

EXHIBIT 1

(2012-13 ANDERSON COUNTY BUDGET
ORDINANCE)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR ANDERSON COUNTY

ORDINANCE NO 2012-022

AN ORDINANCE TO ADOPT THE OPERATING AND CAPITAL BUDGETS OF ANDERSON COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, AND TO MAKE APPROPRIATIONS FOR SUCH ANDERSON COUNTY BUDGETS FOR COUNTY ORDINARY PURPOSES AND FOR OTHER COUNTY PURPOSES FOR WHICH THE COUNTY MAY LEVY A TAX OTHER THAN FOR TRI-COUNTY TECHNICAL COLLEGE PURPOSES; TO PROVIDE FOR THE LEVY OF TAXES ON ALL TAXABLE PERSONAL AND REAL ESTATE PROPERTIES IN ANDERSON COUNTY FOR SUCH COUNTY ORDINARY PURPOSES, INCLUDING SUFFICIENT TAX TO PAY THE PRINCIPAL AND INTEREST ON OUTSTANDING INDEBTEDNESS OF ANDERSON COUNTY MATURING DURING SAID FISCAL YEAR; TO ADOPT THE OPERATING AND CAPITAL BUDGETS OF ANDERSON COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, AND TO MAKE APPROPRIATIONS FOR SUCH ANDERSON COUNTY BUDGETS, FOR TRI-COUNTY TECHNICAL COLLEGE; TO PROVIDE FOR THE LEVY OF TAXES ON ALL PERSONAL AND REAL PROPERTIES IN ANDERSON COUNTY ON WHICH SCHOOL TAXES MAY BE LEVIED FOR SUCH TRI-COUNTY TECHNICAL COLLEGE PURPOSES; TO PROVIDE FOR THE LEVY, ASSESSMENT AND COLLECTION OF CERTAIN OTHER TAXES AND FEES; TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES COMING TO THE COUNTY DURING SAID FISCAL YEAR; AND TO PROVIDE FOR OTHER MATTERS RELATING TO ANDERSON COUNTY.

BE IT ENACTED by the County Council for Anderson County, South Carolina ("Anderson County"), as follows:

In order to undertake and achieve the Anderson County vision statement, as previously adopted by the Anderson County Council, and in order to undertake, carry out, and achieve the Anderson County priorities, as established by Anderson County Council, the following operating and capital budgets for Anderson County for the fiscal year beginning July 1, 2012, and ending June 30, 2013, are hereby adopted and directed to be implemented by the Anderson County Administrator and staff.

SECTION I. ADOPTION OF OPERATING AND CAPITAL BUDGETS FOR
COUNTY ORDINARY AND OTHER PURPOSES

Pursuant to Section 4-9-140 of the South Carolina Code of Laws, 1976, as amended (the "Code"), the operating and capital budgets of Anderson County (the "Anderson County Budgets"), for County ordinary purposes and for other County purposes for which the County may levy a tax other than for Tri-County Technical College purposes, as hereinafter set forth, by reference and otherwise, are hereby adopted for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

SECTION II. LEVYING OF A SUFFICIENT TAX FOR COUNTY ORDINARY
AND OTHER PURPOSES

A tax of sufficient millage to fund the appropriations for the Anderson County Budgets, herein made, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, after crediting against such appropriations all other revenue anticipated to accrue to Anderson County during said fiscal year, not designated for any other specific purpose, is hereby directed to be levied upon all taxable property of Anderson County upon which the County may levy County ordinary taxes, for County ordinary purposes and for other County purposes for which the County may levy a tax, other than for the Anderson County Library, Tri-County Technical College purposes, the County Sheriff's Office, County sewer, Metropolitan Anderson Area ambulance service and countywide emergency service, solid waste fees, sewer fees, Civic Center fees, Animal Shelter fees, 9-1-1 tariffs, and road encroachment fees, all as separately levied in Sections VIII, XI, XIII, XIV, XV, XVI, XVII, XXXVI, XXXVII, XXXIX, and XXXX of this Ordinance, such tax to fund the following amounts or millage, which shall be separately identified, levied, collected, and accounted for, as millage, for the purposes shown, as required by subsequent sections of this Ordinance (excluding Fee-In-Lieu of Taxes), with the total millage so levied, exclusive of debt service millage to be set by the Anderson County Auditor, not to exceed 78.7 mils, total

County Ordinary		\$19,369,815
1998	General Obligation Bonds	1,024,845
2005	General Obligation Bonds	738,665
2007	General Obligation Bonds	632,310
2008	General Obligation Bonds	1,107,530

Other taxes and uniform assessments levied by this Ordinance in Sections VIII, XI, XIII, XIV, XV, XVI, XVII, XXXVI, XXXVII, XXXVIII, and XXXIX are:

Anderson County Library	\$3,676,410
Infrastructure Reserve Fund	\$1,696,805
Capital Projects Fund	\$226,240
Tri-County Technical College (Education Millage)	\$1,571,660
County Sheriff's Office	\$17,081,165
Anderson County Sewer	3.0 mils
Metropolitan Anderson Area Ambulance & Countywide	

City of Anderson Metropolitan Area	3.2 mils
All Anderson County	4.0 mils
Solid Waste/Recycling Fees	\$64.83/household, \$75.64/commercial
Sewer Fees	As set in Section XVII
Civic Center Fees	As set in Section XXXVI
Animal Shelter Fees	As set in Section XXVII
9-1-1 Tariff	As set in Section XXXIX
Road Encroachment Fees	As set in Section XXXX

SECTION III. GENERAL FUND APPROPRIATIONS AND REVENUES

There is hereby appropriated, with the detail and the provisos as so stated in the Anderson County Budget Book, hereby incorporated by reference as a part of this Ordinance as fully as if set forth verbatim herein, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, the following sums of money in the amounts and for the purposes set forth as follows, with the anticipated revenues to be applied thereto as reflected herein:

GENERAL FUND APPROPRIATIONS

ACTIVITY/DEPARTMENT FOR WHICH APPROPRIATIONS ARE MADE:

