

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA

Regular Meeting - September 4, 2001 - 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
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

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, September 4, 2001 at 6:00 p.m.

Mr. Bill Dees gave the invocation and everyone stood and pledged allegiance to the flag.

Mr. Holden moved to approve the minutes from the August 7 and August 21, 2001 minutes. Mr. Greer moved to amend the August 21, 2001 minutes on page 6 (he thought) to add that as a reply to Mr. Crowe's question where we locked into the A-COG plan and he provided Mr. Crowe an answer which was "no - this is an open ended plan". Vote on the amended minutes were unanimous.

At the request of a member of Council the following is verbatim:

Ms. Teresa Locke Morgan: It's wonderful to be before you again. It has been quite a while. It has been a wild year for me. Anyway I come before you tonight, and I appreciate your time to allow me to speak. I had the pleasure of going to the A-COG last month on the 24th of last month and I was pleased in some areas and appalled in others. I want to read to you a letter that was handed out to Ms. Lib Fleming who is the chairperson of the Appalachian COG Transportation Committee. It came from a Mr. James Baker who apparently is President of Sikes Hall at Clemson University. He did not sign what he actually is.

"It is my understanding that the Appalachian Council of Governments' Transportation Committee will have an item on your agenda this Friday that is significant impact on the students, faculty, and staff of Clemson University. Clemson University and joint city university committee have worked in collaboration with the City of Clemson for the past several years to secure funding for an Engineering design and plans for a separate railroad crossing in the City of Clemson. Last year the City was successful in receiving a funding commitment from the SCDOT, but only after your committee (A-COG Board) recommended this funding award. We are deeply appreciative of that commitment and I want strongly to reiterate that this is the second railroad crossing that is a critical need for the campus and Clemson University. It is a frequent occurrence that the only railroad crossing on the College Avenue is inaccessible, but the laws for the use of the underpass has a significance life safety ramifications when such an event does happen. I am told that the significant rain that was experienced within the two weeks caused flooding under the underpass, which resulted in north side of Clemson being isolated from direct response from fire service for a 15-minute period. Fortunately the blockage of this route did not correspond with the need for fire response vehicles. It should be noted that the rain was accompanied by severe lightning storm but no house fires were caused due to the storm. The Town of Central was not as lucky. As lightning induced house fires did occur during the storm. It is my understanding that a recommendation through the withdrawal SCDOT funding for the second railroad-crossing project will be considered by the Committee for the Appalachian Council of Governments on the 24th. The Mayor of Clemson, Mr. Abernathy was also opposed to this situation."

Mr. Tom Martin: One minute, please.

Ms. Morgan: Okay. So I was at this meeting and I was very pleased with Ms. Floyd and Mr. Greer and Mr. Joe Davenport because they agreed to allow the funding to continue for this project that apparently the City of Clemson has needed for 20 years. Mr. Tolly on the other hand decided to renege on trying to give them the money. I would refer to the Anderson Independent Mail on Sunday where Mr. Tolly states: "Council Member Fred Tolly in one of several members who indicated that he stood by his initial vote - he said backtracking could do harm to the County's reputation for business to expose the County to legal liability. We cannot be wishy washy." What is this, Mr. Tolly? Were you then wishy washy with the Clemson University and with that road?

Chairman Wright: That is uncalled for.

Mr. Tolly: Mr. Chairman, let me answer that. I was voting with the unanimous decision of Pickens County Council and their Transportation Committee. And that's the reason I voted in favor of this funding for the road in Pickens County.

Ms. Morgan: I also have something from Pickens County stating that they were not sure what was going on because they didn't know. So that is not exactly true. Thank you for your time.

Chairman: Thank you. Mr. Martin.

Mr. Martin: Patricia M. Price

Ms. Patricia M. Price: Can everybody hear me okay. I have copies that I would like to pass out. I'm sorry but I am going to read this letter to you, but public speaking is not one of my strong suits. SEE EXHIBIT A (letter) Thank you.

Chairman: Thank you.

Mr. Martin: I'm probably gonna mispronounce this and I apologize. Pat Hasenfuss.

Ms. Pat Hasenfuss: (she hands out written statement and then reads it) SEE EXHIBIT B attached. Thank you.

Mr. Martin: Ron Hendricks

Mr. Ron Hendricks: My comments are just of a general nature concerning Anderson County Council. Week after week, dozens and scores of people will stand here and address you. It would be my guess that 9.95 out of 10 people have some type of complaint and normally they are legitimate complaints, once and a while I'm sure somebody comes and has something good to say. But most of the time they are questioning your judgment at which you "bristle at" as an example of a few moments ago. Judgments about expenditure of money, fiscal responsibility, financial responsibility. These are things that most of the people come here to talk to you about and you seem to ignore. I have not seen any recommendation or any action on your part that it has brought about or caused any constraint or restraining of our Administrator. Of course he has a sum of money to spend and as long as he doesn't over spend that amount everything else is okay. I am reminded that seeing the America - All America thing. About 3-4 years ago, perhaps longer, County Council had an opportunity to invest 750,000 dollars in a waterline along I-85. In my judgment, the County Council of course did not spend it, but that money would have been better invested in reaching industry than this campaign here. Now industry that will locate in Anderson County will locate because of their business interest and bottom dollar not as to whether Anderson is an "All America City". But financial reasons. Other things that disturb me when I came back, I've been on vacation fortunately for the past couple weeks, came back and scanned through the newspapers and saw where a couple of County Council members spent \$1,600 more than somebody else did for lodging for 5 nights. That's over \$300 per evening. I don't mind telling you that I spend 9 nights in rather nice facilities-Comfort Inn, Holiday Inn Expresses some nice Best Westerns. My bill for 9 nights was \$666.96, which is about \$70 per evening

Mr. Martin: One minute.

Mr. Hendricks: I wonder why you are entitled to such lush and lavish lodging. I hope that next year as we have the elections, I hope that people have become more and more concerned about how the county is spending this money and it's uncontrolled. You know this rail separates it. Sometimes, somebody said in the paper, oh why do they come here and accuse us of being derrick in our duties. Well you are. This side - you make the decision. These people here to not make the decision. It's you. The buck stops with you people. You make the decisions where dozens of people come in here to talk to you about. So next year when the elections roll around I hope with one loud and clear voice the electors all across at least 6 districts of Anderson County will say - You are the weakest link - good bye.

Mr. Martin: Tim Williams.

Mr. Tim Williams: Hello. I guess I was forced to come here because this is the only forum I could get because of the way the County has set up their paperwork and their personnel records and their personnel hearings and they don't allow a democratic process if an employee has a problem working with this County. Which was my problem. My name is Tim Williams and I've been in construction and real estate for over 30 years. I'm from Anderson and I just moved back recently. I came back hoping to calm down my life and just work for the County and not have to chase bucks all over the southeast like I was doing. This is my hometown. I wanted to come here and make a difference with my knowledge and I haven't been given that opportunity because of unfair treatment by Joey Preston, Holt Hopkins, possibly a couple others in Engineering and I understand that even you Mr. Wright have been lied to possibly by Mr. Preston about me being on the agenda.

Chairman Wright: I don't know anything that you're talking about as far as someone lying to me and I'd appreciate it (Mr. Williams interrupts)

Mr. Williams: I don't have this under litigation as you have been told. I am planning to litigate this process, if I have to.

Chairman Wright: Right.

Mr. Williams: I would like a true democratic hearing about my problem where I, 100 percent, actually more than 100% proved my case with witnesses and with written letters of documentation. I don't have time to get into the details. It would take a couple hours. I wasn't given an agenda hearing so I didn't have time to get into the whole thing.

Chairman Wright: Right.

Mr. Williams: I want this Council to give me a legitimate democratic hearing and not give someone the power that you have given Joey Preston which without being ugly about it. I have never seen this except from being an historical buff - of something like Nazi, Germany. This is the power that you have given this man.

Chairman Wright: That's enough. Mr. Martin. We'll look into see if you have, from an employee's standpoint, a legitimate (he interrupts).

Mr. Williams: I would like a written answer from Council about this matter.

Chairman Wright: We'll see if we can do that for you. Thank you.

Mr. Martin: Chester Kapp.

Mr. Kapp: Good evening. December of last year (2000) four members of the Council voted for and one member voted against giving a 25% tax credit to over ten years to LINWA (limited liability corporation) to develop offices and residential homes along S.C. 81 north. I understand that Council didn't sign this Resolution until February of 2001. So, what I would like to know now is how many of the Council members approved this resolution, this signing - showing approval. Now it is reported that Mr. Tolly is concerned about backtracking because it would (not clear) the reputation of the County with the business people. The question to Mr. Tolly would be what about the harm that might be done to your Council's credibility with the non-favored taxpayers and voters. Now I believe that it's wrong

Mr. Martin: One minute please.

Mr. Kapp: for any taxing authority to give a credit to any individual or organization because it leads to favoritism and discrimination. In conclusion, Council's approval of this tax credit was immoral, or unethical or (not clear)...it sucks.

Mr. Martin: Frank Kellam

Chairman Wright: Thank you.

Mr. Frank Kellam: Mr. Chairman, Council Members, Fellow Taxpayers of Anderson, I want to thank you for this opportunity to speak in our community and our great nation. I thank the Lord Eternal for our great nation. Abandonment clearly defines how County Council is handling their duties you have abandoned your responsibility of clearing line-item transfers which exceed \$2,500. You have abandoned accountability by letting your Administrator increase 4 departments' annual budgets by over \$700,000. You have abandoned logic by being more concerned about out-ward appearance of wishy-washy than you are concerned with the good of Anderson County taxpayers. You have abandoned common sense by giving tax exemption to undeserving developments. You have abandoned correct decision-making by voting on projects before you know all the facts and on Election Day we taxpayers will once again become voters and we will abandon you.

Mr. Martin: Rufus Gleason

Mr. Rufus Gleason: Good evening. How are y'all doing? I have read in the Independent Mail that resolutions are on the agenda today that were passed weeks and months ago. In regard to economic incentives given to industry, business, and commerce, I've been here many times and I've always been assured that the inducements were given only to those who promise new jobs that were to be developed and if those jobs were not forth coming the tax money had to be re-paid and the incentive agreement was cancelled. Now if I'm wrong, please tell me I'm wrong. That is what I've been hearing. My questions are how many new jobs are promised by this limited liability corporation that we are talking about here and who is going to make sure that those jobs are going to become a reality. For that matter has anyone in County government actually

enforced the incentive rules in the past or in the present. Who is the person or persons, past and present, who looked out for the taxpayers of Anderson County? Who is the tax incentive enforcement agent for Anderson County? I clearly remember the Electric City Printing Company was given tax breaks with absolutely no guarantee of new jobs and all of you, you five, know what happened. They said they gave to the United Way and they were good folks but they guaranteed no jobs. Perhaps that resolution needs to be rescinded also tonight. Ladies and Gentlemen, what the County needs to do now - tax incentives - we need a citizens committee much like the planning committee except this would be the tax incentive committee made up of school board people, representatives from the school districts, where education doesn't get short changed. We need representatives okay from the Chamber of Commerce. One or two of them so they want try to bull their way through the whole thing. Several people from government, taxpayers and citizens, but we need a tax incentive committee now to make recommendations to Council. I know ya'll are getting pretty tired of biting the bullet and saying this and I know some of you love to talk about tax incentives for your friends. The Electric City these are my buddies lets give them something cause they are great folks but they guaranteed no new jobs. You violated the trust the people had in you when it came to tax incentives. The whole point was new jobs. You violated that trust. So lets have our committee and maybe we can take and start giving ya'll some better input.

Chairman Wright: Thank you.

Mr. Martin: Wade Pitts (someone saying something from the audience)

Chairman: Fair enough.

Mr. Martin: Ed Jean

Mr. Ed Jean: Good evening and I live at 1212 Crestview Road just down from the highway 81 North area where all this is going on. I am relatively new to Anderson, but my wife and I, we've elected to retire here and we enjoy it. I have become a little bit involved as I moved into Anderson County a couple years back. Last year I was involved with some of the East-

West Connector meetings and some of the zoning meetings of the district that I'm in or the area. One of the things that I remember about the zoning was that - why are we having by voting district and somebody said well it's because we're gonna get all the input from so many of the local people that vote in that area so that there will be fair zoning hearing. Well I said I guess that's great. It might be a little more confusing than if we did it across maybe the Council districts, but now as I've been here a year and one half since that time and I look and I've gotten involved and I was forced to get involved. Most everybody there is a little bit of self-serving interest to get involved. I got involved because I wasn't gonna be able to have horses and my wife and I - we were going to have a real conflict there. But the system worked for Ed and Sandy. We were able to get our horses. Had to pay a \$250 fee-no big deal. I guess what I've seen since now that I've gotten involved and then I met up with the folks from out there-the Beavercreek Area, the Windward Trail, the Devonshire and the Hopewell Crossings and so many others and I feel that they are getting a bad deal. Pure and simple I think they are getting a bad deal. In some of the decisions, and I'm not a real politician, I'm not an activist-I am a concerned citizens who has the time now that he has retired to do some good. So I lend my support to those folks and I think all of a sudden where some of the decisions we have all of these people involved in Hopewell precinct to make decisions, but somehow what's being done with that - that planned development community, I think has fallen out of the realm of everybody having their input into it and some decisions are being made that probably - I don't think are being handled properly.

Mr. Martin: One minute please.

Mr. Jean: And besides there has been a few other incidents. I read our Anderson paper and look forward to Nick's comments, but there has been a few other incidents and kinda rubbed me wrong was with regard to a Texaco gas station in getting a permit for having a car cleaning thing closer to the road. That kinda rubbed me the wrong way cause I was fighting a little bit of a battle with my horses when I had plenty property and then had to rely on any kinda thing a little further out to be able to get that permit. So I'm asking here tonight on behalf of the folks who live up around the planned development area, and we all know where

that is - I would like everybody's consideration to include the Council and as far as being able to go back and make some adjustments. I think that definitely can be done. The comment in the paper about what we can't back and undo something, I don't know how they got a tax break. That rubs me wrong - bad time. I would also like to lend my support to the Beaverdam Creek and what they are going there with development up there. Thank you very much.

Mr. Martin: Judy Watkins.

Ms. Judy Watkins: Yes, I am Judy Watkins I am a property owner and taxpayer in school district 5. I'm speaking in reference to the new Michelin Road Project-Phase 4-from Highway 24 to Highway 28 bypass. It is my understanding that at the inception of this project between Michelin, Anderson County and the State of South Carolina that Michelin requested, in order to locate in this County, a four or five lane road from their plant to Interstate 85 without going in front of any schools. From all the maps that I have seen, the road is supposed to exit in front of the Westside High School practice field and walking track. This is also the exit for the school buses. This is not good for the public. I have spoken at the School District 5 Board Meeting and according to the Board and Mr. Adair who is the principal at Westside High, they were not aware of the road exiting in front of the school at that time, they thought it was coming further up the road. This should have been thoroughly discussed with them two years ago or at the beginning talks. Feasibility studies, transportations studies, environmental studies should have been done prior to the project; not at the end or after the fact. You have managed to keep this particular project relatively quiet except for the property owners who have to be notified. The additional 150-300 tractor-trailer truck, in additional 3,000 vehicles per day, exiting in front of the school does not make us happy residents. I believe the County should do more studies before they approve any type business whether residential or business coming into the area especially where our schools are concerned. The exit in front of Westside is an accident waiting to happen. A second 4 or 5 lane highway running approximately 600', parallel to Highway 28 bypass

Mr. Martin: One minute please.

Ms. Watkins: is unnecessary when other ways could have given Michelin what they wanted - a 4 or 5 lane highway from their plant to Interstate 85 without going into front of schools. As a property owner, this road will not enhance my property as I've been told. I'm satisfied with my property as it is. Personally I like some peace and quiet. This road is being pushed down our throats whether we like it or not. I've been in Anderson all my life and I've been proud of being an Andersonian, since all of this, I'm sorry to say I'm not in the least bit proud of Anderson. This road should be stopped at 24 and the monies used to purchase property and the rights of ways should be added to the existing widening of 24 out to 187. Thank you.

Mr. Martin: Teresa Popham.

Ms. Teresa Popham: Hello, my name is Teresa Popham and I am also speaking as a concerned citizen of Anderson County about the proposed phase 4 of Michelin Boulevard. I think that the general public should know what's happening and I would like to know myself and be given an explanation as to why 24 highway cannot be used. There are several concerns about the issues and regarding the safety of the property Michelin Boulevard. Michelin representatives have stated themselves that a straighter much safer route is what they need that does not come out in front of a school and the existing route filters into 28 Bypass as proposed. As concerned citizens and taxpayers of Anderson County we would like to see a safer route as well. The people would like to have known that the Michelin Boulevard supposed is running only 600' parallel to the existing 28 Bypass and which you have already been told where the entrance and exits would be. The characteristics of the road-they have multiple curves. Why not straighten it out. Not only crossing several wet-lands so much so that the road is going to have to be built up which will cause more damage to the existing water supply, land, and any wildlife. Do you think it is fair to take away a residents' source of water? Yes, believe it or not, there are people that still have wells.

Mr. Martin: One minute please.

Ms. Popham: Okay. Thank you. But I think the most important thing is that the property owners that have been asked to give this property have already gave

property to the now existing 28 Bypass and I think it is a lot to ask for them to keep giving and the Engineering company which designed this road - there should have been more studies available (not clear)... for the safety of our schools and students which are there. And I believe there will ...Anderson County on a very curvy road. Thank you.

Mr. Martin: Tina Watkins.

Ms. Tina Watkins: You've heard from several other members of my family tonight it looks like we are bombarding you with this Michelin Road thing but we really think we need to hit home with it. Our kids at Westside where this road is coming out - there will be hurt-somebody will be in an accident. They are very inexperienced drivers and take it from somebody whose driven a truck pulling a large trailer they cannot stop on a dime and the first time that one of those kids pull out and says "I can make it." and they can't. The money that you would spend going out 24 would seem like a drop in the bucket to what it will cost to get out of that. We are really trying very hard to understand that you have started condemnation proceedings on property based on the right of eminent domain, which is for the best of the public. The public doesn't even know what's going on. Everyone we talk to in our area in the district and around Westside High School, had no idea where the road is coming out. They have not been informed of anything. So how can you be doing something that is right for the public when you haven't heard them. This is going to upset lives of a lot of people, what we're asking and what we've asked for the past 10 months now is that you look at alternate routes. Things that use the existing roadways that we have. Don't destroy existing wetlands and wildlife areas. These studies have been done and once you put asphalt on it - you can't undo it. Now is the time to stop what you're doing, take a look and try to do something a little bit different. You have the power to do that. Its all in the contract with Michelin who is also a private entity that doesn't have anything to do with the public even though they provide jobs they've asked you repeated not to supply a road that runs out in front of school. Trust me, running out 20' from the bus entrance still constitutes coming out in front of school. That traffic will not be...28 bypass is ...artery already. You can't route a new road across (tape unclear)... I'm sorry is having a problem you are going to have to expand those bridges to 4 lanes. Needs to start now so that we don't have these problems sticking a road here and there for

whoever comes in. And I read somewhere you can't just 4 lane highways all over Anderson just to please industry. We have to use a little common sense about where put roads. And getting another bridge over Lake Hartwell is whole lot better for the public than sticking road...now. Thank you.

Mr. Martin: Phillip Clardy.

Mr. Phillip Clardy: Good evening Council, Mr. Administrator, Mr. Martin. My name is Phillip Clardy and I am the Mayor in the Town of Williamston. I may be in that small percent that was given an illusion of compliment. I will make my comments very brief I do believe in giving credit where credit is due. Some of you may have read or heard about the incident we had at our Spring Water Festival, unfortunate incident which came to good closure. From a municipal standpoint it's important that I believe you as Council members can see the credit to each facet of your government in particular the Anderson county Sheriff's Department and their participation of their K-9 division that helped us in capturing (if I may use the word) the caper who got away with our proceeds for the day of the Spring Water Festival. And is if I wasn't already impressed with the professionalism and the expediency of the time that they were called and asked to be a part of that. Just two days after that on the following Monday, we had to have their services again from the County concerning another incident in the Town of Williamston and I was very impressed with the professionalism and the training not only on the K-9 themselves but also on their handlers. So from the Municipality, officially as the Mayor as the town of Williamston, I want to acknowledge to the Anderson County council our commendation for the Anderson County Sheriff's Department K-9 Division and would like for you in all manner, practices and purposes in the future any thing that can be beneficial to this division, please consider that. Without any question in my mind and I'm unprofessional and will admit my own ignorance in law enforcement I realize being a part of that scenario, (if I may use the term) that we would not have been able to expediently as we did lay hands on the Caper, if we have not had the assistance of the Anderson County K-9 division and I want to commend them officially before this Council, Letters of Accommodations will be Sheriff Gene Taylor and to all parties involved and I wanted to certainly let you all know our gratitude from the Town of Williamston. Have a good evening. Thank you.

Mr. Martin: Dan Harvell.

Mr. Dan Harvell: Mr. Chairman, Members of Council, Mr. Preston. I am Dan Harvell, 500 Trail Road in Belton. My concerns tonight deal with the apparent, and the apparent to us on this side of the bench, lack of attention that the average citizen of this County has received concerning matters currently at hand. I feel that the Hampton Road closing is the great example of such. It is an amazement to me as to how a petition of 600 plus County residents was so disregarded. If Anderson County has made great by its citizens then why can such a number in unison be so ignored. Could it be that big business interests have found the ways to get their way through our County government totally circumventing the wishes of the citizens, citizens that they will become neighbors of. Are we as a County really willing to give away, the cumulative acreage of Hampton Road right-of-way to private individuals who can then sale what we've given them for profit. Did anyone think of this in such a way before Mr. Irby made his presentation two weeks ago. Those who run and administrate our government and I'm sure many of them are in step with their like trained colleagues seem to think that growth is the only way to happiness, that if you are not making news by growing as fast as possible or adding to the resume sheet that you are failing. I would say not necessarily so. We now seem to be in an all-out race to see how much, how soon, we can add to the tax books even though some of those additions will arguably show no gaining for some time. If Anderson County is the great place to live as we all think and know that it is then why don't we slow down just a bit on the tax break incentive and see what happens. My guess is that we might be surprised and find out that we are indeed such an attractive opportunity that they would come anyway and then we've lost nothing and gained tax wise all at the same time.

Mr. Martin: One minute please.

Mr. Harvell: Please don't misconstrue my views to say that we don't need to attract industry and manufacturing but to be granting incentives and offering tax breaks to developers of commercial properties, I find that discriminatory against the small business people. There in lies my concern that we are only catering to the big people and overlooking the small business people who when all added together could possibly effect our county for good and even greater way. Our county government and

administration can only be great when the citizens are individually as important as the corporate in debtors (?) that present themselves. Thank you.

Chairman: Thank You.

Mr. Martin: Greg Shore.

Mr. Greg Shore: Thank you members of council. I'm hear to speak to you about Resolution 38 that is going to be discussed tonight about dispatch procedures for our 9-1-1 center. Med-Shore Ambulance Service who served the Greater Anderson area for the last 25 years had the opportunity to participate through the Chief's Association and through the EMS Commission. The guidelines that was set up to improve the handling of the EMS and 9-1-1 calls. I understand that tonight that there's been an amended added that does concern me and that is - if someone does dial Med-Shore seven digit telephone number and we do (side one of tape ends - several words lost) 9-1-1 center so that they can take the input of the information - EMD the call, which means give pre-arrival instructions and then dispatch us to the call. That concerns me. For 25 years we've provided the high standard of service that we can to the community and if someone does call our 7 digit and we have to transfer that call to another center to take the information and then them transfer the call back to us it's gonna be a delay of time. The type of calls that normally come to our 7-digit number are usually from physicians' offices, nursing homes, and facilities that we have contracts with. We have contracts with various organizations through out Anderson County we also serve two other counties in the upstate too. We are part of the EMS system. We support the system but we also feel like the amendment that's been passed on hasn't been discussed properly. I've checked with my staff for the last couple hours when I understood that this amendment was gonna be before you that they weren't aware that this had been discussed at the EMS commission or with the providers. I think we have a real progressive EMS system. Council has done a lot to help the funding and improvement of EMS but I think we need to step back and look at this one issue. I haven't seen the amendment so I really don't understand exactly what it means but when it comes up for vote I wish you would at least table that part until we can study it further. I want to make sure that our staff and the commission understands exactly what this is all about

because I certainly don't understand it. MedShore Ambulance Service is now is a accredited ambulance service. We are the only accredited ambulance service in South Carolina. We were the 86th ambulance service in the nation, which means we meet the high standards that can be put out there. I am real proud of what we're providing, but I am concerned if do have to transfer emergency calls that come to our 24-dispatch center back to the 9-1-1 center just to take the information to turn around and call us back on a call. Thank you.

Chairman Wright: Thank you.

Mr. Martin: There are no more citizens signed up on the agenda, Mr. Chairman.

Chairman Wright: Thank you, Mr. Martin.

END OF VERBATIM

Mr. Mike Holden presented Resolution #R2001-037 - a resolution recognizing and honoring former Anderson County Council member and Building and Codes Director Curtis Kinley, for his years of public service; and other matters related thereto. The resolution was framed and presented to Mr. Kinley. Council thanked Mr. Kinley for his service to the County. Mr. Brantley Jordan stated that he had known Mr. Kinley for many years and he was one of the most deserved tributes and he wished Mr. Kinley the best. Mr. Kinley thanked everyone, also.

Mr. Joey Preston stated that in the current budget County Council approved the concept Resident Deputy program. Mr. Jim Fraiser and Mr. Bill Matheson (?) professors from the University of South Carolina, College of Criminal Justice gave a presentation on their study of the program to County Council. The following points were presented. Future innovations and current programs should be very carefully costed out and their targets and outcomes or goals should be accessed using a cost benefit approach so they can reckon what the cost of these things are what the County is getting from them. Service areas should be reconfigured in such a way that they are minimal to policing purposes as opposed to the way you are currently doing it, permitting the Sheriff's office to tailor some of its police services

to the specific needs and particular demands of individual areas. They found that the department was in agreement with this general conclusion and they have come to the conclusion that the best way for them to evolve toward a more sophisticated overall operation was to undertake the initiation of redesign of the Resident Deputy Program as an experimental process, to examine and learn the entire process of planning, measuring, assessing, and analyzing from a cost benefit standpoint. Changes in programs so that get into a "mode" of testing an experimental measurement oriented process, looking at the amount of benefits that can be delivered to the citizens of Anderson County for the amount of dollars that it would cost so that the citizens and Council can judge about the values of the Resident Deputy Program and specifically at the end of this project period and more particularly out of other innovations and changes that the Department will obviously have to develop in days and years to come. They expect the project to take between 16-18 months. It is fundamentally dependent upon the allocation of 7 of the existing departmental positions for this specific Resident Deputy program. This program would operate in 2 areas. They suggested that those two areas be identified by need based on analysis of data as opposed to simply allocating police services to where "ballots" happens to be. Training would be provided to the deputies, to a statically analysis for purposes of developing and maintaining on-going measuring the effect of this program and at the end of the 16-18 months council would have a complete package of program outcomes and costs to judge whether or not the kinds of things that could be done in the 2 areas would appear to be so worthwhile to the citizens and to the County that Council would want to expand the program elsewhere. Council received as information.

Council recessed at 7:05 p.m. Chairman Wright called the meeting back to order at 7:12 p.m.

Verbatim of this section was requested by a member of Council.

Agenda Item #3 - 81 DEVELOPMENT COMMITTEE - Mr. Larry Mitchell

Mr. Larry Mitchell: Ladies and Gentlemen of the Anderson County Council, Chairman Wright and Mr. Martin -Tom. Thank you for hearing us this afternoon. We have some very pertinent questions and want to qualify this with the fact I want-what I say by making the following statement

before I begin. I stand here as an individual property owner and although I am president of over 200 property owners out 81 in less than 2 months, and growing every day, might I add from other areas of the County. Mike some in your district and down in your district Larry. I stand here as a taxpayer and a voter. We have other areas other than 81. We are concerned, we are not here to embarrass anyone, and we're not here for that. We're here to ask some questions. We're not here to chastise anyone. We just want some answers to some questions, and I think these questions need to be addressed. We need to stop what has been conceived as the appearance of favoritism and wrong-doing by some people in this community and I think some of those have come up here tonight that have spoken. Rightly or wrongly. They have come in and brought some legitimate questions because they have a concern and from talking with a lot of people in our area they have some legitimate concerns. First of all, we want to deal with two areas. The way this original P-D was observed and was passed and was gotten through. We've had some concerns about that and how it was handled. We-some of this stuff has kinda shifted and I don't want to plow some ground that I've already plowed once. Not to good of an idea is it Mr. Tolly? Don't want to go over the second-same old field-twice. So I am gonna adjust some of these things and some of these comments that I am going to make and questions that I have. In a conversation that I had this morning with you, Tom, as County Attorney. Gentlemen, I and the constituents that elected you have the perception or had the perception that Mr. Martin has acted with a conflict of interest. Now Mr. Martin is a member of McNair Law Firm, he readily admitted that to me and Mr. Martin represents Anderson County, and he readily admits that too. I know Tom Martin and we talk about how I know him. I sit across from him in a Sunday school class sometimes when he is a teacher and I have a lot of respect for Tom but in this situation Mr. Martin does represent Anderson County and he does represent McNair Law Firm which in turn represents LINWA Development Corporation, a Limited Liability partnership. Tom does qualify every statement, and he assured me of this, before he makes a presentation and he told me that he was the advisor to Anderson County when he presents bonds including any bond and including this LINWA bond that was presented to Anderson County. I believe Tom again to be fair and just and reasonable. I did point out to Tom that the following was contained in the minutes of Anderson County's December 19th meeting. You all probably have a copy. I picked mine up down at the County Library. Tom said basically that he read

that - read the Resolution as it was brought before. Read the Resolution as it was brought before. And this that I have said that Mr. Martin presented Resolution R2000-065 - a resolution authorizing the execution and delivery of an inducement by and between Anderson, South Carolina and LINWA, LLC whereby under certain conditions Anderson County will enter into a joint county and industrial and business park. Presentment is what it says here. In fact, bond advise as I understand it is being received from the Haynsworth, Sinkler and Boyd Law Firm. Is that correct? There are the ones that does the bond advise. If that be the case, then why is the representative who Anderson County pays for advice the person that does present the bonds to the County. I believe it is Mr. Robert Galloway, Esquire that presents these bonds to Anderson. If that's his job he should be here doing it representing the bond corporation and Mr. Martin should not be presenting bonds to Anderson County particular in this case where he is a member of McNair Law Firm, which represents coincidentally LINWA Corporation. That certainly is an appearance of something not right. We need to have some open advise and open discussion about that bond. It was held in a duly noticed meeting, but I understand that we have to have some input and a little bit more ideas. We had one that we tried and it didn't work. It failed. That bond failed. The program failed-Pier 19. We've revisited it now with a commercial development. We have a problem with these bonds and the questions arose whether you can modify or drop the inducement. I believe Mr. Tolly has made some comments on that. Whether or not you can modify or drop this inducement. I would assume that we operate by *Robert's Rules of Order* instead of being redundant. You can look at paragraph 34, Page 299 that it can be revisited. Now, one of the things that concern us also is when we talk about the cost to Anderson County and I refer you this map over here of the P-D that we have set up.

Chairman Wright: Yea, that's okay. I think everybody can see. Can't you? Can everyone see it? Very good.

Mr. Mitchell: As you can see on this original P-D map this was what was approved by the Anderson County Planning Department. There is a very serious question and this right here is going S.C. 81 (this is S.C. 81) this area here is McGee Road, which our area is here. Hopewell Crossing is located right here and Devonshire Subdivision is located right here. So we have a direct impact on the people that live in these subdivisions sandwiched

on both sides. The commercial part is right down the middle right here. The tax incentive package should be for the commercial only, but as Mr. Martin rightly pointed out, or the letter from McNair Law Firm pointed out correctly that coincidentally the infrastructure that's here is going to serve both sides of this park. The apartment complex or it was the apartment complex. So far it hasn't been the apartment complex over here but the apartment complex over here and the single family housing here. When this passed, it was passed on December 19 and I'll read an excerpt from the minutes of this meeting: Mr. Wright asked if this was the business park rather than an industrial park and Mr. Martin responded that there were no industrial components. Mr. Wright moved to amend the resolution and inducement agreement to eliminate the residential portions of this project out of the joint park. Mr. Floyd-Ms. Floyd (I'm sorry) seconded that motion the vote on the amendment was 4 in favor - Mr. Holden, Mr. Wright, Mr. Tolly and Ms. Floyd and one opposed - Mr. Greer. The motion was carried. Mr. Greer stated for the record that he had serious concerns about the County going in this direction and is not prepared to cast a favorable vote at this time. Mr. Greer you did the right thing. At least this is what the majority of the people feel because when we start off with inducements to any commercial business that comes into this County-where is it going to lead to? And this is the question I had today. We offer this agreement to a man that says that he going to put 70 million dollars in investment in and it doesn't cost us anything. I want to ask. Have we done a cost study on what it's going to cost because I know it's going to have to be a projection. I don't think we have that cost study done? Because I know it will have to be a projection. I don't think we have that cost study done.

Chairman Wright: Yes, we have.

Mr. Mitchell: You have. Do you have a projection of what that 25% will be and cost Anderson County.

Chairman Wright: Based on what the impact will be. I think we have. We can develop that.

Mr. Mitchell: Do you have that amount or that dollar figure?

Chairman Wright: I don't have it right there on the top of our head. It's all a projection, Mr. Mitchell. I don't want to interrupt your presentation.

Mr. Mitchell: You're not interrupting.

Chairman Wright: Probably based on projects and contrary to some inducements have been offered this is evolved around additional tax revenue or the additional value of the property once something has put there. So the encourage that we put into this particular inducement was that the developers had to spend their money first before the inducement agreement is applied. I noticed you went and you made your comments about the residential portions not being in there, I insisted on that not being portions of the tax incentive plan to where they could not use the value of the residential property as people built homes on it to retrieve tax revenue. It had to be tied directly to the commercial or the business aspect of that particular project. I don't want to interrupt - I don't want to take up your time-you go ahead.

Mr. Mitchell: I don't have a time do I?

Chairman Wright: No. No. You can talk all night if you like to.

Mr. Mitchell: No. I don't want to do that.

Chairman Wright: Go ahead and do your presentation. I'm sorry to interrupt.

Mr. Mitchell: We've done some studies, we've run some numbers by. If I may approach I'd be glad to pass these out.

Chairman Wright: Certainly. Absolutely.

Mr. Mitchell: We had nowhere to go from. We may have a study done but we don't know the figure, but we have done a study. We look at the tax revenue and we put a bill out on this project at 5 years at \$70,000,000 and that's the closest we've come. Now we do not allow anything from the standpoint of depreciation of the materials or the

right down the road and right now at this point there have been absolutely no jobs that are going to be created by this other than the employees that work there now. Now you may argue that he's going to use those more jobs and he will grow but if we go back and look, Mike, and other Ladies and Gentlemen of the council, and I guess I'm addressing that to you (interrupted)

Mr. Holden: Larry, you still have not answered my question though because I do want to know who generated these numbers because we have a staff that generates our and Joey do you have any of our County people here tonight that could verify this? Okay.

Mr. Mitchell: If I had a piece of property and I said I was going to ask for a tax credit and I was wanting an inducement for \$70,000,000 and I said I was have it built out-projected to build it out in 10 years then I would have to come up with a formula. So I now I will have to put 2.1 million in and I know I'm gonna end up with 70 million. So that is what I came to you and told you.

Mr. Holden: But you did this, Larry?

Mr. Mitchell: No sir. Nichole prepared this on our research staff. Nichole simply is the one that did this. She put it on the Excel and run it. Now don't ask me how she got that. But I can verify to the veracity of Nicole. She has done some pretty good things with numbers. Ya'll might want to give her a job to by the way. She's pretty sharp on some of this stuff.

Mr. Holden: I just wanted to know where you came up with these.

Mr. Mitchell: And what we did Mike we had to base it out and what we did we projected it out within 5 years. Now if you want to go less you can cut this number in half. If you want to go more and say he is gonna build it out in 3 years then the tax loss is gonna be more, but this is-we have to have a measuring point somewhere to start. It's kinda like counting your eggs in a basket, if you had some yesterday to find out how many you got laid today you gotta count what you started off with and we had to have a

starting point here somewhere. So this is how we built out this project and this is what it's going to cost see. And one of the things that concern us is the 1.5 million. We've already contacted School District 5 officials, we've already talked with them. And we know that they are using 2 portable buildings at Hanna right now. We know that these students are going to be served at Calhoun Street Elementary School. Right up the road, Mr. Tolly, from you.

