

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Regular Meeting – May 20, 2003 – 7:45 p.m.
Linda N. Gilstrap, Clerk to Council

AMENDED
MINUTES

All area newspapers, radio stations and television stations were informed of this meeting in compliance with guidelines set forth in the *Freedom of Information Act*.

PRESENT

Chairman William C. Dees – District #6, Presiding
G. Fred Tolly – District #1
Gracie S. Floyd - District #2
Vice Chairman Larry E. Greer – District #3
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

(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, May 20, 2003 at 7:45 p.m.

Chairman Bill Dees called the meeting to order and welcomed all present. Mr. Fred Tolly gave the invocation and everyone stood and pledged allegiance to the flag of the United States of America.

On the motion of Mr. Larry Greer, seconded by Mr. Mike Holden, Council voted unanimously to approve the minutes from the May 6, 2003 meeting with changes as discussed by Ms. Wilson and Mr. Dees. Ms. Wilson asked that the discussion of state cut backs on page 6 be transcribed in a more complete form regarding the discussion on state cutbacks.

Mr. Holden moved that Item #4 be moved up to the next item on the agenda. Chairman Dees seconded and vote was unanimous.

Mr. Mike Holden moved to approve third reading of Ordinance #2003-010 – an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to adopt a zoning map in the Centerville A Voting Precinct with all changes that occurred on second reading. Mr. Tolly seconded the motion. Vote was unanimous.

Mr. Mike Holden moved to lift the moratorium in the Centerville A Voting precinct and Ms. Wilson seconded. Vote was unanimous.

Citizen Comments: Mr. Charles Crowe said that he heard from several members of the state legislature that taxing authorities such as counties, school districts and etc who use reassessment as a windfall – the Legislature will go to Columbia and change it. He said there was not a person who knew that did not have feelings for the poor, handicapped and those who live on fixed-income. People who have only one check coming in, as income will lose their homes. He said the Anderson County Tax Payers Association is asking for pledges so before a Senior citizen loses their home – the taxpayers association will pick it up. Mr. Ricky Whitlock said that everyone involved with the taxicab business in Anderson was in agreement with the proposed taxicab ordinance that is up for a public hearing and second reading. Ms. Bennie Sue West gave examples of how the budget could be cut. She said that there were high costs for meals, fuel and oil and others. Mr. Rodney Sanders told Mr. Greer that other districts are also hurting because of high taxes. He

said that now the County had 4 people doing what one person used to do. He asked council to go back and take a look at the budget. **Mr. Dan Harvell, Citizen:** "Mr. Chairman and members of Council, concerning the budget that you approved tonight; but first of all I'll say that I appreciate Mr. Martin's eloquent explanation as to how that works - the mileage rollback. I think he did a good job of doing that. But, I want to say beyond that, there were more things that could have been done here. Something I just heard tonight Mr. Greer say. Mr. Greer just said that at a dinner that you all had with the County delegation that a double whammy was coming. That you were going to be facing this again. Well, folks if you knew that tonight, that was enough reason there alone for you to not approve this budget as it was placed and send it back. Now you've been told, you've been told by one of the sources of your money that's obviously so important to the County that State Legislator. You've been told by one of the Legislators that it's coming again. And you knew that. And so many of these things you knew in advance. You do as a County Council have control over the final input the budget makes no matter how many, no matter how much you care or want to blame the State and the other sources of revenue drying up. You knew in advance the projected increase in property across Anderson County to be in the range of 20-25%. All you had to do was do your homework and look at what Greenville County went through about a year ago to have seen what's going to happen here. You could have instructed, if you did give instruction, to the Administrator to make sure that he cut the budget back enough so make sure we didn't have to go through what we're going through now, of using the windfall to meet the budget. You just didn't have to do it. Our County is, our County budget in many ways is disproportionate to some Counties that, that, that neighbor us. I was on the Greenville County's website today and just notice one thing that the Administrator did over there. He just dropped 29 vehicles from the County for the new budget year to help with the budget falls over there. Now Mr. Greer always tells us that your money - he goes through the budget page by page, and I appreciate Mr. Greer you voting against this budget tonight. But I want to say, this should have started before a no vote tonight. This should have started all before now because we knew what was coming and there was a way to avoid this. And to those people who are looking at this on Wednesday evening, you should know when one gentleman that spoke here asked the people who were against taxes to stand; and you notice, if you don't follow these, if you don't come to County Council meetings, you'll know that a lot of people did not stand. I would ask those viewers to realize that most of those people who did not stand were County employees or people here that have an association with the County business-wise in one form or another. Thank you very much."

Mr. William Dees, Chairman: "Thank you Mr. Harvell."

Mr. Joey Preston, Administrator: "Mr. Chairman, just uh one comment, the Administrator in Greenville, who referenced dropping 29 vehicles. I would like to remind Council that we have abs-, that we have zero budgeted in next year's budget for capital. We dropped more than 29 vehicles. We've dropped probably between 500,000 and a million dollars worth of capital."

Mr. William Dees, Chairman: "Thank you Mr. Preston."

Chairman Dees explained that he had received a request to amend the agenda to add an item to hear from Mr. Vic Carpenter regarding the Air Quality Steering Committee. Chairman Dees moved to amend the agenda and Mr. Tolly seconded. Council voted unanimously to approve the amended agenda in the form of adding Resolution #R2003-040 to the agenda.

On the motion of Chairman Dees, seconded by Mr. Greer, Council voted unanimously to approve Resolution #R2003- a resolution recognizing and honoring current Anderson County residents Captain Mike Morton and his wife Captain Nettie Morton for their service and dedication to the Salvation Army of Anderson and the Anderson County community; and other matters related thereto. Chairman Dees and Mr. Fred Tolly presented Capt. and Mrs. Morton a framed resolution and thanked them for what they have done for the County.

On the motion of Mr. Tolly, seconded by Mr. Holden, Council voted unanimously to approve Resolution #R2003-036 - a resolution recognizing and honoring Robert G. Austin, DMD for winning the Anderson Area Chamber of Commerce 2003 Small Business "Success" Award; and other matters related thereto. Chairman Dees presented Dr. Austin with a framed resolution and thanked him for his service to Anderson County citizens.

On the motion of Chairman Dees, seconded by Mr. Tolly, Council voted unanimously to approve Resolution #R2003-037 – a resolution recognizing and honoring Sargent Metal Fabricators, Inc. and its principals for winning the Anderson Area Chamber of Commerce 2003 Small Business "Success" Award; and other matters related thereto. Mr. Tim Hayden and Mr. Donnie Sargent were presented a framed copy of the resolution. Council thanked them for their service to the citizens of Anderson County.

Ms. Elaine Rollins, Chairman of the Human Resources Committee, presented Ms. Linda Moon as Employee of the Month for April 2003. Ms. Moon was presented special gifts in recognition for achieving Employee of the Month. Council thanked Ms. Moon for her outstanding job performance.

The following is a verbatim transcript of Mr. Larry Greer's remarks.

Mr. Greer: "Mr. Chairman before you move to the next item could I have the floor, please?"

Chairman: "Mr. Greer."

Mr. Greer: "Thank you. I listened as some of the comments were made during the Citizens Agenda or Citizens Comments and it appears that some folks have a crystal ball and they can look into that crystal ball and determine what I as a Council member have or have not done. To stand there and say "you should have done this and you should have that" makes a statement that they know that I didn't. I don't believe they do. You don't know what I do. You have no concept. You doubt my motives. You doubt my motives in how I vote when I vote up here. Have no doubt in your mind that when I vote I'm voting my convictions – my convictions on how I should best represent the people who have elected me to sit in this chair. I do not seek nor ask for the endorsement of the Anderson County Taxpayers Association. I do not vote in order to please that organization. When I vote, I vote to please the people that elected me in the elections who put me in this chair. And I've often used this phrase in talking about some of the people who are critical no matter what you do. Some of you, I believe, if I bought you a gallon of ice cream and gave it to you for free, it would be the wrong flavor. I really do. You stood up there tonight-you questioned my motives, you questioned my integrity, and you questioned why I voted a certain way. You don't read my mind and you don't follow me around the hours of the day to know what I did and until you do I think you ought to refrain from making those judgment calls. Thank you, Mr. Chairman."

Mr. Carpenter said that the Air Quality Steering Committee had recommendations for compliance with the early Action compact for Air Quality. He said that in 1997, EPA changed the definition from a one hour standard to an eight hour standard which means air quality was now based on eight hours of cumulative results. The air didn't change however the numbers that would be used did. This made it eight times easier for air to be considered polluted in Anderson County entering a status of non-compliance. The Upstate Early Action Compact is a "window" that has been given the upstate to join together in a voluntary compact to come up with voluntary measures that can bring our air quality into those 8-hour standards and avoid any possible EPA involvement in Anderson County and the upstate. Chairman Dees moved to accept the recommendations by the committee and Mr. Tolly seconded. Vote was unanimous.

Ms. Cindy Wilson urged all of members of Council to really look at the County expenses and prioritize. One example she said that needed to be looked at was a table in the back of the County's comprehensive report showing some of the expenses that the County has had by years. In 1997 for education and training the County spent \$1,601,396. Knowing how important education is, Council should still look at this because the past year Council spent almost \$5,000,000. Council needs to ask themselves if there are some areas that could be deferred for another year perhaps cutting \$2,000,000 from education and deferring until next year. For example, the County has two new departments and one has a \$50,000 advertising budget, it appears that is where the County is paying for radio advertising on a specific local station and a local print advertising like in the form of a brochure that went to all households. She also said that one of the most egregious things in the agenda packet – another agreement with the city for expanded sewer infrastructure. **Ms. M. Cindy Wilson, Council Member:** "And if any of us have studied our, Comprehensive Financial Statement then you will see that we really are not using but about a third of our existing sewer infrastructure according to our own book. It's apparent that there is a need for expansion at the Generostee Creek Plant. Looking at those numbers sometime back, we're close to not only what's allocated but close to capacity, so I would certainly agree that we need to do that. At the Rocky River Plant, we're looking at, putting in a stream leg

that's probably greater than the DHEC model would confer. At looking at our sewer revenues, we had a huge loss in the sewer fund last year, so these are the types of things, and we'll get to that on the agenda shortly, but nobody of us has taken the time to really look at the way we're spending our money. It's apparent because a majority voted for this budget. I just ask that we look at it again. I'm not going to go any further because it's already late tonight. We've been through rehashing it. Bottom line remember, population did not grow in this county at a level that correlates with our expenses, so that indicates very seriously that we have expenses that can be cut, that should be cut, and we're not looking. Thank you."

Council took a 5-minute recess at this time.

Chairman Dees read the title for second reading consideration of Ordinance #2003-020 – an ordinance providing for the regulation of taxicabs and taxicab services in Anderson County, South Carolina; and other matters related thereto. A public hearing was held and Mr. Ricky Whitman asked Council to approve the taxicab ordinance so that they will be able to collect on fees that their customers try not to pay. No further comments the public hearing was declared closed. Ms. Floyd moved to approve on second reading and Mr. Tolly and Chairman Dees seconded. Mr. Greer asked the county attorney if the County had state laws that were not being enforced and the County Attorney replied yes. Mr. Greer stated that this ordinance was actually necessitated because the County is having trouble getting the current laws enforced. The County Attorney said that according to "hear say" he has been informed that is the case. The net effect would be that the County council would be increasing the enforcement personnel to cover this particular issue. Vote was unanimous.

Chairman Dees read the title for second reading consideration of Ordinance #2003-018 – an ordinance authorizing the execution and delivery of an agreement between Anderson County, South Carolina and Fraenkische USA, LP for granting certain infrastructure credits to Fraenkische USA, LP. Ms. Wilson moved to approve and Mr. Greer seconded. Vote was unanimous. The public hearing will be held on third reading.

Chairman Dees read title for second reading of Ordinance #2003-019 – an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement between Anderson County, South Carolina, as lessor, and Fraenkische USA, LP; and other matters relating thereto including without limitation, payment of a fee in lieu of taxes. Ms. Wilson moved to approve and Mr. Wright seconded. Vote was unanimous. (Public hearing will be held on third reading.)

Chairman Dees read the title of Resolution #R2003-028 – a resolution in support of the issuance by the South Carolina Jobs-Economic Development authority of its not exceeding \$185,000,000 Hospital Refunding and improvement revenue bonds, in one or more series, pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended. A public hearing was held and no comments were received. The public hearing was declared closed. The County Attorney said that there would not be any pecuniary liability against the County regarding the bond. Mr. Wright moved to approve and Ms. Wilson seconded. Vote was unanimous.

The next item on the agenda was withdrawn. (6(b) Resolution R2003-038 – a resolution authorizing the execution and delivery of an amendment to Wastewater treatment and service agreements by and between the city of Anderson and Anderson County; and other matter related thereto.

Chairman Dees reading Resolution #R2003-039 – a resolution requesting the Anderson County Delegation to sponsor legislation repealing all South Carolina State requirements for periodic reassessment of real property in South Carolina; and other matters related thereto. Mr. Greer said that reassessment basically taxes a person on something that they do not own. If he purchased a piece of property for \$10,000 and keep it for 40 years – yes it does gain in value. The only way to get that value is to sell the property so you are taxing me through reassessment for something that is not possessed. He said he would like to see something else in place other than the form of Reassessment and the resolution would ask the Delegation to look at this and come up with a better system than what the County/state has. Mr. Greer then moved to approve the resolution and Mr. Wright seconded.

Council discussed. Ms. Wilson said that the suggestions made during the citizens' comments (regarding Florida's legislation) might be something that could be added to the resolution and would be much fairer approach than ad-valorem taxes. Mr. Wright said it might be better for Council to attach their other ideas to the Resolution – the resolution simply ask the Delegation to redo the process. Mr. Greer suggested that the Chairman include a letter with the Resolution with any other suggestions. She asked for a copy of Florida's legislation. The County Attorney suggested that the Legislative Council be contacted since they are the County's "legislative arm" for the General Assembly. Mr. Tolly asked Mr. Greer to withdraw his motion since he thinks the resolution needed to be tabled/withdrawn or voted down and start all over again. Ms. Floyd also said that to start over would be a good idea and she said she would like to see something in the resolution for a tax relief for the elderly. Maybe the new Resolution could be ready for the next Council meeting. Mr. Holden also said that instead of attaching letters to the Resolution it would be much better to include in the Resolution. Council discussed further. Vote was two in favor (Wright, Greer) and five opposed (Dees, Wilson, Floyd, Holden, Tolly). Motion failed.

Ms. Floyd directed the County Attorney to draft a resolution that would include the elderly, the Florida method, a set limit on reassessment, and other suggestions that Council may have concerning the issue.

Chairman Dees moved to appoint Mr. Alva Goodwin to the Planning Commission to replace Mr. Chandler. Mr. Tolly seconded and vote was unanimous.

Mr. Tolly moved to appoint Mr. Ives Neely, Mrs. Kelly Koonce, and Mr. Jerry Marella to the Cobb's Glen Special Tax District Commission. Mr. Holden seconded and vote was unanimous.

Mr. Holden moved to appoint Ms. Ann Dixon to the Gun Range Committee and Ms. Wilson seconded. Vote was unanimous.

Ms. Floyd moved to reappoint Ms. Nancy Webb to the Anderson Sports and Entertainment Committee for another term and Mr. Tolly seconded. Vote was unanimous.

Ms. Wilson moved to re-appropriate \$10,000 that was earlier appropriated for the Town of West Pelzer. The Town of West Pelzer has requested that the funds now be designated for the use on Welborn, Dendy, and Dianne Streets for water projects. Mr. Holden seconded and vote was five in favor (Wilson, Holden, Floyd, Wright, Dees), one opposed (Greer), and one abstention (Tolly). Motion carried.

Mr. Tolly moved to appropriate \$5,000 from District 1's recreation fund for a walking track at Whitehall Elementary School. Mr. Holden seconded and vote was unanimous.

Mr. Tolly moved to appropriate \$500 from District 31's recreation account for Ms. Cathy Rudisill who will attend the 2003 Special Olympics World summer games in Dublin Ireland. Mr. Holden seconded and vote was unanimous.

Mr. Holden moved to appropriate \$880 from District #5's paving account to correct a safety problem at the corner of Gerrard Road and Ming Lane. Mr. Wright seconded and vote was unanimous.

Mr. Greer moved to appropriate \$2,850 from District #3's paving account for the City of Belton to help with a drainage problem. Mr. Holden seconded and vote was six in favor (Dees, Wright, Wilson, Holden, Tolly, Greer) and one abstention (Floyd). Motion carried.

Ms. Floyd moved to appropriate \$1,000 from District #2's recreation account for the Hampton Street Education and Recreation center. This is a center, which works with the inter-city students during the summer. Mr. Wright seconded and vote was unanimous.

Mr. Wright moved to appropriate \$1,500 for the Sandy Springs Water Company to help with the cost of a fire hydrants on Harris Bridge Road from District #4's paving account. Mr. Holden seconded. Vote was unanimous.

Mr. Wright moved to appropriate \$3,240 from District #4's Paving Account to help with asphalt around the Pendleton EMS building to be done by the County. Mr. Greer seconded and vote was unanimous.

Mr. Wright moved to appropriate \$960.92 for the Double Springs Community Club for installation of a swing at the Double Springs Park. The funds to come from District #4's Recreation funds. Mr. Greer seconded and vote was unanimous.

Mr. Wright moved to add Mystic Cove Lane to the District #4's paving list. Ms. Wilson seconded and vote was unanimous.

On the motion of Mr. Tolly, seconded by Chairman Dees, Council voted unanimously to accept Lynn Avenue Extension, Cypress Springs, Sandalwood and Avenue Grand's Subdivisions into the county road system.

Mr. Preston announced that there would be a Memorial Day Celebration at the Veterans Monument on Memorial Day from 2:30 p.m. – 3:00 p.m.

Mr. Holden moved to approve a request for \$2,000 for the Westside Cheerleading camp. The funds to come from District #5's Recreation account. Mr. Tolly seconded. Vote was unanimous.

Ms. Floyd said that in the Airport minutes of the last meeting. She said there was discussion during the "New Business" section asking if there would be private funds would be available for construction would it be necessary to go through the County Purchasing bid. They mentioned that they needed Mr. Preston's input on the construction. Mr. Preston said that he had not had a chance to discuss this. Ms. Floyd said her opinion was that the County Purchasing procedures should be followed.

Ms. Wilson stated that in the Airport minutes under the "Manager's Report" it mentions that several customer accounts were 30-60-90 days past due and the County was trying to collect payment on. She asked for clarification on that issue and said that it seems that the department is still over budget. Mr. Preston said on the contractual, county officials were communicating with at the time. He said he would get Mr. Hopkins to explain these to her in the future.

REMARKS BY COUNCIL MEMBERS:

Ms. Wilson said that she thinks the Council owes it to the County Taxpayers to look more carefully at the budget and even though it has passed – it certainly can be amended.

She invited all Council members to look at amending the budget.

Mr. Tolly explained that Mr. Bill Lloyd had a bad accident on the job last week and was in serious conditions. He asked the clerks to write a letter to Mr. Lloyd expressing sorrow for his accident and a speedy recovery.

Ms. Floyd invited everyone to the Council of Governments meeting on Friday, May 23, 2003 at the Anderson County Library. She also informed the public and Council that the Ad Hoc Gun Committee would be meeting on Thursday, May 22, 2003 at 6:30 at the County Library. Everyone was invited to Freedom Weekend Aloft. She asked Council to look at the letter from the MEN AT WORK.

Mr. Wright encouraged all citizens to appeal their reassessment. He said that he was fully committed for providing the services to the County residents with the least amount of money possible to maintain a good quality community. Mr. Wright said that he would have never dreamed that the County would have an event (FWA) that is in the top 100 in the United States hosted in our County.

Chairman Dees commended the Freedom Weekend Aloft personnel for their job to make the event so successful. He said that he would take responsibility for his vote and council must bite the bullet and do what needs to be done. He said Council doesn't need to play the "blame game."

ADMINISTRATOR'S REPORT:

- a. Certificates and Training: Environmental Enforcement Training Report for March 2003
- b. Letters of Appreciation:
 - 1. For: Mr. Ralph Cumber Litter Crew (Mr. Bob Daly) From: Mr. John M. Harrison
 - 2. For: Mr. Joey Preston From: Mr. Shawn Colin from Appalachian Council of Governments
 - 3. For: Mr. Holt Hopkins and Road Maintenance crew From: Mr. Chris Ellison
- c. Minutes:
 - 1. Airport Committee – April 7, 2003 Meeting
 - 2. Transportation Division – Safety Meeting – May 2, 2003
- d. Reports:
 - 1. Building and Codes Department – April 2003 Report
 - 2. District Paving Report
 - 3. Environmental Enforcement – March & April Litter Report
 - 4. Environmental Enforcement – March & April Animal Control Report
 - 5. Detention Center Litter Report – April 28-May 2, 2003
 - 6. Road Maintenance Litter Report for April 2003
- e. Departmental Transfers

There being no further business, the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Linda N. Gilstrap, Clerk to Council
ANDERSON COUNTY COUNCIL