APPROPRIATED

COUNTY GOVERNMENT ADMINISTRATION	\$18,393,270
HEALTH AND WELFARE	3,360,670
PUBLIC SAFETY	26,730,795
PUBLIC WORKS	7,574,015
CULTURE AND RECREATION	1,784,125
CONTINGENCY	1,000,000
TRANSFER OUT	1,594,895
<u>TOTAL APPROPRIATIONS - GENERAL FUND</u>	<u>\$60,437,770</u>

GENERAL FUND REVENUE

SOURCE OF REVENUE	AMOUNT
<u>LOCAL SOURCES</u>	
100-101 Property Taxes – RPC Current	\$32,555,175
100-102 Property Taxes – RPC Delinquent	3,900,000
100-103 Property Taxes – Vehicles	3,895,805
100-104 Fee-In-Lieu of Taxes	1,325,000
000-110 Catering-Civic Center	200
000-115 Concessions-Civic Center	5,000
000-121 Ticket Sales-Civic Center	9,500
000-140 Rent of Property-Civic Center	240,000
000-169 Sponsorships-Civic Center	6,000
000-180 Vendor Fees-Civic Center	3,000

001-102	Field Supervisor Fees-Sports Complex	2,200
001-105	Baseball-Sports Complex	28,000
001-106	Soccer-Sports Complex	14,000
001-107	Softball-Sports Complex	5,000
001-108	Tennis-Sports Complex	800
001-115	Concessions-Sports Complex	5,000
001-125	Rental-Sports Complex	1,000
003-115	Concessions-Amphitheater	250
003-120	Facility Fee-Amphitheater	3,000
003-140	Rent of Property-Amphitheater	5,000
200-110	Fees/Fines CC – Court Division	200,000
200-120	Fees/Fines CC – Family Court	500,000
200-121	Fees/Fines CC – Family Court Filing	30,000
200-135	Fees/Fines CC – RMC	775,000
200-140	Fees/Fines – Judge of Probate	365,000
200-150	Fees/Fines – Master in Equity	475,000
200-155	Fees/Fines – Sheriff	40,000
200-158	Fees/Fines – Magistrates	1,160,000
200-162	Decal Fees	135,000
200-165	Oconee County Master-in-Equity	36,055
200-166	Oconee County Drug Lab Match	43,550
200-175	School Crossing Guards	100,000
300-105	Town of Starr	11,000
300-105	Fees – Animal Shelter	110,000
300-110	Fees – Cablevision Franchise	1,000,000
300-120	Fees – Maps & Plats	1,800
300-125	Fees – Municipal Collection	26,000
300-132	Fees-Delinquent Tax Posting Fee	35,000
300-140	Permits – Building	250,000
300-145	Permits – Electrical	85,000
300-150	Permits – Heating and Air	40,000
300-155	Permits – Land Use	18,000
300-157	Fees – Plans Review	57,000
300-160	Permits – Plumbing	25,000
300-165	Permits/Licenses – Mobile Homes	25,000
300-174	Permits – Encroachment	60,000
300-175	Vital Statistics	55,000
300-180	Fees – Re-inspections	1,300
300-181	Fees-Sex Offender Registry	12,000
300-182	Inspections-Engineering	600
300-190	Miscellaneous	75,000
400-155	Local Contributions (Pendleton)	619,755
400-160	Library Security Reimbursement	75,000
600-140	Rent of Property	5,000
600-143	Rent of Property – Farmer's Market	10,000

600-144	Farmer's Market-Event Rental	7,000
600-145	Broadway Lake Rental	20,000
900-120	Interest Income	90,000
3700-000-101	Fund Balance	<u>693,780</u>
	<u>TOTAL AMOUNT OF LOCAL</u>	<u>\$49,271,770</u>

SOURCE OF REVENUE:		AMOUNT
STATE SOURCES		
400-218	Flood Control	\$100,000
400-220	Health and Environmental	10,000
400-260	Veterans Affairs	7,000
500-115	Election Commission	151,260
500-125	Local Government Funds	6,680,685
500-135	Merchants Inventory	273,260
500-150	Homestead	1,940,000
500-160	Salary Assistance	<u>7,875</u>
	<u>TOTAL AMOUNT OF STATE</u>	<u>\$9,134,080</u>
FEDERAL SOURCES		
400-350	Federal Grant	\$2,500
500-150	Lake Patrol	12,500
500-165	DSS Reimbursement	<u>200,000</u>
	<u>TOTAL AMOUNT OF FEDERAL</u>	<u>\$215,000</u>

Transfer In – Sheriff	\$572,855
Transfer In - State ATAX	35,000
Transfer In – Accommodations Fee	275,000
Transfer In – Capital Projects	<u>441,865</u>
<u>TOTAL TRANSFER IN</u>	<u>\$1,324,720</u>
Capital Lease Proceeds-Fund Balance	<u>\$492,200</u>
<u>TOTAL AMOUNT OF CAPITAL</u>	<u>\$492,200</u>
<u>TOTAL REVENUE – GENERAL FUND</u>	<u>\$60,437,770</u>

SECTION IV. SPECIAL REVENUE FUND APPROPRIATIONS AND REVENUES

There is hereby appropriated, with the detail and the provisos as so stated in the Anderson County Budget Book, hereby incorporated by reference as a part of this Ordinance as fully as if set forth verbatim herein, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, the following sums of money in the amounts and for the purposes set forth as follows, with the anticipated revenues to be applied thereto as reflected herein:

SPECIAL REVENUE FUND APPROPRIATIONS	
ACTIVITY/DEPARTMENT FOR WHICH APPROPRIATIONS ARE MADE	
<u>SPECIAL REVENUE FUND:</u>	\$58,235,835
<u>TOTAL APPROPRIATED</u>	<u>\$58,235,835</u>

