

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – July 6, 2004 – 6:00 p.m.
Linda N. Eddleman, Clerk to Council

AMENDED
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MINUTES

All area newspapers, radio stations and television stations were informed of this meeting in compliance with the guidelines set forth in the *Freedom of Information Act*.

PRESENT

Chairman Clint Wright, District #4 – Presiding
Vice Chairman Mike Holden – District #5
G. Fred Tolly – District #1
Gracie S. Floyd – District #2
Larry E. Greer – District #3
William C. Dees – District #6
M. Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Tammie Shealy – Deputy Clerk to Council
Linda N. Eddleman, 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, July 6, 2004 at 6:00 p.m.

Chairman Clint Wright called the meeting to order and then Council Member Gracie S. Floyd gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Mr. Tolly moved to approve the minutes from the June 15, 2004 minutes as mailed and Mr. Dees seconded. Vote was unanimous.

Citizen Comments: Mr. Stephen Ray complained about pimps and prostitutes on the south side of Anderson. He explained that the pimps and prostitutes are constantly threatening him and his neighbors and the police will not do anything about it. He asked Council to please do something about this situation around the Orr Mill area of Anderson. Mr. Brooks Brown said that two weeks ago, Dan Harvell came and spoke on the citizens agenda and publicly attacked Ms. Floyd and the black community when he suggested that she take the money set aside for youth and use this money to teach black people how to raise their kids better. This is "hate", he said. He said while this was going on the white members of Council "tucked" their heads and said nothing. He suggested that council band the Taxpayers Association from this meeting and other meetings until such time that they remove Mr. Harvell from their head, publicly repudiate his statements, and thereafter require that they submit their speeches in writing to the County attorney so they can be vetted ahead of time. He suggested that Mr. Harvell be barred permanently from the proceedings permanently. In his opinion, he is a hatemonger, in

the same vein as David Dukes and white supremacists. Mr. Holden said that this was not being ignored rather something is going to be done and it is being looked at very closely. Ms. Floyd said that she received several phone calls and she as well as some of her constituents took it as a terrible remark. She said she felt like the remark was aimed, not at her, but at her being an African American. She said that she was very upset that it was said. She asked Mr. Harvell not to "go there again." Mr. Ed Jean congratulated all of the winners in the recent election. He said that he thought it was time that Anderson County natives stand up and start to get a positive agenda going. Mr. Wendell Bannister talked about the prostitution problem and how the "people" are operating "at-will". They are not only confined to South Main Street now they going into the neighborhoods. He thanked Mr. Holden and others for all their help so far. He asked Council to help make a difference. Ms. Wilson suggested that County set up a task force to composed of the communities that being assaulted in this manner. She asked that the County Attorney and law enforcement agencies to look at this. Ms. Floyd said that the Council had already done that. The problem is prevalent in District 2, east, west, and south sides. For the last year and one half Ms. Floyd said that they organized meetings over on Susan Street, the "ABC" streets, Whitner Street and other locations. She encouraged everyone to get involved with these meetings to stop the crime. Mr. Holden said that the problem seemed to be a lack of law enforcement and he said that he had been dealing with the issue for quite a longtime. Mr. Martin said that if there was a "failure" in the law then the people (solicitor) who would have to prosecute that law would be a good person to offer changes or additions that need to be made. It will probably be a matter of state statue, Mr. Martin said.

Ms. Gracie S. Floyd presented Resolution #R2004-028 – a resolution regarding a Community Investment Grant. Ms. Floyd moved to approve and Ms. Wilson seconded. Ms. Wilson said that she would like to see a process and procedures put in place for all districts. She said a couple years ago, no one would help her get matching grant assistance for the Town of West Pelzer because there were citizens that were desperate for water. Now the Town of West Pelzer is still desperate to get water. Mr. Greer was given a check in the amount of \$10,000 to take to the Belton Water Authority for water with no vote by Council, she said. The funds came from an account title "matching grant monies". She said that she would like something for the County that is fair for all districts. Mr. Preston clarified what Ms. Wilson just said. He said that any municipalities could apply for grant funds thought the CDBG program. The County would not be able to apply for a water grant. Vote was unanimous.

Mr. Larry E. Greer stated that on June 29, SHARE held a reception at the Anderson County Library. He told the public and council what SHARE's roll was in the County. Mr. Greer presented a plaque for special recognition to Anderson County for their support and dedication to the SHARE Summer youth program. He presented the award to Ms. Floyd for the Council for all her support to the summer youth program.

