Wren area stated that he was not affiliated or associated with Anderson County government or any of the contracted EMS providers in Anderson so therefore his opinion is completely unbiased and merely that of an informed citizen with genuine concerns on the EMS system that his family currently has access to. He said he fully supports the members of the EMS Commission in their recommendation and he also believes that the time has come for Anderson County government to become more involved in the EMS systems that it provides to county residents. He said he expects all members of the Council to support the EMS Commission's recommendation for a County government operated QRV. Mr. Brook Brown talked about what a qualified, unqualified, and a forensic audit was. He said from 1996 to present the county has received an unqualified audit meaning everything was accounted for. A forensic audit is different. There must be something that rises to the level of criminal actions. Everyone applauded Mr. Preston for achieving the highest level of governmental accounting certificate for fiscal year 2002.

Mr. Jack McIntosh was recognized by Ms. Gracie Floyd. Mr. McIntosh introduced the members of the Anderson Symphony Orchestra Association and explained the roll of Dr. Victor Vallo and what an outstanding orchestra the County has. Brochures were given out with schedules. Dr. Vallo also spoke concerning the orchestra. Council received as information.

Mr. Joe Davenport presented a plaque to County Council for their participation and endorsement of the methane gas outreach program community partnership. The Anderson County Environmental Services Division was awarded the Appreciation Certification by the U.S. Environmental Protection Agency for the landfill methane outreach program. Mr. Preston said that on September 10 there would be a press conference to inform every one of the details of the project.

Ms. Carol Hollis of the Airy Springs Road area spoke regarding a speeding problem on the road. She said in 2002 when the problem on the road became so bad they contacted the Road Department. They were told that with a petition they may be able to request speed humps because the road was a 25 mph road at that time. They got 95% of the residents on the street to sign the petition, 75% on adjoining street. They then sent it to the Road Department and the employee brought a speed counter and then they never heard anything back. They later found out that the employee was called into the military and then the problem "fell through the cracks". They later received a letter that they were not getting the speed humps and the speed limited was going to be raised to 35 mph. The residents of the community offered the following solutions:

1. Make Airy Springs Road a one way road
2. Make Airy Springs Road a dead end road
3. Make entrance of Country Lake road a 3-way stop
4. Revisit speed humps issue

Council discussed. Mr. Hopkins stated that in his opinion the measurements between the structures on the road does not meet the State law requirements to be able to lower the speed limit to 25 mph. The County can put in speed humps if the speed limit is 25 mph or less so state law prohibits them from installing the speed humps and also reducing the speed limit to 25 mph. He said that three way stops can be done to reduce speed but SCDOT advises strongly against putting stops signs up for traffic calming type devices. One end of the road could be closed; however the county has petitions on both sides of the fence on this issue and it is overwhelming majority opposed to speed humps, he said. Twenty-one residents were in favor of speed humps, 47 including the local fire chief are opposed to

speed humps so if Council wishes for the Road Department to research further the department would need to start over and talk with the community about the other options. Closing the road is a very drastic way of doing it. Turning movements would be another option, he said. Chairman Dees asked Mr. Hopkins to arrange a meeting with the community residents to help alleviate the problem.

Council recessed at 7:00 p.m. Chairman Dees called the meeting back to order at 7:05 p.m.

Mr. Lewis Crittenden of Heritage Acres Subdivision showed pictures of a resident (Mr. Dale Elrod) in his subdivision who is having large amounts of produce dumped on his 15-acre farm in Powdersville. He is using the produce to feed his bulls. He is presently using three locations that he is feeding his bulls at. Because of the horrific smell and fly infestation, he requested that something be done to prevent the continued dumping of the produce. He said that he has 79 families who have signed the petition. Mr. Elrod has a business that deals with entertainment rodeo bull riding. Council discussed. Mr. Vic Carpenter explained that currently DHEC has no regulations on the feeding of livestock on a person's property. DHEC said that they are monitoring 4-5 times a week to see if the food is being put out proportionate to the animals and that it is eaten within 24 hours. He said the County was currently working with the County Attorney's office to determine what solid waste is, working with Clemson University to see how much livestock need to eat, working with individuals at DHEC to see if there are ways around it. Council heard from Ms. Elrod the owner of the property who said that the produce was fresh and not old and rotting like Mr. Crittenden has said. Chairman Dees asked Mr. Crittenden and Ms. Elrod if they would meet with Mr. Vic Carpenter to help solve the problem. Council received as information.