SPECIAL REVENUE FUND REVENUE

<u>SOURCE OF REVENUE:</u>	<u>AMOUNT</u>
<u>Sheriff Special Revenue Funds:</u>	
112 SRO – School District 2	\$52,180
121 SRO – School District 1	193,175
136 SRO – School District 5	256,245
145 SRO – School District 3	55,185
152 Sheriff – Incentive	45,000
156 Victim Bill of Rights-Sheriff	120,000
161 Sheriff –Fund Balance	1,792,960
166 SRO – School District 4	58,365
173 Detention Center Concessions	160,000
Detention Center-Federal Grant	5,000
Detention Center-Fund Balance	85,000
181 Office of Justice Programs – Federal Grant	677,920
Transfer In-General Fund	27,315
195 Sheriff Forfeiture Fund	500,000
198 Sheriff Forfeiture Non-Drug Fund	50,000
<u>Total Sheriff Special Revenue Funds</u>	<u>\$4,078,345</u>
<u>Special Revenue Other Than Sheriff's Office:</u>	
102 Grants-Local Contributions	5,023,550
Federal Grants	2,325,000
State Grants	11,400,000
Transfer In-Accommodations Fee	15,000
Fund Balance	65,000
106 Clerk of Court – Bondsmen	5,000
Clerk of Court – Bondsmen – Fund Balance	8,000
107 Stimulus Allocations – Federal Grant	38,000
108 Water Recreation-Federal Grant	520,000
114 Public Defender-Local Contributions	218,525
State Grants	490,645
Transfer In-General Fund	328,900
118 HOME Program-Federal Grant	577,430
Transfer In - General Fund	99,435
125 Assessor Mapping Project – Fund Balance	22,000
126 Textile Communities Revitalization Project-Grant	720,045
Textile Communities Revitalization-T/I-General Fund	80,000
127 CDBG Rehabilitation-Federal Grant	500,000
135 Keep America Beautiful – Grant	13,000
137 Transportation Committee – Fund Balance	300
Transportation Committee - T/I "C" Fund	2,000
139 "C" Fund (Advanced)	2,700,000
Federal Grant	1,000,000

	"C" Fund – Interest Earnings	14,000
	"C" Fund – Fund Balance	1,004,000
140	Tri-County Technical College - Millage	1,571,660
	Delinquent Taxes	120,000
	Fee-In-Lieu of Taxes	76,590
	Merchants Inventory	13,630
	Homestead Exemption	117,000
	Transfer In-Capital Projects	174,630
143	Anderson County Library - Millage	3,676,410
	Delinquent Taxes	213,575
	Fee-In-Lieu of Taxes	143,000
	Homestead Exemption	210,000
150	Title IV-D/Family Court	473,000
155	Mass Transportation Grant	578,675
156	Victim Bill of Rights (excluding Sheriff & Detention Center)	80,000
163	Hazmat	38,000
	Fund Balance	1,815
165	Federal Emergency Management Agency	350,535
168	Documentary Stamps	1,000,000
	Documentary Stamps Fund Balance	67,040
174	E-911 Revenues	1,005,000
	E911 Fund Balance	382,475
175	State Accommodations Tax	277,250
176	Infrastructure – Federal Grant	5,942,400
	State Grant	1,485,600
	Transfer In-Infrastructure Reserve Fund	500,000
	Fund Balance	782,600
177	County Accommodations Fee	500,000
	County Accommodations Fee – Fund Balance	250,700
180	PARD/Recreation	392,230
	Local Contributions	22,525
	Transfer In-Accommodations Fee	28,550
	Transfer In-Capital Projects	124,630
	Fund Balance	4,050
191	Duke Power – EPD	15,000
	Duke Power EPD – Fund Balance	17,045
193	EMS-1/Countywide EMS-Property Taxes	3,078,095
	Delinquent Taxes	175,000
	Fee-In-Lieu of Taxes	115,000
	Homestead Exemption	173,000
	State Grant	20,000
	Fund Balance	335,020
194	Animal Shelter - Local Contributions	20,000
	Fund Balance	35,000
196	Infrastructure Reserve Fund - Property Taxes	1,696,805

Delinquent Taxes	85,000
Fee-In-Lieu of Taxes	60,000
Homestead Exemption	94,700
Fund Balance	<u>464,425</u>
<u>Total Other Special Revenue Funds</u>	<u>\$54,157,490</u>

**SECTION V. DEBT SERVICE AND OTHER FINANCING APPROPRIATIONS
AND REVENUES**

There is hereby appropriated, with the detail and the provisos as so stated in the Anderson County Budget Book, hereby incorporated by reference as a part of this Ordinance as fully as if set forth verbatim herein, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, the following sums of money in the amounts and for the purposes set forth as follows, with the anticipated revenues to be applied thereto as reflected herein:

GENERAL OBLIGATION BOND DEBT SERVICE APPROPRIATIONS

<u>BOND:</u>	<u>APPROPRIATED</u>
2008 General Obligation Bonds	\$1,006,000
2007 General Obligation Bonds	814,325
2005 General Obligation Bonds	886,950
1998 General Obligation Bonds (Library) (formerly 1997A)	<u>1,271,940</u>
<u>TOTAL GENERAL OBLIGATION BOND DEBT SERVICE</u>	
<u>APPROPRIATED</u>	<u>\$3,979,215</u>

GENERAL OBLIGATION BOND DEBT SERVICE REVENUE

<u>SOURCE OF REVENUE:</u>	<u>AMOUNT</u>
Property taxes	\$3,687,345
Fee-In-Lieu of Taxes	132,000
Merchants Inventory	60,000
Homestead Exemption	193,030
Fund Balance	<u>(93,160)</u>
<u>TOTAL GENERAL OBLIGATION BOND DEBT SERVICE</u>	
<u>REVENUE</u>	<u>\$3,979,215</u>

REVENUE BOND DEBT SERVICE APPROPRIATIONS

<u>BOND:</u>	<u>APPROPRIATED</u>
Plastic Omnium	\$100,810
LINWA	142,210
Michelin	770,930
Walgreen's	794,580
Special Source Revenue Bonds	<u>265,370</u>
<u>TOTAL REVENUE BOND DEBT SERVICE</u>	
<u>APPROPRIATED</u>	<u>\$2,073,900</u>

