

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – August 19, 2003 – 6:00 p.m.
Linda N. Gilstrap, Clerk to Council

AMENDED

(SEE PAGE 4; 3RD PARAGRAPH)

M I N U T E S

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

Vice Chairman Larry E. Greer – District #3 Presiding

G. Fred Tolly – District #1

Gracie S. Floyd - District #2

Clint Wright – District #4

Mike Holden – District #5

M. Cindy Wilson – District #7

Joey Preston – Administrator

Tom Martin – County Attorney

Linda N. Gilstrap – Clerk to Council

Tammie Shealy - Deputy Clerk to Council

ABSENT

Chairman William C. Dees – District #6

(During times of discussion and presentations the minutes are condensed and paraphrased.)

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, August 19, 2003 at 6:00 p.m.

Vice Chairman Larry Greer called the meeting to order and welcomed all present.

Vice Chair Greer informed everyone that a cement truck loaded with explosives crashed into the United Nations Head Quarters in Iraq killing and wounding numerous people. Council observed a moment of silence in respect and honor of all who lost their lives and those who were wounded.

Ms. M. Cindy Wilson gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America.

Ms. M. Cindy Wilson moved to approve the July 15, 2003 minutes as mailed. Mr. Wright seconded. Ms. Wilson called the Clerk's attention to a correction on page 3 - bottom: "Little Creek" should read "Paulan Road." Vote was unanimous to approve the minutes with the one change.

Vice Chairman Greer explained that Chairman Dees was undergoing routine medical tests and was unable to attend the meeting. He sent his regrets for being unable to attend.

Citizen Comments:

Mr. James McVay from the Airy Springs Road area and the Wren Community explained to Council of their communities' share of tragedies on the roadways in the last 5-10 years. As a community banded together, they wanted to take a proactive approach rather than a reactive approach; to protect the citizens and their children on the roadways. He asked for approximately 15 minutes at the next meeting to present some proposals for some type traffic calming devices in their area. Vice Chairman Greer said that Council looks forward to working with them on the next agenda. Mr. Gregory Sears said that last month they had the support of boards and chiefs of Iva,

Pendleton, and Belton to support the EMS Commission who are present to do a presentation for Ms. Cindy Wilson. He said that they still had the endorsement of all three squads of the recommendation to be presented later on in the meeting. Mr. Brooks Brown recognized Ms. Gracie S. Floyd for being honored for receiving the Democratic Leadership Council's Award for the Most Innovative Leader of the Year. Mr. Brown requested that on the agenda a more informative description of agenda items be given so that the public will be able to see what is coming up. Ms. Gloria Plotnic, President of the Anderson County Branch of the NAACP, spoke on the move by the Sons of the Confederate Veterans to raise two confederate flags in front of the Courthouse. She said she was appalled at the notion of raising a symbol of hatred, a symbol of oppression, of raising a symbol of racism. She also said that she was appalled at the notion of raising a symbol that is not unlike the swastika and appalled that anyone would consider soiling the face of the County courthouse by placing such an evil mask of hatred upon it. She said that she can only think of how far the County has come and the consideration of placing two confederate flags in their "front yard" would cause irrefutable damage to the effort of unity in this great city and create clear divisiveness. She said that the Opinion of a Law by this group, a former attorney general, is just that – an opinion - which everyone has one. She said that the Anderson County branch of the NAACP implores the Council to say "no" to the appalling request. Mr. Dan Harvell offered an invitation for a town hall meeting at the Greenville County Library (August 28). The title of the meeting is "Your Property Rights At Risk" and he thinks it would be in the best interest of the County and the entire area to attend.

Vice Chairman Greer announced that the agenda needed a couple of changes. He said that council needed to add the "Certification of County Millage" to the agenda and also a request by Mr. Clint Wright. Mr. Tolly moved to amend the agenda by adding the Certification of the Millage and Mr. Wright's request by approval of Resolution #R2003-064. Mr. Holden seconded the motion. Ms. Wilson said that she was concerned that this was very important and there had not had adequate time to read and understand what Council is voting on. Vote to add the items to the agenda was unanimous.

Item #6c was moved to item #6b to allow the discussion of the two ordinances simultaneously. Council agreed.

Mr. Tolly moved to allow the County Administrator, on behalf of the Anderson County Council, to execute the required certification for the County millage to the County Auditor. Mr. Wright seconded. Mr. Tom Martin, County Attorney, explained the request. He said that the Auditor was asking the Council to certify that the legal processes for setting the County millage as set forth by the South Carolina Code was followed this year. S.C. Code Section 12-43-285 establishes procedures for setting County millage and sets certain limitation on those procedures and the millage. Mr. Martin stated that it was his opinion that the procedures to be followed have been met specifically and precisely by the County Council. Ms. Wilson stated that Council doesn't know the millage, or the value of a mill, because we don't the total assessed value, Council never had budget workshops, the budget was never adjusted to reflect actual economic conditions or actual priorities that the citizens are most concerned about so she said she was concerned that Council never followed the budget process like they should have. Mr. Greer asked if the Auditor's office require the same type certification from all the other taxing entities within Anderson County – the five school districts, the Alternative School and the other taxing entities that the County has. Mr. Martin replied that the Auditor said she was requiring the same certification from every political subdivision in the county that levies a tax that will appear on the Anderson County tax bill. Mr. Wright asked Mr. Martin, just for clarification, if what Council was voting on was certifying that

state law was followed. It does not lock in a millage rate or the budget. The County could go back mid-year and make budget revisions. Mr. Martin responded that Mr. Wright was correct and Council has done everything they can to set the millage. He said Council has set the dollar amount on which the millage must be based. (When the value of a mill is known, including the roll-back, any bring up that Council has authorized the millage has to be set in that specific amount to meet that dollar amount.) Council can then change or amend as necessary. Mr. Greer stated that he opposed the adoption of the budget based on the fact that his constituents are heavily taxed by the school districts in particular so he would oppose this also. He understands that the "letter" of the law has been followed but he disagrees with a budget that included a tax increase. Vote was four in favor (Floyd, Wright, Tolly, Holden) and two opposed (Greer, Wilson). Motion carried.

Vice Chairman Greer read Resolution #R2003-062 – a resolution recognizing and honoring Anderson County Councilwoman Gracie S. Floyd on her selection as the 2003 Innovator of the Year by the South Carolina Democratic Leadership Council; and other matters related thereto. On the motion of Mr. Holden, seconded by Mr. Tolly, Council voted five in favor and Ms. Floyd abstained. Mr. Mike Holden presented Ms. Floyd with a framed copy of the Resolution and congratulated her for her outstanding achievement. Vice Chairman Greer read Resolution #R2003-063 – a resolution recognizing and honoring Anderson County Councilwoman Gracie S. Floyd on her election as President of the South Carolina Coalition of Minority County Officials; and other matters related thereto. Mr. Tolly moved to approve and Mr. Holden seconded. Vote was five in favor and one abstention (Floyd). Council congratulated Ms. Floyd on her achievement and presented her a framed copy of the resolution.

Vice Chairman Greer read Resolution #R2003-060 – a resolution recognizing the Cancer Association of Anderson for being selected as a Lance Armstrong Foundation Grant Award recipient for 2003; and other matters related thereto. Mr. Wright moved to approve and Ms. Wilson seconded. Vote was unanimous. The framed Resolution was presented to Mr. Garrick Chidester from AnMed and Ms. Sarah Shaffer from the Cancer Association.

Ms. Gracie S. Floyd read a proclamation proclaiming the month of September 2003 as Diversity Month in Anderson. Ms. Wilson moved to approve the proclamation and Ms. Floyd seconded. Vote was unanimous.

Ms. Floyd thanked the following individuals who participated with the Whitner Street trash cleanup: Lorenzo Curry, Tarrence Martin, Eric Gambrell, Maurice Davis, Mon Clemens, Jemal Clemens, Michael Hall and Jessica Clemens. She said that young people do care and all adults have to do is set an example. Ms. Floyd also thanked a young couple that repaired the county flag. Ms. Kimberly Spears was also recognized.

Ms. Kimberly Spears asked Council for support of the summer art camp scholarships in the amount of \$2,100. Council received as information.

Council recognized Mr. Dwayne Paul and Mr. Shaun Brown for their special recognition for "Stars of Life" award, which is given to EMS professionals who symbolize an exemplary spirit and commitment to Emergency Medical Services. Framed certificates were presented to Mr. Paul and Mr. Brown. Council congratulated them and thanked them for their outstanding dedication to their jobs.

