

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – December 16, 2003 – 6:00 p.m.
Tammie Shealy, Deputy Clerk to County 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 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
Linda 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, December 16, 2003 at 6:00 p.m.

Chairman William Dees called the meeting to order. Council Member Clint Wright asked Chairman Dees to give the invocation and everyone pledged allegiance to the flag of the United States of America.

Chairman Dees asked everyone to remain standing for a moment of silence remembering two law enforcement officers from Abbeville County and a coach. Chairman Dees also thanked our Armed Forces for the capture of terrorist Saddam Hussein.

Mr. Wright moved to approve the minutes from the December 2, 2003 meeting as received. Ms. Wilson seconded. Ms. Wilson moved to amend the minutes to include more detailed citizen's comments made by Ms. Peggy Taylor. Amendment died for lack of second. Approval of minutes was unanimous.

Citizen Comments:

Agenda Matters:

Mr. Ed Jean – clarified his opinion of comments he made concerning ordinance 2003-058. He reiterated the idea of moving citizen's comments to the end of a council meeting and stressed that through public hearings everyone had unlimited time to express their support or protest. He concluded that in his view there were more people riding the wagon verses pulling the wagon.

Ms. Joseph Renna – asked to speak at the public hearing concerning Rezoning Ordinance 2003-068.

Mr. Roy Loftis – spoke in favor of Ordinance 2003-058 with the exception of limiting Citizen's comments. He noted that the right to speak one's mind was a hallmark of America whether they chose to act on it or not.

Mr. Dan Harvell – also spoke on Ordinance 2003-058 explaining that many people felt that this ordinance was a veiled effort to subdue the voice of the people. He said some people use citizen's comments section as a last resort to have their problem solved. He added that this ordinance was unfair and discriminatory to those denied the chance to speak.

Other Matters:

No one spoke on other matters.

Council Members Responses:

Ms. Wilson – agreed with citizen's protest to limit citizen's comments and to move comments to the end of the agenda. She added that even though there were no legal issues there was a moral concern with this ordinance. She stated that she would vote against Ordinance 2003-058 because she felt it was a disservice to the people.

Mr. Holden – agreed that he does not want to limit citizen's comments. However, due to a select few that come up every two weeks to repeat their displeasure with county government, some action is needed to control the excessive abuse of time. He added that these were the people doing a disservice to citizens of the county. He noted that citizen's comments were moved back to the top of the agenda during his term as Chair to accommodate citizens wanting to express their concerns. He concluded by saying that it was unfair to the citizens and council members for this select few to monopolize the meeting, but if they didn't limit the time it would lead to excessive hours to conduct a two-hour business meeting.

No other council member responded.

Ms. M. Cindy Wilson – moved to approve Resolution 2003-086 recognizing and honoring Anderson County resident Christopher W. Hill for achieving the rank of Eagle Scout. Mr. Tolly seconded. Vote was unanimous. She requested that the family come forward. She then read aloud the resolution. She congratulated Mr. Hill and presented the framed resolution to him.

Chairman Dees - noted that his grandson also achieved the rank of Eagle Scout the previous year.

Mr. Sid Steward, Director of the Haven of Rest Ministries - stated that Anderson County employees donated toys to the Haven of Rest each Christmas. He explained that these toys were given to children during a Christmas dinner provided for them and their family. He added that toys donated were never sold in their thrift stores. Any extra toys left over would be donated to the Appalachian Region the following year. On behalf of the Board of Directors for the Haven of Rest Ministries, he thanked Anderson

County employees for caring and partnering with them to serve the community. He then presented a plaque to County Administrator Joey Preston for their appreciation.

Mr. Dan Harvell with the Anderson County Taxpayers Association – deferred their allotted time for Public Input and Presentation concerning the limiting of Public Comments at Council Meetings due to a prior commitment. He added that Council already knew of their feelings on this issue. Chairman Dees thanked him.

Ordinance No. 2003-058 an ordinance amending section 2-37 of the Anderson County Code of Ordinances pertaining to meetings of the Anderson County Council was presented for third reading. Ms. Floyd moved to approve this ordinance with Mr. Tolly seconding. In discussion, Mr. Tolly stated that he would vote in favor of this ordinance with reservation regarding the feasibility of time restrictions. He noted that if problems arose he would be the first to offer an ordinance to change the format back to its original state. Ms. Wilson said that if anyone had reservations about the ordinance then they should follow their conscience and vote against it. She felt the ordinance was not beneficial to the County. Mr. Greer expressed his disapproval for citizens being limited and the fact that County Council members did not seem to be making an effort to constrain their time limits. He concluded that he would oppose third reading of this ordinance. Motion to approve Ordinance No. 2003-058 failed to the vote of 3-3-1. (Mr. Fred Tolly, Mr. Bill Dees, Ms. Gracie Floyd voted in favor, with Mr. Holden abstaining.)