Chairman Wright: Let me ask you a question. You're basing this on the tax revenue coming off the commercial area, but now you're talking about the residential portion that you've not calculated into these numbers that will pay for these school additions. Is that correct?

Mr. Mitchell: We're calculating this portion off what it would be a 70 million dollar on the commercial.

Chairman Wright: On the commercial.

Mr. Mitchell: On the commercial.

Chairman Wright: But now we're talking about the effects that the residential area would have without adding the added tax revenue off of the residential portions of the project now.

Mr. Mitchell: But we haven't the tax revenue, we haven't passed the Beaverdam Creek ...

Chairman Wright: I understand that. I understand that. I just want to stay apples to apples here if we're going to talk about the effects that it will have on the schools then we need to apply the tax revenue that will come off the residential area as well. That's being fair, that's all.

Mr. Mitchell: And we can go to that Clint. We can go in that direction

Chairman Wright: Just want to make sure we keep that straight.

Mr. Mitchell: He's already got approved 225 apartments through the Planning Department here. He's already got that set in stone. Now we still got to go through tomorrow night. But right now when you look at 225 homes-tax base. How many children are they gonna bring in to this County? Is that 1.5 million going to educate-lets say each one them just brings one child. Is that going to educate 225 children losing 1.4 million? I don't think so. Do the numbers because it's costing what?

Chairman Wright: How much will that residential property going to bring in to add on what you just said?

Mr. Mitchell: It's not going to bring in to cover the cost of what schools, county and others loosing. It's not gonna do it. So you know you can look at it and you can do the math. I haven't done it but I know what it cost.

Chairman Wright: I just asked the question if we're gonna talk about the effect on schools and residential we need to include that revenue into the (interrupted)

Mr. Mitchell: And I agree wholeheartedly. And I've looked at it and I've studied it and the School District 5 has looked at it.

Chairman Wright: I'm not trying to pin you down I was wanting to make sure we talking simply with what was coming in off of commercial areas.

Mr. Mitchell: Right now we don't know whether or not Mr. Broyles is come back twice already wanting to put 400 single family homes in this area (single family apartments excuse me) which was denied before the Planning commission. 400 - 3 and 4 bedrooms on 24 acres and it was denied before Planning and Advisory on July 2 and on July 11, I believe it was, get my days messed up don't want to miss that September 11th coming up. But it was tabled and was told we would bring a new plan back on August. You asked about it and that's kinda the way it happened.

Chairman Wright: Now I know we've met with y'all out there and numbers of conversations with you personally, and I personally at this point don't see any reason to change the plan the way it was presented but that will be a different story.

Mr. Mitchell: Yes Sir. We'll continue on. You know in this agreement there was one of the things that causes us some concern also and I've already thrown my notes away on how I was going to plan this. But one of the things that does cause us some concern is Section E of Article 3 - I would assume. It says to identify and defend and hold the County and the individual Council Members and officers, agents, and employees therefore harmless against any claim or loss or damage of property or injury of death of any person or persons occurring in connection with the planning, design, acquisition, construction and carrying out of the project and including without limitation any environmental liability. Now one of the things that causes us concern there is a storm water detention at pump site right here. LINWA is a limited liability corporation. They are going to deed this to the County. Now a lot of people haven't really thought about this. Cause you think what a storm water detention pump facility-what's that? That is where all the raw sewage in the park floats right down and is sent back up to 81 provided that they get this thing passed. Beaver Creek subdivision - well that creek that sits right there runs right around through the middle of our subdivision. Right through the very middle and up in Pendleton-they've had problems with their facilities up there with pump storage facilities-pump back facilities and they've been some people who had to have their homes cleaned. They've had some problems in Iva down there.

Chairman: They've also addressed and upgraded that pump station too, Mr. Mitchell.

Mr. Mitchell: Try to explain that to them people where it all backed up at. See.

Chairman: I understand.

Mr. Mitchell: That's is one of the concerns that we have - just one of the many that we have about this project. And those people rightly do have a concern about that subject. Also it appears that this pump facility and part of you know and when you get into the environment aspect you start dealing with wetlands. If you'll look at this plan right here-just a moment.

Chairman: Take your time.

Mr. Mitchell: I want to make sure we do this right.

Chairman: You're doing fine.

Mr. Mitchell: One of the things that we have some concerns with when you start talking about the environmental situation and some of these things we looked at how this thing planned and how it keeps changing. You know this really bothers me. Because this man comes and put this facility in and now he starts changing, modifying and moving.

Chairman: Let me correct that. None of that has been approved. I want to make that very correct-none of the changes have been approved.

Mr. Mitchell: Yes Sir.

Chairman: Very good. Thank you.

Mr. Mitchell: Thank you. And I appreciate that the opportunity to be heard on this. But this is something that doesn't necessary deal with LINWA as it does with our Planning Department.

Chairman: I'm with you. I'm with you.

Mr. Mitchell: When we look at this map, we see very specifics. We see single-family homes right here. We look over here in the corner and we see 225 Town homes and it is explained and it's pretty plain. We see roads drawn right up here on the right. We see roads drawn right in here. You know. But when we look at - that map right there, which is a question we're looking at new curb cuts going down McGee Road. We're looking at curb cut on that map right there on a curve right here. Right on this curve. And folks I read a thing the other day ... you lucky if you meet another fellow on a horse you're lucky to get down this road right here-Hub Road. If you meet two cars and go buy a lottery ticket because you're lucky. It's the luckiest day of your life. And when you look at this plan right here the only thing you see is the previously approved plan that is mentioned up here. What does that mean? Does that mean whatever Design South or LINWA

Chairman: Doing well, thank you.

Mr. Pitts: I'm going to try to pick up where Larry was going. We had a couple points that - the further we get into this the deeper we get into it and there are some issues that come up that we are going to try to get clarified.

Chairman: There is a ... mic down there. Go ahead.

Mr. Pitts: So we can go ahead a move on with this. The only way I know how to do is kinda like being a Polar Bear jump with Easter Seals. You just jump right in and get on with it. The first question has come up several times and been stated whether it is true or not we need to find out. When the original vote was taking place back in December 2000, this is directed to Councilwoman Floyd, your son was working at Design South - for Design South at that time or some time after that. Is that accurate?

Ms. Floyd: Do we answer questions?

Chairman: I would think that he's asked you a fairly direct question. It would be your prerogative to answer it or refuse not to.

Ms. Floyd: My son was working at Design South at that time.

Mr. Pitt: Looking at it from this side of it looks like that if somebody is working, your family member working there, you wouldn't take a vote. I believe it came through out of the minutes that you seconded the motion. If it hadn't been seconded the motion, you know, if it hadn't been seconded it would have died then. So we wouldn't be hear going through this.

Mr. Holden: Can we hear the presentation (unclear) I understand that when this presentation come before Council, I don't think all this stuff you guys are doing trying to change our minds - are going to have to be changed - (not clear) I think what I understand, Larry, based on what you said. We have not approved any changes. So we're getting chastised for something we haven't done.

Mr. Mitchell: No, we're going back to the original plan being approved 4 to 1 and one of the members probably shouldn't have been voting. So can we get some clarification why that took place and who all new about it.

Chairman: First of all, I'm not real sure whether Design South was asking for the inducement - I think it was Mr. Broyles - separate companies. So I doubt very seriously that there was a problem there but you can go ahead...

Mr. Pitts: Mr. Broyles is a part in Design South

Chairman: Well, I'm a partner in several other business other than being on County Council and I don't think that would preclude him for asking for something just because he works for a particular company.

Mr. Pitts: Right, you expect somebody that was a part of it - somebody's relative would recluse themselves from the vote.

Chairman: We can check on whether it was a conflict or not. But I think it was a stretch.

Ms. Floyd: And whether or not it would have died. We don't know that. We don't know that someone else would come and seconded it or what. So we can't say it would have died.

Mr. Pitts: But you can't say it wouldn't have either.

Ms. Floyd: And you can't say it would have.

Chairman: Thank you. Go ahead.

Mr. Pitts: I think Larry touched on this, there is a piece of land that runs down McGee Road, appears to be about 800' that doesn't belong to Mr. Broyles or LINWA the question there is did anyone there know about it? In the addendum, this addendum is dated 2001, there is a statement on the second page that should be highlighted is that the owner of the development is still willing to donate $\frac{1}{2}$ of the required right of way to widen McGee road for the length of their property. Which would be from this point to this

point. And I can understand them wanting to, if the road is gonna get-the traffic going to heavy they can go ahead and donate the land to widen the road and the only concern is about 800' of this land he doesn't own. See I'd give land away all day long if it's not mine, it's not hurting me a bit.

Chairman: It is the length of their property. So

Mr. Pitts: What is the length of their property?

Chairman: Well, you're telling me that they don't own that in there.

Mr. Pitts: They don't own this right here

Chairman: Go ahead. I'm sorry.

Mr. Pitts: So, even - I don't know who knew about that. I know the Planning Department knew about that where they informed everybody on the Council. That was question we couldn't get resolved when we met with Council. You know that road cuts across this piece of property it appears and I think it is also similar lawsuit brought up recently down on the Michelin plan 4 track - it came out. We're going to get into another lawsuit here. I think there is already 40 active suits against the County now so you don't want to add to it - that's just taxpayers money going again that's gonna be wasted. There needs to be an addition of some firms that would help litigate potential undesirable impacts to the adjacent residential properties so far back as 2000. We already knew they would have a negative impact - the P-D would have a negative on the area. If they would not have a negative impact maybe they should surround the commercial area with single-family homes similar to what else is out there. I know it is referenced R-A (apartments) is not what else that is out there. If you want to keep it in a similar flow - go with the similar houses out there. Now we are also told that you could not sell larger (?) homes next to commercial property like that. But it is also referenced to one of these packages in here - this is going to be similar to Thornblade over in Greenville. If you can sell a big house over there then you can sell one over here. I don't know if that is a legitimate argument. Another item of concern was the support or recommendation of high-density housing-as far back as November 5, 1999 there were some meetings between I guess Chuck Joy and Jeff Ricketson

and on the summary that they have from Design South the current use out there is low-density-residential. They're planning high-density-residential and/or business. The Beaverdam Creek Property Owners Association is pressuring County council to move on forward on some spot zoning of the area and it says that Jeff also likes high-scale density residential projects. So from the start there was a push or a slant for high density out there. Which there is nothing else out there that is high density and this is the notes that are going back and forth and this is back in 1999. Look at the future land use map..

Ms. Cindy Wilson: While this is being handed out- I'm reading this project memo from Chuck Joy to Jim Broyles and it makes a statement in here that the Beaverdam Creek Property Owners Association is pressuring the County to move forward in spot zoning part of this area (referring to the area of Highway 81 up to Interstate 85) is this referring to the group that you are with now? Because I can categorically tell you that we were pressuring the County Planning Department to do the County Comprehensive Land Use Mapping and planning.

Mr. Pitts: It's not the group we are with - probably the one earlier.

Ms. Wilson: So we need to ask I guess, Mr. Broyles, if he was referring to our group.

Mr. Pitts: I think what he was doing here is maybe all the way out 81-so really what's happening they are trying to get in under it's on one end, they wanted to go ahead and get their proposal on the table on the map before something else went in cause really what was kinda talked about - one of them was a 400' commercial strip down 81 if that goes into place then this wouldn't happen. Or shouldn't been able to happen. So then the kinda input we heard that they were trying to get in under the wire to get on the map.

Ms. Wilson: Thank you.

Mr. Pitts: So this was being pushed from the start and again touching on something that Larry had mentioned earlier - tomorrow night we come back before the Advisory Planning Committee - there is a second

change to the proposed approved one and every time they come back they are putting more - cramming more people in there putting more houses, more units, more curb cuts into an area that is not going to take it and really based on some of these issues-I guess the concern if you look at this it tends to be heavily skewed toward Design South or LINWA. I guess a concern from side is maybe County Council didn't have all the information they needed to make an informed decision. If you down the middle and give a far evaluation of what is going on - it may change your thought on the matter. I'm going to turn it back over to Larry.

Chairman Wright: Thank you.

