

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting – January 6, 2009 - 6:00 p.m.  
Linda N. Eddleman, Clerk to Council

M I N U T E S

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

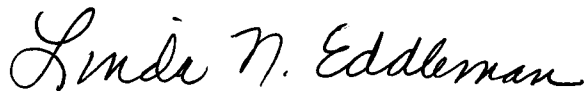
**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 10:15 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina )

County of Anderson )

ANDERSON COUNTY COUNCIL MEETING

JANUARY 6, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
GRACIE FLOYD  
TOMMY DUNN  
RON WILSON  
TOM ALLEN

1 GRACIE FLOYD: Will the regular meeting of  
2 the Anderson County Council of January 6, 2009, six  
3 o'clock, please come to order. Invocation and Pledge  
4 of Allegiance. I'd like to ask Reverend Bradshaw to  
5 please come to the front. Let us stand.

6 INVOCATION AND PLEDGE OF ALLEGIANCE

7 GRACIE FLOYD: As the senior council person  
8 for Anderson County, I have been asked to chair the  
9 election -- elections of our officers tonight. But  
10 before I do that, please let me state that we will be  
11 electing a new chair. The office of the chair is an  
12 important one, but it's mostly a ceremonial position.  
13 The chair has no more power than any of the other  
14 council people if they are present. The chair has no  
15 control over any council member. The chair makes no  
16 decision alone. The chair carries the decision of the  
17 council to the proper entities or the proper people.  
18 The chair performs any type of ceremonial obligations  
19 representing Anderson County. With that, the floor is  
20 now open for a chair person for 2009.

21 CINDY WILSON: Ms. Floyd?

22 GRACIE FLOYD: Yes.

23 CINDY WILSON: May I make a motion, please?

24 GRACIE FLOYD: You may.

25 CINDY WILSON: I would like to nominate  
26 Eddie Moore as chairman.

27 GRACIE FLOYD: Okay. Eddie Moore has been  
28 nominated as chair. Is there another nomination?

29 BOB WALDREP: There is a second.

30 GRACIE FLOYD: Okay. We have a second. Is  
31 there another one? Okay. We only have one name. I  
32 think we could do it by acclamation, but we'll just go  
33 ahead and vote. All those in favor of having Eddie  
34 Moore as our 2009 chairman, please raise your hands.  
35 That's five. Audience, please. Okay. All those  
36 opposed, let it be known by raising your hands. Two.  
37 Let the record show that five for Eddie Moore and two  
38 are against. Eddie, I'll turn the chair over to you.

39 APPLAUSE

40 EDDIE MOORE: We will now go and elect the  
41 vice chairman. Nominations are now open for vice  
42 chairman.

43 BOB WALDREP: Mr. Chairman?

44 EDDIE MOORE: Mr. Waldrep.

45 BOB WALDREP: I'd like to be recognized  
46 for the purpose of nominating Mr. Tom Allen as the vice  
47 chairman for Anderson County Council.

48 EDDIE MOORE: Mr. Tom Allen has been  
49 nominated for vice chairman of county council. Do we  
50 have a second? Cindy Wilson has seconded it. Do we

1 have any other nominations for vice chairman? Hearing  
2 none, we will now vote. All in favor of Tom Allen as  
3 the vice chairman, please raise your right hand. All  
4 opposed likewise. Let the record show six for, one  
5 against. First of all, I would like to thank the new  
6 council for the opportunity to serve as chairman this  
7 year. I would like to thank the citizens of Anderson  
8 County for trusting us with their council seats up here  
9 for two years. We will try not to disappoint you. I  
10 think the citizens of Anderson County will be happy to  
11 see an open, accountable, honest and transparent county  
12 government that the citizens can deserve. We will be a  
13 very diverse council with a lot of expertise to offer  
14 Anderson County. We have a former educator, a building  
15 contractor, a retired Army Lieutenant Colonel, a  
16 realtor, an engineer, an attorney, and a small business  
17 man. We can educate you, design your house, build your  
18 house, sell your house, invest your profits in gold,  
19 put you through Army PT training and write your last  
20 Will and Testament. And hopefully you won't have to  
21 hear all about it in a six hour council meeting that  
22 will require you to need that last Will and Testament.  
23 I know that our districts are different and the makeup  
24 is different and each of us have different needs for  
25 our districts. I also know that from time to time that  
26 we're going to have disagreements. That's healthy.  
27 It's healthy for the county to bring out good  
28 discussion. That is just part of the nature. And I  
29 promise to treat each and every one of you with equal  
30 respect and honor you so deserve. I hope you will do  
31 the same for me. With that, I would now like to go to  
32 the special ad hoc committees. I would like to now  
33 appoint two ad hoc committees which is done according  
34 to Section 2-370 of Anderson County Codes. The first  
35 committee will be financial inquiries and investigative  
36 audit committee consisting of council persons Tom  
37 Allen, Cindy Wilson, Eddie Moore, with Mr. Allen  
38 serving as the chairman. The second committee will be  
39 as follows. It will be called the personnel legal  
40 review contracts inquiries and investigative committee  
41 consisting of council persons Bob Waldrep, Tommy Dunn,  
42 and Eddie Moore, with Mr. Waldrep serving as the  
43 chairman. These committees will have full inquiries  
44 and investigative authority, both internal and external  
45 as described in Section 4-9-660 of the Home Rule Act of  
46 South Carolina. This means that these council members  
47 will be asking questions directly to county employees.  
48 These committees will be empowered with the authority  
49 until tasks are completed which may or may not go  
50 beyond the service of this chairman of Anderson County



1 Council. I'd like to ask a question of Mr. Cunningham  
2 now. Mr. Cunningham, what is the status of the lawsuit  
3 you have chose to continue with Ms. Wilson and Mr.  
4 Waldrep?

5 MICHAEL CUNNINGHAM: Mr. Chair, members of  
6 council, as I've stated publicly and I will be happy to  
7 state again that we are fully ready to drop that  
8 lawsuit. I think what we're waiting now is actually a  
9 response from the other parties involved. But from the  
10 County's standpoint we are prepared to drop that. I  
11 was notified earlier this week of an additional motion  
12 filed by, I believe, Ms. Wilson's attorney, and then  
13 added to by Mr. Waldrep's attorney to set aside the  
14 ruling of the Judge. So that I believe will cause some  
15 type of delay on the ultimate settlement, but as soon  
16 as we can get that resolved we will be happy to move  
17 forward with that.

18 EDDIE MOORE: Thank you, Mr. Cunningham.

19 MICHAEL CUNNINGHAM: You're welcome.

20 EDDIE MOORE: It is hereby resolved --  
21 this will be Resolution 001. It is hereby resolved by  
22 the Anderson County Council that the ad hoc financial  
23 inquiries and investigative committee and the personnel  
24 and contracts inquiries and investigative committees  
25 and each committee member or the committee designee  
26 shall be fully authorized and empowered to interview or  
27 question any county employee regarding any and all  
28 county business. County business includes, but not  
29 limited to, review of personnel and financial records,  
30 credit card statements, real estate transactions,  
31 contracts for services, and any other county  
32 expenditures as deemed appropriate by the committee, a  
33 member of the committee or its designee. It is further  
34 resolved that the acting county administrator, Michael  
35 Cunningham, is hereby directed to inform all county  
36 employees to fully cooperate and provide these  
37 committees and its members with all requested records  
38 or information in a timely manner and without delay.  
39 Do I have a second for this resolution?

40 CINDY WILSON: Second.

41 EDDIE MOORE: We have a second. We now  
42 will go into discussion. Is there any discussion on  
43 this resolution?

44 GRACIE FLOYD: Mr. Chair.

45 EDDIE MOORE: Ms. Floyd.

46 GRACIE FLOYD: Mr. Chair, does this violate  
47 the Home Rule Act that states that the administrator  
48 controls the employees and that the administrator has  
49 asked that we go through him first before we get to the  
50 employees as we do not direct the activities nor do we

1 give orders to the county employees.

2 EDDIE MOORE: Ms. Floyd, the Home Rule Act  
3 plainly states that for inquiries and investigative  
4 purposes it gives the authority to the county council  
5 as a majority that we can investigate and talk with  
6 county employees. Any other discussion?

7 GRACIE FLOYD: I wasn't through. I still  
8 have the floor. Okay. Mr. Chairman, do we have  
9 anything to investigate or get information on at this  
10 time or will this be as needed?

11 EDDIE MOORE: Yes, ma'am. We will be  
12 doing an audit of the county finances and we will be  
13 investigating.

14 GRACIE FLOYD: An ongoing investigation?

15 EDDIE MOORE: Yes.

16 GRACIE FLOYD: Okay. So we need one now.

17 I mean, we do need this now?

18 EDDIE MOORE: Yes. Is there any other --  
19 are you through, Ms. Floyd?

20 GRACIE FLOYD: Yes, I'm through.

21 EDDIE MOORE: Any other discussion?

22 Hearing none, we will now go to the vote. All in favor  
23 of this resolution raise your right hand. All opposed  
24 likewise. Let the record show six and one.

25 GRACIE FLOYD: Excuse me, Mr. Chair, but  
26 I'm abstaining.

27 EDDIE MOORE: Ms. Floyd is abstaining.  
28 Six for, Ms. Floyd is abstaining. We now will go with  
29 Resolution 002. It is resolved that I would like to  
30 now propose this resolution. We strongly disagree with  
31 the way the last Anderson County Council handled the  
32 termination of our last administrator. At no time did  
33 any of the newly elected nor two serving council  
34 members state or discuss the termination of the last  
35 administrator. At no time did we discuss the breaching  
36 of his contract in any way or form. We only stated  
37 publicly that Anderson County should have a detailed  
38 audit of our finances so we know the status of our  
39 County financial portfolio and that the administrator  
40 should be given a paid vacation during that time. It  
41 is a standard procedure that is followed by many  
42 banking institutions and business firms. We strongly  
43 disagree with the buyout details of the former  
44 administrator. The contract was an at will of council  
45 contract with only a three hundred and fifty-five  
46 thousand dollar maximum amount owed to the former  
47 administrator should he be terminated. We were very  
48 disappointed in the previous council when a contract  
49 was put up before the November the 18<sup>th</sup> meeting a  
50 contract that was surely secretively fabricated without

1 any input from all council members, which are  
2 violations of every rule and fairness to our council  
3 policies and the citizens of Anderson County. We  
4 strongly disagree with the way the new acting  
5 administrator was hired. County policy was not adhered  
6 nor followed. At no time was the job posted in any  
7 advertising newspapers or firms. The county is an  
8 equal opportunity employment county. These rights were  
9 not adhered to. The job should have been posted and of  
10 course we would want everyone to have a chance to apply  
11 for the job the right way. We do not believe that the  
12 former lame duck council can bind a future council with  
13 such actions. We strongly disagree with the actions of  
14 this former council by depleting all of our paving  
15 accounts, discretionary accounts, and recreation  
16 accounts for the entire budget year that ends in June  
17 of this year. This puts the county into a very serious  
18 situation should an emergency occur. We want to ensure  
19 the citizens that every effort will be made to resolve  
20 these issues and put this debacle behind us. We want  
21 to ensure our county employees that you are valued and  
22 respected, contrary to what you have been told by a  
23 selected few individuals. We will work diligently to  
24 encourage good economic development in Anderson County.  
25 Anderson County will realize its full wonderful  
26 potential. Anderson County will have an open, honest  
27 accountable government that its citizens can be proud  
28 of. The citizens of Anderson County will be kept well  
29 informed of all matters. Do I have a second for this  
30 resolution?

31 BOB WALDREP: Second.

32 EDDIE MOORE: I have a second for the  
33 resolution. We will now go into discussion. Is there  
34 any discussion.

35 GRACIE FLOYD: Mr. Chair?

36 EDDIE MOORE: Ms. Floyd.

37 GRACIE FLOYD: When are we going to get a  
38 copy of the resolution? There's been two resolutions  
39 on the floor tonight and we don't have any kind of back  
40 up, no copies. We have not had a chance to read it or  
41 do anything like that.

42 EDDIE MOORE: We'll see if we can get you  
43 a copy of it.

44 GRACIE FLOYD: I don't think I'm the only  
45 one who will need a copy, Mr. Chairman. I think all of  
46 us would like to have a copy of it if you don't already  
47 have one. Do you have one? No? I don't think any of  
48 us have copies.

49 EDDIE MOORE: Hold it just a second. I  
50 think we might have a few.

1 GRACIE FLOYD: I beg your pardon?  
2 EDDIE MOORE: Wait one second. I'll let  
3 you have mine.

4 GRACIE FLOYD: Okay. But Mr. Chairman,  
5 they are supposed to be included in our book so we can  
6 have a chance to look at them before we go -- I think  
7 that we have talked about that several times on  
8 council. But thank you.

9 EDDIE MOORE: Any more discussion?  
10 Hearing no discussion we will now vote on the  
11 resolution. All in favor of the resolution raise your  
12 right hand. All opposed raise your right hand. Please  
13 let the record show five to two with Ms. Wilson, Mr.  
14 Waldrep, Mr. Dunn, Mr. Moore, Mr. Allen voting in the  
15 affirmative. Mr. Wilson and Ms. Floyd voting against  
16 it.

17 GRACIE FLOYD: Point of order, Mr. Chair.

18 EDDIE MOORE: What is your point of order?

19 GRACIE FLOYD: Are we going to have  
20 audience participation tonight? Because if we are I  
21 need to know so I can let my folks know we're going to  
22 have audience participation.

23 EDDIE MOORE: No, ma'am. I haven't heard  
24 anything.

25 GRACIE FLOYD: Okay. You haven't heard  
26 anything?

27 EDDIE MOORE: No, ma'am.

28 GRACIE FLOYD: Okay. I haven't either.

29 EDDIE MOORE: We will now go to Resolution  
30 003. Resolution 003, it is hereby resolved as Anderson  
31 County is the client in legal matters, this council  
32 desires that the pending litigation against two of our  
33 sitting council members in case number 08-CP-04-2726,  
34 captioned Michael Cunningham, Anderson County  
35 Administrator versus Robert L. Waldrep, Jr. and M.  
36 Cindy Wilson in their individual capacities, be  
37 dismissed. The lawsuit does not reflect the will of  
38 this council or of our constituents. Administrator  
39 Cunningham is hereby directed to take actions to  
40 dismiss this litigation with prejudice. Is there any  
41 discussion of this resolution? I need a second.

42 TOMMY DUNN: Second, Mr. Chairman.

43 EDDIE MOORE: We have a second. Mr. Dunn  
44 seconds. We will now have discussion. Hearing none,  
45 we will now vote. All in favor of this resolution  
46 raise your right hand. All opposed. Please let the  
47 record ---

48 BOB WALDREP: I would be abstaining I  
49 think.

50 CINDY WILSON: I will abstain.

1 EDDIE MOORE: Please let the record show  
2 that Ms. Wilson and Mr. Waldrep abstain. Mr. Moore,  
3 Mr. Dunn and Mr. Allen in the affirmative, voted yes.  
4 Mr. Wilson and Ms. Floyd voted no. We will now go to  
5 the last resolution in this section which will be  
6 Resolution 004. The Anderson County Council further  
7 resolves to instruct the administrator to obtain a  
8 complete listing of each and every pending lawsuit  
9 involving Anderson County or any of its employees.  
10 This list should complete case captions and the  
11 attorney and/or law firm representing the County as  
12 well as the current status of the case. This  
13 information should be compiled and presented to the  
14 chairman of council within ten days. Do I hear a  
15 second?

16 CINDY WILSON: Second.

17 EDDIE MOORE: Ms. Wilson seconded. We  
18 will now go to discussion. Is there any discussion in  
19 this matter.

20 BOB WALDREP: Mr. Chairman, I was just  
21 going to bring up one factor here, and I apologize for  
22 not discussing it a little bit more, was the fact that  
23 there probably would be a considerable amount of  
24 litigation against the sheriff's department, issues  
25 coming out of the detention center, and I didn't think  
26 it would be necessary for the administrator to be  
27 troubled by those particular lawsuits. The lawsuits  
28 that we seem to be involved with and are interested in  
29 are those that are directly against the county by any  
30 citizen or any member of personnel of the county and  
31 things of that nature. And so I would just ask that  
32 there be an exception to that gathering of information  
33 because it probably would not serve any useful purpose  
34 unless anybody else has some issue with that.

35 EDDIE MOORE: You would like to amend?

36 BOB WALDREP: Yes, I would amend to except  
37 from that resolution and direction that the lawsuits  
38 that would be brought from the detention center and  
39 against the sheriff would not be necessary to be  
40 supplied to the council. I make that in the form of a  
41 motion.

42 EDDIE MOORE: Do I have a second on the  
43 amendment.

44 TOM ALLEN: I second.

45 EDDIE MOORE: A second on the amendment.

46 All in favor of the amendment to the original  
47 resolution signify by raising your right hand. I'm  
48 sorry. I should have asked for discussion. Is there  
49 any discussion first? My mistake. Hearing none, we  
50 will now go to the vote. All in favor of the amendment

1 please raise your right hand. Please show that Mr.  
2 Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Ms. Wilson and  
3 Mr. Waldrep voted in the affirmative. And Ms. Floyd?  
4 GRACIE FLOYD: I abstain.  
5 EDDIE MOORE: Ms. Floyd abstained. We  
6 will now go to the resolution. Are there any  
7 discussion further on the resolution? Hearing none, we  
8 will now take the vote on the resolution. All in favor  
9 please signify by raising your right hand. Please let  
10 the record note Mr. Wilson, Mr. Allen, Ms. Floyd, Mr.  
11 Moore, Mr. Dunn, Mr. Waldrep and Ms. Wilson all in the  
12 affirmative. We will now go to the approval of  
13 minutes. Do we have any corrections to the minutes?  
14 Hearing none, do I hear a motion to approve the  
15 minutes?  
16 CINDY WILSON: So moved.  
17 EDDIE MOORE: Ms. Wilson moved the minutes  
18 be approved. Do I hear a second?  
19 RON WILSON: Second.  
20 EDDIE MOORE: Mr. Wilson seconded. Do we  
21 have any discussion about the minutes? All in favor of  
22 approving the minutes please signify by raising your  
23 right hand. Please let the record show seven to zero.  
24 Everyone voted for the minutes.  
25 MICHAEL CUNNINGHAM: Mr. Chairman, just for a  
26 point of information for the public. If you could  
27 state which date of the minutes that you are approving  
28 just so we'll have it for the record.  
29 EDDIE MOORE: I'm sorry. That would be  
30 the December 16, 2008 meeting minutes. I'm sorry. I  
31 didn't get over to the right far enough. Thanks for  
32 bringing that up.  
33 BOB WALDREP: Mr. Chairman?  
34 EDDIE MOORE: Mr. Waldrep.  
35 BOB WALDREP: There are a couple of  
36 matters having to do with personnel dealing with  
37 employment matters, personnel matters regarding the  
38 administrator as well as some legal issues that I think  
39 would be best served to be discussed in executive  
40 session since they're basically contractual matters and  
41 we would like to do this with the least possible  
42 prejudice to anyone's position. And so for that reason  
43 I'm asking if we could have a probably very short  
44 executive session and I would so move.  
45 EDDIE MOORE: Mr. Waldrep, the chair rules  
46 that the question is one of privilege to be entertained  
47 immediately. Is there a second?  
48 CINDY WILSON: Second.  
49 EDDIE MOORE: We have a second. Ms.  
50 Wilson seconded. All in favor? Is there any more

1 discussion? All in favor please raise -- signify by  
2 raising your right hand. Please let the record note  
3 Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep  
4 and Ms. Wilson -- Ms. Floyd, are you voting yes or no?

5 GRACIE FLOYD: I'm -- it doesn't matter.  
6 No.

7 EDDIE MOORE: No, Ms. Floyd. Let the  
8 record show Ms. Floyd voted no.

9 BOB WALDREP: Mr. Chairman, I believe we  
10 would go ---

11 EDDIE MOORE: Please, y'all kind of hold  
12 it down. Please respect everybody up here. I  
13 appreciate it. We try not to call you out, but we  
14 don't want to do that, so just please try to respect us  
15 up here and kind of keep the noise level down. This is  
16 a very important meeting tonight and we want to make  
17 sure everybody can understand what's going on. Mr.  
18 Waldrep.

19 BOB WALDREP: Mr. Chairman, I believe that  
20 we usually use that room to the right down there for  
21 executive session and I would ask that at this time  
22 that we would disassemble and then reassemble in those  
23 chambers to the right, the conference room.

24 GRACIE FLOYD: Mr. Chair?

25 EDDIE MOORE: Ms. Floyd.

26 GRACIE FLOYD: I ask also that we ask the  
27 administrator to please appoint an attorney to go into  
28 this meeting with us since we don't have an attorney  
29 here on staff or assigned to us at this time.

30 CINDY WILSON: Mr. Chairman, point of  
31 order. Perhaps we should vote now.

32 EDDIE MOORE: Ms. Wilson.

33 CINDY WILSON: Do you think that would be  
34 ---

35 EDDIE MOORE: What is your point of order?

36 CINDY WILSON: My point of order is perhaps  
37 that would be worthy of a vote.

38 TOMMY DUNN: Mr. Chairman.

39 EDDIE MOORE: And then, Ms. Floyd, are you  
40 making that in the form of a motion then?

41 GRACIE FLOYD: No, I was just, I was just  
42 pointing out something that needs to be done. But if  
43 we need to vote on it, which is not a point of order,  
44 but if need to vote on it I'll put it in the form of a  
45 motion that we ask that the administrator assign a  
46 legal advisor to go into this meeting with us.

47 EDDIE MOORE: Your point is well taken,  
48 Ms. Wilson, the meeting will continue. We will now go  
49 into executive session.

50 EXECUTIVE SESSION

1 BOB WALDREP: Mr. Chairman.

2 EDDIE MOORE: Mr. Waldrep.

3 BOB WALDREP: I move that we come out of  
4 executive session.

5 CINDY WILSON: Second.

6 EDDIE MOORE: I have a motion before the  
7 floor that we come out of executive session. I have a  
8 second by Ms. Wilson. Any discussion? We will now  
9 vote. All in favor of coming out of executive session  
10 please raise your right hand. Unanimous. We are now  
11 back in order. We'll now discuss the matters that we  
12 discussed in executive session and I would like to let  
13 Mr. Waldrep, if you would, go through this.

14 BOB WALDREP: Thank you, Mr. Chairman. I  
15 thank you for the patience of those who are involved in  
16 this who are on the council as well as those who are in  
17 the audience today. The matters that were particularly  
18 discussed was the employment of a special counsel for  
19 Anderson County Council. It's a special legal and  
20 investigative council and it was the thought of -- or  
21 at least my thought and some thoughts of some of the  
22 others that we would employ the Nexsen Pruet firm,  
23 specifically The Honorable William W. Wilkins, for the  
24 purpose of special legal investigative counsel and  
25 included in that would be a waiver of the  
26 attorney/client privilege so that Mr. Wilkins' firm  
27 would be able to look at all legal files that might  
28 need to be investigated. And the second matter was  
29 that there was an issue regarding the audit matter  
30 which we have discussed probably at length and too  
31 lengthy over the last several years, and in particular  
32 when we got to one of the meetings last year. And for  
33 that we discussed the employment of Robert C. Daniels  
34 as the county budget analyst and chief financial  
35 investigator from the firm of Greene & Company. So  
36 that was the matter that I wanted to bring up with Mr.  
37 Daniels. By way of explanation if I may, Mr. Chairman,  
38 Mr. Daniels is a certified public accountant with over  
39 forty years of experience. He previously performed  
40 audits for Anderson County in 1983 to 1993 and is very  
41 familiar with Anderson County's financial procedures  
42 and in fact Mr. Daniels was responsible for  
43 establishing Anderson County's accounting system. With  
44 regard to the other matter and the special counsel,  
45 Judge Billy Wilkins, who is a member of that firm, is a  
46 former solicitor and was appointed by President Reagan  
47 to serve as United States District Judge. In 1996  
48 Judge Wilkins became Chief Judge for the Fourth Circuit  
49 Court of Appeals where he served with distinction until  
50 his retirement. Judge Wilkins served twenty-seven



1 years in the United States Army and the South Carolina  
2 National Guard and currently holds the rank of  
3 Brigadier General and he's a man of great intellect,  
4 honor, and integrity and Anderson County is truly  
5 fortunate to have the opportunity to have a man of his  
6 stature and reputation to assist us as we resolve the  
7 legal issues that are affecting our county. So with  
8 that, Mr. Chairman, I would present these two  
9 resolutions and I can present them separately. The  
10 first of which would be that Anderson County Council --  
11 I would so move that Anderson County Council resolves  
12 that it's in the best interest of Anderson County to  
13 perform the functions of government to retain the firm  
14 of Nexsen Pruet and specifically the Honorable William  
15 W. Wilkins for the purposes of special legal and  
16 investigative counsel with the waiver of the  
17 attorney/client privilege so that Mr. Wilkins would  
18 have full access to all county records. And I would  
19 make that in the form of a motion and ask for a second.

20 EDDIE MOORE: The motion being made by Mr.  
21 Waldrep that Anderson County Council hereby resolves  
22 that the best interests of Anderson County in order to  
23 perform the functions of government to retain the firm  
24 of Nexsen Pruet and specifically the Honorable William  
25 W. Wilkins for purposes for special legal and  
26 investigative counsel. Do I have a second?

27 CINDY WILSON: Second.

28 EDDIE MOORE: We have a second. Ms.  
29 Wilson has seconded the motion. Do we have any  
30 discussion? Ms. Floyd?

31 GRACIE FLOYD: Okay. Mr. Chair, in the  
32 meeting I asked you specifically if what was said in  
33 there was a confidential matter and you stated that it  
34 was not a confidential matter and we could talk about  
35 it if we wanted to. And I choose to talk about it. In  
36 the meeting Mr. Waldrep failed to bring out that Nexsen  
37 Pruet -- it was stated in the meeting that he -- that  
38 you were not pleased in the manner in which the  
39 administrator was hired, and Mr. Pruet, Nexsen Pruet  
40 would be looking into this. Also, it was said that we  
41 need a special counsel to fully review the actions of  
42 council of County on November 18, 2008. This is the  
43 time when Mr. Cunningham was hired and Mr. Preston was  
44 released from his contract. This is what Nexsen Pruet  
45 is supposed to be doing. Also, Daniel, Mr. Robert  
46 Daniel is going to investigate the finance and make  
47 suggestion and propose. We also talked about  
48 Williamston and how poorly they were doing and how this  
49 man went and found all this money in Williamston to  
50 help out. He is going to do the work, I think, for

1 thirty thousand dollars. Ms. Wilson brought up the  
2 fact that there were numerous legal accounts available  
3 where this money can be found. She also mentioned that  
4 there was an account that was under the administrator's  
5 whatever, but there should be some money in that to pay  
6 for this. So that was the gist of the whole thing.  
7 One legal person is going to investigate you, Mr.  
8 Cunningham, of the way you were hired and the other one  
9 is going to do the forensic audit for thirty thousand  
10 dollars. Okay.

11 TOMMY DUNN: Mr. Chairman?

12 EDDIE MOORE: You give the floor up, Ms.  
13 Floyd?

14 GRACIE FLOYD: Oh, no, I just wanted to say  
15 too that this is the things that came out of the  
16 meeting. And Mr. Chair I did ask you if this was  
17 confidential because I even asked you why do we have to  
18 go into executive session? And at that time you said  
19 or Mr. Waldrep said, so that I can discuss this and  
20 something about eating ice cream or something about it  
21 was like eating ice cream or something to that effect.  
22 I don't remember what it was. But also in that meeting  
23 Mr. Waldrep made a comment that I'm not fully  
24 comfortable with. Okay. It's something about the  
25 minority -- I'm a minority -- I'm in a minority  
26 situation or a minority something or other here. And  
27 I'm not completely confident -- I'm not completely sure  
28 that I understand that -- saying that. But I'm  
29 through. I give up the floor.

30 TOMMY DUNN: Mr. Chairman?

31 EDDIE MOORE: Mr. Waldrep.

32 TOMMY DUNN: Mr. Chairman?

33 EDDIE MOORE: Excuse me. I'm sorry. Mr.  
34 Dunn.

35 TOMMY DUNN: I would at this time, I  
36 would like to ask Mr. Waldrep just straight and out the  
37 fee structure, number one, after I'm through because I  
38 think the councilwoman for district two has it wrong.  
39 And I also, to clarify my understand, the motion for  
40 the law firm is also investigators to assist with the  
41 audit, the one that the previous council in turn had  
42 voted to do but never acted on. At this time I yield  
43 to Mr. Waldrep to straighten out -- to clarify to  
44 everyone the fee structure.

45 EDDIE MOORE: Mr. Waldrep?

46 BOB WALDREP: Well, I didn't carry a  
47 recorder in there for everything that was said and let  
48 me explain this, that my reason for asking for  
49 executive session was I just thought that everyone  
50 would feel more comfortable discussing probably a very

1 sensitive matter. And certainly the last thing we  
2 would want to do would be to prejudice anybody on the  
3 council or prejudice any county employer or prejudice  
4 the situation, you know, in any way. That was the  
5 reason that I did that. I did want to say that --  
6 correct Ms. Floyd in saying that there's -- thirty  
7 thousand dollars was not the amount of money for the  
8 audit. That thirty thousand dollars was a retainer  
9 with regard to the law firm and that Mr. Daniels will  
10 be charging on an hourly basis, the County, for his  
11 investigation. It's unfortunate that in our English  
12 language that some folks can choose to pick out words  
13 which they find offensive and I certainly wanted to  
14 assure Ms. Floyd and everyone here that when I spoke of  
15 a minority status I was speaking of the minority on  
16 this council and it had no reflection or any  
17 insinuation as to gender or race or religion or  
18 anything. It's just simply when we vote up here you  
19 either have a majority or either you have a minority.  
20 And so that's just the way that I've always understood  
21 that. So I would apologize to anyone who would take an  
22 offense at that particular language. Sensitivity I  
23 certainly respect. I don't know if I am waxing on too  
24 long here and that would be the only remarks that I  
25 have with regard to this.

26 TOMMY DUNN: Mr. Chairman?

27 EDDIE MOORE: Mr. Dunn.

28 TOMMY DUNN: If Mr. Waldrep would  
29 elaborate on Mr. Daniels. Give Mr. Daniels' fee  
30 schedule. I believe it was ninety-five dollars an  
31 hour.

32 BOB WALDREP: That's correct. Yes, I'm  
33 sorry.

34 GRACIE FLOYD: Mr. Chair? Do we know how  
35 long -- excuse me.

36 EDDIE MOORE: Ms. Floyd, Mr. Waldrep still  
37 has the chair. He asked for the chair.

38 GRACIE FLOYD: I'm sorry, I didn't hear  
39 that. Mr. Waldrep, I apologize to you.

40 BOB WALDREP: That's okay. I yield to Ms.  
41 Floyd.

42 EDDIE MOORE: Ms. Floyd, he relinquished.

43 BOB WALDREP: I yield.

44 GRACIE FLOYD: Thank you.

45 EDDIE MOORE: You'll have to bear with me  
46 a little bit. I'm a little slow on this.

47 GRACIE FLOYD: We know.

48 EDDIE MOORE: What I want to know is where  
49 is the ice cream that Mr. Waldrep is supposed to bring?

50 GRACIE FLOYD: You'll have to ask Mr.

1 Waldrep what he was talking about because I don't have  
2 a clue. My question is he's going to charge us ninety-  
3 five dollars an hour, but do we know how long this is  
4 going to last? That ninety-five dollars an hour could  
5 be for what, six years, ten years, fifteen, twenty  
6 years. It's not easy to do -- it's not a short term  
7 thing when you talk about a forensic audit.

8 TOMMY DUNN: Mr. Chairman?  
9 EDDIE MOORE: Ms. Floyd.

10 TOMMY DUNN: When she's through I'd like  
11 to have the floor.

12 GRACIE FLOYD: I'm through.  
13 EDDIE MOORE: Mr. Dunn.

14 TOMMY DUNN: I think on that ninety-five  
15 dollars an hour, it's my understanding we can keep  
16 running a tab and we can stop it. But I think the past  
17 council's motion on the audit was open ended, had no  
18 figure on -- no nothing. We're trying to put a  
19 restraint to this. And I'm very self-conscious too of  
20 the money this may cost. But I think it's well worth  
21 getting it out there and hopefully nothing is there.  
22 Getting it out and get on with our business of getting  
23 confidence stored back in the government of Anderson  
24 County.

25 GRACIE FLOYD: Mr. Chair?  
26 EDDIE MOORE: Ms. Floyd.

27 GRACIE FLOYD: Mr. Dunn, I realize that.  
28 In fact it you would check the records I voted against  
29 the entire thing because it was open ended. At the  
30 time we voted on it there was no dollar amount put to  
31 it and I thought it was ludicrous. We were just  
32 leaving the books open and just leaving the door open  
33 for somebody to come in and charge what they wanted us.  
34 So you will see that I did not vote on it, vote on it  
35 then. And I am still having questions about the  
36 ninety-five dollars an hour, how long. How long will  
37 this be going on? Thank you.

38 RON WILSON: Mr. Chairman?  
39 EDDIE MOORE: Mr. Wilson had raised his  
40 hand over there. Mr. Wilson?

41 RON WILSON: Thank you, Mr. Chairman.  
42 I've always supported the audit. I made the motions  
43 for the two. One failed and the other one passed in  
44 June. I'm for doing this, getting it over with and  
45 finding out where we are. Thank you.

46 EDDIE MOORE: Thank you, Mr. Wilson. Mr.  
47 Allen?

48 TOM ALLEN: Yes, thank you, Mr. Chair.  
49 As you noted earlier, a finance committee has been  
50 appointed and I think that would be one of the

1 functions of the finance committee to set the  
2 parameters for ...

3 END OF TAPE 1, SIDE 1

4 EDDIE MOORE: I've known Mr. Daniel for a  
5 very long time and he worked up here for the County.  
6 Many of the County employees will remember Mr. Daniel.  
7 He pretty much set up the whole system here in the  
8 County from the -- I think from the assessor's office,  
9 the auditor's office, and the computer systems here  
10 right now. And that was one of the reasons that we  
11 really was wanting to bring him in here because he was  
12 really familiar with county employees. We want this  
13 situation to be as comfortable as we can for county  
14 employees. We're not a bunch of bad guys up here. We  
15 just want to get beyond this audit and find out where  
16 our finances are in the county so we can move forward.  
17 It's really hurting our county for this to just drag on  
18 and he say, they say. We want to get to the bottom of  
19 it, get it over with so that we can move on and get  
20 some positive things going on in Anderson County. We  
21 are not a bad bunch of guys up here. We just want to  
22 get this thing behind us so that we can bring some work  
23 here in Anderson County we desperately need. Right now  
24 we're the laughing stock of the whole state and we want  
25 to get beyond that point. We felt like that this was  
26 the way to do it with Mr. Daniel. He's highly  
27 respected. He's well thought of in the towns of  
28 Williamston and Iva. Any of you can call the mayors  
29 over there and talk to them. They love him to death.  
30 And he's very amicable. He's a very nice fellow and  
31 he's familiar with the system. It would be cheaper for  
32 us to have him than it would to bring some outsider in  
33 from another area that knows nothing about the county  
34 at all. He would be very comfortable because he knows  
35 the system. And it also will help us too. We have --  
36 we're fixing to start a budget process in a very tight  
37 year and everybody knows how tight money is in the  
38 state. Well, we're going to be in the same situation  
39 here in the county. Mr. Daniel understands the system  
40 and the accounting procedures here in Anderson County.  
41 What this will do for us, he can break out the system  
42 so that we can get the reports that we really need so  
43 we can see where we're at. There's no way in the world  
44 we can know where we're going if we don't know where  
45 we're at. This is what this all about. It's nothing,  
46 you know, behind the scenes and it's why we're trying  
47 to do everything, you know, out in the open so you  
48 know. We want everything to be transparent and porous.  
49 The reason we did go in executive session so we could  
50 discuss and explain it to all the members and have some

1 good healthy discussions. Sometimes, you know, it's  
2 just better to do that. And with that said I guess  
3 we're ready to move forward. We'll go ahead and take  
4 the vote on that resolution. All in favor please raise  
5 your right hand. Unanimous. Thank you very much.

6 BOB WALDREP: Mr. Chairman, I assume that  
7 we when were voting on the resolution we were voting on  
8 the Daniels resolution or are we voting on both of the  
9 resolutions?

10 EDDIE MOORE: We were voting on the  
11 first one which is the one that was on the floor, the  
12 resolution we originally started with, which was Mr.  
13 Wilkins.

14 BOB WALDREP: Mr. Wilkins?

15 EDDIE MOORE: Yes.

16 BOB WALDREP: Okay.

17 EDDIE MOORE: And the next we'll vote on  
18 which will be Mr. Daniel.

19 BOB WALDREP: Okay. All right. Again,  
20 the second one is that Anderson County -- I would so  
21 move that Anderson County resolves that it's in the  
22 best interests of Anderson County in order to perform  
23 the functions of government to hire Robert C. Daniels  
24 as county budget analyst and chief financial  
25 investigator and the firm of Greene & Company, LLP to  
26 provide assistance to Mr. Daniel as he deems necessary.  
27 Both Mr. Daniel and Greene & Company, LLP are to be  
28 hired on a contractual basis and I think we've already  
29 discussed what his fees are to be.

30 CINDY WILSON: Second.

31 EDDIE MOORE: I have a second. Now, we'd  
32 like to do some discussion. Anyone like to discuss  
33 this?

34 CINDY WILSON: Mr. Chairman, may I?

35 EDDIE MOORE: Ms. Wilson?

36 CINDY WILSON: It would be that -- I think  
37 that we could envision as we acquire the information  
38 from the separate but probably concurrent  
39 investigations that as we were able to acquire the  
40 information, at some point we would be able to have  
41 maybe a town hall meeting and make sure our public is  
42 enlightened as we find the information. I think that  
43 would be something we could think about as we move  
44 along.

45 EDDIE MOORE: And I talked with Mr. Daniel  
46 in great length about this and the process. What he  
47 will do is he will come back and make a report and then  
48 we will report to you. Because we want this process to  
49 be open. We want everybody to know exactly what's  
50 going on. So we want to make sure that the public is

1 informed. When I asked him about a time frame you're  
2 probably looking at less than six months unless it  
3 leads -- you know, when you're doing a forensic type  
4 audit which is really not -- word -- is probably not a  
5 correct word but when you're doing an audit, when you  
6 find a tentacle you follow it. If he doesn't find  
7 anything it will be over with and we can get forward  
8 with this county and do our business and that's what we  
9 really want to do. Any more discussion? Hearing none,  
10 we will now take the vote. All in favor of this  
11 resolution signify by raising ---

12 GRACIE FLOYD: Mr. Chairman, would you  
13 please tell us what the vote is that we're about to  
14 take again?

15 EDDIE MOORE: We are voting on the second  
16 part of the resolution which is Anderson County Council  
17 hereby resolves that it is the best interest of  
18 Anderson County in order to perform the functions of  
19 government to hire Mr. Robert C. Daniel as county  
20 budget analysis and chief financial investigator and  
21 the firm of Greene & Company, LLP to provide assistance  
22 to Mr. Daniel as he deems necessary. Both Mr. Daniel  
23 and Greene & Company, LLP are to be hired on a  
24 contractual basis. That is what we're voting on. Any  
25 more questions. We'll now take the vote. All in favor  
26 raise your right hand. Unanimous. Thank you very  
27 much.

28 GRACIE FLOYD: Okay. Mr. Chair?

29 EDDIE MOORE: Ms. Floyd.

30 GRACIE FLOYD: I would like to reconsider  
31 the first vote I did. The first vote was for Nexsen  
32 Pruet to -- for purpose of special legal and  
33 investigative counsel. That was the first one we voted  
34 on.

35 EDDIE MOORE: That's correct.

36 GRACIE FLOYD: You were talking so about  
37 Daniels, I thought we voted on that one. But this is  
38 the one that's supposed to look at Mr. Cunningham's  
39 contract and the manner in which he was hired and fully  
40 review the actions of council on November the 18<sup>th</sup>.  
41 That's the first one, right?

42 EDDIE MOORE: Yes.

43 GRACIE FLOYD: I would like to reconsider  
44 my vote on that one, please. I think I voted in the  
45 affirmative.

46 RON WILSON: Unanimous, wasn't it.

47 TOMMY DUNN: It was unanimous.

48 EDDIE MOORE: Yeah, it was unanimous.

49 GRACIE FLOYD: Okay. I voted in the  
50 affirmative and I would like at that time reconsider my

1 vote on that one.

2 EDDIE MOORE: Okay. Let the record show  
3 that Ms. Floyd has changed her vote on that first  
4 resolution. She is voting in the negative. So the  
5 motion still carries, six to one.

6 GRACIE FLOYD: Thank you.

7 EDDIE MOORE: Yes, ma'am.

8 BOB WALDREP: Mr. Chairman?

9 EDDIE MOORE: Mr. Waldrep.

10 BOB WALDREP: I would like to announce  
11 that there will be a meeting of the personnel committee  
12 Thursday at the courthouse, the old historic  
13 courthouse, these chambers, at five p.m. Thursday.

14 EDDIE MOORE: Be it known there will be a  
15 meeting at five p.m. on Thursday of this week. This  
16 will be the personnel committee meeting. It will be  
17 convened right here at five o'clock on Thursday.

18 BOB WALDREP: I guess Ms. Eddleman will  
19 make note of that and make sure the members of the  
20 fourth estate receive their information.

21 GRACIE FLOYD: Fourth ...

22 EDDIE MOORE: Mr. Allen?

23 GRACIE FLOYD: What?

24 TOM ALLEN: As chairman of the finance  
25 audit committee too I'd like to set a time for ten a.m.  
26 Friday morning, this Friday morning, to get the finance  
27 committee together here in the chambers.

28 EDDIE MOORE: Let it be known there will  
29 be a meeting at ten o'clock on the financial committee  
30 that we appointed earlier and this will be at ten  
31 o'clock on Friday right here in the chamber.

32 GRACIE FLOYD: Mr. Chairman?

33 EDDIE MOORE: Ms. Floyd.

34 GRACIE FLOYD: Are these meetings open to  
35 the public?

36 EDDIE MOORE: Yes, ma'am.

37 GRACIE FLOYD: The personnel ---

38 EDDIE MOORE: And we'd like to have a  
39 crowd like this here too, okay?

40 GRACIE FLOYD: The personnel committee will  
41 meet at what time now?

42 EDDIE MOORE: The personnel committee will  
43 meet here at five Thursday.

44 GRACIE FLOYD: Thursday, five o'clock on  
45 Thursday, personnel committee. Okay.

46 BOB WALDREP: Mr. Chairman?

47 EDDIE MOORE: Mr. Waldrep.

48 BOB WALDREP: Just a small caveat. I'd  
49 like for the public to know also that there is a  
50 situation where the personnel committee could go into



1 executive session, but should they go into executive  
2 session they would have to say why they're going into  
3 executive session and then they would have to come out  
4 and announce any action that they took, if they take  
5 any action at all. So I just didn't want people to  
6 feel like that they were cheated out of having an  
7 opportunity to get into the workings of the personnel  
8 committee in case there is a need for executive  
9 session. Thank you. And Mr. Chairman, there is an  
10 issue here and I hope it's the appropriate time, but  
11 there's always been a little confusion about where  
12 everybody's office is and where everybody sits. I  
13 would just like to move that the chairman be, maybe in  
14 the form of a resolution, the chairman be authorized to  
15 make that decision about where people's offices are and  
16 where they are seated on council and that could settle  
17 this matter so that we won't be bumping into each other  
18 trying to get into a seat. I just remember my first  
19 term up here, there was some, well, unusual behavior  
20 about where people were going to sit and as to who was  
21 supposed to be seated beside whom and that sort of  
22 thing. I know it sounds like a small matter, but I'd  
23 like for it to be resolved by the chairman. So I would  
24 move that the chairman be authorized to make that  
25 decision.

26 CINDY WILSON: Second.

27 EDDIE MOORE: We have a motion on the  
28 floor that the chairman will decide the office space  
29 and the seating arrangement for the Anderson County  
30 Council for this year, 2009. We have a second. Ms.  
31 Wilson seconded it. Is there any discussion?

32 GRACIE FLOYD: Yes.

33 EDDIE MOORE: Ms. Floyd.

34 GRACIE FLOYD: Okay. This is  
35 unprecedented. I've been on council for ten years and  
36 when I came in I took my husband's office, which is now  
37 your office. He was the chair and I took his office  
38 and I took his seat. All right. But I gave up the  
39 office because somebody else asked me if they could  
40 have it, as you did, Mr. Wilson. I graciously gave it  
41 up. The seats have always been, you sit in the seat of  
42 the person that you are replacing. All right.  
43 Everybody seems to be seated in the right place. But  
44 now you tell me, and I have heard this, that you're  
45 going to change my seat and you're going to take my  
46 office. I don't know why. I've been sitting here for  
47 six years now and I think I've done a pretty good job.  
48 I haven't hurt anybody, hit anybody, or spit on  
49 anybody. Okay. I think I've done a pretty good job.  
50 But now we feel this need to change everybody's seats

1 around and I don't know why. Why is that necessary?

2 CINDY WILSON: Mr. Chairman, may I?

3 GRACIE FLOYD: No, no, I was questioning  
4 the chair. I have the floor.

5 EDDIE MOORE: As a precedent -- I was  
6 researching some of the minutes and there was a  
7 precedent on -- matter of fact I think it might have  
8 been your husband in the minutes that asked about the  
9 chairman picking his office and that was done in the  
10 minutes.

11 GRACIE FLOYD: Okay. I know which minutes  
12 you're talking to. You're talking about the minutes  
13 where Senator -- I mean, not Senator -- Mr. Garrison,  
14 when he was chair, he came in and told Floyd he had to  
15 get rid of that office because he wanted it. Floyd  
16 stood at the door and told him -- no, he told Floyd he  
17 was going to move him out of that office because it was  
18 the chair's office and he wanted it. And it was not  
19 the chair's office by the way. Floyd told him, stood  
20 at the door and said, you and what army. Okay? Mr.  
21 Garrison moved somewhere else. That has never been the  
22 chair's office before then. Floyd happened to be the  
23 chair for two years by the way and he died in office.  
24 Okay. So it was never the chair's office. We had  
25 never had that before. Floyd just happened to be the  
26 chair. He had the office before he was chair and he  
27 just died in it. But now about the seating part ---

28 EDDIE MOORE: If I may respond to that on  
29 the office. There is a reason why we're talking about  
30 this office. We're going to have some very  
31 confidential matters as far as financial records and  
32 legal records and we're going to have a lot of records  
33 that's going to be -- have to be a locked up area and  
34 we're going to need a large area to lock it up when  
35 we're doing the financial records and also some of the  
36 legal records. That is the reason why we're discussing  
37 this tonight because it may be necessary that we shift  
38 around some of the offices in order to accommodate the  
39 financial advisors that we're going to have in here.  
40 We may need the room.

41 GRACIE FLOYD: Okay.

42 EDDIE MOORE: And I respectfully request  
43 from you in order to do this. And I don't have a  
44 problem once this audit process is out of the way if  
45 you want to move back or whatever, that's fine.

46 GRACIE FLOYD: Okay.

47 EDDIE MOORE: We really need the big  
48 office space.

49 GRACIE FLOYD: All right. Now, that makes  
50 more sense. And it's a kinder thing to put it that

1 way.

2 EDDIE MOORE: And this is with your  
3 approval.

4 GRACIE FLOYD: I thank you for that. And  
5 let me tell you something else. Upstairs on the third  
6 floor is a council room, big room, bigger than any  
7 office, upstairs on the third floor. There are several  
8 people with keys to our offices. All right. Your  
9 information will not be any safer there. It would be  
10 safer upstairs in the third floor with the -- with our  
11 secretary. So if you're looking for an office for  
12 safety you're looking at the wrong one. And I would  
13 like to thank you for giving me the option of moving,  
14 if I'm asked to move, and I shall really honestly,  
15 sincerely, you know, think about it. Now, tell me  
16 about the chairs, the seats.

17 EDDIE MOORE: Well, we just want to --  
18 we'll sit and discuss the chairs and the seating  
19 arrangement.

20 GRACIE FLOYD: Why is that important,  
21 though?

22 EDDIE MOORE: It would be good if we did  
23 the arrangement like one, two, three, four, five,  
24 whatever, in order. I think it would be a good way.

25 GRACIE FLOYD: So I'm two so where will I  
26 sit? In this seat or that one?

27 EDDIE MOORE: Well, we'll decide that.

28 GRACIE FLOYD: You've already decided.

29 EDDIE MOORE: I'm going to decide it.

30 GRACIE FLOYD: You've already decided.

31 EDDIE MOORE: Not yet, but I will give it  
32 some thought.

33 GRACIE FLOYD: But Mr. Chairman ---

34 APPLAUSE

35 EDDIE MOORE: I promise I'll be fair.

36 GRACIE FLOYD: Mr. Chairman, whether you're  
37 fair or not, whether you give it any thought or not, I  
38 just want you to know I can be effective anywhere. You  
39 put me outside and I'll do all right.

40 APPLAUSE

41 EDDIE MOORE: All right. Any more  
42 discussion?

43 TOM ALLEN: Mr. Chairman, I think maybe  
44 we could move on to something a little more viable.

45 GRACIE FLOYD: Mr. Chairman, could we have  
46 a break?

47 CINDY WILSON: Mr. Chairman?

48 GRACIE FLOYD: Yeah, we have to have a  
49 break.

50 EDDIE MOORE: Everybody, we would like to

1 adjourn and have a break for a few minutes. Wait a  
2 minute, wait a minute. We've got a motion on the floor  
3 right now. Let me get the motion ---  
4 TOMMY DUNN: Got a motion on the floor.  
5 CINDY WILSON: Mr. Chairman, I just wanted  
6 to make a comment. I got put down here in Siberia from  
7 the first and I don't mind being down here.  
8 EDDIE MOORE: Okay.  
9 CINDY WILSON: I have no problem.  
10 GRACIE FLOYD: Mr. Chairman, she ---  
11 EDDIE MOORE: Ms. Floyd.  
12 GRACIE FLOYD: She was placed down there  
13 because she was the last two people to come on council.  
14 By the time she got here we all had our seats. The  
15 only two seats that was vacant was those down there.  
16 So that's why she's there. Nobody placed her there.  
17 She put herself there, after she moved my sign.  
18 EDDIE MOORE: All right. We'll go ahead  
19 and take the vote now. No more discussion. All those  
20 in favor of the motion please vote.  
21 GRACIE FLOYD: What am I voting on?  
22 EDDIE MOORE: Yeah, we seconded and  
23 voting. All opposed? Nobody is opposed.  
24 TOMMY DUNN: Wait a minute. I believe  
25 Mr. Allen asked for the motion to be restated.  
26 TOM ALLEN: Could you repeat the motion.  
27 EDDIE MOORE: Mr. Waldrep.  
28 BOB WALDREP: Excuse me, Mr. Allen, the  
29 motion was that the issue of the seating arrangements,  
30 both on council as well as the offices to be designated  
31 for use by individual councilmen, be determined by the  
32 chairman and I'm almost sorry I brought it up. But  
33 okay.  
34 TOMMY DUNN: Do you want to withdraw it?  
35 BOB WALDREP: No.  
36 TOM ALLEN: That was all I had. It was  
37 just a clarification. It would be up to your  
38 determination. I'd like to say -- to add to that with  
39 the consent of the individuals.  
40 EDDIE MOORE: Right. That's fine. We  
41 already voted. It passed.  
42 GRACIE FLOYD: No, we didn't vote.  
43 TOMMY DUNN: Let's vote again, Mr.  
44 Chairman. There was a little confusion so we'll vote  
45 and clear it up.  
46 EDDIE MOORE: All right. We'll vote one  
47 more time. All those in favor of the motion raise your  
48 right hand. All opposed. Let it be known that Ms.  
49 Floyd voted against. Everyone else voted for. We will  
50 now take a short ten minute recess.

BREAK

MICHAEL CUNNINGHAM: ... meetings.

Accordingly, the citizens agenda for receipt of citizen opinions, comments and input and is not a time for debate, questions and answer, or dialogue. Each person will be allowed not more than three minutes to address county council. The first up, and I'm the time keeper, is Elizabeth Fant.

EDDIE MOORE: Ms. Fant?

ELIZABETH FANT: Good evening, county council. I'm Elizabeth Fant, district three, Belton. Anderson County is a great place to live, work, and relax with a moderate climate and a one to two hour drive to major cities. Anderson is the link to most anyone's needs or interests. Recreation, arts and museums, and top notch health facilities give Anderson an edge without big city traffic and noise. People are friendly and neighborly. Talented leaders and progressive school administrators contribute to the upward bound success of the county. However work on politics in Anderson County needs definite improvement. Hopefully with new council members, administrator and attorney the county business can move forward positively. To do that will require some hard decisions as to the monetary indebtedness created by past council. Remember, council members, that you are elected by us as servants to the people. Your oath of office requires you to work for all constituents, not just a few, and never for personal entitlement or gain. We expect adult responsible behavior and always proper conduct even in disagreement. Council must follow parliamentary procedure and without censorship. In the past certain council members have scolded constituents for negativity. Let the record be set straight. Please listen carefully. You are totally missing the point. The problem is the behavior of certain council members. Negative behaviors include the railroading and funding of the Preston buyout, the hiring of the new administrator without democratic process. Pushing forth the Good Friday holiday at a called meeting. Outgoing council member four giving away all his road money leaving his successor with none. Amending the agenda speaking policy. Voting and reconsidering an item at the same meeting now allowing time to research the ordinance. Adjourning meetings so as to censor speech. Not attending meetings. Leaving early or taking excessive breaks. Council member number two interrupting, finding fault with others, bragging about her own business and taking excessive time on her own issues. Council member four smirking, rearranging the

1 desk, even reading a newspaper while the constituent  
2 spoke. Sneaking in items for vote and using point of  
3 order as a censoring tool. Council members two and  
4 four are lounging in chairs constantly talking. Thank  
5 heavens council member four is gone. His behavior  
6 typifies one of the worst cases of political arrogance  
7 and unseemly conduct. Now we are expecting proper  
8 behavior from all council.

9 MICHAEL CUNNINGHAM: Time.

10 EDDIE MOORE: Your time has expired, Ms.  
11 Fant. I would like to remind everybody, please don't  
12 talk personally. Just address the chair, please, and  
13 kind of -- don't call any councilmen by name. Just  
14 address the chair and I can take the heat. All right.  
15 Who is the next person?

16 MICHAEL CUNNINGHAM: Mr. Horace Alexander.

17 HORACE ALEXANDER: I don't know if I'll use all  
18 three minutes but I'll try. Today I have seen probably  
19 some of the most disrespectful behavior that concerns  
20 me because it appears that everybody who was a  
21 supporter of the former county administrator has been  
22 targeted. And it's evident that we're bringing in  
23 policies now, resolutions that should have been brought  
24 in long before Michael Cunningham became county  
25 administrator. And my concern is we are upset about  
26 the way he arrived in his position. But were there any  
27 RFQ's sent out for this consultant or these consultants  
28 you're getting ready to hire? Were any RFP's received,  
29 request for qualifications received, if they could do  
30 the job? And one of them you said he worked here  
31 during the '80s and '90s. I graduated back then. That  
32 means that's twenty-five years ago. How old is he? We  
33 need to look and do for all consultants and employees.  
34 If there needs to be job postings for his position, why  
35 no postings for these good ole boy tactics we see here  
36 tonight? You already gave a man money, a blank check,  
37 and you just presented it tonight? How many council  
38 people knew about these two companies or firms we just  
39 voted on -- you just voted on. Everything is staged  
40 and it's evident. You have an acceptance speech before  
41 a motion is made to make a chair. And he read it word  
42 for word. Is there a meeting before the meeting? And  
43 then you need another meeting to go back into some  
44 executive session that you come out and tell us all  
45 about. We sit here thirty, forty minutes to wait for  
46 you to come out and then you're going to take another  
47 ten minutes break. That's twenty-one minutes. And  
48 everybody's got to wait for you to come back. Is this  
49 the kind of county administration that we really need  
50 or do we need a called meeting to vote in a new council

1 that can make the job work? It's not about you. You  
2 came around with your lofty speeches about vote for me,  
3 re-elect me, but you never told me that you were going  
4 to sit here and waste my time talking about who sits  
5 where. Are you all from the Baptist tradition or is  
6 that something that just spreads around the south?  
7 Because my deacons fuss about where they sit and you're  
8 fussing about where you sit and whose office has what.  
9 You need people that's going to work for this county as  
10 consultants who are not so close to anybody on here.  
11 Is anybody related to this law firm? Does anybody have  
12 any relatives on this board related to that law firm?  
13 And if you know these people so well, Mr. Chairman, you  
14 need to say I know you too well. I don't need to hire  
15 you.

16 MICHAEL CUNNINGHAM: Time.

17 APPLAUSE

18 EDDIE MOORE: Please refrain.

19 MICHAEL CUNNINGHAM: Mr. Eric Bradshaw.

20 ERIC BRADSHAW: Mr. Chairman and members of  
21 the council. This is one of the most divisive  
22 disunified meetings I've ever been a part of. I've  
23 never seen so much mockery in county administration  
24 than I've seen tonight. You argue over moot issues.  
25 You talk about things that have no bearing effect on  
26 the citizens of Anderson County, but yet what you find  
27 yourself doing is washing the hands of your business  
28 partners. Here's what I promise, along with some of  
29 the other minority since we have some issue with not  
30 knowing what is a minority or what is a majority.  
31 Since we don't understand that, clearly let me make one  
32 promise, and I make this promise and it's not a threat  
33 but it's a promise. If Michael Cunningham is removed  
34 from his position I promise you Anderson will never  
35 look the same. Because as sure I'm standing here we  
36 will have everybody that you love to hate right here in  
37 Anderson County. You're talking about the Electric  
38 City. You're going to see electricity like you've  
39 never seen it before. Again, that's a promise and not  
40 a threat. And I say this in the spirit of what the  
41 previous gentleman just said. Who's going to actually  
42 administer or who's going to oversee what you guys do?  
43 You oversee everybody else. Who's going to oversee  
44 what you do? Just like you have an investigative team  
45 so do we. We can go up and down your files. We can  
46 know who's related to who. We can know whose daughter  
47 works with whose firm. And what I love about it so  
48 much is that we don't work for any of you. You can't  
49 fire me. You can't kick me out of the city and as sure  
50 as I'm living here, the citizens of Anderson,

1 particularly the minorities, we have a voice in this  
2 city. Thank you.

3 APPLAUSE

4 MICHAEL CUNNINGHAM: Captain Leonardo Ortiz.

5 LEONARDO ORTIZ: I'm not quite that tall.

6 Okay. I'm captain Leonardo Ortiz. I live on Belton  
7 Highway, district two. I think number one,  
8 parliamentary procedure needs to be followed. If y'all  
9 are going to be talking about parliamentary procedure  
10 you should follow parliamentary procedure. Number two,  
11 transparency in government, those three words have been  
12 used over and over and over and over again. However,  
13 there are some things that I've heard tonight that show  
14 anything but transparency in government. In fact, even  
15 to the point of violating the Sunshine Laws. When  
16 people have already made decisions prior to having an  
17 open meeting, but yet we're supposed to be wanting to  
18 have open government. I think that this is something  
19 that is a problem. I think that we've had a problem  
20 here for the past few years of a lot of folks being  
21 negative and nothing positive coming forward from all  
22 this naysayers and stuff like that. I really think  
23 that we need to move forward. We need to look  
24 seriously into moving forward into progress rather than  
25 moving backward into regress. And until we start  
26 looking forward into progress then we're going to get  
27 nowhere quick. Plain, simple, common sense.

28 MICHAEL CUNNINGHAM: Mr. Mark Powell.

29 MARK POWELL: Mark Powell, Williamston,  
30 Hogg Road, district seven. This is an interesting  
31 night. Stuff has been said, stuff has been said as if  
32 tonight is the first meeting that has ever been called.  
33 The first meeting that has ever happened. First  
34 attitudes, first bad attitudes, first time anybody's  
35 ever liked being cruel to someone. People should have  
36 been here when Cindy Wilson's, her own money for her  
37 district, my district, was absconded from her, stolen  
38 from her during requests by council. The other council  
39 members stole it. They laugh when you talk about it.  
40 But they stole it. You want to talk about, you know,  
41 the pot calling the kettle black. I can't believe  
42 y'all brought this up and didn't give us a copy of it.  
43 Oh, my goodness, what the heck did y'all do when you  
44 brought in the buyout contract for Joey Preston.  
45 Nobody had a copy. Ron Wilson is the only one that had  
46 it. Y'all claimed you never saw it, because you said  
47 when you made your motion to hire Mr. Cunningham, first  
48 time I've seen it. I want to hire him. You know, you  
49 can't show up at one meeting and think that this is how  
50 meetings are. You can't come in and try to railroad



1 stuff. The new council members are on the board. They  
2 are sitting. They are in control as a majority. It is  
3 such an awesome feeling instead of holding up five  
4 right hands for liberals and two for conservative to  
5 hold up five conservative and two liberal. You know, I  
6 didn't hear a shredder ripping up that contract they  
7 gave you and it really disappoints me. I hear when I  
8 read the paper that you sign on to a lawsuit preventing  
9 Cindy and Bob from talking to any employees, but yet  
10 Ron, Ms. Gracie, Michael Thompson and little Napoleon  
11 complex McAbee went to those people and had all the  
12 information pulled or how to pay for -- I'm sorry for  
13 calling out the name -- how to pay for the contract,  
14 how the money was going to come, where it was going to  
15 come from. The county begged us for a one cent sales  
16 tax to fix the roads. Where did the big bulk of the  
17 money come from, the road department. I don't know  
18 what's more disappointing, the fact that you gave it  
19 from the road department but the road department was  
20 asking for sixty four million dollars on the one cents  
21 sales tax. And when y'all asked him that night is this  
22 going to have an effect and his answer was no. You  
23 want sixty four million and you're not going to lose a  
24 hundred and seventy-five thousand or you're not going  
25 to miss it. I do not understand and people who show up  
26 and have no clue what's happened in the past, you have  
27 to show up more, because what happens here happens  
28 every other week. And this has been one of the most  
29 polite meetings that I've been to because five are  
30 usually very rude to me.

31 MICHAEL CUNNINGHAM: Time.

32 MARK POWELL: And I think the new five is  
33 great to the other two.

34 APPLAUSE

35 MICHAEL CUNNINGHAM: Grady Hodges.

36 EDDIE MOORE: Y'all please refrain from  
37 saying anybody's name and please hold your applause.  
38 We'll have one big applause at the end. Everybody can  
39 just clap their hands away. Okay?

40 GRADY HODGES: First of all I want to say  
41 Happy New Year to you all of you Anderson County people  
42 within the confinements of this historic building.  
43 Ladies and Gentlemen, Mr. Chairman, it appalls me that  
44 you all have the audacity to come open up the meeting  
45 to handle county business. There should be legal  
46 counsel sitting up here beside whomever you may have as  
47 our administrator to help you all in parliamentary  
48 procedure. Then you all get out of line one way or the  
49 other. I do believe that you all have gotten out of  
50 line on occasion of five times. The four resolutions

1 that you put forth, I do believe they was out of line.  
2 They are very cloudy. The personnel legal review  
3 committee, your personnel review committee and your  
4 personnel matters and concerning your contracts and  
5 your resolution of Ms. Wilson in regard to a lawsuit.  
6 I do believe all that should be dealt with by a lawyer  
7 before we let you all acclimate that into a resolution.  
8 I'm just a concerned citizen. It seemed to me that you  
9 all are stepping your grounds. Yes, I am concerned  
10 about a million dollar buyout and a past administrator  
11 that basically no one had received any public notice.  
12 There should be the same as a million dollar buyout  
13 should be publicized three times to the public of the  
14 body that you work for and that is the citizens of this  
15 county. No council should abruptly have the power to  
16 step up and buy out the contract of a million dollars  
17 when you just previously bought a million dollars worth  
18 of cars that we're still trying to pay for. Let's move  
19 on. This is cloudiness within your execution session  
20 meeting, whereas when you come out and you said you had  
21 an investigative counsel, one. Two, you had an audit  
22 accounting firm that you're going to have and you  
23 mentioned something about a third item within that  
24 meeting. You put that in a resolution. I concur with  
25 Ms. Floyd in regard to it was supposed to have been two  
26 resolution and it should have been more clearer because  
27 at this particular point in time both of those  
28 resolutions has gray areas in regard to their task of  
29 what they are to accomplish within this county. I  
30 respectfully request that this council, even though we  
31 just removed our past administrator, but this council  
32 need to have it clearly legally study it. Whereas, you  
33 have the power to disassociate what has happened on  
34 another council due to the fact that you all just got  
35 sworn in this past Sunday, and whether or not you have  
36 the power to undo and move forward to do what you wish  
37 to do.

38 MICHAEL CUNNINGHAM: Time.

39 GRADY HODGES: The last thing I want to say  
40 is that you all have no problem -- should have no  
41 problem sitting here talking about majority here and  
42 negative there. You are a council that represent this  
43 county. Thank you.

44 MICHAEL CUNNINGHAM: Stewart Sprague.

45 STEWART SPRAGUE: I wasn't sure what I was  
46 going to say when I signed up, but since I've heard  
47 this I think it's even more important to say what I  
48 want to say. Mr. Chair, you spoke about Anderson  
49 County being a laughing stock, and I've heard that. I  
50 don't know all the details of that. But for myself as

1 I sat through the meeting I really thought I was at the  
2 theater and that there was a script and that players  
3 were reading their scripts and following their cues and  
4 that it had been planned ahead of time and all managed.  
5 And then I hear that it's a kind of tit for tat. Who  
6 threw the last punch. Almost like King of the Hill and  
7 whose on top now and who can lord it over somebody  
8 else. There are a lot of us here. I've seen a number  
9 of my friends in the audience. I don't try to speak  
10 for them. But what we want is a council that will  
11 govern with everybody's participation in that process.  
12 We will come to the center and meet you there. We  
13 don't have to have these managed and staged arranged  
14 kinds of meetings where each side gets its play over  
15 the other. I thought that when the new council came we  
16 have an administrator here that many of us in the city  
17 know, have known him for a long time and we trust him,  
18 and we'd be wonderfully pleased to have him there. We  
19 have a record of being recognized by an association for  
20 our sterling audits for eleven years in a row. The  
21 county report reports that the government officers  
22 association has awarded the county a meritorious  
23 commendation for its auditing. So I don't think this  
24 audit and this investigation needs to take very long.  
25 I think it should be very cheap and very quick and that  
26 we should go on with an administrator we trust, council  
27 that's been elected and everybody coming to the center  
28 to have an open honest discussion where the resolutions  
29 are shared in advance, where all the information is  
30 available to everyone, and there are plenty of us in  
31 this county who will come and meet you at that table  
32 any time you call us there. Thank you.

33 MICHAEL CUNNINGHAM: Mr. Terry Chapman.  
34 TERRY CHAPMAN: Mr. Chairman and council.  
35 My name is Terry Chapman. I'm community leader, Old  
36 Town New Town, Appleton Mill, over in district two, Ms.  
37 Floyd's district. I spent the whole probably week or  
38 month or especially since the elections hoping and  
39 praying that a lot of things was going to change. But  
40 I didn't see a whole lot changing when I seen the  
41 actions at the first of the meeting. Three new members  
42 come in. I hope and pray that you don't stay with the  
43 attitude. I believe in democracy. I believe in vote.  
44 One member can't do it. It takes the majority of  
45 seven. But listen to the people in your district.  
46 Some of you I've invited. Some of you has been to our  
47 meetings. Some of your people come to ours because  
48 there's no meetings in their area. I'm like someone  
49 else said before, y'all need to listen to your  
50 constituents, ones that have to me the knowledge of

1 that area. Not just because you don't like so and so  
2 or you want to get back at so and so. I'm tired of  
3 that. I didn't agree. It's like I said before. I  
4 don't always agree with Ms. Floyd. I voice my opinion.  
5 The people voice their opinions. I didn't agree with  
6 some of the past administration moves. I voiced my  
7 opinion with that and that's the way it should be. But  
8 it shouldn't come in because I couldn't have four  
9 people of the council to meet me at the county jail to  
10 show them -- just give them a tour because four calls  
11 the quorum and it was unheard of. I think some of  
12 that's done been taking place and that's not right.  
13 Whether it's for them or who. Five and two this way  
14 ain't no different than five and two the other way.  
15 I'm asking the new members, Mr. Allen and them, y'all  
16 come in with an open mind. I believe in audits. If  
17 they was some kind of charge, if you could have then  
18 brought a charge against the administrator or whoever,  
19 we could have had an audit right then. But everybody  
20 just assumed. My grandpa told me, says, I deals  
21 opinion's like feet, most people's got two of them and  
22 both of them stink. So let's don't worry about what --  
23 I don't even want you voting your heart. I want you to  
24 ask your people and I've talked to a lot of people and  
25 everybody's that's known Mr. Cunningham ---

26 MICHAEL CUNNINGHAM: Time.

27 TERRY CHAPMAN: -- we're not going to find  
28 nobody better. And that's all I'm going to say with  
29 that. Thank you.

30 MICHAEL CUNNINGHAM: Mr. Rick Freemantle.

31 RICK FREEMANTLE: Good evening, Mr. Chairman.  
32 My name is Rick Freemantle. I'm from district six.  
33 First of all, I'd like to say I'm happy to see so many  
34 new faces here tonight, Mr. Chairman. I'd like to know  
35 where they've been for the last six years. If they  
36 think the behavior here tonight is bad they should have  
37 been here for the last six years' worth of meetings.  
38 Your people, my people. I thought we were all one  
39 people. I thought we were to judge each other by the  
40 content of our character. Mr. Chairman, I'd like to  
41 talk about the content of the character. Are we  
42 talking about the same Mr. Michael Cunningham who  
43 blocked the entrance to the finance department, who  
44 stood there and blocked two elected officials from  
45 coming into this building.

46 EDDIE MOORE: Please don't call any names.

47 RICK FREEMANTLE: Yes, sir, Mr. Chairman. Is  
48 this not the same individual who attempted to take the  
49 copy machines away from these folks. The content of  
50 his character.

1 EDDIE MOORE: Need to comment on the  
2 agenda matters too, everybody.

3 RICK FREEMANTLE: You're right. No one has  
4 tonight. I'm sorry. I'm usually more ... I'll get to  
5 agenda matters. I would like to comment on the  
6 election of the chairman, Mr. Chairman. Mr. Chairman,  
7 first let me say congratulations on your new endeavor  
8 in life. You, sir, are the fourth chairperson which I  
9 have seen come to power here in Anderson County. When  
10 it comes to governmental power Pastor Cox had it  
11 exactly right the other day at John Skipper's swearing  
12 in ceremony. He said, remember, you are regulated by  
13 God to do good work on behalf of the people. Do not  
14 exceed the boundary lines of your authority. Do not  
15 enrich yourselves at the expense of the people. Two of  
16 the three past chairmen had it exactly wrong. Their  
17 approach to performing the job which they were elected  
18 was way out of line. They exceeded their boundary  
19 lines egregiously. They showed other contempt for the  
20 citizens of this county. And although we are still  
21 seeking supporting proof, their actions portrayed those  
22 of corruption on a scale equal to the political worlds  
23 of Illinois and Louisiana. The consensus among most  
24 taxpayers was heard last June and it's evident from the  
25 election returns that past chairmans may have enriched  
26 themselves. We don't know yet. But that's the reason  
27 for the audit. You have, sir, one fine example of how  
28 a chairman should conduct himself while laboring under  
29 such a heavy responsibility. Mr. Chairman, the council  
30 member from district two, I mean excuse me, district  
31 one served and has continued to serve the people of  
32 this great county with honor and dignity. You would do  
33 well to mimic his love and compassion for the people of  
34 Anderson County.

35 MICHAEL CUNNINGHAM: Time.

36 RICK FREEMANTLE: Thank you.

37 END OF TAPE 1, SIDE 2

38 FEMALE ATTORNEY: Good evening members of  
39 council. I live in district four. I came here tonight  
40 to talk about the road projects that were on the  
41 agenda. But instead of hearing about these important  
42 projects, like when I go home tonight whether I'll have  
43 a road to go down, whether my road will be washed out,  
44 I came to a council meeting that I had hoped would  
45 start a year of unity, That I had hoped the three new  
46 council members including my own would set aside petty  
47 bickering and get to the business of this county. At  
48 the beginning of this meeting the chair said, we're  
49 going to have open, transparent and accountable county  
50 government. We proceeded to have three resolutions

1 that were not on the agenda. We proceeded to see, and  
2 I counted, four council members who had copies of those  
3 resolutions, which is a violation of the open meetings  
4 law. I'm disgusted. I've lived in this county since I  
5 was seven years old. When I arrived in Anderson County  
6 there was a cross burning on the family behind John  
7 Tucker's farm and a lot of things have changed in  
8 thirty-three years and a lot of things have stayed the  
9 same. We want a government the citizens can be proud  
10 of. We want a government that's open and accountable.  
11 We want a government that treats its employees  
12 according to the law, follows the law, including Wilson  
13 vs. Preston which is a Supreme Court case from June of  
14 2008, which if you follow the resolution you just pass  
15 you will violate. You have chosen to hire an attorney,  
16 which after saying that you had to go out and we should  
17 have a fair process about hiring people, you hired two  
18 consultants tonight without doing that. How much does  
19 Judge Billy Wilkins charge per hour. You talked about  
20 how much the accountant charged per hour but that never  
21 came up. Nexsen Pruet partners charge between three  
22 hundred seventy-five and four twenty-five per hour. A  
23 special rainmaking partner like Billy Wilkins will be  
24 at least five hundred dollars per hour. I asked my  
25 council member, he didn't know how much Billy Wilkins  
26 charged per hour. Did any of you who voted know?  
27 Thirty thousand dollar retainer. That's sixty hours of  
28 work. Do the math. You also chose to waive the  
29 attorney/client privilege which means whatever the  
30 report is and whatever is decided and recommended to  
31 you now is clearly discoverable in subsequent  
32 litigation. Mr. Waldrep understands that. He's an  
33 attorney. I'm an attorney. He knows what that means.  
34 You all have made some bad decisions tonight and you're  
35 continuing down a bad path. You three new council  
36 members and the four continuing ones have a choice.

37 MICHAEL CUNNINGHAM: Time.

38 FEMALE ATTORNEY: Choose unity.

39 EDDIE MOORE: Please hold your applause to  
40 the end, please.

41 MICHAEL CUNNINGHAM: Mr. Chairman, that was the  
42 last person signed up under agenda matters.

43 APPLAUSE

44 EDDIE MOORE: We'll now go to the  
45 ordinances. The second reading of Ordinance 2008-61.  
46 Mr. Cunningham, since we are just coming on board I  
47 would like for you to give us a little rundown on this  
48 and there's a couple of questions that I would like to  
49 ask you about it also. But I would like for you to  
50 kind of fill us in on this whole proposed park.

1           MICHAEL CUNNINGHAM: Mr. Chairman, what you  
2 have before you tonight on second reading is an  
3 ordinance that would allow for the creation of a multi-  
4 county industrial park. This particular park is  
5 located completely inside Abbeville County which means  
6 that Abbeville County, I believe I'm correct, gets  
7 ninety-nine percent of the revenue, but under a multi-  
8 county industrial park agreement then Anderson County  
9 by joining with them gets one percent of the revenue  
10 generated off of the projects that would be located in  
11 the park that's being considered. If I've missed  
12 anything or if you have any further questions I will  
13 certainly try to answer them, and I believe that Ms.  
14 Jones is here as well from the county development  
15 office that would also be able to assist.

16           EDDIE MOORE: Mr. Cunningham, one thing I  
17 wanted to ask you about this. Do we have any -- is  
18 there any kind of lease agreements or anything that  
19 we've signed with Abbeville County as far as any of  
20 this property or any kind of real estate transactions  
21 that you know of with this property?

22           MICHAEL CUNNINGHAM: I think what the ordinance  
23 will allow is for the creation of that multi-industrial  
24 designation on the property wholly inside Anderson  
25 County so there wouldn't be to my knowledge a lease  
26 agreement per se, but this designation allows for, one,  
27 Abbeville County to receive the benefit of having a  
28 project in a multi-county industrial park and in return  
29 for the county partnering with them we get the revenue  
30 back from it.

31           EDDIE MOORE: Have we co-signed any notes  
32 or any kind of bonds with Abbeville County?

33           MICHAEL CUNNINGHAM: For this particular  
34 project?

35           EDDIE MOORE: Yes.

36           MICHAEL CUNNINGHAM: Not to my knowledge.

37           EDDIE MOORE: So Anderson County will owe  
38 or not be responsible for any debt that's incurred from  
39 Abbeville County?

40           MICHAEL CUNNINGHAM: That will be wholly  
41 Abbeville County's responsibility for that debt.

42           EDDIE MOORE: Do we have anything in  
43 writing to that effect? Reading through the contract  
44 there's several, several things I have problems with.  
45 You know, especially a lot of times on contracts,  
46 there's kind of subliminal information inside of a  
47 contract itself, you know. But I would like to ask a  
48 couple of questions and one of the questions I had was,  
49 if you go to page two on this contract the word  
50 substantially, and if you go down where it says, their

1 execution thereof is -- constitutes conclusive evidence  
2 of their approval of any and all changes or revisions  
3 therein from the form of the MCP agreement now before  
4 this meeting. I'm going to ask you one more time.  
5 Will we be responsible for any costs incurred from  
6 Abbeville County?

7 MICHAEL CUNNINGHAM: And again, Mr. Chairman,  
8 to my knowledge we would not be.

9 EDDIE MOORE: Okay. One more thing.

10 MICHAEL CUNNINGHAM: Okay. And actually I  
11 believe that's in section three on that same page.

12 EDDIE MOORE: It is.

13 MICHAEL CUNNINGHAM: Where it says, providing  
14 the MCP agreement Abbeville County shall bear one  
15 hundred percent of the expenses of the park and  
16 Anderson County shall pay zero percent. And then the  
17 next sentence talks about the revenue sharing.

18 EDDIE MOORE: It does, but it also goes in  
19 there and talks about expenses and stuff too and we  
20 would also incur, if there was any expenses, say if  
21 they went into the hole on this would we have that one  
22 percent we'd have to pay?

23 MICHAEL CUNNINGHAM: I'm sorry. The one  
24 percent is revenue to us. What essentially will happen  
25 if the company in question went in the hole then what  
26 we would ultimately lose out on is that one percent  
27 revenue.

28 BOB WALDREP: Mr. Chairman, I just wanted  
29 to give you the advantage of some of the experience  
30 that some us have had on council with regard to these  
31 matters. I feel like that the county is well protected  
32 in this instance because of the language of the  
33 statute, the way it's been set up. And this is pretty  
34 much a form followed by the General Assembly when we  
35 were trying to create these different district  
36 industrial parks that we could share money with. I  
37 know it looks a little peculiar, it really does, like  
38 most things that come out of law. But I just wanted to  
39 say I feel the council is well protected and Mr.  
40 Cunningham is correct on that.

41 EDDIE MOORE: You're the attorney and I  
42 just want to ask those questions to make sure. The  
43 questions were asked of me and I just want to make sure  
44 there wasn't any hidden real estate deals or something  
45 that we might not know about. With that is there any  
46 more discussion on this?

47 GRACIE FLOYD: Mr. Chair?

48 EDDIE MOORE: Ms. Floyd.

49 GRACIE FLOYD: Mr. Chair, we need to get  
50 this on the floor.



1 TOMMY DUNN: I make a motion.  
2 EDDIE MOORE: We have a motion for it to  
3 be on the floor.  
4 RON WILSON: Second.  
5 EDDIE MOORE: We have a second. Now we  
6 can go to discussion. Ms. Floyd?  
7 CINDY WILSON: Isn't there a public  
8 hearing?  
9 EDDIE MOORE: Okay.  
10 CINDY WILSON: You're supposed to do a  
11 public hearing, I think, before we go into discussion  
12 amongst ourselves.  
13 EDDIE MOORE: I stand corrected. I'm  
14 sorry.  
15 CINDY WILSON: I'm sorry. It about slipped  
16 up on all of us.  
17 EDDIE MOORE: I just had some questions.  
18 I want to make sure y'all didn't have any questions or  
19 anything too.  
20 CINDY WILSON: Thank you.  
21 EDDIE MOORE: Now we'll go to the public  
22 hearing. Do we have anyone that wants to make comments  
23 on this matter?  
24 TOMMY DUNN: Mr. Chairman, if you would,  
25 how about reading the ordinance so the audience members  
26 will know the ordinance on second reading 2008-061, if  
27 you would, the ordinance to develop.  
28 MICHAEL CUNNINGHAM: Mr. Chairman, if you would  
29 like, I'd be happy to read that.  
30 TOMMY DUNN: Okay. Appreciate it.  
31 MICHAEL CUNNINGHAM: Ordinance's second  
32 reading, number 2008-061, an ordinance to develop  
33 pursuant to Section 4-1-170 of the South Carolina Code  
34 of Laws 1976 as amended, a jointly owned and operated  
35 industrial park to be known as the Project Palmetto  
36 Multi-County Park in conjunction with Abbeville County,  
37 South Carolina. Such industrial business park to be  
38 geographically located in Abbeville County, South  
39 Carolina to provide for a written agreement with  
40 Abbeville County as to the sharing of the revenues and  
41 expenses of the park, to provide for the distribution  
42 of revenues from the park among the taxing entities  
43 having jurisdiction over the park, to provide for a  
44 user fee in lieu of ad valorem taxation and other  
45 matters related thereto. And at this time it is  
46 appropriate for the public hearing.  
47 EDDIE MOORE: Thank you, Mr. Cunningham.  
48 RICK FREEMANTLE: Thank you, Mr. Chairman.  
49 Again, my name is Rick Freemantle from district six. I  
50 read over this on the computer and the one thing that

1 bugs me about this if it sounds too good to be true it  
2 probably is too good to be true. I see that we're  
3 going to get one percent revenue out of this. Why does  
4 Abbeville need Anderson to be tied up with this thing  
5 so bad. That's my first question. The second  
6 question, what if somebody gets hurt down there? It  
7 says here we're not responsible for a lot of things but  
8 what about lawsuits for accidents. Does Anderson  
9 County really need that one percent revenue? I mean, I  
10 understand we're in some tough economic times, but one  
11 percent revenue is probably not going to be very much.  
12 And in light of our economic times this place may sit  
13 empty forever. It may be a long time coming, that one  
14 percent. I appreciate the questions that I've heard  
15 presented so far and I hope that you do a little  
16 further in-depth study on this before we go forward  
17 with this thing. Thank you.

18 ELIZABETH FANT: I basically had the same  
19 questions. I don't see what the benefit is to Anderson  
20 County by doing this. Let Abbeville do it on its own.  
21 Why are we involved?

22 STEVEN POPE: Steven Pope, Bellview  
23 Estates, county council district one. Mr. Chairman,  
24 members of the council, I like the way you've done this  
25 tonight, before we had a hearing at least to get a few  
26 questions out in the open where we can have an idea  
27 exactly where we stand, which makes the citizen  
28 comments in reference to the public hearing more  
29 relevant and we don't end up just talking into the  
30 wind. Thank you.

31 STEVEN CHAPMAN: Steven Chapman. I am a  
32 resident of Cheddar Community, Ellison Circle, district  
33 seven, Cindy Wilson's district. I heard you just asked  
34 Mr. Chairman about expenses. I too would like to ask  
35 the same question. It says here on the paper, it says,  
36 to provide for a written agreement with Abbeville  
37 County as to the sharing of revenues. It also says,  
38 and expenses of the park. So we was getting one  
39 percent revenue back which I see is no money in is what  
40 we were saying and getting money back out, but will we  
41 be responsible for paying for the construction,  
42 anything going into this park, because it says, and  
43 expenses of the park. Thank you.

44 MARK POWELL: Mark Powell, district seven,  
45 Williamston. I get real confused on government  
46 bureaucracy. We have a very expensive economic  
47 development board to bring business into our county.  
48 My mind just don't comprehend what financial benefit we  
49 -- I mean, does our economic board go out and help  
50 recruit people to go to Abbeville so we can get one

1 percent instead of a hundred percent? I know this has  
2 been going on a long time, but I personally just see it  
3 as big government getting a bunch of counties together  
4 who has to have a bunch of attorneys get together who  
5 have to write up a whole bunch of papers so everybody  
6 understands what the agreement is so they can all have  
7 liability that it doesn't understand, didn't want to  
8 have, and are very concerned about. But if our  
9 economic board is working with them to help get them  
10 business let's fire our economic board and let them go  
11 to work for Abbeville County and get people in our  
12 district who will pay a hundred percent revenue. And  
13 I'd prefer them to be taxed instead of lieu in fee of  
14 tax because when you don't get enough tax from business  
15 you have to get it from us, the homeowners. We all  
16 just had reassessment and we certainly understand what  
17 increase in taxes and increase in assessment means. If  
18 you didn't file a protest shame on you. But you know,  
19 it just reeks of -- and I know what we get isn't what  
20 you guys get, but when it does say share in revenue and  
21 share in expenses, I hope sharing in expenses is not  
22 true because sewer and infrastructure, sidewalks,  
23 roads, drainage, Michelin Boulevard, crazy roads that  
24 go awry, better worry yourself when you sign up for  
25 expenses when you're not real sure what expenses are.  
26 Thank you.

27 EDDIE MOORE: Is there anyone else? The  
28 public hearing is now closed. We will now move forward  
29 on this.

30 TOMMY DUNN: Mr. Chairman?

31 EDDIE MOORE: Mr. Dunn.

32 TOMMY DUNN: I'd just like to say it's  
33 just second reading. I've got a couple of questions  
34 I'd just like to get Mr. Cunningham or Ms. Jones at a  
35 later time, information I'll bring back on this third  
36 time. I don't see no reason to hold this up. Mr.  
37 Waldrep feels good about it. I've already -- I've  
38 looked at it pretty good and I've talked to Mr.  
39 Cunningham a little bit about it already and I, like I  
40 said, I think we can answer questions between now and  
41 the third reading. I think we need to move on with it.  
42 We've got a motion on the floor.

43 EDDIE MOORE: All right. We have a motion  
44 on the floor to move forward, to move this motion  
45 forward, to move this second reading to the third  
46 reading. We will now -- do I have a second?

47 CINDY WILSON: Second.

48 RON WILSON: Second.

49 EDDIE MOORE: We have a second on moving  
50 this forward. We will now take a vote. All in favor

1 ---

2 TOMMY DUNN: More discussion.

3 CINDY WILSON: Mr. Chairman, may I?

4 TOMMY DUNN: Now it's time for

5 discussion. Go ahead.

6 EDDIE MOORE: I'm sorry.

7 CINDY WILSON: In reading back through the  
8 caption it's very easy to see how people were confused  
9 here and I would believe that too. And I know that  
10 because of the fee in lieu of taxes which was set up by  
11 our State Legislature to basically circumvent our State  
12 Constitution where ad valorem taxes are concerned it  
13 gets very confusing. I personally have always believed  
14 that we need to go back and readdress the State  
15 Constitution and maybe set it up so that industrial and  
16 commercial projects that would increase the county's  
17 tax base could maybe have some type of an easier tax  
18 instead of ten and a half percent for industrial. But  
19 this is what we're set up with and it's called a fee in  
20 lieu of taxes and multi-county parks were set up so  
21 that, for example, Abbeville is a less developed county  
22 than Anderson County and there are a lot of things  
23 perhaps Ms. Jones or someone with our economic  
24 development department could explain more fully, but it  
25 was set up hopefully to equalize bringing industries in  
26 so that they would be maybe more in favor of going to  
27 less developed areas and yet counties like Anderson  
28 which are more developed would get some revenue stream.  
29 But I'm wondering if we might ought to, just to make  
30 sure that everybody is comfortable with this, maybe add  
31 a clause or include it in section three, the sharing of  
32 expenses and revenues, maybe just a little more  
33 clarifying language that, where it states as provided  
34 in the MCP agreement, Abbeville County shall bear one  
35 hundred percent of the expenses of the park, including  
36 but not limited to all construction expenses and  
37 liabilities. Maybe Mr. Waldrep might want to look at  
38 that. I mean, we've gone through these type agreements  
39 many times over the years with Anderson County and  
40 other counties around the state, but I can see why  
41 folks here would be concerned that we might be  
42 subjecting ourselves to unknown liabilities and  
43 expenses that might not be as clearly written. Anyway,  
44 that's my two cents worth.

45 BOB WALDREP: Mr. Chairman?

46 EDDIE MOORE: Mr. Waldrep.

47 BOB WALDREP: I'll be glad to try to take  
48 a look at that with the administration. But I did want  
49 to say that this type of program has been set up to be  
50 an inducement to industry as has been used by this

1 county for many years. That additional language  
2 probably would not do violence to the purpose of the  
3 ordinance, but we can check on that between now and  
4 next meeting.

5 EDDIE MOORE: Mr. Cunningham, you looked  
6 like you wanted to say something.

7 MICHAEL CUNNINGHAM: Only that with the  
8 pleasure of council I'll be happy to work with whoever  
9 along with the attorneys that prepared the agreement to  
10 research these matters and I believe it was Nexsen  
11 Pruet that prepared this document.

12 EDDIE MOORE: Any more discussion?

13 GRACIE FLOYD: Yes, I have a question.  
14 Okay. It was suggested that we ask Mr. Waldrep to  
15 check into this or to review this or what?

16 TOMMY DUNN: He just volunteered, Ms.  
17 Floyd. I believe I'll answer that for you.

18 GRACIE FLOYD: No, it didn't. He  
19 volunteered to do what now?

20 TOMMY DUNN: He volunteered to look at  
21 this, the contract. I mean, he ain't working for the  
22 county if that's what you're getting at. We ain't  
23 appointed him to look at nothing. He just volunteered.  
24 I don't want to speak for Mr. Waldrep, but I think  
25 that's what I heard.

26 BOB WALDREP: I hope that didn't create a  
27 problem. I'm certainly not trying to encroach on  
28 anybody's territory here and I would just check it out.  
29 I hope no one is offended by my offer to do that. If  
30 they are we can take a vote on it and I will withdraw  
31 it.

32 GRACIE FLOYD: Mr. Chair?

33 EDDIE MOORE: Ms. Floyd.

34 GRACIE FLOYD: Mr. Waldrep, I'm only trying  
35 to understand what it is, you know, what you are going  
36 to do. That's all.

37 BOB WALDREP: Ms. Floyd, what I would try  
38 to do would be see if the additional language of  
39 exculpating Anderson County from liability would create  
40 any kind of problem with the activation of this  
41 ordinance which is before us today which has fee in  
42 lieu of consequences and which is a multiple county  
43 ordinance designed under the State of South Carolina's  
44 law.

45 GRACIE FLOYD. All right. Thank you. Thank  
46 you, Mr. Chair.

47 EDDIE MOORE: Any other discussion? Do I  
48 have a motion on the floor to move forward to the third  
49 reading?

50 TOMMY DUNN: I think you already had a

1 motion and a second. We passed to discussion I think.  
2 EDDIE MOORE: All right. All in favor of  
3 this going to the third reading raise your right hand.  
4 Unanimous. This will move forward to the third  
5 reading. We will now go to number ten of the proposed  
6 resolutions.  
7 TOMMY DUNN: Mr. Chairman?  
8 EDDIE MOORE: Mr. Dunn.  
9 TOMMY DUNN: I'd like to make a motion  
10 that we freeze all contracts unsigned upon review by  
11 council.  
12 EDDIE MOORE: Do we have a motion?  
13 TOMMY DUNN: That is, the committee to  
14 report back to the council.  
15 EDDIE MOORE: We have a motion on the  
16 floor from Mr. Dunn to freeze all the county contracts  
17 until they go before the new committee for review. Do  
18 I have a second?  
19 CINDY WILSON: Second.  
20 EDDIE MOORE: We have a second from Ms.  
21 Wilson. Do we have any discussion on this?  
22 GRACIE FLOYD: Yes, sir. I thought number  
23 ten was for appointments. It says number ten,  
24 appointments, various boards and commissions, all  
25 districts.  
26 EDDIE MOORE: Ms. Floyd, we amended the  
27 agenda twenty-four hours before. You should have a  
28 copy of the new agenda.  
29 GRACIE FLOYD: The agenda was not amended  
30 tonight.  
31 EDDIE MOORE: We added an item onto it  
32 twenty-four hours before. I requested an item added to  
33 it.  
34 GRACIE FLOYD: Oh, I see. But you see,  
35 what you forgot to do was to amend it on the floor. It  
36 wasn't amended tonight.  
37 CINDY WILSON: Well, it was amended twenty-  
38 four hours in advance.  
39 EDDIE MOORE: Twenty-four hours in  
40 advance.  
41 GRACIE FLOYD: Yes, I understand that, but  
42 it's supposed to be amended at the meeting as well.  
43 It's supposed to be voted on by the council. Mr.  
44 Cunningham, am I correct on that or have I missed  
45 something?  
46 MICHAEL CUNNINGHAM: Ms. Floyd, I think that's  
47 typically what's been done as a procedural matter. But  
48 that is certainly what has taken place in the past.  
49 But that is up to council now for that.  
50 GRACIE FLOYD: Okay. So we're supposed to

1 be looking at the new one. Okay. Now, where are we on  
2 the new one, that one that was amended, but it wasn't  
3 amended.  
4 EDDIE MOORE: It would be number ten.  
5 GRACIE FLOYD: Number ten. It says  
6 proposed resolutions. But I thought you did that at  
7 the beginning.  
8 EDDIE MOORE: No, that was a different set  
9 of resolutions.  
10 GRACIE FLOYD: But that's not on here.  
11 Okay. I'll just be quiet because this is totally  
12 confusing. I just -- I yield.  
13 EDDIE MOORE: Anyone else? We'll now vote  
14 on Mr. Dunn's resolution which will ---  
15 GRACIE FLOYD: I have one question. Excuse  
16 me. May I?  
17 EDDIE MOORE: Yes, ma'am.  
18 GRACIE FLOYD: Thank you. Mr. Dunn has  
19 proposed to -- Mr. Dunn, what was your proposal?  
20 TOMMY DUNN: My proposal was to freeze  
21 all contracts that we can to be reviewed upon by the  
22 committee, the ad hoc committee that was appointed  
23 tonight, and report back to full council for adoption.  
24 GRACIE FLOYD: Did that include the  
25 contracts that have already been signed?  
26 TOMMY DUNN: We can't do nothing that's  
27 already been signed and go back on.  
28 GRACIE FLOYD: Okay.  
29 TOMMY DUNN: But the committee would have  
30 the right to review them. But we're not trying to undo  
31 nothing that's legally already binding.  
32 GRACIE FLOYD: Okay. Good.  
33 TOMMY DUNN: Excuse me. That's not the  
34 intent of my motion.  
35 EDDIE MOORE: Any more questions? We'll  
36 now take a vote on freezing the contracts before -- as  
37 to any future contracts that's going on before they  
38 come before -- they would be coming before the  
39 committee first. We'll now have a vote. All in favor  
40 raise your right hand. All opposed. It's unanimous.  
41 Do we have any more proposed resolutions?  
42 TOM ALLEN: Mr. Chairman?  
43 EDDIE MOORE: Mr. Allen.  
44 TOM ALLEN: Having been assigned to the  
45 finance committee, I've been thinking about something  
46 and I know at one of the previous meetings there were  
47 -- originally in the budget this year there were  
48 twenty-five new positions asked for. Those positions  
49 were wiped out during the buy out of the previous  
50 administrator. So I'm just a little bit concerned

1 about that particular activity. And what I'd like to  
2 do is offer either a motion or a resolution to freeze  
3 current positions until we know exactly where we stand.  
4 Now, that does not mean freezing hiring. If somebody  
5 leaves a position it could be refilled, but no new  
6 positions until we know where we stand financially.

7 EDDIE MOORE: We have a motion on the  
8 floor to freeze current positions and I have a second  
9 by Mr. Waldrep. Do we have any discussion? Hearing  
10 none, we will now vote. All in favor of this  
11 resolution to freeze current positions with the county,  
12 raise your right hand. All opposed?

13 GRACIE FLOYD: It's unanimous.

14 EDDIE MOORE: Let it be shown that Mr.  
15 Wilson is in the affirmative. Mr. Allen is in  
16 affirmative. Mr. Moore is in affirmative. Mr. Dunn,  
17 Mr. Waldrep and Ms. Wilson in affirmative. Ms. Floyd  
18 is in the negative.

19 GRACIE FLOYD: Excuse me, Mr. Chair. You  
20 didn't call for the negative vote and I did vote in the  
21 affirmative. I just put my hands up late.

22 EDDIE MOORE: Let it be shown that it is  
23 unanimous then. All right. Do we have any more  
24 proposed resolutions?

25 BOB WALDREP: Mr. Chairman, there is  
26 something that's come up with regard to the legal files  
27 that are supposed to be produced by the county. I  
28 would propose that the, well, personnel committee be  
29 empowered to review the legal actions that are pending  
30 against Anderson County at this time as part of our  
31 scope of what we're doing. It might be unnecessary to  
32 do that, but I think that if we're going to collect  
33 this information that we should be charged with the  
34 responsibility of reviewing it. And so consequently I  
35 would put that in the form of a motion that we be able  
36 to -- that the personnel committee be empowered to  
37 review these legal pending actions against the county.

38 CINDY WILSON: I'll second it.

39 EDDIE MOORE: We have a motion before the  
40 floor and seconded. The motion was ---

41 TOMMY DUNN: Just a point of order.

42 EDDIE MOORE: Point of order. What is  
43 your point of order, Mr. Dunn?

44 TOMMY DUNN: We don't have a personnel  
45 committee tonight. I believe that would be an ad hoc  
46 committee. It's not a personnel committee. One hasn't  
47 been issued. It's an ad hoc committee, personnel and  
48 contracts, I believe.

49 EDDIE MOORE: Your point is well taken.  
50 So it will be reflected in the record that this will be



1 on our committees that we appointed earlier.

2 BOB WALDREP: Right. I wasn't clear in  
3 what basket that that was going into.

4 CINDY WILSON: Mr. Chairman, may I? I've  
5 been hearing that there's some different lawsuits  
6 against the county. Would it be appropriate at this  
7 time to have a resolution that all lawsuits would be  
8 frozen except for like things involving the Sheriff's  
9 Department and so forth, pending a review so that we  
10 know where we are with all these legal actions. Is  
11 that something that we should consider?

12 EDDIE MOORE: You're asking to amend Mr.  
13 Waldrep's resolution?

14 CINDY WILSON: It's a point for discussion.

15 TOMMY DUNN: Excuse me, Mr. Chairman. If  
16 you've got to make amendments you're going to have to  
17 put it on the floor before you can discuss it.

18 CINDY WILSON: I did second it.

19 TOMMY DUNN: No, I'm talking about your  
20 amending that. You're just discussing Mr. Waldrep's?

21 CINDY WILSON: Yes, discussing his to see  
22 if there is any consensus or discussion about that.

23 TOMMY DUNN: Mr. Chairman?

24 EDDIE MOORE: Mr. Dunn.

25 TOMMY DUNN: I don't think that would be  
26 prudent at this time, personally myself, to do that.  
27 We don't know what's out there. We could be asking to  
28 stop something that could be in litigation tomorrow and  
29 I don't think we want to go down that road.

30 EDDIE MOORE: Your point is well taken.  
31 So let's go with the original motion that we have, Mr.  
32 Waldrep's motion. I would like for you to repeat that  
33 one more time. I wrote it down. I'm afraid I might  
34 have left something out. And I want to make sure that  
35 you read that exactly.

36 BOB WALDREP: My motion was that we be  
37 empowered to review all pending actions and that would  
38 be through the personnel committee that we have now.  
39 Is that ---

40 TOMMY DUNN: Ad hoc committee.

41 EDDIE MOORE: It would have to be on the  
42 personnel legal review contracts inquiries and  
43 investigative committee.

44 BOB WALDREP: Right. Okay. That's the ad  
45 hoc.

46 CINDY WILSON: That should cover that  
47 concern.

48 EDDIE MOORE: Yeah. I think that pretty  
49 much covers everything. All right. We have the motion  
50 on the floor. We do have a second. Ms. Wilson, you

1 said you seconded it. Is there any other discussion on  
2 this matter. Hearing none, we will move it forward.  
3 All in favor of this motion raise your right hand. All  
4 opposed likewise. With Mr. Wilson, Mr. Allen, Mr.  
5 Moore, Mr. Dunn, Mr. Waldrep and Ms. Wilson all voted  
6 yes. Ms. Floyd?  
7 GRACIE FLOYD: You didn't call for the -- I  
8 abstained. You didn't call ---  
9 EDDIE MOORE: And Ms. Floyd abstained. Do  
10 we have any more proposed resolutions? Hearing none,  
11 we will move forward to number eleven on the agenda  
12 which is appointments, various boards and  
13 commissioners. Does anyone have any appointments they  
14 would like to do this week?  
15 TOMMY DUNN: Mr. Chairman, I don't.  
16 EDDIE MOORE: Mr. Wilson? Mr. Allen? Ms.  
17 Floyd?  
18 GRACIE FLOYD: I don't. But Mr. Chairman,  
19 may I please apologize for the telephone. I thought  
20 the phone was off.  
21 EDDIE MOORE: That's okay.  
22 GRACIE FLOYD: But it was not.  
23 EDDIE MOORE: I thought it was mine. I  
24 was reaching in my pocket too, so don't worry about it.  
25 GRACIE FLOYD: I do apologize to you and  
26 the audience for that. I thought it was off. But I  
27 don't have any at this time.  
28 EDDIE MOORE: I don't have any either.  
29 Anyone else?  
30 BOB WALDREP: No appointments from  
31 district one.  
32 EDDIE MOORE: Hearing none, we'll go to  
33 requests by council members. Mr. Waldrep?  
34 BOB WALDREP: I have no requests.  
35 EDDIE MOORE: Ms. Floyd?  
36 GRACIE FLOYD: None.  
37 EDDIE MOORE: I have none. Mr. Allen?  
38 TOM ALLEN: I have none at this time.  
39 EDDIE MOORE: Mr. Dunn?  
40 TOMMY DUNN: I have no money to request  
41 for.  
42 EDDIE MOORE: I know. I'm in the same  
43 boat. But, you know, we might can borrow some from Mr.  
44 Allen. It think he's got a penny left. Can we borrow  
45 half your penny? All right. Mr. Wilson?  
46 RON WILSON: No, none at this time.  
47 EDDIE MOORE: And Ms. Wilson?  
48 CINDY WILSON: None. Thank you.  
49 EDDIE MOORE: All right. We'll go the  
50 administrator's report. Mr. Cunningham, do you have

1 anything?

2 MICHAEL CUNNINGHAM: Yes, sir. As you see, the  
3 administrator's report, I want to point out a couple of  
4 things. One, certainly keep an eye on the article from  
5 the Greenville Business Journal regarding the  
6 unemployment rate, and that is definitely something to  
7 keep our eye on as we talk about economic development  
8 projects and the fact that people who live in Anderson  
9 may travel to Abbeville and vice versa, so it's good to  
10 keep our eye on that as we talk about these economic  
11 development initiatives. I certainly want to point out  
12 the KAB awards and the Tarp Campaign Report in your  
13 information. The FOI request from Ms. Wilson regarding  
14 travel expenses, I wanted to make sure that you got a  
15 copy of that and my response. The bridge funding  
16 request is another one that you see that we've  
17 submitted requests for federal funding for several  
18 bridges, bridge projects. And that is an important  
19 step for us to take as the federal government starts to  
20 talk more and more about stimulus packages and what may  
21 be federal funds flowing to state and local  
22 governments. The idea is that you have projects that  
23 have some planning and some forethought, that those  
24 areas and those counties that have that in place will  
25 somehow have a leg up. So what we're doing is -- you  
26 see that. We also have thankfully sewer plans. I  
27 think you've heard, those of you who took a tour of the  
28 sports complex, there's a plan there for additional  
29 ballfields. So we'll be working on getting more of  
30 those plans in place so when and if the federal  
31 government comes up with the criteria and the funding  
32 stream for any of those projects, we will be ready to  
33 take that and make use of that. So that's an important  
34 thing for us currently to have. The other one is the  
35 grant for the Flat Rock School Wastewater System. That  
36 was one in which the school project down in district --  
37 school district three where they didn't need the  
38 funding for the sewer line, the state has allowed that  
39 money now to be transferred and used for the Town of  
40 Iva which is in need of additional assistance with  
41 their lagoon repair and their sewer lines. So that is  
42 also a positive for the Town of Iva to be able to use  
43 those funds. Lastly on my listed item is a letter  
44 concerning a county attorney. As you can see tonight  
45 we don't have a county attorney here. What I had, as  
46 you see in my memo, recommended was for and had been  
47 talked about before, a staff attorney position. But  
48 recognizing the budget and the desire to keep a watch  
49 on the budget if we want to move forward with that so  
50 we made that position or those couple positions a part

1 of the upcoming budget. But in the interim, because  
2 there is a great deal of legal work that is ongoing,  
3 and I appreciate your comments about not freezing those  
4 because many of those are time sensitive in which if  
5 you don't respond you in essence concede to the other  
6 side and then whatever payout or whatever costs we now  
7 become responsible for. Because we have lots of those  
8 legal matters and lots of those legal issues, as you  
9 will see when I get you the report, it is important to  
10 have a county attorney that we staff and you can rely  
11 on to continue to move us forward in this interim  
12 period. So I have asked Mr. Adam Artigliere with  
13 McNair firm, he's someone that I've worked with very  
14 closely over the year and especially over the last  
15 thirty or so days, I'm very comfortable with him, so  
16 I'll be asking him to sit in with me for the council  
17 meetings as well as be my direct liaison with McNair on  
18 any legal matters that are facing us. Again, he's  
19 here. He's asked about do I need to sit up front or  
20 where. I told him honestly that because of the agenda  
21 that I reviewed was pretty light, I didn't think that  
22 was necessary, a strategic miscue on my part because  
23 there was a lot of resolutions and things I was not  
24 familiar were going to be on there. But that's okay,  
25 at the next meeting Mr. Artigliere will be here sitting  
26 in, if not in this spot, we'll pick some place for him  
27 to sit so he can serve in the interim period until we  
28 can look at the staff attorney model in which, like all  
29 counties, that single staff attorney and paralegal  
30 won't be handle all the county's legal work. There  
31 will be very specialized legal matters that the county  
32 will be facing such as economic development and multi-  
33 county industrial parks and other matters that we'll  
34 need to reach out to some of these firms that  
35 specialize in that. But that staff position will be  
36 able to direct that work flow as well as handle a great  
37 deal of the day to day things that are needed to  
38 operate a county of our size, such as drafting  
39 resolutions, drafting ordinances, reviewing legal  
40 matters. As one of the interesting components of this  
41 job is being served with lawsuits involving the county.  
42 So I've had that happen and it is always good to get  
43 those in, log them, and immediately get them in the  
44 hands of someone that can start addressing it so that  
45 the -- beautiful music -- so that the matter that is  
46 going to be litigated is taken care of within a time  
47 frame, again, so we don't become liable by ultimately  
48 conceding to that. So that is the plan that's in place  
49 moving forward over the next several months and then  
50 again we can look more deeply at the staff attorney

1 position as we go through the budget process. Also,  
2 not on the list of items, but I did want to say and I  
3 gave each of you a letter at the beginning of the  
4 meeting expressing my excitement at the opportunity to  
5 serve. And I hope you take those letters and spend a  
6 little time reading over them. I am just that, excited  
7 about the opportunity. And I understand it won't be  
8 easy. I think tonight has shown that. But all I'm  
9 looking for, all I've ever looked for and I've  
10 mentioned this to each of you individually, is just a  
11 chance to do the job. I believe that given that chance  
12 I will either show my worth or I won't. But that's  
13 what I know. That's what I've seen growing up and  
14 coming along, either you show you can or you won't.  
15 So, I believe, I have to believe, that I can. I do  
16 believe that I've been brought to this point. God has  
17 directed me to this point. I will do his Will and  
18 continue to work to do his Will, and I believe he wants  
19 me to be serving this community at this time. So I  
20 look forward to working with you. I look forward to  
21 the opportunities that we've been presented with  
22 tonight. Just a couple other housekeeping matters.  
23 One, I think as you see on the wall here there's photos  
24 of all the sitting councils, so I definitely want to  
25 get with you to schedule when you want those  
26 photographs taken so that we can put together the photo  
27 alignment that we have for the other councils. Also,  
28 just for your consideration, we do have one council  
29 member emeritus who has not traditionally been on that  
30 photo line up and I hope that you would consider  
31 including Mr. Jordan in that photo line up. He has  
32 been here, a stalwart, apparently someone that's been a  
33 contributor for a lot of years. And I hope you would  
34 certainly consider that. Lastly, because the budget is  
35 going to be important and it is an important issue, I  
36 would hope that Mr. Chairman and the other members of  
37 council, as you're arranging the ad hoc committee  
38 meetings that you will also think about a date for a  
39 county council retreat to discuss kind of your goals  
40 and visions for the upcoming year and that will  
41 certainly help us as we embark on the budget process  
42 which we've already started on. With that, that  
43 concludes my administrator's report.

44 TOMMY DUNN: Mr. Chairman?

45 EDDIE MOORE: Mr. Dunn.

46 TOMMY DUNN: We need to make that in a  
47 motion. I make a motion we add Mr. Jordan to our  
48 photo, county photo hanging on the wall. I got no  
49 problem with that.

50 CINDY WILSON: Second. You'll get seven

1 seconds.

2 EDDIE MOORE: Everybody seconded. All  
3 right. There is a motion on the floor for adding Mr.  
4 Jordan to our photo and we have a second. Any  
5 discussion.

6 BOB WALDREP: Second.

7 EDDIE MOORE: We have a second. Okay.  
8 All in favor raise your right hand. Unanimous.

9 TOMMY DUNN: Mr. Chairman?

10 EDDIE MOORE: Mr. Dunn.

11 TOMMY DUNN: I've just got a question for  
12 Mr. Cunningham on his remarks.

13 EDDIE MOORE: Okay.

14 TOMMY DUNN: I appreciate your remarks  
15 and I haven't had an opportunity yet to read your  
16 letter but looking forward to. And I really do  
17 appreciate your remarks tonight. I've got one question  
18 on your administrative report. Down on K, I believe it  
19 is, you're talking about the grant from Flat Rock  
20 School to Iva. Did that go over well with Flat Rock  
21 School? Any problems there or anything?

22 MICHAEL CUNNINGHAM: I think the school  
23 district came up with a different method of providing  
24 sewer to the school and did not need the grant funds  
25 for that. Instead of sending them back, we knew there  
26 was another need in that area and I believe it was the  
27 budget and control board agreed that the needs in the  
28 Town of Iva were in line with that funding so allowed  
29 that to be transferred. So they are -- the Town of Iva  
30 is certainly excited about that help.

31 TOMMY DUNN: I'm sure they was. I don't  
32 want to make one mad to make one happy.

33 MICHAEL CUNNINGHAM: It was a project in  
34 proximity in that area and so it was a pretty smooth  
35 transition that allowed that to be used for that.

36 TOMMY DUNN: Thank you. And if I can,  
37 one more thing. Mr. Chairman, one more thing. Mr.  
38 Cunningham, if you could between now and maybe next  
39 meeting get with Mr. Hopkins and give us a status  
40 report on the Stevenson Road bridge. I've had several  
41 calls on that. And just see where we're at on that.  
42 You had bridges under your thing tonight, four bridges,  
43 and I know that one's been out, closure for awhile, and  
44 maybe we can find some closure for those folks too.

45 CINDY WILSON: Mr. Chairman, may I?

46 EDDIE MOORE: Ms. Wilson.

47 CINDY WILSON: Thank you. And I too  
48 appreciate Mr. Cunningham's remarks and I look forward  
49 to reading the letter. I was going to also ask about  
50 the status of Stevenson Road bridge and maybe it should

1 be included in the grant applications too. And also,  
2 was there a December airport meeting this past month?

3 MICHAEL CUNNINGHAM: I believe included in the  
4 report is the minutes from the airport advisory  
5 committee.

6 CINDY WILSON: We just had November.

7 MICHAEL CUNNINGHAM: I don't know that they met  
8 in December. I believe the November minutes were their  
9 most ---

10 TOMMY DUNN: I believe Mr. Hopkins is  
11 saying no.

12 MICHAEL CUNNINGHAM: Yeah. I think they chose  
13 not to meet in December.

14 CINDY WILSON: Because there were several  
15 items in there that it seems that we might be losing  
16 some planes and the fuel cells were down and we were  
17 real close I think maybe to breaking even or actually  
18 making a profit, so I was anxious to hear how the audit  
19 came out for them. But thank you.

20 MICHAEL CUNNINGHAM: Well, I apologize for  
21 that.

22 TOMMY DUNN: Mr. Chairman?

23 EDDIE MOORE: Mr. Dunn.

24 TOMMY DUNN: Mr. Cunningham, when we was  
25 on the airport that reminded me, how did we -- or you  
26 referred to Mr. Hopkins, I hate to ask this on the  
27 spot, but did we come out in the black this year on the  
28 budget for the airport? The reason I asked, the last I  
29 heard, and I went to one of the meetings of the airport  
30 advisory board and it was waiting on time, getting  
31 everything took care of, and I noticed in our book that  
32 we was given out, an annual report that was printed  
33 out. I believe I seen a statement in there that it was  
34 the first time ever we had made it in the black for the  
35 airport budget. So I was just wondering was that true  
36 or not?

37 MICHAEL CUNNINGHAM: Yeah, I believe that is  
38 the case. But what you'll be getting certainly is --  
39 at either the next meeting or the first of February, a  
40 report from the internal audit that was done so that it  
41 should speak to that more definitively.

42 TOMMY DUNN: Thank you, Mr. Cunningham.  
43 Thank you, Mr. Chairman.

44 TOM ALLEN: Mr. Chairman, if I may?

45 EDDIE MOORE: Mr. Allen.

46 TOM ALLEN: Mr. Cunningham, a question  
47 for you and a clarification. The lady that lives out  
48 on Shackelburg Road was asking about the bridges, and I  
49 know that there's a request in here for two point two  
50 million dollars to the federal transportation for that.

1 How does that work? Has that actually been submitted  
2 at this point and if so how long will it take before we  
3 might hear anything?

4 MICHAEL CUNNINGHAM: That has been submitted.  
5 Unfortunately it may take some time as the federal  
6 government during their transition of power starts to  
7 take up their actual budget and ...

8 END OF TAPE 2, SIDE 1

9 MICHAEL CUNNINGHAM: ... they are aware of it  
10 and then keep an eye on where they are. Again, as I  
11 stated, the other important issue is that if there is  
12 new funding, if there is new federal assistance out  
13 there, that we are in line to receive that.

14 TOM ALLEN: Okay. Thank you.

15 EDDIE MOORE: Any other discussion about  
16 the administrator's report? Any more questions to Mr.  
17 Cunningham?

18 GRACIE FLOYD: Yes. Mr. Cunningham, I know  
19 that we usually get bids for the pictures that we take,  
20 but I think we've been using Craft, am I correct?  
21 We've been using Craft, but I would like to expand the  
22 bid process to include more options this year, Mr. --  
23 through Robert Carroll. I'd like to expand that a  
24 little this year. Okay?

25 MICHAEL CUNNINGHAM: We'll be happy to work  
26 with the Clerk to Council or whoever we need to put out  
27 a bid for that.

28 GRACIE FLOYD: Okay. Good.

29 EDDIE MOORE: Any more comments? If not  
30 we'll move forward to item 14 on the agenda. It will  
31 be citizens comments, other matters.

32 MICHAEL CUNNINGHAM: All right. Mr. Chairman,  
33 we have eighteen individuals signed up under other  
34 matters.

35 EDDIE MOORE: All right.

36 MICHAEL CUNNINGHAM: And for speediness sake I  
37 won't reread the previous clause. But first up is  
38 Elizabeth Fant.

39 EDDIE MOORE: Y'all make sure when you get  
40 up to please address the council chair and state where  
41 you live and what district you're in.

42 ELIZABETH FANT: Elizabeth Fant, district  
43 three, Belton, South Carolina. A lot has gone on  
44 tonight and I want to say that this is a new year and  
45 we hope that everything is going to run more smoothly  
46 than it has in the past. And I think a lot of people  
47 who were here tonight, and many of them have already  
48 gone, really haven't witnessed the business of County  
49 Council and how it's been in the past. Tonight has  
50 been much more of an improvement. Many of the issues



1 that have been brought up are really not new issues,  
2 they're just things that need to be clarified and taken  
3 care of. And I know several of the new council members  
4 about their character and I know that they're good  
5 people and I believe that they have an honest desire to  
6 do the business of the county in a positive way and I  
7 hope these little picky things that keep coming up will  
8 stop as of tonight. I hate to hear people talk about  
9 majority, minority. I don't really think it's a  
10 woman's thing, although there are only two women on the  
11 council. I don't think it's a religious thing. I  
12 don't think it's a race thing. And I hope that none of  
13 those things are what people are looking at with the  
14 council because that's not what it's about. It's about  
15 doing the business of the county with -- didn't quite  
16 get through the last thing. If you all, every one of  
17 you, behave with decorum, you act and think  
18 independently, that means you do your own thing, you do  
19 your homework ahead of the meetings so that you have  
20 legitimate intelligent questions and you don't waste  
21 our time, you act justly and fairly, the problems that  
22 we've had should disappear. I am reminded by a poem  
23 that a child learns, some of you may be familiar with.  
24 A child learns with -- acts with fear, he will be  
25 fearful. If he is treated unfairly he will exhibit  
26 those same characteristics themselves, and just do  
27 remember that we are examples. And those of us in the  
28 audience too are examples and we also need to act with  
29 the same thing that we're asking for from our council  
30 members and from our administrator, the same thing.  
31 And I want to just look at the word trust. In the past  
32 the audience has had a hard time trusting council  
33 because of so many devious and sneaky things that have  
34 been exhibited.

35 MICHAEL CUNNINGHAM: Time.

36 ELIZABETH FANT: Thank you.

37 MICHAEL CUNNINGHAM: Mr. Brooks Brown, IV.

38 EDDIE MOORE: Mr. Brooks Brown.

39 MICHAEL CUNNINGHAM: Okay. Mr. Michael

40 Deanhart.

41 EDDIE MOORE: Michael Deanhart.

42 MICHAEL DEANHART: Michael Deanhart, district  
43 five. I'm seventy-six years old. I haven't been  
44 struck with that dreaded disease Palsy yet, but boy  
45 I've been shaking my head ever since this county  
46 council meeting and what went on on a radio talk show  
47 this morning. Each one of you have a copy of one of my  
48 heroes, Ghandi, and I'd like to share what Ghandi had  
49 to say about seven deadly social sins. I'd like to  
50 read it because I want the audience to share with that

1 also. Ghandi is my hero. Seven deadly social sins.  
2 Politics without principal, wealth without work,  
3 commerce without morality, pleasure without conscience,  
4 education without character, science without humility,  
5 worship without sacrifice. Mr. Chairman, on January  
6 20<sup>th</sup> we will be celebrating the triumph of decency in  
7 our country, hopefully. Peace over war. Of  
8 intelligence over belief that Adam and Eve rode on  
9 dinosaurs six thousand years ago. What will it be like  
10 to have an extremely smart president? Science banished  
11 for eight years will return. Imagine supporting and  
12 bringing together our country's greatest minds as they  
13 seek to cure illness, discover new forms of energy and  
14 work to save the planet, and hopefully end dumb wars  
15 and establish national health insurance for all of our  
16 citizens. It is time when a rational belief that run  
17 counter to establish science are accepted not just by  
18 large percentage of the population but also by elected  
19 leaders. A thinking person recently told a politician,  
20 you put your hand on a Bible and swore to uphold the  
21 Constitution. You did not put your hand on the  
22 Constitution and swear to uphold the Bible. The  
23 religious and political right/wrong like to say they  
24 are saved. But after eight years of their pick for  
25 president and our state governor who made of laughing  
26 stock of himself who tried to play with unemployment  
27 insurance, that people are hurting out there. It is  
28 the rest of us who need to be saved from the saved. I  
29 called a radio talk show this morning at nine thirty  
30 and bent my liberal ideas ---

31 MICHAEL CUNNINGHAM: Time. Bennie Sue West.

32 BENNIE SUE WEST: Bennie Sue West, Hanover  
33 Road, district one. I hope that this will be a good  
34 new year for everybody. I appreciate all of you  
35 running for office. It's not an easy job. It takes a  
36 lot of man hours, a lot of door to door, and I hope  
37 nobody throws any shoes at us. I got a copy of an e-  
38 mail that was sent by the new chairman of the  
39 democratic party, and I'm just going to read a couple  
40 of excerpts from it if you will allow. One sentence  
41 says, if we continue to let our county be hijacked by  
42 conservative extremists. Well, we've been called  
43 misgrints, cave people, terrorists and now we're  
44 hijackers. And the way we hijacked, we went door to  
45 door. We made phone calls. We talked to friends and  
46 family, you know, the political process that backs up  
47 our Constitution. And I support anybody's right to  
48 support any candidate of their choice. Another comment  
49 in this was about a manipulative talk show host and his  
50 narrow-minded followers. Well, among conservatives we

1 have disagreements. We don't agree ninety-nine or a  
2 hundred percent of the time. Another thing that she  
3 said, I personally am very grateful to our prior  
4 council for the actions taken to provide for Mr. Joey  
5 Preston and to appoint a new administrator who truly  
6 has the best interests of our community at heart.  
7 Well, I think Mr. Cunningham does have a good heart,  
8 but what she neglected to say was that this was a  
9 conspiracy committed by five people. If five  
10 conservative extremists had done what they did you  
11 would never hear the end of it. So that's what that  
12 was, a conspiracy. District one and district seven had  
13 no knowledge. Therefore their constituents had no  
14 representation or input into the decision-making  
15 process. We as a country are divided, and I think  
16 largely our media in this nation has contributed so  
17 much to this fact. We are a republic, a constitutional  
18 republic that uses representative form of government  
19 that happens to use a democratic process.

20 MICHAEL CUNNINGHAM: Time.

21 MINNIE SUE WEST: I think everybody in this  
22 room knows that.

23 MICHAEL CUNNINGHAM: Time has expired.

24 MINNIE SUE WEST. Okay. Thank you so much.

25 MICHAEL CUNNINGHAM: Stewart Sprague.

26 STEWART SPRAGUE: Excuse me. I would just  
27 like to reiterate what I said at the beginning. There  
28 are a lot of folks who are ready to come to the center,  
29 to be at a table together and have everything open and  
30 clear to everyone and to see that Anderson County does  
31 move forward. That we move away from a kind of tit for  
32 tat, back fight, who threw the last punch or whatever.  
33 Let's all go forward. Let's do it together and I'll  
34 certainly be there and I think there are a lot of folks  
35 that I know who will come to that same table. Thank  
36 you.

37 MICHAEL CUNNINGHAM: Mark Powell.

38 MARK POWELL: Mark Powell, district seven,  
39 Williamston. You know, comments made that I can't  
40 believe the new council had the audacity to throw  
41 something out on the agenda that wasn't written down  
42 and given to other council members. Oh, man. You  
43 know, the problem is, as you see in the audience now.  
44 Y'all do all that warm and fuzzy stuff, council members  
45 do a bunch of it. The warm and fuzzy stuff always  
46 happens up front. There was no special presentations  
47 and there's usually about fifty percent additional size  
48 to this crowd during the first warm and fuzzy. We want  
49 you to see how sweet, how giving, how loving we are as  
50 council members. And just like tonight they all leave

1 before it's all over. I would like to see the warm and  
2 fuzzy stuff stuck to the end so the people who didn't  
3 see how crazy this council ran over the last couple of  
4 years would have to hang around until the whole thing  
5 is over. I have seen a very reputable partaking in how  
6 council should be handled tonight. Offices. The only  
7 thing I know when people say that I feel God's got me  
8 where He wants me, the only people I know who live to  
9 that honor are pastors. They get called to be pastors.  
10 The only thing beyond that, pastors, they don't just  
11 show up at a church and say, I'm here because the  
12 deacons who just got voted out put me here. Pastors  
13 are elected by a group of people just like you. We the  
14 people voted in June. Now we have a new council. A  
15 new pastor wouldn't be appointed by the old deacon  
16 board. It waits until the new body shows up. Now, if  
17 this was, I guess, a Catholic ran organization we would  
18 be appointing pastors or leaders, but this is not.  
19 It's a democratic process and it very much saddens me  
20 that we still have the situation to where new council  
21 members, the oncoming three new council members, were  
22 railroaded into being told this is who we're hiring and  
23 this is how we're doing it. It's intriguing that  
24 people in the audience who have primarily left want to  
25 say, I can't believe you hired a lawyer without putting  
26 it out for bids. I can't believe you hired a person to  
27 look at our finances without putting it out for bids.  
28 We hired Cunningham without putting it out to bids. I  
29 mean, pot calling the kettle black, you know. Get  
30 real. I've said it before. I think we've got nine  
31 hundred and something employees. Let's come to the  
32 center. Let's get rid of about half of them. Let's  
33 get down to about four hundred and fifty so this county  
34 can manage the monies that come through. Quit hiring  
35 people and fix roads. Y'all have left the budget for  
36 the roads the same for the last ten or twelve years but  
37 yet the cost of paving has gone up three times, but yet  
38 you have doubled, actually tripled the number of  
39 employees. Chop some employees. I hate to say it, but  
40 hey, it would only be four hundred and fifty additional  
41 unemployed. Chop some employees and pay for some  
42 stuff. Sell that building over there. Thank you.

43 MICHAEL CUNNINGHAM: Time. Mr. Ed Allgood.

44 ED ALLGOOD: Ed Allgood, county council  
45 district four. I appreciate each one of y'all taking  
46 your time to service Anderson County. I feel that  
47 y'all are a highly qualified group of people and will  
48 be one of the most outstanding counties in the state  
49 under y'all's leadership. I feel very firm that y'all  
50 are quality people that will do what's in the best

1 interest of the people of our county and I thank you  
2 very much for serving.

3 MICHAEL CUNNINGHAM: Mr. Grady Hodges.

4 GRADY HODGES: My name is Grady Hodges.  
5 I'm from Mr. Waldrep's section up there. Pleasure  
6 being at this meeting. I was a public servant for  
7 thirty-five years working as the City of Anderson, City  
8 of Clemson, County of Greenville, as well as someone  
9 who worked under the capacity of Mr. Cunningham here  
10 where I had a board of directors over me and they  
11 appointed me to a position. My point is that I  
12 appreciate you all as councilmen. Mr. Waldrep and  
13 other councilmen came to my house. We had a gathering  
14 and he met my community and basically we voted and we  
15 had him there. But again, when you all come you come  
16 out and ask for our assistance. Today I would  
17 basically like to ask you for your assistance as a  
18 group and that is that as a majority you can act as one  
19 if you get on the same page and represent the people  
20 and then you become over all the majority of Anderson  
21 County. Again, the meeting was very much discontented  
22 in areas, but there again I hope you all get a legal  
23 representative to help handle the parliamentary  
24 procedure in here to guide you. Thank you.

25 MICHAEL CUNNINGHAM: Faith Lyon and Kimberly  
26 Spears. They're both on the same line so I guess  
27 they'll split time.

28 KIMBERLY SPEARS: Mr. Chairman and council.  
29 My name is Kimberly Spears. I'm with the Arts Center  
30 and Faith Lyon is with the Anderson County Library and  
31 I think maybe we're warm and fuzzy. I'm not sure. But  
32 the Big Read is a major initiative that is given from  
33 the National Endowment for the Arts and we applied for  
34 a grant last year and received a grant to bring this  
35 program to Anderson. The purpose of the Big Read is to  
36 revitalize reading in American culture and adult  
37 reading. And so Faith is presenting you with a packet  
38 that includes our community choice for a book. The Big  
39 Read attempts to address the issue by providing  
40 citizens with the opportunity to read and discuss a  
41 single book in their communities. The Arts Center and  
42 the Anderson County Library are partnering to bring  
43 this opportunity to Anderson. We have chosen a book  
44 called *The Heart is a Lonely Hunter* by Carson McCullers  
45 and there's numerous programs and unique opportunities  
46 that will be available during January and February at  
47 both the Arts Center and the County Library. We hope  
48 you accept this packet as an invitation to participate  
49 in the Big Read and encourage our community to also  
50 participate. There will be more books that are

1 available both at the Arts Center. We do our kick off  
2 this Friday evening at our opening reception. You're  
3 welcome. It's open free to the public. We'd love to  
4 have you as our guest. We also have programs starting  
5 as early as this Sunday afternoon at the Library. We  
6 ask you to read the book and then pass it on. That's  
7 how the whole project works and we encourage you to be  
8 a part of that and we appreciate your support. And  
9 that's it. Thank you very much.

10 MICHAEL CUNNINGHAM: Thank you. Doreen  
11 Montepara. Dan Harvell.

12 DAN HARVELL: Mr. Chairman. Dan Harvell,  
13 High Point precinct, council district seven. Mr.  
14 Chairman and fellow members of council, it's a  
15 wonderful night for some of us that have worked for so  
16 long to turn this council from a liberal council, even  
17 though they were operating under the republican  
18 moniker, to a true conservative council. We welcome  
19 you here and I think we have a lot of good things in  
20 store for the citizens of the county because of the  
21 make-up we now have on council. We had a fellow come  
22 up here earlier tonight that said issues were cloudy  
23 here. Not really. Not really, based on what we  
24 witnessed here for the past quite a few terms of this  
25 council as a majority. I need to inform the people  
26 that there has not been one time during a new term of  
27 council that the chairmanship has not been decided  
28 before it was voted on here. It's just the way things  
29 are done. I don't believe any of these people had had  
30 a meeting after -- as a quorum after they were sworn  
31 in. In fact I know that did not happen. They would  
32 not do that. But they do talk amongst themselves and  
33 they do discuss what they're going to do at the  
34 meetings and that is just a fact of government in  
35 county, in state and on the federal level, and it's  
36 just the way government is. They're not taking any  
37 votes until they get here in front of the public. But  
38 I would beg to differ on those that think that they've  
39 done something wrong here tonight. It's just the way  
40 it's done. I regret that so many people that are here  
41 tonight do not have a historical perspective on the  
42 actions that we have seen the council majorities of the  
43 past, the way they've behaved. The things they've done  
44 and the way they've ramrodded many things through. I  
45 want to assure everyone here tonight and the thing that  
46 really does disappoint me here tonight is the race  
47 issue has been thrown into this. I know these men. I  
48 know Ms. Wilson. In fact, I actually know Mr. Wilson  
49 oddly enough. Mr. Wilson, I've known you longer than  
50 anybody else up here. I first met you in 1977. But I

1 want to assure you that these people that I and so many  
2 people have worked so hard to make sure that they not  
3 only stayed on council but were elected this time, I  
4 want to assure you, race does not enter this equation.  
5 I promise you from the bottom of my heart, race is not  
6 in the hearts. Prejudice is not in the hearts of these  
7 men and women up here. It's not.

8 MICHAEL CUNNINGHAM: Time.

9 DAN HARVELL: Wish I could have finished.  
10 Thank you.

11 CAMERON SKIPPER: Just to get some  
12 clarification, I know this is comments. Earlier y'all  
13 voted on a resolution to review all contracts. Does  
14 that include the Sheriff's Office?

15 EDDIE MOORE: No.

16 JOHN SKIPPER: Okay. The word was used all  
17 and I've got one coming up for the Pendleton Police  
18 Department. I just didn't know if I was supposed to go  
19 forward.

20 EDDIE MOORE: Well, do you want us to,  
21 Sheriff?

22 JOHN SKIPPER: I just think it would be a  
23 delay if we get every one of them. I don't mind if you  
24 look at them. Just the process was I was going to sign  
25 and then the chairman -- I mean, administrator has to  
26 sign it to get it finalized by y'all. I just wanted to  
27 make sure I was on the right page.

28 BOB WALDREP: Mr. Chairman, I don't think  
29 that was the intent.

30 EDDIE MOORE: It was not. The Sheriff, I  
31 think, stands alone.

32 MICHAEL CUNNINGHAM: Mr. Chairman, just I guess  
33 for clarity sake, I think the motion was to freeze all  
34 contracts.

35 GRACIE FLOYD: It was.

36 MICHAEL CUNNINGHAM: The motion made. So if  
37 there is an amendment or if there's a different desire,  
38 if we could make in some official action so that at  
39 least for me and for us that have to administer it,  
40 that there is some clarity on that issue, that was to  
41 freeze all contracts.

42 TOMMY DUNN: Mr. Chairman?

43 EDDIE MOORE: Mr. Dunn.

44 TOMMY DUNN: I'll straighten this up just  
45 as soon as we get through with citizens comments.

46 MICHAEL CUNNINGHAM: Next is Mr. Rick  
47 Freemantle.

48 RICK FREEMANTLE: Mr. Chairman, I can't  
49 believe the new Sheriff had the audacity to cut in on  
50 my time. I'm torn. I don't know if you can believe

1 this. I have so much to say and so little time. I  
2 think what I'd like to do, though, is pick up where I  
3 started off earlier this evening talking about the  
4 election of the chairman. You have, sir, one fine  
5 example of how a chairman should conduct himself while  
6 leveraging under such a heavy responsibility. The past  
7 chairman from district one served and has continued to  
8 serve the people of this great county with honor and  
9 dignity. You would do well to mimic his love and  
10 compassion for the people of Anderson County and to do  
11 as he has done, work regulated by God. While we're on  
12 that, I don't believe Adam and Eve rode a dinosaur and  
13 I believe the National Health Policy violates Ghandi's  
14 work ethic. I would be lying if I said that I did not  
15 envy you and the new majority of this council. You  
16 have a great opportunity to correct the path of self  
17 righteousness and wrongdoing which has existed far too  
18 long in this county. You have a chance to end what  
19 appears to be a long running corrupt government and to  
20 bring sunshine with accountability back to the citizens  
21 of this county. Some of the new folks here tonight  
22 don't realize it but they heard words from you that  
23 have not been spoken in these chambers for ten years.  
24 The fact that you're going to have investigations and  
25 bring what you find to us so that we can see it and not  
26 have to beg and fight and be ridiculed for the truth no  
27 matter what it is. That hasn't happened in this county  
28 for ten years. You must be strong and if necessary  
29 prosecute any wrongdoing which has occurred during the  
30 previous years. We owe it to future generations to  
31 make examples of any corrupt individuals who may have  
32 been -- who may have harmed this great county. And we  
33 owe it to the rest of the counties in the state of  
34 South Carolina to show them that no administrator hired  
35 by the people of the county has the right to deny those  
36 same people access to any information regarding the  
37 workings of the government which we pay for. Your task  
38 is great. You have many injustices to address. Your  
39 predecessors in their typical infantile manner have  
40 laid the building blocks of failure down before you.  
41 They cared not a wit how their childish actions would  
42 affect the citizens of this county but were more  
43 concerned with trying to return to power. They have,  
44 as usual, underestimated the power of good versus evil.

45 MICHAEL CUNNINGHAM: Time.

46 RICK FREEMANTLE: You have my support and my  
47 prayers and I believe the five of you are good God  
48 fearing people.

49 MICHAEL CUNNINGHAM: Mr. Steve Pope.

50 STEVE POPE: Steve Pope, Bellview



1 Estates, county council district one. Listening to you  
2 tonight there's still the vision in this county but the  
3 problem comes mainly because people are not listening.  
4 They're hearing but nobody is listening. Everything is  
5 relative. Everything is like a building block one on  
6 top of the other. Every action done will pass on down  
7 to the next. There have been comments made about  
8 majority and minority. All these had to do was it  
9 dealt with we had a council that was divided where the  
10 majority would end up being one that totally supported  
11 the previous administrator and all his policies  
12 basically giving him a blank check without question and  
13 the minority who has questions. That was the  
14 difference between majority and minority. Once again  
15 see, part of the problem we have is it deals with  
16 communication and understanding which is usually why in  
17 forms of government which you could really have in just  
18 one little sheet ends up being fifty pages long because  
19 you have to explain every single word, every sentence,  
20 every phrase, just to make certain there is no  
21 understanding. My how things have changed. What was  
22 once the norm is now seen as being unacceptable. Many  
23 times people came to speak their concerns, but they  
24 felt they were just talking into the wind. The  
25 decision was already made and a lot of this dealt with  
26 all the construction going along Lewis Road which many  
27 of the people down there say that road is a total  
28 disaster and has ruined their properties. People talk  
29 about, you know, the council was elected to do the  
30 people's business. That's true. You were elected to  
31 do the people's business, but that means you also need  
32 to stay in contact with the people. It doesn't mean  
33 the people have given you a totally blank check to do  
34 what you want to do and what you feel is best. That's  
35 where citizens comments and concerns come in. People  
36 also talk about the audit. There are three ways to  
37 look at it. We have what has been done in the past  
38 which was a reasonable assurance audit. Then we have  
39 an absolute assurance audit and then you have the  
40 forensic audit. What we're really looking for is an  
41 absolute assurance audit. And what you're going to  
42 find in here, there are expenses that we have to do.  
43 We have to pay for the light bill. We have to pay for  
44 salaries. We have to pay for supplies. We have to pay  
45 for a lot of costs. Then there are questionable  
46 expenses that comes down to did we really absolutely  
47 need that. And then also you will find in the third  
48 category is those that we did not need and we basically  
49 threw our money away.

50 MICHAEL CUNNINGHAM: Time.

1 STEVE POPE: Thank you.

2 MICHAEL CUNNINGHAM: Steven Chapman.

3 STEVEN CHAPMAN: Mr. Chair, council, county  
4 administrator, thank you for this time and to  
5 congratulate y'all on your new appointments. I came  
6 before the old council as a lamb asking for help with  
7 our community. Some of the council members here  
8 remember, why I'm here today as a lion for the I told  
9 you so, and I hope that the new council will look into  
10 this matter a little bit more. I addressed the closure  
11 of Lewis Road or Lewis Drive we talked about Joe Pack  
12 and the School Board saying the school buses would not  
13 be able to travel down this road. Well, now by state  
14 law buses can no longer come down Lewis Drive at  
15 Ellison Circle. On the other side of Lewis Drive a bus  
16 cannot travel without a cul-de-sac which Anderson  
17 County is now asking landowners to donate land after a  
18 road was destroyed. And may I add that the road was  
19 supposed to go through a Judicial branch to be closed  
20 formally and it was not. The road has been destroyed.  
21 There is mud over two or three inches thick at times  
22 lying in the road. They use the road as their own  
23 personal traffic. They line the road with trucks and  
24 tractors limiting it one lane of traffic. Children  
25 could not play outside because of dust. Our cars are  
26 covered in red mud, our driveways. These are things  
27 that we warned about. We asked the council to please  
28 look into these things. My wife has walked out the  
29 door to a man urinating beside his tractor. How would  
30 any of y'all like to walk out or your spouse to a man  
31 defecating or urinating and his wife to see it? These  
32 are things that was brought on this community and we  
33 begged and begged this council to look into it. You  
34 have ruined our life. Our quality of life has  
35 diminished. It's gone. We have people who can't sleep  
36 because of tractors. We have people whose health risks  
37 have increased or their situations have become more  
38 serious because of this. These are things that this  
39 council, we begged and begged for them to look at, but  
40 we gave them a fee in lieu of so they could bring this  
41 here. The zoning was questioned, how it was done.  
42 People said they didn't receive proper notification for  
43 the zoning. It was toss to the side. I stood here and  
44 watched people roll their eyes, jokes, laughs at this  
45 community's plight. And I'm here to say I told you so.  
46 These are the things that was done to us and it's still  
47 going on today. I ask this new council to please look  
48 back into this. If there's any wrongdoing, which I'm  
49 not saying there is, but look into the situation of the  
50 community. You cannot destroy people's lives for the

1 cost of business and that's what it's come down to.  
2 The almighty dollar. Not the almighty God. Not what's  
3 right for the people. The almighty dollar. Just  
4 because it brings revenue to this county does not mean  
5 that you have the right to destroy people's livelihoods  
6 and their greatest asset which is their home. This  
7 community has suffered a great injustice and it's in  
8 y'all's field now that y'all may at all be able to turn  
9 this around, I beg you please come out and see what has  
10 happened. I have personally come out and seen boxes  
11 lined up my road. Men standing taking breaks alone  
12 roads while I had to squeeze by trucks with my car to  
13 leave my house. Technically EMS and fire trucks can't  
14 even come down Lewis Drive because there's no turn-  
15 around on the other end.

16 MICHAEL CUNNINGHAM: Time.

17 STEVEN CHAPMAN: If they come in they have to  
18 go through other people's yards.

19 EDDIE MOORE: Your time has expired, Mr.  
20 Chapman.

21 STEVEN CHAPMAN: Thank you, sirs. Thank you,  
22 madams.

23 MICHAEL CUNNINGHAM: Is it Sylvia Chapman.

24 SOPHIA CHAPMAN: Good evening. My name is  
25 Sophia Chapman. Can you hear me?

26 MICHAEL CUNNINGHAM: I apologize.

27 SOPHIA CHAPMAN: It's okay. It looks like  
28 chicken scratch. I had my hands full when I wrote  
29 down. But I'm from district seven, Cindy Wilson.  
30 First of all, Cindy, I want to thank you. For those of  
31 y'all who don't know and never come to these meetings  
32 this lady has called me at nine and ten o'clock at  
33 night. She has worked so hard on our case. I want to  
34 thank you very much for just being true to us and  
35 working so hard. Mr. Cunningham, first of all, I want  
36 to tell you I don't know who you are. I don't know  
37 anything about you so I can't judge you, and I'm not a  
38 racist and if it's God will for you to be here then you  
39 should stay. And if anybody up there is a racist or if  
40 there's a reason -- if that has any reasoning in your  
41 heart, if that has any grounds on why you would get rid  
42 of that, you need to get off -- out from behind there  
43 and step down. Although I do not feel that is any  
44 reason in anybody's heart up here because people have  
45 spoken and the council that was here before, you heard  
46 what my husband said and all of it's true. We live at  
47 106 Ellison Circle. It's across from Cheddar Fire  
48 Department back off the other way near the scrap metal  
49 place. If anybody wants to ride around there and see,  
50 we'd appreciate it. We'd like for you to see what

1 everybody's done to us. I just want to thank y'all and  
2 the hope that you will see fit in your heart to  
3 reconsider some things and decisions that have been  
4 made. We have been told that things have been done  
5 illegally. For our sake I hope they have been now  
6 because nobody would listen before. Just today there  
7 was a little boy out there playing at the terracotta  
8 throwing rocks down. The same little boys get on the  
9 four wheeler on the red mud in the dirt when tractors  
10 were going around but nobody's seen him, nobody seemed  
11 to stop him. Nobody called anybody or anything. The  
12 only thing that's been said is when my husband or  
13 myself has said anything to that little boy's  
14 grandparents. That's it. And that little boy very  
15 easily could be dead by now. Nobody cares. I just  
16 invite y'all to come out and take a look for yourself.  
17 Thank you.

18 MICHAEL CUNNINGHAM: Kenneth Dean.

19 KENNETH DEAN: Kenneth Dean, Belton, South  
20 Carolina. Thank you for having me and hearing me. I  
21 pastor at Mount Zion Baptist Church in Belton. I'm  
22 excited to do so. I just come to say thank you for  
23 your service in advance and all the things that you  
24 will bring to the great city of ours, county of ours  
25 and I look forward to those things coming to pass. I'm  
26 sure that in the past years through our history even  
27 previous council have made decisions that the now  
28 sitting council do not agree with. However, you deal  
29 with the cards that you've been dealt. I would look  
30 forward to you dealing with Michael Cunningham. I'm  
31 here today because, personally speaking, I'm sure there  
32 maybe somebody just as good but not better. And I hope  
33 that you would not take a personal issue of the past  
34 city council -- county council and try and do over what  
35 has already been done. Like there are so many people  
36 probably sitting in this room who are sick that you're  
37 sitting in your seats, but they have to deal with it.  
38 You may sick that Michael sits in his seat, but you  
39 have to deal with it. I would hope that you would.  
40 But that being the case, I hope nobody goes into  
41 personal -- personally trying to be right. My  
42 grandfather taught me that being right is sometimes  
43 overrated. A broke clock is right twice a day. But  
44 you have to be right with the purpose. A future  
45 purpose of leading someone somewhere and I hope that we  
46 do that. I'm excited about coming into office, whether  
47 you're who I voted for or not, irrelevant. You're here  
48 and I'm willing to work with you any way possible.  
49 Thank you.

50 MICHAEL CUNNINGHAM: Mr. Chairman, that was the

1 last signed up for other matters.  
2 EDDIE MOORE: All right. We'll now go to  
3 section 15 on the agenda.  
4 TOMMY DUNN: Mr. Chairman?  
5 EDDIE MOORE: Mr. Dunn.  
6 TOMMY DUNN: If we can, let's do a little  
7 bit of housecleaning and clear up Mr. Skipper's issue  
8 with the contracts.  
9 EDDIE MOORE: Make a motion to amend the  
10 agenda to go back?  
11 BOB WALDREP: Mr. Chairman, I want to make  
12 a motion to amend to comply with the Sheriff's request  
13 that that review and freezing -- was it freezing as  
14 well or just review? Would not apply to the Sheriff's  
15 contracts that are in process at this time. Is that  
16 okay, Sheriff, unless you want us to, you know, and you  
17 just put us on notice if you want us to look at  
18 something. We'd be glad to. Okay. If there's a  
19 second.  
20 EDDIE MOORE: Motion on the floor, do we  
21 have a second?  
22 RON WILSON: Second.  
23 EDDIE MOORE: We have a second.  
24 TOMMY DUNN: Mr. Cunningham, I believe  
25 Mr. Chairman has something he wants to ask.  
26 MICHAEL CUNNINGHAM: Yes, sir. Again, just a  
27 point of clarity. For our purposes, all purchase  
28 orders that are in the queue are also contracts for  
29 services and I get lots and lots of those every single  
30 day. Again, it's something to consider because every  
31 purchase order that we have out there for services for  
32 equipment, for fuel, for all of those items, are  
33 contracts for services that we have in place with the  
34 suppliers. And so that's another thing to consider. I  
35 just want to make sure that what at least me and the  
36 staff do is compliant. We want to make sure that all  
37 those issues are out there. As I'm understanding it  
38 this one -- where we are right now is allowing all of  
39 the Sheriff's Department's contracts to move forward.  
40 BOB WALDREP: Correct.  
41 EDDIE MOORE: That's correct.  
42 BOB WALDREP: Mr. Chairman, in light of  
43 what Mr. Cunningham said, again, I don't think it was  
44 our intent to get into the small matters, purchase  
45 orders, but sometimes purchase orders if they're for  
46 large amounts, if we're talking about over ten thousand  
47 dollars or so, sometimes council gets a little  
48 concerned. Particularly I was going to say that many  
49 times council had gotten around the twenty-five hundred  
50 dollar rule by just simply stacking up twenty-five

1 hundred dollars at the time, and we always felt like  
2 that was exceedingly clever but not within the spirit  
3 of what we're trying to do is to keep account of the  
4 expenditures. So, you know, while just discussing that  
5 I understand what you're saying. We certainly don't  
6 want to get into the nickle and dime area. But do you  
7 have any suggestion on this particular issue as to an  
8 amount perhaps that we should not review or  
9 investigate? If we're talking about something that's  
10 under ten thousand dollars, you know, in all  
11 probability I just call that out as a number, you know,  
12 for us to perhaps discuss if that's going to give you a  
13 problem, Mr. Cunningham.

14 MICHAEL CUNNINGHAM: Mr. Chair. And Mr.  
15 Waldrep, I guess because I don't have the benefit of  
16 knowing exactly what your intent was or having seen the  
17 resolution, all I can offer to you is that there are  
18 lots of matters, lots of things to be considered and  
19 what I'd ask, if you'd be willing, is at least an  
20 opportunity to have a discussion about this a little  
21 bit further before we implement so that we can cover  
22 all this ground and make sure that what we're doing is  
23 adhering to both the spirit and the letter of what  
24 you'd like to see done.

25 BOB WALDREP: Well, I think it's pretty  
26 clear from what I understand and I certainly can't  
27 speak for the other members of council. We're talking  
28 about major contracts here, construction contracts for  
29 buildings, things that are of a large consequence. And  
30 I just, you know, in my judgment and I stand to be  
31 corrected by anybody here, we're certainly not down  
32 there and trying to inhibit the operation of the county  
33 through the purchasing department. That was just mine  
34 and I throw that out there.

35 EDDIE MOORE: Mr. Dunn.

36 TOMMY DUNN: I would like to have some  
37 help here with Robert's Rule of Order to retract this  
38 or let's make a new motion and vote it down. We can  
39 put this in the committee, in the contract committee  
40 and review this and come back and work with Mr.  
41 Cunningham and the attorneys. I don't want in no kind  
42 of way, my intention is good, so is what Mr. Waldrep is  
43 talking about, but I don't want to inhibit the county  
44 from doing business. I trust them. Ain't nothing  
45 going to happen in two weeks time or nothing like that.  
46 Let's ---

47 EDDIE MOORE: Motion in order would be to  
48 table for a meeting ---

49 GRACIE FLOYD: Mr. Chairman, the motion in  
50 order is to reconsider. That's to go back and

1 reconsider that last ---

2 TOMMY DUNN: We've got something on the  
3 floor. We've got to get rid of Mr. Waldrep's first.

4 BOB WALDREP: I would move in light of  
5 what has been said that we reconsider that motion and  
6 then we can review it again and just see where we are  
7 because we're not looking for gnats, you know. We're  
8 looking for camels. Okay?

9 EDDIE MOORE: Motion is on the floor to --  
10 I guess you're going to modify the original?

11 BOB WALDREP: Well, just to reconsider and  
12 we'll just vote it down for the time being and then if  
13 we need to it can come back up, so the reconsideration  
14 is to vote against that motion.

15 EDDIE MOORE: We'll just go ahead and vote  
16 on it then?

17 BOB WALDREP: Yeah, if there's a second.

18 GRACIE FLOYD: Point of order. Okay. We  
19 have to vote on the idea to reconsider it first. Then  
20 you go into the voting of the reconsideration.

21 EDDIE MOORE: We got the point of order  
22 and she is correct that we're going to vote on the  
23 reconsidering first and then we'll go back to the  
24 original. All in favor of reconsidering please raise  
25 your right hand. Unanimous. Now we'll go back to the  
26 original.

27 BOB WALDREP: I would move on this --  
28 after reconsideration that we vote in the negative on  
29 this vote that we made but which required the review of  
30 all contracts of the county by -- I think by whatever  
31 group but it was a committee, the ad hoc committee I  
32 think, and I would ask that that be rescinded.

33 EDDIE MOORE: Motion made to rescind.

34 BOB WALDREP: Yes.

35 EDDIE MOORE: Is there a second?

36 LARRY DUNN: Second.

37 EDDIE MOORE: We have a second. All in --  
38 Ms. Wilson?

39 CINDY WILSON: May I? So what we'll do is  
40 that these contracts will come before the ad hoc audit  
41 ...

42 END OF TAPE 2, SIDE 2

43 EDDIE MOORE: We'll get the wording right  
44 and then take this matter up at the next council  
45 meeting. But you understand our intent on this so  
46 maybe you can help us out on that.

47 TOMMY DUNN: I'll get it worded.

48 GRACIE FLOYD: It needs to be tabled. I  
49 make a motion that we table the amendment until further  
50 time and bring it back for discussion when the

1 committee is ready.

2 BOB WALDREP: That's no problem, I think,  
3 Mr. Chairman. We can table it and we can move to  
4 untable it later if we need to.

5 EDDIE MOORE: Motion is made to table it  
6 then.

7 BOB WALDREP: I would second the motion.

8 TOM ALLEN: I'd second it.

9 EDDIE MOORE: We have a second. Mr. Allen  
10 seconded. All in favor, raise your right hand. That  
11 motion will be tabled until a future date. We will now  
12 go to remarks from the council members. Mr. Waldrep.

13 BOB WALDREP: Mr. Chairman, thank you so  
14 much. It's a pleasure to have you as chairman and Mr.  
15 Allen as Vice Chairman. And welcome Mr. Dunn. It's  
16 always good to see ole Ron Wilson down there on the  
17 end. And Ms. Floyd. What a joy it is to be a citizen  
18 of Anderson County. You know, we really need to  
19 appreciate the great opportunity that we have in being  
20 together and all the things that we can do together.  
21 The possibilities are endless. The expectations should  
22 be great. And there are certain things, of course, we  
23 need to correct. Mr. Chapman from that area down there  
24 that he spoke of where their lives have been virtually  
25 ruined, and I just have to state that when we weigh  
26 things in this council as to how they affect the  
27 members of our community, that's one of the most  
28 serious things that we do. And the old saying is that  
29 you don't weigh justice and fairness in the jaws of  
30 mammon. Now, some people take issue with that and we  
31 just have to be very, very careful that in our quest  
32 for whatever we conceive to be progress or money or  
33 whatever it is, that we think about the people that  
34 live in this community and how it impact their lives.  
35 So with that in mind, I just am excited about the year  
36 2009, and I think I've got it right, and look forward  
37 to serving with each and every member of this council  
38 and with all the county employees out there. And let  
39 me say just one thing about county employees. We  
40 treasure and we value your services. Please understand  
41 that. We don't always understand the complete function  
42 of your office sometimes, and maybe that's our fault,  
43 because it takes a little time to do that. But we're  
44 going to get better at that and maybe through the  
45 retreat that we go through that we'll be better  
46 informed and hopefully work toward the concept that we  
47 can be the most excellent council that we've ever had.  
48 That's extremely possible. You might not believe that.  
49 But I think that with the diversity, the education, the  
50 experience that all of us have, we've got a great



1 opportunity here, and I apologize for talking so long.  
2 Thank you.

3 EDDIE MOORE: Ms. Floyd.

4 GRACIE FLOYD: Thank you. Mr. Chair, I'm  
5 going to sort of kinda like commend you. You did  
6 pretty good.

7 EDDIE MOORE: Thank you.

8 GRACIE FLOYD: But there are mistakes that  
9 must be corrected. First of all, at the beginning of  
10 -- before the meeting even started there was a quorum  
11 present up front and you guys all got together, five of  
12 you stood right over there and had a conversation. All  
13 right. That can't happen. It was said tonight that  
14 you have never gotten together illegally for a meeting.  
15 That was an illegal meeting. That can't happen. No  
16 more than three can be together at any time, anywhere  
17 for anything. But tonight it was five of you. And it  
18 was pointed out. And if you don't want to believe what  
19 I say, you can ask members out there, they saw it too.  
20 Okay. So we have to be careful of this transparency  
21 thing here. I had a motion on the floor and you denied  
22 me. You ignored the fact that I had a motion on the  
23 floor, and you walked off. Therefore, I -- for the  
24 executive meeting, it was not -- the executive meeting  
25 was not handled correctly. You never did tell the  
26 people what we were going to go into executive session  
27 for. Okay. I want folks to know that every time you  
28 hear differences of opinions, it's not an argument. If  
29 you have ever been to a speech and debate thing,  
30 program, or if you've ever heard politicians talk, you  
31 should have had the TV on today as the congress tried  
32 to convene or whatever. Every time someone comes up  
33 with an opposing opinion, it is not an argument. It's  
34 called debate. And we have been very, very -- we have  
35 had some active debates going on. We need to continue  
36 to be able to debate unless you want us to do it in the  
37 back room there. The resolution needs to be given out  
38 to us before the meeting. I thank you for talking to  
39 me about that. I accept your reasoning at this time.  
40 You've done some things tonight that you have accused  
41 other councils of doing. You've done the same thing  
42 tonight. But I guess it's all a learning process. I  
43 am willing to work with you. I am willing to work with  
44 you.

45 EDDIE MOORE: Y'all kinda hold your  
46 comments down while Ms. Floyd's talking. She has the  
47 floor.

48 GRACIE FLOYD: I thank you. I am willing  
49 to work with all of you. But I will work with you on  
50 the betterment of Anderson County. I will be most

1 vocal in situations that I don't think is right or fair  
2 or justified or that represents all of the people. I  
3 do not have a vocal following as, you know, you have  
4 had in a while. But I don't have that, so I have to be  
5 vocal for myself. And I will do that. I will not be  
6 pushed over, run over or talked over. I will be  
7 courteous. I will be polite. And most of all, I will  
8 be professional. But, and I just ask you to do the  
9 same thing with me. And now, Mr. Chair, if you don't  
10 mind, the hour is late and I need to be excused.

11 EDDIE MOORE: Ms. Floyd, you may be  
12 excused. I'll wait and finish up my comments. Mr.  
13 Allen.

14 TOM ALLEN: Let me turn this on. Just  
15 very briefly. I know you're tired of sitting out  
16 there. I've been in those chairs too for four hours at  
17 a time. I want to thank everyone for coming tonight.  
18 It was a good turnout. And the reason I bring that up  
19 is because I think communication is extremely important  
20 in what we do. I've got to hear what you have to say,  
21 and I would hope that every council meeting this  
22 chamber is full. And with that, I'll shut up, because  
23 I know you're getting tired and the bottom half is  
24 getting sore out there. I know how it is.

25 EDDIE MOORE: Mr. Dunn.

26 TOMMY DUNN: Thank you, Mr. Chairman.  
27 Just a few quick things and I would like to clear up a  
28 few things. Number one, I would also like to thank  
29 everyone for coming tonight. Was real glad to see the  
30 council chambers full and hope the rest of the year is  
31 that way. I'd like for it to stay full for the whole  
32 meeting and they could see the whole process being  
33 done. It's been said tonight about listening. I've  
34 listened to the people in my district and people in  
35 Anderson County and the listened to me and they elected  
36 me. I have every intentions to doing what I campaigned  
37 on doing. That process started tonight with the audit.  
38 I mean open government, and I'm gonna touch on that in  
39 just a second. An accountable and prioritize and put  
40 our money to roads and bridges and our infrastructure  
41 what needs to be and push very strongly for economic  
42 development. I look forward to working with all  
43 council members. Look forward to listening and talking  
44 to all citizens of Anderson County, not just in my  
45 district. I look forward to working with all employees  
46 of Anderson County. Feel free to call me at any time.  
47 I enjoyed going around before we took office, and  
48 different department, I've learned a lot. I look  
49 forward to going to -- meeting with them more in our  
50 committee sessions. Good employees have nothing -- in

1 this county have nothing to fear from this council. I  
2 can assure you of that. Now to clear up a few things.  
3 First of all, I would like to ask Mr. Cunningham if he  
4 would to check on the Lewis Street thing and to make  
5 sure, Mr. Cunningham, I know what's been done has been  
6 done, I don't want to get into a debate about that  
7 tonight and go home, but make sure all of our  
8 ordinances and polities are being adhered to as far as  
9 storm water runoff and muddy roads, anything else we  
10 can give these people some relief on, at least for the  
11 time being, till we can look at something else maybe.  
12 Ms. Floyd made a couple of comments about a meeting up  
13 here beforehand. That is incorrect. I strongly  
14 disagree with that. You know, just throwing out  
15 accusations, it's old business, and I don't want to  
16 have stuff to stick. There was no meeting up here.  
17 We've got to come up here sometime before the meeting  
18 starts, and that's all that was. She was more than  
19 welcome to come over here, or anybody else. Number  
20 two, saying that the reason we was not going into  
21 executive session. I think Mr. Waldrep made the motion  
22 to go into executive session and he stated the reason  
23 why. That'll be in the minutes and will be on TV.  
24 There was comments here tonight about an attorney. As  
25 we all well know this county council cannot hire an  
26 attorney. That's up to the administrator, and I don't  
27 want to throw him under the bus, but that's strictly  
28 his choice to have one sitting there beside him or not.  
29 It's not this council's. And according to these  
30 ordinances tonight and some of these resolutions that  
31 come up, this council is faced -- I didn't know this.  
32 I thought -- I checked with the council secretary. I  
33 thought for sure this had happened before. She's been  
34 here a long time. She never remembered us not having a  
35 chairman before. The chairman puts the agenda together  
36 and the attorney approves it. We had an attorney that  
37 resigned and we had a -- or goes over it and make sure  
38 everything's all right. And we had no chairman for  
39 putting together an agenda. So if they've got any  
40 questions, look at Section 2-38 of Ordinances and  
41 Resolutions, number 5, gives us the authority -- any  
42 council member to bring resolutions or ordinances up  
43 off the floor of this thing. I can assure you, unless  
44 it's an extreme thing, it won't happen again. But we  
45 was on unchartered waters tonight, not having a  
46 chairman and -- to put this together for us and we done  
47 it the best way we could see fit. And we feel very  
48 strongly and very -- to get this audit in the works and  
49 that's the reason I think we had a list tonight the way  
50 it was handled. We need to get this thing on and get

1 on to the people's business. We've got a lot to do and  
2 we want to get it done and get started. And there's  
3 going to be some mistakes made along the line. I'm not  
4 too big and I don't think anyone on this council would  
5 do to -- they made one tonight about this ordinance on  
6 these contracts. Intentions was good, but we retracted  
7 it and I plan the next meeting to bring it back up and  
8 it will be in better form. It's getting late and I'll  
9 drop that. Thank you, Mr. Chairman.

10 EDDIE MOORE: Thank you, Mr. Dunn. Mr.  
11 Wilson. No comments from Mr. Wilson. Ms. Wilson.

12 CINDY WILSON: Thank you, Mr. Chairman. We  
13 were dealing with an unprecedented situation. I agree  
14 with everything that Mr. Dunn said. We had no way to  
15 try and get organized for the meeting except for the  
16 way that we had. It was the hand that we were dealt.  
17 We've inherited many legal and financial mine fields to  
18 wade through. I just want to pledge that from myself  
19 and what I know of you very diligent, dedicated,  
20 honorable gentlemen, we'll proceed as efficiently and  
21 openly as possible. I just feel very blessed to have  
22 people who'll talk with me up here on council. There  
23 was a time when I was absolutely not allowed to go and  
24 look and talk with people. And I've never been  
25 comfortable to go and talk with employees. But I want  
26 to ensure the employees that -- those who came and  
27 visited me at my home or whom I ran into at the grocery  
28 store and they looked left and right to make sure they  
29 weren't being observed, their confidences were safe  
30 with me and they shared things that did concern me for  
31 this county and for them. I just know that we're gonna  
32 all work together to go forward. I did go over this  
33 afternoon again, my daughter and a friend of hers and  
34 I, went over to look at the Lewis Drive mess again.  
35 It's an abomination. I've never seen anything so  
36 horrible. And how it's impacting these families lives.  
37 You really owe it to yourself to go see what the  
38 previous council put on these poor citizens. And I  
39 want to invite my fellow council members, if y'all  
40 would like to take a tour over there, maybe we could  
41 even do a public forum or something over there. But I  
42 get a phone call or two or three every night from  
43 people over there. You have no idea what they're  
44 living in. It's a nightmare. So we'll discuss trying  
45 to get through to letting people see over there so we  
46 can come to some measure to mitigate their problem.  
47 I'm sure we're gonna have to seek some legal advice  
48 because there were things that were done from my  
49 perspective, very incorrectly, and maybe illegally. I  
50 just look forward to moving forward with this county.

1 I think that we all now know that the true measure of  
2 progress in Anderson County is the measure that  
3 benefits the majority of the people in this county and  
4 not just a few special people lining their pockets.  
5 And I know that sounds pretty crass of me to say that,  
6 but I just want to assure you that this will be an  
7 open, accountable, honest government going forward and  
8 that people will no longer have to fear coming and  
9 speaking before council and fearing retribution. I  
10 look forward to working with each and every one of you,  
11 and that means all of us. Thank you.

12 EDDIE MOORE: Mr. Dunn, you had one more  
13 comment you wanted to make.

14 TOMMY DUNN: Yeah, I would just like to  
15 say -- thank you, Mr. Chairman -- we would be remiss in  
16 not noticing tonight, I hope people noticed coming in,  
17 or not, and I'd like to thank Mr. Cunningham and his  
18 staff, whoever put this together, a softer look coming  
19 into the courthouse. I have noticed it and it's  
20 greatly appreciated, and I hope we can work with you  
21 and the staff and maybe open it up some more. But I do  
22 appreciate your efforts so far in looking around here  
23 tonight. Thank you so much to you and your staff for  
24 that.

25 EDDIE MOORE: I guess that's everybody but  
26 me, and I just want to sit here and thank everybody,  
27 thank this council, for allowing me to be your chairman  
28 and remind the citizens that this is your seat up here.  
29 And we're up here in your seats, and we want your  
30 input. It means a lot to us, and that means county  
31 employees too, not to be scared to come talk to us.  
32 We're just part of the gang. So if y'all want to have  
33 anything to say to us, please just come up and talk to  
34 us and we'll do the same with you. If you want to talk  
35 to us, we'll be glad to talk with you also. I think  
36 that you will see a very open council. We'll gonna be  
37 honest with everybody. And as we're doing this audit,  
38 we'll have a regular report. And we'll report the  
39 status of it. And we're gonna keep a handle on it to  
40 make sure it doesn't cost as much money as -- you know,  
41 we'll try to make it as economically feasible as  
42 possible and make sure we get a good product so that we  
43 can move forward with the county. We'll get this audit  
44 behind us and that way we can concentrate and try to  
45 work -- with all the experience that's up here on this  
46 council now, we can really help the county out a lot to  
47 move forward for economic development, especially on  
48 the construction end. It's just gonna be a great  
49 council. I'm excited about it. I think we really can  
50 work together. I think you're gonna see more cohesion

1 up here than ever before. And I'm just really looking  
2 forward to it. Y'all just kinda bear with me tonight,  
3 the errors I made, so maybe I'll get better next week.  
4 May not in two weeks. But anyway, I thank you very  
5 much. I think you're gonna see a good council up here  
6 that you can be proud of. And thank you, Mr.  
7 Cunningham. Appreciate all the -- we've been talking  
8 with you a good bit and touring all the county offices  
9 over the last few months and met some really fine  
10 people. We've got some good county employees. People  
11 really need to know that. And just appreciate that so  
12 much. And I guess that finishes it up for me. Do I  
13 have a motion to adjourn?

14 TOMMY DUNN: Motion.

15 EDDIE MOORE: Motion to adjourn.

16 Seconded. All in favor, raise your right hand. We're  
17 adjourned.

18 APPLAUSE

19

20 MEETING ADJOURNED AT 10:15 p.m.

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Special Called Meeting – January 16, 2009 - 3:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 5:15 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda N. Eddleman, CCC". The signature is written in black ink and is positioned above the printed name and title.

Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina    )  
County   of           Anderson    )

SPECIAL CALLED MEETING  
ANDERSON COUNTY COUNCIL  
JANUARY 16, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
GRACIE FLOYD  
TOMMY DUNN  
RON WILSON  
TOM ALLEN



EDDIE MOORE: What's your point of order?

GRACIE FLOYD: Mr. Chairman, it appears as if we're gonna have an influx of citizens coming to the meeting today, and I would just like to point out to you and to whomever that we do have the seating on the side if it's necessary for us to utilize them.

EDDIE MOORE: Yes, ma'am, your point of order is well taken. Anybody that would like to come up and sit up here, if you don't mind sitting beside us or being too close to us, you're welcome to come up and sit. You may not want to sit by us, but come on up, anybody that wants to have a seat.

GRACIE FLOYD: Well, it would be better, if they didn't want to move now, if someone else should come in and we run out of seats on the floor, then we can utilize the ones up here.

EDDIE MOORE: Right. And I think Mr. Cunningham had a statement to make about ...

MICHAEL CUNNINGHAM: Yes, sir, Mr. Chair. It was mentioned at the last meeting, and I talked with you with morning about it, that since we were going to have such large numbers of people coming in, and probably at the next council meeting too, we did kind of change our security procedures just a little bit. But that was just -- wanted to make sure everybody was comfortable and safe, and we're going to make sure we keep doing the right thing for everybody that's here, because if you did see that change, as I mentioned to you this morning, I wanted to point that out.

EDDIE MOORE: Thank you, Mr. Cunningham.

I wanted to make a couple of comments first. I've had some things over the last few weeks that bothered me a lot and I really want to address that. It bothers me that some of the things that's being said around town about -- I guess about the Mr. Cunningham issue. And I want to set that straight now. At no time has any of us up here said that we wanted to fire Mr. Cunningham.

And I just want to make that issue straight. There's been some people going around and saying vicious rumors and whatnot. Even I got a letter -- the final straw that broke the back was a letter that I got this week from First Baptist Church down the street here and it had a lot of racial overtones that I thought. And I didn't really like that letter at all. And I didn't appreciate it, because at no time have we ever said that we were going to fire Mr. Cunningham. I know I can speak for five of us up here, that I have never said that, we have never said that. The only thing we have ever said was we didn't like the way that things

was handled and we didn't like the way the contract was handled, and that's it. And that's why we're going through the process now that we're doing and having the different meetings. We're examining a lot of contract.

Not only Mr. Cunningham's contract with the county, but we're doing that. So these people that are trying to stir up trouble and stuff around town, I remind you that there are some disgruntled former employees that's no longer in this building that happened to take a lot of money across -- out the door with them and I'm sure they're unhappy about it and they seem to want to stir up a lot of trouble in the community. And nothing could be further from the truth when it has to do with us up here, because we have never said that. I want to set the record straight on that. I thought I needed to address that. I keep hearing stuff and I keep getting calls. And what really broke the back was I have a lot of kids that comes in my house and I've got a vicious, vicious email -- I mean, not email, but a voice message on my phone mail, and it was laced with a lot of profanity and things like that. And I have kids in my house, you know, that comes in my house, grandkids and stuff, and they listen to things like that. And it really bothered me a lot that people would stand so low. So I thought that I needed to say something about that today and make sure that everyone understand the process that we're going through now. If you -- many of you know Mr. Carl Anderson back there in the back. He and I used to work together back with the Sheriff's Department many years ago. And we're friends. And anybody has any questions about me or my character or my opinion on anybody, you go ask Carl Anderson. We have been at social events together, and you talk to that man right there. He'll tell you about me and my character and the type person I am, and I'm not that way. So I had to say that. And so now we're gonna move forward and get on with it, and we're gonna go now to the resolutions part of the agenda. Mr. Dunn.

TOMMY DUNN: Mr. Chairman, at this time I'd like to ask for executive session. And this was -- this is with the county council attorney. This is just to give us all an internal thing. And what this is, is to clear up and give us some advice from the county interim attorney regarding potential claims against the county related to certain actions taken by council on January 6th regard to privilege and otherwise to protect the files. Just to clear up some things and let him give it to -- I've asked him to look into some things and just to give us his overview.

EDDIE MOORE: We have a motion on the

floor to go into executive session. Do I have a second?

RON WILSON: Second.

EDDIE MOORE: We have a second. Any discussion about it? Ms. Floyd.

GRACIE FLOYD: Yes. I politely ask, I don't understand the reason why. I didn't hear him clearly. I don't understand why we're going into executive session. Are we going to receive legal information?

TOMMY DUNN: Yes, ma'am.

GRACIE FLOYD: Oh. Is the -- receiving?

TOMMY DUNN: Yes, ma'am.

GRACIE FLOYD: Thank you.

EDDIE MOORE: All those in favor, we'll take the vote now, raise your right hand. We have six. Ms. Floyd.

GRACIE FLOYD: I'm abstaining. You didn't call for that.

EDDIE MOORE: Abstaining. Ms. Floyd abstains. We will now go in executive session for a few minutes. We'll be right back.

#### COUNCIL IN EXECUTIVE SESSION

TOMMY DUNN: Motion we come out of executive session.

EDDIE MOORE: I have a motion on the floor to come out of executive session. Do I have a second?

CINDY WILSON: Second.

EDDIE MOORE: I have a second. All in favor of coming out of executive session. Unanimous.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I make a resolution that states all motions that were enacted on January 6th, 2009 that contemplated disclosure of attorney/client privileged information are hereby amended with regard to disclosure of attorney/client privileged information only. From this moment forward the county's attorney/client privilege is not waived. All individuals and entities that have access to the county client privilege information shall not disclose that information to any third party.

EDDIE MOORE: We have a motion on the floor.

RON WILSON: Second.

EDDIE MOORE: I have a second. Mr. Wilson seconded. Any discussion? Mr. Waldrep.

BOB WALDREP: While understanding Mr. Dunn's motion, I just want to make sure that there's an

understanding of the council -- it's probably not going to be very binding on anybody -- but that we will be revisiting this issue as far as attorney/client privilege is concerned. Ordinarily we would be afforded the opportunity to review this a little bit deeper because there are variations of opinions that have to do with attorney/client privilege. It's a very important issue. But the main point I want to make is that nothing we should ever do up here should impede the ongoing investigation that we have. So insofar as the attorney/client privilege is concerned, I would think that this council would have the intention to revisit this issue for a further amendment which would conform to the desires of the council to have an unimpeded continuation of what we have started with our ad hoc committees. That's all.

EDDIE MOORE: Any other discussion?

CINDY WILSON: Mr. Chairman, may I?

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: I find this such an overwhelming subject area because I spent a lot of money out of my own pocket going to the State Supreme Court trying to gain access to records, including legal files. And I think that as we move along there will be a great deal of legal information and billing information that will be needed to be made public, particularly on matters of the past. Perhaps what -- it might be useful to have Mr. Wilkins, our special investigative counsel, review any definition of attorney/client privilege as it comes before us today, which it gets so terribly confusing even for me after I spent thousands of dollars trying to get to the bottom of that. I would like to make a motion that we have Judge Wilkins, Mr. Wilkins, review what is before us today and then get him to provide us with the language that works most appropriately to allow us to do our investigations, but yet protect the sensitive information like things that are ongoing in the county like at the Sheriff's Department, Detention Center, ongoing things that are best served to be private until they are disposed of. And I'd like to make that motion that we have Judge Wilkins review this before we make a final vote.

EDDIE MOORE: Any other discussion? Mr. Dunn.

TOMMY DUNN: Mr. Chairman, it's my understanding Ms. Wilson does not want to vote on the motion we've got on the floor?

CINDY WILSON: I don't like what I'm -- maybe I'm just not comprehending ---

TOMMY DUNN: That's fine. I just wanted to make sure I understood you. You don't want to vote on my motion and do yours. I just wanted to make sure I understood. I didn't know if she was amending my motion or not, but I understand now. Okay.

CINDY WILSON: No. I was making a motion to table pending the Nexsen Pruet special investigative law firm to review and advise us on this.

TOMMY DUNN: Ten four.

GRACIE FLOYD: Mr. Chair.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Thank you. Mr. Chair, Attorney Wilkins, now we have just left a meeting with the Anderson County attorney who advises us; am I correct?

EDDIE MOORE: That's correct.

GRACIE FLOYD: All right. Now Mr. Wilkins represents -- he represents the full county -- full council or ---

EDDIE MOORE: Ms. Floyd, Mr. Wilkins represents the investigation that's going on into this county right now. He is our advisor. The main thing we don't want to do with this, we want to make sure this does not impede the investigation going on right now with our audit and also some of the other matters that Mr. Wilkins, Judge Wilkins, is looking into. And that's correct.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: Point of order. Ms. Wilson is going to need a second before we discuss this anymore. I just wanted a clarification a while ago. So let's see if Ms. Wilson is gonna get a second on her motion.

BOB WALDREP: I second the motion.

EDDIE MOORE: Okay. We have a second on Ms. Wilson's motion.

TOMMY DUNN: Mr. Waldrep second it.

EDDIE MOORE: Any discussion on Ms. Wilson's motion?

GRACIE FLOYD: Well, I guess my question should have come then.

EDDIE MOORE: I'm sorry. I should have caught it and I didn't.

GRACIE FLOYD: Yeah. It's too many attorneys now and I'm trying to figure out which attorney is which to what to whom.

EDDIE MOORE: We want to make sure that we don't impede the investigation that's going on. That's the reason we made those ad hoc committees in

the first place. And Mr. Wilkins is representing the county council in these matters. You know, we don't want to impede -- I don't mind the discussion we've had about this, but we do not want to do anything that's gonna stop our investigation that's going on. That's plainly stated. We've got to do that.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I don't think this will stop our investigation one bit. This is just to correct something we need to get straightened up and we can move on. But I think this is very -- we need to get this took care of and we can straighten other stuff up. But this is -- I think very strongly this needs to be done. We just had a meeting on this and I think very much -- and I yield now before anybody else has any discussion we can move on and vote.

EDDIE MOORE: Okay. We have the -- we're gonna vote on Ms. Wilson's ---

RON WILSON: Mr. Chairman.

EDDIE MOORE: -- amendment to table the motion. Do we have anymore discussion? Mr. Wilson.

RON WILSON: Thank you, Mr. Chairman. We just came out of a meeting talking about this and it seemed to me we had a consensus. And now it's being sidetracked. So I hope we defeat this amendment and support the -- what I thought was an agreement in the room upstairs. Thank you, Mr. Chairman.

EDDIE MOORE: Thank you, Mr. Wilson.

GRACIE FLOYD: Mr. Chair, it needs to be clear to the people here that a vote was not taken.

EDDIE MOORE: That's correct. There was no vote taken upstairs in executive session.

GRACIE FLOYD: Yeah.

EDDIE MOORE: We're discussing it now.

GRACIE FLOYD: And it was a silent consensus. It was not what you think, what you think.

EDDIE MOORE: Exactly.

GRACIE FLOYD: And that needs to be crystal clear in this -- what y'all call it, an open-ended -- y'all call it some kind of council you have now where you tell everything.

TOM ALLEN: Just to clarify this, I hope for everybody, Mr. Dunn's resolution would be simply to put us back to where we were two weeks ago.

TOMMY DUNN: Correct.

TOM ALLEN: The way things were written. And possibly to relook this again at a future council meeting as Mr. Waldrep had mentioned. What we're trying to do is just get back to where we were.

TOMMY DUNN: That's correct.

TOM ALLEN: Okay. Thank you.

EDDIE MOORE: Anymore discussion on Ms. Wilson's amendment to table? If not we will now vote. All in favor of tabling the discussion, voting on Ms. Wilson's amendment to table it, will signify by raising your right hand. Three votes for. How many against by the same? Four against. So the tabling is not passed. Now we'll go back to the original amendment. Is there anymore discussion? If not we will now vote on the original amendment. All those in favor of the original amendment, raise your right hand. All opposed. Ms. Wilson abstained. So we have six for and Ms. Wilson abstained. Are there any other measures as far as resolutions, Mr. Waldrep?

BOB WALDREP: Mr. Chairman, I had somewhat of a long discussion with members of the audience earlier about the amendments. Once again it seems as if we're in the process of going through the process of editing these possible amendments that are related to legal matters, particularly filing lawsuits, bringing lawsuits, paying for lawsuits, and some other contractual matters which I think you might want to discuss later, having to do with the Broadway Lake situation. So I would respectfully withdraw any resolutions at this particular time from the agenda, if I may.

EDDIE MOORE: Hearing no more, we will now go to Item 5, demolition of Broadway Lake Pavilion. First of all I want to tell you a little bit about the reason that we called this meeting today. I had an awful lot of phone calls on both sides. So I figured the best way to do, just come out and explain everything ...

END OF TAPE 1, SIDE 1

EDDIE MOORE: ... the air cleared a little bit. Broadway Lake means a lot to me because that's where I learned to swim. My uncle had a place down there and my whole time as a kid, there was not another lake around close by besides Lake Secession, so it means a lot to me because I spent a lot of time down there. And it really was the first decent lake, you know, around in Anderson and everybody went down there. And when I was a little boy, my brother had an old '56 Chevrolet and we used to ride down there. So everybody

went to Broadway Lake. That was the place to go in the county. So a lot of fond memories that I have about Broadway Lake. And today's meeting is not anything to do about stopping the project. The contracts are -- by the time -- if we stopped it and you did all the -- what we would have to pay to get out of it, it would offset doing it. In October I went down when they started the bid process down to the McFalls Landing and to the pavilion down there -- was down there. And I got the bid package and everything and I took it home and, you know, absorbed it, and talked to the architectural firm and we did a lot of discussions about it and everything. I took it back to me -- back home with me and I studied it and I took it to some of my friends. Most of you know I work at an engineering firm and I have a lot of friends over there that's in structural and just different disciplines. And we looked at it, and some of the estimators, I let them -- I said, run this through and just tell me what you think about it. And I said, I want some dollars, you know, exactly what you think about the whole project. And they did. And we went through it and everything. And basically what we have is a 2,605 square foot building. And the proposal that was voted on in December to go forward, it basically, the cost of that building and everything related is \$375.00 a square foot is what it costs for that building. Now a lot of you that build houses and stuff, you know -- I know Mr. Dunn probably could tell you exact costs on some houses and stuff like that, but it's a considerable amount cheaper. So I asked my ground, my friends and stuff over there, to run some numbers on it and what they would think the building should cost. And so they said, let's ride down there. They came down and we were going to fish in my fishpond, so we went over and looked the site over. This guy is a Ph.D. in civil engineering and looked the site over and, you know, checked it out. And then we went on fishing and caught some brim, more important things. So after they checked it out and they run the numbers and everything, and he told me, he said, Eddie, I'm gonna be honest with you, that building should probably -- everything there should never run over \$400,000.00. He said, you should walk away from it at four hundred thousand. So when I went back he asked me, he said, well, what did the numbers come in at? I said, they're going to spend about, before it's said and done, around nine hundred thousand dollars. And he said, man, can we get a contract with Anderson County? I said, well, I don't know about that. I said, but you know, it concerned me



a lot. I think the numbers and everything in looking at the spreadsheets and the numbers that I had, it addresses a problem that we've really got to correct in Anderson County on some of our bidding procedures and also on the way contracts are handled. We really need to address this to try to save some money in the county, because we're gonna be hit with some strong financial numbers of our own. Everybody I guess has listened about the schools and the state and the financial shape of the whole nation. We're not any different. We're gonna be in the same situation with all the home foreclosures and things that are going on.

It's just tough times all over. And it really bothered me about this, so -- and the numbers themselves, you know, I would have liked myself to see some other alternatives to this. They involved a pretty high dollar architectural firm for basically a 2,605 square foot building. I've never been against upgrading facilities down there. I've talked to the person down there that was over the Broadway Lake, the homeowners, I talked to him on the phone a good bit one night, and he basically told me, he said, Eddie, the only thing I ever wanted was just the bathrooms fixed, that was the issue, and some upgrade. And myself, with that money that was in the bond, I would really have liked to seen, you know, to upgrade the facilities that was there and maybe do an addition on or something like that and took the other six hundred thousand dollars and put on the dam. Because, you know, right now, Broadway Lake is on the Corp of Engineer's list of problem dams. And for many of you that don't understand that, Jimmy Carter, when the Toccoa Falls dam, when it collapsed they really went after inspecting dams. One of the dams that borders Anderson County is Lake Secession. And they had to -- of course they drain it just about every year, so it wasn't a problem for them. So they drained it and did a good bit of work on the Lake Secession dam. At some point in time, the Corp of Engineers could -- now right now they're not on the critical list, but a lot of dams that are very similar to the Broadway Lake dam, on doing my research, have been changed over to that critical path. And what that means, they have to fix that dam or drain that lake down. I would, myself, would have liked to have seen the money spent on repairing the dam work and the spillway work, and do a modest improvements on the existing facility that was down there. And when we talked with Mr. Cunningham last week, you know, that was some of the things -- you know, the problems that we had that we saw with the

contract and the numbers and stuff, that bothered us. We talked to him about it. And that was one of the reason I said, can you hold off on that building just a little while and let's maybe have some other ideas? I know you've voted on it. But it come to a contractual issue because you've got people that's working down there and you stop a contract and there's gonna be lawsuits. So unfortunately we're at a rock and a hard place. We can't stop that. If we did it would end up costing us more and we would have nothing. So these are just some ideas that I think it would have been well off, you know, if we had had more planning on this and maybe pulled out -- there's some awful good preengineered building that we could have tore the building down and came in with a preengineered building. And for those of you who don't understand preengineered building, we use them a lot in the construction industry. And you can do them pretty much anyway you like and they looked pretty good. They really are. There's some nice buildings. Some of them look like houses. And pretty cheap. And I run some numbers. I pulled seven different companies just to see what we could put up a real nice building down at Broadway Lake for. And the range of the size was from three thousand to four thousand square feet. And the numbers I got was from a hundred and eighty-five thousand to two hundred and seventy-six thousand five hundred, according to how fancy you wanted to get with the building. And that would include -- there was an allowance in there also for landscaping and some patio outside area with the tables and seating for seventy-five people. And that would give you a much larger building and if somebody really wanted to have a large group down there they could. What they're building now is twenty-six hundred and five. And you're going to be limited as far as the size. But that's what we're gonna have. That's what they're gonna build. But I would have liked to have seem something different in the way it was handled. And in closing, that was pretty much what I summed up, that we have spent quite a bit of money -- gonna spend quite a bit of money down there that I thought could have been handled a little bit different. And I think that we could have probably done better. I think we need to have a little bit more oversight in the future on when we're doing this building projects to make sure that we have some input from the citizens and we have input from the council members on their expertise and make sure we can get the most for our money. That's pretty much all that I've got on that. I'd like to open it up now to any council

members who would like to talk.

GRACIE FLOYD: Mr. Chairman, does this mean now that we're through with the Broadway Lake ---

EDDIE MOORE: We are through with the Broadway Lake issue.

GRACIE FLOYD: No, no, no. I don't mean for now. I mean for good, so we can go on with the plans that we have for that.

EDDIE MOORE: There's nothing we can do without costing us more money than it would be worth to try to stop it. I don't agree with the way it was handled. I don't agree with the way it was done in December. I think we could have got more for our money. But it's not economically feasible to stop it.

But we had so many people that called, I wanted to bring this to attention on my concerns and a lot of the people that live down there on the lake concerns too. The two hundred and something calls that I got, and I've got a lot of them's names, I'll be glad to give them to you since a lot of them are in your district.

GRACIE FLOYD: Oh, no, I'm not interested.

EDDIE MOORE: Okay. I figured you wouldn't be, because out of the two hundred and eighty-five names, there was about twenty-five percent of them that wanted the place and the seventy-five percent didn't want it, so ...

GRACIE FLOYD: Well, I don't know. I'm not gonna argue that point because I don't believe that. But the thing is this, I just need to know, and the people who live in district two in that area, I'm sure that they want to know, can they go on now with their plans? There's a -- there is a community group there, the name of it is Friends of Broadway Lake, and I think we have the President -- Mr. Steely, are you -- Mr. Steely, please stand up. I just want to introduce you. This is Mr. John Steely. He's about one of the best things to happen to us down there. He is the leader of that community. And I'm sure that he and his group would like to know if they can go on now and continue the plans that they have. And it's a done deal, it's settled?

EDDIE MOORE: That's all I've got to say. Any other councilman like to make any comments?

GRACIE FLOYD: I still have the floor.

EDDIE MOORE: I thought you relinquished it.

GRACIE FLOYD: No, I didn't.

EDDIE MOORE: Okay. Go for it then.

GRACIE FLOYD: Thank you. Mr. Steely, do you have any questions now? It's over and done with,

we can go on with our plans. You can go on with your plans. Thank you. Thank you, Mr. Chair.

APPLAUSE

EDDIE MOORE: Is there anybody else on the council that would like to discuss it?

CINDY WILSON: May I just point out that all of our county construction projects and contracts do need to be subject to review in protection of our county coffers. I think each of us up here seeks to get the best quality job for the most reasonable price.

And I think that's what the whole scope of our concerns on contract negotiations involving construction project would be. Thank you.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: Clear up a couple of things. I agree whole heartedly, we do need to review -- and I, first of all, was the one that made the motion at the last regular council meeting about stopping all contracts -- hold it back, I'll get to that in a minute. And I said I would review that. We're in the process now of writing a new ordinance. I strongly feel council should approve contracts. The City of Anderson does. I think most councils does that. It's just good business sense. To clear up -- if nothing else, the people that knows me, knows I'm fair. I do want to clear up one instance that happened. I'm the one that made the motion to stop all contracts. Ms. Floyd point asked me if I was talking about trying to -- what was my intent? My intent, like I say I'm not trying to stop nothing that's already been signed. And Mr. Cunningham, in all fairness to him, can't read minds. That was -- point blank was asked to me, and that was my thing with my motion. I never was trying to go back. I do think, even though the Broadway Lake thing is gone. Never come out of my mouth to stop it. There's a lot of the stuff in the bond issue, not just the Broadway Lake thing, that I don't agree with. I think the money could be spent a lot better in other places, and not spend it all in these hard economic times. Going around the county and seeing some of our stuff, if you take time to do that, I think most people would agree that money could be spent better other areas. It's not just the Broadway Lake project. Many of them. But the Broadway Lake project, as it is going on and other projects, I hope we do look at the contracts and make sure it's being done and done properly. I think that's part of our job. And I appreciate it. Thank you.

EDDIE MOORE: Anyone else? Hearing none,

I will move on to the next item on the agenda. And this would be committee appointments. I know this -- I'm going to tell other council members, I've gone through on these committees, I know this is not the second regular meeting, but I'm gonna go ahead and pull these committees out. And this would be just for reference and the people I would like to have on it and give them an opportunity between now and the next meeting. And I'll duplicate myself the next meeting. I want to make sure -- these are people that I want on committees and to give you a few days to think about it. And if you don't want on the committee, if you would call me and I'll make sure that you have my number if you don't have it. I know Mr. Wilson, and I think Ms. Floyd, might have my number because I've called your house a couple of time and you might have my number. But if you don't ---

GRACIE FLOYD: You've called my house a couple of times?

EDDIE MOORE: Yes. Well, anyway, I'm going to make the appointments on a committee. If you want to serve of them okay. If you don't, just let me know before the meeting and we'll ask someone else if you do. I'm going to go down. These are the standing committees that's in our ordinances. And the financial committee will be Ms. Wilson, Mr. Allen and Mr. Moore, myself. That will be on the financial committee. On the public safety and health and human services committee will be Mr. Dunn, Ms. Wilson and myself. On the administrative policy rules committee, personnel will be Mr. Waldrep, Mr. Dunn and myself. And some of these are duplicated from the ad hoc committees and we're just basically keeping the ad hoc committees on these same committees, so if it sounds like duplication, it's not. On the planning public works commission, Ms. Floyd, Mr. Dunn and Mr. Allen, will be on the planning public works committee, if they so desire. The recycling solid waste committee will be Ms. Wilson, Mr. Allen and Mr. Wilson. And Ms. Wilson will be the chair on that. And I'm gonna back up, and Tommy Dunn on the planning and public works committee will be the chair if he so chooses to be on the committee. And then on the administrative policy and rules committee, personnel, it is basically the same as the personnel committee and Mr. Waldrep is already the chair on that committee and he'll be the chair on this one. The public safety, health and human service committee will be Mr. Dunn, he will be the chairman of that one. The financial committee will be the same as

the ad hoc committee and Mr. Allen will remain the chairman on that. That is all the committees that I have. And if y'all will be sure and let me know if you decide that you don't want to serve on it. And I would now like to have an ad hoc committee and this will be for the Balloon Festival if we decide to have it this year, and I would like Ms. Floyd to be on the Balloon Festival and Mr. Wilson and Mr. Allen, if y'all would serve on that committee. And this would be for the Balloon Festival if we decide to have it to try to help coordinate the sponsors and stuff like that and work with Mr. Cunningham on that. That's all the committees that I have. Is there anybody else that has any they think would be of use at this time? If not, I'm gonna now move on to Item number 8.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I have to apologize. I wasn't paying attention awhile ago when I looked down at resolutions and see legal matters and I thought that was me. Y'all should have corrected me. I wasn't paying attention either because I done had mine.

EDDIE MOORE: You was on a roll, so I wasn't gonna stop you. We'll now to go citizens comments. Mr. Cunningham.

MICHAEL CUNNINGHAM: Just before we move into citizens comments, just a couple of things. I think number one is I have copies of the construction contracts that we have and I have folders here for each of you. You can have those and take a look at them. I'm not sure if your ad hoc committee already has them. This may be a duplication. But there's one folder for each of you just to have to take a look at. Also, at the last council meeting you have me a ten day deadline to come up with a list of legal matters. And I wanted to let you know, I have -- I believe Mr. Artigliere helped put this together for me and there's one copy here right now. I didn't get a chance to make multiple copies because there's a lot of backup. This is one set so it's a lot of information. But if you'll permit me, I'll try to get copies made of these if each of you want it. Or if you decide that each of you don't want it, if you can let me know today, so I would want ---

TOMMY DUNN: Mr. Cunningham.

MICHAEL CUNNINGHAM: Yes, sir.

TOMMY DUNN: Don't kill no more trees on my part. I can work through the committees. Don't need one on my part. I'll borrow some.

MICHAEL CUNNINGHAM: Okay. Thank you.

BOB WALDREP: Mr. Chairman.

EDDIE MOORE: Mr. Waldrep.

BOB WALDREP: I'd like to ask Mr. Cunningham a question here. With regard to those accumulated documents there that are supposed to reflect all of the pending lawsuits, is that correct?

MICHAEL CUNNINGHAM: I think it's active and pending.

BOB WALDREP: Active and pending.

MICHAEL CUNNINGHAM: Right.

BOB WALDREP: And does that include claims that are -- have not been filed actually?

MICHAEL CUNNINGHAM: I don't think it includes claims that have not been filed, because I'm not sure there would be a way to record or find out claims that haven't yet been filed.

BOB WALDREP: Well, claims of which we have notice, you know?

MICHAEL CUNNINGHAM: Right.

BOB WALDREP: You would have access to --

MICHAEL CUNNINGHAM: What we have is a combination of things that are already there. And I think what Mr. Artigliere has done, I read through this briefly, is those that maybe we've been served on but haven't taken any official action, I think there's a list of those ---

TOMMY DUNN: Mr. Chairman.

BOB WALDREP: I'd like to finish, if I may?

EDDIE MOORE: Mr. Waldrep still has the floor.

BOB WALDREP: Yeah. I just wanted to get a clarification that we had, you know, not only those items which have been filed, those of which we have had notice that are pending out there, that was my only thing, and make sure that that would be included. Thank you.

MICHAEL CUNNINGHAM: And to be open, what I'll do is check back with Mr. Artigliere and we'll put our heads together and make sure that we're covering all the bases as far as what you're looking for. We want to make sure you have a complete set. This, of course, is extensive, but if there's more that we have to pull together, we'll certainly try to do that. But we wanted to make sure we met the deadline that was put in place, and I think today is that deadline. And one other thing related to, and I know we've already moved off of it, but if any of you are interested in talking with the architects that did the Broadway Lake project or getting any additional information, they are here.

Mr. Carroll is here who helped handle the bid procedure, so if any of you have questions or would like to talk with them further, they made themselves available to do that. They can give you a good breakdown of the project and the numbers and how -- the final number included more than just the building structure itself, all the grading and everything else that had to be done. So they have all that information here and they've made themselves available to each of you to answer those questions should you have them. And I know that this is a Friday evening so you may not want to prolong the meeting for that purpose, but individually if you're interested in it, they're certainly here to help you.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I just wanted to say, I think the attorney's jumping out of his seat over there. He's got something he wants to add. I think it would have answered Mr. Waldrep's questions a while ago if he would have let him. And help Mr. Cunningham out maybe.

ADAM ARTIGLIERE: Mr. Chair, if I may?

EDDIE MOORE: Mr. Artigliere.

ADAM ARTIGLIERE: I'm trying to -- I'm not very good at holding a microphone like this. I feel like I'm on stage. But I do want to address the issue of the pending claims and claims against Anderson County. That does contain several claims that were made against Anderson County that have not been resolved or we haven't heard anything more about. As far as our -- my role in putting that -- helping put that together, we tried to put together a comprehensive list of all pending litigation against Anderson County and involving Anderson County. And I understand and I confirmed this with Mr. Moore, Chairman Moore the other day, that we were not to provide -- we did not have to provide litigation against the Sheriff's Office or the Detention Center. One of the issues that we came up with in providing that information, however, is that oftentimes when someone at the Detention Center or someone sues the Sheriff's Office, the County is automatically implicated and named in the lawsuit. And what I've done with that information in providing that list, is actually indicating on there when it is a lawsuit involving the Sheriff's Office, and it should have accurate and complete information for you on all the pending matters. And I also want to point out, too, we do provide an audit letter every year that is



part of the annual audit which surveys all of the litigation and pending claims involving Anderson County that we are aware of. That is also included in that packet. Our most recent audit letter was at the end of December, so obviously not much time has passed. We have had several lawsuits filed since that time, filed and served, since that time. We cannot have accurate information as to -- unless it is served upon us, we don't survey the Clerk of Court to determine whether actions have been filed against us. But we become -- are notified either through the media, through someone sending us a letter or someone serving the administrator.

CINDY WILSON: Mr. Chairman.

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: I have two questions, please. One is, does that pile of papers still include the lawsuit against Mr. Waldrep and me initiated by Mr. Preston and continued by Mr. Cunningham? It was my understanding that it was supposed to have been dropped. However, I learned on my way in here today that Nancy Bloodgood, who is Mr. Cunningham's attorney, has yet to sign and file that motion to dismiss. And I think that's -- I've gotten letters from people the last couple of days, and I just want people to know, as far as we know it has yet to be dropped. And also, if there's anyway we can get a copy of the annual audit from '07-08. Our finance committee needs that and we've been trying to get copies of that. We think the council needs it too.

EDDIE MOORE: Mr. Cunningham.

MICHAEL CUNNINGHAM: Yes, sir.

EDDIE MOORE: Are you through, Ms. Wilson? Mr. Cunningham.

MICHAEL CUNNINGHAM: Yeah, two things. One, I think, and because it's Friday, but each of you should have a copy of the audit in your agenda packets. If you haven't got it, you will be getting it today. And the other issue as relates to the dismissal papers, I'll be happy to check on that. And if you will permit me, I think I have a copy of that document that I received from her, from Ms. Bloodgood, who's not my attorney, by the way. She represents the county on personnel and other matters. So I just want to make that clear because sometimes people will hear things and take them for truth. So she does not represent me personally, of course. But if you'll permit me I'll certainly try to go to my office now and see if I can't get a copy of what she sent me as far as the dismissal papers. And the fact that, from my understanding, that

all parties involved have to sign that document before it can become official.

CINDY WILSON: She hasn't signed though.

MICHAEL CUNNINGHAM: Has your attorney signed, and Mr. Waldrep?

BOB WALDREP: What happened, as I understand, Ms. Bloodgood sent the stipulation for dismissal, which does not require all parties to sign.

It just requires the attorneys to sign it. And she sent it to my attorney, Mr. Richter. And she had not signed. So what she was doing was sending something to him asking him to sign and then sending it back to her and I guess we were just in hopes that she would sign it.

MICHAEL CUNNINGHAM: Are you saying that your attorney has signed as well?

BOB WALDREP: I don't know, you know, but it wouldn't make any difference unless she signs it. That Ms. Bloodgood signed it. So ---

MICHAEL CUNNINGHAM: So we need all parties to sign. So I'll follow up for ---

BOB WALDREP: The parties themselves don't sign it.

MICHAEL CUNNINGHAM: I'm sorry. The attorneys representing ---

BOB WALDREP: The attorneys, yeah.  
Right.

MICHAEL CUNNINGHAM: I understand.

CINDY WILSON: May I add to that clarification?

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: It's my understanding that the initiating attorney, and in this case it would be Ms. Bloodgood who drafted the motion to dismiss, normally she would have signed it and then sent it on to the attorneys and each of our attorneys would have signed, and the last one getting it would have gone to the courthouse and filed it. But in this case they noted that it was most unusual to have drafted it and sent it but failed to sign it. So there was some conjecture as to what that meant. And I know from my end it was signed and sent back, but we haven't had it from Ms. Bloodgood. Thank you.

TOM ALLEN: Mr. Chairman.

EDDIE MOORE: Mr. Allen.

TOM ALLEN: I'd just like to try and clarify something at this point. And if I'm wrong you can correct me on this. But for the folks out here, the resolution that was done a while ago concerning attorney/client privilege, the reason we did this was

because the motion -- or resolution that we passed a week ago opened up legal records for anybody and everybody. Anybody off the street could have walked in and pulled those records. They may have had some devious thoughts in mind. We don't know. That was an error on our part. That's why we came back today and rescinded that. Just so you know, that's why that vote was taken. Thank you.

EDDIE MOORE: Anyone else on council have anymore comments before we go to citizens comments? Mr. Wilson.

RON WILSON: Mr. Chairman, are we going to talk about the lawsuit with the landfill? Well, my concern here is along the lines of what we just talked about. The case they're talking about I believe is the temporary restraining order that Judge Nicholson issued concerning this case. And then on Monday afternoon when there was a hearing, one of the members went over and interjected himself into this process and under -- I don't think he had any authority to do so. This council never voted to give him that. And that process was moving along nicely until this was -- this happened. And I also understand that the same individual has told people that the counsel for Greenpointe has been keeping the council informed on the developments of that landfill. I've never been to a meeting and had any briefing by counsel -- Mr. Carpenter. I further understand that he also stated in the Judge's chambers that the administrator had no authority to hire this attorney and that the attorney didn't represent this county. I'm very concerned about this. It's an area that's of tremendous importance out in the area where I live. And ---

EDDIE MOORE: Mr. Wilson, if I may interrupt you a minute. Can you please put this on the agenda for next week and let's discuss it properly, because I think it would behoove us to do that so we can let the people up there come and discuss it instead of just one person. And that way we could possibly have both sides to come in and maybe put that on the agenda.

RON WILSON: You want to have that meeting at the civic center so there will be enough room?

GRACIE FLOYD: I think so.

RON WILSON: They'll be here.

GRACIE FLOYD: I think that's a good idea.

EDDIE MOORE: Anybody have any objections to that?

CINDY WILSON: Having it at the civic

center?

EDDIE MOORE: Yeah.

CINDY WILSON: Oh, no, that would be great.

RON WILSON: We can do it anywhere you want to.

EDDIE MOORE: Okay.

RON WILSON: They'll be there.

EDDIE MOORE: Is that in the form of a motion then?

RON WILSON: No. We can have it here, but I mean, you know ...

GRACIE FLOYD: No.

RON WILSON: I mean, they'll be here.

GRACIE FLOYD: Put in the form of -- Mr. Chairman. Put it in the form of a ---

RON WILSON: We'll fill it up out there.

GRACIE FLOYD: -- motion, yeah. Because we need more space now.

RON WILSON: That's fine. I'll ---

EDDIE MOORE: The only issue I have -- we do have an executive session on Tuesday night's meeting. It's on the agenda. I think it probably will take place. Is there a place out there where we can go in if we need to?

RON WILSON: There's two rooms out there, I assume.

GRACIE FLOYD: There's plenty of room.

TOMMY DUNN: Mr. Chairman, if I may?

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I'll just ask Mr. Wilson, do we even know that the civic center is available for Monday?

RON WILSON: I said that just kidding. We can do it here.

TOMMY DUNN: Okay. Let's get back to the hand and ---

RON WILSON: We can meet here. It's no big deal. So we have another executive session planned for Tuesday?

EDDIE MOORE: We may. I'm not sure yet. I'm not sure -- I haven't checked the agenda yet.

RON WILSON: For a group that's for open and transparent government, we've already had more executive sessions than the entire council combined.

APPLAUSE

CINDY WILSON: I don't know about that. When I first came on there were many executive sessions.

APPLAUSE

GRACIE FLOYD: But we had to stop it, because everything we talked about got out.

BOB WALDREP: Mr. Chairman.

TOMMY DUNN: Point of order. It's getting late. Let's get on with the business.

BOB WALDREP: Mr. Chairman.

EDDIE MOORE: Your point's well taken.

GRACIE FLOYD: Excuse me, Mr. Chair, I'd like to -- I have a comment if we're still doing ...

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Thank you. Folks, I have been on council for ten years now. It'll be ten years sometime soon. This is my ninth year. Okay. And something I have never done on council, something I have never done, I have never cried. I yield the floor. I yield the floor.

BOB WALDREP: Mr. Chairman.

EDDIE MOORE: Mr. Waldrep.

BOB WALDREP: Would Ms. Floyd need any assistance over there? She seems ---

GRACIE FLOYD: Mr. Waldrep, please, don't at this time, okay, because if I needed assistance ---

BOB WALDREP: Okay.

GRACIE FLOYD: -- I could get it. Please don't do that at this time.

BOB WALDREP: All right. Well, I felt like I needed to respond to an incident that took place in court.

GRACIE FLOYD: In executive session today?

Oh, not that ---

BOB WALDREP: I'm responding to ---

EDDIE MOORE: Mr. Waldrep still has the floor, please. Okay.

BOB WALDREP: I guess it was last Tuesday, I believe it was. It could have been Monday, I'm not exactly sure. I was called by the attorney for this landfill operation to go to court. And I've been practicing law for forty years and I've never seen a situation quite like this one where an attorney for apparently Ms. Smith and Anderson County, appeared before Judge Nicholson with an order to be signed, an ex parte order, I guess you might call it. That means an order of which the other side, apparently, is not given notice of any type. So when Mr. Carpenter called me and asked me to appear, I simply went up to the courthouse and back into the conference room and Mr. Carpenter went back there and followed Mrs. Bloodgood,

which apparently stated that she represented Anderson County through Mr. Ricketson in some way. I had asked if there was any approval of any kind of lawsuit that had been passed on by Mr. Ricketson or Anderson County.

And to the best of my knowledge, no one on this council authorized any lawsuit in behalf of Anderson County. Now that disturbs me very much, when somebody in -- Mr. Ricketson or anybody else can willy-nilly filed a lawsuit that this council knows nothing about.

So naturally I found out later that this lawsuit had not actually even been filed and to this day, this afternoon, I still have not seen anywhere that a lawsuit has actually been filed on the record, that this is some kind of extraordinary procedure that's been going through. And quite naturally, I'm very concerned with Anderson County exposing itself to a lawsuit. You sue someone, they can sue you back. And we're naturally responsible. Now I do understand that there's something like zoning laws that are involved, but this is a very complex issue. And it goes -- the heart of it goes to the fact that Anderson County back in 2004, 2005 has been dealing with this land use deal through this waste company that was gonna put some kind of landfill on this property and that there's been a long history involving Anderson County, and the question is, Anderson County inducing this company to come into Anderson County. And then there's been very technical issues that have come up where DHEC has made approval of this landfill operation, that there have been public hearings on this landfill operation. So there's a time line, which I'm going to make sure that everyone has and distributes that they can look at. I mean, there's no secret about what I'm doing. I don't mind anyone mentioning that I went up there. I was glad to go up there, because it's my job to find out what's going on in this county. We have some proposed legislation or ordinances that would require council approval before we go to court. Our legal bill for the last couple of years has been in the millions, in the millions, ladies and gentlemen. That's where a lot of your money is being spent. And we want to make sure that this is not done just for some -- one particular area. And they might be absolutely right. I don't know. But they have the perfect right to continue on with this lawsuit without Anderson County being involved. There's another plaintiff involved in this thing. I think her name is Ann Smith. And she called me about this. And I said, Ms. Smith, please know that I don't care who you sue, but I do care when the citizens of Anderson County have to pick up the tab for

a lawsuit out there, and I want to know about it, and I'm going to bring it up. And so please know I'm not ashamed of what I did. You might -- I'm sure a lot of people don't like it, and I received a lot of calls from folks out there, and I can tell you I wouldn't necessarily want one of those things in my area if I lived there, you know. But to get back to the old Nimbi thing you know. But the process has been going on since 2004, as best I can remember. There are documents all along the way. And I would mention to the council member who mentioned me indirectly that Anderson County is even now appealing, as we understand, the verdict of the Administrative Law Judge who lifted the stay on this operation out there. So now Anderson County is going to the Supreme Court. Did any of you know about that? Did any of you know about that? Well, I just think we need to get a handle on that. I guess Mr. Cunningham knew about it.

MICHAEL CUNNINGHAM: No, sir, I was just going to respond to some of those things.

BOB WALDREP: You didn't know about it either?

MICHAEL CUNNINGHAM: I think I can explain it to you if you'll allow me, if you want to take a few minutes.

BOB WALDREP: Yeah, I will, but you know, this is -- I'll be glad to.

MICHAEL CUNNINGHAM: I think that's what needs to be happen, we clear it up so we can all be on the same page. I'll start back to our conversation on Monday that we had in your office as it relates to this particular issue. Where we are now and what happened on Tuesday at the hearing is a zoning issue. The hearing on Tuesday was to have the Judge consider placing an injunction on the further construction of the site because there had been no county permits obtained for the work being done, and then because the area in which the work is being done is zoned residential agricultural. So what was taking place is because there had been a stop work order issued and then a ticket issue and then the next step in the process that we would follow is to get an injunction to halt work or at least to have a daily fine in place to encourage the people doing the work to halt work because of a violation of our zoning ordinance. So that was the purpose of the hearing. And we discussed about what would be an ultimate resolution to that. And ultimately the zoning issue is something that council controls, in that if the person doing the work desires to obtain a variance to put something in place

that's zoned that does not fit in with that zoning classification, there's a process in place that you can follow to do that. Unfortunately what was happening -- or what has happened is that process hasn't been followed, so we're taking our normal steps to encourage through judicial means that that process is followed. So that was the purpose of that hearing. There's been another hearing scheduled or another ---

BOB WALDREP: You didn't know about the other one?

MICHAEL CUNNINGHAM: Yeah. I'm getting to that one actually.

BOB WALDREP: Okay.

MICHAEL CUNNINGHAM: All right. And so -- but I wanted to make sure that we're running on parallel tracks, because the big issue right now is a violation of our zoning ordinance. So there has to be steps taken, or I'm hoping that you're okay with us taking steps to enforce our zoning ordinance. That's what Ms. Bloodgood was there doing on Tuesday, was to enforce the zoning ordinance. Now, ---

EDDIE MOORE: Mr. Cunningham, I hate to interrupt you, but let me ask you one question. Was that zoning passed after-the-fact that he had all his permits?

MICHAEL CUNNINGHAM: Well, no, sir, because he didn't have county permits. So what he has, and this gets to that parallel issue, is an attempt to get a permit through DHEC for the siting of the facility. Now, the county's issue going back was the fact that the county had a solid waste management plan that in the plan didn't allow for additional sites of that nature. So the reason the county is a part of that is because it was our view, as I understand it, that the siting of this facility would be in violation of our solid waste management plan. DHEC says that, well, we don't think so. We didn't agree that that was a violation of your solid waste management plan. So that was the reason why we were following through the next step through the DHEC board is the Administrative Law Judge and after that is an appeal to the Administrative Law Judge's decision. And I believe that appeal goes back to the DHEC board. I'm not sure if it goes -- or if it goes to the Appellate Court. I don't think it goes to the Supreme Court.

BOB WALDREP: It goes to the Appellant Court if the Supreme Court wants to take it. But here's the rub in this. The Administrative Law Judge, which has all the authority of a Circuit Judge, seems like he's ruled on that issue.



MICHAEL CUNNINGHAM: Yes, sir, he has ruled on the issue.

BOB WALDREP: So now you're appealing the ruling of the Administrative Law Judge because, regardless of what Anderson County did after-the-fact, the DHEC ruling seems to have prevailed.

TOM ALLEN: Point of order, Mr. Chairman.

EDDIE MOORE: Point of order.

TOM ALLEN: If I may. I'm sorry I had to say that, believe me. But this subject is so convoluted and it's very serious and I think we said earlier we were gonna discuss it at Tuesday's meeting.

I think we really do need to have the folks ---

BOB WALDREP: I agree.

TOM ALLEN: -- represented.

EDDIE MOORE: Your point is well taken, Mr. Allen.

TOM ALLEN: We're losing some of our audience here and I don't want to do that.

MICHAEL CUNNINGHAM: And Mr. Chairman, if I might add just one other thing here. Just because this was a pretty crowded meeting, I went ahead and checked with the civic center just to try to cover all bases on the possibility of them being available Tuesday night for the council meeting and when I was sitting here I got a message from them that they could accommodate us if we made that decision to move the meeting to the civic center. That was the other thing I wanted to include. So that is a -- that is certainly an option.

That is available. They have a large event out there on Monday that they're set up for that may allow us the ability to do that, or that will allow us the ability to do that.

EDDIE MOORE: Ms. Floyd. Let me tell you something first. Ms. Floyd, you're on my left side and I'm deaf out of my left ear. So if I don't pick you up sometimes, don't take it wrong. Grab me by the arm or scream into your mike, because I can't hear out of my left ear. So ---

GRACIE FLOYD: You know, that is a crisis of that chair. It seems that every council member who's ever sat in that chair ...

EDDIE MOORE: And you know, if it had been my right ear I probably would have moved you to my right.

GRACIE FLOYD: ... Mr. Thompson, every council member who has ever sat in that seat have told me the same thing. Same thing. Yeah.

EDDIE MOORE: Well, mine is real.

GRACIE FLOYD: Mr. Chair, I have my composure now and I'd like to speak.

EDDIE MOORE: Go ahead.

GRACIE FLOYD: Thank you. I'm human. I'm human. And sometime things hurt. Sometime hurt to the quick. Okay. I'm talking for myself now. Okay. ...

END OF TAPE 1, SIDE 2

GRACIE FLOYD: ... we talk about transparency government. Transparency government. It's talk. It's talk. As it pointed -- stated out earlier, we've had a lot of executive sessions. We've had more executive sessions than a little bit and we're still having them. And they're -- when you come out of executive session, there are things that must remain confidential. And being that I'm a professional, I will respect that. It has not always been respected. Okay. Some things we've said in executive session has been on the radio the next day. We had to -- what's the word? Censure folks because of that. But I will not, I will not, you have my word, I will not reveal what happened in executive session. But just know, there's no transparency in this government. And Mr. Chairman, I thank you for that.

EDDIE MOORE: Thank you, Ms. Floyd. Any other councilmen have any comments? If not, we will now ---

CINDY WILSON: May I very quickly?

GRACIE FLOYD: Do we have a, do we have a signed agenda tonight? Do we have ---

CINDY WILSON: Citizens agenda?

EDDIE MOORE: He does have a few names on the list. He does. Ms. Wilson, make it ...

CINDY WILSON: I will. And we'll be making a complete report, I'm sure. But going back to the legal issues and so forth, just so people will understand how out of hand this has gotten, for '07 we paid McNair Law Firm almost nine hundred thousand. Some years we paid them more than a million. And we've paid other law firms probably a total of three hundred thousand. I don't have that total. But you're looking at legal bills for this county that exceed a million every year. And in our tough economic crisis, that's certainly something that needs to be looked at. And I think it also needs to be looked at in relation to the so-called strife in our county. I for one look forward to civil and very courteous discourse in all the matters that come before this council. And I think we need to continue assuring people of that. Thank you.

GRACIE FLOYD: May I ask Ms. Wilson, where did you get the information that you just gave us?

EDDIE MOORE: Ms. Floyd, I haven't recognized you yet.

GRACIE FLOYD: Oh, I am so sorry. May I be recognized?

EDDIE MOORE: You can now.

GRACIE FLOYD: Thank you. Okay. I'm so sorry. Ms. Wilson, may I ask where you got your information from, please, on that?

CINDY WILSON: Previously I would pick it up from the GLR110s or the GLR153s. But Mr. Daniel has gotten a 1099 for 2007 for various vendors and that's where I got this particular number. Thank you.

EDDIE MOORE: We'll now go to citizens comments.

AMY PLUMMER: Mr. Chairman, I was not able to speak at the last session because it was cut off.

EDDIE MOORE: That's fine. Go ahead.

AMY PLUMMER: There's a lot of rumors that are flying around the county, I agree with you. And one of those rumors was that Mr. Waldrep had gone into Judge Nicholson's office and had declared that Michael Cunningham was gonna be fired. And to dispel that rumor, I'm asking you is that rumor true? Is Michael Cunningham gonna be fired? You can't -- okay. I understand you can't respond to that. We have to listen to the radio and the rumors on the radio ---

EDDIE MOORE: Would you please state your name for the record.

AMY PLUMMER: Oh, I'm sorry.

EDDIE MOORE: You never said your name.

AMY PLUMMER: My name is Amy Plummer. I live in councilman Tommy Dunn's district. I live in Loblolly Pines. If I need to tell you my address I will. Anyways, we have to listen to a lot of rumors, get up and listen to the radio station and we hear conversations about white sheet parties and cross burnings and Mr. Cunningham being fired. And we are concerned and I'm respectfully asking council to put those rumors to rest. They're not here to stir up. They're here so that you have the oppor -- I'm asking these questions so that you have the opportunity to dispel those rumors. Further, Ms. Floyd, I respect you a great deal. There was an article written in the newspaper and I want to remind you of it. It says, proud to live in a time of accomplished women. I just read the most unbelievable letter to the editor of the Anderson Independent Mail declaring in effect that a woman should be subservient to her husband and to any

man. But an inferior attitude is found in the prostitute, in the beaten and abused wife. It saddens me that any woman in today's world would view her life as less value than that of a man's. Quoting the Bible, to support a position that simply leads to a Bible quote against that position. For example, Genesis says, God made man and woman, forming both in his own likeness. In Galatians it says that neither male nor female, for you are all one in Jesus Christ. We live on this earth in a country that proven have proven their strength, courage and intelligence to be equal to any man's. I am proud that I live at a time that has produced women like Rosa Parks ---

MICHAEL CUNNINGHAM: Time.

EDDIE MOORE: Your time has expired.

Thank you very much.

AMY PLUMMER: And Ms. Floyd, thank you.

GRACIE FLOYD: Thank you, thank you, thank you, thank you.

MICHAEL CUNNINGHAM: Mr. Chairman, if I may, I'll just read our common statement before we read the names off for the citizens comments.

EDDIE MOORE: Okay.

MICHAEL CUNNINGHAM: Citizens agenda. Meetings of county council are based upon the representative form of government and are regulated by parliamentary procedures and are not town meetings. Accordingly, the citizens' agenda is for the receipt of citizens' opinions, comments and input. It is not a time for debate, question and answer or dialogue. Each person will be allotted not more than three minutes to address county council.

BOB WALDREP: Mr. Chairman, before the gentleman speaks, may I address the chair?

EDDIE MOORE: Mr. Waldrep.

BOB WALDREP: I need to make an apology to the gentleman that's just getting up to speak because I misunderstood what the procedures were going to be here tonight with regard to citizens comments. I didn't know in a called meeting that we necessarily had citizens comments. So I told this gentleman we didn't, but I did take his letter and I put his letter on everyone's chair. So I just want to make that explanation and apology to you, sir. Thank you.

GARY BURGESS: Thank you, Mr. Waldrep. Chairman Moore, members of Anderson County Council, I am Gary L. Burgess, Sr., a resident of Pendleton, South Carolina. I apologize for any typos that may be in my written statement. But I appreciate this opportunity to address you this afternoon. The current political

public maneuvering regarding our county administrator, Michael Cunningham, is not healthy for Anderson County.

I have not spoken to Mr. Cunningham regarding this issue, nor has he asked me to speak up on his behalf or on the behalf of this council. However, it is in the best interest of this county council, Mr. Cunningham and the citizens of Anderson County, for this current venomous activity ceases immediately. If Mr. Cunningham's appointment by the previous council was legal, it needs to be accepted. Either he is qualified for the position or he is not. Mr. Cunningham has extended the olive branch to the council in an honest effort to move our county forward. Whatever grievances you've had with the previous administrator should not be projected onto Administrator Cunningham. The continuation of this damaging political divisive Maneuvering will cause many residents to conclude that this is identity and racial politics at its worse. It will be concluded that African American citizens of this county could not work at the highest levels of executive authority. I know that is not true, but that will be the conclusion. I ask this council to work cooperatively with Mr. Cunningham. If not, if that can't be done, stop the political zoo, compensate Mr. Cunningham for breach of contract and state clearly that your objection to Mr. Cunningham has nothing to do with his qualifications or his performance, that it's just politics. In the meantime I would advise Mr. Cunningham to find a lawyer to represent him. Thank you very much.

## APPLAUSE

GRACIE FLOYD: Mr. Chairman.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Do we have an agenda? Do we have people signed up to speak? Oh, we do?

EDDIE MOORE: Yeah, Mr. Cunningham has the list there.

GRACIE FLOYD: Okay.

TOMMY DUNN: He needs to call them out then.

EDDIE MOORE: Okay. Next one, call them.

MALE: You're going by agenda now and you weren't before. Is that what we're saying here?

MICHAEL CUNNINGHAM: Mr. Chair, there's a list of folks signed up for this particular meeting and so I'm not sure if others were here for the prior meeting, but this is what people have signed up for at this meeting. So I have that list here. And I'll read out the next name.

GRACIE FLOYD: Mr. Chairman, in courtesy to the gentleman already standing, I suggest that we allow him to speak, but then we turn back to that agenda.

EDDIE MOORE: Right. That's what I was about to say. You took the words right out of my mouth. Go ahead.

JACK ELLENBURG: Thank you. I appreciate it. I'm Jack Ellenburg and I'm in Ms. Wilson's district. I'm having a problem with the conceptual viewpoint of this government. Seems like we're in the law business -- lawyer business and the judge business. And it bothers me that intelligent people have to intertwine themselves so much to do what needs to be done with people that bind the process. This county needs to be run, I'm telling you. It's time that we get out of the law -- lawyer business, get out of the judge business, get out of the suing business, get out of the bickering business, and get into the business of running this county. Now, I don't really discount any of you there for your job. I do know from my observation of the past days with the previous council that there has been some abuse of the people's power. It's been ramrodded, some of these things have, and it's not been thought out. That's my money. That's your money. And you guys are speaking it, and gals. So what we want are responsible people that's willing to get all of this out of the way and let's take care of the people's business. Anytime I pick the paper up, I don't hear anything positive. It's where somebody is digging at somebody, somebody wants this one to get fired, somebody wants this one to be hired, somebody wants this lawyer, somebody to get -- a lawyer forgetting to sign a piece of paperwork going forward on a lawsuit, that troubles me. And we're paying a big salary for that lawyer too. That bothers me too. But I don't think we have the millions of dollars to be spending on legal fees. And if you can't take seven people and make intelligent decisions, then we need to do away with the council. Because that's what you folks are supposed to be doing for us.

APPLAUSE

JACK ELLENBURG: And I want this county to -- I've been in this county for -- all my life. And I've observed, been in politics in a sense, even ran for county council. But I have found that it's more about the council and the few than it is about the people. And I think it's time to stop it and do what we've got to do to get this mess of days past

straightened out, get this agenda in order, get on with the people's business and do it wisely. I know I'm a person speaking to you and people can look at me and discount me for who I am.

MICHAEL CUNNINGHAM: Time.

JACK ELLENBURG: I'm not looking at you as individuals. I'm ---

EDDIE MOORE: Time has expired.

JACK ELLENBURG: -- conceptually the council.  
Thank you, Mr. Chairman.

APPLAUSE

MICHAEL CUNNINGHAM: Steve Pope.

STEVE POPE: Steve Pope, Bellview Estates, county council district one. Mr. Chairman, members of the council, the air is bad, tensions and apprehensions are high, there is confusion, there is misunderstanding. Words spoken are often taken out of context and the original intent was lost. Language must be clarified and spelled out so there can be misunderstanding, which is why a simple document ends up being like a big thick book, so everything can be understood by all. There are a lot of bad feelings still floating around. Why? The political winds are changing and change can be hard and difficult to transition to. For too long county council have given the administration a blank check to conduct county business with the assurance that their actions would be approved. Citizens were sometimes, and I repeat, sometimes, categorized as either being friends or enemies of the council and citizens comments were sometimes, and I do repeat again, sometimes ignored. Many actions passed and carried out were done without a thorough discussion of all the facts and the consequences. Some of them we dealt with, we had a Sunday work ordinance, a 900 megahertz system with Motorola, the situation with the closure of Lewis Road and the ethanol facility and the termination and severance agreement with Mr. Preston. So now we have to rebuilt. Community ordinances over the last six years that were passed by the council may need to be reviewed and revisited to give the power back to the council and to the people. There are many things council will have to act on in our current situation which will either move forward, will stagnate or will backtrack again into civil strife where we'll still have two sides squabbling over what is best for the county. When I first started coming to the council many years ago, the squabbling was sort of like a little bit of a joke. But now a lot of people like

myself are tired of it. We're tired of all the squabbling. We're tired of all the bickering. We're tired of going back and forth, not accomplishing anything except spinning our wheels in the mud. We need to have more information so we don't sometimes end up shooting ourselves in the foot because we don't know all the facts. If council can give us the fact, then we can respond in a more logical manner and get our thoughts together and then we can get on to doing the business of the county. As for the bickering, I'm tired of it. It's time to move forward. Otherwise,  
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MICHAEL CUNNINGHAM: Time.

STEVE POPE: -- we're not gonna do anything. Thank you.

MICHAEL CUNNINGHAM: Mike Montepara.

MIKE MONTEPARA: Mike Montepara, Homeland Park, district five. Excuse me, after three hours, three minutes ain't gonna cover it. I actually had cliff notes. I really don't need them. Mr. Chair, you opened this up by saying that you've had a lot of calls concerning some issues, two, three hundred calls. Get used to it. Welcome to politics. You're gonna get a lot of hate. You're gonna get a lot of animosity. You're gonna have a lot of angry people. You're gonna have a lot of fun. Welcome to council. I suggest you get an answering machine. I suggest you turn it off when your kids are home. I suggest you turn off the AM radio, because you don't need to hear all this stuff. Listen to the people that are sitting in this audience.

This is the second meeting you had and this is -- this was a packed hour. A lot of people had to leave. I know my back end is hurting. Stop listening to all the rumors. You guys have an agenda you really need to do.

I was under the impression this is a legislature body, not a judicial one. Get away from law. Get away from lawyers. You guys are wasting my money. This is my money you're spending. This is a tough -- just like you said, a tough economic time. Don't waste my money.

Stop suing everybody. Go and shake his hand and say, can you help me, can you give me something, can you work together? Y'all were voted on this whole platform of change and open and honest. I'm sick of these executive sessions. Come here, take care of business.

Talk to the people, tell them what you're going to do and what you're going to do for us. Not, oh, well, we'll form a committee to have a committee to fund another committee. What a waste. I want answers. I put up with the last lame duck council. I see the same thing here. Y'all get a job or you're gonna get a new



job. Thank you.

APPLAUSE

MICHAEL CUNNINGHAM: Mark Powell.

MARK POWELL: Mark Powell, Williamston, district seven, Cindy Wilson's. Audacity to call the last council a lame duck when they spent ten million dollars on referendums that a lot of people were upset with. The audacity to say lame duck council when they gave one point one four million dollars to an administrator who filed a tentative breach of contract lawsuit, who the -- the council who was lame duck hired an attorney to look into. My understanding the attorney told the lame duck council, there is no such thing as an anticipatory breach of contract. Told it was ridiculous, it was silly, it was frivolous. The same lame duck council who hired an administrator with plenty of policy with how Anderson County goes out to hire employees. I think every employees from the janitor, if that's the lowest job we have. Maybe it's the guy who picks up the trash. So I guess it's the building and grounds people. From the lowest job we have to the highest job we have, which would be an administrator, it goes out to the public to be listed, resumes get brought in, committees look over it within departments and they're talked about. It's brought about in, I guess it's an ordinance, somehow that's done. The clan lame duck did nothing. We hired an administrator without going through the process. I've said it a many a times, it disappoints me that I didn't hear paper ripping up from his contract. If he wants to work for this county he should have, on December the 31st, resigned and asked for the job just like everyone else who should be applying for the job. You know, to say that any of this has anything to do with other procedural process. It was broken. You guys have showed the most respectful consideration to people that come here that I have witnessed, and I've been coming for months. And I appreciate the humbleness that you guys have in putting up with -- by the way I got sick and tired of hearing the chair say, quiet down, can't make no noise. But you know, I would really appreciate it if Mr. Moore would say you can't clap no more. You know, it is annoying to hear people clap because it's much more representative just to sit there and listen to somebody talk and not have an outburst of clapping of hands. I hated hearing it, but in reality I miss it, because it is annoying to hear clapping and people talk when somebody finishes. It takes more time. You

know, I've said it before. I can't believe Anderson County is the only county in the country who hasn't realized the economy situation. We've got eight hundred employees, I think we heard. I'd love to see it goes to half that. I've said that a many a times. I'd also love to see a new administrator sitting in that spot right there. I'd love to see a lawyer hired by Anderson County for Anderson County, one guy who can handle everything without having to go, oh, crap, my company represents something associated with that. And you know, it's good to have new people here. It really is. If they had been coming here they would have known we had procedures, we have respect to people speaking, and you don't clap and you don't go crazy when somebody says something that you think you side is good for and your side is bad for. Let's move forward. Cut some jobs in my opinion, starting with this one here. Thank you.

MICHAEL CUNNINGHAM: Dan Harvell.

DAN HARVELL: Mr. Chairman, members of council, Dan Harvell, county council district seven, 500 Trail Road, Belton. You know, it's very discouraging that so many things that are said here tonight are made by people that are so late to this party. There are many of us who have been coming here for a great part of a decade and we know the historical track of what's happened in these council chambers. We know the historical track of the political propaganda that has brought Anderson County to the position that we now find ourselves in. What many people don't understand is what you've witnessed here tonight and many people are here because they think something's gonna happen that's not. This is not political revenge or retribution that you see, even with the executive committee meetings -- session meetings that are going on right now. It's not revenge or retribution. It's this council beginning to get a handle on a government that has been out of control for nearly a decade. Progress is defined in many different ways. I heard someone get up here tonight earlier and make mention of Greenville County. You know, we can't run a race with Greenville County. Figures that were given to me not too long ago indicate that with all the progress that Greenville County is making, it's costing their citizens less per taxpaying person than it is here -- than it is for us to live here in Anderson County. So we have to ask the question, why is that true? All over the United States, millionaires are being turned into pennyaires. Some of us that are basically

hundredaires, we feel like pennyaires these days too. Unfortunately mine fields have been laid for this current council by the former members majority that were up here. These mine fields are going to be very difficult. You will not see the members of this council, I predict, at a lot of ribbon cuttings. You will not see their names going on brass plaques. Because, you know what, we're spent out. We're borrowed out. We're in debt up to here and we can't take anymore. We have to think about the progress in a manner by which, what can our children afford, what can we afford as taxpayers, as we get older? Mr. Waldrep, you did do something a little different in the first meeting and that was you allowed people to come up here and speak without the formalities that we've had before, and I'll have to say that was very refreshing.

And you know what, it didn't hurt anybody, did it? It was a back and forth discussion between those at this microphone and you up there. And we didn't have to hear those, we didn't have to hear those rules read to us like we were so used to hearing Mr. Thompson, the former chairman, do two or three times per meeting. And it was a good exercise in democracy, and I just think that we need to loosen up a little bit at these meetings. We need to listen to the taxpayers who are truly the benefactors of this Anderson County government. And we've got a lot to look forward to, but it's not gonna be easy. It's gonna be painful to a certain extent to get our act back in order, because it took ten years for us to get to where we are now. There is absolutely, and I know this without a doubt, there is absolutely no racial overtones in doing business the correct and proper way. Things were railroaded, things were ramrodded. Anyone that witnessed that last council meeting where ---

MICHAEL CUNNINGHAM: Time.

DAN HARVELL: -- all this was done, know that that is not proper political procedure. Thank you.

APPLAUSE

MICHAEL CUNNINGHAM: Mr. Terry Chapman.

EDDIE MOORE: Y'all kind of hold back on your applause a little bit. Let's wait till the end of the meeting, everybody can clap and that way we'll all be ...

TERRY CHAPMAN: Again, Terry Chapman, district two, Appleton Mill, Old Town New Town committee. I heard some things tonight I finally liked. Some of them I still dislike. Trying to want somebody else sitting in that chair other than the

gentleman we've got there, I don't understand it, cause he's earned it. But one thing I don't like, and I want to ask the council to change is, forget yesterday. Again, this is not Mr. Preston. You're not yesterday's council. I worked close with a lot of them and I hope I can work close with y'all to go on and move forward, not step back. We can't worry about yesterday. We can't even worry, really, a whole lot about tomorrow. But we can worry about today. That's what we can change. Today some things, like I said, is sounding good. I even liked what Mr. Harvell said. No, I like what he said about, ask the citizens, the taxpayers, ask the people in your community. I push that more than anything, because we've got issues about the jail.

We've got issues about the sheriff's budget. We've got issues about all kind of other things that this county needs to do. I know we fuss sometimes because we are tapped out about money. But budgets go up because of progress. More people in this county, the more jobs, whatever, the things that take place, it takes more people. We can't go back to the hundred and fifty employees that used to run this county fifty years ago. But it is y'all's concern about how the money is spent. That's the reason I feel that you need to make the -- ask the people how to spend their money.

Then it's up to y'all to vote on it. And I'm sick and tired of hearing lame duck, lame duck, lame duck. Like I said, that's yesterday. We done eat that duck, let's just go on. And let's do it together. It's like I talk with some and everything, I get sick and tired because -- but I know it happens. There are still racial problems all over America. I thank God I'm color blind. It don't matter what. I'm looking at district -- I'm not even looking at, like I said before, not just district two. But I stand behind my council person. I call her my guardian angel. I can go to her and talk to her. Whether I agree or disagree, we talk. But I don't care if it's district one, two, three, four, five, six, seven, I'm for the people and the kids especially for Anderson County.

MICHAEL CUNNINGHAM: Time.

TERRY CHAPMAN: Thank you.

MICHAEL CUNNINGHAM: Ms. Elizabeth Fant.

ELIZABETH FANT: Elizabeth Fant, Belton district. I think Mr. Dan Harvell said it the best and he said a lot of what I was going to say. But I would like to say that everybody in the audience, a lot of you have not been here and you don't have the perspective on what has been happening, and sometimes it sounds like that you are judging much too quickly.

You need to understand that cards have been dealt. The people up here now who are on this county council didn't have a choice with what landed in their lap. And if you say, oh, let's get on to the future, get rid of what you're talking about now, you have to realize that what they're dealing with is what they were left with. And a lot of this legal stuff is because of the indebtedness that the former county administrator left us with. And I know most of the member of council, and there's not anybody up here that has any racial issues, if there is any question at all with Mr. Cunningham's contract it's because of the way that that thing went through. It has nothing to do with his color. I think he's proving to us that he wants to do a good job and that's what we're after. I would like to say that doing county business is a complicated task. It takes a lot of research. There are no quick decisions. But the council must follow correct procedure. And so some of these things that seem to be strange to you that you're seeing executive committee meetings and so forth are done because they are the proper way to do it. I do want to say that I own property at Broadway Lake and I went to the meeting that was last week on Broadway Lake and a certain councilman was there and she kind of called me out. Right at the beginning of the meeting she said, do you own property out here? I think she thought I was following her around. Which I have every right to be there since I do own property. But I have a couple of questions. I agree that the building out there was inadequate. But what's happened to the interior? What happened to the stainless steel kitchenware, the tables and the chairs, the stonework on the fireplace? What happened to all these things in the meantime? Has somebody put those things in storage? I do want to say that in order for council to go forth, they must know the current indebtedness. And believe you me, we are in debt. You have no idea of where we are. And I think when things surface in the next couple of months, you're gonna be surprised. They have to know what current projects are on, what lawsuits are pending. They have to do those if they're business minded.

MICHAEL CUNNINGHAM: Time.

ELIZABETH FANT: Thank you.

MICHAEL CUNNINGHAM: Mr. Chair, that was all the citizens signed up. There's -- we only had one column for agenda matters because there was only that one citizens comments. There's people signed up under other matters, but they're repeats from this first column. So if it's okay with those persons we'll just

stick with that first list.

EDDIE MOORE: Okay. Can I have a motion to adjourn? I have a motion from Mr. Wilson. Do I have a ---

TOMMY DUNN: Second.

EDDIE MOORE: All those in favor of adjourning, raise your right hand. Unanimous. We're now adjourned.

MEETING ADJOURNED AT 5:15 p.m.

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting – January 20, 2009 - 6:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 10:55 p.m.

Respectfully submitted,

*Linda N. Eddleman, C.C.C.*

Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina    )  
County of       Anderson    )

ANDERSON COUNTY COUNCIL MEETING

JANUARY 20, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
GRACIE FLOYD  
TOMMY DUNN  
RON WILSON  
TOM ALLEN



EDDIE MOORE: ... Councilman Tom Allen.

INVOCATION AND PLEDGE OF ALLEGIANCE

EDDIE MOORE: We now go to Item 3 on the agenda, which will be the approval of the minutes. Item A would be December the 30th called meeting. Are there any discussions or any corrections to the minutes?

BOB WALDREP: I move the minutes be approved.

RON WILSON: Second.

EDDIE MOORE: So moved and second. All in favor, raise your right hand. Unanimous. Item B, January 6th, 2009 meeting, any modification or adjustments on the minutes?

BOB WALDREP: Move the minutes be approved.

EDDIE MOORE: Have a motion that the minutes be approved.

CINDY WILSON: Second.

EDDIE MOORE: We have a second, Ms. Wilson. All in favor, raise your right hand. Meetings are so approved.

BOB WALDREP: Mr. Chairman, at this time I would ask that our agenda be amended to include a resolution that's been passed out to everyone. Number 2009-10 and 2009-11.

EDDIE MOORE: We have a motion on the floor to amend the agenda to add the Resolutions number 10 and number 11. All of you should have a copy of that. Do I have a second?

CINDY WILSON: Second.

EDDIE MOORE: We have a second. Any discussion on it?

CINDY WILSON: And Mr. Chairman, would it be appropriate for me to revise the agenda and another item at this time too?

EDDIE MOORE: Let's take care of this one first and then we'll take care of the other item.

BOB WALDREP: Mr. Chairman, Resolution 2009-10 deals with this situation of the legal actions that are and have been brought in Anderson County. And I would ask consideration to pass this resolution, which would require that all legal and equitable or administrative actions instituted by Anderson County require the approval of Anderson County Council prior to filing a legal representation in any capacity. I would ask that this resolution goes on further to say that no legal matter involving Anderson County which is

currently pending, whether filed or unfiled, may be transferred to another attorney or law firm without the knowledge or consent of council. And ---

TOMMY DUNN: Mr. Chairman, point of order.

EDDIE MOORE: What is your point of order, Mr. Dunn?

TOMMY DUNN: Did we vote to amend the agenda?

EDDIE MOORE: We have not voted yet.

BOB WALDREP: I'm sorry. Correct.  
Correct.

EDDIE MOORE: We've had a second on amending the agenda and I was asking for any discussion on the amended agenda. Hearing none, we will now vote. All in favor of amending the agenda, please signify by raising your right hand. All opposed. Let me be known that Ms. Wilson, Mr. Waldrep, Mr. Dunn, Mr. Moore, Ms. Floyd, Mr. Allen in the affirmative and Mr. Wilson in the negative.

BOB WALDREP: Again, Mr. Chairman, I apologize for getting ahead of myself here. But this Resolution 10 is specifically addressed at the authority of any county personnel to file lawsuits. And I wanted to mention the fact that this resolution also includes a pending action of county council which is involved in a lawsuit against Greenpointe, LLC. This council probably needs to be brought up to date. There was a hearing in this matter today in which the Judge refused to sign a stop order, that's Judge Nicholson, and further there was also a ruling from the Court of Appeals that the Court of Appeals had denied the appeal that was made against this Greenpointe Company. It's sufficient to say that this is an ongoing lawsuit that has gotten involved over probably a two or three, maybe three or four year period, in which the county is expending large sums of money and that we certainly don't want to hinder the plaintiffs in this matter that are going forward. I think there's Ms. Smith that's a plaintiff in this action, but Anderson County does not need to continue to fund and bankroll this particular lawsuit, which has been turned down now by about three judges. And I think that even the appeal was turned down today to the Court of Appeals. And for that reason I think this is part of my resolution. And it also illustrates the fact that no one on this council really was aware of the fact that Anderson County was bringing this action. I

certainly wasn't. So for that reason, I think that it's prudent and proper that Anderson County invoke this policy so that council will be aware of all lawsuits and that the administration would seek approval before any kind of action was brought. Thank you.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: My understanding, and y'all clear me up, there's talk back and forth, but anybody here from -- everybody had a chance to speak, I mean the people from Powdersville or whatnot, I mean, what this is about. And also, I thought this was a zoning issue. I mean, I don't want to -- I'd like to hear from staff or Mr. Cunningham or someone explain to me -- and I know there's two sides to everything and a lot of them been going around, but what I'm wanting to say is if we can't -- my understanding, my belief, that we can't pick and choose what ordinances we want to enforce and which ordinances we don't want to enforce. I want to make sure we're not opening up a can of worms and not in this. I've got zoned areas in my district, whether you like it or not, people voted for it overwhelmingly in parts of my district, and I want to make sure they're protected too, as well as anybody else. And I'll yield now to somebody else.

CINDY WILSON: Mr. Chairman, may I?

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: I've followed this particular situation at a distance for sometime, whatever was in our agenda packet over the past several years I read. And if I had been given the vote or the opportunity to vote for this to go in that particular area, I would have voted against it. However, it's my understanding from the paperwork I have seen over the past two years that this company was pretty much led down the primrose path by the former administration. I've been in the same boat that the people from Powdersville have been. And Anderson County at that time fought against a community that did all the comprehensive land use mapping and planning, we did everything by the letter. And our county even filed false papers against -- involved in some of that action. And I just have great sympathy for both parties in this, the company and the people who live there. And I think that it's very prudent that Anderson County be withdrawn from that particular action and that we work with the community and the

company to give them all the information that we have and work very carefully to make sure that the right thing is done. It's, it's absolutely overwhelming now that I'm going through some of the legal records and finding settlements and actions that none of us ever knew about. And a lot of them would be deemed questionable if we knew about them. So from what I've read through over the years, this did not become a zoning situation until well after all of the permits and the other items were filed and it just really seems imprudent for the county to be a part to this at this time.

RON WILSON: Mr. Chairman.

EDDIE MOORE: Mr. Wilson.

RON WILSON: The County did not lead this company down a primrose path. And this company went to its own expense to do things. At the time that this council last summer voted to put the moratorium on that landfill there were no permits issued, none. And I was told by you, Mr. Chairman, this would be brought up on the February 3rd meeting, which I took in good faith. I walk in here tonight and I'm presented this. Of course, that's not an unusual situation on this council. But what I would say is I'm gonna make a motion that this be tabled until the next meeting so we can air this thing out, because this has been a -- I'm hit from the blind side here. People from Powersville were coming. I told them they didn't have to come tonight because I had talked with you. And I expected us to do this the way you told me it would be done. So at this time, I'm gonna make the motion that this is tabled until the February the 3rd meeting.

GRACIE FLOYD: I second it.

EDDIE MOORE: A motion is on the floor that this be tabled. It is so seconded by Ms. Floyd. All those in favor of tabling, raise your right hand. All opposed to tabling raise your right hand. Let it be known that it passed, Mr. Allen in favor, Mr. Moore, Mr. Waldrep, Ms. Wilson. Opposed, Mr. Dunn, Ms. Floyd and Mr. Wilson. Now, addressing what you said, Mr. Wilson, I did say that we would have a hearing here and it will be on the agenda at that time. But coming to light today that we found out that this has been thrown out of the second court, it become necessary for Anderson County to back away from this lawsuit because we're costing ourselves so much money on frivolous lawsuits. Now it comes a point in time when we need to step back. And we certainly -- I would not want this

type of landfill in my backyard either, and I understand the people's concerns and we certainly want to air out their concerns on that meeting. However, this just backs Anderson County away from it. The lawsuit can go on. But Anderson County just is not gonna be a part of it. We've gonna let the lawsuit -- we're not gonna do anything to harm this lawsuit going on. And it's the American way. She can pay the lawsuit. But we just think that Anderson County does not need -- we've -- it's lost twice and there's not any sense in us spending anymore taxpayer dollars at this time. Now, at some point in time if this goes further in court and there's action taken back against the county, it may be possible we may have to join back in it. But at this time I don't think it's necessary for us to be with this lawsuit.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I would like to hear -- like I said, there's two sides to every story. I would like to hear from staff. And I don't like to put staff on the spot and that ain't what I'm doing. But Mr. Cunningham or Mr. Ricketson explain why this ain't a zoning issue -- ordinance. That's -- I've got no problem with Mr. Waldrep's resolution as far as approving lawsuits, but I do, I do pertaining to the landfill, that part being in there. I can't see where a couple more weeks would hurt us to give it a fair shake. Because I do believe, in all fairness to everyone involved, I do believe the people in Powdersville was led to believe that this wouldn't be brought up tonight. And I mean, that's just -- whether it was or not, that's just fairness. And that's just where I'm coming from, you know, whether you like it or not. And that's just, that's just the way to be. I mean, if I was on that side I'd want to be treated the same way. And that's just the way I feel about it. And I would -- I'd have order, please. And I would like Mr. Cunningham, if he would, putting him on the spot, would address this, please.

MICHAEL CUNNINGHAM: Mr. Chairman.

EDDIE MOORE: Mr. Cunningham.

MICHAEL CUNNINGHAM: As I mentioned at our meeting on Friday, this is two different issues, two parallel issues. The first one is the lawsuit that was taking place in front of the Administrative Law Judge regarding the permitting through DHEC and the county's opposition to that process. The second part of it was

the case that was heard today, was a request for a temporary injunction, because the company was operating without county permits and in our view in violation of our zoning ordinance. So those are the two parallel tracks that this is on. The court ruled today not to take action on the temporary injunction. Our next step would be to move into a permanent injunction against the company because of those zoning issues. And so those are the two separate tracks that this particular issue is on in a very simplified manner.

EDDIE MOORE: Was those zoning laws passed after the fact?

MICHAEL CUNNINGHAM: Those zoning laws were passed this last year, this past year.

EDDIE MOORE: This landfill started in, what, 2005?

MICHAEL CUNNINGHAM: That's correct.

EDDIE MOORE: So this would be after the fact, you zoned it after the fact?

MICHAEL CUNNINGHAM: It was zoned -- the community decided to zone the property residential agriculture, but the company had not received any type of county permits for the project. And so that is where we are as of now. We have zoning in place for that area and the company. The reason -- the whole reason we ended up in court locally was the issue of work being done on the property without the county permits and in violation of what we viewed as our zoning ordinance that had been passed.

EDDIE MOORE: Well, now, this is the second time that you've tried to get this same injunction, and it was denied both times; is that not right?

MICHAEL CUNNINGHAM: No, sir, this is the first time that we went forward. This injunction in the Fourth Circuit Court was this past Tuesday. And that was the hearing in which the attorneys for both sides were there and I believe Mr. Waldrep intervened in that particular one and the judge decided at that point to postpone judgment or postpone that hearing until today, at which time he heard both sides and chose not to take action on that motion for a temporary injunction.

RON WILSON: Mr. Chairman.

EDDIE MOORE: Mr. Allen.

TOM ALLEN: Thank you, Mr. Chairman.

I've tried to study this as well as I can, and I have received time lines from both the plaintiff and the defense and they do match up. The dates are correct.

And from what I've seen from this, and this will explain why I voted the way I did, Greenpointe, LLC, the owners of the landfill, they were pretty much led down the primrose path. They were given a lot of positive lights as they moved along, both from DHEC and from the county. So much so that they spent a million dollars to buy that piece of land out there. Now, they wouldn't have done that if they didn't think they had a pretty good shot at it and had been given a number of okays. It is a demolition landfill. It's not garbage. It's not putrescible waste. It's not hazardous waste. It's a demolition and construction landfill. Now, according to these time lines, 7/10/08 DHEC issued the permit for the landfill. And on 8/19/08 council was just going into the third reading to zone that area. Now, in my elementary way of looking at things, it looks like DHEC permitted that before the zoning was put in place. The bottom line to all of this is, these numbers could well be argued in court. And that's where they're gonna have to be argued. I can sympathize with both sides of this issue. It's a difficult one. We're not judges up here. And I don't think we can adjudicate this. It's gonna end up in court. So if the Powdersville people speak, that's fine. And if the Greenpointe people speak, that's fine. We can hear both sides of the story. But as I read this, we are not gonna be able to make this final decision. It looks like it's gonna have to go to court for final disposition.

RON WILSON: Mr. Chairman.

EDDIE MOORE: Mr. Wilson.

RON WILSON: I'd like to ask Mr.

Ricketson if he would come to the microphone.

EDDIE MOORE: Mr. Ricketson.

RON WILSON: Was there a moratorium on that voted by the council prior to DHEC's landfill?

JEFF RICKETSON: There was a practical moratorium in place because we ceased issuing permits of any kind in the Three and Twenty precinct upon first reading, upon council giving first reading of this ordinance.

RON WILSON: And what date was that, roughly?

JEFF RICKETSON: I think it was in -- during the month of April. I don't know which meeting it was.

RON WILSON: Well before the time that -- no builder or anybody else could do anything in that area during that period of time?

JEFF RICKETSON: There were permits that were requested for the Three and Twenty precinct beginning in April and they were denied throughout the whole moratorium period until zoning was adopted on August the 19th of 2008.

RON WILSON: I'm not gonna get into the DHEC stuff because it is very convoluted. But DHEC approved the permits for that landfill from the old set of rules at a time when the new set of rules had just come into place and they never permitted that place based on the new rules. But during that time, when they did do it, there was a moratorium and we had had first and second reading, I believe, prior to -- and the council could not vote any earlier because the referendum in that area had not been voted on, and that was set by the state. Not by us. It's on a quarterly basis, those votes; right?

JEFF RICKETSON: Well, the referendum is set up by county ordinance.

RON WILSON: Okay. All right.

JEFF RICKETSON: They're fixed dates.

RON WILSON: All right. But so there's nothing that's been done here. We certainly had a moratorium -- even though a state agency can do those kind of things, and some of that state agency has said they didn't care, because it was gonna be a zoning issue locally but they were gonna go ahead and issue it. So that's what concerns me here, is that we're gonna cut out the process on this particular issue for this landfill. And we talk about lawsuits. We're gonna have a lot more, and we're going to -- and we spend thirty thousand to have a law firm in to study things and we don't think much about that. This lawsuit so far has been relatively inexpensive and I hope this is stopped. I think people in Powdersville should be heard. And I think that the people there should be given that opportunity and two weeks is not going to matter in this process, in my opinion.

BOB WALDREP: Mr. Chairman.

TOMMY DUNN: I yield to Mr. Allen.

EDDIE MOORE: Mr. Allen.

TOM ALLEN: Mr. Ricketson, just a quick question on this. If there was a moratorium in place, why did DHEC go ahead and issue that permit? Should they not perhaps have been notified that there's a moratorium, or are we talking two totally separate tracks here?

JEFF RICKETSON: Separate tracks. The



county can't bind the state. This is, this is a moratorium on county permits. There are two county permits required in order to build this landfill, and none were ever issued for this particular landfill. And by the time they came in to ask for the permits there was a moratorium in place and since that time zoning has been in place. So there are no permits to allow them to be grading or developing a landfill at this time.

TOM ALLEN: Thank you, Mr. Ricketson.  
And again, that's why I say this is probably gonna end up in a court of law.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: Thank you, Mr. Chairman.

Being on the planning commission in years past, was there anything done out of the ordinary as far the zoning goes that happens in everybody else's -- I mean, they went through the same process we all go through; is that correct? Or did they do something overstepping bounds or not? I think the premise is really, like it or not, Anderson County has got a process to go through in zoning. And it's not -- staff can't read minds. They don't know when a community -- it takes a process. The community has got to get together and sign a petition to start the zoning process. Nobody in staff can read nobody's mind seeing when that's gonna happen. And all I'm saying is whether the landfill goes there or shouldn't go there, this is a -- to me this is an issue of are we gonna enforce our ordinances or not. And at least, at least let the people in Powdersville be heard before this. I've got no problem with Mr. Waldrep's thing about approving lawsuits, it's done right. But this thing in Powdersville -- Three and Twenty shouldn't be involved in this. At least give the people the courtesy, they was told that and asked that, to be heard. And like I say, I do strongly believe this is a if we're gonna enforce our ordinances or not. Thank you.

GRACIE FLOYD: Mr. Chair.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Thank you. In light of the new information that's seeping out of this discussion with Mr. Allen's time lines that he has received, and Mr. Allen, by the way, that was good information. I'd love to have copies of them. Okay. And in light of the fact that Mr. Ricketson has shed some light on this entire thing, I would like to move that we table this

until we can complete the research on this so we can get the proper people here together before we make this decision tonight. And that's in the form of a motion.

EDDIE MOORE: We have a motion on the floor again to table.

RON WILSON: Second.

EDDIE MOORE: We have a second by Mr. Wilson. All those in favor of tabling, signify by raising your right hand. All opposed.

GRACIE FLOYD: Good. I was hoping that we could ...

EDDIE MOORE: It stands as voted on the first time on the tabling. If there's no more discussion, we'll go ahead and vote on this resolution. All those in favor of this resolution, signify by raising your right hand. All opposed likewise. Let it be known that in the affirmative is Ms. Wilson, Mr. Waldrep, Mr. Moore and Mr. Allen. In the negative, Mr. Wilson, Ms. Floyd and Mr. Dunn. So the resolution passes.

BOB WALDREP: Mr. Chairman, I believe that Resolution number 11 is the next one that is an amendment to the agenda.

EDDIE MOORE: Right. This is the second part of the amendment, which is Resolution number 11.

BOB WALDREP: Yeah, I deferred to the chair.

EDDIE MOORE: All right. On Resolution number 11, a resolution to specifically amend certain actions taken by Anderson County Council on January the 6th and January the 16th, 2009, regarding privileged and otherwise protected communications, files and information, and other matters related thereto. Whereas, Anderson County, South Carolina, the county, is the body politic and corporate and political subdivision in the State of South Carolina. And whereas, during January 6th, 2009 meeting of Anderson County Council, the county, acting by and through County Council considered and adopted several motions stated as resolutions, which among other things authorized legal files and information to be provided to the special legal and investigative counsel to the ad hoc financial inquiries and investigative committee, to the ad hoc personnel and contracts inquiries and investigative committee, and to individual members and committees, collectively the committees. And whereas, during the January 16th, 2009 meeting of the Anderson County Council, the County, acting by and through the

County Council, considered and adopted Resolution R2009-009, which rescinded the waiver of attorney/client privilege and prohibited disclosure to any third party. And whereas, County Council recognizes that the above-referenced motions were specifically intended to provide the legal and investigative counsel, the committees and the individual members of the committees with full and complete access to all documents necessary for the legal and investigative counsel and the committees to perform their inquiries and investigations as stated in the said motions. And whereas, although it is stated that the County's attorney/client privilege was waived in order to provide full access to all of the County documents, upon further review County Council recognizes it can accomplish the goal of providing full and complete access to all of the County's documents and empower the committees and the legal and investigative counsel with all necessary access to all of the County's documents without waiving the County's attorney/client privilege. And whereas, recognizing the important protections that the attorney/client privilege provides the County, the County Council desires to state that the County's attorney/client privilege is not waived and further desires to direct all individuals and entities that have access to attorney/client privileged information to not disclose that information to any third party. And whereas, it has always been the desire of County Council to protect the County's attorney/client privilege by limiting the disclosure of any documents containing attorney/client privileged information to a specified control group to designate the members of said control group and to set the guidelines to be followed by said control group. Now, therefore, it is hereby resolved that the Anderson County Council, in meeting duly assembled, that all motions that were enacted on January the 6th, 2009 that contemplated disclosure of attorney/client privileged information are hereby amended with regard to disclosure of attorney/client privileged information only. The County's attorney/client privilege is not waived. All individuals and entities that have access to attorney/client privileged information shall not disclose that information to any third party unless it is determined by three members of the control group to be a potential criminal or ethical violation of state or federal law. In order to provide full and complete access to all documents, County Council hereby creates

the legal and investigative control group, the control group, whose members subject to the conditions stated herein, shall have full and complete access to any and all county documents, included without limitation, legal files. The members of the control group shall consist of the Honorable William W. Wilkins and Nexsen, Pruet, LLC, acting as a legal investigative counsel, Mr. Robert C. Daniel acting as a county budget analyst and chief financial investigator and only pursuant to his role in assisting the legal investigative counsel, the financial committee as a corporate body, the contracts committee as a corporate body, the Honorable Eddie Moore, the Honorable M. Cindy Wilson, the Honorable Robert L. Waldrep, the Honorable Tom Allen, and the Honorable Tommy Dunn all acting in their official capacity as members of one or both of the committees. The administrator is hereby authorized and directed to provide immediate secure and reasonable access to all documents and files requested in writing by the Honorable William W. Wilkins and the Nexsen, Pruet Law Firm, Mr. Robert C. Daniel pursuant to his role in assisting the legal investigative counsel, the financial committee acting as a corporate body, the contracts committee acting as a corporate body, the Honorable Eddie Moore, the Honorable M. Cindy Wilson, the Honorable Robert L. Waldrep, Jr., the Honorable Tom Allen and the Honorable Tommy Dunn, acting in their official capacities as members of the committees, shall have complete and full access to all documents and files that are provided to their respective committees. The county council chairman and the administrator are hereby authorized and directed to establish a reasonable process whereby any documents provided pursuant to this resolution are documented and kept secure. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded. No other provisions of the motions made on January the 6th, 2009 are revised or affected hereby in any regard. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court or competent jurisdiction, such finding shall not affect the remainder hereof of which is hereby deemed separatable. The resolution shall take effect and be in force immediately upon enactment. Any potential criminal or ethical violations of state or federal law as determined by at least three members of the control group shall not be considered under any provision of

this resolution to be protected from disclosure under the principal of attorney/client privilege and no such document so defined herein shall be subject to such privilege. Resolved in meeting duly assembled this 20th day of January, 2009.

BOB WALDREP: Mr. Chairman, I would move adoption.

CINDY WILSON: Second.

EDDIE MOORE: I have a motion to be moved and we have a second on the motion. Do we have any discussion?

TOM ALLEN: Mr. Chairman.

EDDIE MOORE: Mr. Allen.

TOM ALLEN: Now all the Ts are crossed and the Is are dotted. Thank you.

GRACIE FLOYD: Mr. Chairman.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: I have a question here please. On this document I didn't -- usually I get my questions answered before I come, before I come to this meeting, but I didn't get a chance to do that today. The control group consists of our legal investigative counsel people. When the investigation is over, do they still remain a part of the control group?

EDDIE MOORE: When we had the committees enacted, it would be through the complete investigation, whatever time this investigation is over with then these committees will not be of any need anymore and those control groups will go away.

GRACIE FLOYD: All right. Second question. If, let's say just for example, okay, we have someone on the, on the control group who has access to the information, can this information that they receive be used for personal lawsuits or anything like that?

EDDIE MOORE: No one, not any single person on these groups, can use this information without the blessing of three members. You have to have three members, it says in this resolution.

GRACIE FLOYD: Okay.

EDDIE MOORE: So it would have to be the control group. Say the financial group, if one person wanted to do something with it, it would have to have all three members.

GRACIE FLOYD: Okay. All right. That's as of today?

EDDIE MOORE: That's it.

GRACIE FLOYD: If a person, let's say

hypothetically, that a person received information from having the documents open to begin with and they have already used the information before this is enacted, is that all right?

EDDIE MOORE: I would have to ask the attorney, but I would say it would be.

GRACIE FLOYD: It would be all right?

EDDIE MOORE: If that was a hypothetical thing, but, you know.

GRACIE FLOYD: Okay. In other words, when we did this at the January, what, 6th meeting, when we opened all those books and records, if I had gone and gotten some information out of there and before it was closed today, and if I use that information that I got in a personal lawsuit then that would be okay?

EDDIE MOORE: I'm not saying it would be okay. But I mean, that's why we're closing these loopholes today.

GRACIE FLOYD: Okay. But I understand that, sir.

EDDIE MOORE: I'm not an attorney, so you need to ask an attorney.

GRACIE FLOYD: Okay. Let's talk to one. Okay, Mr. Chairman, do we have an attorney present that could answer this questions, please, so I can vote on it so I'll know what I'm talking about?

ADAM ARTIGLIERE: Mr. Chair. Ms. Floyd, any documents that have been released, already released, under the authority given by the January 6th waiver of attorney/client privilege would be gone and the attorney/client privilege would be waived.

GRACIE FLOYD: Okay. That's what I needed to know. And I thank you.

EDDIE MOORE: Any other discussion?

BOB WALDREP: Mr. Chairman, I wanted to say briefly that this resolution was an attempt to do everything we possibly could to cover all the circumstances and plug the holes and I think Mr. Artigliere had indicated that it was very necessary that we do this. And we looked at this resolution with Mr. Wilkins, Judge Wilkins to go over it. We tried, I think everyone tried very hard, to come up with every possible scenario, and therefore I think it's a very good compromise and covers and does what needs to be done in order to protect council, the concept of privilege and to go on with the investigation.

EDDIE MOORE: Mr. Wilson.

RON WILSON: Mr. Chairman, I'm going to

ask the attorney, do we know who's accessed those files during the twelve days?

ADAM ARTIGLIERE: Mr. Chair. I'm not aware of who's had access to what documents since January 6th up to this point. No, sir.

RON WILSON: So we don't know?

ADAM ARTIGLIERE: We don't know. And might I clarify too, Mr. Chair, although we did originally present the resolution, we presented it in a different form. The resolution has been amended somewhat. There are issues that we see with regard to having a smaller group, namely three people, including two people that would potentially not even be sitting on county council, waiving the attorney/client privilege for county council. First of all, you would have the issue of three members of county council binding the county council as a whole and approving an action for the whole entire county council, and that's the waiver of the attorney/client privilege. Then you have the issue of two members of that control group, one being the accountant, the other being the Honorable William Wilkins and also members of his firm, as the resolution is stated, have the authority to be able to waive the attorney/client privilege for Anderson County if they deem in their determination whether it would be a legal violation. That is -- I just wanted to clarify that we did work on the initial draft of the document and that -- with those caveats, yes, sir, that -- we did look at it.

GRACIE FLOYD: Mr. Chair. I'd like to carry that a little further. Mr. Cunningham, the same question that was posed to attorney, I'll pose it now to you. In the time that the -- those records were open, do we know who had taken access to it, information?

MICHAEL CUNNINGHAM: No, ma'am.

GRACIE FLOYD: We don't know?

MICHAEL CUNNINGHAM: No, ma'am. I requested our staff to participate and provide information but not to intervene or interact in anyway, so I don't know who has used those files.

EDDIE MOORE: Ms. Floyd, I would like to address that. Those records have -- we changed -- rekeyed the lock on my office up there. Those records have been under lock and key and the only people that can be getting to those records would be council members that's on the committees or Judge Wilkins or Mr. Daniels. That's the only people that's had access

to those records. They've been up there locked, under lock and key. We rekeyed the lock and there are only three people that has keys to my office, that's Mr. Daniels, myself and our clerk over there. And that is the only people that has keys to that office right now. So I wouldn't think we have an issue on that.

GRACIE FLOYD: Yes, Mr. Chair, if I still have the floor. I understand that now. But I'm referring to the time when the records were open to anyone.

EDDIE MOORE: They have been under lock and key ever since those records have been released.

GRACIE FLOYD: And nobody has had it -- nobody on council has had a chance to go through them?

EDDIE MOORE: I said the members of the council committees. You've got two different committees and they have access to them. And we give them that access on the ad hoc committees. That's their job. Anymore comments? Hearing none, we'll now -- Mr. Dunn.

TOMMY DUNN: I would just like to ask for a clarification, Mr. Waldrep, on his motion. Would it be prudent on the resolution to change the wording to just simply say on the control group it's gotta be three council members on the control group?

BOB WALDREP: I think the language was three members of the control group. I don't know that we put three ---

TOMMY DUNN: That's right. It does say three members of the control group. It would seem to me it ought to be council people. I mean, wouldn't you agree?

BOB WALDREP: Council ---

TOMMY DUNN: Yeah, three people of council on the control group. I mean, wouldn't you think that would be prudent instead of saying -- be able to waive it I'm saying. Everybody else will be able to look at it as far as the Judge's group or counsel. I'm just asking questions so I can clear -- do you think?

BOB WALDREP: Well, I'm looking at it. Give me a moment to reflect on that. So what you would -- you're kind of suggesting in a way, if we did have three members, in your mind it would be better to have them as members of council?

TOMMY DUNN: Exactly. That's all I'm saying. They could still -- I mean, Mr. Daniels as far as investigative purposes and the attorneys would still



be able to. But just -- the control group, it ought to be three council members. I just think that would be the way to go.

BOB WALDREP: All right. Three members of -- well, not all council members are ---

TOMMY DUNN: Three members of the control group, they should be council, they should be council members.

BOB WALDREP: Okay. I would accept that as an amendment that the three members of the control group ---

TOMMY DUNN: Must be county council members.

BOB WALDREP: County council. I would accept that as an amendment.

TOMMY DUNN: I make that in the form of an amendment.

BOB WALDREP: Okay. I second it.

EDDIE MOORE: Okay. We have an amendment to it and we'll add that -- which number are we going to add that to?

BOB WALDREP: That's going -- paragraph 13 where it says at least three members of the control group and say, which shall -- the language would say they shall be members of county council.

EDDIE MOORE: Mr. Waldrep, let me ask you something. Item 5 pretty much controls that. It says the control group and it lists the county council members that are on the committees and that's the control group. Isn't it already covered under Item 5?

BOB WALDREP: Well, I think ---

TOMMY DUNN: That's -- excuse me. I think if you read that whole thing, Mr. Chairman, it says consists -- members of the control group also is Honorable William W. Wilkins and Robert C. Daniels. They'll be part of the control group. They just shouldn't be voting to release nothing. It should be a council members to vote to release it, is what I believe would be right. ...

END OF TAPE 1, SIDE 1

BOB WALDREP: ... be three members of the control group who -- which shall also be members of county council. Does that satisfy you?

TOMMY DUNN: Yes, sir, I just think that would be the right thing to do.

EDDIE MOORE: All right. We'll add that down there on Item 13. Okay. We have a motion on the floor to amend. Do I have a second?

BOB WALDREP: Second.

EDDIE MOORE: We have a second, Mr.

Waldrep. Any discussion on the amendment?

GRACIE FLOYD: Yes.

EDDIE MOORE: Ms. Floyd. Mr. Chairman, through Mr. -- through our county administrator I'd like to ask the attorney a question, please. Does this satisfy one of the problems that you brought out with this resolution?

ADAM ARTIGLIERE: Mr. Chair. It certainly satisfies the issue of having a non-council member binding council. You still have the issue of a group of -- a small group of council, a group of three members of council that are binding the larger body and waiving the attorney/client privilege as to certain documents. I guess the underlying issue by way of suggestions, possibly, the council can consider setting up some sort of process or ability for those three members of council to act as a corporate body. There's no indication in the resolution, at least as I see it, as to how those determination are to be made, whether they're going to be made in a public meeting, and how that determination is set forth and enacted and released.

EDDIE MOORE: Any other discussion? You through, Ms. Floyd?

GRACIE FLOYD: No, I'm not through, because I don't halfway understand what he was saying. Are you saying that when these three people make their decision, that it's going to bind full council? Three people will bind full council on their decision and in order to do this, we need to make sure those three people come back to the full council as well as the full audience and tell what they, what they're going to do? Is that about -- I can't see you.

ADAM ARTIGLIERE: I apologize, Ms. Floyd. Mr. Chair. Let me take a step back and take a running start at the issue of the attorney/client privilege and who actually has the attorney/client privilege. The attorney/client privilege is held by the county, Anderson County. The attorney/client privilege is there to protect Anderson County. It is not there to protect any individual, any individual member of council. It's not there to protect county council. It's not there to protect an administrator. It's not there to protect any particular law firm. It is a function of the counts and of common law and of statutory law in South Carolina that you have the

attorney/client privilege that is held by Anderson County. The -- that -- and there's some state law and also recent Supreme Court decision that says that only county council can waive the attorney/client privilege. Essentially what you would be doing by abrogating that to three members of the committees is that you would be giving that ability to three individual members and taking that ability out of the hands of county council essentially without any sort of review process.

TOM ALLEN: Mr. Chairman.

GRACIE FLOYD: I still ---

TOM ALLEN: Oh, I'm sorry. Go ahead,

Ms. Floyd.

GRACIE FLOYD: Okay. Going further, you may not have had time to think about this too. What steps could be taken to prevent this from becoming a three council decision and not the full body decision?

ADAM ARTIGLIERE: If county council wishes to waive its attorney/client privilege as to a particular document or documents, then county council can act as county council and waive that privilege as to those particular documents. I will warn you, however, that South Carolina state law is rather broad in this particular regard in that if you waive a document that is an attorney/client privilege communication, then all communications between that client and that attorney are waived as to all documents on that subject -- same subject matter.

BOB WALDREP: Mr. Chairman.

GRACIE FLOYD: Mr. Chairman, I think that we need to take a look at this thing here again. I know what we're trying to do and it needs to be done. We made a mistake when we did it to begin with on June the 10th and we -- on January the 10th, and we have to correct that mistake. But I think that, I think that we need to kinda go slowly with this thing and understand what this man here is trying to tell us. And I don't know, I don't know how to do it. All I know is that we have been told that these three people can speak for the entire council and I don't know if that's the right thing to do when each of us represent a total of about twenty-two, twenty-one thousand people that look to us for their leadership and guidance and our input. And I yield the floor.

EDDIE MOORE: Mr. Waldrep.

BOB WALDREP: Mr. Chairman, we wrestled with this with two separate law firms. I realize there are two separate points of view here. But the big

thing that we kept running into is that if we don't have an attorney/client privilege waiver process that will enable this investigation to go forward, we're in a world of trouble. And that's why we spent so much time on it. I don't know that we're ever gonna come up with a perfect document with regard to attorney/client privilege, but I think we've gotten as close as we possibly can. The only thing that I can suggest, and I would hope I've got some cooperation from those that are opposing it, if we added a fourth member, a fourth member, and if we had a fourth member, then that would in fact be a majority of council. So that would -- to me if that doesn't override the concerns of those who are opposing this, I don't think anything will. Thank you.

EDDIE MOORE: Can I ask the attorney one more time, do you think that would do it, Mr. Artigliere?

ADAM ARTIGLIERE: Mr. Chair, I -- if council is acting as a majority in meeting duly assembled to waive the attorney/client privilege, that's exactly what I was suggesting.

TOM ALLEN: Mr. Chairman.

EDDIE MOORE: Mr. Allen.

TOM ALLEN: I go back to my simplistic way of looking at things again. If we read paragraph 4, it says, in order to provide full and complete access to all documents, county council hereby creates the legal and investigative control group -- that's the control group we're talking about -- whose members, subject to the conditions stated herein, shall have full and complete access to any and all county documents, including without limitations legal files. We've set up investigative committees which we're allowed to do by ordinance. This was sort of a subset of that just to give some people the right to go and get those records, to bring them to the committee and for instance, I'm chairman of the finance committee. I'm gonna make a report tonight. But what we do is having our committee meetings look over these things, then we come before the full council and present it. We're not making any decisions unilaterally in that committee. But I don't see where having -- the way it's written seems to be okay to me. These people, these people that are listed here are not gonna rush out and do anything on their own. They can't.

GRACIE FLOYD: Mr. Chair.

EDDIE MOORE: I'd like to make one

comment if I may, Ms. Floyd. We're paying pretty good money to Mr. Wilkins and he met with the McNair Law Firm and they come to pretty much a mutual agreement on this matter. So I don't -- I think we're okay on it. Like I say, this is just for the investigative purposes only and for our committees just to empower us with the authority and the power to do this investigation. It's not like we're gonna run out and publish everything. We're just not gonna do that, none of us up here. We're all level headed people and we understand the ramifications of our actions. That's the reason we're very careful. That's the reason we're up here discussing this tonight. Now, Ms. Floyd.

GRACIE FLOYD: Thank you. Going with the attorney's suggestions of having four council people up there, would that not create a forum? And when you have a forum of four, doesn't that mean we have to be open to the public, we have to, we have to advertise the meeting and it's gotta be -- it must be open to the public? I'm just asking cause I don't know.

EDDIE MOORE: Well, Ms. Floyd, the committees have to do that anyway. We post the meeting that we're gonna have on the committees, we come up here and we talk, and if we go -- happen to go behind -- in executive session, we come back and we make a report to everybody out in the open. You know, it's not really a -- I think the three is the correct way to go.

GRACIE FLOYD: I heard -- I understood what you were saying a few minutes ago about the honor of the council members. I understand that. But I guess I'm just -- when you've been burned one time you're kind of careful.

EDDIE MOORE: I understand.

GRACIE FLOYD: I'm not finished. And I think that we've been burned one time about records being gotten out and given to other people, so I just wanna do what's best for the council. I understand what -- as I said earlier, I understand what you're trying to do. But right now the only thing I'm doing is asking questions. And I, I really question the fact of three people have sole control over this. I question the fact of adding another person, which is gonna make it four, which is a public meeting, which is a public meeting of council. When you have your three meeting -- your three people meeting, that is not -- it's a public meeting, you've got to advertise it, but it's not a public meeting of council. Four is a

quorum. Four can change the whole complexity of everything. And I hope I don't have anymore questions, but I yield the floor.

TOMMY DUNN: Mr. Chairman, I call for the question on my amendment.

EDDIE MOORE: Mr. Dunn on the amendment and we have a second.

BOB WALDREP: Call for the question.

TOMMY DUNN: I'm calling for the question on my amendment to change paragraph ...

BOB WALDREP: 13.

TOMMY DUNN: 13. Changing it says -- where it says any potential criminal or ethical violation of state or federal law is determined by at least three members of the control group which shall not be considered under any provision of this resolution. It should be added, three members of the control group that are county council members. Right now we're voting for the question though.

EDDIE MOORE: Any discussion on that?

BOB WALDREP: There's no discussion.

EDDIE MOORE: Okay. All those in favor of the amendment?

TOMMY DUNN: No, the question.

EDDIE MOORE: For the question. All opposed. Let it be known that Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep, Ms. Wilson voted in the affirmative. Ms. Floyd voted in the negative.

TOMMY DUNN: Now we vote for my amendment.

EDDIE MOORE: All right. We'll now go ahead, since we had the discussion, we'll go ahead and vote on it. All those in favor ---

TOM ALLEN: Mr. Chair, point of order. Could you restate -- okay. We're voting on your amendment to change it to three?

TOMMY DUNN: County council members in the control group.

GRACIE FLOYD: Okay. The last thing we voted on was a call for the question?

EDDIE MOORE: Right. We're now voting on the amendment. All those in favor, raise your right hand. All those opposed likewise. Let it be known that Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep, Ms. Wilson voted in the affirmative. And Ms. Floyd voted in the negative.

BOB WALDREP: Mr. Chairman, I think we'll now be voting on the resolution as amended.

EDDIE MOORE: We will now be voting on the resolution as amended, Resolution R2009-11. All those in favor, raise your right hand. All opposed likewise. Let it be known that Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep and Ms. Wilson voted in the affirmative. Ms. Floyd voted in the negative. Resolution passes.

CINDY WILSON: Mr. Chairman, may I? Is it appropriate for me to revise Resolution Item number 9A at this time, request to revise that? The resolution was to provide for us to hire special investigative legal counsel tonight regarding the Cheddar issue. But because of the holiday and some other issues, there were three potential attorneys that we would be looking at possibly hiring one of their firms. That information did not come in on time, and I'm requesting that we simply take as information some of the environmental and legal issues from the community and we'll have the legal information from the law firms by next meeting and we'll have time to review that and make a determination at that time. So I'm just making a request to revise the item now.

EDDIE MOORE: So you want to take the item off of it or ...

CINDY WILSON: Just revise it that the resolution will not be presented tonight. We'll accept as information only some of the backup.

EDDIE MOORE: Okay. Ms. Wilson has made an amendment to revise her Resolution A on Item 9, that would be R2009-007. Do I have a second?

BOB WALDREP: Second.

EDDIE MOORE: We have a second. Any discussion? Hearing none we will now vote to allow her to amend her Resolution Item A. All those in favor, raise your right hand. All those opposed likewise. Ms. Floyd, how are you voting?

GRACIE FLOYD: I'm abstaining. You didn't call for that.

EDDIE MOORE: You have to speak up. I can't hear you.

GRACIE FLOYD: You didn't call for it.

EDDIE MOORE: I asked you then.

GRACIE FLOYD: No, you didn't.

EDDIE MOORE: Let it be shown that Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep and Ms. Wilson voted in the affirmative. Ms. Floyd abstained. It passes, your amendment to your resolution.

CINDY WILSON: Thank you.

EDDIE MOORE: We now go to Item 4, citizens comments on agenda matters. And I remind everybody to kind of hold back any kind of applause or comments and address the council.

ADAM ARTIGLIERE: Mr. Chair. There are ten citizens signed up for citizens comments on agenda matters.

EDDIE MOORE: Okay. Please state your name and your district, you know, where you're from.

ADAM ARTIGLIERE: Steven Pope.

STEVEN POPE: Steven Pope, Bellview Estates, county council district one. Mr. Chairman, member of the Anderson County Council, there are many issues that we the citizens of the county need to address and need to be directed to the county council as a whole in open forum and not individually to our respective council members. The agenda of tonight's meeting has several items that would fall in this category. This needs to be done to promote discussion among council members and to help gather more information so citizens can respond more appropriately to the matter at hand. There are many issues that arise that can sometimes require more than the three minute time limitation that has been imposed on it in order that we might be able to more clearly state our concerns in a logical manner. It is because of this limitation that our thoughts sometimes become jumbled as we try and state our views and the reasons behind them so council can more clearly understand our thoughts on what we are trying to express. If we are to move forward, an opportunity should exist whereby council members should have the opportunity to ask citizens for clarification should a council member not clearly under the citizens' views and opinions. It is only by working together with the exchange of information can we move forward. It is only by communication and understanding that we can begin building a foundation for open and honest government where citizens and county government and officials can work together for the benefit of our county as a whole, where everyone can be assured that their thoughts are taken into consideration. When thoughts and ideas regarding resolutions and ordinances are not clearly stated, confusion and frustration will result. If citizens feel their concerns are being ignored, they will lose trust in the county council, especially if their neighborhoods are being destroyed in the name of



progress and economic development as was the case with the ethanol plant in the Cheddar Community. Property values are damaged, yet no reassessment was done to reflect the negative impact it would have on these citizens' lives. Some of us have noticed that in the past when we are speaking some council members were not really listening to us and this is in the public hearings when a decision had already been made. Anderson County is caught in the middle of trying to steal that hometown atmosphere we had thirty years ago and at the same time grow and be like the big cities of Greenville, Columbia and Charleston. This county has some very tough decisions and choices ahead and it will take time to resolve all of these issues. The first place to begin is where we went wrong and how to correct these issues so we can have a true and open and honest government. We will never have total agreement, but we can start to turn the tides so people will at least know their ideas and concerns are being noted. In order to accomplish this process we will need to examine past ordinances that were written at the time power was transferred from the county council ---

ADAM ARTIGLIERE: Time.

STEVEN POPE: -- to the administration officials who were given basically a blank check that their assurances would be approved without question since the county was operating under the assumption that all county councils could be trust. It ran smooth until one council member started asking questions ---

ADAM ARTIGLIERE: Time.

STEVEN POPE: -- and it upset everything.

ADAM ARTIGLIERE: Russ Barbare. Ann Durand.

ANN DURAND: Good evening. We're with district four, Tom Allen. We would like to start by thanking the county council for listening to our opinion on the problems with Cedar Glen Subdivision roads. We know Aho Homes are the builders, Ralph Carl Galloway is the original owner who started the development of Cedar Glen, which upon his death in January '97, his wife Gail C. Galloway became heir of their estate. Mrs. Galloway then sold the subdivision to Alice Hamlin and John Boyd, Jr. who in return sold the subdivision a few lots at a time to Aho Builders. We have met with and questioned several Anderson County officials and employees and no one could answer the question who the developer of Cedar Glen Subdivision is. Why is this? We would like to point out the fact that Aho and/or Aho representatives mislead homeowners

when we purchased our homes. We were told by Aho and/or Aho representatives that upon completion of the last home, the roads and aprons would be completed. Contracts with Aho Homes and/or Aho representatives have been breached in addition to misrepresentation. Property owners within Cedar Glen Subdivision who are seeing intervention are similarly situation and have likely not been fully informed. Homeowners were told that if we didn't sign the petition we would be forced to pay for the roads anyways. We object to the fact that the costs are being shifted to the homeowners when in fact the costs should be paid by Aho Builders and/or the developers of the subdivision. Who would want to pay to have the roads brought up to county standards when Powdersville Water District is scheduled to put Cedar Glen Subdivision into the 2012 budget to install fire hydrants and the necessary piping. This is not effective for anyone. The petition Anderson County proposed to the homeowners only reflects approximate details and approximate charges. When compared with Anderson County road standards approximate details do not coincide with each other. In closing, the homeowners agree the roads in Cedar Glen should be repaired. We don't agree that the responsibility and the charges are being shifted to the homeowners. Thank you.

ADAM ARTIGLIERE: Bennie Sue West.

BENNIE SUE WEST: Good evening, Mr. Chairman, members of council, I'm Bennie Sue West and I wanted to share with you a letter from the former Attorney General Charlie Condon. It's dated December the 3rd, 2001, and I won't read the whole letter but just some excerpts if that's all right. Prior opinions of this office make it clear that members of county council such as yourself are entitled to access to county records. As was stated in the opinion dated March 24th, 1995, a member of the governing body of an entity needs access to such records to be able to do the job he or she was elected to do. We apply these principals to a situation involving a member of county council seeking access to county personnel records in opinion Attorney General, Opinion Number 77-380 December 2nd, 1977. We concluded that the member of the county council had the right to access to personnel records of county employees, notwithstanding that the county administrator in a council administrative form of government is responsible for the actual hiring and firing of county personnel. We stated that while the

administrator is to do the actual hiring and firing of county personnel, the county council is the policymaking and ultimate decision-making body. The same is true with respect to other various county functions such as the performance of an audit, Section 4-9-30(8) authorizes county government to provide for an accounting and reporting system whereby funds are received, safely kept, allocated and disbursed. In short, a member of county council must have access to all pertinent information regarding the operation of county government, just as each member of the general assembly has the same right. And I hope this will be helpful. And if you want a copy of it we can make it available. Thank you.

ADAM ARTIGLIERE: Kenneth Dean. Eric Bradshaw.

ERIC BRADSHAW: Eric Bradshaw, district two. Mr. Chairman, members of the council, for the last council meetings, last two actually, it was evident that the majority or at least a consensus was made certain to citizens of Anderson County that spending and accountability was and still is a top priority. You highlighted the need for transparency while at the same time putting an end to frivolous lawsuits and unnecessary legal tactics that diminish the ability of council and county administration to perform duties needed by the citizens of Anderson County. I appreciate the comment, Mr. Chairman, that you made regarding your intentions not to terminate the current administrator, but rather work together in a most cohesive fashion. However, when I review the current agenda, particularly Item 6 and 12, I am somewhat disturbed. With regards to Item 6, after reading a letter from the Gibson Law Firm and what appears to be a calculated attempt to bind the county in another lawsuit on behalf of, and I quote, Anderson County residents. I must tell you that there are some -- there are many residents that this request is not made on behalf of. It further suggested the idea of setting precedence for citizens or groups of citizens to file lawsuits against the county. With actions suggestive such as these, we find ourselves moving backwards and not forward. Additionally, the case law that's cited in the 1996 Supreme Court case is, and I quote, nearly identical, merely implies that there are factors involved in both situations where past practice cannot be induced. Lastly, with regards to agenda Item 12, again, I would hope that this issue with the

current administrator has been resolved, but here we are revisiting it again. When are we truly gonna move forward and address the real social, economic and relational issues that the county face. Bringing merit to this lawsuit and making attempts to reverse and undo and redirect makes every decision that is made by a past council, present council and future council powerless to make necessary decisions that are in the best interest of residents of Anderson county. And I will say this, there are several comments that have been made about us coming to the meetings or coming to the table at the last minute. But I say this, it doesn't matter when we come as long as we're here. And I know you remember the scripture that says, the first shall be last and the last shall be first. Thank you.

ADAM ARTIGLIERE: Elizabeth Fant.

ELIZABETH FANT: I'm Elizabeth Fant, district three. As a people, Americans have much to celebrate this month. Remembering the efforts of Martin Luther King, the inauguration of President Obama and a new hardworking Anderson County council. Obama says we all must work to make this a better community. King said that we should not judge people by the color of their skin but by the content of their characters. I'll add to that, in our leaders people do not care about the ethnicity, their religion, their sex or sexual preferences, geographic origin or other typing data about a person. But today we are especially concerned with the honesty and personal traits of leaders. We are tired of the Ted Stevens, the Rob Blagojevich, the Bernard Madoff, the HomeGold, the Carolina Investors, the Bill Clinton scams and affairs. We want people who will be honest with us and honest in their dealings with others. We want to be in a country that people once respect again. Respect. Since January the 1st, 2009, the new council meetings have shown that the new council is hard at work. Behavior by council has been aboveboard, dignified and shows obvious concern and research. Making decisions. Members are polite and helpful. Citizens' concerns are listened to and investigated. Members show their concerns for all of the county residents. Legal and parliamentary procedure. A little rough with two new members are being followed. But the behavior of council woman for district two is embarrassing, instigative, self-appreciating and rude. We were told by council woman from district two that neither the Chairman nor any council members had anymore weight in

voting, despite that council woman two interrupts council, acts like she is a decision-maker, constantly brings up petty things like seating arrangements, is the only one who leaves the meetings or leaves early, criticizes other council members, lounges in her chair and then does not pay attention to council matter, thereby needing repeat of information. In short, she is not respectful of others, though she tried to demand it for herself. Recently, she has been almost retaliatory with council. In the audience she has made comments of liar, liar, when the committee meeting information was given. Further, she has floated in the audience trying to stir up residents against council and has also done so in a public meeting. Friday, council member two followed me out the basement door, stuck her face in mine and ---

ADAM ARTIGLIERE: Time.

ELIZABETH FANT: May I finish, please? It's just one sentence.

EDDIE MOORE: Your time has run out.

MARK POWELL: Mark Powell, Williamston, district seven. You know, it's -- it is really good to see that we're moving forward in the investigation. It is sad to see that so much grief has to be spent saying this lawyer says this, this lawyer says that. I mean, my impression -- my understanding, you guys simply wanted to be able to look at the records. Already a lot of time -- I mean, we've spent almost an hour starting this meeting discussing how you can look at records. It's a shame that government has gotten to such a point you guys spent money for lawyers, you spent money with a lawyer over here. They got together, they discussed it, they were happy, then all of a sudden it took an hour to kinda make it sound okay again. You know, but they say what's red and white -- or red -- or white and black with red all over, y'all know what I'm saying. That's what I'm saying about lawyers. They ain't many good ones. This contract that you're wanting to do with a multi-county. I've spoken to an administrator of other counties. Apparently the government as in South Carolina and federal government holds you guys hostage in order for you to get some additional grant money, some additional privy money, when you want the industry, you have to sign on with the other little counties that don't have the infrastructure and people don't want to go that far to start a business. So I did find out the reason you guys have to sign those multi-county parks, is because

you're held hostage when you want to do something, they ain't going to give you the money unless you sign on with other counties. It was mentioned that we're gonna have the people from Powdersville here. You know, if my memory serves, from Highway 153 or Saluda River where Powdersville is, all the way over to Slab town, Hamlin Road, is about fifteen, maybe twenty miles. I don't even think the City of Anderson is that many linear miles. If Powdersville runs that far, I'm shocked. I would think that would simply be, I will have the Slab town Community here, because that's not Powdersville, it's Slab town. And if it is such a large community, I do wish Powdersville would quit sucking some of the money out of the rest of our county's districts and incorporate and become their own special tax district. A lot of money has been spent in that area. It's nice. And I remind you again, the reason that area built the way it did, early eighties, Anderson County had the lowest taxes of any county around. Jimmy Carter was President. Interest rates were eighteen percent. Powdersville arrived. People bought quarter million dollar homes back in the 19 -- early eighties. Why? Anderson County had cheap taxes. They didn't do it because we had plush buildings with hundred thousand dollar walking trail around a new -- or whatever that walking trail landscape cost around the new court annex.

ADAM ARTIGLIERE: Time.

MARK POWELL: Thank you.

ADAM ARTIGLIERE: Dan Harvell.

DAN HARVELL: Mr. Chairman, members of council, Dan Harvell, 500 Trail Road, county council district seven. Today we witnessed a lot of history on the television as it was happening in our nation's capitol. And of course it translates into an incredible situation that we live under in the United States where political philosophy can differ a hundred and eighty degrees, yet we have a clean and a peaceful shift of power between one administration and another. Tonight those that are here, those that are here tonight and have been here at other council meetings, with the new council in place, you're witnessing the same thing. But what you're witnessing is a release of a lot of binding that's been done against the taxpayers over the past ten years. You've witnessing a government that is beginning to -- it's taking the first steps toward opening itself up to the taxpayers. Something that's been so long overdue. I commend you

as council members as a majority for what you're doing toward the legal matters in this county. I realize this is kinda like -- like they say, it's kinda ugly watching all this as the sausage is being made that will formulate what will allow you to serve us better as taxpayers. But has to be done and I urge the people here and those viewing this to realize that this is all good for us. It's progress for the taxpayers and we will all benefit for it having been done. Beyond that I find it incredulous that one council member tonight is having such a problem with opening up these records. Whereas certain council members, especially within the last council majority that we just changed at the beginning of the year, there was no concern about legal matters, about billing records, about the situation that we're spending such an incredible amount of legal fees and have historically in Anderson County, far beyond other counties, often more than Mecklenburg County, which is the county within which Charlotte is a major city. These questions have been brought forth by Ms. Wilson for many, many years, yet as a majority the past councils have had no concern about it. Yet now, when we're about to open this up so that this can become an issue that sunshine can finally shine on, then we have one council member that seems to be trying to impede that process. And I just find that very curious. Let's just hope, let's just hope on behalf of the taxpayers of Anderson County ---

ADAM ARTIGLIERE: Time.

DAN HARVELL: -- that no one is still being used in the present administration or council ---

EDDIE MOORE: Your time's run out, Dan.

DAN HARVELL: Thank you. -- pulling strings from a former employee. Thank you.

ADAM ARTIGLIERE: Rick Freemantle.

RICK FREEMANTLE: Good evening, Mr. Chairman. I'd like to speak on Item number 5, presentation of the Anderson County annual comprehensive financial report for fiscal year ending June 30th, 2008. I'm probably out of time now. That's a big title. I -- personally I'm looking forward to seeing the results or hearing the results for this report. I have a few questions. Maybe they'll be answered. I'd like to know how comprehensive this report was. Did it, you know, cover all of Anderson's financial dealings or just a few special random departments. I'd also like to know, was the scope of this report to do any investigative work or just the standard math check that we've received for

years? What were the ground rules for this report and who set them? If this report did not cover all of Anderson's financial dealings, what percentage did it cover? How much did this report cost us? Which administrator authorized this report? Does this report speak to the exorbitant transfers of funds in the previous administrator's meal accounts? Did you find any monies put aside which may have been carried over to the current year's budget, which may have been used to pay for the severance of the previous administrator? Did you look at the finances for our roads and bridges department at all? Did you look at any legal expense accounts? Did you find anything out of the ordinary? And more important, would this type of an audit be one which you would have bothered looking for any possible fraud to begin with? Did the previous administrator ever act on your suggestions from your previous audit? Thank you.

END OF TAPE 1, SIDE 2

EDDIE MOORE: We will now be back in order. Everybody can have a seat and everything. We'll now go with Item 5 on the agenda, which will be the presentation of the Anderson County annual comprehension financial report for fiscal year ending June the 30th, 2008. Mr. Cunningham.

MICHAEL CUNNINGHAM: Mr. Chairman, if you don't mind I'll ask Ms. Gina Humphries to come up and she'll introduce the folks from the auditing firm that will do their part of the presentation and then she'll follow up in a little bit more detail with a separate presentation.

EDDIE MOORE: Okay.

GINA HUMPHRIES: Good evening members of council and everyone in the audience, Mr. Cunningham. I'd like to introduce Larry Finney. He is the partner in charge of the firm that has conducted our external financial audit. This is the second year that his firm has performed this financial audit. Mr. Finney will sort of give you what I would consider to be an executive summary, a top level look at the state of the county's financial situation. When he finishes I'll get back up and we'll drill a little bit more down into some of the detail and I think you'll find it to be -- hopefully you'll find it to be interesting and informative. Having said that, I'd like to introduce Mr. Larry Finney.

LARRY FINNEY: Good evening, Mr. Chairman, council members. As Ms. Humphries said, what I'd like



to do is -- I know you have the financial statements, the management letters, as well the power point presentation that we have here overhead, have made a couple real minor changes to it since you received your copy. What I'd like to do is to take a few minutes and kinda walk you through two things. One is the highlights of the results of the financial audit for the year. And secondly is kinda a big picture perspective of the financial condition of the county for the year as well. ... going the right way here. Three things, just kinda some highlights as we get started. One is overall the county's financial condition is good at June 30th, '08. The general fund, which is what we're gonna spend most of our time talking about, since that is the primary operating fund of the county. The fund balance did decrease about six hundred thousand dollars for the year fiscal '08, and I'll get in a little more detail on that. I also wanted to highlight that the county for the twelfth year in a row now has received what is called the Award for Excellence in Financial Reporting. That award is issued by the Government Finance Officers Association and we commonly get asked what's the difference between issuing financial statements to GFOA that are called the comprehensive annual finance report versus just regular financial statements. And in essence the difference is that the comprehensive annual financial report that is issued by the county meets much more comprehensive or strict guidelines in terms of both the amounts and balances and the statements that are included as well as what's disclosed in the note. So it's considered much more full and complete disclosure than what you might see otherwise. A couple of things to remind you. Number one is that the financial statements for the year have been prepared by the county, county staff, and that is their responsibility, is to account on a daily basis for all those receipts and disbursements, the amounts and balances that you see in the financial statements themselves, are the responsibility of the county. What county council hires us to do is to provide an opinion as to whether these balances and amounts are materially correct. And so what we do is issue an opinion and the opinion issued for this year is what is called an unqualified opinion. And in layman's terms that is the best opinion that the county can receive as far as a financial audit is concerned, that unqualified opinion. I'd also like to remind you, cause it is important,

when we talk about the audit that we do, it is in essence a statutory and regulatory audit. We are guided by both the American Institute of CPAs. Because the county receives a significant amount of federal funds we also have guidance coming from the office of management and budget, from the White House, the federal government provides a number of guidelines for us as well. And so while the procedures that are performed, we decide what those procedures are gonna be, there's a lot of general guidelines that give us direction on what to do. Let me give you a few highlights as far as the county itself is concerned at June 30th, '08. And we will start with general fund. You can see that the general fund balance now sits at 17.4 million. About two million of that is set aside in reserve for some encumbrances and capital projects, which leaves about 15.4 million That is called under reserved. And that represents about thirty-three percent of the 2009 fiscal year operating expenditures for general fund. You can see GFOA's recommendation is eighteen to seventeen -- eight to seventeen percent. And in essence what their recommendation involves is before you consider setting aside monies for other specific planned expenditures or whatever else you may have, what is just a reasonable general fund balance to have, and that eight to seventeen percent in essence presents one to two months. Let me kinda highlight for you why, from our perspective it is important to have a healthy fund balance for the county. Not the least of which, if you look at the overall revenues for the county, property taxes represents slightly over fifty percent of the revenues. If you think about when we're measuring fund balance at June 30th, '08, in essence the county is not going to receive anymore significant property tax revenue for about five to six months. So you've gotta have some reserves for cash flow to help you get through that period. The other one that I want to highlight is the third bullet there, the emergencies and revenue shortfalls. You know, a lot of times we'll look at a fund balance and it seems awful high. But when we look at where we're at economically, et cetera, right now, there's a lot of times that entities are glad they have some reserve sitting there to help them through some tough times like we're going through now. As far as how we got to that fund balance, if you look at the general fund revenues, they increased almost three million dollars, so they were at about thirty-six million. Again, you can see the details of the primary

cause of that increase, mostly taxes and then other revenue sources. Those other revenue sources are primarily state revenues. And the biggest piece of that is your state shared revenue, as well as interest income. That's comparing this year to the prior year. If you look at it compared to budget overall for general fund, revenues were about six hundred thousand dollars over what was planned for the year. And while there were some other increases and decreases, the primary cause of that increase was higher interest income than was planned. If you look on the expenditure side, you'll see we had about a 2.6 million dollar increase to about 32 million. Most of that was the salary and fringe benefit increases, as well as some fuel and utility costs. And I do like to remind you, if you look at general fund, again the biggest operating fund for the county, the salaries and fringes make up about two-thirds, about sixty-six, sixty-seven percent of total expenditures. If you look at expenditures compared to budget, you'll see there that the actual expenditures were about 1.2 million less than what were budgeted. That was a combin -- most of that was a combination of just the general government functional expenses. Almost all of those were below budget. Totaled eight hundred and sixty thousand dollars, and then highways and street, primarily contractual expenses were less by about two hundred thousand dollars. Just a few highlights of a couple of the other -- couple other items. One is the sheriff's office. You know, we had the one time 4.5 mil increase for the sheriff's office that resulted in about 2.1 million in additional property tax revenue for the year that helped get the sheriff's office back on track, so they ended up with a fund balance of about 1.3 million. The non -- the other non-major governmental funds, those are a combination of the special revenue funds, the debt service funds and the capital projects funds. And you can see in total, those other non-major governmental funds by the fund balance revenues, et cetera, there. The county has three what are called enterprise funds. And just to remind you, when we talk about an enterprise fund, what we're talking about is a fund that we're trying to measure income or loss. So it's operating more like a private enterprise would. The first fund, the sewer enterprise fund, you can see, we had a net loss of about three hundred fifty thousand dollars compared to net income of 3.6 million in the prior year. But that doesn't look good, but there's a

couple of reasons that really don't impact cash flow so much that you'll see. The sewer fund, whenever a -- let's say a development is finished and the developer wants to take the roads, sewer lines, et cetera, that's called contributed capital. When the developer contributes those infrastructure assets to the county, it shows up for that year as income to the county, but obviously it's just infrastructure assets. It's not affecting cash flow. So part of the reason the sewer net income was so high in the prior year, that 3.6 million, is Because there was a decrease of about two million from last year to this year in contributed capital.

BOB WALDREP: Mr. Chairman, could I just ask a quick question. On that point, I'm really trying to understand this enterprise fund and the fact that its taken upon as a plus, a plus side of the column whenever you take in a sewer line.

LARRY FINNEY: Yes, sir.

BOB WALDREP: But doesn't commonsense tell you that that ends up being a liability? I mean, you gotta maintain it and take care of it and -- in the accounting world, isn't this -- is this just a hard choice, you gotta put it on one side or the other?

LARRY FINNEY: Yeah. It's really -- there's very strict guidance about what you have to do with this. And so I understand what you're saying about it doesn't really necessarily make commonsense to consider that income, but that's just the accounting guidance for governments.

BOB WALDREP: Thank you. No reason for it, just a rule? Thank you.

LARRY FINNEY: Yes.

CINDY WILSON: Mr. Chairman, may I ask a quick question, please?

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: In this net loss compared to net income, does that encompass the building permits and the impact fees? I understand that -- and I may have the numbers off, but I think we went from like twelve or fifteen hundred building permits down to five hundred. So is that the loss that you're referring to?

LARRY FINNEY: It is, but I will tell you, the biggest reason for that net loss is the fact that there was about -- I think it's about seven to eight hundred thousand dollars in additional amortization of capacity.

CINDY WILSON: Okay. That would be ---

LARRY FINNEY: As well as a depreciation of the assets.

CINDY WILSON: Would that be where we encumbered ourselves to the expansion and upgrading at Generosity Creek and Rocky River? Isn't that about twenty million dollars that we've burdened ourselves with?

LARRY FINNEY: I'm not sure of the number on that. Do you know, Gina?

CINDY WILSON: But that's what you mean by the amortization?

LARRY FINNEY: Yes. That capacity that you have, in essence, paid for.

CINDY WILSON: That we don't get to -- that we really don't use yet.

LARRY FINNEY: Okay. About eighteen million she said. Yes. So that twenty million number.

CINDY WILSON: I think I saw someplace where it was nineteen million six hundred and something thousand. That's one thing that really caught my eye last year. I was very concerned about that.

LARRY FINNEY: I remember when we talked about that.

CINDY WILSON: Thank you.

LARRY FINNEY: Uh-huh (affirmative). I did want to show you, though, just to show you why, you know, we had a significant net income in sewer fund last year, we went to a net loss this year. But if you look at the actual cash flow for the sewer fund that I have bulleted there, we actually had a significant cash flow, a bigger cash flow decrease last year than we did this year. And that's because of so many of those non-cash items like the contributed capital. The second enterprise fund is the solid waste fund. And you can see, we went from a loss last year of a little over four hundred thousand to a net income of about seven hundred eighty thousand this year. And you can see, that was due to the increase in the charges for services. The residential fees went from forty to sixty, and I think the commercial fees went from fifty to seventy, and that increase in fees resulted in the additional revenue that resulted in the net income. You can see that also resulted in positive cash flow as well. The last one is the airport enterprise fund. You can see last year we had net income of about seven hundred thousand. This year about a two hundred and thirty thousand dollar loss, for the same reason I mentioned with the sewer fund. The airport enterprise

fund received contributed capital of about eight hundred and fifty thousand dollars in the prior year for the runway extension project. Obviously this year we didn't receive that income, so that's why the net loss instead of the net income. But you can see we had positive cash flow for the year of about two hundred and fifteen thousand. What that does is that's taking into account the fact when we back off the depreciation and amortization we end up positive cash flow. We've been talking about a lot of different funds. One of the things that Anderson County implemented several years ago is called GASBY 34. GASBY 34 was implemented for several reasons. But one of them was -- one of the requirements for GASBY 34 and the reasons for it was to say, let's take Anderson County and any other government entity and let's account for its -- all of the sums similar to what we would do if we were a private enterprise fund and what do we look like in total? So in the financial statements after the management's discussions and analysis, there are two statements that are accounted for on what's called the full accrual basis, which is like a private company would. And if we add all the funds together, this is what Anderson County looks like. And I don't need to run through all the numbers, but you can see in essence from an asset standpoint, it's about a three hundred million dollar operation. Revenues and expenses are in the ninety-five to hundred million dollar range. Couple of other items that I wanted to point out or highlight for you, one is when we look at our long term obligations and debt, the governmental activities, general funds, special revenue, capital projects, debt service, you can see we have about fifty-six million in debt. It's about three and a half higher than last year due to some new debt minus some principal payments that we made. And the business type activities which is our enterprise funds, you can see we've got about twenty-eight million, and that's down slightly from the prior year due to some principal payments. I also wanted to highlight for you and remind you that I know the county has been very proactive in addressing this issue, but the county is gonna be required to implement the other post employment benefit accounting standard, GASBY 45, and I know you've already received some information on that. We have some disclosure in the notes on that as part of the financial statements. I do like to remind you that the county receives the last couple of years I know somewhere to the tune of two to

three million dollars a year in federal funds. Because of that we, as your auditors, are required by the federal government to select one or two programs and test specific compliance with those programs. If we had any specific material compliance matters we would have what are called single audit findings, and we did not have any for this year. But I know you're also aware from our discussion last year that we also issue what's called the management letter. That management letter serves two purposes and it's the separate document under our letterhead, but two purposes. One is, there is some required communication from us to you that's included in that letter. The second thing is, if we find anything significant that we feel like that the county needs to either improve as far as its financial operations or maybe there are just some things that we see that can help them become more efficient or effective, we include those in our management letter. We have two comments in the letter this year and they somewhat basically relate to the same thing. And that is that the policy and procedures manual that -- the financial manual that the county has is pretty outdated. It has not been updated for a little while. And so we have talked to the county management about working hard to try to get that updated this year. And because there are some new -- there's been some new attention in general in the auditing standard applied to fraud risks, the county does a number of things informally to evaluate fraud risks, but we feel like it would be real important to go ahead and formalize those and include those in that financial policy and procedures manual as well. Just a couple of things in summary then. One, the county, it's important to note that the county did receive an unqualified opinion on its financial statements. Again, that's the best opinion the county can receive. Overall good financial condition. In good management of its finances. Obviously the economy is still struggling right now, so I think the county -- just remind you that it's important to be prepared as you continue to start to work on another budget to take that into consideration. But right now your fund balance looks good, if you continue to do what you've been doing.

TOM ALLEN: Mr. Chairman, if I may?

EDDIE MOORE: Mr. Allen.

TOM ALLEN: Yeah, Mr. Finney, just real quick. And I know you don't have a crystal ball, but

based on what you just said, the upcoming economy, I know we've had some additional foreclosures on homes this year, for instances, and the economy has slowed down. Do you have any -- maybe a ballpark figure on what we might be looking at as far as overall percentage-wise, any type of a decrease in revenues or -- is that a fair question?

LARRY FINNEY: That is really tough, Mr. Allen, because I've got some, I've got some county and municipal clients that are actually still doing pretty well right now. They haven't been too affected. And there are others that are really, really struggling. So it's really across the board right now.

TOM ALLEN: All right. Thank you.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I'd just like to ask Mr. Cunningham, there's been something -- on the report on page two on the back, it's got a note, says, we noted certain matters that according to management of the county in a separate letter dated December 23rd. Do we have that letter?

LARRY FINNEY: That is the management letter that you have.

TOMMY DUNN: Okay.

LARRY FINNEY: That is what that is.

TOMMY DUNN: Okay. Thank you.

GINA HUMPHRIES: Okay. What I'd like to do next is just to go into some of the details behind these top level numbers and I'll try to roll through this kind of quickly. The first thing I wanted to say was that, as elected officials, you have to become familiar with the basic building blocks of governmental accounting and financial reporting. And I know that many of you have very strong commercial backgrounds. However, it's still incumbent to get a basic understanding of how government finance works because it is different. And part of what I see part of my job as being is to help you in that process. In years past we have conducted orientations for new council members in terms of the finance and accounting and I am happy to do that again if the need should arise. We do follow, as Mr. Finney stated, distinctive specialized accounting and financial reporting standards. We have these animals we call funds, f-u-n-d-s. And if you can get a good grasp of the funds, then you've got basic governmental accounting. But we do have to maintain separate funds for the various types of revenues and



expenditures that the county has. And good or bad, the general fund typically gets the most attention. Although over the years the general fund has become a smaller fund in relation to some of the other funds. CAFR, I know you hear us talking about that and all that stands for is comprehensive annual financial report. It includes certain statements. Among those, of course, are the basic financial statements, the audited individual fund statements. Also in your CAFR, which I'm presuming you have a copy of -- when I say CAFR I'm just simply talking about this book -- is broken down into basically three sections. The first of that is -- I'm getting ahead of myself. Way ahead of myself. It has introductory, the financial and the statistical section. Here's some of the highlights as management sees it. One of the first things I always want to know from the finance staff is how we operated within budget, because that's the law. We have to. And Anderson County has operated within its budget. And I would draw your attention to certain pages in your CAFR. Those are pages 67 and 27 and 10. And you can trace these numbers on the presentation to the actual audit when you have more time to look at it. The general fund balance did decrease by around six hundred thousand dollars. We have continued to earn the GFOA awards and the budget award. We've done that for four years now. And of course we've received unqualified audit opinions. This is just a historical summary. I kinda like to look at trends. I like to collect data and so this is just a -- about a ten year summary of the general fund budget performance. And what this shows you is the budgeted expenditures versus the actual expenditures. And you will see that we did come under budget by forty-six thousand dollars for June 30, '08. This also is another chart which shows you a ten year history of the general fund balance. And what we're looking at here is typically in a budget we will budget to use a portion of the general fund balance. That is depicted in the first column titled original budgeted usage of fund balance. As a goal that we always have in the back of our minds is we don't want to have to use that fund balance just for the very reasons that Mr. Finney has mentioned. And so the second column shows you how much the county actually did use of that budgeted fund balance. So you can see that with -- in all years, no exception, we did not use the fund balance that we budgeted, which is good. This is just a copy of the certificate of

achievement for excellence in financial reporting. A copy of that is also found in your CAFR. This is the distinguished budget presentation award. We have applied for that four years and received it for four years. And here's a copy of the audit opinion which you'll find in page ten -- on page ten. Here we go with the three sections, the introductory, financial and statistical. Introductory is a -- typically a letter of transmittal, it lists the principal officers and organizational chart and the GFOA certificate of achievement. The financial section is obviously the meat of the document. It's where you'll find all of your basic financial statements, the notes, all the required supplementary information and to me the first thing I look at is I read the notes. When I'm analyzing any entity's financial statements, I don't look at their numbers first. I go to the notes because the notes is like the blood of the document. It's gonna tell you what's going on. The second thing I look at in a governmental entity is the statistical section. And to me that's the fun part of it. That's where you might look at performance indicators. You might look at a listing of your principal property taxpayers, legal debt margin. And it also contains what I consider to be good indicators of how your government is operating. So that's the second place I typically go. I look at the numbers last. General fund, this is a list of what is in the general fund. Long list. Sometimes it's easier to state what is not in the general fund. The sheriff's department is not. The proprietary funds such as sewer, solid waste, airport, they are not. And then we have special revenue funds which some of the bigger ones being Tri-County Tech, EMS and library. Here's a pie chart showing the sources of general fund revenues. And I really put this in here to make a point. See the red piece of the pie, that represents taxes. And this is for June 30, '08. We can see here that property taxes account for forty-five percent of general fund revenues. And that's a real important point a lot of people don't really -- don't know that. This is the same pie chart five years ago. I just picked five years because it's a nice round number. And I put this in here to illustrate how the county has gradually and continues to gradually move away from the property tax as the major funding source. See, five years ago it was fifty-six percent and now it's down to forty-five. Here's just a snapshot of the general fund revenues.

This is, this is sort of my baby. If I have one specialty, this is it, which would be property tax revenues. This is a really good place to be at the end of the year. You can see that our budgeted general fund revenues came in six hundred thirty-three thousand dollars favorable. That's where you want to be. You want your revenues to come in more and you want your expenditures to come in last. It's a nice place to be. Here are the same pie charts and what we've done here is simply graph the general fund expenditures, and they're broken down by categories, and I'm gonna go into a little bit of what makes -- what comprises these categories. This is FY08. And here's the same pie chart five years ago. And you're gonna notice that the yellow piece of that is public safety. It was thirty-seven percent five years ago. Twelve percent. And what's going on there is that the sheriff's department and the detention center used to be a part of the general fund and over the years they've transitioned out of the general fund and into their own special revenue fund. Here are those categories of the types of expenditures, county, general, government, public safety, highways and streets, economic development and so forth. Those are just the dollar figures that were represented on that pie chart. And these are the departments that make up that category that's titled county general government. Pretty self-explanatory. Public safety is park police, emergency preparedness, coroner, public safety division, ??, and building and codes. Highways and streets, again that's self-explanatory. Economic development, same way. Health and welfare is animal shelter, compliance, DSS, health department, Veterans Affairs and lump sum appropriations. Culture and recreation, there's the list there. I won't read it to you. General fund expenditures, again this is some of the same information we showed you earlier. I wanted to reiterate the fact that the county did operate within budget. Fund balance. A lot of people ask me, what is fund balance, what does that mean? The most important thing you need to know about fund balance, it's not all cash. Fund balance by definition is simply the difference between assets and liabilities of the governmental fund. And we have to divide fund balance into two separate elements, being reserved fund balance and unreserved. And I've got some numbers later on. I'll show you those component pieces of that. And reserved simply means just that, it's subject to some

spending restrictions and/or commitments. This is the same information. I liked it so much I put it in there twice I guess. General fund, fund balance. This is the breakdown of the reserved versus unreserved fund balance, and I put 2007 in here just to show you as a comparison. You'll see for 2008 we have a little over two million dollars of reserved. The bulk of that 1.6 is a capital -- is remaining funds left over from capital leases that we've done in prior years. Capital assets, I put this in here because this is another thing that sometimes it's hard to understand in governmental accounting. But capital asset is defined as an asset with an initial individual cost of more than one thousand dollars. That's our capitalization threshold. It's small, I think probably by a lot of county standards, but that's what we use. As of June 30, '08, the county had approximately -- had 229.5 million in a broad range of capital assets. And some examples of those would be buildings, park facilities, roads and bridges, ???. And a detail of all that can be found on pages 19 and 51 of your CAFR. This is just a bar graph showing our capital assets over the last five years. And you can see that it's been pretty constant, at least for the last three years. And you want to see that. You want to see that trend. Here's some of the major capital asset additions we had for this fiscal year, Powdersville Library, renovations for the courthouse annex, and the health department building renovations. And these were balances as of June 30, '08. I wanted to talk a little bit about the difference between government type activities and business type activities. Government type activities are some of the county's most basic services such as the sheriff, the detention center, highways and streets. And those activities are typically funded by property taxes, fees and fines. A business type activity would be the type activity you would find in the enterprise funds, that would be your sewer, solid waste and airport. And you'll see when you study your CAFR that a lot of our financial statements are broken down into business type activities and government type activities. These are some of the major capital additions for the government activities, vehicles, computer technology and software and radios for public safety. And the business type activities, those are some of the projects that were added during the June 30, '08 year. Solid waste, we had a new Powdersville recycling convenience center and then we had various

sewer lines that were capitalized during the year and the sewer department. Debt administration. As of June 30, '08 the county had 48.4 million in bonds and capital leases outstanding. Now, about half of that is payable to other governments. Most notably the other government is the City of Anderson. The other part of that is what we call GO bonds, which just simply means general obligation bonds. The detail of that is on page 21 of your CAFR if you wanted to see the various bonds that comprise that detail or that breakdown. Oops, sorry. These are some of the debt issues that we did have in fiscal '08. We have a 1.2 million dollar capital lease and that was used to purchase equipment and rolling stock. We had the 800 megahertz communication systems that was also purchased through a lease. That was 8.4 million. You also need to know that there are limits imposed upon counties on how much debt can be issued and that limit is defined as eight percent of assessed value of all taxable property. A lot of times you'll hear that referred to as the legal debt margin. And that is found in the statistical section of your CAFR on page 146. And that also is something, if I had only four or five top bench marks to look at, that would make my top five list. That's something I always go to, to look at. I would like to say that the county plans bond issuances carefully. We have sought in the past and will continue to seek and do things that bring bond rating upgrades because obviously that brings you lower borrowing costs. Typically we issue or try to plan to issue a new bond as old ones are retired, and I'm going to show you in a slide or two some of the old ones that are getting ready to come off. The result of this is that we have a smooth and modest debt burden. In fact, our debt service levies are at one of the lowest levels in over fifteen years. And here actually is a ten year history of debt service. This isn't the whole county levied. This is just the debt service piece of it. At one point in time in 2002 it was up to thirteen mils. 2001 and 2002. And you can see gradually it has come down. We're sitting at six mils right now. That was for the 2008 tax year. And our goal, as management, is to not have these wild ups and downs on debt levies. You know, you have to have debt. I think you want to have a smooth level and modest level. Here's some of the bond rating improvements that we have had over the years. Typically before we do issue a bond of any size we will go to the rating agencies. This past year we

did conference calls with the rating agencies. They obviously have access to all of our financial CAFRs and budgets and they pretty much have their pulse on even what's going on locally in terms of our market and economic situation. So they ask some pretty hard questions. That's what we've done the past year, is had conference calls with them. And in all cases the bond ratings have been reaffirmed. Here's the county's level debt margin. It's 18.2 million dollars. And that entire calculation is shown on page 146. These are just the top pieces of it. But the bottom line there is what you want to look at, the level debt margin. Long term debt includes all these things. It's just not GO bonds, it's not special revenue bonds. It's all these things on this list. Even some things you might not think about such as landfill closure and post closure costs. Here's the snapshot of the total long term debt. You can look at the details of that on page 51 and 52. And again, we have broken it out by government type activities and business type activities. Now, this is something new I've kinda added to the presentation this year because this is probably in my top five list of things I work with and deal with on probably a monthly basis or at least an annual basis, is to look at the bonds that we have, the ones that have been issued in the past, and then to determine when they're going to be fully amortized or fully paid off, if you will. This is a list of what we have right now -- well, as of June 30, '08, and you can see that Anderson County is getting ready to go into a period of time in the year between 2010, '12 and '13 where a lot of debt is gonna come off our books. And that's going to be good. It will put in an enviable position. But I just want to make you aware of that. I've put the original amount of the bond out there to the side and also put the June 30 principal balance, so you can see that the debt is coming down. Let's see, what am I doing here? Okay. This is sort of the same thing, but on the sewer fund side. This is the notes payable to other governments and we've also put the year that it was issued, the year it will be paid off -- now, these are a little bit further out in the distance -- the original amount of the note and the June 30 balance. I'll move now into some of the highlights of the business type activities, which again is airport, waste water management and solid waste. Airport continues to move toward its goal of self-sufficiency. Their operating revenue has increased by

\$237,000.00 over the prior year and I've got a slide which will give us a little bit more detail there. And the airport breaks even when you take depreciation out of the picture. And you know all depreciation and amortization is a non-cash expenditure. So when you analyze these financial statements, which you'll find these proprietary financial statements on pages 31 and 32. So when you start to look at these and study them, always let your eyes go up under the operating expenses section and always consider the amortization and the depreciation. Because you don't write a check for depreciation. Here's a pie chart which gives you a picture of where the revenue sources come from. And as you can see, the bulk of it comes from fuel and then the second biggest portion is rents. Here are the actual numbers for the revenue sources. And again, I'm kind of a trend person. I like to see where I've been so I can think about where I'm going, and this is just my stab at taking a three year look at the revenue sources of the airport. And you can see that fuel indeed has gone up. You can tell rent has grown a little bit. Maintenance as well, which is a new service that we've been offering there for a couple of years now. So you know, the airport is in pretty good shape and they're coming along and actually had a break even year, so I personally think that's to be applauded. Got a blank slide here. Don't know why. Okay. This is just a bar graph showing the operating revenues over the years, again a ten year history, again just to show you that there has been a steady growth of the total revenues. This is a summary of the income statement for the airport, operating revenues of 1.3 million, operating expenses, a million six. Now in that million six, there's \$377,000.00 of depreciation. Non-operating revenues which would include interest income and any gain or loss on disposition of fixed assets. So that brings you to a net loss before transfers and before capital contributions of \$318,000.00. And again, you have to consider the fact that ...

END OF TAPE 2, SIDE 1

GINA HUMPHRIES: Here's just some of the same information presented a little bit differently. We've laid the expenses and the revenues at the airport side by side so that you can see over the years how in prior years the expenses, which is the yellow line, the expenses were greater than the revenues. But you can see the revenue bar has come up and has finally

surpassed the expense bar. Waste water management. Again, just a simple pie chart to let you know where the major sources of the revenues are in this area. The two biggest ones is obviously sewer fees and the property tax have a three mil levy that's put on every year and that revenue goes to this fund.

MICHAEL CUNNINGHAM: Mr. Chairman, I believe our time has expired for this item if we could get a motion to extend by a bit if it's the pleasure ---

EDDIE MOORE: I have a motion to extend five minutes. I have a second on the motion to extend five minutes. All in favor. Unanimous. Five more minutes.

GINA HUMPHRIES: Okay. I'll speed it up. Here again is the air -- I'm sorry, the waste water management revenue sources over the last three years. Just laying this out so you can kinda see the increases and decreases. And one thing I want you to be aware of is that we lost a fairly large customer of the waste water management and that was Santens. Most of you know that they have closed. And you may or may not have realized that that impacted our sewer fund, the waste water management fund. And I've got that on the bottom of the screen, that gross revenues for Santens were \$570,000.00. So if Santens were still here our sewer fees would be 570,000 more. The net income, the bottom line net income of losing Santens is \$450,000.00. So it's a very unfortunate incident. We hope that we can attract another entity to that facility and sort of get an entity that is a heavy user of the system. Property taxes is sort of reliable there. It's remaining flat across the years. Capacity fees go up and down according to what's going on with the economy, as well as tap fees. Interest income. That's basically related to interest of the economy and interest that we're able to earn or not earn as some years. This is a snapshot of their income statement. Operating revenues 3.4 million, operating expenses 5.2, and just know that in that 5.2 is 2.3 of depreciation and amortization. And again, you can look at this on pages 31 and 32 in your CAFR. So as Mr. Finney stated, we did have a loss in the waste water area. And that's depicted on this bar chart. You can see the revenues going up and then falling off there in 2008. Solid waste pie chart, the main revenue source here is the household fee. And that was increased from \$40.00 to \$60.00. So that has helped this fund. Here you can see the three year summary, the household fees going up



from FY06 to '07 and to '08. Some of the other fees, the landfill usage fees, kinda goes up and down, again according -- one interesting thing that we've learned in just discussions is that that landfill usage fee is tied to construction because it's fee ?? the C & D landfill, so if you don't have a lot of construction demolition, they're not going to bring a lot of it to your landfill. So that's why you see that revenue source decreasing. Solid waste is in good shape. We had a net income of \$613,000.00. So that fund should be in pretty good shape for the upcoming years. And this is another ten year bar chart showing the revenue. And again, on this chart we laid the expenditures beside the revenue to sort of give a pictorial look of a ten year history. Okay. Last but certainly not least is the sheriff's department. Thought it might be good to sort of revisit and have a little history on the sheriff's department. I have to write this down because I get confused myself. In 2004, that was the first year that we had a separate levy for the sheriff's department. It was 21.8 mils. It still remained a part of the general fund. The detention center was funded by the general fund levy. Then in 2005 same thing, separate levy that's still in the general fund. 2006 was when we established a special revenue fund for the sheriff's department. The levy was increased to, excuse me, 22 mils. The detention center at this time was still funded from the general fund tax levy. And then in 2007 and '8, we finally arrived at the point where we had the sheriff's department and the detention center in one special revenue fund and under the auspices of one levy and that has been 30.8 mils. And here's a look at their financials. Had total revenues of 17.9. By and large their revenues is probably about ninety percent property tax. Transfers -- I'm sorry. Expenditures plus transfers out of 16.5. Other financing sources. That is the four and a half mil special one time levy that was put on. So they finished out the year very strong as well with excess of revenues over expenditures of 3.5 million. We had over the years, as the sheriff has made this transition to a separate fund, the general fund has loaned the sheriff's fund operating capital. As of June 30, '08, the sheriff's fund still owes the general fund \$816,000.00. And the good thing is, they're in a cash position to pay that back. The county council did approve a special four and a half mil levy that was on the books. It's gone

now. At June 30, '07, the sheriff's department owed the general fund 2.9. The one time levy generated approximately 2.1 million, so they were able to pay that -- the bulk of that back, and That leaves a balance due as of June 30 of 816,000. But as of 12/31/2008, the balance is down to 606,000. That's simply because that one time levy still generated some vehicle property taxes of December of 2008. And that's all I have. Thank you.

MICHAEL CUNNINGHAM: As far as closing comments, I believe our time is finished, so thank you very much.

EDDIE MOORE: All right. We'll now go on to the next item on the agenda. This will be Item number 6. This is a request for council to rescind the November the 18th, 2009 vote approving the severance agreement between the former county administrator and Anderson County and for council to recover the severance benefits paid.

GRACIE FLOYD: Mr. Chair.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Before our speaker starts, I have a question I'd like to ask of him, please.

EDDIE MOORE: Okay.

GRACIE FLOYD: If I may. Thank you.

EDDIE MOORE: Yes, ma'am.

GRACIE FLOYD: His name is ---

EDDIE MOORE: Kurt Gibson.

GRACIE FLOYD: Yes. Okay. Mr. Gibson, Attorney Gibson.

KURT GIBSON: Yes, ma'am.

GRACIE FLOYD: Attorney Gibson, sometime ago on council we did an ordinance to say that -- well, first of all, I'm gonna ask you, could you please tell us who you are representing?

KURT GIBSON: Concerned citizens.

GRACIE FLOYD: Okay. Now, the concerned citizen, is that the -- when you say concerned citizens, are we talking about the little group of -- there are two concerned citizens -- excuse me. I was talking to -- Mr. Chair. Mr. Chair. I was talking.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Okay. Thank you. You are representing the concerned -- there are two groups of concerned citizens. And before we start, I just want to make it clear for whom you're speaking today.

KURT GIBSON: On my own behalf and on behalf of the concerned citizens that want to recover

the funds from Mr. Preston.

GRACIE FLOYD: Okay. I thank you.

EDDIE MOORE: Mr. Gibson, your time will start now.

KURT GIBSON: Mr. Chairman, thank you for the time to address the council. Pardon me. I apologize. Mr. Chairman, I apologize for that. I had that set up properly before, I thought. I'm here before the council to request the return of the funds from Mr. Preston. I believe it was done improperly and illegally. Sorry about that. I'm gonna go over the background of how we got here and then I'm gonna go over the FOI violations, what I believe the FOI violation, that's Freedom of Information Act violations. In addition to that the breach of the fiduciary duty and the actions that we're requesting if there were breaches. Everybody is gonna know this case in Anderson County, I think. It's Piedmont versus Cowart. It's very similar to the case for the predicament that Anderson County was facing with respect to Mr. Preston's contract. Cowart was an administrator. He had a twenty year contract with a five year buyout. There was an election, new commissioners were elected. The outgoing commissioners fired Cowart, apparently a friendly firing, and gave him his first installment of \$30,000.00. A few weeks later the new commissioners were seated and they rescinded the buyout. The new commissioners demanded that Cowart return the money. He didn't return it and they fired him. The Supreme Court found that the administrator's contract was void. The Trial Court, Appellate Court and Supreme Court all told him to return the money. The Piedmont case basically affirmed that that was a screen saying they affirmed the Appellant Court. This is a very important passage here, if you could read that. I'm gonna read it for you to get it into the record. Both the trial court -- trial judge and the Court of Appeals relied on Newman versus McCullough, a 1948 case, so this is not new law, and found that the employment contract was not binding on the commissioners who terminated Cowart because the contract extended beyond the terms of the commissioners who signed it. In Newman, we held the appointment or removal of a public officer as a governmental function that cannot be impaired by the employment contract extending beyond the terms of the members of the local governing body. Such a contract is not binding on the successors to the local governing body. This is

basically where they say, you know, you have to give the money back. The severance that they paid was improper. He wasn't entitled to it. They failed to address the issue because they already decided that they failed to address the issue that the Court of Appeals found that the contract was void is a matter of public policy anyway. Now, let's compare that to Anderson County's situation. We had a very friendly former council with the former administrator. His contract extended beyond the terms of that council, 2007-2008 council. New council people were elected. Council members elected to fire him and give him a great deal of money. Now, in the Piedmont case, it was the -- it appears that the majority carefully tried to avoid this, but they made some mistakes. I'm not gonna go over this and explain the rationale, because I think the Supreme Court has explained the rationale behind the Piedmont versus Cowart case. But suffice it to say that the administrator -- hiring that administrator and firing him is a governmental function. The implications of Piedmont versus Cowart was that the council, the last council, was not obligated to give -- or to honor that contract. They weren't bound by it. Now, what are the implications of paying out 1.16 million dollars on a void contract? Keep in mind that during this discussion that the council owes a fiduciary duty to the taxpayers, not to Joey Preston, to us. Let's see how it all began. This whole thing began after the 2008 primary when McAbee, Thompson and Greer were defeated. The special meeting at the library was called. After that Preston's attorney says there's an anticipatory breach. It was a legal impossibility. This council wasn't even elected. Said that you breached the contract before you came on council. It's a legal impossibility. And the contract would be void against you also. So the county hired Tom Bright to advise the county. Mr. Waldrep tries to discuss the matter at a later meeting, I think it was the next one, and Chairman Thompson then transfers the matter into the personnel committee, possibly, you know, for not appropriate reasons. And Mr. Waldrep and Cindy shows up at the personnel committee meeting. Heated argument. And this is reported in the paper. Mr. Waldrep is called a troublemaker for showing up, just for trying to get into the meeting. But he has an ordinance with him, a county ordinance, that says he's supposed to be in -- he's supposed to be allowed to see and attend any of the meetings. By some reports, Mr.

Greer, Wilson and McAbee weren't too happy with whatever the attorney told them. Mr. Wilson then calls another meeting with Tom Bright. This time most likely violates that same county ordinance and prohibits Mr. Waldrep and Ms. Wilson from attending it and has armed guards at the door. Now we head into the severance agreement railroad. Mr. Wilson has a surprise amendment on November 18th. Makes a short vague statement about some -- about the severance, says that nobody knows anything about it. They proceed to pay on a void contract 1.16 million dollars. Plus section 8 is particularly disturbing. It may actually absolve him or prevent -- give civil immunity for any corruption. Not that there was any, I don't know. But anyway, it's approved with no discussion. Greer presents 113 accounts to bring -- to transfer that money out. Approved. No discussion. You'd think somebody would have some objection of money coming out of something. Greer and McAbee move to reconsider. Approved, no discussion. New contract for the new administrator. Approved, very little meaningful discussion. The meeting is quickly adjourned. Mr. Thompson too ill to continue. That avoided all of Mr. Waldrep's issues and obviously the public comments. Nobody had any -- or was able to do that. This appears to be government by ambush. Severance package was railroaded through. Had to be done that day for some reason, had to be done. I'd like to show you a little bit of what happened and some of the reaction, if I may.

EXCERPTS FROM COUNCIL MEETINGS, TV, ETC. BEING PLAYED

KURT GIBSON: Now, I'll just let you read that. Settled a weak claim or non-existent claim on a void contract. They gave him seven years annual salary when the typical business person only gets one year. Now, it's not just us that are shocked by what happened. Talk about FOI, Freedom of Information Act's essential purpose is to protect people, the public, from secret government activity. FOI is remedial in nature and liberally construed to accomplish that purpose. The videotape I believe leaves a lot of people in this room with the impression that something happened in secret. You don't have to have four people that are in some sort of a meeting to coordinate your activities without the public being apprised of it. There was a surprise amendment. And I have to admit to you, I don't have a direct case on exactly the violations that they have now, but I don't believe that

this was good open government. FOI is more than just managing whether or not you have quorums. It's designed to protect people from secret government. Let's talk about the fiduciary duty. Even if you thought that the contract was valid, I analyze the contract and the remaining salary he was entitled -- if the contract is valid, he's entitled to remaining salary plus one month's salary for every two years service, but is limited to 36 months. There's possible additional entitlements in that contract. But this is all I could find. Okay. His annual salary is 167 according to some news reports. Monthly salary was about 14,000. Length of service was 12 years two months. So the main severance was 433. 85 for additional. Comes to 518. Is limited to 503 though. Well, that's a difference -- you've got 1.16 million dollars. Where was that? How did he come up with 656 more from this stuff? This is the explanation of the difference that we have so far. If the contract was invalid and if the litigation was unlikely to succeed, then the severance package was a gift and county cannot gift property -- county property to private use. The severance package was grossly excessive. Typical business salary is one year. He got seven. He got double what I could find in the contract. They appeared to make some elaborate efforts to get around this case, and they should have been waving this case from the rooftops, because it was in our interests. It was protecting our money. The severance package approved despite contrary legal advice possibly. I mean, if you read between the lines in what was reported in the paper, the paper reported that even the attorney that we hired said that there was no anticipatory breach. So what am I requesting? I'm requesting Tom Bright -- you invite Tom Bright here, open and honest government, let's -- if he gave that advice and he has some reasonable legal explanation for it, we can save everybody a lot of time and put this issue to rest. I think you should come right -- and do that in public. But even if it's executive session, I trust this council to do the right thing. Or do it in writing. But I think we deserve to know why we gave that much money on what appears to be a void contract. Possibly hire an investigative attorney or give it to one that you've already hired, rescind the vote and the related transfers. Demand the return. That's what they did in Cowart. Coordinate with the taxpayers, if necessary, to get the money back. Now, with respect to

the breach of the fiduciary duty, if it was so breached, individual council people probably have -- or may have some legal liability to reimburse the county for it if we can't get the money back or for the attorneys' fees.

APPLAUSE

EDDIE MOORE: Y'all please hold it down.

KURT GIBSON: I'm just asking, I'm just asking on behalf of those concerned that you stand with the taxpayers on this. We have to have -- we'll lose self-respect and respect as a community if we let something like this happen and don't explain to people why that money was paid. I did set up an email line that I'd like to publish at this time if anybody has any comments. And I thank you for your time.

EDDIE MOORE: Thank you, Mr. Gibson.

APPLAUSE

GRACIE FLOYD: Mr. Chair.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Thank you. My first question is this, could you tell me more about this case. When was it, when was it ligated?

KURT GIBSON: The Piedmont versus Cowart case is a 1996 case. It refers to the Newman versus McCullough case, which is a 1948 case. Long line of cases.

GRACIE FLOYD: Okay. Thank you. Thank you. I gotta go to our attorney again, Mr. Chair, with your permission. Mr. Cunningham, with your permission, Mr. -- Adam. My question -- are you okay?

ADAM ARTIGLIERE: Mr. Chair, I just want to let you know, too, first, time has expired on this matter.

EDDIE MOORE: Anybody would like to make a motion to extend five minutes?

GRACIE FLOYD: I make a motion to extend it by five minutes.

EDDIE MOORE: Motion made to extend by five minutes. Do I have a second? We have a second. All in favor, raise your right hand. Unanimous. You've got five minutes.

GRACIE FLOYD: Thank you. Adam, I'd like to know this, whose case that he is citing was in 1996. But before we move on with this, are there anymore recent cases that will apply to this type situation?

ADAM ARTIGLIERE: Mr. Chair, Mr. Floyd, I'm not aware of anymore recent cases on this particular issue. Of course, I haven't had the opportunity to do

any research regarding this particular issue.

GRACIE FLOYD: Okay. Well, is there anything that would revoke this type thing that he's talking about?

ADAM ARTIGLIERE: Let me just start off by saying, we're not really in any position to give any opinion with regard to Mr. Preston's contract. If there is desire to have any opinion from us from a general legal sense as far as being able to extend beyond the term of council, I can tell you from offhand experience that I know that council and the county does enter into contracts that do extend beyond a period of time and extend beyond from one council to another. As far as getting into the particulars of this particular contract, we could certainly look into the law and provide written guidance as to that particular issue.

GRACIE FLOYD: Okay. Mr. Chairman, we've heard from this attorney. But I think that I would like to hear from the other side, another attorney that would either refute what he's saying or will -- what's the other word? -- support what he's saying. So I'm going to ask Mr. Chair -- excuse me -- Mr. Cunningham, okay, good, I'm gonna ask that we get some updated information, please, to check to see where we, where we are in this and if there is -- if there are any other recent cases that will help us decide this matter. And I thank you.

EDDIE MOORE: Thank you, Ms. Floyd. I would like to make a motion that we refer this on to one of our committees and maybe Mr. Wilson, maybe have his advice on this. I think there was some good information that come out of Mr. Gibson's presentation and I would like to give this information to our committees.

RON WILSON: Second.

EDDIE MOORE: We have a second on that. That would be the personnel committee, Mr. Waldrep.

BOB WALDREP: Okay.

EDDIE MOORE: And that way we could have Mr. Wilkins maybe look into it. That would be a different attorney. Anymore discussion on that? We're gonna take a vote now on that. All in favor raise your right hand. Unanimous. We'll pass that on to the personnel committee and also to Mr. Wilkins and get his opinion on that.

KURT GIBSON: Thank you.

EDDIE MOORE: Thank you, Mr. Gibson. We'll now move forward on to Item 7 on the agenda,



which is the ordinance, the third reading. This will be Ordinance 2008-061, an ordinance to develop pursuant to Section 4-1-170 of South Carolina Code of Laws, as amended and jointly operate an industrial business park to be known as Project Palmetto multi-county park in conjunction with Abbeville County, South Carolina. Such industrial business park shall be geographically located in Abbeville County, South Carolina to provide for a written agreement with Abbeville County as to the sharing of the revenue and expenses of the park, to provide for distribution of revenues from the park among tax and entities having jurisdiction over the park, provide a user fee in lieu of, ad valorem taxation and other matters related thereto. Mr. Cunningham.

MICHAEL CUNNINGHAM: Mr. Chairman, this ordinance on third reading is appropriate for your consideration. I believe the only other issue is that at the last -- the second reading there was some conversations about strengthening a particular section of the ordinance relating to the clear -- clearly defining the county's expense in this multi-county industrial park versus Abbeville County's. And I believe Mr. Waldrep spoke with the attorneys handling this matter and he has the revision that has been suggested before you.

BOB WALDREP: Thank you, Mr. Chairman. I had an opportunity to speak with Mr. Galloway who is -- I believe it's Mr. Galloway who prepares these resolutions and ordinances for the council. And I think the question before the council at last meeting was whether or not Anderson County would be liable to lawsuits and claims, liabilities. In speaking with Mr. Galloway, he said he was pleased to add additional language that would exculpate Anderson County from any kind of claims for liability. And he added that language into the statute. We've been -- one thing I was going to say, we've been doing these for -- ever since I've been on council and I think a long time before. This doesn't do any violence to the resolution that we have. And I think I put a copy out for everybody to look at. It just adds the language in there that Anderson County will not be liable for any claims, any additional claims, for anything that occurs on the property, which is located in Abbeville.

EDDIE MOORE: Any other discussion?

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I agree with Mr. Waldrep but I also would like to just ask, one of the other questions was, because it seems so good why do we want to do this, and I think one of our speakers a while ago, Mr. Powell, sort of said that, in checking on that, it's just a state thing. It makes it -- helps Abbeville out and don't hurt us. We do the same thing, I think, sometimes with Greenville. It's just a fine thing.

EDDIE MOORE: Anyone else? All right. We'll now go to the public hearing portion of this. Anyone?

MICHAEL CUNNINGHAM: Mr. Chair, I believe the public hearing was held on second reading.

EDDIE MOORE: I didn't know if anybody else had anything else to say about it or not.

MICHAEL CUNNINGHAM: ... is move to amend to reflect the new wording in section 5. What you'll vote on is the amended -- or the amended wording in Section 5.

BOB WALDREP: My motion is to amend to add the language which was added to your packet there which specifically protects the claim of the County of Anderson from any claims to liability.

RON WILSON: Second.

EDDIE MOORE: We have a motion to amend and we have a second. Any discussion? We'll now vote. All in favor of the amendment. Unanimous. Amendment passes.

BOB WALDREP: I would move for the passage of the ordinance in its amended form.

TOMMY DUNN: Second.

EDDIE MOORE: We have a motion to approve the third reading of the ordinance. We have a second. Any discussion? All in favor raise your right hand. So moved. Unanimous. We now to go Item 8, the ordinance's first reading, 2009-001, an ordinance to provide for the creation of the Cater Glen special tax district to establish the nature of services to be performed therein, to designate the uniform service charge in the Cater Glen special tax district to provide for the operation of the Cedar Glen special tax district and other matters related therein. Mr. Tom Allen.

TOM ALLEN: Mr. Chairman, thank you. Cedar Glen subdivision has had a problem since their development out there with the roads, which are crumbling and falling apart at this time. They're

kinda stuck between a rock and a hard spot. It's been a very convoluted affair out there. I think one of the early speakers tonight mentioned that. Some individuals have passed away and estates have been moved on. And it's really been almost impossible to nail down who the actual responsible party was out there. And those folks have worked very, very, very hard to try and do that, I know. So what has come up is their best option right now appears to be a special tax district and they do have -- the signatures have been in place, seventy-five percent of the property owners and seventy-five percent of the value of the property out there. Those individuals have signed. I believe also a quit claim deed has also been signed to turn those roads over to the county once the county goes in and repaves them. So that's where it stands right now. I don't know if Mr. Hopkins or Mr. Cunningham, if I may refer to Mr. Hopkins over there. Thank you, sir. Is there anything you can add to that -- I know you folks are going to be doing the work out there.

HOLT HOPKINS: Well, I would like to just clarify one thing. They haven't signed a quit claim deed yet.

TOM ALLEN: Oh, they haven't? Okay.

HOLT HOPKINS: But every party that we could identify that had touched ownership of that subdivision did sign an agreement that they would turn the roads over once this work is done and county council is willing to accept them into the county system.

TOM ALLEN: All right. Thank you. That's all I have, Mr. Chair.

EDDIE MOORE: Any other discussion on this?

GRACIE FLOYD: Mr. Chair. Yes. Mr. Holt, now the thing that's gonna happen is that these people will become a special tax district?

HOLT HOPKINS: That's correct.

GRACIE FLOYD: Okay. A special tax district is one that will pay a little more taxes than others to have something done within their community?

HOLT HOPKINS: Yes, ma'am. It's utilized for various reasons.

GRACIE FLOYD: Various reasons. Okay.

HOLT HOPKINS: But this particular reason is to improve the roads to meet county standards.

GRACIE FLOYD: Okay. Now we're going to

-- we, the council -- the county, will do the work for them as a special tax entity. After that has been done then we will vote, council will vote, to take their roads into the county road system?

HOLT HOPKINS: Yes, ma'am.

GRACIE FLOYD: Which cannot be done until the roads are brought up to par?

HOLT HOPKINS: Correct.

GRACIE FLOYD: Good. I just want to make sure everybody understands. Okay.

EDDIE MOORE: Any other discussion?

TOM ALLEN: I have no other discussion.

TOMMY DUNN: Mr. Chairman. I would just like to point out, there will be a public hearing next meeting, I believe, on second reading on this and we can get discussion.

EDDIE MOORE: Second meeting will be the public hearing. Any discussion? Anymore further discussion? Do I have a motion to move?

BOB WALDREP: So moved.

EDDIE MOORE: I have a second. I have a motion to move this to the second reading and a second.

CINDY WILSON: Yes. And I just wanted to point out, if there's any other information that the citizens have or whatever, it would be very helpful for it to be available to us at second reading. I heard the lady's plea and I think we may have to do a little more homework. But I will agree to go forward with that tonight.

EDDIE MOORE: Mr. Allen, has everybody out there been notified about it?

TOM ALLEN: Yes. Everyone has been notified.

CINDY WILSON: Thank you.

EDDIE MOORE: I guess we're ready for the vote then. All in favor, raise your right hand. Unanimous. So it'll move on to the second reading. We'll now go to Item number 9 on the agenda.

CINDY WILSON: Mr. Chairman, that has been revised. Would the folks from the Cheddar Community, please come forward to bring us up to date. Thank you.

STEVEN CHAPMAN: Good evening. I am Steven Chapman. I live at 106 Ellison Circle in Belton. I'm a member of Cindy Wilson's district seven, and I am here on behalf of the community of Cheddar to bring y'all up to date on what's going on. When I say we, I do speak on behalf of the community. And before I start reading I want to make a little disclaimer, since

I have been personally threatened twice by members during this thing of slanderous lawsuits that these, what I'm about to read, is our feelings on this subject and not meant in anyway to slander anyone's character. I also have some photographs for y'all to be looking over while I'm discussing this. There's some information on the back. Ethanol issues in the Cheddar Community of Belton, South Carolina. In 2007 a rezoning request came before the citizens' advisory board, district seven, Anderson County, which is in the area where I live. Application for the rezoning request was filed by Mr. Steven Kay and was listed as Lewis Road. I have a copy of this request in my file. The property to be rezoned was residential and the request was to change it to industrial. Our community didn't know of this request until after rezoning had taken place. I later found that when using Anderson County's ACPASS public website, [www.andersoncountysc.org](http://www.andersoncountysc.org), under the property tab the people who actually lived on Lewis Drive were not listed in Mr. Kay's application. It stated Lewis Road. I finally typed in Lewis by itself and found that some who lived on the correct Lewis Drive where the facility is being constructed were listed as Lewis Street, Lewis Drive and Lewis Road. And we may have not received notice due to the information being wrong. A couple of people said that they saw the change request sign, but when they later looked for it, it was gone. I hear there has been a problem in other areas with these signs becoming removed for the benefit of those requesting the rezoning. And since we later found that the railroad had paid for the rezoning request. It could very well be that they were removed to keep us from seeing them. Most who attended our community meetings said that they did not receive notification. There's also Lewis Circle in Belton, which would make it even more confusion. Our citizens' advisory representative from our area said that during the rezoning hearing she asked Mr. Kay what his plans were for the property if it were rezoned and was told that there were no plans. He later said that if anything maybe warehouses. Amy Plummer told the citizens during a meeting at Cedar Grove School that she paid for the application for the railroad but kept her name out of it for development reasons. This tells me that we were truly underhandedly railroaded, so to speak. And again, this is our feelings, this is our opinions. The rezoning request passed the citizens advisory board as

there was no opposition at the hearing. It also passed county council readings. And we the citizens of the area feel like we were the victims of improper representation for our area representative was not given adequate information, was constantly left out of the meetings and the decision of the former council. Bill McAbee, district four, was directly involved with the land development purchase and et cetera for the ethanol facility. He therefore recused himself during the voting process. It is felt that even though he had no part of the voting it is and was a direct conflict of interest and he has the opportunity of persuading the vote to install such a facility. We have also heard that he and Amy Plummer received a large sum of money for the ethanol deal and heard that Amy commended that she doesn't work for free. Perhaps this is why they stood on railroad tracks laughing at some of the members of the community on a couple of occasions. And they are here if you want to speak with them about how they were treated. Amy Plummer presented herself to the community at several meetings at the Cheddar Fire Department as being a representative for Lincoln Oil and the next breath that she represented the railroad. In truth, she's a realtor with her license being listed under Allison Properties, 2315 North Main Street, Anderson, under the Peerless Economic Group. During these meetings Ms. Plummer belittled citizens, made threats to citizens and our county representative Ms. Wilson, which was witnessed by a large number of community citizens. She became very defensive when citizens asked questions and falsely represented herself in our community as wanting to buy up property from neighbors by tricking them into selling their development of the railroad to an ethanol facility. Although the property is rezoned residential agricultural, but she has commented that the railroad can use property for the right-of-ways as they see fit. This may be why the railroad has placed markers exceeding seven, eight feet on private land owned by Mr. Epps, who is here by the way, and I invite y'all to speak with him, on Lewis Drive and told Mrs. Jennings to move her fence as they were going to use the property for a fence and another track. Mr. Jim Farish, owner of Lincoln Oil, also made a comment to this effect. And we have video of this also from a meeting at Cedar Grove Elementary. Mr. Epps and the surrounding property owners are very upset. They feel that they have been paying taxes on land for years and

it is theirs. And I must say, we looked at the tax map and it shows pins to the center of the railroad track. So they paid taxes on all that property up to the center of the railroad track. According to research that I did myself, the railroad only owns what they bought and was granted to them years ago and can't take private property without compensation unless property owners don't do anything and let them get away with it. This is called acquiescement. And it says just to conform. That means if they let them do it, then legally they have the right to do it. They can take what they want if you let them have it. But the community, we would like you, as representatives for us, to consider this as a formal request from all neighbors to have this investigated and stopped if they are infringing on our property as listed on our tax maps as recorded. These neighbors are also very upset that a huge drainage culvert has been placed under the railroad that has diverted runoff causing flooding on property as well as evidence of the last rain storm. I also have some photographs of that also I'd like to pass around. Mr. Jim Farish of Lincoln Oil purchased the house on the corner of Ellison Circle and Lewis Drive under the name B & B Properties. This property is still zoned as residential agricultural. If you look at the photos you'll see how much of that yard is actually being used right now by the companies. But part of the ...

END OF TAPE 2, SIDE 2

STEVEN CHAPMAN: ... house that Mr. Farish purchased says that there were 153 feet of road frontage on Lewis Drive. I believe some of the new council members and Mr. Hopkins and Mr. Cunningham witnessed that when measured 153 feet ends in the middle of the spur line. How can it be owned by the railroad and by Mr. Farish. This is the same property that Mrs. Plummer pestered the people into selling saying that they could just ride the train to work. We have statements from those witnesses, and they would be glad to speak. Another issue in the installation of this ethanol facility was in the closing of Lewis Drive. I have a letter that was sent to Senator Billy O'Dell from Attorney General Henry McMaster as an answer to his question regarding the closure of this road. Mr. McMaster specifically advised Senator O'Dell that South Carolina Code of Laws, 57-9-10 and 20 should be followed to keep the residents of the area from later suing the county. In researching this matter, it

is very obvious that these laws were not followed. We also have extensive news articles that pretty much sum up this issue. The road is presently closed, causing emergency vehicles, school buses and et cetera to be rerouted. Apparently not much though was given into the closing of this road as it has affected approximately sixty homes. Children can no longer board the bus for school and there is no turn-around. As a result, Nancy Hicks at 529 Lewis Drive has been contacted on numerous occasions by the county transportation department requesting that she donate part of her land for a turn-around. She is infuriated by this and suffered severe emotional trauma as a result, having been hospitalized on one occasion and as a result of this, the fact that strange people are roaming and turning around in her land, this needs to stop. There has also been talk of eighteen wheelers being allowed to use this road to and from the unloading blending facility. We as neighbors feel that it should not be allowed to happen as it can only add more danger to an already dangerous situation as the children now have to walk along the way to the bus stops. There are a lot of negatives regarding the road closure. According to Amy Plummer it was necessary due to the fact that cars of ethanol will be sitting on the tracks for long periods of time. She told people that ethanol was no more dangerous than a bowl of Jack Daniels. My concern in regard to these cars sitting long periods of time is that they are extremely volatile, especially when empty only containing vapors and are within extremely close vicinity of many homes and a flashpoint for ethanol being so low. In addition there are approximately 11 other rail crossings that will have to be upgraded due to the many cars of ethanol that will be on the tracks at one time. None of the crossings have crossing lights, arms or any other safety precautionary equipment. The majority of these tracks run through rural low-lying areas where visibility is often affected by fog, a train with no lights or reflectors on the sides just can't be seen, visibly is poor and it's hard to detect black rail cars in the fog and dark. Some of the crossings we will likely have traffic backups in more rural areas. DHEC issued storm water permits to the ethanol facility after meeting with the community to address concerns. DHEC's main concern was air quality. They related to the fact that the building construction of the facility fell under the National Building Codes and was already



stressed to the citizens by Anderson County Fire Marshall Billy Gibson. Gibson told the community that ethanol is not yet regulated and that it would possibly take years to do so. Gibson wrote a letter to our county administrator, Joey Preston, advising that he informed county council members to hold off before approving the fee in lieu of road closing until further studies could be done regarding dealing with the fire and emergency aspects related to ethanol. Our county representative Cindy Wilson and Bob Waldrep never received their copy of the letter. So how could our area be adequately represented in the matter? When DHEC was initially contacted they had no idea about the three unloading stations that were being used -- were in use. It was interested to find that there were no tank permits listed on any of the given locations and DHEC was unaware of the locations of storage. One of these locations has since been closed. Terry King who is the HAZMAT coordinator for Anderson County told the community during a meeting at Cedar Grove school the laws to regulate ethanol were not yet in place and that we would have to do a lot of work to protect the people of the community. County Fire Marshall Billy Gibson agreed as the water lines were not sufficient in the area, there are no hydrants, and the closest special type foam that won't cook off in the ethanol fire is forty-five minutes to an hour away at Greenville-Spartanburg Airport. The sad part of everything is that we are hardworking people who settled in this quiet rural neighborhood thinking that it would be a great place to live and raise our children. Now our dreams are being crushed by the impact of placing this facility basically in our backdoor. Ethanol is volatile and presents true danger. In very close vicinity of the facility is a welding shop. Suppose there was a leak of high concentrated -- concentrations of fumes or suppose I was burning brush in my backyard, which is right next to an unloading facility, and a leak occurred. I might not survive. But I can tell you right now, I wouldn't want to be the county or the ones who pushed underhanded, railroaded this facility into place. As an additional fact, I also find it suspiciously interesting that the McNair Law Firm of Greenville, South Carolina who represents Anderson County, also represents Lincoln Oil and the railroad in this matter. It is also very interesting that O'Dell Oil Company purchased a large section of land the opposite side of the tank farm in Belton. Mr. Farish

and Brian O'Dell are listed as heads on the National Ethanol Council. The O'Dell site runs along the tracks also. Mr. O'Dell has plans to relocate his office and operations to this property located off Highway 20 in Belton, South Carolina on Sherard Road. It appears that the ethanol facility has been in the making for a long while. If you really want to see what our residential neighborhood looks like, please come and take a look around. If you want to see what we have to look forward to, take a look at all the tank cars already being unloaded in Honea Path near Goodwin Conveyor. On this past Sunday they were 7/10th of a mile on one section of a track and 4/10th of a mile on another section. We are asking the new council to take a close look at our situation and have it investigated, as we feel the former council and cohorts took stabs at our civil rights. We have contacted an attorney for review and are awaiting meeting with them to decide which direction to take. We as taxpayers know that if we file a lawsuit against the county, we will be the ones to ultimately pay for it. This is the main reason that we are begging you all to keep us from having to take this action. We feel that the community owes a -- we feel that the county owes us a resolution in the matter and feel that the ones to have to pay for it should be the Greenville and Western Railroad, Lincoln Oil, Bill McAbee, Amy Plummer, and others associated in bringing such detriment to our neighborhood and lives. And as you've seen from some of the photographs we've passed around, and I want to also pass this around, this is some of the tax maps. I want y'all to take a look at it. We have some of these people here today who are having verbal altercations with railroad workers where they're coming out telling people who's had fences here for years, telling them, you've gotta move your fences. We've got -- they closed the road and are diverting traffic through another man's yard. They're wanting to land-lock one woman's house. If I come onto your property you pay taxes on and told you, I'm putting something here, you gotta move your fence, how good would it go over with you? This could turn into a very bad situation where people are trying to tell people who owns what and who don't own what, and they've been told so many different stories in this community, that the railroad shares the right-of-way with Duke Power. Come back and tell us what the true right-of-ways are. These do not make for good neighbors and this does not make for a good situation

when you try to take another man's land. The members of the community, if you would, please stand up, those that are still left with us here. Mr. Epps, would you please raise your hand. I'd advise y'all to speak with some of these people. This does not represent good actions. This is not a good way to treat a community or the taxpayers. We've been silent long enough. We've come, we've begged, we've pleaded, we've played nice. Now we ask that y'all do something about it before we have to take legal representations and legal actions. And we're asking that the new council have open eyes. Whereas before we've come and talked, we've seen heads tossed, eyes roll, sidebar conversations, little meetings being talked about, looks passed back and forth. We want to be taken seriously and not disregarded in the past as we have been. And I think it's time for that to happen. I'd like for y'all to look at these.

EDDIE MOORE: Thank you. I appreciate that. I'm being a little lenient with y'all because we went over there the other Saturday and looked at that situation and I'm being a little lenient and let y'all speak because I can -- my heart goes out to you. We walked over there for a good while and met most of you. And it's just -- it's an awful situation. And I want to ask one question, Mr. Cunningham, did you do anything as far as have you pursued anything on the road that we talked about?

MICHAEL CUNNINGHAM: Yes, sir. As I mentioned -- first of all let me make this statement, that I believe McNair indicated all the way through this process that they couldn't represent us on this particular matter and didn't. When it came down after I was out there as well, what I said I would do would be to find another attorney or another group to look into this matter. I'm prepared to do that. I actually have a meeting with them on tomorrow to look at all the issues surrounding this and to investigate it further. And so we're ready to do that. I think we continue to get phone calls with issues and concerns out there and we're addressing them. I think we had one today about some trucks coming in and out. And we went out there and taken care of. And we'll continue to do that. And I stand ready to engage the group of guys or the firm that I had looked into to further investigate this matter, and it is not McNair.

CINDY WILSON: Mr. Chairman, may I?

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: My request had been, I guess about a week, week and a half ago, that we discuss that and that Mr. Cunningham discuss it with us. And in the interim he evidently had engaged an attorney, but we still have not had the opportunity to talk with this group. Personally I think that -- in fact my resolution for tonight, we were hoping to have two other law firms in addition to the one that Mr. Cunningham was going to present to us, to review the information and to consider. And his backup didn't make it into the agenda packet with this item and the other two firms that we had heard about, because of the holiday, weren't able to get their information to us as well. So I'm going to request that any meeting that Mr. Cunningham might have, I certainly think I need to attend and maybe a representative for the neighborhood. And we withhold engaging a firm until we review a little bit more and perhaps be prepared to vote on special investigative council at the next meeting. What are y'all's thoughts?

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I'd just like to say I think Mr. Cunningham has worked since he's been in charge on this, you know, went out there and met the other Saturday. I think I'm the one that brought it up at the last regular council meeting, if he would to see would the staff check on the road, the muddiness of the road and the storm water runoff and stuff. And it was done. We went out there the other Saturday with Mr. Hopkins and Mr. Cunningham. And it is a problem. But I suggest -- and at that time Mr. Cunningham and Mr. Hopkins said there was some issues about the thing. Said they was going to be engaged trying to find some attorneys. This is one of these deals any law firm just don't want to handle this and specialize in it. I think Mr. Cunningham should be given the opportunity to proceed on like he's doing. I talked to him before the meeting about this particular situation and let him get it. Ms. Wilson, by all means, I think you would be more than welcome. It's your district and I think any of the rest of us. But I think we need to have some conversation with attorneys first before we go out here and just -- see where our legal standing is. And I want to help these people all we can. I wish -- I missed saying this, but I feel obligated to say it. I wish we had took a little bit more of this on the Three and Twenty situation a while ago too. And I'll yield

the floor.

GRACIE FLOYD: Mr. Chair.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Thank you. I agree with Mr. Dunn. But I'm concerned about one little thing. How many attorneys are we gonna have?

EDDIE MOORE: I guess that's up to Mr. Cunningham.

GRACIE FLOYD: No. It's up to us. We're supposed to do this. But you know, I'm, I'm just concerned that we have -- we've mentioned two or three attorneys tonight, getting some more attorneys. And we already have, what, two or three almost on. So my question is, you know, I understand we have to look at this and I agree with that wholeheartedly. If there are some improprieties, we need to know. We need to know. As well as Mr. Preston's contract, we're gonna need an attorney for that. And on this thing coming up with Mr. Cunningham's contract, we're gonna need an attorney for that. But you know, we're just gonna be attorneyed out. In the past ---

CINDY WILSON: Mr. Chairman, may I?

GRACIE FLOYD: Excuse me. I'm not finished.

CINDY WILSON: May I speak, Mr. Chairman?

EDDIE MOORE: Ms. Floyd still has the floor.

CINDY WILSON: I'm sorry.

GRACIE FLOYD: You know, in the past we have had these large attorney bills as well. But my question is, I just wanna know, just how many more attorney we have. And Mr. Chairman, I asked you one time before at another meeting, are we having participatory now from the audience? If we are, I'd like to know, please, so I can contact my constituents and have them come up to participate as well.

EDDIE MOORE: Ms. Floyd, it is my discretion in this issue and those people, I walked over there, you didn't, and Mr. Dunn did, and I feel for them and it's at my discretion if I want audience participation and I thought that was well justified and I will do it whenever I think it's well justified.

GRACIE FLOYD: Mr. Chairman, I agree with you on that, on that issue, you're talking about. I too thought it was well for these people to speak. I have no problems with that. But I think you know what I'm talking about. And I thank you.

EDDIE MOORE: Thank you, Ms. Floyd. Ms.

Wilson.

CINDY WILSON: Thank you. My question, I think Mr. Cunningham may have gotten a call from a lady in that neighborhood today. She called earlier. And the road that was supposed to have been closed and there wasn't supposed to be mud on the road, the companies are now opening it back up and using it, even though they were closed off. And as for the attorney, what time is the meeting tomorrow?

MICHAEL CUNNINGHAM: I expect to be with them at two o'clock tomorrow afternoon.

CINDY WILSON: Okay. And where would that meeting be?

MICHAEL CUNNINGHAM: Be right here.

CINDY WILSON: All right. I'll be here.

EDDIE MOORE: Mr. Wilson.

RON WILSON: I just have a question. Well, first of all, let me make a comment. If the hiring of the attorneys was up to Mr. Cunningham I wouldn't be worried about Three and Twenty. But that clearly is not the case. But let me say something here. We voted to close the road. What is the next step? Doesn't that go before a judge?

ADAM ARTIGLIERE: Mr. Wilson.

CINDY WILSON: It was supposed to have, but it never went to a judicial closing. I called and checked on the docket every week for a while. And it never did. So there's a question ---

EDDIE MOORE: If I may interrupt for a minute. Mr. Cunningham, on the back in some of the information we got, it was kinda -- we were missing some information. Can you maybe enlighten us on that a little bit?

MICHAEL CUNNINGHAM: Yeah. One other thing, I think -- and I'll certainly make the apology. I included a memo with some backup information in the agenda packet to go with the resolution and it ended up in the administrator's report. So that -- it's in there. It just wasn't placed with the resolution. So I'll certainly apologize for that. But what you have in that administrator's report is kind of a list of the things that took place. And the thing that has not happened yet is the official judicial abandonment. The council votes, the next step in the process is the judge officially do the judicial abandonment and to our records, well, we haven't found where that has taken place.

RON WILSON: Mr. Chairman.

MICHAEL CUNNINGHAM: That was gonna be one of the topics.

EDDIE MOORE: Mr. Wilson.

RON WILSON: My point is, and my question, is if the judge -- is this -- where is this judge that's supposed to be hearing this? Is it here?

EDDIE MOORE: It goes to the Master in Equity; isn't that the way it works? And the road was not properly closed. You're supposed to go to the Master in Equity and you're supposed to go through procedure. The procedure was not followed by Anderson County or whoever closed the road.

RON WILSON: Well, if we voted to close it, how come we can't vote to uncloze it since the judge hasn't acted?

EDDIE MOORE: That's right.

RON WILSON: I mean, that's my question.

ADAM ARTIGLIERE: Mr. Wilson.

EDDIE MOORE: I mean, I'm not an attorney.

TOMMY DUNN: Mr. Chairman. Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I would think this is one thing Mr. Cunningham and I hope Ms. Wilson meets with the attorney about. I wouldn't want to think we would want to jump the gun and do -- I want to help these people. We just need some -- we need some legal advice. And I think also, I agree wholeheartedly with council lady from district two about our attorneys. But she named three or four or thought three or four. I think she found out we probably got ten or twelve and sometime -- on different cases. But on this particular thing here, I think you want an attorney that's gonna be having some road closure experience and railroad experience and some other things. I trust Mr. Cunningham in talking to him he was gonna research it and get one with some experience on this. And Mr. Chairman, if you would, I'd like -- I think the attorney over there would like to put a comment in. I'd like to yield the floor to him, if I could, Mr. Chairman.

ADAM ARTIGLIERE: Mr. Chair, first of all I'd like to note that time has expired on the matter. But I'd also ---

TOMMY DUNN: Mr. Chairman.

ADAM ARTIGLIERE: Mr. Chair, if you would like ---

TOMMY DUNN: I'd just like -- I'd like to extend the time. I make a motion we extend the time if we need it, another ten minutes.

EDDIE MOORE: Okay. The motion is on the floor to extend ten minutes. Do I have a second? I have a second, Ms. Wilson. All in favor, raise your right hand. Unanimous.

ADAM ARTIGLIERE: Mr. Chair, generally speaking from a legal standpoint, what happens is that the county votes to consent to judicial abandonment. A road in Anderson County that is an Anderson County road is not abandoned, cannot be abandoned, until the judge tells you That it's abandoned. And the judge makes an order and gives an order. Typically under this type of a situation, the party that's seeking to close the road will file an action with the court and the consent to judicial abandonment, which is the action by county council will be presented as part of the formal action that's submitted and the court would take that under advisement and either close the road or not. And it's really not up to county council. It's up to the court.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I'd just like to ask the attorney, that should be the proper thing then in the same way the people that's asking for the road to be closed, they shouldn't go out and close the road neither till the judge issues the order then; is that correct? Just because county voted to, legal terms abandon or whatnot, I mean my understanding -- it's not my understanding, I was there and seen it, they've closed the roads.

ADAM ARTIGLIERE: The proper action from the county and the county's standpoint is the county is not closing the road, the county has consented to the judicial abandonment.

TOMMY DUNN: But I'm saying, the other party, third party, has closed the road. They shouldn't have closed the road till they got something from the judge neither; should they? I mean, didn't they jump ---

EDDIE MOORE: Master in Equity is ---

TOMMY DUNN: Yeah, Master of Equity. Wouldn't they have jumped the gun? I mean, the road's closed.

CINDY WILSON: That was part of the problem, if I may speak, Mr. Chairman. And the other part of the problem is there ---



EDDIE MOORE: Mr. Dunn still has the floor.

TOMMY DUNN: And I understand, Ms. Wilson. I'm just trying to get him -- I was out there with him walking and I just wanna -- I mean, the road's been closed by a third party. A set of train tracks is across it now.

ADAM ARTIGLIERE: Yes, sir, I understand. And I -- again, we didn't represent Anderson County in this particular matter. I was speaking generally as to bringing an action and the consent to judicial abandonment. Without, you know, the facts of this particular matter, I mean, you're telling me that they've closed the road and I could tell you that typically when these types of actions happen only the court would close the road in a typical situation where you have the -- it comes before county council for judicial abandonment of a road.

TOMMY DUNN: Thank you.

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: Very quickly. One of the other concerns is that apparently the county was supposed to have required a turn-around on both sides where it was closed. Unfortunately there's no turn-around so that the buses can't go through. Emergency vehicles can't get turned around. It's a real mess. And now our county department is going out trying to ask citizens to give up their land, their private land for turn-arounds. And most of them, because they have mortgages, probably wouldn't be allowed to anyway. They've lost value on their land or their home and they have mortgages on it. And I doubt that any of the banks would agree to allowing them to give the land.

EDDIE MOORE: Mr. Chapman, you was wanting to say something. I got back to you.

STEVEN CHAPMAN: Along with what Cindy was saying, as y'all seen yourself, the road did get closed without our right to due process I believe. We didn't get to go before the judge or the Master of Equity and they just closed -- they just went ahead and did what they wanted to anyway. But as far as that goes, we was talking about the buses, they are asking people for turn-around. But on the side where Ellison Circle is located, it doesn't matter if you put a turn-around on the other side of the railroad track. A bus will never travel down the side that has Ellison Circle ever again, by state law. By closing this road, the state law, according to the school administration board, we

talked to the board, transportation board, they said that a road has to be a certain length before the state will allow the bus to travel down it. And since they've closed that road that Lewis Drive and Ellison Circle no longer meets that length. By state law they cannot travel down that road. So even though there is a turn-around using Ellison Circle, state law prohibits, since this road has been closed, that a bus ever travel down that side again. So the children will from this day forward unless something is resolved, will always have to walk from Ellison Circle all the way to Sherard Road to catch a bus. Because when doing this no one thought about, as I come forward and said, you're gonna affect school buses and transportation, and Joe Pack spoke up, everybody sighed, rolled their eyes, threw their head back, and it was pushed under the rug and now as they see, state law -- you can't violate state law. And by closing this road, state law dictates that a bus no longer will travel down that side. It also dictates that the other side does meet the length requirement, but must have a turn-around or the bus cannot travel it either, ever.

EDDIE MOORE: I think the appropriate action would be now for Ms. Wilson and Mr. Cunningham to maybe talk about it with the attorney to see what we can do.

CINDY WILSON: Thank you, Mr. Chairman.

STEVEN CHAPMAN: Yes, ma'am, I just wanna thank y'all for y'all paying attention to this. As I said in the past, I'm not trying to blow smoke, I don't do that. But y'all have been more consideration with this situation, and have been more attentive than the past council and I just want to give you my personal thanks, along with the community's, for y'all actually coming out. The offer was extended before, but as far as I know no one actually came out. Y'all have come out and looked and y'all have been attentive and listened. Thank you from the bottom of our hearts.

APPLAUSE

EDDIE MOORE: Thank you, Mr. Chapman. At this time we're gonna take a short five minute break and we'll be right back and finish up.

BREAK

EDDIE MOORE: Item 9B has been taken off of the agenda so we're gonna go straight into Item 10 on the agenda which will be the report from the personnel legal review contracts inquiries and investigative committee. Mr. Waldrep.

BOB WALDREP: Mr. Chairman, I would ask that we allow, in this case, to combine Item 10 with Item 12, because I think there's really gonna be a duplication kind of overlapping of what I would be reporting to the council and recommending from the personnel committee meeting we had today at four o'clock. And so with that understanding I'll proceed. Members of council and members of the public, on November the 18th, 2007 (sic), the old Anderson County Council met. Its proceedings were recorded on a DVD and you have just witnessed some of that that Mr. Gibson presented. What it did was an unprecedented and totally unjustified act without prior notice, without debate and without any input from the taxpayers of Anderson County. And Anderson County Council gave Joey Preston over \$1,139 -- well, \$1,139,833.00. I say that again, because it's unbelievable. It gave Joey Preston over 1.1 million dollars. And to add insult to injury, it then gave him a county-owned vehicle, an SUV. And forget about this extravagance on Wall Street. This was a golden parachute if ever there was. I strongly objected, as did councilwoman Cindy Wilson, but our objections were rejected out of hand. Make no mistake about it, every single taxpayer in Anderson County, every one of us paid a portion of that more than 1.1 million dollar gift to Joey Preston. You paid him, I paid him, everybody paid him. And for what? He was not entitled to it, but he took it and he drove away in a vehicle that used to be owned by the taxpayers of Anderson County and is now his car. But he didn't drive far, because the old council hired him back as a consultant, I think, at about twenty thousand dollars for thirty days' worth. The very next thing the old council did was to vote to employ Michael Cunningham as the new county administrator and give him an employment contract that was very unfavorable to the county. Again, this was done without prior notice, without giving anyone a chance to comment, without giving anyone a chance to object, or an opportunity to do anything. This contract said that if Mr. Cunningham is terminated he receives three years' full salary and other benefits totaling over four hundred and fifty thousand dollars. Can anyone believe it? County administrators, like all county employees, and like ninety-nine percent of the people of Anderson County, should work on an at-will basis. No one should have an employment contract guaranteeing them a job or if fired giving them a golden parachute. I don't blame Mr.

Cunningham for accepting this very favorable contract. After all, who wouldn't? I blame the old county council and I blame those who rammed it down the throats of Cindy Wilson and me and indeed rammed it down the throats of the people of Anderson County. And I do not hesitate in naming them, for it's a matter of public record. Those members of the old county council who voted for it were of course, Mr. Greer, Mr. Thompson, Mr. McAbee, Mr. Wilson and Ms. Floyd. They should be ashamed for not looking after the best interests of the people of our great county. So the question becomes, what should we do? Legally the contract with Mr. Cunningham is not enforceable. It's null and void. An old county council in its last few days before a new council takes office cannot make an employment contract that will bind a new council. So I take exception to the question that was asked a moment ago, Mr. Artigliere, about the ability of council to bind a new council. On personnel matters of course we have proprietary contracts and those proprietary contracts that deal with matters such as purchasing vehicles or systems or things of that nature are distinctly different from these personnel type contracts. So this employment contract is not binding on us and because it was wrong for the old council to make it, I move that we reject it and declare it null and void. Now the second part of my motion is that we offer Mr. Cunningham the job of county administrator for Anderson County beginning immediately under a new contract that will provide the same salary of a hundred and twenty-five thousand dollars per year with similar leave, vacation, insurance, vehicle, benefits, et cetera, the same as the old one. The difference will be that this will be an at-will contract. And the golden parachute provision has been eliminated. From my observation, Mr. Cunningham is capable of doing a fine job as our new administrator and I hope that he will accept this new contract. And he's been provided a copy of the new contract. If he does, I look forward to working with him for the good of the county. And I so move.

TOMMY DUNN:

I second that motion.

EDDIE MOORE:

We have a second. Any

discussion?

BOB WALDREP:

Mr. Chairman, if I may? I did want to say that this is not a matter that's been entered into lightly or without time or deliberation. And I think that Mr. Cunningham will agree that we've

had numerous discussions and did not want to think that he was put immediately under the gun and he would be, it's my understanding, given a reasonable amount of time to accept or reject this offer being made in this particular matter with the new contract. And with that, I would ...

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: Just like to state at this time that this motion is an endorsement of the council for Mr. Cunningham's job. At no time did I or -- talking to the personnel committee talk about firing Mr. Cunningham. We want to work with him. I personally think he's done an outstanding job since he's took over. There are issues back there that people that -- that's come up he's handled people might not know. But we've got to come up with something. I strongly disagree with the past council's actions and the contract as far as one binding the other one over. It would be just as wrong with us coming up here and issuing a contract at the end of our term in two years or five years. That is wrong. And I hope and I pray that this will bring Anderson County back together and we can come to the conclusion on this and get on with our business. Thank you, Mr. Chairman.

EDDIE MOORE: Any other discussion?

RON WILSON: Mr. Chairman.

EDDIE MOORE: Mr. Wilson.

RON WILSON: Thank you, Mr. Chairman.

My thoughts here is that -- first of all, let me just a question. Is this something you've agreed to, Mr. Cunningham?

MICHAEL CUNNINGHAM: Mr. Chairman. No, sir, I think I've been given exactly seven days to consider it. So I've not agreed to it. But it was presented to me this afternoon in the personnel committee meeting, the official contract, so I've not consented to.

RON WILSON: Okay. Thank you. But what -- of course, I dis -- let me just say this. You know, I'm not complaining about this because, you know, this happened with the old council so now that it's happening to me, you know, it doesn't bother me. Everything we vote on tonight, it was handed to me when we walked in tonight. Those very same things, it was wrong when we did it. It's wrong with y'all doing it. That's my only comment about that. And you know, I don't really care how you feel about it. I mean, that's just ---

EDDIE MOORE: Y'all hold it down.

RON WILSON: -- if it's wrong when we did it, it's wrong when you do it. I don't think I'll vote for this because I want to leave it up to Mr. Cunningham. And if he wants to do it, then that's fine with me. But I'm not going to vote to force him to do something. And it seems to me that we've got all of these attorneys we're paying money to. I don't know whether this came from Mr. Wilkins or Judge Wilkins and his committee, if this is a recommendation, I don't know that. I'd prefer to have them tell us than somebody on this council. And so in that regard, that's why I'm going to be voting for it. And I would ask that as a question. Has the Wilkins Committee, which we're paying them five hundred bucks an hour, him, and more money, have they seen this and do they approve of it?

EDDIE MOORE: They do.

BOB WALDREP: Mr. Chairman, if I may respond to Mr. Wilson's questions. Mr. Wilkins has spent sometime on this issue and was -- wholehearted endorsed this movement based on his understanding of the law. Now, I'm not going to tell you what the law is or even attempt to. You would certainly be free to talk to Mr. Wilkins because I would not want anything to get lost in translation in some way. But Mr. Wilkins was in attendance today when we had a meeting with Mr. Cunningham and express, I think -- we had a good give and take session in there. And I just wanna say this, Mr. Wilson, we praise Mr. Cunningham for his good character and his ability and we think he will be a major asset, you know, to Anderson County, but not under your contract. So that's why we feel like that this is a fair contract to Mr. Cunningham and will give him a chance to get together with us and for us to work together. And as Mr. Dunn said, we can move on from this, because I think this is a focal point, right now, that we need to get behind us and move on in this county. And we've looked and struggled to find a golden mean here. Not everybody gets everything they want all the time. And this is probably gonna be unpopular with a lot of people that are my friends and probably gonna be unpopular with a lot of people that are your friends, Mr. Wilson, I don't know. But popularity is not the issue. In the words of the former chairman of this council, we got this job and we gotta do it. So that what we're gonna be doing this time. So thank you.

GRACIE FLOYD: Mr. Chairman.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Thank you. I have two questions. Number one, you are saying here that you want to offer him an open-ended contract which means that you can fire him at anytime you want to?

EDDIE MOORE: No, ma'am, there's a process on that. We have not said we wanted to fire him.

GRACIE FLOYD: Number two, if he does not accept this contract, then where do we go from there? What will be do then?

EDDIE MOORE: We'll have to discuss that when he does that. He hasn't done that yet.

TOMMY DUNN: Mr. Chairman.

EDDIE MOORE: Mr. Dunn.

TOMMY DUNN: I would just like to clear up one thing. And as I expressed to Mr. Cunningham today and whether you believe it or not, state the facts. This is no way, shape or form, on my vote and the other council members, is this a way to go in the back door to get rid of Mr. Cunningham. If it was, I told him, we wouldn't be having this conversation today. I think this is just something that needs to be done, like I stated before, and I think this is something that can bring the county together and we can move on.

BOB WALDREP: I call for the question.

EDDIE MOORE: I would like to make, if you'll let me, make one ---

BOB WALDREP: All right. I withdraw.

EDDIE MOORE: I'd like to make one comment. Over the past few weeks we have been talking to Mr. Cunningham. He and I sat out there and talked right on the side street out here, and I think it's genuine that we really would like for you to stay. We like you as a person. We like your character. But we just didn't like the way this contract was handled. And you asked us to give you a chance and we're asking you to give us a chance. That's it.

BOB WALDREP: Okay. Mr. Cunningham, I would think if you care to say anything at this time, you're certainly free to express yourself.

MICHAEL CUNNINGHAM: Well, I guess I'll start right here, which is, one, I did meet with you individually and ask for an opportunity to do this job. And I was honest with you about my desire to do so, and I was honest with you about my desire to move forward.

And I think everyone was open and honest with me when I met with them. Some of them -- some of you expressed that, well, that was good and it sounded good, and I believe you mentioned that there had to be a little pain involved in order for us to be able to move forward, in one of our conversations. And I took that and I understood that. I do want to do this job and I do want to do a really good job at it. And it's something that, as I told you and Mr. Dunn and Mr. Moore and Judge Wilkins and the gentleman that was with him, that I will take the information you've given me and I will certainly take some time to -- you said I could consider it or pray about it, if that's what I do, and that's certainly what I'll do. And I intend to do that. And I'll ask for everyone involved to give me and you and all that time to try to do that and to look over it and whatever decision I make, understand that it won't be entered into lightly. And you know, I think there's been some interesting things said tonight. Certainly one of which is being that the contract that I have now was not valid. And so in listening to that, I'm not sure that if any decision I make will make any particular difference. If I accept an at-will contract and the contract I have now was not valid, in my mind it's the same thing. However, I will take all this into consideration. And I have the contract that you've provided for me and I will take some time to look over that and get somebody else to look over it as well to see what it means. And I believe I have until next Tuesday to come to some decision about all that. And I will certainly take some time to do that and to get back with each of you. I'll respond in writing to each of you about my decision within that time frame. Thank you.

BOB WALDREP: Thank you.

GRACIE FLOYD: Mr. Chairman.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Thank you. I'd like to know this, he has seven days to make his decision. At the end of the seven days he's gonna meet with you again, am I correct? All right. At that time he's gonna give you his answer. Of course, there will be no problem if he agrees. But if he doesn't agree, this will still have to come back before council, am I correct? Thank you.

BOB WALDREP: Well, Mr. Chairman, one thing I wanted to mention is that this is a pretty complicated kind of situation when you deal with an



administrator. Administrators are kind of special people in the sense that you have to go through what the South Carolina Code requires and that is you have to have a public hearing on that particular issue. And the administrator is afforded that opportunity if he so requests it. So having said that, I didn't want to -- and everything is stayed. In other words, he remains where he is until that determination is made. So it's not like it's a quick process.

EDDIE MOORE: Any other discussion?  
We'll take the vote. All in favor, raise your right hand. All opposed. Let it be shown that Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep and Ms. Wilson voted in the affirmative. Let it be shown that Ms. Floyd and Mr. Wilson voted in the negative. It carried. We will now go to the next item on the agenda which will be from the County financial inquiries and investigation audit committee, Item number 11. Chairman Tom Allen.

TOM ALLEN: Thank you, Mr. Chairman.  
As you know back on January 9th we had a called meeting of the finance investigative and audit committee and it was announced at that time that Mr. Robert Daniels would be conducting an investigative audit for the county council. The purpose of that meeting was to set the parameters for the audit. And as Mr. Daniels stated at that meeting, it would be cost prohibitive to do one of these penny-in, penny-out audits and he mentioned a tremendous number of like twenty-five million dollars, a rumor which got started very quickly. But that is absolutely not the case. It's not going to cost that much because we did put parameters on this study. Instead what Mr. Daniels is gonna be doing, he's gonna be looking at approximately twelve to fourteen different major areas of activity with ...

END OF TAPE 3, SIDE 1

TOM ALLEN: ... the past five years.  
Now if there aren't records available back that far, he'll take what he can get. If he finds something that looks a little -- a little misstep or off cue back five years, he'll continue on back further than that doing his investigative audit. Mr. Daniels is, I think a lot of you know, very knowledgeable in this arena. And twenty-five years ago, as a matter of fact, he helped set up the computerized finance program here for the county. So he knows what he's looking for and he knows what to do and he'll be very effective and very efficient. And to date he has mentioned to me that the

county has been very cooperative with him. Mr. Cunningham, thank you, you've been very cooperative also. They've helped him out in every way possible. Now I want him to have time to conduct this investigation. And you know, a lot of people want bits and pieces of information and I really don't wanna do that. I wanna give him the time to do what he knows how to do and present us with a really good report at the end of it all. Some have asked, why are we doing this audit when we have a clean audit every year as was just presented this evening? And Mr. Finney does a great job, that firm does a good job, at what they do, at what they're supposed to do. But what Mr. Daniels is doing is going further in depth than what this audit -- annual audit normally does. And that's why we're gonna have one. Another thing to keep in mind just very briefly when people ask, oh, why you gonna do an audit? We always get a clean audit. Well, just remember that six months ago, seven months ago, Fannie Mae, Freddie Mack, a number of big banks and Wall Street all had great audits. So did the major auto manufacturers. And now look where we're at. I'm not saying there's anything wrong. But I want to be certain that we are on solid footing here. And I wanna give Mr. Daniels his chance to find whatever he can and present a good report to us. And that's all I have, Mr. Chairman.

EDDIE MOORE: Do we have any discussions?  
Mr. Wilson.

RON WILSON: I just have a question. If it's not gonna cost twenty-five million, what is the estimate?

TOM ALLEN: The estimate on that, it's not even an estimate, it's ninety-five dollars an hour. And I don't have a crystal ball to tell you how many hours it may take. But he's kind of guesstimating it will probably be less than -- I even hate to put a number on this because somebody will hang me for it. But should be probably less than six months if he's gonna find anything.

RON WILSON: So dollar-wise in six months?

TOM ALLEN: If you take the average worker in the county, what is it, two thousand eighty hours, I know it's calculated. Okay. So let's cut that in half and put him down to a thousand forth hours at ninety-five dollars, whatever that adds up to, multiplies to. Ball park. Very, very ball park.

Watch this get misconstrued tomorrow.

EDDIE MOORE: It's not gonna be twenty-five million. That I can assure you.

TOM ALLEN: It won't be twenty-five million, no.

BOB WALDREP: Twenty-four.

TOM ALLEN: Twenty-four nine, somewhere in that neighborhood. That will be printed tomorrow.

EDDIE MOORE: Any other discussion? If not, we'll move down to the next item which will be the meeting dates. And basically what we'll be doing, the meetings is the first and third Tuesdays of each month. I'm not gonna run down all the dates. But it's in your -- everybody has it here. It's basically the first and third of each month. Any discussion about the meetings? If not ---

TOMMY DUNN: You need a motion, Mr. Chairman, or are you fine?

EDDIE MOORE: I need a motion to -- for these dates, yes.

TOMMY DUNN: I make a motion we approve the dates that was submitted to us for our meetings.

CINDY WILSON: Second.

EDDIE MOORE: We have a motion to approve the meeting dates and we have a second. Any discussion? If not we'll proceed to vote. All in favor, raise your right hand. Unanimous. So the meeting dates will be the first and third for the rest of the year. And with that ---

BOB WALDREP: Mr. Chairman, one thing I didn't know whether I had forgotten or not, but about the -- are we in the second meeting or the third meeting now?

EDDIE MOORE: We are. And I'm gonna ---

BOB WALDREP: Actually the second meeting?

EDDIE MOORE: Right. This is actually the second meeting.

BOB WALDREP: Well, we're just fortunate to have as many meetings as we do.

EDDIE MOORE: Hearing nothing else, I'm gonna go down to 14 for appointments. I know I did this last week and I'm gonna be repeating myself again. But I wanna go back and I wanted to ask the council members that I had appointed to the different committees, I'm gonna go through them again, and if you don't wanna be on them just let me know and we'll choose somebody else tonight. I've got alternates if

you don't want on them. Of course, the financial committee will be the same thing as the ad hoc committee. These will be standing committees. Ms. Wilson, Tom Allen and myself is on the financial committee. On the public safety, the health and human services committee will be Tommy Dunn, Eddie Moore and Cindy Wilson, Ms. Wilson. On the administrative policy rules committee, personnel, and it will be the same as on the personnel, the ad hoc committee, which will be Mr. Waldrep, Mr. Dunn and myself. On the planning public works committee will be Tommy Dunn, Ms. Floyd and Mr. Allen. On the recycling solid waste committee will be Ms. Wilson, Mr. Allen and Mr. Wilson. On the balloon festival committee which will be an ad hoc committee will be Ms. Floyd, Ms. Wilson and Tom Allen.

CINDY WILSON: Mr. Chairman, did you say Mr. Wilson on the balloon festival committee?

EDDIE MOORE: Yes.

CINDY WILSON: Yes.

RON WILSON: I'm on the balloon festival committee, did you say?

EDDIE MOORE: Yes.

RON WILSON: Give me to the next meeting to turn you down.

EDDIE MOORE: Okay. I tell you, I'll go ahead and do an alternative and then that way if you don't -- okay.

TOM ALLEN: Mr. Chairman.

EDDIE MOORE: Mr. Allen.

TOM ALLEN: I was just gonna say, I'm gonna have to maybe look at this too because I'm on four committees, so I might want to drop one of those somewhere down the line.

EDDIE MOORE: Okay. We'll go now to Item 15 on the agenda, be requests.

TOMMY DUNN: Excuse me, Mr. Chairman, real quick, I'm not sure about this, but I think we've gotta approve those committees, don't we? We don't? I thought we had to vote on them.

EDDIE MOORE: No.

TOMMY DUNN: Oh, I'm sorry. I thought we did. I thought in read in the ordinance it has to be voted on.

EDDIE MOORE: No.

CINDY WILSON: Mr. Chairman, may I? We do

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TOMMY DUNN: I stand corrected.

CINDY WILSON: I have an appointment for a

board and commission if we can still do that. It's Item 14A.

EDDIE MOORE: Okay. Ms. Wilson.

CINDY WILSON: In the form of a motion I would like to appoint Mr. Gary McAlister to the economic development advisory board for district seven. His predecessor has had a business conflict time-wise.

EDDIE MOORE: Okay. Do I hear a second?

TOMMY DUNN: Second.

EDDIE MOORE: Any discussion? Hearing none, all in favor, raise your right hand. Unanimous. We'll now go ahead and move to Item -- one other thing too, while we're on these commissions, Mr. Cunningham, were you supposed to get us a list on all the boards and commissions? I still don't know who is on all these. I've got some of them and some of the people are dead and I'd like to know who ...

MICHAEL CUNNINGHAM: And what I've asked staff to do is start looking for all the ones that our different staff is working with, is to put together that information when they got on, when they rotated off, and so over the last couple of meetings we've pulled together some of that information for planning and also for economic development this past time. But we'll work on getting the rest of those done.

EDDIE MOORE: Okay. We really need those because we need -- you know, if we're gonna have committees it would really be nice to know who -- so we can replace or whatever. We'll move on to Item 15, requests of council members. Mr. Waldrep.

BOB WALDREP: Mr. Chairman, I've got a couple, two requests to combine, and that is -- I believe I have some funds in there, but five hundred dollars to Westside Band and five hundred dollars to the Hanna Band. The schools are having a tough time right now, so I just ...

CINDY WILSON: Second.

EDDIE MOORE: Do I have a second? I have a second, Ms. Wilson. All in favor of Mr. Waldrep's, raise your right hand. Unanimous. Ms. Floyd.

GRACIE FLOYD: Yes, I have one. I would like to appropriate one thousand dollars from district two's recreational fund to go to the Anderson City Recreational Center for the constituents of district two to use of those that would like to participate at the recreational center, could go there and apply for these funds. These funds are to be used by seniors and by children. That's in the form of a motion.

EDDIE MOORE: I'll second it. Motion before the floor, it's seconded. Any discussion? All in favor, raise your right hand. Unanimous. Well, I don't have anything left in mind, so we'll skip down to Mr. Allen. He has a penny left.

TOM ALLEN: My piggy bank, too, is empty, so I have nothing.

EDDIE MOORE: Okay. Mr. Dunn.

TOMMY DUNN: Same as last meeting, I'm broke.

EDDIE MOORE: Okay. Mr. Wilson.

GRACIE FLOYD: You're broke too; aren't you?

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: One question before I make the request. In our administrator's report there's a note about county council approved two thousand dollars for each of the Anderson County Volunteer Fire Departments and the municipal fire departments within Anderson County. Was Craytonville on that list also? Because they're contacted me and I needed to ask about this for them too?

MICHAEL CUNNINGHAM: Ms. Wilson, I'm sure that they were. But I'm not sure if they received the check, the allocation yet or not, but I'll be happy to look into it and see if they have. And if they have not we'll make arrangements for either you or someone to make that presentation.

CINDY WILSON: That would be wonderful. And also, please by all means disburse the funds that were allotted to each one in district seven. I know they're hurting like a lot of the others, and I appreciate you sending this note. And back to my district seven rec account, what's left of our district seven account, would you please give five hundred to T.L. Hanna Band from district seven in the form of a motion for an appropriation.

EDDIE MOORE: I'll second it. Any discussion? All in favor of Ms. Wilson. Unanimous.

CINDY WILSON: Thank you. And that's it.

EDDIE MOORE: We'll go down now to the next item on the agenda, which will be the administrator's report.

MICHAEL CUNNINGHAM: Mr. Chairman, because of the hour, the administrator's report stands as submitted. My only request, again, if y'all could take a look at a date for county council retreat to kind of come up with council priorities for the year as we

start on the budget process.

GRACIE FLOYD: Mr. Chairman.

EDDIE MOORE: Ms. Floyd.

GRACIE FLOYD: Mr. Chairman, I'm tired.

It's going on ten o'clock. And I'm gonna take my leave at this time. And I thank you.

EDDIE MOORE: All right. We now to go Item 17, citizens comments, other matters.

ADAM ARTIGLIERE: Mr. Chair, before we go into citizens comments, I do want to make a correction, and a correction based on some information that councilman Dunn brought up a second ago. In reading the section on creation of the committees, it does state that it's the appointment to the committees is subject to approval by county council. So I believe it would be appropriate to take a vote as to those committees.

TOMMY DUNN: Mr. Chairman. I stand vindicated. I thought I read that somewhere.

EDDIE MOORE: I missed that.

TOMMY DUNN: I make the motion we'll accept the committees as so called appointed by Chairman Moore.

BOB WALDREP: Second it.

EDDIE MOORE: We have a motion to accept my committees that I've messed up on again and we have a second.

CINDY WILSON: As a point of discussion, I believe Mr. Wilson wanted a week to think about the balloon committee, but I think everything else is okay.

EDDIE MOORE: I'll take you off. Okay. Well, I'll find somebody to put on here. Everybody in favor, raise your right hand. Six. Please note Ms. Floyd has went home. We now go to 17, citizens comments.

ADAM ARTIGLIERE: There are six citizens signed up for other matters. Steven Pope.

STEVEN POPE: Steven Pope, Bellview Estates, county council district one. When I was first doing my presentation in the meeting I apologizes for running over, but I hadn't -- even though I printed the statement out, normally I don't like having to read a statement, but I knew I would be constrained by the time limits. Some of the things tonight may give for a nice little bit of chat tomorrow on the talk radio. One of the things, though, I did like to hear, a procedure I hope the council will continue to adopt is before we have public hearings that we have an exchange

of information that can be presented. Because unless you have a computer and you can look up everything that's in here, if you come in here to the meetings, generally you're coming in blind. But if you come back in and you have chance of county council to present some information for the public hearing, it would make the public hearing go a lot more smoother. I do want to echo the statements I made regarding the situation with the ethanol plant in the Cheddar Community. The folks who live in that area did come and they expressed their concerns, but it did appear at the time that the lure of money coming in was more important than what they were concerned about. And this company was only going to bring in five jobs. They talked about, you know, the railroad may bring some jobs and whatever else. But when you're looking between people's likelihoods and their assets over jobs, you're looking at money over this, it's showing where the county's real concern was. And in this case it turned out to be more in the end of money. Also last year I did give the council a little statement which I had worked on and thought a lot about and it considered some considerations on possibly some adjustments to be made during the agenda presentation. I think Ms. Wilson should still have a copy, Mr. Waldrep should have a copy and Mr. Wilson should still have a copy. And the only other issue I have deals with the issue we have now with Mr. Cunningham. When I first met with Mr. Cunningham in private, I asked him a question. I said, do you consider yourself to be a man of honor and a man of integrity, to which he answered on both questions, yes. A man of honor and a man of integrity, if he stands by his word should have -- should be trusted at that point and money and everything else become irrelevant. So I know that part of the problem we had is under the former administrator we had a lot of secrecy, a lot of records were being hidden or delayed information not delivered in a timely manner. Hopefully now we can get past all this, move ahead, doing more free-flow of information exchange and avoid falling in anymore pits that we have fallen into and maybe ---

ADAM ARTIGLIERE: Time.

STEVEN POPE: -- we can get out and work out much better. Thank you.

ADAM ARTIGLIERE: Kenneth Dean.

KENNETH DEAN: Kenneth Dean, Belton. I thank God for the offer tonight. It shows to me at



least an attempt. It said that the attempt is a good one. I'll let Michael decide that. But I wanted personally thank you for the attempt to resolve this issue with our county administrator. And I hope that with his decision -- you rather will work with that decision as you, I suggest, have so far. Thank you.

ADAM ARTIGLIERE: Eric Bradshaw. Mark Powell.

MARK POWELL: My hip hurts I've been sitting down so long. You know, I would love to see an ordinance, a resolution, that outgoing council members who know they're not gonna be there, like during primaries when there's no one running against them, they know they've lost, I would love for an ordinance to be where you can't spend all your money so the person coming in and sitting in the three seats are left with no money under their control for the first six months of their service to their community. I'd also like to say, had we heard December the 31st, you might could have got a three year term instead of a day to day. I was disappointed that one would think that an outgoing council could give you a contract that would bind me, a taxpayer, that would bind the council members that were elected. I do think it's a good decision. I think that allowing him to show his own worth as far as being able to do the job. He can obviously do some of the job. He's been an assistant for, I think it was eight years. How that works out, one never knows, but we will see in seven days. I'd also like to think that people who come to these meetings at the present compared to people in the past, this has been a very, very honorable occasion on how business is done. I was glad to see this week that clapping hands and going crazy every time someone spoke was more so under control. I hated hearing come to order, but I also like order. When the gentleman -- I made a statement that no lawyer's any good. I apologize. I love Bob. He's a good lawyer. His daughter's a good lawyer. My niece's husband is a good lawyer. That gentleman there, I loved him when he spoke. So I guess that's a minimum of four. So I have to be a little bit corrected in saying no good lawyers. The contract that bought out Joey, I hope he's not on an airplane heading off with his cash in a bag, because I hope we get every penny of it back. And if we can't get it back through him, I hope we get it back from responsible parties who gave it to him to start with. I appreciate all that you are doing to recover my

money, everyone in this room's money. I wish we had all thought, when the gentleman asked or when the council member asked, who are you representing, I wish we had all thought to stand up, because every last one of us, regardless if you were on the side of Joey Preston or on the side anti Joey Preston, that you would stand up, because we're trying to get ---

ADAM ARTIGLIERE: Time.

MARK POWELL: -- money that belongs to us. It represents us all.

ADAM ARTIGLIERE: Dan Harvell.

DAN HARVELL: Mr. Chairman and members of council, for as long as I've been coming here, once a year we've been given glowing financial reports concerning the CAFR and the limited style audit that's done according to governmental standards. Every year the county presentation, not only by the county finance department but by the accountants that do the work for us, the reports look good. The reason those reports look good is because we have enough taxpayers paying enough tax dollars to satisfy the spending habits of the former councils as well as the administrator. On paper it does look good. Not many deficits at all in any of the departments, save perhaps the airport. But when you're looking at it from a taxpayer standpoint, you have to ask a few questions. Our budgets have risen from the mid 30 million when Mr. Preston came here to now 149 million. If my math is anywhere close to correct, that's about a four hundred percent increase over a period of twelve years. So the question has to be ask, we the taxpayers fund the increases that have sustained these increases in the budgets. Have our personal incomes risen that level during that period of time? If not, then perhaps we're not getting as good a value as these reports are having us believe. County employees have increased quite a bit during that period of time. The question we have to ask there, have the services that we're receiving as citizens, as taxpaying citizens of the county, have our services been elevated to a point that we would recognize a four hundred percent increase in the cost of our government? Now I realize that there's inflation in the natural cost of living, CPI and all that that goes into this. So it's not really four hundred percent. But it's a huge percentage compared to our personal incomes. So even though the figures that you're given tonight reflect that we're doing okay, I ask you to realize that we're only doing okay

because in my opinion we're overtaxing our citizens to make up for the different. Thank you.

ADAM ARTIGLIERE: Rick Freemantle.

RICK FREEMANTLE: Once again, Mr. Chairman, my name is Rick Freemantle. I'm from the White Plains precinct, district six. Mr. Wilson, I'd like to thank you for admitting here tonight that what you did on November the 18th was wrong. Maybe that'll make it a little easier for us to get our money back. You know, the more I come to these council meetings, the funnier they get. One of my professors, Rush Limbaugh, says that when liberals are out of power is when they get their -- be their funniest. For you to say here tonight that you were blind sided is the pinnacle of hypocrisy. Unlike you, sir, this group has had open public meetings. Unlike you, sir, the bull in the china closet, they have had the public come in and see what they're doing and they act as a group, not as an individual. Unlike you, sir, the law seems to matter to them. To say nothing of moral practices. How do you explain what you did to the people of this county November 18th, 2008? By your own words, you acted outside your authority as the previous chairman of the personnel committee. You blind sided the taxpayers of this county to the tune of 1.16 million dollars. For the council woman from district six to continue to whine about quorums, I'd like to know was that a quorum y'all had the night of the sustainable agriculture convention when all five of you sat at the same table? Is that where you worked out the details for the November 18th meeting? Is that where you decided where the money would come from for your ponzi scheme? Is this where y'all decided to have new hiring contracts made up for Mr. Cunningham? For you people to sit here and cry about secret governments is hilarious. For you two to sit here and talk about wrongdoing after turning a blind eye to the transfers from 113 separate funds, robbing the taxpayers of this community to the tune of 1.16 million dollars, robbing this community of 25 badly needed jobs, and totally ignoring your fiduciary responsibility to us the taxpayers is unforgivable. I hope you paid attention to that attorney tonight. I hope you don't think for one second I was bluffing the night of November the 18th, Mr. Wilson.

ADAM ARTIGLIERE: Mr. Chair, there are no more citizens signed up for other matters.

EDDIE MOORE: Hearing none, we'll now go to 18, remarks from the council members. We'll -- oh,

I'm sorry.

AMY BISHOP: My name is Amy Bishop. I don't think I can do that. I'm with district four. I just wanted to clarify my understanding of Anderson County ordinances, regulations and laws. And this was kinda posed in questions. They're not meant to be answered. It's just to pose though, please. First of all, according to Anderson County ordinances, regulations and laws, what is the length of time that a conditioned certificate of compliance is valid, according to our law? Secondly, according to our laws when are citizens not allowed to go about a zoning in a precinct? When is that not allowed? Also, according to our laws, did the voters in precinct six follow the proper procedure for zoning their area? Thirdly -- excuse me. Fourth, at the time that the zoning went into effect in that precinct, did Wasteco Greenpointe have any valid permit from Anderson County for development in that area? Number five, according to the laws, does Wasteco Greenpointe have a valid certificate of compliance as well as other valid permits required of any developer in Anderson County as of today? According to the law, has WasteCo Greenpointe begun unlawful development? My question is, are Anderson County's regulations, laws and ordinances applied equally to everyone, whether they're an individual or a developer? Please understand, I am not discussing the issue of lawsuit. I'm not requesting money for anything? I'm just asking that we uphold the laws that we have in place right now and if somebody is breaking the law, then we need to deal with that. You can't choose to determine that, well, I don't like this law or I don't like this one or I don't think it applies to me or I have another permit somewhere else. We've got to deal with what's going on in Anderson County right now. And that's what I'm asking you to look at. I am a citizen of Anderson County and I'm not pleading for a certain district. I don't even live in that district. I'm just looking at what's right for Anderson County. I voted for the tax increase to help with the infrastructure. It didn't pass. But I did do that. There was nothing on my road or anywhere near me that was gonna benefit me. But I did it because I'm a citizen of Anderson County and I wanted to help the county out. It is hard for me to understand that we would pull a lawyer off of one suit and offer a lawyer on another suit. I think they both are worth of that, even though I'm not in pursuit of

going after some people. I know that sometimes ---

ADAM ARTIGLIERE: Time.

AMY BISHOP: -- that's what it takes to hold people accountable. Thank you.

EDDIE MOORE: We now go down to Item 18, remarks from the council members. Mr. Wilson.

RON WILSON: Thank you, Mr. Chairman, and I appreciate your generosity in allowing the lady to speak at the end. Obviously I'm unhappy about the vote of the council tonight regarding the landfill in Three and Twenty precinct. The lawsuit will go on. And obviously not with county participation, but I'll plan to do everything I can to stop that landfill. Regarding the gentleman that got up and had all those nice things to say about me, I love him. Without his comments I wouldn't have anything else to do. But as always he gets it wrong. I never admitted any error here tonight. I simply admitted to a practice where things are brought before this council without anyone reading them and that was done routinely with the old council and it's done routinely with the three meetings we had so far with this council. That's all I was referring to. He made a comment about an agriculture seminar. He's exactly right, I was there, but there wasn't but two members there other than myself. And we didn't sit together. So his idea of hatching up some idea that that's where everything came from is wrong, as all the other comments that he made. I appreciate the time, and thank you, Mr. Chairman.

EDDIE MOORE: Mr. Allen.

TOM ALLEN: I think everybody's tired enough and I don't have any comments right now.

EDDIE MOORE: I don't have any comments right now either. Mr. Dunn.

TOMMY DUNN: I know it's getting late but I do think there's a couple of things I would like us to act on or get -- I think it's very important the animal shelter thing was pulled off tonight, Mr. Chairman. I think we need to get a committee in place immediately, if we can this week, and move on and get the questions asked and answered whatever we're gonna do about this thing. We need to think about the animals, the staff and get this -- whatever the questions or concerns, I want people to feel comfortable, but we need to get this dog put to bed. We got contractors that's wanting to work, and believe me I know how -- my phone rings off the hook people's -- economic times got things. And we don't have to go

back through the process, so let's try to get something started, a committee on that if we can Saturday -- I'm sorry, Friday, before Friday if it'll work for people. I would like to see if the staff can make it, Mr. Cunningham can arrange it and committee members can be there and also if y'all want the architect there, whatever, and let's get that on. Number two, I would like for Mr. Cunningham to work with the other two members of my committee, Mr. Allen and -- I'm sorry, Mr. Moore and Ms. Wilson, on the public safety committee. We've got -- we need to start moving forward and get some things done. We've got issues in public safety. We need to have our committee meetings. I'd like to get something set up on that as soon as you can. We've got buildings being in place, we've got security issues that need to be addressed and other things. And I would like to get that committee in place and let's get to working on that. I see the sheriff is still here. We've talked about that. I would like to get something in the works, get a sub-committee part about the jail and let's get on with the people's business. If we can handle those couple of things I would be greatly appreciated. And that's all.

EDDIE MOORE: Mr. Waldrep.

BOB WALDREP: Mr. Chairman, thank you.

It's been a long meeting. I think that we've gotten a lot done and I'm grateful for the spirit of somewhat cooperation that we seem to find in achieving our goal. Thank you.

EDDIE MOORE: Ms. Wilson.

CINDY WILSON: Very quickly. The audit work that Mr. Daniel will be doing for us will provide us with tools to help form a new budget for the coming year. That will be a big help. And also, just to comment, we all came in an unprecedented situation, there's no county attorney, no chairman, and we were left with absolutely horrific legal and financial mine fields that we're having to work through. I think that as we proceed the next few meetings you'll see more items on the agenda with more in-depth backup. I think we'll be able to do a lot better with that. Also, I wanted to point out the difference between engaging an attorney to review and investigate is a bit different from filing a lawsuit with an attorney that the council never knew anything about. And I do harbor incredible sympathy for the folks in the area at the landfill and we will not abandon you as far as working with you to get the information and make sure things are done

right. I was on the receiving end and have continued to be on the receiving end of that kind of behavior. And I will continue to help. And I certainly will be working very hard with our Cheddar group. And I greatly appreciate this council, in the spirit of trying to do what's right, looking at this. Hopefully we can adjust whatever ordinances are necessary to make sure that these type things never happen again. But certainly we'll be a more open council to the citizens' needs and discussion. Thank you.

EDDIE MOORE: Do I have a motion to adjourn? Motion and second. All in favor raise your hand. We're adjourned.

MEETING ADJOURNED AT 10:55 P.M.

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting – February 3, 2009 - 6:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 1:05 p.m.

Respectfully submitted,

Linda N. Eddleman, C.C.C.

Linda N. Eddleman, CCC  
Clerk to County Council



State of South Carolina )

County of Anderson )

Anderson County COUNCIL MEETING

FEBRUARY 3, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN

BOB WALDREP

CINDY WILSON

GRACIE FLOYD

TOMMY DUNN

RON WILSON

TOM ALLEN

1 EDDIE MOORE: ... prayer at council  
2 meetings, the resolution I'm making is to try to get in  
3 line with state law. And state law allows us to say a  
4 prayer but it has some guidelines that we must go by and  
5 adhere to in order to say a prayer at the -- and what I  
6 would like to do is read the resolution first and then  
7 I'm gonna come back and read the law which we'll be in  
8 compliance with. A resolution concerning prayer to open  
9 public meetings. The body of the Anderson County Council  
10 may offer an invocation on a rotating basis. The  
11 invocation must be given by a member of the council  
12 instead of delegated to another individual who is not a  
13 member. Do I have a second?

14 CINDY WILSON: Second.

15 EDDIE MOORE: It is seconded. And we'll  
16 now go into discussion. I'd like to open it up with the  
17 -- on September the 19th, 2008, the public invocation act  
18 of 2008 Act 241 R282 S638, the technical ?? and outlines  
19 changes adopted by the general assembly relating to  
20 invocations at public body meetings. A copy of the act  
21 is attached for your convenience. The South Carolina  
22 Legislature enacted Act 241 2008 R282 S638 to provide a  
23 procedure for state and local governments to enact  
24 policies for an invocation to open a public meeting. The  
25 act applies to the deliberate public body which includes  
26 the governing body of county or municipal government, a  
27 school district, a branch or division of a county or  
28 municipal government or a special purpose or public  
29 service district. An invocation procedure can be adopted  
30 by ordinance, resolution or policy statement. A  
31 deliberative public body may formulate an invocation  
32 policy by one of three methods. One of three methods.  
33 The members of the body offer an invocation on objective  
34 and rotating basis. Two, the body may elect a chaplain.  
35 Or three, the body may allow invocation speakers from the  
36 community or religious leaders where the body is located.  
37 If the body allows speakers from the community to ensure  
38 objectivity, the body annually shall compile a list of  
39 all known established religious congregations and  
40 assemblies by reference to local telephone books or  
41 similar sources or both and mail in an invitation to a  
42 religious leader of each congregation and assembly  
43 containing the following statement. A religious leader  
44 is free to offer an invocation according to the dictates  
45 of his own conscious, but in order to comply with  
46 applicable and constitutional law, the public body  
47 requests that the public invocation opportunity not be  
48 exploited to prophesy or advance any one or disparage any  
49 other faith or religion. Those who accept the invitation  
50 must be scheduled to deliver invocations on a first come,

1 first serve basis. Under the act, the attorney general  
2 is directed to provide advice on current status of the  
3 law concerning public invocations. Update his statement  
4 to reflect any changes in the law and to make the  
5 statement available through the most economic and  
6 convenient method, including posting on the attorney  
7 general's website. The attorney general is required to  
8 defend any deliberative public body against the ??  
9 challenge to the constitutionality of this act. The  
10 reason that we're offering this resolution tonight is  
11 when you invite it's so hard to try to make sure you  
12 include everybody that's on the list when you do a list  
13 like that. So in order to clarify it, it says ?? members  
14 of the body may offer an invocation only on an objective  
15 or rotating basis. That is what I would like to  
16 recommend us do, and that way we don't have to worry  
17 about compiling a list of different people, because we  
18 might miss someone and it would just be better if each of  
19 us say a prayer of our own choice at the meeting. I now  
20 open it up for any discussion.

21 GRACIE FLOYD: Mr. Chairman.

22 EDDIE MOORE: Ms. Floyd.

23 GRACIE FLOYD: Thank you. Okay. Mr.

24 Chairman, I've been on council now for almost ten years  
25 and heaven knows about council matters for even a longer  
26 period than that. I don't ever remember a case where  
27 saying the prayer was a problem. I don't remember us  
28 having any problems with the community, ?? community, the  
29 public or anybody else about who said the prayer. You  
30 say it would be better if we would do such and such.  
31 Well, I understand, I understand that. But it may not be  
32 better for us individually to do that. I am inclined to  
33 ask members of the community on first come, first serve  
34 basis to say the prayer for me. Mr. Cunningham ?? said  
35 the prayer for me. The past council has had someone to  
36 do that as well. I see no problems with it. Nor have I  
37 heard any problems because of that. State law gives us  
38 three ways to do this thing and you read them off, and I  
39 appreciate that. But I just think that to cut the public  
40 out from offering a prayer for us and our county is, is  
41 ludicrous. Sometimes, though, Mr. Chair, sometimes I  
42 want to be different from everybody out there. So  
43 sometimes my heart is so heavy I can't prayer. Sometimes  
44 I have to have someone to go to -- what you call it? To  
45 intercept, to go to the Lord for me. Sometimes it's just  
46 so hard and I see no, I see no, no problem with that.  
47 And on the other hand too, I know we have a lot of stuff  
48 to be considering and to get bogged down with another  
49 prayer issue, who's gonna say the prayer. But I think  
50 you for listening to me.

1 EDDIE MOORE: Anyone else? Hearing no more  
2 discussion, we will now vote on the Resolution R2009-12.  
3 All in favor, raise your right hand. Let it be shown  
4 that Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep and Ms.  
5 Wilson voted yes. All opposed. Let it be shown that Mr.  
6 Wilson and Mr. Floyd opposed. The resolution carries.  
7 We'll now go to the approval of the minutes for January  
8 the 16th, 2009, the called meeting. Do we have any  
9 change or -- to the minutes?

10 BOB WALDREP: I move they be approved.

11 EDDIE MOORE: We have a motion that they be  
12 approved. Do I have a second?

13 RON WILSON: Second.

14 EDDIE MOORE: We have a second. Mr. Wilson  
15 seconded. All in favor, raise your right hand. Carries,  
16 unanimous. Section B of the minutes will be for January  
17 20th, 2009 meeting. Are there any corrections to the  
18 minutes? Hearing none ---

19 CINDY WILSON: I make a motion that they be  
20 approved.

21 EDDIE MOORE: I have a motion that they be  
22 approved.

23 BOB WALDREP: Second.

24 EDDIE MOORE: We have a second. Mr.  
25 Waldrep seconded. All in favor, raise your right hand.  
26 Unanimous. We'll now go to the citizen comments on  
27 agenda matters and I would like to remind everyone to  
28 please address the chair. Please do not, and I repeat,  
29 do not address any council member by name. Address me  
30 only. Do not address any council member by name. Please  
31 be orderly and please no one is to clap or applaud.  
32 We're trying to be pretty open up here on the council  
33 meeting, but it's really not fair to any of the council  
34 members, even though some of us might have a difference  
35 of opinion, but we really need to run a real good meeting  
36 here, so please, I'd appreciate it if you would direct  
37 your comments to the chair. And Mr. Artigliere, would  
38 you give them a one minute warning. And what I'm gonna  
39 do tonight is, I want to make sure that everybody is  
40 allowed to at least finish their sentence. Okay. I'm  
41 gonna try to be fair. Sometimes you're in the middle in  
42 a sentence. We're gonna let you finish your sentence.  
43 Okay. And he's gonna give you a minute warning. And try  
44 to be fair about this thing. So if you would, give them  
45 a minute warning and with that said we'll go to comments  
46 now.

47 ADAM ARTIGLIERE: Mr. Chair, there are twenty-  
48 seven citizens signed up for agenda matters.

49 CITIZENS COMMENTS AGENDA MATTERS

50 (THIS PART OF THE MEETING WAS INAUDIBLE DUE TO POOR

1 QUALITY OF THE AUDIO RECORDING PROVIDED TO ME)

2 MARK POWELL: ... but the road they led them  
3 on is Anderson County's good for it. A council member  
4 who needed to get re-elected -- how lucky he was to jump  
5 on that bandwagon and be Mr. I'm gonna save you.  
6 Unfortunately he jumped on that horse way too late. The  
7 process with Anderson County and the state was so far  
8 gone ahead. He tried to get y'all zoning before it  
9 happened, but unfortunately too many things had already  
10 happened and I feel your pain cause I live less than a  
11 mile from one of these landfills. The other thing I  
12 want to say is you can cut the tail off of a pony and you  
13 can give grants to people, but they still don't know what  
14 they're talking about.

15 ADAM Artigliere: Rick Freemantle.

16 RICK FREEMANTLE: Good evening Mr. Chairman,  
17 my name's Rick Freemantle. I'm from White Plains,  
18 district six. I also own a business in this county. I'd  
19 just like to say here tonight that two wrongs do not make  
20 a right. The previous account -- the previous council  
21 with the exception of two council members on -- members,  
22 excuse me -- on November 18<sup>th</sup> acted in a manner that  
23 violated the fiduciary responsibility to the citizens of  
24 this county. Let's talk about race. On November 18<sup>th</sup>,  
25 not only was the non-discriminatory hiring practice of  
26 which Anderson County boasts so proudly violated, but  
27 they elected to not even follow their own hiring  
28 practices. When a position in this county is open it's  
29 supposed to be advertised, applications are supposed to  
30 be filled, interviews are supposed to be held. Mr.  
31 Cunningham's advancement came at the expense of twenty-  
32 five other badly needed jobs in this community, Sir. It  
33 Also came at the expense of 1.14 million dollars which  
34 came out of all of our wallets. Two wrongs don't make a  
35 right. What happened on November 18<sup>th</sup> wasn't right. That  
36 doesn't make it right for Mr. Cunningham to be sitting  
37 here. Didn't go through the normal hiring practice. We  
38 want to talk about race, we want to talk about  
39 discrimination, why wasn't an Asian allowed to apply for  
40 this job or an Indian, a Native American or White. Why  
41 weren't they allowed to come here, fill out applications,  
42 have their interviews? Thank you.

43 ADAM ARTIGLIERE: Dan Harvell

44 DAN HARVELL: Mr. Chairman and members of  
45 council, I was gonna speak to one issue on the agenda  
46 tonight, but I'm just going to abandon that for this,  
47 this period of time. I'd like to respond to a couple of  
48 things that have been said concerning things that are on  
49 the agenda, other matters. Number one, concerning the  
50 council member, Mr. Waldrep, that went to the, to the

1 hearing, there are many people here that just obviously  
2 cannot get the fact that we have wasted, it seems,  
3 millions of dollars in legal fees over a period of the  
4 last ten years unnecessarily when we compare our legal  
5 payments or legal services, needed or not, to firms like  
6 the McNair Law Firm and those other law firms that do so  
7 much work for so many municipalities and counties in the  
8 state. Mr. Waldrep never went to that meeting as an  
9 advocate for the landfill concern. I can promise you he  
10 went there because he was concerned about the county  
11 being involved in yet another lawsuit that apparently had  
12 been engaged without full knowledge of those that needed  
13 to know about it. Now Mr. Waldrep, I appreciate you  
14 representing me as a taxpayer in that effort. Ms.  
15 Wilson, disparaging remarks have been made about her  
16 because of some turn on this position on the landfill. I  
17 would say that there's not one member on this council  
18 that has sat on this Council, that I know of in recent  
19 history that has gone to bat for the common citizen of  
20 this county more times than Ms. Wilson. And she -- I  
21 just know that she wants to do what's right by this  
22 landfill situation and in due process I believe that that  
23 will be proven out. Now as far as ---

24 ADAM ARTIGLIERE: One minute.

25 DAN HARVELL: as far as opinions being given  
26 here, that's what government is all about. Government is  
27 about opinions from all sides and then some consensus  
28 being made through our elective representative process.  
29 And once opinions disappear from our county government  
30 and the right to come here and say, or the right to  
31 respond to an opinion that's been given, that basically  
32 in my opinion has poisoned our community then I think it  
33 needs to be responded to and thank you for doing that,  
34 Mr. Allen. Thank you.

35 ADAM ARTIGLIERE: Cal Kinney

36 CAL KINNEY: Good evening. When a new  
37 landfill is proposed advocates of the projects always  
38 emphasize that no hazardous wastes will enter this  
39 landfill. Studies have shown that even through  
40 landfills, though landfills may not be -- legally  
41 received hazardous waste, the leakage they produce is a  
42 danger to the, to the leakage from hazard waste fills.  
43 Landfills are a present clear danger and a threat to  
44 human health, as well as to our environment. As noticed  
45 -- noted even the best landfill liners will leak. 82%  
46 surveyed landfills cells leak, while 41% of them leak  
47 around an area more than one square foot. My question to  
48 you sir, and your panel, who will pay for the irreparable  
49 damage that you will cause? Number two, I'm sure I'm not  
50 the only veteran in this house. We all like democracy.

1 I fought for democracy. The people have spoken. You  
2 asked for a vote, took a vote. 88% of the people said  
3 they didn't want it. You have not the authority, nor  
4 your constituents of this panel to breakdown the  
5 democracy we owe this country. The people have spoken.  
6 I would like to thank you for all of your time. I would  
7 like to welcome each and every one of you into the new  
8 millennium. You need to think about these -- the future.  
9 It's not about today. Don't dump in my yard and I won't  
10 dump in yours. Thank you.

11 ADAM ARTIGLIERE: Mr. Chair there are no more  
12 citizens signed for up for agenda matters.

13 EDDIE MOORE: We now progress onto item 6,  
14 will be the possible e-mail scam. Ms. Floyd and Sheriff  
15 Skipper.

16 GRACIE FLOYD: Thank you Mr. Chair. Folks,  
17 just for a few minutes ...

18 EDDIE MOORE: Did you sign the agenda? Was  
19 there a second page?

20 ADAM ARTIGLIERE: There is a second page. I  
21 actually missed a person on the first page and called  
22 them last. The people that were signed for agenda  
23 matters, there's the other matter of column which is to  
24 the right and there were a number of people signed up  
25 for other matters as well.

26 EDDIE MOORE: That would be later on in the  
27 meeting. You signed up for the one that comes latter  
28 part of the meeting. Okay. Ms. Floyd.

29 RON WILSON: Mr. Chairman

30 GRACIE FLOYD: Mr. Chairman.

31 GRACIE FLOYD: Okay. Mr. Chairman.

32 EDDIE MOORE: Ms. Floyd.

33 GRACIE FLOYD: Okay. Mr. Chairman, I rule,  
34 not I rule, but I propose these people that signed up, I  
35 think that they may have signed up to speak on the agenda  
36 matter because maybe their concern is on the agenda  
37 matter. But in view of that I propose that we let these  
38 people speak. Everybody don't know our system where you  
39 have to sign one page for this and one page for that.  
40 And in view of that I think that these people ought to be  
41 allowed to speak on this topic, on the agenda matters, if  
42 that's what they thought they were signing up for.

43 ADAM ARTIGLIERE: Mr. Chairman, I could  
44 determine who signed it twice, so I could go though and  
45 ---

46 EDDIE MOORE: That's fine. We want  
47 everybody to have an opportunity to speak.

48 GRACIE FLOYD: But Mr., Mr. Chairman, even  
49 if they didn't sign it twice, they still may have been  
50 think -- I think that maybe we could do is just ask the

1 person before he or she speaks, if you signed up to speak  
2 on the agenda matters, on a particular item, then let  
3 them do so. If they signed up to speak on other matters  
4 and they -- I believe we ought to let them tell us in  
5 order to rectify this mistake.

6 TOM ALLEN: Mr. Chairman. If I might, of  
7 those people that want to speak that perhaps signed up on  
8 the wrong side, how many of you were for the landfill?  
9 Okay. How many were for other, other topics, other than  
10 the landfill?

11 GRACIE FLOYD: Just one.

12 TOM ALLEN: Okay.

13 GRACIE FLOYD: Two, three.

14 TOM ALLEN: Why don't we possibly let the  
15 two or three people that have signed up for other topics  
16 speak because right after Mrs. Floyd next on the agenda  
17 is forty-five minutes for the landfill. Would that be  
18 appropriate?

19 GRACIE FLOYD: What now? I don't ---

20 EDDIE MOORE: Right here, on the agenda.

21 GRACIE FLOYD: Mr. ---

22 EDDIE MOORE: Mr. Wilson.

23 RON WILSON: Mr. Chairman. I, I would, I  
24 would just say I'm -- most of people that spoke here  
25 tonight from the sixth district, I'm very proud of the  
26 way they conducted themselves and it is a confusing  
27 matter the way we sign up for these things. And I would  
28 ask some flexibility on your part to allow these people  
29 that want to speak on the landfill to be able to continue  
30 that at it now and let's get it out of the way.

31 APPLAUSE

32 EDDIE MOORE: We'll go ahead and allow  
33 them. Mr. Artigliere, would you go ahead and call them  
34 out and we'll go ahead and let them speak.

35 ADAM ARTIGLIERE: Betty Sue West.

36 EDDIE MOORE: She's on the other ---

37 GRACIE FLOYD: Other ...

38 ADAM ARTIGLIERE: Okay. And Mr. Chairman, may  
39 I suggest if, if they're intended to sign for the other  
40 side if they could just say that they signed for the  
41 other and ---

42 EDDIE MOORE: All right.

43 ADAM ARTIGLIERE: We can go from there. Ann  
44 Bishop. Okay. Ann Smith. Deb Sheridan. Tradd Cotter.  
45 Okay. Lynn Yearnigan -- or Yeargin. Sorry. Okay.

46 LYNN YEARGIN: Mr. Chairman and councilmen, I  
47 am Lynn Yeargin. I live in the district six area where  
48 the landfill proposal has been made. This started and  
49 I've been in beginning in -- all the way back through May  
50 we came to the formal council. We followed every



1 procedure that was told to be done. We did exactly what  
2 we were supposed to do. We filed everything we were  
3 supposed to file. We went through the election. We  
4 voted against it. This gentleman that is doing this  
5 proposed landfill did not stop at any point. I have in  
6 my hand a copy that I received from the Freedom of  
7 Information Act that I signed for where DHEC was giving  
8 him permits when we were not supposed to be doing  
9 anything until an election was held. And that's not  
10 right. And Also when we voted down in August of '08 that  
11 we did not want this in our area and it carried it 88%.  
12 In September of '08, I have a paper where he was issued a  
13 permit by DHEC. And what I want to know is who has  
14 control here. Does DHEC tell Anderson County what they  
15 can do? Can someone that gets a DHEC permit override an  
16 Anderson County person's permit? Is there a permit  
17 issued by Anderson County? How is this gentleman doing  
18 anything without an Anderson County permit? And  
19 everybody talks about, well, he stands to lose a million  
20 dollars. Excuse me, my house is worth a million dollars  
21 by itself and I live down there with plenty of people  
22 around me, so we are in the same situation as he is.  
23 He's one person. He does not even live in that  
24 particular area. He is buying a piece of property for  
25 his own profit. He is not a citizen of Anderson County.  
26 I'm Also a licensed real estate agent. I am here to  
27 promote Anderson County as well as the Upstate of South  
28 Carolina. I have to disclose to every person that I show  
29 property into the area that there is a proposed landfill  
30 in this area. Trust me, since this has been an issue,  
31 not many people want to look in that area. So if you  
32 want revenue in Anderson County and you want people  
33 coming into this area, I highly recommend that you look  
34 for an area that's not a residential area to put  
35 something like a landfill in. Thank you for your time.

36 ADAM ARTIGLIERE: Mr. Chairman, I'm gonna skip  
37 over the people that we called over -- called out in the  
38 first session. So Ann Durand.

39 ANN DURAND: My name is Ann Durand. I'm  
40 with Cedar Glen subdivision, district four. With all due  
41 respect we suggest that the county -- we suggest to the  
42 county that this proposal requires more time and further  
43 consideration. For although the Cedar Glen homeowners,  
44 including ourselves, displeased with the conditions of  
45 the roads and are grateful that the County has undertaken  
46 to consider the project, the Council's consideration  
47 needs to Also weigh propriety of undertaking because  
48 homeowners who have signed the petition signed because  
49 they are frustrated, and hastily signed the petition  
50 likely without being fully informed. We believe that the

1 homeowners have unfairly been misinformed and in order to  
2 protect them at the very least the County's resolution  
3 should include a stipulation that the homeowners, by  
4 seeking assistance by the County, are not waiving any  
5 rights to bring subsequent action against the transfers  
6 or developers to recover the cost for the special tax  
7 assessment. Also in making an agreement with the  
8 developers essentially each county member is shaking  
9 hands with those with unclean hands. Galloway, Hamlin  
10 and Boyd played hot potato with ownership. We would like  
11 to inform the County that the conduct between these  
12 parties and the history of complaints by the homeowners  
13 certainly amounts to threat of litigation. Galloway and  
14 Hamlin and Boyd signed the agreement in bad faith.  
15 Motivation is to avoid meeting their obligations to a  
16 tune of a hundred and thirty thousand dollars or more and  
17 pass the buck to the homeowners or the -- and us  
18 taxpayers. It should not become an instrumental of this  
19 wrong. Before the Council washes its hands of this  
20 project, consider the hands you'll be shaking. The  
21 County costs estimates needs be further investigated ---

22 ADAM ARTIGLIERE: One minute.

23 ANN DURAND: -- because there is a reason  
24 to believe that the cost is substantially underestimated,  
25 and there are Also issues with storm water drainage and  
26 run-offs which may significantly increase the costs. We  
27 have difficulty obtaining county records to demonstrate  
28 that the developers have been compliant. We have been  
29 told one thing from the county and then they turn around  
30 and do something else. We do not want to kill the  
31 project, we just want -- we just don't want to jeopardize  
32 homeowner's rights to proceed against the wrongdoers. We  
33 need your assistance, whether it's amended in a petition  
34 including a stipulation in the County's approval or a  
35 revised agreement, Galloway, Hamlin and Boyd that  
36 stipulates homeowners do not waive any rights to bring up  
37 an action. Our main purpose is to have our roads brought  
38 up to county standards and to make sure that the County  
39 Council is correctly informed.

40 ADAM ARTIGLIERE: Time.

41 ANN DURAND: Thank you.

42 ADAM ARTIGLIERE: Mike Gray. Mike Gary. Gary  
43 Burgess.

44 GARY BURGESS: I'm Gary Burgess. I live in  
45 the Pendleton area. Members of the Council, there's a  
46 destiny that makes us brothers and sisters. None goes  
47 this way along. All that was sent into the lives of  
48 others will certainly come back into our own. I  
49 appreciate the vote of confidence that Council person  
50 Floyd and Council person Ron Wilson extended regarding

1 our County Administrator Michael Cunningham. Several of  
2 you are outraged that race has been attributed to the  
3 action of the council majority. I would like to believe  
4 that race is not a factor. If race is not a factor then  
5 your behavior needs to reflect such. There are a number  
6 of words that can describe your behavior if it's not race  
7 based. If it is politics as usual, in this case as it is  
8 in other cases handled by this council, such as the  
9 landfill, that these words, I get the scriptures;  
10 shameful, disrespectful, contemptuous, outrageous,  
11 reprehensible, dishonorable, discreditable, shocking,  
12 appalling, ill-mannered, discourteous, insulant, rude,  
13 impolite, disdainful, scornful, disrespectful and the  
14 list goes on. I implore this County Council to correct  
15 your behavior with our Administrator and in other areas  
16 such as the landfill so that the work of this County for  
17 the good of our citizens can proceed in a wholesome  
18 fashion. Thank you very much.

19 ADAM ARTIGLIERE: Henry Watson.

20 HENRY WATSON: Thank you, Mr. Chairman.  
21 Henry Watson's my name. I represent Three and Twenty  
22 community. Hoyt Thompson was supposed to do this  
23 tonight, but Hoyt had to have open heart surgery  
24 yesterday evening about six o'clock. So I'm down here  
25 tonight in his place. My question is, the people in  
26 Anderson County voted not to have this landfill. And I  
27 live right behind that landfill, and what's gonna happen  
28 when we have this March wind, gonna come -- all that  
29 nastiness gonna come over on my house. I thought the  
30 people when they voted something another that was it.  
31 I'd like to have some answers here tonight people. No  
32 one not gonna tell me nothing?

33 EDDIE MOORE: We can't answer that. We're  
34 -- this is a public hearing. You -- we don't answer  
35 questions.

36 HENRY WATSON: Excuse me for laughing, but  
37 you know, I lived in the community all my life, Three and  
38 Twenty Community, clean, perfect community. Then all at  
39 once we heard about this landfill going in and we voted  
40 it down. I'd like to -- you know I -- I understand what  
41 you said, sir, but somebody needs to come up with some  
42 answers for the -- our community up in there. That's all  
43 I got to say. Thank you, sir.

44 ADAM ARTIGLIERE: Wes Halsey.

45 WES HALSEY: Mr. Chairman, my name is Wes  
46 Halsey. I represent district six on the Planning  
47 Commission and I happened to sign the wrong column in  
48 error and I know the procedure. So I ask for your  
49 forgiveness. I wanted to read from the county's land use  
50 and development standards, the purposes of these

1 standards. To protect land values through good and  
2 responsible development. Implement the recommendations  
3 of the county's land use plan. To conserve and ensure  
4 access to the county's natural and scenic resources for  
5 future generations to enjoy. To secure the safety of  
6 residents from the hazards of improper development. To  
7 enhance the development process and improve the siting of  
8 new development. To protect and conserve the character  
9 of existing neighborhoods and subdivisions. Let me  
10 encourage the Council to listen to the citizens of this  
11 county. All the eyes of the citizens of Anderson County  
12 are on this Council and how they handle this landfill  
13 issue. Not just the citizens in district six. Please  
14 enforce the standards of the county, development  
15 standards. And Also represent well the citizens of  
16 Anderson County. Thank you.

17 ADAM ARTIGLIERE: Alivia Chaplin.

18 EDDIE MOORE: While she's coming up, let me  
19 kinda explain something. The citizen's comments is for  
20 your comments. At the latter part of the meeting we have  
21 allotted minutes that we'll make comments on these agenda  
22 matters and things, and that's when we make our comments.  
23 I wanna explain that to those of you that haven't been to  
24 a council meeting before. And that's why were not  
25 answering your questions or anything. It's not that we  
26 would -- we would like to. We'd like say something too,  
27 but we have our comments at the latter part of the  
28 meeting, so I just want y'all all to understand that.

29 ALIVIA CHAPLIN: I'm Alivia Chaplin. I'm a  
30 student at Wren High School. My school is five miles  
31 within where the landfill's gonna be built. I know  
32 people with homes that are within one mile of it. And  
33 I'm, I'm gonna attend Anderson University next year so  
34 it's affecting me personally. But I, I went around my  
35 classrooms and I kinda asked people what they thought  
36 about it. And they voiced concern and a lot of them were  
37 just unaware of what was going on. And one of my  
38 classmates asked me, besides of it being unattractive and  
39 -- well, landfills are necessary. So besides being  
40 unattractive what is the reason why it shouldn't be  
41 built? An he, he just -- once I stated laws, actual laws  
42 that were being violated by the landfill's, the  
43 landfill's presence, he couldn't understand why it was in  
44 question if laws were being broken, with -- were being  
45 broken. It's really that simple. Why should there even  
46 be a debate if laws are being broken? If a high schooler  
47 can see that, why can't you guys? Thank you.

48 APPLAUSE

49 EDDIE MOORE: Please hold your clapping  
50 down. We really don't wanna throw anybody out. We want

1 to hear your comments. Okay?

2 ADAM ARTIGLIERE: Erica Hoelper.

3 ERICA HOELPER: In regard to the Greenpointe,  
4 the Greenpointe Landfill the decisions that you are  
5 making, they'll have a huge impact on my generation's  
6 future. Not only do we deserve a clean environment, but  
7 we Also need to be able to have faith in the character of  
8 our officials and the sanctity of our laws. It's already  
9 been -- the landfills already been allowed by DHEC, so  
10 this is the last opportunity for it to be examined and  
11 for it to be stopped. It's your job to uphold the zoning  
12 that your constituents have voted for, and there's going  
13 to be a day that comes when myself and my peers are gonna  
14 be building our houses and our businesses and we expect  
15 our local government to, to uphold the same rules on  
16 large corporations that they're gonna be placing upon us.  
17 It's your responsibility as our elected officials to  
18 enforce your laws and enforce them equally without bias.  
19 For the past hour and a half you've heard people speak.  
20 A majority have spoken about the landfill. And everyone  
21 that has spoken about it has been opposed to it. So I  
22 just ask you to place importance on the opinion and  
23 desires of the people that have voted you into the chairs  
24 you're sitting in. Thank you.

25 ADAM ARTIGLIERE: Carl Grate.

26 CARL GRATE: Good evening. Thank you, Mr.  
27 Chairman and Council, for allowing me to take a minute  
28 and to address you this evening. I stand here as  
29 President of the Anderson County Branch of the NAACP and  
30 its membership in support of our county administrator,  
31 Mr. Michael Cunningham. He has not asked me to speak on  
32 his behalf. So I stand here -- nor has any Council  
33 person -- so I stand here as a representative of an  
34 entity, independent of Mr. Cunningham, office of the  
35 County Administrator and this Council. The Anderson  
36 County branch of the NAACP and its membership is  
37 concerned that this Council is acting -- is not acting in  
38 the best interest of the County of the Office of the  
39 Administrator and the citizens of Anderson County. It is  
40 our belief that Mr. Cunningham is being associated and  
41 punished by that association with the former  
42 Administrator. Mr. Cunningham's appointment by the  
43 previous council should be considered and he be allowed  
44 to move forward with the business of administering the  
45 duties of the county as detailed in his job description.  
46 For the Council to continue to use the political process  
47 rather than objective reasoning to bring closure to this  
48 process is considered counterproductive and damaging to  
49 the citizens of Anderson County. It appears you believe  
50 Mr. Cunningham is qualified for the position. Therefore,

1 it is time for this Council to stop the political  
2 wrangling and do what is in the best interest of the  
3 citizens of Anderson County now and in the future. The  
4 fact that Mr. Cunningham is an African American that is  
5 qualified for the job and this Council's attempt to oust  
6 is suspect to say the least. Or, at least implies that  
7 there's no interest on this part of the Council to be  
8 inclusive in its hiring practices and shows a lack of  
9 interest in diversity, especially in the administrative  
10 sector of this county's workforce.

11 EDDIE MOORE: One minute.

12 CARL CRATE: It is regrettable that Mr.  
13 Cunningham had to be put in the position of jeopardizing  
14 his career and ability to provide for his family. Or,  
15 having to reject and now reconsider an employment  
16 contract contrary to the one he currently works under.  
17 He is either qualified for the job or he is not. I  
18 respectfully ask that this Council work diligently to  
19 resolve this matter in an objective manner that serves in  
20 the best interest of Mr. Cunningham and the citizens of  
21 Anderson County, those who you were elected by. Thank  
22 you very much.

23 ADAM ARTIGLIERE: Mr. Chair there, there was  
24 one member of the public that has informed us that she  
25 intended to sign up for the agenda matters, but it  
26 already been picked up, if you would like me to read her  
27 name.

28 EDDIE MOORE: Yes, please.

29 ADAM ARTIGLIERE: Jo Ann Hammon.

30 JO ANN HAMMON: Yes, my name is Jo Ann  
31 Hammon. Mr. Chairman, Council members, fellow  
32 constituents, I thank you for the privilege of having my  
33 voice be heard. I do live in Three and Twenty area.  
34 I've been there for a number of years. I have  
35 grandchildren and great grandchildren in the Wren  
36 schools. We definitely do not want a landfill in our  
37 backyard, so-called. When a vote was taken in September,  
38 it was a landslide vote, yes. I think that vote was  
39 specifically to keep the landfill out. That was my  
40 purpose for voting yes. The zoning really didn't matter  
41 to me, but I did not want the landfill there. You have  
42 heard your constituents say tonight -- I have listened  
43 and everyone that has spoken from our area, and even  
44 people that are from a different area, have agreed with  
45 me that you should do something to stop the landfill. We  
46 don't want it. Understand please, we do not want it. So  
47 please do whatever is necessary to take care of this  
48 issue. We voted that we didn't want it, so please hear  
49 us because you are elected and you can be re-elected if  
50 you listen to your constituents. And we are telling you

1 that we definitely do not want this landfill. Thank you.

2

3 EDDIE MOORE: Can you come up so we can  
4 hear you.

5 HEATHER ROSS: I Also did not sign the sheet,  
6 but I was interested in speaking for just a moment. My  
7 name is Heather Ross, and I live in district six. I am  
8 twenty-four years old. I only heard a couple people  
9 speak about the economic issue that this will have  
10 entailed for me. I'm twenty-four years old, my husband's  
11 twenty-eight. We recently purchased an over two hundred  
12 thousand dollar house in this area. I'm not sure if you  
13 guys remember when you guys were twenty-four years old,  
14 but that is significant amount of money for us to pay a  
15 mortgage on each month. And for you guys to make a  
16 decision to jeopardize my future, it's my future and the  
17 health of my nine month old baby girl, with this decision  
18 you would make. I would appreciate in this hard economic  
19 times that you would please consider the mortgage payment  
20 that I have to make and knowing that I would have to sale  
21 my house if this would come to be. Thank you.

22 ADAM ARTIGLIERE: Mr. Chair, there are no  
23 more citizens signed up for agenda matters.

24 EDDIE MOORE: Okay. We'll now go on to  
25 Item number 6, possible e-mail scam. Ms. Floyd.

26 GRACIE FLOYD: Thank you. Mr. Chair, I'm  
27 gonna remove everybody from these problems that we have  
28 -- that has occurred. I'm gonna take you back to what  
29 the County's suppose to do for right now. Okay. I want  
30 to tell you two things, then I want to present to you Mr.  
31 -- I mean Lieutenant Major. I think he's Lieutenant.  
32 Anyway, first of all, last night we had a really, really  
33 good meeting with the Sheriff. And he told us about the  
34 things that he is going to do to help us in our  
35 situations. As you may or may not be aware, we are -- we  
36 have a gang problem here in Anderson. We have been  
37 working very, very tirelessly in our gang -- in our anti-  
38 gang meeting trying to get a grip on this. And Also we  
39 have worked with our new Sheriff as he explained to us  
40 what we could do to protect, protect ourselves. And he  
41 has given us his proposal for how he is going to manage  
42 the protective system of Anderson County. You may want  
43 to get with your Council members, if they have the time  
44 to pull you together, and let the Sheriff come to talk to  
45 you, to your people about it, to you about it. But  
46 district two last night was well in attendance. The  
47 second thing, being an ex-teacher, and teachers always  
48 teaches as ministers always minister. I thought that  
49 what we needed in Anderson County too was to re-educate  
50 ourselves. I passed out some information today on our

1 form of government. I passed out information to you  
2 listing all the forms of government, so you can see what  
3 each one's supposed to do. And I passed out information  
4 on ours. Also I gave you a separate sheet showing you  
5 what our Administration, what Anderson County -- the  
6 rules that Anderson County is supposed to adhere to. So  
7 if you got a copy of it, please read it. If you want  
8 more copies please see your, your Council members. Okay.  
9 Now one man made the, made the comment that he was going  
10 to use his as toilet paper. Use yours whatever reason  
11 you want. But this was an attempt to educate all of us,  
12 not only you, but me and everybody else. This is a  
13 promise I made to my constituents and County Council too.  
14 I was a victim of -- I was almost a victim of a scam.  
15 But being the smart gal that I am, I did not bite it, but  
16 I thought that I owe it to the people of Anderson County  
17 to make you aware of this thing. What I did was I called  
18 the Sheriff and we talked about it. I sent him the  
19 information and I deleted it from my computer. But I  
20 Also asked the Sheriff if he would come tonight to talk  
21 to you about it so you can be prepared for the things  
22 that are going on in Anderson County. And Lieutenant  
23 Major, are you here? There you are. Would you mind  
24 coming up front please? Is it Lieutenant, or you told me  
25 once was it Captain, or ...

26  
27 GRACIE FLOYD: If I could make you a Captain  
28 I would, because you help me tremendously. And I ask you  
29 to please help our people in Anderson County. You may  
30 stand over there.

31 LIEUTENANT MAJOR: Thank you, Mr. Chairman,  
32 members of Council, ladies and gentlemen. As Ms. Floyd  
33 said we'd like to make you aware of one of the most  
34 prevalent and most popular internet scams coming around.  
35 You may have received some e-mail things that -- a  
36 relative, you good Great Uncle Joe from Tanzania passed  
37 away and left you 48 billion dollars. Has anyone  
38 received that? And you look at the name on it, and it's  
39 a law firm from another county that says that you have,  
40 that you have a relative that passed away. He has all  
41 this money. They can't find the next of kin. It just so  
42 happens, they put you on their mailing list. I don't  
43 know about you, but if I had a, if I had a, a fam -- yes,  
44 if I had relative that had 48 billion dollars I would  
45 know about it, number one. That wouldn't be a surprise  
46 to me. But it's out there, and people do see it and they  
47 see a chance to get some fast money. And sometimes it  
48 requires you to send something to them, an amount to  
49 guarantee that you will receive the money. It's a scam.  
50 If you get e-mail like that, you're not a victim unless



1 you send them the money. Do not send them anything. If  
2 -- the old saying, if it looks to be good to be true, it  
3 is too good to be true. And that's the way we feel about  
4 it. If you see something or if you get e-mail things  
5 that you've got a relative that you don't know passed  
6 away in Africa, or China or wherever, delete and go on.  
7 There's nothing we can do because they are out of state,  
8 and you're not a victim of anything. All you did was get  
9 SPAM, get e-mail. Just hit the delete button and go on.

10 GRACIE FLOYD: Okay. You -- the one -- we  
11 don't have to send these things to you -- to the  
12 Sheriff's office? Or do we have to make the Sheriff's  
13 office aware that this kind of thing is coming?

14 LIEUTENANT MAJOR: No, Ma'am. We are already  
15 aware of it. We used to send it to a Federal Agency.  
16 But after checking with them, after our conversation,  
17 they said they don't really want anymore. They know it's  
18 out there, but they're being flooded with the plethora  
19 of, of these complaints. We know it's out there. Just  
20 hit the delete button and go on.

21 GRACIE FLOYD: Okay. All right. Lieutenant  
22 Major, I thank you for coming. And folks, when I first  
23 saw the e-mail, I was -- fell down on my knees and  
24 thanked the good Lord for the 17 million that I was left.  
25 And then I got to thinking about this thing and I said, I  
26 don't know anybody in my family who has ten cents let  
27 alone 17 million dollars. So I called the, I called the  
28 Sheriff to make sure, to make sure that all I had to do  
29 was to -- at the time we decided I'd send him mine, but  
30 from now on when you get those things, please, please  
31 delete it. It's not the truth. Okay. And I thank you  
32 for bringing that to our attention. I advise you --  
33 please thank the Sheriff for me.

34 APPLAUSE

35 GRACIE FLOYD: I advise you to please ask the  
36 Sheriff to come and present to you, or your committee, or  
37 your community, ask him to present to you his plan for  
38 protecting us. And Mr. Chairman, with that I thank you.

39 EDDIE MOORE: We will take a five minute  
40 break.

41 BREAK

42 EDDIE MOORE: Item number 7 on the Agenda,  
43 The Anderson County landfill. Ms. Bishop.

44 ANN BISHOP: Okay, thank you. If it's  
45 okay, I have Ann Smith presenting one part of this that's  
46 not part of the slide presentation. Would that be  
47 appropriate? Okay. Thank you. It's, it's not a visual.  
48 It's just a word, words.

49 ANN SMITH: Thank you. As Wasteco, I  
50 would like to actually tell you some ordinances for our

1 zoning that has been broken by Wasteco Greenpointe, LLC.  
2 When Wasteco unlawfully stored commercial containers on  
3 the RA, Residential Agricultural, zoned property and  
4 lawful duty -- the lawful duty of Anderson County  
5 official ---

6 MALE: Can't hear.

7 EDDIE MOORE: Can you talk into the mike so  
8 they can hear you in the back.

9 ANN SMITH: Can you hear me now? Okay.

10 EDDIE MOORE: Okay. Is it on, the mike on?  
11 Make sure it's on.

12 ANN SMITH: Okay, all right. When Wasteco  
13 Greenpointe LLC, unlawfully stored commercial containers  
14 on the RA, Residential Agricultural, zoned property, the  
15 lawful duty of Anderson County officials was to issue a  
16 notice within thirty days to correct AC Code 538-521.  
17 When Wasteco unlawfully began grading, the lawful duty of  
18 Anderson County officials was to issue a stop work order --  
19 work order, AC Code 538-521. When Wasteco continued  
20 unlawful grading, the lawful duty of the Anderson County  
21 officials was to post a stop work notice at the site.  
22 Wasteco was Also notified that state regulatory permits  
23 do not supercede necessary county land use permits. And  
24 that is, and that is and will be prosecuted by past and  
25 continuing violations. As specified in Anderson County  
26 Code of Ordinances, Chapter 70, the zoning administrator  
27 or other appropriate county official is charged with  
28 enforcing the zoning ordinance and may seek injunctive  
29 relief or other appropriate action in courts of competent  
30 jurisdiction to enforce the provisions of zoning. This  
31 process was stopped by a councilman who claimed he was  
32 stopped -- was stopping an unfiled lawsuit. For the  
33 record, the injunction was being sought for repeated  
34 zoning violations against Anderson County, not as  
35 procedural for an unlawful lawsuit. Thank you.

36 ANN BISHOP: Thank you. My name is Ann  
37 Bishop. I am in district four. I do not live in the  
38 district where the landfill is currently being graded.  
39 But I would like to speak to that issue. I work in that  
40 district and I live in -- about five miles from it. At  
41 that last county council meeting, I posed some questions  
42 to council. I hope you have contemplated what I have  
43 said. I hope you've looked up the answers to, to those  
44 questions. I want to speak tonight and take a closer  
45 look at the facts concerning the entity that prompted  
46 those questions at that last meeting. I want to use the  
47 words spoken by Wasteco Greenpointe's attorney Jim  
48 Carpenter as he described this entity to John McLeod,  
49 Administrative Law Judge in Columbia. These are just  
50 three guys trying to honestly start a business with the

1 full support of Anderson County. The only opposition was  
2 a letter with over thirty-five complaints. The County  
3 did an about-face and is now against them. These three  
4 guys have followed every regulation and procedure set  
5 before them, and the courts have agreed with them.  
6 Unfortunately, this is not a truthful description.  
7 Indeed, it is far from the truth. Yet it was presented  
8 in court, to a judge, who would later rule on this case.  
9 What I am about to present is fact, supported with copies  
10 of all appropriate legal documents. Let's take a look at  
11 who these three guys are. Wasteco has signed off on most  
12 of the applications, engineers, architects, and other  
13 services ...

14 END OF TAPE 2, SIDE 1

15 ANN BISHOP: ... obligations have been  
16 satisfied with Wasteco checks. In fact, on September 11<sup>th</sup>  
17 '08, just a few months ago, the fee for the NOI permit  
18 was paid with a Wasteco check. So I'm not sure who is  
19 truly out the money. Let's look at the honesty. They  
20 worked secretly for three years before notifying the  
21 public in accordance with required DHEC regulations.  
22 Notice was never posted on or near the site. They claim  
23 to have lawful Anderson County permits, when only one  
24 part of the condition letter of compliance had been  
25 satisfied. That's the DHEC permit. They have undermined  
26 the legal system by presenting half truths and outright  
27 lies. Let's look at their claim of Anderson County  
28 support. They presented as fact, Wasteco claimed all of  
29 Anderson County was on board with the landfill. The  
30 actual fact is that no documents exist requesting Wasteco  
31 to place a landfill in this area. We have been told that  
32 things were said verbally. This community has been told  
33 a lot, verbally. Wasteco claims it went through all  
34 proper county procedures and was given the green go ahead  
35 light. Letters from Anderson County officials answered  
36 Wasteco questions as they are required by law to do. And  
37 they made those responses in light of the regulations and  
38 ordinances in place at that time, which would be February  
39 of 2005. Let's look at those letters. These are the  
40 letters presented as evidence by Wasteco. Wes Tuserilli  
41 (phonics). This is dated February 4, '05. Anderson  
42 County Code of Ordinances is silent regarding  
43 requirements for a placement for a C&D landfill on local  
44 collect or arterial roads. That was true in 2005. When  
45 questioned on 3/13/08 about the letter, Wes stated --  
46 this was a form letter that he sends out to anybody  
47 making a similar request. Carpenter, to the same man, on  
48 2/11/05, the area in question is not zoned in any fashion  
49 that would prohibit such a landfill. Again, he is  
50 addressing the law in place at that time in 2005.

1 Carpenter could not be reached for comment. He no longer  
2 works for the County. Not included in the evidence  
3 presented at that time was a letter from county  
4 administrator Joey Preston dated January of '05 -- this  
5 is prior to these two letters -- objecting to the issuing  
6 of a preliminary letter of consistency. He further  
7 requests a lower tonnage of the landfill, and when  
8 questioned, Preston stated that Anderson County was under  
9 the impression that the landfill would be approved, and  
10 the only thing they could do was request a lesser amount.  
11 Now let's look at their claim of Anderson County support.  
12 Continued. Wasteco claims that because it had a  
13 unanimous vote from the Planning Commission for a  
14 conditioned approval in 2005, it had the full County  
15 support. The actual fact is, that according to Anderson  
16 County records, the Commission so voted, because despite  
17 the fact that the landfill was not compatible with the  
18 Comprehensive Land Use Plan, there were no regulations in  
19 place to prohibit it. So they again followed the law in  
20 2005. The only document that Wasteco possesses is a  
21 conditioned approval. I have asked several council  
22 members if they know the definition of that, and what it  
23 is, and I was told that we just don't have time to go  
24 through those things. I understand that. I teach  
25 school. People expect me to be, be able to do countless  
26 numbers of things. But if I can't do it, I'm certainly  
27 not going to vote on it. This is an interim action that  
28 provides the authorization for a site specific  
29 development plan, but is subject to approval. And the  
30 law is listed up there for you, if you wish to look it  
31 up. To secure approval, that is final action resulting  
32 in a site specific development plan, Wasteco has to meet  
33 all of the requirements of the conditioned approval.  
34 This means, a DHEC permit, a storm water plan, a soil and  
35 water impact study, grading permits, encroachment  
36 permits, etc. The DHEC permit is the only part of that  
37 conditioned approval that has been met by Wasteco prior  
38 to zoning. One part. Again, the law is cited for you.  
39 Now, let's look at public opposition. Wasteco claims  
40 that the only negative feedback was from one letter, with  
41 over thirty-five complaints and allegations. The actual  
42 fact, at the first poorly advertised public hearing over  
43 three hundred people attended and voiced concerns and  
44 cited regulation violations until the meeting was called  
45 at ten thirty. They would have stayed later. At a  
46 properly advertised public meeting over six hundred  
47 people attended. Again, voicing concerns and citing  
48 fact-based regulation violations until the meeting was  
49 called after ten p.m. The Three and Twenty Watershed  
50 Board, as already been discussed, the unanimous

1 opposition. Wasteco ignored that. As for the thirty-  
2 five pages of complaints and allegations, let's define  
3 the words. Complaint, kinda makes it sound like a  
4 grievance, a criticism, a grumble, a moan. Allegation, a  
5 claim, an accusation, finger pointing. Let's look at  
6 another definition. Violation, infringement,  
7 encroachment, disobedience. The following items all  
8 address infringements, encroachments and disobedience of  
9 Federal, State and Local law. Therefore, they must be  
10 defined as violations. Next few slides I am going go  
11 through quickly. We'll certainly give these to anybody.  
12 You're welcome to look at it. You are welcome to look at  
13 the letter that was written that cites each one of these  
14 in detail. But because there are so many, I'm not going  
15 to take up you time with them. As you can see, there are  
16 many different acts and laws that were broken more than  
17 once.

18 CINDY WILSON: Mr. Chairman, may I?

19 EDDIE MOORE: Ms. Wilson.

20 CINDY WILSON: Would it be possible to get a  
21 copy of this ---

22 ANN BISHOP: Absolutely.

23 CINDY WILSON: -- she's going so fast ---

24 ANN BISHOP: Absolutely. I, I meant to  
25 have that already and I, I don't. Good question. If  
26 these indeed were mere allegations and complaints, why  
27 did Wasteco have to completed change the scope of the  
28 application to be in compliance? Why? Because they were  
29 in violation of the law, many laws. Let's look at their  
30 claim that the county is now against them. They  
31 presented as fact that the, the County imposed a  
32 moratorium and subsequent zoning in a war against them.  
33 You have heard people speak tonight who have said they  
34 requested this of their county. The County did not start  
35 this. The people started their lawful right to zone  
36 their precinct. Please understand that. Let's look at  
37 the facts that guide the County. The County has the  
38 lawful responsibility to exercise power and duty to  
39 prepare and revise plans, including zoning ordinances.  
40 And the law is cited for you again. It is their duty to  
41 develop and maintain a planning process, continual  
42 reevaluation and updating as often as necessary. Again,  
43 the law is referenced for you. It is their duty to adopt  
44 a zoning ordinance to help implement the comprehensive  
45 plan. And the law is referenced for you again. In other  
46 words, Anderson County has the duty to continually update  
47 land use plans and approve zoning when lawfully sought by  
48 an area of documentation -- jurisdiction. Okay. So why  
49 is the County bound to uphold the zoning? Here is the  
50 documentation. The storm water plan, another requirement

1 of the conditioned approval, was sent back for  
2 corrections. Now, by this time, after this many  
3 violations, you would think that a company that is going  
4 make this kinda impact in a community would get it right.  
5 It was sent back on 9/11/08, after zoning was in effect.  
6 Wasteco was notified by DHEC that the review clock would  
7 not begin until a corrected application was submitted.  
8 That's pretty clear. The corrected application was  
9 approved on 9/22/08, after zoning was in effect. The  
10 environmental impact studies have not been done still.  
11 The plans for buffering required for Anderson County have  
12 not been presented. The only part of the conditioned  
13 approval that Wasteco was able to secure before zoning  
14 was the DHEC permit. As stated earlier, DHEC permits the  
15 landfill. It does not supercede County regulations. It  
16 does not. Because Wasteco took almost four years to  
17 legally complete one part of the conditioned approval,  
18 and still have not met other conditions, it must now go  
19 before the Planning Commission once it gets all its stuff  
20 together and go for a hearing in a now zoned area.  
21 Because of Wasteco's incomplete expired 2005 Certificate  
22 of Compliance, the only document they hold, Anderson  
23 County cannot legally issue grading permits, another  
24 requirement in the lawfully zoned area of jurisdiction.  
25 If abiding by the law is perceived to be a war by Wasteco  
26 then this should open the County's eyes as to what is to  
27 come. Regulation and procedures. What was presented as  
28 fact? Wasteco claims that it followed every regulation  
29 and procedure set before it. You just watched me go  
30 through slides that we have to have copies of, there were  
31 so many regulation violations. The actual fact is, they  
32 failed to notify the community, according to DHEC. Over  
33 three yeas. It was March 7th, 2008 before the first  
34 notification was done in the proper manner. They  
35 unlawfully located the landfill footprint in a one  
36 hundred year flood plain. They unlawfully located  
37 sediment ponds in one hundred year flood plain with  
38 direct impacts in Pickens creek and adjacent wetlands.  
39 They failed to request a jurisdictional determination on  
40 wetlands from Corp of Engineers until a petitioner  
41 requested to review it and found out it didn't exist.  
42 They failed to meet water quality certification which  
43 requires a plan to manage storm water runoff from the  
44 high ground portions of the site from which material will  
45 be excavated. As of today Wasteco has not requested a  
46 jurisdictional determination on wetlands to be used for a  
47 cover source. They failed to request a new hearing  
48 before the Planning Commission as required by Anderson  
49 County code. They have ignored Anderson County zoning  
50 ordinances, accrued fines for violations, and continue

1 today with unlawful grading. Another thing they have  
2 said, the courts agree with us. They are ruling in our  
3 favor. I just told you earlier that the facts that were  
4 presented to a law judge that did rule in their, their  
5 favor, they were all untruths. Wasteco has presented  
6 untrue information to courts of law resulting in  
7 favorable rulings. Documentation. I attended this  
8 meeting in Columbia. It was hard for me to sit there and  
9 listen to what was said that was untrue and not say  
10 anything. They presented as fact that they claimed it  
11 changed the landfill to appease the community. To  
12 appease the community. They changed the landfill because  
13 they had over twenty major violations. These violations  
14 that I'm referring to were found in a letter that I  
15 wrote. I'm a school teacher. I'm not a lawyer. I'm not  
16 a DHEC personnel, regulatory person. I'm just a school  
17 teacher. I found thirty-five major violations in  
18 regulations. That shouldn't happen. In the appeal,  
19 Wasteco claimed that the community repeated previous  
20 allegations. Some of those allegations that were  
21 repeated, if you call it an allegation, is the fact about  
22 the jurisdictional ruling. I have contacted the corp  
23 again. I have drawn them a map. They looked at it  
24 again. And they said, wow, this is a problem. No  
25 kidding. Wasteco claimed the community presented no  
26 evidence that Greenpointe or DHEC failed to follow DHEC  
27 regulations or legitimate Anderson County laws. How in  
28 the world can you make that statement when you just had  
29 your hand called on twenty violations? There were many  
30 violations. Additionally, administrative law judge John  
31 McLeod, in that same meeting instructed Wasteco, it would  
32 have to abide by Anderson County regulations. They left  
33 that part out. The judge Also questioned, if this stay  
34 is lifted, will it give sympathy to Greenpointe in future  
35 litigation? Will this be a wedge in future litigation?  
36 So what is the appropriate procedure at this point? Do  
37 the homework. Look at the actual legal documents. Don't  
38 base decisions on what somebody tells you. Do not rely  
39 on unverified information. Understand and abide by  
40 Anderson County codes and ordinances, especially those  
41 dealing with condition certificate of compliance, zoning  
42 ordinances and permitting. Understand when local  
43 ordinances supercede state regulatory permitting. Please  
44 stick to the facts. Everything presented in this text  
45 has been taken from legal documents. I have faithfully  
46 presented the facts for eleven months. I do not like  
47 presentations like this. I have not brought out any of  
48 this for eleven months. I have set aside and placed the  
49 facts, side by side, to let everybody make, what I  
50 thought they would make, a lawful decision. Apparently

1 the information that I have is not the same as what other  
2 people have and are presenting, even though mine is all  
3 legally documented. Finally, abide by the law. Wasteco  
4 has repeatedly failed to abide by minimum regulations.  
5 We already know that major waste companies are coming to  
6 South Carolina because our regulations are so slack.  
7 They are not even meeting the minimum South Carolina  
8 regulations. This has resulted in multiple revisions of  
9 the DHEC application over a period of years. Wasteco has  
10 claim that it has been a war of attrition, of the County  
11 holding them up. I would not let my high schoolers turn  
12 in papers like this. Other Wasteco permit applications  
13 were found to have incorrect information and were sent  
14 back for revisions as late as September of this year,  
15 well after zoning. As of today, Wasteco has not flagged  
16 and delineated wetlands to the south of Pickens Creek as  
17 required by the EPA before any permitting by DHEC. Had  
18 Wasteco abided by the minimum regulatory and permitting  
19 laws, their application would not have been revised  
20 repeatedly for almost four years, in which time the  
21 Condition Preliminary Certificate of Compliance of 2005  
22 from Anderson County expired and zoning went into effect.  
23 Anderson County officials have the duty to abide by the  
24 law. At the last Council meeting extensive evidence was  
25 presented. This was concerning the manipulation and  
26 stripping of legal rights in the community of Cheddar by  
27 a corporation that did not abide by the truth. An  
28 investigation is revealing that all the concealed deals  
29 that were contributing to that disaster. You have heard  
30 the facts concerning a similar tragedy, unfolding as we  
31 speak, in the Wren community. The only difference is  
32 that you do have the law behind you and you do have the  
33 power to stop it. Tonight, I only have one question.  
34 Whose community is next? Is it yours? Is it yours?  
35 What about you? Is it going to be your community next?  
36 Will it be your community? Thank you.

37 APPLAUSE

38 EDDIE MOORE: Is that the end of your  
39 presentation, Ms. Bishop? Any councilman have any  
40 questions they'd like to ask her? Ms. Floyd.

41 GRACIE FLOYD: Okay. I have just a little  
42 thing. It's just very, very small that I'd like to say  
43 to you. Okay. You referred to yourself several times as  
44 a school teacher. Okay. Tonight I'm promoting you to  
45 educator. Not only do you educate your students, tonight  
46 you have given us an education. A lot of the materials  
47 that you have shown us tonight I have not seen before. I  
48 voted on the part -- the zoning, because what we used to  
49 do was to talk to one another and we, we talked to the  
50 council member from the districts that were having



1 problems and that council member would fill us -- fill in  
2 -- will fill you in on what's happening and why he thinks  
3 it was a better thing. And then we read the information  
4 that we used to get from our attorneys that would let us  
5 know, you know, how to make the decisions. So my  
6 decision was based on what Mr. Wilson had told us about  
7 it and from everything else. But as far as all these  
8 facts and things that concern, I want to commend you.  
9 All right. Please don't ever say that you are a school  
10 teacher. You are an educator, and I thank you for that.

11 APPLAUSE

12 RON WILSON: Mr. Chairman, Mr. Chairman.

13 EDDIE MOORE: Mr. Wilson.

14 RON WILSON: I would just like to say, Ann,  
15 I thank you for the presentation. It was brilliant. And  
16 I appreciate you showing this interest. I know you don't  
17 live in the district, and I very much appreciate what  
18 you've done. Thank you.

19 APPLAUSE

20 GRACIE FLOYD: Can I ask a question?

21 EDDIE MOORE: Ms. Floyd

22 GRACIE FLOYD: Ann.

23 ANN BISHOP: Yes.

24 GRACIE FLOYD: Excuse me. The lady behind  
25 you. Were those your students that spoke tonight? Were  
26 those some of your students? All right. I want to  
27 commend those kids, too, because they may be gone before  
28 I get to say this. But those kids were some of the  
29 sharpest speakers I have ever -- and I love it when the  
30 kids come forward to show us that they're ready to take  
31 on our messes in their future. Okay. Thank you.

32 APPLAUSE

33 ANN TAYLOR: I would just like to say I  
34 want to thank Mr. Wilson for standing behind his  
35 community and his precinct. He has done a wonderful job  
36 in supporting us in this action. And I still feel that  
37 he'll go to the ends of the earth to make sure that the  
38 right thing is done. And I just want to tell him how  
39 much we appreciate him and just want to commend him for  
40 doing the work that he has in our community. I just want  
41 to let him know that we appreciate that.

42 APPLAUSE

43 EDDIE MOORE: We now go to Item 8 from Mr.  
44 Carpenter.

45 GRACIE FLOYD: Mr. Chair.

46 EDDIE MOORE: Ms. Floyd.

47 GRACIE FLOYD: Could you please introduce Mr.  
48 Carpenter to us. Who is he and what is he representing,  
49 or, cause I don't have that.

50 JIM CARPENTER: Would you like me to introduce

1 myself?

2 EDDIE MOORE: Okay

3 JIM CARPENTER: I'm Jim Carpenter, a lawyer  
4 from Greenville. It's my privilege to represent  
5 Greenpointe. I'm one of the few who is going to do it  
6 tonight. I'm going to do it for them. There been a lot  
7 of questions raised, and I think they're fair questions,  
8 and I think that you deserve some answers. When you ask  
9 for answers I'll try to give them to you. A lot of you  
10 have talked about making sure that we abide by the law,  
11 abide by the rule of law. We agree. We have to abide by  
12 the rule of law. And I think I'd like to talk to you  
13 tonight about what I believe the rule of law is. But  
14 what I'd like to begin with is, how did we get to this  
15 point? I'd like to present to you a time line. A  
16 statement of facts that starts at the beginning and tells  
17 us how we got to the place where we are. I reviewed a  
18 lot of documents, court filings, affidavits, documents  
19 from Anderson County, and put together this time line to  
20 help everybody concerned understand what the facts are.  
21 I'd like to take you back to September 2004. Radford  
22 Jenkins, who is one of the three guys that was referenced  
23 earlier, he is a principal in Greenpointe. Seated with  
24 me was Jim Brown. He's one of them. Radford's father,  
25 Bob is the third one. There are three guys that make up  
26 Greenpointe. Of course they've used professionals to  
27 help them. But they are three guys. This is not a huge  
28 northern corporation as has been rumored. Jim Brown said  
29 if you consider Travelers Rest up north, then maybe it  
30 is. But this is three guys from here in South Carolina  
31 who are trying to put together a C&D landfill. Radford  
32 Jenkins of Greenpointe met with Victor Carpenter,  
33 Anderson County's Director of Environmental Services to  
34 discuss the possibility of a C&D landfill, September  
35 2004. And to my knowledge, Vic Carpenter is not related  
36 to me. We share the same name, but we're not related.  
37 I never met him. Vic Carpenter did not discourage the  
38 C&D landfill, but mentioned that Greenpointe might have  
39 problems placing a landfill in the Big Creek area. He  
40 suggested that Greenpointe evaluate sites in the northern  
41 part of the County. He pointed to an area on a map and  
42 said, why don't you look here? So in the fall of 2004  
43 Greenpointe took Vic Carpenter's advice, found a site on  
44 Hamlin Road, evaluated the land asked the County and DHEC  
45 for assistance for determining the needs and the  
46 consistency for C&D landfill. You have to do a  
47 determination of need. You have to do a determination of  
48 consistency. He asked for their help on those. He met  
49 again with Vic Carpenter. Vic Carpenter's only  
50 suggestion at that time was to lower the annual tonnage.

1 2004, Anderson County adopted an amendment to the  
2 Anderson County solid waste management plant. December  
3 10, 2004, Wasteco requested DHEC's approval of the  
4 determination of need and consistency determination for  
5 the proposed landfill. DHEC is the one that makes those.  
6 We will see a letter from Vic Carpenter later on in which  
7 he acknowledges that DHEC makes those decisions. In  
8 South Carolina the General Assembly has decided that the  
9 regulation of landfills has to be done on a statewide  
10 basis. The General Assembly, your representatives,  
11 decided that. They passed statutes to that effect. And  
12 who did they put in charge of evaluating and permitting  
13 landfills? They put the South Carolina Department of  
14 Health and Environmental Control. DHEC. DHEC is in  
15 charge of permitting and regulating landfills. DHEC  
16 determined on December 21 that the proposed landfill met  
17 the criteria established by the South Carolina  
18 Regulations for a demonstration of need. January 5,  
19 2005, it was alluded to in the earlier presentation, Mr.  
20 Preston wrote a letter, and I'd like to show you that  
21 letter. This is a letter from Mr. Joey Preston, Anderson  
22 County Administrator, to Mr. Art Braswell at DHEC. And  
23 he did raise an objection. But the only objection he  
24 raised was the amount of waste that would go into the  
25 landfill. You look at his letter. Recently Anderson  
26 County received a letter from your office regarding a  
27 preliminary determination of need for a proposed  
28 construction and demolition landfill to be located on  
29 Hamlin Road, Anderson County. Please be aware Anderson  
30 County objects to the issuing of a preliminary letter of  
31 consistency for this proposed landfill. Specifically,  
32 the County objects to the determination that a disposal  
33 limit of up to two hundred and seventeen thousand one  
34 hundred and twenty tons could be approved. That was the  
35 initial request for the landfill. We wanted to put in an  
36 annual limit of two hundred and seventeen thousand tons.  
37 He says, though the county's solid waste plan allows  
38 Class II C&D landfills, the potential of a facility of  
39 that size to operate in a rapidly urbanizing area is not  
40 in the long term best interest of the County. The County  
41 would be willing to consider a disposal capacity more in  
42 line with the rest of the C&D landfills currently  
43 operating inside the County. We have other C&D landfills  
44 inside Anderson County. He suggests a rate of forty  
45 thousand tons per year or less would be an acceptable  
46 limit as that would allow the new landfill to adequately  
47 serve the needs of Anderson County's rapidly growing  
48 northern portion. Again, this is in the northern area  
49 where Victor Carpenter suggested that Greenpointe go and  
50 look for a place to put a landfill, the northern area up

1 there close to 85 where all the development is taking  
2 place. This is a letter from Joey Preston saying, we  
3 don't object to the landfill, we just want it limited in  
4 size. This may come as a surprise to you. All right.  
5 January 10. In response to Anderson County's objection  
6 to the original disposal limit, Wasteco requested the  
7 department reduce the maximum allowable tonnage for the  
8 proposed landfill to fifty seven thousand tons. A four  
9 fold reduction, one fourth of what they had been asking  
10 for. Here's the letter, January 10, Wasteco, requesting  
11 a tonnage of fifty-seven thousand tons per year. January  
12 12, DHEC informs Anderson County the department had made  
13 a preliminary decision that the proposed landfill is  
14 consistent with the 1994 plan. DHEC approved Wasteco's  
15 reduction on January 21. February 4, William West, Jr.,  
16 Development Standards Manager and Zoning Administrator  
17 wrote to Greenpointe's Tony Cirelli. He said, Anderson  
18 County Code of Ordinances Section 38-180 is silent  
19 regarding the requirements for placement of a C&D  
20 landfill on local, collector or arterial roads. There  
21 should be no issue regarding the County requirements for  
22 such a location on a county road. There's currently no  
23 zoning in this area of Anderson County. Here is the  
24 letter from -- well, that's the, that's the DHEC letter.  
25 Here is the letter -- the earlier one was the DHEC  
26 letter. This is the one I'm talking about. The letter  
27 from William West to Mr. Cirelli, and it reads just as I  
28 read it to you. A few days later Mr. Cirelli got another  
29 letter. This time from Victor Carpenter, who identifies  
30 himself as Director of Environmental Services Division.  
31 He says, per our conversation, I'm writing to inform you  
32 that we're aware -- and this is -- I'm sorry. Yeah, this  
33 is a letter to Mr. Cirelli. I'm writing to inform you  
34 we're aware that Mr. Radford Jenkins has submitted a plan  
35 to DHEC seeking approval to permit a C&D landfill off  
36 Hamlin Road in Anderson County. It's my understanding  
37 he's requesting a landfill with an annual allowed  
38 disposal of no more than fifty-seven thousand tons a  
39 year. The reduced amount. Furthermore, he has indicated  
40 his intention to buffer the landfill in accordance with  
41 all applicable Anderson County development standards, all  
42 of which should ensure this development remains in  
43 accordance with the intent and desires of the solid waste  
44 management plan for Anderson County. This area is not  
45 zoned in any fashion that would prohibit such a landfill,  
46 to the best of my knowledge. Though determinations of  
47 need and consistency can only be made by DHEC, and the  
48 County plays no role in making such determinations, I can  
49 see no reason to be concerned, nor offer objections to  
50 this application as I currently understand it. This was

1 a representation from Anderson County to Greenpointe in  
2 February 2005. Now, in February 2005 Anderson County  
3 officials advised Greenpointe that it was not necessary  
4 to appear before the Anderson County Planning Commission.  
5 We had a representative from the current Anderson County  
6 Planning Commission speak tonight. Anderson County  
7 officials said, you don't need to be meet with those  
8 people. But Greenpointe wanted to go the extra mile.  
9 Greenpointe -- now listen, I gave you all respect. I  
10 didn't interrupt you. All right.

11 EDDIE MOORE: Y'all hold it down.

12 JIM CARPENTER: Greenpointe, nevertheless,  
13 filed a land use permit application with the Anderson  
14 County Development Standards Department for a C&D  
15 disposal on Hamlin Road. And here it is. Anderson  
16 County Development Standards Department Land Use permit  
17 application. 2/11/05, Wasteco, C&D disposal site. They  
18 filed it and they appeared on the agenda on March 15.  
19 March 7 -- before that. DHEC sent a notice to proceed to  
20 the county administrator and to Wasteco advising the  
21 county administrator proposed landfill was consistent  
22 with both the '94 plan and the 2004 plan and Wasteco was  
23 authorized to proceed with their permit application, that  
24 would be their DHEC permit. March 15, several  
25 representatives of Greenpointe appeared before the  
26 Anderson County Planning Commission. Greenpointe's  
27 project appears on the agenda as Item 7B, Public service  
28 use, construction and demolition landfill, Hamlin Road.  
29 Greenpointe addressed any Planning Commission concerns  
30 related to the project and the Planning Commission  
31 endorsed the project by a unanimous vote. There is the  
32 agenda, 7B, Public service use, construction and  
33 demolition landfill, Hamlin Road. From March until  
34 August, Greenpointe did not hear anything from Anderson  
35 County. They hadn't bought the property yet. But let me  
36 show you something. In June, we found this memo. We  
37 didn't find it in June, we found it now and it's dated in  
38 June, June 2005. To Victor Carpenter from David Scott,  
39 Environmental Services Engineer. He talks about  
40 different factors of the landfill and so on. At the  
41 bottom of it, there's a paragraph that says, if  
42 necessary, there are several options to stopping the  
43 landfill. One is to change the SWMP, Solid Waste  
44 Management Plan, to limit all C&D to a certain tonnage  
45 per year. Also to the Solid Waste Management Plan can be  
46 changed to say the landfill cannot be within a certain  
47 number of feet of a residence or that has to be on parcel  
48 of property of a certain acreage. There are Also zoning  
49 issues that can be brought up since no zoning is in  
50 effect in this area of the County. So here is Victor

1 Carpenter, apparently asking an engineer for help on what  
2 he can do to derail the landfill project that has been  
3 consistently approved and encouraged up until this point.  
4 No word to Green, to Greenpointe at this, at this point  
5 though. This is June of 2005. It was in the file when I  
6 got it. I wasn't representing Greenpointe at this time.  
7 That's right. I don't know. Let me make my  
8 presentation. Okay?

9 EDDIE MOORE: If you would, let him make his  
10 presentation and then I'm sure he'd be happy to answer  
11 any questions. Okay? Let him have his presentation.  
12 Okay.

13 JIM CARPENTER: In August and September  
14 Radford Jenkins again called Vic Carpenter to ask if  
15 Anderson was still on board for the C&D landfill, whether  
16 he'd heard anything negative. Greenpointe told Victor  
17 Carpenter that they had not yet closed on the property  
18 and if Anderson County did not want them there, and it  
19 would not work, Greenpointe could still back out of the  
20 project. They had a contact on the land but they hadn't  
21 closed on it yet. Carpenter assured Greenpointe that  
22 Anderson County was still on board, that he had not heard  
23 anything negative. So they closed on the property  
24 September 15 at a purchase price in excess of a million  
25 dollars. September 21, DHEC informed Wasteco by letter,  
26 that Wasteco's application for the proposed landfill was  
27 administratively complete, the technical review of the  
28 application would be taking place. October 25, DHEC's  
29 Bureau of Land and Waste Management issued a preliminary  
30 consistency determination on the property and wrote a  
31 letter to Anderson County administrator saying the  
32 proposed landfill had been reviewed and was found  
33 consistent with the '94 plan. And then, November 7,  
34 2005, everything changes. The County Administrator  
35 writes to DHEC, refers to one sentence in the 2004 plan  
36 that says, no new or replacement part four C&D landfills  
37 are permissible in Anderson County. This became known as  
38 the sentence. This was the first indication that DHEC  
39 received in writing that Anderson County had a problem  
40 with the proposed landfill as being consistent with the  
41 '94 or the 2004 plan. So DHEC considered that. And in  
42 May 2006, six months later, issued a denial letter  
43 informing Wasteco that the proposed landfill was not  
44 consistent with the 2004 plan because the DHEC staff  
45 believed the sentence in the 2004 plan expressly  
46 prohibited new expansion of C&D Part four facilities. So  
47 Greenpointe appealed to the Administrative Law Court.  
48 May 30, 2006, they requested a contested case hearing.  
49 Six or seven months later they had the first hearing in  
50 their contested case. But in the meantime, February of

1 '07, Anderson County issued a business license, or City  
2 of Anderson, I'm sorry, issued a business license to  
3 Wasteco at 500 Hamlin Road, Easley. This was to do a  
4 recycling business. Here is the license. This -- you  
5 wonder what that is? That is the letter to Joey Preston  
6 saying that the landfill was ready to go and they could  
7 -- they were ready to process the permit, preliminary  
8 consistency determination.

9 EDDIE MOORE: Mr. Carpenter, can we ask you  
10 one question. We'll extend your time if we have to.

11 JIM CARPENTER: Thank you.

12 EDDIE MOORE: Ms. Floyd.

13 GRACIE FLOYD: Please remember the part where  
14 you said that you received a business license from the  
15 City of Anderson for Easley, cause I don't understand it.  
16 I'm sure it's me, but I just don't that. But ---

17 JIM CARPENTER: Well, I've got it here. I'm  
18 showing it right now.

19 GRACIE FLOYD: Oh, okay, good. Thank you.

20 JIM CARPENTER: The City of Anderson issued a  
21 business and professional license. They paid their fee,  
22 it's got the 500 Hamlin Road, Hamlin Road address. It's  
23 an Easley mailing address. But here's the license, and  
24 it's issued to Wasteco and it's a business classification  
25 license and it's to do recycling there on the Hamlin Road  
26 property. So I don't know. Okay? All I'm showing you  
27 is what we have. Okay. All right.

28 EDDIE MOORE: Y'all hold it down. Let him  
29 finish his presentation. Then we -- I'm sure he'll field  
30 some questions from you.

31 JIM CARPENTER: April 23, 2007, DHEC issued a  
32 letter to Wasteco granting permission to begin operations  
33 of a construction and demolition debris material recovery  
34 facility, sometimes called a DDMRF (phonics). This is a  
35 recycling operation at the 500 Hamlin Road address in  
36 Easley. And that is this letter right here where Mr.  
37 Jenkins receives a letter from DHEC for permission to  
38 operate a construction demolition debris material  
39 recovery facility, MIRF, at 500 Hamlin Road in Easley.  
40 So they got approval from DHEC to run their recycling  
41 operation. June 2007, the administrative law judge  
42 issues a decision in the contested case ruling that the  
43 sentence prohibiting anymore landfills in Anderson County  
44 was an illegal sentence. And it was preempted by  
45 statutes giving exclusive jurisdiction over the  
46 permitting and regulation of landfills, the DHEC. Let me  
47 stop and talk about that a minute. The administrative  
48 law judge, Judge McLeod, ruled that the General Assembly  
49 had set up the regulation process for the entire state.  
50 The General Assembly had decided that we couldn't have

1 forty-six different counties with forty-six different  
2 regulatory schemes. Some of them weak, some of them  
3 strong, some of them vigilant, some of them permissive.  
4 So we had to have one regulatory scheme, it was going to  
5 be a statewide scheme, and it was gonna be under the  
6 control and direction of DHEC. And when Anderson County  
7 inserted the sentence, which says, we're not going to  
8 have anymore C&D landfills in Anderson County, in their  
9 solid waste management plan, Anderson County was  
10 intruding into the area that the General Assembly had  
11 given to DHEC. If DHEC says you can have one and  
12 Anderson County says, no, we don't believe we want to  
13 have one here in our county, and every other county does  
14 it, Greenville County does it, Pickens County does it,  
15 Oconee County does it, where are the landfills going to  
16 be? There has to be a statewide regulatory body. And  
17 that's what the General Assembly set up. And when, when  
18 Judge McLeod considered this insertion into the 2004  
19 plan, which said Anderson County's not going to have  
20 anymore C&D landfills, he ruled that that impinged on the  
21 statewide regulation of landfills that was given solely  
22 to DHEC. So he ordered that DHEC should reverse their  
23 position and continue processing the application that  
24 Greenpointe had submitted to run a C&D landfill in  
25 Anderson County. The DHEC board, in November of '07,  
26 issued a consent order issuing DHEC to continue its  
27 review. One of the avenues of appeal, at least at that  
28 time, was that after the Administrative law judge makes a  
29 decision, it went to the DHEC board. So the DHEC board  
30 which is statewide in its regulatory effect, said, we  
31 affirm what the Administrative Law Judge has done.  
32 January of '08, DHEC issued a draft permit to operate the  
33 landfill. This was, all right, this is what we think  
34 we're going to do. Let's have some public hearings about  
35 this draft permit. This is the way we think it's going  
36 to work. So then, that's what started the public  
37 hearings. We had a public hearing, as was mentioned  
38 earlier, February 21, '08, at Wren High School, to seek  
39 comments on the proposed landfill. Because of the  
40 interest, there was a second public hearing at Wren High  
41 School March 18, 2008. April 1, Anderson County adopt a  
42 -- adopted a resolution to impose a construction  
43 moratorium on the Three and Twenty district, which, of  
44 course, everyone knows is the small part of Anderson  
45 County in which the landfill is sited, specifically to  
46 thwart construction of the required buildings and  
47 concrete pads. The permit has conditions. If they're  
48 going to run a landfill, they have to build certain  
49 things. They have to have buildings. They have to have  
50 a concrete pad if they're going to do recycling. They



1 have to be able to sort the materials and decide which  
2 ones are gonna back out for recycling, which ones are  
3 going in the ground because they are of no recycling  
4 value. They have to have certain facilities. And it  
5 takes construction to build a landfill. Anderson County  
6 adopted a resolution to oppose a construction moratorium  
7 on the whole Three and Twenty district, which is a  
8 relatively small area. But they applied it there to  
9 thwart the construction of any landfill buildings. As a  
10 technical matter, Anderson County, like all counties, is  
11 supposed to adopt a resolution -- is supposed to adopt  
12 legislation by ordinance. An ordinance requires three  
13 readings. A resolution requires only one. So there was  
14 a technical problem with this. But in any event, it was,  
15 it was enforced and upheld. And Anderson County began  
16 denying Greenpointe any construction permits. April 7,  
17 2008, the last day the public comment period, Ann Bishop  
18 submitted thirty-five separate topics of complaint  
19 regarding the proposed landfill. She, she alluded to  
20 that earlier tonight. It was a long letter. There was  
21 another man who submitted a ...

22 END OF TAPE 2, SIDE 2

23 JIM CARPENTER: ... had new regulations for  
24 landfills. That was the effective date of some new  
25 regulations. In the summer of '08 Anderson County  
26 changed ordinances related to roads and bridges in  
27 another effort to deny large vehicle access to the  
28 Greenpointe landfill. July 10, DHEC issued Greenpointe  
29 its permit. More than three and a half years after the  
30 initial efforts. From the fall of 2004 to the summer of  
31 2008, Greenpointe was trying to get a permit to operate a  
32 landfill. The DHEC permit addresses a number of things.  
33 I don't know if you can see it, but it's forty pages  
34 long. One of the things that it addressed was -- it was  
35 attached to the landfill -- was a letter to Mrs. Ann  
36 Bishop. And in this letter to Department of Health and  
37 Environmental Control addresses point by point each of  
38 the thirty-five issues that she raised. They addressed  
39 everyone of them. And they still issued the landfill  
40 permit. This is the letter back to Mrs. Bishop that was  
41 a part of the landfill permit. It goes on for fourteen  
42 pages. They Also -- you remember I mentioned there was a  
43 man who submitted a five page letter of objections, Mr.  
44 Bill Edge. Department of Health and Environmental  
45 Control Also point by point, went through every one of  
46 the issues he raised and they dealt with it. And they  
47 still issued the landfill permit. So July 10 the permit  
48 is issued. The landfill is permitted. July 24, Anderson  
49 County and Ann Smith requested the DHEC Board to make a  
50 final review of the decision to issue the landfill

1 permit. August 4, Anderson County refuses to issue a  
2 commercial land use permit application to pour a 100 by  
3 100 concrete pad for use in recycling operations. They  
4 said, no, we're gonna, we gonna deny you the permit. You  
5 applied for it, but we're going to deny it to you based  
6 on the moratorium that was, that was started last spring.  
7 August 12, a month after the permit is issued, Anderson  
8 County holds a referendum to change the zoning in the  
9 Three and Twenty precinct. Again, in an effort to thwart  
10 the DHEC permit. August 19, Anderson County Council  
11 votes to approve the zoning change to the Three and  
12 Twenty precinct a month after the permit was issued.  
13 August 21, DHEC Board affirms the decision issuing the  
14 permit to Greenpointe. September 11, Anderson County and  
15 Ann Smith file for a contested case hearing in the  
16 Administrative Law Court against the issuance of the DHEC  
17 permit to Greenpointe. Now the filing automatically  
18 stays the effect of the permit. They can't go forward,  
19 if there is an appeal in the Administrative Law Court,  
20 then whatever was requiring a permit to do to go forward,  
21 that is stayed by the filing of the appeal. So  
22 Greenpointe, under the rules, made a motion to lift the  
23 automatic stay. That required a hearing in the  
24 Administrative Law Court. In order to lift the automatic  
25 stay there are two grounds. One is the balance of  
26 hardships and irreparable harm. The other is that, that  
27 no irreparable harm would come to the County by the  
28 lifting of the stay. We had a hearing. At the hearing  
29 the Anderson County was represented by a very capable  
30 attorney. Greenpointe was represented by me. We had an  
31 opportunity to present our case to the judge. The  
32 attorney for Anderson County had an opportunity to  
33 present her case to the Judge. We had opportunities to  
34 file written materials after that. Anything that I -- I  
35 was accused of some awful things in the meeting tonight.  
36 I was called dishonest, a liar, misrepresented and so on.  
37 Anything that I said, the attorney for Anderson County  
38 had an opportunity to point that out to the court and  
39 show the court that I was a liar, show the court that  
40 Greenpointe did not deserve to have the stay lifted.  
41 They made their presentations, we made ours. And in  
42 December 16 the Administrative Law Court lifted the  
43 automatic stay, finding that it would cause no  
44 irreparable harm to the County. And that's a decision  
45 that you can find on -- with the Administrative Law  
46 Court. Now, in the meantime, Anderson County sent a  
47 letter to Greenpointe alleging that having dumpsters on  
48 the property violated the zoning ordinance. Well,  
49 several months earlier, Greenpointe had been given a  
50 business license, but they'd Also been given permission

1 by DHEC to run a recycling operation on that property.  
2 The containers were stored there. There were more of  
3 them than there had been, but it was affiliated with a  
4 recycling operation, it was affiliated with their  
5 collection of dumpsters. And Anderson County started  
6 saying, you need to move those dumpsters off of the  
7 property. January 9, two Anderson County Codes  
8 enforcement personnel posted a stop work notice at the  
9 landfill. But they wouldn't tell Jim Brown the nature of  
10 the alleged violation. They said the county's lawyer  
11 would communicate with Greenpointe's lawyer, meaning me.  
12 Greenpointe was clearing trees for which no permit is  
13 required. It was moving earth in compliance with their  
14 NPDES permit. Now they talked about storm water. The  
15 NPDES permit stands for National Pollution Discharge  
16 Elimination System. It's the storm water runoff permit.  
17 Greenpointe has an NPDES permit issued by the Federal  
18 Government. Greenpointe has a landfill permit issued by  
19 the State Government. Those permits require them to do  
20 certain things. They were moving earth, in compliance  
21 with the conditions on those permits. They were doing  
22 what they were supposed to do under the Federal  
23 government and under the State government. They  
24 temporarily stopped and their workers and their equipment  
25 were standing idle. They decided that they were  
26 compelled by the NPDES permit and the DHEC permit to go  
27 ahead and do the work that those permits require them to  
28 do. The stay had been lifted. There was no reason why  
29 they shouldn't be doing the work. And they went ahead  
30 and continued doing the work. The County issues two more  
31 citations for doing what he -- to Mr. Brown, for doing  
32 what he is permitted to do by the NPDES permit and by the  
33 DHEC permit. January 12, attorney Nancy Bloodgood who  
34 represented the County and Mrs. Smith, called Judge  
35 Nicholson's law clerk, sent pleadings by e-mail, draft  
36 affidavits, and proposed orders to Judge Nicholson,  
37 arranged to have Judge Nicholson sign a temporary  
38 restraining order that would have stopped all activity at  
39 the Greenpointe landfill. She did all this without  
40 telling me. I did find out eventually that she was going  
41 to come out and see the judge. So I made sure that I was  
42 here the next day, January 13. January 13, I was sitting  
43 in the courtroom. My clients were sitting out in the  
44 lobby with Mr. Ricketson. They knew we were there. Mrs.  
45 Bloodgood went and met with Judge Nicholson, without me  
46 being present, and secured the judge's consent to sign a  
47 TRO, temporary restraining order. When I heard about it,  
48 I said, no, I want to be heard. I said -- I told the law  
49 clerk, tell the judge I'd like to be heard before he  
50 signs that temporary restraining order. I did ask Mr.

1 Waldrep to come to court. I thought we were going to  
2 have a chance to put on evidence, testimony. I wanted  
3 Mr. Waldrep to testify, on our behalf, that the county  
4 had not authorize Mrs. Bloodgood to start this lawsuit.  
5 She had stated it without authorization from County  
6 Council. That's what I wanted Mr. Waldrep to testify to.  
7 As it turned out, the judge was not going to have a  
8 hearing. He was simply going to sign the order. But he  
9 did go back into a room, back off of the courtroom, and  
10 we sat down and met, we talked about it, and Mr. Waldrep  
11 did come into the meeting and did tell the judge that  
12 this was not a case that Anderson County had authorized  
13 the filing of. Judge Nicholson changed his mind and  
14 decided not to issue the temporary restraining order. He  
15 set the hearing for the following week. Change of  
16 scenery. January 16, Ms. Bloodgood filed an emergency  
17 appeal to the South Carolina Court of Appeals, asking the  
18 Appellate Court to stop the activities at the Greenpointe  
19 landfill. She appealed Judge Nicholson's -- Judge  
20 McLeod's December 16 order. December 16, Judge McLeod,  
21 the Administrative Law Court said, I'm going to lift the  
22 automatic stay that stops you from doing anything. I'm  
23 going to lift that because there's no irreparable harm to  
24 the County. She filed an appeal with the South Carolina  
25 Court of Appeals to try to overturn what Judge McLeod had  
26 ruled. That same day, the South Carolina Court of  
27 Appeals issued an order that said the case -- that's a  
28 typographical error -- is not appealable at that time,  
29 and the emergency motion was denied. The Court of  
30 Appeals threw out her appeal to the -- to that court.  
31 Meanwhile, back in Anderson County, there's a new  
32 attorney for Anderson County, Mr. Michael Kozlarek who is  
33 from Columbia. We had hearing and we did have an  
34 argument at this time. He asked Judge Nicholson to issue  
35 a temporary restraining order and a preliminary  
36 injunction to stop all activity at the Greenpointe  
37 landfill. Judge Nicholson, after hearing the argument,  
38 denied the county's request for a motion for a TRO and a  
39 preliminary injunction. I have a copy of. It's a ...  
40 Here's a short form order. It's just a judgment, form 4,  
41 judgment in a civil case. Motion for preliminary  
42 injunction is denied. It's handwritten in there,  
43 irrespective of the impending ordinance doctrine. The  
44 third reading, something zoning on the, placing zoning  
45 ---

46 ADAM ARTIGLIERE: Time.

47 JIM CARPENTER: Sir? All right, I'll -- he  
48 denied the order. All right. And Mr. Brown would like  
49 to talk so I will hurry up and let him talk. January  
50 20th, County Council voted to direct Anderson County

1 administrator and employees to stop the litigation  
2 against Greenpointe. Nancy Bloodgood did so. Mr.  
3 Kozlarek, a week later asked me to accept service in the  
4 Anderson County case, which indicated he's continuing the  
5 local Anderson County case against Greenpointe and on  
6 January 30<sup>th</sup>, in response to that, we filed an Answer and  
7 Counterclaims, laying out a lot of the facts that I've --  
8 I have shown to you tonight. I'll turn it over to Mr.  
9 Brown for remaining, what remaining time we have.

10 JIM BROWN: I had hoped to get up here --  
11 I should have known better with a long, long-winded  
12 lawyer. I had hoped to get up here and have just a  
13 couple minutes to talk. I'm just a working guy. Me,  
14 Bob, Radford. It's not a big corporation, it's just us.  
15 I have children. I've been painted so far as being  
16 dishonest, as cheating on the, the permit. I wish I had  
17 enough time to answer. There's an old saying if you  
18 throw enough mud some of it will stick. Just because  
19 there's been a lot of things that have been brought up  
20 tonight, said there's this, this, this, this, there's  
21 this. Just because there's been a lot of things voiced,  
22 that doesn't make any of them true. We've been told that  
23 we've changed our permit over and over. Let me give you  
24 one example. We had a waiver from a neighbor. That  
25 neighbor deeded the property to her daughter. They said  
26 the waiver's no good. We could go to court it and fight  
27 it. No. We just stepped back the footprint of our  
28 landfill. There's been -- in every way that the County's  
29 come to us and said, well there's this possible problem.  
30 The landfill has gotten smaller and smaller and smaller.  
31 We have regulated ourselves down and down. We heard  
32 about dead animals, all the dead animals we were gonna  
33 take in our landfill at a public hearing. We had  
34 already, from the get-go said, we don't want to deal with  
35 dead animals, we're not taking dead animals.

36 ADAM ARTIGLIERE: One minute.

37 JIM BROWN: You've heard in here tonight  
38 that we don't have enough clay to put in a liner. That's  
39 not true. You've heard here tonight we didn't put up  
40 silt fence. That's not true. You've heard over and over  
41 about parts of our permit that we haven't followed. We  
42 are out there following our permit. The only stumbling  
43 blocks that we have has been with this whole thing with  
44 Anderson County saying you go ahead. I heard someone  
45 stand up earlier, on another subject, and say, it seems  
46 like Anderson County constantly tells you one thing and  
47 then does another. That's what we've heard by other  
48 people on the same issue. I would say, that's where we  
49 are. Apparently other people don't like it when Anderson  
50 County gives them a green light. I have heard in here

1 tonight -- going back through the whole permitting  
2 process and say, Anderson County really didn't give you a  
3 green light. They went kicking and screaming. I was  
4 there. I can produce witnesses that were there. We  
5 really did get a bonafide, genuine, cooperative handshake  
6 from the former administration that said, we see a need  
7 for this and we'll work with you, we suggest you go to  
8 planning ---

9 ADAM ARTIGLIERE: Time.

10 JIM BROWN: -- years ago, which we did,  
11 keep it all open. We're frustrated too with Anderson  
12 saying one thing and doing another. Thank you.

13 EDDIE MOORE: Any council members have a  
14 question you'd like to ask?

15 TOM ALLEN: Yes, Mr. Chairman. Mr.  
16 Carpenter, if you could, could you clarify who's this  
17 attorney, Kozlofski, or whoever it was on there.

18 JIM CARPENTER: Kozlarek, he's an attorney  
19 with Parker, Poe in Columbia. When Mrs. Bloodgood became  
20 concerned that she didn't have the support to bring this  
21 case, somebody, I don't who, hired Mr. Kozlarek to step  
22 into her shoes and bring the case.

23 TOM ALLEN: And who is paying her ---

24 JIM CARPENTER: Him?

25 TOM ALLEN: -- bill? Him, I'm sorry.

26 JIM CARPENTER: I don't know. I assume  
27 Anderson County is. They're the plaintiff.

28 TOM ALLEN: It's very interesting. Thank  
29 you.

30 CINDY WILSON: Mr. Chairman, may I?

31 EDDIE MOORE: Ms. Floyd.

32 GRACIE FLOYD: Thank you. I would like to  
33 ask -- please go back to that point about the City of  
34 Anderson giving you the business permit to operate in  
35 Easley. I don't understand I don't understand that.

36 JIM CARPENTER: I think Mr. Brown can answer  
37 that.

38 GRACIE FLOYD: Okay.

39 JIM BROWN: The point of the permit from  
40 Anderson City was not to say, we have a license from  
41 Anderson City to do business on Anderson County. But  
42 there has been question about us doing business there and  
43 saying, you never really were doing business there. The  
44 point of the Anderson City license is that it has our  
45 Hamlin Road address. We bring it up to say, look, we've  
46 been here doing the can business all along, storing the  
47 dumpster cans. Not that the Anderson City license gave  
48 us permission to do it, but rather to say, we've been  
49 doing business. Because we've been told recently, oh,  
50 you never had cans there before. You just moved them in.

1 But no, we have had cans on the property as a storage  
2 facility.

3 GRACIE FLOYD: Okay. Now, wait a minute,  
4 wait a minute, wait a minute. Help me understand this.  
5 Your business address is where? In ---

6 JIM BROWN: I ---

7 GRACIE FLOYD: No, just answer the question  
8 please, Sir. Where is your business address located?  
9 That's in Easley, right?

10 JIM BROWN: The Hamlin Road address?

11 GRACIE FLOYD: Yes.

12 JIM BROWN: What we have is, I have, I  
13 have ---

14 GRACIE FLOYD: Sir, if you don't mind, I'm an  
15 old lady. Okay. And too much information ---

16 JIM BROWN: 500 Hamlin Road.

17 GRACIE FLOYD: --- bogs my mind. If you just  
18 would answer the question for me, I would appreciate it  
19 so much.

20 JIM BROWN: 500 Hamlin Road.

21 GRACIE FLOYD: Okay. Where is that located?  
22 In Easley?

23 JIM BROWN: On Hamlin Road, in Easley.

24 GRACIE FLOYD: In Easley. Okay. So what  
25 you're telling me is that you applied for a city permit  
26 to show that you have been doing business here in the  
27 City of Anderson.

28 JIM BROWN: We put it in there cause it  
29 shows that we've been in business as a haul company, and  
30 that we had cans on that property.

31 TOMMY DUNN: Ms. Floyd.

32 GRACIE FLOYD: The property in Easley?

33 TOMMY DUNN: Ms. Floyd. I might scare up  
34 something for you if I can. I mean the Easley address is  
35 -- it's Anderson County.

36 EDDIE MOORE: Ms. Floyd has the floor.

37 TOMMY DUNN: Okay.

38 GRACIE FLOYD: Thank you. Thank you. Sir,  
39 I think, I think I understand this now. The permit that  
40 you received from Anderson City, from Anderson City just  
41 shows that you are in business.

42 MR. BROWN: Right.

43 GRACIE FLOYD: Okay. That you are in  
44 business somewhere.

45 JIM BROWN: Right, at that address.

46 GRACIE FLOYD: Do you -- did you also get a  
47 -- is Hamlin Road in Easley -- is that in the city?

48 JIM BROWN: No.

49 GRACIE FLOYD: Okay. Do -- okay. Did you  
50 get a permit from -- did you have to get a permit from

1 Pickens County in order to have the business, I mean from  
2 Easley -- what is, from, from Pickens county to have that  
3 business?

4 JIM BROWN: No, it's in Anderson County.  
5 GRACIE FLOYD: I'm confused.  
6 RON WILSON: Let me -- Mr. Chairman.  
7 EDDIE MOORE: The landfill is in Anderson  
8 County, right?

9 JIM BROWN: Yes, sir.  
10 EDDIE MOORE: The address you gave is  
11 Anderson County, correct?

12 JIM BROWN: That's correct.  
13 EDDIE MOORE: Okay.  
14 GRACIE FLOYD: All right, I am -- I thank  
15 you, sir, not Mr. Carpenter, but Mr. Brown. I thank you,  
16 I thank you for trying to help me, but I am just as  
17 confused as a lot of those people sitting out there, as  
18 well. I yield the floor.

19 EDDIE MOORE: Mr. Dunn.  
20 TOMMY DUNN: I ain't got nothing. I just  
21 wanted to try to explain Ms. Floyd. It's the same  
22 address, it's just it's Easley. I think Mr. Wilson can,  
23 can clear it up. A lot of addresses is like that out  
24 that way up there.

25 RON WILSON: Everybody knows out there  
26 that we have Greenville telephone numbers, Easley  
27 addresses and we pay our taxes in Anderson. Couple of  
28 questions I've got. I noticed during the slide, this is  
29 for Mr. Carpenter, you mentioned two permits, NP,  
30 whatever it is, LES or something, and then DHEC permits.

31 JIM CARPENTER: Yes, sir.  
32 RON WILSON: You didn't show pictures of  
33 either of those.

34 JIM CARPENTER: Show you a picture of the --  
35 I've got the DHEC permit right here. Let me get it back  
36 to the beginning. There it is, Office of Environmental  
37 Quality Control ---

38 RON WILSON: I don't see ---  
39 JIM CARPENTER: Class II landfill permit.  
40 RON WILSON: I don't, I don't see it on  
41 mine. Okay. So which one is this?

42 JIM CARPENTER: This is the DHEC permit.  
43 RON WILSON: Okay. What about the other  
44 one?

45 JIM CARPENTER: I've got it over there in my  
46 file. I didn't make a picture of it, but ...  
47 RON WILSON: Well, I'd like to see it.  
48 JIM CARPENTER: Okay.  
49 RON WILSON: The other question I have is,  
50 I noticed you mentioned earlier some letters from



1 different people with Anderson County.  
2 JIM CARPENTER: Yes, sir.  
3 RON WILSON: And all of them had -- they  
4 weren't a final approval. All of them had, if so and so  
5 or whatever suggestion, we don't see much problem, so  
6 forth.  
7 JIM CARPENTER: It was early on in the  
8 process, yes.  
9 RON WILSON: And I noticed one of them  
10 specifically mentioned buffer zones and so forth. Have  
11 y'all done those?  
12 JIM CARPENTER: Yes.  
13 RON WILSON: What do you call a buffer  
14 zone? I've been out there. There's nothing to keep that  
15 stuff from getting in that water.  
16 JIM BROWN: Our permit caused us to do  
17 certain things in certain orders. One of the first  
18 things is to put up silt fencing. The next thing is to  
19 begin construction on ponds, sediment ponds that will  
20 catch all the run off. The silt fence is up and we are  
21 working on the ponds to catch all the run off.  
22 RON WILSON: Where are those fences at?  
23 JIM BROWN: Silt fence?  
24 RON WILSON: Yep.  
25 JIM BROWN: One of them starts straight  
26 across the street from our adjacent neighbor that most of  
27 you are familiar with ---  
28 RON WILSON: You can't see them from the  
29 road?  
30 JIM BROWN: Yeah. You can see them. Silt  
31 fences are black ---  
32 RON WILSON: I know, I know what they are.  
33 But I haven't seen any and I've been out there.  
34 JIM BROWN: There are silt fences and  
35 they're -- if -- we put our silt fences up about -- we  
36 started the one on the right hand side and went all the  
37 way around the perimeter.  
38 RON WILSON: And when did you do this?  
39 JIM BROWN: A week and a half ago, we did  
40 the one on the right side and we're still working on it.  
41 RON WILSON: And this was in a letter that  
42 was several years ago saying what y'all had to do and you  
43 did it a week and a half ago?  
44 JIM BROWN: No, no, no, we can't -- you  
45 don't put the silt fences up a year and a half ahead of  
46 time. You put the silt fences up as part of the  
47 construction project.  
48 RON WILSON: I know that, I'm just ---  
49 JIM BROWN: You have to -- you can't put  
50 silt fences up through the woods. You gotta go clear and

1 begin to trench, and then put your fences up. And  
2 they're in place. We've put up about thirty-five hundred  
3 feet of them to date. Thirty-five hundred feet.

4 RON WILSON: You know, you made a  
5 statement, Jim, just because several people had made  
6 comments here tonight didn't make it true.

7 JIM BROWN: That's correct.

8 RON WILSON: It Also doesn't make it a lie.

9 JIM BROWN: Well, I'm kinda curious about  
10 what this would be.

11 RON WILSON: I sent it out to them.

12 JIM BROWN: With a picture of a garbage  
13 dump?

14 RON WILSON: That may be what we're looking  
15 at.

16 JIM BROWN: We all know this is a  
17 permitted C&D landfill. This is a picture of a raw  
18 garbage dump. This takes diapers. This takes household  
19 nastiness. We don't take this. This is not in our  
20 permit. If we had one bag on this on the open face of  
21 our permit, DHEC would shut us down. This is not the  
22 kind of -- this is the kind of deceptive -- now is there  
23 a lie on the front of this? No. Is there a picture  
24 that's completely deceptive? Yes sir. There's seagulls  
25 in this picture. We won't have seagulls. There's not  
26 gonna be any food in our landfill. We're construction  
27 and demolition debris. And on top of that, we don't even  
28 carry stuff straight to the landfill. We tip it out on a  
29 pad and sort through it. Every truck gets tipped out.  
30 We dig through it to make sure that this does not make it  
31 into our landfill. I've been called dishonest in here  
32 tonight, and said everything we've -- dishonest? I rest  
33 with this. This is very highly deceptive. And you and I  
34 have known each for awhile, and quite honestly, I was, I  
35 was surprised. I was surprised. I didn't think you  
36 would go ---

37 RON WILSON: I've been surprised at the  
38 things you've done, Jim, promoting this landfill, so  
39 we're even.

40 JIM BROWN: By putting a -- this is  
41 garbage, and this is deceptive, right here. We don't  
42 have household garbage. Y'all know that. This is ---

43 RON WILSON: When we saw the presentation  
44 tonight from Ann Bishop, she listed one item after  
45 another that y'all either missed ---

46 JIM BROWN: I've already addressed that.

47 RON WILSON: Allow me to speak. Nobody  
48 interrupted you and you're not gonna interrupt me. Now,  
49 whenever -- all these things that y'all have done, you  
50 mislead the judges, you mislead things in court, and I

1 don't go along with how honest or how pure y'all are.  
2 You're not living in the neighborhood, we are.  
3 JIM CARPENTER: In court there's always two  
4 sides. There's always an opportunity to be heard, and if  
5 I had said something deceptive and dishonest, and not  
6 supported, I'm sure the able attorney on the other side  
7 would have pointed that out to the judge. We've been to  
8 judges five times and five times they've ruled in our  
9 favor.  
10 APPLAUSE  
11 EDDIE MOORE: Everybody hold it down.  
12 GRACIE FLOYD: Mr. Chairman.  
13 EDDIE MOORE: Mr. Wilson.  
14 RON WILSON: One final thing. I do want to  
15 look at the permit that Mr. Carpenter says that he has.  
16 I have one other comment -- question for Mr. Carpenter.  
17 Have you had any contact, any contact, electronic or  
18 otherwise, with Nexsen Pruet Law Firm?  
19 JIM CARPENTER: I don't know what you're  
20 talking about. I don't think so.  
21 RON WILSON: I'm just asking you if you had  
22 any contact with them?  
23 JIM CARPENTER: In relation to what?  
24 RON WILSON: Landfills.  
25 JIM CARPENTER: Not to my knowledge. If you  
26 can give me a lawyer's name, I could answer better. But  
27 not to my knowledge. No.  
28 RON WILSON: Well, they're a pretty high  
29 profile law firm.  
30 JIM CARPENTER: I've dealt with Mr. Kozlarek  
31 who's Parker, Poe? I've dealt with Ms. Bloodgood, who is  
32 with Young Clement in Charleston. If you ask me  
33 specifically, I'll be able to answer better.  
34 RON WILSON: Well, it's, it's just that  
35 only attorneys have trouble with simple question.  
36 JIM CARPENTER: Well, you tell me who you're  
37 talking about and ---  
38 RON WILSON: I said have you had any  
39 contact with an attorney at Nexsen Pruet Law Firm?  
40 JIM CARPENTER: And I said not to my  
41 knowledge, but I'll be happy to answer the question  
42 specifically if you give me the name of a specific  
43 attorney.  
44 RON WILSON: I don't know. I'm just asking  
45 you if you've dealt with any of them, and if you talked  
46 to them about landfills. That's it. Just simple.  
47 JIM CARPENTER: Not to my knowledge.  
48 RON WILSON: Thank you.  
49 EDDIE MOORE: Any other council member?  
50 CINDY WILSON: May I?

1 EDDIE MOORE: You through Mr. Wilson?

2 RON WILSON: I'm through. Thank you.

3 EDDIE MOORE: Ms. Wilson.

4 CINDY WILSON: First of all, Anderson County

5 has never had an opportunity to vote for or against a

6 landfill, except for the one in the Cheddar community.

7 And that's been some years ago. I think that tonight

8 we're seeing what a terrible mess we've inherited from

9 the previous council and the administration.

10 Unfortunately, there's so much responsibility that can be

11 borne by this current council as a result of a previous

12 council. I want to suggest that just as we've heard at

13 the last council meeting of the ethanol distributing and

14 mixing plant at Cheddar, and the railroad and road

15 closing issues there and Also zoning issues. Also

16 notification or lack of notification issues. And in that

17 instance, I'm requesting that we refer that matter to our

18 investigative law firm to have them review and

19 investigate and tell us as a council what our culpability

20 is and to explain the issues in permitting and so forth

21 to the citizens of that community. I recommend that we

22 do this in this instance, and perhaps even have an

23 environment attorney review this. The sad truth of the

24 matter in the state of South Carolina is we have become a

25 dumping ground for a lot of out of state garbage. The

26 sad state of affairs with DHEC is that they're a very

27 moribund permitting regulatory entity. A lot of times --

28 in the sewer case in our own community, we were run rough

29 shod over too. So I have great sensitivity to what the

30 people are living through over there, as well. There's

31 so much of a mess on both sides of this issue. And your

32 Anderson County government is right there in the middle.

33 We need to know where we stand. And I'm not going to

34 make a motion at this time, but I think that by the next

35 Council meeting, there will be a motion prepared. And

36 hopefully my fellow council members will vote to approve

37 that we have some type of investigation so we know how to

38 handle it. Thank you.

39 GRACIE FLOYD: Mr. Chair.

40 EDDIE MOORE: Mr. Waldrep had ...

41 GRACIE FLOYD: Oh, excuse me.

42 BOB WALDREP: Mr. Chairman, I have in my

43 hands a card here that says, call to action, stop the

44 landfill. I guess everyone's seen this. It's proudly

45 produced by one of our Council members. And it says that

46 councilman Bob Waldrep and others are working to get the

47 landfill project restarted. I'd like to say that that's

48 totally untrue. Talking about truth, does anybody want

49 to deal with truth? Go ahead. Deal with truth, you

50 know. But I was to say that the only -- I want to make

1 that explanation real clear. There have been accusations  
2 somehow or another that I've had affiliation with this  
3 Wasteco. I didn't know Mr. Brown, never met Mr. Brown  
4 before he came into this council sometime back. And  
5 these minutes that were passed up, indicated my interests  
6 only in seeing that there was a fair hearing between the  
7 two parties, the people that lived out there in district  
8 six and Mr. Brown, because everyone's entitled to just a  
9 little bit of justice here. So my point was in attending  
10 that meeting was to simply say we didn't know anything  
11 about -- this Council had not approved a lawsuit. We  
12 have to pay for these lawsuits. And we have county  
13 employees, I think Mr. Ricketson, at that time, had  
14 decided that he was going to be the plaintiff. I think  
15 it might have changed now. It might be the Planning  
16 Commission or something. That's fine. But those things  
17 have to come before us. They're not decided arbitrarily  
18 by willy nilly people out there in the -- you know, the  
19 county employee, because we ultimately are responsible  
20 for paying for these things. If these folks had been  
21 kind enough to bring this issue before us, we could have  
22 made a decision. We now find out that Ms. Bloodgood has  
23 left the scene, there was a vote to withhold the payment  
24 of attorney fees. And now I find that this suit has now  
25 resurrected itself, And I guess, Mr. Cunningham, I  
26 suppose that the County is paying for this resurrected  
27 lawsuit. Is that correct?

28 MICHAEL CUNNINGHAM: The thing is as I explained  
29 in one of our earlier meetings that the only thing the  
30 county has been doing -- of course you directed to drop  
31 the lawsuit that was pending at DHEC. That is gone. The  
32 only thing that the county has done is try to uphold the  
33 zoning ordinance. And the reason that Mr. Kozlarik was  
34 involved was that Ms. Bloodgood was there to enforce the  
35 County zoning process, which after the citations and the  
36 stop work order, the next step is a temporary restraining  
37 order. When she, for whatever reason, decided to remove  
38 herself from that case and there was a hearing pending  
39 the next week, I simply tried to find someone that could  
40 handle that hearing on our behalf. Not for the DHEC  
41 issue or the lawsuit, but simply to represent the County  
42 on the zoning issue. And I believe Mr. Ricketson is  
43 following what our ordinance outlines for the zoning, and  
44 the enforcement of the zoning ordinance. And that is the  
45 only role that Mr. Kozlarik has played, is the enforced  
46 of the County's zoning ordinance.

47 BOB WALDREP: Well, Mr. Cunningham, I guess  
48 that gives me a little problem, because I thought it was  
49 perfectly clear that we were not to be involved in  
50 anything further and you had decided otherwise. So I

1 guess I just find that hard to deal with.

2 MICHAEL CUNNINGHAM: Yes Sir. I under ---

3 BOB WALDREP: ... in the minutes and I know  
4 that we have miscommunications. I don't like to make  
5 accusations, but you know, this whole thing has just  
6 gotten completely out of hand. And I agree. I, I  
7 certainly have sympathy for the people up there in  
8 district six. I can say I wouldn't want to have a  
9 landfill in my area. I have been up there to look at the  
10 site. Went up there last Saturday, you know, just to see  
11 where all this problem was. But I can tell you what I  
12 don't like. I don't like to deal in deceptive practices  
13 such as this right here, that's put up here and  
14 disseminated as truth, because this is false and I would  
15 be ashamed to present it as otherwise. Thank you.

16 GRACIE FLOYD: Mr. Chair.

17 EDDIE MOORE: You through Mr. Waldrep?

18 GRACIE FLOYD: He said thank you.

19 EDDIE MOORE: Ms. Floyd.

20 GRACIE FLOYD: Thank you. I'm, I'm trying to  
21 get down to the meat of this thing here. Now, Ms. Wilson  
22 made a motion -- she's going to prepare a motion that  
23 says we have this thing investigated. Now, what does  
24 this mean? Does this mean we have to hire another  
25 lawyer? Does it?

26 EDDIE MOORE: Ms. Floyd, what that means is,  
27 we gave a direct order here at another council meeting  
28 that said no more legal action is to be taken without  
29 County Council approval. That's what we're going to be  
30 investigating.

31 GRACIE FLOYD: Okay. All right. Number two.  
32 Gosh, what was my second one? I had two questions.  
33 Okay. While we're waiting for this investigation to be  
34 done, what's going to happen? Will the landfill people  
35 be put on hold and can't finish the project? Or will the  
36 community people have to wait. I mean, where do we go  
37 from, where do we go from here?

38 EDDIE MOORE: We're not going to get  
39 involved with whatever the landfill is doing. We're  
40 gonna find out about this lawsuit that we was told not to  
41 go through with. And that's what we're investigating.

42 GRACIE FLOYD: Okay. I understand. While I  
43 still have the floor, may I call Jeff to the mike. I  
44 have a question for him. Mr. Ricketson, would you ---

45 EDDIE MOORE: I'd like to hear from him too.

46  
47 GRACIE FLOYD: Mr. Ricketson, can you shed  
48 some light on what's happening here?

49 JEFF RICKETSON: I can shed some light on what  
50 Mr. Cunningham addressed earlier. Ms. Bloodgood, before

1 she removed herself from the case, did set a hearing  
2 before the judge. We were required to go to that  
3 hearing. That hearing was on the afternoon of the last  
4 Council meeting when Council voted to ask us to dismiss  
5 any actions. So in the absence of any representation --  
6 currently, we don't have a county attorney. The county  
7 attorney we had quit the case. So we had a hearing  
8 before a judge that we were required to be at. Mr.  
9 Cunningham hired Parker Poe to go represent us. They had  
10 about two days to get up to speed. They represented us.  
11 That guy's been gone. He, he left as soon as -- he was  
12 at the meeting that night when Council voted to dismiss  
13 this lawsuit and say we couldn't hire anymore attorneys.  
14 So he is now gone. So now we are a legal orphan in this  
15 matter. We, we are not moving forward. We are dead in  
16 the water on enforcing this zoning ordinance. There are  
17 two County permits that are required that still aren't in  
18 place. If, if Greenpointe can produce those permits we  
19 could all go home, because they would be legal and in  
20 compliance with the zoning ordinance. But they're not.  
21 Your zoning ordinance which we, which we -- Council has  
22 adopted and your land use ordinance which has been in  
23 place since 1987 requires that the county staff, the  
24 zoning administrator, enforce the zoning ordinance as it  
25 is. And that's (inaudible) state law, Chapter 6 of the  
26 Code of Ordinances is a state planning act. All we are  
27 doing is complying with County and State law. And as of  
28 last -- the last Council meeting when Council voted to  
29 direct us to cease all legal activity, we stopped.  
30 There's been nothing happening. I don't know what Mr.  
31 Carpenter's talking about with regard to actions that  
32 happened last week. The attorneys from Parker Poe, to my  
33 knowledge, have not been engaged in this case since the  
34 hearing before Judge Nicholson on the day of your last  
35 Council meeting. That's all I know about this case.

36 GRACIE FLOYD: Wow, okay. So, so we have --  
37 you all have not -- you haven't done anything since the  
38 last meeting when they told y'all to stop?

39 JEFF RICKETSON: We have not engaged any  
40 attorneys in the matter since we were directed not to do  
41 that at the last Council meeting.

42 GRACIE FLOYD: Okay. All right. Now, Mr.  
43 Chair, I'm asking for just information, that's all. Does  
44 this thing still imply -- will we have to go back now and  
45 search this whole thing?

46 EDDIE MOORE: Mr. Carpenter's digging for  
47 that document, and maybe he can shed some light on it for  
48 us.

49 GRACIE FLOYD: What document is this?

50 EDDIE MOORE: That refutes what Mr.

1 Ricketson said.

2 GRACIE FLOYD: Okay. All right.

3 JIM CARPENTER: May I speak? I got a letter  
4 January 27, which is a week after I understood County  
5 Council had directed the county to drop all litigation  
6 against Greenpointe. It's a letter from Michael  
7 Kozlarik, who represented the County in the hearing on  
8 Tuesday the 20<sup>th</sup>. This is Tuesday the 27<sup>th</sup>. He sends me a  
9 letter asking me to accept service of process on the  
10 Complaint. He filed the Complaint on Tuesday the 20<sup>th</sup>,  
11 Summons and Complaint. He didn't officially serve me, so  
12 a week later he wrote me a letter asking me to accept  
13 service of process for my clients so that the case could  
14 officially proceed. This, this is the action I was  
15 referring to a week after I understood the county had  
16 directed -- or the County Council had directed the County  
17 to stop. Maybe there's been some miscommunication or  
18 failure to communicate, but I know I got this letter.  
19 And it's dated January 27.

20 JEFF RICKETSON: I didn't authorize it. I  
21 don't have any idea what, what that's about. But I --  
22 we, we did hear you loud and clear when you voted at the  
23 last meeting and said stop this action. And I haven't  
24 done -- Mike will have to speak for himself.

25 MICHAEL CUNNINGHAM: And I can. And I believe  
26 you, you mentioned that was filed in the court on the  
27 20<sup>th</sup>, correct?

28 JIM CARPENTER: The Summons and Complaint was  
29 filed on the 20<sup>th</sup> ---

30 MIKE CUNNINGHAM: -- filed on the 20<sup>th</sup>. And the,  
31 the letter on the 27<sup>th</sup>.

32 JIM CARPENTER: It was dated the 27<sup>th</sup>.

33 MIKE CUNNINGHAM: Dated the 27<sup>th</sup> to accept  
34 service. Our last official action was what was done on  
35 the 20<sup>th</sup>. And why he followed through with sending you  
36 the acceptance of service, I'm not sure, but the last  
37 official action was what he filed in the court on the 20<sup>th</sup>  
38 after that hearing.

39 JIM CARPENTER: There's one other factor. I  
40 called Michael Kozlarik late in that week after I heard  
41 that the County Council voted to stop the -- directed the  
42 County to stop the litigation. And I didn't get to speak  
43 to him, but I left him a message and said I understand  
44 that the County has been directed to stop this. Call me  
45 and tell me what you want to do about it. And then the  
46 next this I got was, I want you to accept service of  
47 process of the Summons and Complaint.

48 GRACIE FLOYD: I still have the floor, Mr.  
49 Chair.

50 EDDIE MOORE: Ms. Floyd.



1 GRACIE FLOYD: Well, it seems to me that the  
2 problem is not with the Council, but the problem is with  
3 the lawyer who went ahead and did what he was doing,  
4 rather than being directed by the Council, I mean by the  
5 (inaudible).  
6 EDDIE MOORE: Mr. Cunningham, you ---  
7 GRACIE FLOYD: No, no, no. I wasn't through.  
8 I was waiting for the people to get over it, okay, before  
9 I could continue.  
10 EDDIE MOORE: I think it would be  
11 appropriate, Ms. Floyd, if Mr. Cunningham asked the  
12 attorney to send us a letter who asked him to do that.  
13 MICHAEL CUNNINGHAM: Certainly.  
14 EDDIE MOORE: Okay?  
15 MICHAEL CUNNINGHAM: Okay.  
16 GRACIE FLOYD: Okay. Now, back to my  
17 original question. So what do we do now?  
18 EDDIE MOORE: I guess we wait and see what  
19 that letter -- what it says.  
20 GRACIE FLOYD: Okay. All right.  
21 EDDIE MOORE: And that's what the  
22 investigative lawyer will be for.  
23 GRACIE FLOYD: Okay. So that means that the,  
24 the thing over there is on hold, right?  
25 EDDIE MOORE: I'm not -- we don't have  
26 anything ---  
27 GRACIE FLOYD: The people are on ---  
28 EDDIE MOORE: We don't have authority to put  
29 him on hold. That man has all the permits that's  
30 required. We don't have that authority.  
31 GRACIE FLOYD: Mr. Ricketson, how many more  
32 -- does he have all the permits that are required? It's  
33 just a yes or a no.  
34 JEFF RICKETSON: No.  
35 GRACIE FLOYD: No. Okay. What does he need?  
36 JEFF RICKETSON: He needs two permits. He  
37 needs a land use letter of compliance from the County.  
38 He does not have that. He needs a grading permit from  
39 the County, in addition to the DHEC grading permit. He  
40 does not have that. Those requirements have been in  
41 place since 1987, predating him ever thinking about this  
42 property. He does not have it. If he did, we wouldn't  
43 be here.  
44 JIM CARPENTER: But will the County issue  
45 them?  
46 JEFF RICKETSON: We cannot issue them because  
47 they are not -- that property has not zoned for a  
48 landfill. The only way to issue that would be to rezone  
49 the property so that it could be used for a landfill.  
50 There's a process for that.

1 JIM CARPENTER: The problem was raised by Mrs.  
2 -- the realtor. No. Yeargin, Yeargin. Yes. She said  
3 does DHEC override Anderson County? She proposed the  
4 answer to be no. The South Carolina Supreme Court said  
5 yes. And the Administrative Law Judge said yes. DHEC  
6 does override the Anderson County. So if DHEC has issued  
7 the permit, the County is not empowered to veto a permit  
8 issued by the state.

9 JEFF RICKETSON: Mr. Chairman, we're, we're lay  
10 people arguing with an attorney. This is not a fair  
11 position for the County to be in.

12 APPLAUSE

13 JEFF RICKETSON: We are not represented by an  
14 attorney.

15 EDDIE MOORE: I think it would be  
16 appropriate to step back right now and let's get some  
17 legal advice on this. I think that would be appropriate.

18 BOB WALDREP: Mr. Chairman.

19 EDDIE MOORE: Mr. Waldrep.

20 BOB WALDREP: I just want to -- I'd like to  
21 have added to the minutes this document, Stop the  
22 Landfill. I'd like for it to be made part of our record  
23 in our minutes.

24 POSTCARD ATTACHED TO MINUTES AND MARKED AS EXHIBIT A

25 EDDIE MOORE: Okay.

26 RON WILSON: I'll second that.

27 EDDIE MOORE: We have a second. All in  
28 favor, raise your right hand. All opposed.

29 GRACIE FLOYD: Excuse me. I haven't voted.

30 EDDIE MOORE: Ms. Floyd.

31 GRACIE FLOYD: I abstain. I'm not gonna be a  
32 part of this, this thing, putting it in the minutes,  
33 taking it out of the minutes, putting it in -- I'm not  
34 gonna be a part of that. I abstain.

35 RON WILSON: Mr. Chairman.

36 EDDIE MOORE: Mr. Wilson.

37 RON WILSON: At this time, I mean, we had a  
38 lot of people to speak here tonight from the district  
39 where the landfill is and not one person has spoken in  
40 favor of this landfill. And I know there's all this  
41 wrangling, but we have ordinances and this county needs  
42 to enforce those ordinances. So at this point I'm going  
43 to make a motion that we enforce those ordinances and  
44 that we fund this lawsuit that's being brought to get  
45 Greenpointe where they are ...

46 END OF TAPE 3, SIDE 1

47 EDDIE MOORE: Wait one second. We have a  
48 motion by Mr. Wilson to enforce the zone -- zoning laws  
49 and to get back into this lawsuit.

50 RON WILSON: Yes.

1 EDDIE MOORE: And Ms. Floyd has seconded it.  
2 We'll now be open for discussion. Ms. Wilson.

3 CINDY WILSON: As we've debated back and  
4 forth, there's damage on both sides, the people who live  
5 and we've Also been told that this man has been damaged.  
6 We don't even know what our laws are and when they were  
7 instated. We do understand that a previous  
8 administration and previous Council may have encouraged  
9 something that the neighborhood did not even want. I  
10 believe that our best course of action is to have a legal  
11 review of what took place when. Maybe even have an  
12 environmental attorney to look at the permits and guide  
13 us. It's horrible what these people are experiencing.  
14 And I can imagine that this fellow that has his business,  
15 it's a horrible situation. I can tell you that DHEC  
16 frequently fails to do its job. I've experienced that  
17 firsthand. You can go talk to the people in Cheddar,  
18 both at the Big Creek landfill and at the ethanol  
19 distribution site and down the sewer line on our creek  
20 bottoms. I've seen it first hand and I have felt it  
21 first hand and I'm here to tell you, so much of this junk  
22 is railroaded. There's a lack of notification, there's a  
23 lack of following environmental requirements. And DHEC's  
24 probably more at fault here than anything else. But  
25 let's find out what is what before we jump into the fray  
26 again. We don't do the citizens any good, we don't do  
27 him any good, and we don't represent our county if we  
28 don't know what the true facts are. Thank you.

29 EDDIE MOORE: Mr. Wilson, I think your  
30 motion would probably not be order, because in order to  
31 reconsider this ---

32 RON WILSON: I'm not reconsidering. It's a  
33 motion to do it.

34 EDDIE MOORE: But we had already voted on  
35 this before.

36 RON WILSON: I realize that.

37 EDDIE MOORE: Well, it would be, it would be  
38 reconsidering. Mr. Artigliere, can you give me an  
39 opinion on that please.

40 ADAM ARTIGLIERE: Mr. Chair, I'm not sure if the  
41 motion that he's making is entirely the same as the  
42 motion that was voted on before. There is a, I guess, a  
43 sub-issue with the resolution to begin with, as pointed  
44 out earlier by Mr. Carpenter. You have a resolution that  
45 is basically overturning an ordinance, the Anderson  
46 County ordinances. And I refer you to -- I provided a  
47 book to y'all this evening, and in that book it has a  
48 memo that was provided to y'all last week regarding this  
49 issue. It's under Item 5. And it's regarding that  
50 particular resolution. While of course, this, this deals

1 with the Greenpointe LLC issue and the memo doesn't  
2 specifically talk about that, it does cover the same  
3 issue. And if Mr. Wilson is making a motion, it would be  
4 a different motion from what was covered before.

5 EDDIE MOORE: Okay. We'll let the motion  
6 stand then. Anymore discussion?

7 GRACIE FLOYD: Yes. Mr. Artigliere --  
8 through the Chairman to Mr. Artigliere. Are you saying  
9 that the resolution -- the thing that we passed the last  
10 time was a resolution and that superseded the ordinance  
11 that we had?

12 ADAM ARTIGLIERE: That was what was proposed.  
13 And a resolution cannot supersede an ordinance ---

14 GRACIE FLOYD: An ordinance, that's what I  
15 thought. Okay. So we have an ordinance in place  
16 already. And then we came back and we did a resolution  
17 that superseded the ordinance. So that was wrong to  
18 begin with. Yeah. Yeah. So he's doing an ordinance --  
19 what are you doing? A resolution, and ordinance, or  
20 what?

21 RON WILSON: A motion.

22 GRACIE FLOYD: You're doing a motion. Okay.  
23 So your motion is going to do what? Your motion is going  
24 put us back to where we were supposed to be before the  
25 resolution superseded the ordinance. Y'all understand  
26 that?

27 APPLAUSE

28 GRACIE FLOYD: Good. So I have seconded  
29 that. I think we're all clear now. Ready to go.

30 EDDIE MOORE: Anymore discussion?

31 TOMMY DUNN: Mr. Chairman.

32 EDDIE MOORE: Mr. Dunn.

33 TOMMY DUNN: I'm sitting here listening to  
34 this tonight and both sides -- I don't think this Council  
35 -- this is going to court. One way or the other, it's  
36 going to court. We're not going to decide if the  
37 landfill should be there or shouldn't be there, and I  
38 don't think that should be our issue. Our issue should  
39 be if we're gonna enforce our ordinances or not. It's  
40 plain and simple. I don't think you can pick and choose.  
41 If you know the zoning thing, whether you don't like it  
42 or not, how it works, this has been done time and time  
43 again in the county about stop, stop building permits,  
44 and this and that. Now I really feel strongly, and like  
45 I said before, this is a ordinance thing, and we're gonna  
46 really gonna get in -- open up a can of worms if we don't  
47 enforce our ordinances.

48 CINDY WILSON: Mr. Chairman, may I?

49 EDDIE MOORE: You through, Mr. Dunn?

50 TOMMY DUNN: Yes, yes, sir.

1 EDDIE MOORE: Ms. Wilson.  
2 CINDY WILSON: The sad truth of the matter is  
3 in a lot of cases, things are grandfathered. The problem  
4 here is the previous administration may have gotten us  
5 into trouble.  
6 GRACIE FLOYD: That woman, I tell you ...  
7 CINDY WILSON: And we have to understand  
8 what the true facts are. We're gonna get sued, probably  
9 from both sides. And I can't say that I blame the  
10 citizens at all. I would be out the -- if I was one of  
11 the neighbors, I'd be out there with them too. But we  
12 are in limbo here. We are in the middle. So we have to  
13 find out what the truth is before we jump into the fray.  
14 Thank you.  
15 GRACIE FLOYD: Mr. Chair.  
16 EDDIE MOORE: Mr. Waldrep, you ---  
17 BOB WALDREP: No, I ---  
18 EDDIE MOORE: Okay.  
19 GRACIE FLOYD: Mr. Chair, I called for the  
20 question. Second?  
21 RON WILSON: Yeah, I'll second.  
22 EDDIE MOORE: We have a call for the  
23 question and it's seconded. All in favor of stopping  
24 debate, raise your right hand. Unanimous. This is just  
25 to proceed on it and vote on it. Okay. The debate is  
26 now stopped. We will go ahead and vote on Mr. Wilson's  
27 motion. All in favor of Mr. Wilson's motion raise your  
28 right hand. We're voting, Ms. Floyd.  
29 GRACIE FLOYD: Thank you.  
30 EDDIE MOORE: All in favor raise your right  
31 hand. Let it be shown that Mr. Wilson, Ms. Floyd and Mr.  
32 Dunn in the affirmative. All opposed, raise your right  
33 hand. Let it be shown that Ms. Wilson, Mr. Waldrep, Mr.  
34 Moore and Mr. Allen voted no.  
35 CINDY WILSON: Mr. Chairman, may I have a  
36 point of order please?  
37 EDDIE MOORE: Point of order.  
38 CINDY WILSON: I will have -- I'll enlist  
39 everyone's help, but we will have a resolution to hire or  
40 engage an investigative attorney, maybe an environmental  
41 attorney, but we'll have something to try and sort this  
42 out by the next council meeting. Thank you.  
43 EDDIE MOORE: Your point is well taken, Ms.  
44 Wilson.  
45 GRACIE FLOYD: Mr. Chair.  
46 EDDIE MOORE: Mr. Allen asked before you,  
47 Ms. Floyd.  
48 TOM ALLEN: I'm sorry, I know the  
49 discussion's basically over. But the way this looked to  
50 me, looking at the time lines, this thing started four

1 years ago, and essentially Greenpointe was given a number  
2 of green lights, no pun intended, to go ahead, so much so  
3 that the invested a million dollars in the land. So at  
4 ---

5 EDDIE MOORE: Please respect the Council up  
6 here. Let us talk.

7 TOM ALLEN: I understand you don't want a  
8 landfill in your area. I know what's happened. It's  
9 been one of these things that's kind of come down this  
10 way to a point, who got there first, with what? From the  
11 permits I've seen, DHEC did issue a permit. And there's  
12 some technicalities in here that, as Mr. Dunn stated,  
13 this is gonna have to be figured out in court. This is  
14 not something we can do up here. But I do have to say it  
15 appears to me that although you don't want a landfill,  
16 and I certainly sympathize with you on that, that  
17 Greenpointe was indeed led down somewhat of a primrose  
18 path for about three years or more, before the zoning.  
19 Before the zoning. Then the zoning idea came up.

20 EDDIE MOORE: Everybody please hold it down.  
21 All right. We're gonna now move to the next part of the  
22 agenda which will be Item 9, which will be Mr. Allen.

23 FEMALE: I'm sorry you told us a minute  
24 ago that we could ask some questions. You said ---

25 EDDIE MOORE: We've already had all the  
26 questions. It's over. Okay? We've got to go -- we're  
27 going on with, we're going on with the agenda. I'm  
28 sorry. Everybody has made their point. There's some  
29 more discussion at the end. If you have any comments, if  
30 you're signed up, you're welcome to make comments at the  
31 end.

32 GRACIE FLOYD: Mr. Chair. Mr. Chair. In all  
33 fairness, the young lady did have a question earlier, and  
34 you did tell her to wait and hold her question. And she  
35 followed your, she followed your rules. But to not allow  
36 them to ask questions when you told them they could ---

37 EDDIE MOORE: I had already moved, Ms. Floyd  
38 I had already moved on to the next item and we're at the  
39 next item.

40 RON WILSON: She had spoke up, and you  
41 told her she could speak at the end.

42 EDDIE MOORE: Mr. Carpenter, do you have a  
43 problem with that, if I let her ask you a question? We  
44 had moved on in the agenda, but I will make an exception.

45 JIM CARPENTER: I'll do my best.

46 EDDIE MOORE: Okay. We're gonna go ahead  
47 and allow your question. But we had already -- when I  
48 say I move to agenda, I can't go back. Understand that,  
49 I ---

50 FEMALE: I thank you for staying up on

1 your word, sir, from earlier. Okay. And I'm afraid that  
2 a twenty-four year old girl has to stand for you. I  
3 really hate that. I'm sorry, I'm trying to find my  
4 question here. As I was -- you said on -- that you  
5 received a business license from the City of Anderson, is  
6 what you had stated. We discussed that. On June 5<sup>th</sup> you  
7 received a letter from Mr. Carpenter, and on July 10<sup>th</sup> the  
8 DHEC permit was given. The only permit that you got was  
9 from DHEC. There has been many discussions tonight  
10 saying that you had several things to do before you could  
11 conduct business. And Mrs. Floyd had -- thank you very  
12 much for standing up for us -- and asked you to stop  
13 doing business there because you did not meet those  
14 requirements on time. The zoning is in place.  
15 Currently, you guys are breaking the law and allowing  
16 trucks that are over the weight limit on the road. All  
17 we're asking at the point, and I understand, Ms. Wilson,  
18 that you want to investigate this. But in the meantime,  
19 I think that we need to make them abide by the law. I  
20 mean if there's an investigation on me because I was  
21 speeder, I couldn't go thirty miles over the speed limit  
22 wherever I went because there's an investigation pending.  
23 Make them abide by the law currently until all of this is  
24 situated. That's not a major request, just make them  
25 abide by the law. Period. Can we do that, please?

26 EDDIE MOORE: Mr. Carpenter, you got a  
27 response to that?

28 JIM CARPENTER: I'll try. I didn't hear a  
29 question, but I'll try.

30 FEMALE: Can you abide by the law,  
31 please, sir? That's my question. Will you do that for  
32 me?

33 JIM CARPENTER: As defined by you?

34 FEMALE: No, as defined by what we have  
35 voted on; the zoning ordinances. You can't have an  
36 overweight truck.

37 JIM CARPENTER: I'm sorry. I don't mean to be  
38 flippant. I took significant pains to explain the way  
39 the law works. The General Assembly set up the  
40 regulation of landfills so that it is operated by the  
41 State, not by forty-six different counties. What  
42 Anderson County is trying to do now is operate as a veto  
43 to a State issued DHEC permit by the devices you're  
44 talking about. As I understand the supremacy clause, the  
45 DHEC permit trumps all of the Anderson -- once the DHEC  
46 permit is issued ---

47 FEMALE: And that's where you stand. I  
48 understand. You don't have to re explain it.

49 JIM CARPENTER: Well, I'd like to finish my  
50 answer please.

1 FEMALE: You're just repeating what you  
2 said earlier.

3 JIM CARPENTER: No. Well, obviously it didn't  
4 do any good. But prior to the time the DHEC permit is  
5 issued DHEC is required to take into account zoning, and  
6 other local laws. And DHEC, for four years, dealt with  
7 those issues. When all the thirty-five different  
8 concerns were raised by Mrs. Bishop, DHEC dealt with  
9 those. When the five pages of concerns were raised by  
10 Mr. Edge, DHEC dealt with those. But when DHEC has dealt  
11 with it and decided that a landfill is a permissible use  
12 there, then the question is concluded. It's over with.  
13 Those zoning ordinances and so on do not operate to stop  
14 the functioning of the landfill permitted by the State of  
15 South Carolina. So we are abiding by the law. The DHEC  
16 permit has conditions that require us to do certain  
17 things. The National -- the NPDES permit has conditions  
18 that require us to do certain things. We are following  
19 the conditions in the permits from the United States  
20 Government and the State of South Carolina. Those  
21 prevail over the requirement of the Anderson County. So  
22 yes, we're following the law.

23 EDDIE MOORE: We'll now go to ---

24 EDDIE MOORE: I'm sorry, that ---

25 MALE: You said that we would get  
26 questions. You said, we, not just her. You said we.

27 EDDIE MOORE: This will be the last one.  
28 I'll let you have one more. But we've got to go on with  
29 the agenda.

30 MALE: I understand.

31 EDDIE MOORE: We've already had our public  
32 hearing, and we're going on with the agenda, but you'll  
33 be the last ---

34 MALE: Yes, sir. Okay. I'm not a  
35 resident from Anderson County. I attend school at  
36 Anderson Uni -- stop. Stop.

37 GRACIE FLOYD: Young man, just go ahead.

38 EDDIE MOORE: Make your point.

39 MALE: I'm an Anderson student,  
40 Anderson University student. I'm a resident of  
41 Spartanburg county. I have seen this circus that y'all  
42 have going on tonight. It is crazy. I mean one man  
43 makes a motion to try to stop something so that you can  
44 make legal adjustments for something. And y'all vote it  
45 down. You're not going to stop something that you know  
46 that you want to investigate. That makes no sense. If  
47 you want to investigate something, you need to put a  
48 freeze on it so you can investigate it. If you don't put  
49 a freeze on it they're gonna keep going and going and  
50 going and keep doing whatever they want to do, until



1 y'all work through legal stuff for six months or however  
2 long it takes, and nothing is ever gonna get done. Thank  
3 you.

4 EDDIE MOORE: Now going to Number 9, which  
5 would be ---

6 APPLAUSE

7 EDDIE MOORE: Mr. Allen.

8 TOM ALLEN: Well this will be very  
9 abbreviated because of the length of things. But just  
10 very quickly to note, there was letter in the Anderson  
11 Independent Mail back on January 25<sup>th</sup> of this year  
12 basically lumping us into a group of racists up here.  
13 And I know as an elected official you often swallow a lot  
14 of things you do. That's part of the job that you don't  
15 particularly like. But this is where I draw the line.  
16 The individual that wrote the letter, Mr. Fred Foster,  
17 I've never met. He doesn't know me, doesn't know  
18 anything about me and I don't know anything about him,  
19 but he certainly took liberties in his editorial. I'd  
20 like to note too that he referred, to quote him, while  
21 watching the Council meeting on TV as -- the last meeting  
22 was the worst night for human rights and fairness in  
23 Anderson history. No, Mr. Foster, that would be November  
24 18<sup>th</sup>, 2008 meeting of this County Council, the night that  
25 1.14 million dollars of the taxpayers money was given to  
26 buy out the last administrator, under some nebulous  
27 concept of anticipatory breach of contract, whatever that  
28 is. That was Also the same night that the 1.14 million  
29 dollars miraculously appeared from thin air for the  
30 buyout. The same night that a buyout contract appeared  
31 from thin air. And the same night that a new  
32 administrators contract appeared from thin air. That's  
33 what constitutes, to quote you, Mr. Foster, the death of  
34 statesmanship in local politics. I understand as I said,  
35 those of us that run for public office have to hear both  
36 sides of an argument, that's fine. It's a good thing.  
37 And we Also have to swallow a lot of vindictive comments  
38 at times. And I think everybody up here and in the  
39 previous Council will certainly attest to that. That's  
40 part of the job. But there is a time when my opinion --  
41 when in my opinion, vindictive comments, yellow  
42 journalism, the slanting of facts, rumors and innuendo,  
43 has to be addressed, and that's what I'm doing. And  
44 that's all I've got to say.

45 APPLAUSE

46 GRACIE FLOYD: Mr. Chair, may I?

47 EDDIE MOORE: Ms. Floyd.

48 GRACIE FLOYD: I thank you. Mr. Chair,  
49 nobody up here has suffered anymore than I have with  
50 opinions. That's an example.

1 EDDIE MOORE: Everybody hold it down. Let  
2 Ms. Floyd get her -- go ahead now.  
3 GRACIE FLOYD: Let Ms. Floyd do what now?  
4 EDDIE MOORE: Get your say. Go for it.  
5 GRACIE FLOYD: Okay. Thank you. Thank you.  
6 Nobody up here has been more harassed than I have on the  
7 radio, in certain newspapers, and everything else. Okay.  
8 But still I'm here. I was told, I was told that I asked  
9 for it when I campaigned to be a county council person.  
10 I was told that there would be all kinds of opinions  
11 because they were just like noses on peoples faces,  
12 everybody has one. I read the article in the newspaper.  
13 To me it was wonderful, because it, it -- it was  
14 wonderful because it got the people of Anderson County  
15 talking about what was going on in Anderson. That Sunday  
16 I had more telephone calls. And from that time to this  
17 day -- this morning my phone was ringing off the hook  
18 about issues on Council. If it gets people talking, it's  
19 a good thing. And that was a good thing. You don't have  
20 to agree with it. It's all right. It's all right. But  
21 it did the job. It woke up people in Anderson County.  
22 Now, there was another article in the newspaper in  
23 rebuttal of this one. I thought, well, that's good too.  
24 You had one opinion and then you had another opinion,  
25 which is fine, which is fine. It's nothing wrong with  
26 that, folks. But to sit up here and to waste this time  
27 when we could have been talking to those people up in the  
28 Powdersville community to jump on somebody for writing a  
29 editorial. Who are the people calling into -- I mean  
30 writing into Straight Talk. I mean, you guys when you  
31 didn't have to sign your name, y'all did a good job. And  
32 then we have one man who stood, said his opinion and  
33 signed his name to it. And we're up here talking about  
34 what he should have said and what he didn't say. But you  
35 know what my mother told me, my mother told me, if it  
36 walks like a duck, looks like a duck, and quacks like a  
37 duck, it's a duck. She Also told me, a rose by any other  
38 name is still a rose. Thank you.  
39 TOM ALLEN: Mr. Chairman, if I might.  
40 EDDIE MOORE: Yes.  
41 TOM ALLEN: Ms. Floyd noted that we could  
42 have been spending that time on the Powdersville landfill  
43 folks on that problem. I think we spent about two and a  
44 half hours on that. I took no more than thirty seconds  
45 and Ms. Floyd took at least that long explaining what a  
46 duck was.  
47 LAUGHTER AND APPLAUSE  
48 EDDIE MOORE: Everybody hold it down.  
49 GRACIE FLOYD: Now you know what a duck is,  
50 don't you? Okay, great. Now you know. Uh-huh.

1 EDDIE MOORE: All right. Now that we know  
2 where the duck's at, let's move onto Item number 10, 2009  
3 population estimates. Mr. Ricketson.

4 JEFF RICKETSON: Mr. Chairman, members of the  
5 Council, I know we've had a long night and I'm not going  
6 to belay this very much. But you have in your package  
7 our annual planning division population estimates for  
8 Anderson County. We do this every year in January based  
9 on the building permits for the year before. And just to  
10 kinda summarize what the says. For the past couple  
11 decades we've been growing just under two percent, two  
12 percent per year in Anderson County with our population.  
13 This past year our building permits are down. We  
14 estimate that our growth was about in half. We grew a  
15 little bit less than one percent last year. Given the  
16 economy we probably expect that growth rate to continue  
17 through this year. But when the economy picks back up we  
18 expect again to, or we're at least forecasting to begin  
19 to resume the growth that we've had in the past couple  
20 decades, and go back up toward two percent. So the  
21 projections that we have here are in front of you. It's  
22 transparent, if you look on the inside of the second  
23 page, there's no mystique about how we do it. We go back  
24 to the 2000 census and we add up building permits that  
25 have been issued each year for the last decade. And of  
26 course, this gets a little dicey when you get ten years  
27 out, which we are. And we've just been adding up all the  
28 building permits each year and multiplying that by the  
29 2.26 people that live in each household on average. That  
30 tells us how many additional people we've added each  
31 year. The current population, as we estimate, is a  
32 little over one hundred and ninety thousand people. Just  
33 something that the Council has always been interested in  
34 the past, like where the growth is happening. If you  
35 look at the table on the inside, you'll see that about  
36 two thirds of the growth in that county is happening in  
37 districts four -- County Council districts four, five and  
38 six. That encompasses the I-85 corridor and the lake  
39 area. That shouldn't come as a surprise to anybody.  
40 That's where the majority of the growth has been  
41 happening. With that I'll take any questions that you  
42 have. There's a lot of graphs and stuff in here that  
43 kinda reflect where development has been happening.

44 EDDIE MOORE: Mr. Waldrep.

45 BOB WALDREP: What other methods do you have  
46 of ascertaining the population for 2010, other than what  
47 you mentioned to building permits? Isn't there actually  
48 a census that goes on that's supposed to supplement this  
49 information?

50 MR. RICKETSON: There are a number of sources

1 that you can get for estimates and projections. The  
2 census does one. The state does one. You can get a  
3 number of private marketing companies that provide them.  
4 But ours are based on building permits. I don't know  
5 anybody else that bases their -- that has the data, that  
6 can use building permits. We're assuming that any house  
7 that gets built in Anderson County is being built to be  
8 occupied. And historically we have about 2.26 people  
9 living in each household. So that's where we -- that's  
10 the basis that we use. It's tied back to the 2000  
11 censuses, which is really the only count -- actual count  
12 that anybody has done in Anderson County. So anything  
13 else is just projections. There are a number of  
14 different sources that you can site.

15 BOB WALDREP: So we're going to have a 2010  
16 census, right?

17 MR. RICKETSON: That's correct. And at that  
18 point we'll have a firm count of how many people are in  
19 Anderson County. But until then all we can do is  
20 estimate.

21 BOB WALDREP: Okay. Well I just wanted to  
22 emphasize, Mr. Chairman - thank you, Mr. Ricketson -- the  
23 significance of this census information because a lot of  
24 grants, a lot of other information is based on the  
25 population, I think. So I just want to make sure that  
26 Anderson County is equipped to do everything that it  
27 needs to in order to get an accurate count of the census.  
28 There's been ---

29 EDDIE MOORE: One minute.

30 BOB WALDREP: -- been instances where some  
31 towns or some communities have failed to do that, and  
32 they've suffered economically with regard to the money  
33 that they would be entitled to from road money and other  
34 money like that. So I just wanted that notation to be  
35 made. Thank you, Mr. Ricketson.

36 EDDIE MOORE: Anyone else? We'll move to  
37 Item 11 on the agenda; request for the development center  
38 for exceptional children. Bill Brockelbank.

39 MR. BROCKELBANK: There's a packet of  
40 information for each of you that's coming up in regards  
41 to the Developmental Center for Exceptional Children. I  
42 am representing the Developmental Center for Exceptional  
43 Children or DCEC. I can sit here and talk to you all  
44 about it. But I have a four minute video that is very  
45 clear and very concise as to where the school is, the  
46 hard times that the school is facing. And so I'd like to  
47 go ahead and show this short video to update everybody  
48 here on what's going on. And then I'll talk more to it  
49 after.

50 VIDEO BEING PLAYED

1 BILL BROCKELBANK: We use that video to get  
2 the word about DCEC out. My wife was a school teacher at  
3 Varesses Elementary, as well as at Montessori, for a  
4 total of about ten years. And she had never even heard  
5 of this school until we had a child that potentially has  
6 autism. So what I'm here to talk about is with the State  
7 pulling our funding, the State has pulled two hundred and  
8 thirty thousand dollars. It's roughly two hundred and  
9 eighty-seven thousand dollars to run the school, operate  
10 the school for a year. Anderson County offers us twenty-  
11 five thousand dollars a year of that two hundred and  
12 eighty-seven thousand dollars. And what we're asking for  
13 is for y'all to find -- we're asking for a total of  
14 seventy-seven thousand dollars. And part of that is the  
15 twenty-five thousand dollars that is existing. And what  
16 we're asking for is an additional fifty-two thousand  
17 dollars. So -- and the reason that I come to you is,  
18 again, because the State has pulled our funding one  
19 hundred percent. So if you look at Clemson University or  
20 you look at Concord or Calhoun, and you look at the  
21 budget cuts of roughly twenty to twenty-five percent,  
22 twenty to twenty-five percent is probably something that  
23 we could have managed, and found a way to manage. Being  
24 told that we were cut -- we were initially told that we  
25 were going to be cut four percent. And then that got  
26 shifted around and we were cut one hundred percent. The  
27 families, the Sunrise Foundation, the people that you've  
28 heard about, we're not asking for a handout. We've been  
29 working our butts off for this cause. We have done fund-  
30 raises, we've done some bake sales, yard sales, pizza  
31 sales, a lot of things that a lot of the local schools  
32 do. Several of our families have hosted singing events.  
33 Money was raised through different churches, candy sales,  
34 coupon books. We had a New Year's Eve Gala down at the  
35 Crest building. New Year's Eve we raised nineteen  
36 thousand nine hundred and forty-two dollars, roughly. So  
37 we're not -- we're trying to be self-sufficient as best  
38 we can. And putting that kind of pressure on twenty-five  
39 families to raise two hundred and eighty-seven thousand  
40 dollars is very hard. So we've started charging our  
41 families weekly fees. We're using the ABC voucher  
42 program for those families that qualify. We've secured  
43 several fee scholarships to families in need. We've  
44 handled golf tournaments. We've been writing grants.  
45 We've been awarded a grant for thirty-three thousand  
46 dollars. Walgreen's has chosen us to be their fund-  
47 raising recipient. We have the Bi-Lo booster program.  
48 We have upcoming events. We have submitting applications  
49 for the following grants with Wal-mart, Sam's Club,  
50 Anderson's Junior League, CVS, the Knights of Columbus.

1 So we are constantly going after this and working for it.  
2 And you know, we look at this school, we look at this  
3 program, and like I said in the video, it is a  
4 therapeutic school. This is not a daycare facility where  
5 the children are parked and left to do whatever. This is  
6 an actual school. So if we did -- no offense to anyone -  
7 - if we did step our children down to a daycare facility,  
8 there's not a daycare facility in Anderson County that  
9 will accept these children. And with the State's, with  
10 the State's budget cuts as of December 31st, Allendale  
11 Bamberg, Columbia, Charleston, Greenville all closed to  
12 their doors to these schools that are identical to DCEC.  
13 This is the last school in the state of South Carolina  
14 for these children, and it's right here in Anderson  
15 County. So -- and like I said, if these children, if  
16 this school does close, if that does happen, then a lot  
17 of these -- a lot of the families are dual income  
18 families. One person is going to have to stay home  
19 because there is not a daycare facility in Anderson  
20 County that will accept these children. So we -- looking  
21 at some of these things -- I think this is in your pack.  
22 There's a window of time, whether it's a typical child or  
23 special needs child where formal cognitive learning is  
24 established. Without those services to stimulate that  
25 development, we are concerned about what's going to  
26 happen with our children. There's multiple quotes in  
27 here, if it takes a hundred hours for a normal child to  
28 master a skill, it takes a learning disabled child a  
29 thousand hours to reach that same level. Unless basic  
30 skills are taught before the child reaches secondary  
31 school, the gap between his level of ability and that of  
32 his peers will have widened to the extent that catching  
33 up will be almost impossibly long and a demoralizing  
34 process. So I'm coming to you tonight on behalf of the  
35 school. I'm not looking for anybody's pity. We are  
36 simply looking to give these children a fair shot at a  
37 decent education, and move them on, because many of those  
38 children that you saw in that video, by the time they  
39 reach first or second grade, many of those children will  
40 be able to be mainstreamed. And so what we're looking at  
41 now is funding these children, getting them started on  
42 the right path so that we don't have to spend as much  
43 money on adult education later in life. And like I said,  
44 these children are part of Anderson County. We didn't  
45 ask for children with autism. You ask any parent. We  
46 didn't ask to have a child with autism. There's so many  
47 things that take place in our lives that I know ninety  
48 percent of the people here do not understand because it  
49 does not affect your life. But I have a normal child and  
50 I have what we call a special child, and I understand

1 both sides of it. So I'm coming to you tonight to ask  
2 y'all to consider granting us an additional fifty-two  
3 thousand dollars to keep this program up and running. We  
4 have raised enough money -- again, we're the only school  
5 in the State. We have raised enough money to stay open  
6 from January 1 to June 30th. So of two hundred and  
7 eighty thousand dollars, we've raised roughly a hundred  
8 and forty thousand dollars ourselves. So again, the  
9 State was giving us two hundred and thirty thousand  
10 dollars, Anderson County was giving us twenty-five  
11 thousand dollars, United Way makes up the other twenty-  
12 seven thousand dollars, roughly. So we're just asking  
13 for a little bit of help. And I just ask that y'all  
14 think about it. Y'all discuss it. And if you have any  
15 further questions, inside your pack I have a phone number  
16 to my wife and myself, e-mail capabilities. But I just  
17 thank you for your time.

18 BOB WALDREP: Mr. Chairman.

19 EDDIE MOORE: Mr. Waldrep.

20 BOB WALDREP: I just need to ask a quick  
21 question, if you don't mind. I certainly appreciate the  
22 work that you do for the children. I think Anderson  
23 County has always been sympathetic to that. The friends  
24 that I had that -- years ago that were having some  
25 situations with exceptional children were always required  
26 to go to the school districts to try to obtain some kind  
27 of help. Is this outside that normal program that we're  
28 talking about, like school district five and four. I  
29 just mention that a little bit because we get something  
30 like thirty percent of the tax dollars in this county.  
31 The schools get seventy percent. And sometimes it's hard  
32 for us to, to raise money.

33 BILL BROCKELBANK: We are, we are under the  
34 Department of Disability and Special needs.

35 BOB WALDREP: Right.

36 BILL BROCKELBANK: We're not under school  
37 district five or four or three or whatnot. Now, up to  
38 two and a half years ago, we were part of South Fant. We  
39 were housed at South Fant. I don't know the extenuating  
40 circumstances of what that -- where that split came from.  
41 My understanding, like I said I don't have a full  
42 understanding, but my understanding it was something with  
43 the district five administration, that they wanted a  
44 separation. I don't know why. I don't understand. But  
45 we are re-looking at South Fant, as far at trying to work  
46 with them and find new housing, basically.

47 BOB WALDREP: Well, I just want to tell  
48 there were cases where actually school districts were  
49 required to assume this responsibility. And they would  
50 have to go to Federal Court in order to maintain to

1 require the school districts to take care of some of the  
2 children and their special problems. I guess I'm just  
3 looking for, you know, any kind of solutions. I just, I  
4 was just unaware of the problems that you were having  
5 until tonight. So Thank you.

6 END OF TAPE 3, SIDE 2

7 EDDIE MOORE: ... going through our budget  
8 processing, shortly.

9 BILL BROCKBANK: Okay, thank you.

10 EDDIE MOORE: Thank you for coming. We'll  
11 now go to Item 12 on the Agenda. Report from personnel,  
12 legal review contracts, inquiries and investigative  
13 committee. Mr. Waldrep.

14 BOB WALDREP: Mr. Chairman, members of  
15 Council, as everyone knows we've been going through a  
16 very deliberative process with the issue of the  
17 employment of our County Administrator, Mr. Cunningham.  
18 I think we had made a proposal sometime, a couple of  
19 weeks ago, and it was rejected by Mr. Cunningham with  
20 regard to -- we had made a proposal of another at-will  
21 contract, and it did not contain the parachute, I guess  
22 you might say, involved in that. On November the 18<sup>th</sup>, we  
23 have to go back to this, 2007, was a time that I'll never  
24 be able to get out of my memory when the Council hoisted  
25 upon this new Council this contract buyout, of course,  
26 with Mr. Preston and coupled with that was the contract,  
27 the three year contract, with Mr. Cunningham. Everyone  
28 knows that we've been going through a process of legal  
29 research, opinions and soul searching about what would be  
30 the best way that we could deal with this situation. The  
31 manner in which it was handled apparently needs to be  
32 corrected. This was probably the most egregious  
33 mishandling of a contract that I've ever seen. I guess  
34 I've been involved in politics too long. A lot of people  
35 think I've been here too long. I understand that. But  
36 I've never seen such a system where money was just banded  
37 about with such, I think, in such a cavalier manner, and  
38 without the participation of all members of Council. We  
39 hear a lot up here of something about how many thousand  
40 people that I represent or that someone else represents.  
41 We get pretty jealous of the fact that these are quote,  
42 our people and our district. Well, there were two  
43 Council people that had absolutely no notice, no  
44 knowledge of participation in the process. The contract  
45 that was offered and signed by Mr. Cunningham, I think it  
46 was probably signed by him that day or that night, you  
47 know, affords him a three year contract at a hundred and  
48 twenty-five thousand dollars, I believe, and some other  
49 benefits. And it has a buyout provision in the event he  
50 should be discharged prematurely for about four hundred



1 and fifty thousand dollars. It's been mulled over a  
2 great deal in our committee about what would be the way  
3 to try to correct this. We tried to correct it in the  
4 beginning by offering an at-will contract at the same  
5 rate without the parachute. That didn't seem to work.  
6 That was not accepted. I'd like for people to understand  
7 that the process that we've been going through has been  
8 difficult on all of us. And I certainly don't envy the  
9 position that Mr. Cunningham had been placed in, nor do I  
10 envy the position that this Council has been placed in  
11 either. It's hard work. We're doing what we believe is  
12 right and in spite of all the letters and telephone calls  
13 and innuendo, all that that's gone on, there's no  
14 vendetta here, folks. There's no revenge and there's no  
15 payback. We have come up with another proposal. The  
16 first one did not work, but we went back to the drawing  
17 board to try to come up with something that would be --  
18 we consider to be fair. So I have presented to the  
19 County Council, from the Personnel Committee, the  
20 recommendation that was voted on today. And it goes like  
21 this, at the February 3, 2008 Personnel Committee we  
22 voted to recommend to County Council to offer Mr. Michael  
23 Cunningham the opportunity to return to his previous  
24 position as Assistant Administrator with the same salary  
25 of a hundred and twenty-five thousand dollars per year.  
26 Now that salary that he used to have as County Assistant  
27 Administrator was a hundred and eight thousand, according  
28 to Mr. Cunningham, so it's a raise. And it was the  
29 opinion of the committee that the old contract signed by  
30 Mr. Cunningham on November the 18<sup>th</sup>, 2008 is null and  
31 void, unenforceable, and therefore he is presently an at-  
32 will employee. But in the event Mr. Cunningham rejects  
33 this offer the Council would appoint an acting interim  
34 administrator and then go through the open process for the  
35 position. And I wanted to explain -- and that's one of  
36 the problems that we had, was that we wanted to open this  
37 process up and not be a closed process like it was  
38 before, that no one even knew about. Regardless of Mr.  
39 Cunningham's virtues, his qualifications, he'll certainly  
40 be afforded the opportunity to apply just like everyone  
41 else when we'd be going through the personnel process.  
42 It is now the understanding that Mr. Cunningham has  
43 rejected this offer. So we are now in the position of  
44 proposing this recommendation to the Council as -- for a  
45 vote. And I would so move. Is there a second?

46 EDDIE MOORE: Second. Motion before the  
47 floor with Mr. Waldrep on the proposal. There is a  
48 second. Now go into discussion.

49 GRACIE FLOYD: Mr. Chair.

50 EDDIE MOORE: Ms. Floyd.

1 GRACIE FLOYD: I have read the recommendation  
2 and I have heard that Mr. Cunningham had rejected the  
3 office -- I mean, rejected the offer. So what are you  
4 saying now?

5 BOB WALDREP: Ms. Floyd, that would mean  
6 that since he's rejected this offer that we would be  
7 appointed an interim administrator and Mr. Cunningham  
8 would no longer be an employee of Anderson County.

9 GRACIE FLOYD: Are you saying that Mr.  
10 Cunningham is fired?

11 BOB WALDREP: He would not be working here,  
12 and that would mean a termination. If he is selected ---

13 GRACIE FLOYD: Are you saying that Mr.  
14 Cunningham has been fired from his position as County  
15 Administrator?

16 BOB WALDREP: He's been terminated. Yes.

17 GRACIE FLOYD: Okay. Same thing, same thing.

18 Something I want to bring up to you, is that from our  
19 policy, from the Anderson County employment policy,  
20 somebody spoke tonight that it wasn't advertised or  
21 something. Okay. But the policy is written and it says,  
22 in order to provide upward mobility for the employees and  
23 county services it shall be the policy of the county to  
24 consider applications from persons currently employed  
25 before applications from the public are considered.

26 First consideration shall be given to the persons in the  
27 unit or department where the vacancy occurred for whom  
28 the vacant position would represent a promotion. If none  
29 of these person are selected to fill the vacancy all  
30 other county employees' request and consideration will be  
31 considered. Mr. -- the letter of the county law was  
32 followed when Mr. Cunningham was offered the job. He was  
33 second. He worked in the department where the vacancy  
34 occurred. This is not the first time this has happened.  
35 If you remember Jason Phillips, who is the Treasurer, at  
36 the time was working in the department when the -- our  
37 first Treasurer left. He was able to run for the  
38 position and he got it. In this case the administrator  
39 is not an elected official, but an appointed position.  
40 We -- there were other people who did not know the -- who  
41 did not get the information that you didn't get. You  
42 were not the only ones. But in the manner of what we  
43 were instructed to do by county ordinance, Mr. Cunningham  
44 was promoted. He was given a contract and I don't -- be  
45 careful. I'm through.

46 EDDIE MOORE: Bob, do you have anything  
47 else?

48 BOB WALDREP: No. That would be the  
49 recommendation. I would, I would add that our  
50 recommendation was that -- to add to this would be Mr.

1 Holt Hopkins would act as interim acting administrator  
2 at-will.

3 CINDY WILSON: I'll second.  
4 EDDIE MOORE: We have a second.  
5 GRACIE FLOYD: But wait a minute. We have  
6 one motion on the floor.  
7 EDDIE MOORE: We still got one motion on the  
8 floor. We've got to vote on it first. So that would be  
9 the first motion. So ---  
10 GRACIE FLOYD: Okay. Did Mr. Holt Hopkins  
11 accepted this?  
12 EDDIE MOORE: Yes, he did.  
13 GRACIE FLOYD: Oh. I think Mr. Wilson was  
14 ---  
15 EDDIE MOORE: Mr. Wilson.  
16 RON WILSON: Yeah, Mr. Chairman. It seems  
17 to me that the only thing that Mr. Cunningham has done  
18 that certain members of this Council doesn't like is that  
19 he didn't accept the offer that was made. And to my  
20 knowledge there's not a single administrator in this  
21 state that's on an at-will contract. So his -- and if  
22 what this Council has said, that his current contract is  
23 not valid, then it's at-will contract anyway. I'll go  
24 ahead and work this into it. The editorial written by  
25 Foster -- and by the way, I've never read it. The only  
26 thing I've heard is what was read here tonight, because  
27 in Powdersville, we don't read the Anderson Independent.  
28 And but I think what this Council is or what it is not is  
29 yet to be determined. And for a group that says it's --  
30 doesn't want any frivolous or needless lawsuits, we're  
31 about to walk into the most costly one this County has  
32 ever faced. And it will go longer than any of us will  
33 care to remember. So I caution this Council on taking  
34 this kind of strong arm tactics. And I would -- I will  
35 not vote for this.

36 GRACIE FLOYD: Mr. Chair.  
37 EDDIE MOORE: Ms. Floyd.  
38 GRACIE FLOYD: Okay. Before, before an  
39 administrator can be terminated, is there a statute that  
40 say he has to have a public hearing, or be given this  
41 information in writing and then followed a public hear  
42 and all that other good stuff?  
43 EDDIE MOORE: Mr. Waldrep, would you  
44 explain.

45 BOB WALDREP: Mr. Chairman, my  
46 understanding, and of course we don't have the attorneys  
47 here, and I'm not trying to speak as an attorney really,  
48 but just as a councilperson. And my understanding about  
49 the way it works is that the offer that was made before,  
50 when Mr. Cunningham was offered the at-will contract, was

1 an opportunity, you know, for him to ask for some kind of  
2 hearing. It might well be, and I'm not saying that  
3 that's not within the possibility of the way things would  
4 work, that he would ask for a hearing. The statute  
5 provides that he has to, within five days I think, ask  
6 for that hearing. And then the council would have a  
7 meeting within, I think, no sooner than twenty days, I  
8 think no later than thirty days, after that has been  
9 requested and the council would have a public hearing  
10 like this.

11 GRACIE FLOYD: Okay. All right. But ...

12 BOB WALDREP: Let me say this. I'm not sure  
13 that that applies in this case. You know, we've heard  
14 the rumblings of war and the saber rattling of  
15 litigation. I don't want to get into anything more that  
16 I'm going to be cross examined in a deposition on at this  
17 point. So that's all I can say.

18 GRACIE FLOYD: Okay. All right. Mr., Mr.  
19 Cunningham has been fired. Now, he has the right to, he  
20 has the right to pursue his thing. Now we do have a  
21 legal adviser in her. And either I'm going to ask him,  
22 and get an answer, I'm going ask mine and get an answer.  
23 Mr. Artigliere, what -- Mr. Cunningham has been fired.  
24 What recourse does -- do we have, does he have?

25 ADAM ARTIGLIERE: Ms. Floyd, I would read the  
26 statute for you, if you'd like.

27 GRACIE FLOYD: Read the statute.

28 ADAM ARTIGLIERE: Section 4-9-620 of the  
29 State codes states, if Council, in pertinent part, if  
30 Council determines to remove the County Administrator he  
31 shall be given a written statement of the reasons alleged  
32 for the proposed removal and the right to a hearing  
33 thereon at a public meeting of the council. Within five  
34 days after the notice of removal is delivered to the  
35 Administrator, he may file with the council a written  
36 request for a public hearing. This hearing shall be held  
37 at the Council meeting not earlier than twenty days nor  
38 later than thirty days after the request is filed. The  
39 Administrator may file with the Council written reply no  
40 later than five days before the hearing. The removal  
41 shall be stayed pending the decision at the public  
42 hearing.

43 GRACIE FLOYD: Okay. Please explain to me  
44 the removal shall be stayed pending public hearing.  
45 Explain that to me.

46 ADAM ARTIGLIERE: That means, until the public  
47 hearing is held, if you request one, then he is not  
48 removed from the position of county Administrator.

49 GRACIE FLOYD: Please repeat that.

50 ADAM ARTIGLIERE: If, if he requests a hearing,

1 then until the hearing is held and the final  
2 determination is made, that he still remains as  
3 Administrator.

4 GRACIE FLOYD: Mr. Cunningham.

5 MICHAEL CUNNINGHAM: Yes, Ma'am.

6 GRACIE FLOYD: Are your going to request a  
7 public hearing?

8 MICHAEL CUNNINGHAM: Yes, ma'am, I believe I'm  
9 owed a public hearing, as a result of that. But I'll  
10 wait until I receive the official termination notice in  
11 writing. I'll, I'll follow the process for that.

12 GRACIE FLOYD: Okay. Mr. Cunningham, is  
13 there anything else you want to say? No, sir, we were  
14 told this was not gonna happen. We were told that --  
15 yeah, we were told that we are not going to fire Mr.  
16 Cunningham. We don't have any intentions of firing Mr.  
17 Cunningham.

18 EDDIE MOORE: Everybody hold it down please.  
19 Mr. Waldrep.

20 GRACIE FLOYD: We were told that we were not  
21 going -- that you're not going to do it. That's just one  
22 thing that we were told that has gone back on. But Mr.  
23 Cunningham, do you have anything to say in you -- about  
24 all of this? Go ahead.

25 MICHAEL CUNNINGHAM: Yes, ma'am. There is  
26 something I guess I would like to say. And I'm sure  
27 we'll get into this more if we have this public hearing.  
28 The whole point of my letter that I wrote to each of you  
29 was an effort to say that I'd like to not make this an  
30 issue and attempt to find some way in which we can work  
31 together and move forward, that if I was -- if it was the  
32 belief of Council I was an at-will employee, then there  
33 was no need to sign a contract indicating that, and that  
34 I would be willing to continue to work in my current  
35 role, under the current set of circumstances, until which  
36 time I earned the, I think the trust, and/or opportunity  
37 to come back at some other point and ask for a contract  
38 with a more defined term. In my letter I stated that I  
39 didn't think that now was the time, because it is -- has  
40 been I think very difficult, very challenging  
41 environment. And I felt like trying to force that issue  
42 at this time, being it a counter-offer or anything else  
43 would only serve to be more divisive. That was never my  
44 intention. So I laid all that out in a letter, and today  
45 when I received the offer to either sign the at-will  
46 contract again or go back to being the Assistant  
47 Administrator, and I, of course had already, I guess,  
48 stated my position on the signing of the at-will  
49 contract, that I didn't think it was necessary because of  
50 the environment that I'm currently working on -- under.

1 But the idea of going back to being the Deputy  
2 Administrator, and working for an interim administrator  
3 was not something that I was interested in doing, simply  
4 because I feel like I had earned the opportunity to at  
5 least try do this particular job. And I will say this, I  
6 want to make it, make it, clearly stated that Mr. Hopkins  
7 is a great person, a friend, a friend of mine. I think  
8 he's been placed in a difficult position. And I  
9 understand how that is. I was not far away from that  
10 myself. And so I don't have any ill-will or ill feelings  
11 toward Mr. Hopkins. I like him a lot. I wish him well  
12 in whatever may happen with this. And I have the same  
13 sentiment about each of you. I really wish you well. I  
14 don't have any ill-will toward any of you. But this is  
15 -- I was made this offer before, about going back to  
16 being the assistant, on more than one occasion, I heard  
17 it from people -- you know, just go back to kinda your  
18 place, go back to what you were doing and you'll be okay.  
19 And I did take that to heart. I thought about that a  
20 great deal. I had a conversation with people I really  
21 look up to and care about, my wife and my family. They  
22 all expressed they were proud of me, and proud of the job  
23 I was doing and said that, you know, life was about  
24 taking steps forward and not backing up. So I had to  
25 take all that into consideration. And I believe I've  
26 done that. And I believe that I've worked hard. And I  
27 believe I've done the job, I think, I hope the right way.  
28 I've -- where there was opportunity to extend an olive  
29 branch or to take steps to sooth fears or to go over any  
30 concerns, I've tried to take those steps, and they  
31 haven't always been popular steps or pleasing steps. But  
32 I've tried to do that. I felt like I've done all that I  
33 can do thus far to try to be cooperative. And I continue  
34 to travel in that direction. And the last thing I'll  
35 say, on this particular subject, unless there's other  
36 questions, is that one, no matter what happens I can tell  
37 you that this has truly been a blessing for me. It has  
38 truly been a blessing. Simply because going through ups  
39 and downs and trials and tribulations will help build on  
40 your faith. And for -- I've mentioned this to people, if  
41 for no other reason this has helped strengthen my faith  
42 and my testimony to a degree that no matter what happens  
43 this has been absolutely worth it. I've really treasured  
44 that opportunity and that chance, and this particular  
45 part this personal enrichment for me has been well worth  
46 it. And so with that being said, I really have enjoyed  
47 the opportunity. I don't know where all this will lead.  
48 I don't envy any of you because I'm sure there has been  
49 pressure put on you. I haven't had as much pressure put  
50 on me. Again, there's a pretty small circle of people

1 that I have to, I feel like, make happy. And most of  
2 them live with me and the other ones I visit every week.  
3 So that being said, my Dad told me, said, you know, Son,  
4 if you only keep your job for thirty minutes do it to the  
5 very best of your ability. Don't do anything wrong. And  
6 when you leave, no matter what the circumstances, you  
7 leave with you head up. And so if at some point I have  
8 to leave this job that I really enjoy and really feel  
9 blessed to have, I think I can do so with my head up  
10 because I think I've done things the right way. I've  
11 tried to be respectful to everyone I work with. And  
12 again, it truly has been a blessing.

13 APPLAUSE

14 GRACIE FLOYD: Okay. I still have the floor.  
15 Mr. Cunningham, so it is your intention to ask for a  
16 public hearing?

17 MICHAEL CUNNINGHAM: Yes, Ma'am.

18 GRACIE FLOYD: Okay. And when you ask for  
19 your public hearing, would you consider asking for it at  
20 the Civic Center. Please, please consider asking for it  
21 at the Civic Center. Okay. Because based on the  
22 telephone calls and the letters and everything else that  
23 was written I'm sure that people will want to come to  
24 support you or even to say goodbye. Okay. But according  
25 to the law, you are still the County Administrator. And  
26 when you come to work Monday morning, no, tomorrow,  
27 what's tomorrow, Wednesday? When you come to work  
28 Wednesday morning you will come in as the County  
29 Administrator, according to the law.

30 BOB WALDREP: Mr. Chairman, there would be  
31 some question about that. Everybody's throwing the law  
32 around tonight. I just want to make sure that Mr.  
33 Cunningham is clear that he has rejected two separate  
34 offers from this council on his employment, and that he's  
35 made no counter-claims. Rather, counter-proposals. Mr.  
36 Cunningham, is that correct?

37 MICHAEL CUNNINGHAM: The only correction I'll  
38 make is that in my letter, what I offered was a  
39 willingness to continue to work under my current  
40 conditions, which is as the Council views it as an at-  
41 will employee. And I remain willing to do that until  
42 such time as we can come back and talk about a fine term.  
43 But my -- what I said in my letter stands, is I'm willing  
44 to continue on in this vain, with the understanding that  
45 the -- you, I guess prevailing view of council is that I  
46 am an at-will employee. And I mentioned to you back  
47 there that I have no desire to argue that pint. You are  
48 the judge, and I'm willing to continue on working until  
49 which time we can see fit to return to this issue. And  
50 again, the only time that, that severance or any of that

1 would become an issue is if there was a termination  
2 without cause. That if I make come terrible mistake or  
3 break the law or any of those things, that termination  
4 with cause means that there is no severance out there,  
5 other than ---  
6 BOB WALDREP: And that's clear. That's  
7 clear. I just wanted it clear that we offered you a  
8 contract ---  
9 MICHAEL CUNNINGHAM: --- and I want ---  
10 BOB WALDREP: --- you said you didn't ---  
11 MICHAEL CUNNINGHAM: --- that I offered to  
12 continue to work under my current ---  
13 BOB WALDREP: But we offered you a contract  
14 to sign, Mr. Cunningham, and you said you would not sign  
15 that contract. And that's what we're talking about.  
16 MICHAEL CUNNINGHAM: Is that the reason for the  
17 termination?  
18 BOB WALDREP: Yes.  
19 MICHAEL CUNNINGHAM: Okay.  
20 BOB WALDREP: Okay. Yeah. And we've  
21 offered you a second contract. This is just for the  
22 record now.  
23 MICHAEL CUNNINGHAM: And the second one, is the  
24 demotion to assistant?  
25 BOB WALDREP: The demotion to ask you if you  
26 would retreat at a higher salary than you were making  
27 before just like -- okay. The other thing I wanted to  
28 say is that I think you've had a pretty good time to  
29 review this. I didn't want anybody to get the impression  
30 that there was an all of a sudden matter, that you hadn't  
31 had time. And that hopefully you believe that you've  
32 been treated as fairly as possible in this process.  
33 MICHAEL CUNNINGHAM: Yes, Sir, I think during  
34 the meeting you all gave me a few minutes to go outside  
35 and think it over before I responded. And again, you  
36 didn't have to do that, but you did offer that to me and  
37 I appreciate that.  
38 BOB WALDREP: We gave you as much time as  
39 you asked for.  
40 MICHAEL CUNNINGHAM: I think you told me that I  
41 had to give you an answer today. Actually before you  
42 came out of executive session.  
43 BOB WALDREP: Right. Okay. Okay. That's  
44 all I have.  
45 GRACIE FLOYD: Mr. Chair, I wanted to make it  
46 very clear, very clear that Mr. Cunningham has been  
47 fired. Excuse me, termination, terminate. A duck is a  
48 duck by any name, it's still a duck. But he has been  
49 terminated. And I think we need to make that clear to  
50 the people of Anderson County. It needs to be made



1 clear.

2 TOMMY DUNN: Mr. Chairman.

3 EDDIE MOORE: Mr. Dunn.

4 TOMMY DUNN: I want to make something,  
5 something clear with the -- the facts of what the offer  
6 is, you can debate them and whatnot, it's the personnel's  
7 decision -- position is, and according to Mr. Cunningham,  
8 he accepted that he had no contract. We offered him  
9 another contract again today to sign a contract. He  
10 chose not to sign it. We offered, we offering him a  
11 position to go back, because he doesn't have a job with  
12 us, no contract, to go back to his old title, old  
13 position, assistant administrator, deputy administrator,  
14 at an increase in his current salary with benefits  
15 accordingly. And evidently he is turning that down. So  
16 he has not been terminated.

17 GRACIE FLOYD: He said -- Mr. Waldrep said  
18 ---

19 TOMMY DUNN: Well, I'm going to correct  
20 that. He hasn't been -- that was not, not our -- not  
21 part of the meeting I was in, wasn't part of the thing.

22 EDDIE MOORE: Well, however we put it, Ms.  
23 Floyd, he is not employed at this point. So I mean,  
24 that's why I say that's why we have an interim issue  
25 here, about an interim administrator. And we can let the  
26 lawsuit, whatever it takes, clarify this particular  
27 issue. But he is not to be considered as being employed,  
28 is my understanding now. That's subject to, heaven  
29 knows.

30 GRACIE FLOYD: Well, I know that -- Mr.  
31 Chair.

32 EDDIE MOORE: I've got it next Ms. Floyd.

33 GRACIE FLOYD: Okay. But I know that word  
34 terminated -- I asked you point blank, and you said he  
35 was terminated. Folks heard it out there, folks were  
36 here ---

37 BOB WALDREP: I did say -- well, the  
38 termination takes place when someone does not accept the  
39 offer. And so that means the relationship is no longer  
40 there. Fired is not the word that I chose to use. There  
41 was termination there of the relationship. So we can  
42 pick our words any way we want.

43 EDDIE MOORE: When we discussed it with Mr.  
44 Cunningham on the first offer, he refused our offer. At  
45 that point, he had six days to come back with a letter to  
46 us asking for a public hearing. This is per Judge  
47 Wilkins. We came back with another offer. He has  
48 refused three offers. And I'm sorry. We've tried to be  
49 accommodating with Mr. Cunningham, but he has refuse  
50 three offers.

1 GRACIE FLOYD: That's not right. No.  
2 EDDIE MOORE: Move to question. Second? I  
3 need a second. All in favor of move to question. Let is  
4 be known Ms. Wilson, Mr. Waldrep, Mr. Dunn, Mr. Moore,  
5 Mr. Allen. End of debate. We will now vote on our offer  
6 that we had made to Mr. Cunningham.  
7 GRACIE FLOYD: Excuse me, Mr. Chair. We  
8 haven't voted. We have to go on record as having voted  
9 one way or the other.  
10 EDDIE MOORE: We're fixing to vote.  
11 GRACIE FLOYD: No. You haven't called to ask  
12 us who opposes.  
13 EDDIE MOORE: All right, we will now vote.  
14 TOMMY DUNN: Excuse me. Point of order,  
15 Mr. Chairman. I think, I think when we vote, we're  
16 voting for opposed on the question. We got the  
17 affirmative, now you want to ask for those opposed or  
18 abstaining.  
19 EDDIE MOORE: On the question. All opposed  
20 on the question. There's two. Okay. Now we will vote  
21 on the motion.  
22 BOB WALDREP: Chairman, just a point of  
23 housekeeping, I'd like to include in that Mr. Hopkins  
24 being interim acting Administrator at-will. He will be  
25 the named interim administrator.  
26 TOMMY DUNN: I believe we gotta do that in  
27 a separate motion. I believe you're gonna need to do  
28 that in a separate motion. We didn't call for the  
29 question and vote on it. We've got to vote on that first  
30 motion.  
31 EDDIE MOORE: We're going to vote on this  
32 one, then we'll come back on that one. All in favor on  
33 first motion, please raise your right hand. All opposed,  
34 likewise. Let it be known that Mr. Allen, Mr. Moore, Mr.  
35 Dunn, Mr. Waldrep, Ms. Wilson voted for the motion. Ms.  
36 Floyd and Mr. Wilson voted against. And now your motion.  
37 BOB WALDREP: My motion is that Mr. Holt  
38 Hopkins be appointed interim acting Administrator at-  
39 will.  
40 EDDIE MOORE: We have a motion on the floor for  
41 Mr. Holt Hopkins to be the acting Administrator, do I  
42 have a second.  
43 TOMMY DUNN: Second.  
44 EDDIE MOORE: Mr. Dunn seconds. Any  
45 discussion?  
46 GRACIE FLOYD: Yes. Who will now take Mr.  
47 Hopkins' place over our Transportation Department?  
48 EDDIE MOORE: I should be up to the  
49 Administrator, current administrator.  
50 GRACIE FLOYD: I'm glad that you do finally

1 realize one thing.

2 CINDY WILSON: Mr. Chairman.

3 EDDIE MOORE: Ms. Wilson.

4 CINDY WILSON: I'd just like to make a quick  
5 statement. The previous County Council cost Anderson  
6 County 1.6 million dollars in their gift to the former  
7 administrator, which should have cost Anderson County  
8 zero. Previous County Council did not follow Anderson  
9 County's and South Carolina laws as to procedures in  
10 imposing a new administrator on the new County Council.  
11 We resent that. We feel sorry for the previous acting  
12 Administrator. He had been very callously used as pawn  
13 by the former Administrator. We're now in the difficult  
14 position of trying to determine Anderson County's actual  
15 financial state, or status. Tax revenue streams appear  
16 to be off, permits and fees less than one-half, aid to  
17 local governments from South Carolina will be decimated  
18 from approximately ten million dollars per year. The  
19 previous County Council placed approximately twenty-five  
20 million dollars of new debt on Anderson County in the  
21 last four months. To give you, our taxpayers, some  
22 perspective of what we are beginning to find, please  
23 consider the following, there's evidence of lawsuits and  
24 settlements, information withheld from Anderson County  
25 Council, even after we requested all captions. A  
26 resolution passed last meeting requiring Anderson County  
27 Council approval of new lawsuits had been violated.  
28 We've discovered more than one million dollars in  
29 consulting fees and contracts for individuals of  
30 questionable qualifications and/or no work product on  
31 file. The sewer enterprise fund has insufficient  
32 revenues to meet millions of dollars in debt, maintenance  
33 and operations funding requirements. Construction  
34 projects having hundreds of thousands of dollars above  
35 what actual cost should be. We've requested that  
36 Anderson County's finance records be formally closed for  
37 the six month ending 12/31/08, and again for 3/30/09, and  
38 we were denied that. We've got a real mess here. And if  
39 we can't get a handle on it, it's not going to get better  
40 by prolonging the agony. This has been almost a inhumane  
41 situation for numbers of Council also. It won't make any  
42 difference to you that I've shed tears over it. And it  
43 make not make any difference to some of you that I've  
44 been sued so many times now that I can't get homeowners  
45 insurance. We've got a mess here and it was primarily  
46 set up by a previous Administrator and a previous County  
47 Council. We've got to ---

48 APPLAUSE

49 CINDY WILSON: We went through an election  
50 and the mandate was to go forward, to get to the bottom

1 of the finance and go forward. And we have made an  
2 effort to do so. Thank you.

3 GRACIE FLOYD: Mr. Chair.

4 EDDIE MOORE: Ms. Floyd.

5 GRACIE FLOYD: Okay. At the last County  
6 meeting we had one, an attorney to come to speak to us  
7 about the -- I think it was Kurt Gibson -- to speak to us  
8 about Mr. Preston's contract. I asked a question and I  
9 did not get my answer. So I went out and found me  
10 someone, an attorney. She is an employee -- employment  
11 attorney. You'll meet her in a minute. But what I want  
12 to give to you now is another -- some information on her  
13 findings. One, two, three four. On her findings.  
14 Remember that Mr. Gibson came up and told us about a law  
15 case or whatever, whatever, and I asked was there any  
16 other law cases that would pertain to that, and it is. I  
17 want to call her to the mike right now. Ms. Kent Fuller,  
18 would you please come up and would you please show them  
19 -- tell them, work them through with what they have here  
20 and tell us about that court case that I asked about the  
21 last time.

22 EDDIE MOORE: Ms. Floyd, this is not a  
23 public hearing here.

24 GRACIE FLOYD: I still have the right to call  
25 up people. I do. We're talking personnel matters.

26 BOB WALDREP: Point of order, point of  
27 order.

28 TOMMY DUNN: Mr. Chairman, point of order.  
29 We've got a motion on the floor.

30 GRACIE FLOYD: What motion?

31 EDDIE MOORE: We've got a motion on the  
32 floor.

33 GRACIE FLOYD: Okay. Well just wait a  
34 minute. Okay?

35 EDDIE MOORE: We'll now take the vote.

36 TOMMY DUNN: Motion on the floor, motion on  
37 the floor is that Mr. Holt Hopkins be appointed as the  
38 interim acting Administrator at will.

39 EDDIE MOORE: All in favor of Mr. Holt  
40 Hopkins being acting Administrator raise your right hand.  
41 All opposed. Let it be known that Mr. Allen, Mr. Moore,  
42 Mr. Dunn, Mr. Waldrep, Ms. Wilson voted yes. Ms. Floyd  
43 and Mr. Wilson voted no.

44 GRACIE FLOYD: Okay. Now Mr. Chair.

45 EDDIE MOORE: Now Ms. Floyd.

46 GRACIE FLOYD: Okay. Good. Ms. Fuller,  
47 Karen Fuller, would you please come to the microphone?  
48 As a council member I have a right to call you up to the  
49 microphone to ask you questions and for information and  
50 that's what I am doing at this time.

1 MS. KEM-FULLER: Thank you.

2 GRACIE FLOYD: Would you please go over the  
3 information I asked you to research for me.

4 MS. KEM-FULLER: Yes, Ma'am. There was a  
5 couple of things you asked me to research. One had to do  
6 with home rule and the other had to do with the Cowart  
7 case. Mr. Gibson was afforded a fifteen minute  
8 presentation regarding the Cowart case. Mr. Gibson's  
9 website reflects that he does not practice employment  
10 law. He has no published opinions in South Carolina ---

11 TOMMY DUNN: Mr. Chairman, Mr. Chairman.

12 Point of order.

13 EDDIE MOORE: Mr. Dunn.

14 TOMMY DUNN: I'm just looking at my agenda  
15 and I don't see nowhere on it. If Ms. Floyd wants to  
16 bring the up in her comments, that's one thing, but if we  
17 got an agenda we're going to go by or not or Robert's  
18 Rules of Order.

19 APPLAUSE

20 EDDIE MOORE: Your point is well taken.

21 GLORIA FLOYD: Mr. Chairman, we are talking  
22 about personnel matters and this is a personnel matter  
23 that you allowed to come up at the last meeting under the  
24 same heading. This is a personnel matter, the one that  
25 you brought up at the last meeting, and I reserve the  
26 right now to bring it up for additional information.

27 EDDIE MOORE: Your point is not well taken.  
28 Mr. Dunn is correct. We are going to go with our agenda.  
29 We can do this at the ladder part of the meeting when we  
30 have the comments.

31 GRACIE FLOYD: No, no, thank you. Mr.  
32 Chairman, I will respectfully ask our secretary to put me  
33 on the agenda for the next meeting. Ms., Mrs. Candy, can  
34 you be here?

35 MS. FULLER: Yes, Ma'am.

36 GRACIE FLOYD: Thank you. Linda, please put  
37 me down on the next meeting for this.

38 EDDIE MOORE: We now go on to number 13,  
39 ordinance to be the second reading, ordinance to provide  
40 for the creation of the Cedar Glen special tax district  
41 to establish the nature of services to be performed  
42 therein, to designate uniform service charge in the Cedar  
43 Glen special tax district, to provide for the operation  
44 of Cedar Glen special tax district, and other matters  
45 related therein. The public hearing is now in order. Do  
46 we have any comments from the public?

47 RUSS BARBER: Mr. Chairman, my name's Russ  
48 Barber and I'm from district four. I'm a retired U.S.  
49 Marine. I live at 126 Cedar Glen Drive. I've lived at  
50 this location for about two and a half years. The

1 community is a family oriented with lots of small  
2 children. I purchased these signs and ...

3 EDDIE MOORE: Can you wait just one second.  
4 We're going to let the room get clear a little bit so  
5 noise will go down so we can hear you. Okay?

6 RUSS BARBER: Oh, I don't mind the noise.

7 EDDIE MOORE: All right. Go ahead.

8 RUSS BARBER: This is, you know, what I put  
9 in my front yard and several other homeowners put in  
10 their font yards. And I think we were instrumental in  
11 causing three houses from the builder not to be sold  
12 within the subdivision because a new client came along  
13 and they would see these signs and they would say, we  
14 don't want to invest our money in a subdivision where the  
15 roads don't meet, and the water doesn't meet county  
16 standards. The fact that Cedar Glen Subdivision ???, the  
17 guy that's not here anymore. The subdivision was started  
18 in 1995 when the building standards for subdivisions were  
19 different than what the County requires today. All the  
20 required permits were pulled to start the subdivision,  
21 the developer died, leaving the subdivision to his wife.  
22 The wife sold the subdivision to ?? who in turn sold lots  
23 to AHO homes who put houses on the lots. When customers  
24 asked about roads, homeowners associations and fire  
25 hydrants, the AHO sales rep misrepresented to homeowners  
26 what was going to happen with the roads, homeowners  
27 association and the fire hydrants. Let's start with the  
28 water issue first. Powdersville water has stated that  
29 what was put in the subdivision was what was required by  
30 the County in 1995. And I've talked to Chris Rasco  
31 several times from Powdersville water, and they assured  
32 me when they get their capital funding in the future that  
33 the subdivision water will be brought up to, you know,  
34 county standards. The roads, it's my understanding, when  
35 the builder built the last house, what the sales rep told  
36 everybody, that's when the roads will get paved. Well,  
37 the sales reps are not there anymore, and the roads are  
38 still in the same condition. I've talked to several  
39 attorneys, and I couldn't find anybody that practices law  
40 in Anderson County to take -- if we paid or pro bono to  
41 take the developers, builders and everybody else  
42 concerned to court. You know, our next step was to go to  
43 the county roads and bridges ...

44 END OF TAPE 4, SIDE 1

45 RUSS BARBER: ... enough homeowners  
46 signatures, you can go to step two. You get enough  
47 signatures for that you go to the next step. Well we got  
48 all the signatures we needed. These are the signatures  
49 for the special tax district. These are the signatures  
50 for the homeowners that don't want a special tax

1 district. You know what I'm talking about. We want  
2 roads. We're will to pay. It's not going to cost the  
3 County any money. This is not going to cause a lawsuit  
4 for you guys. I think, looking down the road, talking to  
5 the county roads people, this project probably wouldn't  
6 get off the ground till sometime later in the year when  
7 money is appropriated. This is the second reading. And  
8 I request that the Council approve the special tax  
9 district so later on this year, you know, we can have  
10 decent roads. Thank you for your consideration.

11 FEMALE: Good evening, County council.  
12 I live at 104 Claymore Court in Cedar Glen. I'm sorry.  
13 I have to dispute some of the things that Mr. Barber  
14 said. Number one, he did not clearly inform all these  
15 homeowners what this special tax district means. I have  
16 ladies here that he went and asked to sign the petition,  
17 but never gave her the petition to read. I don't think  
18 that he even passed our these petitions for any of the  
19 homeowners to read and understand it clearly. From what  
20 I read on the petition, what they propose on the front of  
21 it, does not bring our roads up to County standards. On  
22 the back it leaves it wide open stating that we agreed  
23 whatever they come out and do to our subdivision we will  
24 pay whatever amount at that time. And they leave it open  
25 like that. Well, I have a severe drainage problem on my  
26 property because there's a drainage easement on one side  
27 of my house and when AHO built that house, they directed  
28 it onto the other side and goes across two properties.  
29 It's not just the road issues, and Mr. Barber is wrong.  
30 We all want our roads paved. We bought in this  
31 subdivision. We like the subdivision. We were told the  
32 roads would be paved. Our developer did not die. I  
33 heard everybody talking about DHEC tonight. I've been to  
34 DHEC. I have paperwork from DHEC right here in my hand  
35 that states who the developer of Cedar Glen is. Nobody  
36 in Anderson County could tell me that. And nobody in  
37 Cedar Glen could tell me that. I have it here in my  
38 hands. It all says it's AHO homes. That is the  
39 developer. The man that originally bought the property,  
40 yes, did die. If AHO homes isn't the developer why did  
41 they sign all of this?

42 FEMALE: I would like to be corrected,  
43 if I'm mistaken. Mr. Barber stated that the people that  
44 did not sign the petition, he has paperwork on that. I'm  
45 not aware of that. I signed nothing. I refused to sign  
46 it. I will give my house back to Wells Fargo before I  
47 pay for these roads to be completed and I have to pay for  
48 it. But he stated that he has paperwork from us.

49 FEMALE: I think he said signatures.

50 FEMALE: Signatures. I would like to

1 see those signatures, because I signed no paperwork for  
2 him.

3 FEMALE: And I also have one of those  
4 signs in my front yard that's still there, about the  
5 roads and the water in Anderson, in our subdivision.

6 EDDIE MOORE: You all need to address the  
7 chair. Your discussion is to us up here, the Council.

8 FEMALE: I've lived there for about a  
9 year. And when I bought the land I didn't know I had to  
10 come back and help pay for the roads to be up to par.  
11 And I found out from these two ladies, cause they've done  
12 their homework, that my house -- my driveway sits on  
13 Cedar Glen Road. I'm not even a part of Cedar Glen, but  
14 they're still asking me to help pay for something that I  
15 felt like whoever had that subdivision, they should have  
16 crossed their t's and dotted their i's before they even  
17 got that subdivision started, if everything wasn't up to  
18 par. Now it's back on the homeowners to come back and  
19 fix roads, and after ten years, Anderson County is saying  
20 they'll step in and maintain, but I think somebody should  
21 have stepped in and made sure everything was done  
22 correctly before they even got a subdivision started.  
23 And it's not fair on me to having to come back and raise  
24 my taxes to even main -- to even get the roads fixed,  
25 cause the roads are really, really bad. And then when I  
26 saw, you know, at the end of the year when I get my taxes  
27 I'm paying taxed to make sure everything in Anderson  
28 roads and schools are up to par. Why can't what we have  
29 be brought up to par before we even move in there. But  
30 somebody allowed somebody to build all these houses when  
31 everything wasn't correct. Now it's back on the  
32 homeowners and that's not right. Thank you.

33 P.J. BUICE: My name is P.J. Buice. I also  
34 live in Cedar Glen. Russ Barber does not represent me.  
35 Russ Barber does not have a signature from me or my  
36 husband, homeowners in that subdivision, that says we  
37 don't agree to the special tax because we never signed  
38 that. It is true, we don't agree to the special tax, and  
39 it is true that Russ Barber got signatures for people  
40 who, in my opinion, were misled in the process or the  
41 explanation of what a special tax was, what it would  
42 take. The estimates that I've seen do not -- in my  
43 opinion, will cover what they propose and what they don't  
44 propose because there's more problems in Cedar Glen than  
45 having those roads done. The few of us here who say that  
46 we do not want to pay for the special tax, absolutely  
47 want the roads done. We don't feel it's our  
48 responsibility to pay for those. We didn't develop that  
49 property. We weren't told that we were going to have  
50 additional costs added on. And it's not fair. This is



1 not what we agreed to. We went in there as homeowners,  
2 people who were moving into the Anderson County area, we  
3 were deceived, misrepresented and as I said, Russ Barber  
4 does not speak for me. And the majority of the people  
5 who -- he did touch base with, I believe, everybody in  
6 the subdivision, but the information is not accurate.  
7 And I don't know that all of you have all the information  
8 you need. It's not something that I feel could be voted  
9 on and decided, and decided for the few who have done  
10 their paperwork and understand all that's happened up to  
11 this point. Thank you.

12 FEMALE: One thing I would like to ask  
13 is that -- I do have the agreement. And all of you have  
14 the copy of the agreement from Anderson County attorney.  
15 I would like to ask that you would help protect the  
16 homeowners that did sign the petition if this should ever  
17 go to litigation that their rights are not given up and  
18 they can join the rest of us in this. Thank you.

19 BOB WALDREP: Mr. Chairman. Could I ask a  
20 question of the gentleman?

21 EDDIE MOORE: Mr. Waldrep.

22 BOB WALDREP: Has it been determined what  
23 the cost of this update would be?

24 RUSS BARBER: Yes, sir.

25 BOB WALDREP: How much is that?

26 RUSS BARBER: Approximately a hundred and  
27 twenty-seven thousand dollars or one hundred twenty-seven  
28 thousand five hundred dollars.

29 BOB WALDREP: Did you get that from Anderson  
30 County road department?

31 RUSS BARBER: Yes, sir.

32 BOB WALDREP: You've got -- there seemed to  
33 be some issue -- I'm not trying to get into your stuff  
34 too much here. But seventy-five percent of the people --  
35 how many people live out there in that subdivision?

36 RUSS BARBER: There's forty-five homes  
37 within the subdivision and only forty-four homes are  
38 being considered for the special tax district because one  
39 of the homes is on Hickory. It's not physically in the  
40 subdivision.

41 BOB WALDREP: Okay. So are you saying you  
42 got forty-five out of -- forty-four out of forty-five  
43 homes out there?

44 RUSS BARBER: Correct.

45 EDDIE MOORE: Okay.

46 RUSS BARBER: That are part of the special  
47 tax district.

48 EDDIE MOORE: Okay. And you got a ---

49 TOMMY DUNN: Excuse me. I think he  
50 misunderstood the question. I don't think he's saying he

1 got forty-four out of forty-five. That's how many houses  
2 are in the subdivision. Isn't that correct?

3 BOB WALDREP: That's what I was just trying  
4 to understand. How many signatures did you get?

5 RUSS BARBER: I think the count was seventy-  
6 seven percent, whatever that works out to. There were  
7 probably one or two signatures that somebody got married  
8 and signed the name with the new name, but the house was  
9 in the maiden name.

10 ADAM ARTIGLIERE: Mr. Chair.

11 EDDIE MOORE: Yes.

12 ADAM ARTIGLIERE: Mr. Chair. I just want to  
13 point out all that information is in the packet. It has  
14 all the signatures and the petition in the packet as  
15 well. I just wanted to point that out.

16 TOM ALLEN: Mr. Chairman.

17 EDDIE MOORE: Mr. Allen.

18 TOM ALLEN: I think what they're saying,  
19 they have received the seventy-five percent of the  
20 signatures and seventy-five percent of the land. I  
21 believe the question seems to be, will you still have the  
22 opportunity to go back and seek redress or try to get  
23 your money back, even if this is done, even if the roads  
24 are turned over to the County. Right?

25 RUSS BARBER: Sir, you know, getting enough  
26 signatures to get this far took some work. Can you  
27 imagine me going around the subdivision and asking the  
28 people for a thousand bucks so I can go hire an attorney  
29 to sue the developer?

30 FEMALE: Mr. Barber, we have an  
31 attorney.

32 MR. BARBER: Where is he?

33 TOM ALLEN: The only thing I'm saying, and  
34 perhaps -- I don't want to put Mr. Hopkins on the spot,  
35 but I don't know -- do you know, Mr. Hopkins, if they  
36 would still be allowed to go back and -- sorry Mr.  
37 Cunningham it is okay if I ask ---

38 MICHAEL CUNNINGHAM: Please do, go ahead.

39 TOM ALLEN: I'm going to the source of  
40 information here. The way these things work, could they  
41 still go back and ---

42 HOLT HOPKINS: That's really a legal question  
43 that I need to defer, cause I don't think that takes any  
44 rights from them.

45 TOM ALLEN: I wouldn't think that it  
46 would.

47 ADAM ARTIGLIERE: I haven't done any research  
48 into this particular issue. However, I can't, on the  
49 face of it, see any -- anything either in the agreement  
50 or in the ordinance itself or any of the supporting

1 documents that would prevent anybody from filing an  
2 action against anybody that's involved in the issue.

3 HOLT HOPKINS: We've had those discussion  
4 before. We don't believe that any rights would be lost.  
5 This is just one way of getting this done.

6 TOM ALLEN: Exactly. Okay. Thank you,  
7 Sir.

8 RUSS BARBER: I take great exception to  
9 somebody calling me a liar. Let me share some of these  
10 signatures with you. And they all come from the people  
11 that are opposing this special tax district.

12 CINDY WILSON: Mr. Chairman, may I ask a  
13 question please?

14 EDDIE MOORE: Ms. Wilson.

15 CINDY WILSON: I think the petition here  
16 shows thirty-seven lots, but it says forty-four.

17 FEMALE: Ms. Wilson, if I may.

18 CINDY WILSON: Yes.

19 FEMALE: Cedar Glen has forty-one lots.  
20 There are actually only thirty-nine -- no, I think it's  
21 thirty-nine homes that are in the subdivision. There's  
22 three houses that this lady and the other lady that  
23 spoke, and one house that's empty in between them that  
24 are not in Cedar Glen. They're not a part of the  
25 subdivision, they're not on the plat.

26 CINDY WILSON: But they would be part of the  
27 special tax district?

28 FEMALE: Right. Right. That lot --  
29 those properties were bought at a different time. They  
30 were not purchased with the original Cedar Glen plat.

31 CINDY WILSON: It looks like another legal  
32 opinion here.

33 GRACIE FLOYD: Mr. Chair.

34 EDDIE MOORE: Ms. Floyd.

35 GRACIE FLOYD: We need to ask this man if we  
36 need to -- this gentleman, if we need to return these to  
37 him, or what.

38 BOB WALDREP: Mr. Chairman, I just have one  
39 question. Is there -- I'm trying to look through the  
40 packet at the same time and understand everything. Is  
41 there a way that all this gets signed off on by the  
42 County? Is that what is done, as far as the project is  
43 concerned? Like Mr. Hopkins would review all this  
44 information, compile it, then he signs off on it, and  
45 verifies it.

46 HOLT HOPKINS: Yes.

47 BOB WALDREP: Okay. That's all.

48 TOM ALLEN: One other quick question, Mr.  
49 Cunningham, if I could. Mr. Hopkins, did the quitclaim  
50 deed get signed. Has that been done yet?

1           HOLT HOPKINS:       We didn't actually get a  
2 quitclaim deed signed yet. We got an agreement stating  
3 that anybody that's basically touched this property will  
4 sign it ---  
5           TOM ALLEN:           Okay.  
6           MR. HOPKINS:       -- once the roads are brought  
7 up to standards.  
8           TOM ALLEN:           Once the quitclaim deeds are  
9 signed then the roads become County property for  
10 maintenance.  
11          MR. HOPKINS:       After y'all vote on it.  
12          TOM ALLEN:       After we vote on it, and for  
13 maintenance purposes. Okay. Thank you.  
14          FEMALE:           I have a comment to make if  
15 that's okay. I just asked Mr. Barber to see the paper  
16 that I signed. It in fact, did say -- I did sign it, my  
17 husband signed it -- that I was not interested. I have  
18 told Russ Barber this since the day I met Russ. At one  
19 point I was working with Russ to try to get this  
20 straightened out. I'm appalled to think he is putting  
21 words in my mouth. I have never and never will agree to  
22 this. Never. Thank you.  
23          EDDIE MOORE:       Is there anyone else in the  
24 back would like to discuss this? Anyone else?  
25          MARK POWELL:       Mark Powell, Williamston. AHO  
26 homes is one of the largest slab house -- I'm not gonna  
27 comment about that particular house design, but the  
28 largest house builder in our County, one of the largest  
29 in our State. Why is this profit-monger, slab house  
30 building scum developer not required to fix these roads  
31 for these people? Why are they begging y'all to sign  
32 something to allow them to pay more taxes so they can get  
33 their roads fixed so their cars won't be destroyed, so  
34 their values won't be lost? This is insane. I mean  
35 lawsuits, County trying to stop a landfill that's gone  
36 too far, you messed up on that. This is a situation  
37 where everyday developers come in and build track house,  
38 they build subdivisions, I don't care if the road has  
39 three houses on it, three hundred houses on it, I think  
40 they have one on Old Williamston Road that has hundreds  
41 of houses. I think that was AHO. It blows me away.  
42 This is, this is insane. Why are these people here  
43 begging to pay money in taxes in hopes to sue the  
44 contractor to get their money back? If he's still  
45 building homes, allow a stop work order, if you want to  
46 call it a lawsuit, I don't care what you want to call it.  
47 This developer is making millions of dollars around our  
48 State, in this County and other counties. Pull his feet  
49 to the fire. Don't allow -- put a stop work order on  
50 everything he has. Put a mechanics lien on everything he

1 has. Anderson County requires you to finish your roads.  
2 I know a developer. He had to finish his roads. It  
3 ain't right. Stop him. Don't allow him to make another  
4 dime. Put a stop hold on everything he's got going.  
5 Make him fix these peoples roads. Now, understand if the  
6 water people's gonna come in and dig up to do something  
7 different, it's gonna be screwing up the roads. Maybe  
8 the roads don't need to be fixed right now. Maybe the  
9 water people need to know what's happening. Because you  
10 don't want pretty paved roads and have a water company  
11 come in and dig it up to put in bigger lines or put in  
12 fire hydrants somewhere. Everything has to be done in  
13 order. You can't do you finish surface coat until  
14 everything is done. Make this contractor spend some of  
15 his grubby millions of dollars that he gets out of people  
16 on these houses he builds in three weeks. Stop him.  
17 Make him pay for this, not these people. I understand  
18 his problem. He wants his road fixed. I understand  
19 these people. We are sick of paying taxed in Anderson  
20 County. Our taxes have gone up under every  
21 administration for the last ten or twelve years. I've  
22 lived here my entire life. I don't watch my tax from  
23 year to year. I watch my tax from the day I bought my  
24 house in 1982. I know what my taxes have done in  
25 Anderson County. I don't think eeeew, it went up only  
26 eighty-five bucks this year. It went up hundreds of  
27 dollars in the time period I've owned my house. Don't  
28 force these people to give you more money so that they  
29 can have money to fix their roads. Force the contractor  
30 to stop everything he's doing. Send the whoever it is  
31 out there to put a stop work notice on everything he's  
32 got going in this County and stop him tomorrow. Don't  
33 allow this profit millionaire to keep stealing our money  
34 by giving us shoddy work when he's profited off of it.  
35 Stop him please.

36 APPLAUSE

37 RUSS BARBER: Let me set the record  
38 straight. The original developer was Galloway. Galloway  
39 died. His wife was left all of his stuff, I reckon. And  
40 she sold the subdivision to an investor, Hammond and  
41 Boyd. All AHO did from Hammond and Boyd was buy lots and  
42 put up a house. Now, I think Hoyt may be able to tell  
43 you exactly who owned he roads when. I know Hammond and  
44 Boyt tried to deed the roads back to Galloway, but it  
45 didn't work. Yeah. I'd like to sue somebody, but I  
46 don't have deep pockets. And nobody in this subdivision  
47 does either.

48 EDDIE MOORE: Anyone else? Y'all have both  
49 -- both, y'all -- all y'all have made your point. Okay.  
50 Is there anyone else who would like to get into this

1 discussion. Mr. Allen.  
2 TOM ALLEN: Yes. I'd like to make a  
3 comment. I believe, Ms. McGee, you said you had an  
4 attorney.  
5 MS. MCGEE: Yes.  
6 TOM ALLEN: Has it actually been verified  
7 for certain that AHO is the developer?  
8 MS. MCGEE: We have paperwork in our hand  
9 that states the developer is AHO.  
10 TOM ALLEN: That came from DHEC, right?  
11 MS. MCGEE: Right. Yes.  
12 TOM ALLEN: And we know what a great job  
13 DHEC's done ---  
14 FEMALE: Yeah.  
15 TOM ALLEN: -- on verifying things. I  
16 would like to make a motion to table this, if we could,  
17 until we can get verified who the actual developer is.  
18 Possibly your attorney can track that back and see if --  
19 is it really AHO or is there somebody else in there.  
20 RON WILSON: I'll second it.  
21 EDDIE MOORE: We have a motion to table.  
22 And we have a second. Any discussion.  
23 TOMMY DUNN: I got a question. Mr.  
24 Cunningham, can you or Mr. Hopkins one answer this  
25 question? Has this been looked at, verified as far went  
26 back and seen as far as the County eyes, who done the  
27 developing?  
28 HOLT HOPKINS: It is a very complicated mess,  
29 the way he's talked about it. But there was transfers,  
30 re-transfers back. We are not in a position, even though  
31 we looked at all the title work that dated back to the  
32 beginning. That's why we had to send out an agreement,  
33 three parties, I believe it was, just to get them to  
34 agree, whoever the owner is, when this is done, they have  
35 to deed the roads over to us. But it has not been  
36 determined and it would be costly too. You're probably  
37 going to have a judge to actually tell you who owns it.  
38 TOMMY DUNN: Mr. Hopkins, have you got on  
39 any of your permits or anything, can you tell who  
40 actually paid to get the road built?  
41 MR. HOPKINS: It was Mr. Galloway that  
42 passed away.  
43 TOMMY DUNN: That paid to get the road  
44 built?  
45 MR. HOPKINS: Originally.  
46 TOMMY DUNN: Originally. Okay.  
47 FEMALE: Excuse, me. No, it wasn't.  
48 It was Gail Galloway, not Mr. Galloway. He died in  
49 January of '97. Gail Galloway hired Crenshaw Paving in  
50 June of '97. The stone base was put down on August of

1 '97. The asphalt, which that report, and I believe all  
2 of you have a copy of that in the booklets that we gave  
3 you two weeks ago. The asphalt was put down, they came  
4 out to do the inspection, and never finished that one,  
5 and the final plat was signed 11 of '97. Carl Galloway  
6 had already been dead when all of that was done.

7 TOMMY DUNN: Point is, somebody named  
8 Galloway. AHO didn't build the roads is what I'm getting  
9 at. And I agree with that gentleman awhile ago, but we  
10 got to do things legally, what we can do. We can't go  
11 around and start putting stop workers on stuff. You  
12 know, I feel for these people. I went up there and  
13 looked at it. They were some of the awfulest roads I've  
14 ever seen built.

15 TOM ALLEN: Mr. Chairman, point of  
16 order. I'd just like to say, we had voted to table this.  
17 So there really isn't any discussion until we can really  
18 determine who that owner is.

19 EDDIE MOORE: Your point is well taken.

20 TOMMY DUNN: Excuse me. I thought you  
21 asked for discussion, Mr. Chairman.

22 RUSS BARKER: You know, is it the will of  
23 the people being tabled?

24 EDDIE MOORE: We're gonna do some further  
25 investigation and find out the truth behind everything up  
26 there, and then we'll go from that point. Mr. Allen was  
27 one to introduce this, and he has made a motion to table  
28 it for now.

29 TOM ALLEN: If I might, Mr. Chairman.

30 EDDIE MOORE: Yeah.

31 TOM ALLEN: As it was stated earlier, this  
32 wouldn't start anyway until probably after the fiscal  
33 year because of money. So it's gonna be into July.  
34 We've got plenty of time to work with to find who the  
35 real developer is. It's not gonna impede anything, you  
36 know.

37 RUSS BARBER: Thank you for your  
38 consideration tonight.

39 EDDIE MOORE: We have a motion on the floor  
40 and we have a second. And now we're gonna have the vote.  
41 All in favor raise your right hand on tabling it.  
42 Unanimous. It will be tabled. We now go to 14,  
43 ordinances, the first reading. Mr. Waldrep.

44 BOB WALDREP: Mr. Chairman, because of some  
45 issues that have developed today and the lateness of the  
46 hour, I'm asking that under 14(A), (B) and (C) be removed  
47 from the agenda tonight.

48 EDDIE MOORE: Mr. Waldrep has requested that  
49 (A), (B) and (C) be removed from the agenda. Do I have a  
50 second?

1 CINDY WILSON: Second.  
2 EDDIE MOORE: We have a second. Any  
3 discussion?  
4 RON WILSON: Mr. Chairman, I'd like to  
5 offer an amendment that we adjourn.  
6 GRACIE FLOYD: I second.  
7 CINDY WILSON: Wait, wait, wait, wait.  
8 There's some important things that have to be done.  
9 BOB WALDREP: Mr. Chairman, I would ask that  
10 we send out for Chinese.  
11 EDDIE MOORE: Okay. We already have one  
12 motion on the floor and that was Mr. Waldrep's. And that  
13 was to take those off the agenda. So we'll vote on that  
14 right now. All in favor of taking those three items off  
15 the agenda, raise you right hand. Unanimous. So those  
16 three items are off the agenda. Due to the hour, I'm  
17 gonna request that item (D), the one I've got, it'll wait  
18 a couple of weeks and I'll just move it out to the next  
19 if that's okay with y'all.  
20 GRACIE FLOYD: Item (D)? Bids and contracts  
21 restrictions, that one? Okay.  
22 EDDIE MOORE: Yes. I'll hold off on that  
23 one too. Do I have a second on that?  
24 TOMMY DUNN: Second.  
25 EDDIE MOORE: I have a second. Any  
26 discussion. All in favor, raise you right hand.  
27 Unanimous. Move that item to the next meeting. We now  
28 go to number 15, Resolutions. Ms. Wilson.  
29 CINDY WILSON: Thank you, Mr. Chairman. The  
30 first resolution, R2009-007 is a resolution appointing  
31 special investigative legal counsel for Anderson County  
32 Council to make -- for the specific purpose of making  
33 inquires and investigations into the circumstances  
34 surrounding the location of an ethanol mixing and  
35 distributing facility, the Lewis Drive Road closing, and  
36 the expansion of the railroad zoning changes and other  
37 matters that affect the residents adjoining, and near the  
38 impacted area. This is in the form of a motion, and that  
39 we would appoint the law firm of Nexsen Pruet.  
40 BOB WALDREP: Second.  
41 EDDIE MOORE: We have a motion on the floor  
42 by Ms. Wilson. We have a second by Mr. Waldrep. Any  
43 discussion?  
44 GRACIE FLOYD: Yes. Okay. Yeah. Our  
45 Administrator who is supposed to hire these folks,  
46 according to home rule, had a law firm already employed  
47 to research this. And then he received a letter asking  
48 him to get rid of the law firm that he had hired and to  
49 hire another one. That -- this letter was from Ms.  
50 Wilson. And she asked him to hire one of her



1 preferences. This did not come before the Council, but  
2 I'd like to know why this was done, please.

3 CINDY WILSON: Mr. Chairman, may I?  
4 EDDIE MOORE: Ms. Wilson.

5 CINDY WILSON: The Councilman from district  
6 two is in error. My letter went to Mr. Cunningham in  
7 January 2009 requesting that he, our acting  
8 Administrator, discuss the situation further with me as  
9 that area's elected representative and members of Council  
10 prior to engaging legal counsel. And that was dated  
11 January 12<sup>th</sup>. He evidently hired those people on January  
12 14<sup>th</sup>, as his letter indicates. I then, after the last  
13 meeting, he disclosed that he was having a meeting at two  
14 that after -- the next afternoon. I asked to attend. I  
15 had a member of the community with me and we were most  
16 uncomfortable with the selection of that particular law  
17 firm, as they were also the law firm that had been  
18 brought in on the landfill issue. And quite frankly, the  
19 people over there were not happy with that because it  
20 appeared to them -- these are their feelings, and we have  
21 to give some consideration here that that law firm was  
22 hired primarily to protect the old County Council and the  
23 former Administrator and others related thereto, and at  
24 our current Council, and the County's expense and the  
25 people who live there, importantly. So I then asked that  
26 we have Mr. Cunningham ask the Columbia attorneys to  
27 return the materials that were provided to them at the  
28 January 21<sup>st</sup> meeting and forward them on to Nexsen Pruet,  
29 and then Mr. Cunningham basically wrote me back, shortly  
30 after that, for this package. It may be at the back, but  
31 it's not in this part. But basically saying that he  
32 awaited the will of the Council on this matter because if  
33 we wanted to appoint special investigative legal counsel  
34 for Council on this, we had that prerogative, and he also  
35 had the prerogative to hire counsel, unless we did that.  
36 So it's by vote tonight that we direct to him which way  
37 we want to go. And I think there are a number of  
38 residents here, even at this late hour from the Cheddar  
39 community. May I ask those folks to please stand. I  
40 know there are still a few people here. Okay. My motion  
41 stands that we appoint the Nexsen Pruet firm as special  
42 investigative counsel for this issue.

43 GRACIE FLOYD: Do I still have the floor?  
44 EDDIE MOORE: Ms. Floyd.

45 GRACIE FLOYD: Ms. Wilson, thank you. Thank  
46 you for that clarification. But what I have here in my  
47 hands is a letter from you to Mr. Cunningham, dated  
48 January the 23<sup>rd</sup>, '09.

49 CINDY WILSON: You don't have the 12<sup>th</sup> one?  
50 It's in your package.

1 GRACIE FLOYD: No, I have this one.

2 CINDY WILSON: Well, there's one dated  
3 January the 12<sup>th</sup> and there's one dated ---

4 GRACIE FLOYD: Okay. But I have the one  
5 dated the 23<sup>rd</sup>. It says while it is appreciated that you  
6 are seeking legal counsel regarding the plight of the  
7 Cheddar residents impacted by the railroad expansion, the  
8 Lewis Drive closing and the location of the ethanol  
9 mixing and distribution facility adjoining private homes,  
10 please be advised that there are concern regarding your  
11 engagement of the Parker Poe Law Firm. It was brought to  
12 my attention that this firm has been retained to  
13 represent Anderson County in the district six landfill  
14 issue too. Please reference the attached letter as proof  
15 of my request that I, the County Council -- that I and  
16 the County Council be involved prior to the hiring of  
17 legal counsel for this matter. As there are many  
18 troubling aspects of the Cheddar situation, it would seem  
19 prudent to refer this matter to this entire investigation  
20 Nexsen Pruet. Please have Parker Poe Bernstein return  
21 the material provided to them at the 1/21/09 meeting and  
22 forward some of the Nexsen Pruet firm. Mr. Cunningham,  
23 did you not get her letter that said that you were not  
24 supposed to do anything on this? And could shed some  
25 light on this for me please?

26 MICHAEL CUNNINGHAM: Yes, ma'am. I got a  
27 copy of that letter, and my response to her was that if  
28 the Council chose to engage Nexsen Pruet for the purpose  
29 of the investigation, that that would be fine. But  
30 instead of me taking action on one request, it would  
31 probably be better -- it would be an expansion of the  
32 scope of your engagement with Nexsen Pruet to do that, so  
33 I would wait whatever for whatever the Council's action  
34 was before forwarding documents to whoever. I think that  
35 was my response. And just for clarification, Parker Poe,  
36 I think you mentioned they had done legal work pertaining  
37 to this particular issue before. And the only work  
38 they've done for the County is really representing us for  
39 I think the parking deck and a couple other issues. And  
40 then again, as I mentioned earlier, they were called in  
41 at the last minute for the zoning issue as it relates to  
42 the landfill. So they haven't done a great deal of work  
43 for the County, but they were sitting down when they met  
44 with us, we took a look at this particular issue and that  
45 was the nature of my response.

46 GRACIE FLOYD: Mr. Cunningham, did the full  
47 County Council give you the go ahead to release Parker  
48 Poe and go with Nexsen?

49 MICHAEL CUNNINGHAM: Not as of yet.

50 GRACIE FLOYD: Not as of yet. Okay. So only

1 one person has asked you to do this?

2 MICHAEL CUNNINGHAM: I think that's the  
3 issue before us now, is who investigates this matter. I  
4 retained Parker Poe to do it, but if the Council wants to  
5 expand their engagement with Nexsen Pruet to include this  
6 matter then that's ...

7 GRACIE FLOYD: So you have not changed  
8 because you only received, you only received a request  
9 from one council member and not the full Council. Okay.  
10 All right. All right. I don't think one Council member  
11 can control the entire County Council.

12 CINDY WILSON: Mr. Chairman, point of order  
13 please.

14 EDDIE MOORE: What's your point of order,  
15 Ms. Wilson?

16 CINDY WILSON: The matter before us is to be  
17 voted on by the entire Council. That's the whole point.  
18 Thank you.

19 EDDIE MOORE: Your point of order is well  
20 taken.

21 GRACIE FLOYD: But it's not, because that's  
22 not -- excuse me, Mr. Chairman. But that is not a point  
23 of order. The thing that, the thing that I am asking is  
24 why was it changed. And I haven't -- did I get the  
25 answer to why are we moving from Parker Poe to Nexsen?  
26 That was my question from the get-go. Why?

27 CINDY WILSON: It's right here.

28 GRACIE FLOYD: Right where?

29 CINDY WILSON: Look at the January 12<sup>th</sup>  
30 letter, Mrs. Floyd. And since the house is late, I would  
31 like to call for the question please.

32 BOB WALDREP: Second.

33 EDDIE MOORE: Call for the question. We  
34 have a second. All in favor on call for the question,  
35 raise your right hand, to end the debate. All opposed.  
36 Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep,  
37 Ms. Wilson voted yes. Ms. Floyd voted no. So we will  
38 now vote on the Resolution. All in favor of the  
39 resolution raise your right hand. All opposed likewise.  
40 Let it be shown Mr. Wilson, Mr. Allen, Mr. Moore, Mr.  
41 Dunn, Mr. Waldrep, Ms. Wilson voted yes. Ms. Floyd voted  
42 no. Now go to Resolution R2209-015. Ms. Wilson.

43 CINDY WILSON: Thank you Mr. Chairman. This  
44 is a resolution requiring that the Chairman or Vice  
45 Chairman of Anderson County Council to sign all legal  
46 expenditures prior to payment -- and I'm also going to  
47 make an amendment -- and for Anderson County Council to  
48 approve all engagements of legal counsel. And the reason  
49 I put this in here is we found, like I said, evidence of  
50 settlements, lawsuits that we didn't even know. It's

1 really a mess right now. So that's the reason for the  
2 resolution. And it will be temporary in nature until we  
3 get the ordinance involving this going.

4 EDDIE MOORE: Do I have a second.

5 BOB WALDREP: Second.

6 TOMMY DUNN: Mr. Chairman.

7 EDDIE MOORE: Mr. Dunn.

8 TOMMY DUNN: On her second part of that  
9 resolution, wasn't that taken care of at the last  
10 meeting? Wasn't that part of the thing about engaging  
11 attorneys, I thought?

12 CINDY WILSON: It was, but it seemed to have  
13 been ignored.

14 TOMMY DUNN: Well, if it don't work one  
15 time, it's not gonna work again. I'm just, I'm just  
16 going by -- I mean, we got some conflicting on that. But  
17 I mean I think it's already been in record -- it's  
18 already been on record that that dog's done hunted. You  
19 keep going back, we can do it again.

20 CINDY WILSON: Mr. Dunn, your point is well  
21 taken. I will withdraw the second part and it will read  
22 as follows, a resolution requiring the Chairman or Vice  
23 Chairman of Anderson County council to sign all legal  
24 expenditures prior to payment.

25 TOMMY DUNN: Thank you.

26 EDDIE MOORE: So it would be the original  
27 one?

28 CINDY WILSON: Right.

29 EDDIE MOORE: We still have a second. Bob.

30 BOB WALDREP: That was a second.

31 EDDIE MOORE: Anymore discussion.

32 BOB WALDREP: Mr. Chairman, I just want to  
33 make sure that's or. That doesn't mean ---

34 EDDIE MOORE: Or. Right.

35 BOB WALDREP: Thank you.

36 EDDIE MOORE: Either one of us. All in  
37 favor raise you right hand. All opposed.

38 GRACIE FLOYD: Let the record show that  
39 Gracie Floyd, County Council district two refused to vote  
40 on 2009-015 to Ordinance, because it is in direct  
41 violation of state law and of the administration council  
42 form of government. I'd like that to be put into the  
43 records please.

44 EDDIE MOORE: Let it be shown that Mr.  
45 Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep, Ms.  
46 Wilson voted yes and Ms. Floyd voted no.

47 GRACIE FLOYD: Ms. Floyd did not vote no, Mr.  
48 Chairman. Ms. Floyd refused to vote either way, or  
49 abstain, because it's in direct violation of state law  
50 and of the administrative council form of government.

1 EDDIE MOORE: So you're abstaining?  
2 GRACIE FLOYD: No, sir. I refuse to ---  
3 EDDIE MOORE: You gotta vote yes, no or  
4 abstain. Which one?  
5 GRACIE FLOYD: No, I don't. I refuse to  
6 vote. I refuse to vote yes, no and I refuse to abstain.  
7 The records will show that I refused to vote.  
8 EDDIE MOORE: All right. You refused.  
9 Okay.  
10 GRACIE FLOYD: I refused.  
11 EDDIE MOORE: All right. We'll now go on  
12 ---  
13 GRACIE FLOYD: Mr. Chair, it's okay to put me  
14 up to be a laughing stock of your people. I can handle  
15 that.  
16 EDDIE MOORE: We'll now go on to 16,  
17 Appointments. Anyone have an appointments?  
18 CINDY WILSON: I do.  
19 EDDIE MOORE: Ms. Wilson.  
20 CINDY WILSON: District seven is appointing  
21 Mr. Michael Looper for the County citizens advisory  
22 zoning board. And they have a meeting tomorrow night so  
23 he's gonna have to quickly come up to speed. This is Mr.  
24 Michael Looper from Williamston.  
25 EDDIE MOORE: Okay.  
26 TOMMY DUNN: Second.  
27 EDDIE MOORE: We have a second. Any  
28 discussion. All in favor of Ms. Wilson's appointment  
29 raise your right hand. Unanimous. Anyone else have and  
30 appointment.  
31 GRACIE FLOYD: Mr. Chair.  
32 EDDIE MOORE: Ms. Floyd.  
33 GRACIE FLOYD: I don't have an appointment.  
34 It is now, what's that, eleven o'clock?  
35 TOMMY DUNN: Five to twelve.  
36 GRACIE FLOYD: Five to twelve. Okay. It's  
37 five to twelve o'clock. I am leaving now. I'm tired. I  
38 have been here since four o'clock today. I am going, I  
39 am going home now.  
40 EDDIE MOORE: Let it be shown Ms. Floyd has  
41 left. Before you leave, Ms. Floyd, I would like to tell  
42 you one thing. Our clerk will be going to our Clerks of  
43 Council Association meeting next week, so if y'all have  
44 anything for the Agenda, be sure and get it to her on  
45 Tuesday, by five o'clock because she will be gone to the  
46 Clerks of Council Association meeting next week. So she  
47 will not be here, so make sure you have the Agenda items  
48 to her by Tuesday, and that's for everybody.  
49 END OF TAPE 4, SIDE 2  
50 BOB WALDREP: Mr. Chairman, I've got my book

1 here for appointments, boards and commissions. I just  
2 wanted to thank Ms. Eddelman and those responsible for  
3 getting that book to us, because it has just been long  
4 and eagerly awaited. Thank you.

5 EDDIE MOORE: Mr. Allen, do you have any  
6 requests?

7 TOM ALLEN: I do not, Mr. Chairman.

8 EDDIE MOORE: Mr. Wilson? Ms. Wilson?

9 CINDY WILSON: Yes, sir. I'd like to make  
10 the motion to appropriate five hundred dollars to the  
11 Palmetto High School Air Force Junior ROTC for their  
12 annual ball, and that's been an annual thing.

13 EDDIE MOORE: Five hundred dollars to  
14 Palmetto High School. Do I have a second?

15 TOMMY DUNN: Second.

16 EDDIE MOORE: Any discussion. All in favor  
17 raise your right hand. Unanimous. Ms. Floyd is absent.  
18 Mr. Dunn, do you have any?

19 TOMMY DUNN: Just a lot of wishes.

20 EDDIE MOORE: Me too. I don't have  
21 anything. Okay. We'll now move on to the  
22 Administrator's report. Any comments about the  
23 Administrator's Report? Mr. Cunningham?

24 MICHAEL CUNNINGHAM: Yes, Sir, just a  
25 couple items. Items F and G showing the, I guess the last  
26 signatures for the dropping of the lawsuit regarding Mr.  
27 Waldrep and Ms. Wilson and myself. And the other one is  
28 the dropping of the County from the lawsuit regarding  
29 Greenpointe, LLC. And the rest of the information --  
30 also item E, I think is important, just the purchasing  
31 procedures. I know there's been lost of comments about  
32 bids, do we get them or don't we. But I just wanted to  
33 make sure everyone had a copy of our current purchasing  
34 and procedures that includes all the bids, how we handle  
35 the bids, and the fact that, I think it's important to  
36 note that we do certainly do bids for all of our projects  
37 and make sure that that's out there. I think I -- that's  
38 all for that. Oh, just a couple of announcements. Also  
39 this Saturday at seven o'clock at the Civic Center the  
40 Camilla Ball is going on, which I think benefits  
41 Pediatric Therapy Works. Also if you all could also keep  
42 thinking about a date for the County Council retreat. I  
43 think that would be important. And again I, if you'll  
44 permit me, I'll say that again I've enjoyed the  
45 opportunity, and hope that I get to work through all of  
46 this, and I just want to make sure, at least for the  
47 record, you know that I'm -- that I intend to come to  
48 work tomorrow until we work through this process of --  
49 come to some final resolution on that, on this particular  
50 issue.

1 BOB WALDREP: Mr. Chairman.

2 EDDIE MOORE: Mr. Waldrep.

3 BOB WALDREP: Mr. Cunningham, it was, if I  
4 may, it was reported to me today or yesterday, time has  
5 flown by, but that a John Scott appeared here in the  
6 courthouse and had taken some documents away from one of  
7 the County employees, some records of some kind. And Mr.  
8 Scott, I understand is supposed to be some kind of  
9 consultant who -- we're doing an investigation. Do you  
10 know anything about that?

11 MICHAEL CUNNINGHAM: Yes, sir. I can give  
12 you what I know about it so far. Mr. Scott is a  
13 consultant for the County that handles mass transit  
14 consulting work. And I believe Mr. Daniel had asked for  
15 information about that particular contract and what he  
16 did. And what was given to Mr. Daniel was notebooks that  
17 Mr. Scott, his personal work notebooks, as opposed to the  
18 invoices with summaries on them. I think when Mr. Scott  
19 became aware that he asked for and received back his  
20 work product, notebooks, and the invoices that were  
21 instead given that had the detail of what he had done for  
22 each of those invoices. So that was the issue that came  
23 up with that, his notebooks were ...

24 BOB WALDREP: His notebooks. But the County  
25 had his notebooks? What were we doing with Mr. Scott's  
26 notebooks.

27 MICHAEL CUNNINGHAM: I think they were up  
28 here, the copy of them were up here, that he kept instead  
29 of driving them back and forth.

30 BOB WALDREP: Didn't we pay about three  
31 hundred thousand dollars for those notebooks?

32 MICHAEL CUNNINGHAM: No, Sir. I don't  
33 believe we have. But at any rate, that money, as I think  
34 I have indicated before, is no County money. It is  
35 Federal ---

36 EDDIE MOORE: How did Mr. Scott know that  
37 Mr. Daniels was up here dealing with this issue?

38 MICHAEL CUNNINGHAM: I'm not -- can't answer  
39 that. Other than Mr. Scott ---

40 EDDIE MOORE: He just suddenly appeared.  
41 He's supposed to be down in Columbia in the Senate, I  
42 think, isn't he? Isn't he Senator John Scott?

43 MICHAEL CUNNINGHAM: Actually, I think you  
44 served with him, so you would be familiar with that. But  
45 as far as how he knew, I'm not sure. And actually, my  
46 only indication was that, one, I saw him here and we had  
47 a conversation about, about his notebooks and work  
48 product. And then my conversation with Mr. Daniel late -  
49 - may have been yesterday afternoon, just about that  
50 issue.

1 BOB WALDREP: Well, I guess I'm a little  
2 sensitive to that. Last time I asked for some  
3 information I got sued, so I just wanted to know. Thank  
4 you.

5 MICHAEL CUNNINGHAM: Mr. Waldrep. I will  
6 say that I'm certainly sorry that you're going through  
7 what you had to go through, which is why I've taken steps  
8 or tried to take steps to make sure that that isn't the  
9 case. I'm sure it's been very stressful for you.

10 CINDY WILSON: Mr. Chairman, may I?

11 EDDIE MOORE: I would like to say one thing.  
12 I was on the phone, on the other end of the phone when  
13 all that was going on.

14 MICHAEL CUNNINGHAM: With Mr. Daniel?

15 EDDIE MOORE: Yes. And I was not real  
16 pleased. I'm going to be honest with you. Number one,  
17 when we're in the middle of an investigation and Mr.  
18 Daniel is doing his job, we shouldn't have somebody  
19 rambling around in the building, over here interrupting  
20 him. He could have seen something he shouldn't see.  
21 This is confidential information, and that man should not  
22 be rambling around this court house, period. If he's a  
23 visitor and he's coming in, he needs to be attended to,  
24 and he needs to be escorted out the door. He does not  
25 have free roam in this building.

26 MICHAEL CUNNINGHAM: I believe he was  
27 signed in and he was up here and he come to pick up his  
28 work product. And so I was not in Mr. Daniel's office,  
29 but he didn't express to me when I talked to him ---

30 EDDIE MOORE: One other thing too. There  
31 were invoices that was in those books that Mr. Daniel was  
32 very much interested in. I want copies of those  
33 invoices.

34 MICHAEL CUNNINGHAM: What I will be happy  
35 to do is whatever Mr. Daniel was missing from what we  
36 provided him, if you will let me know what that is and  
37 we'll make ---

38 EDDIE MOORE: We were just looking at them.  
39 How we gonna know now? He grabbed them out of his hand  
40 screaming and hollering and yelling and took out the door  
41 with them. That was very much unacceptable.

42 MICHAEL CUNNINGHAM: Again, I wasn't over  
43 there so I didn't hear any of that. But at any rate, I  
44 was over there so I didn't hear any of that. But at any  
45 rate ---

46 EDDIE MOORE: I did. I was on the other end  
47 of the phone.

48 MICHAEL CUNNINGHAM: Whatever Mr. Daniel  
49 doesn't have as it relates to the monthly invoices,  
50 you'll certainly let me know and we should have copies of



1 those invoices so we'll be happy to make sure that that  
2 information gets to him.

3 CINDY WILSON: Mr. Chairman.

4 EDDIE MOORE: Ms. Wilson.

5 CINDY WILSON: This question came up  
6 several years ago regarding this particular consultant.  
7 There was a request to look at work product then. And it  
8 was just a little bit of chicken scratch that was handed  
9 a certain reporter after several weeks of requesting it.  
10 And he had to go through an interrogation when he went to  
11 pick up the material here at the court house from Mr.  
12 Scott. And I was looking at some of this so-called work  
13 product that Mr. Daniel had requested, and it's of highly  
14 questionable content. First of all, what I know of that  
15 particular consultant, is that he got his LLC or  
16 consulting designation in one month. The next month he  
17 had a contract with the County. From what I've seen,  
18 we've paid him like three hundred and eleven thousand  
19 dollars over, I think, four, five years, and there's  
20 really precious little to show for it. And for him to  
21 come into a supposedly secured area, when the work was  
22 going on, is just unbelievable. I had to even get a work  
23 order to have someone come look at my phone the other  
24 day. We went through the nth degree to have someone come  
25 up there with me. I had people all over me. So what  
26 gives here? And as far as some of the other things, we  
27 are being hampered in our investigations. We've already  
28 been informed by our investigative auditor as to six  
29 months of billing records for a certain law firm, and  
30 he's not getting them. And we've gotten about that much  
31 information from another law firm as to why they  
32 shouldn't get it. And it looks like that just three law  
33 firms, of the many, have cost this County somewhere  
34 around 4.1, four and a half million the last four years.  
35 We haven't even gotten to the end of all the lawyers.  
36 But I'm sorry. I ...

37 MICHAEL CUNNINGHAM: Actually the six months of  
38 the invoices that you're mentioning, I think that issue  
39 did come up and the -- what happened was that at the last  
40 meeting the counsel approved a process to be followed for  
41 the releasing of legal invoices. And Mr. Daniel, I  
42 believe, was not familiar with that resolution that was  
43 passed. So after a conversation with Mr. Daniel, Judge  
44 Wilkins and Mr. Artigliere, I think we've worked through  
45 that issue. And actually Mr. Daniel delivered a memo to  
46 me this morning asking for those files. And then I asked  
47 him did he want them today. He said he preferred to wait  
48 until tomorrow after the Council took whatever actions  
49 tonight. So those invoices are ready and we can get them  
50 to him in the morning. But it was mainly an issue of Mr.

1 Daniel not being familiar with the action the Council  
2 took at the last meeting and us really making sure that we  
3 wanted to follow whatever that process was. And if  
4 there's -- in my conversation with Mr. Daniel, which  
5 hasn't been very much, because I tried to stay out of his  
6 way. If there's -- I haven't heard any real concerns  
7 about a failure to gain access to information or files,  
8 but certainly, as I mentioned to Mr. Daniel and I'll  
9 certainly mention to each of you, if that is an issue, if  
10 you'll please let me know, we'll certainly try to work  
11 through that to make sure that he gets the information  
12 he's needing in a timely fashion, and that after we do  
13 that we stay out of his way.

14 CINDY WILSON: Mr. Chairman do we need to  
15 take action on that tonight? Do I need to make a motion  
16 that we add to the control group for the attorney/client  
17 privilege, the Green and Company accountants that Mr.  
18 Daniel has working on some of these billing records?  
19 Okay. I'll make that in the form of a motion.

20 TOMMY DUNN: Point of order. I think we  
21 might be correct if we vote to amend the agenda, then to  
22 do it.

23 EDDIE MOORE: I think it's in there. I  
24 think that's pretty much what's ...

25 TOMMY DUNN: Okay. If you feel comfortable  
26 with it. I just want to make sure we dot all our i's  
27 and cross our t's.

28 ADAM ARTIGLIERE: Mr. Chair.

29 EDDIE MOORE: Yes.

30 ADAM ARTIGLIERE: I hate to interrupt. There is  
31 a resolution in the packet that I provided to y'all  
32 earlier today and it's actually packet Item 3 which is a  
33 Resolution that adds Green and Company, LLP to the  
34 control group. That was one of the results of the  
35 meeting that I had with Mr. Daniel and Judge Wilkins last  
36 Friday afternoon. I also point you to packet number 7,  
37 Item number 7, which is a letter that we also provided to  
38 each of y'all, which it was stated earlier, and stated  
39 again, that we haven't been forthcoming with documents,  
40 that we've been trying to be obstructionist and not  
41 providing documents. To date, we haven't, McNair Law  
42 Firm, has not received a request for any documents.  
43 We've been following the Resolution that was passed and  
44 the direction that was passed by County Council. We've  
45 offered multiple times for County Council members, every  
46 one of the County Council members to come and see our --  
47 where our -- filing procedures and our files. Two have  
48 the Council members have done that. And again, I'd like  
49 to extend that offer again, to come and view how we have  
50 the files so you all have a good understanding about how

1 our filing procedures happen. And I just wanted to make  
2 that statement. I'm sorry for digressing. But again,  
3 packet item number 3 in your packet has that Resolution.  
4 And you do need a two third vote to amend the agenda.

5 CINDY WILSON: Mr. Chairman, I just simply  
6 made a motion that we add Green and Company. I don't  
7 have time to read all the legalese here, and it seems to  
8 be a simple bookkeeping matter.

9 ADAM ARTIGLIERE: Mr. Chair, I apologize again.  
10 I -- Judge Wilkins did review the Resolution. I have in  
11 the packet, right behind it, a very short e-mail from him  
12 saying that he's reviewed it, and he approves it, and he  
13 would like it -- he would recommend that it would be  
14 passed tonight.

15 BOB WALDREP: Okay. I would second the  
16 amendment that she was making. I just assume that  
17 there's nothing tricky in this, that we're ...

18 EDDIE MOORE: I have a motion on the floor  
19 to amend agenda so we can vote on it.

20 CINDY WILSON: Second.

21 EDDIE MOORE: And Ms. Wilson has second it.  
22 Discussion on amend agenda to vote on this. All in favor  
23 raise your right hand. Unanimous. All right. This will  
24 be the Resolution that Mr. Wilkins has looked at. The  
25 only questioned that I asked was Item 4.

26 BOB WALDREP: Does it have a number, Mr.  
27 Chairman?

28 EDDIE MOORE: Yeah, on the bottom of it,  
29 it's got an Item 4 there. Now he said something about  
30 that -- was he okay with that Item 4 being in there?

31 ADAM ARTIGLIERE: I did not discuss every single  
32 issue in the particular Resolution with him. All I, the  
33 only communication I've had with him since I sent it to  
34 him was the communication back from him that he approved  
35 it. I can tell you Item 4 is a typical savings clause,  
36 basically that says that if the court determines that any  
37 part of the resolution, whether it be the enactment or  
38 anything with it that would cause a problem, that the  
39 remainder of the resolution stands on its own.

40 TOMMY DUNN: Mr. Chairman.

41 EDDIE MOORE: Mr. Dunn.

42 TOMMY DUNN: I think number 4 is seen in a  
43 lot of resolutions. I think it is just standard stuff.  
44 The ordinance is there for -- I don't think there's  
45 nothing -- I think Mr. Waldrep intended -- I don't wanna  
46 put words in his mouth, but tend to agreed.

47 EDDIE MOORE: The reason I brought that up  
48 cause I asked Mr. Wilkins and that was one of the things  
49 I asked. He didn't know anything about Item 4. That's  
50 the reason I'm asking it. If Mr. Waldrep's okay with

1 that.  
2 BOB WALDREP: Yes, sir. Yes, sir.  
3 EDDIE MOORE: Okay. That's fine, that's  
4 fine.  
5 RON WILSON: Mr. Chairman.  
6 EDDIE MOORE: Mr. Wilson.  
7 RON WILSON: This Green and Company is a  
8 firm of Daniel's? Is that right, or is he part of the  
9 firm? That's a question.  
10 EDDIE MOORE: Mr. Daniel, yes, he's part of  
11 Green and Company.  
12 RON WILSON: Do we have a contract with  
13 them?  
14 EDDIE MOORE: Yes.  
15 RON WILSON: Okay. How is Daniel paid?  
16 EDDIE MOORE: We have a purchase order.  
17 He's paid through the purchase order. Mr. Daniel is  
18 hired, actually is hired as a County employee, but his  
19 firm, the Green and Company, he's going to pull some  
20 assistants from them. They're clerks, clerical people,  
21 that's all he's pulling in, to help him with some of --  
22 crunching some of the numbers.  
23 RON WILSON: So he's a County employee now?  
24 EDDIE MOORE: He is a County employee.  
25 RON WILSON: Is he being paid at the rate  
26 we discussed?  
27 EDDIE MOORE: Yes.  
28 RON WILSON: As a county employee?  
29 EDDIE MOORE: Yes. He's a temporary County  
30 employee.  
31 RON WILSON: Okay.  
32 EDDIE MOORE: That gives him the authority  
33 to ask questions to other County employees. That's the  
34 reason that was done that way. Anymore discussion?  
35 BOB WALDREP: The only thing I wanted to say  
36 particularly is that I keep hearing different things back  
37 and forth about this cooperation. I'm glad to hear you  
38 say that you are fully cooperative in turning this  
39 information over, and I hope that this will be the last  
40 conversation that we have about it, because there's  
41 definitely some miscommunication on this particular  
42 point. When I have talked with the Administrator about  
43 being cooperative about these matter, and I keep hearing  
44 a lot of legal balderdash, what I consider balderdash,  
45 about procedures that have just gotten so byzantine that  
46 they're incomprehensible to even Judges sometimes, I  
47 think we need to use just a little bit of common sense.  
48 And what the procedure is, when we ask for it, give it to  
49 us. And I don't think that's really too difficult. I  
50 think we've gone around the mulberry bush enough about

1 this stuff. So I just ask that everybody in good faith  
2 move forward on this thing, and I think we'll all be  
3 happy.

4 RON WILSON: Mr. Chairman.

5 EDDIE MOORE: Mr. Wilson.

6 RON WILSON: Yeah, I take a little bit of  
7 issue with that. We've had all these firms working under  
8 two ordinances, different ordinances since the first of  
9 the year. And we had twelve days where our pants were  
10 down and everybody accessed everything we had. So I can  
11 see why any firm would know it, and according to what we  
12 just heard, our own person doing the investigation was  
13 unaware that the Ordinance had been passed. So if we  
14 want to get to pointing fingers here, it's endless. And  
15 I don't have any doubt that they're trying to cooperate.  
16 And when we change the rules twice in one month, I can  
17 see how it would get a little bit cloudy. Thank you.

18 EDDIE MOORE: Any more discussion? All in  
19 favor of the resolution, right hand. Unanimous. Ms.  
20 Floyd is absent. Now go to 19, Citizens Comments, Other  
21 Matters.

22 ADAM ARTIGLIERE: Mr. Chair there are ten  
23 citizens signed up for other matters. Betty Sue West.

24 BETTY SUE WEST: Since I can't afford to buy  
25 everybody Chinese, I'll make this real quick. Since you  
26 brought up Mr. Scott, our governor, in his State of the  
27 State message, expressed his concern for members of the  
28 General Assembly who serve and have served as  
29 consultants, and received money, which is a conflict of  
30 interest when regarding government matters. For example,  
31 the now Senator John Scott, formerly of House, also  
32 served on the ethics -- House Ethics Committee. Whose  
33 watching who here? Mr. Scott, we've already discussed  
34 what he's been paid for the last four or five years. So  
35 this money either came from an ad valorem tax or it came  
36 from grant money. If he is paid from transportation  
37 grant money then he is being paid from grant sources that  
38 he is supposed to be consulting with the County on how to  
39 get these grants. What purpose, pray tell, does it serve  
40 for him to be the grant seeker and the grant payee all at  
41 the same time? Again Mr. Chairman, is this a little  
42 double dipping? The former Administrator's friends have  
43 cost the taxpayers a bundle of tax money that surely  
44 could have bought a lot of asphalt. And Mr. Chairman,  
45 this is only one little example. And you all are doing a  
46 great job. I don't care what anybody says, you have done  
47 your homework, you're giving it your all, and I  
48 appreciate everything that you all are doing. You  
49 inherited a mess. We're up to our neck in ???. Thank  
50 you.

1 ADAM ARTIGLIERE: Ann Bishop.

2 ANN BISHOP: Just quickly, I'm sorry that  
3 Mr. Carpenter is not here because I actually had some  
4 questions that I want to pose to him and just kind of  
5 clarify some things. Much of his case hinged on verbal  
6 assurances. I did not bring any of those up because they  
7 are not documented. So I left those out of mine.  
8 However there were verbal assurances given to the  
9 community. I do have e-mails that reflect that. These  
10 verbal assurances were for Ann Smith. She was assured by  
11 DHEC and the County that the zoning petition she started  
12 in 2005 would be unnecessary. The landfill would never  
13 be permitted. I was informed by DHEC that they were  
14 under tremendous pressure to permit this landfill, but  
15 they said don't worry, Ms. Bishop, Anderson County  
16 regulations will prevent it from coming in. I was  
17 assured that. In documents presented to show favor to  
18 Wasteco, several are simply inappropriate.  
19 Interpretation of a man's intent of this letter, Mr.  
20 Preston's letter, that was an interpretation. I have a  
21 statement by him of his intent. They did not show that  
22 document. The application for land use permit, I have  
23 asked several of you for that permit. Did you notice  
24 only had an application? A permit does not exist. Why,  
25 if he had a permit, would he be showing you an  
26 application. He does not have a permit. Yet, he uses  
27 that as grounds for what he's doing. Business license is  
28 only good for the City. It is not good for the County.  
29 Mr. Carpenter, once again, misrepresented legal documents  
30 without any documentation and yet it is accepted as fact.  
31 He described the DHEC permit as this is something that  
32 they sort of do and then put it out to the public. That  
33 is not the way that document reads. He's a lawyer. He  
34 knows that. It says, at this time DHEC has ---

35 ADAM ARTIGLIERE: One minute.

36 ANN BISHOP: --- technical review of the  
37 permit application for the proposed Greenpointe C&D  
38 Landfill and found that all requirements have been met.  
39 And yet I found over twenty violations. He stated, in  
40 court, there were no violations. In court, I heard that.  
41 He then challenged and said if he were speaking an  
42 untruth why didn't somebody say anything. I couldn't. I  
43 was not allowed to. I was not represented by any lawyer  
44 there. I was simply in attendance to observe what was  
45 going on. I would respectfully request to be a member of  
46 any kind of investigative team on this issue, and I would  
47 urge you to act immediately. I have an article with a  
48 statement by Jenkins saying he plans to have the landfill  
49 complete within a few months. We can't sit around and  
50 wait until it's done and then do an investigation. Thank

1 you.

2 ADAM ARTIGLIERE: Ann Smith.

3 ANN SMITH: I have a question for you. If  
4 you're willing to hire an attorney for the Cheddar  
5 community under similar circumstances, why are we not  
6 allowed to have an attorney to investigate our community,  
7 Three and Twenty? Also I'd like to say when Anderson  
8 County told, or said -- they said they told them to go to  
9 the northern part of Anderson County. That entails quite  
10 a bit of property. They didn't point out, go to 500  
11 Hamlin Road. You talk about leading someone down a  
12 primrose path, I feel like the Three and Twenty, as well  
13 as myself, was led by a primrose path. The Council  
14 agreed unanimously on everything we brought before this  
15 Council and now you're backpedaling. Also they said  
16 determination of need, let me tell you what a  
17 determination of need really is. When someone comes in  
18 and puts in an application for a landfill, they look at  
19 that landfill if it's a C&D site, ten mile radius. So  
20 they draw a circle, latitude and longitude, around that  
21 piece of property, and they go out ten miles. If there  
22 is not a landfill, C&D landfill I'm speaking of, within  
23 that ten mile radius in Anderson County or any other  
24 particular County, they say that is a determination of  
25 need. They're willing to give them X number, sometimes  
26 two and three times the amount of tonnage that is needed  
27 for that specific County. And then that's why we end up  
28 with all this other junk and garbage from other states,  
29 because that county or that landfill doesn't have that  
30 much tonnage coming in to that landfill. So they have  
31 excess amount, so now they're able to take in junk or  
32 whatever they take in from other states, so we end up  
33 with everybody else's landfills.

34 ADAM ARTIGLIERE: One minute.

35 ANN SMITH: So I would ask that you would  
36 reconsider this information and just like Ann Bishop  
37 says, do your homework. We've done ours and evidently it  
38 hasn't paid off. But I'd appreciate if you would take a  
39 stronger look at this. Thank you.

40 ADAM ARTIGLIERE: Deb Sheridan. Tradd Cotter.

41 TRADD COTTER: Just some closing remarks on  
42 some of Jim Brown's statement tonight, where he was  
43 directly asked whether or not he was abiding by all  
44 regulations. After they started grading, I went to the  
45 DHEC office personally. And I have signed documents,  
46 under the Freedom of Information Act, that I was there  
47 and asked the workers there. They had to go to the site  
48 and verbally ask them to put up those silt fences that he  
49 said he put up in the first place. So he's not being  
50 truthful. But all that information was at the DHEC

1 office. I think another thing to look into, there's a  
2 C&D, one of the biggest C&D landfills in the state, down  
3 near the Charleston coast. The County or City actually  
4 makes two dollars to two dollars and fifty cents per ton.  
5 It's a contract agreement with the landfill. I'd like to  
6 see if any of that -- if there's any money being  
7 transpired with the City or the County. And also  
8 probably the more direct thing that I would ask is to  
9 enforce the fines or the stop order, and the silt and the  
10 runoff that's already been running down into the creeks.  
11 You can see it for hundreds of feet, down into the creek.  
12 And it's all piled up along that bridge, that first  
13 bridge. So whoever's in charge of enforcing it, DHEC's  
14 not doing it. Can the County do something to enforce  
15 that code. I just don't have any vote of confidence in  
16 DHEC right now. And I think the County needs to take it  
17 into their own hands. Thanks.

18 ADAM ARTIGLIERE: Elizabeth Fant.

19 ELIZABETH FANT: I had a lot to say, but I  
20 believe I'm going to condense it. What I spoke earlier,  
21 the last County Council has done us all a big disservice  
22 by the November 18<sup>th</sup> decisions with the paying out of the  
23 severance pay was not necessary, taking the money out of  
24 other budgets, which now we see we're going to need, and  
25 particularly Mr. Cunningham, for them putting you in this  
26 position. I only wish that when you knew that this was  
27 coming down that they were going to ask you -- sorry I'm  
28 not supposed to speak to him -- when Mr. Cunningham  
29 realized that he was going to be chosen as the new  
30 Administrator, I wish that he had come to somebody on the  
31 Council, and I know there were a couple of people who  
32 were still there who would have listened to you, and let  
33 them know what was going on because this thing is not  
34 about race. I don't care how many people try to make it  
35 that way, it has nothing to do with race. It has to do  
36 with some bullheaded people who decided that they could  
37 make a case of this and get out of their obligation to a  
38 former Administrator and get him out of the picture, and  
39 then to try to continue business like they were doing.  
40 And it has nothing to do with race. Mr. Cunningham has  
41 many abilities and now he's paying the consequence of  
42 that by what they did. Now he could have stayed in the  
43 Assistant Administrator's position and been moved up, had  
44 that gone out for bids. And now he's in a position of  
45 having been terminated.

46 ADAM ARTIGLIERE: One minute.

47 ELIZABETH FANT: One minute. The other thing  
48 I'd like to say is I'm really sorry that there's one  
49 Council person who's not here, because we constantly hear  
50 from her about two sides to every issue. She's the most



1 one sided person in this whole courtroom. I had tried to  
2 say last time about how she had accosted me outside of  
3 the courthouse, got up in my face, six inches away from  
4 my face, and proceeded to say that I should not be  
5 speaking in County meetings, that I didn't know what I  
6 was talking about. And yet today, what does she say,  
7 everybody has their opinions. And everybody should get  
8 up and be able to get up and speak. Bologna.

9 ADAM ARTIGLIERE: Mike Gray. Mark Powell.

10 MARK POWELL: Mark Powell, Williamston,  
11 district seven. You know, you guys have got a lot of  
12 stuff that got put on you based on a lot of things, not  
13 just November the 18<sup>th</sup>. An interesting point was made  
14 tonight as far as dotting your i's and crossing your t's.  
15 I'm just intrigued, was an application filled out on  
16 November 18<sup>th</sup> for the Assistant Administrator to take the  
17 job of the full Administrator, because apparently an  
18 application had to be filled out, and I figure it  
19 probably wasn't. He was given the job without filling  
20 out the piece of paper probably. So those i's and t's  
21 didn't get dotted either probably. Too bad. Heads will  
22 roll. This Hamlin Bridge thing, or Hamlin Road, I feel  
23 sorry for those people, but the point is, DHEC and  
24 Anderson County employees did a lot of stuff, a lot of  
25 stuff, giving the green light on a constant mode on this  
26 thing. Lewis Road, Anderson County did a lot of weird  
27 things there too. I'm from Pelzer and the Lewis Drive or  
28 Lewis Street, isn't it coincidental, odd, intriguing,  
29 that road came up for closure at the same time as the one  
30 that's very controversial, possibly. I don't know if you  
31 know anything about the one in Pelzer. It doesn't have  
32 any houses on it. Every house on it faces the road, main  
33 road. That happens to be an alley road that the Town of  
34 Pelzer had many years ago to service the trash so they  
35 didn't have to go out into the street. Those people got  
36 notice. Everyone of those people near that location all  
37 got their little notices, the zoning changes, there's a  
38 great big ole sign put up that this is going to happen.  
39 Isn't it interesting that all those people with the same  
40 name street got information and the people down on the  
41 street who were literally affected with buses not being  
42 able to run anymore, the emergency vehicles ---

43 EDDIE MOORE: One minute.

44 MARK POWELL: --- make decisions what to do.  
45 Yeah, Anderson County has a problem with dotting i's and  
46 t's. We as citizens, you know, we're told -- and I hate  
47 that a certain person has left, as usual, because I do  
48 remember for the last several months I've been here, my  
49 people, my people don't come in here and complain. My  
50 people are happy. My people don't come in here and cause

1 controversy. Well, the shoe's on the other foot. And if  
2 it quacks like a duck, looks like a duck, it's gonna look  
3 like this Gracie Floyd. You know, it's interesting ---

4 EDDIE MOORE: Don't call names out  
5 please.

6 MARK POWELL: A council member has never  
7 died in one of these chairs sitting up here. And she  
8 made a statement tonight that Floyd told me it's gonna be  
9 controversy when I run for Council. He was already dead.  
10 We won't talk about how he died, but he was already dead.  
11 She talks through whooooo. Thank you.

12 ADAM ARTIGLIERE: Dan Harvell.

13 DAN HARVELL: I'll make this short. We're  
14 all ready to go home. I don't envy what you all have had  
15 to go through. I know you inherited a mess. It's just  
16 unfortunate that the former Administrator runs off with  
17 all this money and you all are left and we're all left to  
18 deal with this. There's absolutely no question that  
19 those that participated in that fiasco that was the  
20 November 18<sup>th</sup> meeting, I mean, they should all be called  
21 on the carpet. They should be called to court, in my  
22 opinion. It was an absolute disgrace. And, you know,  
23 when I weigh, when I weigh that payoff, that buyout or  
24 whatever you want to call it, when I weigh that amount of  
25 money of our tax dollars going that way, and then I weigh  
26 it with the presentation of those poor, precious children  
27 tonight, you know, something really rings sour with that.  
28 Tax dollars that could have been used for this kind of  
29 purpose and yet we just see the Denali driving off in the  
30 sunset. There's something really wrong with that. But  
31 anyway, thank you for your service. Maybe we'll get some  
32 restitution. But I think we do need to clarify one  
33 thing, and I say this with all due respect to Mr.  
34 Cunningham, I don't understand the situation here because  
35 Mr. Cunningham said he would be here tomorrow morning,  
36 but yet we have another interim Administrator. I think  
37 that probably needs to be -- and I say this with all due  
38 respect -- I think that needs to be clarified tonight  
39 before we leave. Thank you.

40 ADAM ARTIGLIERE: Rick Freemantle.

41 RICK FREEMANTLE: I'll be brief, Mr.  
42 Chairman, the hour is late. I would like to say that I  
43 was happening to listen to that radio station this week  
44 and I heard, I believe, the councilmen from district five  
45 and district four on there. And I was a little bit  
46 appalled to hear from these two gentlemen that they  
47 actually were listening to the advice of attorneys and  
48 basing their decisions on the well-being for the County.  
49 That can't be legal. After what I witnessed in these  
50 Chambers for the last six years, especially November 18<sup>th</sup>,

1 that can't be legal. But anyways, that's a little humor  
2 there. I too am disappointed that the lady from district  
3 two has left. In light of the investigations that are  
4 going on, some important questions came up because of her  
5 actions this evening. Sounds to me like this lady told  
6 us that there was an application process going on. I'd  
7 like to know, did Mr. Cunningham fill out an application?  
8 If he did fill out an application, I would like to know  
9 when that job was advertised, where it was advertised,  
10 and when did they become aware of the need for a new  
11 administrator, especially in light of the comments from  
12 the representative from district six who said what I do  
13 here tonight I do on my own, no one knows about it.

14 ADAM ARTIGLIERE: Mr. Chair, there was one  
15 citizen who requested to be added onto the list at your  
16 discretion. Her name is Leslie White.

17 LESLIE WHITE: Thank you very much. I too  
18 appreciate your service. And I stand her before you as a  
19 very involved citizen, taxpayer of this County, and all I  
20 can say to you is I am absolutely sick to my stomach, as  
21 I know some of you must be and as I know Mr. Cunningham  
22 must be, at the mess that we're in. I'm gonna try to  
23 make this a constructive moment to speak to you. There  
24 are several things that I noted tonight that I have noted  
25 every single meeting that I would like to address with  
26 you. The first is, please make me understand why I  
27 cannot address my own Council representative by name when  
28 I'm speaking. As long as I'm not personally attacking,  
29 or saying to my Council member, you know you momma wears  
30 army boots or whatever the insult might be, if I'm  
31 addressing that council person with a legitimate concern  
32 I believe that is my right of free speech to do so. As  
33 long as I am not stepping outside the boundaries of  
34 personally insulting that Council member, because I think  
35 that's the stupidest rule I've ever seen. That's the  
36 only time I ever get to speak to my Council member. So I  
37 would ask you to reconsider that. Secondly, I'd ask you  
38 to consider the two different times that citizens are  
39 allowed to speak, it is an incredibly confusing process.  
40 I would suggest that we just have one time for citizen  
41 comments, and you determine whether it's at the beginning  
42 or at the end of the meeting. Personally I think it  
43 should be at the beginning so that you hear from those  
44 citizens before you act on things. But I think this two  
45 times is crazy and I think we saw that tonight. We spent  
46 an hour and a half listening to citizen comments. I  
47 want everyone to be heard, but let's do it in a  
48 reasonable manner. I frankly am tired of hearing from  
49 the same people on agenda matters, and then again at the  
50 end of the meeting. Same people time after time. So

1 just say what you gotta say and be done with it. The  
2 second thing I'd like to address is that issues like the  
3 landfill tonight, which is an incredibly important issue,  
4 but can we consider doing those in special meetings set  
5 aside ---

6 ADAM ARTIGLIERE: One minute.

7 LESLIE WHITE: -- specifically for that  
8 purpose. Because we took a lot of time, which was  
9 needed, but we took up a lot of time at a regular Council  
10 meeting tonight, and it's now almost one o'clock in the  
11 morning. This is ludicrous. And I would like to also  
12 just quickly address the level of civility. I can tell  
13 you, that number one, for a council person to leave  
14 before the council meeting is over is absolutely absurd.  
15 I too have been here since four o'clock. I too. And I'm  
16 not getting paid to do that. So I am -- that infuriates  
17 me. And secondly I would just say that there have been  
18 times, especially in the previous Council, but even now,  
19 that if you were my the -- any of you were any of my  
20 three red-headed teenage sons, and spoke to each other in  
21 the tones that you did, you would be taken outside and  
22 your tail would be whipped. And all I'm saying is, you  
23 can kill a lot more flies with honey than you do with  
24 vinegar.

25 ADAM ARTIGLIERE: Time.

26 LESLIE WHITE: Can we please try to act like  
27 adults and get along? There is important business to be  
28 done. There are people out here in this County that are  
29 hurting, and we need your help. Thank you very much.

30 ADAM ARTIGLIERE: Mr. Chair, those are all the  
31 citizens signed up for other matters.

32 EDDIE MOORE: We now have remarks from  
33 Council members. Mr. Wilson. Mr. Allen. I have  
34 nothing. Mr. Dunn, you have anything?

35 TOMMY DUNN: Mr. Chairman, I would just  
36 like to say, on the things we started tonight, we talked  
37 about, as far as the landfill in Three and Twenty and the  
38 road situation in Mr. Allen's district and I think there  
39 was one more thing, it's getting late, but we need to act  
40 on these things and get -- gonna do something,  
41 investigate whatever we're gonna do and get these things  
42 resolved. And I would like to ask you between now and  
43 next meeting, to get with the proper people and get us  
44 workshop retreat set up for our budget. We need to get  
45 moving on.

46 EDDIE MOORE: Mr. Waldrep.

47 BOB WALDREP: Mr. Chairman, on the last  
48 thing that we worked on some of the plans and  
49 specifications with the, I guess I'm thinking about  
50 Piedmont Natural Gas, is that the, no Southern Bell

1 building or ---

2 TOMMY DUNN: Piedmont Gas.

3 BOB WALDREP: Okay. I do understand that

4 they're supposed to be getting back to us right soon.

5 And I've asked the Chief Judge and Dan Sharp to get with

6 the, I guess you'd say the architects or the design ...

7 END OF TAPE 5, SIDE 1

8 BOB WALDREP: ... I'm hoping we'll have that

9 thing. That's all.

10 EDDIE MOORE: Ms. Wilson.

11 CINDY WILSON: Thank you, Mr. Chairman. The

12 ladies's points were well taken. The format for our

13 meetings and the way we address one another is almost

14 entirely covered by pre-existing ordinances. I even

15 voted against some of them. And we will talk amongst

16 ourselves and the with parties of the landfill and try to

17 have -- we'll have an attorney recommendation to vote for

18 by the next meeting. It's late hour, but I for one say

19 that the civility of this seven member Council is far

20 superior of the previous four councils I've served on.

21 People have no idea how I got cussed out and other

22 things. It's unbelievable. So I'm pleased and very

23 grateful to be a part of this Council. Thank you.

24 EDDIE MOORE: Can a have to adjourn?

25 CINDY WILSON: Second.

26 TOM ALLEN: So moved.

27 TOMMY DUNN: Second.

28 EDDIE MOORE: All in favor raise your right

29 hand. We're adjourned.

30

31

MEETING ENDED AT 1:05 A.M.

(Front)



# STOP THE LANDFILL!

Paid for by Ron Wilson for County Council  
203 Siloam Road  
Easley, South Carolina 29642  
(864) 605-1002



\*\*\*\*\*AUTO\*\*5-DIGIT 29642 1

PRSRT STD  
US POSTAGE  
PAID  
COLUMBIA, SC  
PERMIT NO 1186

6

(Back)

## CALL TO ACTION: STOP THE LANDFILL!

Your participation is urgently needed to stop the landfill.

Councilman Bob Waldrep and others are working to get the landfill project restarted. Anderson County Council is meeting to discuss this issue.

To address the Council, you must arrive before 6 PM and sign the register to speak "On Agenda Matters." If you do not sign the correct register you may not be allowed to speak.

**WHEN:** Tuesday, Feb 3rd  
6 PM

**WHERE:** Historic Courthouse  
101 S. Main Street  
Downtown Anderson



**Don't get pushed  
around, make your  
voice heard!**

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Special Called Meeting – February 6, 2009 – 9:00 a.m.  
Linda N. Eddleman, Clerk to Council

M I N U T E S

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

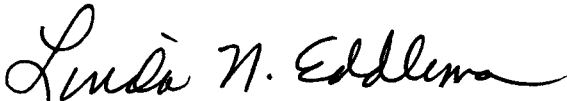
**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 9:22 a.m.

Respectfully submitted,

A handwritten signature in black ink, reading "Linda N. Eddleman". The signature is written in a cursive, flowing style.

Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina )

County of Anderson )

ANDERSON COUNTY COUNCIL

SPECIAL CALLED MEETING

FEBRUARY 6, 2009 AT 9:00 A.M.

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
GRACIE FLOYD  
TOMMY DUNN  
RON WILSON  
TOM ALLEN



1 EDDIE MOORE: ... now in order. We now  
2 have the invocation by Mr. Ron Wilson.

3 INVOCATION AND PLEDGE OF ALLEGIANCE

4 EDDIE MOORE: Today we're here to  
5 consider a resolution that's necessary for the County in  
6 order to move forward. A resolution to direct that  
7 Michael Cunningham shall immediately be placed on  
8 administrative leave pending resolution of the procedure  
9 as provided in Section 4-9-620. Whereas Anderson County  
10 has voted in open Council that the contract with Michael  
11 Cunningham approved November the 18<sup>th</sup>, 2008, is null and  
12 void. And whereas Michael Cunningham has rejected two  
13 separate offers of employment from County Council. And  
14 whereas Anderson County Council has appointed Holt  
15 Hopkins as interim Administrator for Anderson County.  
16 And whereas it is necessary to provide an orderly  
17 transition of Administrator. It is hereby resolved that  
18 Anderson County Council hereby directs that Michael  
19 Cunningham is immediately placed on administrative leave  
20 from the position of Anderson County Administrator with  
21 full pay and the benefits he currently receives. It is  
22 further resolved that Michael Cunningham's  
23 administrative leave shall be effective pending the  
24 process and resolution of the procedure as provided in  
25 Section 4-9-620 of the South Carolina Code of Laws.  
26 Michael Cunningham is further directed to immediately  
27 vacate the physical location of the County  
28 Administrator's office and to cease any direction of  
29 County employees. Do I have a second?

30 BOB WALDREP: Second.

31 EDDIE MOORE: I have a second by Mr.  
32 Waldrep. Do we have any discussion?

33 GRACIE FLOYD: Yes, Mr. Chairman.

34 EDDIE MOORE: Ms. Floyd.

35 GRACIE FLOYD: Okay. Mr. Chairman, could  
36 you please tell me, sir, is this in agreement with the  
37 law that states that an Administrator who has been  
38 terminated has a right to file a complaint within five  
39 days and must have a hearing no sooner than twenty days  
40 and no more than thirty days, and that he is still the  
41 Administrator of the respective county until such time.  
42 Does this resolution violate that?

43 EDDIE MOORE: We've taken legal advice  
44 and this is in accordance with South Carolina Law 4-9-  
45 620. He will be on paid leave, all of his benefits and  
46 everything.

47 GRACIE FLOYD: Okay. Thank you. Mr.  
48 Chairman, may I please speak to Anderson County attorney  
49 at this time, Mr. Artigliere, Mr. Artigliere, to make  
50 sure that we are in accordance with the law of South

1 Carolina, does this resolution in any way violate that  
2 law?

3 ADAM ARTIGLIERE: Mr. Chair. Ms. Floyd, we  
4 weren't asked to provide any legal advice as to this  
5 particular issue, the particular issue of whether it's  
6 in accordance with state law and putting somebody on  
7 administrative leave while -- pending this process. So  
8 I haven't come prepared for -- to answer that particular  
9 question. That would require some research on our part.  
10 If that's the Council's position, that is the Council's  
11 position. With regard to the procedural aspects of it,  
12 I'll be more than happy to provide any guidance as to  
13 the actual procedure and possibly amending the ordinance  
14 to include the resolution on it. I do want to tell you  
15 that you that you probably should have a two thirds vote  
16 of County Council to actually put the resolution onto  
17 the agenda. And beyond that, beyond the procedural  
18 aspects of it, we haven't been prepared to answer that  
19 question because we haven't been asked the question.

20 GRACIE FLOYD: Well, you're being asked  
21 now. But the point is this, I did not know what this  
22 meeting was about. The only thing I knew it was about a  
23 personnel matter. And before I could, before I could  
24 vote I must make sure. Mr. Wilson, could you, may I ...  
25 Thank you. Before I can vote, I must make sure that I'm  
26 following the letter of the law. I mean when I took the  
27 oath it was to support the Constitution and the laws of  
28 South Carolina. But you can't tell me whether this  
29 violates -- if we can do it, then that's fine. If it  
30 doesn't violate the law I'm fine with it. But if it  
31 does I need to know.

32 ADAM ARTIGLIERE: Mr. Chair.

33 EDDIE MOORE: Mr. Artigliere.

34 ADAM ARTIGLIERE: Ms. Floyd, I'm not aware  
35 of what advice County Council has received as to  
36 anything regarding this up to this point. We haven't  
37 been asked or asked to be involved with any of the  
38 aspects of this up to this point. So it's, it's -- I  
39 know that you're asking me now, and I understand and I  
40 appreciate that. That is not my area of the law, but in  
41 particular, you know, I don't know the answer to that  
42 question. And I'm not going to try to answer a question  
43 that I don't know the answer to.

44 GRACIE FLOYD: Nor can I vote to  
45 something I don't know whether it's legal or not. So  
46 what can be done to solve this so we can get information  
47 here? No. I'm gonna have to, I'm gonna have to call  
48 someone else, please. There's another attorney in this  
49 session. With your permission, I'd like to talk with  
50 her.

1 EDDIE MOORE: Go ahead.

2 GRACIE FLOYD: Thank you. Unfortunately  
3 I had to hire an attorney out of my pocket. I'm not a  
4 very, very -- that kind of woman, but I've got to know  
5 the truth. I've got to know the law. Could you please  
6 tell me if this is in keeping with what's happening? I  
7 mean, is this in keeping with State law? That's all I  
8 want to know.

9 CANDY KERN FULLER: The state law says the  
10 actions shall be stayed pending the period of time for  
11 the hearing. It's in the statute, and it's quite clear  
12 that at the time of termination, the employee, who is  
13 the County Administer, has five days to ask for a public  
14 hearing. The County cannot hold the public hearing for  
15 twenty days after that, minimum of twenty days, but must  
16 do so within a maximum of thirty days. And the last  
17 sentence of the statute says, until that time the  
18 actions shall be stayed. It's mandatory language.

19 GRACIE FLOYD: Ms. ...

20 CANDY KERN FULLER: ... Kern Fuller.

21 GRACIE FLOYD: Could you please explain  
22 the action must be stayed?

23 CANDY KERN FULLER: Well, there's not a lot of  
24 case law on it, but what it means, in the strictest  
25 sense, is that the action is not final. So hiring a new  
26 County Administrator violates that, even an interim one.  
27 And in the strictest sense if the action is stayed the  
28 current County Administrator is still the County  
29 Administrator.

30 GRACIE FLOYD: Okay. All right. What is  
31 your area of law, please, ma'am?

32 CANDY KERN FULLER: I'm a general practitioner  
33 that focuses a lot of my practice on employment law.

34 GRACIE FLOYD: Employment law. Okay. I  
35 thank you so much. You have answered my question.  
36 Thank you, Mr. Chair.

37 EDDIE MOORE: Any other discussion?

38 TOMMY DUNN: Mr. Chair.

39 EDDIE MOORE: Mr. Dunn.

40 TOMMY DUNN: I would like to throw a  
41 thought out. And if this is -- if I need to I'll --  
42 would like to amend the motion. I intend on voting for  
43 this resolution, but with a stipulation. I would like  
44 -- I don't think it's gonna cost us nothing to go back  
45 and set another meeting up either Monday or Tuesday for  
46 Mr. Cunningham and let him have a legal representative.  
47 We've talked about this. We've made two offers.  
48 There's been some conflicts -- really we've made three,  
49 according in the paper, there's another offer. But what  
50 I'm trying to propose that we -- I think we're closing

1 something -- bottom line what I'm saying, let's exhaust  
2 all efforts to resolve this before we take it to the  
3 next level. I'm prepared to vote for this, but I would  
4 like to set up with Mr. Cunningham and if we can set  
5 something up with the Personnel Committee either to meet  
6 Monday or Tuesday, we get our twenty-four hour notice or  
7 whatnot and let's sit down and just one last effort,  
8 honest, good faith negotiations, and see if we can't get  
9 something done. I think that's fair to everybody.  
10 We've all made the statement that we want it to work.  
11 It was a contract, is what we had the problem with. And  
12 I think we should at least give it effort. I'd like to  
13 hear what y'all have to say about that.

14 BOB WALDREP: Is that a motion?

15 TOMMY DUNN: I will make that as a  
16 motion if we need to.

17 BOB WALDREP: I already have a motion on  
18 the floor.

19 TOMMY DUNN: I'm amending the motion  
20 then.

21 EDDIE MOORE: Amending the motion.

22 TOMMY DUNN: Add that to it.

23 EDDIE MOORE: Okay.

24 TOMMY DUNN: Gotta get a second.

25 BOB WALDREP: I just want to understand.

26 So the motion is that we have another meeting after  
27 this resolution?

28 TOMMY DUNN: That's right. Next week,  
29 as early as possible, either Monday or Tuesday when the  
30 schedule's printing and we can get the entire thing in  
31 we're doing.

32 BOB WALDREP: Okay. I second.

33 EDDIE MOORE: I have a second. Mr.  
34 Waldrep seconds it. Any discussion?

35 TOM ALLEN: Mr. Chair.

36 EDDIE MOORE: Mr. Allen.

37 TOM ALLEN: When this whole thing  
38 started with the initial vote, the problem that I had  
39 with the contract that was given to Mr. Cunningham was a  
40 single paragraph in there basically that provided a  
41 golden parachute and it was extremely convoluted. It  
42 ran for a three year period, very difficult to terminate  
43 an Administrator for whatever reason without some kind  
44 of a payout going on. Now since we're required to rate  
45 the Administrator annually by February of each year, it  
46 would just seem fair to put him on a yearly contract.  
47 That's all I was going for, because I didn't care for  
48 that one paragraph in there. So between that and what  
49 Ms. Kern Fuller mentioned this morning, there seems to  
50 be some question on how this is being done so I would

1 like to echo Mr. Dunn's statements there. I think we  
2 might need to look at this a bit longer.

3 GRACIE FLOYD: Mr. Chair.

4 EDDIE MOORE: Ms. Floyd.

5 GRACIE FLOYD: Good. It's good, it's  
6 really good that you all want to look at it a bit  
7 longer, but my question is, why didn't you do that from  
8 the beginning? Why did you jump up and do all this work  
9 here, everything that you have gone through and then  
10 decide, well we better look at this a bit longer? The  
11 part of the contract that you are taking objection to,  
12 Councilmen, is the fact that you -- the new  
13 Administrator cannot just be fired at will. The  
14 Administrator can be fired, with cause. With cause. If  
15 you don't have any cause to fire an Administrator and  
16 he's being fired without cause, then that's where the  
17 rub comes in where you're gonna have to pay him out.  
18 Now evidently are you thinking that Mr. Cunningham will  
19 not do anything that will give you cause and you can't  
20 get rid of him? Or do you just want him, just want him  
21 gone? I just don't understand. And you've had so many  
22 meetings with him already. And in that meeting so many  
23 different things have come out. Mr. Waldrep told us  
24 that at the meeting he did -- you offered him the  
25 contract wanting to?? (sic), and then I read the  
26 newspaper and I find out you offered him a yearly  
27 contract. And then this morning I was told by our  
28 Chairman that he was offered a probationary contract.  
29 You know, so what is one more meeting gonna do? It's  
30 just getting everybody all confused. What was the man  
31 offered? And what I think he was offered was what Mr.  
32 Waldrep gave us in writing, what he was offered. But  
33 you know, if he agrees to another meeting, you know, do  
34 what you want because we gonna meet ourselves to death.  
35 And before we know it three years gonna be gone.

36 BOB WALDREP: Mr. Chairman.

37 TOMMY DUNN: I think Mr. Wilson had it.

38 EDDIE MOORE: Mr. Wilson.

39 RON WILSON: Mr. Chairman. I just have  
40 a question with what Mr. Dunn said and other things that  
41 have been said here. His motion, does this hold  
42 everything as it is until the meeting on Monday and  
43 Tuesday?

44 TOMMY DUNN: No, Sir. My amendment  
45 tacks onto this. This would go in the thing. We would  
46 start have a meeting, like I said, (unintelligible).  
47 And in answer to council lady from district two's  
48 things, I've been working on this thing since the  
49 beginning, trying to get something or other. I'll keep  
50 working till it goes down. That's just-- trying to get

1 something resolved. If I'm wrong for doing that then  
2 I'm wrong. But I'm gonna try to get something resolved  
3 something other. And I'm not gonna sit here and debate  
4 something tonight, or this morning rather, on a -- the  
5 thing of the contract. That's what I'm asking the  
6 meeting for. We're not here for that.

7 RON WILSON: My question though is, is  
8 that we're gonna meet Monday or Tuesday or whatever it  
9 is?

10 TOMMY DUNN: Personnel Committee would,  
11 Mr. Wilson, what I'm asking for, to meet with Mr.  
12 Cunningham and one of his representatives.

13 RON WILSON: Well what would it hurt to  
14 leave him where things -- as it is until that meeting?

15 TOMMY DUNN: That's -- we've got a  
16 motion on the -- already on the floor on that. I mean  
17 that's ---

18 EDDIE MOORE: Would you like to table  
19 this? Do I have a motion to table this until Monday,  
20 we'll have a meeting ---

21 RON WILSON: I would make that motion.

22 EDDIE MOORE: Mr. Wilson makes the  
23 motion to table it until we have ---

24 RON WILSON: Until you have the  
25 meeting.

26 EDDIE MOORE: And I'll set the date,  
27 whatever. Do I have a second? Do I have a second on  
28 tabling?

29 TOM ALLEN: I second.

30 EDDIE MOORE: Okay. Have a second. Any  
31 discussion?

32 GRACIE FLOYD: Yes.

33 RON WILSON: There's no discussion.

34 GRACIE FLOYD: On tabling. Right.

35 EDDIE MOORE: You're right. All in  
36 favor raise you right hand. All opposed. Let it be  
37 shown that Mr. Wilson, Mr. Allen, ---

38 GRACIE FLOYD: I'm abstaining. You  
39 didn't ask.

40 EDDIE MOORE: You abstain.

41 GRACIE FLOYD: I'm abstaining.

42 EDDIE MOORE: -- Mr. Moore, Mr. Dunn  
43 vote to table it. Mr. Wilson -- I mean, Ms. Wilson and  
44 Mr. Waldrep voted no. and Ms. Floyd abstained.

45 TOMMY DUNN: Mr. Chairman.

46 EDDIE MOORE: Mr. Dunn.

47 TOMMY DUNN: Can we go back to my  
48 original motion to have -- set up a meeting either  
49 Monday or Tuesday, when we can, with Mr. Cunningham and  
50 one of his representatives to try to negotiate one last

1 time, with the Personnel Committee?

2 EDDIE MOORE: If it's all right with the  
3 Personnel Committee we'll meet at five o'clock on Monday  
4 and then we'll come out and make our announcement and  
5 we'll go into a regular meeting at six o'clock. We will  
6 have a regular called meeting at six.

7 GRACIE FLOYD: Mr. Chairman, I have a  
8 conflict. I have another scheduled event.

9 RON WILSON: Mr. Chairman, isn't that a  
10 holiday? Isn't Monday a holiday?

11 EDDIE MOORE: What about Tuesday? Can  
12 you make it Tuesday?

13 GRACIE FLOYD: I meet with my community  
14 meeting on the new town old town on Tuesday night.

15 EDDIE MOORE: Would you like to make it  
16 earlier then? What about early on Monday?

17 GRACIE FLOYD: If it's at a time when  
18 people can come out. I remember once on Council we were  
19 having three o'clock meetings and your folks started  
20 hollering about folks couldn't get to the meeting at  
21 that time. So if it can be arranged around the working  
22 people's schedule so they can be in attendance here, I  
23 will concede to that. And I thank you.

24 TOMMY DUNN: Meet just whenever we can.  
25 Let's get this over with. We can sit here and nitpick  
26 times. I've moved my schedule around a good bit and I  
27 think this is very important, so I'll be here.

28 EDDIE MOORE: I'm gonna set the meeting  
29 at three o'clock on Monday, the meeting with the  
30 Personnel Committee, and right after it we'll have the  
31 regular meeting will follow. So we'll have the  
32 Personnel meeting at three o'clock on Monday and we'll  
33 follow with the regular meeting immediately after the  
34 Personnel meeting. Monday.

35 BOB WALDREP: Setting that -- like four  
36 o'clock would be the regular meeting?

37 EDDIE MOORE: I would think an hour  
38 should be sufficient time.

39 BOB WALDREP: I would think so.

40 GRACIE FLOYD: Now at this, Mr. Chair, at  
41 this meeting that you're gonna have, you're gonna offer  
42 him -- you're gonna talk to him. May we know what the  
43 -- what you're gonna talk to him about, because you've  
44 already offered him an at-will contract, and you already  
45 offered him something else that you did. And you said  
46 you offered him a one year contract and Mr. Cunningham,  
47 when I talked with him, he doesn't remember that. And  
48 you told me this morning that you offered him a  
49 probationary contract. I talked with Mr. Cunningham  
50 this morning and he doesn't remember that either. So

1 now this meeting you're gonna have will ---

2 EDDIE MOORE: We're gonna meet with our  
3 attorney, our attorney will be here and we will make him  
4 an offer -- another offer. That will be the final one.

5 BOB WALDREP: Mr. Chairman, if I may,  
6 the issue's come up about the offers. There have been  
7 two offers, to the best of my knowledge. One is that he  
8 have an at-will contract. That was rejected. The  
9 second offer was that he return to his position as  
10 Assistant Administrator at the full salary of a hundred  
11 and twenty- five thousand dollars a year, which is over  
12 the hundred and eight thousand dollars that he was  
13 previously making as County Administrator. Now we have  
14 received no responses other than rejections. And so  
15 that's -- as far as I know, that's where we stand.

16 Anybody else on the committee have anything else to ---

17 TOMMY DUNN: Yes, Mr. Chairman. Like I  
18 -- I'll restate my position earlier. I'm not here to  
19 negotiate this thing today. I want Mr. Cunningham to  
20 have the weekend to get back and I hope Mr. Cunningham  
21 comes back with an offer. I make a motion we adjourn  
22 the meeting.

23 BOB WALDREP: Second.

24 CINDY WILSON: Mr. Chairman.

25 EDDIE MOORE: I have a motion on the  
26 floor to adjourn and I have a second.

27 CINDY WILSON: I never had a chance to  
28 speak. I wanted to ask a question.

29 TOMMY DUNN: I withdraw my motion. Let  
30 the lady speak.

31 CINDY WILSON: Just one quick question.  
32 There's been a lot of conjecture as to what other  
33 counties do regarding Administrators and so forth. I  
34 wonder if it would be possible to get some idea of what  
35 other counties do. I've heard that other counties only  
36 have like six months severance and so forth. Nothing  
37 like what our County's Administrator's contracts and  
38 packages have been. Would it be possible to maybe get  
39 some of that information between now and when we meet  
40 Monday?

41 TOMMY DUNN: Mr. Chairman. I'll try to  
42 gather some information if it's all right, or Mr.  
43 Waldrep can or whoever, but I'll try to get some, do my  
44 part to get some.

45 CINDY WILSON: That's all.

46 TOMMY DUNN: I renew my motion to  
47 adjourn the meeting.

48 GRACIE FLOYD: Mr. Chairman.

49 EDDIE MOORE: I have a second. All in

50 ---



1 TOMMY DUNN: Excuse me. If Ms Floyd's  
2 got something to say, let her say it. We'll just keep  
3 going around.

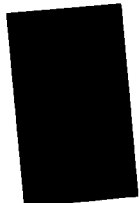
4 EDDIE MOORE: We've already got a motion  
5 to adjourn. I've got a second. We're gonna vote. All  
6 in favor raise your right hand. Let it be shown that  
7 Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep,  
8 Ms. Wilson voted yes. Ms. Floyd?

9 GRACIE FLOYD: I'm voting no.

10 EDDIE MOORE: All right. Ms. Floyd  
11 voted no. Adjourned.

12  
13 MEETING ADJOURNED AT 9:22 A.M.

4(b)



ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Special Called Meeting – February 9, 2009 – 4:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 4:39 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda N. Eddleman".

Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina )

County of Anderson )

ANDERSON COUNTY COUNCIL

SPECIAL CALLED MEETING

February 9, 2009 at 4:00 p.m.

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
GRACIE FLOYD  
TOMMY DUNN  
RON WILSON  
TOM ALLEN

1 EDDIE MOORE: Special called meeting,  
2 February 9<sup>th</sup>. The invocation and Pledge of Allegiance,  
3 Ms. Cindy Wilson.

4 INVOCATION AND PLEDGE OF ALLEGIANCE

5 EDDIE MOORE: Due to the paperwork that  
6 we were served just moments ago, we are not gonna have  
7 Item 3 on the Agenda, nor Item 4 on the agenda. We're  
8 gonna bypass those altogether. We're gonna go  
9 immediately to citizens comments, anyone that's signed  
10 up on citizens comments, and that's where we're gonna  
11 stand. Mr. Artigliere.

12 ADAM ARTIGLIERE: Mr. Chair, there are nine  
13 citizens signed up for agenda matters. Tom Clark.

14 TOM CLARK: Mr. Chairman, Tom Clark  
15 from the White Plains precinct. Recently I've spoke to  
16 some of you about this issue that you'll met about  
17 today. I've been one that have called radio stations,  
18 talked to some friends and family about patience. Well,  
19 my patience is wearing out. Mr. Chairman, as far as I'm  
20 concerned, this should be brought to a head. Get this  
21 situation over with and move on, so this County can move  
22 on. There's a lot of us out here that have had our fill  
23 of having to go through this. Thank you, sir.

24 ADAM ARTIGLIERE: Betty Sue West.

25 BETTY SUE WEST: Mr. Chairman, members of  
26 the Council, thank you for the opportunity to speak. I  
27 am deeply grieved over hearing from various sources that  
28 this situation with our County Administrator is a racial  
29 issue. It is not a racial issue. I think our country  
30 has come a long way from being racist. I know there's  
31 still racism in our country to Hindus, to Jewish people,  
32 to Asians, to all groups. There's a little bit. But to  
33 say this is a racist problem is absolutely ludicrous.  
34 Three contracts have been offered to Mr. Cunningham. He  
35 has rejected all three contracts, or offers, or whatever  
36 you call them. It's been called to my attention that a  
37 Scarborough Group did a poll, and county governments do  
38 not use contracts for their administrators. And we've  
39 got to get this situation taken care of, and we just ask  
40 that you do the right thing.

41 ADAM ARTIGLIERE: Mike Montepara.

42 MIKE MONTEPARA: Good afternoon, Council.  
43 I've heard using four letter words is inappropriate, but  
44 there is a four letter word that fits this Council. The  
45 word is liar. From your first meeting you have lied, to  
46 the citizens, to the employees, to the County  
47 Administrator, and to God, as your approved minutes  
48 verify your lies, we have no intention of dismissing Mr.  
49 Cunningham. No plans for his removal have been  
50 discussed. These are your minutes. Since the June

1 elections, Council has repeatedly lied about saving  
2 Anderson money, about removing representatives who work  
3 in offices, about firings. In your six weeks in office,  
4 you've hired legal representatives who cannot answer a  
5 simple contract question. You've enacted panels whose  
6 authority exceeds that given by law. And now you're  
7 pursuing a filibuster in an attempt to break a legal  
8 contract. This is likely to cost us more than half a  
9 million dollars. Where is the savings you promised us?  
10 So far, in your six weeks in office, the only things  
11 you've carried out successfully is a ban on public  
12 prayer, an attempt to steal office space for storage,  
13 and a delightful rendition of musical chairs for the  
14 panel. That is your actions in six weeks. I'd like for  
15 the Council to place their hands in the wide open view  
16 of the public and the media, so when your lips move we  
17 do not see your fingers crossed behind your back. We  
18 can verify that the words coming from your mouth are the  
19 truth as you present them to us.

20 ADAM ARTIGLIERE: One minute.

21 MIKE MONTEPARA: Actions do not go  
22 unnoticed by the public. I wouldn't invest too much  
23 money in engravings for fancy letterhead. You'll more  
24 than likely need that money to hire a crack legal team  
25 to represent you. Thank you.

26 ADAM ARTIGLIERE: Steve Pope.

27 STEVE POPE: Steve Pope, Belton  
28 Estates, district one. Despite all the wrangling we've  
29 been going back and forth, no one wants to really say  
30 what caused the whole thing to begin with in the first  
31 place. And it began with the so-called anticipatory  
32 breach of contract, which is whereby the Council was  
33 going to put the Administrator on a much shorter and  
34 tighter leash. And that's the real issue right here.  
35 It has nothing to do with the contract per se, the way  
36 Mr. Cunningham was hired, the length of the contract.  
37 It comes down to what are the duties of the  
38 Administrator as they pertain to keeping the Council  
39 well informed so we don't deal like we had with  
40 Motorola, which this was almost like a done deal before  
41 it falls into your laps, the C & W landfill, the deal  
42 with the ethanol plant. It's where the Council will be  
43 kept well in the loop, and the people as well, so we  
44 don't have all these things sprung among us like the  
45 last time. And that's what the real issue is. The  
46 issue was -- it's always been, as opposed to the way it  
47 was under the Preston regime, where generally Mr.  
48 Preston had generally a blank check to do whatever he  
49 thought was best for the good of the County, to now  
50 putting the Administrator back under a tighter control

1 of the County so that the County Council is fully  
2 informed about what the Administrator is planning. Now  
3 as far as issues of confidentiality, that's another  
4 issue. But always remember, when we made these deals  
5 right in here, not enough consideration was given to the  
6 people who live in the Cheddar Community, dealing with  
7 Motorola -- I mean, excuse me -- dealing with the  
8 ethanol facility, or with the C & W landfill and the  
9 folks in that area. We have go to keep everybody  
10 informed and in the loop ---

11 ADAM ARTIGLIERE: One minute.

12 STEVE POPE: -- for government to work  
13 effectively. If we don't we're gonna end up bashing our  
14 heads against the walls, and going back and forth in a  
15 lot of legal gobbledygook, and no one is gonna come out  
16 in the wind. We're just gonna end up having endless  
17 fight after fight after fight before we can actually get  
18 on with the County's business. Let's see if we can't  
19 just bury this and get everything on. Thank you.

20 ADAM ARTIGLIERE: Michael Deanhart.

21 MICHAEL DEANHART: My name is Michael  
22 Deanhart, district five. It's amazing to me you guys  
23 start your Invocation all with a Christian prayer, and  
24 each one of you call yourself a Christian. And you are  
25 trying to lynch a Christian. That's unbelievable  
26 hypocrisy. One reason -- this is Robert Burns, this is  
27 Eddie Cowan -- one reason they are here because of all  
28 the many threats I have already received on account of  
29 -- whether it's the prayer issue, unconstitutional  
30 prayer issue that y'all have in the agenda, or whether  
31 it's having anything to do with me speaking up on behalf  
32 of Michael Cunningham, a highly respected man that I  
33 tremendously respect, smart and highly skilled at his  
34 job. And I think we ought to remember Rosa Parks in  
35 what we are going through. I know it's probably  
36 bouncing off of most of your heads, but Rosa Parks paid  
37 her fare to get on a bus, a public bus, and she got on  
38 and then she had to get back off the bus and walk to the  
39 back of the bus and get back on. She sat down in the  
40 first seat she saw. Then the bus filled up and, as we  
41 all know the history, the bus driver pulled over and  
42 went back, said, black lady, you gotta get in the back  
43 of the bus. She said, I have worked hard all day, and  
44 no way my tired ass is gonna get out of this seat. And  
45 she didn't get out of that seat. And history was made.  
46 Now you guys five -- four guys and one woman ---

47 ADAM ARTIGLIERE: One minute.

48 MICHAEL DEANHART: -- trying to remove a  
49 well qualified black man out of his seat. There's no  
50 difference. You can deny it's not racism, but I looked

1 it up in the dictionary. It's R-A-C-I-S-M. We call it  
2 racism in my town.

3 ADAM ARTIGLIERE: Gary Burgess.

4 GARY BURGESS: Mr. Chairman, I'm Gary L.  
5 Burgess, Sr. I have a doctorate degree from the  
6 University of South Carolina. Isn't it strange how  
7 captains and kings and clowns who frolic in sawdust  
8 rings, and common folk like you and me, we all are the  
9 builders of eternity. Jesus given a bag of tools, a  
10 lump of clay, the golden rule to build err time has  
11 flown, a stumbling block or a stepping stone. I'm a  
12 Christian by profession, but at the last County Council  
13 meeting there was great debate about prayer. I would  
14 humbly, honestly ask this Council to cease and desist  
15 with a public formal parasitic prayer that means  
16 nothing. Jesus said the greatest Commandment is this,  
17 that you love the Lord Thou God with all you heart,  
18 mind, body and soul, and your neighbor as yourself.  
19 Michael Cunningham has not asked me once to show up for  
20 these proceedings. I have an ailing wife at home, and I  
21 said, honey, I've got to go. Michael Cunningham is our  
22 neighbor. How can we pray when we harm our neighbor?  
23 How can we pray when we seek to do his family violence?  
24 Prayer is not an indication, and you all know this, that  
25 one is a Christian. Following the letter of the law  
26 does not indicate that one is a Christian.

27 ADAM ARTIGLIERE: One minute.

28 GARY BURGESS: Jesus said, by this all  
29 men will know that you're my disciples, that you love  
30 one another. So I call on you today to pull this County  
31 together. I am trying hard not to believe it is about  
32 race. Your actions dictate that it's not about the law.  
33 I voted for at least one of you who are sitting on  
34 County Council today. Please do right by Mr.  
35 Cunningham. Let us move forward in this County. Thank  
36 you very much for your patience.

37 APPLAUSE

38 ADAM ARTIGLIERE: Erick Bradshaw.

39 ERICK BRADSHAW: Mr. Chairman, members of  
40 the Council, I start by asking where's the integrity,  
41 where is the honesty, where is the willingness to work  
42 together, that you promised, Mr. Chairman, by you and  
43 others regarding the way the situation with our current  
44 Administrator was gonna be handled? Where is it? In  
45 our second County Council meeting this year, Mr.  
46 Chairman, you promised, and I quote, it is not our  
47 intent to fire Mr. Cunningham. We just want to get  
48 things moving forward and work together. The council  
49 member that chairs the Personnel Committee said, and I  
50 quote, there's nothing personal against Mr. Cunningham.

1 I think Mr. Cunningham is a fine man and knows the job  
2 well. However, at two of the evening meetings, you made  
3 the decision to do exactly what you said you would not  
4 do. You fired, or as you would say, terminated,  
5 whichever you choose to use, Mr. Cunningham from the  
6 position as County Administrator. To all of you here,  
7 and to those who you represent, you lied and displayed  
8 the most barbaric display of social injustice that we  
9 witnessed publicly in a long time. Then you went on to  
10 say, and I quote, a search committee for the  
11 Administrator's position will begin as soon as possible.  
12 Then in the next breath you say, and I quote again, we  
13 definitely want Cunningham to apply. He's really on the  
14 top of our list. Well, if you already have a list, why,  
15 I ask, are you seeking applicants? It appears to many  
16 of us that you made your selection before you took  
17 office. And why would it be necessary for you to get  
18 rid of a man for no reason and then turn around and tell  
19 him, now come back to us and we might permit you to have  
20 your livelihood back. Sounds like something out of an  
21 Alex Haley movie to me.

22 ADAM ARTIGLIERE: One minute.

23 APPLAUSE

24 ADAM ARTIGLIERE: Lila L. Johnson.

25 LILA L. JOHNSON: Thank you, Council, for  
26 giving me these few minutes. I'm Lila Johnson, a  
27 citizen of Anderson, South Carolina. I have brought up  
28 my children in Anderson. I have worked all of my life  
29 in Anderson. I have worked for the elites and I have  
30 worked for the common man. In my life, I have never  
31 bowed my head because I love Anderson. But I am so  
32 ashamed, I am so ashamed of this administration that's  
33 on this Council, not all of them, but most of you,  
34 happen to represent Anderson County when we were voted  
35 America's City of Hospitality. I think it's a shame. I  
36 think you all should get down on your knees and pray,  
37 pray sincerely, sister, not just for a show or a sham,  
38 that we will all come together and live as one. Mr.  
39 Cunningham, I don't know personally, but I feel like the  
40 times I've met him, is a perfect gentleman. We as  
41 mothers should all be hoping that we had somebody like  
42 Cunningham. I'm ashamed of Anderson. I'm ashamed of  
43 Anderson. I'm ashamed of Anderson.

44 APPLAUSE

45 ADAM ARTIGLIERE: Doreen Montepara.

46 DOREEN MONTEPARA: Good afternoon. Doreen  
47 Montepara, district five, Homeland Park. I don't even  
48 think I need these notes now, to be honest with you. My  
49 question is, was this Council or was this Council not  
50 voted in to represent the citizens of Anderson County?



1 Or were you voted in to do your childish vindictive  
2 witch hunts? Honestly, how many people here today are  
3 for Mr. Cunningham? If they could just stand up and  
4 show us, I guarantee you have more of a majority  
5 supporting this man than against him. You are not  
6 working for us. You are working for yourselves. Start  
7 doing what you're supposed to be doing, because I can  
8 guarantee if us people around here had our choice to get  
9 rid of you, it would be happening. You would be gone.  
10 There would be new Council members that are here to  
11 conduct business, not a witch hunt. This is getting  
12 ridiculous. When I have a twelve year old child sitting  
13 at home not knowing if she's gonna have school the next  
14 day because things are getting so bad in this County,  
15 that's ridiculous. When we have crime running rampant  
16 because there's not enough money to pay to put sheriffs  
17 on the streets, that's ridiculous. Stop wasting my  
18 money, stop wasting my time with this witch hunt and do  
19 your job. Thank you.

20 APPLAUSE

21 EDDIE MOORE: Everybody, please hold  
22 down you applause.  
23 ADAM ARTIGLIERE: Mr. Chair, there are no  
24 more citizens signed up for Citizen Matters.  
25 EDDIE MOORE: Make a motion to adjourn.  
26 GRACIE FLOYD: Mr. Chair.  
27 BOB WALDREP: Second.  
28 GRACIE FLOYD: Mr. Chair.  
29 EDDIE MOORE: Ms. Floyd.  
30 GRACIE FLOYD: Thank you. Mr. Chair, as  
31 Council members are we gonna have a chance to do  
32 comments tonight?  
33 EDDIE MOORE: Not tonight.  
34 GRACIE FLOYD: May I respectfully ask you  
35 if I may have the floor?  
36 EDDIE MOORE: Ms. Floyd, it's not on the  
37 agenda. We have a motion to adjourn and a second.  
38 That's the motion that's on the floor.  
39 GRACIE FLOYD: I understand that, Mr.  
40 Chair, but I did ask for the floor before the motion to  
41 adjourn came.  
42 EDDIE MOORE: Call for the vote. All in  
43 favor of adjourning, raise you right hand. All opposed.  
44 APPLAUSE  
45 EDDIE MOORE: Let it be shown that Mr.  
46 Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep, Ms. Wilson  
47 voted in favor of adjourning. Mr. Wilson voted no. Ms.  
48 Floyd?  
49 GRACIE FLOYD: No.  
50 EDDIE MOORE: -- voted no. We're

1 adjourned.

2 APPLAUSE

3 GRACIE FLOYD: Folks, folks, the meeting  
4 is now over. The meeting is now over. But please,  
5 please continue coming to these meetings. I know your  
6 time has been wasted today. Don't let that stop you  
7 from coming. This is all by ploy.

8

9 Meeting adjourned at 4:39 p.m.

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Special Called Meeting – February 13, 2009 – 1:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Celia Myers – Acting Clerk

**ABSENT**

Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 1:40 p.m.

Respectfully submitted,

Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina )

County of Anderson )

ANDERSON COUNTY COUNCIL MEETING

SPECIAL CALLED MEETING

FEBRUARY 13, 2009 AT 1:00 P.M.

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
GRACIE FLOYD  
TOMMY DUNN  
RON WILSON  
TOM ALLEN

1 EDDIE MOORE: Call this special called  
2 meeting today, February 13th, 1:15 p.m., to order. Ms.  
3 Wilson will now say the invocation and pledge of  
4 allegiance.

5 INVOCATION AND PLEDGE OF ALLEGIANCE

6 EDDIE MOORE: I'm gonna now turn the  
7 gavel over to the Vice Chairman to go through these  
8 Resolutions now.

9 TOM ALLEN: Thank you, Mr. Chairman.

10 BOB WALDREP: Mr. Vice Chairman.

11 TOM ALLEN: Yes, sir.

12 BOB WALDREP: I didn't know what  
13 procedure you wanted to follow. There have been prepared  
14 two resolutions, one is R2009-100, a resolution  
15 acknowledging and consenting to assignment of legal  
16 counsel for Edwin Moore. And there's another one,  
17 Resolution 101, which is consenting to assignment of  
18 legal counsel for specific purposes for representing us  
19 in this matter that has to do with the suit that was  
20 brought by -- known as Bradshaw versus Anderson County,  
21 et al, in both actions. So my proposal, if we would do  
22 these separately, would be that the first resolution  
23 which has been placed before Council, if Council wants  
24 time to review it or to read it, or if the Chairman cares  
25 to read it, that I would move adoption once the  
26 resolution has been read.

27 TOM ALLEN: I'll go ahead and read the  
28 Resolution at this point then. Resolution 2009-100, a  
29 resolution acknowledging and consenting to assignment of  
30 legal counsel of Edwin E. Moore for specific purposes,  
31 and other matters related thereto. Whereas, on January  
32 20, 2009, Anderson County Council passed Resolution 2009-  
33 10 which inter alia states that Anderson County must  
34 obtain the knowledge and consent of Anderson County  
35 Council before any legal matter involving Anderson County  
36 is transferred to an attorney or law firm. And whereas  
37 Anderson County Council desires to acknowledge and  
38 consent to the agreement of legal counsel for the  
39 specific purposes of representing Edwin E. Moore,  
40 individually and as Chairman of Anderson County Council  
41 regarding the Bradshaw and others versus Anderson County  
42 and others. Now, therefore, be it resolved by Anderson  
43 County Council in meeting duly assembled that, one,  
44 Anderson County, acting by and through its County  
45 Council, hereby acknowledges and consents to Anderson  
46 County's engagement of Wyche, Burgess, Freeman and  
47 Parham, PA, for the specific purpose of representing  
48 Edwin E. Moore individually and as Chairman of Anderson  
49 County Council regarding Bradshaw and others versus  
50 Anderson County. Number two, this resolution shall take

1 effect and be in force immediately upon enactment.  
2 Resolved in meeting duly assembled this 13th day of  
3 February, 2009. Do you have any comments, Mr. Waldrep?  
4 BOD WALDREP: The only comment I have is  
5 that I have conferred with the attorneys at Wyche,  
6 Burgess and they -- their belief, at this point, is that  
7 there's no divergence in the representative between Mr.  
8 Moore and the Council and so consequently it's legally  
9 proper for us to proceed in this particular matter. In  
10 the event that some divergence could occur later on, that  
11 matter could be covered at a later time. But at this  
12 time, there's no divergence.  
13 TOM ALLEN: I would ask for a motion at  
14 this time then to approve this resolution.  
15 BOD WALDREP: Second.  
16 TOM ALLEN: Motion was made by Ms.  
17 Wilson and seconded by Mr. Waldrep. Is there any  
18 discussion?  
19 GRACIE FLOYD: Yes.  
20 TOM ALLEN: Yes, Ms. Floyd.  
21 GRACIE FLOYD: Okay. Thank you. Mr.  
22 Chair, I would like to know the procedure by which we are  
23 doing this, which we are hiring the attorney. Are we  
24 following the selection procedures as outlined in our  
25 code, in our code about hiring vendors, or whatever?  
26 TOM ALLEN: According to the legal  
27 information we received, we are in accordance with law.  
28 GRACIE FLOYD: Okay. Okay. Well, the law  
29 that I have, the ordinance that I have comes from the  
30 Anderson County Code, Section 22, this policy, and it  
31 states that selection procedure for hiring anything over,  
32 I think is fifty thousand dollars, is a selection  
33 committee composed of at least three members, including  
34 the purchasing director, the administrator or his  
35 designate should be convened in order to make this  
36 purchase. Have we done that?  
37 TOM ALLEN: To my knowledge we haven't,  
38 but I don't know about the fifty thousand dollars either.  
39 Is that the cutoff point?  
40 GRACIE FLOYD: It says here the -- okay.  
41 There's another part here, it says local preference. It  
42 says to purchasing director shall grant those vendors  
43 maintaining a place of business in the County a local  
44 preference of two percent. It says, the local preference  
45 does not apply to a purchase less than fifty dollars or  
46 more than fifty thousand dollars. But we were supposed  
47 to, according to our Anderson County Code, we were  
48 supposed to meet and do this through that committee and  
49 we were supposed to look for a local vendor to carry out  
50 our wishes.

1 TOM ALLEN: I think that the fifty  
2 thousand dollars ---  
3 TOMMY DUNN: Mr. Chairman.  
4 TOM ALLEN: Yes, Mr. Dunn.  
5 TOMMY DUNN: If I may, I don't think  
6 this pertains to -- unless somebody's got some more  
7 information, that don't pertain to professional services.  
8 If it does, all the engineers and architects that's been  
9 hired in the past on these building projects, there was  
10 no meeting, no nothing. Other law services that have  
11 been contacted hadn't had no meetings or nothing. The  
12 City of Anderson, it's a whole different procedure, my  
13 understanding, excuse me, for professional services, and  
14 this doesn't fall under that.  
15 TOM ALLEN: Thank you, Mr. Dunn.  
16 BOB WALDREP: Call for the question.  
17 GRACIE FLOYD: Wait a minute. I had the  
18 floor when you called on him.  
19 CINDY WILSON: Second.  
20 TOM ALLEN: Let Ms. Floyd -- she did  
21 have the floor. She's correct.  
22 GRACIE FLOYD: I thank you for that.  
23 Another thing is that these two ordinances that we have  
24 is saying that we are going to pay, we the County, will  
25 be paying for Mr. Moore's legal counsel with public  
26 money. This is an individual lawsuit as I understand it,  
27 and never before have we paid for an individual's lawsuit  
28 with public money. Now you can refer back to Ms. Wilson.  
29 Many, many, many times we have heard her say how she has  
30 had to use her homeowner's policy to pay for the lawsuits  
31 that she's had to defend or the ones that she was going  
32 to do. But to pay a lawsuit for an individual here,  
33 that's gonna set a mighty, mighty big precedence and I  
34 don't think it's in keeping with the law here. Now we  
35 can defend the -- we can depend Mr. Moore in his official  
36 capacity as Chair, but it does say here and, Edwin E.  
37 Moore, individually.  
38 CINDY WILSON: Mr. Chairman, may I?  
39 TOM ALLEN: Are you finished, Ms.  
40 Floyd?  
41 GRACIE FLOYD: Yes, I am.  
42 EDDIE MOORE: Yes, Ms. Wilson.  
43 CINDY WILSON: Having been a veteran of  
44 many of these types of lawsuits, which has actually --  
45 all of the accumulation has caused me to lose my  
46 homeowner's insurance. It's cost me, unbelievably, my  
47 life's savings. I want it pointed out to the people here  
48 and to our public that the former Administrator, by the  
49 implicit silence of this Council, was allowed to sue  
50 sitting members of Council and have his expenses paid.

1 There are many questions about some of the lawsuits he's  
2 brought. So I think that everything that has been put  
3 before us today is apparently proper and legal. Thank  
4 you.

5 TOM ALLEN: Ms. Wilson, are you  
6 finished?

7 BOD WALDREP: I called for the question.

8 TOM ALLEN: Mr. Moore.

9 EDDIE MOORE: I would like to make one  
10 comment, and I would like to go back to the initial  
11 meeting when I was elected Chairman. And I would like to  
12 quote Ms. Gracie Floyd at that meeting. Ms. Gracie Floyd  
13 said, as a senior Council person for Anderson County I  
14 have been asked to Chair the election -- elections of our  
15 officers tonight. But before I do that, please let me  
16 state that we will be electing a new Chair. The office  
17 of the Chair is an important one, but is mostly a  
18 ceremonial position. The Chair has no more power than  
19 any other Council people if they are present. The Chair  
20 has no control over any Council member. The Chair makes  
21 no decision alone. The Chair carries the decision of the  
22 Council to the proper entities of the proper people. The  
23 Chair performs any type of ceremonial obligations  
24 representing Anderson County. That was Ms. Floyd's  
25 quote.

26 GRACIE FLOYD: Mr. Chair.

27 TOM ALLEN: Yes, Ms. Floyd.

28 GRACIE FLOYD: Thank you. I stand by that  
29 quote. But I am not the court, I am not the lawyer that  
30 initiated this lawsuit. Mr. Moore is not being sued in  
31 his capacity as a Chair. Well, he is being sued as his  
32 capacity as the Chair of Anderson County, and for that I  
33 believe the County should be able to pursue that. But in  
34 his capacity as an individual, we have two lawsuits and  
35 one here, in his capacity as an individual that sets him  
36 apart. That means only him, by himself. We're not  
37 talking about the Chairman. We're talking about Eddie  
38 Moore individually.

39 BOD WALDREP: Mr. Chairman.

40 TOM ALLEN: Yes, Mr. Waldrep

41 BOD WALDREP: I called for the question.

42 CINDY WILSON: Second.

43 TOM ALLEN: Call for the question and a  
44 second. All of those in favor of Resolution 100 signify  
45 by raising your right hand. Let it be shown that Ms.  
46 Wilson, Mr. Waldrep, Mr. Dunn and Mr. Allen voted in the  
47 affirmative. Ms. Floyd.

48 GRACIE FLOYD: Let the record show that  
49 Gracie Floyd, County Council district two, refuses to  
50 vote on this Resolution because it stands in violation of



1 the Anderson County rules, regulations, resolutions and  
2 ordinance, as well as state law.

3 TOM ALLEN: Thank you. Mr. Cunningham.  
4 MR. CUNNINGHAM: Mr. Chair, I believe y'all  
5 are voting on the question, the issue of the question.  
6 BOB WALDREP: We need to vote on the ---  
7 TOM ALLEN: On the question first.  
8 Okay. All those in favor of calling for the question.  
9 MR. DUNN: We've already voted for the  
10 question. Now we gotta vote for the resolution.  
11 TOM ALLEN: Okay. All those in favor  
12 of the resolution. Again it would be, affirmative would  
13 be Ms. Wilson, Mr. Waldrep, Mr. Dunn and Mr. Allen. All  
14 those opposed. Ms. Floyd is not voting.  
15 EDDIE MOORE: Abstain.  
16 TOM ALLEN: Mr. Moore would be  
17 abstaining.

18 GRACIE FLOYD: Do I need to repeat what I  
19 said, I refuse to vote on this? Okay. For the record,  
20 Gracie Floyd, council woman for district two of Anderson  
21 County refuses to vote on this Ordinance. This is 2009-  
22 100, refused to vote on this because it violates the  
23 Anderson County codes of ordinances, rules, regulations  
24 and resolutions as well as state law.

25 TOM ALLEN: Thank you, Ms. Floyd.  
26 BOB WALDREP: Mr. Chairman.  
27 TOM ALLEN: Yes, Mr. Waldrep.  
28 BOB WALDREP: I would move adoption of  
29 the second Resolution if you would read it. That would  
30 be 101.

31 TOM ALLEN: All right. We'll move onto  
32 Resolution 2009-101. This is a resolution acknowledging  
33 and consenting to assignment of legal counsel for  
34 Anderson County for specific purposes and other matters  
35 related thereto. Whereas on January 20, 2009 Anderson  
36 County Council passed Resolution 2009-10 which inter alia  
37 states that Anderson County must obtain the knowledge and  
38 consent of Anderson County Council before any legal  
39 matter involving Anderson County is transferred to an  
40 attorney or law firm. And whereas Anderson County  
41 Council desires to acknowledge and consent to the  
42 engagement of legal counsel for the specific purpose of  
43 representing Anderson County regarding the Bradshaw and  
44 others versus Anderson County. Now therefore be it  
45 resolved by Anderson County Council, in meeting duly  
46 assembled that, one, Anderson County, acting by and  
47 through its County Council, hereby acknowledges and  
48 consents to Anderson County's engagement of Wyche,  
49 Burgess, Freeman, and Parham, PA for the specific purpose  
50 of representing Anderson County regarding Bradshaw and

1 other versus Anderson County. This Resolution shall take  
2 effect and be in force immediately upon enactment.  
3 Resolved in meeting duly assembled this 13th day of  
4 February, 2009. Is there a motion?  
5 BOD WALDREP: A motion. Is there a  
6 second?  
7 TOM ALLEN: Second?  
8 TOMMY DUNN: Second.  
9 GLORIA FLOYD: Mr. Chair.  
10 TOM ALLEN: Yes.  
11 GRACIE FLOYD: Discussion.  
12 TOM ALLEN: Yes.  
13 GRACIE FLOYD: Mr. Chair, first of all I  
14 need to ask something. I have several questions, please,  
15 sir. The resolution reads the same. Is there a  
16 difference? Have I overlooked a difference between the  
17 two?  
18 TOM ALLEN: Well, the one ---  
19 GRACIE FLOYD: Except for the resolution  
20 numbers. One is 100, one is 101. Is there a difference  
21 between the two?  
22 TOM ALLEN: 100 refers to Mr. Moore.  
23 GRACIE FLOYD: They both read the same. A  
24 resolution acknowledging and consenting to assignment of  
25 legal counsel for Edwin E. Moore for specific purposes  
26 and other matters relating thereto. Now the ones I have,  
27 both of these read the same.  
28 TOM ALLEN: Maybe you didn't get the  
29 other copy because the other one is different.  
30 GRACIE FLOYD: Well, I have just what was  
31 place here at my -- now what do you all have? Do you  
32 have two? Do you all have two?  
33 TOM ALLEN: Two different ones, 100 and  
34 101.  
35 GRACIE FLOYD: Well, I have the same thing  
36 on both of mine here. Secondly, as a matter of the  
37 ordinance, is this ordinance in keeping -- is this  
38 resolution in keeping with our code of laws that says  
39 that we have to have our attorney to look at these to  
40 make sure they -- to check them for their accuracy and  
41 constitutionality. Who wrote this ordinance, please,  
42 sir?  
43 TOM ALLEN: I would ask -- Mr. Waldrep,  
44 if you could.  
45 BOD WALDREP: I believe that this  
46 resolution was written up by Mr. Artigliere.  
47 GRACIE FLOYD: Mr. Artigliere did this?  
48 BOD WALDREP: Yeah, right. It was ---  
49 GRACIE FLOYD: First one he's ever done  
50 for the County as I see it. Okay. Going back to what --

1 my questions that I brought up a few minutes ago, state  
2 law references public access to procurement information,  
3 11-35-410 says that there should be a competitive bidding  
4 policy. All public purchases shall be made in a manner  
5 which provides for the greatest economy for the taxpayer,  
6 the fairest selection of vendor and the prevention of  
7 conflict of interest. Goods and services required by  
8 County agencies shall be procured through competitive  
9 bidding or proposals when the cost exceeds ten thousand  
10 dollars. Have we done this?

11 TOM ALLEN: I believe, as Mr. Dunn  
12 stated earlier, for professional services, we don't need  
13 to do that.

14 CINDY WILSON: Mr. Chairman, may I?

15 TOM ALLEN: Yes, Ms. Wilson.

16 CINDY WILSON: I remember a few years ago  
17 the councilman from district two had a piece printed and  
18 sent out to her constituents, even a five hundred dollar  
19 cost to have it reinterpreted in Spanish. It cost over  
20 thirty-five hundred dollars. And I don't remember a  
21 procurement code ever being followed there. And I think  
22 that if we go back we'll find even more of those type  
23 things.

24 APPLAUSE

25 CINDY WILSON: So we've got a situation  
26 that we're being very completed correct here, and I think  
27 it's time to move on. Thank you.

28 GRACIE FLOYD: Mr. Chair, please remember  
29 that when I first started I told you I had several  
30 questions so I just wasn't finished when the floor was  
31 granted to her.

32 TOM ALLEN: Go ahead.

33 GRACIE FLOYD: Okay. The next thing is  
34 this. We need to get -- don't you think we need to get  
35 legal guidance about if what we're doing is correct  
36 before we go into this thing even further? I'd like to  
37 remind Council that we would not be in the position we're  
38 in now had we followed the guidelines, had we sought  
39 legal advice before we went into this thing any further.

40 CINDY WILSON: Guidelines were followed.

41 TOM ALLEN: Yes. According to what we  
42 just heard, McNair Law Firm did write the resolutions.  
43 That would be our guidance.

44 GRACIE FLOYD: The resolution, but now  
45 what about the, what about the competitive bidding  
46 policy.

47 TOM ALLEN: Again, I don't believe we  
48 need to do the competitive bid on professional services.

49 GRACIE FLOYD: Well, let me ask. Mr.  
50 Cunningham, do we have anyone in here who knows the

1 answer to that question? Do we have to do a competitive  
2 bid on legal processes?  
3 TOM ALLEN: Mr. Cunningham.  
4 MICHAEL CUNNINGHAM: Ms. Floyd, Mr. Chairman and  
5 members of Council, again as our procurement policy  
6 states, for professional services that does not require a  
7 competitive bid process for professional services. And  
8 legal advice would fall under the category of  
9 professional services.  
10 GRACIE FLOYD: Okay. So it's not  
11 required?  
12 MICHAEL CUNNINGHAM: That is my interpretation.  
13 GRACIE FLOYD: Okay. I thank you and I  
14 will concede that point, at this time, until I can get  
15 further information from an attorney. And I thank you.  
16 TOM ALLEN: Thank you, Mr. Cunningham.  
17 Ms. Floyd, you finished?  
18 GRACIE FLOYD: Yes, I'm finished. I thank  
19 you for your courtesy.  
20 TOM ALLEN: Thank you. Is there a call  
21 for the ---  
22 TOMMY DUNN: Anymore discussion?  
23 BOB WALDREP: Call for the question.  
24 CINDY WILSON: I call for the question.  
25 BOB WALDREP: Second.  
26 TOM ALLEN: There's been a call for the  
27 question and a second. All those in favor. Ms. Wilson,  
28 Mr. Waldrep, Mr. Dunn, Mr. Allen in the affirmative.  
29 EDDIE MOORE: Abstain.  
30 TOM ALLEN: Mr. Moore abstains. Ms.  
31 Floyd?  
32 GRACIE FLOYD: Mrs. Floyd, district two,  
33 council woman for district two refuses to vote on this  
34 matter because it is my opinion that I am gonna need more  
35 legal advice before I could make such a vote.  
36 TOM ALLEN: Okay. All those in favor  
37 of Resolution 2009-101 signify by raising your right  
38 hand. Okay. Let it be shown that Ms. Wilson, Mr.  
39 Waldrep, Mr. Dunn, Mr. Allen voted in the affirmative.  
40 EDDIE MOORE: Abstain.  
41 TOM ALLEN: Mr. Moore abstains. And  
42 Ms. Floyd? You're not gonna vote?  
43 GRACIE FLOYD: Mrs. Floyd, County Council  
44 for district two refuses to vote on this Ordinance 2000-  
45 101 until I can receive further counseling from our legal  
46 authority.  
47 TOM ALLEN: Thank you, Ms. Floyd.  
48 BOB WALDREP: Mr. Chairman, is there any  
49 other business that we have?  
50 TOM ALLEN: Is there any other

1 business? We have some time for Council remarks.  
2 BOB WALDREP: Mr. Chairman, the only  
3 thing I would say is that I would hope that most people  
4 would appreciate the fact that we do not have time to  
5 waste when we are trying to respond to a lawsuit that has  
6 been place against the Council which is in effect an  
7 effort, it appears, to thwart and to delay the ongoing  
8 investigation that we have been doing for Council. And I  
9 think it's very important that we move ahead. We have  
10 highly qualified people in the Wyche Burgess firm that  
11 are willing to undertake this representation. And I  
12 appreciate the vote of those who are looking out for  
13 Anderson County. Thank you.  
14 TOM ALLEN: Thank you, Mr. Waldrep.  
15 Any other comments?  
16 GRACIE FLOYD: Yes, I have a comment.  
17 TOM ALLEN: Yes, ma'am.  
18 GRACIE FLOYD: We find ourselves in a  
19 terrible position here. We find ourselves trying to  
20 defend something that was avoidable because the rules,  
21 the guideline, the regulations, the ordinances and the  
22 state laws were not, were not adhered to. I'm asking  
23 that please, before we do this any further, please,  
24 please read your manual. Please. Ask for, ask for  
25 guidance before we go any further. Folks, we can't stand  
26 anymore lawsuits. We can't stand anymore lawsuits. I  
27 know it was said time before ---  
28 TOM ALLEN: That will be enough,  
29 please.  
30 GRACIE FLOYD: Thank you. -- that we need  
31 to be careful. Don't forget now that we are here because  
32 you promised open transparency in government. And you  
33 promised that you were gonna cut back on all these things  
34 that have been going on. But these lawsuits are gonna be  
35 costly. And there are other lawsuits in the wings  
36 waiting. But I'm just trying to ask you to please, let's  
37 get back to economic development. Please note that  
38 Greenville had received nineteen new industries than  
39 Anderson County. We have lost two because they're not  
40 coming here. The comment was, we don't want to come and  
41 move into an area where there's a lot of political unrest  
42 which could affect us economically. So we need to get  
43 back to the business of getting down to the business of  
44 the people.  
45 TOM ALLEN: Thank you, Ms. Floyd. Is  
46 there a motion to adjourn?  
47 TOMMY DUNN: Motion.  
48 CINDY WILSON: Second.  
49 TOM ALLEN: Motion has been made and  
50 seconded. All those in favor or adjourning, raise your

*Anderson County Council - Special Called Meeting - 2/13/09*

1 right hand. Ms. Wilson, Mr. Waldrep, Mr. Dunn, me and  
2 Mr. Moore. Opposed.

3 APPLAUSE

4  
5 Meeting adjourned at 1:40 p.m.

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Special Called Meeting – February 24, 2009 - 6:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

**ABSENT**

Gracie S. Floyd – District #2  
Ron Wilson - District #6

The special called meeting of the Anderson County Council convened in the Council Chambers of the Historic Courthouse on Tuesday, February 24, 2009 at 6:00 p.m. Chairman Eddie Moore called the meeting to order. Mr. Tommy Dunn led the invocation and then everyone stood and pledged allegiance to the flag of the United States of America.

Chairman Eddie Moore stated that the two proposed resolutions up for approval were the results of a meeting with Mr. Michael Cunningham and the attorneys.


Mr. Bob Waldrep read Resolution #R2009-021 – a resolution acknowledging and consenting to the assignment of legal counsel for Anderson County for specific purposes; and other matters related thereto. It states that on January 20, 2009, Anderson County Council passed Resolution #R2009-010, which, *inter alia*, states that Anderson County must obtain the knowledge and consent of Anderson County Council before any legal matter involving Anderson County is transferred to an attorney or law firm. Also, the resolution consents to Anderson County's engagement of J. Victor McDade of the law firm Doyle O'Rourke, Tate and McDade for the specific purpose of representing Anderson County regarding *Ann Smith v. Anderson County*, C/A # 2009-CP-04-00649. Mr. Waldrep moved to approve the resolution as read and Mr. Tom Allen seconded. Vote was five in favor (Moore, Waldrep, Allen, Dunn, and Ms. Wilson) and two absent (Ms. Floyd, Mr. Wilson).

Mr. Waldrep read Resolution #R2009-022 – a resolution acknowledging and consenting to the assignment or legal counsel for Anderson County for specific purposes; and other matters related thereto. It states that on January 20, 2009, Anderson County Council passed Resolution #R2009-010, which, *inter alia*, states that Anderson County must obtain the knowledge and consent of Anderson County Council before any legal matter involving Anderson County is transferred to an attorney or law firm. Also, the resolution consents to Anderson County's engagement of Kurt Gibson, of the Gibson Law Firm, P.A. for the specific purpose of representing Anderson County regarding *Erick Bradshaw, Sr., et. al. v. Anderson County, et. al.* C/A #2009-CP-04-00803. Mr. Waldrep moved to approve the Resolution as read and Ms. Wilson seconded the motion. Vote was five in favor (Mr. Dunn, Mr. Waldrep, Mr. Allen, Mr. Moore, and Ms. Wilson) and two absent (Mr. Wilson and Ms. Floyd).

Mr. Dunn moved to adjourn and Mr. Waldrep seconded. Vote was 5 in favor and 2 absent (Mr. Wilson and Ms. Floyd).

The meeting adjourned at 6:07 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC  
Clerk to County Council

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Special Called Meeting – March 2, 2009 – 6:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

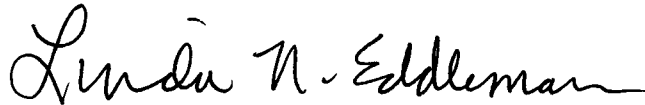
**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Michael Cunningham – Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 8:24 p.m.

Respectfully submitted,

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

Linda N. Eddleman, CCC  
Clerk to County Council



State of South Carolina )

County of Anderson )

ANDERSON COUNTY COUNCIL MEETING

MICHAEL CUNNINGHAM PUBLIC HEARING

MARCH 2, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN

BOB WALDREP

CINDY WILSON

GRACIE FLOYD

TOMMY DUNN

RON WILSON

TOM ALLEN

## 1 INVOCATION AND PLEDGE OF ALLEGIANCE BY EDDIE MOORE

2 EDDIE MOORE: Everyone, I want to remind  
3 you of one thing. This hearing today is in pursuant of  
4 Section 4-9-620 of the South Carolina Code of Laws.  
5 Although not required by Statute, we are allowing public  
6 input so that we may hear citizens comments both for and  
7 against Mr. Cunningham's service as Anderson County  
8 Administrator. Comments are limited to three minutes  
9 per person. And please direct all comments to me as  
10 Chairman of the council. And I would also like to  
11 remind you of something else too. I do not want any  
12 outbursts out in the audience. We will be very strict  
13 here today. We are -- this is a very serious matter.  
14 If we have any outbursts, you will be escorted out. And  
15 we will not take it today at all. So be very reverent  
16 and quiet, be courteous. We want to hear from both  
17 sides. But we want it to be the right way. Okay. We  
18 will now go to the citizens comments in favor of Mr.  
19 Cunningham as administrator. The limit is thirty  
20 minutes, three minutes per individual speaker.

21 ADAM ARTIGLIERE: Mr. Chair, the first  
22 citizen signed up is Carla Heritage.

23 CARLA HERITAGE: Mr. Chairman, my name is  
24 Carla Heritage and I am an Anderson County taxpayer and  
25 I'm a registered voter in district one. And I want to  
26 stand and publicly support Michael Cunningham. I want  
27 to ask you, the council, to please reconsider your  
28 decision to terminate Mr. Cunningham. And I would like  
29 to also ask that you honor his original contract so that  
30 he can get about the work of Anderson County. Thank  
31 you.

32 ADAM ARTIGLIERE: Joey Opperman. Terry  
33 Chapman.

34 TERRY CHAPMAN: Mr. Chairman, council,  
35 appreciate the opportunity. My name is Terry Chapman,  
36 district two, Ms. Floyd. I too, like the lady before me,  
37 I ask you to reconsider the vote that you made. Let Mr.  
38 Cunningham have the opportunity to show that he's  
39 capable, he's honest, he can do the job as well as  
40 anybody, and he's earned it. I ask you because I hope  
41 you knew him before you even started on the council, the  
42 new ones, because it's hard to get to know somebody when  
43 you're fighting against them. But I'm sure you knew his  
44 job and his reputation. I know for a long time it's been  
45 Preston. Let's forget that. It's past. Mr. Cunningham,  
46 I believe, will make a great administrator and work with  
47 the county council. I ask you, if you have any decency  
48 and integrity, let the man do his job and work for  
49 Anderson County. Thank you.

50 ADAM ARTIGLIERE: Erick Bradshaw.

1                   ERICK BRADSHAW:           Erick Bradshaw, district  
2 two. Mr. Chairman, member of the council, today I want  
3 to appeal not to the law or to what we feel like is  
4 correct or what we feel like is proper. What I want to  
5 appeal to the human element that lies in all of us that  
6 makes us the same. I want to ask you to please  
7 reconsider your decision to relinquish the contract that  
8 Mr. Cunningham has with Anderson County. I know a lot of  
9 commotion has been made with regards to Joey Preston and  
10 what he's done in the past and the fact that Mr.  
11 Cunningham comes under that administration and so forth  
12 and so on. But you really don't know a man's work until  
13 you actually have a personal relationship with them  
14 yourself. And I know a lot has been said in the past  
15 about the temperament of the council and the temperament  
16 of those that work for Anderson County. But we must get  
17 beyond that and get back to the work of running Anderson  
18 County. And I think that this county, many of you have  
19 already seen it, it's divided in a way that's very  
20 divisive. It's not conducive to policies that are  
21 relative to bringing the community and the county back  
22 together. Michael Cunningham is an honorable man. He's  
23 a God fearing man. He's a man that I know that all of  
24 you would be pleased with, given the opportunity to serve  
25 Anderson County. He's a man of a stellar reputation.  
26 Graduate of one of the most prestigious universities in  
27 the country. Why not have a guy of his character and his  
28 ability at the helm of the administratorship of Anderson  
29 County? Again, I ask you, it's something that I don't  
30 do, but I beg you to please reconsider this. It's not  
31 for my sake or not for the sake of some advantage of my  
32 own.

33                   ADAM ARTIGLIERE:           One minute.

34                   ERICK BRADSHAW:           For the sake of the  
35 residents of Anderson County. We know that he can do the  
36 job. We know that he's capable of performing at a level  
37 that will make this county continue in the area that it's  
38 already continuing in. So please, I ask you, please  
39 reconsider your decision to terminate Mr. Cunningham and  
40 give him an opportunity to serve this county in an  
41 honorable and a professional way. Thank you.

42                   ADAM ARTIGLIERE:           Gloria Walker.

43                   GLORIA WALKER:           Mr. Chairman, council  
44 members and my fellow citizens, I've read the newspaper,  
45 I've listened to the news and nothing has been said by  
46 these opposing council members as to why they do not want  
47 Mr. Cunningham except that he was hired before they took  
48 their job or took office. I hate to say this, but my  
49 personal feelings is that it's a racial thing. And I had  
50 hoped that the citizens of Anderson County had gone

1 beyond that. Mr. Cunningham is more than capable of  
2 leading this county. And if he's terminated tonight, I  
3 hope that the citizens of Anderson County will stand up  
4 and defeat everyone who votes against him. He deserves  
5 the change to prove himself and I ask that you honor his  
6 contract. Thank you.

7 ADAM ARTIGLIERE: David Randolph.

8 DAVID RANDOLPH: Mr. Chairman, ten years ago  
9 I had an opportunity to move to Anderson County. Let me  
10 rephrase that. Pastor in Anderson County. I've lived in  
11 Pickens County for several years because my wife had a  
12 position up there. Just about the time of the elections  
13 we moved to Anderson County, so I speak as a citizen, but  
14 I also speak as a person who is pastoring and working  
15 with Mr. Cunningham in Rotary and in several committees  
16 in this community. I've found him to be a man of  
17 integrity, a man who is involved in his community in many  
18 organizations and agencies to help people. He knows  
19 people. He cares for people. And he listens to people.  
20 I've found him, particularly watching him and talking  
21 with him through this present -- what he's presently  
22 experienced to be a man of humility, a man who I learn  
23 things for in caring for people. When we moved here my  
24 wife said to me, you know, I really -- all the moves we  
25 made in the pastorate, I've never been in a county where  
26 there's been more people more willing to help and serve.  
27 I told Mr. Cunningham that. This was after he had been  
28 in the position and he says, that's the attitude that I  
29 want to lead people and I want all of our people to have  
30 in this community, to be servants of those who live here.

31 ADAM ARTIGLIERE: J. L. Robinson.

32 EDDIE MOORE: That mike over here works  
33 also. I'm sorry, I should have told you.

34 J. L. ROBINSON: Mr. Chairman, on behalf of  
35 the Anderson County Ministerial Organization, we come in  
36 full support of Michael Cunningham. Not because who he  
37 is but what he stands for. We as citizens of this county  
38 bear the symbol of being the Electric City. And being  
39 Electric City, you must have light. Light is needed when  
40 there is darkness. And Mr. Chairman, we ask that let  
41 there be light in your minds as you make the decision for  
42 the administrator at hand. Let the light not only shine  
43 in the Anderson community, but in the State of South  
44 Carolina. Let it also shine in this nation. For we can  
45 go down in history as a county that do not have light.  
46 We thank you for what you have done in years past. But  
47 we have come a long ways. But we need light. Let there  
48 be light for Mr. Cunningham. Thank you.

49 ADAM ARTIGLIERE: Leo Smith.

50 LEO SMITH: Thank you, Mr. Chairman.

1 My name is Leo Smith, district one. I've been a  
2 businessman in Anderson for twenty-two years. And while  
3 I speak for myself tonight, I think my views represent a  
4 lot of people in the business community. I've known Mr.  
5 Cunningham for over ten years. I've worked with him on  
6 various committees. I know him to be a man of integrity,  
7 independence, honesty, a man who lives his faith. Mr.  
8 Cunningham always brings to the table ?? points. He  
9 always contributes to the matter at hand. And I believe  
10 that he can help this council make wise decisions as  
11 well. After reading article after article in the paper  
12 about who did what to whom, I was very encouraged to read  
13 the article in last Friday's Anderson Independent Mail.  
14 It had a headline in part that read, County Ready To Go  
15 To Work. Mr. Allen was quoted as saying, we all want to  
16 move on. I believe that to be the view of most of the  
17 citizens of Anderson County. But moving on does not mean  
18 replacing Mr. Cunningham. The article also went on to  
19 say that this county stands to lose 4.2 million dollars  
20 in state funds. These are challenging times for our  
21 country. These are challenging times for our county.  
22 Now is not the time to replace the experience that Mr.  
23 Cunningham brings to this county. I know that there are  
24 hard feelings left over from the last administration.  
25 But I just employ you to let it go. Mr. Chairman, you  
26 had opened the meeting earlier and just said that it was  
27 not the council's intent to fire Mr. Cunningham.

28 ADAM ARTIGLIERE: One minute.

29 LEO SMITH: And I trust that that's  
30 your intent tonight. I thank you for your time.

31 ADAM ARTIGLIERE: Kenneth Dean.

32 KENNETH DEAN: Kenneth Dean, Belton. I  
33 understand it to be true that if we're gonna move on  
34 there have to be some things that take place. You have  
35 to evaluate what took place to get us here and that may  
36 be not common for me to say. I don't think you're here  
37 because you believe or don't like Michael because of his  
38 race. I don't believe that's your motive. I believe you  
39 really believe that it's procedural. And I just  
40 personally believe that you're wrong in how you deal with  
41 the procedure, that's wrong. If it was wrong, the county  
42 is wrong. Punishing Michael will not rid what was wrong.  
43 If we get rid of Michael as a result of some other  
44 administrator's issues, then we're not fixing the  
45 problem. We're only retaliating, getting back at that  
46 group for what they did wrong. We're bigger than that.  
47 I think the biggest fear of many is can Michael be his  
48 own man and not be Preston's boy. My question to you is  
49 can you be your own woman and man and not be your  
50 supporters' boys or gals. And I'm sure you can tonight.

1 Make that decision. Keep Michael and move on from here  
2 in a positive way with this county in mind, its citizens  
3 in mind. Thank you for all that you've done. You've  
4 been so kind in your offers in the past and I hope that  
5 tonight your heart will be moved. Get over this, hold  
6 Michael in position and move on from here. I'm sure that  
7 will happen tonight from you. Thank you.

8 ADAM ARTIGLIERE: Robert Gallant.

9 ROBERT GALLANT: Thank you, Mr. Chairman,  
10 Ms. Floyd, ladies and gentlemen of the county, member of  
11 the council. I've lived in Anderson County, was born  
12 here eighty years ago. I've lived here probably longer  
13 than most anybody else in this room. And I've seen a lot  
14 of things take place here. This has been a good county,  
15 bad county, so-so county over those eighty years. But  
16 we're facing something now that I think could do  
17 irreparable harm to our county. Sixty something years  
18 ago I went out into our store, Gallant Belk Company, on  
19 the square and took down two signs that were over two  
20 different water fountains. One of them said white only,  
21 the other one said black only. We've come a long way  
22 since then in the United States and in South Carolina, I  
23 think, too. And I hope so in Anderson County. I, like  
24 one of the people who spoke before, don't say that -- I  
25 don't say I think that the county is doing this on a  
26 racial motive. But I'm afraid that's the way the rest of  
27 South Carolina is gonna look at it, and I'm afraid we're  
28 gonna get to be in the national news. And I'm afraid  
29 it's gonna cost us some industry in the years to come.  
30 And it doesn't make any difference whether somebody  
31 without work is a Democrat, a Republican or an  
32 Independent or not political at all, just has a family  
33 that needs a job. And what y'all are about to do is  
34 gonna cost the future citizens, young people who want to  
35 stay in Anderson County and have a good job, you're gonna  
36 cost jobs. You're gonna do it. The first -- previous  
37 council saw fit to give Mr. Cunningham a three year  
38 contract.

39 ADAM ARTIGLIERE: One minute.

40 ROBERT GALLANT: I'm sorry?

41 ADAM ARTIGLIERE: One minute.

42 ROBERT GALLANT: That's one minute. Well,  
43 you said we had thirty minutes and we've only been doing  
44 this fifteen minutes, and I'd like to have my other two  
45 minutes. Is that all right, Mr. Chairman.

46 EDDIE MOORE: Each speaker has three  
47 minutes. You have a minute left.

48 ROBERT GALLANT: I have a minute? I thought

49 ---

50 ADAM ARTIGLIERE: One minute left, yes, sir.

1 ROBERT GALLANT: Okay. Good. So the next  
2 council saw otherwise. I think we ought to think really  
3 ten times, not just twice, before we spend almost two  
4 million dollars to get rid of two county managers in  
5 short order. I think it's really gonna hurt our county  
6 to do that. And I just think just rethink this a little  
7 bit. And I just can't help but say this, and I hope I  
8 won't offend anybody, but let's take some of that money  
9 and go out on Campbell Road and fix that bad curve. The  
10 man who lives within fifty feet, he said, of that bridge  
11 has lived there nine years and he said that he knows that  
12 they've pulled twenty people -- twenty cars out of that  
13 creek. So let's think about that. And let's think about  
14 what we're really doing here and where we ought to be  
15 spending some of this money.

16 ADAM ARTIGLIERE: Time.

17 ROBERT GALLANT: I'm sure young girls might  
18 not be dead if that bridge had been fixed instead of what  
19 we're doing. Thank you.

20 ADAM ARTIGLIERE: Tim Hayden.

21 TIM HAYDEN: Good evening, Mr. Chair.  
22 My name is Tim Hayden. I'm in Mr. Allen's district. A  
23 lady asked me if I was for or against? I said, I'm  
24 neutral. But I ended up signing on this side of the  
25 discussion. A couple of questions I have, first of all,  
26 what happened to the contract negotiations? Once we  
27 heard the lawsuit it all stopped. And we'd like to know  
28 as constituents and taxpayers in Anderson County what  
29 happened? We'd like to know Mr. Cunningham's side as  
30 well as from the council's side, if you could please give  
31 that some consideration. The next thing -- my next  
32 comment is, why do you have a public hearing on a day  
33 when the county offices are closed? You may have people  
34 that are elderly that could not get here tonight to voice  
35 their opinion. So I ask that question? Why couldn't you  
36 have postponed this just like we did schools. My  
37 children didn't go to school today. I ask you to give  
38 that some consideration. And my third point I want to  
39 say is, what do you want your legacy to be? Do you want  
40 your legacy to be that you helped move Anderson County  
41 forward or do you want it to be that you're gonna have  
42 more lawsuits? Because the decision you make tonight  
43 will determine that. My last thing is, I'm a Rotarian  
44 and one thing that we say at the end of our meetings is  
45 the four way test. Mr. Waldrep knows what I'm talking  
46 about. I want you to think about this, what I'm about to  
47 say. Of all the things that you think, say and do, is it  
48 the truth? Is it fair to all concerned? Will it be of  
49 good will and better friendship? Will it be beneficial  
50 to all concerned? Really think about what I said. And I

1 thank you very much for allowing me to speak tonight.  
2 Thank you.

3 ADAM ARTIGLIERE: Doreen Montepara.

4 DOREEN MONTEPARA: Good evening, Mr. Chair,  
5 Doreen Montepara, district five, Mr. Dunn's district.  
6 I'm here tonight to support Mr. Cunningham. I know  
7 there's a lot of controversy on how his contract was done  
8 and that some of you think it should be an at-will  
9 contract. In front of you, you should all have a piece  
10 of paper which is the Anderson County codes dealing with  
11 contracts. In that it states that you may give at-will  
12 contracts to every one of the county employees except the  
13 county administrator. All I'm doing is asking you to  
14 search your hearts, as been said by other people tonight,  
15 search your hearts and please do the correct thing. I  
16 think Mr. Cunningham is a great administrator. I did not  
17 meet him until he took office. And I had spoken with him  
18 for a couple of problems that we had and I needed to be  
19 pointed in the right direction and he helped us with  
20 that. So I have no personal stake in this, as people  
21 think I do. I've lived here in Anderson for twelve  
22 years, not just two. And I'm invested in Anderson, even  
23 though I did not grow up here. I do have a child growing  
24 up here. I have a son who is fighting for our country  
25 right now. Let's do the right thing and keep Mr.  
26 Cunningham and move on. We just had another  
27 manufacturing company lay off second and third shift  
28 people. This is a company in Anderson that has been  
29 running for years. People are losing their jobs. The  
30 crime is running rampant. We need to get a stable  
31 government. Thank you.

32 ADAM ARTIGLIERE: John Benca.

33 JOHN BENCA: Thank you, Mr. Chairman.  
34 My name is John Benca. I'm a resident of district one.  
35 My wife's family have been residents of Anderson County  
36 in district three for over two hundred and fifty years.  
37 And has already been stated tonight several times, our  
38 community like many in the United States, has seen its  
39 share of ups and downs. Nevertheless, the one thing that  
40 pulls is all together is being unified. I'd like to be  
41 in support of Mr. Cunningham tonight for that one reason.  
42 We've already had a number of job losses. The business  
43 community is challenged on a daily basis. And we have  
44 bigger problems to concern ourselves with than being  
45 mired in lawsuits. I like to live in a community that's  
46 positive, hopeful, encouraging and supportive. And that  
47 requires leadership from all of you. And leadership from  
48 a man who's demonstrated as an assistant his ability to  
49 be subordinate, his ability to lead and his ability to do  
50 his job. And I can't think of a more qualified person at



1 this point in our economic situation to help you carry  
2 this county forward. The other headline was, We've Got a  
3 Budget to Consider Shortly. And that falls on all of us.  
4 And we're looking to you to do the right thing in that  
5 regard and have a person that's going to work with you  
6 cooperatively to help make that happen. As a businessman  
7 who has to make payroll every week, it's not easy. And  
8 you've got a big one to make here for the future of this  
9 county next year, shortly. I encourage you to do the  
10 right thing tonight. I encourage you to help our county  
11 be a leader in the State of South Carolina and not a  
12 follower. That should be our legacy at the end of  
13 tonight's meeting. That should be your legacy at the end  
14 of your next term. And that should be the one thing that  
15 this entire county can look forward with pride to, that  
16 we did the right thing for the right reasons. Thank you  
17 for your time.

18 ADAM ARTIGLIERE: Bobby Brown.

19 BOBBY BROWN: Mr. Chairman, I'm here to  
20 speak on behalf of Michael Cunningham. Bobby Brown,  
21 Chairman NAACP. Michael is a good man, well trained man,  
22 can do the job. He's chaired our community center for  
23 two years. Did a great job. If he's got what it takes  
24 to run this job, why should he be moved. I've sat back  
25 tonight, I've heard these people talk. No race involved.  
26 Everybody shook their head. If you're gonna move a  
27 qualified man, educated man, Christian man, who's been on  
28 the job, can run this job, replace him with a person of  
29 another color, if I'm from the outside looking in, why  
30 would I come to Anderson County? That looks like racism  
31 to me. I mean, you guys got to realize that we're going  
32 through difficult times. Jobs going away. We might say  
33 well, it's not here. What are other businesses gonna say  
34 getting jobs here. You've got some people in office two  
35 months, you're gonna take forty-eight months to get it  
36 straightened out. It's not gonna be straightened out  
37 then, we've got all these lawsuits. It's time to move on  
38 and stop blaming councilmen and start being a councilman.  
39 I've not here to beg for you tonight. I'm here to tell  
40 you that what you are doing is wrong. I didn't come to  
41 beg. I just come to let you know, what you're doing is  
42 wrong. The man's qualified, he's been on the job.  
43 Joey's gone. Joey's no more. It's Michael's time. Let  
44 him mess up.

45 ADAM ARTIGLIERE: One minute.

46 BOBBY BROWN: Do what you got to do. I  
47 refuse to sit back in Anderson County and let you people  
48 in forty-eight days mess up a whole county, gonna take  
49 forty-eight months to get it back on the road. I refuse  
50 to stand by and let that happen. And I hope Anderson

1 County stands behind me and stops being in denial. I'm  
2 tired of people denying whether or not this -- they don't  
3 want to be -- look you in the face, look in the mirror,  
4 read the paper. Call North Carolina and California and  
5 see what they think about Anderson, South Carolina. 2000  
6 America City and ?? now gone, no more.

7 ADAM ARTIGLIERE: Joey Opperman.

8 JOEY OPPERMAN: Thank you for the time to  
9 speak. My name is Joey Opperman. I'm a resident of  
10 council district five here in Anderson. I live in the  
11 Centerville Community. A couple of things I'd like to  
12 speak to. First of all, and this may have been addressed  
13 while I was out of the room, it's by no means clear that  
14 even terminating Mr. Cunningham at this time wouldn't be  
15 a breach of contract. It's a dangerous action. It's a  
16 reckless action. Case law -- most recent case law points  
17 to the fact that this would in fact be a breach, since he  
18 was hired pursuant to statutory authority. I can't think  
19 of the case name right now, but it was late eighties down  
20 in Charleston. The special purpose case district --  
21 special purpose district case that's been mentioned  
22 before, that's from the forties, it's pre home rule and  
23 it doesn't deal with this form of government. I'd like  
24 to say as a testimony from knowing Michael since I was a  
25 student and interacted with him in the student  
26 legislature. He was the advisor at Clemson University.  
27 I was at a different school. I've known him, I guess,  
28 maybe seven or eight years and I can say without  
29 hesitation, he's a person of high character. Probably  
30 one of the finest men I've ever met. And anybody who  
31 knows him and has interacted with him for a long period  
32 of time will tell you the same thing. Lastly I'd like to  
33 say Anderson County has unfortunately a history of  
34 political instability in our local government. It's one  
35 of the things that's held us back. And that goes back a  
36 very long way. All sorts of interests, all sort of  
37 different factions, have always fought and we probably  
38 will continue to fight, and that's not a bad thing,  
39 that's the Democratic process. But it's a shame that  
40 today we haven't learned to disagree without being  
41 disagreeable. This action, whether it's intended as such  
42 or not, is perceived by the outside world and most of our  
43 citizens as indication of that continuing instability.  
44 That's not gonna bring folks in. Keeping Michael on is  
45 not gonna impede your ability to carry out your will. I  
46 think he's demonstrated pretty clearly that he's willing  
47 to implement the desires of the council within the rule  
48 of law.

49 ADAM ARTIGLIERE: One minute.

50 JOEY OPPERMAN: Finally I'd like to say, to

1 bring a broader perspective to this, the Bible tells us  
2 that in everything there's a season. And politics isn't  
3 always nice. We know public life isn't always nice.  
4 Sometimes there's a time for strife. Maybe last June  
5 during the primaries, politically speaking, maybe that  
6 was a time to kill. But tonight, this opportunity, this  
7 is a time to heal. And I pray that we'll take that  
8 opportunity. Thank you.

9 ADAM ARTIGLIERE: Mr. Chair, I believe those  
10 are all the citizens that are signed up for Agenda Item  
11 3.

12 EDDIE MOORE: We'll now go to Agenda Item  
13 4, citizens comments in opposition to Michael Cunningham  
14 as administrator. Remind you it's thirty minutes, three  
15 minutes per individual speaker.

16 ADAM ARTIGLIERE: Rick Freemantle.

17 RICK FREEMANTLE: Good evening, Mr. Chairman  
18 and council. First let me say that I take no pleasure in  
19 having to address you this evening regarding the future  
20 of Mr. Cunningham. Mr. Cunningham told us he was a good  
21 Christian man, he wanted to serve the people of Anderson  
22 County. He said he wanted us to move forward. He asked  
23 you to give him a chance and he said he was willing to  
24 work with you. Being a good Christian man should have  
25 given Mr. Cunningham the insight to know that the actions  
26 leading to his ascension to the power of administrator on  
27 the evening of November 18th, 2008 were far from moral,  
28 void of proper procedures and illegal. Being a good  
29 Christian man should have caused Mr. Cunningham to speak  
30 up when an outsider spoke here in this hall and claimed  
31 that the people involved with this procedure, yourselves,  
32 were racists. I guess Mr. Cunningham didn't care enough  
33 about the people of Anderson to be bothered with  
34 correcting that falsehood. The discussion is about  
35 procedure, not race. Many people have come before this  
36 council and addressed Mr. Cunningham. They have said  
37 they have no problem with him. But they were not willing  
38 to accept the way he was hired. It was improper. It  
39 ignored the normal hiring practices. The method involved  
40 shut out all legitimate debate. The method involved was  
41 discriminatory. The method was an absurd excuse for good  
42 ole boy corruption. Mr. Chairman, either we are a nation  
43 of laws or we are not. Mr. Cunningham ignored the calls  
44 from many people here at these meetings to tear up that  
45 old contract and start fresh with a new contract that  
46 everyone would be able to accept as legal and moral. He  
47 refused to offer you -- he refused the offer you made to  
48 him to stay on at-will for the same pay. Does that sound  
49 like a man who wants to work with you? Mr. Cunningham,  
50 you could have decided right there on that spot to start

1 -- I mean, Mr. Chairman, you could have started looking  
2 right there at that spot for a new administrator.

3 ADAM ARTIGLIERE: One minute.

4 RICK FREEMANTLE: However, this governing  
5 body chose to go back to the table and try to come to a  
6 meeting point. From all the news accounts I have seen  
7 slamming this council for doing the right thing, I have  
8 yet to hear or read about any counteroffers made to you  
9 by Mr. Cunningham. Does this sound like a man who is  
10 respectful of your decision as a governing body to give  
11 him a chance? Mr. Chairman, Mr. Cunningham told everyone  
12 that Joey Preston was his mentor. He did not have to do  
13 that. Because most of us who have attended council  
14 meetings for years now could see that for ourselves. And  
15 it is very unfortunate that when given several chances to  
16 veer from the Preston style tactics and move towards  
17 serving the people of Anderson County, Mr. Cunningham  
18 chose poorly.

19 ADAM ARTIGLIERE: David Bates.

20 DAVID BATES: David Bates, district four.  
21 I haven't yet to hear one person say tonight, so I'm  
22 gonna be real picky with this. Whatever decision you  
23 make tonight, my family and I will support you a hundred  
24 percent, because I know you have a real difficult  
25 decision to make. And I'd like to yield the balance of  
26 my time to Elizabeth Fant.

27 EDDIE MOORE: Ms. Fant, he can't give  
28 time away. You'll have to just use your time. I think  
29 -- was she on the list?

30 ADAM ARTIGLIERE: Yes, sir, she was next.

31 EDDIE MOORE: Okay.

32 ELIZABETH FANT: I wish that all the people  
33 -- Mr. Chairman, I wish that all the people who were here  
34 tonight had been here for continuous meetings because  
35 that would explain a lot of what's gone on. November the  
36 28th, 2008 was an eventful day, full of illegality and  
37 fraud and transgressions. I pledge allegiance to the  
38 flag of the United States of America and to the republic  
39 for which it stands, one nation under God, indivisible  
40 with liberty and justice for all. Such was said by the  
41 Anderson County Council, but as the meeting progressed  
42 that night it denied any allegiance to that pledge. At  
43 that meeting Mr. Cunningham was placed as the new  
44 administrator and afterwards as we talked and shook hands  
45 I spoke about this tremendous burden on his shoulders and  
46 wished him well. In January 2009 we have a new council,  
47 which has been addressing numerous incidents of fraud,  
48 self-serving appointments and lawsuits due to the former  
49 council's unlawful or neglectful duties. All but one  
50 lawsuit, the animal shelter, have been the direct result

1 of the old council. Instead of quickly doing the audit  
2 planned by the 2008 council and getting to new business,  
3 the new council has been bogged down by various smoke  
4 screens positioned by council member number two and six  
5 and their left wing insurgents. And you, Mr. Cunningham,  
6 have become the sacrificial lamb, as a blood thirsty,  
7 uneducated pack of wolves bears down your way. If only  
8 you had the wisdom to reject their bogus offer as  
9 administrator, you could have stayed as assistant  
10 administrator and when the job was properly posted, bids  
11 accepted, you would have been at the top of the list to  
12 be our new administrator legally. But it is now apparent  
13 that your judgment has been warped by the old camp who  
14 wishes to remain in power. You have listened to the side  
15 that with racial slurs has besmirched your good name.  
16 You have aligned yourself with a group that bears a  
17 criminal as its leader and has posed threats and  
18 intimidation to get its way.

19 ADAM ARTIGLIERE: One minute.

20 ELIZABETH FANT: Held back in directing your  
21 staff to present asked for documentation by the new  
22 council, thereby refusing to do your job, which is a  
23 cause for dismissal. And by having knowledge of your  
24 impending contract before November the 18th and the three  
25 council's actions that exist directly to county records,  
26 you have aligned yourself with the illegality and the  
27 corruption. And by the McNair Firm writing your contract  
28 and then keeping the event private from two former  
29 council members, you have placed yourself right at in the  
30 stew pot. On top of the economic downturn and my  
31 predictions that Anderson County is now fifteen to  
32 sixteen million dollars in debt, and the fools still want  
33 to spend Anderson County into obliteration, no sane  
34 person would want this administrator position. God speed  
35 you. I wish you well. Move on to somewhere where only  
36 your merits will shine and not held back by your selfish  
37 and illegal buddies here.

38 ADAM ARTIGLIERE: Mark Powell.

39 MARK POWELL: Mark Powell, district  
40 seven. You know, this all began November the 18th. Read  
41 through the minutes as posted on Anderson County's  
42 website under administrative, under council, look over to  
43 the right under minutes of the meetings. I read through  
44 that today. On November the 18th, district one --  
45 district six, Mr. Wilson, entered a motion to amend the  
46 agenda. He said I want to amend the agenda as a person,  
47 not as committee member, committee chairman of the  
48 personnel, then he said I'm doing this -- actually Mr.  
49 Thompson made it clear that he was doing it as a council  
50 member not as a person. He said, I want to talk about

1 what the lawyer, Mr. Bright who we hired, told us. That  
2 was the end of his amendment. He went on to make that  
3 into a buyout contract. I certainly want everyone to  
4 remember, his contract was a three year contract, unless  
5 there's a new one that's not posted on the internet, his  
6 contract was a three year initial contract with a one  
7 year renewal thereafter. Even if you take the three year  
8 contract, six hundred thousand is about the best you can  
9 do for it. In business, if I order something, public  
10 knowledge it should have been a thousand bucks, but I  
11 love them so I give them three thousand bucks, out of my  
12 personal consideration of admiration for what a great  
13 person this person is I'm buying from, I would be liable  
14 for it. I hope that someday Mr. Wilson and the other  
15 council members who voted for that will be personally  
16 liable as well. I also want to point out, when how to  
17 pay for it, and this was all on the minutes, do we need  
18 to add this to the -- do we need to amend the agenda?  
19 No, it was part of Mr. Wilson's. No, it wasn't. No, it  
20 wasn't. Read the minutes.

21 ADAM ARTIGLIERE: One minute.

22 MARK POWELL: It was not. Then how to  
23 hire Mr. Cunningham. Also I need to make sure everyone  
24 who is not normally here, it was funny. Mr. Wilson said,  
25 no one knows what I am fixing to do. Gracie Floyd held  
26 in her hand a contract to hire Mr. Cunningham. Let it be  
27 know it was said, do we need to add this to the agenda?  
28 No. Okay. It was voted on by people talking. You  
29 didn't add it to the agenda. It didn't legally happen.  
30 I sit amongst a lot of these people in a meeting recently  
31 who want you guys to step down and let somebody else take  
32 your place. Bottom line, the rules say it has to be on  
33 the agenda. People who spoke tonight, they sued y'all  
34 because they said you didn't follow procedure. My  
35 goodness. They're gonna sue you probably if you allow  
36 him to stay. Because guess what, procedure was not  
37 followed. Yes, we are being sued. The people who came  
38 up here and spoke, they sued because procedure wasn't  
39 followed. Mr. Cunningham had the opportunity to step  
40 down and ask for a job ---

41 ADAM ARTIGLIERE: Time.

42 MARK POWELL: -- like everyone else.

43 Thank you.

44 ADAM ARTIGLIERE: Carole Glenn.

45 CAROLE GLENN: Mr. Chairman, council, my  
46 name is Carole Glenn and I live in district one. And  
47 yes, I too am a taxpayer of Anderson County and my  
48 husband and I have a business in Anderson County. And I  
49 want to support the new council one hundred percent in  
50 any decision you have to make tonight. And I'm here to

1 oppose Michael Cunningham as our administrator. Thank  
2 you.

3 ADAM ARTIGLIERE: Jean Pruitt.

4 JEAN PRUITT: Mr. Chairman, members of  
5 the council, my name is Jean Pruitt and I live in  
6 district three. And I also want you all to know that we  
7 support you a hundred percent. We voted for you. We got  
8 tired of everything that's going on in the old council.  
9 We are so far in debt we'll never see daylight again.  
10 And we really worked hard to get you in here. And the  
11 reason was, because we were tired of the way business was  
12 run in the old council. I mean, you had five members on  
13 this council running this town with an administrator that  
14 they gave a blank check to. And we just got sick and  
15 tired of it. We want to know where the money is going.  
16 And all the people that are here, oh, my goodness, I  
17 would have loved to see you here during all these other  
18 debates that we've had. Nobody really knows what's going  
19 on unless you've been here. And you talk about the  
20 newspapers. You don't see this in the newspaper, you  
21 don't see that in the newspaper. No, you're not gonna  
22 see anything in a newspaper by the Anderson Independent  
23 because they are so biased and all you've gonna see is  
24 negative things about our new council. Read the  
25 Williamston Journal if you want to know what's going on  
26 in this town. And you talk about that radio station. I  
27 would love to send their name in for pointing the way,  
28 because they have -- a lot of people has been awakened  
29 because of this radio station. Most people in this town  
30 ...

31 END OF TAPE 1, SIDE 1

32 .. JEAN PRUITT: ... why are y'all giving  
33 somebody a million dollars? I said, what district you  
34 live in? I don't know. You know, they don't know what's  
35 going on here. But the people now are listening, they're  
36 talking, they're really upset about all this buyout. I  
37 don't have anything against Mr. Cunningham except the way  
38 that he was hired, and I was here. And you let five  
39 council members give him a contract without even letting  
40 the other two read it, know anything about it or vote on  
41 it. Then you had one councilwoman that got up and had  
42 another contract right then without the other two knowing  
43 anything about it.

44 ADAM ARTIGLIERE: One minute.

45 JEAN PRUITT: They could not say a word.  
46 Every time they would try to ask a question, it was point  
47 of order, call for the vote, five to two, five to two.  
48 You really need to be here to know what's going on. And  
49 I'm really glad to see everybody coming now, because  
50 maybe you are awake and you want to know what's going on.

1 But all the lawsuits you're worried about, what about all  
2 the money we have paid for Mr. Preston who has filed  
3 lawsuits against one member of our council, and then we  
4 get five citizens to file a lawsuit on one of our new  
5 members who is doing a wonderful job. And don't let them  
6 intimidate you. You do your job, Mr. Moore, because we  
7 elected you to run the county's business. Thank you.

8 ADAM ARTIGLIERE: Mr. Chair, there are  
9 several members whose names have been crossed out and I'm  
10 not sure who crossed the names out. But if you don't  
11 mind, I'm gonna read the names off and give ---

12 EDDIE MOORE: Go ahead.

13 ADAM ARTIGLIERE: Dan Harvell, Terry Welch.  
14 Or Jerry Welch. I'm sorry. If that's the case, then Mr.  
15 Chair, those are all the citizens that are signed up for  
16 Agenda Item 4.

17 EDDIE MOORE: We'll now move on to Agenda  
18 Item number 5, which will be the presentation by Mr.  
19 Michael Cunningham.

20 MICHAEL CUNNINGHAM: Mr. Chairman, members of  
21 council, ladies and gentlemen, first of all let me start  
22 where I started back in January with all of you and tell  
23 you that it's been certainly a pleasure to be affiliated  
24 with Anderson County in several different capacities and  
25 to work with each of you. It truly has been an honor.  
26 There's been a lot said tonight. Some of it has been  
27 kind of backward looking, talking about things that's  
28 happened in the past. But what I want to address for my  
29 time on the agenda is, I received a letter outlining the  
30 reasons for my removal and I feel like I owe it to the  
31 council and to everyone else to at least try to respond  
32 to that letter as my part of the time. The first thing  
33 that was offered to me was an at-will contract, which I  
34 chose not to accept. And I didn't -- I purposely didn't  
35 do a lot of commenting in the newspaper or anywhere else  
36 about that, but I will give you at least three reasons  
37 why I chose not to accept that particular contract. The  
38 first and most important to me is, I feel like the  
39 contract I signed in November was valid. Is valid. So I  
40 felt like to sign a new agreement would negate that  
41 November contract. I think there's been lots of  
42 conversations back and forth about whether that is or is  
43 not valid. I'm sure someone will come up with a  
44 definitive answer, but what I had to go on was what I  
45 believed to be true, which was that contract was valid,  
46 which is the first thing I considered. The second one  
47 has been mentioned tonight. County code does mention  
48 that all of the county employees will be at-will with the  
49 exception of the administrator. And I felt like that  
50 contract was in opposition to that particular section of



1 the county code. Thirdly, and this is I guess more of a  
2 personal one, I feel like and felt it at the time, that I  
3 am certainly capable and qualified for the position and I  
4 do possess I think the necessary knowledge and skills and  
5 abilities to do the job. And I felt like the at-will  
6 contract at least placed me in a position where I  
7 wouldn't have that opportunity to do it in a way that I  
8 felt like I could do it. The next one was, once we -- I  
9 gave you a response and I really thought about that  
10 response and why and we had a conversation about why I  
11 felt that way. And again, it was saying that, you know,  
12 I recognize at least your view of my current contract and  
13 it was a request to allow us at least to have a period of  
14 time where we worked together more closely so that we  
15 could come back to the issue of contracts and terms and  
16 things of that nature. I did, at the time, understand  
17 the sense of urgency around a new contract or even a  
18 contract negotiations. I think, having some time to  
19 reflect on it now, some conversations I've had, even  
20 before January, with some of you, I think I have an  
21 understanding of why that sense of urgency was there.  
22 The demotion that was offered to me when we went into our  
23 second executive session, which I didn't expect that to  
24 be on the table, although it was something that I had  
25 heard several times, was just, you know, go back to doing  
26 your job, kind of go back to what you were doing and  
27 you'll be spared, you'll have a chance to keep your job  
28 if you go back to being the assistance. And the first  
29 time I heard that my response was, well, I just want a  
30 chance to do this job as the administrator. I believe  
31 I'm capable. I believe I'm able, and I just want a  
32 chance to do it. And if doing the job means ultimately I  
33 lose this opportunity and lose my job, it's a risk that  
34 I'm willing to accept because I want the chance. I feel  
35 like I'm able to do the job the right way and that I am  
36 my own person. The second concern with going back to  
37 being the assistant, that demotion was, or is, that if I  
38 accepted the demotion, that would negate the contract I  
39 signed in November. My feeling, my belief, is that  
40 contract is valid. To accept the demotion would then  
41 mean that that contract is no longer valid. And again, I  
42 had to stand on what I believed to be true and what I  
43 believe is right. Lastly, there was and is a concern  
44 that had I gone back to being the assistant administrator  
45 and negated that contract, that quickly someone else  
46 would have been hired. Not on an interim basis, but  
47 hired full time, and that person's job would have been to  
48 remove a number of people. Not just me, but a number of  
49 people. So I had to take that into consideration as  
50 well. That was this idea that someone would be brought

1 in and then their job would have been to remove me and  
2 several other people. So I had that as a concern that I  
3 had to think about. And I did think about in the time  
4 that was allotted me. As y'all know, it was pretty  
5 quick. We had a pretty quick turn-around, about ten  
6 minutes. And those are the things that went through my  
7 mind. Those are the things that I had to consider. I  
8 did consider. And after those things took place at that  
9 meeting and the interim administrator was named, and I  
10 got a chance to talk with him and he said, you know, I  
11 was told that I only have to do this for a couple of  
12 weeks, two or three weeks, and there will be somebody  
13 else that will step in and relieve me from that  
14 responsibility. And that kind of led me to believe that  
15 there is someone else out there that is waiting to take  
16 over this particular role and that I am the person that's  
17 kind of in the way of that. And so all those things  
18 were, are, concerns. And I think the last thing the  
19 letter says is that I think, Mr. Moore, you said you  
20 regret that I chose to end my employment with Anderson  
21 County in this manner. And I want to be clear, I didn't  
22 choose to end my employment with Anderson County in this  
23 manner or any other manner. It was my desire to have a  
24 chance to serve. My desire to have a chance to do the  
25 job. And I did not desire, did not want things to come  
26 to this particular conclusion, this particular juncture  
27 in all of our lives. It was not something that I  
28 intended, not something that I wanted to dedicate a lot  
29 of energy to. I felt like there was lots of things out  
30 there that this county needed and deserved and we could  
31 work together to work toward outside of this particular  
32 issue. But life is funny like that. Sometimes you end  
33 up at a place you didn't intend, in a way that you didn't  
34 intend. And that happens. And I appreciate everybody  
35 who made comments tonight, for giving your time to come  
36 out. And participation is important. And so I hope that  
37 no matter what happens tonight, we will continue to have  
38 participation by a wide cross section of this community.  
39 That -- if nothing else, I think that's been worth it,  
40 because we have had that participation by more people  
41 than have normally participated. That's a plus in my  
42 mind. A few weeks ago my aunt called me, my Aunt  
43 Margaret called me. Nephew, I was just thinking about  
44 you. She left a message. I wasn't at home. I was  
45 running around like I often was. She said, I was  
46 thinking about you and just quickly I want you to read  
47 the third chapter of Daniel. Take care, I love you, bye.  
48 She hung up. I picked up the Bible and I read the third  
49 chapter of Daniel. And those of you who know it, you  
50 know that speaks of the three Hebrew boys and their fiery

1 furnace experience. And it goes on in that third chapter  
2 to talk about how King Nebakanezer had made a decree,  
3 everyone who hears a certain music being played that they  
4 will kneel down and worship an idol. For those three  
5 Hebrew boys, they chose not to kneel down and worship  
6 that idol. They felt like it wasn't the right thing to  
7 do. And they did that knowing that there would be a  
8 penalty associated with it. And they accepted that,  
9 because they knew what I know, is that no matter what  
10 penalty faced them, they wouldn't face it alone. And so  
11 they chose not to kneel down to that idol. And I got to  
12 thinking about that. And I wondered, was desire to keep  
13 a job, a desire to maintain some stability for my family,  
14 is that my particular idol? Was I willing to kneel down  
15 and do things that I didn't think were right or the best  
16 thing in order to avoid my fiery furnace experience? And  
17 the answer came back clearly to me that, no, you can't do  
18 that, because if you go into that furnace you won't go  
19 into it alone. So because I know that, the confidence, I  
20 know that no matter what happens tonight, I'll be okay.  
21 Because I'm not to face my fiery furnace experience all  
22 alone and I never have. And I never will. None of you  
23 ever will. So it has been a pleasure. I didn't want to  
24 take up my whole thirty minutes because I've got a wife  
25 and young'un at home with no electricity and I know all  
26 of y'all have got responsibilities too. But I did want  
27 to at least address the reasons cited in the letter for  
28 my removal in a way that I hope will be open and honest  
29 with everyone. And kind of tell you that no matter what  
30 happens to me or what happens tonight, as I stated  
31 earlier, I don't have any ill will toward any of you.  
32 Why is that? Because I know that some of you have this  
33 pressure put on you, be it promises you've made or things  
34 you've said. There's a lot of pressure put on you. So I  
35 don't have any ill will toward any of you for being in  
36 that situation and for responding in the ways that you  
37 have. What I will continue to do is what I've done  
38 everyday, which is keep each of you in my prayers that  
39 you will do the things that God lays on your heart to do,  
40 and the way in which he has laid it on your heart to do  
41 it. And I know that that will be what's best for  
42 Anderson County. And each day I set out to do three  
43 other things, and I mentioned this. Number one, please  
44 God. Number two, avoid embarrassing my wife and family.  
45 Number three, be the best public servant that I can  
46 possibly be. And no matter what happens tonight I feel  
47 okay because I've square on those three things each day.  
48 And no matter what people say or think or may have an  
49 inclination about, each day I can go home and sleep  
50 peacefully. Tonight is not excluded, because I know I've

1 done those three things. Because that's what I think I'm  
2 gonna be held accountable for. And so thank each of you  
3 for your kind consideration. Thank each of you for  
4 putting the effort and time into this process. I know it  
5 hasn't been easy for any of us. But I certainly wanted  
6 to make sure that each of you knew that and that I  
7 understand the difficult situation you may be in and I  
8 hope that we'll make that right decision, whatever it is,  
9 for you. Thank you.

10 APPLAUSE

11 EDDIE MOORE: We'll now go to Item 6, the  
12 presentation by the council personnel committee, chairman  
13 waldrep.

14 BOB WALDREP: Mr. Chairman, this  
15 difficult task was turned over to me by the council as  
16 chairman of the personnel committee. And I just want to  
17 say at the outset that it's almost impossible for  
18 everyone to understand the circumstances that we've been  
19 in unless you've either been sitting up in this position  
20 on council or unless you've attended virtually every  
21 council meeting that's been here. For that reason the  
22 personnel committee has put together a history of events  
23 that began on November the 18th, 2008 in these council  
24 chambers, and that has been put together in kind of a  
25 video form. I've asked Mr. Harvell to make the -- to  
26 turn the machine on. Actually this is a presentation of  
27 the personnel committee, so Mr. Harvell is not the author  
28 of this report or this presentation, which will take a  
29 little bit of time for the folks here to review it and  
30 try to gain an understanding from perhaps another  
31 perspective about what has occurred in Anderson County  
32 and perhaps why there are other attitudes and other  
33 positions that are being taken with regard to the  
34 employment of Mr. Cunningham. The letter referred to, a  
35 removal letter, I think it was February the 4th, 2009,  
36 and that's essentially what we'll be dealing with as we  
37 go through this matter. And there might be a couple of  
38 questions that I would have for perhaps Mr. Cunningham  
39 and perhaps a question of Judge Wilkins with regard to  
40 the legal status of where we are in this matter. So with  
41 that, Mr. Harvell, I'd ask if you would go ahead and make  
42 your presentation.

43 VIDEO PRESENTATION

44 END OF TAPE 1, SIDE 2 DURING VIDEO PRESENTATION

45 DAN HARVELL: February 3rd, 2009 meeting  
46 of Anderson County Council. As a result of Mr.  
47 Cunningham's refusal to enter into an employment  
48 agreement with Anderson County, a majority of council  
49 votes to sever Mr. Cunningham's relationship with the  
50 county. The majority of the council believes that the

1 contract signed by Mr. Cunningham on November 18th, 2008  
2 was null and void and has no effect upon this council.  
3 Based upon South Carolina Supreme Court precedence set in  
4 *Piedmont versus Cowart*. An explanation of *Piedmont*  
5 *versus Cowart* is as follows. Elections should allow  
6 people to make changes to government. The administrator  
7 is a public official. The new council is entitled to  
8 select the administrator to implement its policies. A  
9 lengthy contract or massive buyout provision from the  
10 former council should not bind the new council. The  
11 Preston and Cunningham golden parachutes violate that  
12 public policy. This council is not bound by the  
13 Cunningham contract. Despite not being bound, this  
14 council offered him the position two times and it was  
15 refused. The following are quotes by a Clemson  
16 University political science professor, Bruce Ransom.  
17 Clemson University political science professor Bruce  
18 Ransom said, those facts show that the voters are not  
19 satisfied with the status quo anymore. The fact that the  
20 chair and former chairman are in a run-off and Cindy  
21 Wilson won with fifty-nine percent, that is something  
22 that would appear significant, Ransom said. It seems  
23 they want to see the council establish some backbone,  
24 settle these matters and move the county forward. I  
25 think that is the message, regardless of what happened.  
26 The following slides break down some excerpts from this  
27 article from the Anderson Independent Mail that was  
28 published on December 31st, 2008. In February Anderson  
29 County council members Cindy Wilson and Bob Waldrep led  
30 media members into the county courthouse to view boxes of  
31 credit card records. The records showed some  
32 questionable charges, including more than twenty-two  
33 thousand worth of dining, travel, lodging and other  
34 expenses filed by Preston. In the June primary, sixteen  
35 republicans competed for seven council seats. The  
36 challengers almost unanimously promising open and honest  
37 government and calling for an external audit on the  
38 county's books. In response, voters ousted three  
39 members, Chairman Michael Thompson, Vice Chairman Bill  
40 McAbee, and member Larry Greer.

41 GRACIE FLOYD: Mr. Chairman, point of  
42 order.

43 EDDIE MOORE: Ms. Floyd, we're gonna do  
44 our presentation. If you'll just sit there and listen,  
45 I'd appreciate it.

46 DAN HARVELL: After Mr. Waldrep read a  
47 letter from the three councilmen elects suggesting that  
48 Mr. Preston and ms. Humphries be placed on administrative  
49 leave while an audit was done, Mr. Preston in a September  
50 letter to council said the actions of incoming council

1 were an anticipatory breach of contract. In November,  
2 after handing the matter over to the council's personnel  
3 committee, but without a vote of the personnel committee  
4 and without notice to all council members, the council  
5 approved a 1.14 million dollar severance package for  
6 Preston and named Assistant Administrator Michael  
7 Cunningham as the new administrator with a three year  
8 contract and a golden parachute buyout agreement. The  
9 following is a letter sent from Chairman Eddie Moore to  
10 Mr. Cunningham dated February 4th. Dear Michael, As you  
11 know, at last night's county council meeting, council  
12 voted to remove you from the position of administrator.  
13 This is not the result any of us hoped for, but the  
14 previous council had placed us in an possible position  
15 and you were not willing to cooperate in our efforts to  
16 follow the law and make things right. This letter is  
17 notice to you of the reasons for your removal. In  
18 November 2008, the previous county council, without any  
19 public discussion, terminated your predecessor and  
20 approved a severance agreement which paid him in excess  
21 of 1.1 million dollars. To add to the outrage, the  
22 council then, without a proper search for a replacement  
23 or even any discussion, hired you and had a three year  
24 contract ready for your signature. We repeatedly told  
25 you and the general public that your contract was illegal  
26 and thus void. This council could not operate with you  
27 as an administrator based on an illegal contract. On  
28 January 20th, 2009, county council again stated that your  
29 contract was void and offered you another contract with  
30 the same pay and benefits, including the one hundred and  
31 twenty-five thousand dollar salary, a legal term of  
32 employment, at-will, and without the golden parachute  
33 provision so offensive to the people of Anderson County.  
34 On January 27, 2009, you rejected the contract, reasoning  
35 that it was an at-will contract and even without the  
36 contract you would be working at will. Yesterday the  
37 personnel committee informed you of their intention to  
38 vote to recommend that you be removed from the position  
39 of administrator and reassigned to your former position  
40 of Deputy Administrator with no adjustment to your one  
41 hundred twenty-five thousand dollar per year job -- or  
42 salary. You were given an opportunity to reconsider your  
43 January 27th rejection of the county's proposed contract  
44 and after thinking about it, you informed the committee  
45 that you still rejected the contract. You then indicated  
46 that you had no interest in staying on as the deputy  
47 administrator at the one hundred and twenty-five thousand  
48 dollar per year salary. Michael, we realize that this  
49 situation was not caused by you, but by the previous  
50 county council's railroading You into the administrator's

1 position without a proper candidate search and with an  
2 illegal contract. We have tried to work with you by  
3 offering a legal contract. And when you rejected that,  
4 offering you another position at the same pay the  
5 previous county council set, one hundred and twenty-five  
6 thousand dollars. Nevertheless, you indicated that none  
7 of these terms were acceptable to you and that you could  
8 not work for the county under those circumstances. I am  
9 sorry that you have chosen to end your employment with  
10 Anderson County this way. Best wishes in your future  
11 endeavors. Eddie Moore, Chairman, County Council. The  
12 *Piedmont versus Cowart* case establishes that one elected  
13 body does not have the authority beyond its term to bind  
14 a subsequently elected body on personnel matters. This  
15 is a well reasoned decision by the -- by which virtually  
16 all legislative bodies are guided in South Carolina.  
17 Therefore, the Cunningham contract with the three year  
18 buyout is void because the previous council lacked the  
19 authority to bind the present council. Because there is  
20 no contractual agreement between the administrator and  
21 the current county council, Mr. Cunningham has no terms  
22 of employment. An administrator may not be employed  
23 without terms of employment. Thank you, Mr. Chairman.

24 EDDIE MOORE: Mr. Waldrep, do you have  
25 anything else?

26 BOB WALDREP: Yes, Mr. Chairman, I have a  
27 couple of things. I think we need to be brought up to  
28 date. One of the things that occurred in the last  
29 election was a promise that the councilmen, most  
30 councilmen, would try their very best to make this  
31 government as open, accountable and transparent as  
32 possible. That's a pledge that I personally made over  
33 two years ago when I got on this council and didn't think  
34 that it was gonna be such a problem. One of the first  
35 acts of the new county council was to retain the services  
36 of a CPA and an outside law firm to conduct, as the  
37 statute says, an investigation and inquiry. They were  
38 asked by this council to uncover the facts and search for  
39 the truth. Then after the county attorney appeared  
40 before council, not at the council's request, but I might  
41 add stated that only the administrator can hire  
42 individuals to conduct this investigation and he laid out  
43 a roadmap for some other lawyer to then bring a lawsuit  
44 against Anderson County. Well, as we all know, a lawsuit  
45 was brought and I have to direct this to Mr. Cunningham.  
46 You were asked twice, all you had to do was say that you  
47 as the county administrator would hire a CPA and a law  
48 firm to conduct the investigation. You refused to do  
49 that. And this would have mooted and ended that lawsuit.  
50 In refusing to do so, you made the county go out and hire

1 lawyers which has cost the county taxpayers many  
2 thousands of dollars. We just went through a hearing  
3 recently where there was a judicial determination to this  
4 point that said that there was no merit in the claim of  
5 these folks that have brought a lawsuit against Anderson  
6 County. I have a couple of questions for Judge Wilkins  
7 who is here, and I'd ask Judge Wilkins, were you and  
8 Nexsen, Pruet, when you were hired by the county, what  
9 were you hired to do, sir?

10 JUDGE WILKINS: (Inaudible.)

11 BOB WALDREP: To this point, Judge  
12 Wilkins, do you feel that you've incurred any resistance  
13 and difficulty or impediment with this investigation?

14 JUDGE WILKINS: (Inaudible.)

15 BOB WALDREP: Sir, do you -- of course,  
16 recently we were sued by Mr. Seabrook and Mr. Foster and  
17 some others seeking this injunction to stop the  
18 investigation. Do you believe that there was anything  
19 that could have been done that would -- to avoid this  
20 lawsuit?

21 JUDGE WILKINS: (Inaudible.)

22 BOB WALDREP: Okay. Thank you, sir.  
23 Appreciate that. Mr. Chairman, that would conclude the  
24 presentation by the personnel committee, except for the  
25 motion that I have. I move that the council reaffirm its  
26 actions on February 3, 2009 where it found that Michael  
27 Cunningham's purported contract was void, where it  
28 consequently removed Michael Cunningham from the office  
29 of Anderson County administrator. By passing this motion  
30 now that there's been a public hearing, removal from this  
31 office shall be final and immediate. And I so move.

32 EDDIE MOORE: Motion made by Mr. Waldrep.  
33 Do we have a second?

34 TOMMY DUNN: Mr. Chairman, just point of  
35 order. I think it would be more appropriate if we follow  
36 the agenda. Let's just -- let's have comments of council  
37 members and then let's ask for a vote, if Mr. Waldrep  
38 would please -- I believe that's what the agenda says.

39 EDDIE MOORE: Your point of order is well  
40 taken.

41 BOB WALDREP: I think he's correct.

42 EDDIE MOORE: We will now go to Item 7 on  
43 the agenda and then we'll come back to this. We'll go to  
44 Item 7 and we'll start with ms. Wilson.

45 ADAM ARTIGLIERE: Mr. Chair, if I may, do you  
46 want me to keep time on this as well like I normally do?

47 EDDIE MOORE: Yes. This will be four  
48 minutes per member.

49 ADAM ARTIGLIERE: Yes, sir.

50 BOB WALDREP: Mr. Chairman, I feel that



1 all my comments have been made and I have no further  
2 comment.

3 EDDIE MOORE: Mr. Dunn.

4 TOMMY DUNN: Thank you, Mr. Chairman. I  
5 would like to say a few things. I didn't intend to speak  
6 tonight, but I do want to say a few things. Something  
7 has been said about, you know, our intent, our intent to  
8 fire Mr. Cunningham. If our intent was to remove Mr.  
9 Cunningham and that was all it was, we wouldn't be here  
10 tonight. We would have done that come January the 1st.  
11 We've tried to negotiate in good faith. I've talked to  
12 Mr. Cunningham several times and I respect Mr.  
13 Cunningham's decision to do what's best, he thinks, for  
14 his family. And I also respect the council's -- this is  
15 a decision that's taken very seriously. It's not taken  
16 very lightly. But it's a decision that has to be made  
17 and made on not whether Mr. Cunningham is a good man or  
18 not a good man. It's about law. We don't get to pick  
19 and choose what we want -- what we liked about the 18th  
20 or what we didn't like about the 18th or what we liked  
21 about the 18th. I for one think the night of the 18th  
22 was handled very badly and was not in accordance with the  
23 law. So we don't get to pick and choose, we like this or  
24 we don't like that. And so in saying that and -- I also  
25 want to say that I'll get a few phone calls about  
26 business people and the catch phrase seems to be moving  
27 on. Moving on. Well, we plan on moving on. We've been  
28 moving on. I had meetings today about economic  
29 development and moving on. But also to seek the truth.  
30 That's what I run on when I run for county council, is to  
31 do an audit, not nothing there but to clear things up,  
32 give people a piece of mind. You can't govern if you  
33 don't have the people's confidence. And people have lost  
34 confidence in Anderson County government. Business  
35 people that have spoke have said, move on, move on. We  
36 need to get this about jobs, we're the laughing stock of  
37 the state. It didn't start in January, believe me. I  
38 know, I've traveled the state. I've heard the comments,  
39 way before January. I'm glad to see the business  
40 community speaking up and taking part in this now. I  
41 wish they had done it a few months ago, we wouldn't be in  
42 the mess we're in right now to try to clear up. But we  
43 are going to get there, I promise You. And another thing  
44 that was mentioned tonight about a replacement for Mr.  
45 Cunningham already being, already being named or waiting  
46 in the wings. I can promise you and assure you, I'm a  
47 very truthful person too, and honest, and no one at all  
48 is in the wings at all to take Mr. Cunningham's place as  
49 administrator. And I yield my time now, Mr. Chairman.  
50 That's it.

1 EDDIE MOORE: Ms. Floyd.  
2 GRACIE FLOYD: Thank you, Mr. Chair.  
3 First of all, Mr. Chair, we said that we were going to  
4 follow Robert's Rules, and when I asked for a point of  
5 order, according to Robert's Rules, I should have  
6 received it, as Mr. Dunn did when he asked for a Robert's  
7 Rules. I want you folks to know that there was nothing  
8 improper about Mr. Cunningham's contract. According to  
9 the Anderson County personnel records, we do -- we can  
10 hire from within. I'm sure those of you who work on jobs  
11 understand that. He was hired -- he was promoted from  
12 within. We did not go out to seek anyone for that  
13 position because we felt we already had someone who could  
14 do the job. So it was senseless to go out and find  
15 somebody that couldn't be any better than what we did. A  
16 lot of the things you saw tonight, I want you to please  
17 keep in mind, everything that you saw tonight was not the  
18 truth. I want you -- I repeat, everything you saw  
19 tonight was not the truth. Those of you who have been  
20 coming here know that. But you know, I'm only one now.  
21 When we had our first meeting, this council met in  
22 executive session and at that session they hired two  
23 people. I had no knowledge that they were gonna hire  
24 these two people. They had only been on council for two  
25 days and they hired two people without the knowledge of  
26 anybody. I didn't holler. I didn't scream. I took it.  
27 I took it, knowing that it was wrong, and knowing that  
28 the only recourse I had was to speak out about it. And  
29 from the letter that I received, they did ask Mr.  
30 Cunningham if he would -- he could stay if he would hire  
31 those same two people. Mr. Cunningham has what's called  
32 integrity. He said, if I'm gonna be the administrator,  
33 I'm gonna be the administrator. I will hire the people  
34 that I think would be best. They didn't like that. So  
35 that's why we're here today. Other things have gone on  
36 on this council that I have had no knowledge of. I get  
37 here, I see it at my desk. I see these people writing  
38 ordinances. They write resolutions. There's only one  
39 law degree here. But everybody's been writing  
40 resolutions and ordinances. I know nothing about these  
41 until I get up here. I don't holler, scream and  
42 complain. I know, I know what's going on. I know what's  
43 going on. Some of You in this audience have done awful  
44 things. You have said terrible things. You have said  
45 terrible things about me. But just know that I'm okay.  
46 I'm just like that little duck, you know, water on a  
47 duck's back slides right off. Quack, quack. Thank you.  
48 EDDIE MOORE: Mr. Allen.  
49 TOM ALLEN: Thank you, Mr. Chairman.  
50 Mr. Dunn rather eloquently said several things that I had

1 in mind. I would like to say, Mr. Cunningham, I believe  
2 he is an honest man, he's a decent man. I think  
3 unfortunately you got caught in a difficult and untenable  
4 situation. And I think it's been very rough for  
5 everyone. Believe me. So that's about all I have to  
6 say. I'm sorry that everything has had to transpire the  
7 way it has. Thank you.

8 EDDIE MOORE: Mr. Wilson.

9 RON WILSON: Thank you, Mr. Chairman.

10 This council, we've had people in January sitting here  
11 that said that Michael Cunningham was doing a good job.  
12 In fact, one of two said this is not about firing Michael  
13 Cunningham. It's been about firing him from the  
14 beginning. They said this is not about getting rid of  
15 him. It certainly was about getting rid of him and  
16 that's why we're where we're at. One other council  
17 member here tonight said this is not about picking and  
18 choosing which ordinances or which laws we abide by. It  
19 certainly is. Because we picked and choosed and ignored  
20 the ordinances on zoning in Three and Twenty. So it is  
21 about it. Let's just be honest. We had a person say  
22 tonight, if he had hired these two same people we  
23 wouldn't have -- you know, we would have been fine. With  
24 what Mr. Cunningham felt, hiring those same two people  
25 was a violation of what he felt and thought should be  
26 done. If he is the administrator, it's like someone said  
27 here just a few minutes ago, he's the administrator. he  
28 hires them. But we chose to ignore those things. I'm  
29 very unhappy with this one-sided presentation we've seen  
30 tonight. And I suspect we'll have a forum where we'll be  
31 able to do this in a more open way at some future date.  
32 I think we're making a catastrophic mistake. We've made  
33 some before. And but none quite this size. And I agree  
34 with some of the comments that were made by people in the  
35 audience on both sides. I think we're going to be on  
36 national news over this and it'll go on for a long time.  
37 Now we've had all these comments tonight about how his  
38 contract was null and void. That's speculation. But we  
39 will find out whether it was or not, in a court that will  
40 cost us a ton of money. That's my opinion, and I thank  
41 you very much, Mr. Chairman.

42 EDDIE MOORE: We'll now move on to Item  
43 8. And Mr. Waldrep had presented the resolution and ms.  
44 Wilson had seconded the resolution. We'll now have  
45 discussion on the vote of the motion that Mr. Waldrep  
46 proposed.

47 TOMMY DUNN: Mr. Chairman, if you would  
48 let Mr. Waldrep state his motion.

49 EDDIE MOORE: Read it one more time.

50 BOB WALDREP: Okay. The motion was ...

1                                   END OF TAPE 2, SIDE 1

2                   BOB WALDREP:           ... found that Michael  
3 Cunningham's purported contract was void, where it  
4 consequently removed Michael Cunningham from the office  
5 of Anderson County administrator. By the passing of this  
6 motion, now there's been a public hearing and the removal  
7 from the office shall be final and immediate. And I so  
8 move.

9                   EDDIE MOORE:           Ms. Wilson seconded. We'll  
10 now go into discussion.

11                  GRACIE FLOYD:           Mr. Chair.

12                  EDDIE MOORE:           Ms. Floyd.

13                  GRACIE FLOYD:           Thank you. Mr. Chair, I  
14 think that we might need some legal help in determining  
15 whether the contract was void, was it legal or not. He  
16 says it is. I say it's not. Mr. Cunningham's contract  
17 was done properly. It was nothing illegal about it.  
18 There were no illegal meetings. And if it were so, I  
19 would say so. But there were no illegal meetings. I  
20 know you'd like to think that, because maybe that's what  
21 you've been used to with this new council. But with the  
22 old council, there was no illegal meetings. I asked Mr.  
23 Cunningham about the position when it looked like we were  
24 gonna have to make some changes. Mr. Cunningham told me  
25 that he would like the position and he thought he could  
26 do it. I went to the attorney who was the McNair Law  
27 Firm at that time and asked him to please draft up a  
28 contract. And that's what happened. Simple as that.  
29 The night that Mr. Wilson did what he did, I thought it  
30 was a good time for me to get those contracts out of my  
31 bag and that's what I did and I presented it. There was  
32 nothing illegally done here. But you know, there's no  
33 sense in arguing back and forth, yea, no, yes, no,  
34 because, you know, it'll all come out in the wash. It  
35 will come out in the wash. And I thank you.

36                  CINDY WILSON:           Mr. Chairman, may I?

37                  EDDIE MOORE:           Ms. Wilson.

38                  CINDY WILSON:           If this is so, how do we  
39 explain that Mr. Martin purported said that Joey Preston  
40 had him draft the contract, that he ordered it? How do  
41 we explain other budgetary issues involving a member of  
42 council's daughter and a vote that he made and the timing  
43 of a very lucrative contract? There's so much here that  
44 is bizarre. Thank you.

45                  EDDIE MOORE:           Anyone else? Mr. Wilson.

46                  RON WILSON:           Yes, sir. I was wondering  
47 if I could ask the Judge a question?

48                  BOB WALDREP:           The Judge is ready.

49                  RON WILSON:           Judge Wilson, we appreciate  
50 you being here tonight and being here. And I just -- I

1 want to ask you, what we're gonna do here tonight, was  
2 this the only option that your firm proposed to the  
3 Personnel Committee?

4 JUDGE WILKINS: (Inaudible.)

5 GRACIE FLOYD: We can't hear.

6 JUDGE WILKINS: (Inaudible.)

7 RON WILSON: Were there any that you  
8 suggested, that y'all's firm suggested that were not  
9 considered by the Personnel Committee?

10 JUDGE WILKINS: (Inaudible.)

11 RON WILSON: Okay. Thank you, Mr.  
12 Chairman.

13 EDDIE MOORE: I'd like to make one  
14 comment. It would have been nice, maybe, if You would  
15 have had Mr. Bright to come, then we could have had all  
16 the attorneys to tell us a few things. That's all my  
17 comments.

18 ADAM ARTIGLIERE: Mr. Chair.

19 EDDIE MOORE: Mr. Allen.

20 ADAM ARTIGLIERE: Mr. Chair, that was me.  
21 For the sake of having another attorney talk, I  
22 apologize.

23 EDDIE MOORE: You're not recognized  
24 because there's a conflict with the McNair Law Firm  
25 because y'all completed a contract with Mr. ---

26 ADAM ARTIGLIERE: I was just suggesting that  
27 Mr. Jordan speak because we were going to have him speak  
28 earlier.

29 EDDIE MOORE: Oh, yes. Yes.

30 Mr. JORDAN: I just wanted to get off  
31 the subject a little bit in one way and that is that I  
32 think every citizen in Anderson County has been given an  
33 opportunity to speak what they think without any pressure  
34 on them or in anyway to interfere with it. And that is  
35 what our country is based on, freedom of speech without  
36 interference. And I don't know of any interference of  
37 any kind. This has been ?? in anyway to interfere with  
38 this investigation. And I just ... Given every citizen  
39 the opportunity to say what they think without any  
40 interference. Thank you so much.

41 EDDIE MOORE: Thank you, Mr. Jordan. For  
42 those of you who don't know Mr. Jordan, he's our honorary  
43 council member and ---

44 APPLAUSE

45 EDDIE MOORE: I'd like for you to give  
46 him a hand. He's been coming to these council meetings  
47 forever. I know the first time I came to a council  
48 meeting years ago, I'd see Mr. Jordan here. We're just  
49 tickled to death that he's here. And he's gonna have  
50 pictures made with us this year also as honorary council

1 member. All right. We'll now take the vote. All the  
2 discussion is in. All in favor of the resolution, please  
3 raise your right hand. All opposed. Let it be shown  
4 that Ms. Wilson, Mr. Waldrep, Mr. Dunn, Mr. Moore and Mr.  
5 Allen voted in the affirmative. Voting no was Mr. Wilson  
6 and Ms. Floyd. So the resolution carries. Do I hear a  
7 motion to adjourn?

8 BOB WALDREP: Motion to adjourn.

9 EDDIE MOORE: I have a motion to adjourn.

10 Do I have a second.

11 CINDY WILSON: Second.

12 EDDIE MOORE: All in favor, raise your  
13 right hand. We're adjourned.

14  
15 MEETING ADJOURNED AT 8:24 P.M.

State of South Carolina )

County of Anderson )

ANDERSON COUNTY COUNCIL MEETING

APRIL 21, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
TOMMY DUNN  
GRACIE FLOYD  
TOM ALLEN  
RON WILSON

1 EDDIE MOORE: We'll call this meeting to  
2 order now. This will be our budget meeting. And we've  
3 got a special thing we're going to do today. And it  
4 involves Mr. Jordan. He has a birthday.

5 APPLAUSE

6 EDDIE MOORE: All right everybody. We're  
7 going to sing happy birthday to Mr. Jordan. Ninety-six  
8 years old.

9 EVERYONE SINGS HAPPY BIRTHDAY

10 EDDIE MOORE: We want you to be here at one  
11 hundred so we can do the same thing, whoever is sitting  
12 up here can do the same thing for you.

13 APPLAUSE

14 EDDIE MOORE: Everyone, please have your  
15 seat. Regular council meeting, April 21<sup>st</sup>, is now  
16 called to order. Mr. Tom Allen will now lead us in our  
17 invocation and pledge of allegiance.

18 INVOCATION AND PLEDGE OF ALLEGIANCE BY TOM ALLEN

19 EDDIE MOORE: Now go to Item 3 on the agenda  
20 which will be the approval of the minutes. Do we have  
21 any discussion or changes to the minutes? Do I have a  
22 motion to approve?

23 TOMMY DUNN: Mr. Chairman, I make a motion  
24 to approve.

25 EDDIE MOORE: I have a motion to approve and  
26 second. All in favor raise your right hand.  
27 Unanimous. We now go to Item 4 on citizens comments.  
28 I remind everyone to please address the chair and  
29 please do not call out any of our council members by  
30 name. Please refer only by district number.

31 MIKE PITTS: All right. Now I can't  
32 skip anybody tonight because I just have one person  
33 signed up, Mr. Rick Freemantle. On agenda matters.

34 RICK FREEMANTLE: Good evening, Mr. Chairman.  
35 My name is Mr. Rick Fremantle from district six, White  
36 Plains area. Like to speak briefly about two things on  
37 the agenda. One would be Item number 8, the illegal  
38 aliens. I hope we do something about this situation in  
39 this county. We need to start sending a clear message  
40 across the country about this situation. Next thing  
41 I'd like to speak about is Item 5, R2009/38, I believe  
42 it's Item B, the pride award. First, let me say, what  
43 we should be hearing about this evening concerning this  
44 person is that he's sorry. Sorry for coming into this  
45 chamber, leveling his charges of racism against this  
46 council body, sorry for coming in to this chamber,  
47 leveling the same charges against people who are here  
48 to see a correction to an injustice, sorry for accusing  
49 our newly elected members of ridiculous fraudulent  
50 actions, sorry for threatening our Chairman and the



1 people of this community as a whole. To wit, he said,  
2 he would see the scenery of Anderson County changed.  
3 If you ask me, this grant that the gentleman has  
4 received, sounds like a great way to get money to pay  
5 for a patently absurd lawsuit. For this person to  
6 bring the paradigm of Jessie Jackson and Al Sharpton  
7 into this council chamber and threaten the people of  
8 this county is repulsive, at best. So I say to this  
9 individual, that we have no pride for you. No, indeed  
10 not. What we have for you is disgust. You are just  
11 another example of what we've come to expect from the  
12 current representative from district two. Simply more  
13 embarrassment.

14 EDDIE MOORE: Is that all the citizens'  
15 comments?

16 MIKE PITTS: Yes, sir. That's it.

17 EDDIE MOORE: Ladies and gentlemen, in the  
18 audience, I'd like to introduce someone that's visiting  
19 us today from our sister city. We have a visitor  
20 today, Mr. Kenneth Erwin, from Caracus Carikfurgus. I  
21 know I am grossly mispronouncing that. You'll have to  
22 come up here and tell me how to pronounce it, in  
23 Northern Ireland. And what I'd like for him to do is  
24 to come up and we'd like to have a picture with him to  
25 take back to Ireland, Northern Ireland for us, with all  
26 the council members.

27 HEATHER JONES: Mr. Chairman and Council,  
28 I'll tell you a little bit about Mr. Erwin as you  
29 assemble. Mr. Erwin is the principal at Carikfurgus  
30 Grammar School. And there's a little bit of change in  
31 terminology once you cross the Atlantic. We think of a  
32 grammar school as an elementary school. But in  
33 Carikfurgus, grammar school is a high school level.  
34 And he teaches at one of the top high schools in that  
35 county where all of those students are university  
36 bound. Mr. Erwin was previously at Carikfurgus school  
37 as a junior mathematics teacher in the seventies. He  
38 left to be with some other educational institutions.  
39 He is educated -- he was educated at Methodist College  
40 in Belfast and then, went to Stan Millis University  
41 College where he gained his Bachelor's in education in  
42 Mathematics and Geography. He has also, since then,  
43 done post-graduate diploma work in guidance and  
44 counseling. He received second honors degrees in  
45 Mathematics and Statistics, Advanced Diploma and  
46 Educational Management and a Master's of Arts degree.  
47 Among all of this, he really does -- has mastered  
48 educational theory. And the ability, I hear, to spell  
49 almost any word, with his vast education. Under his  
50 leadership, his school has achieved numerous awards,

1 including the Investor's of People Award four times,  
2 the Gold Mark Award for physical education, the Gold  
3 Standard International Schools Award, the Specialist  
4 schools statist in science, and he also told me on the  
5 way here that his school has earned a green flag for  
6 their environmental work which is not real common in  
7 the country. So that's certainly an honor of  
8 distinction. And we're proud to have him. He's spent  
9 the last two days at Wren High school and we hope to  
10 see some exchanges between Carikfurgus and the Wren  
11 High School students, and that that would ripple out  
12 into other levels of education between our sister city  
13 in Carikfurgus, Northern Ireland and here in Anderson  
14 County. Please help me welcome him.

15 APPLAUSE

16 EDDIE MOORE: Mr. Waldrep wanted to ask you  
17 a question.

18 BOB WALDREP: Do ye be knowing the river  
19 dance?

20 MR. ERWIN: When I was a lot younger.

21 HEATHER JONES: Mr. Chairman, I forgot to hand  
22 to you and to council, there is a sisters cities  
23 barbeque coming up, not this Friday, but next. And  
24 I'll pass those to Mr. Burns for the council.

25 EDDIE MOORE: Okay. Good. I appreciate you  
26 coming. Hope you enjoyed your trip over. We'll now go  
27 to Item 5(a) on the agenda, resolution honoring the  
28 student council and student body of Palmetto High  
29 school for the fund-raising efforts benefitting Caden  
30 Landreth. Ms. Wilson?

31 CINDY WILSON: Thank you, Mr. Chairman. I  
32 would like to put this in the form of a motion, please.

33 EDDIE MOORE: Motion. Okay.

34 CINDY WILSON: We have a second?

35 EDDIE MOORE: Second. Okay.

36 CINDY WILSON: We'll vote.

37 EDDIE MOORE: All in favor? Any  
38 discussion, first? No discussion. All in favor, raise  
39 your right hand. Unanimous.

40 CINDY WILSON: I would like to ask all the  
41 members of the Palmetto High school and any parties  
42 related to, to please come forward and join me over  
43 here at the front.

44 CINDY WILSON: Whereas, Anderson County, a  
45 body politic incorporate and a political subdivision of  
46 the State of South Carolina, is deeply grateful to the  
47 students of Palmetto High school for their  
48 participation in the Rockin' for Caden fundraiser to  
49 benefit Caden Landreth and her family. And, whereas,  
50 four-year old Caden Landreth, was diagnosed with

1 Leukemia, in January, 2009. Caden attends 4-K at  
2 Pelzer Elementary school. Caden's mother, Summer  
3 Landreth, is a science teacher at Palmetto High school.  
4 And whereas, in an effort to assist the Landreth family  
5 with the expenses associated with Caden's medical  
6 treatment, the student council and student body of  
7 Palmetto High School organized a fund-raising event,  
8 entitled Rockin' for Caden, held on March 27<sup>th</sup>, 2009  
9 from 5 p.m. to 7 a.m. Supporters of Caden and her  
10 family spent the entire night in rocking chairs,  
11 rocking in Caden's honor. And, whereas, Caden's  
12 classmates at Pelzer Elementary did their part, as  
13 well, during the special friends of Caden's hours. And  
14 whereas, the event was an overwhelming success, raising  
15 fifty-two thousand dollars for the Landreth family.  
16 Can we even imagine raising that kind of money in this  
17 kind of economy. Y'all are incredible. The effort was  
18 supported by Helping Hands, Student Council, the  
19 National Honor Society, the Beta Club, the Key Club and  
20 virtually all of Palmetto High School student body, who  
21 attended the event, purchased T-shirts and sponsored  
22 rocking teams. A number of local churches supported  
23 the effort, as well. Whereas, the effort put forth by  
24 the student council and student body of Palmetto High  
25 School symbolizes everything great about the young  
26 adults of Anderson County and the community as a whole.  
27 Now therefore, it is hereby resolved, by Anderson  
28 County council in meeting duly assembled that Anderson  
29 County, acting by and through its county council,  
30 hereby bestows honor and much deserved recognition upon  
31 the student council and the student body of Palmetto  
32 High School and everyone who made the fundraiser for  
33 Caden an overwhelming success. This resolution shall  
34 take effect and be enforced immediately upon enactment.  
35 Resolved in meeting duly assembled, this 21st day of  
36 April, 2009. And I would like to introduce some of our  
37 folks. This is our president of the student body at  
38 Palmetto High school. And I will ask him to say a few  
39 words to us and maybe get all of you to introduce  
40 yourselves as you go by. We really are blessed in  
41 Anderson County to have wonderful schools, wonderful  
42 families, and wonderful young people. Thank you so  
43 much for doing all you do. Thank you so much.

44 CHASE HEATHERLY: I guess, as she said, my  
45 name is Chase Heatherly and I'm the president of  
46 Palmetto High School's student council. And I'd like  
47 to thank Ms. Wilson and the council for recognizing us  
48 tonight. Rockin' for Caden was a great event and we  
49 all love Ms. Landreth and Caden. And it was just, it  
50 was just -- we did what anyone else who cared about

1 those people would do. And we, you know, we put a lot  
2 of hours into it, but it was a great success and I have  
3 never felt more unity in amongst a bunch of students in  
4 my entire life. And outside of that, we held a --  
5 student council held a blood drive for Caden Landreth  
6 and that would go to replace the transfusions that she  
7 needs in this two years of her treatment. As well as,  
8 we did a canned food drive that went to Good Neighbor  
9 Cupboard and Operation Care in Belton and that raised  
10 over eight thousand cans in the month of November. And  
11 student council at our school has grown so much. And  
12 our student body is -- has become so unified and I  
13 think that's a part -- a large part of that is due to  
14 these guys right here. But I just want to say thank  
15 you to you guys and thank you for your support. Thank  
16 you, again.

## APPLAUSE

17  
18 CHASE HEATHERLY: I'll let them introduce  
19 themselves as they walk by. And just their name and  
20 position.

21 COURTNEY CONNELLY: My name is Courtney  
22 Connelly and I'm the student body secretary/treasurer.

23 HEATHER CUNICK: I'm Heather Cunick and  
24 I'm a delegate.

25 MADISON BRUNSON: I'm Madison Brunson and  
26 I'm the Sophomore Vice-President.

27 HEATHER BROOKS: Hi. I'm Heather Brooks  
28 and I'm a delegate, soon to be future  
29 secretary/treasurer.

30 ADAM WORDLAWN: I'm Adam Wardlaw and I'm a  
31 freshman delegate.

32 WESLEY HUDSON: I'm Wesley Hudson and I'm a  
33 freshman delegate.

34 COLTON SMITH: I'm Colton Smith and I'm a  
35 freshman delegate.

36 JAY COOPER: I'm Jay Cooper and I'm a  
37 Junior Class delegate.

38 CAITLYN SMITH: I'm Caitlyn Smith and I'm  
39 Senior Class President.

40 ASHLYN FERGUSON: I'm Ashlyn Ferguson and I'm  
41 Senior Class Vice-President.

42 JACOB SMITH: I'm Jacob Smith. I'm a  
43 sophomore delegate.

44 ASHTON THOMPSON: I'm Ashton Thompson and I'm  
45 a freshman delegate.

46 LAUREN CONLEY: I'm Lauren Conley and I'm a  
47 freshman delegate.

48 CAROLINE NORTON: I'm Caroline Norton and I'm  
49 a Junior delegate.

50 EMILY MURPHY: I'm Emily Murphy and I'm a

1 Junior class secretary/treasurer.  
2 CLAY HUSS: I'm Clay Huss and I'm a  
3 Senior class secretary/treasurer.  
4 CHRISTINA BOWEN: I'm Christina Bowen and I'm  
5 a Sophomore delegate.  
6 HANNAH SWEAT: I'm Hannah Sweat and I'm a  
7 Sophomore delegate.  
8 ERICA COOPER: I'm Erica Cooper and I'm  
9 Freshman Class President.  
10 LAURA MORALES: I'm Laura Morales and I'm  
11 Sophomore Class President.  
12 SETH JOHNSON: I'm Seth Johnson and I'm a  
13 Junior class delegate. And next year's Student Body  
14 President.  
15 JESSIE HORN: Jessie Horn and I'm a Junior  
16 delegate.  
17 JESSIE CARTER: Jessie Carter and I'm a  
18 Senior delegate.  
19 COLTON COX: Colton Cox and I'm a Junior  
20 delegate. Next year, I'm going to be Student Body  
21 Vice-President.  
22 BRANDON CABINNAS: I'm Brandon Cabinnis and I  
23 am Sophomore Class Secretary. Thank you all for  
24 recognizing us.  
25 APPLAUSE  
26 CINDY WILSON: Thank you, young people and  
27 Anderson County's future's secure, judging from the  
28 quality of our young people. Thank you.  
29 EDDIE MOORE: Thank you, Ms. Wilson.  
30 That's our future just walked out the door there. And  
31 I think it's a good future, too. We now go to B, Pride  
32 Award. Ms. Floyd.  
33 GRACIE FLOYD: Thank you. Thank you. This  
34 Pride Award is to go to Erick Bradshaw for the, for the  
35 grant that he was able to secure for Anderson County.  
36 I put this in the form of a motion that we accept this  
37 award to him.  
38 EDDIE MOORE: Motion on the floor for Mr.  
39 Bradshaw's award.  
40 RON WILSON: Second.  
41 EDDIE MOORE: Have a second from Mr.  
42 Wilson. Any discussion? No discussion. We now vote.  
43 All in favor of the Pride Award, raise your right hand.  
44 All opposed? Mr. Wilson and Ms. Floyd in the  
45 affirmative. Mr. Allen, Mr. Moore, Mr. Dunn, Mr.  
46 Waldrep, Ms. Wilson, no.  
47 GRACIE FLOYD: Does that mean I can't  
48 present the award to him anyway?  
49 EDDIE MOORE: Yes, ma'am. You can present  
50 him the award, but it just won't have Anderson County

1 Council on it.

2 GRACIE FLOYD: Oh, that's all right.

3 I'll present it.

4 APPLAUSE

5 GRACIE FLOYD: Mr. Bradshaw, would you  
6 please come up. Mr. Bradshaw, I am so very pleased and  
7 so very proud of you. This award is given to you  
8 because you have exhibited vision and dedication to the  
9 future of Anderson County by working to strengthen the  
10 bonds between families and engaging fathers in the  
11 lives of their children. Your pursuit of excellence in  
12 putting feet to your mission and your success in  
13 obtaining, in obtaining a twenty-five thousand dollar  
14 grant from the National Fatherhood Initiative in  
15 Washington, D.C. to launch the Anderson County  
16 Fatherhood Initiative are worthy of our honor and our  
17 recognition. You have done a great service for  
18 Anderson County because this program is definitely  
19 sincerely needed. Mr. Bradshaw, Aholmes is a poet. I  
20 can't think of her first name, now, but she's a  
21 religious poet. She said that when others tear down,  
22 try to tear down what you do, do it anyway. When  
23 others try to hinder you from performing, perform  
24 anyway. When others try to stop you from helping,  
25 helping -- help anyway. And you've done a fine job.  
26 You've done more here -- the, the time you have been  
27 here, than a lot of people have done their entire time  
28 living in Anderson. This is yours.

29 APPLAUSE

30 GRACIE FLOYD: I want you to make a  
31 statement.

32 ERICK BRADSHAW: Thank you, Ms. Floyd. I  
33 just want to say, since I've lived here in Anderson  
34 County, I would launched programs and initiatives that  
35 promoted social empowerment and improvement,  
36 particularly among low-income citizens and at risk  
37 youth here in Anderson County. I've received accolades  
38 and letters of support and commendations from  
39 Congressman Gresham Barrett, the Palmetto Family  
40 Council, of whom is praised by Governor Sanford, and  
41 even received a personal visit to my church by Senator  
42 Kevin Bryant and his family. By the way, he's also a  
43 supporter of the regional athletics league, that I also  
44 started. You're welcome to visit my office, any of  
45 you, including council members. I'll be glad to show  
46 you the pictures and also the letters. We have the  
47 only, and, yes, I do say the only community development  
48 housing organization here in Anderson that is approved  
49 by the State of South Carolina to provide assistance to  
50 senior citizens to repair their homes and to revitalize

1 communities. Last year alone, we partnered with the  
2 South Carolina small business administration and  
3 secured a hundred and twenty-five thousand dollars and  
4 started five small businesses, right here in Anderson  
5 County. Also, last year, we were the only organization  
6 in Anderson County that was funded to provide science  
7 and engineering camps to at-risk youth between the ages  
8 of twelve and eighteen years of age. And that was done  
9 through the Silver Crescent Foundation. And I can go  
10 on and on. All this in less than two years, without a  
11 penny of taxpayer money. Not one single penny. And  
12 now, I'm proud to say, Mr. Chairman and members of the  
13 council and to Anderson County, we've launched the  
14 Anderson County Fatherhood Initiative to encourage  
15 fathers to be more active in the lives of their  
16 children. Our sheriff is here and he can attest to  
17 this. Ninety-three percent of youth offenders in  
18 Anderson County are reared in homes where fathers are  
19 not present. Ninety-three percent. And you're telling  
20 me that this is not something that Anderson County  
21 needs. But that's okay. Because at the end of the  
22 day, my mission is to serve the least, the last, and  
23 the lost. Thank you.

24 GRACIE FLOYD: Thank you, Mr. Bradshaw.  
25 And after all that, Anderson, I challenge you. What  
26 have you done?

27 EDDIE MOORE: Now go to Item 6 on the  
28 agenda. Presentation on the tornado damage.

29 TOM ALLEN: Mr. Chairman.

30 EDDIE MOORE: Mr. Allen.

31 TOM ALLEN: As most of you know, this  
32 past April 10<sup>th</sup> we had several F-1 tornados touch down  
33 in South Carolina and in the upstate area. And one of  
34 the worst area hit was out toward the Double Springs  
35 area. And this evening we're going to have a  
36 presentation by Mr. Taylor Jones, a power-point  
37 presentation, showing you exactly what occurred on that  
38 day. And then there will be a proclamation later on.  
39 Taylor, do you want to go ahead.

40 EDDIE MOORE: I would like to make a  
41 comment, Taylor. Y'all did an outstanding job. After  
42 riding out there with you that Saturday, most people  
43 don't know that they stayed up all night long running  
44 that chainsaw. That road was completely impassible and  
45 overnight, they worked all night long, county employees  
46 working to open that road. They did an outstanding  
47 job. And to the citizens that I talked to out there,  
48 they commented and commented and commented on how good  
49 a job that y'all did. You should really be proud of  
50 yourselves and the county employees. And the people of

1 Anderson County should be proud of them, also.

2 TAYLOR JONES: Mr. Moore, I want to thank  
3 you for, one, going out with us as Chairman of council  
4 and helping with the damage assessment and being  
5 prepared to create a declaration of disaster, emergency  
6 declaration of disaster, for Anderson County had we met  
7 the FEMA guidelines of qualifications to get that  
8 started. I would be remiss if I didn't bring my  
9 partners in crime up here. The sheriff that was  
10 heavily involved in this extra -- in this event, and  
11 also Chief Gary Bean and Chief Billy McAdams from  
12 Townville Fire Department and Double Springs Fire  
13 Department. And did I see Mark Bryant out there  
14 somewhere? Come on up, Mark. Mark is also the Chief  
15 of the Townville Rescue Squad. And we were all kind of  
16 busy that night coordinating this event. And I just  
17 want to have these folks here with us as we go through  
18 this presentation and the sheriff's going to help us  
19 make this presentation to answer any questions that  
20 might come up during the briefing. Appreciate it.  
21 Thank you.

22 POWER-POINT PRESENTATION.

23 SHERIFF SKIPPER: How are y'all tonight?  
24 And I agree with you on the Palmetto people a while  
25 ago. Us politicians got to watch out for a few of  
26 those. They were optimistic about being something next  
27 year. And in a couple of years we all might be in  
28 trouble. But, in the presentation here, we just -- we  
29 put together some slides. When our entire community is  
30 involved with something like this, you hear, oh, this  
31 is terrible, this is terrible. But it's like Mr. Moore  
32 and Mr. Dunn and all the others that went down there,  
33 you can't get a full perspective until you stand in the  
34 middle of it. You know, all these volunteers, we have  
35 paid and volunteers, but, you know, they're out doing  
36 their job during the day and we're out in law  
37 enforcement doing our jobs and when something like this  
38 happens, it just goes on and on. I happened and Taylor  
39 happened to be at an event that night and we were  
40 eating dinner and he gets a little phone call about,  
41 you know, weather storms are coming. We have a system  
42 at the 911 center where we start getting alerts from  
43 the Nation Weather Service on potential tornados, of  
44 tornado boxes you see on the weather channel. We  
45 actually probably get them about a hair before  
46 everybody else does and we're looking. So we start --  
47 there's a process there. It's already in process. The  
48 dispatchers know what they need to do; who they need to  
49 notify. And he went off in a another room and a little  
50 while later he came back and went like this and went



1 ... And so, I go off in the other room. And we're  
2 actually in another room. My wife and his wife and  
3 couple of other wives are having dinner. And so we're  
4 in there watching the weather service. We're getting  
5 phone calls from the dispatch and then about that time  
6 they said when the tornado came. Well, we were  
7 actually in the Pendleton area, so we couldn't get out  
8 of where we were either; because we were holding on.  
9 And so, the process starts long before some of us even  
10 get activated. Dispatchers had everything going. They  
11 had the fire service already notified and activated on  
12 what they need to do. Then when the tornado hit we  
13 just went from there and put everything in process. I  
14 started having deputies go to the area, because I heard  
15 that some of the damage there, that houses were going  
16 to be left open for days probably, from trees falling  
17 in there. So we wanted to make sure that the community  
18 was in the -- in good hands. And all of us in here  
19 want to see it and we, you know, from being  
20 experienced, it's one of those things where everybody  
21 says, oh, there's a tornado. Let's go see what's  
22 happened. So we knew that the people would start, you  
23 know, moving into the area. So I wanted to make sure  
24 deputies were there. Get these guys time to activate.  
25 As they come up maybe they can tell a few of the  
26 stories. I know that Mr. Kelly, I think it is down  
27 there, Waldrep, that he was actually trapped in his  
28 home. Our guys had to go in through the side window  
29 and he is actually somewhat incapacitated; he can't  
30 walk good. So they had to haul him out of his house  
31 through the side window. But you can see the area that  
32 was affected up here. And I'm going to have Taylor  
33 jump in here a little bit, so as I watch these slides.  
34 But you can see the tract there, the little gray areas,  
35 the tract that it proceeded through. This was the --  
36 at the times when we were getting the alerts coming  
37 through, reported tornados a certain time, and that is  
38 all the weather issues that come along and potential  
39 strikes. And you can see right where we are, it's  
40 covered up. It's covered up. And you that lived in  
41 that area down there, I've talked to some of you, that  
42 if you lived down there, it was scary. It was scary.  
43 You know, you hear the stories from out west, when the  
44 people say, yeah, it sounded like a train coming.  
45 People in Townville thought the train was coming that  
46 night. The little dots are where the tornado actually  
47 kind of hit and, and made contact with the ground and  
48 the forces going into the ground. You can tell this is  
49 Dry Rock Road in Townville. And it's like Mr. Moore  
50 said, at this point in time when this happens, the

1 houses are damaged, but also trees are across the road  
2 when the fire service and EMS are trying to get there.  
3 They're having trouble getting there. As I understand,  
4 especially on the Waldrep's landing, when the fire  
5 service got there, if you've ever been down there where  
6 the little store is, that's where they had to stop,  
7 because you couldn't drive any further. And they were  
8 out on foot climbing over the trees, over everything  
9 else, and walked that entire neighborhood. Went house,  
10 to house, to house, looking for potential people being  
11 in there. And that's some of the Waldrep -- I mean,  
12 some of the Dry Rock Road. And see the upper left hand  
13 corner. That was a home. The home on the other side,  
14 that's only half of the home that you see at the top  
15 right. And then these other two were along Dry Rock  
16 Road. Here's the Andersonville Road. You can see the  
17 little center tornado little emblem we got there;  
18 that's that store in the intersection there. And the  
19 entire road coming down right, goes around to the  
20 landing that loops around and Snyder Road comes back  
21 out to the store. And so when it went through there,  
22 that's what it left. You can see the houses there.  
23 This house on the bottom left-hand corner is completely  
24 demolished. There's some more of the houses there.  
25 Now keep in mind, you see some of these pictures, it's  
26 daylight; right? Sun's up. That means somebody was  
27 there the next day taking the pictures. A few of  
28 these, you almost couldn't even see the house or get to  
29 that night when it was dark. Once we left our location  
30 and the EOC had been activated, we got there. The road  
31 crews were already there and you'll see some pictures  
32 here in a minute of kind of how the operation goes.  
33 The road crews were there. Already had a list up on  
34 the wall of where reported damage, trees down, power  
35 lines down, and they already had crews on the way  
36 there. And there by seven thirty, going on eight  
37 o'clock, I think is was, to start moving the trees out  
38 of the road. So some of this damage actually, other  
39 than the ones that were there, some houses, had been  
40 semi cleaned up. All these roads were blocked to where  
41 you couldn't even get to these houses. And the road  
42 crew, by the time I got out there and Taylor, we went  
43 about two o'clock in the morning, the entire road was  
44 just about clear. So you could drive around. All this  
45 is on Andersonville and Snyder Road loop there. And  
46 then you see this is the Sandy Grove. It hopped over  
47 the, the cove from Andersonville road over to the Sandy  
48 Shores. You can see where it touched down. All of  
49 these are damages. Boats turned over. That mobile  
50 home sitting to the right, it used to be to the left.

1 And it was kind of interesting. I happened to get out  
2 there talking to the family. Their landlord was  
3 working very good with them. He had another house  
4 about two or three miles down the road, going to move  
5 them, no charge, help them move over there. And I said  
6 something to the little boy, I said, oh, I see your  
7 trampoline got damaged. And he said, we ain't never  
8 had a trampoline. That's somebody else's trampoline.  
9 I don't know whose it was. But the bottom left corner,  
10 if you can see this, this picture really doesn't give  
11 justification from this angle. I'm not sure if we've  
12 got any more. But all those trees were about fifteen  
13 feet up in the air and they were thirty-five, forty,  
14 and probably fifty foot trees and all cut off at the  
15 same length, all the way up for almost a quarter of a  
16 mile. That's the tract. You can see the DSS -- this  
17 is the Anderson DSS building and Timber Lake Road.  
18 That's the copper awning, the cover that used to be on  
19 top of the DSS building, which is right over here off  
20 of McGee Road. It was in the parking lot. And then  
21 damage to the house there.

22 TAYLOR JONES: One of the things I want to  
23 point out here. A lot of times with the county  
24 employees, we're doing something called the community  
25 of operations plan. We're looking at disaster recovery  
26 throughout the county. This is why we do that, folks.  
27 Because if this tornado had been the same magnitude of  
28 what we had saw out at Waldrep's Landing, and had  
29 impacted DSS, the detention center right behind it, the  
30 Law Enforcement Center, the Sheriff's office, all of  
31 this critical county infrastructure. That's why we  
32 plan for that with all the county employees year around  
33 and update that a lot because of this possible threat.  
34 Ice storms and tornados are our number one  
35 vulnerability threat to Anderson County year around.  
36 Our past history has shown that. I want to get Chief  
37 Bean up to talk about -- go a little bit more here to  
38 show that we had actually six tornados in Anderson  
39 County that were confirmed by the National Weather  
40 Service. Strongest one was an F-1 that was over in the  
41 Dry Rock area and the Sandy Shoals area. But then we  
42 had other type of tornados on a weaker system and  
43 straight line winds that affected over around Old  
44 Williamston Road, Opp Road, Brown Road there next to  
45 the Jockey Lot, had some damage as you can see. And  
46 during all that, one of the things that was very  
47 crucial to this and showed how our emergency operation  
48 plan worked, our drills, exercises, things we do, it  
49 really paid off for us. Because from seven p.m. to  
50 seven a.m., we took three thousand calls. And during

1 that time the 911 center experienced problems from  
2 AT&T. We took a direct lightning hit at the 911 Center  
3 and at AT&T. So we had some problems with the 911  
4 lines actually coming up and working. One of the  
5 things that Chief Gibson pointed out is really nice, in  
6 having a unified 911 center, the whole thing didn't go  
7 down. It was only certain stations. It limited our  
8 capability but did not completely knock out our  
9 capability. But what we were able to do because we had  
10 mutual aid with Abbeville was we swapped our 911 calls  
11 there for about four or five minutes. Well, during  
12 that time, guess what happened? Tornados hit Abbeville  
13 and we got some damage down there. We ended up sending  
14 our command post down to help Abbeville once we knew  
15 Anderson was safe. And we used the media outlets and  
16 some of the notification mechanisms to go ahead and get  
17 that seven digit number published and keep everything  
18 at the 911 center going and without any interruption.  
19 One of the things that I want to speak to that's very  
20 important in this is the redundancy that's so important  
21 to the County for continuing operation. Having the  
22 emergency service functions, like transportation, EMS,  
23 emergency management, representatives from the fire  
24 department, we were able to give county officials early  
25 on briefings to what was going on, what the damage was,  
26 what resources were being utilized throughout the  
27 county, the damage, and coordinating all of that from  
28 the airport at our FAA building. And it was really  
29 nice having that kind of room to coordinate that.  
30 Because that's something in the past that's been on for  
31 about a year. We're still building on that. We still  
32 -- one of the things I want to point out is, if the 911  
33 center goes down, as far as having a backup phone  
34 system there, that's one of the things that was  
35 budgeted for in our budget. But one of the things with  
36 the change up in administrations and some of the buyout  
37 issues and stuff, it never happened. So that's one of  
38 the things, if y'all will look in to, very crucial to  
39 our redundancy and our operation there. And I wanted  
40 to kind of just give you a quick brief on that. And  
41 tell you just how good these guys have done. With  
42 that, I'll get Chief Bean to come up right quick and  
43 tell you some of the things that he discovered and some  
44 of the coordination that goes on here with all the  
45 agencies.

46 TOM ALLEN: Excuse me, Mr. Jones. I would  
47 like to say, yeah, I would like to follow up on that  
48 with you regarding the redundancy in the systems.

49 TAYLOR JONES: Okay. Thank you, Mr. Allen.  
50 I appreciate that. One of the things that we were also

1 able to do is provide assistance to our neighbors. We  
2 sent rescue teams down into Abbeville because they were  
3 hit harder, that were city fire department rescue units  
4 at county, fire department and EMS, and we still were  
5 able to cover Anderson County during that time. And we  
6 were able to back up their 911 center with our command  
7 post. So it just shows how if we all work together, we  
8 can effectively, not only help Anderson, but help our  
9 neighbors. They help us a lot of times with our  
10 emergencies.

11 CHIEF BEAN: Thank you, Mr. Jones. Mr.  
12 Chairman, I'm here to just give you just a little  
13 insight on the operations of what happened. Seeing  
14 these daylight pictures, I sure am glad it was dark.  
15 We didn't know all this was going on. Our initial  
16 dispatch was a tree on a power line; that's what we  
17 actually went out to. En route, we discovered that we  
18 had a tornado that did touch down in the area. We  
19 started a, best we could, neighborhood search of the  
20 Dry Rock Road area. We made contact with the  
21 residents. They said they were okay. Sent  
22 representatives from Fort Rescue over to Waldrep and  
23 they found the big prize when they got there. When we  
24 arrived, like Mr. Jones said, the trees were down.  
25 They were across the road and the size of the trees, I  
26 was sending my rescue personnel in, I wouldn't hear  
27 from them for thirty minutes. And it was because they  
28 were having to go under these trees, over these trees,  
29 there was no going around it. They absolutely had to  
30 go through it. I think there were four civilians, four  
31 civilians rescued from the home. The only injury was a  
32 gentleman got scratched coming out and he was so happy,  
33 he didn't even think about the injury. It wasn't an  
34 injury. EMS would come out. They would grab a bag and  
35 they would look and say, gosh, where was I? How do I  
36 get back? And they would scream and go by voice to get  
37 back in there. Mr. Jones was a little bit wrong on the  
38 road crew. Mr. Hopkins' crew actually he left that  
39 night at Waldrep's after doing a complete search  
40 through the Sandy Shore. I passed the road crew coming  
41 in as we were going out. That's how quick the response  
42 is from the county. I'm here to tell you, I tested  
43 your emergency preparedness department last week. I  
44 tested them. And they passed with flying colors. You  
45 can change their name to the emergency prepared  
46 department. Mr. Jones gave me a phone number the night  
47 that happened; he said call me for anything. I called  
48 him, I never, ever, ever heard the word no. I asked  
49 one time to make it go away, but I'm sure he tried  
50 that, so that didn't work either. The -- we were able

1 to give out tarps to everybody in the community that  
2 needed them, two or three tarps. Mr. Jones put that  
3 together. Saw and Tarp teams, Southern Baptist  
4 Convention, came up. They brought crews with skid  
5 steers, front loaders, back hoes with claws, trailers,  
6 dump trucks, saws. They came in and worked for seven  
7 days non-stop. They didn't care who they were helping.  
8 They were there to help. Mr. Jones and his department  
9 provided that. All I did was coordinate this. This  
10 department was on the money, on time. You should be  
11 very proud of what you've developed with this man at  
12 the helm. I want to thank you. Sheriff Skipper told a  
13 story about a trampoline. One of my guys went to tarp  
14 a guys roof, come down and went to give him the hammer  
15 and the guys said, well, that's not my hammer. He  
16 said, well, it was stuck in your roof. So, that was  
17 stuff like that. It was unbelievable. And I  
18 appreciate all the cooperation from every county  
19 department, Sheriff's office, road maintenance,  
20 emergency preparedness, the EEOC. When the county took  
21 the direct lightning hit, by the time we realize we  
22 weren't communicating, they had already fixed that  
23 problem and we were talking again. So we never really  
24 lost a beat. And thank you for what he's done. Thank  
25 you.

## APPLAUSE

26  
27 TAYLOR JONES: Thank y'all. Let me say one  
28 thing here. All this stuff goes back to team work and  
29 everyone working together throughout the county as a  
30 big team. And while we're talking about team work, let  
31 me go back go back one slide here and talk about this a  
32 little bit because this is real important. This could  
33 save lives. Everybody -- the only negative thing that  
34 we heard out of this whatsoever was about the emergency  
35 alert system and siren. And I want to say this, sirens  
36 we have them in areas that cover when people are  
37 outside, like downtown main street area. People where  
38 they would be shopping, around the mall area, the civic  
39 center, out where people congregate during the day, in  
40 the municipalities, right there in the central area,  
41 Belton tank farm, out there at Cheddar Fire Department  
42 where there's a walking track, several mobile homes and  
43 risk of the tank farm. Those sirens only cover about a  
44 mile radius. When you put tornadic type winds  
45 involved, you can't hear those things very far from  
46 there. And a lot of fire departments have got them.  
47 We have a system where we set those things off ...

END OF TAPE 1, SIDE 1

48  
49 TAYLOR JONES: ... a lot of this goes to  
50 individual responsibility and I want to talk about the

1 first line of personal defense, is having a weather  
2 alert radio. I think the weather alert radio is  
3 probably the most important thing someone can have,  
4 other than a smoke detector in the home to protect  
5 theirselves, family and their kids. And I was wanting to  
6 put a plug in for that and tell everybody that this is  
7 not only a weather alert radio, but we use it for all  
8 hazardous type of events now. Have a hazardous  
9 materials or large scale event your community can  
10 notify you. Let me kind of bump through some of this.  
11 The media was excellent as far as getting the words out  
12 about the 911 Center and coordinating those events. At  
13 one point we had thirteen thousand folks out in the  
14 area without power. We worked great with Duke Energy  
15 and also with Blue Ridge Electric with restoring folks'  
16 power. During an ice power, folks asked, why do y'all  
17 -- why do we have thirteen out during the snow storm  
18 and the power come back on quicker. Well, with that we  
19 can preplan and stage power units and crews in advance.  
20 With this we did not have those advanced warning to  
21 stage them. The other thing that I would be remissed  
22 if I did not point out is the blue tarps. Williamston  
23 Rescue Squad, and just to show how this team works  
24 together, they went down and got these tarps in the  
25 middle of the night, Saturday night. Because we knew  
26 we had more rain moving in Monday and we wanted to get  
27 those in place. You know, going back, Mr. Moore, as  
28 far as your cooperation and coordination with the State  
29 Emergency Management division and getting folks in and  
30 them seeing the presence of county council involved  
31 early on like that, I think really led to some of the  
32 outstanding coordination from the state. It is that  
33 point, they realized that folks are watching. And it  
34 is the Saluda Baptist Association, the South Carolina  
35 Baptist Convention, the Methodist Disaster Management  
36 folks, all those folks come in and that was coordinated  
37 through the South Carolina Emergency Management  
38 Division. And all that started early on, right after  
39 that disaster assessment. And even though we didn't  
40 have a disaster declaration-type incident here, they  
41 come up and they responded. And a lot of them were  
42 local folks helping local folks and that was just a  
43 great thing to see. We're sometimes limited to what we  
44 can do on personal property, but these folks are faith-  
45 based and can go anywhere. Great to see that. The  
46 road crews, one of the things we've developed last year  
47 was the management program and Mr. Hopkins folks, along  
48 with Tony Owens being out there at EOC, they  
49 coordinating over five or six teams that was working in  
50 harmony that night to open county roads for EMS agency

1 and for folks to get in there. And it's just great to  
2 see all this coordination. And we got a FEMA  
3 declaration. One of the things that we could have  
4 easily proved is the county assessor done a phenomenal  
5 job with damage assessments, so we knew what our total  
6 value of damage was. We knew -- we had tracked and  
7 kept up with debris management, as far as the amount of  
8 yards that was involved for reimbursement. So  
9 everything that we've exercised and drilled and put in  
10 those plans in the last year, we seen it executed  
11 flawless. And, you know, the hat goes off to everybody  
12 that worked so hard. They made us all look good in  
13 emergency services with all that. And they don't do it  
14 just during disasters. I want to tell you, these guys  
15 are out all the time with us, you know, in small storms  
16 and stuff, clearing the highways and opening things  
17 back up and protecting lives of the citizens. The  
18 other quick thing I wanted to mention is the Lion's  
19 Club and if y'all gentlemen would step up here just a  
20 moment. Think y'all got some good news you might want  
21 to give the council. I know you've been talking with  
22 Mr. Allen and working with him on some of this. Y'all  
23 can take that ...

24 MALE: Thank you, council chair,  
25 councilman, and lady -- ladies. It's a pleasure to be  
26 here. The Lion's Club is a, as most of you know, the  
27 largest service organization in the world. We're  
28 headquartered in Oakbrook, Illinois, just outside of  
29 Chicago. And we're honored tonight to present a check  
30 for five thousand dollars to the folks of Anderson  
31 County to help restore the communities that were  
32 affected by this tornado. Thank you very much for your  
33 time.

34 APPLAUSE.

35 MALE: Council members and Mr.  
36 Chairman, this check will not be given to Anderson  
37 County. This check will be distributed to the people  
38 that are affected by the tornado. Lion's Club  
39 International makes sure that every penny that we put  
40 out goes where it's directed to go.

41 APPLAUSE

42 CINDY WILSON: Thank you.

43 EDDIE MOORE: Thank you very much.

44 MALE: Mr. Chairman, I do have just  
45 one thing, if you don't mind. With Mr. Jones, he asked  
46 me if I had anything that I wanted to say and I told  
47 him that I thought Chief Bean covered everything.  
48 However, he left out one small detail and that's the  
49 people that actually responded and helped with this  
50 whole situation. If Double Springs Fire Department, if



1 all of y'all will stand up.

2 APPLAUSE

3 EDDIE MOORE: Come up front. We want  
4 y'all in a picture. Come up front, please.

5 TAYLOR JONES: One of the things, I'd like  
6 for all the emergency services here tonight, people  
7 that's from Fort Rescue, Townville Fire Department, and  
8 anybody else that we may have left off, the Lion's  
9 Club, for what y'all do, if all of y'all would come up,  
10 I would certainly appreciate it.

11 APPLAUSE

12 TAYLOR JONES: I tell you, I want to talk  
13 about our dispatch for a minute. One of the county  
14 fire dispatchers, Scott Covert, is always involved and  
15 works real close with us. After every instance like  
16 this, he always comes and says, well, we need to change  
17 this, we need to fix this. He come up to Deputy Chief  
18 Littleton and said, tell you what, I think we got it  
19 down. Everything went smooth. And that's a good  
20 feeling during something like this, to hear that kind  
21 of praise, you know, from your internal peers that's  
22 always working together to improve things. And the  
23 technical rescue team, members from Anderson County  
24 Fire Department, City Fire Department that responded to  
25 Abbeville, you know, they did a phenomenal job with  
26 that, too. And our hat's off to thank them, too, for  
27 what they did.

28 MALE: Mr. Chairman, if I could just  
29 make a quick comment while you're finishing doing this.  
30 We go to -- you know, being in my position, I go to a  
31 lot of meetings sometimes. Go down to Columbia and  
32 meet for a state briefing meeting for Homeland  
33 Security. We were in a meeting not long ago, back at  
34 the first of the year, five hundred people in a room.  
35 And you can see the people in this room and those  
36 people that get up say, if y'all want to know how to  
37 work together go talk to Anderson County folks, cause  
38 they know how to do it. And that's true. That's true.

39 APPLAUSE

40 CINDY WILSON: Mr. Chairman, may I thank  
41 everyone personally. I think this is another  
42 incredible example of a great county and great people  
43 and good employees. Thank you.

44 TOMMY DUNN: Mr. Chairman.

45 EDDIE MOORE: Mr. Dunn.

46 TOMMY DUNN: Just like to say a few  
47 words, too. Just like to thank, first of all, the E  
48 911 center. You just can't imagine over three thousand  
49 calls coming in and having to handle it and I was  
50 listening to some of them calls and it was handled very

1 professionally and very good. And I know that was --  
2 just can't imagine taking three thousand calls and  
3 handling it the way they did. Also, I'd like to thank  
4 the fire departments for the job they done. Some of  
5 them personally and it's a job. And talking to the  
6 folks up there in that community, I went up there  
7 Monday and you can't realize the damage until you  
8 actually went up there and really seen it really first  
9 hand. And the folks up there really do appreciate what  
10 the fire departments and their EMS. And I'd like to  
11 thank -- echo what Sheriff Skipper said, Anderson  
12 County is leading the way in emergency response around  
13 the State of South Carolina. I appreciate what all  
14 they do. I'd also like to thank our county department,  
15 our road department and our solid waste department for  
16 doing an outstanding job in working. I mean, yes, they  
17 get paid, but they don't get paid nothing like they was  
18 working up there. I mean, running chain saws and  
19 dragging limbs and all and the people was really,  
20 really appreciative. Also like to thank the public  
21 safety people, Taylor Jones' folks for doing an  
22 outstanding job. One person's that's been left off and  
23 hadn't been thanked tonight. In talking to folks up  
24 there and talking to the county employees that's  
25 handled these situation before who set all this in  
26 motion and said it worked better than it had in a long  
27 time. Hearing this guy, he told me, you know your job,  
28 go do it, and that was acting administrator, Rusty  
29 Burns. And I appreciate him letting these fine folks  
30 do their job and setting all this in motion.

31 APPLAUSE

32 GRACIE FLOYD: Mr. Chair.

33 EDDIE MOORE: Ms. Floyd.

34 GRACIE FLOYD: Thank you. To the fire  
35 people that did the work here, you did a very, very  
36 good job. Last year we were able to appropriate only  
37 two thousand dollars to thirty-one fire stations that  
38 received that money, plus I think there was some city  
39 fire department that received over sixty-two thousand  
40 dollars last year. Each one of you, each thirty-one of  
41 you, received that money. I just hope that this year  
42 we're able to do more for you. I know that you need  
43 the money. I know that you work with the -- with what  
44 you have. And you do a good job with what you have.  
45 But I know also that more is needed. And I just, I  
46 just hope and pray that this can be given to you this  
47 year. And I thank you.

48 BOB WALDREP: Mr. Chairman.

49 EDDIE MOORE: Mr. Waldrep.

50 BOB WALDREP: I just want to say

1 something complimentary about the City of Anderson, as  
2 well. I live on a street where trees were falling down  
3 and cutting off traffic that night. And they did a  
4 superb job of coming out and getting those trees out of  
5 the way. And I just think that the city folks in  
6 Anderson need a little bit of appreciation, as well as  
7 all you other folks. And that our sincere wish, you  
8 know, is that we'll always back you up and always give  
9 you the resources that you need to do what you need to  
10 do. And I was hoping we would get that five thousand  
11 dollars from the Lion's Club, but I guess they're going  
12 to spend it themselves. And we're -- I got kind of the  
13 feeling that maybe they didn't trust us so much with  
14 that five thousand dollars.

15 GRACIE FLOYD: I wonder why?

16 EDDIE MOORE: I'd also like to thank --  
17 really the pictures do not do justice how much damage  
18 was done out there. You had to really see it. A few  
19 pictures really do not relate on what happened out  
20 there and how these people's lives were turned upside  
21 down. It's a miracle that no one was killed. And with  
22 the power lines just laying everywhere. And it's just  
23 a -- you know, the first reaction when -- is to run out  
24 the door and look. And power lines were everywhere up  
25 there. And I don't know how long it took them to get  
26 there power back, but I'm sure everybody was just  
27 devastated and pictures just absolutely do not do  
28 justice to the type of damage. I know a lot of you  
29 probably went out to Waldrep's Landing before. I used  
30 to put a boat in out there fishing myself and it's just  
31 -- everything is different now. And anyone else with  
32 the council like to say anything? We now to go 7, the  
33 proclamation, for Mr. Allen.

34 TOM ALLEN: Thank you, Mr. Chairman.  
35 This will be kind of anti-climatic after all that's  
36 gone on, but I'm going to read the proclamation into  
37 the record regarding the events of April 10th. A  
38 proclamation expressing gratitude to Anderson County  
39 employees, utilities crews, community, church  
40 organizations, and volunteers who participated in the  
41 emergency response relief and recovery efforts in the  
42 aftermath of the April 10th storm in Anderson County  
43 and to honor their outstanding dedication to the  
44 residents of Anderson County, and other matters related  
45 thereto. Whereas, on April 10th, 2009, South Carolina  
46 and Northeast Georgia weathered a severe storm that  
47 included at least one confirmed tornado and measured  
48 winds in excess of a hundred miles per hour, causing  
49 extensive damage to ten South Carolina counties. And  
50 whereas, in spite of dealing with power outage at the

1 911 call center, Anderson County Emergency Services  
2 dispatchers received three thousand storm-related calls  
3 between seven p.m. Friday and seven a.m. Saturday. And  
4 whereas, Anderson County residents and businesses  
5 incurred extensive harm, including damage to forty-five  
6 homes and more than twelve thousand power outages. And  
7 whereas, Anderson County's everyday heroes responded to  
8 the need and worked tirelessly to bring aid and support  
9 to the injured, to minimize damage to the property, to  
10 access damage, to provide relief and to facilitate  
11 recovery. And whereas, the successful response effort  
12 was the result of dedicated, well-trained and well-  
13 equipped first responders, law enforcement, utility  
14 crews, county and city staff, community and state  
15 agencies and organizations, churches and individual  
16 volunteers, performing under adverse circumstances with  
17 professionalism and courage. And whereas, the Anderson  
18 County council desires to honor all those individuals,  
19 agencies and organizations for the outstanding  
20 dedication to the residents of Anderson County and  
21 these include Anderson County Emergency Services and  
22 Public Safety Division, 911 Central Communications, Red  
23 Cross of the Upstate, Anderson County HazMat  
24 coordinators, Anderson Technical Rescue, Anderson  
25 County Fire Commission, Anderson County Sheriff's  
26 office, Med Shore, Fork Rescue Squad, Williamston EMS,  
27 Chief Gary Bean, who is the incident commander and the  
28 Double Springs Fire Department, the Civil Air Patrol,  
29 South Carolina Emergency Management Division, Anderson  
30 County Assessor's Office, Anderson County  
31 Transportation Division and Road Maintenance, Anderson  
32 County Purchasing Department, Department of Health and  
33 Environmental Control, DHEC, Townville Fire Department,  
34 Anderson Regional Airport, Concord Baptist Church,  
35 Double Springs Baptist Church, Southern Baptist  
36 Convention Disaster Relief, the early response team of  
37 the United Methodist Volunteers and Mission, which is  
38 composed of Buncombe Street United Methodist Church in  
39 Greenville, Trinity United Methodist Church in  
40 Anderson, Zion United Methodist Church in Anderson and  
41 Westminster United Methodist Church in Westminster,  
42 South Carolina. And also, again, I'd like to thank the  
43 members of the Lion's Club, Mr. Phil Merritt and Gene  
44 Speeds, who were able to provide that five thousand  
45 dollars for the individuals that were affected by the  
46 tornado. Now therefore, it is hereby resolved by the  
47 Anderson County council, one, Anderson County hereby  
48 recognizes these very special individuals, agencies and  
49 organizations for their heroic participation in the  
50 emergency response relief and recovery efforts in the

1 aftermath of the April 10<sup>th</sup> storm. The Anderson County  
2 Council salutes you. When tragedies occur, everyday  
3 heroes step up to do extraordinary things. Each of you  
4 exemplifies the qualities of heroism and love for your  
5 fellow man. Your dedication and service to this  
6 community and its residents is greatly appreciated and  
7 worthy of recognition and honor. Two, this  
8 proclamation shall take effect and be in force  
9 immediately upon enactment. Resolved in meeting duly  
10 assembled this 21st day of April, 2009. And again, to  
11 all those folks who responded, I think it was an  
12 awesome response and I thank you.

13 APPLAUSE

14 EDDIE MOORE: I have a resolution  
15 before the floor. Do I hear a second?

16 RON WILSON: Second.

17 EDDIE MOORE: Any discussion? All in  
18 favor, raise your right hand. Unanimous. We're proud  
19 of them. We will now go to Item 8 on the agenda, the  
20 discussion of the illegal aliens. Ms. Floyd.

21 GRACIE FLOYD: Thank you. I am going to  
22 issue a brief statement and then I'm not going to  
23 discuss anymore of it because I'm not quite ready  
24 tonight. I'm trying to work with someone who can get  
25 -- who says that he can get the names of companies or  
26 contractors who have, in the past, employed illegal  
27 aliens and who are now employing illegal aliens. And  
28 if I can get that information, I would like for that to  
29 be a part of my presentation at the next meeting. So  
30 I'm not prepared to go on with it tonight. Okay.  
31 Thank you.

32 EDDIE MOORE: Okay.

33 CINDY WILSON: Mr. Chairman, may I?

34 EDDIE MOORE: Okay.

35 CINDY WILSON: Would it be possible -- I  
36 understand that there's so many ins and outs of this  
37 particular subject. I dare say that it would be almost  
38 unanimous that we on council would like to do something  
39 to resolve this issue. But is it possible that there  
40 might be legal issues that maybe Mr. Pitts could give  
41 us some idea of where that's going with our ordinance  
42 that we were working on?

43 GRACIE FLOYD: Mr. Chairman?

44 EDDIE MOORE: Ms. Floyd, Ms. Wilson  
45 still has the floor? She's asked Mr. Pitts something.

46 MIKE PITTS: Yes, ma'am. There are a  
47 number of legal issues involved. I'd be happy to take  
48 that up with the council. I believe that's probably  
49 falls within the province (inaudible).

50 CINDY WILSON: Oh, okay.

1 GRACIE FLOYD: Mr. Chairman?  
2 EDDIE MOORE: Ms. Floyd.  
3 GRACIE FLOYD: What I was going to say  
4 is, this is what Mr. Pitts and I have been working on,  
5 the legal ramifications of this entire thing. Next  
6 week I think that we'll be closer with our answers on  
7 working with this. And I would like the courtesy of  
8 postponing this tonight and placing it again at the  
9 next meeting.  
10 EDDIE MOORE: Mr. Waldrep.  
11 BOB WALDREP: Mr. Chairman, I just had  
12 a point of information. I knew that we had had pretty  
13 thorough discussion of this issue sometime in the last  
14 couple of months. And what I understood that the  
15 council intended to do at one time, and I stand to be  
16 corrected, but that we were to use a paradigm that was  
17 being used up in Pickens or Clemson at one time. Does  
18 anybody -- can anyone help me out like that? That it  
19 is was going to be -- some way of registering or  
20 requiring businesses to register or in some way take a  
21 pledge or something not to employ illegal aliens. And  
22 this was going to be kind of a no cost matter to the  
23 county. But I, I just didn't know if anybody can help  
24 me out with the recollection of that.  
25 TOM ALLEN: Mr. Chairman.  
26 EDDIE MOORE: Mr. Waldrep, are you  
27 through?  
28 BOB WALDREP: Yeah.  
29 EDDIE MOORE: Okay.  
30 TOM ALLEN: Excuse me, if I might. I  
31 think part of what the lady was talking about that  
32 night was the e-check program where it can be done by  
33 computer. And shortly after that I heard some rather  
34 negative things about that. How, yes, you can go in  
35 there and do e-check, but it's also very easy for  
36 employers to circumvent that. So e-check is one thing  
37 you need to do, but it's not the panacea to the whole  
38 problem.  
39 GRACIE FLOYD: Mr. Chairman.  
40 EDDIE MOORE: Any other council -- wait  
41 one minute, Ms. Floyd. Does any other councilmen have  
42 anything to say about it? Ms. Floyd.  
43 GRACIE FLOYD: Mr. Chairman, the e-  
44 verify system is being used in a lot of areas. But  
45 when we hired the McNair Firm working with us, we were  
46 told then, this council was told then that we could  
47 solve the problem just by writing it in our contract.  
48 That the e-verify system must be used by contractors  
49 who are working with Anderson County. And I thought  
50 this was the way we were going to do it. Which would

1 have been at no costs to the county and it would have  
2 solved our problems. But after talking with our legal  
3 advisors at this time, there seems to be a problem with  
4 that. So what I'm trying to do now -- I have talked  
5 with him. And what I'm trying to do now is to see how  
6 we could work through that problem to accomplish this.  
7 I understand that Greenville had a really good meeting  
8 a couple of days ago on this same thing. They're  
9 having a terrible problem with this same thing and  
10 we're heading that way. But also, we need to know that  
11 we have several contractors here in Anderson County who  
12 have worked with these people, who are working with  
13 these people now. And you'd be surprised to know this,  
14 but what I'm trying to do now is to get all of this  
15 together, get all of this together and present it next  
16 week. I mean, at the next council meeting if I can.

17 EDDIE MOORE: Okay. Ladies and gentlemen,  
18 we're going to take a five minute break and then we'll  
19 come back and pick up on Item 9 on the agenda. That  
20 will give Mr. Johnson time to get set up if he needs  
21 to.

22 BREAK

23 EDDIE MOORE: We're gonna now go to Item 9  
24 on the agenda. Item 9 on the agenda which will be the  
25 yearly update from the Upstate Alliance. Mr. Hal  
26 Johnson, Richard Blackwell.

27 HAL JOHNSON: Thank you, Mr. Chairman.  
28 Members of council, it's a pleasure to be with you  
29 today and thank you for the opportunity to come and  
30 present the Upstate Alliance's performance. And we  
31 have a lot to share with you tonight. And I'm going to  
32 be very cognizant of the time that you've allotted me.  
33 As in every meeting with the Upstate Alliance, we  
34 always want to remind our investor partners, what is  
35 the vision, mission and focus of our organization. The  
36 vision, of course, is to position the Upstate region so  
37 that we can compete for business internationally and  
38 successfully in our efforts. Our mission is three-  
39 fold. Market and brand the Upstate region and track  
40 business, support economic development efforts of our  
41 local county economic developers, build cohesive  
42 relationships with private and public partners. And I  
43 think in this economy, it's extremely important for us  
44 all to leverage our resources. And we're very focused  
45 in that opportunity, in creating new leads, new  
46 opportunities and new exposure to our region. Our  
47 team, I'm glad to say, is the same team in place that  
48 we've had this year. We've got a vast experience of  
49 economic development from state, regional and local  
50 entities from across South Carolina and across the

1 Southeast. We're very fortunate to have this group of  
2 folks working for our team. These are seven full-time  
3 people on our team. We do have one part-time on our  
4 team. Our executive committee, this year's chair is  
5 Mr. Leon Patterson, chairman of Palmetto Bank, vice-  
6 chair, George Acker, Duke Energy, treasurer, Bobby  
7 Hitt, with BMW manufacturing, our secretary, Zingo  
8 Angermeier with Spartanburg Regional Hospital and your  
9 very own John Miller from Anderson County, President of  
10 AnMed, is our immediate past-chair of our organization.  
11 He did a fine job of leading our organization in 2008.  
12 What do we do with the Upstate Alliance? The Upstate  
13 Alliance was created to be an organization of  
14 collaboration. It's an organization of leverage. Our  
15 group was created to bring folks together. Economic  
16 developers, chambers, political folks, and businesses,  
17 and we're to gather the assets and resources of our  
18 region and leverage them to attract new business. And  
19 that's what we do. This is just a good breakdown on  
20 how we -- how -- who -- which organization takes the  
21 lead. And you can see, the Upstate Alliance is on the  
22 front end, we're the tip of the arrowhead. It's our  
23 efforts around the world to go out and recruit  
24 business, to market our region, to put the upstate on  
25 the map. You know, it's kind of funny, we get caught  
26 up in what we do everyday and we never really leave the  
27 boundaries of our community, or our region, or our  
28 state. But business happens globally every second of  
29 the day. So here you see how all of us pull together  
30 and make opportunities happen for the region. Business  
31 development with the Upstate Alliance has to be laser  
32 focused. Our budget is finite. We're about 1.4  
33 million of which two-thirds of that budget is funded by  
34 the private sector, one-third funded by the public  
35 sector. Therefore, we have to be extremely focused in  
36 our target industry sectors in which we're going to  
37 recruit. Those are automotive, advanced materials,  
38 headquarter regional offices, health care and  
39 logistics. What you see up here, with each of these  
40 industry sectors, is research entities at Clemson  
41 University. Not only do we marry the research  
42 facilities, but the research resources that go along  
43 with that. It aids us in recruiting the high talent,  
44 high value jobs that we're looking for. It also helps  
45 in bringing the job-trained or what we call the  
46 trailing jobs that match each of these industries  
47 sectors. Marketing highlights for 2009, we'll have  
48 seven different conferences, exhibition and trade  
49 shows. Many of which will partner with our local  
50 economic developers, such as your Anderson Economic



1 Developer office and Heather Jones and her team. We'll  
2 have five different mission trips. And we'll also have  
3 three in-bound events, based on our budget projections  
4 this year. Based on a secondary budget, in which  
5 Richard Blackwell, who's in the audience with me  
6 tonight, and I hope to obtain this year, will increase  
7 the number of conferences, missions, and in-bound  
8 events. Executive summary for year-to-date March 30<sup>th</sup>,  
9 2009, we have thirty-nine active leads and prospects,  
10 twenty-six active leads and thirteen active prospects.  
11 We have eight requests for information, ten different  
12 company visits and thirty Upstate overview  
13 presentations and those do not include what happens on  
14 the local level just out of our office. These are  
15 Upstate presentations that our business development  
16 team makes. Eric Miller, on our team, is currently in  
17 Detroit and in Chicago this week and he'll make a total  
18 of twelve different presentations this week alone.  
19 Anderson County data for 2009, there's been eight total  
20 requests for information in 2009 that have presented to  
21 Upstate Alliance. Eight request for information have  
22 been sent to Anderson County; all eight generated by  
23 the Upstate Alliance. Of those eight, five RFIs  
24 responded to and are currently active. One project  
25 that is inactive, one was lost, which was Project Park  
26 which chose Raleigh, North Carolina and one RFI  
27 Anderson County did not have eligible product for, that  
28 was a one hundred thousand square foot building on  
29 rail. We've had two prospect visits to Anderson County  
30 this year. Anderson County data for 2008, thirty-eight  
31 total RFIs for the Upstate Alliance region, twenty-  
32 seven of those requests for information were sent to  
33 Anderson County. Of those twenty-seven, six RFIs  
34 responded to and pending long term. Nine project are  
35 inactive and on-hold and you can imagine, and I'm  
36 really surprised that that number is not much higher  
37 with these economic conditions. Six selected other  
38 areas and six RFIs Anderson County did not have  
39 eligibility product for. Most of that was building  
40 related. There was two that were site related. One  
41 thing I do have to say is, if you'll remember, those of  
42 you who were on council last year, in this  
43 presentation, we actually had twenty-two RFIs Anderson  
44 County did not have eligible product for. And what I  
45 have to give credit for your economic development team  
46 locally is they've done a tremendous job going out and  
47 working on certified sites, trying to make sure that  
48 their inventory was accurate and up-to-date so that we  
49 knew what was eligible and available within the  
50 marketplace. And I also must add, the reason why we

1 give this information, not only to the economic  
2 development office, but county councils, is for  
3 constructive reasons. If it comes over and over and  
4 over again, that we don't have the right product that  
5 matches companies' needs, it's a due sign that we need  
6 to work on that infrastructure so that when they do  
7 come, we have that product available to land those  
8 projects here. And I give this same report to every  
9 county council in the region and it is purely a  
10 constructive source. I know when I was on the local  
11 level in Orangeburg, I'd have loved to have this  
12 information on an annual basis. 2008 was a banner year  
13 for the Upstate Alliance region and the Upstate  
14 Alliance, along with all its citizens, should celebrate  
15 that we had 2.019 billion dollars in announced capital  
16 investment in the region. That was seventy-four  
17 different companies had located or expanded in our  
18 region. One third of those were international. And  
19 that makes up forty-nine percent of the total state's  
20 capital investment in this ten county region. And mind  
21 you, BMW was seven hundred and fifty million of that,  
22 but we love BMW in this region because it is a huge  
23 supporters of many of our industries in Anderson  
24 County, as well as the rest of the region. We did have  
25 sixty-one hundred jobs created in the ten county  
26 region, which was thirty-two percent of the total  
27 state's job creation. And these numbers are coming  
28 directly from the South Carolina Department of  
29 Commerce. And the last twenty-four months, you'll see  
30 we've had over two point nine billion in announced  
31 capital investment and ten thousand announced jobs in  
32 the Upstate Alliance region. This is pretty doggone  
33 significant. Now what I do want to say is, two billion  
34 dollars in one year in ten counties is pretty doggone  
35 significant. On an average, the Upstate region  
36 averages between eight hundred and one billion dollars  
37 in capital investment. We had a banner year last year  
38 with several significant projects locating across the  
39 region. Now I love to compare things, but let me give  
40 you an idea of placement. And for those of you in the  
41 back that can not see this, what this is, is a list of  
42 regional economic development organizations from around  
43 the country and this was last -- in 2007 the top ten  
44 economic development organizations. Based on the  
45 numbers I've presented to you, we'd be in third place.  
46 That would be behind Cincinnati USA Partnership and  
47 just ahead of World Business Chicago. So I think your  
48 Upstate Alliance Region and the economic development  
49 offices of this region are in pretty doggone good  
50 company in the United States. Strategic plan. 2008

1 was a very interesting year as far as the economy is  
2 concerned. I don't think I have to tell anybody that.  
3 But in down economies, the best thing we can do is work  
4 on the soil conditions of our communities. I'm proud  
5 to say, Upstate Alliance has finished the regional  
6 strategic plan which brought together partners, over  
7 fourteen hundred partners across our region to work on  
8 this plan. Our board adopted it in the fall of 2008  
9 and our strategic planning task force which was made up  
10 of several members from each county and our local  
11 economic developers have all stayed on board through  
12 the active implementation of this process. And your  
13 Upstate Alliance staff has actively started that  
14 implementation of this five year plan. And it's, it's  
15 also -- what we'd like to make a statement on this, is  
16 that we understand and have worked real close with  
17 Heather and their strategic plan. It is all full  
18 intention for the Upstate Alliance to work with  
19 Anderson County to make sure we intertwine these  
20 strategic plans of Anderson and the Upstate together.  
21 Interestingly enough, there was six other counties in  
22 the Upstate that did strategic plans in 2008 and early  
23 2009. We're glad to have that going on. It's perfect  
24 timing. Special initiatives for the Alliance in 2009.  
25 One of the things we did and we think it is a great  
26 investment for the region and thanks to Advance SC for  
27 a significant grant. Also, from funding processes that  
28 we put together and funding allocated from a grant  
29 process that the South Carolina legislature put in  
30 place, the Upstate Alliance invested in a brand new GIS  
31 system and partnership with Appalachian Council of  
32 Government which actually manages all of our data  
33 bases. The original Upstate Explorer lived -- lives  
34 currently at the Appalachian Council of Government and  
35 so will the new Property Navigator. It lives on our  
36 website as if it's ours. And within the next several  
37 months, it will live on every economic county  
38 development website, as if it's theirs. You won't be  
39 able to tell that it's not their site. We're fine  
40 tuning this website site. We've added many, many  
41 feature to it. You can see that we've simplified the  
42 process so that any question a site location consultant  
43 or even a private business may want to ask we can  
44 provide them the type of information. Give you kind of  
45 an idea. Even if a private business wanted to locate  
46 on a corner of a property, we -- with the longitude and  
47 latitude of that property, we can ask it any question  
48 regarding per capita income, education attainment rate.  
49 If you know the job titles or types with SIC codes, we  
50 can actually map how many of those folks live up -- in

1 -- up to a fifty mile radius of that location. This is  
2 a very valuable tool for any company that may want to  
3 come. And this is an Upstate Alliance investment that  
4 we're sharing with our regional partners. And it  
5 surely wouldn't have been afforded but for leveraging of  
6 resources. Here's a couple of other examples of how  
7 we've taken this site and cleaned it up. And then  
8 here's an additional ad that we've put on with all the  
9 satellite imaging. And an additional opportunity that  
10 we've added here is that you can draw polygons of any  
11 shape. You can determine, actually, the size of a site  
12 and whether or not your facilities will fit on those  
13 sites. So we've added a whole lot of opportunities  
14 within this program so that anyone who's looking at  
15 sites in Anderson County can tell whether or not that  
16 site will work or not, right there online. I think  
17 this is going to be a valuable tool for our region in  
18 the future. I was blown away. I'm real proud to say  
19 that the Upstate Alliance has embarked on its second  
20 term, or second year of I was blown away. Last year at  
21 this time, I was blown away was just an idea. It came  
22 to us when BMW relocated the Pro-Am from the Cliffs  
23 Communities into Thornblade and Carolina Country Club,  
24 as well as Bright's Creek. At that time, the Cliffs  
25 were actually writing the check for the golf channel.  
26 BMW and South Carolina Charities approached the Upstate  
27 Alliance and asked us to work with them on creating one  
28 message. A branding message for the region that we  
29 could send out to the world and use the golf channel to  
30 leverage during that tournament. Erwin Penland, a  
31 gentleman there by the name of Andy Mendelson, came up  
32 with the idea. He said, let me tell you my life's  
33 story. I lived in Long Island. I was recruited to the  
34 upstate. When I told my wife we were going to go to  
35 South Carolina to the upstate, she asked me, do they  
36 have paved roads there? Do they wear shoes? Do they  
37 have schools bigger than one room classrooms? Can I  
38 get a good cup of coffee? Do they have a good pie?  
39 Well, the answer to all of those were, they were blown  
40 away when they got here. The idea of this marketing  
41 campaign is to dispel stereotypes. Hit them in the  
42 nose. Play with them. Laugh about them. And make  
43 sure people understand that we've got a great quality  
44 of life here. Well, we were able to build a website,  
45 create nine high-definition television commercials,  
46 nineteen video testimonials and more. We ran that  
47 during the BMW Pro-Am last year on a hundred and six  
48 different television spots during the two-week time  
49 period of that time. Now this is shown in all fifty  
50 states and twenty-two countries. This was visited in

1 over seventeen thousand different sites, site visits,  
2 over thirteen thousand unique visitors and over a  
3 hundred countries visited our website. We were able to  
4 raise four hundred and fifty thousand dollars in about  
5 two and a half months. And none of that was public  
6 dollars. Proud to say that the Upstate Alliance  
7 presented this marketing campaign to the Southern  
8 Economic Development Council which has represented over  
9 seventeen Southeastern states. We had to compete on  
10 the level of states and larger regional economic  
11 development organizations. We won every award  
12 available for marketing campaigns. Best in Show. Best  
13 in Class. This is your region being represented. In  
14 2009, the Upstate Alliance is going to continue its  
15 efforts with I was blown away with sponsorship and  
16 Upstate Alliance support. This is now an Upstate  
17 Alliance marketing branding initiative. We will, once  
18 again, fund the golf channel. Yes, the Upstate  
19 Alliance will pay for the golf channel. We will have a  
20 hundred plus commercials on the golf channel again this  
21 year giving exposure in the greatest regional sporting  
22 opportunity over a multi-day event that this region has  
23 to offer. Better leveraging of opportunities. We're  
24 upgrading our website, reorganizing it and making it  
25 more consistent with our video testimonials so that  
26 folks can travel and, and -- throughout the site. The  
27 next, next phase of this is an internet marketing  
28 campaign and I'm proud to say that we went out and we  
29 just wanted to make sure -- we're testing the waters  
30 with this. We decided to do a two week test and we  
31 tested this with a group called Ad Fair and we just ran  
32 it on about eighteen different websites, everything  
33 from Bloomberg to CBS to CNN. And through that we had  
34 two hundred and eighty-nine -- excuse me, we had two  
35 hundred and eighty thousand different impressions on  
36 the website. Two thousand click-thrus to the I was  
37 blown away site. And then you can see the increase  
38 visits on video pages, video testimonials and resource  
39 section views within that. That was a three thousand  
40 three hundred dollar cost and basically at a dollar  
41 seventy a click, we were giving branding and exposure  
42 to the Upstate region. It's our goal to take about a  
43 hundred and fifty thousand dollars that we have to  
44 raise from the private sector this year and make this a  
45 year long marketing campaign on the web ...

46 END OF TAPE 1, SIDE 2

47 HAL JOHNSON: ... We've got eight years  
48 invested in the leadership of the Upstate and it was,  
49 it was quite an interesting time. I made thirty-eight  
50 presentations personally around the Upstate to

1 different governmental entities educating them on why  
2 we need to talk about planning, why we need to talk  
3 about growth and why we need to have a conversation,  
4 why people have different opinions and why it's good to  
5 talk together in a friendly way about what our future  
6 looks like. This was a very successful day. I think  
7 it's just the beginning of where we go from here. And  
8 I hope that you all will continue to participate with  
9 us. And we really appreciate all of those of you that  
10 did take your time to spend the day with us. Again,  
11 three hundred and eighty officials from around the  
12 region spent all day at this event. I know Mr. Allen  
13 was there and I know he got a lot out of it, as well.  
14 I hope many of you -- the rest of you were there, as  
15 well. None of this could be possible without the  
16 investment from the public and private investors. We  
17 have all ten counties on board and five different  
18 cities who've chosen to invest with us. Again, these  
19 fifteen public entities make up about one third of our  
20 total investment. When our regional strategic plan  
21 came out, it asked us to create two new levels. One at  
22 the top end and one at the bottom end. The top end was  
23 investors who invest over fifty thousand dollars on an  
24 annual basis. You can see these three companies have  
25 stepped up to the plate and have continued to be strong  
26 investors in our area. The next level's our board  
27 levels and these are investors that invest twenty-five  
28 thousand or more in our organization. These are the  
29 groups, along with the Chairman's circle, that guide  
30 our organization. Business drives our region. These  
31 are strong business leaders in our area and they've  
32 given us guidance, great guidance for eight years and  
33 we're really proud to have them as a part of us. We  
34 have several colleges and universities that have  
35 decided to join us. Greenville Tech, Southern  
36 Wesleyan, Tri-County Technical College. Dr. Ronnie  
37 Booth actually led this effort, and he got so much out  
38 of volunteering on our board that they wanted a full-  
39 time seat. And he led the way and has convinced other  
40 colleges and universities to join with him. Private  
41 sector investors at the Partner level, these are at  
42 twelve thousand and above. Sponsor level at six  
43 thousand and above, and then Friend level at two  
44 thousand and above. What's interesting about this?  
45 These are support levels at a thousand and above. What  
46 interesting about our investor levels is they're not  
47 just in the Upstate. We've got investors from multiple  
48 states. We've got investors from Columbia, from  
49 Charleston, and so there's a lot of folks out there  
50 that truly believe in the regional concept and what

1 we're doing. In closing, the Upstate Alliance is yet  
2 one region in the State of South Carolina. But what I  
3 say to you is we're the most powerful region. We have  
4 1.32 million people in population. We control thirty  
5 percent of the House and thirty percent of the Senate  
6 in our region. Imagine what we can accomplish if we  
7 all spoke with one voice. Imaging what we can  
8 accomplish if all ten counties spoke with one voice.  
9 We are the heartbeat of the Char-Lanta region and we  
10 are the least funded of all the regional alliances in  
11 the state, when it comes to both public and private  
12 sector investment. We have to change that.  
13 Positioning the Upstate to succeed takes all sorts of  
14 opportunities. The Upstate Alliance staff, through its  
15 business environment, I was blown away campaign  
16 promoting quality of life and talent attraction, and  
17 then the private and public investors as a whole,  
18 speaking as one, with one branding, one message, that  
19 this is the greatest region in the nation to live, work  
20 and play. Members of Anderson County council, thank  
21 you for the opportunity to present to you and I stand  
22 by for questions, Mr. Chairman?

23 EDDIE MOORE: Thank you. Do any council  
24 members have any questions?

25 BOB WALDREP: Mr. Chairman. Mr. Allen  
26 attended, I think, the reality check. And I just  
27 wanted to know, Tom, did you have a particular reaction  
28 to that meeting that we had over there? We were  
29 playing with dominos for about a couple of hours trying  
30 to come up with priorities and different ideas. And it  
31 seemed like it was a wide sector of people over there.

32 HAL JOHNSON: Yes, sir.

33 BOB WALDREP: And I guess I was just  
34 really trying to understand and it was a good exercise.  
35 But I think probably what I got out of it more than  
36 anything was that we were trying to look at priorities  
37 and resources. And I was glad to see that you had  
38 infused into your presentation the technical education  
39 that we have. Because this -- it just appeared to me  
40 to be really the number one resource if we're to grow  
41 economically in this area. But the one thing that I  
42 wanted to get your opinion on, I noticed that we have  
43 several entities that are involved in economic  
44 development. And I just wondered if there's a better  
45 way of coordinating, in your opinion, more effectively  
46 than we perhaps have in the past. I've gotten the  
47 impression in looking at economic development, for  
48 example, in Anderson County, how we can come up with a  
49 better, more focused plan so that when people do  
50 contact this area that they are not confused by the

1 number of entities that are involved. You have the  
2 Chamber. You have Innovate Anderson. You have Upstate  
3 Alliance, which I understand is now turned to Upper Ten  
4 or Ten Upper?

5 HAL JOHNSON: Ten At the Top would be  
6 where Upstate Reality check goes from -- it would be  
7 what we call the next step group that takes the Upstate  
8 Reality check recommendations and builds a  
9 collaborative effort in the ten counties. They did  
10 that to separate it. It was Upstate Together and I  
11 think they realized there were too many Upstate  
12 organizations. They wanted to change it so that it  
13 eliminated a little of the confusion.

14 BOB WALDREP: Well, I guess that's all.  
15 I'm just asking -- there's always a better way of doing  
16 things, a more focused way and I just wondered if you  
17 had any response to that ---

18 HAL JOHNSON: Well I tell you ---

19 BOB WALDREP: -- observations?

20 HAL JOHNSON: What the Upstate Alliance  
21 recommends is that -- and of course, we work in each  
22 county with whatever they present us in their economic  
23 development organizations. We will be glad to come and  
24 be a partner on your team as you strategize your  
25 direction. We have a great working relationship with  
26 Heather Jones and her team at the economic development  
27 office. We have a great working relationship with Mike  
28 Penasco and his team at Innovate Anderson, as well as,  
29 Lee Luft and the Chamber. We know each, each roll in  
30 those organizations. I can tell you that many folks  
31 when they get involved in the business recruitment,  
32 they're going to go to where they feel the most  
33 comfortable. And even with -- in all the marketing  
34 that we can do and as a regional group, if they feel  
35 comfortable dealing with the local level, they're going  
36 to go to the local level. If they feel comfortable  
37 going to the Chamber, they will go to the Chamber. So,  
38 what I would say is, if Anderson County was working to  
39 change the way economic development was structured  
40 here, we'd be glad to be a part of the team and help  
41 figure out what you guys would like to do. And then  
42 we'll work with it because we work for you. So I think  
43 that's best discussed when we can sit down and throw  
44 ideas up on the board and exchange different views and  
45 different ideas. I think there's, there's a hundred  
46 different ways to do economic development. I don't  
47 know if any one of them are right.

48 BOB WALDREP: Well, I know that this is  
49 your job, This is your experience and this is what you  
50 do.



1 HAL JOHNSON: Yes, sir.  
2 BOB WALDREP: And I'm very respectful of  
3 the job that you do. I think you add to the mix and  
4 the -- of economic development and I'm very impressed  
5 by the private sector's investment in this. The City  
6 of Anderson is not a member?  
7 HAL JOHNSON: We're working on them.  
8 BOB WALDREP: Well, let me know if I can  
9 be of any help?  
10 HAL JOHNSON: I'll call you tonight.  
11 BOB WALDREP: I think the city would --  
12 City of Anderson should be involved in this process.  
13  
14 HAL JOHNSON: Yes, sir.  
15 BOB WALDREP: Okay. Thank you.  
16 HAL JOHNSON: Yes, sir. Thank you very  
17 much.  
18 EDDIE MOORE: Mr. Wilson.  
19 RON WILSON: Thank you, Mr. Chairman. I  
20 just have a couple of questions about some of the  
21 comments you made. You mentioned someone is in the  
22 Chicago area doing several presentations.  
23 HAL JOHNSON: Yes, sir.  
24 RON WILSON: With the economy like it is,  
25 has this altered the way y'all approach economic  
26 development?  
27 HAL JOHNSON: Absolutely.  
28 RON WILSON: Have you a target -- do you  
29 have a target group now that's more responsive to this  
30 type of environment than what we've been in?  
31 HAL JOHNSON: Very much so. We have to be  
32 extremely respectful of the dollars we that we use.  
33 And as you saw the number of trade shows, conferences,  
34 events we attend, the different mission trips that  
35 we're on. Every time we go -- for example, we attended  
36 the SAE conference in Detroit over the weekend and from  
37 Detroit we had to piggy-back multiple calls on that  
38 event within the Detroit area and also the Chicago  
39 area. When we go into any trade show or any area, if  
40 we were going to make those calls, there's a significant  
41 amount of research that goes in on the front end and  
42 none of these are cold. They're all calls that we've  
43 gone through, done extensive research on those  
44 companies, used several different significant models.  
45 Duke Energy actually has what they call a predictive  
46 model that we use. I know that Heather uses it in her  
47 organization. We use it together on any type of trip  
48 that we go on in evaluating these different companies.  
49 But the research that we do on the front end is very  
50 significant. And a matter of fact, if we don't have a

1 call or anyone lined up, we'll end up shortening a trip  
2 or canceling it.

3 RON WILSON: Another one of your slides,  
4 I noticed there had been -- I can't remember the number  
5 of inquiries and twenty-six of them or something were  
6 sent to Anderson. Were they also sent to other  
7 counties in this -- I mean, Anderson wasn't the only  
8 one that got those twenty-six, I don't suppose.

9 HAL JOHNSON: That's right. Every, every  
10 county in the region that is -- meets the original  
11 criteria of the project -- and again, the Upstate  
12 Alliance does not eliminate a county from the project.  
13 We simply take the information sent by the company.  
14 For example, much of the criteria, you may see a site  
15 that looking at one mile from an interstate and they  
16 need a site that may need a hundred acres. Well, we  
17 know right off the bat, we can eliminate several of our  
18 counties that do not have interstate access. Of  
19 course, the first question we ask, will a dual lane  
20 highway work? And if a dual lane highway will work,  
21 then we will be able to include all of our counties  
22 into it. But, yes, sir, any county who is eligible for  
23 the project criteria will receive that request for  
24 information.

25 RON WILSON: Let me go back to -- this is  
26 my final question. Is the primary reason that we were  
27 excluded -- I mean, or the decision was made not to  
28 come here was what?

29 HAL JOHNSON: On the -- in the case of  
30 this year, there was a -- one project that eliminated  
31 Anderson County because you did not have eligible  
32 product. That product was a hundred thousand square  
33 foot on rail and it was a certain distance from the  
34 interstate. And it was excluded because Anderson  
35 County did not meet that criteria. Didn't have product  
36 available that met that criteria.

37 RON WILSON: Okay. Thank you, Mr.  
38 Chairman.

39 CINDY WILSON: Mr. Chairman, may I?

40 EDDIE MOORE: Ms. Wilson.

41 CINDY WILSON: Referencing back to Mr.  
42 Wilson's question. How long ago was that and did that  
43 need get fulfilled?

44 HAL JOHNSON: The building of a hundred  
45 thousand? It was between, it was between the beginning  
46 of this year and March 30<sup>th</sup>.

47 CINDY WILSON: Okay.

48 HAL JOHNSON: And whether it got fulfilled  
49 in the Upstate region, I would have to go back and  
50 check the log, but I can answer that question.

1 CINDY WILSON: That would be helpful  
2 because we know we've had some closings and plant  
3 closings coming up. So I would think that we should  
4 have the product.

5 HAL JOHNSON: In many cases, for example,  
6 if a building request is for a hundred thousand square  
7 foot, we'll ask a company to clarify, what is the  
8 maximum square foot allotted? And, for example, the  
9 BASF or the Shaw facility, that facility far exceeds  
10 that expectation and the distance to the interstate  
11 would as well if it was five miles or less. So we have  
12 to make sure that we fit in that -- we're going to ask  
13 every question possible to get Upstate Alliance sites  
14 in the search. It's in our best interest to keep as  
15 many in there as possible. As far as we're concerned,  
16 it's not site selection for the companies; it's site  
17 elimination on their part. It's our job to keep them  
18 in as long as possible.

19 CINDY WILSON: Thank you.

20 HAL JOHNSON: Yes, ma'am.

21 EDDIE MOORE: When these companies come  
22 and have a criteria, do you brief any of the members of  
23 the council here or do you tell our economic  
24 development that you are -- there's a recruitment  
25 process or possibility here.

26 HAL JOHNSON: Yes, sir. The, the way the  
27 Upstate Alliance -- the economic development team of  
28 the Upstate Alliance has worked since inception is that  
29 we work face-to-face with all economic development  
30 officials who wish to receive RFIs. In the county, in  
31 the county's case and that's all ten counties in the  
32 Upstate, have all elected to received the RFI. The  
33 contact for the Upstate Alliance is specifically the  
34 economic development director and we contact them  
35 directly with the RFI with the time period to respond.  
36 And we're not the ones assigning the time period, the  
37 companies typically are. So the economic development  
38 officials are communicated with on every project that  
39 their county is eligible for.

40 EDDIE MOORE: It concerns me a little bit  
41 because we've got mills that is closed that meet that  
42 criteria of what you just said, a hundred thousand  
43 square foot. And we have, around the Belton-Honea Path  
44 area and now Williamston, we have some large mills that  
45 are available with rail service. So what excluded us  
46 from those sites being from -- did you promote those  
47 sites?

48 HAL JOHNSON: Well, all sites that are  
49 eligible in Anderson County -- every county that has a  
50 available building or a site provides that to the

1 Appalachian Council of Government and the Upstate  
2 Alliance so that it sits on our website.  
3 EDDIE MOORE: Do you have that list? Can  
4 you get us that list?  
5 HAL JOHNSON: I can get that list. Yes,  
6 sir.  
7 EDDIE MOORE: I would like to have that  
8 list. Maybe if you can send it to us?  
9 HAL JOHNSON: It's, it's on our website.  
10 And, and under Anderson County it lists every building  
11 there.  
12 EDDIE MOORE: I went on your website and I  
13 did not see any of these mills. That's why I'm asking.  
14 HAL JOHNSON: If the mills ---  
15 EDDIE MOORE: We have a lot of blank mills  
16 that's around here, that's large buildings, and I think  
17 that would be a good opportunity for business to come  
18 in the county.  
19 HAL JOHNSON: Okay. We'd be glad to add  
20 those. And again, typically what would eliminate a  
21 building, typically a mill, would be ceiling height  
22 requirements. In most cases, the ceiling heights that  
23 we're seeing out there are averaging twenty-eight feet.  
24 They're only growing in their ceiling height  
25 expectation. A twelve, eight, ten-foot ceiling height  
26 would automatically eliminate that building from a  
27 search. It doesn't matter what size or how close it  
28 was to an interstate or what else it had.  
29 EDDIE MOORE: But if it's not listed,  
30 we'll never know.  
31 HAL JOHNSON: That's right.  
32 EDDIE MOORE: That's my point.  
33 CINDY WILSON: There's one that kind of  
34 comes to mind and I don't know specifics or anything.  
35 Wouldn't the old Santens building off of Pearman Dairy,  
36 I think they've got rail siding. I don't know what  
37 size or ---  
38 HAL JOHNSON: I believe that one's on our  
39 site.  
40 CINDY WILSON: Pardon?  
41 HAL JOHNSON: I believe that one's on our  
42 site. Santens?  
43 CINDY WILSON: Yes.  
44 HAL JOHNSON: I believe that one is on our  
45 site.  
46 CINDY WILSON: I don't know the square  
47 footage or ceiling clearance.  
48 HAL JOHNSON: And again, we have ten  
49 counties with over -- and I'd have to say there's  
50 probably close to three, four hundred buildings on the

1 website. You know, again, the process that a building  
2 goes on the website, if it's listed with a realtor, the  
3 realtor has to make the economic developer aware of it.  
4 The owner needs to make the economic developer aware of  
5 it. In a lot of cases those census aren't done. If it  
6 has -- in some cases, and I'm only giving you  
7 experience of what's happened in other areas as well as  
8 in my area in Orangeburg that I covered for six years  
9 as a local economic developer, we had multiple mills  
10 that were in the area but none of them were marketable  
11 because of the environment concerns that were there.  
12 So we could put them on the market, they wouldn't move  
13 unless there was another opportunity available to them.  
14 Again, we don't mind listing them, but we want to make  
15 sure that it's going to eligible product that's going  
16 to sell in the county. And, and if there is a mill and  
17 there is an opportunity for it then, let's sit down and  
18 strategize on what may be the best and highest use of  
19 that. In most cases, Mr. Chairman, and I think you'll  
20 agree with this in your position, that we're finding  
21 there's an abnormal number of textile mills available  
22 on the marketplace today. And that number is only  
23 growing. And with the furniture industry in North  
24 Carolina it's the same. And the availability of and,  
25 and the heights of those ceiling heights within the  
26 interiors of those facilities, unless it's a multi-  
27 story facility and you've got a vertical-type process,  
28 most of the facilities just can't be reused. Now the  
29 property, because of the infrastructure that's on it,  
30 if the building's removed, the property becomes that  
31 much more valuable and is a great resource for  
32 industrial sites, especially in these tough markets.  
33 And they're easy to certify because everything's  
34 already there.

35 EDDIE MOORE: Ms. Floyd.

36 GRACIE FLOYD: We each received a letter  
37 from a citizen. I don't know if I can give you that  
38 name of it publicly or not. But his letter reads, Dear  
39 Anderson County members, once again, I send you the  
40 list of companies that have invested or increased their  
41 investment in their business in South Carolina during  
42 the previous month. Interesting that once again  
43 Anderson County is not listed as one of the communities  
44 benefitting from these investments. I remain convinced  
45 that this is a serious situation and ask that you give  
46 it the attention it deserves. I'd like to give this to  
47 you.

48 HAL JOHNSON: Love it.

49 GRACIE FLOYD: And what I'd like for you to  
50 do is to address the issue, not only to this person

1 here. I would love it very much if you would contact  
2 this person.

3 HAL JOHNSON: Yes, ma'am.

4 GRACIE FLOYD: And as well as answer the  
5 question for us, or me or whatever. Okay. I'd like to  
6 know, I'd like to know all of the companies that have  
7 come in, let's say, for last year, 2008 and 2007, 2008  
8 and 2007, And where they have located.

9 HAL JOHNSON: Okay.

10 GRACIE FLOYD: Rusty, would you please come  
11 and give him this. You may keep this.

12 HAL JOHNSON: Thank you. We'll be glad,  
13 we'll be glad to. As a matter of fact, the more  
14 companies and the more celebrations that we can  
15 announce in the region, we would love to celebrate.  
16 And the idea of spreading the word and the positive  
17 news that's happening in the community is part of our  
18 job as a marketing organization. We'd love to know  
19 when there are opportunities out there to be spread  
20 throughout the state, the region and the local  
21 community.

22 GRACIE FLOYD: Well, we have this citizen  
23 who is interest as to why. He's asking questions.

24 HAL JOHNSON: Okay.

25 GRACIE FLOYD: And I think that you and  
26 Heather -- is Heather still here? Okay, Heather. If  
27 you would get a copy. Have you received a copy  
28 already? All right. I would like for you to take a  
29 look at that letter. Maybe Linda can provide one for  
30 you. And let's get to this person and let's answer the  
31 question. Okay. Because like I say, it's a citizen  
32 who's interested, as well as, you know, we're  
33 interested, interested as well. And I want to know.

34 HAL JOHNSON: We'll be glad to.

35 GRACIE FLOYD: And I thank you.

36 HAL JOHNSON: Yes, ma'am.

37 TOM ALLEN: Mr. Chairman.

38 EDDIE MOORE: Mr. Allen.

39 TOM ALLEN: I have a comment. I like  
40 the concept, I think it's Laurens County that is using  
41 the virtual buildings ---

42 HAL JOHNSON: Yes, sir.

43 TOM ALLEN: -- concept. And this kind  
44 of ties in -- some of the old buildings around here  
45 don't meet the criteria. Even if we have the land in  
46 the right location and we go out, the county, we go out  
47 and build a big square building, a perspective client  
48 comes in and says, I don't want a square building, I  
49 want an L-shaped building. Well, we've just lost that.  
50 If we can do that in a virtual setting, show them what

1 we can build, we can build that building to their  
2 specifications. And we know we've got them and it  
3 looks like a lot cheaper way to go.

4 HAL JOHNSON: In this economic time, I  
5 would agree that's definitely another opportunity for a  
6 community to put, to put itself out front with a  
7 shovel-ready product. The secret to having a virtual  
8 facility is, is having the site absolutely ready to go.  
9 That means it's graded, it's permitted, it is clearly a  
10 fast track property and a plan is put in place for a  
11 virtual building. As a past economic developer, I will  
12 tell you that the argument of having a building on a  
13 site with four walls and a roof on it with expansion  
14 plans was the best sales tool that I ever had. Because  
15 if they didn't go in that building, they built one  
16 right next door and it was that building that brought  
17 them to us. So again, it's a pretty expensive  
18 investment that you have to make for that lead that  
19 you're going to generate, but it does work.

20 EDDIE MOORE: Anyone else? We appreciate  
21 you coming with your presentation. And I appreciate to  
22 get that list from you, too.

23 HAL JOHNSON: Yes, sir.

24 EDDIE MOORE: All right.

25 HAL JOHNSON: Mr. Chairman and members of  
26 council, thank you for your support of Upstate  
27 Alliance.

28 EDDIE MOORE: Thank you, sir.

29 HAL JOHNSON: Yes, sir.

30 EDDIE MOORE: We now go to Item 10 on the  
31 agenda, report from Appalachian Council of Governments.  
32 While he's getting set up, I would like to make one  
33 announcement, too. On May the 8<sup>th</sup> at nine o'clock,  
34 right here, we'll have a small business meeting. Mr.  
35 Burns is getting the agenda up for that. We'll release  
36 that later. And we're going to invite all small  
37 business owners in Anderson County to come up to this  
38 meeting. This will be on a Friday, May the 8<sup>th</sup> at nine  
39 o'clock. And we want input from small business owners  
40 in Anderson County. So we invite them all to come.  
41 We're going to try to talk and have some ideas about  
42 promoting small businesses in Anderson County. Because  
43 really, small businesses is what employ eighty percent  
44 of the people in Anderson County. And we really want  
45 to try to help them out and see what we can do to help  
46 them. And if they have some ideas for us. So mark  
47 that down on your calendar, May the 8<sup>th</sup> at nine  
48 o'clock. Be like a small business little seminar we're  
49 going to have here. And we will be getting an agenda  
50 for that. And if you know any small business owners,

1 please tell them about it. And come up with ideas. It  
2 will be an open format. We will take questions and  
3 ideas from the small business owners. And we  
4 appreciate anybody that will come and help us out on  
5 this.

6 STEVE PELISSIER: Thank, thank you, Mr.  
7 Moore and members of county council. I appreciate the  
8 opportunity to be with you this evening. Again, my  
9 name is Steve Pelissier and I'm executive director with  
10 Appalachian Council of Governments. We're here to  
11 provide our annual report on services to Anderson  
12 County. Excuse me. And I'd like to express my thanks  
13 to Mr. Moore and to Ms. Floyd for serving on our board  
14 of directors and helping to lead and guide the  
15 organization. We've enjoyed the relationship we've had  
16 with Anderson County over the last forty-five years.  
17 Of course, I'm -- I was one forty-five years ago, so it  
18 hasn't been me the whole time. But I've enjoyed my  
19 nineteen years in working with Anderson County. For  
20 fiscal year 2009 and for each of the last nineteen  
21 years, your investment in the Appalachian Council of  
22 Governments has been seventy-four thousand, nine  
23 hundred forty-eight dollars. We're far enough along in  
24 FY09 that I think we can accurately project the return  
25 on that investment that will come back to Anderson  
26 County and the citizens of Anderson County this year.  
27 And the return we're projecting is around five point  
28 six million dollars. That translates to seven-five  
29 dollars back to the people of Anderson County for each  
30 dollar you invest. Of this total, about eight hundred  
31 fifty-eight thousand dollars is loans to small  
32 entrepreneurial and start-up businesses. And those  
33 loans generate an additional 1.08 million in capital  
34 investment from the private sector and help to create  
35 nineteen new jobs in the county. The announcement you  
36 just made, Mr. Moore, gives me a really excellent  
37 segway. I'm excited about this program because it's  
38 one of the few resources that are out there for the  
39 small business. And, as you mentioned, that's where  
40 the job creation is in recent years. There's a lot out  
41 there for the big industry, the manufacturing concern,  
42 the big business that comes in. But this one is really  
43 targeted at the little guy who's starting up, who's  
44 wanting to expand, who's wanting to add a few  
45 employees, add to his investment. In addition, related  
46 to that, we have a program called Plan a Biz which is a  
47 web-base system that anybody can access to give  
48 marketing and business information for that small  
49 business. You're looking to start, maybe, or expand,  
50 want to know the -- your market. How many people are



1 in a defined radius? What their income is. Other  
2 characteristics of those. Really the type of  
3 information, you as a business person needs to put  
4 together to go to a bank or any financial institution  
5 as part of your market plan, you can get right off of  
6 our Plan A Biz website to get you started there. For  
7 your session in May, we'd be glad to come and talk  
8 about these as well if that would be appropriate.  
9 But ---

10 EDDIE MOORE: By all means. Please come.  
11 That's what we want. We want ideas and maybe if you've  
12 got any packets or anything for small business owners,  
13 you know, to get some of these loans. Or any ideas  
14 that you would have for them to help them out because  
15 that's where we're going is -- we really need help for  
16 those small businesses.

17 STEVE PELISSIER: And we'll follow up with  
18 Mr. Burns on that to make sure we get the right  
19 information we need. Going back to the return on  
20 investment, in addition, we've been able to work with  
21 entities in the county to get -- to access and receive  
22 federal grants funds. We're excited that we're able to  
23 help the county and the Starr Iva Water District get  
24 half a million dollars in funds for some water  
25 expansion there. The Powdersville Water District to  
26 get another half a million to build a new water tank,  
27 badly needed in that area. And with Tri-County Tech to  
28 access a hundred and fifty thousand dollars or so for  
29 their gateway to college program, targeting at-risk  
30 youth and their center for entrepreneurship, about a  
31 hundred and thirty-five thousand. About 1.85 million  
32 of our funding went to workforce development and  
33 training services. These help citizens enhance skills,  
34 provide workers affected by plant closings, which  
35 unfortunately has been the real emphasis of the program  
36 over the past year. Provide on the job training to  
37 businesses that move into Anderson County. And have  
38 training for youth, out-of-school youth. We have a  
39 really good partnership with Fusion Warehouse to help  
40 folks get GED classes and a welding program that's gone  
41 very well there. We've provided an additional five  
42 hundred and fifty thousand for senior citizen services,  
43 including about fifty-nine thousand meals provided,  
44 medical services, home healthcare transportation and  
45 related. In addition to the dollars in the report that  
46 we distributed, I left several of the services, other  
47 services we've provided to the county. Given the  
48 likeness of the hour, I'm not going to read that to  
49 you, but would ask that you, that you take a look at  
50 it. We're excited about the Tri-County

1 telecommunications master plan that's being finishing  
2 up this month. That is a requirement to have that plan  
3 in place to access the 4.9 billion dollars in stimulus  
4 funds for telecommunications broadband development.  
5 There's not a whole lot of places in the country that  
6 have that necessary plan in place. It definitely gives  
7 Anderson County a leg up to develop some of your  
8 telecommunication broadband infrastructure. Hal  
9 Johnson mentioned Info Minum?? in the Upstate Alliance  
10 Property Navigator. We're excited to have the Upstate  
11 Alliance as our partner with those efforts and  
12 appreciate working with them. And we appreciate  
13 working with your staff, as well, on the economic  
14 development that those tools are used for. We provide  
15 municipal assistance, general governmental planning,  
16 community development, economic development to  
17 municipalities across the county. Fortunately, this  
18 year, we haven't had to do one of those financial  
19 crisis solvings that we've had in the past with some of  
20 your municipalities. But -- and hopefully we won't  
21 have to again. But if the need arises, we're here.  
22 And I think that's been some of the really significant  
23 work our government services staff has done in Anderson  
24 County with a few of your municipalities over the year  
25 -- years, as they've gotten into a real black hole  
26 financially to work with them to do the things they  
27 need to do to get out of that. We conduct a council  
28 retreat for municipalities recently, Belton and  
29 Williamston, among those. I also have some coming up  
30 some initiatives for FY 2010 and beyond. We have two  
31 point seven million dollars programmed for road  
32 improvements in Anderson County over the next two and a  
33 half fiscal years. Over the past eight years, we've  
34 provided thirty-four million dollars in transportation  
35 funding to the county. And, again, I have those other  
36 items there, that I won't take the time to read through  
37 completely. Also, at the end of the report, I give you  
38 a five year list of grants we've help organizations in  
39 Anderson County secure. I think that's fairly  
40 extensive, totaling about eight million dollars. That  
41 concludes my prepared remarks. I'd be glad to address  
42 any questions that council members may have.

43 CINDY WILSON: Mr. Chairman, may I.

44 EDDIE MOORE: Ms. Wilson.

45 CINDY WILSON: I first became acquainted  
46 with ACOG back in the late seventies in real estate  
47 development work and they've always been the most  
48 incredible clearing house for demographics and all  
49 sorts of necessary information. And since I've come on  
50 council, the backup and support information for grants

1 and actual getting grants, the council on aging, work  
2 that y'all do, I just thank you because this is one  
3 investment that the county makes that I truly believe  
4 we really benefit from. And it's extensive and just a  
5 wide assortment of services that ACOG provides the  
6 county and also to professionals in the county. So I  
7 want to thank you.

8 STEVE PELISSIER: Thank you. Thank you for  
9 your support.

10 EDDIE MOORE: Ms. Floyd.

11 GRACIE FLOYD: Mr. Pelissier, while I  
12 have you here, at one of the meetings, one of the COG  
13 meetings, you did an excellent job in explaining the  
14 stimulus packages. And I say packages because it's not  
15 just one thing, as a lot of us thought. It's several  
16 different components of it. And I would like to invite  
17 you to come back at the next meeting. Okay, I won't  
18 bring you back two times in a row. What about the  
19 second meeting in May? Explain that stimulus package  
20 to this council. Because it was good information.

21 STEVE PELISSIER: Ms. Floyd, thank you for  
22 that the kind comments. I'd be glad to come back at  
23 whatever, you know, whatever time suits council best.

24 GRACIE FLOYD: I'm inviting you to the  
25 second meeting in May.

26 STEVE PELISSIER: I'd be glad to come.  
27 Thank you for the invitation.

28 GRACIE FLOYD: Good. Ms. Eddleman,  
29 would you please make notes of that. Thank you.

30 BOB WALDREP: Mr. Chairman.

31 EDDIE MOORE: Mr. Waldrep.

32 BOB WALDREP: Mr. Pelissier, I received  
33 a call recently that some of the major utilities like  
34 Duke Power company was going to be in some way involved  
35 in the grant process, an energy grant. Do you know  
36 anything about that?

37 STEVE PELISSIER: You're probably referring  
38 to the American Recovery and Reinvestment Act or the  
39 Stimulus Program. There is an energy weatherization  
40 component of that that's administered through the South  
41 Carolina Energy office. Various streams there -- last  
42 week at a meeting with myself and the other nine COG  
43 directors across the state, the energy office asked the  
44 councils of governments to help administer one  
45 component of that program which for our six county  
46 region will have about two hundred forty thousand  
47 dollars. However, Greenville County, Spartanburg  
48 county and the cities of Greenville, Spartanburg and  
49 Anderson are excluded from that pot. There's a  
50 different pot. So we'll have two hundred forty

1 thousand dollars for the rest of the region which  
2 includes unincorporated Anderson County and the smaller  
3 towns. At the meeting last week, the COG directors  
4 agreed to partner with the energy office and do this.  
5 In terms of specific requirement for application and  
6 such, those have not come out yet. We expect those to  
7 come out in the next couple of weeks and we'll  
8 certainly pass those on to our local governments.

9 BOB WALDREP: Well, you know, you speak  
10 of pots. I just want to know where all the pots are.  
11 If you can kind of help us where -- with those pots and  
12 when those pots become available and how we get to the  
13 pots. That's the process that I think we need to get  
14 ongoing, because we don't want to miss an opportunity  
15 or be late, you know, on an application or something  
16 like that. So, I guess, what I'm asking is that we get  
17 as much information as we can for our administrator so  
18 that we'll know that we're on top of the -- all the  
19 stimulation that's going on. Okay.

20 STEVE PELISSIER: Yes, sir. I think, I  
21 think the first part of your question is really  
22 essentially the same thing that Ms. Floyd is asking  
23 for. And in the presentation when I come back in May,  
24 I'll go over each of those pots and that, in the  
25 meantime, I will get Mr. Burns a copy of my  
26 presentation that Ms. Floyd referred to at the board  
27 meeting and my presentation notes to distribute to  
28 y'all, as well.

29 BOB WALDREP: Okay. Last thing, when  
30 you say ACOG, associated counties, that doesn't include  
31 the municipalities? Does that -- you work with the  
32 municipalities, as well?

33 STEVE PELISSIER: Yes, sir. ACOG is  
34 Appalachian of Council Governments. We are made up of  
35 the six counties and the forty-two municipalities.

36 BOB WALDREP: Okay. Right. Okay.  
37 Wanted to make sure. Thank you.

38 EDDIE MOORE: Mr. Burns, did you have  
39 something to say?

40 RUSTY BURNS: It's a different pot.

41 EDDIE MOORE: Another pot. Okay. Good  
42 thing. Any of the council? Ms. Floyd, go ahead.

43 GRACIE FLOYD: Who's doing the grant?  
44 Who's writing the grant? Okay.

45 EDDIE MOORE: We appreciate you coming  
46 out and sharing all this good knowledge with us and  
47 looking forward for you to come back for our small  
48 business meeting we're going to have on May the 8<sup>th</sup>.

49 STEVE PELISSIER: Thank you. Thank you for  
50 your support and I appreciate the opportunity to be

1 with y'all this evening.

2 EDDIE MOORE: Thank you. We now go to  
3 Item 11 on the agenda. The hazards of pesticides. Ms.  
4 Ellison, is she here? Okay. Not here. Then we'll go  
5 on to Item 12 on the agenda, the presentation on farm  
6 to school. Ms. Floyd.

7 GRACIE FLOYD: In the past couple of  
8 weeks -- come on up. Come on up. In the past couple  
9 of weeks, we have heard a lot about farm to schools.  
10 We had an excellent presentation by a young lady -- I  
11 cannot think of her name now. And then we had someone  
12 from Columbia to come up and said a couple of things.  
13 But we have not heard from our own people on what we  
14 are doing on this Anderson County farm and food plan.  
15 And I thought it was important that we hear from -- we  
16 heard from everybody else. And I thought it was  
17 important that you know what we're, what we're already  
18 doing, what we have been doing. And in some areas, I  
19 think we started it first. But I have asked Brandon  
20 Grace to come up and talk to you about it. Mr. Grace,  
21 I turn it over to you.

22 BRANDON GRACE: Thank you, Ms. Floyd, Mr.  
23 Chairman, and members of council. I appreciate the  
24 opportunity to come before you tonight and give you an  
25 update on where we are with the programs here in  
26 Anderson County as they relate to agriculture. As you  
27 may know, some of you were a member of council in 2007,  
28 a resolution was passed by this body in support of  
29 agri-business. And that was really the start of our  
30 efforts to try and look at how we can improve the  
31 agricultural conditions here in our community. And  
32 hopefully bring a little bit of economic development  
33 and environmental improvement to our county through our  
34 agricultural, agricultural elements of our community.  
35 At that time we formed a team of volunteers, farmers,  
36 people who were active in the farmers market at that  
37 time, myself, members from Clemson University  
38 sustainable agriculture project. And we sat down and  
39 went through a planning research and program  
40 development period where we determined what was needed  
41 in Anderson County. And we're at the point now where  
42 we have, I think, a very solid plan to move forward and  
43 really do some significant improvement to our  
44 agricultural community here in Anderson. This is --  
45 the Anderson County farm and food plan -- which is  
46 available. You all have copies of it tonight, but  
47 anybody that would like to take a look at it, it is on  
48 the farmers market page of Anderson County website or  
49 download as a PDF for anybody who would like to read  
50 all the specifics. I'm just going to give you a

1 general and brief overview tonight. And I'll be happy  
2 to speak with any of you to talk about specific  
3 programs, if you so desire. The mission really is  
4 looking at three areas that we saw that we needed to  
5 look at. We needed to expand consumer markets, create  
6 infrastructure to meet those demands, and to foster  
7 non-governmental leadership to sustain these programs  
8 indefinitely. To provide the type of leadership you  
9 get from a Chamber of Commerce or from some of these  
10 wonderful organizations that have presented here  
11 tonight to provide non-governmental leadership to  
12 sustain these programs. The vision is to create an  
13 autonomous food system in the community where we feed  
14 ourselves from our own land. Why pursue an autonomous  
15 food system? Well, when we did a study in 2007, we  
16 found that five hundred million dollars a year was  
17 spent on food in Anderson County. Five hundred million  
18 dollars, half a billion dollars spent in our community  
19 on food. That's our hard-earned money from our jobs  
20 and our paychecks where we go out and we eat or we buy  
21 food from grocery stores. The problem is that a lot of  
22 that money goes out to other communities around our  
23 country. Or even worse, a lot of our wealth goes out  
24 to other countries around the world. We're buying a  
25 lot of our food from outside our community. And that's  
26 fine if you live in a dessert or in the tundra where  
27 you cant grow your own food, but it's a catastrophe for  
28 a community like ours; not to capture a larger portion  
29 of that money. Right now, our best estimates, working  
30 with Clemson University's Strom Thurmond Institute and  
31 Ag-Con Department, is that only thirty to sixty million  
32 dollars stays in our community from that money spent on  
33 food. We're working to refine those numbers and come  
34 up with a really good baseline of what exactly that  
35 number is, but right now our best estimates are thirty  
36 to sixty million. And like I said, that's a  
37 catastrophe for a community like ours that has the  
38 capacity to grow a lot of its own food. So what we  
39 wanted to do is create a food system where our local  
40 farmers could grow the food for our citizens to eat  
41 right here and to feed ourselves. And try to capture a  
42 larger part of that five hundred million dollars. It's  
43 an economic development issue. This is about bringing  
44 more jobs and more money into our community. Not just  
45 for the farmers, but for all the businesses that  
46 support them, as well as our local restaurants and all  
47 eating establishments. The part of our, our overall  
48 economic development strategy. We have manufacturing,  
49 tourism and commercial, economic development which all  
50 have their own agencies outside of our own economic

1 development department which assist in bringing in  
2 those businesses. Like the Chamber of Commerce, the  
3 Convention and Visitors Bureau or Innovate Anderson.  
4 Agriculture just lacks this sort of leadership and  
5 focus so that we can make sure we're applying the  
6 resources to the most effective way to bring these  
7 businesses to Anderson, to support our local farmers  
8 and make sure that we're keeping some of that money  
9 here in our community. In the long term, we could not  
10 only make the money that we feed ourselves -- the money  
11 that we use to feed ourselves, we could create a system  
12 that could help feed the region. We could be looking  
13 at markets like Atlanta and Columbia, Greenville, to  
14 feed them, as well. We have that kind of abundant land  
15 and resources in our community. So we need to look at  
16 bringing up Agriculture to the same kind of level we're  
17 doing with this other economic development activity  
18 that we're doing. That we would see ...

19 END OF TAPE 2, SIDE 1

20 BRANDON GRACE: ... also there would be  
21 health benefits and environmental benefits as far as  
22 when we're improving agriculture, we would also improve  
23 the health of environment, as well as the health of our  
24 citizens, by making local, healthy food choices. I  
25 don't want to get on my soap box too much. That's  
26 something I'm really exited about. But this is really  
27 a secondary benefit due to economic development  
28 benefits that we're looking to go after. Another  
29 really important secondary benefit is protecting the  
30 rural nature of our community. We are a farming and  
31 rural community which has a big metropolitan area just  
32 to our north which is expanding very rapidly. And if  
33 we don't decide what we're going to look like, then  
34 they're going to decide for us and we're going to end  
35 up looking like a bedroom community for Greenville.  
36 Without going through the arduous task of zoning and  
37 land use ordinances and those sort of things, by  
38 creating a more profitable agriculture community, we  
39 set up a barrier against that sort of development.  
40 Because farmers are less likely to sell their land, if  
41 they're making a profit off of it. So we hope to  
42 create a sort of defacto setup where farmers are more  
43 profitable and less likely to sell to the sort of  
44 development that we may not want to see if we keep the  
45 rural charm of this community. But there are a lot of  
46 benefits that we might see from this system. What we  
47 found out was that it wasn't just about improving how  
48 we farm. It was about improving how we eat, as well.  
49 And that there was a large system involved here. A  
50 very nuance and complex system that brought our food

1 from the farm to our fork. And we saw that each one of  
2 these sections needed to be brought along equally. That  
3 we had to have programs that we're going to improve  
4 each one of these sectors at the same time. If you go  
5 out and just improve production and create higher yield  
6 for your farmers without having the distribution  
7 channels, the processing capability and the consumers  
8 to buy it, you're spinning your wheels. So we're taking  
9 a farm to fork approach. We're looking at the whole  
10 system and trying to create programs that will allow us  
11 to actually bring our agricultural products from our  
12 local farms to our consumers right here in our  
13 community. So we are looking at improving each of  
14 these elements incrementally at the same time and make  
15 sure that we're not getting the cart before the horse  
16 and that each one of these sectors could support each  
17 other. On this graphic here, you'll see that there's a  
18 little red arrow between the wholesale brokers and the  
19 restaurants, institutions, and grocery stores and those  
20 sort of places. That is where the vast majority of  
21 this commerce is done. Two hundred and seventeen  
22 million of that five hundred million is done in that  
23 section, between wholesale brokers and restaurants and  
24 institutions. So I'm going to give you a specific  
25 program that we're working on to show you, show you  
26 how, how this all works. To give you an actual  
27 concrete example of one of our programs. We have many  
28 but this is the one, I think, that's the best example.  
29 And that's our farm to institution programs, which  
30 include two segments, farm to school and farm to  
31 restaurants. These are great examples because you  
32 can't just go into these segments of our economy and  
33 just try to grow more at the farmer level and force  
34 them to take the products. They have specific needs  
35 and desires that they have. They have -- restaurants  
36 and schools expect to make a very simple order and have  
37 it arrive on a loading dock in a usable manner to cut  
38 down on their profits -- to allow them to have better  
39 profit margins. We don't currently have that  
40 processing capability. So we are working on solutions  
41 to that. But I wanted to use farm to school as a  
42 specific example of how we are working within one  
43 program to work on each one of these segments. And our  
44 farm to school program -- and we'll be launching next  
45 week with our spring farm to school program bringing  
46 strawberries from local farms to our schools. We went  
47 out and have worked with producers to create a new  
48 outlet for them to give them the skills they need to  
49 take advantage of this opportunity. And to get them  
50 the certifications that they need for the schools and



1 wholesale outlets to buy from them. There are certain  
2 safety certifications that they must be trained to have  
3 so that they can sell to these outlets. We're working  
4 on processing. Right now we don't have a whole lot of  
5 resources to throw at this so we're working with  
6 special needs and disabilities to come up with a way.  
7 We can't buy a lot of machines to do this processing  
8 right now, so we're looking at grants from the  
9 Department of Labor to bring special needs and  
10 disabilities people into the system to process, to  
11 wash, grade and box this produce at this time. So  
12 since we can't afford the mechanization on the front  
13 end so that we can provide clean, graded, boxed produce  
14 to our schools. Distribution. We're working with  
15 Carolina Produce, a local business right here in town,  
16 who is going to be distributing these strawberries in  
17 the next couple of weeks to these schools in districts  
18 2, 3 and 5 for the students to enjoy them, not only in  
19 the lunch room, but during snack time. And then on top  
20 of that, we working with consumers. Not just giving  
21 them access to this fresh and healthy food, but also  
22 giving them the educational benefit of not only getting  
23 to know their farmers better and to learn a better  
24 appreciation for this food so that they'll make  
25 healthier choices in the future, but also to make sure  
26 that they understand that what effort goes into  
27 bringing that produce to them and understand what the  
28 value is for buying from their local system and what  
29 that means to our community. So we -- we're trying to  
30 use the farm to school program, the grow with me  
31 program, to work with on all segments of those. And we  
32 have several other programs you'll see in the plan that  
33 address this system in the same way. We tried to take  
34 each segment and see how we could improve it with these  
35 programs. This takes a lot of partners to do this. We  
36 have our effort which provides the leadership and the  
37 resources on the local level. But we go to a lot of  
38 different places to get help. Give you an example, you  
39 had a presentation last meeting from South Carolina  
40 Department of Agriculture. They have been fantastic  
41 partners. And their certified South Carolina grown  
42 program has been implemented here at the farmers  
43 market, as well as at the Anderson County museum. We  
44 are using that branding and that marketing to help  
45 identify South Carolina products and get those into  
46 people's hands. We're very proud of our involvement in  
47 that, and we're going to be expanding that in our farm  
48 to restaurant program with a fresh on your plate  
49 program coming up very soon. I'm currently working  
50 with the South Carolina Department of Agriculture to

1 bring that here full force, like it is in Charleston  
2 and Columbia. We're also working with Clemson  
3 University. Not only a sustainable agriculture program  
4 for their educational events that they put on for our  
5 farmers, but also with the extension service and any  
6 other -- like I mentioned the Strom Thurmond Institute  
7 and the Ag-Con Department. Wherever we can go to get  
8 an expert to help us with this, we're not afraid to go  
9 and get ideas from them. USDA is a great funding  
10 source and there will be twenty-six point four billion  
11 dollars in one of those pots that we were talking about  
12 earlier in the Stimulus bill for the next four years to  
13 improve local agriculture. So hopefully, we'll --  
14 we're geared up to go and request and get some of that  
15 money. And then we also have groups like the  
16 Appalachian Sustainable Agriculture Project and  
17 Carolina Farm Stewardship Association which are groups,  
18 we're in their area, their service area, they work to  
19 improve local sustainable agriculture through various  
20 programs. And we're also working with Anderson  
21 Interfaith Ministries on some really neat things this  
22 year to make sure that the most needy in our community  
23 are receiving access to the fresh, healthy produce that  
24 we produce here on our farms. I'm really proud of all  
25 these partnership that we've created. And I look  
26 forward to, over the next twelve to twenty-four months,  
27 implementing these programs to really create something  
28 with this system that we as an organization, as  
29 Anderson County, and that you, as a council, can be  
30 really proud of. So I'll take your questions.

31 TOMMY DUNN: Mr. Chairman.

32 EDDIE MOORE: Mr. Dunn.

33 TOMMY DUNN: Thank you. Mr. Grace, I  
34 appreciate your presentation. It was good. Couple of  
35 things. Y'all work pretty close together with our  
36 consultant, Ms. Schaum, I believe, don't you, if I'm  
37 saying that right?

38 BRANDON GRACE: Yes, sir.

39 TOMMY DUNN: Well good. This is no knock  
40 on you. I appreciate the job you've done. But I just  
41 want -- for my own peace of mind, just want to make  
42 sure this is dejavu. This is the same thing, does  
43 anybody think this is the same thing we seen a few of  
44 weeks ago? I, I just wanted to make sure. The things  
45 wouldn't be -- it's a good presentation. I appreciate  
46 it. Thank you a lot.

47 EDDIE MOORE: Any other council member?

48 GRACIE FLOYD: Thank you.

49 EDDIE MOORE: Ms. Floyd.

50 GRACIE FLOYD: It may be the same thing you

1 heard a few weeks ago but today you hear it from us.  
2 You hear from our part of it. Mr. Grace did explain  
3 how we all work together. He works with several  
4 different organizations that's doing the same -- doing  
5 sort of the same thing; right? So, if we took the time  
6 to hear it from the different part, then we needed to  
7 hear it from our own folks too, what we did. Okay. I  
8 appreciate it. It was a good presentation. And the  
9 fact that we heard it before, then maybe we can  
10 understand it better. Thank you.

11 EDDIE MOORE: Mr. Wilson.

12 RON WILSON: Thank you, Mr. Chairman.  
13 Brandon, the partnerships that you've got listed here  
14 and you've talked about, when you are around those  
15 groups in Columbia or various functions, I know we've  
16 been told here tonight that we're out front on several  
17 different things in economic development and so forth,  
18 what has been your experience or your exchange with the  
19 Department of Agriculture or the Department of  
20 Education in Columbia when they discuss what y'all are  
21 doing here in Anderson.

22 BRANDON GRACE: The Department of Education  
23 and the Department of Agriculture have such a large  
24 focus area and there is no one size fits all solution  
25 for each community in South Carolina. So it requires  
26 that there is a local leadership effort. Clemson  
27 University will tell you the exact same thing. As  
28 their budgets dwindle, they can provide support, but  
29 they can't really come in and do the programs for you.  
30 So the certified South Caroling grown is a great  
31 program, but how that's implemented on the ground in  
32 each community and how that's utilized, is really up to  
33 either some sort of governmental or non-governmental  
34 leadership within each community. So they're great  
35 partners, but I don't think that they have their finger  
36 on the pulse of what's going on necessarily within our  
37 community. So my -- you know, they look at the bigger  
38 picture of South Carolina. So I think that they would  
39 say that -- they -- it's required for there to be some  
40 sort of local leadership and some sort of local effort  
41 to sustain any kind of positive effects you might have  
42 in a community.

43 RON WILSON: Just a comment I have.  
44 Someone said that we heard this before. When my  
45 daughter was here several weeks ago, she was requested  
46 to be here by the council and gave a presentation. And  
47 I know that y'all have worked together on some --  
48 several of these different aspects, so the presentation  
49 would be similar in some ways. And I just want to say,  
50 your presentation is good. And I know that from

1 talking with different people in Columbia, we're viewed  
2 as a leader in this farm to school undertaking that's  
3 not being done almost in any other county. But they're  
4 looking, because of leadership that came out of this  
5 county to lead and do the things that's being done in  
6 about twenty-six other states, I believe. And so I  
7 certainly commend you for the work you're doing and for  
8 what it means to our community in keeping that money  
9 here instead of going off into another state or to  
10 another country. So I certainly commend you, Brandon.

11 BRANDON GRACE: And if I could make one  
12 other comment about that. The agenda item tonight that  
13 I was to discuss was farm to school, in particular,  
14 which is the area in which Ms. Schaum's, most of her  
15 focus is. The why of why we're doing all of these  
16 programs is the same, whether it's farm to school, the  
17 farmers market, community supported agriculture, or any  
18 of the other programs that are listed there in the  
19 plan. Tonight I wanted to highlight farm to school  
20 because I know there has been a lot of questions about  
21 that. But there are a lot of other programs that are  
22 going on. The why we are doing each one of these  
23 programs may be the same. But each one of those  
24 programs has a different impact, whether it's wholesale  
25 markets, retail markets, branding, whatever it is,  
26 we've tailored those. And and like I spoke tonight  
27 about the same thing that Ms. Schaum spoke about, that  
28 I would be glad to do a presentation about what we're  
29 doing at the farmers market or through the CSA or  
30 through our partnerships with local restaurants to sort  
31 of highlight some of the other things we're doing, if  
32 you guys would like to see that in the future?

33 RON WILSON: Thank you, Mr. Chairman.

34 EDDIE MOORE: Okay.

35 CINDY WILSON: Mr. Chairman, may I?

36 EDDIE MOORE: Ms. Wilson.

37 CINDY WILSON: I think where a lot of  
38 people take offense is not at the effort. It's that we  
39 are paying consultants for doing something that a  
40 county employee is already doing. And that we already  
41 pay the Clemson Extension Service and we already have  
42 -- we're paying the USDA and South Carolina Department  
43 of Agriculture through our other tax monies. I think  
44 that's where the offense is and I, I thought I saw a  
45 photograph of my uncle's farm on there. I do think  
46 that it's important to have a farmers market. My own  
47 father, right before he died, was running fourteen  
48 acres of truck garden. And I know that healthy food is  
49 a very important part of our local economy as well.  
50 But again, the offense is in the redundancy of payments

1 of public money to private individuals that are doing  
2 already what our public entities are doing. Thank you.  
3 BRANDON GRACE: Thank you.  
4 EDDIE MOORE: Time expired. I appreciate  
5 it, Mr. Grace.  
6 BRANDON GRACE: Thank you, Mr. Chairman.  
7 EDDIE MOORE: We now go to Item 13,  
8 Walking the Dog Event. Mr. John Lanier.  
9 BOB WALDREP: Lanier?  
10 EDDIE MOORE: Lanier? Is he here? Mr.  
11 Lanier, are you here? I guess he's out walking the  
12 dog. All right. We'll now go to Item 14, the Balloon  
13 Rally. Mr. Lambert.  
14 STEVE LAMBERT: Good evening, Mr. Chairman,  
15 Anderson County council, and members of the audience.  
16 My name is Steve Lambert and I live at 2933 Lebanon  
17 Road in district 4. My wife, Connie and I, are the  
18 owners of a hot air balloon company called Skyscapes of  
19 America and we have been in business -- in the balloon  
20 ride business for twenty years, with the past six here  
21 in Anderson. We're the only full-time commercial  
22 balloon ride company in the entire state of South  
23 Carolina and we're based right here in Anderson. We  
24 sell balloons rides to over four hundred people each  
25 year that come from all over South Carolina and  
26 Georgia, as well as other states, to take a balloon  
27 ride. With me today is my friend, Jack Cothran, who I  
28 am training to also become a hot-air balloon pilot and  
29 we're here to talk to you about a hot air balloon  
30 festival. We understand the budget concerns of the  
31 county prevent you from organizing a festival this  
32 year. And there has been a lot of talk about the need  
33 for a private group taking over the responsibility of  
34 continuing the balloon festival tradition in Anderson.  
35 Jack and I, along with our wives, are here to offer  
36 taking that responsibility for a balloon festival in  
37 Anderson. We have attended many festivals around the  
38 country in our twenty years of ballooning. And since  
39 we are already in the hot-air balloon business here in  
40 Anderson, we believe we are best suited and have the  
41 knowledge necessary to create a successful balloon  
42 festival. We truly have Anderson's best interest at  
43 heart. Since Anderson is such a great place to fly and  
44 loved by so many balloonist and residents, we would  
45 really hate to see the balloon festival end. Just  
46 seeing the two water towers tells everyone that  
47 Anderson is a very balloon friendly community. We  
48 realize that Anderson County is not in a position to  
49 support a balloon festival financially this year. But  
50 we believe there are other ways Anderson County Council

1 can support a festival. Since the Civic Center is  
2 already approved for a balloon festival, it would be a  
3 shame for it not to continue to be used as such. We  
4 also understand that you are in possession of various  
5 items used in past festivals, such as refueling  
6 adaptors, storing ??, baggies and more that would be a  
7 great help if we could use them. We believe you own  
8 copyrights to the Great Southeast Balloon Fest, its  
9 name, its logo and its website. But we propose,  
10 however, that if we proceed with the festival, a new  
11 name would be a fresh start. We would like to see the  
12 word Anderson as part of the festival's name. We would  
13 love to see a fall festival during October or November  
14 when the fall foliage is so pretty. Flying over  
15 Anderson countryside in a hot-air balloon when all the  
16 leaves are so colorful is breathtaking. If you choose  
17 to endorse and support us in this endeavor to continue  
18 the ballooning tradition in Anderson, we would ask you  
19 to allow us to use the Civic Center launch field and  
20 grass parking areas for the festival. We believe your  
21 endorsement would also help generate local business  
22 support to raise money for a festival. We're also  
23 working with the Snowbirds Over Anderson Airshow  
24 Committee and this great group of people has expressed  
25 an interest in helping with the balloon festival, also.  
26 As you may remember from a previous council member,  
27 Hugh Odom stated that he would like to see hot-air  
28 balloons be part of the air show in the future. We  
29 believe combining balloons with the air show would also  
30 be a great fit for the local community. We would love  
31 to grow this into a year round organization that could  
32 possibly attract other types of air sporting events in  
33 the future. We would like to create a non-profit  
34 corporation which we could possibly call Anderson Air  
35 Sports or Air Sports Over Anderson. We also think this  
36 would -- this may be beneficial in attracting future  
37 business for Anderson as a result. And one last thing,  
38 I've heard the Anderson County -- that Anderson County  
39 is going to stop using the Anderson balloon for now and  
40 place it into storage. It has been my experience that  
41 storing a hot-air balloon for an extended period of  
42 time is typically detrimental to the fabric.  
43 Therefore, I'd like to make a formal offer to purchase  
44 the Anderson balloon and include it in our business so  
45 we can fly it over Anderson. That concludes our  
46 presentation and I'll be glad to answer any question  
47 you may have at this time.

48 TOMMY DUNN: Mr. Chairman

49 EDDIE MOORE: Mr. Dunn.

50 TOMMY DUNN: I'd like to see we would put

1 a committee together. I think it's a great idea and  
2 I'd wholeheartedly try to support it. But I would like  
3 to clear up one, one misconception or maybe I've been  
4 wrong of what I've been told. Anderson County ain't  
5 never supposedly put no money behind a balloon  
6 festival. We was just told that the first part of that  
7 year, that it was always private money that run the  
8 balloon festival and we would support much like these  
9 folks here asked us to do ??. I was even told  
10 employees volunteered their time and overtime for free.  
11 Whether that true or not, I don't know. But it's not  
12 that it's not in our budget, regardless, Anderson  
13 County has never, from my understanding, supposedly,  
14 funded no balloon festival. But I wholeheartedly  
15 applaud these gentleman and, and would love to support  
16 them in anyway I can. I'd like to see a committee to  
17 work with these folks and work trying to get that  
18 balloon -- give them the balloon, too, if we're not  
19 going to use it anymore. I think it's a great idea.

20 CINDY WILSON: Mr. Chairman.

21 EDDIE MOORE: Ms. Wilson.

22 CINDY WILSON: This is probably the most  
23 comprehensive proposal we've ever had. It really -- I  
24 don't think there's anyone up here who was ever opposed  
25 to a balloon festival. There was always a great deal  
26 of confusion as to what the county actually funded and  
27 to how we funded it. We obviously have a great Civic  
28 Center facility and if we have these items in our  
29 possession that you're indicating that would be useful,  
30 it would helpful if we could know if they are in  
31 existence and where they are. And I know we've talked  
32 at one point about trying to have a committee to work  
33 on that, but I don't think anyone up here felt like  
34 they had the expertise or knowledge. So personally, I  
35 welcome your approach to us in this manner.

36 STEVE LAMBERT: The main thing is we would  
37 like your support. We feel that the county needs to be  
38 involved. You know, you have the facilities here for  
39 it, and without your support, I don't think the local  
40 businesses would support it either. And so that's kind  
41 of where we're coming from that -- and I think there  
42 are enough people that I have spoken with myself that  
43 would like to see it happen. Putting a committee  
44 together would be one of the first things. We are  
45 involved with the Air Show committee right now. And  
46 then -- and that group has, has expressed an interest  
47 in maybe after the air show committee is -- after the  
48 air show is over with, maybe getting back together  
49 later and talk about something in the fall. We want to  
50 do something later in the year where we have plenty of

1 time to organize it. So that's kind of where we're at  
2 that if you choose to support it, then a committee  
3 would be the next thing.

4 EDDIE MOORE: I would like to form a  
5 committee. Mr. Dunn has volunteered. Do I -- Mr.  
6 Waldrep, would you like to be on the committee? Mr.  
7 Waldrep volunteers.

8 BOB WALDREP: I just did? Well, Mr.  
9 Chairman, I want to make sure there's sufficient hot  
10 air up here to ---

11 EDDIE MOORE: I think we've got plenty hot  
12 air up here. And I'll, I'll help you with that, too,  
13 since I volunteered you.

14 BOB WALDREP: Mr. Chairman, I want to ask  
15 a question. The idea of the Snowbirds and the Air Show  
16 and the balloon festival working together sounds like a  
17 very good idea. But I just wondered, is there any  
18 problem with the fact that there's two locations. The  
19 air show would have to be at the airport and, of  
20 course, the balloon festival would be at the ---

21 STEVE LAMBERT: Well, what, what I kind of  
22 envision in talking with Hugh and some other people is  
23 that not to do one event, okay. Two small events.  
24 And, and maybe if this idea of the Anderson Air Sports,  
25 maybe we have an umbrella organization that encompasses  
26 air sports in general. So at the beginning of the  
27 year, you can do an air show and maybe have teen or  
28 fifteen balloons come into town to, to supplement the  
29 air show. At the end of the year, maybe we have  
30 twenty-five or thirty balloons at the end of the year  
31 for a fall festival. And who knows, maybe something  
32 else that involves a whole different air sport in the  
33 middle of the year. You know, maybe we get ultra-  
34 lights in here or something else. But with an umbrella  
35 organization that can fund-raise year round, not just  
36 for each individual event, but fund-raise year round  
37 for different events so that that way, you know, each  
38 one would have its own budget, of course, and stuff  
39 like that. But, you know, that's kind of what the --  
40 what my long-term vision would be for this.

41 BOB WALDREP: Well, Mr. Chairman, I think  
42 that one of the big benefits, of course, is the  
43 tourists concept. And I do understand that there is  
44 some value here. And I think that Mr. Brill, Glenn  
45 Brill, has indicated that this is a good idea and that  
46 the air show, the Snowbirds that's coming up, I think,  
47 next month, is supposed to have a very positive tourist  
48 impact.

49 STEVE LAMBERT: Definitely.

50 BOB WALDREP: And so I think that goes



1 along with what we're trying to achieve.  
2 STEVE LAMBERT: Right.  
3 BOB WALDREP: So we'll get together in  
4 more detail to see if we can't put together a plan.  
5 STEVE LAMBERT: Our contact information is  
6 on the presentation copy. Both of our phone numbers  
7 are there, so feel free to contact us if you have any  
8 questions later. Or to set up a meeting.  
9 EDDIE MOORE: We'll try to maybe do us a  
10 breakfast somewhere and sit down and talk about it and  
11 get some plans together.  
12 STEVE LAMBERT: Good.  
13 HUGH ODOM: One quick comment. We want  
14 Anderson, Anderson people to run it, involved in it.  
15 And we don't want any outsiders coming in and running  
16 our county.  
17 TOMMY DUNN: Great idea.  
18 EDDIE MOORE: Sounds good. Sounds like a  
19 plan. Mr. Allen.  
20 TOM ALLEN: Yeah. I know. I met with  
21 Mr. Cothran a couple of weeks ago and we talked. And I  
22 know, I know they're both very concerned, very  
23 energetic and have a lot of great ideas. And I think  
24 this whole air thing is really going to come together.  
25 And I applaud you for what you're trying to do.  
26 STEVE LAMBERT: Okay.  
27 EDDIE MOORE: Thank you, very much for  
28 coming.  
29 RON WILSON: Mr. Chairman.  
30 EDDIE MOORE: Mr. Wilson.  
31 RON WILSON: I had a question. I had a  
32 question for you. With all the work you've done, that  
33 you passed out, what's your estimate of a budget?  
34 STEVE LAMBERT: Well, of course, it depends  
35 on how many balloons that would be brought in. I would  
36 like to see it down, low number, start small. Twenty  
37 to twenty-five balloons, something like that for the  
38 first festival. And instead of trying to put on a big  
39 hundred balloon festival, because that's just way too  
40 much money. So I would, knowing what they've been  
41 involved with the air show budget of around twenty  
42 thousand dollars, you know, I know it would cost us  
43 more to do that. But if we couldn't do it for less  
44 than fifty thousand dollars, you know, I think that  
45 would be a really high number. I would hope. But I  
46 really haven't run any numbers, so I don't know that  
47 for sure, but I would hope it wouldn't go up over that.  
48 RON WILSON: When you mentioned you need  
49 our support, you're talking about a vote, a resolution  
50 or you looking for money?

1 STEVE LAMBERT: No. I'm not looking for  
2 money. I would say more along the lines of a  
3 resolution so that we can at least say, when we go to  
4 local business people in town, we can say that we have  
5 the full support of the county council. You know,  
6 they're behind it. They want it just as much as we  
7 want it. And I think that would go a lot, lot farther  
8 for us when it comes time for fund-raising.

9 TOMMY DUNN: I believe you'd like to  
10 use our facilities, wouldn't you?

11 STEVE LAMBERT: Huh?

12 TOMMY DUNN: Our facilities, I mean,  
13 that's one thing. Instead of money that what you'd  
14 like to use.

15 STEVE LAMBERT: Right. Because you  
16 already have the facility there. And I'm not talking  
17 about the building, as you read later. We believe we  
18 could put a festival on strictly with, I think, it's  
19 like thirty something acres right there on the festival  
20 field. And when I say festival, I don't mean just  
21 balloons, I mean something that would be a full weekend  
22 event for the community to come out and have fun and  
23 using the fields and the parking areas.

24 RON WILSON: In conjunction with the  
25 orchestra and everything that we've had in the past?

26 STEVE LAMBERT: Well, no. We'd like to move  
27 it into November -- October, November because the  
28 weather is typically better and the fall is typically  
29 more stable for balloons in the October/November time  
30 frame. Labor Day is just -- we see it that there's a  
31 lot of people leave town to go on that last vacation  
32 before going back to school. So I don't think we get  
33 as much community support doing a balloon festival over  
34 Labor Day as we would if we did something later in the  
35 year, like in October, November -- we haven't picked a  
36 date yet. We just are saying October, November time  
37 frame. And that's kind of our thoughts about it.  
38 Labor Day is a big holiday for everybody, you know, and  
39 just like Memorial Day and everything else. And in our  
40 experience, going to balloon festivals that are on  
41 holidays, with the exception of Freedom Weekend on  
42 Memorial Day, most of them don't do as well on holiday  
43 weekend as they do on non-holiday weekends.

44 RON WILSON: Thank you, very much.

45 EDDIE MOORE: We would like maybe to talk  
46 with the city, also.

47 STEVE LAMBERT: I plan to do that.

48 EDDIE MOORE: And that way, you know,  
49 maybe we can coordinate because I think they have like  
50 a Celebrate Anderson or something. We could do

1 something like that and make it kind of a whole county  
2 event. It might be a good idea.  
3 STEVE LAMBERT: Right.  
4 TOMMY DUNN: Mr. Chairman, I believe, I  
5 believe, Mr. ---  
6 STEVE LAMBERT: Mr. Odom, he'd like to have  
7 a minute of my time.  
8 EDDIE MOORE: Sure. Come up.  
9 HUGH ODOM: Mr. Chairman and members  
10 of council, I'd like to present this principally from a  
11 point of information. This week in Lakeland, Florida,  
12 there is a fly-in which would consist of between five  
13 to seven thousand airplanes and over forty thousand  
14 people. In three weeks there will be a fly-in at  
15 Lumberton, North Carolina, a lot smaller, but several  
16 thousand people. The concept of leveraging Anderson's  
17 reputation as the balloon capital of the east coast can  
18 be modified and grown with these types of programs.  
19 And, of course, we're looking at the tourism impact.  
20 Now I think we would love to have forty thousand people  
21 and seven thousand airplanes coming to Anderson County.  
22 That may be a little far off in our expectations. But  
23 what Steve is proposing in conjunction with everything  
24 else that we've got is a way to take our current  
25 infrastructure and leverage it make a significant  
26 economic impact on the county. Thank you.  
27 EDDIE MOORE: Appreciate that. Thank  
28 y'all for coming. Now go to Item 15 on the agenda.  
29 Second reading. Public hearing. Be on resolution  
30 2009-009. Mr. Hopkins, got anything to say about it.  
31 HOLT HOPKINS: I showed you some of the  
32 pictures. What we're talking about is the road up in  
33 Powdersville. The developer is wanting to relocate it  
34 so he can make better use of the land up there. But,  
35 but we're excited about it because of the safety  
36 benefit of getting that road moved away from Highway  
37 153. I'll answer any questions but ...  
38 EDDIE MOORE: Okay. The public hearing is  
39 now open for comments if anyone has any comments.  
40 Seeing none or hearing none, the public hearing is now  
41 closed. There any discussion?  
42 TOMMY DUNN: Mr. Chair, I make the motion  
43 we adopt it.  
44 EDDIE MOORE: Motion made to adopt. I  
45 have a second?  
46 TOM ALLEN: Second.  
47 EDDIE MOORE: I have a second. All in  
48 favor, right hand. Unanimous. We'll now go to Item 16  
49 on the agenda, Resolution R2009-037. Resolution to  
50 provide for the commission of certain named code

1 enforcement officers to provide for the proper  
2 security, general welfare and convenience to the  
3 county. Mr. Burns. Mr. Pitts.

4 RUSTY BURNS: Mr. Chairman, it come to the  
5 -- to our attention that there were a number of the  
6 officers, code enforcement officers, that needed to be,  
7 be commissioned pursuant to the code of ordinances. So  
8 this is just more of a housekeeping item to take care  
9 of that.

10 EDDIE MOORE: Okay. I will go ahead and  
11 read the resolution. Resolution to provide for the  
12 commission of certain named code enforcement officers  
13 to provide for the proper security, general welfare and  
14 convenience to the county of Anderson, South Carolina.  
15 Whereas, in accordance with section 4-9-145 of the Code  
16 of Laws of South Carolina, the governing body of a  
17 county may appoint and commission code enforcement  
18 officers as may be necessary for proper security,  
19 general welfare, and convenience to the county. And  
20 whereas, such code enforcement officers shall be vested  
21 with the powers and duties inherent in the general  
22 police power of the county, as well as those powers  
23 conferred by law and constables, in addition to the  
24 duties imposed upon them by the governing body of the  
25 county. And whereas, section 42-71 Anderson County  
26 Code of Ordinances authorizes Anderson County Council  
27 to appoint and commission by resolution such code  
28 enforcement officers as may be necessary for the proper  
29 security, general welfare, and convenience of the  
30 County of Anderson. And whereas, the Anderson County  
31 administrator has provided council with the names of  
32 qualified individuals and requested that council  
33 appoint and commission such individuals as Anderson  
34 County code enforcement officers for the county. And  
35 whereas, council hereby desires to commission those  
36 certain named individuals as Anderson County code  
37 enforcement officers to provide for the security -- the  
38 proper security, general welfare and convenience to the  
39 county. Now therefore, be it resolved by Anderson  
40 County council in meeting, duly assemble that Tommy  
41 Siegler, Ray Taylor, Cliff Donald, John Carpenter,  
42 Jeremy Grossman, Bobby Gunter, Bobby Pruitt, Terry  
43 Bowers and Larry Johnson are hereby appointed and  
44 commissioned as code enforcement officers for the  
45 county of Anderson, South Carolina to provide for the  
46 proper security, general welfare and convenience to the  
47 county. Such individuals shall have the powers and  
48 duties inherent and the general police power of  
49 Anderson County, as well as those powers conferred by  
50 law upon constables. In addition to the duties imposed

1 upon the Anderson County Council pursuance to and in  
2 accordance to section 4-9-145 of the Code of Law of  
3 South Carolina and section 42-71 Anderson County Code  
4 of Ordinances. All orders and resolutions in conflict  
5 herewith are to the extent of such conflict only  
6 repealed and rescinded. Should any part or portion of  
7 the resolution be deemed unconstitutional or otherwise  
8 unenforceable by any court of competent jurisdiction  
9 such finding shall not affect the remainder hereof, all  
10 of which is deemed separable. This resolution shall  
11 take effect and be enforced immediately upon enactment.

12 TOMMY DUNN: Mr. Chairman, I so move on  
13 the resolution.

14 EDDIE MOORE: And we have -- the motion  
15 has been moved and seconded. Is there any discussion?

16 TOM ALLEN: Mr. Chairman, does this  
17 require any additional training or is this strictly a  
18 -- in name only? Pretty much. Okay.

19 BOB WALDREP: Mr. Chairman?

20 EDDIE MOORE: Mr. Waldrep.

21 BOB WALDREP: I just want to make sure.

22 Council is not empowered to vest these people as  
23 officers, are they? We're only going through the  
24 process of -- what are we -- I'm trying to figure out  
25 exactly what we are doing. Are we placing some kind of  
26 authority -- we're not placing authority on them, are  
27 we?

28 RUSTY BURNS: No. The code just requires  
29 the council's permission for the ?? code enforcement.

30 BOB WALDREP: Oh. Then they go through  
31 the process of becoming educated or whatever it is.  
32 Are they to attend school?

33 TOMMY DUNN: Mr. Chairman. If I may?

34 EDDIE MOORE: Mr. Waldrep.

35 TOMMY DUNN: Mr. Waldrep, if I may help  
36 you out. This would be -- and y'all correct me if I'm  
37 wrong, Mr. Burns. I've been doing a little checking on  
38 this and if the Sheriff feels like he needs to jump in,  
39 he can, too. This is to help them. It is my  
40 understanding it hadn't never been done. They need to  
41 get it done. This will help them be litter officers,  
42 animal control officers, and enforcement officers. But  
43 this don't give them no more authority than we talked  
44 about before, no arresting power, or nothing like that.

45 BOB WALDREP: Oh. Okay. I didn't know. I  
46 know we had talked about using some of our people in  
47 making some kind of transmutation from an officer ---

48 TOMMY DUNN: That has nothing to do with  
49 this, no, sir.

50 BOB WALDREP: To a gun toting officer.

1 EDDIE MOORE: Be a later date.  
2 TOMMY DUNN: It has nothing to do with  
3 that. Trying to bring the people we got on staff up,  
4 up, up, make it housekeeping, make it legal, whatnot.  
5 BOB WALDREP: Okay. Thank you.  
6 TOMMY DUNN: Thank you, Mr. Chair.  
7 EDDIE MOORE: All in favor raise your  
8 right hand. Unanimous. Mr. Burns, we going to do the  
9 oath of office on these now or we going to ---  
10 TOMMY DUNN: I don't think they're here,  
11 are they?  
12 RUSTY BURNS: That should ??.  
13 EDDIE MOORE: That's sufficient, okay.  
14 Want to make sure we were in ---  
15 RUSTY BURNS: We'll take care of the oath  
16 separately. That does not need to be done in open --  
17 we'll take care of it.  
18 EDDIE MOORE: Okay. All right. We're  
19 good to go. We'll now go to 17 on the agenda.  
20 Appointments, various board and commissioners. Anyone  
21 have any appointment? Ms. Wilson.  
22 CINDY WILSON: Yes, thank you. I would  
23 like to submit for council's approval a nominee, Ms.  
24 Susan Crittendon for district 7, citizen's advisory  
25 zoning appeals board for the Bowling Green precinct,  
26 please.  
27 TOMMY DUNN: I second.  
28 EDDIE MOORE: I have a second. Any  
29 discussion? All in favor raise your right hand.  
30 Unanimous. Mr. Waldrep. Mr. Dunn.  
31 TOMMY DUNN: Yes, sir. I would also like  
32 to appoint -- to reappoint Mr. Bob Snyder, Ms. Ann  
33 Dixon to the citizen's advisory zoning group in the  
34 Centerville precincts. That's the only one I've got  
35 that's zoned.  
36 EDDIE MOORE: Have a second. Any  
37 discussion? All in favor, raise your right hand.  
38 Unanimous. Still working on mine. Ms. Floyd, you have  
39 any. Mr. Allen?  
40 TOM ALLEN: None at this time.  
41 EDDIE MOORE: Mr. Wilson? Okay. We'll  
42 now go to Item 18 on the agenda, request from council  
43 members? Mr. Waldrep?  
44 BOB WALDREP: No requests.  
45 EDDIE MOORE: Ms. Floyd? I have no money.  
46 Mr. Allen? Mr. Dunn?  
47 TOMMY DUNN: No, sir.  
48 EDDIE MOORE: Mr. Wilson? Ms. Wilson? We  
49 now go to the administrator's report. Mr. Burns, you  
50 got anything. Okay. Any council members have any

1 questions about Mr. Burn's report? Okay. We now go to  
2 Item 20 on the agenda, citizens comments on other  
3 matters.

4 MIKE PITTS: Mr. Chairman, we have two  
5 citizens signed up tonight. The first is Benny Sue  
6 West.

7 EDDIE MOORE: Okay. Before Ms. Floyd  
8 goes. Hold on a minute. Ms Floyd, we have a meeting  
9 on Friday at two o'clock on the budget. So I want to  
10 make sure --- I have the COG meeting too, and this will  
11 be after at two o'clock. The meeting's over at twelve.  
12 Okay. You've been told. Okay. Okay. Let the record  
13 be shown that Ms. Floyd has left.

14 BENNY SUE WEST: Chairman and members of  
15 council, I'm Benny Sue West from ward 1, precinct 2. I  
16 would like to read a resolution that ---

17 TOM ALLEN: The microphone? The  
18 microphone's not on.

19 EDDIE MOORE: The microphone, I don't  
20 think, is on. We can't hear you.

21 BENNY SUE WEST: I want to read a res ---

22 END OF TAPE 2, SIDE 2

23 EDDIE MOORE: Now we can hear you.

24 BENNY SUE MOORE: Okay. It mentions several  
25 names. And that's why I wanted to be sure this was  
26 acceptable.

27 EDDIE MOORE: It needs to be district  
28 number, if you can.

29 BENNY SUE MOORE: Oh, my goodness. Well I  
30 don't have those numbers. I know some of them but not  
31 all of them.

32 EDDIE MOORE: Okay.

33 BENNY SUE MOORE: So I'll -- we'll do this  
34 another time. Thank you.

35 MIKE PITTS: Next is Mr. Rick Freemantle.

36 RICK FREEMANTLE: Good Evening, Mr. Chairman.  
37 Rick Freemantle from the White Plains precinct. With  
38 all that poor mouthing going on up there about not  
39 having no money, I think we ought to figure out a way  
40 to sell that balloon quick. You know, we did hear  
41 basically a similar presentation here tonight on this  
42 farm to school thing. They talk -- they continue to  
43 talk about this five hundred million dollars being  
44 spent here in this community on food. We may have the  
45 capacity to grow the food to feed the population here,  
46 but we can't control the climate. If farming was so  
47 profitable on small level, then the farming on small  
48 levels wouldn't have disappeared. Period. Like most  
49 things, the farming industry has been crippled with  
50 government bureaucracy. If you listen closely to these

1 reports, you continue to hear, we're going to have to  
2 train these people so they'll know how to prepare the  
3 stuff and bring it to the market. More government  
4 bureaucracy. I would dare to say that most of these  
5 farmers in this area are not going to go through the  
6 additional expense when they can go out on a corner and  
7 sell there wares without having government in their  
8 back pocket. Let's not fool ourselves, these foods, if  
9 and when they ever do get to the tables, they're not  
10 going to differ very much from the foods we already buy  
11 in the market. And again, things like the USDA,  
12 they'll see to that. Government will make sure that  
13 they're pretty much similar. One last thing I'd like  
14 to say, for a hundred and seventeen thousand dollars,  
15 we can buy a lot of strawberries. The Upstate  
16 Alliance, they were here tonight. They did a great  
17 job. Again, we had a fifty-eight percent increase in  
18 requests for this area this year over last year. Yet  
19 we had a zero percent increase in productivity in jobs  
20 coming to this area. Now granted, we're in a bad  
21 economy. That, that -- you can't overlook that. I do  
22 think one thing that y'all have done here recently is  
23 going to go a long ways to bringing business to this  
24 community. When you see statements in the paper such  
25 as, there will be no tax increase in this next coming  
26 budget, those kinds of things are going to attract  
27 businesses. That equates. I hate to say it, but you  
28 have a zero percent productivity last year, you had a  
29 fifty-eight percent increase in requests and you're  
30 still at zero percent productivity. Something's  
31 broken. We need to take a long hard serious look at  
32 our economic development. We got problems in that  
33 area. Thank you.

34 MIKE PITTS: That concludes the citizens  
35 comments.

36 EDDIE MOORE: We now go to remarks for  
37 council members. Ms. Wilson.

38 CINDY WILSON: Thank you. All I can say is  
39 thank you to all of you and all of our citizens who are  
40 teaming up together to have open, honest, accountable  
41 local government and I appreciate being a part of it.  
42 Thank you.

43 EDDIE MOORE: Mr. Waldrep?

44 BOB WALDREP: Mr. Chairman, I just look  
45 forward to seeing you all at the next budget meeting --  
46 is it Friday?

47 EDDIE MOORE: It will be Friday. Our next  
48 budget meeting will be Friday at two o'clock. And the  
49 public is certainly invited to come and we'll have  
50 input from all of you.



1 BOB WALDREP: And there's a council of  
2 government's meeting earlier that morning?  
3 EDDIE MOORE: The COG meeting is at, I  
4 think it's at ten or ten thirty. I'll have to look and  
5 see.  
6 BOB WALDREP: Okay. Thank you.  
7 EDDIE MOORE: Let the record show too that  
8 Mr. Waldrep has been appointed to the COG. He'll be  
9 representing -- one of the representatives, too. Mr.  
10 Dunn.  
11 TOMMY DUNN: Thank you, Mr. Chairman. I  
12 would like to remind Mr. Burns, the administrator, I  
13 don't think he's quite got enough to do. Maybe he can  
14 set the -- facilitate this committee meeting with the  
15 balloon people. Because we don't need to wait till the  
16 last minute. We need to start planning. I think we,  
17 we got a great opportunity here to do something another  
18 good and maybe we can work with the city of Anderson.  
19 We appropriated some money the other day to Celebrate  
20 Anderson. Maybe we can combine them and move it out.  
21 Just some ideas and we need to get a date. But I just  
22 would ask Mr. Burns to try to get something set where  
23 we can all -- all of us be there. I think it would  
24 great. We're missing a great opportunity. Thank you,  
25 Mr. Chairman.  
26 EDDIE MOORE: Mr. Allen.  
27 TOM ALLEN: I guess I'll just have to  
28 say a word or two. Mr. Burns, thanks. I -- you've  
29 really been moving things along and I like that. Thank  
30 you, very much.  
31 EDDIE MOORE: Mr. Wilson. I just want to  
32 remind everyone again on May the 8<sup>th</sup> we'll have a small  
33 business, I guess you can call it a seminar. It will  
34 be here. And if you know of any small business owners,  
35 please invite them. We want every small business owner  
36 in the county. We'd like to see a lot of people here.  
37 And it's going to be -- I think we'll have fun and get  
38 a lot of good information and ... Mr. Burns, do you  
39 want to say something, too? Thank you. And just make  
40 sure to get the word out and I wish the news media  
41 would please report this also. Because we really want  
42 small businesses here. And we're going to try to help  
43 them out and give them some guidance and we're going to  
44 have a lot of good information here for them. And this  
45 will be probably one of the first of several we're  
46 going to have in the future and to try to help build  
47 the small businesses in the county. And remind you  
48 again, on Friday at two o'clock we'll have our budget  
49 meeting here at two o'clock this Friday. So everyone  
50 is certainly invited. And Mr. Burns, I think you're

1       doing a good job. And that's all I have. Do I have a  
2       motion to adjourn?  
3               TOMMY DUNN:               Motion.  
4               EDDIE MOORE:            I have a motion to adjourn.  
5       Do I have a second?  
6               TOM ALLEN:               Second.  
7               EDDIE MOORE:            All in favor, raise your  
8       right hand. We're adjourned.  
9  
10               MEETING ADJOURNED AT 9:15 P.M.

#3

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting – May 5, 2009 - 6:00 p.m.  
Linda N. Eddleman, Clerk to Council

MINUTES

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
M. Cindy Wilson – District #7  
Rusty Burns – Interim Administrator  
Linda N. Eddleman – Clerk to Council

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 9:17 p.m.

Respectfully submitted,

*Linda N. Eddleman*

Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina    )  
County of       Anderson    )

ANDERSON COUNTY COUNCIL MEETING

MAY 5, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
CINDY WILSON  
TOMMY DUNN  
GRACIE FLOYD  
TOM ALLEN  
RON WILSON

1 EDDIE MOORE: Regular meeting on March the  
2 5<sup>th</sup> is now called to order. We'll have the invocation  
3 and pledge of allegiance. Mr. Bob Waldrep.

4 INVOCATION AND PLEDGE OF ALLEGIANCE BY BOB WALDREP

5 EDDIE MOORE: Now go to Item 3 on the  
6 agenda. When we first took office, we had a lot of  
7 things on our plate. We had a lot of untangle -- we  
8 had to remove and untangle a lot of actions from the  
9 last council. Example, duplicate contracts that we had  
10 to handle and just one thing right after another. But  
11 we think we have made a lot of good progress on this  
12 council. And we would just like to tell you about some  
13 of the things that you may or may not know. It's hard  
14 for a lot of people to be able to come to all the  
15 meetings that we have had over the last hundred days.  
16 So I'm going to kind of run through some things that we  
17 have done that we're kind of proud of. And I would  
18 like to start with Item 1. Anderson County became the  
19 first county in the entire state to put our check  
20 registry and expenses on-line for all to see where  
21 their tax dollars are being spent. This was done by  
22 some very talented county employees for little or no  
23 cost. The former administrator of a year ago told in a  
24 press release that it would cost over two hundred and  
25 seventy-eight thousand dollars to do this which we have  
26 proved was inaccurate. This shows that we're serious  
27 about an open, honest and accountable county government  
28 for our citizens. Item 2, we have appointed working  
29 adhoc committees from council members that are  
30 streamlining county operations for a more economical  
31 operation. These actions have already accounted to  
32 savings in excess of three million dollars and  
33 counting. We have completed these tasks without having  
34 to lay off any of our county employees. These same  
35 committees have operated in a completely open format  
36 with citizen interaction and comments. This is a first  
37 for Anderson County and has been well received by our  
38 citizens. It gives ownership to our citizens in  
39 matters relating to the operation of our county. And  
40 it's our county. Everybody's county. Item 3, we have  
41 had citizen input for our on-going budget process with  
42 numerous budget control meetings that have been  
43 operated in an open workshop format. This is another  
44 first for an Anderson County Council. Doing this has  
45 required us to have more meetings than any other  
46 Anderson County Council in its history. Our economic  
47 development has prepared a five hundred and seventeen  
48 acre site on I-85 that has sewer and water available  
49 for a certified industrial development site which we  
50 believe will attract new companies into Anderson

1 County. Item 5, we have organized small business  
2 seminars to help our Anderson County small business  
3 owners, as well as prospective small business owners,  
4 get valuable information to help them be successful in  
5 our county. We realize that over eighty percent of our  
6 citizens work for small business and it's important to  
7 assist them as much as possible. We're proud that our  
8 existing small business owners, plant managers,  
9 citizens, and the Anderson Area Chamber of Commerce  
10 will be assisting us in this endeavor which will be a  
11 winning program for all of Anderson County. This is  
12 also a first for Anderson County. Never been done  
13 before. Item 6, our economic development group will be  
14 updating a building registry for all our county which  
15 we can post on-line to help future or existing business  
16 owners and companies that are interested in Anderson  
17 County to find a building for their use. We have a lot  
18 of empty buildings now. And if people don't know about  
19 it, we can't fill them. This registry will be a very  
20 good thing. Item 7, we are currently refining our bid  
21 procedures so we know we're getting the most for our  
22 money on contracts with Anderson County. Item 8, in  
23 the past few months our Central Services and  
24 Environmental Group has refined the bidding on our  
25 recycle centers that has saved tens of thousands of  
26 dollars for Anderson County. And we're proud of them.  
27 Item 9, we have refined the plans for our animal  
28 shelter and soon we'll have a new facility that we all  
29 can be proud of while being frugal with taxpayers'  
30 dollars. We will also have our own doctor of  
31 veterinary science on staff when the new facility  
32 opens. Item 10, our transportation committee along  
33 with the Transportation Department has implemented a  
34 county car usage policy that will save Anderson County  
35 thousand of dollars. Only essential personnel will be  
36 allowed to drive a car home. We will also be adding  
37 twenty-five of our cars -- we're going to convert them  
38 to propane fuel. This will cost us nothing. It's from  
39 a grant. And it will save us on emissions and  
40 operating costs for the county. And it will also  
41 improve our air quality. As you know Anderson County  
42 and this upstate -- we're right between Charlotte and  
43 Atlanta and the air quality is not as good as some  
44 parts of the country. This will help us out. Item 11,  
45 we are currently making plans for capital improvements  
46 which will be new ball fields at the Civic Center which  
47 will increase the revenue for the facility. Item 12,  
48 we're currently making capital improvements to our  
49 Anderson County Airport which will attract more clients  
50 that require hangar space for corporate jets, as well

1 as airplanes. This will help our airport to operate  
2 with a modest profit, which is a good thing. Item 13,  
3 we hope to implement a lucrative incentive plan for our  
4 county employees that step forward with ideas that can  
5 save money for our county operations. We want to  
6 reward our employees for good ideas. And we think that  
7 employees will be thinking about good ideas to come  
8 forward. We're presently working on that. Item 14,  
9 we're proposing a reduction in our reimbursable  
10 accounts for individual council members which will save  
11 thousands of dollars. Item 15, we will recommend  
12 approval for the lighting system on the main exits from  
13 I-85 which will attract more vehicular traffic off the  
14 interstate for our businesses. We think that's a good  
15 thing. Item 16, we have implemented a dialogue with  
16 the City of Anderson and other small towns which will  
17 bring discussion regarding ways we can work together as  
18 a team for the improvement of both City of Anderson and  
19 Anderson County as a whole. Item 17, soon we will  
20 complete our audit of all county expenditures and this  
21 will help us to identify areas of concern as well as  
22 save money. This audit has already helped us  
23 tremendously in our budget process to identify ways to  
24 operate in a more efficient manner. We're working on  
25 many ideas that we will be sharing with you in the very  
26 near future. We hope you will continue to come to our  
27 open door meetings we're having as seminars. Please  
28 bring with you your thoughts, your suggestions or your  
29 complaints. We are an open door council and we really  
30 want you to be part of the solution. Item 19 is -- we  
31 also will hire an in-house engineer for Anderson  
32 County. And up until -- we have always hired different  
33 engineering firms and this will save us a tremendous  
34 amount of money to have an on-house -- in-house  
35 engineer to do a lot of our small engineering jobs. We  
36 think we can save thousands of dollars by doing this.  
37 And these are just some of the items that we think that  
38 we have done in the first hundred days that has really  
39 made an improvement in the lives of citizens of  
40 Anderson County. And we hope to do much more. And  
41 that pretty much does it for Item 3. And we're now  
42 going to go to Item 4 which will be the approval of the  
43 minutes. Do we have any comments on the minutes? Any  
44 corrections? We have a motion the minutes be approved.  
45 I have a second.

46 TOM ALLEN: Second.

47 EDDIE MOORE: Any discussion? All in favor  
48 raise your right hand. Unanimous. We now go to Item 5  
49 on the agenda. Citizen comments. This will be on  
50 agenda matters and I'll caution everyone to please talk

1 about agenda matters that are on the agenda. And  
2 address the Chair and do not address any council member  
3 by name.

4 MIKE PITTS: Mr. Chairman, we have four  
5 citizens signed up tonight. The first is Mr. Mike  
6 Montepara.

7 MIKE MONTEPARA: Good Evening, Council. Who's  
8 really in charge here is my question? Various  
9 committees or the elected full council? Getting harder  
10 to make that distinction. Resolutions have taken the  
11 place of the requirements of three readings, public  
12 input and an ordinance. New committee projects have  
13 taken precedence over voter approved projects, bond  
14 issues and so forth. Hundreds of thousands of dollars  
15 are tied to these committee projects without any public  
16 input. While workers are getting laid off daily, you  
17 now propose adding lighting to the freeway for the  
18 proposed cost of fifty thousand dollars a year. This  
19 is a four year old project if I'm not mistaken it was  
20 vetoed due to the costs back then. What is the purpose  
21 of this lighting? To light the way to Greenville? I  
22 suggest you buy a six hundred dollar billboard with a  
23 big arrow saying, that way, twenty-five miles to  
24 progress. The ten year cost is -- will exceed a half a  
25 million dollars with no job growth or real benefit  
26 other than lighting a federal highway. Now you propose  
27 a ball field with a price tag of three quarters of a  
28 million dollars. I thought warm and fuzzy projects  
29 were useless. I've heard those very words in this  
30 council by the people sitting here. Now you want to  
31 build a bigger ball field when we already have existing  
32 ball fields in an economic crisis. Does the county not  
33 have capable engineers already who can grade a lot and  
34 put in two bleachers. Or is this what the District 7  
35 representative proposes for her new hired engineers?  
36 Or are these also projects for Fluor to review and  
37 approve? I want to see these bids. Homeland Park came  
38 to you over a year ago asking for a fraction of that  
39 amount to improve our only park on that end of town,  
40 Wellington Park. We asked for under ten thousand  
41 dollars with volunteers to do the work and we were  
42 denied. Yet you're looking for three quarters of a  
43 million dollars with no job growth. I don't understand  
44 that in this economic time when we're having budget  
45 crises, let's build a ball field. Another warm and  
46 fuzzy project, mind you. Who does this ball field  
47 really serve? Despite your promises, we're faced with  
48 a 2.9 mil tax increase. The budget shows more  
49 expenditures, not less. Firing or eliminating  
50 employees, administrators and complete departments is



1 the accepted business for this council instead of  
2 restructuring and streamlining and using those people  
3 that have already been developed to better this county.  
4 Professional hirings are done during a freeze and now  
5 you propose a lengthy legal battle which is going to  
6 cost hundreds of thousands of dollars. This is your  
7 priority system. This is how your first one hundred  
8 days are working. I say we're a hundred days closer to  
9 the next primary.

10 MIKE PITTS: Next is Mark Powell.

11 MARK POWELL: Mark Powell, District 7,  
12 Williamston area. You know, it kind of saddens my soul  
13 to agree with certain people about the lighting on 85.  
14 I have spoke with some of you about that. My concern  
15 is not the twenty-five to fifty thousand per year.  
16 That is a concern. I do see the safety issue with it.  
17 But my concern is if we have a truck out there  
18 repairing the light bulbs, because we're not only  
19 required to pay the power bill, we're required to  
20 change the light bulbs and service the system, if one  
21 of our trucks is out there working, a piece of it  
22 malfunctions and falls on the interstate, and/or  
23 someone hits it and causes it to fall on the  
24 interstate, the liability standpoint of that for our  
25 county is what concerns me the most. Not the power  
26 bill in itself, but the reliability of being on the  
27 interstate owned by the federal government or the  
28 state. I would say let the state keep their one and a  
29 half million bucks and say, when you treat us like  
30 Greenville, come on back. It hardens my soul to agree  
31 with certain people, but I do agree with that one.  
32 Aliens. I hope we get something that allows Americans  
33 to work in America. If you happen to look around in  
34 Anderson City today, you will see what appears to be  
35 non-Americans out there working on the road project,  
36 which they did this whole road in front. Now they're  
37 doing the road beside Chiquola. That's heartbreaking.  
38 The committee work that you guys have done, I admire  
39 you for the amount of times that y'all have spent.  
40 We've had committees in the past, such as personnel  
41 committees who agreed to look at certain matters with a  
42 lawyer and it never went beyond committee. It never  
43 went out of committee. It never came before council.  
44 Thank you for the time you spend for the measly around  
45 nine thousand dollars you reserve -- you get paid for  
46 the service that you do for a year. I'd hate to think  
47 what your hourly rate is for what service you do as a  
48 public servant for that small amount of a pay check.  
49 Hiring an engineer. Great. Hiring a full-time lawyer.  
50 Sorry, buddy, I think we need to hire a full time one.

1 Nothing personal. Y'all had mentioned that in the past  
2 and I hope that happens as well. It is cost savings.  
3 I was at a Williamston meeting last night and they're  
4 going to pay eleven thousand dollars for an architect  
5 to lay out their park. Uh-huh. They're going to pay  
6 an architect eleven thousand bucks to tell them where  
7 they need to plant shrubbery. You know, governments  
8 get a little carried away on how they spend money. And  
9 they're going to spend eleven thousand bucks. Now it's  
10 grant money. The grant money came out of my tax  
11 dollars, your tax dollars and everyone sitting behind  
12 me that's a working taxpayer. Which forty-five percent  
13 of them may not be a taxpayer like some of us. But I  
14 appreciate the work you guys have done and the amount  
15 of time you're putting into honest and open government.  
16 You get chastised over how much time you spend. But  
17 funny thing is, we're in the condition we're in because  
18 the past didn't spend that time. And I thank you  
19 greatly for the work you're doing. Thank y'all again.

20 MIKE PITTS: Next is Rick Freemantle.

21 RICK FREEMANTLE: Good Evening, Mr. Chairman.  
22 My name is Rick Freemantle from the White Plains  
23 precinct. I would just like to reiterate what the  
24 previous speaker said. I think y'all are doing an  
25 outstanding job. After attending these meetings for  
26 six years now, dealing with the councils that we've had  
27 prior to you, they didn't understand the meaning of  
28 open and honest, accountable government. Never was the  
29 public's input allowed into anything. Whether it was a  
30 budget process or anything. It just simply wasn't  
31 allowed. As a matter a fact, the attitudes that we had  
32 to deal with were how dare we talk with the people on  
33 high. I thank you very much for removing that  
34 attitude. I would like to talk about Item 10 or 11.  
35 Either one, you choose, it is both dealing with  
36 illegals. Small businesses are already hurting with  
37 the downturn in the economy. The illegals are hurting  
38 tradesmen like myself. You got several brick laying  
39 crews here tonight that are being hurt by it. We do  
40 need to do something about this problem. We've got a  
41 federal government with federal laws telling us they  
42 don't have time to deal with it. They can't possibly  
43 remove all these people, yet they expect the rest of us  
44 to live by the laws of the land. The last thing a  
45 small business man needs in this economy, or as far as  
46 I'm concerned in any economy, is more bureaucratic red  
47 tape. The idea of a business license just gets all in  
48 my face. It sickens me. I can't tell you how against  
49 that I am. The idea that it may be free, yeah, that's  
50 how they all start. Free. I guarantee you within a

1 year there will be a fee on it. Lot of talk about  
2 projects going on, paving project, city projects, I  
3 don't know if there's any county projects or other  
4 state projects, that are using illegal -- well, what  
5 appears to be illegal help. Maybe we need to be more  
6 proactive, our county fathers, our Sheriff's  
7 Department, people that live in this community, when  
8 they see these large projects being undertaken with  
9 what appears to be illegal help, maybe we need to start  
10 pressuring -- you folks have the bully pulpit --  
11 pressuring the folks on the state level. Check this  
12 out. Have these people be run through e-verify? Are  
13 they here illegal? Get after the feds. Call them.  
14 Embarrass the living daylights out of them. Are these  
15 people legal? Do they have their papers? If not, get  
16 them out of our county. I watched Georgia rid  
17 themselves of this problem within six months flat just  
18 because of the decisions that were made on their state  
19 level. Those people got out of there like flies. Most  
20 of them came here.

21 MIKE PITTS: And last we have Doreen  
22 Montepara.

23 DOREEN MONTEPARA: Good evening, Council.  
24 Doreen Montepara, District 5, Homeland Park. First of  
25 all, I'd like to start off on the illegal situation. I  
26 agree with what Ms. Floyd is trying to do. We've got  
27 way too many illegals out there. Now first, let me  
28 state this. I have nothing against anybody coming to  
29 American but doing it legally. As long as they do it  
30 legally, I have no problems with it whatsoever. Coming  
31 here illegally, I've got a serious problem with it.  
32 We've got way too many economic problems nowadays to be  
33 worrying about, okay, where am I going to find a job?  
34 When you drive by, and I've seen it, construction sites  
35 are the best place to go. Ride out to Ansonborough,  
36 Rivendell, Hammond Hill, any of them and you look at  
37 the crews out there and you tell me that every single  
38 one of those Mexicans, which number maybe twenty to  
39 one, there's nineteen Mexicans to one American working  
40 there and tell me they're all legal. It's not. It's  
41 time this council stands up, does what Greenville does.  
42 And I don't want to hear, oh, you can't do it because  
43 you can't call them illegal aliens. Please. It's done  
44 everyday. It's -- they want to be legal, do it the  
45 correct way. Now I'm to -- and this hiring an  
46 engineer, okay, I was at the budget meeting and what I  
47 don't understand is you're going to hire an engineer  
48 but then you're going to have to turn around when  
49 you've got other projects and still bid out for another  
50 engineer. That doesn't make any sense. If you're

1 going to hire an engineer, hire one that can do all  
2 projects. Not just the little projects. Save the  
3 county money if that's what you want to do and do it  
4 the correct way. That's the best way to do it. And  
5 also what cracks me up is, is these committee meetings  
6 that we've been having, these adhoc meetings such as  
7 the meeting we had yesterday. Now I know some of you  
8 guys are new, okay, but you do know that more than  
9 four, more than four people at a meeting is a quorum.  
10 There were three members that were supposed to be there  
11 yesterday and two more walked in and just made  
12 themselves at home. You can't do that. That is  
13 illegal. If you do not believe me, check with the  
14 ethics committee. You cannot, I repeat, cannot just  
15 decide to go to a meeting and join in unless it's a  
16 regular council meeting. You can't do things that are  
17 a quorum. Now before I leave, Mr. Burns, could you  
18 please give a copy of this? I've been getting a lot of  
19 static from District 7 people about my group in  
20 Homeland Park not being a legitimate 501-C group. I'm  
21 getting complaints from business owners that have  
22 actually donated to my group. These are the papers. I  
23 just had them send me an updated copy with today's date  
24 on it. As you will see, we were approved in June of  
25 2008. So I would appreciate it if you would talk to  
26 your people that you put on the witch hunts. Thank  
27 you.

28 EDDIE MOORE: Everyone hold it down, please.  
29 MIKE PITTS: That completes the citizen's  
30 comments.

31 EDDIE MOORE: We now go to Item 6 on the  
32 agenda. Resolution R2009-39 recognizing and thanking  
33 the American Quarter Horse Association for bringing a  
34 Region 10 experience to Garrison Arena for the third  
35 consecutive year and to pledge support for American  
36 Quarter Horse's future endeavors in Anderson County.  
37 Ms. Wilson.

38 CINDY WILSON: Thank you, Mr. Chairman. I  
39 would like to put this resolution in the form of a  
40 motion and have approval and then invite our Garrison  
41 Arena and Quarter Horse Association people up.

42 EDDIE MOORE: Do I have a second?

43 TOM ALLEN: Second.

44 EDDIE MOORE: We have a motion on the floor  
45 and it's been seconded. Any discussion? All in favor  
46 raise your right hand. Unanimous.

47 CINDY WILSON: Thank you. I'd like to invite  
48 Mr. Charles Williams and -- who is the -- and the --  
49 Ms. Tankersley and the Hortons. The Hortons are  
50 quarter horse owners and officers in the association.

1 And Ms. Tankersley is the head of the Equestrian or  
2 Equine Division at Clemson University. Mr. Williams  
3 has headed up our Garrison Arena which is in Mr.  
4 Allen's district. And Mr. Allen will join me down  
5 there in making this presentation. We're so pleased to  
6 have these fine folks up here. I'll read this off  
7 before I even get started. The Garrison Arena probably  
8 puts more heads in beds than any venue in the county  
9 and has very, very little -- in fact, I don't think  
10 they have any county funding at all. And our family  
11 and borders have participated at the arena over time.  
12 And the Garrison Arena, which our county administrator,  
13 Mr. Burns, helped provide the expertise in acquiring  
14 the grants, and Senator Garrison, but this one venue  
15 brings so much economic development to the county. And  
16 of course, you don't have to -- it's kind of like  
17 throwing Brer Rabbit into the briar patch when it comes  
18 to horses for me. So I'm really delighted to make this  
19 presentation. Whereas, the American Quarter Horse  
20 Association is the world's largest single breed equine  
21 registry and membership organization with more than  
22 five million American quarter horses registered  
23 worldwide and AQHA membership numbering more than three  
24 hundred and thirty thousand. And whereas, the mission  
25 of the AQHA is to record and preserve the pedigree of  
26 the American Quarter Horse while maintaining the  
27 integrity of the breed and to provide beneficial  
28 services for its members which enhance and encourage  
29 American Quarter Horse ownership and participation with  
30 the breed. And whereas, AQHA initiated the regional  
31 experience in 2005 to provide American Quarter Horse  
32 enthusiasts an exciting and fun way to participate and  
33 compete in horse shows in a non-stressful and less  
34 intimidating environment. And whereas, 2009 marks the  
35 third consecutive AQHA Region 10 experience hosted at  
36 the T. Ed Garrison Livestock Arena in Anderson County  
37 which generates tens of thousands of dollars into  
38 Anderson County's economy. And whereas, the 2009  
39 contest will offer a youth judging division for Junior  
40 and Senior 4-H, FFA and State Breed Association teams  
41 and is a collaborative effort of the American Quarter  
42 Horse Association Equine programs at Clemson University  
43 and Extension Horse Husbandry at North Carolina State  
44 University. And whereas, the Anderson County Council  
45 wishes to express sincere gratitude to the American  
46 Quarter Horse Association, the Clemson University  
47 Equine Program, and to North Carolina University Horse  
48 Husbandry for selecting Anderson County as the host  
49 venue. And now therefore, it is hereby resolved by the  
50 Anderson County Council, the Anderson County Council

1 thanks AQHA for its commitment to excellence in  
2 preserving the integrity of the American Quarter Horse,  
3 encouraging awareness and ownership of the breed, and  
4 to provide beneficial programs and services for  
5 American Quarter Horse enthusiasts. Your successful  
6 efforts in Anderson County accentuate our rich  
7 agricultural heritage and affirm our endeavors to  
8 achieve national recognition as a premiere equine  
9 destination. Therefore, we pledge our Red Carpet  
10 Hospitality to the American Quarter Horse Association  
11 during all future events in Anderson County. This  
12 proclamation shall take effect and be in force  
13 immediately upon enactment. Resolved in meeting duly  
14 assembled this 5<sup>th</sup> day of May, 2009. Mr. Horton, thank  
15 you so much.

16 MR. HORTON: Thank you.

17 CINDY WILSON: Would y'all like to say a few  
18 words? And Ms. Tankersley is our Clemson Equine  
19 Department head. And Mr. Williams runs our T. Ed  
20 Garrison Arena. We're so delighted to have y'all.

21 MR. HORTON: Thank you so much for honoring  
22 us. And as a member of the AQHA and President of South  
23 Carolina Quarter Horse Association and a member of the  
24 Region 10 Experience Show Committee, thank you so much  
25 for honoring us and our commitment. I want to  
26 recognize Charles Williams. Those of you that are not  
27 involved with showing horses or never been out there,  
28 he runs an excellent program. He's the epitome of a  
29 type of manager you would like. He always comes to us  
30 at every show of what we do -- what they can do as a  
31 staff better or any accommodations we might need. It's  
32 a great forum for Anderson County and we have people  
33 from seven or eight states come to our shows in  
34 Anderson County. This Region 10 experience is a  
35 regional show that will go from state to state. I may  
36 be bias since I'm from Anderson County, but this by far  
37 has been the best facility and definitely the best show  
38 management that we've been involved with. I'd also  
39 like to thank Glen Brill. There's not a more  
40 enthusiastic person representing a county that I know  
41 of. And if you've ever called him on the phone, it  
42 just brightens your day when he picks up the phone. So  
43 he's definitely a benefit to Anderson County and I'm  
44 proud of both Glen and Brill -- sorry, Glen Brill and  
45 Charles Williams.

46 CINDY WILSON: Thank you all for coming. You  
47 can come back over and over and over again.

48 APPLAUSE

49 CINDY WILSON: I'd like to ask for Mr. Brill  
50 to please forgive me. He should've been up here with

1 us. This is the most enthusiastic, professional  
2 tourism director I think this county could have ever  
3 had. And we're very grateful to you. Thank you.

4 EDDIE MOORE: I appreciate y'all coming  
5 tonight. Thanks, Ms. Wilson. Before we go on the Item  
6 7, I'd like to -- we left one of the committee reports  
7 off. Transportation committee. And I'd like to make a  
8 motion to amend our agenda to add Item C on the  
9 committee reports, transportation committee.

10 CINDY WILSON: So moved.

11 EDDIE MOORE: Do we have a second? Any  
12 discussion? All is favor raise your right hand.  
13 Unanimous. We now go to Item 7 on the agenda. Fire  
14 department checks. Mr. Allen.

15 TOM ALLEN: Thank you, Mr. Chairman.  
16 Yeah. The question came up a few weeks ago about some  
17 money that was supposed to be going to the fire  
18 departments. There was two thousand dollars allotted  
19 to each fire department. And after doing a little bit  
20 of checking around, I found out that none of the  
21 departments in district 4 had received those checks  
22 which seemed a little bit strange. So we tracked that  
23 down and the checks were cut back in December, but I  
24 don't know what happened to them. Seem to have got  
25 lost in the mail somewhere. So at any rate, those  
26 checks were deleted, cancelled out and I now have the  
27 proper checks and I'm going to be delivering them to  
28 those fire departments. So I just wanted to mention  
29 this because some people had been asking me about it,  
30 you know, where's our money? It's on the way and you  
31 will get it this time. Thank you.

32 EDDIE MOORE: Check's in the mail?

33 TOM ALLEN: Check's in the mail.

34 EDDIE MOORE: We'll now go to Item 8 on the  
35 agenda. Walking the dog, Mr. John Lanier. Mr. Lanier,  
36 is he here? I guess if he's not here, he's walking the  
37 dog again. Okay. All right. We will go to -- Item 9  
38 has been taken off the agenda. Item 9 has been taken  
39 off the agenda. Item -- we'll now go to Item 10,  
40 discussion of illegal aliens. Ms. Margaret Thompson.

41 MARGARET THOMPSON: Can you hear me okay? I  
42 don't like to get behind a podium anyway. Good  
43 evening, Mr. Chairman, council members. I would like  
44 to start off with an example of what I'm going to  
45 explain tonight. Four gentlemen, please stand up.  
46 There's four white men and we're in the country of  
47 Mexico and every other house we see white men. Now if  
48 you were in the country of Mexico and you lived there,  
49 you would probably be upset because this is the makeup  
50 of the workers that you see. That's not racial

1 profiling. It is what it is. They're white Americans.  
2 All right. Y'all can sit down now. Thank you. My  
3 point to all this is this how -- this is how the  
4 American workers feel when they ride through these  
5 subdivisions. This is what they see. They see  
6 Hispanic looking -- whether they're illegal or not, I  
7 don't know, but this is what they're seeing and it's  
8 taking over our country. Issue two. Mr. Pitts. Is  
9 that your name, sir, the lawyer? Okay. I would be  
10 glad to help you with an ordinance and I want to let  
11 you know that state law -- our new immigration state  
12 law does permit cities or municipalities to adopt their  
13 own ordinance. What you're reading about the either or  
14 with the driver's licenses or the e-verify, y'all can  
15 adopt an ordinance tonight or whenever to use nothing  
16 but e-verify. Now e-verify has no color. It has no  
17 color whatsoever. It doesn't care. It sees a number.  
18 It doesn't know what race you are, what sex you are.  
19 And besides that, if you run that, and let's say there  
20 comes up a no match, Skipper's not going to come get  
21 you. It just says it's a no match, bring us back the  
22 proper credentials and we'll look at it again. It's  
23 not a hard thing to do. And I tell you what it would  
24 do. It would eliminate a lot of this American  
25 unemployment. It would fix our education system. It  
26 would fix our health care system and I could go on. A  
27 lot of these issues that we have with this issue is  
28 what's bringing our country down right now and why  
29 we're in the mess we're in. Okay. Now this -- Mr.  
30 Dunn, I understand you're a, you're a home builder, is  
31 that correct?

32 TOMMY DUNN: Yes, Ma'am.

33 MARGARET THOMPSON: Okay. I've heard you make  
34 statements in here before that you do not hire them.

35 TOMMY DUNN: That's right.

36 MARGARET THOMPSON: Okay. My question to you  
37 is, and this is not accusatory, you just happen to be a  
38 contractor, what do you do to verify your subs that  
39 they're using the right people?

40 TOMMY DUNN: I'm on the job.

41 MARGARET THOMPSON: Okay. So you know for a  
42 fact that they verify their workers. Do they use the,  
43 the useless I-9?

44 TOMMY DUNN: No. I don't know what they  
45 use.

46 MARGARET THOMPSON: Right.

47 TOMMY DUNN: Let me go back. Sort of like  
48 you was talking to a gentleman while ago, all mine's,  
49 as far as I know, there's no Mexicans or other  
50 countries ---



1 MARGARET THOMPSON: Well, even if they were  
2 Mexicans they could be legal. My question is, what  
3 steps are taken to make sure they're here right.  
4 That's my question. Mr. Allen, you're in the Pendleton  
5 district. Is that right?

6 TOM ALLEN: That's correct.

7 MARGARET THOMPSON: Last, last week I got  
8 three calls at home from citizens that live in Oconee  
9 County. Cable East who happens to have a business I  
10 believe out of Pendleton and the home office is in  
11 Athens, Georgia. This citizen called my house and said  
12 that we have a makeup that we feel like that's here --  
13 not here legally. So I told this citizen, I said, call  
14 the company. Call them. See what they say. Ask them  
15 what procedure do they use to verify their workers.  
16 Well after about three phone calls to the company from  
17 different citizens, their response was we either use I-  
18 9 or e-verify. It's not one or the other. It's -- you  
19 know, they probably, with the make-up of the crowd that  
20 I saw, they probably did not use e-verify. Well after  
21 they were -- three calls made to this company in  
22 twenty-four hours the make-up of that work site just  
23 changed dramatically. Just dramatically. No  
24 accusations of illegals or going on the work site. It  
25 just changed dramatically. So this can be done. Now  
26 what I'd like to find out is are you guys on board to  
27 do this? I think personally, even though I  
28 respectfully disagree with him, county-wide business  
29 license would solve this problem. Do I hate more  
30 bureaucracy in the government? Absolutely. But this  
31 would solve the issue. For instance, you may have one  
32 county business that reports, well we do a thousand  
33 dollars a year. And they've turned in that same figure  
34 for the last ten years. We've done a thousand dollars  
35 every year. Well duh. That is just a lie. Then  
36 you've got the other business over here that decides to  
37 do the right thing and reports a correct amount every  
38 year. It's no telling what y'all would clean up. But  
39 this is the only way to go after it. And I would  
40 recommend that e-verify be used and adopt a county-wide  
41 business license. And if nothing else, if you don't  
42 want to take that drastic step, if you have somebody  
43 that comes here to do business like apparently Anderson  
44 didn't follow the rules when they put the sidewalks at  
45 the Chiquola in about who their workers are. But if  
46 they do a taxpayer's project like the Anderson Fire  
47 Department out here, if those workers had been  
48 verified, the make-up of the crowd, then these four  
49 gentlemen may have a job. So you could start off with  
50 county work, county bidded work. You could start it

1 that way. ?? city, one at a time. So I guess y'all  
2 are open -- you're open and transparent so this is  
3 being open and transparent.

4 TOM ALLEN: Mr. Chairman.

5 EDDIE MOORE: Mr. Allen.

6 TOM ALLEN: I just had a question on this.

7 MARGARET THOMPSON: Yes, sir.

8 TOM ALLEN: On the e-verify, I'm a little  
9 bit confused on how that would help. Let's say I'm a  
10 contractor and I have two legal Mexicans, aliens,  
11 whatever term we want to use, working for me and I come  
12 in and I show that to you.

13 MARGARET THOMPSON: Right.

14 TOM ALLEN: I'm good to go, right? I can  
15 go ahead and start my project.

16 MARGARET THOMPSON: It will tell you within  
17 thirty seconds if that number matches.

18 TOM ALLEN: Okay. Tomorrow I go to work  
19 on the work site and I pick up five illegal aliens to  
20 do my roofing. Who's going to monitor that? Who's  
21 going to enforce it? Who's going to check it?

22 MARGARET THOMPSON: Well if you have a, if  
23 you have a county-wide business license, the Sheriff.  
24 Shut them down. Joe citizen calls up and makes a  
25 complaint, he follows the complaint, shuts them down.

26 TOM ALLEN: And the Sheriff cannot do that  
27 now under any, under any laws? If you were to call the  
28 Sheriff right now about some illegal aliens working on  
29 a project, what would happen?

30 MARGARET THOMPSON: It's, it's -- it would be  
31 better if you had an ordinance in place where they  
32 could go in and spot check business licenses.

33 TOM ALLEN: But he could go and pick them  
34 up? Could he go and arrest them?

35 MARGARET THOMPSON: No. This has nothing to  
36 do, what I'm trying to tell you, with the business  
37 license. It has nothing to do with arrest. It just  
38 tells that business owner you have not abided by this.  
39 And first of all, you're probably going to get fined  
40 for your first offense. And then ---

41 TOM ALLEN: Who's going -- what I'm  
42 getting at, who's going to enforce that right now? If  
43 we, if we have -- the Sheriff can't do it. So as of  
44 right now ---

45 MARGARET THOMPSON: Building and codes.  
46 You'd have to -- like it's being done in Beaufort  
47 County. And I can tell you right now it's cleaned up  
48 Beaufort County tremendously. And the money they have  
49 made from illegal businesses reporting the wrong things  
50 have been an absolute windfall.

1 TOM ALLEN: Would we have to hire on more  
2 staff ---  
3 MARGARET THOMPSON: I wouldn't think so.  
4 TOM ALLEN: -- for putting in codes to  
5 enforce it.  
6 MARGARET THOMPSON: No. Utilize what you've  
7 got. Need to -- always utilize with what you have.  
8 It would work. It's worked -- the Sheriff can attest  
9 to talking with Sheriff Tanner down in Beaufort County  
10 that it has worked.  
11 TOM ALLEN: I think in, in -- and somebody  
12 can correct me on this if I'm wrong, but in county  
13 contracts, isn't there already verbage in the county  
14 contracts? I don't know exactly ---  
15 MARGARET THOMPSON: I know we did it in  
16 Pickens County. We did it last year that they had to  
17 use e-verify.  
18 TOM ALLEN: Go ahead. Go ahead.  
19 EDDIE MOORE: Ms. Floyd.  
20 GRACIE FLOYD: No. It's not there.  
21 TOM ALLEN: That's all I wanted.  
22 MARGARET THOMPSON: You know, I'm just, I'm  
23 just trying to help the people down here. I was in law  
24 enforcement twenty-five years and I'm not an idiot. I  
25 see what goes on everyday ---  
26 EDDIE MOORE: Mr. Wilson.  
27 RON WILSON: My question is what's magical  
28 about this business license? I mean, how come we can't  
29 do this some other way?  
30 MARGARET THOMPSON: Well not being  
31 proficiently in that area I would think that -- like  
32 you ask your people -- like let's say for instance,  
33 your municipalities. I own a business. If I don't  
34 renew my business license every year, like in Clemson,  
35 I have to provide ...  
36 END OF TAPE 1, SIDE 1  
37 MARGARET THOMPSON: ... I had to do my tax  
38 return to show them what I had or they'll shut me down.  
39 They'll shut me down.  
40 RON WILSON: Well my concern with this --  
41 are there cases pending right now against cities or  
42 counties, litigation, where they had the business  
43 license?  
44 MARGARET THOMPSON: I have no idea. I can --  
45 only thing I can piggyback on is what it's done for  
46 Beaufort County. And it has done wonders. Kept the  
47 good and got rid of the bad.  
48 RON WILSON: Yep. The problem I have with  
49 it ---  
50 EDDIE MOORE: Time has expired.

1 MARGARET THOMPSON: Okay.

2 GRACIE FLOYD: Mr. Chairman, I make a motion  
3 that we extend the time.

4 EDDIE MOORE: How many minutes?

5 GRACIE FLOYD: Ten minutes.

6 EDDIE MOORE: Motion to extend ten minutes.

7 I have a second. Any discussion? All in favor raise  
8 your right hand. Extended ten minutes.

9 MARGARET THOMPSON: I'll answer any questions  
10 on this. I just think it's another tool to fight this.  
11 It's not that I'm wanting to see anybody's -- anymore  
12 fees tacked on anybody. You can do it at a no fee  
13 basis. But ---

14 RON WILSON: Well the problem that I have  
15 is that if you look into this very far, the big  
16 foundations of this country is funding the defense of  
17 the illegal immigrants. And they're fighting at the  
18 state, county, and city level. They have endless money  
19 to do this with. And whatever we do we need to  
20 research it pretty clearly and do something that is  
21 less likely to bring on another lawsuit. I realize  
22 that that may be virtually impossible. But I would  
23 think there would be some way to do this probably  
24 outside of having to have a business license. Because  
25 what these foundations do is they pick states and  
26 counties and cities that have a pretty good balance  
27 sheet where they can collect a lot of money and they go  
28 after them and make them pay. And so, you know, my  
29 concern is that we do this right. Not that we jump in  
30 here and do something and then wind up regretting it.

31 MARGARET THOMPSON: All due respect, Mr.  
32 Wilson, I agree with you. All I can tell you is to  
33 check with Beaufort County. They had legal challenge  
34 after legal challenge, even with illegal immigration --  
35 I mean with the La Raza groups and all that kind of  
36 stuff challenging this and it ---

37 RON WILSON: So they attached the illegal  
38 immigration thing to getting a business license?

39 MARGARET THOMPSON: You would have to read  
40 the ordinance. But I'm just saying it, it has no  
41 color. That's what I'm trying to explain to you, this  
42 has no color to it. You're putting in the color, I'm  
43 not. I'm telling you it would eliminate this problem.  
44 Because you're, on an affidavit, you are swearing that  
45 all of your workers that work for you are -- you have  
46 checked them and they are in this country legally. Do  
47 some things slip through the cracks? Absolutely. Is  
48 e-verify one hundred percent? No. But it's 99.9.

49 RON WILSON: Okay. But my point is you

1 said that they've had legal challenges and they've so  
2 far won. Is that correct?

3 MARGARET THOMPSON: When they have tried to  
4 adopt this ordinance, that's where the legal challenges  
5 came and they went through every one of them without a  
6 breeze. I mean with a breeze.

7 RON WILSON: Thank you, Mr. Chairman.

8 CINDY WILSON: Mr. Chairman?

9 EDDIE MOORE: Ms. Wilson.

10 CINDY WILSON: Maybe we could have Mr. Pitts  
11 look into what Beaufort has implemented and we could  
12 take a look at that. I know I don't think there's  
13 anyone's up here who doesn't have a concern. I wonder  
14 if there's some possibility that building and codes  
15 when they inspect sites could ask for verification of  
16 the workers. Is there some way to do that?

17 MARGARET THOMPSON: It's no different than in  
18 July 1<sup>st</sup>, July 1<sup>st</sup> the LLR out of the state will start  
19 doing the same thing. And we can no longer wait on the  
20 federal government much less the state government. We  
21 have to tackle this on a local basis. And you know, if  
22 we go through life worrying about getting sued or  
23 litigation, I just say bring it on because I've got a  
24 strong backbone and I believe in doing what's right.

25 CINDY WILSON: Ms. Thompson, maybe we should  
26 get you to sit up here with us then.

27 MARGARET THOMPSON: Well you know, you know,  
28 you just, you just -- it just -- you know, I  
29 understand. What I don't understand that really just  
30 aggravates me to death is why in the devil is everybody  
31 stalling on this? I mean, does somebody have something  
32 to gain? Did your biggest donor -- are they the  
33 biggest contractor in town? I mean, what is there to  
34 gain here?

35 GRACIE FLOYD: Mr. Chair.

36 MARGARET THOMPSON: I'm just, I'm just being  
37 -- I'm a citizen. I come to Anderson all the time. I  
38 eat here. I, I bring a lot of money to this city. And  
39 doggone, when I come through here, I want to feel like  
40 I'm protected and I can tell you what I -- if somebody  
41 out here today -- I've been up here before y'all  
42 tonight to beg y'all to do something, to beg you to do  
43 something because this is wrong. And I go out here and  
44 I get killed by somebody that's in this country  
45 illegally, I hope my family comes after you. Because  
46 I'm sick of it. I'm sick of them being cowered down to  
47 and they have all the rights and these four men are out  
48 of a job. It's wrong.

49 EDDIE MOORE: Ms. Floyd.

1 GRACIE FLOYD: We are going tonight to -- we  
2 are going to present an idea that I hope passes tonight  
3 that I hope will eliminate -- not eliminate it, but  
4 curtail it until we can get something going throughout  
5 the county.

6 MARGARET THOMPSON: Without e-verify, it's  
7 pointless for you to do anything. Do not give, do not  
8 give the crook out here a choice.

9 GRACIE FLOYD: May I finish?

10 MARGARET THOMPSON: Yes, ma'am.

11 GRACIE FLOYD: Thank you. Thank you. I have  
12 met with Mr. Pitts and I -- our county attorney -- have  
13 been in long discussion about this. In fact, it  
14 started before Mr. Pitts came to work with us. This  
15 started when we had -- when we were working with the  
16 McNair law firm. We had a situation that we were going  
17 to try, you know, to work with. But then it seemed  
18 like every time I turned around, there was another  
19 stumbling block. But please know, please know that we  
20 are working. What I have found is that there are some  
21 people that don't want to talk about this to me or with  
22 me. And I'm wondering why. I'm wondering why. It's  
23 just so quiet. The whole thing. It broke my heart  
24 when I stood out in front of the new fire station over  
25 there near Bi-Lo and I saw these men. Okay. I think  
26 it was white and a black man out there standing up,  
27 holding signs, looking for jobs, wanting to work. And  
28 across the street they were leaving like rats on a  
29 sinking ship when they saw the signs that -- when they  
30 got -- attracted the attention of the -- the media was  
31 out there. You know, that broke my heart. These  
32 people don't pay taxes to Anderson County. All right.  
33 These people don't participate in the governing  
34 problems or anything else that's Anderson County. They  
35 tell me that they go up to Walmart once a week and they  
36 send most of their income back down to Mexico. Which  
37 is a good thing. They want to take care of their  
38 folks. But they're doing it at their expense. They're  
39 doing it at my expense. Because I have to take up the  
40 slack somewhere if I'm not getting tax money from folks  
41 who are working like everybody else has to pay state  
42 and county tax. They're not doing that. But if you  
43 would just give us the chance tonight to -- I don't  
44 want you to leave because I may need to call on you  
45 again.

46 MARGARET THOMPSON: Well, you know, I -- to  
47 me this is -- I went to Tri-County Tech, a/k/a Harvard  
48 on the hill, and I'm just a common sense thinker.  
49 You're either going to do it or you're not. And if  
50 you're going to put in e-verify, that's the best way to

1 do it. All this other stuff is nothing but a stall  
2 tactic. Thank you.  
3 GRACIE FLOYD: Okay. Well I want to call you  
4 Margaret because ---  
5 MARGARET THOMPSON: That's fine.  
6 GRACIE FLOYD: Well Margaret, give us just a  
7 few minutes because it's coming up next. I would like  
8 for you to stay in case I need to talk with you again.  
9 Okay?  
10 MARGARET THOMPSON: Thank you.  
11 GRACIE FLOYD: Okay. Good.  
12 EDDIE MOORE: We'll go right on into Item  
13 11. Ms. Floyd.  
14 GRACIE FLOYD: Okay. As I said, I have been  
15 working with Mr. Pitts and we've been looking at  
16 different things. I think that he has done research  
17 over the state looking at what others have been doing.  
18 And when, when McNair law firm was here with us, I was  
19 working with Adam. Adam and I looked at this whole  
20 thing and he suggested for the county's part of this we  
21 tweek the county's contracts that the county gives to  
22 people who are doing work, construction work or any  
23 kind of work for the county. We would tweek the  
24 contract and put a statement in there that everybody  
25 must adhere to the letter of the contract. I better  
26 turn it over to you now, Mr. Pitts.  
27 MIKE PITTS: Yes, ma'am. And what we  
28 discussed was using or beefing up the contract language  
29 on contracts for projects involving the county. There  
30 already is some language in there that addresses  
31 immigration issues, but it can be -- we can revise it.  
32 And we can also -- I don't see any issues with  
33 requiring someone bidding on a state or, excuse me, on  
34 a county project to sign a statement that they're in  
35 compliance with the state and federal immigration laws.  
36 EDDIE MOORE: You need to speak into the  
37 microphone. Nobody can hear you, please.  
38 MIKE PITTS: Is that better?  
39 EDDIE MOORE: Yeah.  
40 MIKE PITTS: I can hear myself now, too.  
41 What we had discussed was revisions to the language and  
42 the contracts that the county uses on projects that  
43 involve manual labor. And then we can also, I think,  
44 require a bidder on a county project involving manual  
45 labor to sign a statement that they're in compliance  
46 with the state and federal law dealing with employment  
47 and immigration. I don't see any issues with doing  
48 that. And I think that would at least help address  
49 some of the concerns that some folks have. Anything  
50 beyond that is going to require a business license or a

1 business registration type statute. There are a number  
2 of legal issues involved and I'll be more than happy to  
3 discuss those with members of council. That's probably  
4 something more appropriately talked about in executive  
5 session because it would be giving legal advice. But  
6 that's certainly something I'm more than happy to do if  
7 you would like.

8 BOB WALDREP: Mr. Chairman.

9 EDDIE MOORE: Mr. Waldrep.

10 BOB WALDREP: If -- simple question.

11 There's been a history throughout South Carolina of  
12 various communities addressing this problem I guess for  
13 the last probably ten years, I suppose. And my  
14 information is that it's resulted in a lot of  
15 litigation of course, and a lot of different kind of  
16 tricky rules about what local government can and cannot  
17 do. I just wondered -- the lady mentioned earlier that  
18 there was a state effort at one time, I guess, to  
19 introduce this state legislature. And it just seems to  
20 me like we're always talking about the fact that if we  
21 have one rule for all the counties, we can easily  
22 follow that. I -- what I'm seeing here is forty-six  
23 different rules throughout South Carolina for the  
24 forty-six counties and then sometimes numerous cities  
25 that get involved. That's what concerns me. This is  
26 not a simple issue. I don't know that any -- the word  
27 stall has been used here, but it's a very complex  
28 issue. I'm just reluctant to take any steps personally  
29 in this regard until we have some degree of clarity and  
30 certainty about where we're going with this. Now it's  
31 been mentioned here some silver bullet about a business  
32 license. And I can tell you right now that I'm very  
33 opposed to an idea at this point of any county  
34 licensure. I think that's going to start a whole other  
35 nest of problems out there. I just wanted council to  
36 at least know what one person is thinking about this  
37 matter. And I just think we've got a lot of work, a  
38 lot of work to do. I don't think it's stalling. I  
39 think it's trying to spend time finding out what our  
40 legal avenues are and what's practical and if there --  
41 there might be several solutions to this problem. One  
42 of which I think, probably the best one, would be  
43 through our state legislature. Thank you.

44 GRACIE FLOYD: Mr. Chair.

45 EDDIE MOORE: Ms. Floyd.

46 GRACIE FLOYD: The solution I just mentioned  
47 had nothing to do with business license. The solution  
48 that Mr. Pitts just explained to you had nothing to do  
49 with business license. It was a start of something  
50 that we could do here in Anderson County to try to



1 curtail as much of this illegal activity as possible.  
2 I know that y'all wouldn't go for business licenses. I  
3 know you. I knew that wouldn't fly, not up here.  
4 Maybe one day it will. But right now we have to start  
5 somewhere. If this county, if this county can't  
6 enforce folks taking our bids to do the right thing and  
7 hire the right people, if we can't enforce that on this  
8 county, then why are we here? It's got to start  
9 somewhere. I know that these people who did the thing  
10 across the street was from the city. Now how the city  
11 chooses to handle this, I have -- I can't -- I have no  
12 control over it. But here was a way that we could  
13 change our contract and yes, Mr. Pitts, yes, Mr. Pitts,  
14 I think it would be a good idea to say -- to explain or  
15 to state that either e-verification must be used or the  
16 other system must be used in order to ensure. You  
17 can't go on a job and say, well I'm there everyday so  
18 that's how I know I don't have illegal areas -- illegal  
19 aliens. I mean, how do you do that? How do you do  
20 that? You have to know. And who's going to be in  
21 charge of this? The people who are doing the hiring.  
22 The people who are doing the hiring. If they cannot  
23 maintain a record of the people who's working with  
24 them, who's illegal, who's not illegal, then they don't  
25 need a county contract. Now the only thing I'm asking  
26 is that we accept the idea of changing the contract to  
27 include a verification system to make sure that all of  
28 the workers on these county contracts are legal people.  
29 Now folks, you can stall this. You can say no or what.  
30 But you know, you look at those four men back there,  
31 you look at them. They have not been able to find  
32 work. Please stand up. I want you to stand up. One  
33 man had to go all the way down to Georgia, I believe,  
34 to find jobs. Where he made a living last year, he's  
35 down to ten thousand dollars this year. Why? Why?  
36 Because he's not an illegal alien. Is that fair? They  
37 take their jobs now. And they'll be coming after  
38 yours. I thank you. Mr. Chair, I put that in the form  
39 of a motion. I don't even know if we need a motion.  
40 Mr. Pitts?

41 MIKE PITTS: I don't believe that's  
42 something that would require formal council action to  
43 -- if we were to revise the language in the contracts.  
44 And just so there's no misunderstanding, what we were  
45 -- what I was proposing and in speaking with Ms. Floyd  
46 about this, would be just language in the contract to  
47 the extent or to the effect that the contractor on a  
48 county job involving manual labor would promise as a  
49 matter of the contract to abide by the state and  
50 federal immigration laws and then sign a statement to

1 that effect as part of the bid process.

2 EDDIE MOORE: Mr. Pitt, we're in the middle  
3 right now, and of course you've been looking at it also  
4 on the bid procedures, that probably would be a good  
5 spot to put it in our bidding procedure. Don't you  
6 think?

7 MIKE PITTS: I didn't think about that.  
8 Yes, sir. Sure would.

9 EDDIE MOORE: Okay.

10 MIKE PITTS: Sure would.

11 EDDIE MOORE: I don't have any problem with  
12 doing that. I'll second it. Since it is in the form  
13 of a motion ---

14 GRACIE FLOYD: But he said we didn't need a  
15 motion.

16 EDDIE MOORE: Don't think we need a motion?

17 MIKE PITTS: Not if -- not to do something  
18 as far as revising contract language. I don't believe  
19 so.

20 GRACIE FLOYD: Okay. Mr. Pitts, I would like  
21 to see in that contract -- you know, we discussed this.  
22 All right. But after thinking about it, I would like  
23 to see in that contract that when you say we follow by  
24 state and federal rules, that doesn't say anything. I  
25 would like to see that we use a system of verification  
26 to ensure that they use a system of verification to  
27 ensure that the workers are all legal workers. I don't  
28 care if the workers are blue, black, purple or white.  
29 But they are legal workers through some type of  
30 verification system.

31 MIKE PITTS: The state law already  
32 addresses that. Now the issue I would want to look at  
33 is the extent to which we can go back behind and do the  
34 e-verification or ask them to produce documentation.  
35 That's something I'll need to look at.

36 GRACIE FLOYD: Well what does the state law  
37 say?

38 MIKE PITTS: It says that you can use  
39 either e-verify -- if you're a, if you're a government  
40 contractor doing business with a municipality or any  
41 other local government entity, and depending upon the  
42 size of the job, it only applies to a job of a certain  
43 size, I believe it's fifteen thousand dollars or more,  
44 that you will either use the e-verify system or you  
45 will use -- you will verify through I believe it's a  
46 state driver's license or state issued I.D. card or  
47 something like that.

48 GRACIE FLOYD: But it does say ---

49 MIKE PITTS: So an employer is required to  
50 check. Now the question I would have is whether we can

1 then go back behind there and require them to produce  
2 that information to us. That's something I'll be happy  
3 to look at. And we can include ---

4 GRACIE FLOYD: If who can produce the  
5 information to us? I don't understand.

6 MIKE PITTS: If we can require the employer  
7 to provide that information to us.

8 GRACIE FLOYD: To us who?

9 MIKE PITTS: To the county.

10 GRACIE FLOYD: That everybody on their job  
11 site is legal? That's what you're saying?

12 MIKE PITTS: Yes, ma'am. That is a  
13 condition of the law that requires them to verify  
14 employment on their own using either the e-verify  
15 system or, or maintaining the other records, like  
16 getting a driver's license or state I.D. card. And we  
17 can certainly require as a matter of contract that they  
18 obey the state and federal law. So that's something I  
19 don't see an issue with. To the extent you would -- we  
20 would -- the County would ask that they actually  
21 provide evidence to the County, that's something I  
22 would want to look at just to make sure we're on solid  
23 ground with that. And I'll be happy to do that. And I  
24 can do that quickly. I just wanted to make sure there  
25 wasn't any misunderstanding about what we were talking  
26 about doing.

27 GRACIE FLOYD: I understand. I understand  
28 what you're saying. But I'm trying to see why, why  
29 would that be a factor of whether or not -- I mean that  
30 should be -- to me that's a no-brainer. If you're  
31 going to sign a contract with the county, and the  
32 county asks you to verify to show proof, I don't see  
33 why that should be -- why that's got to be researched.

34 MIKE PITTS: Well it gets into a number of  
35 legal issues to the extent that there are state and  
36 federal laws that address this topic. We have --  
37 that's an issue we have to look at. And we have to  
38 make sure that we don't run afoul of those laws by  
39 virtue of the contract or the contract in process.  
40 That's something I'll be happy to look at. And again,  
41 there are a number of legal issues involved with this.  
42 And it's something I'll be more than happy to brief all  
43 of y'all on in detail if you would like for me to in an  
44 executive session. I'd be happy to do that. Because  
45 there are a number ---

46 GRACIE FLOYD: Why must we -- okay. Mr.  
47 Pitts, why must there be an executive session? I mean,  
48 what is -- this thing, this thing affects a lot of  
49 people. Why must it be an executive session? We're  
50 not getting contract -- we're not signing the contract

1 with anyone.

2 MIKE PITTS: No, ma'am. But to the extent  
3 that legal advise is given concerning what we can do by  
4 way of our contracting process and if we wanted to  
5 consider other options, like a business license or  
6 business registration or something like that, those all  
7 involve legal issues. And it's a number of state and  
8 federal laws that are involved and there's some  
9 interplay between them. And it's something that we  
10 need to take consideration of. And I'll be happy to  
11 talk to y'all about that in executive session if you'd  
12 like for me to.

13 GRACIE FLOYD: This is not an open session  
14 here. This is not an open session. I did tell  
15 Margaret that I might need to talk with her again  
16 concerning this. Margaret.

17 RON WILSON: Can't hear her.

18 EDDIE MOORE: Please get to the microphone  
19 so everybody can hear you.

20 GRACIE FLOYD: That microphone should be over  
21 there to begin with.

22 MARGARET THOMPSON: The law is the same  
23 everywhere. It's the politics that are different. The  
24 -- putting e-verify in this and I would not opt -- and  
25 state law permits, state law permits that counties and  
26 cities can adopt their own ordinances. And if they use  
27 the e-verify, then there's no question that, are you  
28 going to get a fake driver's license? Which they said  
29 I think the choice is a South Carolina driver's  
30 licenses, you can get fake ones all day, or an I.D.  
31 card. That's the thing that worries me about having  
32 either or. If you put in the e-verify, it eliminates  
33 everything. And like I said, there's no color in e-  
34 verify, so there shouldn't be a problem with any kind  
35 of ramifications. All you're doing is you're asking  
36 that employer, we need you to verify your workers.  
37 Here's the number. If the number comes up a no match,  
38 that doesn't mean the police are coming to get them.  
39 That means they have, I think, it's a period of days to  
40 come and get it straight. Mistakes do happen. But I  
41 -- this is made a bigger deal than what it really is.  
42 You can impliment it in your county contracts, e-verify  
43 only, and that will eliminate the problem. Thank you.

44 EDDIE MOORE: Sheriff Skipper, you have  
45 something? Input? You're standing over there all  
46 alone. I ---

47 SHERIFF SKIPPER: I just wanted to make a  
48 comment. And as Mr. Pitts says checking on this, when  
49 he says -- you know, when you do a contract you're  
50 going to require the contractor to submit the

1 paperwork. When these gentleman, rightfully so, call  
2 my office, I want to make sure we know who's going to  
3 go out and check that they're doing that. Because when  
4 Mr. Pitts says to abide by federal law then that's not  
5 me. When it comes down to being federal law, you know,  
6 I have no enforcement of certain federal laws. And so  
7 as we go through this, we need to make sure that who's  
8 going to be the enforcement arm of whatever you pass.  
9 If it's a county ordinance, if it's going to be the  
10 building and codes people and there's certain ways to  
11 do this. The issue in Beaufort County with Sheriff  
12 Tanner is that they do have a business license. And I  
13 guess they've had one in Beaufort County probably  
14 forever. And what they've done is they have issued as  
15 part of their issuing a business license, is every  
16 contractor has to fill out a form of every employee  
17 that they have and submit that with their license and  
18 on every job site. They have a secret service agent  
19 that is retired and they have a CIA agent that's  
20 retired that works in their building and codes  
21 department and they review every one of those forms.  
22 And when they then see a suspicious form and they run a  
23 check on it and then they send a proper person out to  
24 check that person. I mean, that's how they do that.  
25 Now I, you know, I'm not advocating one license for  
26 another. It's just that's the way Beaufort does it in  
27 their area. The 1087 program people talk about is --  
28 it's a program that local law enforcement get involved  
29 in with the INS. Sheriff Tanner tells me to implement  
30 that program it takes about two years. I'm in the  
31 process of calling the customs people and finding out  
32 how we do that. My latest report from jail, and I was  
33 telling Rick earlier, I think I was correct on these  
34 numbers, as of the first of this year, we have had  
35 twenty-nine in our jail. We've called on every twenty-  
36 nine. When they come in we see that they're illegals,  
37 we pick up the phone, call the ICE number and give them  
38 the information. And they either report back fairly  
39 shortly, you either hold them or not hold them. Which  
40 makes -- basically means they get a bond for ever what  
41 charge they're in for. And we're doing that at the  
42 jail now. And since the first of the year, we've had  
43 twenty-nine that we've called on and they've come and  
44 picked up nine of them. The rest of them we have let  
45 -- processed their bond and go back out. It's a  
46 federal law. And we just need to know, whatever  
47 ordinance we pass or whatever we do, who's going  
48 enforce it. Because these gentlemen, if we have, if we  
49 have the issue where they want me to come out and check  
50 to see if they're abiding by the federal labor laws, I

1 don't think I have the authority to do that. Just  
2 wanted to throw that in. Thank you.

3 TOM ALLEN: Mr. Chairman.  
4 EDDIE MOORE: Mr. Allen.  
5 TOM ALLEN: Just very quick. We're  
6 talking about business license. Are we talking about a  
7 business license just for contractors or for every  
8 business?

9 SHERIFF SKIPPER: I'm not talking about any  
10 license. I don't know. Mr. Pitts?

11 TOM ALLEN: In other words, if I own a  
12 fast food restaurant, am I going to have to get a  
13 business license to show that I'm not hiring illegals?

14 SHERIFF SKIPPER: In Beaufort County they have  
15 a business license. I understand it's all businesses.  
16 TOM ALLEN: All businesses.  
17 SHERIFF SKIPPER: Yes. That's as I understand  
18 what they're doing.

19 TOM ALLEN: Well the way they have  
20 turnover in a lot of these businesses, I -- the  
21 management ---

22 SHERIFF SKIPPER: Oh, I agree. These  
23 gentlemen are out of work from laying brick, but  
24 they're not the only ones. There are other people in  
25 restaurants and -- I mean, every business in town is  
26 probably out ---

27 TOM ALLEN: And I agree. We need to do  
28 something in support of these folks. I agree a hundred  
29 percent with that. I just want to be certain that  
30 we're doing the right thing, the most effective, and  
31 make it as fool proof as positive [sic]. And as I  
32 asked before about the enforcement, that's a major  
33 question.

34 SHERIFF SKIPPER: I agree.  
35 TOM ALLEN: Thank you.  
36 EDDIE MOORE: Mr. Wilson.  
37 RON WILSON: As I understand it this  
38 contract thing would be just for the county.

39 MIKE PITTS: That's correct. On projects,  
40 county projects involving service contracts which ---  
41 RON WILSON: So subdivisions and stuff like  
42 that using private contractors, it wouldn't apply?  
43 MIKE PITTS: No, sir.  
44 RON WILSON: So we're talking only about  
45 ---

46 MIKE PITTS: County projects of a certain  
47 size involving manual labor.  
48 RON WILSON: It seems to me that we could  
49 move forward with this. The other is going to take  
50 quite a bit more thought. And I tend to agree with Mr.

1 Waldrep that it's going to be -- it's a very complex  
2 and -- that we ought to look someday to deal with this.  
3 But I don't see why we can't move forward as far as the  
4 county and do what we do here along these lines that  
5 you suggested.

6 CINDY WILSON: Mr. Chairman.

7 EDDIE MOORE: Time has expired.

8 CINDY WILSON: May I make one quick comment.

9 EDDIE MOORE: Do I have a motion on the  
10 floor to extend it by five minutes?

11 CINDY WILSON: No. One minute is all I need.

12 GRACIE FLOYD: I would like to extend the  
13 time, please, five minutes.

14 EDDIE MOORE: Motion on the floor to extend  
15 the time by five minutes. Do I have a second.

16 TOM ALLEN: Second.

17 EDDIE MOORE: Second. All in favor.

18 Unanimous. Extended five minutes.

19 CINDY WILSON: Mr. Chairman.

20 EDDIE MOORE: Ms. Wilson.

21 CINDY WILSON: The main areas of complaint  
22 that we've heard tonight are dealing with possible  
23 infractions in the City of Anderson. If we pass  
24 something here in the county, do we even have  
25 jurisdiction in the municipality of the city? That's  
26 -- I mean, most of the complaints I've heard have been  
27 in the city.

28 GRACIE FLOYD: Mr. Chairman.

29 EDDIE MOORE: Ms. Floyd.

30 GRACIE FLOYD: Okay. That's not so. That is  
31 not the truth. We are doing nothing, as I said  
32 earlier, we are not doing anything for or against the  
33 city. This is for the county. We're not talking  
34 business license here. I don't understand, you know,  
35 why this is so hard to understand. We're not talking  
36 business license nor are we talking about the city.  
37 And there are, there are situations where this is  
38 happening right here, right here in the county. I'm  
39 not saying it's happening on county jobs but it is  
40 happening in the county with other entities. Right  
41 now, we can't do anything because -- we're talking  
42 money. And people are not going to give up their cheap  
43 labor and their money. So this is why you have so many  
44 people fighting against this. They don't care about  
45 the Anderson workers. They don't care that a man can't  
46 feed his family this year because he's got to compete  
47 against somebody's who going to work for three dollars  
48 and fifty cents an hour to undercut him and undermine  
49 him as he takes care of his family. They don't care  
50 that these people aren't paying taxes. They don't

1 care. They don't care. And you know, you can laugh,  
2 but I don't see the fun in it. Because you have a job,  
3 because you have a house, because you have money in the  
4 bank, it doesn't mean that everybody's in the same shape  
5 you're in. So it's not funny. It's not funny. I am  
6 proposing ---

7 EDDIE MOORE: Everyone hold it down, please.

8 GRACIE FLOYD: I am proposing that we start  
9 with the county. Let's start with us first. Let's  
10 start with us first. Let's implement a system here,  
11 before anybody can get a contract with this county  
12 that they have to go through the e-verification system.  
13 If it's -- you, you do the research and when you get  
14 through researching go ahead and implement it. We've  
15 got to do something. Who's going to be in charge?  
16 Building and Codes. That's where they're getting their  
17 license. I mean, that's where they get in there --  
18 please God forgive me. That's where they're getting  
19 the applications from. It should go back to building  
20 and codes to make sure that everybody is legal. All  
21 right. You can hire, you can hire lawyers. God knows  
22 we've got them. And by the way, they're coming to  
23 Anderson too. New ones are coming to Anderson. We can  
24 hire engineers. We can hire everybody. If building  
25 and codes need another person, well by God, let's hire  
26 them. Let's hire them. Let's do what needs to be done  
27 to protect the people of this county. And that's all  
28 I've got to say about it.

29 APPLAUSE

30 TOMMY DUNN: Mr. Chairman.

31 EDDIE MOORE: Mr. Pitts, I think the logical  
32 thing to do would be for you to research this and then  
33 refer it, any changes, like the bid procedure once it's  
34 completed, to our legal committee that we have. And  
35 then we will meet and then we can refer it back to the  
36 full council whenever it's completed. Mr. Dunn.

37 TOMMY DUNN: That's all I was going to say,  
38 Mr. Chairman, is just a couple of things right quick.  
39 We've been on this issue. It is important. And I  
40 don't want to land blast it, but I feel like I've been  
41 picked on a little bit about my, my employment and how  
42 I verify people. I -- my people have been working with  
43 me for years and that's how I -- I know them all  
44 personally. That's how I verify them. I'm not  
45 suggesting other companies do that. Getting back to  
46 the thing tonight, I think Mr. Pitts will be able to  
47 draw up a contract. I agree with Ms. Wilson and some  
48 other folks, to tighten up some things. But he is  
49 adamantly opposed and telling us he needs to do some  
50 research. He's a lawyer. We're paying him. I want to



1 take his advice and let the man do his research and  
2 come back to us. I don't think that's going to make or  
3 break nothing. I don't think we've got no county  
4 contracts that we're going to be putting in place  
5 tonight to work out. I think that's just the prudent  
6 thing to do and the, and the right thing to do. And I  
7 know Ms. Floyd didn't bring up about the business  
8 license but other folks did. And I want to be  
9 perfectly plain and everything. I'm one hundred  
10 percent against any type of business license. And I  
11 think we can do something about that a whole lot better  
12 about this. You know, one way to go at it is looking  
13 at permits. But then again you're getting right back  
14 on the -- nothing but the construction side of it. Not  
15 all businesses. But I'll yield the floor now, Mr.  
16 Chairman. Thank you much.

17 EDDIE MOORE: Time has expired. One more  
18 thing, Mr. Pitts. If you will do that and refer it to  
19 the legal committee. Mr. Waldrep is the chairman of  
20 the personnel and legal committee. And then we'll go  
21 from there.

22 GRACIE FLOYD: Uh-uh.

23 MIKE PITTS: Yes, sir.

24 EDDIE MOORE: We'll now go to Item 12 on the  
25 agenda which will be the committee reports. And we'll  
26 go to Item A which will be the personnel committee.  
27 Mr. Waldrep.

28 BOB WALDREP: Mr. Chairman, I was going to  
29 thank you for that and ask that any other council  
30 member that wants to attend any personnel meeting that  
31 we have or any on these legal matters as we might work  
32 with our county attorney on this issue, they should  
33 feel free to come and we'll certainly try to keep them  
34 posted on when our meeting are. Okay.

35 GRACIE FLOYD: Does that include the  
36 executive sessions as well?

37 BOB WALDREP: Probably not. I would think  
38 that anything we discuss we would make sure that you  
39 were -- had an opportunity to attend. Probably try not  
40 to go into executive session unless it was absolutely  
41 necessary. So I just want you to feel free to  
42 participate in any way that you can.

43 GRACIE FLOYD: Well I was trying to  
44 participate. I was coming to the meetings. But every  
45 last one of them that I attended ended up in an  
46 executive session and me sitting here forty-five to  
47 fifty minutes till y'all got through. When you come  
48 out and you say, thank you for coming but we're not --  
49 we didn't make any decisions. I don't have that kind  
50 of time. I would love to come. I would love to

1 participate, only if you're going to take care of the  
2 business outside.

3 BOB WALDREP: We'll try to do better, Ms.  
4 Floyd. We're sorry we have not lived up to your  
5 expectations. But we'll try to do better.

6 GRACIE FLOYD: The joker has spoken again.  
7 EDDIE MOORE: Y'all hold it down, please.

8 BOB WALDREP: The personnel committee met  
9 last April 29<sup>th</sup> and the committee discussed the DSS  
10 contract. I believe it's three hundred and fifteen  
11 thousand dollars and the state is going to match that  
12 to do the renovations that are required as we are the  
13 host for the Department of Social Services here. The  
14 committee recommended moving forward and approving the  
15 final renovations and the state will pay for their  
16 share when it's completed. And I think that's with the  
17 blessings of Mr. Carroll as well, as he suggested. And  
18 I'm asking that the council would give approval to Mr.  
19 Carroll moving ahead with this project. That's in the  
20 form of a motion.

21 CINDY WILSON: Second.

22 EDDIE MOORE: The motion has been made to  
23 approve the DSS contract. We have a second. Is there  
24 any discussion?

25 GRACIE FLOYD: Yes.

26 EDDIE MOORE: Ms. Floyd.

27 GRACIE FLOYD: Okay. Mr. Chairman, what D --  
28 what DSS contract? When did this come up?

29 CINDY WILSON: That was in ---

30 TOMMY DUNN: Mr. Chairman.

31 BOB WALDREP: Mr. Carroll, would you come  
32 forward? We've been discussing this for some time.  
33 This is the renovations of a certain section of the  
34 Department of Social Services that's out on -- what  
35 road is that?

36 MR. CARROLL: McGee Road. McGee Road.

37 BOB WALDREP: McGee Road. Right. And  
38 there's a section out there that's already constructed  
39 as I understand it, but it needs interior renovations.  
40 And it -- the total amount ---

41 TOMMY DUNN: Well could I just have just a  
42 second, if I could maybe clear something up.

43 EDDIE MOORE: Mr. Waldrep, do you  
44 relinquish? Are you through?

45 BOB WALDREP: I don't have ---

46 EDDIE MOORE: Okay. Mr. Dunn.

47 GRACIE FLOYD: Well I had the floor.

48 EDDIE MOORE: We're going to hear from all  
49 council members, Ms. Floyd.

50 TOMMY DUNN: Mr. Carroll, wasn't this on

1 the original bond that was passed by the last council?  
2 MR. CARROLL: Yes, sir.  
3 TOMMY DUNN: All this brought in thing?  
4 MR. CARROLL: This was part of the ten  
5 million dollar bond.  
6 TOMMY DUNN: Ten million dollar bond that  
7 this council had no say in. We're just trying to move  
8 things on. Isn't that part of it?  
9 MR. CARROLL: Yes, sir.  
10 TOMMY DUNN: Thank you, sir.  
11 EDDIE MOORE: Ms. Wilson do you have  
12 something?  
13 CINDY WILSON: Uh-uh.  
14 EDDIE MOORE: Okay. You was looking at me  
15 strange. I thought you wanted to say something too.  
16 BOB WALDREP: I didn't realize it was going  
17 to be such a hot topic. But anyway, Mr. Carroll, I  
18 think that -- do you have any other contribution to  
19 this?  
20 MR. CARROLL: I was just going to say that  
21 this project is ready to go to bid. The architect's  
22 already worked with the personnel from the county and  
23 from DSS. This is the third floor that was left  
24 unfinished when the building was constructed. And they  
25 need additional space for offices and that's what this  
26 upfit will be.  
27 GRACIE FLOYD: Okay. Mr. Chair.  
28 EDDIE MOORE: Ms. Floyd.  
29 GRACIE FLOYD: Mr. -- did I -- did we get  
30 something in the mail about this? I must of overlooked  
31 the letter, the information that went out about this.  
32 Did you send something out?  
33 MR. CARROLL: Not that I'm aware of.  
34 CINDY WILSON: May I respond?  
35 GRACIE FLOYD: Did you ---  
36 EDDIE MOORE: Wait just a minute.  
37 GRACIE FLOYD: So there was no notice about  
38 any of -- about this thing? I don't know anything  
39 about it. Now I know I'm getting a, I'm getting a  
40 report tonight from the committee about this.  
41 CINDY WILSON: This was given to us at the  
42 last budget year. It was presented in the budget  
43 workshop last May, I think it was.  
44 GRACIE FLOYD: But this is this May now.  
45 CINDY WILSON: It had to go through the bond  
46 process and it was probably the only project presented  
47 to us last year that I had great faith and confidence  
48 in their estimates. And that every "I" had been dotted  
49 and "T" crossed. It's the no-brainer one of the whole  
50 lot.

1 GRACIE FLOYD: What is a no-brainer is the  
2 fact that this project was last May. We knew about  
3 that because we were working on that building. I have  
4 been over there to talk to the lady in charge over  
5 there ---

6 CINDY WILSON: But ---

7 GRACIE FLOYD: I, I, I have the floor.

8 CINDY WILSON: Okay.

9 GRACIE FLOYD: -- about the DSS building. I  
10 have toured the DSS building. So I knowed that was  
11 going on. But to sit here today and tell me I have to  
12 vote on something that I have, that I have no paperwork  
13 on it whatsoever. No back-up on it whatsoever.  
14 Something that was from last year. Come on, folks.

15 CINDY WILSON: The bond was passed in the  
16 fall.

17 GRACIE FLOYD: Come on, folks.

18 BOB WALDREP: Mr. Chairman.

19 EDDIE MOORE: Mr. Waldrep.

20 BOB WALDREP: My understanding is that as we  
21 went through the budget project last year that this was  
22 thoroughly discussed with the members of council. And  
23 that all this information was available. That the  
24 amount was available. The information was dissiminated  
25 to everyone and it was included, as I understand, in  
26 the bond issue. Is that correct?

27 MR. CARROLL: Yes, sir.

28 BOB WALDREP: So this council voted on the  
29 bond issue first of all to fund the very issue that  
30 we're talking about. I'm distressed that some people  
31 don't seem to understand that process. But I don't  
32 know what else we can do. Is there any other  
33 information that you might share with Ms. Floyd that  
34 might make her feel more comfortable?

35 GRACIE FLOYD: If I can have the floor again  
36 please.

37 EDDIE MOORE: Ms. Floyd, we still have a  
38 couple of council members that want to talk. Mr. Dunn.  
39 I'll come back to you.

40 TOMMY DUNN: I'd just like to say, again,  
41 this was I think in the last council. Am I correct,  
42 Mr. Waldrep? Last council approve the bond probably  
43 October, November meeting, something like that. This  
44 was all part of it and probably was a little bit new  
45 and maybe caused a little bit of confusion because  
46 we're bringing it back up for a vote, the last -- you  
47 never would have seen this in the last council. We're  
48 bringing things up and asking things to be voted on  
49 with individual times. And I'll let it go before I  
50 call for the question.

1 CINDY WILSON: Second.

2 TOMMY DUNN: I'm not calling for it. I  
3 want Ms. Floyd to have her say.

4 EDDIE MOORE: I'm going to have my say. I'm  
5 a council member too. So if you remember as -- we did  
6 have a contracts committee that we formed at the first  
7 of the year. And our duties that I so called out was  
8 that we would examine contracts and bids before we  
9 would go forward with it and we would vote on those  
10 contract and bids as we went forward with it. Now this  
11 happens to be one that was left over from last year,  
12 but it still falls under our jurisdiction. And that's  
13 why we are voting on the bid and the contract. We have  
14 examined it, we've talked with DSS and we've discussed  
15 it, I think, quite a bit with Mr. Carroll and our  
16 committees and now we're at the stage where we're ready  
17 to move forward with the project. Now, Ms. Floyd.

18 GRACIE FLOYD: Mr. Chairman. Mr. Chairman,  
19 what happened to the paperwork? You all were not given  
20 any kind of paperwork on this? You got nothing. That  
21 the committee didn't have any, any type of hard copies  
22 of anything. As you discussed this you sat there and  
23 you just looked at, you just looked at, you just looked  
24 at each other as you discussed this. No paperwork or  
25 anything.

26 EDDIE MOORE: Ms. Floyd. Ms. Floyd, if you  
27 will remember there are minutes to meetings, if you'll  
28 go back and read the minutes. You're pretty good on  
29 minutes, so if you'll go back and look on the minutes,  
30 you'll see it in there. And also in the agendas from  
31 those points back. Now if you'd like some more copies,  
32 ---

33 GRACIE FLOYD: Nah.

34 EDDIE MOORE: I'll be happy to get you some  
35 more copies. This was from last year.

36 GRACIE FLOYD: No. Mr. Chairman, I believe  
37 you have the honor and distinction of being the minute  
38 man. Okay.

39 EDDIE MOORE: I'm the minute man.

40 GRACIE FLOYD: But the fact is whatever  
41 information you all got in your meetings concerning  
42 this, we should have gotten.

43 EDDIE MOORE: Mr. Carroll.

44 MR. CARROLL: Yes, sir. The preliminary  
45 plans, the drawings, were distributed, I can't give the  
46 exact date, at a meeting of full council. And that was  
47 ---

48 GRACIE FLOYD: When? This year or last year?

49 MR. CARROLL: This year.

50 GRACIE FLOYD: This year, full council. No.

1 No. No. No. No, Carroll. Uh-uh, Carroll, you don't  
2 pull that one on me. No, Carroll.

3 EDDIE MOORE: Point of order, Ms. Floyd. I  
4 want to ask one question. Would our clerk -- can you  
5 go back and look at our last agenda because I  
6 specifically remember this being an enclosure with our  
7 agenda packet. Will you please go back and just look  
8 in the agenda? I can't -- I think it was just a few  
9 agenda meetings ago. And please bring this to Ms.  
10 Floyd so she can see it.

11 GRACIE FLOYD: The -- what happened last year  
12 -- in the budget was last year. When they started  
13 discussing this this year all council members should  
14 have been given information about the discussion and  
15 about what was going on. Now Mr. Carroll, did you pass  
16 -- did they, did they get anything like that this year  
17 concerning this from you.

18 MR. CARROLL: Yes.

19 GRACIE FLOYD: All right.

20 MR. CAROL: That's what I just mentioned,  
21 that plans were given to all seven.

22 GRACIE FLOYD: No. No. No. No. No.

23 MR. CARROLL: I handed them out at a  
24 meeting. I don't know the exact meeting I handed them  
25 out. They weren't in the minutes. But the committee  
26 had met and asked that any projects, before they go  
27 forward, come before them for approval. So we had the  
28 architect get the plans ready. We gave out the set of  
29 drawings for approval to review. And that has been  
30 several weeks ---

31 END OF TAPE 1, SIDE 2

32 GRACIE FLOYD: I asked you a question.

33 EDDIE MOORE: Do I have second on that?

34 TOM ALLEN: Second.

35 EDDIE MOORE: All in favor of the question,  
36 raise your right hand. Okay. Mr. Waldrep. The motion  
37 is still on the floor and now we need a second on the  
38 motion.

39 TOMMY DUNN: Second.

40 EDDIE MOORE: We have a second on the  
41 motion. And now we'll vote on it. All in favor of  
42 moving the contract raise your right hand. All  
43 opposed. All abstain. Let it be shown that all  
44 council members voted for it except Ms. Floyd. She  
45 abstained.

46 BOB WALDREP: Mr. Chairman. We -- next  
47 there was a discussion of the two the architectural  
48 contracts for the new courthouse renovation. However,  
49 since we've had the meeting we understand that this  
50 issue has been resolved since only one architectural

1 firm is necessary. So I just -- point of information.  
2 So I think that issue is resolved.

3 EDDIE MOORE: Okay.

4 BOB WALDREP: The next matter, there was a  
5 discussion of the magistrate judicial center which is  
6 the old Piedmont Natural Gas building, and it was  
7 determined that we should postpone this for further  
8 information until the next personnel meeting which is  
9 scheduled for May the 6<sup>th</sup>. And I might suggest that  
10 anyone on this council that needs any information on  
11 this subject that it would be provided to them. Mr.  
12 Carroll, I'm sorry for all this problem here, but make  
13 sure that everybody gets every relevant piece of paper  
14 so that they can understand the process. But one of  
15 the reasons that we did the postponement was because  
16 there was an issue of doing the first floor and the  
17 second floor or the second floor. And we're trying to  
18 work this out in such a way, hopefully, that we'll be  
19 able to do the entire building and save some money  
20 ultimately on that issue. As well as, there was some  
21 investigation we wanted to have with regard to the  
22 roof. And there was some discussion about to make sure  
23 the roof issue was settled because as we understand it,  
24 the roof alone was going to be three quarters of a  
25 million dollars.

26 TOMMY DUNN: Mr. Chairman, I think that may  
27 have been wrong. Might want to clarify that. I think  
28 maybe two hundred thousand dollars. I went back and  
29 looked at my paperwork and Mr. -- you might want to go  
30 back and ask Mr. Carroll, but I think that will be  
31 right.

32 BOB WALDREP: Okay. That was the figure  
33 that I had and that was the one thing that disturbed  
34 everyone. If that's, if that's an inaccurate figure,  
35 let me know.

36 MR. CARROLL: The estimate, I believe, in  
37 2006 or '7 when that evaluation was done, was two  
38 hundred thousand dollars. That was -- it was actually  
39 a hundred and seventy thousand with a thirty thousand  
40 dollar contingency ---

41 BOB WALDREP: Oh, okay.

42 MR. CARROLL: -- to replace the roof.

43 BOB WALDREP: That sounds a whole lot  
44 better. I don't know where I got that figure from, but  
45 that was the figure that we bantered about in our  
46 personnel committee meeting.

47 TOMMY DUNN: It was. Yes, sir.

48 BOB WALDREP: So anyway. For that reason  
49 and having not satisfied everyone on the committee that  
50 we were doing the best we could, we wanted to postpone

1 that. And in addition to that, the bidding procedure,  
2 we were trying to assure that the bidding procedure was  
3 going to be synchronized with our intent to renovate  
4 that building. So it was -- that was postponed. So  
5 again I just want to make sure that everyone has all  
6 the information that they need and certainly we want to  
7 make sure that we get that out to you.

8 GRACIE FLOYD: I have a question.

9 EDDIE MOORE: Ms. Floyd.

10 GRACIE FLOYD: Did everybody get copies about  
11 the bidding process, about the courthouse stuff and  
12 about what y'all are doing down there? Any paperwork  
13 come out of that that was distributed to everybody?

14 BOB WALDREP: Ms. Floyd, your question is  
15 did everyone get a copy of ---

16 GRACIE FLOYD: Mr. ---

17 BOB WALDREP: -- a bidding process?

18 GRACIE FLOYD: No. Let me clarify for you.  
19 Mr. Dunn just said that he went back and looked at his  
20 paper and the number was different. What paper? Did  
21 all council members get copies of the papers that, that  
22 he's talking about. I didn't.

23 BOB WALDREP: Ms. Floyd, the best I can tell  
24 you is that we've had these meetings with the  
25 architects or the design -- I think it was Design South  
26 in one of our meetings, probably a month or so ago,  
27 where all these plans were laid out. But insofar as a  
28 bidding procedure, no, I don't think that there's been  
29 anything that ---

30 GRACIE FLOYD: No. I'm not asking about a  
31 bidding procedure. All I'm asking is that -- the same  
32 paperwork that you all have been getting, okay, the  
33 same paperwork that he said he went back and looked at  
34 his paperwork and the number was different. All I'm  
35 asking is for copies of that. All I'm asking is that  
36 you all go into your little sessions and you come back  
37 and you say something and we're suppose -- well they  
38 all just, just vote for it. I don't know what I'm  
39 voting for. So from this point on I would like to  
40 request that all paperwork, all paperwork that's given  
41 to committee members be given to all council members  
42 whether or not we attend the meetings. In order to  
43 attend the meetings, you have to have a quorum. It  
44 would be a quorum. Like it was yesterday. You cannot  
45 have a quorum. And if you have one, you've got to have  
46 minutes. That's the law, people. If I come to those  
47 meetings then that's going to be four people. And you  
48 cannot do that.

49 BOB WALDREP: Well you know on that point,  
50 that's an interesting point, Ms. Floyd. You know, we



1 have these public open meetings and I know that even in  
2 our ordinances and our code specifically says that  
3 committees can invite the members of non-participating  
4 committee people to the meetings. I don't know that,  
5 Ms. Floyd, that you are absolutely right. You could be  
6 right. But I don't know that you're absolutely right  
7 in saying that I cannot attend a meeting and convert  
8 that into some kind of a illegal meeting. That might  
9 be something -- a good issue for us to get into. The  
10 whole purpose of the Freedom of Information Act is that  
11 everything is done in open and that it's not secretive  
12 in some way. When you have four people that are in a  
13 room, simply because you have four people in a room and  
14 they are not taking any action, that doesn't  
15 constitute, in my judgment, some kind of meeting. But  
16 I can be corrected on that. Mr. Pitts, you probably  
17 need to take a look at that some time.

18 TOMMY DUNN: Mr. Chairman.

19 EDDIE MOORE: Mr. Dunn.

20 TOMMY DUNN: If I could, I'd just like to  
21 clear up. We've got a bad habit of, and I hate to pick  
22 on this, and I'll move on. Some people think they say  
23 something, you know, three times it makes it true. And  
24 I've heard this tonight three times. Go back and check  
25 the law. As long as that meeting is advertised, public  
26 what-ya-call-it, you can have five or six people,  
27 whatever, as long as it's -- if it's advertised, they  
28 come, it's in our county ordinance they can come and  
29 participate, it's legal. Nothing, nothing to talk  
30 about. And that's, and that's it. And I'll move on  
31 and let Mr. Waldrep finish his, finish his report.

32 BOB WALDREP: Well, Mr. Chairman, I just  
33 want to say that that's been where we've been trying to  
34 operate openly and all these meetings are advertised.  
35 So I see no, no evil that has been pronounced here  
36 today. So if I may, let's move to the next subject.  
37 On the Tri-County land site, the committee proposed a  
38 meeting of the county councils of Oconee County,  
39 Anderson County and Pickens County to discuss the sale  
40 or use of the Tri-County landfill property which is  
41 located in Pendleton County. I mistakenly thought it  
42 was in Anderson County at one time. But it's in  
43 Pickens County. There's some other topics that would  
44 be discussed at this meeting. And I think, Mr. Burns,  
45 we had talked about that that the other councils are  
46 most interested in discussing some matters with us,  
47 even besides these particular issues. Hope I'm not  
48 going to far in this, but there are other things that  
49 we need to get into that I think the Chairman is aware  
50 of. Regional concepts of dealing with sewage and

1 infrastructure, using the I-85 corridor and things of  
2 that nature that we -- let me say at this point, I'm  
3 kind of excited about the fact that we do have a  
4 possibility of working with other counties and sharing  
5 some of the infrastructure costs that will be mutually  
6 beneficial to all the counties involved. So there's  
7 just a lot of great things that we can do in these  
8 discussions. As everyone knows, I was in the minority  
9 when the issue came up for selling the property for 2.8  
10 million dollars last time. And we're hopeful that  
11 we'll be able to approach that figure again if -- it's  
12 certainly up to all the three councils to make this  
13 decision. And I think as we all know, it doesn't take  
14 but one person to dissent from the sale of the  
15 property. Because Anderson County dissented last time.  
16 The other two counties wanted to sell the property. So  
17 without getting into too much detail that what that's  
18 going to be about, and see if we can't resolve and  
19 settle that. Okay. Any questions that anybody has  
20 with regard to that. I hope I have not misspoken with  
21 regard to what took place in the committee meeting.  
22 Okay. All right. Next item. The committee discussed  
23 and reviewed the pending legal claims regarding Michael  
24 Cunningham against the County. And the committee  
25 proposed that the County vigorously defend against  
26 these claims and that the County's defense will include  
27 full discovery and depositions to be taken of present  
28 and past council members. And that is our  
29 recommendation for the defense of this action. And we  
30 would ask for -- I would put that in the form of a  
31 motion.

32 EDDIE MOORE: I second it. Motion has been  
33 made and motion has been seconded. Any discussion?

34 GRACIE FLOYD: Yes.

35 EDDIE MOORE: Ms. Floyd.

36 GRACIE FLOYD: Thank you. I disagree with  
37 the committee. I believe that we have outdone  
38 ourselves so far on lawsuit. The contract that Mr.  
39 Cunningham had was a valid contract and I think that we  
40 need to go ahead and cut our losses. And we need to  
41 talk to this man about his severance pay. This man  
42 has, this man has tried to talk to you since the day he  
43 left here. And he cannot -- he has not been able to  
44 make any kind of progress. So he's being forced to do  
45 what he's doing. But knowing that the contract is a  
46 valid contract, I say that we go ahead and pay, and pay  
47 him what he owes him. And I put that in the form of a  
48 motion.

49 EDDIE MOORE: There's already a motion on  
50 the floor, Ms. Floyd.

1 GRACIE FLOYD: Well I'd like to amend the  
2 motion, to amend the motion to include the fact that we  
3 pay Mr. Cunningham what's owed him.

4 BOB WALDREP: Mr. Chairman, the motion of  
5 Ms. Floyd is completely contrary to the motion of --  
6 that's on the floor. And I think it would be  
7 inappropriate to even consider that motion. Totally  
8 incongruous.

9 GRACIE FLOYD: All right. Then may I amend  
10 that -- may I start over and say I will amend the  
11 motion that before we go into a contract with another  
12 attorney that we agreed to meet with Mr. Cunningham and  
13 his attorney to see if we can't come to some type of  
14 settlement here rather than having to go through a long  
15 -- another lawsuit, which he has already been told will  
16 be a long drawn-out lawsuit.

17 EDDIE MOORE: Ms. Floyd has an amendment to  
18 Mr. Waldrep's motion. Do we have a second? Have any  
19 discussion?

20 TOMMY DUNN: Mr. Chairman.

21 EDDIE MOORE: Mr. Dunn.

22 TOMMY DUNN: I strongly disagree, seeing  
23 that he doesn't have a valid contract and I think that  
24 represents our whole thing. And I think as we go  
25 forward, anytime Mr. Cunningham or his attorney wants  
26 to negotiate or, or, or make a, make an offer, I'm sure  
27 our attorneys will be more than willing to listen to or  
28 come forward at that time. So to say that we've just  
29 got a close door, I don't think is an accurate  
30 statement again. And I'll move forward and ---

31 CINDY WILSON: Mr. Chairman.

32 EDDIE MOORE: Ms. Wilson.

33 BOB WALDREP: Mr. Chairman.

34 EDDIE MOORE: Mr. -- I recognized Ms.  
35 Wilson.

36 CINDY WILSON: Thank you, Mr. Chairman.  
37 Having gone to a meeting up at the Powdersville library  
38 and hearing the personnel committee's attorney tell Mr.  
39 Wilson and the other two committee members -- Mr.  
40 Waldrep and I were able to go in that day because we  
41 brought our little county ordinance with us. But Mr.  
42 Bright clearly told that committee that the former  
43 administrator, first former administrator, his -- there  
44 was no anticipatory breach. That it was a violation of  
45 fiduciary responsibility of this council to the county  
46 to entertain any type of a buyout. That come January  
47 it would have been an at-will contract. That you can  
48 not bind the hands of one council to the next with such  
49 a contract. At least one of the two parties on this  
50 amendment knew that. Told that directly to his face.

1 And I think there were two of us that were witnesses  
2 that day. There's been a lot of research that went  
3 into that and it all goes back to the night of November  
4 18<sup>th</sup>. Anytime anyone has a question, the tape of that  
5 meeting should be played. What treachery. What a  
6 travesty. But anyway, I will vigorously dissent.

7 BOB WALDREP: Mr. Chairman, I want to add  
8 one other matter with regard to what's been stated here  
9 about any kind of negotiations in this matter. And  
10 that is that there would be mandatory mediations in the  
11 matter anyway. Of course, that doesn't mean you can't  
12 start some kind of discussions beforehand. But the  
13 allegations and the complaint which are public are  
14 asking, I believe, for treble damages. And right  
15 serious matters and charging the County with numerous  
16 derelicts. And for that reason that's why we had this  
17 discussion, that we felt like there had to be a very  
18 vigorous defense and a full investigation,  
19 particularly, you know, going back to the genesis of  
20 this problem on November the 18<sup>th</sup>, 2008. So we feel  
21 like without going forth into full discovery in this  
22 matter, we would be very hamstrung and we would not be  
23 living up to our fiduciary duty as elected officials by  
24 not pursuing every avenue in this matter. And so I  
25 think that was a pretty strong sentiment.

26 EDDIE MOORE: Okay. Mr. Allen, do you have  
27 anything?

28 TOM ALLEN: Mr. Chairman, yes, just very  
29 quickly. I believe that the Supreme Court has already  
30 ruled in Piedmont versus Cowart (phonics); right, that  
31 a prior council could not bind an incoming council.

32 BOB WALDREP: That's correct. That case and  
33 other cases. A lot of cases, and as alluded to by Ms.  
34 Wilson here, the attorney that was employed by this  
35 council, Mr. Bright, and I think we can certainly get  
36 into the fact that his advice is exactly contrary to  
37 the opinion that has been rendered by Ms. Floyd in this  
38 matter. So I think that's one of the areas that we're  
39 -- we'll be getting into. Whatever the law is, the  
40 law is not stagnant. It can change. We don't know of  
41 the absolute outcome, but we're operating with the best  
42 precedent and information that we have.

43 TOM ALLEN: I would just like to add to  
44 that too. Someone had asked the question, well if this  
45 contract is not binding, can't we just do away with any  
46 and all contracts that the county has signed? No, that  
47 a whole different ball game because the county  
48 administrator and the clerk are the only two employees  
49 that we actually, you know, hire or employ. So that's  
50 a whole different thing.

1 BOB WALDREP: There's a big difference as I  
2 understand it, proprietary contracts, that's dealing  
3 with contracts providing goods and services, of that  
4 nature, as opposed to personnel contracts, because that  
5 would mean that one council could theoretically bind  
6 another council for years down the road. And there  
7 would be no remedy for that. And that's not, I think,  
8 the intent of the law or the legislature.

9 TOM ALLEN: Thank you, Mr. Chairman.

10 EDDIE MOORE: We'll now go ahead and we're  
11 going to vote on Ms. Floyd's amendment. All in favor  
12 of Ms. Floyd's amendment, raise your right hand? All  
13 opposed likewise. It goes down in defeat five to two,  
14 with Mr. Wilson and Ms. Floyd voting yes. Mr. Allen,  
15 Mr. Moore, Mr. Dunn, Mr. Waldrep, and Ms. Wilson voting  
16 no. We'll now vote on Mr. ---

17 BOB WALDREP: The original motion, Mr.  
18 Chairman. Again if it needs to be restated would be  
19 that we go forward and vigorously defend against the  
20 claims of -- against the county, including a full  
21 discover and depositions from past and present council  
22 members.

23 EDDIE MOORE: Motion's on the floor and it  
24 has already been seconded. We'll now vote. All in  
25 favor raise your right hand. All opposed. Let it be  
26 shown that Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn,  
27 Mr. Waldrep, Ms. Wilson voted yes. Ms. Floyd voted no.  
28 It carries.

29 BOB WALDREP: Mr. Chairman, I believe that  
30 concludes the activities of the personnel committee.  
31 Thank you.

32 EDDIE MOORE: We're going to now take a five  
33 minute break and we're going to come back with Mr.  
34 Dunn's report.

35 BREAK

36 EDDIE MOORE: Mr. Dunn.

37 TOMMY DUNN: Thank you, Mr. Chairman. Our  
38 last committee meeting we discussed the I-85 lighting  
39 project. And that is on the agenda tonight so I won't  
40 -- I'm not going to talk about that. We'll just wait  
41 and discuss that when it comes up on the floor. Also  
42 with the transfer of funds for the 208 GEO bond,  
43 change in locations of the ball field, I'm going to  
44 wait and talk about -- that's on the agenda tonight,  
45 coming up. Number 3, the building and property near  
46 the Belton library is a building the County owns, from  
47 my understanding is vacant, and they've had several  
48 inquiries on about wanting to ask if the county sell it  
49 or lease it or whatnot. Or I would think if -- and  
50 I'll ask the administrator and Mr. Carroll to help out

1 here. It's prudent to ask for a motion to let the  
2 administrator and Mr. Carroll proceed on with, with  
3 process of leasing -- searching avenues to lease this  
4 building. It's sitting there and I think we should be  
5 getting something out of it, was this committee's  
6 thoughts. Instead of just sitting there, it being  
7 used. And I don't think nobody has checked around.  
8 The library really doesn't need it. And so we can move  
9 on and get something on this building. I'd just like  
10 to ask Mr. Burns if he has anything to say and didn't  
11 know if any of the council members.

12 RUSTY BURNS: No, sir. We just get repeated  
13 requests from people in the area wanting to either  
14 purchase it or rent the building. And we have to tell  
15 them, you know, we'll have to find out and we would  
16 just like some direction from Council.

17 TOMMY DUNN: I make that motion that we let  
18 the administrator and the -- Mr. Carroll to try to  
19 lease this building out. That best -- and make a  
20 report back to us.

21 RON WILSON: Second.

22 EDDIE MOORE: I have a motion on the floor  
23 and a second to let the administrator or Mr. Carroll  
24 try to find someone to lease the building in Belton.  
25 Any discussion?

26 BOB WALDREP: Mr. Chairman, the only  
27 question, I thought that it might be a good idea to add  
28 to the authority to receive any kind of offers for  
29 sale, as well as to lease it. Since it apparently  
30 doesn't have any use. It would be good to get this  
31 back on the old tax books, as they say.

32 TOMMY DUNN: I don't know if it would be --  
33 wouldn't -- I might ask Mr. Carroll or Mr. Burns if  
34 they have any input. And Mr. Moore, I believe that's  
35 your district. If that would ever be maybe any use to  
36 us in the future as far as the library over there,  
37 whatnot, may be why we would want to hold on to it.  
38 I'm just, I'm just asking.

39 MR. CARROLL: But we've had conversations  
40 with Faye at the library and I believe that she stated,  
41 and I believe she's her tonight, that they had no  
42 further use for the building. And our whole intent is  
43 to try to get some income off of the building. It's in  
44 a pretty prominent location in Belton on the corner.

45 TOMMY DUNN: Right now if we could just  
46 lease it, don't you think. Mr. Waldrep, if we could  
47 just lease it right now and explore avenues and come  
48 back, you know, but with something else. I mean, if  
49 somebody wants to make an offer, Mr. Burns is more than  
50 welcome to come back to us, you know, whatever, to the

1 full council and ...

2 BOB WALDREP: That's all I had. I'm not  
3 making a motion to amend or ...

4 EDDIE MOORE: Do we have a second on it?  
5 Any more discussion?

6 TOM ALLEN: Yeah. Mr. Chairman, I just  
7 wanted to say I think we should leave that open to if  
8 somebody does come up and make a great offer.  
9 Certainly we need to look at it.

10 EDDIE MOORE: Okay. We'll now vote. All in  
11 favor raise your right hand. Unanimous.

12 TOMMY DUNN: Also last committee meeting,  
13 economic development director, Ms. Jones, gave a report  
14 on something I think most of us is dear to our hearts,  
15 some economic development on Interstate I-85, exit 27  
16 on 81. Getting certain property certified for a  
17 business park and also being able to move on with some  
18 frontage road. I think that's a very good thing for  
19 economic development. You know, I think that's been --  
20 we're lagging way behind in the past trying to catch up  
21 in our economic development on frontage roads. I think  
22 that's where our future is and where we need to be  
23 hitting it home. And there's a lot of people in this  
24 state that can't compete with us. They don't have the  
25 frontage roads or the interstate. We got a leg up on  
26 people on that. And I'll tie that in a little bit  
27 later on. That goes hand and hand with our lighting  
28 we'll be talking about -- awhile ago, lighting up this  
29 and showcasing our properties. Beautiful piece and I  
30 think will be very good. And I think we can -- I think  
31 when getting this done, this will be something that  
32 will be pay a lot of fruit in the near future. And I  
33 bring that out for your information and I'll ask if any  
34 council members has anything to say or any questions or  
35 any comments. And Mr. Burns, I'm sure, will be willing  
36 to discuss it.

37 EDDIE MOORE: Anyone else?

38 BOB WALDREP: Mr. Chairman, just one thing.  
39 The amount of acreage that we have at that particular  
40 site is how much, Mr. Dunn?

41 TOMMY DUNN: It's five hundred and twenty-  
42 seven, something like that, roughly.

43 BOB WALDREP: And it's located at the 27  
44 exit of I-85?

45 TOMMY DUNN: Yes, sir.

46 BOB WALDREP: Of 81 and I-85, 27.

47 RUSTY BURNS: Yes, sir. It involves several  
48 property owners. We would have an option that could be  
49 renewed every year. The county would not be purchasing  
50 the property. We would be merely acting as a transfer

1 agent if anyone wished to have the property. A lot of  
2 the work, preliminary work has already been done.  
3 There may be some other things that we're working out  
4 in terms of water and some things like that. But  
5 pretty much sitting on go and it's a great opportunity  
6 for us.

7 BOB WALDREP: As I understand it, it's a  
8 premier -- not only a premier site but a premier size  
9 as well.

10 RUSTY BURNS: Certified industrial sites.

11 BOB WALDREP: Certified industrial sites.

12 Okay. Thank you.

13 RUSTY BURNS: Yes, sir.

14 TOMMY DUNN: Also, Mr. Chairman, Highway  
15 29, we did discuss it and I think that's coming up a  
16 little bit later on so I won't hit on that. Another  
17 thing is the Hot Air Balloon Event. Those gentlemen  
18 come last meeting and talked to us a little bit and  
19 discussed. They come to our committee meeting and  
20 they're not asking for any money. All they're asking  
21 for is the -- and I think it's a great -- just  
22 thinking, they seem well knowledged. They're known  
23 around in the balloon community and I've been checking  
24 them out. And I think this could turn into something  
25 if it's handled right could really be built into to  
26 something and showcase and really give Anderson County  
27 back something and not cost us nothing. A whole lot  
28 anyway. And I'll ask Mr. Burns. I believe they -- all  
29 they're asking us to do is maybe just say we endorse  
30 this idea where they -- that way when they go to  
31 businesses into the City of Anderson -- I think they're  
32 going to be setting up a time to go to the City of  
33 Anderson's council -- to say that Anderson County's got  
34 their backing in support of the -- of this idea.

35 RUSTY BURNS: We support the idea of this  
36 renewed hot air balloon festival and that we make  
37 available our balloon launch site and work with them.  
38 They've requested no money from us at all. And as you  
39 know they met with the City yesterday and had some  
40 brief discussions. And I believe the city manager is  
41 going to have further discussions with this gentleman  
42 also.

43 TOMMY DUNN: Mr. Chairman, I'd like to make  
44 that in the form of a motion.

45 EDDIE MOORE: We have a motion on the floor.  
46 Do we have a second? Have any discussion?

47 GRACIE FLOYD: Yes. Mr. Burns, the people  
48 with the balloon thing, all right, have you tallied up  
49 what it's going to costs us to do the things they've  
50 asked us to do?



1 RUSTY BURNS: No, ma'am, not at this point  
2 because we don't know exactly what their precise plans  
3 are. We do know that they just want to be on the  
4 balloon launch site. They won't be using our other  
5 properties. We know there will be some traffic control  
6 and some set-up work. But exactly what they want to do  
7 we do not know yet. We're just really encouraging  
8 them.

9 GRACIE FLOYD: All right. I'm sure that  
10 everybody received the letter from them saying that  
11 they wanted us to provide the port-a-potties. And how  
12 much is that going to cost? They wanted us to do all  
13 the mowing of the lawns out there using our folks.  
14 They wanted us to clear the launch -- balloon site  
15 launch for them. And they wanted us to provide the  
16 administrative assistance for photocopying, for  
17 photocopying and the secretary. That's going to cost  
18 us something. For everything that they have -- do we  
19 have a figure on that one yet?

20 RUSTY BURNS: No, ma'am, we don't. And at  
21 this point in time, we have not gotten to the point  
22 where we need to get those figures together. We were  
23 waiting to see how the reception that they got at the  
24 City went. And then we would try to do something  
25 collaboratively.

26 GRACIE FLOYD: Okay. So it's really, it  
27 really -- you really can't say that they're asking  
28 nothing from us but our blessing. Because they are  
29 asking.

30 RUSTY BURNS: But the request for resolution  
31 is merely only that we support the idea in general and  
32 that we're amenable in working with them. But nothing  
33 in specifics and dollar amounts have we committed to.  
34 And the presentation that we received, I believe the  
35 gentleman had an estimate of fifty-thousand dollars.  
36 And his point was that he hoped to raise that fifty  
37 thousand dollars on his own. And that's the way we  
38 were left.

39 GRACIE FLOYD: Yeah. I understand that too.  
40 I understood that too. But then when I got the letter  
41 of them outlining what they wanted Anderson County to  
42 do, it was more than just a, you know, -- I'm concerned  
43 about the port-a-potty rentals cause that's a lot of  
44 them.

45 RUSTY BURNS: Ms. Floyd, that's very  
46 expensive.

47 GRACIE FLOYD: Yeah. I'm -- thank you. I'm  
48 concerned about the administrative assistants that  
49 they're looking as far as the photocopying is  
50 concerned. Who's going to pay for that?

1 RUSTY BURNS: And Ms. Floyd, I might add  
2 there, in discussions with the gentlemen and also in  
3 discussions with representatives from Innovate Anderson  
4 that they might act as a sponsor or a conduit for some  
5 of those activities. And again, that hasn't been  
6 flushed out completely either.

7 GRACIE FLOYD: Good. Mr. Burns, I am not  
8 against this affair.

9 RUSTY BURNS: Yes, ma'am.

10 GRACIE FLOYD: It's always proven to be a  
11 really good thing in the past and was very much enjoyed  
12 by those who attended. But I don't -- I'm just  
13 wondering. The man said it wouldn't cost you a thing  
14 and now all of a sudden. Thank you.

15 TOMMY DUNN: Mr. Chairman, I believe the  
16 committee said they wasn't asking for no money. And  
17 they're not and we're not -- this resolution tonight or  
18 this thing is just endorsing the idea. It's not asking  
19 for no money or not endorsing no money or giving them  
20 anything in kind. In fact, he didn't promise nothing.  
21 Please don't take this wrong. Just in discussion  
22 yesterday with the City Manager, you know, the City,  
23 that might be one thing they might want to do is crowd  
24 control. As far as lawn cutting and grass cutting, I  
25 think we do that already out there. And it looks,  
26 looks -- our employees do it. And it looks fine. But  
27 I -- and I also heed to Ms. Floyd's concern about  
28 expenditures because I want to watch them too. And I  
29 wish we'd been that thoughtful on the last balloon  
30 festival we had here. And I would like to -- like I  
31 said, motion on the floor.

32 EDDIE MOORE: We have a motion on the floor.  
33 We also have a second.

34 GRACIE FLOYD: Do we have a copy of the  
35 resolution?

36 EDDIE MOORE: Ms. Floyd.

37 GRACIE FLOYD: Do we have a copy of the  
38 resolution that he's proposing?

39 TOMMY DUNN: No, ma'am.

40 GRACIE FLOYD: We don't have a copy of it?

41 TOMMY DUNN: No, ma'am. Something that  
42 simple -- and Ms. Floyd, I mean, I don't think it's a  
43 -- nothing he needs or nothing, you know, about asking  
44 for a copy or nothing. And if you, you know, you  
45 really feel like it needs to be one, I wish you would  
46 have felt like that on your, on your situation tonight.  
47 Because we didn't have a copy on that neither, but we  
48 was voting ---

49 GRACIE FLOYD: I was told that we didn't need  
50 one.

1 TOMMY DUNN: But we'll move on.

2 GRACIE FLOYD: And Mr. -- what's his name?

3 Sir, let me tell you something. Okay. Every time I  
4 say something, you come behind me with something else.  
5 Which is fine. I can take it. Okay. But please don't  
6 take it personally. Please don't take it personally.  
7 Last year we never told anyone that it wouldn't cost us  
8 a thing to have that balloon. We didn't say that. We  
9 went out and tried to raise the money for it. But I'm  
10 doing, I'm doing what I do, sir. I'm doing my job.  
11 You do yours and please let me do mine.

12 EDDIE MOORE: I believe we've had enough  
13 discussion. All in favor, please raise your right  
14 hand. All oppose. Abstain.

15 GRACIE FLOYD: No resolution. I don't see  
16 one.

17 EDDIE MOORE: Let it be shown that Mr.  
18 Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep and  
19 Ms. Wilson voted yes. Ms. Floyd abstained. Mr. Dunn,  
20 do you have anything else?

21 TOMMY DUNN: Mr. Chairman, that concludes  
22 it at this time. Like I said, on the other three items  
23 I'll be discussing them when they come up, come up, one  
24 at a time.

25 EDDIE MOORE: We'll no go to our amended  
26 portion of this part of the agenda, C, which will be  
27 the transportation committee.

28 TOM ALLEN: Thank you, Mr. Chairman. Each  
29 council member, I laid on your desk a reply letter from  
30 Mr. Burns regarding the vehicles. And this stems from  
31 the transportation committee meeting that we had about  
32 four or five weeks ago. There were some vehicles --  
33 there were fifty-five vehicles being driven home, back  
34 and forth to work. We questioned whether that was  
35 absolutely necessary or not. Our committee got that  
36 narrowed down fairly well, but we still had some  
37 questions on certain vehicles. So I turned that over  
38 to Mr. Burns and he has replied to me after speaking  
39 with the various departments. And what this has  
40 resulted in is that we've eliminate twenty-six out of  
41 the fifty-five vehicles that are being driven home.  
42 Those vehicles will go into a motor pool type operation  
43 which we're working on right now. Some of the other  
44 vehicles, some of these vehicles may ultimately be sold  
45 as a matter of fact, depending on the condition of  
46 them. And also as was mentioned earlier tonight, there  
47 are certain vehicles within the fleet that we may try  
48 and convert to propane which will save us some money  
49 and also help with the air quality situation. So we're  
50 making some pretty good progress here. We've knocked

1 twenty-six vehicles off the list. Going to save a lot  
2 in gas and maintenance and so on. So I think we have  
3 made some progress here. And once the motor pool is  
4 established, then individuals in the county government  
5 that do need a vehicle can go down there and pick one  
6 up and drive it to where they need to go. And that's  
7 where we stand on that right now. Thank you, Mr.  
8 Chairman.

9 EDDIE MOORE: Now go to Item 13. Third  
10 reading for the ordinance. Ordinance amending chapter  
11 38, Anderson County Code of Ordinance pertaining to the  
12 acceptance of State maintained roads in the County  
13 master road list. Mr. Burns.

14 RUSTY BURNS: Mr. Chairman, this is the  
15 final reading on this item and you'll find a map  
16 enclosed in your packet. And Mr. Hopkins apologizes  
17 for not being here tonight. He is a little under the  
18 weather.

19 EDDIE MOORE: Okay. Any council member have  
20 any discussion on this one?

21 BOB WALDREP: Mr. Chairman, I always get a  
22 little concerned about this. And I know this is  
23 probably something that's already pretty much decided.  
24 But is this just one or two roads here or just -- how  
25 many road are we talking about?

26 RUSTY BURNS: We're talking about one, Mr.  
27 Waldrep.

28 BOB WALDREP: Just one?

29 RUSTY BURNS: Yes, sir. McNeely Road. Point  
30 seven tenths of a mile.

31 BOB WALDREP: Okay. Well usually we're  
32 always trying to give the state the roads, the county  
33 roads. And I just thought this is kind of like man  
34 bites dog or something.

35 RUSTY BURNS: But this is one of those rare  
36 cases, Mr. Waldrep, where we actually benefit.

37 BOB WALDREP: Okay.

38 RUSTY BURNS: That's why we would be ---

39 BOB WALDREP: Oh, yeah. I think I remember  
40 the discussion now. I think that's where they're --  
41 okay. I'm fine with it. Thank you.

42 EDDIE MOORE: All right. We'll now vote.  
43 All in favor raise your right hand. Unanimous. So  
44 moved. We now go to Item 14, 2009-10. Mr. Burns.

45 RUSTY BURNS: Mr. Chairman. Mr. Pitts.

46 MIKE PITTS: Yes, sir, this is an ordinance  
47 amending the Anderson County code to update its flood  
48 plane map and some certain provisions that was mandated  
49 by the State and by FEMA. Alesia Hunter's here who is  
50 from the planning department. She can address any

1 issues or questions you may have about the ---

2 CINDY WILSON: Mr. Chairman, may I?

3 EDDIE MOORE: Ms. Wilson, you want to let  
4 her come up and speak first and then we'll have  
5 discussion?

6 ALESIA HUNTER: Thank you, Mr. Chairman. As  
7 Mike had just mentioned that Anderson County is going  
8 through what we call a map modernization process. We  
9 have old, outdated flood plane maps from 1981 and  
10 Anderson is up for new maps. And part of that new map  
11 process is that we have to amend our ordinance to meet  
12 minimum FEMA standards. And this is what this  
13 ordinance is consisting of. FEMA has hired a  
14 contractor, URS. They are out of Gettysburg, Maryland.  
15 And they have completed our flood plane maps. We are  
16 due to receive those maps in probably a month. And  
17 this is going to greatly help our contractors,  
18 developers and citizens when they come into our --  
19 excuse me I have a sore throat -- come into our  
20 permitting office and try to obtain a building permit.  
21 Our new maps will show elevations on all, pretty much,  
22 all properties in Anderson County. So what that means  
23 is that the surveyor will just transpose that elevation  
24 to the plat to give us an elevation to permit a home  
25 site. This process is taking about eighteen months to  
26 get our new maps. And hopefully this will be a great  
27 benefit to Anderson County. Got any questions, Ms.  
28 Wilson?

29 CINDY WILSON: It was just one little  
30 question. It says delete the reference to January 2,  
31 1981 and replace it with July 2<sup>nd</sup>, 1980 and I was just  
32 curious about that.

33 ALESIA HUNTER: Curious about that number.  
34 Apparently Anderson County had started in the early  
35 eighties in the Nation Flood Insurance process so that  
36 number has to be amended to reflect that.

37 CINDY WILSON: Okay.

38 ALESIA HUNTER: Of course, we'll make another  
39 amendment right after the maps are adopted to reflect  
40 those new maps numbers in our ordinance.

41 CINDY WILSON: Okay. Thank you.

42 TOMMY DUNN: Mr. Chairman, I make a motion  
43 to move forward with this.

44 EDDIE MOORE: Motion to move forward.

45 TOM ALLEN: Second.

46 EDDIE MOORE: I have a second. Any more  
47 discussion? All in favor raise your right hand.  
48 Unanimous. We now go to 2009-012, amending ordinance  
49 2008-37 pertaining to the issuance and sale of a  
50 general obligation bond, series 2008, and matter

1 related thereto. Mr. Dunn.

2 TOMMY DUNN: Yes, sir. Thank you, Mr.  
3 Chairman. Just to give you a little background on this  
4 and let Mr. Pierce -- Mr. Pitts step in. We need to be  
5 -- we need to change the wording on this bond thing to  
6 move the ball fields to make -- be able to move the  
7 ball fields. And what this is happening, this is the  
8 same bond the past council passed this last year and  
9 sold. And we need to -- in discussing things with Mr.  
10 Hopkins and also Mr. Burns, but Mr. Hopkins I think  
11 headed this up. The FFA has sort of frowned on putting  
12 the ball fields out there. They said you maybe able to  
13 do it. But according to Mr. Hopkins, it would cost us  
14 around twenty thousand dollars to get -- to proceed on  
15 with his permission and that's no guarantees on that.  
16 He feels very strongly though that they would not let  
17 us use any lights out there. This piece of property is  
18 off Highway 24 at the end of the runway at the airport.  
19 So in discussing this and finding these out, this  
20 evidently wasn't checked out before, we think it's --  
21 in talking with Mr. Burns and Mr. Hopkins and some  
22 other folks, I think it would be a good idea to move.  
23 As we went around before we took office, going to  
24 different places and the Civic center being one of  
25 them, seeing the need for some more ball fields out  
26 there. I think it's very nice. I think Anderson is  
27 missing a great opportunity on economic development as  
28 far as ball fields. And when I say this, we're getting  
29 them all around us as far as Easley is getting little  
30 league tournaments. Simpsonville. Seneca. We're  
31 missing a good opportunity and we could help this.  
32 This would help pay for itself. Now this bond is  
33 nothing -- this council's already been, already been  
34 out there. We can turn it down and not take the money,  
35 but we've still got to pay the interest back at the  
36 same things. So this is, this is all -- this is what  
37 this is about. And I think it's a way to help us make  
38 money, plus the citizens will get a great benefit of  
39 this. And so this is no -- and one of the citizens  
40 earlier tonight made a comment about this council, they  
41 come before this council last year and asked for money  
42 for that ballpark down at Homeland Park. No, not this  
43 council. It was the last council. Hasn't had nothing.  
44 And in doing so this will be, I think, every council  
45 person got a little something the last bond thing in  
46 their district. And this was district 5's, I guess,  
47 part of their bond thing. But I think it's best for  
48 the citizens of Anderson County to move this to the  
49 Civic Center for economic development and the most  
50 enjoyment. And for safety too. Think if something

1 would happen at the end of that airport, it would be --  
2 we would never hear the end of it. For the safety of  
3 our kids and being on the selfish side, bringing this  
4 over to -- I think this will be Mr. Waldrep's district,  
5 he's agreed to give me his pavement account for the  
6 next two or three years, I think.

7 LAUGHTER

8 TOMMY DUNN: At this time I would just like  
9 to ask Mr. Pitts if he would just maybe want to make  
10 some comments on any bookkeeping things about what this  
11 -- what we're having to do. Nothing sinister. And  
12 this is something -- like I said the past council has  
13 already voted on this bond and everything. We're just  
14 moving the location and that's the reason the location  
15 is being moved.

16 MIKE PITTS: The whole purpose of the  
17 amendment is to move the location. The bond ordinance,  
18 the original bond ordinance, references the location  
19 which is the intersection of Warner and Roushe Roads.  
20 So we're just amending the bond ordinance to delete  
21 that reference to that particular intersection and  
22 replace it with the Civic Center. That's all, that's  
23 all you're doing.

24 TOMMY DUNN: I'll make that in the form of  
25 a motion and we can bring this up -- if we can get a  
26 second we can discuss it.

27 CINDY WILSON: I'd like to second that.

28 EDDIE MOORE: We have a second on it.

29 CINDY WILSON: Can I have the floor, please.

30 EDDIE MOORE: Okay.

31 CINDY WILSON: I just want to speak in  
32 support of this because when I first came on council,  
33 there were so many citizens calling and complaining  
34 that they couldn't get in at the Civic Center to use  
35 the playing fields. Over the years we saw ...

36 END OF TAPE 2, SIDE 1

37 CINDY WILSON: ... different experts tell us  
38 that if we only had more playing fields at the Civic  
39 Center. We already have the basic plant at the Civic  
40 Center. It's an awesome facility for the county and it  
41 seems like adding additional playing facilities out  
42 there would be to an advantage to the entire county.  
43 I'm in support of it. Thank you.

44 BOB WALDREP: Mr. Chairman.

45 EDDIE MOORE: Mr. Waldrep.

46 BOB WALDREP: First of all, I'd like to  
47 thank Mr. Dunn for the gift of the ball field and to  
48 let the members of council know that I'm willing to  
49 accept any other gifts that council may feel moved to  
50 give. I wanted to say that the ball field out there is

1 consistent with the planning I think that has been done  
2 at the Civic Center out there with the regard to the  
3 particular need. And it just seems like there's a size  
4 factor that we need to get to before it becomes  
5 completely attractive, let's say, to tournaments out  
6 there. So that's really what we're doing, is we're  
7 just kind of completing a plan and a system out there  
8 that will invite a lot of tournaments. You know, I  
9 never realized it until I guess I got on council that  
10 there were so many ball fields and that got involved in  
11 these tournaments. I think there's some up in  
12 Powdersville. That's a big tournament area up there.  
13 And there's some over there in other counties and all.  
14 So Anderson County has a real opportunity I think here  
15 to attract some folks and make use of that. So thank  
16 you.

17 GRACIE FLOYD: Mr. Chair.

18 EDDIE MOORE: Ms. Floyd.

19 GRACIE FLOYD: I feel -- I think that it's a  
20 generous thing to do to go up to the Civic Center  
21 again, but it breaks my heart to know that the people  
22 over in District 5 were looking forward to that ball  
23 park over there. Your explanation for not putting one  
24 in is good. But I wish the money could be used to  
25 maybe put parks, not a ball parks, but parks throughout  
26 that area. I think that District 5, that area over  
27 there suffers from a lack of things to do and places to  
28 take their children over there. But I -- you know,  
29 that was, that was, my only thing. I just wish that  
30 the money -- since you found out you could not use the  
31 ball park idea that you might have looked around for  
32 another reason to enhance the quality of life of the  
33 people in that area who were looking forward to having  
34 this thing there. And they were. And I thank you.

35 EDDIE MOORE: Anyone else? All in favor,  
36 raise you right hand. Unanimous. We now move to  
37 Resolution 15A, R2009-40, a resolution expressing  
38 Anderson County's consent to a State issued certified  
39 of franchise authority requested by BellSouth  
40 Telecommunications, Inc., AT&T South Carolina; and  
41 matter thereof. Mr. Pitts. Mr. Burns.

42 RUSTY BURNS: Mr. Chairman, if you don't  
43 mind, we have a representative from AT&T here with us  
44 tonight and if it would be allowable to let him give us  
45 about a two or three minute explanation of exactly what  
46 he's talking about.

47 MALE: Thank you, Mr. Chairman. AT&T  
48 has been building out our network, as some of you are  
49 aware, in order to provide a new service to the  
50 citizens of Anderson County. That new service is



1 called Uverse. And that Uverse service is in essence a  
2 television service. It -- a lot of people get their  
3 television through a local cable company. A lot of  
4 people get them through satellite dish and this is  
5 another way. But ---  
6 EDDIE MOORE: Speak into the mike a little  
7 bit.  
8 MALE: I'm sorry.  
9 EDDIE MOORE: Yeah. Yeah. That's so  
10 everyone can hear you.  
11 MALE: Okay.  
12 EDDIE MOORE: Thank you.  
13 MALE: Anyway, I'm sorry if I -- I  
14 can go through that. But in essence what we are asking  
15 to do is get a consent from the Secretary of State.  
16 Excuse me, we have filed for a franchise agreement with  
17 the Secretary of State because that is now how  
18 franchise agreements are done. They're not done on  
19 individual counties or municipalities anymore. They're  
20 done with the Secretary of State. The consent goes to  
21 the counties and municipalities that we want to provide  
22 the service in. I would love to have twenty minutes to  
23 tell you what a great service it is and put on  
24 marketing hat. But I can tell you it's absolutely very  
25 competitive to the cable service. It's very  
26 competitive to dish. An advantage of having another  
27 competitor is we can also pull some other customers in  
28 that actually do get from a satellite company. If that  
29 happens then there's the, the idea that three percent,  
30 excuse me, five percent franchise fee that comes into  
31 play that you don't get from your dish providers now.  
32 The consent asks three things. And I'm really sorry,  
33 Mr. Pitts. I don't know if they've seen the actual one  
34 page consent before that came from the Secretary of  
35 State. But it asks for three things. It says do you  
36 consent to allow AT&T to come in and compete for the  
37 service? What is a franchise fee rate? And it's maxed  
38 out here. Anderson County has set the max fee at five  
39 percent. I mean they've, they've met what is allowed  
40 at the state of five percent. So you're already maxed  
41 out on that. Other cities and counties may not be to  
42 that point. And so that's where there's some  
43 discussion, but five percent franchise fee on what we  
44 would pay. And it asks for the number of PEG channels  
45 and we're required to provide the same number of PEG  
46 channels. PEG being public, education, government  
47 channels. We're required to provide the same number of  
48 conduits or PEG channels as what the local ?? provides.  
49 So what this franchise -- the franchise is between --  
50 you know, we went to the Secretary of State to get

1 this. But what we want to do is we want to be able to  
2 come in here and compete and just offer another  
3 alternative for television service. We think we're  
4 very qualified to do it.

5 CINDY WILSON: Mr. Chairman, may I ask?

6 EDDIE MOORE: Ms. Wilson.

7 CINDY WILSON: Will you be competing with  
8 Charter, I hope?

9 MALE: Yes, ma'am.

10 CINDY WILSON: You would not believe the  
11 phone calls that we've gotten over the years  
12 complaining about Charter. Will you have people who  
13 answer the citizens or customers calls?

14 MALE: Yes, ma'am. Let me kind of  
15 explain how that goes. We do have a dedicated Uverse  
16 in that. I'm sorry. I live in the Uverse world so I'm  
17 use to that. Uverse being that service. We have a  
18 dedicated Uverse organization that all calls go in. So  
19 it's not that -- you don't call into the phone company  
20 and say well where are they going to route it to?  
21 You're going to call in for any kind of service  
22 concerns that go directly -- they're directly put into  
23 our Uverse organization. We will offer consumers a two  
24 hour window. And then there's our technicians will  
25 call them and tell them that we will, you know, we'll  
26 set up an appointment within two hours. Our  
27 technicians will call when they're on their way. Just  
28 -- I'm trying to give you a flavor of what we have.  
29 Our company, AT&T BellSouth, is built on customer  
30 service and we're not going to take that lightly. And  
31 in fact, even though we're going to be extremely  
32 competitive in price. And as I've spoken to Mr. Burns  
33 and Mr. Pitts, I will tell you that we can come in and  
34 compete on price but we really want to compete on  
35 service. And I think that's -- we have a history of  
36 doing that.

37 CINDY WILSON: Charter has had such a bad  
38 reputation. Of course, they're in bankruptcy now. So  
39 I think to break that monopoly would be very helpful to  
40 the citizens and customers of that service in this  
41 county. And of course, the five percent revenue fee  
42 would be very helpful too. Thank you.

43 TOM ALLEN: Mr. Chairman.

44 EDDIE MOORE: Mr. Allen.

45 TOM ALLEN: Sir, will you have to lay  
46 fiber optic cable or what -- any kind of additional  
47 work to ---

48 MALE: Actually our network is pretty  
49 much in place right now for the initial rollout. We're  
50 able to carry -- It's an IP based product, but we're

1       able to carry it over your copper wires to a certain  
2       length. However, it's incumbent on us to get this  
3       service out to as many customers as we possibly can.  
4       And so we will be -- if you can kind of picture a  
5       spider web, we will be building out our network.  
6       However we have been -- throughout Anderson County we  
7       already have a pretty solid network. Part of the State  
8       statute is -- the requirement is, once we file for  
9       certificate and it's approved, we have twelve months to  
10      start offering that service within the county or we  
11      would lose our franchise agreement. Well, so obviously  
12      we didn't want to go to a Secretary of State until we  
13      were absolutely prepared to begin offering the service  
14      here. And again, trust me, it is incumbent upon us. I  
15      can't release competitive information of what, you  
16      know, of what neighborhood we're going in first and all  
17      that. But it's incumbent upon us to take this out to  
18      as many customers as we can.

19               TOMMY DUNN:        Okay. Thank you.

20               MALE:             Yes, sir.

21               EDDIE MOORE:      Anyone else?

22               BOB WALDREP:      Well just briefly. Mr.

23      Chairman, I tried to look into this matter as much as I  
24      could and I find that it's a very win-win situation  
25      with regard to competition. At one time I think there  
26      was some difficulty in the fact that you didn't have  
27      any choice as far as a service was concerned. And when  
28      you don't have any choice, that's not a you first  
29      operation. I like that you first. Is that the word?

30               MALE:             Verse.

31               BOB WALDREP:      Is that y-o-u?

32               MALE:             It's U, capital U like

33      Universe.

34               BOB WALDREP:      Oh. Kind of like council.

35               MALE:             Yes, sir.

36               BOB WALDREP:      Anyway that's -- I just think  
37      it's a good service that I can understand. Certainly  
38      AT&T has been around a long time. And then the price  
39      is going to be, as you say, very competitive with the  
40      other ---

41               MALE:             Yes, sir. Our basic package  
42      will start out at forty-nine -- well I can't say  
43      exactly. I will tell you, we rolled this out in  
44      Columbia and we started out at forty-nine dollars a  
45      month. I assume it will ---

46               BOB WALDREP:      That includes the history  
47      channel?

48               MALE:             Yes, sir. It does.

49               BOB WALDREP:      Okay. Thank you. That's all.

50               MALE:             It does. That's on that list.

1 I would, I would love to bend your ears about all the  
2 neat things that are involved in this product because  
3 it is over and above the top. I will say that this is  
4 not a trial. We're not rolling it out in a trial.  
5 This is an actual real product that we're offering. We  
6 have over a million customers across the country we're  
7 in 85 MSAs, so this is major. And I'm happy to be  
8 relatively new to the Upstate. I moved my family here  
9 and this is where we're going to live and grow. So I'm  
10 really happy to see my company's commitment to go ahead  
11 and prove the network that we have.

12 EDDIE MOORE: Anyone else got any questions  
13 for him? Okay. Do I hear a motion to move on the  
14 resolution? Okay. Do I have a second. Anymore  
15 discussion? All in favor, raise your right hand.  
16 Unanimous. So moved.

17 MALE: Thank you, Mr. Chairman.

18 EDDIE MOORE: Now go to Item B. Resolution  
19 2009-41.

20 RUSTY BURNS: Mr. Pitts.

21 MIKE PITTS: Yeah. And actually, Mr.  
22 Burns, this is something I believe Mr. Hopkins had  
23 originally ---

24 EDDIE MOORE: Can y'all talk in the mike or  
25 pull it up close to you. You've got it about five feet  
26 from you and I can't hear a word you're saying.

27 MIKE PITTS: Sorry about that.

28 RUSTY BURNS: Basically what this is, Mr.  
29 Chairman, is a resolution that we're required to pass  
30 every year because we receive certain federal funds.  
31 And it pledges that we will abide by the Fair Housing  
32 Act and it's a necessary act and it's the right thing  
33 for us to do.

34 EDDIE MOORE: Okay.

35 TOMMY DUNN: Mr. Chairman, I make the  
36 motion we move forward with this.

37 CINDY WILSON: Second.

38 EDDIE MOORE: We have a second. Any  
39 discussion? All in favor, raise your right hand.  
40 Unanimous. We'll now go to Item D which is Resolution  
41 2009-43. To establish an Identity Theft Prevention  
42 Program to comply with Federal Regulations relating to  
43 address discrepancies, to comply with federal  
44 regulations relating to red flags and identity theft,  
45 to comply with South Carolina Action 190, the Financial  
46 Identity Fraud and Identity Theft ---

47 TOM ALLEN: Point of order.

48 EDDIE MOORE: Oh.

49 TOM ALLEN: 42.

50 EDDIE MOORE: What did I do. Jump off on

1 one?

2 TOMMY DUNN: You forgot to do C. You need  
3 to do C, Mr. Chairman.

4 EDDIE MOORE: I did. I did. I jumped down  
5 one. I'm trying to rush us through the meeting. Might  
6 not be a bad thing. Okay. To allow the administrator  
7 to enter into a contract with the South Carolina  
8 Department of Transportation to provide for the annual  
9 operation and maintenance costs associated with  
10 interstate lighting on certain interchanges of I-85  
11 located in Anderson County. Mr. Mike Pitts.

12 MIKE PITTS: I believe again this is  
13 another thing for Mr. Burns to address.

14 TOMMY DUNN: Mr. Chairman, if I could just  
15 -- since that come out of my committee. Before I turn  
16 over to Mr. Burns, I'd like to clear up a few things.  
17 I stated earlier tonight that this thing was vetoed  
18 four years ago and hadn't got there. What happened,  
19 past council a few years ago asked to get some state  
20 money and it took this long for the state to come up  
21 with the money, the fund, to put these lights in there.  
22 And yes, we are being asked to fund the lights, pay the  
23 light bill, and maintain it. And something I'd rather  
24 not do, but I think this is good for -- this will be  
25 good for us on economic development. Also would be a  
26 good safety standpoint. And this will be paid for out  
27 of our accommodations tax. It will not be coming out  
28 of the general fund. Another thing, if they don't --  
29 we're asking Mr. Burns -- what this is doing is asking  
30 Mr. Burns to say we're going to move forward with this.  
31 Well we've gotten several different light packages  
32 we'll have to present to full council as far as what  
33 package we'll go to and what plan. I know it's  
34 convenient tonight for a citizen to speak up and say  
35 fifty thousand dollars. If we left out the twenty-five  
36 thousand dollars one that would probably be the one I  
37 would imagine we'd be sort of leaning toward. But I  
38 think that this is a prudent thing to do and this would  
39 really just show light -- showcase us on a, on a -- on  
40 that particular part. And this would be three  
41 interchanges where this would be coming up through --  
42 this would really showcase our industrial park we're in  
43 the process of doing for our economic development up on  
44 81. And I make this in the form of a motion. And  
45 would ask for a second. And ask Mr. Burns to lead into  
46 anything else.

47 TOM ALLEN: Second.

48 EDDIE MOORE: We have a second. Okay. Any  
49 discussion?

50 TOM ALLEN: Mr. Chairman, just very

1 quickly. I'd like to add on to that that it will come  
2 out of the accommodation taxes as far as paying for the  
3 lighting bill. Also the time frame on this, even if we  
4 approve this here in the next month, how long is it  
5 actually going to take before those lights are put in?  
6 Do you have any ---

7 MIKE PITTS: Mr. West.  
8 TOM ALLEN: Oh, yeah.  
9 MR. WEST: I don't believe we're actually  
10 going to -- I mean, they've got to let the engineering  
11 contracts and then the construction contracts. I don't  
12 thing we'll see lights turned on much before mid 2000  
13 -- well much before, you know, mid 2010 or maybe even  
14 into 2011.

15 TOM ALLEN: Yeah. That was my point.  
16 This is not something we've got to do right now and  
17 come up with dollars right now at all. It's going to  
18 be a while before we ever have to pay a light bill.

19 MR. WEST: I seriously doubt there would  
20 be a light bill before July 1, 2010.

21 TOM ALLEN: All right. Thank you.  
22 EDDIE MOORE: Any other discussion?  
23 GRACIE FLOYD: Excuse me. What is that --  
24 I'm reading here that it's not going to cost us -- the  
25 cost will not exceed sixty thousand dollars. And  
26 that's for the maintenance, the maintenance of it, as  
27 well as the installation of it?

28 MR. WEST: That's for the, for the light  
29 bill. There would be maintenance costs replacing bulbs  
30 and all that are not included in that.

31 GRACIE FLOYD: That's six thousand dollars a  
32 year; right?

33 MR. WEST: But there shouldn't be any,  
34 any maintenance costs for several years.

35 GRACIE FLOYD: Okay. All right. But that's  
36 six thousand dollars a year; am I correct?

37 MR. WEST: Sixty thousand -- not to  
38 exceed, is what you've got, sixty thousand a year.

39 GRACIE FLOYD: Not to exceed sixty thousand  
40 dollars a year. Well maybe the economy will have  
41 improved by the, by that time.

42 EDDIE MOORE: Anyone else? We'll now vote.  
43 All in favor, raise your right hand. Unanimous.  
44 Moved. Now we go to the identity theft. R2009-43.

45 MIKE PITTS: Mr. Chairman, I'll just  
46 address this briefly. We're actually not asking for  
47 the resolution this evening. We're required under some  
48 recent federal regulations to adopt an identity theft  
49 policy for certain of the county departments that fall  
50 within the federal regulations. So this is just a

1 housekeeping matter as far as putting an identity theft  
2 policy in place. It also addresses a South Carolina  
3 law that requires us to take certain precautions with  
4 people's Social Security numbers and other personal  
5 identifying information. So the identity theft policy  
6 has been put into place and we will be bringing it  
7 before the council at the next meeting for its  
8 approval. Because that's part of the requirement, is  
9 that council sign off on it.

10 BOB WALDREP: Mr. Chairman.

11 EDDIE MOORE: Mr. Waldrep.

12 BOB WALDREP: Is this going to protect our  
13 credit cards? That, that really just has to do with  
14 that; doesn't it, protecting our credit cards.

15 MIKE PITTS: What it has to do, Mr.  
16 Waldrep, with those people who do business with us and  
17 when they use their credit cards and other items like  
18 that. Because of all of the identity theft taken place  
19 in the country, that's what this is in response to.  
20 And this tells us that we will take these protections  
21 for the people doing business with us. And the red  
22 flag indicates that if somebody that works for Anderson  
23 County sees a red flag, we have to go into a  
24 notification process. That may be an over-  
25 simplification. And the other side of it is this is an  
26 offer that we can't refuse.

27 BOB WALDREP: Okay.

28 EDDIE MOORE: Do I have a motion?

29 CINDY WILSON: Second.

30 TOMMY DUNN: Mr. Chairman, point of order.  
31 Are we -- if I heard him right, you wasn't asking for  
32 us to vote on this tonight?

33 MIKE PITTS: Actually I don't believe that  
34 the resolution necessary at this point because of the  
35 policies in place and we're going to bring it before  
36 the council for it's -- for approval at the next  
37 meeting.

38 EDDIE MOORE: So we don't need to vote on it  
39 then?

40 MIKE PITTS: That's right.

41 EDDIE MOORE: Okay. No action. Then we go  
42 to R2009-044, authorizing the County Administrator to  
43 apply for a Federal Grant to facilitate the U.S.  
44 Highway 29 widening projects.

45 RUSTY BURNS: Mr. Chairman, this is an  
46 opportunity to -- for us to try to secure some federal  
47 funds to widen Highway 29. It will require some cash  
48 outlay on our part. It could be up in excess of a  
49 million dollars. This is something that would probably  
50 take place in two to three years. And any time before

1 that point, we would have an opportunity to say whoa.  
2 But this is a great opportunity for us to do some work  
3 on that Highway. And probably this is the best time  
4 for us to proceed with that. And we will keep council  
5 constantly advised on the status of this. But we need  
6 to move now.

7 GRACIE FLOYD: If I may. I need to say  
8 something. Is this a byproduct of that stimulus  
9 package that we're trying to ---

10 RUSTY BURNS: Ms. Floyd, this is more along  
11 the lines of a good old-fashioned earmark.

12 GRACIE FLOYD: But I thought we didn't do  
13 earmarks in South Carolina.

14 RUSTY BURNS: I don't know, but if they're  
15 going to give them, we're going to take them.

16 GRACIE FLOYD: Well I've been on that for  
17 years. But you know, I understood that we were a non-  
18 earmark state. I like the idea. You know, we -- that  
19 project I believe is in our ---

20 RUSTY BURNS: Yes, ma'am, it is.

21 GRACIE FLOYD: You going to let me finish  
22 this?

23 RUSTY BURNS: I was trying to be helpful. I  
24 apologize.

25 GRACIE FLOYD: That's all right. That's all  
26 right. It's in our state, I mean, in our county road  
27 plan. Yeah. And it's been there for a while. So I'm  
28 pleased to see something move on it. In fact, I  
29 remember one time we had a great debate on this versus  
30 the Interstate 19 project. Do you remember that?  
31 Yeah. But, but the Interstate 19 thing won out. But  
32 I'm glad to see us moving on this. This is what's  
33 going to bring new jobs and everything else to our  
34 town. We've got the -- don't we have that Beaver Dam  
35 Creek sewer line in place? This -- yeah. So we'll be  
36 ready if we can get this. I'm wholeheartedly in favor  
37 of this. And I thank you, Mr. Burns. I was just  
38 kidding around with you.

39 TOMMY DUNN: Mr. Chairman, I make the  
40 motion we move forward with this. This was discussed  
41 in our committee too. And it's been a great opening  
42 beltway inside of our county. This highway leads  
43 inside of our county and I think keep your fingers  
44 crossed and maybe Mr. Burns will be wrong, maybe we can  
45 speed this thing up and it won't take us two or three  
46 years. But it's a good starting point.

47 EDDIE MOORE: Motion made. Do I have a  
48 second?

49 CINDY WILSON: Second.

50 TOM ALLEN: Second.



1 EDDIE MOORE: I have seconds. Any more  
2 discussion? All in favor, raise your right hand.  
3 Unanimous.

4 GRACIE FLOYD: You know, I would like to ask  
5 him one other question. Can we also apply through the  
6 stimulus grant for some money to do this or -- isn't  
7 there a component for this in the stimulus money.

8 RUSTY BURNS: Ms. Floyd, to the best of my  
9 understanding at this point in time, and these things  
10 are subject to change, but a great deal if not all of  
11 the highway money in the stimulus package was given to  
12 the South Carolina Department of Transportation. And  
13 divied up pretty much how the Highway Commissioner  
14 stated. We understand that there's going to be some  
15 more funds. We are diligently looking at every avenue  
16 to make these things happen and any money that we can  
17 find.

18 GRACIE FLOYD: Thank you.

19 EDDIE MOORE: Mr. Burns, I understand that  
20 Item 2009-045 has been taken off the agenda. Is that  
21 ---

22 RUSTY BURNS: It will be on the agenda next  
23 time, Mr. Chairman. We just have a few little  
24 technical details. No problem. Everything's fine.

25 EDDIE MOORE: Okay. We now go to 16,  
26 acceptance of Wyatt's Grant subdivision into the county  
27 road system. Mr. West. Mr. Burns.

28 RUSTY BURNS: If the council has any  
29 questions, Mr. West would be happy to answer them for  
30 you.

31 TOM ALLEN: Mr. Chairman, if I might, just  
32 so we're clear on this. This is a subdivision that  
33 every -- the roads and everything were put in by the  
34 developer and they're done correctly. So they're just  
35 asking to be accepted in to the county system.

36 MR. WEST: That is the step we're in.  
37 They've been inspected by the county engineers. Found  
38 -- everything is found to be in order. And this is the  
39 final -- well not quite the final step but the  
40 acceptance by council. And then they will give us  
41 deeds and so forth to record the property.

42 TOM ALLEN: Just to clarify. This is not  
43 like a special tax district like a lot of other  
44 subdivisions.

45 MR. WEST: No, sir. This is done by the  
46 developer.

47 TOM ALLEN: Done by the developer. Good.

48 EDDIE MOORE: Okay. I have a motion to  
49 accept?

50 CINDY WILSON: Second.

1 EDDIE MOORE: I have a motion to accept. Do  
2 I have a second.  
3 TOM ALLEN: Second.  
4 EDDIE MOORE: Any more discussion? All in  
5 favor raise your right hand. Unanimous. We now go to  
6 the appointments. A, various sport commissioners. Ms.  
7 Wilson. Mr. Waldrep.  
8 TOM ALLEN: Is your mike on?  
9 BOB WALDREP: Sorry. Ms. Ellen Ware, to  
10 appoint Ms. Ellen Ware to the library board of trustees  
11 for district 1.  
12 TOMMY DUNN: Second that.  
13 EDDIE MOORE: We have a second. Any  
14 discussion? All in favor, raise your right hand.  
15 Unanimous.  
16 BOB WALDREP: That's all I had.  
17 EDDIE MOORE: Mr. Dunn.  
18 TOMMY DUNN: None at this time, Mr.  
19 Chairman.  
20 EDDIE MOORE: Ms. Floyd.  
21 GRACIE FLOYD: None at this time.  
22 EDDIE MOORE: Mr. Allen.  
23 TOM ALLEN: None at this time.  
24 EDDIE MOORE: Mr. Wilson. I have a couple  
25 to make. Be on the ACOG, the Appalachian Council of  
26 Governments, I'd like to nominate -- have Mr. Ted  
27 Mattison, 163 Cherokee Road in Williamston, South  
28 Carolina. Also I'd like to put back in the minutes  
29 again for Bob Waldrep on the ACOG committee along with  
30 myself. Make sure that we have that in the minutes. I  
31 have a second. Any discussions? All in favor, raise  
32 your right hand. Unanimous. We now go to Item B on  
33 it. And we've got the -- you want something.  
34 TOMMY DUNN: I want to make sure you got  
35 that.  
36 EDDIE MOORE: The WorkLink Workforce  
37 Investment Board of Directors. Ms. Wilson, do you have  
38 any nominees to that?  
39 CINDY WILSON: No. I didn't know that I was  
40 supposed to make any.  
41 EDDIE MOORE: Okay.  
42 ANITA COLEMAN: Good Evening, Mr. Chairman. I  
43 am Nita Coleman, the executive director of WorkLink and  
44 the letter that was put forward on March the 19<sup>th</sup> when  
45 Mr. Holt Hopkins was the interim County Administrator.  
46 What we have requested is that we have four individuals  
47 to be reappointed to the board. And they are Dr.  
48 Ronnie Booth representing Education, Ms. Kelly Davis  
49 representing the Private Sector, Michael Bannister  
50 representing the Private Sector and Stephanie Collins

1 representing the Private Sector. And then two new  
2 appointees, Joseph Mcelveen, he would represent the  
3 Private Sector and Lawrence Nichols would represent  
4 Education. And that would be for those of you who are  
5 new to the county council. We are a thirty-five member  
6 board of three counties and we oversee the workforce  
7 development system for the three county area. And it  
8 is the county council's responsibility to -- once we  
9 bring forward the nominees for you to determine if they  
10 are the ones to be appointed to the board and they will  
11 be the ones who oversee the Workforce Development  
12 System for the Tri-County area.

13 GRACIE FLOYD: I have a question.

14 EDDIE MOORE: Ms. Floyd.

15 GRACIE FLOYD: How you doing?

16 NITA COLEMAN: Fine. How are you?

17 GRACIE FLOYD: Good. I need to talk with  
18 you. But anyway, in the past, you know, one of my  
19 reservations has always been that I'm being asked to  
20 vote on people I don't know. And with the problems  
21 that we've had, we've never had any problems with  
22 WorkLink before until recently. Okay. Until recently.  
23 And that concerns me even more that I need -- yeah.  
24 You remember.

25 NITA COLEMAN: You talking about the problems  
26 prior before my employment?

27 GRACIE FLOYD: Yeah. Before you came.

28 ANITA COLEMAN: Okay. I was going to say, I  
29 didn't know of any problems I had since being employed  
30 there. So thank you.

31 GRACIE FLOYD: But you know what I'm talking  
32 about.

33 NITA COLEMAN: Yes, ma'am.

34 GRACIE FLOYD: Before you got there. That --  
35 it's even more important now that we know the people on  
36 here. Do you have any information about any of them?

37 NITA COLEMAN: Yes.

38 GRACIE FLOYD: Do you have something that we  
39 can have, you know, in our hands. I don't like doing  
40 this to them over the television system. They're  
41 private individuals. But do you have anything --  
42 usually you put it in our packets for us.

43 NITA COLEMAN: Well in the packet what we  
44 provided was where they work and what they would  
45 represent. If you want a copy of their board  
46 application, I can provide that. That has very limited  
47 information, such as their name, their address, where  
48 they work and the kind of -- if they've ever served on  
49 this board before. But it is very limited information.  
50 Our board applicants have never been required to do

1 resumes because they are nominate by other entities  
2 within the area.

3 GRACIE FLOYD: But we have always received --  
4 well not always. We were starting for the past two or  
5 three years, we were receiving something on each  
6 individual who we were asked to vote on. You  
7 understand?

8 NITA COLEMAN: If y'all will let me know  
9 exactly what you need, if you need for me to ask them  
10 to put together a resume or the application itself, I  
11 will be glad to do that. When I did this in the fall  
12 on this first time, all we did was provide the names  
13 and where they work. And I guess I misunderstood that  
14 I needed to provide additional information.

15 GRACIE FLOYD: The last time we did this, you  
16 -- I think more information was provided on each one.  
17 You know, maybe it wasn't done when you ---

18 ANITA COLEMAN: It was -- not the one I did, I  
19 did not provide any additional information.

20 GRACIE FLOYD: Yeah. But, you know, in order  
21 to make a vote on this thing here, I'd like to know who  
22 I'm voting for -- does anyone up here know anyone on  
23 this list?

24 TOMMY DUNN: I know Mr. Boone, Tri County  
25 Tech. I know that name.

26 EDDIE MOORE: Michael Thompson, I think he  
27 used to be a council member.

28 GRACIE FLOYD: But he's not up for election,  
29 for re-election here.

30 TOMMY DUNN: Mr. Booth is.

31 NITA COLEMAN: He's actually on the board.  
32 He was voted in this last time.

33 GRACIE FLOYD: Okay.

34 NITA COLEMAN: Kelly Davis owns a company  
35 here in town called Upstate Staffing. Stephanie  
36 Collins work in Human Resources at the AnMed Hospital  
37 System. Mike Bannister works for Timken in Honea-Path.  
38 Joseph McElveen is in HR with Orian Rugs. And Lawrence  
39 Nichols is in HR with Clemson University. But again, I  
40 can provide additional information if it is needed.

41 CINDY WILSON: Sounds like a pretty solid  
42 group.

43 TOM ALLEN: I'd like to call for the  
44 question.

45 EDDIE MOORE: Motion on the floor to call  
46 for question.

47 CINDY WILSON: Second.

48 EDDIE MOORE: We have a second. All in  
49 favor, raise your right hand.

50 GRACIE FLOYD: For the question.

1 EDDIE MOORE: Unanimous.  
2 GRACIE FLOYD: Excuse me. Point of order.  
3 You called for the question. We were voting on calling  
4 for the question, were we not?  
5 EDDIE MOORE: We did.  
6 GRACIE FLOYD: Now we calling for ---  
7 EDDIE MOORE: Calling for the vote.  
8 GRACIE FLOYD: Okay.  
9 EDDIE MOORE: All in favor, raise your right  
10 hand. All opposed? Let it show that all voted for it  
11 except Ms. Floyd. She abstained. Okay. We now go to  
12 18. Request by council members. Mr. Waldrep.  
13 BOB WALDREP: Mr. Chairman, I'm going to  
14 give -- I'd like to ask from my recreation account, I  
15 think it's got enough money in it, a thousand dollars  
16 to the Balloon Festival.  
17 CINDY WILSON: Second.  
18 EDDIE MOORE: We have a second. Any  
19 discussion? All in favor, raise your right hand.  
20 Unanimous. If that all, Mr. Waldrep?  
21 BOB WALDREP: That's all. I'm sorry.  
22 EDDIE MOORE: Ms. Floyd.  
23 GRACIE FLOYD: Yes. I would like to allocate  
24 one thousand five hundred dollars to the Homeland Park  
25 Fire Department for their July 4<sup>th</sup> activity which is a  
26 recreational event for the people who live in that area  
27 as well as Homeland Park serves not only District 5 but  
28 they also serve District 2. I would like to allocate  
29 one thousand five hundred dollars from District 2's,  
30 not mine, but District 2's rec fund for this purpose.  
31 CINDY WILSON: Second.  
32 EDDIE MOORE: We have a second. Any  
33 discussion? All in favor, raise your right hand. All  
34 -- no opposition. Unanimous. Anymore appropriations,  
35 Ms. Floyd?  
36 GRACIE FLOYD: I'm finished.  
37 EDDIE MOORE: Okay. Well I don't have any  
38 money. Mr. Allen?  
39 TOM ALLEN: No money.  
40 EDDIE MOORE: Mr. Dunn?  
41 TOMMY DUNN: No, sir. Unless Mr. Waldrep  
42 wants to go ahead and advance me that paving account  
43 money.  
44 LAUGHTER  
45 EDDIE MOORE: Mr. Wilson? Ms. Wilson?  
46 CINDY WILSON: Thank you. District 7 would  
47 like to appropriate one thousand dollars out of its  
48 recreation account to the Town of Pelzer for their 4<sup>th</sup>  
49 of July celebration. And that's in the form of a  
50 motion.

1 EDDIE MOORE: Do we have a second? Second.  
2 Any discussion? All in favor, raise your right hand.  
3 Unanimous. Anymore, Ms. Wilson?  
4 CINDY WILSON: That's all. Thank you.  
5 EDDIE MOORE: We now go to 19,  
6 administrator's report.  
7 RUSTY BURNS: Excuse me. I have nothing to  
8 report. Just an item to point out on that lease  
9 agreement between the Friendship Fire Department and  
10 Anderson County. Ms. Wilson and Representative Mike  
11 Gambrell have worked on several projects down there and  
12 now this will make it much easier for us to assist that  
13 part of the world.  
14 CINDY WILSON: Thank you, Mr. Chair -- Mr.  
15 Administrator.  
16 EDDIE MOORE: Anybody have anymore  
17 discussion about the administrator's report. Hearing  
18 none.  
19 RUSTY BURNS: I'm sorry. Go ahead and get  
20 with your vote. I'm sorry.  
21 EDDIE MOORE: We now go to Item 20.  
22 Citizen's comments.  
23 RUSTY BURNS: Mr. Chairman, I skipped one  
24 item and I will -- that is on the hiring of Nexsen  
25 Pruitt in the Mr. Cunningham situation.  
26 EDDIE MOORE: Oh, okay.  
27 RUSTY BURNS: That would require a  
28 resolution from council authorizing us to do that.  
29 EDDIE MOORE: Okay.  
30 CINDY WILSON: Do we need to do that in a  
31 form of a motion now?  
32 MIKE PITTS: Actually I don't believe a  
33 resolution is required since Nexsen Pruitt is the  
34 County Attorney.  
35 CINDY WILSON: Just a motion?  
36 MIKE PITTS: Or just a point of  
37 information. My understanding is council wanted to be  
38 apprized each time a law firm was retained ---  
39 EDDIE MOORE: Right.  
40 MIKE PITTS: -- to defend a case on behalf  
41 of the county.  
42 CINDY WILSON: Do we need a motion? Okay.  
43 EDDIE MOORE: We're in good shape. Okay.  
44 RUSTY BURNS: I promise you, I'm done.  
45 EDDIE MOORE: Sure. We'll go to Item 20.  
46 Citizen's comments. Please let the minutes show that  
47 Ms. Floyd has left the building. Okay.  
48 MIKE PITTS: We have one citizen signed up  
49 and it's Mark Powell.  
50 MARK POWELL: Mark Powell, District 7. I'm

1 not opposed to lights on I-85. I just wish that the  
2 State of South Carolina would treat Anderson County as  
3 equal as they did Spartanburg County, Greenville  
4 County, Lexington County, everyone else who has them.  
5 I do think it is a good thing as far as safety. It's  
6 just concerning from the liability insurance  
7 standpoint. I hope that moves forward and I hope that  
8 goes well. I just want to say that it's May the 5<sup>th</sup>.  
9 I think it was mentioned something about April when you  
10 first started the meeting. I don't know if that's been  
11 corrected for the minutes, but I know it will be next  
12 month if we fix it now. I think earlier when it  
13 started it was like March or April the 5<sup>th</sup> instead of  
14 May. It's , it's -- y'all had the right tonight to  
15 deny the DSS the opportunity for that upgrade to their  
16 facility because the contract was not given.  
17 Therefore, you had the legal right to deny that. And I  
18 just want to say on behalf of the citizens of the  
19 county it's good that even though you had the right to  
20 deny it, because you didn't have to spend the money  
21 that the council behind you dedicated, that you did the  
22 right thing. Because some things like that just have  
23 to be done and money is well spent. Speaking of money  
24 well spent, this AT&T building or BellSouth building  
25 whatever it is, please listen to -- I think it was  
26 Magistrate Sharp-- his comments, Friday a week ago, hey  
27 guys, all we're asking for is paint, carpet and a few  
28 wall dividers. Listen to this man. You know, carpet  
29 and paint and a few wall dividers and we can move in.  
30 One point something million don't got to be spent. Two  
31 stories, paint, carpet, way cheaper than one point  
32 something million. Just give him the minimum that he  
33 asked for and be happy that they, the people who are  
34 asking for the use of this building are the one's who  
35 asked for paint and carpet and a few partitions. Just  
36 because some architect firm is charging a gazillion  
37 dollars to make it look beautiful and like some place  
38 that the people that don't have the money to show up at  
39 Magistrate Court anyhow, don't need a beautiful Taj  
40 Mahal. They just need a building to walk in and hand  
41 over and render unto Caesar. So if you would listen to  
42 them and limit that project, it would be highly  
43 appreciated from a taxpayer's standpoint. I see no  
44 need in making that thing gorgeous, when they  
45 themselves, the occupiers, are saying paint and carpet  
46 and a few partitions. And I as a member of the county  
47 love the fact that you guys have all these open  
48 meetings. It's a shame that it's interpreted that it's  
49 not fair for other citizens. Because you are citizens  
50 of this county. And if there's a meeting by a

1 committee in this council member body, other council  
2 members should be able to show up. What you can't do  
3 is maybe go near a body of water or behind that door  
4 and have a private meeting with nobody else in the  
5 public being a part of ---

6 MIKE PITTS: That's time, Mr. Chairman.

7 MARK POWELL: Thank you for your work.

8 MIKE PITTS: That's the only citizen signed  
9 up to speak on non-agenda matters.

10 EDDIE MOORE: Okay. Now go to remarks from  
11 council members. Ms. Wilson.

12 CINDY WILSON: Mr. Chairman, first of all I  
13 want to thank the county employees and the county  
14 administrator, the county attorney and my fellow  
15 Council Members for the excellent access to information  
16 and materials as we need it. The budget meetings are  
17 so useful. It's a different process. The citizens who  
18 are such good sports to come and participate with us.  
19 They're greatly appreciated. It's just such a  
20 different environment and I'm very grateful for that.  
21 I did want to point out that two of the citizens who  
22 spoke earlier are so confused. They were talking about  
23 a ball field approved regarding this GOB bond. That  
24 was -- all that was approved by previous council and it  
25 was a very useful thing to put those ball fields over  
26 at the Civic Center since there was a problem. And all  
27 these meetings are open. It's so good to be able to  
28 participate in open meetings. And a lot of our legal  
29 battles and legal expenses come from a couple of  
30 private citizens. And a third one. So I just wanted  
31 to point out that they're blasting us for legal cost  
32 and yet they're having quite a merry time adding to  
33 them. But thank you all for all the hard work. It's  
34 wonderful to be able to participate with our citizens  
35 and the employees and really do the people's work.  
36 Thank you.

37 BOB WALDREP: Mr. Chairman, with regard to  
38 some of the remarks that have been made tonight about  
39 the committees. I want to assure everybody on council  
40 and everybody out there in the public that these  
41 meeting are open and we're glad to see other people  
42 come to the meetings. There might be sometimes that we  
43 would go into executive session and I know that that's  
44 been a difficult area. And I've had some experience  
45 with being able to go to one and being excluded from an  
46 executive session. So be that as it may, we certainly  
47 -- at least I'm taking the position until I see  
48 otherwise that councilman are welcome to come. These  
49 meetings are openly advertised. They're open to the  
50 public. And I see no reason that they would be



1 declared illegal. We've done a lot of good things I  
2 think tonight. I'm very please with that. And I would  
3 also say in addition to our meetings that we have the  
4 materials, I just feel very confident, are available to  
5 everyone with regard to the projects and the contracts  
6 and the things that are being discussed. They're  
7 either in our packet or they're either delivered to  
8 everyone by our county employees. I think Mr. Carroll  
9 has done a good job at disseminating all this  
10 information. Sometimes maybe people loose things in  
11 some way. But I think the information is there. And  
12 if you see it in your packet or on your agenda, I think  
13 there's some responsibility of the individual council  
14 member to try to seek out that information if they have  
15 any questions about it. I just think that that would  
16 be a better practice. Thank you.

17 EDDIE MOORE: Mr. Dunn.

18 TOMMY DUNN: Mr. Chairman, thank you. I'd  
19 also ...

20 END OF TAPE 2, SIDE 2

21 TOMMY DUNN: ... short quick comments.  
22 Number one, Mr. Moore in his presentation tonight on  
23 the first one hundred days, I think left off maybe  
24 something very important. And what all we're doing and  
25 heading down is trying to lay the foundation for good  
26 open, honest government. No matter how many times  
27 somebody says that meetings aren't open or this right  
28 here, as a wise man told me one time some people think  
29 if they say it three time it comes true. And that's  
30 not, that's not the case. These -- if anybody's been  
31 around knows that these meetings in Anderson County  
32 government has changed face as far as being open,  
33 asking the input of citizens. Though we might not like  
34 it. But welcome -- everybody's got an opinion and  
35 you're welcome to speak it. And I also want to point  
36 out that we're not up here trying to do day-to-day  
37 meddling in staff business. We're looking at these  
38 contracts because it's the prudent, right thing to do.  
39 And if the past councils had done this and more of it,  
40 we wouldn't have the situation to arise here just  
41 shortly of two contract being signed on the same, on  
42 the same job. And having us get out of that. And  
43 that's why we're looking at contracts for and things  
44 and trying to look after -- what we were elected to do  
45 is to look after the Anderson County taxpayer's money.  
46 And as far as getting back to a comment made about  
47 District 5's recreational thing, I wish we would have  
48 showed more concern, the past council to start off with  
49 concern of the taxpayers of Anderson County and not  
50 have labeled us and loaded us and burdened us with this

1 ten million dollar bond. We've got a lot of other  
2 projects that we could have used this for more worth  
3 while, such as a jail that's going to have to be coming  
4 up to at sometime, instead of giving pork projects in  
5 in each, in each council person's district. But I do  
6 think this ball park can be made into a good thing.  
7 And as far as the citizens of District 5, the Civic  
8 Center's not that far. And as far as where that was  
9 going, I think it's the best thing, and will be best  
10 for the citizens of Anderson County. And again, I want  
11 to thank all of the citizens for coming out to council  
12 meetings and watching at home and participating in  
13 government. And feel free to call and have dialect  
14 with their council person. I thank you, Mr. Chairman.

15 EDDIE MOORE: Okay. Mr. Allen.

16 TOM ALLEN: Yeah. Just very quickly. I'd  
17 like to put in a plug for the Air Show on May 13<sup>th</sup>. I  
18 want to thank -- I know Mr. Oldham's not here, but Hugh  
19 Oldham and Glen Brill have done an absolutely fantastic  
20 job bringing in some very, very high dollar  
21 entertainment at a minimal cost and it's not costing us  
22 hardly anything other than what few people chipped in  
23 from their recreation accounts. But I think he's doing  
24 this for something like under around twenty thousand  
25 dollars. And you get not only the Canadian Snowbirds,  
26 you've got an F-16 demonstration team and the A-10  
27 demonstration team, the Golden Knights, an acrobatic  
28 team. There's going to be several static displays.  
29 They have just done an absolutely great job so I  
30 encourage everybody to be there on May 13<sup>th</sup>. That's  
31 all.

32 EDDIE MOORE: Mr. Wilson.

33 EDDIE MOORE: I would like to make a few  
34 comments. First of all, Mr. Dunn, I think that was a  
35 very, very unselfish thing that you did with your  
36 money. I think your district runs so close to Mr.  
37 Waldrep's and ---

38 BOB WALDREP: Mr. Chairman, can I just give  
39 it back?

40 LAUGHTER

41 TOMMY DUNN: Only with interest.

42 EDDIE MOORE: We've already pledge some of  
43 your money. You promised him some of your money over  
44 here. But I think it's a great thing because the Civic  
45 Center's real close and your district's kind of just  
46 like, just like you and I, our districts go real close  
47 together. And to build a ball field out at the airport  
48 where you can't have lights and there's so many  
49 restrictions and the FFA said that it's not a good  
50 thing. It's not a guarantee we would spend money

1       trying to put a ball field out there that you can't do  
2       anyway. So it make sense to enhance the Civic Center  
3       for everybody because everybody in the county, my  
4       district and all the districts, will benefit from this.  
5       And I think it's, I think it's really good. And I also  
6       wanted to remind everybody about Friday. We'll have a  
7       small business seminar here on Friday. So if you know  
8       of any small businessmen please tell them to come and  
9       we'll have some valuable, valuable information and this  
10      will be the first of several of them we're going to  
11      have to try to help small businessmen. And we want to  
12      try to help promote small business because eighty  
13      percent of the people in Anderson County work for small  
14      business. And we want to try to help them out and help  
15      them get loans or whatever they need. So it's a good  
16      thing. The Chamber's helping us, the plant managers  
17      are helping us and a lot of existing businessmen are  
18      helping us. So it's really a good thing. Even Dr.  
19      Booth up at Tri-County, he's all excited about it too.  
20      And also out at Anderson University, they're excited  
21      about it. So we've got a lot of people that's excited  
22      about some good things that we want to do for the  
23      county. So tell everybody to please come out and  
24      support us in this on Friday. We really need you to  
25      come out. And I can't wait until the Snowbirds. That  
26      was a good show last year and I'm really excited about  
27      that. Tell everybody. I know I've sent all kind of  
28      emails. I forward everybody and everybody's been  
29      forwarding emails back to me from Greenville. So we've  
30      got a large contingency of people from Greenville  
31      that's going to be coming over that are air buffs and  
32      plane nuts. So it's going to be kind of neat. So  
33      that's about all I've got to say. And I'm entertaining  
34      a motion to adjourn.

35               TOMMY DUNN:       Second.

36               EDDIE MOORE:     And a second. All in favor,  
37      raise your right hand. We're adjourned.

38  
39

MEETING ADJOURNED AT 9:17 P.M.

ANDERSON COUNTY COUNCIL  
ANDERSON, SOUTH CAROLINA  
Regular Meeting – May 19, 2009 - 6:00 p.m.  
Linda N. Eddleman, Clerk to Council

M I N U T E S

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

**PRESENT**

Chairman Eddie Moore, Presiding  
Bob Waldrep – District #1  
Gracie S. Floyd – District #2  
Vice Chairman Tom Allen - District #4  
Tommy Dunn – District #5  
Ron Wilson - District #6  
Rusty Burns – Interim Administrator  
Linda N. Eddleman – Clerk to Council  
Chris King Attorney

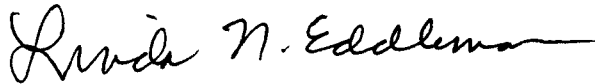
**ABSENT**

M. Cindy Wilson – District #7

A verbatim transcript of the meeting is hereto attached for your approval.

The meeting adjourned at 10:00 p.m.

Respectfully submitted,



Linda N. Eddleman, CCC  
Clerk to County Council

State of South Carolina    )  
County of       Anderson    )

ANDERSON COUNTY COUNCIL MEETING

MAY 19, 2009

IN ATTENDANCE:

EDDIE MOORE, CHAIRMAN  
BOB WALDREP  
TOMMY DUNN  
GRACIE FLOYD  
TOM ALLEN  
RON WILSON

1 EDDIE MOORE: Everyone please have your  
2 seat. We're going to get started. We'd like to make a  
3 little announcement. Mr. Waldrep's going to be a few  
4 minutes late. He is coming in. Ms. Wilson is going to  
5 be -- is not going to be here tonight. Her daughter,  
6 y'all keep her in your prayers, she is at the Mayo  
7 Clinic and Ms. Wilson is with her. So y'all keep her  
8 in your prayers. She probably will not be back until  
9 the weekend. If you would stand and we'll ...

10 INVOCATION AND PLEDGE OF ALLEGIANCE BY EDDIE MOORE

11 EDDIE MOORE: I need to make a motion to  
12 amend the agenda. We're moving on the original agenda.  
13 We're moving Item 13 up to -- it becomes Item 9 now.  
14 And that would be the new park creation Betsy Tucker  
15 for Ms. Jones. She has to go somewhere real early in  
16 the morning so we're going to move -- we'd like to move  
17 it up. Do I have a second? I have a second. All  
18 those in favor, raise your right hand. Those -- Item  
19 number 9 will be new park creation now. We'll now have  
20 approval of minutes from the last meeting. Do we have  
21 any corrections the last -- from the minutes from the  
22 last meeting? Hearing none, I'll make a motion that we  
23 approve the minutes.

24 TOMMY DUNN: Second.

25 EDDIE MOORE: I have a second. All in  
26 favor, raise your right hand. Now go to Item 4 on the  
27 agenda. Citizens comments, Agenda Matters. I remind  
28 you to please address the Chair. Do not call any  
29 council member's name. Call -- refer to them by  
30 district number.

31 CHRIS KING: Mr. Chairman, we have five  
32 citizens signed up to speak tonight. First up is Mr.  
33 Dale Roe.

34 EDDIE MOORE: Okay.

35 DALE ROE: Hi. I'm Dale Roe and I live  
36 in Homeland Park. I understand that Homeland Park was  
37 allocated three quarters of a million dollars to build  
38 parks and stuff like that. And I also heard that this  
39 money was taken away from Homeland Park and gave it to  
40 another one. Why is this?

41 EDDIE MOORE: We don't address you. We're,  
42 we're allowing you to make your comments.

43 DALE ROE: Okay.

44 EDDIE MOORE: And if you go on the agenda  
45 item -- when we get down to the agenda item, we will be  
46 discussing that. We'll just listen to your comments.  
47 You can make all your comments and, and that's it.

48 DALE ROE: All right. I'll let it go for  
49 that.

50 CHRIS KING: Mr. Chairman, next we have Ms.

1 Leslie White.

2 LESLIE WHITE: Mr. Chairman, I would like to  
3 -- for you to please explain to me the dictate that we  
4 only address you and no council member by name.  
5 Because I'd, I'd like to know what the county ordinance  
6 is for that. And I -- without one I really don't think  
7 that it's, it's entirely fair to the citizenry to tell  
8 us that. We, we have a constitutional right to address  
9 our elected official. And for you to tell us that we  
10 can't do that, I believe if I'm not mistaken, that was  
11 a dictate from a past council and past council Chairman  
12 who deemed that it would be so. If there is a county  
13 ordinance stating that, I would like to know what it  
14 is. Otherwise, I will continue to address my elected  
15 representatives by name because that is my  
16 constitutional right. One of the very, very most  
17 important ones is to be able to address and elect your  
18 officials. Thank you.

19 CHRIS KING: Mr. Chairman, next we have Ms.  
20 Elizabeth Fant. No, I'm sorry. Mr. Mark Powell.

21 MARK POWELL: My name is Mark Powell.  
22 Williamston. District 7. Ms. Wilson's. You guys are  
23 doing a great job. The budget situation that you have  
24 had to undertake has been an amazing journey for you  
25 guys to get accomplished what you have. As you read  
26 people's opinions of how that happens it's sad how  
27 things get distorted. Presentations past, present and  
28 future. I remember a presentation made by three  
29 council members on November the 18<sup>th</sup>. And that  
30 presentation was modifying the agenda which you guys  
31 did tonight. It was to modify the agenda. And I think  
32 I'm correct to be able to speak on this because it was  
33 a presentation. The agenda was modified in order to  
34 bring up and discuss Joey Preston. That agenda  
35 modification ended up being a buyout contract for Joey  
36 Preston, which means it should be an  
37 ordinance/modification of agenda illegality because it  
38 was not said that I'm amending the agenda in order to  
39 buy out Joy Preston. Just to speak of him. Shortly  
40 after that, an agenda -- well, excuse me, a motion was  
41 made in order to pay for the said buyout. It was  
42 mentioned by council members. I don't remember who.  
43 Don't we need to modify and amend the agenda? Amend  
44 the agenda. And it was said no. It was part of Mr.  
45 Wilson's. Next we had, I have in my hands a contract  
46 to hire our next administrator. I would like to remind  
47 everyone. Someone on council said, I think we need to  
48 amend the agenda. Someone said no. It was part of Mr.  
49 Wilson's. Please everyone, go back to November the  
50 18<sup>th</sup>. Read what happened that evening and understand

1 the situation that our county has been put under. The  
2 lawsuits, the things you guys are having to deal with,  
3 are not for something you did. It's because of  
4 something you're having to fix and I appreciate your  
5 ability, your desire, and the fact that you are going  
6 to aggressively pursue that situation. Thank you for  
7 protecting my money. And I would love to see orange  
8 suits. And I would love to see one point one four  
9 million dollars back in our bank account. Thank you.

10 CHRIS KING: Mr. Chairman, next we have Ms.  
11 Elizabeth Gant.

12 EDDIE MOORE: Fant.  
13 ELIZABETH FANT: Fant.  
14 CHRIS MOORE: Fant. I'm sorry.  
15 ELIZABETH FANT: Get this ready. Can you  
16 hear? Okay. I'm Elizabeth Fant. District number 3.  
17 Belton. Whatever that is. I'm going to talk on agenda  
18 matter number 8, A past, present and future  
19 presentation. Those of you who know me, know that I'm  
20 known for telling it like it is And telling the truth.  
21 So here goes. I'm going to just cut to the chase.  
22 Number 1, agenda matters are to be properly labeled so  
23 constituents can speak on them. We mentioned this in  
24 the January 18<sup>th</sup> meeting. Past, present and future  
25 tell us nothing. It leaves the door wide open. I can  
26 talk about anything past, present and future and that's  
27 what I'm going to talk about. Number 2, related to  
28 that, the media should present the truth. The truth.  
29 Number 3, those of you who, by your hot air, need to be  
30 noticed, waste our time. Your time is coming. And  
31 number 4, there's a higher law than man's law. I want  
32 to mention first in the Anderson Independent Mail. In  
33 the present. Please be truthful. Don't mislead the  
34 public by ambiguous headlines or misrepresenting the  
35 information. For example, today, today's paper.  
36 Tuesday, 5/19/09, Closed Anderson County Council  
37 meeting tonight to review lawsuits. Anybody who only  
38 read that thinks that tonight the meeting is closed.  
39 Nobody else can come in because it's going to be  
40 talking about lawsuits. The actual paper, legal review  
41 on agenda for council. Don't mislead the public. Tell  
42 it like it is. Misconstruing facts is not telling the  
43 truth. Don't you realize the direct correlation  
44 between the number of subscriptions and the reduction  
45 of ads in your paper. That is a direct relationship to  
46 how you present news. Furthermore, for the higher  
47 powers that be, thou shalt not steal. Besides the  
48 illegal buyout of Preston/Cunningham contract of  
49 11/18/09 [sic] if you were wasting the taxpayer's money  
50 by frivolous lawsuits which are costing the council



1 money you are stealing constituents' money just as much  
2 as if it's out of their pockets. Past, present and  
3 future. For some of you, it's very foolish to keep  
4 yourself in the limelight, considering your role in  
5 this past fraud on 11/18/08. We know the past twelve  
6 years council and others roll with the administrator.  
7 We know that the present council is trying to rectify  
8 all this. And in predicting the future shortly, I  
9 think that we will see that all the lies and mistruths  
10 that have been going on in the past, particularly the  
11 last year, will be made plain in discovery. And those  
12 of you who are responsible, you should be feeling a  
13 chill crawl all over your skin just about now. Because  
14 no longer is Anderson a sleepy little town. Soon the  
15 crystal ball reveals that there may be another  
16 Watergate.

17 EDDIE MOORE: Time has expired.

18 ELISABETH FANT: Thank you.

19 CHRIS KING: Last up to speak, we have Mr.  
20 Rick Freemantle.

21 RICK FREEMANTLE: Good evening, Mr. Chair,  
22 Council. I'd like to speak on Item number 5. The  
23 economic stimulus package. Just this weekend, I had  
24 the opportunity to be over in Columbia for the State  
25 Republican Party Convention where I was able to gain a  
26 pretty disturbing picture on the situation of our  
27 country as we are here today. Right now as it stands  
28 everyday when you wake up our Federal Government is  
29 borrowing enough money to pay the debt on our debt to  
30 the rest of the world for that day. The interest  
31 alone. Not the debt. Just the interest. The average  
32 family of four people in this country right now owes  
33 the Federal Government four hundred and fifty-five  
34 thousand dollars. That's almost a hundred and fourteen  
35 thousand dollars per person. Currently in Columbia, it  
36 happened today, part of the battle that's brewing is  
37 over this stimulus money. In order for that stimulus  
38 money to come into this state like all states across  
39 this country -- we have an out-of-control socialist  
40 dictator who is stepping all over the constitution of  
41 this United States, violating our Ninth and Tenth  
42 Amendment by telling the governors of the states you  
43 will take the money, you will do what I tell you you  
44 will do with it. Violating our rights by telling us we  
45 have no say in the matter. Any talk of accepting this  
46 stimulus package money is destroying our constitution.  
47 Every one of you swore an oath to preserve, protect and  
48 defend the constitution of the United States. To take  
49 this money is to violate that oath of office. Worst  
50 than that our country is bankrupt. By 2016, the

1 Federal Government is going to stop paying Social  
2 Security because there is no money left beyond that  
3 date. As a matter of fact, the money that they're  
4 going to pay from now till that date is borrowed money.  
5 That means that I have worked my whole life for  
6 something I paid into, I'm not going to see. Not one  
7 red cent. You want to talk about a revolution. We're  
8 going to have a hell of a revolution. The governor  
9 just brought out the fact today. If that stimulus  
10 money is accepted by anyone in this state within  
11 eighteen months, this whole state will owe nine hundred  
12 and twenty million dollars debt -- state debt that  
13 we'll have to pay off. There was an amendment to the  
14 budget called the Ryberg amendment which funded the  
15 schools, took care of the prisons, paid for the highway  
16 patrol and paid down the debt. Yet fifty-five percent  
17 of our Republican house of representatives and fifty-  
18 three percent of our Senate Republicans Senators are  
19 fighting the governor on this issue. They're not  
20 conservatives. They're liberal socialist. And  
21 everyone at home watching this and hearing this, you  
22 need to be dialing on your phones and tearing them a  
23 new one over this issue. We do not want that money.

24 EDDIE MOORE: Is that all.

25 CHRIS KING: We have no other speakers  
26 signed up.

27 EDDIE MOORE: Item 5 has been taken off the  
28 agenda. We now go to Item 6.

29 GRACIE FLOYD: Mr. Chair, would you please  
30 allow me to explain why Item 5 was taken off.

31 EDDIE MOORE: Sure.

32 GRACIE FLOYD: Thank you. Mr. Pellesier, the  
33 CEO of the Appalachian Councils of Government was  
34 supposed to be here tonight to speak with us about this  
35 Stimulus package. He was going to explain the  
36 different components of that package and how it relates  
37 to all of us. His wife's father has taken ill. And  
38 they are at the hospital with him this evening. He  
39 called me and asked me if I would please excuse him  
40 from this and we will reschedule it again however. And  
41 I thank you.

42 EDDIE MOORE: Okay. We'll now go to Items 6  
43 on the agenda. Again I want to thank the Sheriff and  
44 his department and all the Emergency Services that  
45 responded to our tornado a while back. It was just --  
46 being a witness to it and going out there and seeing  
47 how they reacted to the emergency situation, I  
48 guarantee you everyone of you would've been proud if  
49 you had been out there and saw what they did. We had  
50 people out there with chainsaws and everything. Just

1 unbelievable what they did. And I would just like to  
2 take this opportunity now to present something that you  
3 can remember from County Council how much we  
4 appreciated that. And we want to award you with a  
5 presentation.

6 APPLAUSE

7 MALE: I can talk loud. I just want to  
8 say I appreciate it. (Inaudible - Cannot hear him at  
9 all.)

10 APPLAUSE

11 EDDIE MOORE: We now go to Item 7 on the  
12 agenda. Mr. Allen.

13 TOM ALLEN: Thank you, Mr. Chairman. I'd  
14 like to propose a motion this evening that hopefully,  
15 if passed, will help to expedite the council meetings a  
16 little bit. I know I've had the pleasure of sitting in  
17 those wonderful comfortable seats out there for quite a  
18 while so I know what you have to put up with. What I  
19 would like to do is propose a motion that all  
20 presentations of awards, proclamations, and other forms  
21 of award recognition be done only once per quarter.  
22 And we would do that at the last meeting of that  
23 quarter. So as an example, end of March would be the  
24 end of the first quarter. I'd like to do it on a  
25 calendar basis. At the end of that month at the last  
26 meeting, we could either start at maybe an hour early,  
27 at five, or we could continue to start at six. The  
28 cameras will be here. Everybody will get the  
29 recognition that they deserve. We'll have one hour to  
30 present those awards. If it's done before the hour's  
31 over, fine. We get to take a break. But it would only  
32 go for one hour. That way we have five meetings out of  
33 the six during that quarter where the people that are  
34 really interested in the business of the county can  
35 come in here, hear the business being conducted and  
36 then we can move on. So I would like to make that  
37 motion. And the way I would word that would be that  
38 all presentations of awards, proclamations and other  
39 forms of recognition be done only once per calendar  
40 quarter during the last meeting of that quarter. And  
41 that's the motion I would like to make.

42 RON WILSON: Second.

43 EDDIE MOORE: We have a second on it. We  
44 have any discussion?

45 GRACIE FLOYD: Yes.

46 EDDIE MOORE: Ms. Floyd.

47 GRACIE FLOYD: Thank you. That resolution or  
48 whatever it is, motion was well taken, but please keep  
49 in mind that this is what the previous council tried to  
50 do before. We tried to start meeting at three o'clock

1 in order to take care of this business before. It is  
2 important business, but it does prolong the meetings.  
3 So we tried to meet at three o'clock to do this and  
4 there was a cry from a certain group of people who said  
5 that people were not here. People are working at that  
6 time. And your schedule at five o'clock means that  
7 people are just getting off from work. Some of them  
8 don't get off until five. So I'm curious to see how  
9 this is going to go across because, like I said, it's  
10 something that we tried in the past. It was working  
11 beautifully. But the people from a certain crowd just  
12 overwhelming demanded that this not happen. But I  
13 think it's a good, good one and I'm going to support  
14 it.

15 TOM ALLEN: Mr. Chairman, if I might.  
16 Yeah. I think when they had the three o'clock meetings  
17 one of the big complaints was that it was chopped up  
18 that day. You know, you had people coming in at three  
19 and then the council meeting didn't -- council meeting  
20 didn't actually starts until six. We could go ahead  
21 and continue have the awards, start them at six o'clock  
22 just like we do the usual council meetings. Then start  
23 the real business of the council at seven. That way  
24 everyone's on the same schedule. Nobody's confused.  
25 For us on council, it's not saving us any time really  
26 because we're going to be here for all of it. But it  
27 will certainly save the constituents and, and the folks  
28 who turn out for these meetings continuously. It will  
29 certainly save you a lot of time.

30 EDDIE MOORE: Okay. Any more discussion?  
31 All in favor, raise your right hand. Unanimous. Okay.  
32 We now will go to Item 8. Ms. Floyd.

33 GRACIE FLOYD: Thank you. Mr. Chair, at the  
34 last council meeting we were all listening to you talk  
35 about the first one hundred days of the 2009 council.  
36 This was after the newspaper did an article on their,  
37 on their view of the first one hundred days. You  
38 identified seventeen accomplishments as accomplishments  
39 of the first one hundred days. Despite these  
40 assertions, every project that was progressive in  
41 nature, was progressive in nature was actually planned  
42 for, budgeted for, or financed by the previous council.  
43 Examples of the former council and administrator's  
44 visions included the expansion of the Animal Shelter  
45 and the upgrades to the convenience centers, Dolly  
46 Cooper Park and the Sports Complex. Today I would like  
47 to present the past, the present and the future of what  
48 this council has been through, is going through and  
49 will go through. Number 1, Mr. Moore asserted that  
50 Anderson County became the first county in the entire

1 State to put the check register -- check registry and  
2 expenses on-line for all to see where our tax dollars  
3 are being spent. This was done by some very talented  
4 county employees for little or no cost. The former  
5 Administrator told at a press release that it would  
6 cost over two hundred and seventy-eight thousand  
7 dollars to do this, which we have proven was  
8 inaccurate. In the past Anderson County Administrator  
9 Joey Preston when asked for comment, faxed to the  
10 Anderson County Independent Mail a copy of a letter he  
11 sent to Senator Bryan. Mr. Preston's comment can be  
12 found at a website which I will have for you if you are  
13 interested. Over a year ago, April 2008, Anderson  
14 County was already ahead of other counties by posting  
15 on-line the GL-15, 16, GLR-65 expenses and revenue, the  
16 CAFRs and the budget rev -- excuse me, and the budget  
17 presentations. The 2009 council majority removed the  
18 county website last year's budget presentation. Mr.  
19 Preston did not estimate that it will cost over two  
20 hundred and seventy-eight thousand. He estimated that  
21 the bill will cost the county one hundred and two  
22 thousand five hundred the first year and an additional  
23 sixty thousand for the following year. Just because  
24 there was no clear payment made to someone else doesn't  
25 mean that there was not a staff cost. Mr. Moore  
26 asserted that, number 2, we have worked -- we have  
27 appointed working and -- we have appointed working  
28 adhoc committees from council members that are  
29 streamlining county operations for a more economical  
30 operation. These actions have already accounted to  
31 savings in excess of three million dollars. We have  
32 completed their task without having to lay off any of  
33 our county employees. Since the installation of this  
34 council, the public information officer was totally  
35 eliminated and the staff within that department was  
36 indisputably laid off, demoted or transferred. The  
37 council has definitely had more committee meetings, but  
38 they have also gone into executive sessions more than  
39 any other previous council in the history of Anderson  
40 County. This council has had more meeting without  
41 public announcements and has even held major public  
42 meetings hearings on days of inclement weather to  
43 reduce the input. Finally, this council's adhoc  
44 committees are not a first. Several past Chairs  
45 appointed working adhoc committees. The difference is  
46 that those previous adhoc committees complied with the  
47 law by properly advertising, being open to the public  
48 and having few executive sessions. Number 3, we have  
49 had citizens' input for our ongoing budget process with  
50 numerous budget control meetings that have operated in

1 the open. Mr. Moore said, this is another first for  
2 Anderson County. The past. The council has had more  
3 meetings than any other council. But that does not  
4 equate to more public input when a majority of meetings  
5 are during business hours when the public and working  
6 council members cannot attend. As of this date, the  
7 council still does not have a draft of the budget. In  
8 the past, the administrator would produce a draft  
9 budget in March or April for council to consider or  
10 review. Mr. Moore said our economic development group  
11 has prepared a five hundred and seventeen acre site on  
12 I-85 that has sewer and water to attract new companies.  
13 This site was identified over a year ago by the  
14 economic development department under the previous  
15 council. The previous administration met with the  
16 Powdersville water on numerous occasion to discuss  
17 providing water to this site. Last fall, county  
18 council adopted a special source revenue bond ordinance  
19 to provide funding that would pay for the sewer to the  
20 site. Councilwoman Cindy Wilson objected to the site  
21 last fall and accused council -- county of running  
22 sewer for a property -- for a private property owner.  
23 After much argument and debate, the last council voted  
24 in favor of sewer to this site. Council member Bob  
25 Waldrep twice voted against it. Then changed and voted  
26 for it, right before the election. Eddie Moore  
27 asserted that we have organized small business seminars  
28 to help our county -- council's small business owners.  
29 The truth. This council has organized one seminar to  
30 -- which occurred a couple of Fridays ago which was not  
31 within the first one hundred days. Which was not  
32 within the first one hundred days. Further, this  
33 council majority scheduled the first meeting it held at  
34 a time most inconvenient, from nine a.m. to eleven  
35 thirty on a work day, whereby the people who needed  
36 this information the most are woman, minorities and  
37 others who were working could not attend. Eddie Moore  
38 said our economic development group will be updating a  
39 building register. A building register was established  
40 by the previous council. The economic development  
41 group has had this register for quite some time. So  
42 it's not a brand new thing that was done within the  
43 first hundred days. Mr. Moore said we are currently  
44 refining our bid procedure so we know that we are  
45 getting the most for our money. There have been no  
46 changes to or even proposals made by this council to  
47 change the procurement code. Our previous council did  
48 budget for the previous Administrator. Mr. Preston  
49 hired a building construction engineer in central  
50 services that was on payroll and monitored contracts.

1 He is still employed. Mr. Moore asserted that in the  
2 past few months our central services and environmental  
3 group has refined the bidding. Robert Carroll  
4 announced -- in the past. Robert Carroll announced in  
5 an open meeting of council that the bids review were  
6 going to be much cheaper simply because of the economy.  
7 No new bidding procedures have been initiated by this  
8 council. Number 9, Mr. Moore asserted we have refined  
9 the plans for the Animal Shelter and soon we will have  
10 a new facility that all can be proud of. The truth.  
11 Matrix Construction Company was a lower bid and it was  
12 under budget on the project that included any and all  
13 alternatives. That bid included a low cost spay and  
14 neuter clinic that would have provided for a Doctor of  
15 Veterinarian Science. But by not timely awarding the  
16 contract to Matrix, this council has caused one  
17 hundredths -- hundreds of animals to be unsuccessfully  
18 euthanized. And this is continuing happening.  
19 Further, the quality of the construction along with the  
20 quality of the low cost spay and neuter clinic will be  
21 compromised by this new plan. Mr. Moore said our  
22 Transportation Committee along with the Transportation  
23 Department has implemented county car usage policy.  
24 The county already had a county vehicle usage policy in  
25 place. What has occurred is the vehicle usage has been  
26 further restricted by the employees, which I'm afraid  
27 will have a -- will result in some reduced services.  
28 Mr. Moore asserted that we are currently making plans  
29 for capital improvements at the Civic Center. Nearly  
30 seven hundred and fifty thousand dollars for ball  
31 fields at the west side of Anderson were in the last  
32 bond ordinance. The current council majority objected  
33 to the funding for these ball fields. The Civic Center  
34 was envisioned to manage the ball fields regardless of  
35 where they were located. So the ball fields could  
36 still have been built on the west side of town and the  
37 Civic Center still could have managed it and the County  
38 still could have collected a revenue from it. The  
39 people on that side of town have only one park. And  
40 that park is run down and dilapidated. They, they --  
41 that money was to beef up the quality of life for  
42 people in that area. We are -- Mr. Moore said we are  
43 currently making capital improvements to our Anderson  
44 County Airport. As a results of the previous Council's  
45 efforts, new hangars were built and the runway  
46 expanded. This was from the last one. What this new  
47 council is doing is just a continuation. Mr. Moore  
48 said on number 13, we hope to implement a lucrative  
49 incentive plan for our County employees that step  
50 forward with ideas that can save money for our County

1 operations. A hope is not a one hundred day  
2 accomplishment. It is illegal to give such bonuses to  
3 governmental employees. And Bob Waldrep, the proponent  
4 of this idea, I hope that he would study that and  
5 become aware of that. But a hope, I will repeat, is  
6 not an accomplishment for one hundred days. We're  
7 proposing a reduction in our reimbursable account for  
8 individual council members that will save thousands of  
9 dollars. To date there has been no proposal passed.  
10 Further, any proposals for such a reduction will likely  
11 be offset by the increase in funding for all council  
12 members to attend the Annual Association of Counties.  
13 Eddie Moore said we were recommending and approved for  
14 the lighting system on our main exits from I-85 which  
15 will attract more vehicular traffic from the  
16 interstate. Fred Tolly did this a couple of years ago.  
17 Although the State of South Carolina pays the bill for  
18 Greenville for their interstate and lighting, they  
19 refuse to pay it for the Clemson Boulevard, Exit 19.  
20 Anderson County has now agreed to take what should be a  
21 State liability on an Interstate Highway that will be  
22 fifty to sixty thousand dollars per year. Eddie Moore  
23 said we have implemented a dialogue with the City of  
24 Anderson which will bring discussion regarding ways we  
25 can work together as a team. Implemented --  
26 implementing the start. The truth. Former Anderson  
27 County Chair, Michael Thompson, actually started these  
28 meetings with the City years ago. And the council has  
29 merely picked up where the previous council left off.  
30 Mr. Moore said, soon we will complete our audit of all  
31 the County expenditures and this will help us to  
32 identify areas of concern. The Budget Analyst and  
33 Chief Financial Investigator, Bob Daniel, hired by this  
34 Council and paid tens of thousands of dollars,  
35 testified under oath that no audit was being conducted.  
36 To date, this council has cost this County more in  
37 legal fees than any other previous Council. Further,  
38 this Council is using county taxpayer's dollars to  
39 satisfy political vendettas against a former  
40 administration. On May 8<sup>th</sup>, Rusty Burns admitted in  
41 response to a FOI request that this Council has  
42 permitted two former SLED agents, Eddie Tallon and  
43 Steve Smith, to bill for services through the law firm  
44 of Nexsen Pruet. But yet I have a statement here that  
45 I received that show that the Anderson County paid over  
46 forty thousand dollars. Here, I have in my hands, a  
47 copy of an invoice signed by Linda Eddleman. And I  
48 don't think the Council voted on this. But in this, we  
49 pay fourteen thousand six hundred and fifty-eight  
50 dollars to the Tallon Group. And if I'm not mistaken,



1 this is the group that's doing -- that these two men  
2 are representing here. So if, if we are -- if they do  
3 not work for us why are we paying them this amount of  
4 money. These individuals have interrogated Anderson  
5 County employees.  
6 EDDIE MOORE: Your time is up.  
7 GRACIE FLOYD: I was finished. Thank you.  
8 EDDIE MOORE: I would like to say one thing.  
9 About ninety-five percent of what you said is so  
10 inaccurate. But I don't want to waste any more time at  
11 a council over something so stupid. So I'm going to go  
12 forward with more ---  
13 APPLAUSE  
14 GRACIE FLOYD: Mr. Chairman, that's a matter  
15 of opinion.  
16 EDDIE MOORE: Well, on the farm we called it  
17 something else, but I'm not going to get into all that.  
18 GRACIE FLOYD: Mr. Moore, I didn't grow up on  
19 a farm. I grew up to say what I thought. And I grew  
20 up to say what I felt. And I still ---  
21 EDDIE MOORE: We're going to move on to the  
22 next agenda item.  
23 GRACIE FLOYD: -- that ---  
24 EDDIE MOORE: Ms. Floyd, you do not have the  
25 floor. You do not have the floor.  
26 GRACIE FLOYD: It's a matter of opinion.  
27 EDDIE MOORE: We're going to move onto the  
28 next item on the agenda.  
29 GRACIE FLOYD: Mr. Moore, you called me  
30 stupid.  
31 EDDIE MOORE: We're going on ---  
32 GRACIE FLOYD: Mr. Moore, you called me  
33 stupid. Let the record show that Mr. Moore has said to  
34 me that he didn't have time for any stupid whatever it  
35 was. But Mr. Moore, you called me stupid.  
36 EDDIE MOORE: We're going to go to the next  
37 agenda item. Enough of this.  
38 GRACIE FLOYD: I have copies for Council  
39 members ---  
40 EDDIE MOORE: We're going on to the next  
41 agenda item, ---  
42 GRACIE FLOYD: -- if you'd like to have one  
43 of them.  
44 EDDIE MOORE: -- Item 10.  
45 BOB WALDREP: Point of order, Mr. Chairman.  
46 EDDIE MOORE: Ms. Floyd, you're out of  
47 order.  
48 GRACIE FLOYD: Yes, sir, I am. Yes, sir, I  
49 am.  
50 EDDIE MOORE: Everyone, please hold it down.

1 We now go to Item 10 on the agenda. Oh, excuse me.  
2 Item 9. Sorry.

3 HEATHER JONES: Good evening. Thank you for  
4 the opportunity to come and speak tonight about  
5 something that is very positive and packs a pretty good  
6 punch for Anderson County. So I'm excited to present  
7 an overview which we brought two weeks ago to the  
8 Public Works and Planning committee and that committee  
9 voted to bring it to full Council and thought that the  
10 public would appreciate seeing some of the vision and  
11 initiatives that the economic development office is  
12 undertaking on behalf of the citizens of Anderson  
13 County. This particular project which I'm going to  
14 talk about tonight is at Exit 27 on Highway, excuse me,  
15 on Interstate I85 at Highway 81. Over the past few  
16 years, you've repeatedly heard me speak about the  
17 importance of site certification. And kind of what I'm  
18 going to take you through this evening is a snippet out  
19 of the site certification manual which is about this  
20 thick. And I brought it if anyone's interested in  
21 seeing it. This particular quadrant that you see here,  
22 represented by the four tracks there, is a -- it  
23 represents five hundred and seventeen total acres.  
24 We've looked at that. We've identified through the  
25 site certification process everything from improvements  
26 that are necessary to the site to wetlands. Delineated  
27 those. We've looked at the appropriate uses of the  
28 site. We've seen if there's any endangered species.  
29 If there's any grave yards. Anything of the such that  
30 you can imagine that's taken the due diligence away  
31 from a company and put it ahead of their decision  
32 making process. We do this for a couple of reasons.  
33 We do site certification, number 1, because the company  
34 doesn't have to wait on these things to be  
35 accomplished. It makes a shovel-ready site. And it  
36 offers something for them that is consistent with what  
37 they're used to seeing across the United States in a  
38 certification. And it is at no expense to them up  
39 front. So it's kind of going through this quickly.  
40 There were some water infrastructure through this  
41 particular certification that was recommended for  
42 improvements. And as was stated already this evening,  
43 late last year we began conversations with Powdersville  
44 Water Authority and through some discussion with Dyke  
45 Spencer, we were able to see how the plans that they  
46 had in place and the plans that we had in place could  
47 work together to bring about water improvements to the  
48 site at no costs to Anderson County. Additionally, and  
49 I feel like my presentation's kind of a given, waste  
50 water was discussed earlier. Last year, an SSRB, which

1 is a Special Source Revenue Bond, was approved and  
2 those improvements that are recommended within the site  
3 certification were budgeted within that Special Source  
4 Revenue Bond. So that money is on hand. And I think,  
5 if I'm correct, in the way the bond was written those  
6 monies will be allocated once there is a -- as we call  
7 it, a bird in the hand. Once there's a live project  
8 those monies can be allocated for the use of the SSRB.  
9 Excuse me, for the improvements of the waste water  
10 infrastructure. Transportation infrastructure was  
11 another area in which we sought improvements  
12 recommended by the engineers. There's a kind of farm  
13 to market road in this particular area as well as what  
14 is probably as close a thing as a frontage road as we  
15 have, even though it's really not a frontage road. So  
16 both of those particular roads do need major  
17 improvements. And through working with the  
18 transportation division of Anderson County, we have  
19 been able to do a couple of really neat things out  
20 there. The economic development office applied for an  
21 advance SC grant. We received a two hundred and fifty  
22 thousand dollar allocation at no cost to Anderson  
23 County. And we're working again with Holt and his  
24 crew. We have been able to secure those funds to look  
25 at the construction and design for the frontage road  
26 and improvements to the other transportation corridors  
27 out there looking at the realignment of that road to  
28 better serve truck access and potential stop lights and  
29 the like that would be needed to serve that particular  
30 site. Now the two hundred and fifty thousand dollars  
31 that we received can be used primarily for two  
32 different things. One of which would be for those  
33 construction and design documents to be in place in  
34 hopes that if any monies came down the pike, we would  
35 be shovel-ready to apply for additional funds for  
36 implementation. Also, we were granted the opportunity  
37 to use that for the purchase of easements. So we, we  
38 think that there's ample money there to complete the  
39 construction and design phase, although I'm not  
40 allocating at this point that we are moving forward  
41 with any sort of implementation of a frontage road.  
42 Other infrastructure that was looked at was rail, which  
43 of course is about 6.8 miles away from this site.  
44 Telecommunications, AT&T on-site, electrical service.  
45 This is a dual served site which is extremely important  
46 because what that does is it gives the end user the  
47 opportunity to negotiate between Duke Power and Blue  
48 Ridge Electric Cooperative. It also allows us on the  
49 receiving end to not only receive funds from Advance SC  
50 and Duke Energy, but also received utility tax credits

1 and RDA funds from Blue Ridge Electric because both of  
2 them in the end hope to be the primary provider of  
3 service to the end users. And then, natural gas, Fort  
4 Hill Natural Gas does have a four inch pipe right on  
5 the front of the property. So what are we going to do  
6 ...

7 END OF TAPE 1, SIDE 1

8 HEATHER JONES: ... some of which looked at  
9 it in an eight lot recommendation, some of which had it  
10 in smaller and larger. So it gives us a lot of  
11 flexibility. None of that's in stone. As I mentioned,  
12 the water improvements are underway. We look to have  
13 that completed in the third quarter of this year,  
14 thanks to Powdersville Water. Again, the SSRB is in  
15 place so as soon as we have an identified project that  
16 can take place. And then I just mention the road  
17 improvements, thanks to the Advance SC opportunity.  
18 And this is the site that we're talking about and as  
19 you can see, there is the dark green area that is a  
20 part of this certification that has taken place. The  
21 light green area which you see there in the lower  
22 quadrant is what we hope to do next. That's a hundred  
23 and eight acre site that could be added to bring our  
24 opportunity for this park to be about six hundred and  
25 twenty-five acres. If you look around the State, this  
26 would be a premier opportunity for Anderson County, not  
27 only to have such a large site, but to have one that is  
28 interstate fronted, that has all of the necessary  
29 infrastructure in place and/or planned and is, again,  
30 certified. So we've been working with the landowner  
31 that owns that lighter green property there who has  
32 agreed to allow us to certify the property and who is  
33 -- has agreed to sell the property and we're working on  
34 the appropriate documents for that. Now one of the  
35 questions that you may have as a taxpayer in Anderson  
36 County is what is this costing us and how much is this  
37 land going to cost for you to buy. We're not proposing  
38 to buy this. In fact, everything that I'm bringing to  
39 you this evening, I'm not asking for money. I'm just  
40 simply hoping that we can all kind of band together  
41 around this because it's a fantastic idea. It's a  
42 fantastic concept that we hope to continue to  
43 implement. The way that we've been able to do the land  
44 side of this is through long term options which are  
45 transferable. So Anderson County can have the option.  
46 It doesn't costs us any money. It's part of the site  
47 certification process. And at such time as an end user  
48 comes to us and says, we want said piece of property,  
49 we may then transfer that option over to them and they  
50 then can move forward. So it protects us and all of

1 this infrastructure and time that we've placed in  
2 putting together this part. It protects us as Anderson  
3 County so that some residential landowner doesn't come  
4 and say, well you want thirty, I'll give you sixty, let  
5 me have the property. We have some, some protection  
6 there. So again to go through the numbers. Site  
7 certification money. We paid for the site  
8 certification through the fee in lieu of tax fifteen  
9 percent fund, so that's development, funding  
10 development, which is ideally what that fund is there  
11 for. Powdersville Water Authority with the water  
12 improvements. We've identified that the SSRB will pay  
13 for the waste water and sewer improvements. The road  
14 improvements, you can see there, the estimate's very  
15 large. It's over four million dollars. But again, by  
16 having the monies in place to go ahead and do the  
17 planning, it may open doors for us for the  
18 implementation funds. And we all know if we have a big  
19 project in place, the skies kind of open up and new  
20 opportunities come available. So, you know, that could  
21 be a case by case instance. I've spoken to Blue Ridge.  
22 They have committed to some RDA utility tax credit  
23 funds for us. As we move down there to landscaping, we  
24 have received a utility tax credit of twenty-five  
25 thousand dollars which we already have received that we  
26 could put towards landscaping. From a signage and  
27 lighting standpoint, we haven't received the estimate  
28 back on that. But I've spoken to both Piedmont Natural  
29 Gas and AT&T about 2009-2010 utility tax credit funds  
30 and we will have a request going in for that. And then  
31 on the site certification of the additional one hundred  
32 and eight acres which we estimated around fifty  
33 thousand dollars, there should be funds remaining from  
34 the Advance SC grant to complete that. We do have time  
35 lines in place for each of these sorts of improvements.  
36 This is the long awaited site certification. This is  
37 what you'll find if you go on the South Carolina  
38 Department of Commerce website. It is everything that  
39 a site consultant or company would need to know. This  
40 is the front page and I just also showed you one on the  
41 maps. The importance stuff to me, this is what really  
42 kind of gets, gets me excited, is what we did is we  
43 took the assumption using the Anderson County  
44 development standards. We took out any necessary  
45 easements for water improvements, waste water  
46 improvements, the implementation of the frontage road,  
47 buffers, easements, so on and so forth and we decided  
48 -- and we came up with of the first two tracts I talked  
49 about now, not the addition of the hundred and eight  
50 acres, just of the currently certified property, that

1 there's about four hundred and eight developable acres  
2 after all of that other stuff is taken out. Based on  
3 that number and the assumption that we would develop  
4 half of it as manufacturing and half of it as  
5 distribution. So that kind of just gives us a variety  
6 out there. Based on those two assumptions, we can  
7 expect 5.6 million to 6.5 million square feet of  
8 potential facility space on the site. Based on those  
9 same assumptions, we could expect ten to twelve  
10 thousand employees to be housed on this site. If we  
11 add the additional one hundred and eight acres which we  
12 hope to finish certification on in the next few months,  
13 we can add an additional 1.2 million to 1.5 million  
14 square feet of facility space and an additional twenty-  
15 five hundred potential employees. Bringing that to  
16 about fourteen thousand five hundred employees that  
17 could be housed on this site. As I said again, I'm not  
18 here to ask for any money. I just hope that everyone  
19 will see this as a great opportunity for Anderson  
20 County. Something that will put us in a place unique  
21 to any other county in South Carolina. It will  
22 definitely be something that we can all be proud of.  
23 And as other funding sources come available, something  
24 that be shovel ready that we can hopefully tap into  
25 other sources and keep the burden of any improvements  
26 off the taxpayers of Anderson County. Any questions?

27 EDDIE MOORE: Thank you, Ms. Jones. That  
28 sounds really good there. It could be a really  
29 positive thing. And you get a site like that that's  
30 listed on the Department of Commerce, that's a good  
31 thing.

32 HEATHER JONES: Yes, sir. This was -- this  
33 is, just if you -- this is our second certified site on  
34 the Commerce website, in addition to the other sites  
35 and buildings that have been listed on their site. We  
36 also have three other sites that are at the Department  
37 of Commerce right now awaiting certification approval,  
38 but the engineering is completed on that. So feasibly  
39 by the middle of June, we will have five certified  
40 sites in Anderson County. And if I'm correct, I think  
41 Greenville right now has one. So we're definitely  
42 making some great strides. Thank you.

43 TOM ALLEN: Mr. Chairman.

44 EDDIE MOORE: Mr. Allen.

45 TOM ALLEN: If I might. Ms. Jones, do you  
46 know approximately when this site was actually  
47 certified? The part that's certified now, the date or  
48 I mean, the month.

49 MS. JONES: Well the actual -- the day  
50 that it was certified or when did we start the

1 engineering?  
2 TOM ALLEN: When it was certified?  
3 MS. JONES: The certification documents  
4 came to me about two months ago.  
5 TOM ALLEN: Okay.  
6 MS. JONES: And it was put on the Commerce  
7 website this week with their stamp and all on it.  
8 TOM ALLEN: Okay. Thank you.  
9 MS. JONES: It was approved several weeks  
10 ago or it may be even a month or so. I'm not certain  
11 of the exact date.  
12 TOM ALLEN: Okay. That's fine. I just  
13 want to get a ball park figure. One other question --  
14 MS. JONES: Yes, sir.  
15 TOM ALLEN: -- which is not really your  
16 ball park but it's Innovate Anderson. But I believe  
17 there's a meeting tomorrow.  
18 MS. JONES: I was not made aware of that.  
19 I'm sorry.  
20 TOM ALLEN: Okay.  
21 MS. JONES: I can't help you on that.  
22 TOM ALLEN: Okay. That's fine. Thank  
23 you.  
24 MS. JONES: You're welcome.  
25 TOMMY DUNN: Mr. Chairman.  
26 EDDIE MOORE: Mr. Dunn.  
27 TOMMY DUNN: I'd just like to commend Ms.  
28 Jones. I think it was a good presentation. I think  
29 this is a very worthwhile project. Splitting hairs on  
30 who gets credit for it, Anderson County and the  
31 citizens are going to benefit from this. And that's  
32 the main thing. And that's what we need and I think  
33 this will very much pay off great dividends in the near  
34 -- in the future. Thank you.  
35 EDDIE MOORE: Thank you, Ms. Jones. We now  
36 go to Item 10 on the revised agenda, 2009-10, an  
37 ordinance amending Chapter 38 of the Anderson County  
38 Code of Ordinances pertaining to Flood Damage  
39 Prevention; and matters related thereto. This is a  
40 public hearing. No time limit on the public hearing.  
41 Mr. Burns, do you have anything to say about it or ...  
42 RUSTY BURNS: Mr. Chairman, we're ready to  
43 accept questions or concerns. Mr. Bill West is here.  
44 If anybody has any questions we'll be happy to try and  
45 answer them.  
46 EDDIE MOORE: The public hearing is now open  
47 for any public comment.  
48 MARK POWELL: Mark Powell, district 7. Just  
49 a quick question. What you're changing is the level in  
50 which from a creek basin the height of a possible flood

1 in which a person can develop the land they own;  
2 correct? Is that pretty quick layman's analogy of that  
3 situation? What from current creek level elevation  
4 have you basically changed? I would imagine it's a  
5 basic number.

6 BILL WEST: That would vary all over the  
7 County. At the level, at the level of the creek above  
8 sea level. So I could not -- you give me a specific  
9 place.

10 MARK POWELL: Well I was just saying ---

11 BILL WEST: To discuss it we can ---

12 MARK POWELL: If the creek normally flows  
13 here, is it like five foot above the creek all  
14 throughout the County? I know the elevation. I wasn't  
15 asking for that. How much above the normal level of  
16 the creek basically throughout the County are you  
17 putting the ---

18 BILL WEST: Well, it's not the level of  
19 the creek. It's the level of the flood plane. And ---

20 MARK POWELL: Would be the creek if it ever  
21 flooded? It would be the creek level ---

22 BILL WEST: Well the creek level is  
23 normally way below the flood plane.

24 MARK POWELL: Correct. So what level above  
25 the normal creek ---

26 BILL WEST: The level of the flood plane  
27 is a calculated number of -- based on the rainfall of a  
28 hundred year flow. It varies.

29 MARK POWELL: Okay. Cool. I was just  
30 curious if there was a given number throughout the  
31 County.

32 BILL WEST: There is no one number  
33 throughout the County. It's going to vary on how flat  
34 the land is or how steep it is. How ---

35 MARK POWELL: Well I know the distance will  
36 vary, but the elevation of the water where you can --  
37 in other words, if I go to my property ---

38 BILL WEST: Distance is governed by the  
39 steepness of the banks.

40 MARK POWELL: I realize that. But the  
41 question would be, I own a valley, a long valley. The  
42 question would be from the current level of water -- I  
43 ain't asking you how far my property would be. I'm  
44 asking you what level of height of rise of water  
45 dictates what this is. You don't know the answer?

46 BILL WEST: It's going to vary all over  
47 the County.

48 MARK POWELL: Not based on sea level but  
49 based on each creek's individual, individual limit.

50 BILL WEST: That's correct.



1 MARK POWELL: Oh, okay. That's all.  
2 EDDIE MOORE: Anyone else? Public hearing  
3 is now closed.  
4 BOB WALDREP: Mr. Chairman. I just wanted  
5 to ask what kind of expense is involved in this or is  
6 this just probably in compliance with whatever the  
7 flood plane of areas are all over the country. I think  
8 that you have to have a ---  
9 BILL WEST: Certain minimal ordinance.  
10 BOB WALDREP: -- map so that you just don't  
11 build in these areas, and then you go in and try to get  
12 flood insurance or something like that. Is that --  
13 isn't that kind of the ---  
14 BILL WEST: That's what, that's what this  
15 is about and it's to prepare us for a whole new set of  
16 maps which are going to be much more accurate and much  
17 better and easier to use than the ones we have that  
18 we're expecting them in a few months.  
19 BOB WALDREP: Well I, I just -- it's a  
20 pretty important piece of legislation in that people I  
21 guess like Mr. Dunn and some other people in the  
22 construction business, you would go to the department  
23 here in Anderson, you'd be able to see that flood plane  
24 map. You'd be able to know whether or not your  
25 property was in the flood plane.  
26 BILL WEST: If we're able to implement all  
27 we want to, you'd be able to do it at home.  
28 BOB WALDREP: Okay. You can google it, I  
29 guess.  
30 BILL WEST: Anderson County web page.  
31 BOB WALDREP: Okay. Okay. Thank you.  
32 That's, that's what I had. Thank you.  
33 TOM ALLEN: Mr. Chairman.  
34 EDDIE MOORE: Mr. Allen.  
35 TOM ALLEN: Just to back that up kind of  
36 half way jokingly, I would say if you ever want to know  
37 where the flood plane is just ask your insurance  
38 company when you try to build a house somewhere.  
39 They'll tell you in a hurry where that hundred year  
40 flood plane is.  
41 TOMMY DUNN: Mr. Chairman, I make the  
42 motion that we adopt this second reading.  
43 EDDIE MOORE: We have a motion. Second.  
44 Any more discussion?  
45 TOMMY DUNN: Yes, Mr. Chairman. I just  
46 think this is something sort of Federal. It's mandated  
47 we do this; right?  
48 RUSTY BURNS: An offer we can't refuse.  
49 TOMMY DUNN: Exactly. I think they come --  
50 I think they just -- I think, if I remember correctly

1 reading something, I believe they are just in the  
2 process or on the way to do Oconee County, ain't they?  
3 RUSTY BURNS: Everybody in the country will  
4 be affected.

5 TOMMY DUNN: Yeah. Yeah. Thank you.

6 EDDIE MOORE: Everyone in favor, raise your  
7 right hand. Unanimous. We'll now go to 10(b),  
8 Ordinance 2009-12, an Ordinance amending Ordinance  
9 2008-037 pertaining to the Issuance and Sale of General  
10 Obligation Bonds, Series 2008; and matters related  
11 thereto. Public Hearing. Public Hearing is now open.  
12 Mr. Dunn, do you have anything to say?

13 TOMMY DUNN: I'm holding my comments to the  
14 Public Hearing.

15 EDDIE MOORE: Okay.

16 DOREEN MONTEPARA: Good Evening, Mr. Chairman.  
17 As most of you know, I'm Doreen Montepara, Homeland  
18 Park, District 5. I'm here tonight to talk about this,  
19 this bond. I understand there's concerns about  
20 building it over there by the Airport which is  
21 understandable. What I do not understand is taking  
22 three quarter of a million dollars and giving it to the  
23 Civic Center where they already have five ball fields.  
24 District 5 has one county park, unless of course, as  
25 they do, they count boat launches as county parks.  
26 Sorry, but I really don't think I want our children  
27 playing baseball at a boat launch. We have one park.  
28 That is Wellington Park. There's this misconception of  
29 the park is vandalized. The park is not vandalized.  
30 The park is totally falling apart due to the lack of  
31 repairs. I've taken some pictures and as you'll see  
32 the difference between the parks -- and camera guys, if  
33 you guys could do me a favor. I really don't like  
34 cameras on me. If you could put it up here on the  
35 power points so these people at home could see what  
36 we're talking about. These are the Civic Center ball  
37 fields. As you see, there's plenty of ball fields  
38 there. They're clean. They're pristine. And they're  
39 nice ball fields. These are the Civic Center soccer  
40 fields. There's plenty of those. This is Wellington  
41 Park soccer field. There were some dads that actually  
42 took some PVC pipe and made some soccer fields until  
43 unfortunately they got so old they fell apart. This is  
44 where they sit. Now this is also the Civic Center. As  
45 you notice, they have tennis courts. They have really  
46 nice concession stands. Then if you could look at that  
47 little sign that's there and if you read it, it will  
48 tell you that, you know, they have the ball fields that  
49 are there for leagues and if you'd like to reserve it  
50 you're going to do it for a fee. The ball field is not

1 free. We cannot just say on a Saturday, hey kids,  
2 let's go to the park and play ball. You can't do it.  
3 Oh, and also they do have maintenance whenever he's not  
4 stopping and talking on the phone. These are the  
5 lights that are up at the Civic Center. For anybody  
6 that watches racing, you will know that these are the  
7 muscle lights that they put up at the big race tracks.  
8 They're very, very expensive. They're not cheap lights  
9 to maintain. Well here you go people. Here are the  
10 lights down at Wellington Park. Isn't that just  
11 beautiful. These are the bleachers for the spectators  
12 at the Civic Center. These are the bleachers for the  
13 spectators at Wellington Park. No. It's not vandals.  
14 This is rot. The wood is rotten. Okay. Here's the  
15 batter's ball park for the batters waiting to go up to  
16 bat, I guess you call it. That's the Civic Center.  
17 Ladies and gentleman, that's Wellington Park. Once  
18 again, it's decayed. And this, of course, is my  
19 favorite. Throughout the Civic Center, you have water  
20 fountains. Free for anybody who needs to get a drink  
21 of water because maybe they forget theirs at home or  
22 finish theirs. This is the only water available down  
23 at Wellington Park. Let's not hope -- let's hope we  
24 don't have a drought. This is the parking also up at  
25 the Civic Center. This is the parking at Wellington  
26 Park. Now this is the beautiful picnic area up at the  
27 Civic Center. This is your picnic area down at  
28 Wellington Park. Once again, as you see, it's decay.  
29 As some people have been saying, oh no, it's vandals.  
30 No, that is decay. These are the swing sets that are  
31 up at the Civic Center. As you noticed, they're nice  
32 coated swings. The chains are coated and there's also  
33 protective padding underneath the swings. These are  
34 your swing sets down at Wellington Park. If you notice  
35 the nice water pile underneath, maybe a little kid will  
36 drown. There's also bent bars where the storms and  
37 trees have been coming down on it. This is one of the  
38 multiple playgrounds up there at the Civic Center.  
39 This is the one and only one for the children in  
40 Wellington Park. It is two slides. That's it. And  
41 ladies and gentlemen, if you look underneath the slide,  
42 you will see that there is not protection underneath  
43 those slides. So for the County council members who  
44 are so worried about lawsuits left and right, I suggest  
45 you go and take a look at Wellington Park. I'm more  
46 than willing to meet you down there and show you that  
47 this park is a danger. This is a lawsuit waiting to  
48 happen. These are the restrooms at the Civic Center.  
49 As you notice, this is the restroom at Wellington Park.  
50 As you see it's locked. They're no longer working.

1 This is the nice field for the kids and parents to run  
2 around in. There's Wellington Park. This is another  
3 one of the ball fields up there at the Civic Center.  
4 There's Wellington Park. As you notice, the nice rebar  
5 sticking up through the fence. Electrical wires coming  
6 up through the fence. This conduit coming up through  
7 the fence. Safe for the kids? Once again. Civic  
8 Center. Once again. Wellington Park. You happen to  
9 see those two little things sticking up in the center  
10 of the field? I got a closer picture for you. That  
11 happens to be concrete with broken metal bars sticking  
12 through it in the middle of the baseball fields. Once  
13 again, safety hazard. Here are some more Wellington  
14 Park pictures which I thought everybody should actually  
15 see. And as you will see, this is not vandalism. This  
16 is old dilapidated equipment. This is the ground where  
17 the kids play. It is a trip hazard. It is not ADA --  
18 it doesn't meet ADA standards at all. There is not one  
19 handicap person that can go through there. There's a  
20 closer look at the swing sets. Wood with metal that  
21 has rusted and chipping. Here's a better shot for you.  
22 This is the fencing where it's actually coming up out  
23 of the ground. It's like the fence is growing up over  
24 itself. There's several more shots. This is what the  
25 children have to play with. As you see, everything is  
26 root-bound down there. There are oak trees down there.  
27 They were gorgeous oak trees at one time but because  
28 they were not taken care of, they're now unfortunately  
29 rotting out and falling on picnic tables and on the  
30 toys. The few toys that are there. This is a sweet  
31 little sewer hole that we happened to almost fall in  
32 down there. I guess you can consider that maybe a play  
33 pond for a child if you want to. It's not quite like  
34 the Civic Center, but I don't think we'll be getting  
35 ducks in this one. This is also a piece of metal from  
36 a fence that is long gone that is rusted and sticking  
37 out that, God forbid, if a child maybe about four foot,  
38 three foot tall comes running through there, they're  
39 going to get poked right in the face with. Now this is  
40 -- really is a sweet picture. This is actually  
41 concrete that was in the ground where there used to be  
42 bleachers. Does anybody notice the rebar sticking up  
43 out of the ground. This is also a nice little section  
44 that's over there. Also, once again, notice the rebar  
45 sticking up out of the ground along with the bricks.  
46 This is their little merry-go-round toy that the kids  
47 run around and used to play on. As you see, it's  
48 broken and has been broken for a long time. It is not  
49 usable. It is a safety hazard. Due to the fact, if  
50 you look at the metal on the top where it has just been

1 -- it's shot. Once again, it's not vandals, it's  
2 decay. These are the swing sets. If you notice behind  
3 the swing set, there's something that actually looks  
4 like a piece of wood. That is not a piece of wood.  
5 That is a piece of concrete along with broken branches  
6 that were picked up and moved out of the way. If a  
7 child is on the swing and happens to fall off backwards  
8 and hits their head on that, the child can kill  
9 themselves. It's not just a split open head. We are  
10 talking a child can die falling on this. This is also  
11 supposed to be I guess the little play sand area. You  
12 notice in the little corner where the concrete's broken  
13 there's some kind of critter living in there. What, I  
14 don't know, but there's some kind of critter in there.  
15 These are some more of the benches. Actually, this is  
16 the one that's in the batter's box. It's a better  
17 close up shot. As you can see, it's broken and it's  
18 decay. And I'm sorry if I'm boring anybody up there.  
19 It's severely -- here we go. These are the pieces of  
20 concrete with the metal sticking out that's in the  
21 middle of the baseball field. Those used to be  
22 bleachers which the wood rotted out and somebody was  
23 nice enough to move that on the side up to the fence.  
24 Was it the County? No. Once again, there's some more  
25 of the rebar and stuff sticking through the fences.  
26 This is like my favor bleacher. Now tell me, would  
27 anybody like to sit on that bleacher and watch a  
28 baseball game? I don't think so. There's a better  
29 shot of it without the things on the other end. This  
30 is what we expect our people to come to at the one and  
31 only ball park in district 5 to sit on. These are the  
32 lights. Guess what? There's no lights. Some more  
33 fencing that has been laying around. There's a better  
34 side. This is the other end of the bleachers which is  
35 -- looks even more comfortable. Now these are some  
36 comments -- I've actually heard a comment from somebody  
37 saying that why are we going to put money into, oh my  
38 God, the South end of town. It's the South end of  
39 town. It's Homeland Park. They got shootings.  
40 Surprise. We're not the only ones that have shootings.  
41 There's been several in well prominent areas. It just  
42 seems that Homeland Park just seems to make the map  
43 better than anybody else. Why, I don't know. But this  
44 comment is actually from somebody that's in, in our  
45 audience today on a public website and I just would  
46 like to ask, is this the way that Council actually  
47 feels? Is this the way that the people of District 5  
48 actually feel? And I quote, half the parks in bad  
49 areas rebuilt again and again. They have and they will  
50 always be destroyed and I'm glad the money is being

1 spent, and I quote, in the good area. And it's signed  
2 by Mark Powell. Yes, I checked with the website first  
3 before I pulled this off to put this up there. And I  
4 was told, yes, I could use it. There was nothing -- it  
5 was not illegal. So my point is what is this with the  
6 good area. Do you think that we don't have good people  
7 down in Homeland Park? Let me show you a couple that  
8 were at the park today. See these children that are  
9 down there trying to play. And if you notice they are  
10 playing with the sticks more than any of the other toys  
11 because I guess they're safer to play with. These are  
12 children that come from a Christian day care center.  
13 They are there everyday at lunch time. They bring the  
14 little kids down to try to play. These poor women  
15 spent more time telling these children, oh, please  
16 don't go on that. You're going to get hurt. It's not  
17 safe. Now, are they not good people? Oh, wait, there  
18 are only bad people down there. I forgot. So my point  
19 is, must we really take all of that money and give it  
20 to the Civic Center where they already have five ball  
21 fields. I've heard the excuse that oh, no, the money's  
22 only written for ball fields. We can't change it.  
23 Well for -- if you want to get technical, it was  
24 written to be used out on -- for the other ball field  
25 in District 5. So you changed that so that it can go  
26 to the Civic Center. Well, you can change it again.  
27 You can put a stipulation in there. Fix Wellington  
28 Park first. It is your only park in District 5. Fix  
29 that park. What's left let them use it at the Civic  
30 Center to build another ball field. Let's take care of  
31 our people in District 5 first. The comment was said,  
32 well, the Civic Center's not that far. For the people  
33 on the other end of town, it is. It is way too far.  
34 Especially for the lower income families. And honestly  
35 they're taxpayers. Why do they have to go way out  
36 there instead of -- they have a park. It's just this  
37 County does not want to fix it. I've also heard  
38 recreation funds are coming up. Well, from my  
39 understanding, there's only twenty-five thousand  
40 dollars. That's not going to cut it. Yes, I myself  
41 have been trying to work to raise some money to get  
42 that park fixed through my group. We did apply through  
43 -- Kellogg's was doing a what they called Plant A Seed  
44 Program. Unfortunately, you had to make the top thirty  
45 to go onto the next phase of the voting for the fifteen  
46 thousand dollars. Well unfortunately we went up over a  
47 hundred thousand schools and most of them were in  
48 California, so guess who won. I am in the process of  
49 trying to see if we can get some private donors to try  
50 to help us. We're also in the process of trying to see

1 if maybe we can get some more money to help the County  
2 out. We are -- District 5 people are not willing just  
3 to sit back and say, all right the County handle  
4 everything. I guarantee you, if you put out a cry for  
5 help, the warm fuzzy crowd would be there to help in a  
6 heartbeat. But to sit there and turn your backs on  
7 your constituents, that's the wrong thing to do. And  
8 also, I understand that it was a joke. But many people  
9 did not take that joke as, oh, Mr. Waldrep's going to  
10 give me his next two or three years paving account.  
11 That was not taken as a joke. Many people took that  
12 seriously. Now I understand some of you don't have  
13 kids. Some do. Some have grandkids. If you have your  
14 children and you think it's okay, I want you to bring  
15 your children down to Wellington Park and let them play  
16 down there for the day. And then talk to me about the  
17 safety of parks. And also another thing was said, oh  
18 about the vandals coming down there. If I'm not  
19 correct, isn't that a County park so that fits under  
20 the category of where we're hiring the new private --  
21 the new investigator -- security firms, excuse me.  
22 We're supposed to be doing new security firms to cover  
23 parks. Wellington Park should be one of them. That's  
24 all I have to say. And seriously think about changing  
25 this ordinance that you have to do Wellington Park  
26 first. Clean that park up. Make it so it's not a  
27 lawsuit waiting to happen. Which it is a lawsuit  
28 waiting to happen. I can guarantee it. I'd stake my  
29 life on it, if it's not taken care of soon, this County  
30 will be sued when a child is hurt or killed down there.  
31 Think about it.

32 MARK POWELL: I guess it's okay to speak  
33 now. That was interesting. I would like to point out  
34 that the vandalism comment was made by her husband.  
35 The one I attached that memo to. He's the one who  
36 called it vandalism. I think that's interesting that  
37 the person who calls it vandalism when they get pointed  
38 out. I took for granted he knew what he was talking  
39 about. So I hate the fact that I misquoted the person  
40 who made the comment since they claim it's not  
41 vandalism. I'm from Pelzer. We have a park. Okay.  
42 It belonged to the mill. I'm sure Wellington Park  
43 belonged to that mill. If you look at the benches,  
44 it's some kind of a metal frame that came out of a  
45 textile mill. Probably an old lathe bed or some kind  
46 of machinery frame. And if you were a part of the  
47 meeting when this item was put up before you guys, I do  
48 believe it was supposed to go at the Airport. I don't  
49 think Wellington Park is located at the Airport. So I  
50 don't think this money had nothing to do with that. I

1 do believe that's what y'all had said. Because the  
2 safety issue of it being right at the end of the  
3 Airport is where you was going to build the park and  
4 y'all went in long depth talking about that. Safety  
5 hazard of an airplane crashing on someone. So if it  
6 was Wellington Park, yeah, some money needs to be spent  
7 there. But we were told in the budget meeting, or  
8 whichever meeting it was, that that was a park to be  
9 built at the Airport on Highway 24. Way away from  
10 Wellington Park. There again, Pelzer has a park. It  
11 did get lots of money. It didn't come from the County  
12 to my understanding. It all comes from grants. It all  
13 comes from revenue that gets asked for. The Town of  
14 Pelzer owns that. I know good and well that the Town  
15 of Pelzer only has twenty-eight citizens. There's no  
16 way they did that work on their own from their tax  
17 money. So if Wellington Park needs work, looking at  
18 the picture it does, I've never known a fence to climb.  
19 It was interesting that the fence appeared to climb up  
20 on its own. And I've never heard of a tree falling on  
21 something and causing a piece of pipe to bend upward.  
22 That's interesting. I would like to point out that I  
23 agree that park looks pathetic. And if we own it, I  
24 agree, we ought to spend some money on it. But I also  
25 agree, from what I was told, that that was not the park  
26 for the Airport. Bob's looking at me kind of funny. I  
27 think he's the one who talked about it being at the  
28 Airport and changed it over to the Civic Center. But  
29 it does need some money, but it probably ought to be  
30 grant money just like Pelzer did on an inherited  
31 textile mill facility that has had a lot of neglect. I  
32 can't imagine our County actually being in charge. I  
33 mean if we have grounds people who are supposed to be  
34 out there taking care of that place, you know me, fire  
35 half of them. Whoever's in charge of taking care of  
36 that park ought to have their head roll because that  
37 park is a disgrace and a shame to our society if we,  
38 Anderson County, are actually responsible for it. And  
39 I would like to see that thing fixed because it is  
40 terrible. But again, my comment was made based on the  
41 source who claims vandalism didn't exist. Thank you.

42 RICK FREEMANTLE: Mr. Chairman, Rick  
43 Freemantle from District 6. I kind of feel left out.  
44 Don't have no park on my road. My kids get to play in  
45 the backyard just kind of like I did. They have a  
46 great time. I'll admit the park looks pretty rough.  
47 What I'd like to know though, where were these people  
48 over the last ten years when the last regime was  
49 supposed to be taking care of this park? Where were  
50 they when this ten million dollar bond come up? They



1 were nowhere in sight screaming about Wellington Park.  
2 They didn't even care to come to the meetings. Now  
3 they're here though whining. We're talking about a  
4 bond that I personally stood here and argued for a  
5 couple of these members not to even pass. They had no  
6 business passing this bond to begin with. The economy  
7 was already in a serious downturn. This was just a  
8 last shot fired across the bow to put this County in  
9 more debt. I agree, that park needs to be fixed up  
10 before this County does get sued. No doubt about it.  
11 Either that or close it. One or two. Because it's a  
12 hazard. However, for people to come in here and start  
13 whining and crying when they sat on their laurels for  
14 the last ten years and watched all this garbage happen  
15 to begin with. We've got a couple of folks sitting  
16 there who raised their hands high in the air to have a  
17 ball field built on the end of a runway. That's how  
18 well they looked into things. It's ridiculous. Ten  
19 million dollar bond. This was the second one they  
20 passed last year. In my opinion they were both  
21 ridiculous. We're building a Taj Mahal park up in  
22 Powdersville. We got no business doing that. We're  
23 not -- we don't have that kind of money in this  
24 economy. You know, when the times are good and we got  
25 the money and we plan for it and we put the money away,  
26 that's great. But to go out and borrow money when  
27 we're up to our eyeballs already in debt, which our  
28 current budget reflects that, is just absolute  
29 stupidity. Now I heard some discussion that because  
30 this money was supposed to be for this ball field at  
31 the end of the runway and that you all made a very good  
32 decision, in my opinion, in moving it. They're  
33 claiming that you can make changes again. I don't know  
34 if you can or can't. If you can make some changes to  
35 this bond here, this ten million dollar bond, boy, I'd  
36 love for you to go back and make some changes to both  
37 of them. All twenty million dollars worth. Cut out  
38 whatever you can cut out because we don't need to spend  
39 it. Second of all, if you can make changes, they're  
40 talking about three quarters of a million dollars, I  
41 would be for probably about thirty thousand at the most  
42 you can make that park over there look real nice. Take  
43 that other seven hundred and twenty and don't borrow it  
44 to begin with. Thank you.

45 ERICK BRADSHAW: Mr. Chairman and members of  
46 the council, at the end of the day, the matters come  
47 down to whether or not you care about the community,  
48 you care about children that are playing in that  
49 particular area. As some of those that were here have  
50 already said, the park does need work. Seven hundred

1 and fifty thousand dollars worth of work? That's a  
2 little outrageous. I think the estimates that --  
3 through looking at it, I'm sure Chairman Moore or some  
4 of your engineering friends can take a look at it, it  
5 would be somewhere in the neighborhood of maybe two  
6 hundred thousand dollars to do that park to make it  
7 something that kids could go to and benefit from it.  
8 The City of Anderson has a master recreation plan. And  
9 they have that plan in place because they know the  
10 benefits of allowing children and at-risk youth to have  
11 recreational opportunities and activities in their  
12 communities. Sixty-three percent of children that have  
13 recreational opportunities in their communities, they  
14 actually perform higher academically when it comes to  
15 school work and other educational functions they're in.  
16 I think that at the end of the day when we take a look  
17 at all the money that we're spending on other issues  
18 and other items and other things, we cannot leave out  
19 the children in that -- in those communities. We saw  
20 the pictures. It's an embarrassment. It's an  
21 embarrassment to Anderson County to have a park that  
22 was given to them, the land was given to the park by a  
23 ministry. What does that say to a church when you  
24 leave a park that land was given to -- from the church  
25 to Anderson County and you leave it in that kind of  
26 condition? It's a terrible, terrible, terrible thing.  
27 The last gentleman got up and said those that did the  
28 presentations came up at the last minute and where they  
29 were and all this kind of stuff and so forth and so on.  
30 It don't matter where they were when the ball (phonics)  
31 was instituted. The fact of the matter is they're here  
32 today. We can't fix what's been done in the past.  
33 Then you got people come up and talk about Joey Preston  
34 this and this and that and the other. We're talking  
35 about today. If we cannot take this County in the  
36 direction we need to take it in today, then folks need  
37 to go home. Need to go home and stop coming to these  
38 crying and whining and bickering and carrying on. Fix  
39 the problem and stop worrying about what happened in  
40 the past and let's go forward. And the last thing I'm  
41 going to say, because I think the presenters have done  
42 a great job, the last thing I'm going to say, it's a  
43 sad day in the history of American when a man can come  
44 in this council room and degrade a woman just as our  
45 Chairman has done today. Say words like stupid. And  
46 say things like if we were on the farm we would call it  
47 something else. Either you hate women, you have an  
48 issue with women, you have a screwed up marriage or  
49 you're just not a man. Thank you.

50 APPLAUSE

1                   JEAN PRUITT:     Mr. Chairman, my name is Jean  
2     Pruitt. And I've lived in Homeland Park off and on.  
3     My kids were raised there. And when I was down there,  
4     Wellington Mill kept that park up ---  
5                   TOMMY DUNN:     Just make sure you clear back  
6     there.  
7                   FEMALE:         Where is the Sheriff?  
8                   EDDIE MOORE:     Okay. Go ahead.  
9                   JEAN PRUITT:     I'm sorry. But I've just been  
10    sitting here listening to all this stuff and that park  
11    has been there a long time. And Wellington Mill closed  
12    down and they gave the park to First Assembly of God  
13    Church. All right. When I was going there, we kept  
14    that park cleaned up. We worked down there. We cut  
15    the grass. We did the weed eating. We put new  
16    equipment down there and that -- I don't know how long  
17    ago that's been but every time we'd fix it up, it would  
18    get torn up. And what I want to know is why is  
19    everybody jumping on this Council when you've been here  
20    three months. Right? Three or four months? Where was  
21    everybody when Michael Thompson was District 5's  
22    Chairman.  
23                   EDDIE MOORE:     Ms. Floyd, I'd appreciate it  
24    if you wouldn't text message while we're in the middle  
25    of a council meeting.  
26                   GRACIE FLOYD:    This is from my son. My son  
27    is in the Virgin Islands and he was just letting me  
28    know that his plane has landed safely -- safely and I  
29    was never text messaging at all until that lady said I  
30    was. And when she said I was, I thought, why not.  
31                   JEAN PRUITT:     This is ridiculous. I'm  
32    telling you ---  
33                   GRACIE FLOYD:    But Mr. Chairman, it's my  
34    business, ---  
35                   JEAN PRUITT:     I have the floor.  
36                   GRACIE FLOYD:    -- not yours.  
37                   EDDIE MOORE:     Well when it completely  
38    disrupts the council meeting and we've already asked  
39    for everyone to please cut their cell phones off, it's  
40    kind of a courtesy when you're in a council meeting to  
41    have your cell phone and text messaging and beeping  
42    when we're trying to hear what's going on in a council  
43    meeting. It's just common courtesy.  
44                   JEAN PRUITT:     Thank you.  
45                   GRACIE FLOYD:    But you have never heard my  
46    phone do that before. But my son is traveling and when  
47    he text messages me, I will answer. Now people have  
48    sat up here for years and have taken care of their cell  
49    phone. I know you are picking on me. I know you're  
50    looking for a reason to single me out to embarrass me

1 or to pick on me, but you got to do better than that.  
2 Because it ain't working.  
3 JEAN PRUITT: Mr. Chairman.  
4 EDDIE MOORE: Go ahead, Ms. ---  
5 JEAN PRUITT: It don't take much because she  
6 gives everybody the right. But I'm sick and tired of  
7 everybody coming in here and blaming this council for  
8 everything's that has gone on in the last ten years.  
9 You've been here four months. Every time you turn  
10 around, you've got a lawsuit against you from people  
11 that don't even know what they're talking about. They  
12 don't want to know what's going on in this town.  
13 That's why they're trying to stop the lawsuits --  
14 that's why they're filing the lawsuits. They don't  
15 want people to really know what's gone on in this town.  
16 EDDIE MOORE: Please stay on the agenda item  
17 which is ---

18 JEAN PRUITT: What is the ---  
19 EDDIE MOORE: Okay. The park ---  
20 JEAN PRUITT: The parks. All right. Mr.  
21 Thompson was Chairman -- I mean, their councilman for  
22 how many years. This park didn't get like this in the  
23 last four months. And I think that they need to go  
24 back just like -- well, I can't bring up the roads in  
25 the other Districts, but this Council does not have any  
26 money to fix that park until they get their money. So  
27 if you want to get out and get up the money and do it,  
28 I'm sure you can do it. And get with the churches down  
29 there. I think they would help. But when they do fix  
30 it, they need to get somebody to guard it. And I think  
31 y'all have had park police for how long to guard the  
32 parks? Why have they let these parks get like they are  
33 if they have had park police to go down there and check  
34 them. Now I'm tired of people picking on this council.  
35 They have had so much work to do. And this park didn't  
36 get this way overnight. And I just want to tell  
37 everyone of you, I thank you for what you're doing.  
38 And if you didn't have to fight all these lawsuits and  
39 everything, maybe you could get the job done.

40 END OF TAPE 1, SIDE 2

41 MIKE MONTEPARA: ... has arrived. Let me  
42 address a couple of things. First of all, ten years,  
43 yeah, I've lived here for ten years. I didn't get  
44 involved with politics because I think it's bull. You  
45 guys all fight like little kids in a playground. I've  
46 gotten involved with it recently and over the past two  
47 years when we had to form a community action group  
48 because of the lack, the lack of cooperation from  
49 councils, past, present, and more than likely future.  
50 This woman over here commenting on that we're frivolous

1 and all that. The lawsuits have nothing to do with  
2 frivolous. Believe me, the truth will come out. The  
3 truth will set you free. These people that infer that  
4 we are only after -- look at those pictures and tell  
5 me a child is not going to get hurt. Mr. Dunn, that's  
6 your district. You are not representing your  
7 constituents. Mr. Moore ---

8 EDDIE MOORE: Please refer to him, ---

9 MIKE MONTEPARA: Mr. Moore.

10 EDDIE MOORE: Please refer to him as  
11 District 5 Councilman.

12 MIKE MONTEPARA: District 3, you butt up to  
13 Homeland Park. That is part of your district as well.

14 EDDIE MOORE: I know where my line is, thank  
15 you.

16 MIKE MONTEPARA: Yeah. I know where my line  
17 is too. I'm about ready to cross it. Ms. Floyd has  
18 been the only one helping us to address these issues.  
19 She's been a very vocal proponent of trying to get that  
20 community back on its feet. You have let your  
21 constituents down, District 5. You have misrepresented  
22 things that are in the minutes of discussions you had  
23 with my wife in late January. Not last year. Late  
24 January. I could bring up the telephone conversation  
25 you had with my wife about that park. It wasn't last  
26 year. It was this year. We were trying to address it  
27 slowly. I just don't like how this has been turned  
28 around and we're trying to get money out of you. We  
29 had asked for a measly ten grand. That's less than 1.5  
30 percent of this seven hundred and fifty thousand  
31 dollars. We had volunteers lined up to do the work.  
32 Some of them are sitting here tonight. To do the work  
33 voluntarily. To bring that park back up to spec.  
34 Maybe not ADA, but to a livable, usable standard. You  
35 saw those pictures. Those were taken today of children  
36 playing in that park. They can't use it. Sure,  
37 they're going to vandalize it. It's already trashed.  
38 I've got piles of debris in my yard that are in better  
39 condition than them swing sets. I don't have broken  
40 pipes sticking out of the ground and rebar that  
41 somebody can impale themselves with. Why this hasn't  
42 been addressed in the past ten, twenty, thirty, forty  
43 years, I haven't a clue. I've only been here for a few  
44 years. If it was like that and I was here for forty  
45 years, I would have already been all over it. I would  
46 have rented a bulldozer and plowed that place under.  
47 But to give that money to the Civic Center when there's  
48 five very gorgeous condition fully lit from eight a.m.  
49 to ten p.m. You could easily do triple hitter games  
50 there. Easily. A game last about three and a half

1 hours. If you can't squeeze three game per field in,  
2 you're bad planners. We don't even have a park we can  
3 play one game on. Unless you want to be impaled by  
4 concrete or rebar or a conduit. Or sit and have  
5 splinters in your butt. It's not going to take a lot  
6 to do. We're working our butts off to try and get  
7 funds. If we weren't disparaged by the community  
8 sitting behind us, saying we weren't a legitimate 501-C  
9 non-profit, we would have had the money. However, the  
10 feedback came back that we were trying to screw them  
11 out of money. No. We provided you last meeting with  
12 the documentation that we had been legitimate for a  
13 long time. And we would have had this done last year.  
14 Want to blame someone, blame the Driver crowd, the  
15 people that sit there and call us names. We're trying  
16 to help y'all. We're trying to help. You can give me  
17 all the flack you want. I don't really care. I'm not  
18 here to make friends. I'm not going to placate and  
19 kiss all that. This is your park. You own this park.  
20 It's on your registry. You're responsible directly for  
21 it. If it takes another lawsuit, we can arrange that.  
22 Believe me. The Federal Government would like to get  
23 involved for an ADA non-compliance issue. That's not  
24 where I want to go. We're asking for small amounts of  
25 funding. You have county equipment. Give us a grader.  
26 Give us one operator. We'll get out there with the  
27 shovels and the pick and the wood and the bolts and the  
28 nuts and we'll do it ourselves. We're not asking a  
29 lot. We're just asking for your help. To give three  
30 quarter of a million dollars to a field that's already  
31 there ready makes no sense. And we can't even use that  
32 field because we don't rent it. If I have to rent a  
33 field, I'll build one in my yard. Thank you.

34 FEMALE: Mr. Chairman, I would just  
35 like to say that I'd just like for us to learn from  
36 this situation. I don't know what can be changed or  
37 what can't be changed about the funding. But I would  
38 say that we should certainly learn a lesson from this.  
39 And that is that we need to clearly think about the  
40 planning in the County. Because personally I live in  
41 the Wren community, is what y'all call it. I don't  
42 call it the Wren community, but that's what y'all call  
43 it. Of course, real estate agents call all the way  
44 down to 85, on Highway 8, Powdersville now because it  
45 makes real estate sell better. But at any rate -- and  
46 I don't live in Powdersville, but I do live close to  
47 that area. But I will say this. That park that was  
48 built in Powdersville, the Dolly Cooper Park, was  
49 another -- is another complete waste of money as far as  
50 where we put it. Not a park for our community's kids,

1 but where we put it. We put it on the very upper end  
2 of the County right at the Greenville County line.  
3 Have you ever driven to the Dolly Cooper Park? Okay.  
4 It's down a road to freaking nowhere. The road ends up  
5 under a railroad trestle and you turn left into the  
6 park. There's no way on God's green earth that I would  
7 take my children down there and leave them to play  
8 without my eyes on them every second. Because it is an  
9 incredibly wooded area in the middle of nowhere. So  
10 while the money for a park is important so is planning  
11 where to put one. And all I would say to you is let's  
12 spend the money to fix Wellington Park or let's close  
13 it down and bulldoze it and put another park somewhere  
14 in that area. But I agree that to spend three quarters  
15 of a million dollars again at the Civic Center is -- it  
16 is kind of overkill, frankly. So I would just ask that  
17 regardless of what can be done about this situation,  
18 and I don't have a dog in that fight other than I am a  
19 taxpayer in this County so it matters to me where money  
20 goes and how the county is planned. But I do think  
21 that for future reference we should learn a little bit  
22 about concentrated areas of family residential area and  
23 where a park should be placed. Because frankly, the  
24 Civic Center is not the most central locale, number 1.  
25 And number 2, the Dolly Cooper Park sure as heck isn't  
26 a central locale. Thank you.

27 EDDIE MOORE: Anyone else?

28 DOREEN MONTEPARA: And let me -- I just have  
29 one more thing to say. I understand things are getting  
30 heated and I don't blame people for getting hot and  
31 heavy over this. The point I'm trying to get across  
32 is, Mr. Dunn, have you actually walked through -- and  
33 I'm sorry, District 5 councilman, have you walked  
34 through Wellington Park? Have you actually been down  
35 there and walked through since I spoke to you in  
36 January about it?

37 TOMMY DUNN: Yes, ma'am.

38 DOREEN MONTEPARA: Okay. Have any of the other  
39 council members who were willing to vote to give this  
40 money over to District 1 ever considered the people in  
41 District 5 and what we need. Honestly, I have no  
42 problems in meeting anyone of you down there and  
43 walking you through and letting you talk to the people  
44 that live in that community that are hard working. Not  
45 on welfare, which there is some people that need it.  
46 It's understandable. But they're not what's called low  
47 lives. They're good people. They're hard-working  
48 Christian people. There was a woman down there with --  
49 her and her husband have three, not one, not two but  
50 three severe autistic children that are handicapped.

1 She lives like five houses away from that park. She  
2 can't take them there. She has to let them play in  
3 that little bitty yard that she has instead of at a  
4 nice park. So all I'm asking is, table this guys and  
5 girls, excuse me, take a look at your options before we  
6 just jump in head first. Yes, Mr. Waldrep, I know you  
7 are happy with the, with the nice present that you got.  
8 But honestly think about, as Mr. Dunn said he's not  
9 just here for his constituents, he's here for the  
10 County. Please think about everybody. There's little  
11 kids that want to play baseball, soccer. I have people  
12 that are willing to dedicate their time to do little  
13 league games, to do little flag football games for  
14 these kids, soccer games. We're going to keep them off  
15 the streets. Gangs are becoming a problem. Why do we  
16 think these kids and all neighborhoods are getting  
17 involved in gangs? They've got nothing to do. So just  
18 think about what's being said. I'm sorry things got --  
19 I didn't mean for things to get irate and out of hand.  
20 I'm just trying to stress a point about the phone calls  
21 that I've had this week. And I know you've had several  
22 too because I've heard about them. Let's think about  
23 it and work together as a community. People, we're  
24 better than this. We're better than name calling.  
25 We're better than pointing fingers that he did, she  
26 did. Learn from our mistakes. Let's move forward and  
27 do what we have to do for the future of Anderson  
28 County. And that's our children. Thank you.

29 EDDIE MOORE: Anyone different want to get  
30 up and talk? I want to try to hear everybody else.  
31 This will be your last shot.

32 MARK POWELL: Excuse me.

33 EDDIE MOORE: We've already heard from you  
34 one time.

35 MARK POWELL: Normally we don't get to speak  
36 again but a precedent was set. To point out again,  
37 seven hundred and fifty thousand dollars for multiple  
38 ball fields but all kind of facilities. Wellington  
39 Park was never the location of this three quarters of a  
40 million dollars. There's not enough room to build  
41 multiple ball fields and multiple parking for multiple  
42 ball fields in that location. Come on. It was never  
43 about Wellington Park. It's been made into Wellington  
44 Park tonight. But it wasn't ever Wellington Park. Now  
45 it may have been District 5, but is the Airport, the  
46 end of the runway on 24, District 5? Okay. It's about  
47 District 5. It's not about Wellington Park. So this  
48 whole discussion on Wellington Park is last year's  
49 council, the year before council who didn't do anything  
50 for Wellington Park. You guys haven't been asked to do



1 anything for Wellington Park until tonight. Maybe  
2 recently. But you know what, I hope you do something.  
3 But this three quarters of a million bucks was never,  
4 ever, ever meant to go to Wellington Park. District 5,  
5 maybe. Wellington Park, never. That's the difference.  
6 It's a lame duck discussion. I hate I used the word  
7 duck. It's a lame discussion because it has nothing to  
8 do with Wellington Park. Maybe District 5, but let's  
9 keep to the facts. That's what some people seem to  
10 have a hard time with. Facts. They want to turn  
11 things, twist things, say it multiple times, to make it  
12 true. No, it doesn't. It wasn't about Wellington  
13 Park. It was about the Airport. There's not enough  
14 room at Wellington for three quarters of a million  
15 dollar's worth of infrastructure for a multi, multi  
16 ball field park. It's about District 5. Thank you.

17 ELIZABETH FANT: I think that Mark is right.  
18 And I think Rick is right. I agree with the fact that  
19 I don't think we need to be spending this bond at all.  
20 Just give it back to them. I would like to see  
21 something done for the Homeland Park area. I would  
22 like to see the kids have a place to play that's safe.  
23 I think that's a good idea and I think it's great that  
24 you've got some volunteers who can help you do it. You  
25 know, maybe we could just get some money down there to  
26 help them. But I do think, as Doreen said last, the  
27 spirit of cooperation is what we need. But I believe  
28 when you have people who inflame the issue, like the  
29 gentleman who did earlier, who got off target, that  
30 just makes everybody in the Council have a sour taste  
31 in their mouth. And it makes it hard for them to focus  
32 on what the real issues are. So I think that if people  
33 would -- all people would come up with the spirit of  
34 cooperation and not demand and not be pushy, but relate  
35 to the facts, I think we all could do a better job.  
36 And I think the lady from Powdersville, I think she  
37 really said it best, is that we do need to look at the  
38 location of where these parks are. And if we do  
39 something for Wellington Park -- I don't know where the  
40 area is, but are there people who can watch after it  
41 there? So maybe there can be something done with a  
42 minimum amount of money and just get something started.  
43 But having been a school teacher and having taught  
44 special children, I know all about the dangers of rebar  
45 and so forth. And I think we ought to be able to do  
46 something there.

47 EDDIE MOORE: Anyone else? Hearing none,  
48 seeing none, the public hearing is now close.

49 TOMMY DUNN: Mr. Chairman, I make the  
50 motion to move forward with the bond.

1 EDDIE MOORE: Made. Have a second? We have  
2 a second. Any discussion from council members?

3 GRACIE FLOYD: Yes.

4 EDDIE MOORE: Mr. Wilson, you were motioning  
5 at me. I took you first.

6 RON WILSON: I understand. My question is  
7 can we, can we divert some of this money for Wellington  
8 Park and spend the remainder of it out at the Civic  
9 Center as we talked about? I'll yield for the answer,  
10 but I want to hold the floor here for a minute.

11 BOB WALDREP: Mr. Chairman, I think that's  
12 probably going to be a legal question that we have to  
13 look at. I know that in the bond issues that they're  
14 somewhat strict about how the money is used in  
15 particular ways. But it looks like something that we  
16 could look at. I, I don't think it's written  
17 absolutely in stone. I think we'll probably have to  
18 pass an ordinance and then we'll maybe have some look  
19 at the -- you know, with the bonding people up there.  
20 They're kind of sticky. So I think perhaps we could do  
21 that. I'm just being optimistic. You know, there's  
22 always a way to do things sometimes. And so we could  
23 certainly try to do that. Having, having said that, I  
24 must admit that I did not know anything about the  
25 condition of that Wellington Park there. And that the  
26 only thing that was ever brought to my attention was  
27 the fact that there was a park site at the Airport  
28 where this money would have gone at one time. And that  
29 after studying it we, we figured that we would have  
30 difficulty with the FAA because of the lights and  
31 location of the park there. And that was one of the  
32 main reasons that we chose to try to change this. And  
33 I also wanted to say is that the Civic Center situation  
34 was that there was a presentation to us, and I thought  
35 it was a very good presentation, that pointed out that  
36 by expanding that particular part of the Civic Center  
37 that it would make us more competitive in the overall  
38 market for ball games with other counties. That  
39 there's apparently a lot of competition and that this  
40 is a very big issue in our development of our County  
41 and our recreation program. I feel sure we can do a  
42 better job, as indicated by the people here, in trying  
43 to come up with a, with a plan. And I think that's one  
44 of the things that this council's doing this year, is  
45 instituting a recreation plan. And it was my hope that  
46 we have a recreation director that we can deal with.  
47 At one time we had a recreation director and that was  
48 of course back in '92, back in the old days. And I  
49 don't know whatever happened to that, but I think that  
50 it would be very helpful. And this recreation director

1 would be working, not only with the County, but  
2 coordinating with the City of Anderson. So, yeah,  
3 there's a lot of better planning that we can do. I  
4 just regret the fact I didn't know about Wellington  
5 Mill, the plan out there. One question I would ask is,  
6 Mr. Burns, does anybody in the County know the history  
7 of this and why that park was allowed to deteriorate?  
8 Do you have any information at all on that?

9 RUSTY BURNS: Mr. Waldrep, I have no  
10 information on that. I'm scheduled to go down there on  
11 Friday and have offered the assistance in putting  
12 together a parks and recreation development grant ---

13 BOB WALDREP: Right.

14 RUSTY BURNS: -- for that area. And I will  
15 be smarter on that after my tour on Friday.

16 BOB WALDREP: Okay. I just think there  
17 should be some institutional knowledge here in Anderson  
18 County about the history of how that developed and how  
19 it became so dilapidated. So that's all I have. Thank  
20 you.

21 TOM ALLEN: Mr. Chairman.

22 EDDIE MOORE: Ms. Floyd.

23 GRACIE FLOYD: Okay. The idea, the idea for  
24 the new ball park stemmed from the fact that there was  
25 no other park over in District, over in District 5.  
26 The land was there. The County owned the land. The  
27 land was there. So it was decided to build a park  
28 there. It did not include lights because it was so  
29 close to the Airport. I think the church -- am I  
30 correct? The church gave the property to the County to  
31 build the park. It had nothing to do with lights. The  
32 people in District 5 were awaiting the building of this  
33 new park. When the money left District 5 to go to the  
34 Civic Center, this is when the whole thing started.  
35 Then it became about Wellington Park. If you can't  
36 build the park -- if you can't build the ball field  
37 where you wanted it, why not take some of the money and  
38 let's straighten up the park that we do have, the one  
39 park that we do have, and take the rest of the money  
40 and put it elsewhere. Instead of, let's just take it  
41 all and send it up there. You want to know how it got  
42 to be about Wellington Park. That was how. It was  
43 about the ball park. It was about something. Mr.  
44 Thompson tried to get a park in that area but there was  
45 no money. When the money became available, when the  
46 plan became available that he could do something like  
47 this, that is why that money was set aside, folks. It  
48 would be a good idea if we would take some of the money  
49 and let's fix the park up. I think the park is going  
50 to cost about a hundred and twelve thousand dollars to

1 fix up. Am I correct with that? Okay. A hundred and  
2 sixty-six -- that's a hundred and sixty-six thousand  
3 dollars to fix up a complete park for the people in  
4 that area. Now you say shhhh. But you know, if you  
5 got a boat, I bet you use the boat ramp. And that  
6 was County money to fix up the boat ramp. We can, we  
7 can take some of the money, fix that park up for those  
8 people who live, for those citizens who live on that  
9 end of town, and we can use the rest of it and put it  
10 -- put whatever else needs to be placed at the Civic  
11 Center. But to do nothing, to do nothing for a portion  
12 of town that need it and to say, well, they can get in  
13 their cars and go up to the Civic Center, is not fair.  
14 It's not fair. It's not right. It's not just. It's  
15 not Godly. Everybody must be treated alike. In my  
16 District, I've got five or six, seven, eight parks in  
17 District 2. Not all of them are County parks but they  
18 are in District 2. In Starr Iva, they have what, the  
19 Leda Poore Park? Is that in Starr Iva? They have that  
20 one. Mr. Greer worked very hard to get the money for  
21 that one. Belton has a park. Williamston has a park.  
22 Powdersville has a park. But in poor old District 5,  
23 your money was going to the Civic Center for your park.  
24 I think we can do better than that. And going on Mr.,  
25 going on Mr. Waldrep's idea, we might need to stop and  
26 let -- and let's go back to our attorneys to see if we  
27 can't do something better about this. And there's no  
28 big rush to get the park at the Civic Center built. So  
29 I make a motion that we table this until we can look  
30 into it further to see if something else can be done.  
31 That's in the form of a motion.

32 EDDIE MOORE: We have a motion on the floor  
33 to table.

34 RON WILSON: Second.

35 EDDIE MOORE: I do have a second. Any  
36 discussion on the motion to table?

37 GRACIE FLOYD: The table has no discussion.

38 EDDIE MOORE: All in favor, raise your right  
39 hand. All opposed? Motion to table fails.

40 TOM ALLEN: Mr. Chairman.

41 EDDIE MOORE: We'll go back to discussion on  
42 the original. Mr. Allen.

43 TOM ALLEN: Yeah. I have no problem with  
44 the motion, but I think that we need a little more  
45 discussion. I think the presentation was good and  
46 there are some definite safety factors down there that  
47 need to be taken care of. And I would suggest as a  
48 County whatever the County can do right now to correct  
49 those safety hazards, we need to do that now. I don't  
50 know if any bids have been let on the ball parks.

1 Okay. Seven hundred and fifty thousand dollars is  
2 quite a chunk of money. There should be some, I would  
3 think, some dollars left over that could be moved over  
4 to Wellington Park. But I did want to say I think the  
5 safety problems need to be corrected immediately,  
6 whatever we can do to do that, and then try to move  
7 some money over there. All right.

8 EDDIE MOORE: Mr. Wilson.

9 RON WILSON: I just have a question. We've  
10 got third reading next meeting. Can we go to the bond  
11 attorneys and find out if there's any flexibility in  
12 this bond and have that answer by the next meeting?

13 EDDIE MOORE: I think we can do that because  
14 we had already discussed swapping it over to the Civic  
15 Center and there wasn't a problem. So I don't see  
16 where there would be any kind of issue there.

17 RON WILSON: I'm all for the Civic Center  
18 thing. I think, I think them having it there and being  
19 competitive and the group -- more bells there I think  
20 is in our best interest. But I also think that this --  
21 we need to find some way to -- if we can divert some of  
22 that money to Wellington Park to get it -- get the  
23 safety hazards out of the way, I think we -- it would  
24 be in our interest to do so.

25 EDDIE MOORE: Okay.

26 RON WILSON: So if we can, if we can just  
27 have that brought back to the Council.

28 EDDIE MOORE: Okay.

29 GRACIE FLOYD: Mr. Chair.

30 EDDIE MOORE: Ms. Floyd.

31 GRACIE FLOYD: I would like to amend the  
32 motion, please. I would like to amend the motion that  
33 we're getting ready to do on second reading. I'd like  
34 to amend it to say that a portion of the money will be  
35 set aside for the improvements of Wellington Park if it  
36 meets with the conditions of the bond attorneys and the  
37 bond ordinances or whatever. And then the rest of the  
38 money be sent to the Civic Center. That's in the form  
39 of a motion.

40 EDDIE MOORE: I have a motion on the floor.  
41 Do I have a second.

42 RON WILSON: Second.

43 EDDIE MOORE: Have a second. Any discussion  
44 on the motion to amend?

45 TOMMY DUNN: Mr. Chairman.

46 EDDIE MOORE: Mr. Dunn.

47 TOMMY DUNN: I've got several other  
48 comments. I've just been sitting here patiently while  
49 everybody's been talking about my District. And but I  
50 do want to say this though, and in this amendment, you

1 know, I want a dollar figure, and that's something I  
2 was going to bring out here in just a minute, before we  
3 just go ahead and say we'll just go ahead and give the  
4 rest of it to the Civic Center. And I've got a plan in  
5 place and I'm just waiting to talk. And has been out.  
6 This thing -- we've tried to make something simple --  
7 this is what Anderson County has come to and it sickens  
8 me. We've come to something as simple as trying to get  
9 a ball field placed for a neighborhood or a  
10 recreational park and turn it into something that's  
11 political. And it's a crying shame. But I, but I'll,  
12 I'll tell you the rest of my comments in just a second  
13 on a -- after we vote on this.

14 EDDIE MOORE: Okay.

15 TOMMY DUNN: And I will not be voting for  
16 this amendment.

17 TOM ALLEN: Mr. Chairman.

18 EDDIE MOORE: Mr. Allen.

19 TOM ALLEN: Setting aside a dollar amount,  
20 we don't know what that may be. That's the only  
21 question I have. I don't know.

22 EDDIE MOORE: Mr. Wilson.

23 RON WILSON: The only thing that I would  
24 say is that I think the Civic Center gets priority  
25 here. But we need to find out if it can be done  
26 through the bonds and through the attorneys. Which of  
27 course has already been agreed to, to find out. But if  
28 they say we can do that and it's not in violation of  
29 anything, then I'd like to see us -- you know, I'm not  
30 sure of the hundred and sixty something thousand, seems  
31 a little bit big to me. But something in the  
32 neighborhood of maybe fifty or seventy-five thousand or  
33 something. Whatever it takes to really get these  
34 safety hazards of this field out of the way I think  
35 would be in our best interest. So that's why I'm in  
36 support of this. I would have kind of preferred to  
37 have done it just got the information, come back and  
38 then we discussed it on third reading and done it. But  
39 I guess we'll try this first and see what happens.

40 TOMMY DUNN: Mr. Chairman, again I'd just  
41 like to say I do have a somewhat more better of a plan  
42 in place. I mean, I'm not forgetting about Homeland  
43 Park. I went down there in January. I played many a  
44 ball games on that field. And like I said, this  
45 thing's getting throwed out political, but I urge the  
46 council to move on with this and let me have my say.

47 EDDIE MOORE: Okay. We're voting on the  
48 amendment. All in favor of the amendment, raise your  
49 right hand. All opposed. Amendment goes down. And  
50 we're going to now vote on the original ordinance to

1 move it forward.

2 TOMMY DUNN: Mr. Chairman, I've got some  
3 discussion on that. I, I would like to talk now,  
4 please.

5 EDDIE MOORE: All right. Mr. Dunn.

6 TOMMY DUNN: Like I said before, and this  
7 has been very -- I think very politicized. I went down  
8 there back in January and looked at this ball park.  
9 And I apologize for not following up on it. I talked  
10 with the administrator at that time and I thought  
11 something was going to be done to either safety it up  
12 or close it. But I will get with Mr. Burns after the  
13 meeting tonight and make sure something is done  
14 immediately with that ball -- with that park. I also  
15 talked to the ladies who spoke earlier about it and I'm  
16 the one that brought up about this -- even when I  
17 campaigned, I campaigned on this seven hundred -- we  
18 heard all these figures tonight. Three and a quarter,  
19 seven hundred and fifty thousand dollars. About that  
20 -- all that money going out there to the Airport, when  
21 we had parks in the Homeland Park in the shape it was  
22 in. In my conversations in January with her, she said  
23 she was working on a grant and thought that would be  
24 it. I heard nothing else out of it. Then come here,  
25 and this is it. And something needs to be done. We  
26 need a plan. Like Mr. Waldrep touched on earlier,  
27 talked to Mr. Burns in our budget workshops to get our  
28 Parks and Recreation to sort of help to see if the  
29 City's got a plan. The County needs a master plan.  
30 The County's got funds for Parks and Recreation.  
31 They've got a recreation account. Some call it slush  
32 fund or whatnot. That's what this money should be used  
33 for. Heard here tonight, that won't be a drop in the  
34 bucket. Then the next one gets up and says ten  
35 thousand dollars would go a long way. That's all we're  
36 asking for. I plan on that -- they should be -- the  
37 money at the Civic Center shouldn't take the whole  
38 seven hundred and fifty thousand dollars. We need to  
39 get a, we need to get a price from our people, some  
40 people have been saying about this park and what it  
41 needs and what it would cost, and we'll set, we'll set  
42 some aside. I'm all for setting some aside, but we  
43 need to have a plan. I think -- and that was my  
44 intention the whole time. Even in my conversation with  
45 Mr. Hopkins when this first got brought up was the park  
46 at Highway 24 was originally brought up by Mike Holden.  
47 That's how long this thing's gone up and back, then it  
48 was political. That property's been owned by the  
49 County, I can't say how long, but ever since I can  
50 remember. I've lived out there and the County has

1 owned that piece of property ever since I can remember.  
2 There was plans for lights at that ball park. That's  
3 when Mr. Hopkins first come to me. I didn't go to him.  
4 He come to me with concerns about it. Saying what it,  
5 what it would cost. And my only concern is, and when  
6 I'm saying this has got political, what I'm basing this  
7 on is like I said, seven hundred and fifty thousand  
8 dollars is a lot of money. And this was part of the  
9 Civic Center thing to going out there. This was our  
10 plan when we went to the Civic Center and kept up with  
11 this about moving the ball fields out there and them  
12 managing these ball fields. That's where that was  
13 going to be at, but it's still not going to be -- not  
14 get the benefits. People don't like to travel from one  
15 end to the other when you've got family things playing.  
16 That being said, we wanted to put the money there. And  
17 I think it will be a big asset to Anderson County as a  
18 whole. I'm not letting District 5 down, people down  
19 there. This is the best, this is the best for Anderson  
20 County as a whole. And also we can -- still got money  
21 with things. If we had planned and used our rec money  
22 like was supposed to been, we've got a plan that was  
23 given to us at the very first of the year by Mr. Jeff  
24 Ricketson, our Parks and Recreations. If you'd looked  
25 at that book, Wellington ain't the only ball -- the  
26 only park that's in some dire need of some, some help.  
27 So I, I have been talking quite some time in our budget  
28 meetings about so-called slush funds and what it should  
29 be used on. The past councilman on District 5 give  
30 money to Fire Departments which is a good thing. But  
31 that money could have very well been used at -- should  
32 have been used at Wellington Ball Park. Give umpteen  
33 thousand of dollars to the Rotary Clubs in Anderson.  
34 That money should have went to Wellington Ball Park and  
35 other parks with that money. And that's what we should  
36 be using it for and doing what's best with that money  
37 that was set aside for instead of political money  
38 trying to buy votes and whatnot. And that's what that  
39 money --part -- what that money's been used for in the  
40 past. And I even tried to get it took out where one  
41 councilman just can't have his say but give this money  
42 away to keep it from being politicized. I will make a  
43 promise of this, if that money stays in and I'll see  
44 that it will -- feel that it will stay in the budget,  
45 my money will be used for Parks and Recreation. Parks  
46 and Recreation only. That's what that money's  
47 earmarked for and what it should be for. And there  
48 never was -- the gentleman got up here earlier tonight  
49 and spoke of his comments about three hundred and  
50 twenty-five thousand dollars going to Homeland Park.



1 Never was, never was meant to go to Homeland Park. I'm  
2 sorry. But and we've been all opposed. That was the  
3 last council's doing. Not ours. That was their, that  
4 was their bond issue. But I want to say one thing that  
5 we talked about these bond issues tonight. These bonds  
6 have -- that's what we -- one reason we're in the dire  
7 budget situation we're in now, it's come home and we've  
8 got to pay the bills now. We've got to pay the bills.  
9 We sit here and we don't want to do this, we don't want  
10 to do that, but them bonds -- we've created our debt  
11 already because of this right here. We've had money in  
12 our recreation accounts over the past, Council has,  
13 that they could have been using for this stuff. I  
14 won't say how many of thousands of dollars has went to  
15 Starr Iva down there on a ball field. I don't think  
16 it's still got completed. And the County's been down  
17 there. When I heard, all we need is a County guy. You  
18 want to have a good ball field or anything like that,  
19 talk to the County staff, Mr. Hopkins and his people,  
20 they don't have the expertise, the knowledge, to be  
21 building ball fields. Don't -- yeah, they'll do  
22 whatever's asked for when their arm is being twisted  
23 about. That's the reason this here should be got out  
24 and I'm all for it. We're going to get the thing at  
25 Wellington and some money down there. And I hope some  
26 money in other parts of District 5. And like I said, I  
27 will be talking to Mr. Burns tonight when this  
28 meeting's over with to get to, to get to -- to get this  
29 situation rectified down at Wellington. Like I said, I  
30 talked to the Administrator back in January and I  
31 thought it was then. Mr. Chairman, I urge all, please,  
32 all council members to vote on this second, second  
33 meeting.

34 EDDIE MOORE: Mr. Waldrep.

35 GRACIE FLOYD: Mr. Chairman.

36 BOB WALDREP: Mr. Chairman, there was just  
37 one question that just the way this matter came up  
38 tonight kind of surprised me. And I thought we had had  
39 discussions on this in our budget meetings and that the  
40 public was invited to attend these budget hearings and  
41 that this was rather fully discussed as I recall in one  
42 of the budget meetings. And this was just the first  
43 time that I was aware of it. So I just wanted to get  
44 that out there on the table. It wasn't like it was  
45 some kind of secret vote or -- coming up on this issue.  
46 Because it's been hashed out pretty well in at least  
47 two meetings, I think, particularly with the recreation  
48 areas and that sort of thing. So a lot of times, it's  
49 much better when we're having those kind of meetings  
50 and the public is invited, if they would just mention

1 it to us at that particular point. I know this forum  
2 is much more grandiose and televised and all. And  
3 maybe people find this more attractive to bring their  
4 issues up here. But that I would just make that by way  
5 of a suggestion. And if people are sincere in wanting  
6 to, you know, work out things in a civilized manner and  
7 a courteous manner, that would be a better way of doing  
8 it. Thank you.

9 GRACIE FLOYD: Mr. Chair.

10 EDDIE MOORE: Move the question. Do I have  
11 a second?

12 GRACIE FLOYD: Mr. Chair.

13 EDDIE MOORE: We have a second. We now move  
14 on moving the question. The end of debate. All in  
15 favor, raise your right hand. All opposed. Two  
16 opposed. It passes, so we'll now go ahead and vote on  
17 moving this ordinance. All in favor of moving the  
18 ordinance, raise your right hand. All opposed. Let it  
19 be shown that Mr. Wilson, Mr. Allen, Mr. Moore, and Mr.  
20 Dunn, and Mr. Waldrep voted yes. Ms. Floyd voted no.  
21 It passes. We're going to now take a five minute break  
22 and we'll be back in five minutes.

23 BREAK

24 EDDIE MOORE: Ordinance 2009-011, an  
25 ordinance amending Chapter 55 of the Anderson County  
26 Code of Ordinances pertaining to official County  
27 holidays; and matters related thereto. Whereas  
28 Anderson County, South Carolina, a body politic and a  
29 corporate political subdivision in the State of South  
30 Carolina acting by and through the Anderson County  
31 Council previously adopted a certain ordinance coded in  
32 Section 55-16 for Chapter 15 of the Code of Ordinances  
33 of Anderson County and entitled Official Holidays;  
34 addressing official paid holidays for county employees.  
35 And whereas, 55-16 of the Anderson County Code provides  
36 for specific designated official paid holidays for  
37 County employees. And whereas, County Council believes  
38 it is in the best interest of the County to recognize  
39 only those holidays only recognized by the State of  
40 South Carolina as official paid holidays for County  
41 employees. And whereas, County Council desires to  
42 amend Section 55-16 of the Anderson County Code in  
43 order to make the aforementioned change. And now  
44 therefore be it ordained that the Anderson County  
45 Council in meeting duly assembled at Section 55-16 of  
46 the Anderson County Code is hereby deleting in its  
47 entirety and hereby amending to state as follows: A,  
48 the holidays recognized by the State of South Carolina  
49 from year to year shall be observed as official paid  
50 holidays for employees of the County of Anderson. The

1 remaining terms and provisions of the Anderson County  
2 Code of Ordinances not revised or affected hereby  
3 remain in full force and effect. Should any part or  
4 provision of this ordinance be deemed unconstitutional  
5 or unenforceable by any court of competent  
6 jurisdiction, such determination shall not affect the  
7 rest and remainder of this ordinance, all of which is  
8 hereby deemed separable. All ordinances, orders,  
9 resolutions, and actions of Anderson County Council  
10 inconsistent herewith are, to the extent of such  
11 inconsistency only, hereby repealed, revoked, and  
12 rescinded. Ordinance shall take effect and be in full  
13 force from and after the third reading enactment by the  
14 Anderson County Council.

15 GRACIE FLOYD: Mr. Chairman.

16 BOB WALDREP: Mr. Chairman, I was just going  
17 to second the motion that -- will you put that in the  
18 form of a motion.

19 EDDIE MOORE: Yes. That's a form of a  
20 motion and do we have a second. Second. And now we'll  
21 go into discussion.

22 GRACIE FLOYD: Mr. Chairman.

23 EDDIE MOORE: Ms. Floyd.

24 GRACIE FLOYD: Council members, I'm going to  
25 ask you to please let's rethink this. Our County  
26 employees right now are on the line for so many things  
27 to happen to them that's, that's going to change. You  
28 know, we're talking about a possible furlough in  
29 January now, I hear. But that's going on with them  
30 now. And then they're going to be required to possibly  
31 have to pay their own insurance. And I just think that  
32 because of the morale of the -- of our group, of our  
33 people here, I think we just need to kind of like step  
34 back and let's give them some breathing room. I've  
35 heard from some folks today who will not come before  
36 you for whatever reasons. They will not come before  
37 you. But they've called me and asked me to please,  
38 please ask you to please, let's have some -- let's,  
39 let's give our County employees a break. Let's give  
40 them some breathing room. Let's not bear so hard down  
41 on them. Thank you.

42 EDDIE MOORE: Mr. Allen.

43 TOM ALLEN: Yeah, Mr. Chairman. Yeah. I  
44 -- back in January, I'd contacted the South Carolina  
45 Association of Counties and asked for a list of all the  
46 counties and what holidays they received and Anderson  
47 -- I should have brought it back during the break.  
48 It's over in the office. But Anderson County basically  
49 leads the pack there now. I think we're at fourteen  
50 with fifteen coming up on an election year. So we're

1 at least a day or maybe two ahead of most Counties  
2 right now as far as vacation days. I just wanted to  
3 note that. Put it in perspective.

4 EDDIE MOORE: It only affects one day. And  
5 we're trying to save some money so we don't have to get  
6 into that situation of having to furlough people or lay  
7 off. I think Mr. Burns has got some good news on that  
8 for us later, he'll tell us about that also. Mr.  
9 Wilson.

10 RON WILSON: How does this list change from  
11 what is currently being done?

12 EDDIE MOORE: It's one day.

13 RON WILSON: One day?

14 EDDIE MOORE: One day. But the State has  
15 twelve. I think I passed it out to you. Everybody  
16 should have a copy. It's twelve days.

17 TOMMY DUNN: Mr. Chairman.

18 EDDIE MOORE: Mr. Dunn.

19 TOMMY DUNN: I think this is a good, good  
20 thing. I wish they'd stuck to this before. This will  
21 keep us in line with the State. And like you said, in  
22 these budget times, save some money. In the long run  
23 it might save somebody's job.

24 EDDIE MOORE: Okay. All in favor, raise  
25 your right hand. All opposed. Let it be shown Mr.  
26 Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr. Waldrep  
27 voted yes. Ms. Floyd voted no. So it passes first  
28 reading. We now go to 2009-013, an ordinance  
29 authorizing property tax credit to taxpayers within  
30 Anderson County, South Carolina for installation of  
31 fire sprinkler systems in compliance with S.C. Code 12-  
32 6-3622; and other matters related thereto. Mr. Dunn.

33 TOMMY DUNN: Mr. Chairman, I put this in  
34 the form of a motion.

35 EDDIE MOORE: It's in the form of a motion.  
36 Have a second.

37 TOMMY DUNN: Mr. Chairman.

38 EDDIE MOORE: Now we'll go into discussion.

39 TOMMY DUNN: Mr. Chairman, this, this come  
40 about -- the State enacted a law a couple of years ago  
41 and adopted this to give people tax credits that puts  
42 in sprinkler systems. And but it also -- in that  
43 ordinance the County's got to adopt, adopt the  
44 ordinance to make credit. And in talking with Mr.  
45 Freeman, I believe he told me that he's had one or two  
46 people contact him about this and inquired about this.  
47 And I think it's a good idea, rewarding it. And this  
48 would only be credit for people that don't -- the law  
49 does not require them to do sprinkler systems. If it's  
50 a commercial business and they have to have a sprinkler

1 system, this will not affect them. But it will help.  
2 I don't think we're going to be inundated with people  
3 running through this because it's a pretty expensive  
4 process. And a lot of places could be even more  
5 expensive if they don't have the water system, adequate  
6 water supply system, have to try to step that up. And  
7 I like I said, it's twenty-five percent, I believe it's  
8 twenty-five percent of the, of the direct expense. And  
9 that would be the expense of what it cost to put in.  
10 And it has to have documentation from Mr. Freeman and  
11 his staff to okay this. And they've got the right to  
12 ask for anything else they feel comfortable with. And  
13 this has been researched. I think this is compatible  
14 for the people through the associations. Our attorneys  
15 looked at it. Mr. Freeman I think feels comfortable  
16 with it. And if anybody's got any questions, he's  
17 here. I don't want to put him on the spot, but I feel  
18 like ... And so I urge we pass this on first reading.

19 EDDIE MOORE: I would like to go ahead and  
20 enter this ordinance in. I would like to go ahead and  
21 read it now. That a taxpayer, subject to the terms and  
22 conditions as set forth in the statute, is eligible for  
23 tax credit against real property taxes levied by local  
24 taxing entity if the taxpayer installs a new fire  
25 sprinkler system in a residential or commercial  
26 structure when such installation is not required by  
27 law, regulation or code. And that the credit shall be  
28 equal to twenty-five percent of direct expenses, not  
29 including any type of fee charged by publicly or  
30 privately owned utility. And that consent of local  
31 taxing entity is required in order for the taxpayer to  
32 received the property tax credit. Whereas Anderson  
33 County desires to authorize the property tax credit as  
34 provided by Section 12-6-3622. Now therefore, it is  
35 ordained by Anderson County Council in meeting duly  
36 assembled that Anderson County consents to any taxpayer  
37 within Anderson County receiving a tax credit against  
38 real property taxes levied by Anderson County in such  
39 amount and manner provided by the state law provided  
40 that the taxpayer installs a new fully functional fire  
41 sprinkler system not otherwise required by the law,  
42 regulation or code and otherwise complied with South  
43 Carolina Code 12-6-3622. B) The taxpayer applies for  
44 the tax credit by submitting the statutory South  
45 Carolina Department of Revenue form along with complete  
46 documentation of evidence of cost of installation for  
47 which taxpayer seeks tax credit in the amount of the  
48 tax credit claim. The Anderson County assessor may  
49 request additional documentation to allow it to verify  
50 the amount of the tax credit. Any request for

1 additional documentation must be made by assessment  
2 within fifteen days from the day the taxpayer applies  
3 for the tax credit. C) The application for the credit  
4 is made by the taxpayer during the year in which the  
5 tax credit is generated, South Carolina code 12-6-3310.  
6 D) Application for the tax credit is approved by the  
7 Anderson County Assessor. 2) The remaining terms and  
8 provisions of the Anderson County Code of Ordinances  
9 not revised or affected hereby remain in full force and  
10 effect. Should any part of the revision of this  
11 ordinance be deemed ...

12 END OF TAPE 2, SIDE 1

13 EDDIE MOORE: ... and actions of the  
14 Anderson County Council inconsistent are, to the extent  
15 of such inconsistency only, hereby repealed, revoked or  
16 rescinded. This ordinance shall take effect and be in  
17 full force after the third reading enactment by  
18 Anderson County Council. Does anyone else have any  
19 more discussion?

20 GRACIE FLOYD: Mr. Chair.

21 EDDIE MOORE: Ms. Floyd.

22 GRACIE FLOYD: The part that bothers me about  
23 this is, is this going to be fair to those people who  
24 cannot afford to install these sprinklers? And it's,  
25 it's, it's in their homes; am I correct?

26 EDDIE MOORE: That's correct. Or business,  
27 too, I think.

28 GRACIE FLOYD: Well businesses, yes. But  
29 homes, I don't -- I worry about that. Also, is it fair  
30 that, that I cannot install one to get the credits in  
31 my house because the water source is not there. But it  
32 is there for the people across the street from me. Is  
33 that fair? I have no -- I don't have any jurisdiction  
34 over that. But yet, I'm going to be penalized. And  
35 also, the part again about the money. I can't afford  
36 to do this because I'm on limited income, but my  
37 neighbor down the street can do it. So this is tied to  
38 income or, or -- to income and the water. And I don't  
39 know how that will affect a lot of people here in  
40 Anderson County. Thank you.

41 EDDIE MOORE: I'd like to make one comment  
42 also. I think it's a good thing because the savings  
43 you'd probably get on insurance would probably almost  
44 pay for it over a couple of years. And I'm sure you  
45 could probably get a loan for your homeowners or  
46 whatever to get it. And I think it would be a -- could  
47 help you out. So I'm going to be in favor of it  
48 myself. Anyone else?

49 TOM ALLEN: Yeah, Mr. Chairman.

50 EDDIE MOORE: Mr. Allen.

1 TOM ALLEN: I think one point that Mr.  
2 Dunn made was good. I don't think a lot of people are  
3 going to rush out and do this for their, their  
4 residence. So I don't see this as being a real big hit  
5 on taxes or anything.

6 BOB WALDREP: Mr. Chairman, I just want --  
7 just a question. Was this more designed for business  
8 than for homeowners or -- I just wondered what the ---

9 TOMMY DUNN: Mr. Chairman, if I may? What  
10 it's derived is, like I said, the State come up with  
11 this and adopted this maybe a year ago, I think it was,  
12 from memory. Somewhere in that time frame. And but  
13 the only way it can work, if the County adopts it. And  
14 where this comes from out of the State was there was  
15 some folks that tried to make it mandatory sprinkler  
16 system for a residence. And this is the compromise out  
17 of it. This is where this come from.

18 BOB WALDREP: Oh, well that's interesting.

19 TOMMY DUNN: And I don't think, if I may, I  
20 don't think -- you know, talking about penalizing  
21 people. We don't want to penalize nobody. Nobody's  
22 going to be hurt. They don't need the thing if they  
23 don't want to spend the money to do this. But if  
24 somebody spend money they ought to be rewarded.  
25 Because it's going, it's going to help everybody on  
26 lower insurance rates in the long run.

27 EDDIE MOORE: Okay.

28 GRACIE FLOYD: Mr. Chair.

29 EDDIE MOORE: Ms. Floyd.

30 GRACIE FLOYD: It seems to me that the, that  
31 the good part about this would be that if you did it,  
32 you would get a cheaper insurance rate. It seems to me  
33 that that should be the part that's good. But to get  
34 the insurance rate and to have to pay less taxes -- you  
35 know, everybody can't afford to do this. Everybody  
36 can't afford to borrow on their house. And everybody's  
37 insurance won't pay, you know, won't pay to have this  
38 done. But I just think that -- I just don't think it's  
39 fair. I think the insurance, a lower insurance, should  
40 be the reward in itself for doing this.

41 BOB WALDREP: Mr. Chairman, I guess I just  
42 have one question. I guess I should have known more  
43 about this. How much of a tax incentive is it?

44 TOMMY DUNN: Can be twenty-five percent.  
45 Up to twenty-five percent of the cost of the sprinkler  
46 system.

47 BOB WALDREP: Oh, okay. It's not to the  
48 value of the property?

49 TOMMY DUNN: And -- no. No. No. Only --  
50 that's what I'm saying. It's only at the cost of the

1 sprinkler system. So you know if you don't spend the  
2 money, you shouldn't get no benefit from it. So it's  
3 only, only for one year which you could go back  
4 possibly, you know, last year. But it's not like it's  
5 going to drag out, drag out and drag out. And it's a  
6 good thing. I don't think -- it's a shame. I don't  
7 think we won't have enough people interested in doing  
8 this. But it's good, it's good, it's good for the  
9 volunteer fire departments. And all fire departments,  
10 excuse me, all fire department. Good for all fire  
11 departments. I'm a little partial there.

12 EDDIE MOORE: All right. All right. All in  
13 favor, raise your right hand. All opposed. Let it be  
14 shown Mr. Wilson, Mr. Allen, Mr. Moore, Mr. Dunn, Mr.  
15 Waldrep voted yes. Ms. Floyd voted no. We now go to  
16 12 on the agenda. A) 2009-043, a resolution to approve  
17 Anderson County's Identity Theft Prevention Program;  
18 and matters related thereto. Mr. Burns.

19 RUSTY BURNS: I've been negligent tonight in  
20 introducing Mr. Chris King. Our usual attorney, Mr.  
21 Mike Pitts, had a medical situation that he cannot be  
22 here with us. But if you will recall, this is  
23 something the Federal Government requires us to do.  
24 And it is to protect our customers' identities. Those  
25 that we actually receive payments from.

26 EDDIE MOORE: Okay.

27 BOB WALDREP: Don't have a slide  
28 presentation?

29 RUSTY BURNS: Not a ---

30 CHRIS KING: In a minute, in a minute.

31 RUSTY BURNS: He's getting ready for the  
32 next event.

33 EDDIE MOORE: Oh, I thought he was going to  
34 show us something. Okay. All right. Do I have a  
35 motion on the floor?

36 TOMMY DUNN: Mr. Chairman, I make -- I move  
37 -- I make a motion to move on this.

38 TOM ALLEN: Second.

39 EDDIE MOORE: Got a motion to move. A  
40 second. Any discussion. All in favor, raise your  
41 right ---

42 BOB WALDREP: Mr. Chairman.

43 EDDIE MOORE: Mr. Waldrep, do you want to  
44 discuss something?

45 BOB WALDREP: I've just got a little  
46 question here about Identity Theft Prevention. That's  
47 what we're -- is this the one we're on?

48 TOMMY DUNN: Yes, sir.

49 BOB WALDREP: How does -- does anybody know  
50 how that works?



1 RUSTY BURNS: Well what we would have to do  
2 is take measures and certain steps to secure a person's  
3 personal identification information. And then we would  
4 have to institute what they would call a red flag alert  
5 that would tell us if somebody was trying to seize or  
6 access that identity.

7 BOB WALDREP: Well, Mr. Burns, after  
8 attending this council meeting tonight, I might want to  
9 opt out of that and just let somebody steal my  
10 identity.

11 LAUGHTER

12 BOB WALDREP: Thank you.

13 TOM ALLEN: Mr. Chair.

14 EDDIE MOORE: Mr. Allen.

15 TOM ALLEN: Yeah. Having read that --  
16 through this, it is kind of confusing. It is a lot of  
17 computer work and so on. But I understand that Mr.  
18 Burns is going to have his social security number  
19 pasted on the outside of the building to prove that it  
20 really works.

21 LAUGHTER

22 EDDIE MOORE: Seems like I saw that before.  
23 All right. Now vote. All in favor, raise your right  
24 hand. Unanimous. Okay. We'll now go to R2009-047, a  
25 resolution expressing County consent to judicial  
26 abandonment and closure of an unnamed road designated  
27 C-8-0018G. Mr. Hopkins.

28 HOLT HOPKINS: Mr. Chairman, thank you. This  
29 road is in Mr. Allen's District 4. And if you're  
30 familiar with the Townville area, this is straight  
31 across the road -- straight across Highway 24 from the  
32 fire department where the Rescue Squad is. It is a  
33 little road bed that is directly behind the Rescue  
34 Squad. And it -- where you see on this map is the  
35 paved section of that road. The rest of the road is  
36 grown up. You can't hardly even tell it's a road bed.  
37 But we -- we're just needing to get this cleared up so  
38 that the Fire Department and Rescue Squad can use it  
39 for their purposes. The red section is the paved  
40 section that I'm showing you here. This was done less  
41 than ten years ago by the County for the Rescue Squad  
42 so that they can access the back of their building.  
43 Even back then it was not being used for a road. So I  
44 mean, it, it was only paved a short distance for the  
45 benefit of the Rescue Squad. There's not a real good  
46 -- directly behind the dumpster, you can see the trees  
47 are grown up through it and everything. So it's not a  
48 -- not really a road. But because it was a right of  
49 way there, we need you to help clear that up. The Fire  
50 Department wrote us a letter, it's in your packet,

1 requesting this. And we had no objections. Everybody  
2 with the Fire Department and Rescue Squad signed the --  
3 all the property owners around it signed the petition.  
4 We recommend that you move forward with this.

5 TOM ALLEN: Mr. Chairman, if I might.  
6 EDDIE MOORE: Yes.

7 TOM ALLEN: I'd just like to add to  
8 this. I talked with Billy McAdams last week too and  
9 that's part of his land there. And he is the Fire  
10 Chief. And he's -- this is kind of the road to nowhere  
11 out there so it's sort of a no brainer. He's donating  
12 his land and the road doesn't go anywhere. And they  
13 need it for the, the Fire Rescue. So I think it's  
14 something we need to do, definitely.

15 EDDIE MOORE: I have a motion.  
16 TOMMY DUNN: Second.

17 EDDIE MOORE: And we have a second. Any  
18 more discussion? All in favor, raise your right hand.  
19 Unanimous. We now go to Item 13 on the agenda.  
20 Committee Reports. Personnel Committee. Mr. Waldrep.

21 BOB WALDREP: Mr. Chairman, we've had a  
22 couple of meetings over the last several months with  
23 regard to a couple of pending legal actions. One is  
24 the Greenpointe, known as Greenpointe Landfill, up in  
25 the northern part of the County. And then we have the  
26 lighthouse issue which deals with use of property in  
27 violation of County zoning or ordinances. We -- I  
28 believe we have the attorney. Is Mr. Turner, is he  
29 here?

30 TOMMY DUNN: Yes.

31 BOB WALDREP: Mr. Turner. Yeah. We wanted  
32 to move to have an executive session just to discuss  
33 the status and briefing on these, these two issues.  
34 And so I would move that we go into executive sessions.

35 TOMMY DUNN: Second.

36 EDDIE MOORE: I have a motion and second to  
37 go into executive session. All in favor, raise your  
38 right hand. We will now go into executive session.  
39 And it will probably last what, twenty or thirty  
40 minutes, Mr. Waldrep?

41 BOB WALDREP: Yes, sir. At least twenty.  
42 EDDIE MOORE: Okay.

43 BOB WALDREP: Mr. Turner talks a lot.

44 GRACIE FLOYD: Is this for full council or  
45 just for personnel?

46 BREAK FOR EXECUTIVE SESSION

47 EDDIE MOORE: Do I have a motion to come out  
48 of executive session?

49 TOMMY DUNN: Motion. So moved.  
50 EDDIE MOORE: Second. All in favor, right

1 hand. We're now out of executive session.

2 BOB WALDREP: Mr. Chairman, I just thought I  
3 would report that there was no action taken in  
4 executive session. That the -- we were briefed by the  
5 attorney as to what our course of action would be  
6 taken. And so there was just information received on  
7 those two things.

8 EDDIE MOORE: We now go to Item 14 which  
9 would be appointments. Mr. Wilson. Mr. Allen. Ms.  
10 Floyd. Mr. Dunn.

11 TOMMY DUNN: Yes, sir, I've got one, Mr.  
12 Chairman. I want to reappoint Mr. Don Peace back to  
13 the EMS advisory committee.

14 EDDIE MOORE: Okay. I'll second it. Any  
15 discussion. All in favor, raise your right hand.  
16 Unanimous. Mr. Waldrep.

17 BOB WALDREP: I'd like to appoint Mr. Will  
18 Cook to District 1 Instruction Board of Adjustments and  
19 Appeals. This is to take I believe an expired term of  
20 a member there. And ---

21 TOMMY DUNN: Mr. Chairman, I second that.

22 EDDIE MOORE: We have a second. Any  
23 discussion? All in favor, raise your right hand.  
24 Unanimous. Okay. Is that all, Mr. Waldrep?

25 BOB WALDREP: That's all. Thank you.

26 EDDIE MOORE: Okay. Now go to request by  
27 council members. Mr. Waldrep.

28 BOB WALDREP: None at this time, I think.  
29 Let me just ask a question about the, the intersection  
30 -- I was going to try to donate -- not donate but  
31 appropriate some money to an intersection for the --  
32 oh, this has to do with that -- what road is that? Is  
33 that Hembree Road?

34 HOLT HOPKINS: Oak Hill.

35 BOB WALDREP: Oak Hill?

36 HOLT HOPKINS: Oak Hill Drive and Harriet  
37 Circle.

38 BOB WALDREP: Okay. I was just want to  
39 explain what I was doing here. We've got a situation  
40 where we're trying to improve an intersection. I want  
41 to appropriate twenty-five thousand dollars to this  
42 intersection improvement. And it's going to have to go  
43 into a, a meeting with the -- what is it, the ---

44 RUSTY BURNS: Anderson County Transportation  
45 Committee.

46 BOB WALDREP: Transportation Committee,  
47 which has more money and they're going to -- hopefully  
48 we can get them to put this together. But I understand  
49 that this is going to be kind of like seed money to get  
50 it started. Because the project's going to ---

1 HOLT HOPKINS: They're going to help us get  
2 started on doing some preliminary work.  
3 BOB WALDREP: We're talking about eighty-six  
4 thousand dollars or something like that. So anyway, I  
5 just move to appropriate twenty-five thousand dollars  
6 for that purpose.  
7 EDDIE MOORE: I second it. Any discussion?  
8 GRACIE FLOYD: Comes from your -- from  
9 District 1's rec fund?  
10 BOB WALDREP: No, uh-uh. This would be  
11 coming out of my, my road money.  
12 GRACIE FLOYD: Oh, okay.  
13 BOB WALDREP: I'm sorry. I didn't make that  
14 clear. But that would be the road money that I have.  
15 EDDIE MOORE: Any other discussion? All in  
16 favor, raise your right hand? Unanimous. Anything  
17 else, Mr. Waldrep?  
18 BOB WALDREP: That's all. Thank you.  
19 EDDIE MOORE: Ms. Floyd.  
20 GRACIE FLOYD: Thank you. Council members,  
21 on Dec the 2<sup>nd</sup>, I appropriated a thousand dollars to  
22 the South Fant Street Rec Program. They tell me that  
23 they no longer have this program, so I would like to  
24 recall my thousand dollars. Also to the East Anderson  
25 after school program, that -- they too no longer have  
26 an after school program. But -- so I would like to  
27 recall the thousand dollars there. So I would like to  
28 recall a total of two thousand dollars and I put that  
29 in the form of a motion.  
30 EDDIE MOORE: We have a motion. Second.  
31 TOM ALLEN: Second.  
32 EDDIE MOORE: We have a second. Any  
33 discussion?  
34 BOB WALDREP: I just have a question. How  
35 do you get the money back? Did your ---  
36 GRACIE FLOYD: Yes, Mr. Waldrep, the money  
37 was never paid. But I have to go through Council to  
38 make sure it's put back in the District 2 account.  
39 BOB WALDREP: Okay. I just wanted to make  
40 sure that we don't have to go get it. Okay. Thank  
41 you.  
42 EDDIE MOORE: All in favor, raise your right  
43 hand. Unanimous.  
44 GRACIE FLOYD: Mr. Chair, also I would like  
45 to appropriate five hundred dollars from the district  
46 2's recreational fund to the Mosaic Summer Theater  
47 Camp. This is a camp for young people for the summer.  
48 Also, I would like to -- okay. I'll do this one  
49 separate. I'll put this is the form of a motion,  
50 please.

1 EDDIE MOORE: Okay. Do we have a second?  
2 We have a second. Any discussion? All in favor, raise  
3 your right hand. Unanimous. Okay.  
4 GRACIE FLOYD: Thank you. And now from my,  
5 from my paving account, excuse me, from District 2's  
6 paving account, I would like to appropriate eleven  
7 thousand four hundred dollars for the Broadway Fire  
8 Department's paving project that they're having. And  
9 the -- this is not the new Fire Department. I think  
10 Mr. Waldrep appropriated money for that one. But this,  
11 this one is on Amity Road. That's eleven thousand four  
12 hundred dollars for paving of the Broadway Fire  
13 Department number 1.  
14 EDDIE MOORE: We have a motion on the floor.  
15 Do we have a second?  
16 TOM ALLEN: Second.  
17 EDDIE MOORE: We have a second. Any  
18 discussion? All in favor, raise your right hand.  
19 Unanimous.  
20 GRACIE FLOYD: That's it. Thank you.  
21 EDDIE MOORE: Well, I have none. Mr. Allen.  
22 TOM ALLEN: No money.  
23 EDDIE MOORE: Mr. Dunn still has no money  
24 either. Mr. Dunn.  
25 TOMMY DUNN: No.  
26 EDDIE MOORE: Mr. Wilson? We'll now go to  
27 the administrator's report.  
28 RUSTY BURNS: Mr. Chairman, I have nothing  
29 to report at this time. I'll be happy to accept any  
30 questions.  
31 GRACIE FLOYD: Mr. Chair.  
32 EDDIE MOORE: Ms. Floyd.  
33 GRACIE FLOYD: Thank you. I was glad to see  
34 Mr. Burns about the Anderson County's -- it's going to  
35 be selected for the Boy Scouts.  
36 RUSTY BURNS: Yes, ma'am.  
37 GRACIE FLOYD: I was very proud of that. We  
38 started working on that back in September and didn't  
39 know it had come to past until I read your thing in  
40 here.  
41 RUSTY BURNS: Yes, ma'am.  
42 GRACIE FLOYD: I think that's going to be  
43 really good for Anderson County. And as we go through  
44 this I will be asking some more questions. But I think  
45 that's what you call a coup that we were able to get  
46 this. You would call it coup, yeah?  
47 RUSTY BURNS: Yes, ma'am.  
48 GRACIE FLOYD: But it took a lot of hard  
49 work. But we started on this in September and here it  
50 is -- what month are we in now? May.

1 RUSTY BURNS: May.  
2 GRACIE FLOYD: And it came to past. It took  
3 a while.  
4 RUSTY BURNS: Yes, ma'am.  
5 GRACIE FLOYD: Thank you.  
6 EDDIE MOORE: Okay. We'll now go to Item  
7 17. Citizen's comments.  
8 CHRIS KING: Mr. Chairman, we have six  
9 people signed up. First up is Ms. Leslie White.  
10 TOM ALLEN: Excuse me. Can you just pull  
11 the mike around, Leslie? Or ---  
12 LESLIE WHITE: Thank you. I noticed y'all  
13 made it really short. Thank you. I just have a couple  
14 of things that I would like to say. And I'm really  
15 sorry that my voice is shaking. But frankly, I am so  
16 angry right now I could just spit. Really. And I've  
17 been in this place more times, as I'm sure some of you  
18 have, than I care to be at the end of a county council  
19 meeting, but I have a few things that I'd like to  
20 quickly say. The first of which is that what I  
21 witnessed here tonight from someone who spoke to this  
22 Council and then spoke to members of the audience in a  
23 threatening manner, is absolutely unacceptable to me.  
24 As a citizen of this County, I have a right to be at  
25 this meeting and to not fear for my physical safety. I  
26 did tonight. And that particular person doesn't get a  
27 whole lot of my respect right out of the gate because  
28 he chose to sue the County. Yet he stand up here and  
29 addressed you all and continues to lecture and lecture  
30 and lecture on the need to move forward with things.  
31 Well he only chooses to move forward when it suits his  
32 agenda. So my request is that when Mr. Bradshaw  
33 chooses to enter this room again and address the  
34 Council, my request is that I be given time to get to  
35 the back door before he speaks. And secondly, that Mr.  
36 Moore, you would address your public safety officers to  
37 be on guard, please. Because I personally felt  
38 threatened. And I know there's some people in the back  
39 of the room who verbally were threatened. That's the  
40 first thing I would say. I would include the  
41 Monteparas in the always wanting to move forward as  
42 long as it suits their agenda as well. Because several  
43 times tonight, I heard things said by her while I  
44 agreed with the presentation and I agreed with where  
45 their heart was to fix their park, I also heard them  
46 threaten -- Mr. Montepara to threaten the County with  
47 another lawsuit. That's unacceptable to me. There is  
48 no level of civility here and it has to stop. It has  
49 to stop. The next thing that I would like to say is  
50 that on the agenda tonight was a presentation labeled

1 past, present, and future. And I'm sorry that Ms.  
2 Floyd is gone and is not here to hear my comments  
3 because they are directed clearly to her. In the past,  
4 she has left meetings early. Tonight, I don't know if  
5 she has left early or not, but in the future I would  
6 hope that she would discontinue that practice. Because  
7 it absolutely infuriates me. My tail sits on this hard  
8 seat for as long as it takes to conduct a County  
9 Council meeting because I care. I'm not even paid to  
10 be here for the full meeting, but she, by God, is. So  
11 dock her pay. Censure her. Whatever needs to happen.  
12 But that's also unacceptable to me. The other thing  
13 that's unacceptable to me ---

14 EDDIE MOORE: Your time has expired. Thank  
15 you.

16 LESLIE WHITE: Thank you. I'll be back.

17 EDDIE MOORE: Thank you.

18 CHRIS KING: Up next we have Mr. Dan

19 Harvell.

20 DAN HARVELL: Mr. Chairman and members of  
21 Council, I would just like to commend you for the work  
22 that you've been doing over these past months. I've  
23 been to most of these budget workshops that you've been  
24 -- and that you've engaged in. And I'm telling you,  
25 it's so heartening, it's so refreshing to see you all  
26 put your nose to the grindstone and do what it has  
27 taken to start reversing the trends that we've been  
28 experiencing over the last ten years here. It's --  
29 there's no doubt that you're going to get all kind of  
30 flack from this. And of course, we had people here  
31 that were, that were basically in protest about this.  
32 Many, many previous nights before tonight. But I just  
33 commend you for doing the hard work that you've done.  
34 I know that accumulatively speaking, you've probably  
35 put thousands of hours into this already. But I think  
36 the newspaper article today exhibited the fact that  
37 you're still doing the best you can to squeeze every  
38 bit of value out of every tax dollar that Anderson  
39 County is collecting now to go towards providing the  
40 services that the people of this County actually need  
41 and fulfilling the duties that you have as the  
42 overseers of our County government. The other thing I  
43 would say concerning the parks, the couple from  
44 Homeland Park, I think it's quite curious that they  
45 would continue to throw lawsuits at the County or  
46 continue to threaten to do that, whereby this  
47 particular park that they're talking about, had they  
48 not sued the County, the County would have had quite a  
49 bit of money to have dedicated to that park. So you  
50 know, I have to question their intent there. On one

1 hand they want all the money spent down in that  
2 direction, but on the other hand they're willing to  
3 file frivolous lawsuits that continue to cost us  
4 taxpayers' money. Beyond that, The Keep America  
5 Beautiful Program that has poured hundred of thousands  
6 of dollars into its efforts over the years, I don't  
7 quite understand how that park has been neglected under  
8 that program. Seems like if we spent the kind of money  
9 that's come in under KAB that that might have been one  
10 of the issues that had been addressed. But anyway,  
11 once again, thank you for your hard work. We  
12 appreciate you and I know the people of this County  
13 actually see through a lot of what's going on here.  
14 And they appreciate you. Thank you.

15 CHRIS KING: Up next is Mr. Mark Powell.

16 MARK POWELL: I'm not quite as short. Mark  
17 Powell, District 7. Our prayers are certainly with  
18 Cindy and the family situation that she's dealing with.  
19 It's sad, but the website that goes for my name to be  
20 up on the board tonight, laughed, made fun of, like  
21 she's missing from the budget meeting. She'll be  
22 missing from the meeting tonight. What is she doing?  
23 Running. Running from the ethics board. What excuse  
24 did she have this time? Well I pointed out that she's  
25 at the Mayo Clinic with her daughter. Somehow I got  
26 threatened that that might be lawsuit material that I  
27 mentioned someone's health on a website. But I pointed  
28 out that it was her daughter. Very serious matter.  
29 And they said, oh, next time it could be a horse that  
30 is sick. It could be, you know, a third, fourth, fifth  
31 cousin once removed, grandmothers, aunts, brothers,  
32 sister's boy or something that gets sick and she'll  
33 have another excuse. You know, it's -- and it's an ex-  
34 employee by the way. But it's, it's, it's sad that  
35 people come here with an agenda. Now we have an  
36 agenda, I have to save my money, cut half the employees  
37 to save my money. I'm all good with that. That is my  
38 agenda. But you guys work hard. Stuff happens.  
39 Tonight we had a presentation to where they said we  
40 asked the past Council for ten thousand bucks. I wish  
41 you had given it to them, past council, because it went  
42 from ten thousand bucks to a hundred and seventy  
43 thousand bucks. I just want to remind you, he asked  
44 for ten thousand last year. And it's kind of like the  
45 judge saying all we want is carpet and paint. Goes  
46 from some little number to 1.1 million to possibly 2.5  
47 million dollars. Let's certainly fix this park from a  
48 safety standpoint. And if, if they're over the  
49 Homeland Park, I would have got out there with a  
50 hacksaw or my teeth and gnawed off those safety hazards



1 for those children. If that was my district, that was  
2 my, my community that I'm the director of Homeland Park  
3 Redevelopment, I would have done what it took to make  
4 it safe. Not to say, oh, it's a safety hazard and I  
5 hope some kid gets hurt so I can be part of suing you.  
6 You know, people who care about their society do things  
7 instantly to fix such things instead of come in to say  
8 that if you don't fix it something's going to happen.  
9 You going to get sued again. You guys do a great job.  
10 We appreciate it. Holidays. Thank you for removing  
11 some of those. At two hundred and seventy work days  
12 per year, gave them an extra work day this year, to me,  
13 out of two hundred and seventy work days that's one  
14 third of an employee so we could have literally laid  
15 off, fired, three employees because we didn't need  
16 everybody for one day. That's three employees we  
17 could've lowered our overhead and you got rid of two  
18 additional ones. By getting rid of ---

19 EDDIE MOORE: Time has expired.

20 MARK POWELL: Thank you for removing those  
21 extras.

22 CHRIS KING: The next speaker is Ms.  
23 Elizabeth Fant.

24 ELIZABETH FANT: People need to work in the  
25 spirit of cooperation. But the polarization and the  
26 bullying of some adults and the criticism needs to  
27 stop. I'm sorry these people are not here. Floyd, the  
28 Monteparas, Erick Bradshaw. But all they do is  
29 threaten either through lawsuits or bullying. Anybody  
30 else who is allowed to speak doesn't speak that way.  
31 None of the Council or the constituents, the rest of  
32 the Council or the constituents out here speak the way  
33 these parties do. There's always bending of the rules  
34 for them. Use of cell phones. Not just tonight.  
35 Agenda items not plainly mentioned. The rudeness that  
36 goes on all the time. And always the blaming of  
37 others. It's always somebody else's fault. Every  
38 meeting it's something different. The citizens are not  
39 stupid. They realize that these road blocks are  
40 nothing more than diversions. Every week it's  
41 something different. Every meeting the Monteparas and  
42 the Bradshaws are critical. It's either the Wellington  
43 Park, the Cunningham contract, protecting Preston and  
44 tonight Floyd's comments. They were even prepared for  
45 her. And she couldn't even read them. If she is going  
46 to use somebody else, an attorney, to present material  
47 for her, why not just have the attorney just sit up  
48 there with here because we all know that's what's going  
49 on. If she can't even say spaying and neutering.  
50 Spraying and needering, then she doesn't even know what

1 she's talking about. What Council is really about is  
2 the money and paying the bills. We see the lack of  
3 cooperation from these people who are trying to  
4 intervene. The persistent bullying, the frivolous  
5 lawsuits. But what it's really about is trying to do  
6 the County's business in a business-like and legal way.  
7 Who and why you are protecting the old Council and  
8 Administration is evident. And for the future, here  
9 soon the crystal ball reveals that there maybe another  
10 Watergate novel in the making. Anderson is going to be  
11 in the national news and for your part, Council woman  
12 number 2, and so forth in the 11/18/08 events, the Lake  
13 Secession meeting that everybody knows about, the  
14 obsessing about your name in the news soon, it will be  
15 everywhere. Heads are going to fall. Careers will be  
16 ruined. You're going to be ponying up for money for  
17 your own lawyer and orange jumpsuits will be issued and  
18 money will be returned to the County. Hallelujah.

19 CHRIS KING: Our last speaker tonight is  
20 Mr. Rick Freemantle.

21 RICK FREEMANTLE: Good evening, Mr. Chairman.  
22 I like this guy. He's got me both times in a row. Not  
23 like the last one. There's kind of some sad events  
24 tonight. You know, I can remember sitting here over  
25 the last few years being called mean, small group,  
26 negative, cave people, nasty. We came here with an  
27 agenda, an agenda to move our County forward, an agenda  
28 to stop what appeared to us to be wasteful spending.  
29 What appeared to us to be a total lack of fiduciary  
30 responsibility on the part of the majority of the  
31 council that sat there before you all were elected to  
32 office. We had many issues. We questioned a lot of  
33 things. Sometimes it got heated. But you know the one  
34 thing we never did. We didn't come in here, run our  
35 mouths and then run for the high country after we  
36 placed our argument before the Council. We sat here  
37 and we took whatever they wanted to dish back on us  
38 like grownups. We heard what they had to say. We at  
39 least paid them that respect. It's quite obvious  
40 what's going on here. You do have a small group coming  
41 in here trying to turn every little stone they can to  
42 make your jobs impossible. You know, past, present,  
43 future. I'd like to talk about some things that have  
44 just happened here in this County in the last four  
45 months that people have never heard in -- well I  
46 wouldn't say never heard. But they surely haven't  
47 heard in the last ten years. When is the last time  
48 anyone in this County has heard of a Council body  
49 sitting here, representing Anderson County, lowering  
50 the budget seven million dollars? When is the last

1 time anyone in Anderson County has heard of a Council  
2 body, this Council body, saving this County, oh what,  
3 almost eighteen, nineteen million dollars and still  
4 counting? When is the last time anyone in this County  
5 saw the Council body that we have right here, right  
6 now, offer open public meetings and ask for public  
7 input to help save public money and to make sure it's  
8 spent in the proper way, the proper places? Not  
9 wasted. When is the last time? The answer to that is  
10 when the regime that sat here for the past ten years  
11 was in power, it was never allowed. They didn't care  
12 what the people of this County had to say. They would  
13 never allow any input. Period. I'm proud as I can be  
14 of the job y'all are doing. I think you've been very  
15 patient, very kind to the people. It is unfortunate  
16 what one individual is doing. But I think, you know,  
17 when the final chapter of the book is read, hopefully I  
18 will be remembered because I didn't forget what I was  
19 supposed to forget being the dog. And the one  
20 individual will be remembered for her on actions.  
21 Thank you.

22 EDDIE MOORE: Okay. Thank you. No one  
23 else. We'll now go to remarks from council members.  
24 Mr. Wilson. Mr. Allen.

25 TOM ALLEN: Yes. Just very quickly. I  
26 want to thank some of the folks for the kind comments  
27 tonight. Especially Mr. Harvell regarding the budget  
28 work that we've been doing. But let me just say that  
29 as a Council we call the meetings and we ask a lot of  
30 questions about the budget. But it's Mr. Burns, Mr.  
31 Hopkins, Mr. Carroll's been working on it. All these  
32 folks and the department heads have really done a great  
33 job of trimming this thing down and we're still looking  
34 at it. So I've got to compliment them on the work  
35 they've done.

36 EDDIE MOORE: Mr. Waldrep.

37 BOB WALDREP: Well, you know, this has been  
38 a pretty tough meeting in many ways. And I don't know  
39 exactly how to address it because there's certain  
40 things that this Council does not have really control  
41 over and that is how we have audience participation.  
42 We certainly want to continue getting input back from  
43 the folks out there. I guess I'm just saddened in some  
44 ways by the fact that we do have some folks that like  
45 to play a lot of political ambush with this Council.  
46 And I know that they're dissatisfied. And they wish  
47 that they were empowered in other ways. I really don't  
48 know exactly how to address that but to maybe try to  
49 appeal to their better nature. They're not here now,  
50 most of them. And so maybe they could watch the

1 transcript of what I'm saying. But I genuinely do make  
2 an appeal to them and to everybody that we try to  
3 remain as civil as we possibly can and as courteous to  
4 one another as we possibly can. I've been to a lot of  
5 political bodies over my tenure in politics. And the  
6 level of acrimony is very disturbing, so I just can  
7 only appeal, only appeal to folks out there. Please  
8 think about the fact that we're all in this together.  
9 We all pay taxes and we all have children and  
10 responsibilities and we all love our Country. And we  
11 all want the best for Anderson County. But I can tell  
12 you the techniques that are used by some are not  
13 effective at all. If you want to appeal to this body,  
14 you don't do it that way. I would suggest maybe  
15 everybody just go out and get one of those Dale  
16 Carnegie handbooks. I promise you, you'd learn an  
17 awful lot. Because these techniques just don't work  
18 with this Council or with anybody, any place. Having  
19 said that, on a positive note, I wanted to debrief a  
20 little bit on the Snowbirds. It was a magnificent  
21 display. I hope so many of you got to see it. I've  
22 never seen such precision flying. Of course, I'm not  
23 an expert on flying either, but it was heart stopping  
24 execution of flying skill out there. I could hardly  
25 watch. The Sheriff just watched anyway. He didn't  
26 even blink. But I could tell you, I ... And next year  
27 I hope that we can get them to come back next year  
28 because as I understand we had a large number of folks.  
29 And I'd like to get a report on how many people came.  
30 And I heard a number like forty thousand. I don't know  
31 but there was just people all over the place. And it  
32 was just a wonderful thing. And that's just another  
33 little positive thing that I hope that we'll be working  
34 to promote in the future along with the balloon idea.  
35 And so we can have some good celebrations here. And on  
36 that note I just want to thank everybody for being  
37 here. Thank you.

38 EDDIE MOORE: Mr. Dunn.

39 TOMMY DUNN: Thank you, Mr. Chairman. Just  
40 a few quick things. I'd also like to echo to Mr.  
41 Allen's comments. I want to thank the staff for their  
42 hard work and dedication to this budget process and we  
43 still got a ways to go. And I want to thank them, Mr.  
44 Burns and his staff. Also on the Snowbirds. I think  
45 the Snowbirds was a big success. Everybody I talked to  
46 really enjoyed it. But I'd like to take just a second  
47 to thank a group of people that have sort of been  
48 overlooked. And that's the Anderson County staff.  
49 They worked long and hard and I don't mind supporting  
50 something like this. You know, we didn't -- it wasn't

1 the money. I know it costs but it was well worth it.  
2 I mean, they -- not just the planning to bring this off  
3 and that day, the people directing traffic and making  
4 sure this thing went off real smooth without a hitch.  
5 And with all that many people there and something that  
6 was running as smooth as it was, it's something to be  
7 proud of. And I -- my hat's off to the staff. They  
8 done a fantastic job. And I think that. And I want to  
9 clear up a couple of little things -- well before I get  
10 into that, I would like for Mr. Burns to maybe look  
11 with Mr., Mr. West and his department. This is -- I  
12 know this was an issue back when I was on the Planning  
13 Commission, Mr. West, and I know it's an issue right  
14 now that's coming up on these, on these new schools.  
15 We got one on Cathey Road I think in our District  
16 today. I would like for some kind of way maybe we  
17 could work with these school districts before it comes  
18 before the Planning Commission saying we already bought  
19 the land so we got to do this and that before we get  
20 there. Maybe we just put a bug in their ear. I know,  
21 I think the School Superintendent of School District 5  
22 has been on record with the Chamber of Commerce saying  
23 she was willing to work with that and all now that it's  
24 come up. We ought to try to work together and not, not  
25 create a problem. I think we all seen what kind of  
26 little things we had over in the Midway section. Let's  
27 try to prevent that from happening again. Let's all  
28 work together for the betterment of the County. We all  
29 know it's their authority and I don't want to step on  
30 their toes about picking school places, but let's try  
31 to make sure we all can live with it and solve a  
32 problem before it becomes one. Right now, I'd just  
33 like to say a couple of things to clear up. I don't  
34 want to go down a whole list of things. I just want to  
35 clear up and make a few factual statements. Some  
36 people again just like to -- I think like to just to  
37 say something and if they say it enough, it will be  
38 heard. The lights on the interstate I think is --  
39 again is a great thing. It's going to pay off  
40 dividends. The price for them things -- we always  
41 holler at the high figure. And when you see the range,  
42 it's twenty-five to fifty thousand dollars with the  
43 light estimate cost. Tonight it even grown ten  
44 thousand. It went from fifty to sixty. But it's --  
45 the low end is twenty-five up. And we're going to try  
46 and do the very least amount for the best part. We  
47 want to get it lit up. We're working on a plan now to  
48 be presented to go with it, my understanding. But this  
49 money will come from the hospitality tax. It can't be  
50 used for -- that money cannot be used to pave roads.

1 It can't be money to do this or that. This is some of  
2 the best money that I've -- since I've been around and  
3 kept up with things some of the best money -- the best  
4 use that hospitality tax will be used for. Statement  
5 here tonight about cutting departments and this. I  
6 think we're streamlining. We still may be doing some  
7 streamlining. I think Mr. Hopkins started that  
8 process. But Mr. Burns, you correct me if I'm wrong.  
9 I've asked you this before. I don't think Anderson  
10 County -- you have laid off or this Council has laid  
11 off not one employee; have we?

12 RUSTY BURNS: No, sir. We have not laid off  
13 any employees.

14 TOMMY DUNN: And that statement was made.

15 RUSTY BURNS: And as you know our goal is to  
16 not have to do that.

17 TOMMY DUNN: And I want to make that  
18 perfectly clear because some people think if they keep  
19 saying it, keep putting the fear out there, there's a  
20 group keep texting employees and scaring them. We've  
21 bent over backwards trying to work with employees and  
22 keep them here. And part of this thing here is to make  
23 that perfectly clear. That's -- has not happened. And  
24 back on the park issue. I'm glad to see people take  
25 hold. But that park's been in disarray for some time  
26 and it's a shame. It shouldn't be that way. And  
27 that's what I said, hopefully we can get this  
28 Recreation Director and we can get a plan in place and  
29 we can correct some of this in using our money. But I  
30 would like to say, it's been in disarray a good while.  
31 Not just since January. And not just -- we had public  
32 hearings as Mr. -- on the budget and on this process as  
33 Mr. Waldrep said. But also in the bond issue, back  
34 when, back when it was coming up, I think October or  
35 November of last year, that ten million dollar bond  
36 thing, this ball park was in there then and I didn't  
37 hear none of these issues about Wellington, Wellington  
38 Park then. But I give the citizens of Anderson County,  
39 people of District 5, people from Homeland Park  
40 Community, my word that something will be done about  
41 that park. And I don't give my word if I don't mean it  
42 and don't follow through on it. I'm not like some  
43 people. I can promise you that. Thank you, Mr.  
44 Chairman.

45 EDDIE MOORE: First of all I want to thank  
46 Mr. Burns and all the County employees for everything  
47 y'all have done on getting the budget in line. Lot of  
48 hard work. When we started in January, we've had more  
49 meetings in the last few months than the last Council  
50 did in two years. And every now and then we're going

1 to make a couple of errors, you know. And I'll be the  
2 first to say we'll make a few errors. But we try to go  
3 back and correct them as we go along. But we tried to  
4 be an open Council and have complete input. And  
5 tonight was input from everyone out there. And you  
6 know, but tonight was different because the way they  
7 were -- the way things were said. Really, a little  
8 upset. Especially right there at the last. But you  
9 know, when you -- we've done a lot of things and I  
10 think it's positive what we've done. And we're going  
11 to continue to do things. We're not going to back up  
12 and we're not going to be cowering down from a Little  
13 Rascal Gang on McDuffie Street. We're going to keep  
14 going forward. And they can do whatever they want to  
15 do. We're going to keep going forward and we're going  
16 to do our business and we're going to improve Anderson  
17 County. That's what we pledged to do. And that's what  
18 we intend on doing. And we intend on still having  
19 public input. That's what we ran on and that's what we  
20 continue to do. And that means input from the other  
21 side too. And that's what we had tonight. And we  
22 appreciate their opinion too. We strongly disagree  
23 with their opinion. We think we have done a lot of  
24 positive things in the County. We're going to continue  
25 to do those things. And we're not going to back up a  
26 bit. And I think once the next couple of months go by,  
27 I think all of our intentions will be to the forefront.  
28 You'll understand why we did things that we did, the  
29 actions that we did. Why we did investigations.  
30 Everything will come to light and you will understand  
31 why we did what we did. But it's going to take a  
32 little bit more time. And you know, things are slow.  
33 But I would like to comment on the Snowbirds and  
34 everything. And that was just a great show. We had so  
35 much fun out there. And when I left, I had a crick in  
36 my neck from looking up. I don't know if y'all did or  
37 not. Man, what a great show. But all I could hear was  
38 the little kids around me saying, oh, look at that,  
39 look at that. And it was just really neat to see so  
40 much excitement. But with that I'll entertain a motion  
41 to adjourn.

42 TOMMY DUNN: Motion.

43 EDDIE MOORE: All in favor, raise your right  
44 hand. We're adjourned.

45  
46 MEETING ADJOURNED AT 10:00 P.M.