REVENUE BOND DEBT SERVICE REVENUE

<u>SOURCE OF REVENUE:</u>	<u>AMOUNT</u>
Fees-In-Lieu-Of-Ad Valorem-Taxes	\$243,020
Economic Development Fund	<u>1,830,880</u>
<u>TOTAL REVENUE BOND DEBT</u>	
<u>SERVICE REVENUE</u>	<u>\$2,073,900</u>

SPECIAL TAX DISTRICT APPROPRIATIONS

	<u>AMOUNT:</u>
Reimburse County for Public Works Projects	\$5,200
Thornwood Acres	6,070
Burgess Estates	13,145
Whispering Oaks	<u>12,750</u>
Cedar Glen	
<u>TOTAL SPECIAL TAX DISTRICT APPROPRIATIONS</u>	<u>\$37,165</u>

SPECIAL TAX DISTRICT REVENUE

<u>SOURCE OF REVENUE:</u>	<u>AMOUNT:</u>
Special Tax District Fees	\$37,165
<u>TOTAL SPECIAL TAX DISTRICT</u>	
<u>REVENUE</u>	<u>\$37,165</u>

LEASE PURCHASE FINANCINGS ANNUAL APPROPRIATIONS

Equipment Lease Purchase	\$1,825,175
<u>TOTAL LEASE PURCHASE FINANCINGS</u>	
<u>ANNUAL APPROPRIATIONS</u>	<u>\$1,825,175</u>

All lease purchase millage revenue from millage levied for the Palmetto 800 MHz system in excess of that necessary to make lease purchase payments will be placed in the Infrastructure Reserve Fund.

LEASE PURCHASE FINANCINGS REVENUE

<u>SOURCE OF REVENUE:</u>	<u>AMOUNT</u>
T/I From General Fund	\$1,059,245
T/I From Infrastructure Reserve Fund	765,930
<u>TOTAL LEASE PURCHASE FINANCINGS</u>	<u>\$1,825,175</u>
<u>REVENUE</u>	
<u>TOTAL DEBT SERVICE AND OTHER</u>	
<u>FINANCINGS APPROPRIATIONS</u>	<u>\$7,915,455</u>
<u>TOTAL DEBT SERVICE AND OTHER</u>	
<u>FINANCINGS REVENUE</u>	<u>\$7,915,455</u>

To the extent that any monies remain in any debt service funds of the County, upon complete satisfaction of the debt for which such funds were collected, the County Administrator may transfer all such excess and otherwise unused funds to, and utilize such funds for any other Anderson County debt service fund which has been lawfully created by Anderson County Council to pay debt service on any lawful debt obligation of the County. Further, to the extent that any monies remain in the capital project accounts of the County, upon complete satisfaction of the stated purposes for which such funds were initially authorized, the County Administrator may transfer all such excess and otherwise unused funds to, and utilize such funds for any other Anderson County activity or purpose which has been duly authorized by Anderson County Council and for which debt funds of the County may be lawfully used.

SECTION VI. CAPITAL PROJECTS FUNDS APPROPRIATIONS AND REVENUES

There is hereby appropriated, with the detail and the provisos as so stated in the Anderson County Budget Book, hereby incorporated by reference as a part of this Ordinance as fully as if set forth verbatim herein, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, the following sums of money in the amounts and for the purposes set forth as follows, with the anticipated revenues to be applied thereto as reflected herein:

CAPITAL PROJECTS FUNDS APPROPRIATIONS

<u>APPROPRIATED</u>	<u>ACTIVITY</u>
346 FY 2009 Special Source Revenue Bond	\$310,000
360 Capital Project Reserve Fund	1,261,815
368 Economic Development	<u>2,771,815</u>

<u>TOTAL CAPITAL PROJECTS FUNDS APPROPRIATIONS</u>	<u>\$4,343,630</u>
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CAPITAL PROJECTS FUNDS REVENUES

<u>SOURCE OF REVENUE:</u>	<u>AMOUNT</u>
346 FY 2009 Special Source Revenue Bond Proceeds-Fund Balance	\$310,000
360 Capital Projects Millage	225,000
Capital Projects Delinquent-Taxes	20,000
Capital Projects Fee-in-Lieu-of-Taxes	15,000
Capital Projects Homestead Exemption	20,000
Capital Projects Fund Balance	981,815
368 Economic Development Fund Balance	296,815
Economic Development-Property Taxes and Fee-In-Lieu of-	<u>2,475,000</u>
Taxes and Transfer In from Infrastructure Fund	

<u>TOTAL CAPITAL PROJECTS FUNDS REVENUE</u>	<u>\$4,343,630</u>
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SECTION VII. ENTERPRISE FUNDS APPROPRIATIONS AND REVENUES

There is hereby appropriated, with the detail and the provisos as so stated in the Anderson County Budget Book, hereby incorporated by reference as a part of this Ordinance as fully as if set forth verbatim herein, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, the following sums of money in the amounts and for the purposes set forth as follows, with the anticipated revenues to be applied thereto as reflected herein; provided, however that to the extent, only, that revenues for Enterprise Fund activities exceed the revenue projections shown below, the Appropriations shown for Enterprise Funds herein may be adjusted by the Administrator to match the increased revenues, subject to the requirements of Section XXVIII, hereof. Provided, further, that the Administrator, or his designee, is authorized to write off, discharge, or otherwise adjust uncollectable and otherwise unenforceable debt owed to the enterprise funds of the county, utilizing the same standards used by the Anderson County Treasurer to adjust nulla bona debt of the County.