Ordinance No. 2003-062 – an ordinance amending the Anderson County Code of Ordinances by adding Chapter 59 thereto, pertaining to speed humps in Anderson County was presented for third reading. Mr. Tolly moved to approve this ordinance. Mr. Wright seconded. Mr. Tolly offered an amendment to the motion. He read aloud the following “The Anderson County Transportation Department shall submit its report to the Anderson County Council regarding and finding of the feasibility study described in sub-section 2.2 listed above along with a copy of the landowners petition. Once County Council receives a copy of said report and petition, a resolution shall be presented to the County Council for its final approval or disapproval of the installation of speed bumps of the road in question. And that will take place of section 2.3 as written originally.” He asked Attorney Martin if this would take care of the housekeeping. Mr. Martin confirmed Mr. Tolly’s statement. Mr. Wright seconded the motion to amend. The amendment to Ordinance No. 2003-062 passed unanimously. In discussion, Ms. Wilson reiterated her concerns that this would only benefit congested areas. She also addressed the issue of funding for the speed bumps stating that the taxpayers requesting these speed bumps are those who are unable to afford the price but are in need of protection. Mr. Greer said he spoke with Attorney Martin at the end of the previous meeting and understood that Council members were not prohibited from allocating funds from his/her paving accounts to the Transportation Department to fund the community’s share of the project. Mr. Martin concurred. Ordinance No. 2003-062 passed as amended with a vote of 6-0 with Ms. Wilson abstaining.

Ordinance No. 2003-065 – an ordinance authorizing the leasing of available commercial office space at the Anderson Regional Airport to William Epstein; and other matters related thereto was presented for third reading. Ms Wilson moved to approve third reading of this ordinance, with Mr. Tolly seconding. The vote was unanimous.

Ordinance No. 2003-066 – an ordinance supporting efforts by Anderson County to obtain the Tree City USA Designation from the National Arbor Day Foundation; establishing the Anderson County Urban Forestry Advisory Committee; adopting comprehensive tree management standards; and other matter related thereto was presented for third reading. Ms. Wilson moved to approve third reading with Mr. Greer seconding. Vote was unanimous.

Ordinance No. 2003-068 - an ordinance to consider a request to rezone 1115 Dunlap Road from R-20 (Single Family Residential) to POD (Planned Office Development) was presented for first reading and public hearing. Mr. Joseph Renna, President of MotherBoard Inc. stated that the rezoning of this business property was essential for the company's continued growth. After explaining the nature of business of MotherBoard Inc. he requested Council's approval for the rezoning. Public hearing was then closed. Mr. Wright moved to approve first reading of this ordinance with Ms. Wilson seconding. Vote was unanimous.

Ordinance No. 2003-069 – an ordinance amending Chapter 38 of the Anderson County Code of Ordinances pertaining to Land Use and Development Standards was presented for first reading. Mr. Ricketson explained that there were four changes that needed to be made to clean up the ordinance including rectifying inconsistency, typo's and other errors found. Mr. Wright moved to approve first reading of this ordinance with Mr. Tolly seconding. Vote was unanimous.

Resolution 2003-087 a resolution designating the Anderson County Disabilities and Special Needs Board as an entity in Anderson County to provide transportation to the persons with disabilities was presented. Ms. Wilson moved to approve with Mr. Holden seconding. Vote was unanimous. Ms. Floyd added that the Appalachian Council of Governments was working on a way for different agencies to come together and achieve a common goal of making transportation better for disabled citizens of Anderson County.

Proclamation – proclaiming December as Arbor Day Month in Anderson County was presented. Ms. Wilson moved to approve with Mr. Holden seconding. Vote was unanimous.

Presentation - Ms. Wilson asked six questions of Administrator Preston concerning a baseball team for Anderson County. (Her questions and Mr. Preston's answers follow.)

1. How much money was spent on the baseball project?
Answer: Ma'am I don't know of any money spent on a baseball project.
2. Did we hire a firm to do these plans?
Answer: No ma'am.
3. What are the projected costs?
Answer: I've answered that question ma'am.
4. When did we initiate contact with the Greenville Braves?
Answer: We have not initiated any contact with the Greenville Braves.
5. What is our relationship with the Dirt Dobbers?
Answer: I think they, I believe that is a baseball team that there are a couple of individuals in this community that are supporting, they are trying to get a, some type of a team started up here.

6. I've heard good things about the Dirt Dobbers, but what is the projected cost of a new stadium?

Answer: I have no idea.

Presentation by Mr. Greer was withdrawn.

Ms. Gracie Floyd withdrew her request for time to make appointments.

Acceptance of the Bluffs at High Point Subdivision, Hidden Anchor Subdivision, Country Acres Subdivision, Lee Ridge Subdivision, Bridgestone Subdivision, Green Meadows Subdivision, LINWA Commercial Subdivision into the County road system was presented. Ms. Wilson moved to approve with Mr. Tolly and Mr. Wright seconding. Vote was unanimous.

Council Members request:

Mr. Greer – moved to approve \$632.00 from District #3 Recreation account to the Grove Community to purchase a batting cage and benches. Mr. Tolly seconded and vote was unanimous. Mr. Greer moved to approve \$3,000.00 from District #3 Recreation account to REVIVA to repair the Gazebo located in the Town Square. To be paid upon invoice. Mr. Tolly seconded and vote was unanimous. Mr. Greer asked Mr. Holt Hopkins, Transportation Director to contact SCDOT and ask that they take some safety measures at the intersection of Highway 29 south and 187. Mr. Greer moved to correct some balances of funds previously allocated from District #3's paving account. He asked for \$24,000 earmarked for the Town of Iva and \$1,560 earmarked for fire hydrants be placed back into District 3's paving account. Mr. Wright seconded. Vote was unanimous. Mr. Greer moved to approve District 3's paving fund request for County road and bridge projects. Appropriating paving money to the City of Belton and the Town of Iva to be used for paving and drainage work on nonstate roads and projects located within the municipality, payable on presentation of invoice and inspection of completed work. Mr. Holden seconded and vote was unanimous.

Ms. Floyd – for the record, wanted to correct a statement from last council meeting. She had reported that money for Broadway Lake Bridge was for repairs but she meant it would be for a study on repairs to the bridge.

Mr. Wright –moved to approve District 4's paving fund request of \$175,246.00 for County roads, LaFrance School and Pendleton Fire Department. Ms. Wilson seconded and vote was unanimous.

Mr. Holden – moved to approve District 5's paving fund request that was submitted by Transportation Director Holt Hopkins. Mr. Tolly seconded and vote was unanimous. Mr. Holden stated a realtor, who had been approached by private development individuals, asking how to go about putting together a baseball team together for Anderson County, had contacted him. He said he referred that realtor to see Planning Director Jeff Ricketson. He said he explained to the Anderson Area Properties realtor that Anderson County could not be involved with that project. He said he was assured that it was private individuals interested in a baseball team and he emphasized it was not the County pursuing a baseball team.

Ms. Wilson – moved to approve \$2,500 from District 7's recreation funds for a handicap ramp and painting repairs to the Hammond School Community Center. Mr. Holden seconded and vote was unanimous. Ms. Wilson moved to approve \$1,000 from District 7's recreation funds for the cost of the Battle of Anderson reenactment. Mr. Tolly seconded and vote was unanimous.

Administrator's report:

- a. Reports:
 - 1. Recreation Report
 - 2. District Paving Report
 - 3. Detention Center – Litter Report – November 17-20, 2003, December 1-5, 2003
 - 4. Environmental Enforcement – Monthly Report (November)
 - 5. Animal Control Report (November)
 - 6. Environmental Enforcement Training report (November)
 - 7. Building & Codes Monthly Report (November)
- b. Minutes: EMS Commission – meeting of November 13, 2003
- c. Elliott Davis letter
- d. Letter from Representative Townsend regarding Clemson Extension Service funding cuts
- e. Federal Funding request for Gray Drive Bridge Replacement
- f. Preclearance request to Department of Justice (Pendleton Referendum)

Council Members remarks:

Ms. Wilson – requested a copy of the chart of accounts and asked if the Senior Citizens Groups had received funding for the present budget year. Mr. Preston then gave her an envelope containing checks for the groups. She wished everyone a Merry Christmas.

Mr. Holden – reiterated his thoughts on getting public comments under control with a workable solution. He wished everyone a Merry Christmas and thanked County employees for all they do.

Mr. Tolly – said it had been a wonderful year. The County, Council and Staff/Administration had been blessed. He wished everyone a Merry Christmas and a healthy prosperous New Year.

Ms. Floyd – expressed her disappointment with the vote on Ordinance 2003-058 concerning meetings of the Anderson County Council. She said it had not been an easy year. She felt it had been one of the worst years as a county council person. She stated she hoped the next year's Chairman would follow the lead that Chairman Dees had established. She also expressed hope to work with constituents in preventing Town Hall meetings. She suggested that maybe; Council could possibly limit agenda items in order to take care of work in a timely fashion. She wished everyone a Merry Christmas.

Mr. Greer – agreed that it had been a difficult year. He said to keep in mind that the ultimate goal was to work together for the betterment of all the people in Anderson County. He encouraged citizens and council members to work together in helping Anderson County grow and prosper. Finally, he wished everyone a safe, blessed and Merry Christmas.

Chairman Wright – said he wouldn't say it had been a difficult or easy year but a different year. He called it an emotional roller coaster year. He pointed out and read aloud the mission statement placed in a plaque at each members seat. He said that the County had not lost sight of the mission but felt that the vision had been lost. He

encouraged all to regain the vision to work collectively as partners in the community with all surrounding jurisdictions, agencies and individuals to provide a quality standard of living. He commended Mr. Dees on a job well done as Chairman. He wished everyone a safe and Merry Christmas.

Chairman Dees – also agreed that it had been a different year. He said he had been blessed with every meeting he chaired. He said whether you agreed with every thing Council had done to remember where we are, stating this is America. He said citizen's comments were well taken by Council and sometimes not all agreed with everything said, however, all got to say what they wanted to say because we live in a free nation. He wished everyone Happy Holidays and a Merry Christmas. He concluded by saying "God Bless America."

Chairman Dees – adjourned meeting at 7:05 p.m.

Respectively submitted by:

Tammie Shealy, Deputy Clerk
Anderson County Council