

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – March 2, 2004 – 6:00 p.m.
Linda N. Gilstrap, Clerk to Council

AMENDED

PAGE 4

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

Vice Chairman Mike Holden – District #5

G. Fred Tolly – District #1

Gracie S. Floyd - District #2

Larry E. Greer – District #3

William C. Dees – District #6

M. Cindy Wilson – District #7

Joey Preston – Administrator

Tom Martin – County Attorney

Tammie Shealy - Deputy Clerk to Council

ABSENT

Linda N. Gilstrap – Clerk to Council

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

The official meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, March 2, 2004 at 6:00 p.m.

Chairman Clint Wright called the meeting to order and then asked Council Member Larry E. Greer to give the invocation. Everyone stood and pledged allegiance to the flag of the United States of America.

Ms. M. Cindy Wilson moved to approve the minutes from the February 17, 2004 meeting as mailed and Mr. Mike Holden seconded. Ms. Wilson said that there were mistakes in the minutes on page 4. She asked the clerk to correct. Vote on the amended minutes was unanimous.

Chairman Wright stated that he had a request to amend the agenda by changing item #6 (RECOGNITION OF KAB (KEEP AMERICA BEAUTIFUL) VOLUNTEERS) from recognition to a resolution. All members of Council have a copy of the resolution (#R2004-010) provided. Ms. Wilson moved to approve the amended agenda as discussed by the Chairman. Mr. Tolly seconded and vote was unanimous.

Mr. Larry E. Greer also asked that the agenda be amended to add Resolution #R2004-011 – a resolution dealing with two road closure. Mr. Holden seconded and vote was unanimous.

Citizen Comments:

Mr. Steven Pope talked regarding Resolution #R2004-008-a resolution related to air quality control measures. He said it was too many restrictions for development.

Mr. Brooks Brown stated that the County was having a lot of problems with the issue of taxes. He read in the Independent Mail that a town in Vermont was tired of being classed as a resort area and having to fund extra taxes for the State of Vermont for education purposes and most members of the Legislature agrees it is over funded. Today they are voting on succession – to leave the State of Vermont and align themselves with New Hampshire where they started in the first place. He mentioned several other cases

of succession. He asked County Council to consider succeeding from South Carolina. He suggested that Council appoint a committee to look into it.

Mr. Joey Preston announced that the Anderson County Voter Registration and Election Office were recently named the top Elections Office in South Carolina for improvements made by staff in 2003. Resolution #R2004-009 will be prepared and presented at the next meeting commending Ms. Patsy Brown and Staff for their outstanding achievement, Mr. Wright said. Staff and members of the Election Commission were recognized and thanked for their outstanding achievement.

Chairman Wright presented Resolution #R2004-010 – a resolution honoring residents and businesses for making a positive impact on the appearance of Anderson County, through beautification, litter pickup and prevention and waste reduction initiatives; and other matters related thereto. All volunteers were recognized and publicly thanked for the many hours of volunteer service to Anderson County.

S.C. Appalachian Council of Governments Director, Mr. Bob Strother gave an update on the services rendered in Anderson County in 2003 by COG. He said that the County's annual investment in the ACOG is \$74,948 and the return to Anderson County on that investment in 2003 was \$9,733,645 – a return on investment of \$130 to \$1. He then explained how the return on investment actually works. Mr. Strother also explained other additional services provided by COG to Anderson County and services planned for 2004. Council received as information.

Ms. M. Cindy Wilson introduced Mr. Charles Williams the Director and Manager for the T. Ed Garrison Arena. Mr. Williams explained that the Arena was built to enhance South Carolina's billion-dollar livestock industry. He said they host many 4-H, FFA functions and numerous farm animal days for area schools giving kids an opportunity to get hands-on with farm animals. It is an opportunity that many of the kids have not had the opportunity to do. The economic impacts from these events and the over 100,000 people who attend and support these events each year generates an estimated eight million dollars each year in economic impact. When a facility like this one who hosts a livestock function it is estimated that 75-80% of the attendees are from outside of the general area where the facility is located. Dr. Rebecca Hernandez also spoke regarding the horse industry. Council received as information.

Chairman Wright presented third reading of Ordinance #2004-002 – an ordinance authorizing an extension of the investment period under that certain fee-in-lieu of tax lease agreement between Anderson County, South Carolina and Electrolux Home Products, Inc. (F/K/A White Consolidated Industries, Inc., also know as, *Inter Alia*, Frigidaire Home Products), dated as of December 1, 1999; reauthorizing Special Source Infrastructure credits authorized under that certain inducement agreement between Anderson County and White Consolidated Industries, Inc., which resulted in the aforesated Fee-in-lieu of tax lease agreement; recognizing and consenting to the corporate reorganizations which have resulted in the change of name from White Consolidated Industries, Inc. (also known as *Inter Alia*, Frigidaire Home Products, Inc.); and other matters related thereto. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Wright presented second reading of Ordinance #2004-004 – an ordinance to amend Ordinance #98-019, as previously amended by Ordinances #99-029, #2000-063, #2001-014, #2001-046, #2002-017, #2002-036, #2003-022, #2003-047, #2003-051, #2003-053 and #2003-054 relating to the Industrial/Business Park of Anderson and Greenville Counties so as to enlarge the park. A public hearing was held and no comments were received. Mr. Tolly moved to approve and Mr. Holden seconded. Ms. Wilson stated that she must abstain because one of the projects named is involved in the park was a client of hers. Vote was six in favor on one abstention (Wilson).

Chairman Wright presented Resolution #R2004-006 – a resolution receiving, accepting, approving, and adopting the Anderson County self evaluation plan and the Anderson County Transition Plan pursuant to the Americans with Disabilities Act of July 1990 an Section 504 of the Rehabilitation act of 1973; authorizing the use of the existing Anderson County Grievance Procedure for use with the Self Evaluation Plan and Transition Plan; and other matters related thereto. Mr. Tom Martin explained the resolution. Mr. Dees moved to approve and Ms. Wilson seconded. Mr. Greer stated that as he read through the resolution it stated that the County accepted, approves and adopts the plan however the plan was not in the book and he has not seen a copy. Mr. Martin said that any costs associated with implementation of the resolution must come back to County Council for their approval. Mr. Greer said that he would vote in favor of the resolution however he would like to see the plan and would reserve the right to move to reconsider at the next meeting if he finds things contrary to what he would like to see in the plan. Mr. Greer also asked that consideration be given such as a shuttle bus for elderly/ill people that come to the Amphitheater and are unable to walk. Vote was unanimous.

Mr. Dees read Resolution #R2004-007 – a resolution requesting that the Anderson County Legislative Delegation of the South Carolina General Assembly introduce Legislation to rename a portion of South Carolina Highway 88 "The Captain Kimberly N. Hampton Memorial Parkway" to serve as a memorial to United States Army Captain Kimberly N. Hampton for giving her life in serving and defending the United States of America; and other matters related thereto. Mr. Dees moved to approve and Mr. Tolly seconded. Vote was unanimous.

Chairman Wright allowed a break at this time. The meeting was called back to order at 7:05 p.m.

Chairman Wright presented Resolution #R2004-008 – a resolution adopting the Air Quality Control measures, as proposed by the Upstate South Carolina Air Quality Steering committee's Early Action Compact Milestone March 2004 Progress Report pending modeling from the South Carolina Department of Health and Environmental Control that demonstrate Compliance by 2007 with the Federal Clean Air Act Standards, which require that Air Quality in every state meet health based National Ambient Air Quality Standards including a standard for ground level ozone; and other matters related thereto. Council heard from Vic Carpenter who stated that as of April 15, 2004, Anderson County would be declared non-compliance or not in attainment for air quality standards this resolution would allow the County to avoid the penalties that come with being in non-compliance and also give the county 5 years to become in attainment. Mr. Dees moved to approve and Mr. Holden seconded. Mr. Greer said that he understood the importance of Council supporting the document. He said that he has concerns such as funding for a "coordinator", incentives for automobiles – on page 51 there are incentives for automobiles and part of the incentive structure calls for a fee to be paid by the purchaser of an automobile that does not get good gas mileage. This is actually a de-valuation of a person's property, he said. On page 53, there is a provision for elimination of property tax reduction for high mileage vehicles. The County would be changing the method for valuing automobiles for property tax purposes. He said that by voting to adopt the plan as the resolution is worded the Council could give the impression that they are endorsing and supporting everything contained in the plan and he personally has some serious difficulties with several items contained in it. Mr. Greer then moved to amend the resolution on page 2; under the first "Now, therefore" in the sixth line, after the fourth word, between "document" and "and" to insert these words: "and Anderson County Council does not endorse any particular strategy contained in the Early Action Compact," Ms. Wilson seconded. Council discussed. Mr. Greer called for the question and vote was unanimous. Vote on the amendment was three in favor (Greer, Wilson, Wright) and four opposed (Holden, Tolly, Floyd, Dees). Amendment failed. Ms. Wilson stated that since Council had until March 31 that it be delayed and discussed at the retreat on Thursday. Mr. Tolly called for the question

and vote was six in favor and one abstention (Wilson). Vote on the resolution was five in favor, one opposed (Greer), and one abstention (Wilson). Motion carried.

Mr. Greer talked about Resolution R2004-011 – a resolution to consider the proposed abandonment of Kelly's Park C-18-90 in Council district #3 and proposed abandonment of Gravel Section off Old Abbeville Hwy. C-15-112 (Council District #5). Mr. Holt Hopkins recommended the adoption of the resolution to abandon the roads as presented. Mr. Greer moved to approve and Mr. Holden seconded. Vote was unanimous.

Mr. Dees moved to reappoint Mr. R.E. Riddle to the Economic Advisory Board for another term. Mr. Tolly seconded and vote was unanimous.

Mr. Greer moved to reappoint Mr. Julian Jones to the Purchasing Review Panel for another term. Mr. Holden seconded and vote was unanimous.

Ms. Wilson moved to appoint Ms. Page Rice to the Sports and Entertainment Board and Mr. Holden seconded. Vote was unanimous.

Mr. Tolly moved to appoint Dr. Stuart M. Barnes to the EMS Advisory Committee. Mr. Greer seconded and vote was unanimous.

Chairman Wright recommended to Council that Mr. Mike Holden, Mr. John Lummus, Mr. Robert Lujack Orr, Mr. Al Young, Mr. Joey Preston, and Mr. Larry Greer be reappointed/appointed to the Anderson County Development Partnership. Chairman Wright then moved to appoint/reappoint the list as read. Mr. Tolly seconded and vote was unanimous.

Mr. Holden moved to appropriate \$1,800 from District #5 paving account for the Westside Athletic Department for needed safety equipment. Ms. Floyd seconded and vote was five in favor, one opposed (Greer), and one abstention. (Tolly). Motion carried.

Mr. Greer moved to appropriate \$700 from District #3 Recreation Account to purchase park equipment at the Grove Community Park. The County will do the work. Vote on the appropriation was unanimous.

Ms. Floyd moved to appropriate \$1,000 for the Shalom House and the funds to come from District #2 Recreation funds. A second was made and vote was unanimous.

Ms. Floyd moved to appropriate \$300 for a clean up project for Broadway Lake and the funds to come from District #2 recreational account and go to KAB. A second was made and vote was unanimous.

Mr. Dees moved to appropriate \$600 to the Hurricane Springs tennis court for repairs upon receipt of an invoice. The funds will come from District #6's recreation funds. Vote was unanimous.

Mr. Dees moved to appropriate \$6,000 to the Wren Youth Association for the public recreation programs from District #6's recreation Account. Mr. Greer seconded and vote was unanimous.

Ms. Wilson stated that there was a misprint in the Departmental Transfers – in referring to an appropriation made from district #7's paving account – in the packet it said it was for the Town of West Pelzer however it was clearly stated that it was for the Town of Pelzer. This involved a paving and a drainage project. Ms. Wilson stated that she still has not received the GLR110 weekly report – she asked Mr. Preston when she could expect the report. He said he would get with staff and see. She said

that at the last council meeting she requested the monthly Solid Waste tonnage reports for 2002 and 2203. She asked Mr. Preston when should she expect the document requests. She said concerning the Elliot Davis Management Letter and the fact that she received the document only when she met with Elliot Davis. She encouraged Council to consider budget workshops.

Mr. Dees asked Mr. Preston to explain the Management Letter.

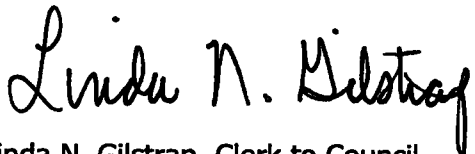
Mr. Greer said that Mr. Fred Bratcher, a former member of the County Council, passed away a couple weeks ago. He said that a member of Mr. Bratcher's Sunday school wrote a poem in memory of him. He read it to the Council and audience.

ADMINISTRATOR'S REPORT:

- a. Letters of Appreciation: For: Mr. Bob Daly and Staff From: Mr. Todd R. Davidson
- b. Reports: Detention Center Litter Report for February 9-12, 2004, February 16-19, 2004
- c. Minutes: Transportation Division Safety Meeting Minutes of February 20, 2004
- d. Beaverdam Creek Conservation Plan correspondence
- e. Proposed Abandonment of Gravel Section of Old Abbeville Hwy. C-15-112
- f. Letter to Gresham Barrett regarding Broadway Lake Road Bridge and spillway
- g. Change in Voting Equipment prior to November 2004 General Election
- h. The Duke Energy Foundation – check for Anderson County Museum
- i. Elliott Davis' Management Letter and Responses by Finance Manager
- j. Departmental Transfers

There being no further business, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Linda N. Gilstrap". The signature is written in a cursive, flowing style.

Linda N. Gilstrap, Clerk to Council