ENTERPRISE FUNDS APPROPRIATIONS

<u>ACTIVITY:</u>	<u>APPROPRIATED:</u>
Sewer	\$7,414,625
Solid Waste/Recycling	6,209,365
Airport	2,744,780
<u>TOTAL ENTERPRISE FUNDS APPROPRIATIONS</u>	<u>\$16,368,770</u>

ENTERPRISE FUNDS REVENUES

<u>REVENUES</u>	<u>AMOUNT</u>
Sewer Property Taxes, State Revenue, Fees & Interest	\$5,142,815
Sewer – T/I from Infrastructure Fund	780,000
Sewer – T/I from Economic Development Fund	535,935
Sewer – Fund Balance	955,875
Solid Waste/Recycling	5,788,735
Solid Waste/Recycling State Grant	32,455
Solid Waste/Recycling Fund Balance	388,175
Airport	2,269,390
Airport Federal Grant	134,645
Airport Fund Balance	340,745
<u>TOTAL ENTERPRISE FUNDS REVENUES</u>	<u>\$16,368,770</u>

SECTION VIII. LEVYING OF A SUFFICIENT TAX FOR ANDERSON COUNTY LIBRARY PURPOSES

A tax of sufficient millage to fund the appropriations in the amount of \$ **3,676,410** (excluding delinquent taxes totaling approximately \$213,575, fee-in-lieu of payments totaling approximately \$143,000 and \$210,000 homestead exemption), for the Anderson County Library Budgets, herein made, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, is hereby directed to be levied on all personal and real property in Anderson County, and shall be identified as such on Anderson County tax bills. To the extent such

levy results in excess revenues, above those stated above, all such revenues shall be placed and maintained in the Anderson County Library fund balance. Any funds in the Anderson County Library fund balance at any point in time in excess of those required for the Anderson County Library budgets herein made, may be utilized by the Anderson County Library Board of Trustees; provided, however, the expenditures of said surplus funds shall never exceed the amount of the most recent approved budget of the Library. There shall be credited against said appropriations all other revenues anticipated to accrue to Anderson County during said year for Anderson County Library. All such taxes and other revenues shall be levied, collected, deposited, disbursed and accounted for in the Anderson County Library Fund, with a specific levy and account for the library appropriation category listed herein.

SECTION IX. ANDERSON COUNTY LIBRARY FUND APPROPRIATIONS AND REVENUES

There is hereby appropriated, with the detail and the provisos as so stated in the Anderson County Budget Book, hereby incorporated by reference as a part of this Ordinance as fully as if set forth verbatim herein, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, the following sums of money in the amounts and for the purposes set forth as follows, with the anticipated revenues to be applied thereto as reflected herein:

ANDERSON COUNTY LIBRARY FUND APPROPRIATIONS

<u>ACTIVITY:</u>	<u>APPROPRIATED:</u>
Anderson County Library Fund	<u>\$4,242,985</u>
<u>TOTAL ANDERSON COUNTY LIBRARY FUND APPROPRIATIONS</u>	<u>\$4,242,985</u>

ANDERSON COUNTY LIBRARY FUND REVENUE

<u>SOURCE OF REVENUE</u>	<u>AMOUNT:</u>
Property Taxes	\$3,676,410
Delinquent Taxes	213,575
Fee-In-Lieu of Taxes	143,000
Homestead Exemption	<u>210,000</u>
<u>TOTAL ANDERSON COUNTY LIBRARY FUND REVENUE</u>	<u>\$4,242,985</u>

The Anderson County Auditor is hereby directed to levy as separately identified County ordinary millage and the Anderson County Treasurer hereby directed to collect, disburse monthly (if funds are available), and account for as a separate fund the sums identified herein for the Anderson County Library Fund.

SECTION X. ADOPTION OF OPERATING AND CAPITAL BUDGETS FOR TRI-COUNTY TECHNICAL COLLEGE PURPOSES

Pursuant to Section 4-9-70 of the Code, the operating and capital budgets of Anderson County specifically for Tri-County Technical College as hereinafter set forth, by reference and otherwise, are hereby adopted for the fiscal year beginning July 1, 2012 and ending June 30, 2013.

**SECTION XI. LEVYING OF A SUFFICIENT TAX FOR TRI-COUNTY
TECHNICAL COLLEGE PURPOSES**

A tax of sufficient millage to fund the appropriations in the amount of **\$1,571,660** (excluding delinquent taxes totaling approximately \$120,000, fee-in-lieu of payments totaling approximately \$76,590, merchants inventory payments totaling \$13,630, homestead exemption payments totaling \$117,000 and \$174,630 to be transferred from the Capital Projects Fund), for the Tri-County Technical College Budgets, herein made, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, is hereby directed to be levied on all personal and real property in Anderson County on which school taxes may be levied, and shall be identified as such on Anderson County tax bills. To the extent such levy results in excess revenues, above those stated above, all such revenues shall be placed and maintained in the Tri-County Technical College fund balance. There shall be credited against said appropriations all other revenues anticipated to accrue to Anderson County during said year for Tri-County Technical College. All such taxes and other revenues shall be levied, collected, deposited, disbursed and accounted for in the Tri-County Technical College Fund, with a specific levy and account for the special education appropriation category listed herein.

**SECTION XII. TRI-COUNTY TECHNICAL COLLEGE FUND
APPROPRIATIONS AND REVENUES**

There is hereby appropriated, with the detail and the provisos as so stated in the Anderson County Budget Book, hereby incorporated by reference as a part of this Ordinance as fully as if set forth verbatim herein, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, the following sums of money in the amounts and for the purposes set forth as follows, with the anticipated revenues to be applied thereto as reflected herein:

<u>TRI-COUNTY TECHNICAL COLLEGE APPROPRIATIONS</u>	
<u>ACTIVITY/DEPARTMENT:</u>	<u>APPROPRIATED:</u>
Tri-County Technical College	<u>\$2,073,510</u>
<u>TOTAL TRI-COUNTY TECHNICAL COLLEGE APPROPRIATIONS</u>	<u>\$2,073,510</u>
<u>TRI-COUNTY TECHNICAL COLLEGE REVENUES</u>	
<u>SOURCE OF REVENUE:</u>	<u>AMOUNT:</u>
Property Taxes	\$1,571,660
Delinquent Taxes	120,000
Fee-In-Lieu-of-Taxes	76,590
Merchants Inventory	13,630
Homestead Exemption	117,000
Transfer In-Capital Projects	174,630
<u>TOTAL TRI-COUNTY TECHNICAL COLLEGE REVENUE</u>	<u>\$2,073,510</u>
<u>SUMMARY OF REVENUES FOR TRI-COUNTY TECHNICAL COLLEGE</u>	<u>\$2,073,510</u>
<u>SUMMARY OF APPROPRIATIONS FOR TRI-COUNTY TECHNICAL COLLEGE</u>	<u>\$2,073,510</u>