Mr. Jerry Robertson, South Carolina Association of Assessing Officials (SCAAO) Executive Secretary and the Assessor for Laurens County, presented Mr. Mike Freeman with the SCAAO Presidential 2003 Award. Council commended Mr. Freeman for his outstanding achievement award.

Chairman Wright presented third and final reading of Ordinance #2004-012 – 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 R-12 (Single Family Residential) two (2) parcels of land comprising approximately +/- 60.00 acres of property in the Hammond School Precinct on Old Williamston Road. The properties are identified by TMS #149-00-03-001 and 149-00-03-002. Mr. Dees moved to approve on third reading and Ms. Wilson seconded. Vote was unanimous.

Chairman Wright presented third and final reading of Ordinance #2004-013 – 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 P-D (Planning Development district) one (1) parcel of land comprising approximately +/- 120 acres of property in the Hammond School Precinct on Old Williamston Road. The property is identified by TMS #174-00-01-001, and is generally described on Sheet 1 of 1 of a Preliminary Development Plan for Poinsett Development dated 4/6/04 prepared by Reichert Consultants, Inc. Project #04005, and further described in a Statement of Intent for Cobb's Glen, Anderson, South Carolina, dated April 8, 2004. Mr. Tolly moved to approve and Ms. Floyd seconded. Vote was unanimous.

Chairman Wright presented third and final reading of Ordinance #2004-014 – an ordinance amending Ordinance #2000-025, the Anderson County Zoning Ordinance, as adopted July 20, 1999 and amended July 11, 2000, by amending 34.39 acres of the Planned Development District described by above and adopted on Anderson County Official Zoning Map in the Hopewell Precinct: BEING depicted and described generally on Sheet 1 of 1 of a Preliminary Development Plan for New Spring Community Church dated 4/16/04 prepared by McMillan Smith and Partners, Inc., as Project No. 03163; and further described in a "Statement of Intent for New Spring Community Church, Anderson, South Carolina, May 5, 2004." Ms. Wilson moved to approve and Mr. Holden seconded. Chairman Wright called attention to a proposed amendment at each Council member's station that basically states that if the Church fails to purchase the property the PD would revert back to the original PD requirements. Chairman Wright moved to approve the amendment and Mr. Dees seconded. Vote on the amendment was unanimous. Vote on the original ordinance as amended was unanimous.

Chairman Wright presented second reading of Ordinance #2004-016 – an ordinance to approve a request by Mr. Robert Wentzky to rezone 221 Wentzky Circle from R-20 (Single Family Residential) to R-A (Residential Agriculture). The property is located in the Hammond School Zoning Precinct. Mr. Dees moved to approve and Ms. Wilson seconded. Vote was unanimous.

Chairman Wright presented second reading of Ordinance #2004-017 – an ordinance authorizing an extension of the investment period under that certain lease agreement between Anderson County, South Carolina and Inergy automotive systems (USA), LLC (as assignee of Plastic Omnium Industries, Inc.) dated as of December 15, 1999, as amended by a First Amendment to Lease Agreement dated April 17, 2001; authorizing the execution and delivery of a Second Amendment to Lease Agreement dated as of August 1, 2004; and other matters related thereto. A public hearing was held however no citizens wished to speak. Ms. Wilson moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Wright presented second reading of Ordinance #2004-018 – an ordinance authorizing the assignment and transfer to Honeywell Nylon LLC of that certain Lease agreement between Anderson County, South Carolina, and Honeywell Nylon Inc. (as assignee and transferee of BASF Corporation) dated as of December 1, 1997, and certain property, other rights, and other