(Mr. Holden had to leave the meeting at this time)

Council heard from Mr. Greg Shore, Mr. Danny Durham, Mr. Bill Brock, and Mr. Kent Berg on QRV system – questions and answers. Mr. Larry Greer discussed the County run system verses a for-profit business running the system. He also questioned Mr. Greg Shore concerning his bid. Ms. Floyd called for a point of order when Mr. Greer began to read a written document. Chairman Dees asked for a motion to allow Mr. Greer to read the document. Ms. Floyd moved to allow and Mr. Tolly seconded. Vote was unanimous. Ms. Floyd called for another point of order saying that Mr. Greer was off the agenda topic. Chairman Dees ruled that Mr. Greer was getting off the topic. Ms. Wilson began to read a letter and Ms. Floyd called for a point of order. Ms. Wilson moved to ask Council to allow her to read the letter and Mr. Wright seconded. Vote was unanimous. Ms. Wilson asked Mr. Martin to look into a possible conflict with the County and MedShore both paying the medical control physician. Mr. Wright asked for copies of all information the EMS Commission used to make the recommendation and a comparison, side by side of the County's, MedShore's, and other proposals for the QRV program. Ms. Floyd asked that the same information be furnished to her.

Council took a 5-minute break at 9:30 p.m. Chairman Dees called the meeting back to order at 9:35 p.m.

Ms. Cindy Wilson stated that there was a growing problem with mobile homes being abandoned and leaving taxes unpaid that are more than the value of the mobile homes. Mr. Martin said that this was a problem that could only be corrected by state law.

Chairman Dees read second reading of Ordinance #2003-032 – an ordinance authorizing a fee-in-lieu of tax arrangement on behalf of Orian Rugs, Inc. (The "Corporation") pursuant to a lease agreement between Anderson County, South Carolina (The "County") and the Corporation; authorizing the issuance of an infrastructure credit to the corporation pursuant to an infrastructure financing agreement between

the corporation and the County; and other matters relating to the foregoing. A public hearing was held and Ms. Lib Peace spoke. She said that Orian Rugs was an excellent neighbor and a real asset to the County. Mr. Tolly moved to approve on second reading and Mr. Wright seconded. Vote was 6 in favor. (Mr. Holden absent – hand to leave early.)

Chairman Dees presented second reading of Ordinance #2003-033 – an ordinance establishing procedures and standards for reimbursement of expenses incurred in the course of official business on behalf of, or under contract to Anderson County, South Carolina; and other matters related thereto. A public hearing was held; no comments were received. Mr. Wright moved to approve on second reading and Ms. Wilson seconded. Vote was unanimous.

Chairman Dees presented second reading of Ordinance #2003-036 – an ordinance authorizing an amendment to a lease agreement dated as of December 1, 1996 between Anderson County, South Carolina (The "County") and Michelin North America, Inc. (the "Company") with regard to the period of time in which the company is permitted to complete the project and an amendment to include additional investment criteria for the Company; and other matters relating to the foregoing. A public hearing was held; no comments were received. Mr. Tolly moved to approve on second reading and Ms. Floyd seconded. Vote was unanimous.

Chairman Dees presented first reading of Ordinance #2003-034 – an ordinance amending ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson county Official Zoning map to rezone from I-2 (Industrial Park) to O-D (Office District) one (1) parcel of land comprising approximately +/- 3.52 acres of property in the Hopewell Precinct on Evergreen Road. The property is identified by TMS #144-00-05-003 and is fully described by Plat Book CPO83, Page #347, Deed Book 18Q/568. A Public hearing was held; no comments were received. Ms. Wilson moved to approve and Mr. Wright seconded. Vote was unanimous.

Chairman Dees presented first reading of Ordinance #2003-035 – an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone from R-20 (Single Family Residential) to O-D (Office District) one (1) parcel of land comprising approximately +/- 5.89 acres of property in the Edgewood B Precinct on Concord Road. The property is identified by TMS #147-00-02-004 and is fully described by Plat Book CPO90, Page #385, Deed Book 20A/869. A public hearing was held; no comments were heard. Mr. Tolly asked that the ordinance not be approved on behalf of the property owners on Concord Road. Mr. Wright moved to approve and Ms. Wilson seconded. Vote was zero in favor and six opposed. Motion was defeated.

