

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – March 16, 2004 – 6:00 p.m.
Linda N. Gilstrap, Clerk to 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 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
Michael Cunningham – Assistant Administrator
Tom Martin – County Attorney
Linda N. Gilstrap – Clerk to Council
Tammie Shealy - Deputy Clerk to Council

ABSENT

Joey Preston – Administrator

(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, March 16, 2004 at 6:00 p.m.

Chairman Clint Wright called the meeting to order and then asked Council Member M. Cindy Wilson to give the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

On the motion of Ms. Wilson, seconded by Mr. Holden, Council voted unanimously to approve the minutes from the March 2, 2004 meeting.

Citizen Comments:

Mr. Brooks Brown said that Killinton, Vermont has succeeded from Vermont and is now a part of New Hampshire. The U.S. Supreme Court has refused a request by the City of Los Angeles to block the vote on Brentwood section joining a City in the valley. Succession is a normal part of government. In the U.S. Constitution we say "we the people in order to form a more perfect union...." He said no one is perfect so we can't have a perfect government. The constitution is a living document – it evolves over time. Senator Thomas from Greenville has proposed an amendment to the S.C. Constitution by a "back door" method. Increase the sales tax by 2% and reduce the property tax by 91%. Further the bill says that County Governments may not raise taxes. This effectively strips Home Rule from local government. Home Rule will be gone, he said. The District #5 School Board has passed a bond indebtedness of 9-1/2 mills. He asked council for an open dialog and to appoint a committee to check out succession.

Chairman Wright said that item #7(a) has been removed from the agenda and item #10 should be Phase I and Phase II instead of Phase II and Phase III.

The following was requested to be verbatim by Ms. M. Cindy Wilson.

"Thank you Mr. Chairman. The issue that we want to discuss tonight is the Friendship Convenience Center. We are all very acutely aware of the terrible litter problem across Anderson County and we are also aware in the paperwork that I've

handed around of the 8 million dollar bond that this County issued in 2002 with the idea of expanding and upgrading the County Convenience Centers, among other items. What is a great concern is the threat of closing this convenience center. We have yet to have a promise from the Administrator that it will not be closed. We also have no real idea yet of what will take place for that convenience center. For the record there will be a meeting in the community to which the elected representatives have been invited and that will take place, Thursday at 7:30 at the Shady Grove Baptist Church in the Fellowship Hall. It is important that our citizens not only know of the possibilities for this convenience center but they also be involved in decisions made. I have tried for the last two weeks to get a meeting with our County Administrator concerning this. At the first day Council retreat, a week ago, Mr. Preston approached me and told me that he was getting numbers together concerning the convenience center and I asked him – once he had that together would he please call me so we could sit down and go over it and get the community meetings going. That didn't happen. In fact what happened, that very night our administrator's employees, our staff, had a meeting in the Friendship Community never letting me, as District 7 representative know and I'm not sure even if Mr. Greer, the District 3 representative knew. So I began calling concerning that. My phone calls were not accepted and they were not returned. Now one of the comments Mr. Preston made to me when I approached him about having this meeting we were in the Hanna High school parking lot awaiting the arrival of Congressman Istook and Gresham Barrett, Congressmen Barrett and Istook, who were kind enough to come all the way to look at some infrastructure needs in this County. They were running a few minutes late so I asked Mr. Preston if we could discuss Friendship then. He said he didn't have time and he didn't have the numbers and that was entirely the staff. So this will give you some background of the way it is very disturbing to me as the representative and it is very confusing for our constituents in that area. Some of them have called me and told me of a meeting they held with our Administrator – it's probably been about two months ago where our Administrator told them that Ms. Wilson refuses to meet with me and I want the record clear on this account. I have wanted to have meetings with Mr. Preston and it's the other way around – not that I refuse to meet with him. With that being said, I want to invite everyone's attention to some of the information that was in our Comprehensive Annual Financial Report concerning the \$8 million dollar bond. At this point – and by the way Mr. Cunningham welcome to covering the meeting tonight and I am going to request that all that I've said be verbatim because our Administrator is not here tonight and we have Mr. Cunningham and I don't want to put you into an improper position, Mr. Cunningham. But I do want, on behalf of County Council and the citizens of this county, a full accounting of where the 8 million dollars bonds have been spent and what's left. We know that earlier this week, or maybe it was the end of last week; our local newspaper was congratulating our County on the Belton Library, which was part of the bond expenses coming in way under budget. Now according to the paper here \$1,075,915 was set aside for the new Belton Library and that is \$950,000 is less than that amount and I'm assuming that by driving by that beautiful Library it is not a very big building but that \$950,000 includes the books and furniture and so forth so we have money left over from that project. I called the Detention Center today to find out where we were with the expansion - \$1,307,000 has been earmarked of the \$8 million dollar bond for the Detention Center. One of the Detention Center's secretary who keeps account of the number out there was telling me that the walk through to gain the occupancy permit is tomorrow and that they have spent to date \$1,036,804 and she has \$116,083 left in that project account. She said there might be a few bills outstanding and there wouldn't be anything major so we have the difference between the \$1,307,000 and what's been spent and what is on hand. Right there we have plenty of money so if we are advised by Mr. Preston that there is not sufficient money then I represent to you tonight that there is plenty of money to take care of the convenience center. I also want to point out that with the litter problem if that center is closed or in any way the services are cut we will have even more garbage on the roads. If they take the metal and furniture bins out then where will that go. I promise you a lot of it will be on our roads. I think what we really need to be doing as part of our over-all trash handling in this county is perhaps to put up another couple or three small convenience center sites where people can more conveniently get their garbage to be hauled off. It appears that we should have sufficient money if that does appear to be a necessity. Is there anyone here from Friendship here tonight? I see none here tonight so I imagine we will have a full house Thursday night. Mr. Greer do you want to add anything to this because it is probably a great concern to you also?"

Mr. Greer: "My position on the Friendship landfill, since it does serve constituents in my Council district that it remain open, that it remain an elevated facility for elevated disposal of trash and it continue to accept metal and furniture. That is my position and that is what I'm looking to accomplish."

Ms. Wilson: "Thank you, Mr. Greer. And to rap up, I think we can close in saying that both representatives are opposed to anything being done with the peoples input and giving them anything less than what they have currently. Mr. Cunningham, if you wouldn't mind, posing to the Administrator request for the information concerning where the \$8 million dollars has gone. I found a great deal of it, but since he told me that there was not money sufficient to take care of this convenience center I'd like to prove otherwise. Thank you."

Chairman Wright presented third and final reading of Ordinance #2004-004 – an ordinance to amend Ordinance #98-019, as previously amended by Ordinances #99-029, #2000-063, #2001-014, #2001-046, #2002-017, #2002-036, #2003-022, #2003-047, #2003-051, #2003-053 and #2003-054 relating to the Industrial/Business Park of Anderson and Greenville Counties so as to enlarge the park. Mr. Dees moved to approve and Mr. Holden seconded. Ms. Wilson stated that she must disclose that a real estate brokerage property that she handled with another owner – the property has been transferred to company named in this ordinance so she must abstain. Vote was six in favor and one abstention (Wilson).

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve a proclamation declaring March 28, 2004 as Shaun Ellis Day in Anderson County, South Carolina.

Ms. Wilson appointed Mr. Ted Mattison from Williamston to the Human Relations Council. Mr. Tolly seconded and vote was unanimous.

Mr. Bill Dees appointed Mr. James Davis to the Sports and Entertainment Center of 530 Highway 17, Piedmont. Mr. Greer seconded and vote was unanimous.

Ms. Gracie S. Floyd appointed Mr. Charlie Richey to the Purchasing Review Board. Mr. Dees seconded and vote was unanimous.

Mr. Wright moved to appoint Ms. Gracie S. Floyd to the Development Partnership Board. Mr. Dees seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,760 for the Town of Iva for assistance with the development of a park with the initial grading payable upon presentation of invoices after completion of work. The funds to come the District #3 Recreation account. Mr. Dees seconded and vote was unanimous.

Mr. Wright moved to appropriate \$160 to go to the Pendleton Historical District to help with the Spring Jubilee. The funds to come from District #4 Parks and Recreation funds. Mr. Greer seconded and vote was unanimous.

Mr. Holden moved to appropriate \$1,000 from the Shalom House from District #5 Recreation account. Mr. Tolly seconded and vote was unanimous.

Ms. Wilson said that she was having a problem getting their financial appropriations to the different entities. She asked Council if any members had Mr. Preston send a letter with the check. For example, she said that she and Mr. Greer both appropriated a \$1,000 each from recreation for the battle of Anderson reenactment. She said that Mr. Greer was allowed to send a letter with the check but District 7's check was covered by a letter from our Administrator. Chairman Wright asked Mr. Cunningham to check and see why some are seemingly late. Ms. Wilson also asked Mr. Cunningham to check and see if the Williamston Senior Citizens Mr. Greer said that he has no recollection of a letter.

Mr. Dees moved to accept Twin Lakes of Powdersville Phases I and II into the county road system. Mr. Holden seconded. Vote was unanimous.

Ms. Wilson said that in the District 7 paving report that there should have been a \$5,000 re-appropriation back into District 7's account. She asked that this be explained or an appointment be arranged to discuss.

Ms. Wilson said that it was so important that council is able to communicate with their citizens and the citizens are able to tell Council what their needs are so that Council can represent them. She said she wanted council to be sure that Friendship Convenience Center remains open to the public and is in good order.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation:
 - 1. For: Mr. John Ferguson and Airport Staff From: AirNav Users
 - 2. For: Mr. Jerry Cash's Employees (Mr. Michael Gregory, Mr. Matthew Wages, Mr. Ronald Lilly, Mr. Ray Johnson, Mr. Carl Dutton, Mr. Barry Smith, and Mr. Julio Gonzalez From: Mr. Harold McKinley
 - 3. For: Mr. Aaron Smart's Employees (Mr. Phil Brown, Mr. Calvin Scott, Mr. Frank Chester, Mr. Gerome Telford, Mr. Anthony Williams, and Mr. Joey Worley) From: Mr. Phil Bainter
 - 4. For: Mr. Dan Brawley of the Civic Center From: Ms. Miranda Dermid
 - 5. For: Mr. Don Sullivan with the Assessor's Office From: Mr. Ken Rowland
- b. Reports:
 - 1. District Paving Report
 - 2. Detention Center Litter Report for February 23-27, 2004, March 1-4, 2004,
 - 3. Road Maintenance Litter Report for February 2004
 - 4. Building and Codes Monthly Report for February 2004
- c. Minutes:
 - 1. Anderson County Development Partnership
 - 2. Anderson County Airport – February 2, 2004 meeting
 - 3. Anderson County Transportation Division – Safety Meeting March 5, 2004
- d. ACTC Approved Projects
- e. Letter from Betty Bagley, School Superintendent
- f. 2004 National Balloon Championship
- g. Educational Requirements for Local Government Planning or Zoning Officials or employees
- h. Courthouse Bomb threats
- i. Grant Award under the Victims of Crime Act Program entitled "Victim Advocate" for \$58,464
- j. Anderson County Special Olympics Awards
- k. **McNAIR LAW FIRM RATED TOP BOND COUNSEL IN SOUTH CAROLINA**
- l. Back up for Resolution #R2004-006 – American Disability Act Section 504
- m. Newspaper Articles on Local Tax Revenue

There being no further business, the meeting adjourned at 6:31 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk to Council