matters related thereto; and other matters related thereto, including the release of Honeywell Nylon Inc. from its obligations under the lease agreement and the Indenture, the assumption of those obligations by the assignee, and transferee of Honeywell Nylon Inc., and the continuation of a Fee in Lieu of tax pertaining to such lease agreement and the indenture. A public hearing was held; no comments were received. Ms. Floyd moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Wright presented first reading of Ordinance #2004-020 – an ordinance amending Ordinance #99-003, the Anderson County Comprehensive Plan 1999, as adopted April 20, 1999, and amended by Ordinance #2001-037, as adopted November 20, 2001, by amending Planning Area One, future Land Use Map to include Planning Area One, Proposed Future Land Use Map, as endorsed by the Anderson County Planning Commission on June 8, 2004. Mr. Ricketson stated that the ordinance was an update of the future land use plan for Area 1, which is the same as School District #1 with only minor modifications, a few additional areas have been designated as commercial and industrial, the other major change is the change in pretty significant area around the Cedar Grove area around the Cheddar community. The citizens in the Cheddar area had specifically requested that the area be changed from "single family residential area" to "residential agriculture". Mr. Dees moved to approve and Ms. Floyd seconded. Ms. Wilson said that she received a package concerning the Planning Commission's public hearing on Saturday before the Tuesday's primary election. This did not allow much time to get people there, she said. She also said that it "strikes" her for a public hearing to be held on Election Day was not very thoughtful or considerate of her constituents. She said that a couple items would probably be discussed at the public hearing at the next meeting. One – the vast increase in size of the landfill and that is questioned whether it is industrial or commercial. Another – she asked everyone to look at the map on Hopewell Road where District #5 abuts to District #1 and Long Road – there is a big strip of industrial property between the commercial that fronts on Highway 81 of residential and agriculture land. Vote was six in favor and one abstention (Wilson). Motion carried.

Chairman Wright read Resolution #R2004-025 – a resolution approving and endorsing the proposed redesignation of the Anderson Area Transportation Study Metropolitan Planning Organization to include urbanized and urbanizing areas of Northeast Anderson County including the incorporated areas of Williamston, Pelzer, West Pelzer, and Pendleton and the unincorporated communities of Powdersville and Piedmont; to request that the Governor of the State of South Carolina approve said redesignation; and other matters related thereto. Mr. Dees moved to approve and Ms. Floyd seconded. Ms. Wilson said that a couple of her mayors in her District did not seem to know that the item was going to be on the agenda and they were concerned that there were issues with the County that have not been resolved yet. She moved to table to allow time for the municipalities to study. Motion died from lack of a second. Ms. Floyd said that she felt like council needed to act on the issue before other considerations for Greenville County are made. The Governor will make the final decision. Mr. Dees moved to approve the resolution and Ms. Floyd seconded. Mr. Greer said that Ms. Floyd and Ms. Tolly were doing a very commendable job representing the unincorporated areas of the County on the Metropolitan Planning Organization (MPO) of this area. He said he was concerned with the proposed amount of area being added to the MPO and it was the appropriate time to have additional representation on this MPO.

Chairman Wright read Resolution #R2004-027 – 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. These officers are Ms. Diana Jean Prickett and Mr. Michael Anthony Semones, Jr. and will Litter Control Officers. Mr. Greer asked if appropriate background checks were done and if they passed. Mr. Preston responded yes. He also asked if they would be carrying weapons and Mr. Preston said that they would not until the appropriate training was completed. Mr. Tolly moved to approve and Mr. Holden seconded. Vote was unanimous.

Mr. Tolly moved to appropriate \$15,000 from District #1 paving account for the paving of the Salvation Army. Ms. Wilson seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$900 from District #1 Paving account for paving at the Campbell VA Nursing Home. Mr. Greer seconded. Mr. Greer amended the motion to add \$900 from District #3 Paving Account, \$900 from District #2 – Paving Account, and \$900 from District #5 Paving Account. Mr. Dees seconded the amendment and vote was unanimous. Vote on the original motion as amended was unanimous.

Mr. Greer moved to appropriate \$862.12 to the City of Belton to fund gravel for their new landfill. The funds to come from District 3 Paving account. Mr. Dees seconded and vote was unanimous.

Mr. Greer moved to appropriate \$350 from District #3 Recreation Account for the Town of Iva for their Fourth of July Celebration. Mr. Holden seconded and vote was unanimous.

Mr. Greer moved to appropriate \$2,000 to the Starr Athletic Association for support of the Starr Sports Complex. The funds will come from District #3 Recreation account. Mr. Dees seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,000 to the Belton Partnership to help support their activities. Ms. Wilson seconded and vote was unanimous. (The funding source was not mentioned).

Mr. Greer moved to appropriate \$667 to the Iva Fire Department for a new sign at the station from District #3 Recreation Account. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved to appropriate \$5,000 from District #5 Recreation for the SHARE Summer Youth Work Program. Mr. Tolly seconded and vote was unanimous.

Mr. Holt Hopkins was asked by Mr. Holden to report on the San Mateo drainage problem. He said that

Ms. Wilson moved to appropriate \$500 for the Cheddar Youth Center – All-Star Team's uniforms from District #7 Recreation Account. Mr. Tolly seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$2,500 for the Caroline Community center for their summer youth program and some repair work. The funds to come from the district #7 Recreation Account. Mr. Holden seconded. Vote was unanimous.

Ms. Wilson said that she became aware of a need for financial assistance by the Habitat for Humanity and she will probably put on the agenda for the next meeting.

COUNCIL MEMBERS REMARKS:

Mr. Dees said he was appalled at voter turnout not only in the state but also in the nation. Salkahachie is a Methodist Church project which adults and youth are repairing homes across the state of South Carolina free of charge. He commended the Salkahachie group within South Carolina.

Ms. Floyd – none.

Mr. Greer said that he had a guest speaker that was going to be part of his presentation but was unable to attend; however, he plans to have him on the agenda at the next meeting. He said that America has been called the “melting pot” of the world with all different races, religions, customs, cultures, and etc – so we need to pause and remember that we are all Americans. When all soldiers bleed – they all bleed blood red. We are all Americans and nothing divisive should enter into our minds.

The following section was requested verbatim by Ms. Wilson
Ms. Wilson: “Thank you, several comments. First of all in reference to what Mr. Jean pointed out about the voter turnout and I totally agree, we all worked hard who ran this time and it is always reassuring when there is a big turnout you feel like you are getting a fair vote for the efforts you’ve made and you understand how people feel about you. And you work (unclear). But the best thing we can do in Anderson County to resolve the problem of low voter turnout is to resolve the problem of confusion. In the Hammond and Hopewell precincts, practically in the Hammond Precinct, I had many phone calls, both last primary cycle and this primary cycle – voters from District #7 were given the correct ballots but they were directed to the wrong box. And I know of at least 8-10 votes involved in phone calls that were made to me this last election cycle. People wanted to vote for me but they were directed to District #1 and of course there was no contested race there. And then there was a letter to the Editor from someone who wanted to vote for my opponent. And it’s just not fair, it is very, very distressing when this happens and the only resolution to this, and it was not the poll workers who were being sloppy they worked hard and we just don’t have enough poll workers as it is – it’s a volunteer job and it’s a hard job. But it’s confusing and I want to encourage us to take care of that problem as soon as practical. Now the next issue is ... there is some paperwork in our package and I’d like to pass this down and make sure each of you has one if there is anyone missing please let me know. These are responses to our Administrator’s remarks concerning my political insert addressing the County debt issues. My insert stated that bond debt has reached 38.6 million – Mr. Preston affirms \$33 million in general obligation bond debt and 6 million in special source revenue bond debt with \$370,000 in special assessment debt – the result is total governmental activity long term liability is stated at \$38.6 million that is on page 51 of the 2002-2003 CAFR. Call it what you will – but debt is debt. The next item involves the Michelin Boulevard project had a cost overrun of more than 2 million dollars. Mr. Preston fact is that the county’s contribution was 1.8 million dollars. My responses – what was the cost overrun? Is the cost to correct the paving deficiencies part of the 1.8 million? Another part of this issue – Mr. Jim Davenport of the Associated Press informed me that he had reviewed the minutes for the Coordinating Council and because of our county’s handling of this project – no county will ever get to handle their own project again – it will be guided through the Department of Commerce. The next item – the Capital Lease principle balance is 4.1 million dollars – my insert states 4.1 million and Mr. Preston’s states 4.1 million. I propose that our principle balance could be much lower without industry standards – there are several vehicles that absolutely not vital to continue county operations. The insert item dealing with the Beaverdam Sewer project – Phase II – projected to cost 12 million dollars – Mr. Preston offers the latest estimate at 8.8 million. The original estimate, folks, in 1998 in the Anderson County application to the COG for assistance for the project was 2.9 million dollars for the total project. That would have included phases IA and II. The latest estimate – we believe to be off. My insert also dealt with the Starr Iva Sewer Project projected to cost between 7 and 8 million dollars. The budget according to Mr. Preston – 7.4 million. BINGO – it’s between 7 and 8 million dollars. The former County sewer engineer reviewed what we were given in the package when we dealt with this issue recently and he said that it was a mighty optimist low figure – he cannot you can do all that for the 6.8 or the 7.4 million dollars. The next item dealt with the closest wastewater treatment plant for the Starr Iva sewer because it does have to be pumped uphill to Rocky River. It is a geographic fact that it’s uphill and with 17 miles of force main line that means it’s gotta be pumped uphill. The former County sewer engineer was floored when he heard this – he said that logically if you were going to have to go to a big sewer plant then he felt like it probably should

go to Generostee creek. He was really puzzled at it going to Rocky River. Now the next item – LINWA Highway 81 north – Phase 1B sewer project cost 1.3 million and the 1A was estimated at just under one million. Mr. Preston's fact is that the budgets for the two phases total 2.2 million. Well 1.3 million and just under million equals 2.3 million. Ok. The next issue the insert says 6.6 million in new bonds for fiscal year 04-05 budget – Mr. Preston's fact – we approved the general obligation bond of \$6,563,400 – that is close enough – debt is still debt. The next item in the insert is the agreement with the City of Anderson to share the cost of a 41 million dollar expansion and the County's share is 18 million dollars. Mr. Preston's fact does not mention the 18 million dollar indebtedness. A brief history lesson in city/county business relationships – but no classification of the 18 million dollar step that we approved last summer. The insert also stated something about the 38.6 million going to 84 million dollars of debt. Mr. Preston's fact – is that I'm confused and that he only gets 68 million dollars. Let's just go back and add all of what I said in my insert and what Mr. Preston says and let's see what we get.

38.6 million dollars of the County governmental activity long-term liability
4.1 million of capital lease debt. The result is 42.7 million dollars. No - Mr. Preston's number is 8.8 million and we get 51.5 million. Now let's add the 7.4 million dollars for the Starr Iva sewer and now we up to 58.9 million dollars – now let's add the 6.6 million of new debt this year and that is 65.5 million dollars. But don't forget the 18 million dollars of plant upgrades that we've obligated ourselves too – if you add it up is 83.5 million dollars anyway you cut it. Now I'm standing firm on my numbers because I used the numbers that came out of the CAFR and other county documents. Was it Gertrude Stine who said, "A rose is a rose, is a rose." A debt is a debt is a debt. It still gotta be paid back. And I believe any bank, Mr. Tolly, would agree with that if it's a debt we have to pay it back don't we?

Mr. Tolly: Yes.

Ms. Wilson: So, we call it anything – governmental activity debt, business type activity debt – the result is the same. It's debt and a lot of it. I think it's time that we all studied these issues much more closely.

ADMINISTRATOR'S REPORT:

- a. Training/Certificates: Mr. Josh A. Briggs – PSAP Personnel Management
- b. Letters of Appreciation:
 1. For: Mr. Joey Preston From: Mr. James G. Culwell
 2. For: Mr. Charles Wyatt & Staff From: Ms. Cindra Nelson (Freedom Weekend Aloft)
 3. For: Miss Sarah (Clerk of Court's Office) From: Ms. Linda S. Norton
 4. For: Anderson County Council and Administrator and Staff From: 151st Signal Battalion
 5. For: Mr. Charles Wyatt & Administrator From: Mr. Michael Friedman, Anderson Free Clinic
 6. For: Mr. Joey Preston and Ms. Michelle Strange From: Mr. Dan Hogan – Anderson County Veterans Association
 7. For: Anderson County Council Members From: Upstate Warriors Ball Team
 8. For Anderson County From: State of South Carolina Military Department
- c. Reports:
 1. Detention Center Litter Report – June 7-10, 2004, June 14-17, 2004, June 21-24, 2004
 2. Anderson County Litter Report for May 2004
 3. New Construction Report for 2003
- d. Meetings/Minutes:
 1. Anderson County Transportation Division Safety Meeting -June 8 and June 11 meetings
 2. Legislative Delegation Meeting of July 22, 2004
- e. Anderson County Transportation Committee approved Projects
- f. Civic Center hosted FFA State Convention
- g. Anderson County Awarded the FY2005 Used Oil Grant
- h. The Real Truth about Anderson County
- i. Mr. Bob Daly to serve on Committee for Jail Certification Training Programs

- j. Letter regarding Library in Powdersville
- k. Downtown Parking Plan
- l. Mr. Preston's Reply to a Letter from Ms. Wilson regarding Planning Commission Hearing
- m. Mr. Preston's Reply to a Letter from Ms. Wilson regarding the Civic Center

The meeting was adjourned at 7:35 p.m.

Respectfully submitted,



Linda N. Eddleman
Clerk to Anderson County Council