Council recessed at 7:00 p.m. Mr. Greer called the meeting back to order at 7:15 p.m.

Mr. Kent Berg appeared next before Council. Mr. Berg reminded Council that the members of the commission were hand picked by Council to act as their representatives in reviewing, evaluating, researching, and making recommendations on all issues involving emergency medical services. For the past few years, he said, they had worked diligently to do that. The first year was a learning experience as they tried to obtain as much knowledge and information about the County as possible. Since that time, the Commission has made some strong well thought out decisions and recommendations to council regarding upgrading or changing issues in EMS. Several months ago, the Commission put together a recommendation that the county operate a Quick Response Vehicle. These are light duty vehicles staffed by one paramedic and equipped with advance life support capabilities that are generally placed in areas where it is not economically feasible to place an ambulance. This allows the EMS Commission to provide service to areas not normally serviced and to do so with rapid response and high-quality care. The Commission in March signed the recommendation and sent to County Council for their information. They said that for some reason the recommendation might not have made it to Council. In response to that Council asked the Commission to revisit that proposal and they did last Thursday night. The Commission reviewed proposals for the operation of QRV that were made by Honea Path Rescue Squad, MedShore Ambulance Service and revisited the proposal by a member of the EMS commission that put together a proposal that would require the operation of the QRV by the County. Then they revisited all the issues and at that meeting they reaffirmed their recommendation to County Council in a letter dated August 15 that the County adopt the proposal for the County to operate and staff a QRV in the County. Mr. Holden asked Mr. Berg who put the proposal together and he responded that Mr. Doug Hooper a member of the EMS and a full-time paramedic with the Greenville EMS system. Ms. Wilson said that individual members of Council could contact county officials if they have questions. She said that this was a very important matter that Council would soon be voting on.

Vice Chairman Greer presented third and final reading of Ordinance #2003-029 – an ordinance authorizing the transfer of certain Anderson County Real Property known as Michelin Boulevard, and more specifically identified as Anderson County Road C-09-0383, to the South Carolina Department of Transportation; authorizing the transfer of other property related to the Michelin Boulevard Project; authorizing the execution and delivery of a real property deed related to the same; and other matters related thereto. Ms. Wilson moved to approve on third and final reading and Mr. Wright seconded. Vote was unanimous.

Vice Chairman Greer read Ordinance #2003-031 - an ordinance pertaining to reimbursement of Anderson County Personnel, including County Council Members for telephone calls made in the capacity of a representative, or on behalf of the citizens of Anderson County; and other matters related thereto. Ms. Wilson moved to approve the ordinance on first reading and Mr. Wright seconded. Council discussed. Ms. Wilson stated that approximately 2 weeks after she had requested Mr. Martin to draft an ordinance and Mr. Dees made a similar request. Mr. Dees stated for the record that he had offered a request to the County Attorney for an ordinance for phone reimbursement the next morning after Ms. Wilson's request as opposed to two weeks after. She read a majority of her ordinance and asked that "such as phone bills" be added in the 5th paragraph to the 5th line between the words "adequate documentation" and "indicating the particular telephone charge(s)..." She moved to amend to add the words described above. The amendment died from lack of a second. Mr. Wright said that it was already covered in the ordinance under item one. Ms. Wilson moved to table the ordinance to allow for discussion of the next item. Mr. Wright seconded and vote was unanimous.

Vice Chairman Greer read title of Ordinance #2003-033 – an ordinance establishing procedures and standards for reimbursement of expenses incurred in the course of official business on behalf of, or under contract to Anderson County, South Carolina; and other matters related thereto. Ms. Floyd said that Ordinance #2003-033 is more comprehensive and would meet Council's needs much better than Ms. Wilson ordinance (2003-031). Mr. Wright moved to approve and Ms. Wilson seconded. Mr. Greer said that he noticed in both ordinances something that concerned him. He said that the phone charges could be used through the Freedom of Information Act if Council passed the ordinance as originally written that may concern delicate confidential Economic Development numbers so he requested that Mr. Martin prepare an amendment for Council to take care of his concern. Mr. Greer explained his amendment. Mr. Greer moved to approve the changes as discussed in the ordinance. Mr. Tolly seconded. Ms. Floyd asked that any information of this type be given as early as possible. Vote on the amendment was unanimous. Vote on Ordinance #2003-033 was five in favor and one abstention (Ms. Wilson). Motion carried.

