

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – May 9, 2005 – 6:00 p.m.
Linda N. Eddleman, 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

Chairperson Gracie S. Floyd, Presiding
Vice Chairman Larry E. Greer - District #3
G. Fred Tolly – District #1
Bill McAbee – District #4
Michael Thompson – District #5
William C. Dees – District #6
Cindy Wilson – District #7
Joey Preston – Administrator
Tom Martin – County Attorney
Linda N. Eddleman - 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 Monday, May 9, 2005 at 6:00 p.m.

Chairperson Gracie S. Floyd called the meeting to order and Mr. Bill Dees gave the invocation. Everyone pledged allegiance to the flag of the United States of America.

CITIZEN COMMENTS: Agenda Matters -- Mr. Brooks Brown, IV said he spoke to Council a couple meetings ago about a pirate victory - a victory at great cost. He said some Council members have indicated that they would like to freeze the budget or rollback property millage. He said this is good for the short run but the long run it can come back to "bite" you. By the time you absolutely need something the cost has gone up. He urged Council to look with one eye open to a possible tax increase so that the County can have the necessary infrastructure. Mr. Dan Harvell, on behalf of the Anderson County Tax Payers Association, explained their concerns over the proposed budget process. 1. Unfortunately the budget must have its' third reading before June 30 and it is now the second week in May and still hasn't received its' first vote. 2. Several months ago, Council approved a motion to decrease the County millage by 1-1/2 mills. He said law enforcement was an absolute top priority of the duties that the government has toward its' people and they do not wish to restrict this area in the budget. He asked if a full audit of the books by the new sheriff had been done. He recommended that this be done. Mr. Harvell requested that if the Administrator recommends a tax increase because of the Sheriff's spending - then they would like to have that removed from the general fund so there will be a revenue neutral year so that there will be no increase in taxes.

FOOTHILLS ALLIANCE PRESENTATION – Rev. Donald Owens speaking on behalf of the Alliance asked County Council for a budget increase. He gave a brief review of what they do. Ms. Fay Brown, Executive Director, also asked Council for an additional \$10,000 for a total of \$30,000. Council received as information.

ORDINANCES - SECOND READING:

Chairperson Floyd presented second reading of Ordinance #2005-012 – an Ordinance amending Section 2-351(3) of the Anderson County Code of Ordinances pertaining to Anderson County Council Boards, Commissions, Committees, and Councils; and other matters relating thereto. A public hearing was held and Mr. Brooks Brown spoke. He stated that he hoped the ordinance was to close loopholes and not something being done politically. No further comments-the public hearing was declared closed. Mr. Thompson moved to approve and Mr. McAbee seconded. Vote was unanimous.

Chairperson Floyd presented second reading of Ordinance #2005-015 – an ordinance authorizing the execution and delivery of an equipment lease-purchase agreement in the amount of not exceeding \$1,815,000 between Anderson County, South Carolina and the lessor thereof to defray the cost of acquiring certain equipment; and other matters relating thereto. A public hearing was held; no comments were received. Mr. Tolly moved to approve and Mr. Dees seconded. The funding for this will come from the E-9-1-1 account. Vote was six in favor and one abstention (Wilson). Motion carried.

ORDINANCES - FIRST READING:

Chairperson Floyd present first reading of Ordinance #2005-013 – an ordinance to approve a rezoning request by Hugh Durham to rezone 25 acres on Cartee Road off of I-85 from R-20 TO C-2: TMS #045-00-01-008. A public hearing was held and the following remarks were made. Mr. Mike Manley of 1158 Cartee Road stated that he was concerned with traffic problem and entranceway into the community if the rezoning request was granted. He asked Council to deny the request. Ms. Sandy Brannon said that if the property went commercial her property value would go down and the community will not a little quiet community. She also said that she thought it would be a safety problem with the one entrance and one exit. She also asked that Council deny the request. Mr. Bill Cheek of 1098 Cartee Road asked Council to deny the request and the one entrance would be a danger to the community. Ms. Joanne Webbenhurst of 1162 Cartee Road said that she was concerned about the neighborhood because it has one entrance and one exit. She asked Council to vote the request down. Mr. Bob Webbenhurst owner of two houses on Cartee Road said that 14 of the 24 acres are already zoned C-2. He said that he would like to see the area remain at the current zoning classification or he'd like to see it all changed to residential. He asked council to deny the request. Mr. Richard Pendino of 1146 Cartee Road asked that the zoning remain the same. Ms. Karen Manley of 1158 Cartee Road asked that their community remain the same with the same zoning. She asked Council to reconsider changing the zoning. Ms. Chris McHarr said that the community only had one entrance and was afraid of the safety there if the zoning request was approved. Mr. Hugh Durham said that he sold the property in 1993 to Mr. Blake Griffin. About two months ago, he received a call from Mr. Griffin wanting to sell the property. When he checked the property he found that it had been zoned and Mr. Griffith was not notified of the rezoning since he is not a resident of the County. The property is zoned on the back R-20 and on the other side commercial. Mr. Griffin spoke regarding the property and how he didn't know the property had been rezoned. No further citizens wished to speak; therefore the public hearing was closed. Mr. Tolly moved to approve the request by approving first reading of Ordinance #2005-013. Mr. Greer seconded the motion. Council discussed. Mr. Thompson and Ms. Wilson both said that they were concerned about the notification of the property owner. Mr. Greer said that he too was in agreement with Mr. Tolly that the line was somewhat arbitrarily drawn across this tract of land and does not give an accurate reflection of what possibly could be done. Chairman Floyd read the Planning Division Rezoning Staff Report dated April 2005. She reminded Council that they should be listening to the citizens that live in the community. Mr. Greer said that the report referred to *approximately 14 acres and approximately 10 acres*. He asked how could you zone something *approximately*? Mr. Ricketson said that the word *approximately is used* anytime you convey land and he said he didn't believe you could measure land by the exact square foot or square inch. After more discussion, Mr. Greer called for the question and Mr. Dees seconded. Vote was six in favor of the call and one opposed (Wilson). Motion carried. Vote was five in favor and two opposed (Floyd, Wilson). Motion carried.

Chairperson Floyd presented first reading of Ordinance #2005-014 – a rezoning request by John Montgomery to rezone 13 acres at Midway Road and Oak Hill Drive from R-20 to PD; TMS #147-00-07-005. A public hearing was held and the following individuals spoke. Mr. John Montgomery, the landowner, explained the planned development of the property. No further comments, the public hearing was declared closed. Mr. Dees moved to approve and Mr. Greer seconded. Ms. Wilson said that Council needed to be very careful to insure that the storm water runoff control measures are adequate and put into place properly. Vote was unanimous.

Council recessed at 7:05 p.m. Chairperson Floyd called the meeting back to order at 7:13 p.m.

Chairperson Floyd presented Resolution #R2005-028 - a resolution adopting the National Incident Management System to prepare for, prevent, respond to, and recover from Natural Disasters, Technological/Industrial Hazards, and Civil/Political Hazards; and other matters related thereto. Mr. Tommy Thompson said that the reason to adopt the National Incident Management System (NIMS) is that nation wide there has been historically been a problem moving from state to state and region to region and no standardization in the way that First Responders come to show up on the scene and be able to operate. After 2006, this will be a requirement on our grant applications. This is an enhancement to the Incident Command system in which our Fire Response community has been using for years and this will add some national standardization to the program for the County's First Response agencies. Mr. Dees moved to approve and Ms. Wilson seconded. Vote was unanimous.

Chairperson Floyd presented a Proclamation proclaiming May 19, 2005 as Police Officers Memorial Day and the week of May 15, 2005 as Anderson County Police Week. Mr. Dees moved to approve and Mr. Thompson seconded. Vote was unanimous.

Council recessed for five minutes at this time to allow Mr. Preston's Power Point Presentation to be set up. Chairperson Floyd called the meeting back to order.

BUDGET PRESENTATION – Ordinance #2005-017 – Proposed 2005-2006 Fiscal Year Budget. Mr. Joey Preston and Ms. Gina Humphries gave a Power Point Presentation. Some highlights are as follows: Additional known funding needed in operating expenses equals \$972,000, which equals to almost 2 mils. Local property taxes are about 50% of the general fund revenue. \$513,000 is being used in the budget as the value of a mil. The general fund total for the FY05/06 proposed budget is \$37,997,290 and does not include the Sheriff's budget. New revenue proposed is for encroachment permits and will generate an estimated \$110,000 in revenue. General fund total capital proposed is \$1,509,515 and does not include the Sheriff. Included in the budget is a proposed lease/purchase deal in the General fund is \$1,375,435. Mr. Preston said that the funding will come out of the next years budget. In the Administrator's proposed budget he has recommended 16 new positions out of a total of 37 requested. These new positions are for Detention Center – 6, Engineering Technicians – 4, Magistrates Office – 2, Chemist – 1, and 911 Call Takers – 3. To balance the general fund budget without a tax increase, Mr. Preston has proposed utilizing \$1,024,305 of the County Fund Balance. Special revenue funds are used to account for specific revenues that are legally or contractually restricted for expenditures for particular purposes. The following Special Revenue funds are funded by a separate tax levy: Tri-County Technical College – 3.8 mils, EMS – 5.7 mils for countywide and 3.2 mils for metro, Library – 6.8 mils. Total of Special Revenue Funds (excluding Sheriff) is \$24,447,730. Mr. Preston proposed that the Sheriff change from General fund to a Special Revenue Fund because it will result in better alignment of costs (taxes) compared to results/benefits, higher level of accountability, ownership and responsibility, Sheriff can predict revenues and plan for long-term more intelligently, and the end result will be better service to citizens. The Administrator's proposed budget for the Sheriff is a \$3.2 million increase. The Sheriff has requested 67 vehicles and 14 computers for a total capital purchase of \$1,694,860. The county currently has 4 general obligation bonds which are paid through tax levies. #1-1994 Detention Center, #2-1998 Library, #3-2000 Airport, #4-2003 Detention Center and Belton Library. A fifth bond will be added in the proposed budget which is the 2005 General Obligation bonds for construction of two new branch libraries, Pendleton and Powdersville. The bond was approved in the FY04/05 budget. Mr. Preston explained his Courthouse Security Proposal – Relocate the Treasurer, Assessor, Auditor, Register of Deeds to another building, Retrofit the New Courthouse, Provide for enhanced security in new courthouse, provide renovations and security to Magistrates Court. Mr. Preston said he estimates the cost to be between 5-6 ½ million dollars. He said that he was currently looking at the different scenarios such as may issue a bond, or a bond and a lease/purchase combination, the bond will be issued in the 06/07 and payments will begin then, and preliminary processes will begin in Budget 05/06 but no payments until FY06/07. The courthouse security proposal bond, or combination bond/lease/purchase will be paid for by using a portion of the debt service millage previously allocated to the Civic Center bond, which was paid off in April 2005. Total Debt Service budget proposal in FY05/06 is \$6,751,845, * Total FY05/06 Enterprise Funds is \$10,039,150. The Enterprise Fund consists of Wastewater Treatment, Stormwater Management, Solid Waste, Airport. Five (5) new positions are recommended for the Enterprise funds – 4 Stormwater technicians for wastewater. These will be hired in March 2006, and one (1) Senior Equipment Operator for Solid Waste. Proposed Capital, Lease/Purchase for Enterprise Funds is \$1,015,875. Proposed Capital-Cash for Enterprise funds – WWTP (3 pumps-Hembree Creek, 1 mower) - \$551,500, Other Misc. - \$6,000 for a total of \$557,500. **TOTAL** Enterprise Funds Summary - \$10,039,150, capital Projects Fund - \$10,482,150. Capital Projects fund are used to account for the acquisition and construction of major capital projects, other than those financed by proprietary funds. Mr. Preston asked Mr. Hopkins to come forward and give his presentation. Mr. Hopkins proposed that the Fleet Services operation change from General Fund to Internal Service Fund. He said an Internal Service operates as a service provider to other departments. The user departments pay for the services. Previously, user departments, with the exception of the Enterprise Funds, did not have a pay, the County did not ever see the cost of vehicle maintenance in their budgets. The costs resided completely within the Fleet Services budget. Fleet Services will break even at the end of next year by operating as an Internal Service fund. **TOTAL** budget proposal is \$1,974,960. **RECAP** – Capital – All funds combined Proposed lease/purchase - \$4,128,960, **RECAP** – Capital – All funds combined Proposed Cash Capital – \$641,580. **RECAP** – Capital – all funds combined total \$4,770,540. Proposed FY05/06 Levy – General Fund - 35 mils, Sheriff – 25 mils, Library – 6.8 mils, Capital Projects – 1.5 mils, EMS – 5.7 mils, Bond Indebtedness – 0.7, Total County Levy: 81 mils – Other Levies – Tri-County Tech – 3.8, Sewer – 3.0 mils, EMS – Zone 9 – 3.2 mils. The budget would propose a 2% Cost of living raise for all employees under \$30,000. Mr. Preston introduced Dr. Scott Huffmon, Director of the Social and Behavioral Research Laboratory Department of Political Science. Dr. Huffmon said that they had conducted a survey

of registered voters of Anderson County regarding citizen attitudes on Law Enforcement Funding in Anderson County. He explained the process of the survey. They called a random sample of the registered voters. The survey cost \$16,779 a per survey rate of under \$20 which is approximately half of what a standard market research firm charges. A copy of the Survey is on file in the Clerk to Council's office. Chairperson Floyd asked Mr. Preston how the public would be informed of the survey's findings. Mr. Dees moved to approve the budget (Ordinance #2005-017) and Mr. Tolly seconded. Ms. Wilson said she was absolutely opposed to doing first reading. Ms. Wilson moved to table and do first reading at the next meeting. Mr. Thompson seconded the motion to table. Vote was three in favor (Wilson, Thompson, McAbee) and four opposed (Floyd, Greer, Tolly, Dees). Mr. Greer said he voted against the motion to table because he wanted the discussion to continue. He said that it was his understanding that the millage from the Civic Center bond that is retired would be utilized to fund the bond that we voted on in last years budget and also would be utilized to fund the changes that would be proposed for the Courthouse but as he looks at slide 97 it calls for moving 1.8 mils from the bond millage to the to the general fund millage. In his opinion, this will result in a millage increase once those bonds go on the books and we have to start making the payments. Then the auditor will have to levy the millage necessary to pay those bonds so the 1.8 that we are moving from the bond indebtedness to the general fund in effect will be a millage increase. Ms. Humphries replied yes from one fund to another. That would be a shift from of a tax levy from the debt service fund to the General Fund for that year but the total overall millage will remain at 75 mils plus the 6 mils. Mr. Greer said he voted against the motion to table but it was a lot of information and a lot of thought needs to go into this so he moved to table and Ms. Wilson seconded. Vote was four in favor (Wilson, Greer, Thompson, McAbee) and three opposed (Floyd, Dees, Tolly). Motion carried. Mr. Preston reminded Council that public hearings needed to be scheduled and he was going to make an assumption that Council would have first reading of the budget next week. Ms. Floyd said that she didn't know why this happened when there was time to get questions answers and to get some more studies or whatever done. What Council has done is to make it harder on Council to do what needs to be done before July 1, she said. We have to have a budget and if we don't by July 1 we'll have to close the county down, she said. She said that Council was going to work themselves into a corner. She asked Council members to go see Ms. Humphries for answers. She also said that if this purpose was to do some "grandstanding" it didn't work.

Council took a short recess at 9:10 p.m. Chairperson Floyd called the meeting back to order.

Mr. Greer asked for the right to express his views on the budget and he said he knew it was tabled. Chairperson Floyd took time so he therefore asked for a chance to speak. Ms. Floyd granted him his request.

Mr. Greer said that it was indicated that County council has not spent time looking over the budget. He said he had worked on the budget. But he did not have the expenditure side of the budget until it was delivered tonight to him. He said that tabling the budget did delay it but he would be available for any called meetings needed. He said that he will do what is best for the people of his district and Anderson County when he cast his final vote on third reading.

PROPOSED ROAD ABANDONMENT OF CAMPBELL ROAD: Mr. Larry Greer requested that this item be removed from the agenda.

On the motion of Ms. Wilson, seconded by Mr. McAbee, Council voted unanimously to approve the acceptance of Gant Mill Subdivision into the County Road System. Mr. Tolly was assured that all the water and drainage problems were corrected on the roads.

SPECIAL REQUESTS AND CONCERNS: M. Cindy Wilson requested that Mr. Preston, at his earliest convenience answer the questions in writing. Mr Preston said he had them for her and then he passed them out.

APPOINTMENTS:

Mr. McAbee moved to appoint Mr. Chesley Milam to serve on the Anderson Airport Commission and Mr. Tolly seconded. Vote was unanimous.

Mr. McAbee moved to appoint Ms. Mona Fleming to serve on the Behavioral Health Board. Mr. Greer seconded and vote was unanimous.

Mr. McAbee moved to appoint Joan Minihan to serve on the EMS Commission and Mr. Greer seconded. Vote was unanimous.

Mr. Thompson moved to appoint Mr. Matt Bratcher to the Accommodations Tax Advisory Committee and Ms. Wilson seconded. Vote was unanimous.

REQUESTS BY COUNCIL MEMBERS: Mr. Tolly moved to appropriate \$5,000 from District #1 Recreation Account for the GAMAC for promotion. Mr. Dees seconded and vote was unanimous.

ADMINISTRATOR'S REPORT: (time requested 5/allotted 5 minutes)

- a. Certificates and Training:
- b. Letters of Appreciation:
 - 1. For: Lieutenant Briggs/911 Staff – From: Sheriff Crenshaw
 - 2. For: Ms. Gail King – MIS Dept. – From: SC Dept. of Probation, Parole and Pardon
- a. Reports:
 - 1. Environmental Enforcement Sign Removal Report – April 11- April 18
- b. Minutes/Agendas:
 - 1. Anderson County Regional Airport Minutes – March 21, 2005
 - 2. Anderson County Museum Advisory Committee Meeting Minutes – March 14, 2005
- c. Tree City USA congratulations from Senator Lindsey Graham
- d. Mr. Brian Harbin, EMT – EMT-B of the Year Award
- e. Chief Mark Bryant, Fork EMS – Small EMS System of the Year Award
- f. County wins recycling award for *Reuse a Shoe* - The Journal newspaper article
- g. Anderson County Fire Control Request to move to Central Dispatch Center
- h. Anderson County approved for a WebEOC
- i. Hartwell Lake Economic Impact Study
- j. DHEC – Re: Demonstration of Need EXTENSION Letter
- k. State Fleet Management Lease program
- l. Departmental Transfers

CITIZENS COMMENTS: Other matters. None

The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Linda N. Eddleman
Clerk to Anderson County Council