Mr. Mitchell: In closing Gentlemen, I think this issue does need to be revisited. I think the vote needs to be rescinded. I think we need to take a look because Mr. Greer actually pointed out are we going to give commercial breaks to everyone from now on. What if I open a business out 81, are you going to give me a commercial break? Yes, we may be in a liable situation because the agreement yet we haven't passed anything. You will fight one lawsuit that way but if you open the flood gates and you deny it - commercial breaks to anyone in this County - a man puts up \$700,000 investment, puts up \$7,000 you going to give him a 25% tax break? He's going to come back at you and that is going to cost this County more in law suits and I think in the long run it's not the wisest decision to in this direction because - Lowe's up here-they've more 4 times since 1973. I remember when they were at 1608 Stevens Street. What if we gave them a break every time they moved? A nursing home facility, as proposed, or continuing care facility some of these other facilities typically are minimum wage jobs. And as far as doctor's offices located back out here on the backside, we talked about that, Clint. My dad just got out of the hospital after spending 3 months there and they've got nurses working double shifts trying to cover this. Are we going to give a tax break for a man that moves down the street? I don't think it is a reasonable decision and I don't think it in the best interest of this County to do that because I think this area is going to grow. And it's going to grow with or without incentives. I don't want to give away the house just for one out-house (not clear), it's going to cost us more. The citizens of this area, and myself as a taxpayer, I don't think it's a good idea. I think we should go back and take a look at it if nothing else - slow down and take a long hard look at it. Mr. Greer did voice some

concerns and so (not clear). Thank you, I appreciate your consideration and I appreciate your time.

Chairman: You're welcome. Thank you. We'll move on to item #4.

Ms. Shante Galloway presented Mr. Fred Tolly, Mr. Mike Holden, and Ms. Gracie Floyd a plaque for their appreciation for their contribution with traveling expenses to play in the national playoffs for their girl's basketball team who are now the S.C. State Champions (AAU League). Council commended the team.

On the motion of Ms. Wilson, seconded by Mr. Holden, Council voted six in favor and one abstention to approve third and final reading of Ordinance #2001-026 - an ordinance amending Ordinance #99-004, the Anderson County zoning map, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone from R-20 to PD (Planned Development) approximately 15 acres of property in the Hammond School Precinct at the southern corner of Old Williamston Road and Cobb's Way. The parcel is identified by Tax Map sheet #173-0-07-001 and is fully described in Anderson County Plat Book 79, Page 981. Mr. Tolly stated for the record that he abstained on voting because of a possible conflict of interest.

On the motion of Mr. Greer, seconded by Mr. Holden, Council voted unanimously to approve on second reading Ordinance #2001-029 - an ordinance directing that the implementation of real property reassessment in Anderson County be delayed for one (1) year, as authorized by statute; and other matters related thereto. Public hearing will be held on third reading.

On the motion of Ms. Wilson, seconded by Mr. Tolly, Council voted unanimously to approve first reading of Ordinance #2001-034 - an ordinance prohibiting the excavation or other alteration of any Anderson County maintained road without a permit issued in accordance with Section 57-7-60 of the Code of Laws of South Carolina, 1976, as amended, and creating and establishing the procedures whereby a utility, business, or other entity or individual may obtain a permit for such excavation or alteration; and other matters related thereto. This allows the County to set a bond to be posted

by the entity that wants to cut a county road which requires them to repair the road back to the same standards before the cut, if they are not then the bond can be used to repair the road back to that condition. Ms. Wilson stated that she see this ordinance as a positive move to require utilities to be responsible for tearing up county roads. Mr. Greer stated that he fully supports the ordinance; however, he stated he would like to see a cost analysis on what it will cost the County to monitor and supervise this ordinance as well as what the fee schedules are.

Mr. Larry Greer moved to remove from the table for discussion Ordinance #2001-005 - an ordinance to amend Article II, Division 8 of Chapter 38 of the Anderson County Code of Ordinances, imposing restrictions on billboards and off-premise directional signs in Anderson County, which was tabled on August 21, 2001. Mr. Tolly seconded and vote was unanimous. Mr. Greer stated that all members of Council received proposed amendments to the ordinance. He explained the following recommended amendments: on page 1 under small #1: adds a second classification of signs that would be excluded and that would be off premise business signs, page 3-paragraph 8 at the bottom of page it changes 90 days to 30 days, at the end of billboards it says that additionally that the owner of the billboard must maintain the structure and all fascia and appurtenances in proper condition at all times, Page 4 - bottom of page it says that the initial permit fee of seventy-five dollars (\$75.00), subject to periodic adjustment by County Council, shall be charged at the time of issuance and must be paid prior to issuance of the original permit and an annual renewal fee of twenty five dollars each year, additional paragraph (c) adds the following definitions of off-premises business signs. Mr. Tolly asked if the federal government regulated signs on the interstate. Mr. Martin replied that it was an over-lapping jurisdiction. Several members of Council asked for more time to study. Mr. Wright also stated that he wanted to see what it would cost to have an employee check the permits each year and possibly remove the permit all together. Mr. Greer moved to table the ordinance again and Mr. Holden seconded. Vote was unanimous.

At the request from a member of Council the discussion concerning Item #8 RESOLUTIONS AND PROCLAMATIONS (a) #R2001-038 - a resolution adopting Emergency Medical Service dispatch guidelines as recommended by

the Emergency Medical Services Commission, and other matters related thereto is verbatim.

Mr. Martin read the title to Council.

Mr. Martin: Mr. Chairman and Members of Council you may recall that Anderson County adopted an EMS plan by Ordinance. The Ordinance authorized the adoption of other regulations by resolution. Basically the ordinance adopted the regulations the resolution simply presents them as the official County Council approval of those regulations. This is one of those regulations. It is the expectations of staff that once all of the regulations are together then they can be together into a single ordinance and brought back to Council, but since they aren't going to be all ready one time this is a way of getting them in effect as they are developed. The EMS Commission has recommended this to County Council.

Chairman: Okay. At this time, I have a resolution #R2001-038. Do we have a motion to accept?

Mr. Greer: So moved.

Mr. Dees: Second.

Chairman: We have a motion and a second. Is there any comments or discussions?

Ms. Wilson: Yes, we just heard from Mr. Greg Shore, I am assuming that this is in reference to this resolution - is that correct?

Chairman: I think what Mr. Shore was talking about would be an amendment to this resolution since at time I've heard no motion for amendment I'm assuming that has been delayed.

Ms. Wilson: Alright. Thank you.

Chairman: Then it can come back and amended at a later time once we've had an opportunity to talk with Mr. Shore about his concerns. Is that not correct?

Mr. Preston: The amendment is not in this resolution.

Chairman: Yea. The amendment is not. Any other questions or comments?

Mr. Greer: I did have a comment and it is a serious concern that I have and this is addressing the amendment that I was going to propose tonight at the request of several Council members I will delay this until the next Council meeting. But Mr. Martin I will be asking you for a resolution to add this as an amendment to this at the next Council meeting. But it has come to my attention that we have EMS providers who are ignoring dispatch procedures by the communications center and we have more than one EMS provider racing to the scene to an EMS incident. This to me is similar to what we had some years passed when the wrecker services racing to the scene of wrecks and we do not need EMS providers racing to answer an EMS call. They are endangering there own lives and the lives of our citizens and I think this is something that we need to address and that's what my proposed amendment was going to address but I will give my fellow Council members time digest the proposed amendment that I will make next time in the form of a resolution to add this to talk with your EMS Commission members, EMS staff, talk with EMS providers so that you can get a handle on what this problem actually is and this problem is not peculiar to my council area so this is not something that I am stressing because it is effecting my Council area. It's effecting several areas of the County and I have a serious concern about the safety of our EMS providers, paramedics, and EMTs on the ambulance units as well as the private citizens out there that could be endanger because of EMS providers driving at high rates of speeds to make the scene of some of these calls. Thank you.

Chairman: You welcome. Any other comments or questions? We have an active motion on R2001-038 with a second. No further discussions. All those in favor? Seven and zero.

END OF VERBATIM

Mr. Martin read Resolution R2001-039 - a resolution requiring all Emergency Medical Service Providers in Anderson County to operate under the direction and license of the county approved Medical Control Physician, and other

matters related thereto. He said that the EMS commission had recommended this for council consideration. Mr. Tolly moved to approve the Resolution and Mr. Dees seconded. Vote was unanimous.

**At the request of a member of Council, the next agenda item -
#8 RESOLUTIONS AND PROCLAMATIONS: (c) #R2001-040 - a
resolution for LINWA, LLC - Ms. Cindy Wilson is verbatim.**

Chairman Wright read the title of the resolution.

Ms. Wilson: Thank you. This is a resolution that I'm asking that of us reconsider. It was passed on December 19th. It was not fully executed until February 2 of this year. This involved with the giving of certain inducements to a company called LINWA, LLC. We have just heard from some of the folks in that area. I want to read to you one of the clauses in here that I think is very pertinent. I think I've lost my place. But to paraphrase it...

Chairman: Ms. Wilson, why don't you go ahead and make your motion that we accept this and we'll get a second and then we'll get...

Ms. Wilson: I want to describe it because I've had motions to die from lack of second.

Chairman: I don't think it will. So if you'd go ahead and make a motion.

Ms. Wilson: You promise?

Chairman: Yes, I do. (everyone laughs)

Ms. Wilson: I will make the motion for us to reconsider Resolution #R2000-065 involving certain inducements to LINWA, LLC and number of this resolution is Resolution #R2001-040. I would like to make a motion.

Mr. Dees: Second.

Chairman: We have a motion and a second. See there.

Ms. Wilson: Thank you.

Chairman: Any comments or discussion?

Ms. Wilson: May I?

Chairman: Yes you can. Thank you. I appreciate that.

Ms. Wilson: One of the clauses in the resolution passed in December requires that, if I read this correctly, and I do stand to be corrected if I'm incorrect, that this project must conform to all existing land use ordinances. There is so much going on with this situation right now. They (not clear) back and forth between high density and different types of high density. This goes back to the original County Comprehensive Community Input meeting - the Comprehensive Land Use map and planning meeting, which was held April 1 of 1999 when we were anticipating a deadline of May 4. There were maps up here earlier one was the map that was presented that night as to what the area currently looked like. The second map was the map generated from the input. That was based on the Beaverdam Creek planning area. The Planning Department subsequently changed and divided it into two districts, based on School District 1 and School District 5, which added and incorporated other properties and other territory and it became a very confusing process. When the zoning meeting was finally held, and I believe that was in November of 1999 or early 2000, this P-D was presented as part of the mapping. It has met severe opposition all along. I think we need to reconsider not only because of the impacts to the surrounding communities, but because we've also heard there are financial impacts to our school districts and one thing that I remember so clearly is a neighbor that moved in about three years ago, his wife is vice president of a very major company that we were all so very excited about having come to South Carolina. He kinda of a house-husband right now, but his prior business was to locate McDonald sites around New York city and Long Island, and he told me that one of the reasons that they got into such a financial and tax mess around that area was because once the governing body began to give inducement for commercial building then of course they all wanted it. And how can we give it to one without giving it to all. And reading further in this agreement with the County, it's not required but is expected that 70 million dollars will be

invested over a ten-year period. There are some other questions that we have. How do we size a special source revenue bond if they go to a revenue bond instead of the infrastructure credits? The reverse of that too is any businessman who goes to obtain a commercial loan, pays a commercial rate. I don't know what that rate is right now, but I guess with the prime rate having been lowered it is somewhere around 8%. Not knowing what the current rate should we have everything in place to float a special source revenue bond today, if it's tax exempt would that be around 3-4%, but if that's the case aren't we giving this company a huge break on what other businesses have to pay to borrow money? There is just a lot of questions about this and I'm sincerely asking that we revisit-reconsider it and have more input before there is a determination as it is noted there is no jobs that are promised to this company (by this company) for Anderson County residents. There is just so many questions. So would you indulge me and say that you will reconsider this for the sake of the neighborhoods and our county. I think we need to have lots of questions resolved.

Chairman: Are there any questions or comments? I've got just a couple. As far as the money that they are borrowing here, aren't they borrowing this on the open market? I don't think the County is going out and getting them special interest rates on the money that they are borrowing. They are having to retrieve that on the open market as a business, as far as I understand. I think if you look at the revenue bond and the special source revenue bond that is directly related to upfront investments that they have to make before that percentage is applied so if they're only in this for the increase not what's there now, so if they're--, they got a 10 year sunshine clause and if they only put two or three million dollars on the project they only get the credit applied to that 2-3 million not the 70 and they have a time frame to get it done or they lose their credit. I don't want to argue with you I just want to bring that out. Are there any more questions or comments?

Ms. Floyd: Yes, Mr. Chairman, I am going to, when you call for a vote, I am going to abstain. It was said that I may have had a conflict of interest because my son worked for Design South and my son did work for Design South, but he did not work for LINWA. We were not voting on Design South at the time, we were voting on LINWA, which I felt gave me the right to vote. But since there is some questions, and I do want to be right, I am

going to abstain from this vote until I can get further Counsel from our Attorney.

Chairman: One other thing I would like - I'm sorry to interrupt. The point is trying to make here that if you offer to one you can't deny the other. We don't give every industry that comes into Anderson County tax incentives and tax breaks. They are decided on an individual basis one at a time and I voted against Pier 19 because they were trying to tie in residential with the commercial and I didn't agree with that. We don't have to give it to everybody that comes in. It is decided one case at a time. And I would debate and have differences with the point that 'if you offer it to one you have to offer it to everyone'. I look forward to being able to analyze each one of these as they come to Council. Personally as I see it, as a, hopefully, diversification move on economic development that we're just not always out trying to get manufacturing jobs is it that we can hopefully with some of these projects that come in start looking at white-collar jobs, offices and with the expense of the airport we could possibly could be looking at more corporate offices in our area so I think it is a way that we can look at diversifying our job market and not just dealing directly with manufacturing jobs as we see our economy grow possibly in a different direction because we are losing manufacturing jobs and some of them may not ever come back but I do know the medical field and folks that work at nursing homes and assisted care living-those people are very qualified professionals that make good money that we could possibly attract into our community. I think there is always a debate on fee-in-lieus and also as far as incentives we offer there is always an open debate on that but I think that this is the direction that I would like to see us go in a limited fashion. But I believe we have to address each one of them one at a time. Okay. Anyone else? I interrupted Ms. Wilson, I'm sorry.

Ms. Wilson: There is one other question that I meant to ask. How does this project deal with - how does roll back taxes affect this project when it's going from agriculture use to commercial use and high density development. This inducement - interfere with what would have been a normal?

Chairman: No. Roll back taxes are a situation that happens between purchaser and buyer that has to be paid to the County, but that is a

contractual agreement between the purchaser and the seller. As far as I know, I'm not a real estate agent so maybe..

Ms. Wilson: The Tax Assessor I understand would probably - Is Mr. Freeman still here? He might have been able to answer that for us.

Chairman Wright: Anything else?

Mr. Greer: Mr. Chairman, if I may? I am in somewhat of a quandary tonight because I did not like this fee agreement when it was presented and I made that very clear and I still don't like this fee agreement..

Chairman: They can't hear - I'm having a hard time hearing.

Mr. Greer: (Mr. Greer repeats what he said.) ... however, I'm forced into a position where I must look at something a little broader than this fee agreement. Ms. Locke brought up what occurred at the COG Board meeting and the fact that board voted to stand by it's original decision and we heard 2 individuals stand here tonight and talk about growth and zoning and property-one was Mr. Harvell. Mr. Harvell if I remember correctly you asked for part of your property to be rezoned to service category and the gentleman that lived at Crestview Road had his rezoned so that he could have horsed on that property, if I understood what you were saying correctly. I'm not really familiar with that. But this goes back to what we say we are going to do and doing what we say we are going to do. I opposed it then and I still do not like and I still oppose this fee agreement. But I see several people in this audience tonight that live in my Council District. School District two and School District three. What some of the members of this audience may not be aware of is School District two counted increase granted by the school board this year has seen its school taxes increase 56 mills in two years. 56 Mills in two years. School District 3, which is also in my Council District, has seen its taxes increase by 28.5 mills. And the reason that this mileage increase is so great is because the assessed value of the property in those two school district are so low. The broader picture that I'm talking about here, if we reverse or rescind or cancel this fee agreement is what it does to the creditability in recruiting industry and growth into our county. What is an industry that is looking to locate in our

county going to think or say - what is something like GenPower think or say if they found out that we had rescinded a contractual agreement that we had entered into as a County with an industry or whatever? I do not like this agreement. I wish I could vote to not-to reconsider but I'm trying to explain that the broader picture that's what it will do to the credibility. School district 2 and School district 3 need to desperately to attract growth and industry into those areas. And I have a fear that if we rescinded this agreement tonight our credibility goes to zero tonight. So I'm going to have to oppose reconsidering this tonight. I know that is not going to sit well with some of the people in this audience. I still don't like the fee agreement; if it were an open agreement that was never contracted by this county I would still oppose it. But it has been agreed to by the governing body of this County. Contractual matters have gone forward and I don't feel like that we should do that at this time. There was a time when a man's word was his bond. When this Council, whether I liked it not, passed this fee agreement-it gave its' word. Whether I like it or not, we should honor that word. Thank you Mr. Chairman.

Chairman: Three points, please if you'll indulge me. In section 4.4 it says: Parties understand that the company may choose not to proceed with the project in which event this agreement shall be cancelled and subject to parties obligations described in section 4.3. And it continues on. This isn't a sign able agreement also and the fact that it was not executed until 2001, February 2nd to be precise. And I agree with Mr. Greer's statement that we do need to be looking at locating the proper infrastructure and inducements to our parts of the County that are suffering and that's what inducement agreements were originally - spirit behind having them developed was. Highway 81 needs no help in the form of inducements. People are gladly paying hundreds of thousands of dollars for small pieces of property out there. We just don't need to be giving inducements on a - in a controversial way to begin with so I would say that let's all move together to look at offering these types of things and to other parts of the County where we need to do job creation and increase the tax base. Thank you.

Chairman: Thank you.

Mr. Holden: Mr. Martin, we do have a contract with this LINWA group correct?

Mr. Martin: Two comments on this one of course. I do not represent the County on economic development. Never have. Never will. My contract with the county specifically excludes me but I do have a specific conflict on this in that my firm does represent LINWA on certain matters not necessarily all the ones discussed tonight so I cannot get into any official representation but as a statement of fact-yes, there is a signed contractual agreement with the company.

Mr. Holden: Thank you. So we've heard a lot tonight about not getting additional law suits from residents in the County and that been a big concern not to get law suits if we go back on this we have to get a law suit. So there it is. Both sides.

Chairman: Go ahead.

Ms. Wilson: On February 12 we have a copy of the letter from Mr. Martin with the McNair Law Firm heading and it references the inducement agreement and 'attached please find an original copy of the fully executed inducement agreement with LINWA, LLC' as so forth. Gosh, if Mr. Martin didn't represent the county then why was he handling it and still being the attorney for LINWA? I remember years ago, law firms would pass around a conflict of interest check if there were bigger firms and they didn't have time to talk with each other about clients and suits and actions going around and that really troubles me a little bit too. Maybe I'm in error here.

Chairman: I'm not sure. Mr. Martin, you want to address that? (not clear) ...to you.

Mr. Martin: Mr. Chairman if I might? I would be delighted to. She is absolutely correct. She is in error. That letter does not purport to represent Anderson County; I was forwarding the agreement to Anderson County not on behalf of Anderson County. I have never purported to represent Anderson County in any regard on this matter and stated so during the Council meeting in question.

Mr. Holden: And talking about a conflict of interest, Mr. Chairman. Somebody go back and pull the records on these budgets that were just

passed here recently you'll see some conflict involved with one county council member and I want call any name, but anybody interested-check that out.

Ms. Wilson: On the budget?

Mr. Holden: Yes, on the budget that just got passed a couple months ago.

Chairman: Okay. Any other comments or questions? Okay we have an active motion on the floor on Resolution #2001-040 and a second there is no further discussion and Ms. Floyd will abstain. All those in favor of the resolution. One. All opposed? Five. The motion does not carry.

END OF VERBATIM

At the request from a member of Council. Agenda Item: #8 (d) a resolution to reconsider abandonment of Hampton Road is verbatim.

Chairman Wright: Item "D" - a resolution for R2001-041 - Ms. Wilson

Ms. Cindy Wilson: This is a resolution to reconsider the planned or proposed closing of Hampton Road. The contingency requirement in Resolution R2000-037 was that Eastland Capital, Jim Anthony, and Windsor Autry collectively, the developers should close the purchase of the property, which we refer to the Anderson property. There are some interesting aspects to that. One is we heard Mr. Irby's presentation last week concerning the cost of such a gift to these developers. I think Mr. Irby's figure was of a gift of somewhere around two million dollars, but in three different transportation studies and applications for funds and so forth, one is the Anderson County Major Road Study and then also the Comprehensive Transportation Improvement program and the Strategic Plan just passed by our Council and the COG. We have a number of road projects that in the road impact study conducted by Moreland Altobelli in a presentation back in September, this past year. As it turns out we have a total of \$9,513,740 that we need to spend on surrounding roads to bring them up to the point where they can handle taking traffic off Hampton Road and the accompanying development should that go forward. In one report, it's \$2,666,967 to upgrade Hopewell and Breazeale Road. One study had \$2,586,773 to upgrade Cheddar. Which of course Cheddar Road gets a

"double whammy" of all the truck traffic going to the landfill. Then we have a re-construction of Long Road for \$1,680,000 and there are no industrial sites that are not accessed from Highway 81 down Long. Then to reconstruct Highview Road is \$870,000. Midway Road would be slated to have \$1,100,000 for work done and then Welcome -\$610,000, again for a total of over 9-1/2 million dollars. Its not frequently the position of County Council to make such a resolution and the resolution does say that Anderson County acting by and through the Anderson County Council to consent to the end of county maintenance on that portion of Hampton Road between Midway Road and so forth. That is somewhere around 2 mile of road that we are gifting a special developer. I do want to point out that Windsor Audrey sign is up on the Broyles property, which is LINWA. We're really giving the appearance to our County taxpayers and voters of crafting deals for some special people who, last time I looked these folks had plenty of money and the rest of the developers have to fin for themselves. We even had at an earlier point, when the resolution was passed in, I believe it was September, there was no public forum we just had to call people around to let them know to let them know about the impending road closing or the proposed road closing. We collected somewhere around 700 signatures of citizens opposed to the closing of the road. It came as a great shock when I attended the hearing with Judge Ellis Drew that he really did not appear to give any measure of concern about the households that have to endure slower response times both from Fire Departments and EMSs and Police protection. There was no consideration that being a main artery for those services to get I-85 and related areas. I really think that we are doing our county a gross disservice to allow this to continue. This particular resolution and I am again respectfully requesting my fellow council members to reconsider this in light of what we've seen and heard. Thank you.

Chairman Wright: I take that in the form of a motion?

Ms. Wilson: A motion. Thank you.

Chairman Wright: Do we have a second?

Mr. Dees: Second.

Chairman Wright: We have a motion and a second. Is there any other comments or questions?

Mr. Dees: Yes. On this particular one, correct me if I'm wrong. But has not a judge already ruled on this particular issue? And if so, that puts it right out of council's hands unless I'm terribly mistaken. Which I have been a lot of times.

Chairman Wright: That was, Mr. Martin, was going to be my question about the procedure here, but go ahead and answer his if you don't mind.

Mr. Tom Martin: Thank you Mr. Chairman. That is correct. The resolution of county council did not have any legal effect or authority to close the road it simply stated the sense of Council. The only legal action that could be taken, and it was taken, was taken by the Circuit Court of the Tenth Judicial Circuit. Not by County Council. That ruling has already been given by the Master-in-equity by the Tenth Circuit.

Chairman Wright: In reality-to follow-up on that procedure basically the County is the Defendant. Is that not correct in this matter?

Mr. Martin: That is correct. The County was not the Plaintiff in the matter; the County did not ask that the road be closed. The county was named as a Defendant in the matter. Any citizens, at any time, any company, any one can request a Circuit Court to close a road, even over the County's object is. It's happened twice during the time since I've been county attorney. We have just been served with another lawsuit to close a road on Lake Hartwell. The County council has not even addressed it. Hasn't been brought to County Council.

Chairman Wright: I also understand that during the proceedings that the Judge broke protocol and actually heard from the floor at that particular meeting. Which I think was a pretty wide birth for the judge to allow public comments that were definitely outside of protocol at that time. I do believe that the Judge most likely took in account what was said there by the people. I think he was interested in hearing, if he wasn't he wouldn't have allowed it to come off the floor beyond his particular Courtroom's protocol. But, I think it needs to be clear and understood that these people

that petitioned the court could have went on to court without this Resolution. And if we decide to rescind this resolution it would have no bearing or effect on the Judge's ruling. So it seems to me that it wouldn't matter whether if we voted in favor of this resolution or not here tonight. The judge has passed his ruling and it would be up to the property owners there to deal with that particular process that they have to go through.

Ms. Wilson: There were other landowners on that road who opposed the closing of the road and as for my being allowed to speak before Judge Drew he took it as information only. The public was never given a standing by the court. Perhaps this is an inherent flaw in the way the laws are written, the problem is that County Council did - it says "whereas it is therefore appropriate for Anderson County acting by and through the Anderson County council to consent to end of county maintenance on that portion of Hampton road" and continues. Was it proper for us to have made that move? Because I'm here to tell you tonight, we could have very easily close off a part of Hopewell Road by the same action. Is that correct? Would county Council support that? You know.

Chairman Wright: I don't think we could arbitrarily close a road by resolution it would have to be requested by the property owners that live on the road.

Ms. Wilson: Well, it's the same point that was carried in this.

Chairman Wright: No. I disagree.

Ms. Wilson: And also I want to pass down for everyone's quick review, part of your decision to close Hampton Road was based on the economic impact study conducted at County expense by the COG for the developers. This was the write-up that was in the *Greenville News* last July featuring all the Cliffs Communities. I want you to notice the number of lots out of the total number of acreage for each site and the number of homes that were built. Cliffs of Glassy, which I have some familiarity because I was involved in that before Mr. Anthony was, total of 3500 acres. It was started in 1990. Total home sites - 896 sites and as of July of last year only 179 homes had been completed. That is the most gorgeous piece of

property and in the biggest economic boom our up state has ever seen, they are not even but a small fraction built out.

Chairman Wright: Can I ask a question about that real briefly? Of all the other lots up there are they not paying a lot more in property taxes for that particular just open lot now than when they were when it was just a mountain with no lots or homes or anything? The build out rates is one issue, but the effect of what they are doing taking - most likely agriculture tax land and turn it into 6%. You have to take that into effect as well.

Ms. Wilson: The Economic Impact Study was totally based on a build out, a total build out, within ten years. That is very questionable. Thank you.

Chairman Wright: I understand that.

Mr. Holden: While we are talking about all this development stuff, I've got a question, Mr. Chairman, I'd like to ask Ms. Wilson, because we're talking about Hampton Road, LINWA and this that and the other.

Chairman Wright: Go right ahead.

Mr. Holden: Ms. Wilson, this for information. Did you take any developers to the Anderson Family about developing this particular property we're talking about?

Ms. Wilson: I did and at that point they told me that they were entertaining a contract from the other group. I understand that a number of other developers around the County have also approached the Anderson Family. As of October, they're probably going to be "fair game" again. Originally the Anderson Family told us that when they attended the first few meetings concerning the sewer line down the creek that they had absolutely no plan to every develop their property, did not want to sell. The Wilson Families and the Anderson Families have been neighbors for over 200 years in that area. So I respected their statement to me in that regard and did not bother them. Once it became available-knowledge that it was available I did take developers. And by the way, they indicated to me that

they might not need Hampton Road closed and they might not even need the sewer line down the creek.

Mr. Holden: But you have been involved in trying to get it developed out that way - in time?

Ms. Wilson: Not since October of 2000. That was the last contact with them in bringing people to the table.

Mr. Holden: But now you're against any development out there. Is that correct?

Ms. Wilson: Pardon?

Mr. Holden: Now you're against any development out there?

Ms. Wilson: No we're not. We've never been opposed to property development. I've made my living frequently on that. The problem is-giving inducements (someone else talking at same time) and giving infrastructure in the way that benefits only a handful of people as opposed to a majority. If we were really serious about bettering our County then we would be pouring our money into areas of our county that need infrastructure instead of focusing it in one small area which is a way benefits some very powerful people.

Mr. Holden: But if you could have put this deal together would you felt different about it?

Ms. Wilson: No. I would not. I would not have come to you asking for the road to be closed. I would not have come to you asking for the sewer down the creek. Which as a total-I hope our people in the county can comprehend that depending on whose numbers you're going to follow-we believe that it is going to cost our county taxpayer around 30 million dollars to cover closing Hampton Road, and upgrading existing and other roads around to take off the traffic. And we believe that it's going to cost, and included in the 30 million, it's going to cost about 20 (million) to do the sewer line down the creek and there again you know all you have to do is read the documents and if anybody wants to go to Columbia tomorrow you can see box

lids of documents. And even the application show that there are no users for the sewer line. There are so many questions about this.

Mr. Holden: I've got to agree with that.

Chairman Wright: If the subdivision falls through, would that not put the position of the users even in a less manner? Is that not correct?

Ms. Wilson: Well, at that point, I think that you as our County Council need to review our position on providing a huge amount

Chairman Wright: I've reviewed it fairly well. I think that most of this discussion is directly related toward cutting out users for the sewer line that you don't want to come down that creek. Is there anyway

Ms. Wilson: There is a lot of sewer infrastructure, a lot of sewer infrastructure in fact the County pump station is on the Anderson Family property. We can enhance and use what we have at far less cost and still have tax money coming in.

Chairman Wright: I understand your opinion. I don't agree with it, but I understand it. Is there is any other comments or questions?

Mr. Greer: I have one question for Ms. Wilson, if I may. Ms. Wilson, we have a planned sewer line to go down to the Town of Iva to serve that entire end of the County. Do you have any opposition to that line going down there?

Ms. Wilson: None that I can think of.

Mr. Greer: Then my question to you is since that line at present has no users for that line. Then where is the argument in not butting the line in because it doesn't have users for it? (Ms. Wilson tryst to interrupt) Pardon me, Ms. Wilson, I have the floor.

Ms. Wilson: I'm sorry I thought you were finished.

Mr. Greer: The primary reason for putting this particular line into the Starr-Iva area is to encourage development in that area, to provide for growth in that school district, to build the tax base in that area. As I understand this particular line as since we've go on to the Beaverdam sewer line let's just talk about it. I understand the reason for the Beaverdam sewer line. The reason for the Beaverdam Sewer line is not to serve the residents along the creek basin all together. It would still be a benefit to those area residents that chose to utilize that sewer line but it's also to help develop the I-85 corridor where there is a need for sewer capacity along that corridor.

Ms. Wilson: Are you finished? There is already sewer infrastructure at I-85 and 81; in fact there was a recent application for tobacco settlement monies sent through the COG that stated there was no sewer infrastructure at I-85 and highway 81. It stated it was one of the last interchanges between Greenville and Georgia without sewer infrastructure. The last I looked, we have a lot of sewer infrastructure up there and what we've consistently maintained is that we need to augment, enhance, develop out what we've have up there before we burden our county taxpayers with about 30 million dollars worth of road work and sewers which directly benefits only a hand full. And we're here to tell you that we have about 8-1/2 miles of landowners on both sides of the creek and we have seen anyone yet, except at the top of the basin - the Anderson Family which already has a pump station and we can add and develop lines through there property with what we have up there. No one else has come forward to us indicating that they want the sewer line. We are also zoned, Mr. Greer. We are zoned either RA-1 which is one acre, or R-20 and there is absolutely no need for a sewer line of this magnitude to serve those areas, and contrary to what the newspaper says that we're opposed to development - heck we're developing beautifully. We're going with larger lots which cost the County far less in infrastructure to provide, the type of homes that have gone out there are wonderful. We've never opposed that. I'm still working with some of that development work. So, you know, no sir, we don't need the sewer line and none of landowners has indicated that they want it and for zoned you know why should we as a council vote to run this long sewer line that only benefits the group at the top when we can provide it for them other ways.

Chairman Wright: You may have a point. But, I've got a question about your hearing tomorrow. If we voted to rescind this would that not, as far as your debate, as far as the storm water and potential need for that sewer line, I would see that would be really something that you could present to the Court that would back up your position as far as not needing the sewer line. Would that (not clear)

Ms. Wilson: Stormwater will only look at the impacts of construction and the continued use of that line. Stormwater primarily looks at putting a sewer line in the wetlands and the flood plain and the sewer line does run for the entire length best we could determine in the flood plain, and if we get anymore rain the creek will be over the banks and there is no amount of silk fencing.

Chairman Wright: I think you would agree that (both Chairman Wright and Ms. Wilson talking at same time - not clear).

Ms. Wilson: ... but projects and alternatives will come up in what is considered as the 401-water quality.

Chairman Wright: Would you not agree that this particular subdivision if it goes in would be a potential user for the Beaverdam Creek sewer line?

Ms. Wilson: Which subdivision?

Chairman Wright: The subdivision that we've talked about here.

Ms. Wilson: The Anderson Family - the Up Scale Gated Golf Course community?

Chairman Wright: yes.

Ms. Wilson: Well, they've said that they want it.

Chairman Wright: But they would be a potential user?

Ms. Wilson: They're the only potential user.

Chairman Wright: I would debate that (not clear). But they would be a potential user.

Ms. Wilson: For a long, long time. Unless we start having variances and

Chairman Wright: They would end up being potential user therefore if they didn't exist it would lean toward the fact that they would be a less user rate for that particular sewer line.

Ms. Wilson: They can be provided other sewer

Chairman Wright: The point is we've talked about conflict of interest here on several occasions tonight and I would find that I would question the fact of dealing with a potential user to a sewer line that you obviously are opposed to and to which you are a party to the litigation against it. So, I think that needs to be brought out that part of the purpose of fighting this particular road closure is I think, is to try to stop the development is the potential user for that sewer line that you are so greatly opposed to. I just wanted to put that on the record.

Ms. Wilson: Sure, I would agree that is part of it, but you have to also look at it the cost to the taxpayer.

Chairman Wright: I agree. I just..There has been talk here of people accusing others of conflict of interest. (Both talking at the same time)

Ms. Wilson: Also I would like to point out that we're not involved in a lawsuit. There is no money that will be given. It is a legal action appealing permits that were issued by DHEC to Anderson County.

Chairman Wright: That you were personally a party of? Correct?

Ms. Wilson: Yes. It's not what people normally think of as a lawsuit where there would be money.

Mr. Holden: But it is a conflict? Right?

Chairman Wright: Well, I'm not an attorney but I just thought since there was a conflict of interest being thrown out here that I just wanted to make sure that was clear as well.

Ms. Wilson: I did abstain from everything-from voting from everything for instance the Vision Statement because the sewer line was strong factor there. I abstained from voting on the COG proposal. If I'm in error please correct me.

Chairman Wright: I'm not sure.

Ms. Wilson: But I've always disclosed my situation.

Chairman Wright: Any other comments or questions?

Mr. Greer: Yes, Mr. Chairman.

Chairman Wright: Mr. Greer, speak up Mr. Greer.

Mr. Greer: I want to revisit the zoning discussion as a part of this. When we were working on the zoning ordinance, one of the questions I discussed with Mr. Martin was can zoning be used to prevent needed infrastructure from reaching an area of the county if it has to pass through a zoned area. The information that I received from Mr. Martin at that time was "no that zoning could not be used as a means of preventing infrastructure from going into that area". And Ms. Wilson one of the main reasons that I asked that question was because of an area in your Council district now that was in my council district and that is the Town of Honea Path. Honea Path sits over in the corner of the county kind of isolated from most of the infrastructure for this county. It has no 4-lane road servicing the area; it desperately needs connection to the interstate so that it can attract industry. It does have adequate water and sewer but it desperately needs 4-lane infrastructure. Now, for the town of Honea Path and the area surrounding Honea Path to develop 4-lane highway infrastructure to serve that area, it must pass through a zoned area. So the fact that this area is zoned something and this area does not need this particular type of infrastructure is not a good argument to prevent that infrastructure from

going through that area, because that infrastructure may not be needed to serve that particular area but it may be needed to serve the area on either end or both ends of that particular area. The Town of Honea Path again critically needs 4-laned connection to the interstate so that it can recruit industrial development. So saying that we don't need a sewer line or we want to change something so that we can stop this sewer line is not a valid argument if you're using zoning as a basis of your argument.

Ms. Wilson: Zoning indicates a need rather than a legal basis for a sewer line and zoning indicates the desire of the majority of the people out there and everybody knows I voted against zoning and Jeff can tell you that I worked harder than anybody to try and get the County comprehensive land use mapping and planning and information to the public, but I personally voted against zoning. However, gosh, I think it was 10 to 1 in Hammond - they voted for zoning. So if the majority of the people say they want low-density out there then why should the rest of the taxpayers provide a sewer line that will inevitably bring high density because as you said yourself, Mr. Wright, after the sewer line went up to GNC we've already got it, we've paid for it. Why shouldn't we use it? So that meant that an area that didn't want to be all that heavy industry they've got heavy industry now.

Chairman Wright: I don't think that would be classified as heavy industry a bottling plant for health aids. Matter of fact, I think it is classes II industry to be exact not a class I.

Ms. Wilson: Anyway there is industry and there is a big sewer line and more industry on the way and the folks out there

Chairman Wright: What industry is on the way? I'd like to know, it's my district. If there's new industry coming I'd like to know.

Ms. Wilson: Well on one of the applications for more sewer out 76 and I think it was the COG application it indicated that there was an industry looking.

Chairman Wright: I think that was Ashland Chemical on 76. The sewer line you're discussing is on Liberty Hwy. 178. Two different situations all together.

Mr. Greer: Mr. Chairman, I call for the question.

Chairman Wright: Very good. We have an active motion on the floor right now discussion has been stopped by a "call for the question". I have an active motion on R2001-014 (means R2001-041). All those in favor? One. All opposed? Six. Motion failed.

Mr. Martin: Mr. Chairman, as a matter of clarification. There has been quit a bit of misinformation or incorrect information trotted out tonight. Perhaps the record would reflect correctly the COG application does not refer to an absence of sewer at I-85 and 81, it refers to an absence of sewer at I-85 and S.C. 8. A totally different intersection.

Ms. Wilson: It is printed that way however Mr. Martin. And there has been no correction. I talked with Mr. Longshore about that when he made me aware of that last Thursday at the public hearing and I suggested that he get right over to A-COG and make that correction.

Mr. Martin: Mr. Chairman, also if I may, the sewer line in question was approved by the 10 year sewer plan prior to zoning, prior to the Alliance Park, and prior to the Anderson Lake development. At the time Mr. Greer asked the questions concerning the impact on zoning that was a part of the issue that Council approved the 10 year sewer plan in 1996 or 1997 at least a year or perhaps two years prior to any of the developments and so in this case the developments came to the sewer line rather than the sewer line going to the development.

END OF VERBATIM

On the motion of Ms. Wilson, seconded by Mr. Greer, Council voted unanimously to approve a proclamation proclaiming September 11, 2001 as Anderson County 9-1-1 Day.

On the motion of Mr. Tolly, seconded by Mr. Dees, Council voted unanimously to approve the following appointments to the Pendleton District Workforce Investment Board: Claude Leitzsey, Dee Grigg, Robert Opperman.

On the motion of Mr. Greer, seconded by Mr. Tolly, Council voted unanimously to appropriate \$2,000 from District #3 paving account to the Town of Iva as a grant to help with items needed for ReViva.

On the motion of Mr. Greer, seconded by Mr. Tolly, Council voted unanimously to approve the appropriation of \$500 for the Farmers Market director to cover his operation expenses for the Town of Belton. He will apply for reimbursement to the Town of Belton for expenses. The funds will come from District 3 Recreation funds.

Ms. Wilson moved to approve the repaving of Lester road and Jimmy Lane and paint lines on Cheddar Road in the amount of \$49,387.50, Mr. Greer seconded and vote was unanimous. The funds will come from District #7 paving account.

Ms. Floyd moved to appropriate \$625 out of District #2 Recreation funds for Fortson Homes and Mr. Dees seconded. Vote was unanimous.

Ms. Floyd asked all members of Council for consideration for an appropriation for the Shalom House which serves the entire County for help with the purchase of a van. Ms. Floyd moved to appropriate \$1,000 from District 2 Recreation Funds. Mr. Tolly seconded. Mr. Tolly amended the motion to include \$1,000 from District #1 and Mr. Holden also agreed to appropriate \$1,000 from District #5 Recreation account. Mr. Dees seconded. Vote on the amendment was unanimous. Vote on the original motion as amended was unanimous.

Mr. Holt Hopkins explained that the SCDOT plans to abandon the right of way on McGee Road either to the County or directly to the property owners. He asked for Council's permission to send them a letter asking them to handle the request rather than going through the County. Mr. Greer moved to ask the SCDOT not to abandon the road and approve the writing of the letter by Mr. Hopkins as discussed and Mr. Tolly seconded. Vote was six in favor and one abstention (Ms. Floyd abstained).

On the motion of Mr. Holden, seconded by Ms. Wilson, Council voted unanimously to accept Innsbruck Subdivision into the County Maintenance System.

Mr. Holden talked about the Michelin Road and all the efforts that he and Council Member Larry Greer had been involved on had tried on numerous occasions to reroute the road and presented these other possibilities to Michelin and the SCDOT. Mr. Greer stated that the project was driven by the Department of Commerce meeting the request that Michelin has. He stated that he preferred that this route be turned to come out Standridge Road and enters 28 Bypass at the School District #5 office. This would save a lot of tax dollars. Ms. Wilson said that there were wetlands out there that were totaling destroyed out there and a lawsuit has come in. Also all EPA and DHEC rules were broken on the piece of property. She suggested that a resolution be drawn up to encourage them to work with the county to find another routing and provide better traffic management in the County. Mr. Greer said it probably boils down to one thing MONEY. You must have a source of funding for a new route. Mr. Holden asked Mr. Martin to check into the possibility of a resolution and what it would involve.

AT THE REQUEST OF A MEMBER OF COUNCIL THE 'COUNCIL MEMBERS REMARKS' SECTION OF THE AGENDA IS TRANSCRIBED VERBATIM.

Mr. Dees: Well, I tell you what, as I've said before I'm glad we live where we live. We may not agree with each other but we can respect each other and we can move forward and try to do the right thing. That is all we can hope for with God's help.

Ms. Floyd: A lot was said today. A lot was said from the floor today. I resented the name calling the Nazi thing and everything else, but you know folks this is not an easy job. Somebody is not gonna be satisfied. There is a whole of this "not in back yard" thing. It is a whole lot of "we don't won't this", and "you didn't do it my way so we're gonna do this way". But I am sure as it is with the other County members, we have to work with the information that we have and the research that we do and we have to make the best decision that will affect all the people of Anderson County, not just one little section of Anderson County. I am very-I guard my vote very

carefully I do not vote unless I know the issue and I understand it fully. And everything that I have voted on since my tenure - since my election to this county I will stand by. There is a concern that I have that the conflict of interest bit-but during that time my son was not working, I will reiterate that, that my son was not working for the LINWA company, he was working for Design South. Design South was not a party to what we were voting on at all. Again, I want you to know, this job is not easy, but I took and I am going to do the best job up here.

Chairman: Thank you. Mr. Greer

Mr. Greer: Bear with me because I'm probably going to be several minutes.

Chairman: Okay. I'll lean back.

Mr. Greer: I had one of my church members sitting in the audience tonight and she may hear this story again. But I listened to all of the discussions; sometimes the naming, as Ms. Floyd said tonight. But I want to tell you a story tonight. But I want to tell you a story of a project that Mr. Hopkins and I worked on for the last year and one-half. We were approached a year and one-half ago, when Mr. McClure was here, about abandoning a portion a portion of Generostee Church Road off 187 so that a large church down there could expand their building. They wanted to build their building in front of their existing building, which necessitated abandoning that portion of the road and when it was presented to Council it was presented to Council that we would abandon that road on the condition that they would grant the county the necessary right of way to improve another road that ran across the back side of their property so that we could improve it and redirect the traffic when we abandon the road. Everybody was good with that and then we started looking at that and decided that we could not get the necessary right of way from the required property owners so the church as willing (that was the first road block that came up) so the church at that time was willing to relocate the road across their property but it seems the good Lord placed a lot of rock under that dirt out there and they were talking about 200-250 thousand dollars in grading alone to simply move a small short section of road and that was the second road block. And then this group came up with the idea -well we'll

relocate the road in the front of the property in agreement with the adjacent property owner on that side. So in negotiations with that property owner and he would cooperate in no way. He was totally uncooperative would not agree to one foot of land. So this church choose to relocate their building. Mr. Hopkins and I went out and visited with them Thursday about two weeks ago, I guess it is now, after they had redesigned and relocated their building and guess what. We solved the road problem in about an hour, didn't we Mr. Hopkins? We came up with an agreement where we can move the road so their parking can be adjacent to the building. Now, I've said this to some other people and you can criticize me for being religious if you like, but I am. There is two forces working in this world there's the devil and there's God. The devil threw the road blocks up to stop that road from being closed and moved. God used those road blocks to direct that church to put that building where it wanted to go. Where He wanted it to go. Not where the people wanted it to go. They broke grown on that church building, Sunday was a week ago and we're going to relocate that road per the agreement Mr. Hopkins and I worked out with the church. I'm saying all this to you to make one point. We fight these fights and we fight these battles over who's right and who's wrong, but if we'd step back and watch and try to make the right decisions and seek guidance it will all work out in the end anyway. Just like this one did. Thank you, Mr. Chairman.

Ms. Wilson: Well, I'd like to thank everybody for making it possible for more discussion and more information and more healthy debate. Thank you.

Mr. Holden: Thank you, Mr. Chairman. Just a brief comment. I heard I got criticized this morning by our beloved radio station for helping the children in Anderson County. I want to go on record as saying that I will continue do so however I did not get offended by the criticism this morning because.. (not clear) thought it was funny when I had a sick child about two years ago and I couldn't go down and talk with them, but I did go down when my boy got well and talked with them. So we'll get criticized tomorrow when they talk about the trophies we got for helping the kids, but all of you that got children, you love them dealing, you do what you can for them. I intend to do the same. Cindy has a daughter that is just as sweet as she can be. I know Cindy and everybody up here will take care of their children and we do things to help everybody as you've heard up here tonight. The money we

gave Ms. Floyd's cause, everybody sitting on this Council all seven of us has given money to help good causes. Well, I will continue to do that and if Rick Driver wants to continue laughing at kids, then God help him.

Chairman: Thank you, Mr. Holden. Mr. Tolly.

Mr. Tolly: Mr. Chairman, I'd like to echo the fact that we've had some good discussion tonight and I think that it is certainly a benefit to the County to have the people attend these meetings and have dialog with the Council. It makes us do a better job. However, I do think that there is disservice when people get up and spout out figures that they pull out of the air or they take a half-truth and try to present it as fact. That is a disservice to the people of the county. Now good dialog where you are making absolutely good sense is welcome and I think it is the thing to do, but here again I would be skeptical and certainly the people of the county should be skeptical when you get these people standing up telling something for the absolute truth when they are only telling one side of it or they only telling part of the fact. I think that it holds true with the Councilpersons also we shouldn't be do readily throwing out figures without something to substantiate them. And so here again, just would think that the people that address the Council and make a public statement that have the absolute truth and not a half-truth and would all benefit more from that. Thank you.

Chairman: Thank you, Mr. Tolly. At this point right now there has been a lot said tonight up here at the Council and also with the Council's request, but I think also Mr. Tolly's point about open-debate and discussion about the issues with the people is awfully good, but also my phone rings my numbers are all listed. I know Mr. Mitchell the other day we talked and we talked so long that he had to tell me to shut up because he had to go back to work. We talked for over an hour about some of these that we've talked about here. So I think we're all receptive to the open discussions on the Council floor but I as one, I can't speak for the entire Council like the work like the work and talk with folks on an individual basis as well. I think the people of my district understand that. I know here tonight I probably disappointed some of the people in my district, but I voted the way I thought would be best for the entire County. Mr. Mitchell, I wish you great success tomorrow night, you know that and with that project. And I'm firmly

with you on that and you understand as well through our discussions. With that said we stand adjourned.

ADMINISTRATOR'S REPORT:

- (a) Letters of Appreciation:
 - 1. For: Mrs. Rosemary Jones-Building and Codes Office From: Pastor Alan Cain (Bethel Church of God)
 - 2. 1For: Mr. Hunnicutt and Crew From: Mr. Larry Knighton, Principal New Prospect Elementary School and Ms. Cindy Perry and Ms. Terry Sullivan, Playground Committee Chair & Co-Chair
- (b) Minutes:
 - 1. Transportation Division Safety Minutes - August 21, 2001 meeting
 - 2. Sports and Entertainment Center Board Minutes - August 27, 2001 meeting
- (c) Reports:
 - 1. Detention Center Litter Report - August 13-17, 2001
 - 2. Detention Center Litter Report - August 20-24, 2001
 - 3. Recreation Fund Report
- (d) Sports and Entertainment Center Remaining 2001 Schedule
- (e) Board of Education Letter of Support for postponing Reassessment

There being no further business, Council adjourned at 9:50 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL

Attachments: Exhibit A
Exhibit B