Vice Chairman Greer read first reading of Ordinance #2003-032 – an ordinance authorizing a fee-in-lieu of tax arrangement on behalf of Orian Rugs, Inc. (The "Corporation") pursuant to a lease agreement between Anderson County, South Carolina (The "County") and the Corporation; authorizing the issuance of an infrastructure credit to the corporation pursuant to an infrastructure financing agreement between the corporation and the County; and other matters relating to the foregoing. Mr. Wright moved to approve on first reading and Ms. Wilson seconded. Vote was unanimous.

Vice Chairman Greer presented first reading of Ordinance #2003-036 – an ordinance authorizing an amendment to a lease agreement dated as of December 1, 1996 between Anderson County, South Carolina (The "County") and Michelin North America, Inc. (the "Company") with regard to the period of time in which the company is permitted to complete the project and an amendment to include additional investment criteria for the Company; and other matters relating to the foregoing. Mr. Tolly moved to approve the ordinance on first reading and Ms. Wilson seconded. Vote was unanimous.

Mr. Tolly moved to appropriate \$1,000 from District #1 Recreation funds for the Cancer Association of Anderson. Ms. Wilson seconded and vote was unanimous.

On the motion of Mr. Tolly, seconded by Mr. Wright, Council voted unanimously to approve an appropriation in the amount of \$2,000 from District #1 Recreation Account for the Foothills Alliance. Vote was unanimous.

Mr. Tolly moved to appropriate \$600 for the Spring Anderson Recreational Girl's Softball program and the funds to come from District #1 Recreation funds. Mr. Wright seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$1,000 from District #1 Recreation Funds for the Balloon Federal of America. Ms. Floyd seconded and vote was unanimous.

Ms. Floyd moved to appropriate \$300 for the Arts Council from District #2 Recreation Account. Mr. Tolly seconded. Vote was unanimous.

Ms. Floyd moved to appropriate \$1,100 from District #2 Recreation Account for the East Shalom Agency which is affiliated with the East Toxaway United Methodist Church. Seven hundred dollars (\$700) is to go to the East Affiliation so they can put on the health fair at the Alternative School and the other \$400 will go through the East Shalom Association for the Concerned Citizens of the East Side of Anderson for their back to school party. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved to appropriate \$1,000 from District #5 Recreation Account for the Anderson All-stars Little League team. Ms. Wilson seconded and vote was unanimous.

Mr. Holden moved to appropriate \$300 from District #5 Recreation Account for the Arts Council. Mr. Wright seconded and vote was unanimous.

Mr. Holden moved to appropriate \$2,500 from District #5 Recreation account to the Balloon Federal of America. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved to appropriate \$1,000 from District #5 Recreation Account for Boy Scout Troop 10 in the Homeland Park area. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved to appropriate \$5,000 for the Homeland Park Elementary School PTO to help purchase recreation equipment. The funds to come from District #5 Recreation Account. Mr. Tolly seconded and vote was unanimous.

Mr. Holden requested that Mr. Hopkins get bids for paving and grading work at the Center Rock Fire department.

Mr. Greer moved to appropriate \$400 from District #3 Recreation account to the Iva Recreation Association to help cover some of the All-stars expenses. Mr. Wright seconded and vote was unanimous.

Mr. Greer moved to appropriate \$500 from District #3 paving account for the City of Belton to help with minor paving projects. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to appropriate \$1,358 to scrap and add crush run to the east sewer lagoon driveway in the Town of Iva. The funds will come from District #3 paving account. Mr. Tolly seconded. Vote was unanimous.

Mr. Greer moved to appropriate \$186 from District #3 paving account for a load of crusher run for the Town of Iva to be delivered to their water department to make repairs on non-state roads. Mr. Holden seconded and vote was five in favor and one abstention (Tolly). Motion carried.

Mr. Greer moved to appropriate \$500 for a driveway pipe at 105 McKee Street in the Town of Iva. The funds will come from District #3 paving account. Mr. Tolly seconded and vote unanimous.

Ms. Wilson moved to appropriate \$300 from District #7 Recreation Account for the Arts Council (scholarships). Mr. Tolly seconded and vote was unanimous.

