

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - May 4, 1999 -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 of the Freedom of Information Act.

PRESENT

G. Fred Tolly - District #1
Chairman William A. Floyd - District #2
Larry E. Greer - District #3
Vice Chairman Clint Wright - District #4
J. Mike Holden - District #5
Joey Preston - Administrator
Tom Martin - County Attorney
Stacey R. Russ - Assistant to Clerk to Council

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, May 4, 1999 at 6:00 p.m.

Mr. Larry Greer gave the invocation and everyone stood and pledged allegiance to the flag.

Mr. Floyd welcomed the group and thanked everyone for coming. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to amend the agenda in the following ways. Under Item #5 - A public hearing will be held on second reading Ordinance # 99-009, page 2 add: #11 (c) - Double Springs Bell - Mr. Mike Holden, and Page 2 Add: #11 (f) Hammond Community Center - Mr. William Floyd.

Page 2 - Minutes

May 4, 1999 -m 6:00 p.m.

Public Comments: Mr. Goetz Eaton appeared before Council to compliment Mr. Preston on a "Class Act" last Saturday night at the Opening of the Sports Complex. He presented Mr. Preston with a box of cigars for his appreciation for the outstanding grand opening ceremony. He said that this was not a gratuity; however, he wanted Mr. Preston to enjoy them with no strings attached. Mr. Nelson Waller stated that what he was about to say brings him no pleasure whatsoever and he cannot share in the enthusiasm over the Dedication of the Sports and Entertainment Complex. He said that there had been ethical, moral and legal questions hanging over the entire project. These were brought to Council's attention and he feels that they have been "steam rolled". The newspaper has nothing but commendations for an extremely controversial undertaking. He has been told that they did the *1812 Overture* as the centerpiece and he wondered why the County used the National Anthem of America's main global enemy. Further evidence is that things are in chaos in our society at large. His concern is that as we grow ever more bodacious, advanced in terms of entertainment and recreation we are sinking into a moral cesspool. He also stated that Council was implicated in that very process and in the newspaper supplements a quote of Mr. Charles Wyatt's. Mr. Floyd asked Mr. Waller not to do any bashing of names and refrain from using any names of personnel or Council members and no questions will be answered during the "Public Comment" section of the agenda. He cannot understand why the matter has not been addressed. When there has been a sex scandal in the business world; the thing that is automatically done is anyone implicated in the scandal is fired or suspended until an investigation is done. Questions asked: Is this the message that we want to send to the youth of Anderson? Is this how we want to Celebrate Anderson? Mr. Tom Martin asked a privilege from Council. Mr. Floyd granted this. Mr. Martin stated that Mr. Waller is frequently wrong but never in doubt. The *1812 Overture* has never been the National Anthem of any county; it was not the National Anthem of Russia at the time Tchaikovsky wrote it or has it been the national Anthem of the Soviet Union. With regard to whatever allegations that he is referring to as a "sex scandal" there are certain matters which have been brought in legal forum which are being addressed in legal forums. The County had done everything allowed legally. Nothing else can be done legally; however, there are certain citizens to seem to be totally intent upon making allegations apparently

Page 3 - Minutes

May 4, 1999 - 6:00 p.m.

solely for the sake of casting allusions or aspersions at members of the Administration. From a legal standpoint, everything that has been done has been done legally and everything that can be done legally has been done. At due point, these can be made public to the entire Anderson County public. Mr. Mike Holden thanked Mr. Martin for responding to the comments made by Mr. Waller. Ms Jody Brodax thanked Council and Mr. Preston for adding an additional animal control officer to help cover weekends.

Mr. Marty Watt presented winners of the Anderson County 4-H Senior Livestock Judging Team who placed first in the state. The following were winner: Davis Peeler, Kathy Jordan and John Richards. They were presented certificates from Council. Winners of the Anderson County 4-H Junior Livestock Judging Team who place third in the State were also recognized and presented certificates. They were: David Jordan, Cameron Burns, David Jordan and James Richards. (David Peeler and Cameron Burns were unable to attend.)

Public Comments (Continued): Mr. Ray Richards stated that he was opposed to zoning and the reason he lives in Anderson County is because he wanted to escape the regulations and all of the things that regulate the lives of people here. He said that he had always considered the federal government to be the chief threat to personal freedom but since he has been in business for over three years, he views city and county government as a far greater threat because of over regulation, permits, fees and others. He recommended that Council allow economics to do the job of zoning. He said that it was abundantly clear, 25 years ago, that Highway 81 would eventually be a major commercial corridor. Council received as information. Mr. Holden noted for the record that zoning could stop such things as explained by Mr. Richards. Mr. Herbert Emmel spoke to Council concerning a "Sovereignty Proposal" for an economic solution for interest free government money for tax supported bodies for capital improvements. He informed Council that he had a resolution for Council's consideration to endorse the concept of this proposal. This proposal costs nothing and would ask that Council endorse the resolution to investigate this "sovereignty proposal".

Mr. Russell Harris appeared before Council on behalf of Partners for a Healthy Community. Mr. Floyd presented a proclamation supporting the community celebration promoting Partners for a Healthy Community and Advance Anderson at the Civic Center of Anderson, May 6, 1999, and welcoming Christopher T. Gates, President of the National Civic League to Anderson. On the motion of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve the proclamation as presented.

Ms. Julia McLellan, representing the Pendleton District Workforce Investment Board, gave an update on the Jobs Training Partnership Act, and the Welfare to Work Programs in Anderson, Oconee and Pickens Counties. The Board was formed in 1983 as the Private Industry Council and recently changed its name due to the national legislation. Each year they develop plans for the coming year and submit them to the State, each County Council Chairman is required to sign the plan. She gave Council the following brief overviews: Under Title IIA (Adult program) the allocation was \$519,385. With this money, the board plans to service approximately 250 adults with 63% of this coming to Anderson County. The programs being funded are Classroom Training through Tri-County Tech and Forest Jr. College. Also included is on the job training through the Jobs Service Office and job coaching for the disabled at Good Well Industries. Under Title IIB (Summer Program) is funded at \$616,585. The Board has elected to transfer approximately \$100,000 for the Year Round program for which the funding has been cut steadily over the past two years and they plan to serve over 400 youth. On June 30, 1999, the Jobs Training Partnership Act, will no longer exists. July 1, 2000 the Workforce Investment Act begins. Council received as information.

Mr. Floyd presented Ordinance #99-006 - an ordinance reaffirming in certain limited particulars and readopting the Anderson County Land Use and Development Standards Ordinance; and other matters relating thereto. A public hearing was held; no comments were heard. Mr. Ricketson announced that the County had received an extension until December 31, 1999 and would recommend that the ordinance be sent back to the Planning Commission for additional public hearings. Mr. Wright moved to approve the recommendation to send back to the Planning Commission and Mr. Greer seconded. Vote was unanimous.

Mr. Floyd presented Ordinance #99-008 - an ordinance approving the Major Road Study. A public hearing was held and no comments were received. On the motion

Page 5 - Minutes
May 4, 1999 - 6:00 p.m.

of Mr. Tolly, seconded by Mr. Greer, Council voted unanimously to approve the ordinance on third and final reading. Mr. Ricketson stated for the record that the road study did not include the any Belton Bypasses or the Austin Road route. Mr. Floyd presented a public hearing concerning Ordinance #99-005 - an ordinance authorizing the issuance and sale of general obligation bonds, series 1999, of Anderson County, South Carolina, in the amount of not exceeding \$750,000 (Airport Project). A public hearing was held and no comments were received. Mr. Tom Martin stated for the record that this was a general obligation bond issue; however, it will actually operate like the Sports Complex as a revenue bond. The revenue coming into the Airport will pay the debt service on the bond so that the tax level will be minimal; if any. On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve Ordinance #99-005 as presented.

Mr. Floyd presented second reading of Ordinance #99-009 - 1999-2000 budget. A public hearing was held; no comments were received. On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve the second reading of the 1999-2000 fiscal year budget.

On the motion of Mr. Wright, seconded by Mr. Greer, Council voted unanimously to approve first reading of Ordinance #99-010 - an ordinance to amend Ordinance #99-003 (Comprehensive Plan). This ordinance (#99-010) amends the plan to include the revised land use map for school district #4.

On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted unanimously to approve first reading of Ordinance #99-011 - an ordinance to increase the license fee on video poker up to \$360 approved by the State. (Current fee is \$300). All monies will go to the Sheriff's office.

On the motion of Mr. Wright, seconded by Mr. Tolly, Council voted unanimously to approve first reading of Ordinance #99-012 - an ordinance authorizing the leasing of certain Anderson Regional Airport space and facilities.

Page 6 - Minutes
May 4, 1999 - 6:00 p.m.

On the motion of Mr. Holden, seconded by Mr. Wright, Council voted unanimously to approve first reading of Ordinance #99-013 - an ordinance authorizing the assignment and transfer of that certain lease agreement between Anderson County, and Glen Raven Mills, Inc.

Council held a public hearing for a Direct Block grant for the Sheriff's Office from the Bureau of Justice Assistance. The grant is in the amount of \$383,481 and the County must provide a 10% match, which is \$28,165. This money has been included in the County Budget. No further action was necessary to receive the money. During the public hearing, Mr. Tom Partington asked why hasn't anyone spoke during the public hearing and asked Council to consider holding the public hearings on second reading instead of on third reading. Mr. Wright told Mr. Partington that he received and addressed the policy manual that he gave him. He said that the comments and concerns of Mr. Partington's were addressed and found not to be an issue that needed to be readdressed.

On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted three in favor (Tolly, Holden, Floyd), one opposed (Wright) and one abstention (Greer) to approve Resolution #R99-014 which is a resolution in support of the County Administrator entering into a use agreement for the operation and management of a public park to be established upon the lease of certain property. Mr. Preston announced that Pier 19 will be responsible for all financial obligations as related to the park, and lease.

Council approved a Proclamation to proclaim May 10, 1999 as Police officers Memorial Day in Anderson County.

Council approved a Proclamation to proclaim the week of May 16-22, 1999 as Emergency Medical Service week in Anderson County.

Mr. Greer moved to appoint Ms. Sandra Sutherland to the EMS Commission and Mr. Wright seconded. Vote was unanimous.

Mr. Dewey Pearson explained the following change orders for Council's

May 4, 1999 - 6:00 p.m.

consideration: Change order #3 for Division 1 for Hwy. 76/Glen Raven Sewer Project. This change order will change the cost of the Division 1 Phase by \$3,922.66 and is needed to cover additional work needed at the new pump station and at the Glen Raven pump station. Change order #4 (Summary final) for Division 1 Highway 76/Glen Raven Sewer Project. This will adjust the unit quantities to reflect the actual units of work in place. This will reduce the cost of the Division 1 phase of the project by \$83,824.22. Change order #1 (Summary Final) Division II Hwy. 76/Glen Raven Sewer Project. This summary change order adjusts the unit quantities to reflect actual units of work in place. This will reduce the costs of Division II by \$3,000.00. On the motion of Mr. Wright, seconded by Mr. Holden, Council voted unanimously to approve the three change orders and discussed.

Mr. Pearson presented change order #5 for the Sunset Forest Sewer Project (Summary Final). The change order adjusts the unit quantities to reflect the actual unit quantities in place. The change order will increase the project by \$41,970.20. The final adjusted contract price is \$484,464.70. On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve the change order.

On the motion of Mr. Greer, seconded by Mr. Wright, Council voted unanimously to allocate \$500 to the Zion Senior Group in Belton from District #3 Recreation Funds.

Mr. Holden stated that the Tolly Street Senior Citizens Building is in need of repairs. Mr. Preston stated that the estimates for the repairs is \$4,590 for roof and interior work. Mr. Preston recommended that Council hold off until the next meeting.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve the allocation of \$4,500.00 for the Double Springs bell relocation. The funds will come from District #5 Recreation Funds.

On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted unanimously to add Wiltshire Court in Devonshire Subdivision to the 1999-2000 paving contract and the funds to come from District #1. The estimate for the paving is \$5,141.00.

Page 8 - Minutes

May 4, 1999 - 6:00 p.m.

Mr. Floyd announced that there was a meeting last week with key upstate people to discuss the possibility of a Local Option Sales Tax for property relief. Mr. Joe Newton gave Council an update on the tax. Council has scheduled a work session for Wednesday, May 5, 1999 to discuss the issue. A public hearing will be held to receive public questions on May 13, 1999 at 6 p.m. Mr. Holden asked that we make every effort to get the word out to the public of the public hearing. Mr. Holden also expressed opposition to having a special election for the LOST Referendum. Council received as information.

On the motion of Mr. Floyd, seconded by Mr. Tolly, Council voted unanimously to approve the appropriation of \$8,000 (estimated labor: \$3,500, materials: \$4,500) from Asphalt Funds (District #5) for repairs to the exterior of the Hammond Community Center.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve the appropriation of \$5,000 from District 35 paving account for Double Springs Fire Station for assistance with the construction of a new fire station.

On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted unanimously to approve the release of \$8,000 of CDBG monies being held on behalf of the Morningside Community Development Association. There is currently \$28,000 remaining in the account.

On the motion of Mr. Wright, seconded by Mr. Holden, Council voted unanimously to improve the acceptance of McClain Lakes Subdivision into the County road system.

Page 9 - Minutes
May 4, 1999 - 6:00 p.m.

ADMINISTRATOR'S REPORT:

- (a) Letters of Appreciation:
 - I. For: Ms. Paula Reel From: Mr. Bob Daly
 - II. For: Road Crew From: Mr. Gerald Campbell
- (b) Certificates and Training:
 - I. Ms. Linda Rook - Emergency Response Terrorism
 - II. Ms. Laura Thoma - National Fire Academy Field course
- (c) Reports:
 - I. Paving Report
 - II. Recreation Report
- (d) Minutes - Public Works - Safety Meeting
- (e) Election Dates
- (f) Work Camp Expansion Project

There being no further business, Council adjourned at approximately 8:30 p.m.

Respectfully submitted,



Linda N. Gilstrap, Clerk
ANDERSON COUNTY COUNCIL