Chairman Dees presented Resolution #R2003-061 – a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, South Carolina, and J & S Properties, LLC whereby, under certain conditions, Anderson county will enter into a joint County Industrial and Business Park Agreement and offer certain infrastructure credits or Special Source Revenue Bonds for a new Industrial Park Development project in the County; and other matters related thereto. Mr. Wright moved to approve and Mr. Tolly seconded. Council discussed. Ms. Wilson asked who the principals of the J & S Properties and Mr. Wright replied that Mr. Jimmy Bains and it is located on Liberty Highway directly across from Glen Raven Mills. The property is already currently zoned I-2. Ms. Wilson said that she was a little concerned that the county has already spent hundreds of dollars out there for sewer. Ms. Floyd suggested that the resolution be amended to state that the County would issue special source revenue bonds to reimburse the company for only the normal sewer. The force main has a pump station on-site and the force main going off-site. Mr. Wright seconded Ms. Floyd motion. Mr. Martin suggested that Council consider saying, "the force main sewer including the pump station would be the

part for which the company would receive reimbursement" (This means that the County would only reimburse the company for the pump station and the force main located off the site.) This would be placed in section C page 2 of the inducement agreement. Ms. Floyd moved to amend her motion to say what Mr. Martin recommended. Ms. Wright seconded the amendment and vote was unanimous. Vote on the original motion as amended was unanimous.

Ms. Wilson read her Resolution #R2003-065 – a resolution asking for an Attorney General's Opinion on the methodology and process that must be applied to the proposed roll-back situation. She moved to approve the resolution. Motion died from lack of a second.

Chairman Dees presented Resolution #R2003-066 – a resolution expressing intent to cease County Maintenance on and to authorize County consent to Judicial abandonment and closure of certain Anderson County Roads; granting encroachment permits as to such portions of said Anderson County Roads and other matters relating thereto. (Chef's House Way – C-10-77A). Mr. Wright moved to approve and Mr. Tolly seconded. Council discussed. Ms. Floyd moved to table for further study and Ms. Wilson seconded. Vote to table was four in favor (Dees, Greer, Floyd, Wilson) and two opposed (Tolly, Wright). Motion carried.

Chairman Dees presented Resolution #R2003-067 – a resolution to provide for the commissioning of certain named Code Enforcement Officers to provide for the proper security, general welfare, and convenience of the County of Anderson, South Carolina. Mr. Wright moved to approve and Mr. Tolly seconded. Council discussed. Mr. Greer said that he met with Mr. Preston and he was assured that he would establish an administrative policy that would require all officers to be commissioned to complete all appropriate weapons training before being issued and allowed to carry a weapon. Vote was unanimous.

Chairman Dees presented a proclamation proclaiming the first week of September as National Payroll Week. On the motion of Chairman Dees, seconded by Mr. Tolly, Council voted unanimously to approve the proclamation.

Chairman Dees presented a proclamation proclaiming September as Ovarian Cancer Awareness Month. Mr. Greer moved to approve and Ms. Wilson seconded. Vote was unanimous.

On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve an appropriation of \$1,800 from District 4 Recreation Account to pay power bills for the Townville Ball field.

On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve an appropriation in the amount of \$300 for the Arts Council from District #1 Recreation Account.

Mr. Greer moved to appropriate \$700 from District #3 Recreation Account for the City of Belton's – Veterans Park. Mr. Wright seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 from District #3 Recreation Account for the Belton Partnership for standpipe festival. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 from District #3 Recreation account for REVIVA for Depot Days. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 from District #3 Recreation Account for the Starr Fall Festival Committee for fall festival. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate up to \$1500 for improvements to the ball field in Iva payable on invoice. The funds to come from District #3 recreation Account. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate up to \$30,000 from District #3 Paving account to repair storm drainage damage to streets in Belton and payable upon invoice. Mr. Wright seconded and vote was unanimous.

Mr. Greer moved to appropriate up to \$500 to Belton for driveway pipe at 110 Haynie Street payable upon presentation of invoice. The funds to come from District 3 Paving account. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$800 to "Twinkle City" Senior Citizens Center to support activities from District #3 Recreation account. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 to Grove Community Park for park equipment payable upon presentation of invoices. The funds to come from District 3 Recreation Account. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 for the Starr Athletic Association for lights and to come from District #3 recreation account. Mr. Tolly seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$1,500 for the Honea Path Fall Festival. The funds to come from district 7 – Recreation account. Mr. Tolly seconded and vote was unanimous.

Mr. Dees moved to allocate \$230,000 from district #6 paving for repairs to flood damaged roads in his district. To be paid for from the present paving account. Mr. Wright seconded and vote was unanimous.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation: For: Mr. Joey Preston/Ms. Denise Holley From: Mr. John D. Henderson with S.C. Counties Workers Compensation Trust
- b. Training: Mr. Gerald C. Shealy – Basic Public Information Course
- c. Meetings/Minutes: Transportation Division – Safety Meeting Minutes – August 22, 2003
- d. Reports: Detention Center Litter Report – August 11-15, 2003
- e. Certification for 2003 Tax Levies
- f. Final Evaluation Report for Motorola
- g. United Way Contributions

REMARKS FROM COUNCIL MEMBERS:

Ms. M. Cindy Wilson: Thank you. I heard some rumors this week so I wanted to ask if the Bosch expansion project was still on track.

Mr. Preston: I don't think it would be appropriate to discuss that situation in public at this time because we are talking with Bosch to see exactly where they are.

Ms. M. Cindy Wilson: Ok. Now I have another question and this is in reference to questions that I've asked of you recently concerning the old Pennell Building account which I now understand is the ? (word not clear) account. Who is C & S Consulting Group Incorporated, who are the principals and what exactly are they providing in the way of consulting?

Mr. Preston: I'll have to get you that in writing.

Ms. M. Cindy Wilson: I had asked about Systra in my hand delivered letter of August 5th who are the principals in that company and what exactly do they provide consulting for?

Mr. Preston: I think I gave you a letter at the last council meeting that outlined exactly what that group is doing.

Ms. Wilson: No it doesn't. It just says that it provides consulting, transportation consultants.

Mr. Preston: I'll get you that to.

Ms. Wilson: In response to a gentleman who spoke under the citizens' agenda, I want to make it perfectly clear. He came up and asked some questions and I told him that he definitely should be looking at the budget and that the county definitely needs a forensic audit. I do want to clear up some misinformation that he provided concerning the Government Finance Officers' Association, I believe is the name of the group – that issues awards every year. We pay an annual fee and that group does not do an audit. They look at our comprehensive financial report as to form and presentation. They do not look at balancing a budget; they don't look at the numbers. It is form and presentation. I submit to you that anyone who would bank on our county being in a strong financial position just simply on that award may be sorely disappointed. Someday and not to far off. As far as auditing goes, we still do not have a firewall between our auditors and our consulting companies. In the general ledger 153, I found that we'd budgeted in 2002-2003 a little more than \$30,000 for the audit, which was paid to Cline Brandt and Kochenower. There was over \$90,000 budgeted for, I believe it was professional services or management consulting, and that was put pretty evenly (I glanced at it so I might be off a little bit) but it was split between Cline, Brandt and Kochenower and Elliott Davis who is now our auditor. We have been paying Elliott Davis for other management consulting too so the question here, as fine as those folks may be, there is an appearance – there is no separation of auditing and consulting and we do need to move into this county more toward really strict accountability.

Mr. Larry Greer: "Goodnight."

Ms. Floyd explained that she would not be at the next meeting because of an out of town meeting. She informed everyone that the Black Caucus would be in the area on Saturday, September 6, 2003.

Chairman Dees: "We had a lengthy meeting but again we will not stifle, at least I want, I want stifle solid debate and people in the audience that are on the agenda and of course they have the right to say their feelings and Council members up here, sometimes we even feel about each other that we are a little verbose, sometimes a whole lot verbose, and take longer than we should but it is a necessary thing within our democratic society even though we are a republic we are a democracy. I would like to say to those folks from Powdersville, who have gone now, that this council – we are not sure that we can do anything but we are working on it and it has not been forgotten. At least one of those just got me involved recently and I encouraged all of these folks to come here and just let council see that – while most of you think that Powdersville is that "pie in the sky" we have a little crumbs on the table sometimes too. And item #2-Celebrate Anderson – I attended that with my wife and it was one of the best things I have ever been to. The fireworks display was magnificent and GAMAC was just terrific, thank you very much Mr. Preston. This meeting is adjourned.

There being no further business, the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL