

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting - November 20, 2001 - 6:00 p.m.  
Linda N. Gilstrap, Clerk to Council  
**AMENDED**  
**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  
G. Fred Tolly - District #1  
Gracie S. Floyd - District #2  
Larry E. Greer - District #3  
Vice Chairman Mike Holden - District #5  
William C. Dees - District #6  
M. Cindy Wilson - District #7  
Joey Preston - Administrator  
Tom Martin - County Attorney  
Linda N. Gilstrap - 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, November 20, 2001 at 6:00 p.m. Chairman Wright called the meeting to order and then read the quote.

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

Citizens Agenda:

1. Charles D. Crowe from the Five Forks Community thanked members of Council for their latest input to the reapportionment map. He stated that one of the Council Districts did not include a municipality so he made a recommendation that District #6 be

extended to include Pelzer and West Pelzer, which would benefit that area.

2. Ed Jean stated that he did not see the logic of a recent article in the paper regarding the First Responder who tried to do something was taken off of duty for 30 days.
3. Teresa Popham spoke regarding Phase 4 of the Michelin Project. She said that at the last meeting something was said to the effect that money was the issue and that statement was not true. The landowners did not want the road there to begin with and during the whole process there had been a lot of half-truths told, she said. She encouraged Council to listen to the public and consider what their wishes are.
4. Tom Clark of the White Plains precinct wished all Council Members a Merry Christmas and a Happy New Year. He said that he attended the Taxpayers Association meeting last night and there was an overwhelming feeling that Anderson County needs a forensic audit and that the association would pursue it.
5. Frank Kellam - Mr. Kellam's remarks are verbatim at a request of a member of Council. Frank Kellam - "I thank the Lord Eternal for the many freedoms, which we enjoy in this still great nation. On our current course, I wonder how long the Lord will keep us great. Your quote for the day is "The Leader who never steps on anybody's toes is probably standing still." Do you Council Members really believe that? Are you truly putting these words to practice or are they just empty words? Just review in your mind the number of lawsuits filed against Anderson County in the past few years. How much money and creditability has it cost us? How much better off would Anderson County be today if the management had been looking a little closer at tell-tell signs and been stepping on some toes. The more accountable a person is the more likely that person will stay in line and not need stepping on. So you really do a person justice by keeping them in line by means of accountability. A good CEO maintains a system of checks and crosschecks to keep folks from wanting to step out of line. A good Board of Directors or a good elected Council will maintain a system of checks to keep the CEO in line. That is what we taxpayers have been after for a long time but Council is not listening. We have stood here and asked Council to reinstate the procedure of having

prior knowledge of any line item transfer which exceeds \$2500,00, and that's just good business. We have stood here and questioned why has the Administrator's office budget increased by \$194,000 per year since 1997. When most corporations are cutting back their overhead, why did Anderson County need to add a Public Information Office, which cost us a \$148,000 a year? Why did the Personnel Department's budget grow by \$190,000 since 1997? And why do we have a separate Legal Counsel office budget of \$300,000, which did not exist in 1997? This is an \$830,000 a year increase in just five short years. In almost every household and business people are developing programs which will enable them to do more with less. But after reading of the mismanagement of the County Fleet Department, I am convinced that County Management is doing just the opposite. You folks accomplish less while spending more money and hiring more people. It is obvious that we need more in-depth audits. How many more mismanagement scandals are we going to read about in the future? Some of this mismanagement has been going on for years. Where is the CEO and his system of checks and balances? You don't have a CEO. But you need to go out and find one and hire him. Thank you."

6. Norman Craft said that he understood that there was an ordinance given to them by the Sheriff on Noise and Council had tabled the ordinance. He said that he had a problem with noise in his neighborhood. He asked Council for what reason did they table the ordinance. Chairman Wright responded that there were points of discussions (such as probable cause) that needed to have a response on before Council considers. He said that he had been fighting this since April 1999 and he had called the Police over 300 times. He said that the people he reported for noise had sued him saying that he sold drugs and alcohol to minors. Chairman Wright apologized for Mr. Craft's problems and explained that they were trying to get something that the County can enforce.
7. Dan Harvell- Mr. Harvell's remarks are verbatim. Mr. Harvell - "My comments do pertain to one agenda matter but I would like to address a second one if we have time and that is why I'm in non-agenda section. To Mr. Chairman and Council Members, my comments turn once again to my subject of the last Council meeting, that being redistricting. First, I must say how

thoughtless or otherwise deliberate the lines of the first draft for District 7 were. As I clearly expressed two weeks ago, I expected a somewhat skewed arrangement. The Planning Department and/or Administration and/or some council members did nothing to prove me wrong. Assuming the Planning Department was wholly responsible for the first draft, it appears to me that we are not getting what we've paid for from their highly (word not clear) credentials that you have often reminded us of. I realize another draft was done - a more reasonable one. I hope a third was done that we might yet see. But know this, by first submitting such an obviously gerrymandered plan you have insulted the intelligence of the involved as well as the benign citizens of this county. We have a right to and expect a less politized civic environment in this our County. You as a majority condone and further promote such a situation as evidence by this first draft to have even allowed it was a discredit to any and all involved. I look forward to the day when we see a new horizon in the running of this County. These are not the corruptive halls of Congress where people from across the nations meet and million of dollars of pack money fly about. But this is the County level of government where we are all one another's neighbors and friends. Please exhibit creditability and integrity in your places of honor that we might all be as proud as our county government as we are of our County itself. And the next thing that I would like to also mention is the water crisis that we have down in my neck of the woods, there was a meeting with the citizens down there at Barkers Creek Church last night, that I understand was well attended, and I think it's a shame when we look back and we see the fact that these people have been paying an extra amount on their tax bills for many, many years and we have just given that area of the County sort of the "short shaft". A lot of the things that have been going on over here as far as ball fields at the Civic Center - and I understand we're - thoughts have been banded about putting a cover over the amphitheater out there. We just need to get real and look at the infrastructure needs down in the other areas of the County and we'll do everyone a better service - the citizens of this County. As always I appreciate you hearing and hopefully heeding my comments.

End of Citizens Comments.

Mr. Chuck Watkins presented Mr. Barry Duncan as employee of the Month of October. Mr. Watkins of the Purchasing Department recommended Mr. Duncan for his outstanding job performance. Mr. Duncan was presented a gift certificate to a local restaurant, a plaque, a day off certificate, and a County shirt. Council commended Mr. Duncan for a job well done.

Ms. Cindy Wilson presented Resolution #R2001-056 to Mayor Earl Meyers for being nominated as a Hero of the South Carolina 2001 Year of the Child and recognizing Mayor Meyers for his outstanding achievements for the County of Anderson. Ms. Wilson moved to approve the resolution and Mr. Tolly seconded. Vote was unanimous.

Ms. Wilson read Resolution #R2001-057 resolving to make available to the County citizens the live broadcast by Charter Communications in its entirety of each of the County Council meetings and provide two complete video tapes of the meetings as the Anderson County Library. Ms. Wilson moved to approve and Mr. Tolly seconded. Council discussed the cost associated with this resolution. Ms. Wilson said that further discussions with Charter are needed and the availability of a fiber optic line which should have been laid during downtown revitalization. Mr. Dees asked about what Library the resolution referred to. Ms. Wilson stated she would like for all Libraries to receive tapes. Mr. Holden moved to table for more information and Mr. Dees seconded. Vote was six in favor to table and one abstention. Mr. Wright abstained.

Ms. Wilson moved to approve Resolution #R2001-055 - approving the Anderson-Oconee Council on Aging as an entity in Anderson County to provide transportation to the elderly. Mr. Dees seconded and vote was six in favor and one abstention (Ms. Floyd abstained). There will not be any financial obligation to the county. The Resolution is only an endorsement by the County for the agency to apply for a grant.

Chairman Wright recognized and welcomed Boy Scout Troop 41 from Anderson.

Mr. Tom Martin presented third and final reading of Ordinance #2001-027 - an ordinance to amend ordinance #98-019, as previously amended by Ordinances #99-029, #2000-063, and #2001-014, relating to the industrial/business park of Anderson and Greenville Counties so as to enlarge the park. A public hearing was held. Mr. Charles Crowe asked Council exactly what were the advantages of being in an industrial park with Greenville County. Mr. Tom Clark asked if there was a specific industrial park that the ordinance referred to in Anderson County. The public hearing was declared closed. Mr. Martin explained that this industrial park was a legal designation as allowed by the South Carolina State Code. Mr. Dees moved to approve the ordinance on third and final reading and Mr. Holden seconded. Vote was unanimous.

Mr. Martin presented third reading of Ordinance #2001-037 - an ordinance amending the Anderson County Comprehensive Plan to change the future land use in specified areas outside the Williamston City Limits from low density residential to commercial and high-density residential. Ms. Wilson moved to approve on third reading and Mr. Tolly seconded. Vote was unanimous.

Mr. Martin read third reading of Ordinance #2001-038 - an ordinance to approve a rezoning request by the Estate of Ruby Roberts and Hugh Durham to rezone a 35-acre parcel of land on State Road 77 near Williamston. The parcel is currently zoned R-A (Residential Agriculture). The requested zoning is C-2 (Highway Commercial). The property is a portion of a tract identified by tax map #221-00-09-005. On the motion of Ms. Wilson, seconded by Mr. Tolly, Council voted unanimously to approve on third reading.

Mr. Martin read third reading of Ordinance #2001-039 - an ordinance authorizing pursuant to Chapter 1 of Title 4, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a multi-county industrial park agreement between Anderson County, South Carolina and Greenville County, South Carolina; and matters relating thereto. Mr. Tolly moved to approve on third reading and Ms. Wilson seconded. Ms. Wilson stated that the County will actually ~~make~~ impose an annual fee on this industrial park. Vote was unanimous.

Mr. Martin read third and final reading of Ordinance #2001-043 - an ordinance amending in certain limited particulars Chapter 42, Article III, Division 5 of the Anderson County Code of Ordinances pertaining to litter,

by prohibiting individuals, businesses, or other entities from intentionally blowing or otherwise moving organic or inorganic debris from public or private property onto public thoroughfares, or other public property; and other matters relating thereto. Mr. Dees moved to approve and Ms. Floyd seconded. Vote was unanimous.

Mr. Martin read third and final reading of Ordinance #2001-046 - an ordinance authorizing the execution and delivery of an amendment to a lease purchase agreement between Anderson County and Milliken and Company, so as to extend the initial investment period to seven years for investments in excess of the initial commitment. Ms. Wilson moved to approve and Mr. Tolly seconded. Vote was unanimous.

Mr. Martin presented second reading of Ordinance #2001-042 - 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 C-2 to R-A approximately 1± acre of property in the Cedar Grove Precinct on the north side of S-4-502 and State Highway 20: BEING described generally as beginning at a point on S-4-502 approximately 305± feet west of its intersection with State Highway 20, thence northwest 260± feet to a point, thence north 800± feet to a point, thence east 415± feet to a point, thence south 790± feet along State Highway 20 to a point, thence west 305± feet along S-4-502 to the point of beginning. Ms. Wilson moved to approve on second and Mr. Dees seconded. Ms. Wilson asked that Council move as quickly as possible with the proposed pyramid-zoning ordinance. Mr. Greer called for the question. Vote was unanimous.

Mr. Martin presented second reading of Ordinance #2001-044 - an ordinance to authorize the leasing of certain Anderson Regional Airport property and facilities to Clemson University for use by the CU Safe: car seat safety program; and other matters relating thereto. A public hearing was held; Council heard from Mr. Charles Crowe regarding whether there was a comprehensive plan or any future plans for the Airport since the County has sold and leased land in the last several months. Mr. Preston stated that there was an airport plan/business park plan that was being worked on. Mr. Holden moved to approve on second reading and Mr. Dees seconded. Vote was unanimous.

Mr. Martin presented second reading of Ordinance #2001-049 - a general bond ordinance authorizing and providing for the issuance of Anderson County, South Carolina, Special Source Revenue bonds (Plastic Omnium II project). Prescribing the form of bonds; limited the payment of the bonds solely from certain revenues; and pledging certain revenues to such payment; creating certain funds and providing for payments into such funds; and making other covenants and agreements in connection with the foregoing. A public hearing was held; no comments were received. Mr. Greer moved to approve on second reading and Mr. Holden seconded. Ms. Wilson asked Bond Counsel, Mr. Dan McLeod, to explain Section 5.2 - Security for and Payment of the Bonds. (In order to allow Bond Counsel to find this section - Council recessed at 7:00 p.m. for 5 minutes.) Chairman Wright called the meeting back to order at 7:05 p.m. Mr. McLeod stated that under the agreement the bond was payable solely from payable of taxes (fee in lieu of taxes) that Plastic Omnium pays to the County under the arrangement that the County and Plastic Omnium entered into in 1998. Plastic Omnium is entitled to a special source bond equal to 30% of their fee-in-lieu of taxes after the County makes the payments under a multi-county park agreement that entitles the partner counties to 6% of those fee payments. Vote was unanimous.

Mr. Martin presented second reading of Ordinance #2001-050 - an ordinance approving a first supplemental ordinance providing for the issuance and sale of an Anderson County, South Carolina, Special Source Revenue bond (Plastic Omnium II Project) series 2002, not to exceed \$1,000,000; and other matters relating thereto. A public hearing was held; no comments were received. Mr. Dees moved to approve and Ms. Floyd seconded. Vote was unanimous.

Mr. Greer asked for a Point of Personal Privilege. He stated that at the last Council meeting, Council held a public hearing and voted favorably on first reading of Ordinance #2001-041 - for LINWA. Council instructed the Planning Department to send this ordinance back through the process so that Council could have in time to consider third reading by the December 4<sup>th</sup> meeting. For some reason the second reading of the Ordinance was left off of the agenda. Mr. Greer then offered a motion to add this to the agenda. Mr. Tolly seconded and vote was unanimous.



Mr. Greer read second reading of Ordinance #2001-041 - a request by Jim Broyles/LINWA, LLC to amend a Planned Development district in the Hopewell Zoning Precinct. Property is located on Highway 81 across from Hopewell Crossing Subdivision and bound by Hub Road and McGee Road. He then moved to approve on second reading and Mr. Dees seconded. Mr. Holden stated that all requirements must be met before third reading. Mr. Greer called for the question. Vote was unanimous.

Mr. Joey Preston presented first reading of Ordinance #2001-051 - an ordinance to reapportion the County Council Districts of Anderson County, as to population, prior to the next General Election following the adoption by the State of South Carolina of the 2000 Decennial Census, pursuant to Section 4-9-90, South Carolina Code, 1976, as amended; and other matters related thereto. Mr. Preston noted that the map brings three previously split precincts (municipal precincts of Belton, Williamston and Williamston Mill) under the representation of single Council districts, it reduces the number of previously split precincts from 15 to 11, it insures that all districts are contiguous, the geographical design of each district brings municipalities, communities, schools, recreational areas with common interests together, it adheres to requirement of one person-one vote, it adheres to the 1965 Voting Rights Act as amended, and the County feels it respects the communities of interest. Mr. Preston stated that the first map was simply a draft for council's consideration and review. Mr. Holden moved to approve and Mr. Dees seconded. Mr. Ricketson came before Council and explained that the County had received the 2000 Census data a few months ago; this information was analyzed and then plugged into the existing County Council districts. From that it was discovered that District 2 was under populated by about 3,000 people and District #7 was over populated by 3,000 people. It was necessary to preserve the minority majority in District #2 which proved to be a challenge. Ms. Wilson asked what the magic number was required by the Justice Department to preserve a minority district. Mr. Ricketson replied that 50% + 1 would constitute a majority of whatever. She asked if the first draft was 46% for District 2. Mr. Ricketson said that it was something like that. Ms. Floyd said that he met with Mr. Ricketson a number of times to discuss the map and to have the map explained. She understands it fully and she is prepared to vote on it tonight and to take it to her constituents for further discussion. Mr. Dees said that this was on

the front page of the Anderson Independent Mail this morning and he had a number of calls and visits from citizens saying that this is probably the best for the northern part of the County because it gives what they feel (and he feels also) to be a single representative for the northern end of the County. He asked if it was a law that a municipality be in each district. Mr. Ricketson replied that he was not aware of any requirement. Ms. Wilson asked to go on record that District #7 is deeply sorrowed of loosing White Plains. She has a lot of family and family connections in White Plains and she wished they could have made a little bit of trading to make the lines a little straighter. The current proposal is much more sensible than the one that was given to her last Tuesday night. Chairman Wright said that he was happy with the first map. He also stated that the redistricting map was a result of a lot of hard work from County staff and work with Council to try to balance things out. Mr. Bill Dees also thanked County staff and Mr. Preston for all the hard work done on the map. Mr. Larry Greer said that he listened to Ms. Wilson voice her concern about losing the White Plains area; he asked Ms. Wilson - based on the totals what was her proposal as far as trading off. She responded that it would have split White Plains again but it would rejoin West Pelzer as an entire precinct rather than a split precinct and it would have given District 6 the entire part of West Pelzer and Pelzer. This would have also reunited her family members with White Plains. Vote was unanimous.

Mr. Dees moved to appropriate \$7,500 from District #6 paving account to repave the entrance and parking area of the Powdersville Fire Station. Mr. Tolly seconded and vote was unanimous.

Mr. Dees moved to rephrase his November 6 appropriation for the \$1,000 for Crisis Ministries. He had requested that the money come from paving funds and now he would like to change the source from District #6 paving to District #6 recreation funds. Mr. Holden seconded. Vote was unanimous.

Ms. Wilson asked for a Point of Special Privilege. The Hanna High School Athletic Department had requested funds to help with the expense of taking their team to Walterboro. She then moved to appropriate \$250 from District #7 Recreation funds to be paid to the T.L. Hanna High School Athletic Department. Mr. Greer seconded and vote was unanimous.

Mr. Holden moved to transfer \$1,000 from District #5 paving account for the Alternative School to help with a Ropes Course program. Mr. Tolly seconded and vote was unanimous.

Chairman Wright read a letter from the Anderson County Disabilities and Special Needs Board requested approval of a resolution for a transportation grant. Mr. Wright asked Council to amend the agenda for Council to consider a resolution. Ms. Wilson seconded the request. Vote was unanimous. Mr. Greer called for the question. Vote was unanimous to approve Resolution #R2001-058 approving a grant application for the Disabilities and Special Needs Board.

Mr. Jeff Ricketson presented a report/proposal on implementing a pyramid scheme in zoning. This would create a hierarchy of uses in the zoning ordinance. The County already had this in the residential part of the zoning ordinance because single-family residences are allowed in duplex zones and multi-family zones. So this is already on the residential side of the ordinance. Staff was directed to incorporate this into the commercial side of the zoning ordinance. Mr. Tolly moved to direct Mr. Preston to have staff formulate an ordinance and try to present to the citizens of Anderson County and to the Planning Commission. Also it was agreed that all developers in the County will have an opportunity to review the proposed ordinance. Mr. Greer called for the question. Vote was unanimous.

**ADMINISTRATOR'S REPORT:**

**a. Letters of Appreciation:**

1. For: Mr. Jerry Stamp, Mr. Junior Greenway, and Mr. Tim Edwards – From: Mr. Jack Brock
2. For: Mr. Joey Preston From: Mayor Phillip E. Clardy
3. For: Mr. Allen Robinson From: Mr. John Daniel
4. For: Ms. Cindy Whitman, Mr. Steve Whitten, Mr. Peanut Lindsey, Mr. Carl Shaw, Mr. Michael Poole, Mr. Robert Mattison, and Mr. Boxcar Vaughn From: Mr. Wade Copeland

**b. Minutes:**

1. EMS Commission Meeting – November 8, 2001
2. Construction Board of Adjustment & Appeals
3. ATCT Meeting – November 8, 2001

**c. Reports:**

1. District Paving Report
2. Public Safety Compliance (October Report)
3. Public Safety Environmental Enforcement (October Report)
4. Public Safety Call Report (All Units)
5. Building & Codes Department Report
6. By-Laws Construction Board of Adjustment & Appeals

7. Detention Center Litter Report of October 29-November 9, 2001
- d. S.C. Public Records Association - Mr. Chuck Watkins - Board of Directors
- e. Palmetto Pride Law S.327 - Litter control Officers

*Council Members Remarks:* Ms. Wilson stated that District #7's paving account did not reflect the \$50,000 appropriation approved at the last meeting for waterlines. She also requested that the \$50,000 check be held until all paperwork is received. Mr. Holden said that Mr. Crowe points out when he has a negative opinion and a positive opinion and he said there were others (like Mr. Harvell and Mr. Kellam) who constantly point out anything negative going on in the County. Mr. Tolly commended the Administrator and Mr. Ricketson and staff for all the hard work on the district lines map. Mr. Dees asked Council to remember Mr. Jerry Shealy who had been out sick. He also thanked staff and Mr. Ricketson for all the hard work on the reapportionment map. Ms. Floyd asked everyone to stop and think before they speak out on things. The first district map was only a draft. She commended Ms. Gilstrap for her hard work during the last few days. Mr. Greer reminded everyone of his campaign slogan "Equal representation for all."

Mr. Dees announced that his eldest grandson just got Eagle Scout and he was very proud of him.

Chairman Wright reminded everyone that the Planning work session would be on November 29 at 6 p.m. at the Civic Center.

The January 1, 2002 meeting of Council was rescheduled for January 8, 2002 and the second meeting of the month will be on January 15, 2002.

There being no further business, Council adjourned at 8:00 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council  
ANDERSON COUNTY COUNCIL