Ms. Wilson moved to appropriate \$300 from District #7 Recreation Account for the Town of West Pelzer for their recreation activities that includes senior citizens meetings. Mr. Holden seconded and vote was unanimous.

Ms. Wilson moved to approve a pipe request for \$500 for the Town of Williamston (Lee Street) for a driveway apron and \$500 for a driveway pipe in Honea Path (Country Side). The funds to come from District 7 Paving account and Mr. Tolly seconded. Vote was unanimous.

Ms. Wilson moved to appropriate \$2,040 for the for extension of the packing lot at the Cheddar Fire Department and the funds to come from the District #7 paving account. Mr. Greer seconded and vote was unanimous.

Ms. Wilson moved to add the following roads to the District #7 paving list/contract:

C-07-0085C Burks Street
C-01-0196 Fuller Street
C-07-0041E Briar Ridge West
C-07-0039E "G" Street
C-14-0088A Wildwood Drive
WM 07-2107 Main Street
HP 19-1776 Hunt Street
HP 19-1675 Gilmer Drive
HP 19-1672 Gasaway Court
HP 19-1695 Holly Street
HP 19-1757 Virginia Avenue

Mr. Wright seconded the motion and vote was unanimous.

Mr. Wright moved to add to the District 4 Paving list/contract Pine Knoll Road, Sleepy Hollow, and Seven Oaks in the amount of \$59,431. Vote was unanimous.

Mr. Wright moved to ask the Administrator to allow Mr. Hopkins to add Refuge Road to his projects list (\$106,000) so that the road can be put out for bid. Refuge Road was washed out several weeks ago and must be repaired, he said. When the bid comes back then he will adjust his paving list appropriately. Mr. Tolly seconded and vote was unanimous.

On the motion of Mr. Wright seconded by Mr. Holden, Council voted unanimously to approve the acceptance of Sandalwood, Ashland Chemicals, and Pier Thirty Three Subdivisions into the County road system.

ADMINISTRATOR'S REPORT:

- a. Chairman Dees appointed to SCAC's Public Safety, Corrections and Judicial Steering Committee
- b. Ms. Grace S. Floyd thanked for Anderson County's participation in the CAT program
- c. Mr. Mike Freeman, Assessor appointed to S.C. Department of Revenue's Advisory Board
- d. Letters of Appreciation:
 1. For: Ms. Sharon Oliver (Assessor's Office) From: Millicent Cudd
 2. For: Mr. Holt Hopkins (Paving Crew) From: Resident of Pioneer Lane (C-09-041)
- e. Training: Mr. Gerald Shealy – Special Considerations for FEMA PA Projects, Public Assistance Operation I,

- f. Meetings/Minutes:
 - 1. Anderson County Development Partnership (July 15 agenda, July 24 agenda, August 19 Agenda)
 - 2. Anderson County Transportation Division's Safety Meetings – July 11, 2003, July 25, 2003 and August 8, 2003
- g. Reports:
 - 1. Recreation Report
 - 2. District Paving Report
 - 3. Road Maintenance Litter Report - July, 2003
 - 4. Detention Center Litter Reports: July 7-12, 2003, July 14-18, 2003, July 21-25, 2003, July 28-August 1, 2003, and August 4-8, 2003
 - 5. Anderson County Litter Report for June, July 2003
 - 6. Environmental Enforcement – Monthly Activity Report for June
 - 7. Environmental Enforcement – Monthly Training Report for June
 - 8. Environmental Enforcement – Monthly Animal Control Report for June
 - 9. Veteran Affairs' semi-Annual Operations Report
 - 10. Building and Codes Monthly Report (July)
- h. State Project to Replace Old Pendleton Road Bridge
- i. Letter from City requesting resurfacing of city streets
- j. Request for Emergency Meeting of the ACTC (Anderson County Transportation Committee)
- k. News Article – Highway Patrol Dispatchers moving to Public Safety Building
- l. Farmer's Market 2003 Season
- m. Expense Comparisons for Detention Center's population increase
- n. Detention center's Quarterly Report – Performance Indicators (April-June)
- o. Clemson Area Transit's One Millionth rider
- p. Departmental Budget transfers

There being no further business, the meeting was adjourned at 8:10 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL