

**ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – May 4, 2004 – 6:00 p.m.
Tammie Shealy, Deputy Clerk to Council**

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

ABSENT

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, May 4, 2004 at 6:00 p.m.

Chairman Clint Wright called the meeting to order and then Councilman Bill Dees gave the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

On the motion of Mr. Holden, seconded by Mr. Dees, Council voted unanimously to approve the minutes from the April 20, 2004 meeting as mailed.

Citizen Comments:

Mr. Brooks Brown said he learned from a morning newspaper article that the budget proposal would be presented with a 7% increase in spending without raising taxes. He said he was hoping that this was not true and that even if this was true, it follows that if you increase spending now you will have to pay for it at some point down the line. He asked Council to take a look at this budget and work hard to cut expenditures.

Mr. Dan Harvell addressing Council on behalf of the Anderson Taxpayers Association asked Council to devote all the time necessary to go through the budget process in a prudent manner resulting in a decrease of the budget. Mr. Harvell commended the Chairman for shorting Council meetings but again, urged Council to take time to deal with the budget. Mr. Harvell mentioned knowing Mr. Stan Marshall and said he was glad to see Council recognize him.

Assistant Administrator Mr. Mike Cunningham filling in for Mr. Brandon Grace, Chairperson of the Human Resource Committee presented the Employee of the Month certificates. Mr. Wade Brown was named Employee of the Month for February 2004 and Ms. Julia Nichols was named Employee of the Month for March 2004. Each was given gifts offered to the Employee of the Month. Council commended them for outstanding job performances.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve Resolution #R2004-016 – a resolution recognizing and honoring all United States Veterans of Foreign Wars, and in particular, the Veterans from Anderson County who fought to defend the Islands of Bataan and Corregidor during World War II; and other matters related thereto. Mr. Holden asked Ms. Lib Peace to come forward and accept the framed resolution. Ms. Peace, widow of the late David Peace told of how Mr. Lloyd Wilson was killed helping her husband. Ms. Peace, on behalf of all the courageous men that served in the defense of Bataan and Corregidor in World War II gratefully accepted the resolution saying she would present it to the American Defenders of Bataan and Corregidor's secretary on Thursday May 6, 2004 at their annual convention in Florida. She thanked County Council for remembering the Veterans and her late husband.

Mr. Greer asked Council to approve Resolution #R2004-017 in title only – a resolution recognizing and honoring Lieutenant Commander Stan Marshall, United States Naval Reserve (Retired), for leading the effort to rescue the future United States President, John F. Kennedy during World War II; and other matters related thereto. Mr. Dees seconded. Vote was unanimous. Mr. Greer said he would present the framed Resolution to Mr. Marshall on Sunday May 23, 2004 at the M&R Pool Complex in Belton.

Chairman Wright presented a Proclamation proclaiming May 10, 2004 as Police Officers Memorial Day and the week of May 9, 2004 as Anderson County Police Week. He then moved to approve, Mr. Dees seconded. Vote was unanimous.

Chairman Wright called on Ms. Floyd to present a Proclamation proclaiming the month of May 2004 as Suicide Prevention and Mental Health Awareness Month. Ms. Floyd said suicide is a reality. She said in order to help individuals who are suicidal, we have to support and promote suicide prevention. She asked Chairman Wright to read aloud the proclamation. He then moved to approve, Ms. Floyd seconded. Vote was unanimous.

Mr. Tolly moved to approve third reading of Ordinance #2004-006 - an ordinance to approve a request by Poinsett Development in the Hammond School Zoning Precinct. Property is located on the east side of Old Williamston Road at Cobbs Glen Subdivision and bound to the north by Cobbs Way and to the South by the Heritage at Cobbs Glen. This is an ordinance amending Ordinance #2001-026, in the Anderson County Zoning Ordinance, as adopted July 20, 1999 and amended July 11, 2000, by amending the 15.3+/- Planning Development District described above and adopted on Anderson County Official Zoning Map in the Hammond School Precinct: Being depicted and described generally on Drawing 1 of 1 of a Planned Development Plan for Ridgewood at

Cobbs Gen dated 02/13/04 prepared by Reichert Consultants, Inc., as Project No. 04005; and further described in a "Statement of Intent for Ridgewood at Cobbs Glen" submitted February 13, 2004 from the applicants and further amended by an addendum submitted March 10, 2004, to fully describe landscape buffers. The parcel is identified by Tax Map Sheet #173-00-07-001 and is fully described in Anderson County Plat Book 79, Page 981. Mr. Holden seconded. Vote was unanimous.

Chairman Wright presented second reading of Ordinance #2004-009 – an ordinance authorizing the leasing of office space at the Anderson Regional Airport to the United States of America for use by the Federal Aviation Administration; and other matters related thereto. Mr. Martin explained that due to this matter being presented at last meeting by caption only; the Public Hearing would have to be on third reading in order to following the fifteen day advertising requirements. Mr. Dees moved to approve. Mr. Holden seconded. Vote was unanimous.

Administrator Preston asked if the next two Ordinances for first reading could be moved up to allow time for staff to set up for the Budget presentation. Council approved.

Chairman Wright presented first reading of Ordinance #2004-008 – an ordinance to approve a rezoning request by Dwayne Thomas to rezone 124 Bryon Circle from C-2 (Highway Commercial) to R-20 (Single Family Residential). Property located in the Bowling Green Zoning Precinct. A public hearing was held – no comments were received. Ms. Wilson moved to approve. Mr. Holden seconded. Vote was unanimous.

Chairman Wright presented first reading of Ordinance #2004-010 - an ordinance to approve a rezoning request by Jeff Ellis to rezone a 1-acre parcel in the 3200 block of Highway 81 North from R-20 to C1-N (Neighborhood Commercial). The parcel is identified by TMS #146-00-02-002 and is located in the Hopewell Zoning Precinct. A public hearing was held – no comments were received. Ms. Wilson moved to approve. Mr. Holden seconded. In discussion, Ms. Floyd asked Planning Director Mr. Jeff Ricketson if the residents in the area had been notified of the change and are they comfortable with this? Mr. Ricketson explained that the property had been posted for eighteen or more days. He said his department sent out notices to those within a thousand feet and none have come forward with any complaints. Mr. Ricketson said this battle had already been fought and settled. Ms. Floyd asked if this area was the area that Council had debated to keep it from commercial property. He said yes. Vote was unanimous.

Chairman Wright allowed a break at this time. The meeting was called back to order at 7:05 p.m. Chairman Wright recognized and welcomed School District Four Superintendent Dr. Gary Burgess to the meeting.

Administrator Preston presented first reading of Ordinance #2004-011 – 2004-2005 fiscal year Administrator's Proposed Budget. Mr. Preston pointed out the very detailed notebook he presented. Stating that normally first reading would be in title only with summaries. Included in the notebook, he said was a detailed letter he would read at the

end of the presentation. Mr. Preston's letter is on file in the Clerk to Council's office for public viewing. Also, he said staff would be working to put the budget slide presentation on the County website by the end of the week. Allowing the public to ask questions. Per Mr. Preston, copies of the proposed budget would be sent to each Library Branch. He continued by stating he had been hearing about workshops, he stated, "this is a workshop." He said Council would have thirty days to review and ask him and staff any questions. Next, he introduced the Finance staff and presented a power point slide presentation. The slide presentation is on file in the Clerk's Office. The following are some of the highlights mentioned during the presentation: Total County Levy will remain at 75 mils, the same since 2001. The proposed budget does not contain a tax increase. No fund balance will be used. The budget proposes to continue to use growth, meaning growth in the tax base of 98% collection rate, to cover increase in cost of existing and new services such as, health insurance which is one of the largest increases. Others increases are worker's compensation, personnel and general inflationary price increases to goods and services. The proposed budget contains a two percent cost-of-living and two percent merit increase for all employees as well as the continuation of the county's longevity plan. The total cost of the salary increases is estimated at \$1,248,869. Solid Waste Household fee will remain at \$40 per household. Three new positions for special revenue funds are proposed only if grants are awarded. Proposed budget includes thirty new vehicles for the Sheriff's office. Operating and contractual expenditures increases are (1) automobile supplies expenditures in Fleet Services due to an aging fleet that necessitates costly repairs; (2) Detention Center proposed increase of \$80,700 due to the fact of a 10% population increase based on past year totals. (3) Management Information Services equipment upgrades. (4) Animal Shelter increases due to the rising animal population that has necessitated increased veterinarian expenditures. After Mr. Preston read aloud the above-mentioned letter Mr. Bill Dees moved to approve first reading of Ordinance #2004-011. Mr. Tolly seconded. The Chairman asked for comments and questions. Ms. Wilson said she could not vote tonight because she was just given the large notebook and had not had time to absorb the material. She told other members if they voted on this proposed budget tonight without looking deeper at it, they would be voting irresponsible. She said she appreciated the greater detailed material. Mr. Holden said he had reviewed some information prior to the meeting and would have some questions by the second reading. Ms. Floyd thanked Mr. Preston for the information he sent earlier and she would be meeting with him before second reading for answers to some of her questions. Mr. Greer asked if numbers were correct on asset value of Anderson County? Ms. Gina Humphries replied, that they are correct. Mr. Greer asked if the County was basing the budget on a 98% collection rate of taxes? Mr. Preston replied correct. Mr. Greer asked what would happen if the Auditor based the budget on a 95% collection rate and sets the millage to generate the revenue based on a 95% collection rate? Mr. Preston replied the County would have to watch expenditures. Mr. Greer said his understanding was the millage would be set based on a 95% collection rate. Mr. Greer continued with saying after hurriedly looking over the budget, he would like to find a 2 mil reduction. He shared his concerns of reducing EMS levy and bond payoffs. He concluded by saying he would not vote tonight for the proposed budget due to the fact he needed more time to study the details. Also, he said he would support a motion for a budget workshop. Ms. Wilson asked Mr. Preston what the collection rate

was? He replied 98%. She questioned the County \$18 million bond indebtedness for sewer expansions associated with the City. Mr. Preston said he could not confirm that dollar amount but stated the County had to pay its fair share. Their discussion continued concerning convenience centers. Ms. Wilson said residents in the Friendship area feel they pay high taxes and other than fire protection and road services a convenience center is the only additional services they get. Mr. Preston explained that the Friendship Convenience Center is not a major collection point in the County and the major sites need upgrading and expanding much more than the one questioned. She questioned why she was asked to appropriate money from the District #7 paving account for upgrading and keeping open the Friendship Convenience Center. Ms. Wilson pointed out the borrowing of \$200 thousand for another convenience center and that, the Council member for that District was not required to provide money from their paving account. She felt because she was the council representative for the area, the residents were being penalized. Mr. Preston said he was working with Mr. Holden for figures to help with upgrades to the White Street Convenience Center. Mr. Dees said he noticed on the first page of material presented, the percentage of change for some departments are going down as much as 32%. He expressed concerns about the high mileage being placed on emergency vehicles and supported the purchase of the replacement cars for the Sheriff's Office. He said he and residents of Powdersville are appreciative to be getting a new Library in the future. Mr. Dees thanked Mr. Preston and staff for their hard work done on the budget. Mr. Greer told Council that Mr. Gambrell asked him to convey to them if additional property is needed to improve the Friendship Convenience Center there is a landowner adjacent to the existing center willing to sell up to 2 acres of property to the County. At this time Mr. Greer offered a motion to schedule a budget workshop. Ms. Wilson and Mr. Holden seconded. Vote was three in favor and four opposed (Mr. Tolly, Mr. Wright, Ms. Floyd and Mr. Dees.) Motion failed. Ms. Floyd asked Mr. Greer if he said earlier he had found items that could be cut from the budget? He said yes. She asked him if he would share his information by giving her a copy of his list. He said he had no problem with sharing that with her. Still having the floor, Mr. Greer moved to table the vote on the first reading of the proposed budget. Ms. Wilson seconded. Vote was two in favor and five opposed (Mr. Tolly, Mr. Holden, Mr. Wright, Ms. Floyd and Mr. Dees.) Motion failed. Continuing with discussion, Chairman Wright thanked Mr. Preston and staff for the very detailed proposed budget. He explained the process of having three readings to move an item forward on the agenda with public hearing being at the second reading. Understanding the request for budget workshops, he as Chairman, said he would reduce the agenda of the next meeting to focus on second reading and public hearing of budget Ordinance #2004-011. He felt this would work like a public workshop. He requested of the Administrator to have staff attend the next meeting prepared to answer questions. Chairman Wright said due to water expansion in Pendleton the existing Library will be affected. He said a lovely site had been chosen for a new Library. The Pendleton Library has the smallest floor space of all libraries in Anderson and is in much need of replacement. Taking a vote on Ordinance#2004-011, four were in favor and three opposed (Ms. Wilson, Mr. Holden and Mr. Greer) Motion carried on first reading.

Ms. Wilson said that due to a delay in receiving a package of information she would wait until June to present her request for reports from the county sewer engineer. This request

is concerning EPA enforcement proceedings for sewer collector line in upper Anderson County and additional updates from McNair Law Firm represented by Mr. Tom Martin, concerning the settlement negotiations.

Ms. Floyd postponed proposed abandonment of Northwest section of Boyd Street to further study details.

Ms. Floyd moved to appropriate \$1,000 for the Hampton Street Recreational project helping with Summer Youth programming. She appropriated \$1,000 to the Morningside Recreational Center, \$1,000 to the City of Belton Recreational Center and \$1,000 to the East Anderson Community of Shalom. The funds to come from District #2 recreation account. Ms. Floyd noted that each entity helped with children, was non-profit and open to the public at large. Mr. Dees seconded and vote was unanimous.

Chairman Wright moved to appropriate \$105 to the Town of Pendleton for help with pipe and asphalt on a driveway extension. Funds to come from District #4 paving account. Mr. Tolly seconded and vote was unanimous. Also, he moved to appropriate \$1,500 to the Double Springs Recreation Department for summer programming. The funds to come from District #4 recreation account. Mr. Holden seconded and vote was unanimous.

Mr. Holden moved to appropriate \$885.25 to cover repairs made on Cole Circle. Funds to come from District #5 paving account. Mr. Dees seconded and vote was unanimous. Mr. Holden moved to appropriate \$2,500 to Westside High School Cheerleaders and also, \$9,000 to Homeland Fire Department. Funds to come from District #5 recreation account. Mr. Dees seconded and vote was unanimous.

Mr. Dees moved to appropriate \$500 to Whitehall Elementary PTO for help with the Dennis Hepler Park. Funds to come from District #6 recreation account. Mr. Tolly seconded and vote was unanimous. Also, he moved to appropriated \$3000 to Pack Park in Piedmont for help to purchase a piece of equipment. Finance should have the invoice. Funds to come from District #6 recreation account. Mr. Tolly seconded and vote was unanimous. Mr. Dees said he received phone calls concerning sewer lines in District #6 and asked for any information of reported problems. Mr. Martin said he checked with the sewer department for the possibility of any reported spills and found no reports of spills or other problems.

Ms. Wilson thanked the Anderson County Transportation Division for completion of paving projects in District #7. She again requested copies of the weekly General Ledger Report #110. She questioned the practice of the Administrator billing County Council for these reports. She requested to be provided access to the legal expenses of the County and questioned the amounts spent in the area. She suggested that in the upcoming budget year Engineering, Legal and other high dollar expenditures be put out for bids.

Mr. Preston said the Administrator's report stands as submitted on the agenda.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation:
 1. For: Anderson County Staff and Administrator Preston From: Ms. M. Cindy Wilson
 2. For: Anderson County Fleet Services Division From: Mr. John Carpenter of the Sheriff's Office
- b. Reports: Detention Center Litter Report of April 12-16-2004, April 19-23, 2004
- c. Minutes: Transportation Division Safety Meeting Minutes – April 16, 2004
- d. SCDOT's removal of a section of Airport Road (S-1028)
- e. ACTC Approved projects
- f. County Auditor elected Vice President for the S.C. Association of Assessing Officials
- g. DHEC Board Decision upholding the 401 Water Quality Certification for the Beaverdam Creek Project
- h. District Recreation Accounts
- i. Homecoming of the 151st Battalion
- j. Economic Development Set-Aside Fund – Anderson County Walgreen Company
- k. Anderson County's Haz-Mat Vehicle
- l. Ms. Wilson's request for GLR110
- m. Mr. Preston's reply to Ms. Wilson's request for GLR110
- n. Ms. Wilson's request for review of vendor files
- o. Mr. Preston's reply to Ms. Wilson's Request to review Vendor files
- p. Driveway work on Hopewell Church Road

Mr. Preston announced the 2004 Ceremony to induct the Hall of Fame members into the Anderson County Museum would be held on Sunday May 16, 2004 at 2:00 p.m. The following individuals will be inducted; Dr. Annie Dove Denmark, Wilton E. Hall, Olin Johnston, Dr. Elliott C. McCants, Dr. Oga Pruitt and George F. Tolly. He also announced the Memorial Day Celebration on May 29, 2004 at the Anderson County Veterans Monument.

Mr. Dees thanked Mr. Martin on his research of a loitering ordinance. He asked Mr. Martin if it was correct that such an ordinance would be illegal. Mr. Martin confirmed that rulings of the Supreme Court would make a loitering ordinance illegal. Mr. Martin provided Council with material to review concerning this matter and recommended the Solicitor's Office be included should Council decide to pursue an ordinance. Mr. Dees thanked Mr. Preston and staff for the budget presentation. The attorney's material is on file in the Clerk to Council's office for public viewing.

(The following is verbatim as requested by Ms. Wilson)

Ms. Wilson – "Friday afternoon an employee with the Police Department brought to me a copy of the most horrific, hateful piece of literature I've ever in my life witnessed. Our own Administrator and County Sheriff were well quoted in there and there was a very deliberate intent to link me with some far right militia activity in this County. I want people in this County to know that this is so unbelievable it's just unconscionable. And I think that our Sheriff and our Administrator owe, certainly me and certainly some of the other people's whose names were written in there in the most disparaging, despicable ways an apology. And if you think that saying such ridiculous things do our County any good, I am just so sad. As hard as we have all worked and especially you, Mr. Preston to bring industrial development, economic development, don't you know that industrial recruiters look at every piece of literature. I have been told that this magazine that looks

like Time magazine as far as format and design is called The Intelligence Report goes to every law enforcement agency in the Country. It makes us look so bad. And no I have never filed suit against Anderson County in my life. I did file an appeal along with a number of other landowners and by the way, I wasn't the landowner of record. DHEC permit appeals, there's a big difference. And I just think this is a terrible embarrassment. Thank you."

Mr. Holden thanked the County Staff for working hard on the budget. He told Mr. Preston that he was glad to see raises for County employees included in this year's budget request.

Mr. Greer stated that he would like to vote yes for the budget request, but a yes vote from him is contingent upon a 2 mil rollback and he wants to be assured that the bond debt incurred will not result in additional tax millage in the future. He stated that Anderson County has done very well in the past six to eight years and has been very progressive with positive improvements. He supports the positive improvements but wants to be sure the County can afford these improvements.

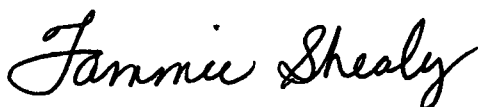
Mr. Tolly congratulated Mr. Preston and staff for a great budget presentation.

Ms. Floyd agreed with Mr. Greer's comments on bond indebtedness and stated she was also concerned about this issue last year with projects in the Starr-Iva area. Ms. Floyd requested Council members to help her fund the Summer Youth Work Program this year. She reminded Council that she and Mr. Holden funded the entire program last year, but could not afford to do it again this year. She congratulated Mr. Preston and staff on the budget presentation. She thanked Mr. Pinson and the Fleet services staff for the good work they do, referring to a letter from Deputy John Carpenter. She mentioned a \$1,450,000 grant for site preparation for the new Walgreen's Warehouse that was obtained with the assistance of Senator Waldrep. Ms. Floyd stated that she had been to Washington lobbying for money to help deal with the drug problems in the County. She told about the recent destruction of a drug house across from the Alternative School and she invited everyone to attend the next time a drug house is destroyed.

Chairman Wright thanked everyone for staying. He stated there was a lot of discussion on the budget at this meeting and expected more discussion at upcoming meetings.

The meeting was adjourned at 8:35 p.m.

Respectively submitted by:



Tammie Shealy
Deputy Clerk to Anderson County Council

Attachment: Exhibit A – Budget Presentation