SECTION XIII. LEVYING OF A SUFFICIENT TAX FOR ANDERSON
COUNTY SHERIFF'S OFFICE PURPOSES

A tax of sufficient millage to fund the appropriations in the amount of \$17,081,170 for the Anderson County Sheriff's Office Budgets, herein made, for the fiscal year beginning July 1, 2012 and ending June 30, 2013, is hereby directed to be levied on all personal and real property in Anderson County, and shall be identified as such on Anderson County tax bills, with such millage for the Anderson County Sheriff's Office, exclusive of any debt service millage to be set by the Anderson County Auditor, not to exceed 30.2 mills, total. To the extent such levy and other revenues collected by the Sheriff's Office results in an excess of \$21,120,345, any such excess shall be applied towards department 5181, Sheriff-Support Services up to the amount of that departmental budget. Any remaining surplus of net revenues over and above the aforementioned sum shall be placed and maintained in the Anderson County Sheriff's Office fund balance, a special revenue fund. All such taxes and other revenues shall be levied, collected, deposited, disbursed and accounted for in the Anderson County Sheriff's Office Fund, with a specific levy and account for the Sheriff's Office appropriation category listed herein.

SECTION XIV. TAX FOR ANDERSON COUNTY SEWER

There is hereby directed to be levied a tax of three (3) mills on all county ordinary taxable and real property in all unincorporated areas of Anderson County, pursuant to Anderson County Ordinance Number 164 of 1986, in order to provide sewer service in the County.

SECTION XV. LEVYING OF A TAX FOR METROPOLITAN ANDERSON
AREA AMBULANCE SERVICE AND FOR COUNTY
EMERGENCY MEDICAL PURPOSES

There is hereby directed to be levied a tax of three and two tenths mills (3.2 mills) on all county ordinary taxable real and personal property in the metropolitan Anderson area (zone 9) pursuant to Anderson County Ordinance Number 254 of 1988, for ambulance service, in order to provide ambulance service and emergency medical service in such area, and a tax of four (4.0 mills) to provide such emergency medical services in the remainder of the County; such former levy, for zone 9, to be subject to and dependent upon the approval by County Council, prior to the levy of County taxes, of a contract for the provision of such services; and, such latter levy to be subject to and dependent upon the approval by County Council, prior to the levy of County taxes, of: the creation and organization of an oversight and governance board for County emergency medical services not addressed elsewhere; bylaws and agreements and other organizational documents for such board; applicable minimum standards for County providers of emergency medical services; oversight rules and agreements for County providers of emergency medical services; approval by County Council of funding for such emergency medical services including any required levy of County taxes; and a plan and procedure for the distribution of such levied funds to the County providers of emergency medical services on a fair and equitable basis.

SECTION XVI. SOLID WASTE/RECYCLING FEES

There shall be a uniform \$64.83 Residential Solid Waste/Recycling Fee annually imposed upon the owner of record of each residence in the County, including all single and multi-family homes, mobile homes, and all lease and rental properties, and a uniform Commercial \$75.64 Solid Waste/Recycling Fee annually imposed upon every business, excepting industries, located in a municipality in the County, and to be collected by such municipality not less frequently than annually and remitted to the County within thirty (30) days from the deadline imposed by the municipality for such collections. Together, these fees, plus the Starr C&D Landfill usage fee of \$28/ton and revenues received from the sale of recycled materials, interests income, state grant and tire revenue are currently estimated to produce approximately \$5,821,190 (excluding budgeted usage of fund balance of \$388,175) for this fiscal year, and constitute the total anticipated fiscal year 2012-2013 revenues of the Solid Waste and Recycling Department.

The residential Solid Waste and Recycling Fees shall be levied as a uniform assessment by the Anderson County Auditor and placed upon the annual real estate tax notice and collected by the Anderson County Treasurer, pursuant to state law. The fiscal officers of the County shall have the authority to nulla bona or abate these fees to the same extent and under the same conditions as they do for a comparable tax.

Further, there shall be imposed a late fee and supplemental processing charge of \$6.00, for all Solid Waste/Recycling Fees not timely remitted to the County Treasurer by March 16 of the year when due. For all past due accounts in excess of one year, the County shall impose an additional annual penalty of \$12.00. The County shall pursue all legal remedies available to it to recover past due amounts, and shall hold the property owner responsible for all costs of collection, including reasonable attorney fees, as a part of such collection efforts and as a part of the fees imposed by County Council pursuant to state law, in order that lawful tax-paying citizens not be forced to subsidize those taxpayers who do not pay this lawful fee in a timely manner. Failure by a municipality to collect the uniform Commercial \$75.64 Solid Waste/Recycling Fee or to remit such collected fees to the County in accordance with this section may result in the County terminating solid waste disposal privileges for such municipality until all such collections and/or remittances are made current.

All proceeds collected from these fees shall be accounted for in a separate fund to be used solely to account for solid waste operations in the County, including but not limited to, the collection, disposal, transfer, and recycling of solid waste, including, without limitation, the purchase or construction of machinery, equipment, and facilities for such operations, as well as the administrative expenses incurred in the operation of the Anderson County Solid Waste and Recycling Department and collection of the annual solid waste/recycling fee. The County is authorized to issue appropriate legal obligations, including bonds, as appropriately authorized by normal County processes to pay for all of the foregoing costs, utilizing the proceeds from these fees to pay for such costs, including, without limitations, to pay the debt service for such bond obligations. The fees addressed in this section may be set or changed by simple vote of County Council, and will be adjusted by the County Administrator and the Public Works Division Director of the County to reflect, but not exceed, cumulative changes in the Consumer Price Index for Urban Areas after approval by County Council. The provisions of this Section shall be codified in a separate ordinance of the County pertaining to Solid Waste/Recycling Fees, which shall include provisions for enforcement, including

civil and criminal penalties for non-payment.

Because empirical evidence indicates that senior citizens generate less Solid Waste, by consuming less, than younger residents, the Anderson County Auditor shall only levy and collect a \$40 Residential Solid Waste/Recycling Fee for every household which qualifies for and is granted the State Homestead Exemption.

SECTION XVII. SEWER FEES

The County is party to multiple agreements with the City of Anderson, South Carolina (the "City"), which have been in effect for many years and are of indefinite duration. Those agreements require the County to pay a pro rata share of the cost of certain upgrades to the City's sewer system, based on the volume of discharge and the nature of the discharge. Because the County does not set the amount of such costs and because the costs are based on actual use by customers using the system, the only equitable method to use for paying the cost of increase charged by the City, pursuant to contractual agreements of long standing, is to increase the County sewer use charges affected, by the respective percentage or amount of increase charged by the City, i.e., to treat the amount charged by the City as a "pass-through" charge to the system users. In addition, the County has certain debt instruments in effect, with the South Carolina State Revolving Fund and others, which require the County to set sewer user charges in such an amount as will generate sufficient funds to pay all debt service on such debt instruments. The County Administrator and the Public Works Division Director may effect such "pass-through" charges by insuring that amounts charged by the City are correct and then passing those charges along, pro rata, to the users of the County sewer system impacted by the City charges, in the form of adjusted sewer use charges, based on the same cost increase factors utilized by the City, and may otherwise adjust such sewer use charges as required to adequately meet all debt service requirements of sewer system debt instruments and obligations duly authorized by County Council.

SECTION XVIII. STORMWATER REQUIREMENTS AND PERSONNEL

Federal and state law mandates the management of stormwater runoff by Anderson County. Accordingly, certain Environmental Services Division employees have been assigned to the management of Anderson County's Stormwater Runoff management program. Anderson County Council may utilize funds from the Sewer Fund for the Stormwater Runoff management program, to the extent such funds are available and sufficient for that purpose, rather than impose additional federally and state mandate-created fees for such purposes.

SECTION XIX. CREATION AND APPROPRIATION OF PUBLIC INFRASTRUCTURE FUND

There has heretofore been established, and shall be maintained as a separate budgetary and operational fund of the County, the Anderson County Public Infrastructure Fund (the "Fund"). The County shall deposit into such Fund those revenues of the County derived from fee-in-lieu-of-tax ("FILOT") payments from the several joint county industrial and business parks of the County ("multi-county parks" or "MCIPs"), which are designated

to be so deposited by this Ordinance or other ordinances of Anderson County, including, without limitation, Ordinance #2004-041, as amended from time to time ("Ordinance #2004-041"). Moneys deposited into the Fund shall be utilized for the costs of infrastructure serving economic development purposes in Anderson County ("Infrastructure") in accordance with the provisions of 4-1-170, et seq., Code of Laws of South Carolina, 1976, as amended, and as directed by Anderson County Administrator. Such expenditures are hereby authorized by Anderson County Council. Deposits into such Fund shall include, without limitation, those revenues from the Anderson County-Greenville County multi-county park which are allocated to that purpose by Ordinance #2004-041, (exclusive of such revenues as are being utilized for separate special source revenue bonds issued to fund Infrastructure). Moreover, Anderson County Council affirms that distribution of the FILOT revenues received by Anderson County pursuant to the multi-county park agreements with Clarendon County and with Abbeville/McCormick Counties for park premises under those two agreements which are located in Anderson County shall be distributed in the same manner and pursuant to the same allocation methodology as set forth in Ordinance #2004-041. All monies and revenues received by Anderson County pursuant to Ordinance #2004-041 and this Section shall be accumulated in, accounted for, and distributed from such Fund as provided in such Ordinance and in this Section. Expenditures may be made from such Fund to pay the cost of such Infrastructure directly or to make debt service payments on bonds or notes payable issued by the County to fund such Infrastructure.

SECTION XX. SPECIAL TAX DISTRICT REVENUES AND APPROPRIATIONS

The County Finance Department shall receive and account for those revenues of the County levied and collected for the special tax districts of the county, as authorized, required, and levied by the County ordinances creating such special tax districts. The County Finance Department will disburse moneys from such funds in accordance with the County ordinances creating the special tax districts, including, without limitation, for reimbursements of the County Public Works Division in accordance with such ordinances. Such monies are hereby appropriated for those purposes.

SECTION XXI. FUNDING OF COUNTY ORGANIZATIONS

All dependent boards, agencies, commissions, and organizations of the County, funded by these budgets, except for County Rescue Squads shall be disbursed funds on a quarterly basis upon a letter of request to the County Administrator anytime after the beginning of the first month of the quarter. A brief report shall be submitted along with the letter of request, detailing how County funds were expended in the previous quarter. An audit report shall be presented to the County Administrator within six months following the end of the respective fiscal year for each organization addressed by this Section following receipt of request by the County Administrator.

SECTION XXII. SETTING OF A MILLAGE RATE

The Anderson County Council, working in cooperation with the Anderson County Auditor and Treasurer and in accordance with the laws and Constitution of the State of

South Carolina, shall calculate and fix the amount of the millage necessary, not to exceed 78.7 mills, total, exclusive of debt service millage to be set by the Anderson County Auditor, as set forth herein, to support the appropriations herein made, with the exception of those appropriations and portions thereof supported by revenues other than property taxes, and shall so advise the Auditor and Treasurer of Anderson County who shall levy and collect said millage, respectively, as hereby directed by the County Council, in addition to any millage (for debt service or otherwise) for which the statutory authority to determine and levy is granted to the Anderson County Auditor and the authority to collect is given to the Anderson County Treasurer. All such levies of taxes authorized herein by Anderson County Council for County of Anderson purposes shall be set forth, stated, and mailed to the taxpayers of Anderson County on a tax notice showing such levies separate and independent of levies of taxes by any other legal entity or political subdivision of the State of South Carolina, whether on a two-sided tax notice or a multi-page tax notice or any other form of tax notice accomplishing the purpose set forth in this paragraph. Anderson County Council will provide forms for such tax notices and no funds appropriated by this budget ordinance are authorized for the procurement or preparation of any other form of tax notice.

SECTION XXIII. COMPLIANCE WITH COUNTY CODE AND ACCOUNTABILITY

All funds for County ordinary purchases and procurements shall be obligated in accordance with the County Code through the County Central Purchasing Department and will be disbursed by the Finance Department so as to provide for necessary auditing, unless specifically exempted by County Council in public session.

All State and Federal Grants will be administered, coordinated, and accounted for by the Anderson County Finance Department.

Use of funds appropriated by County Council district or otherwise, to reimburse members of County Council for reimbursable expenses (that is, for lodging, travel, registration fees, training, meals, and telephone usage) incurred in the discharge of their official duties shall be in accordance with the terms and provisions of the County Code.

SECTION XXIV. DEPOSITS

All service charges, reimbursements, fees, fines, other funds received by county departments shall be deposited with the County Treasurer as soon as possible after collection; but in no case shall the time lapse between collection and deposit with the Treasurer exceed thirty (30) days. The Treasurer is authorized and directed to deposit all funds received into the appropriate interest-bearing accounts, and any surplus funds and all accumulative interest shall be deposited into the General Fund of Anderson County.

SECTION XXV. SURPLUS FUNDS

Except as otherwise noted herein, any surplus in the General Fund of the County or any moneys accruing therefrom shall be used as a contingency fund and shall be spent as authorized and directed by the Anderson County Council during the fiscal year addressed by this Ordinance, only. At the end of such fiscal year those funds shall be accounted for as

addressed in the next succeeding Section. Any surplus in other funds of the County or any monies accruing therefrom shall be retained and accounted for in such other fund or funds and shall be carried forward from year to year as fund balances in such funds.

SECTION XXVI. END OF FISCAL YEAR ACCOUNTING

All appropriations made by this Ordinance for which monies have not been obligated or encumbered by the end of June 30, 2013, shall lapse and expire at that time. All appropriations made by this Ordinance for which the funding monies have been obligated or encumbered by June 30, 2013 shall remain on the books of Anderson County at June 30, 2013 for matching of the applicable expenditure for year-end accrual purposes. Once the ledgers are closed for year-end accrual purposes, the unused encumbrance amount will be removed from the encumbrance system. Unobligated General Fund budgetary appropriations and monies received by County departments and existing without obligation at the close of the fiscal year addressed by this Ordinance shall revert to the General Fund of Anderson County to be accounted for as fund balance; no existing appropriation or actual revenues on hand at the end of the fiscal year may be expended by any department during the succeeding fiscal year without new appropriation by County Council. Any surplus in other funds of the County or any moneys accruing therefrom shall be retained and accounted for in such other fund or funds and shall be carried forward from year to year as fund balances in such funds.

The external auditor utilized by Anderson County to conduct the County's annual external audit of its finances and financial records, in accordance with state law, shall be the independent, certified, professional accountant or accounting firm selected in accordance with Anderson County Ordinance #2002-007, codified in Section 2-637 of the Anderson County Code of Ordinances, as enacted by Anderson County Council on March 5, 2002.

SECTION XXVII. TRANSFERRING OF FUNDS

With the exception of those positions under the control of an elected or appointed official, the creation of a new position or increased salaries and fringe benefits, excluding health insurance benefits, of an existing position must be approved by County Council. The Administrator shall consult with County Council prior to transferring any existing County employee to another position if that transfer will result in increased compensation to the employee.

The Administrator may approve changes in a department budget from one line item to another in an amount up to and including \$5,000 at any one time; provided, however, the total department budget shall not increase and that no new positions may be created, no additions to legal fees, professional fees, contractual services or capital expenses, may be accomplished by such a transfer without County Council approval. Aggregate transfers within a department which exceed \$5,000 presented in any given thirty-day period within a department shall require County Council approval. No transfer for any one type of good or services may be subdivided, split or "stacked" for purposes of evading the requirements of this section.

SECTION XXVIII. DISBURSEMENT

The County Administrator, based on financial conditions and cash-flow considerations, shall determine the proper rate of disbursement of the above-enumerated appropriations during the fiscal year. Transfers from fund to fund in order to properly account for and manage County funds and appropriations in accordance with generally accepted accounting standards continue to be explicitly approved notwithstanding any other language of this Ordinance, subject always to the reporting requirements of this Ordinance. The County Administrator and the County Treasurer are hereby granted authority to enter into agreements with the Anderson County Board of Education and the School Districts of Anderson County, consistent with this Ordinance, to make accelerated disbursements of Anderson County school tax receipts to the School Districts of Anderson County and to the Anderson County Board of Education.

SECTION XXIX. PAUPER BURIALS

Pauper burials shall be funded in the budget of the Department of Social Services budget (5302) at the rate of \$250/child and \$400/adult; full documentation for each such burial is required.

SECTION XXX. RETIREMENT OF AUTOMOTIVE AND HEAVY EQUIPMENT

Unless otherwise directed by County Council, automotive and heavy equipment will be retired from service by any department receiving replacement equipment on a one for one basis as the replacement equipment is received. Retired equipment will be appropriately evaluated for reassignment or disposition by the Transportation Division Director and the County Administrator.

SECTION XXXI. TAX ANTICIPATION NOTES

As permitted by Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended and Section 11-27-40, Code of Laws of South Carolina, 1976, as amended, County Council is hereby empowered to authorize the issuance of tax anticipation notes in the aggregate principal amount of not exceeding \$10,000,000 (the "TANS") in anticipation of the collection of taxes imposed and levied by this Ordinance. The TANS may be issued at any time or from time to time during the fiscal year beginning July 1, 2012 and ending June 30, 2013; shall be issued pursuant to a Resolution adopted by County Council; may be issued in bearer form or fully registered upon terms and conditions prescribed in such Resolution; shall be issued in the principal amounts, mature and bear interest as prescribed in such Resolution; may be sold by negotiated or public sale upon such terms and conditions as County Council prescribes in the Resolution.

SECTION XXXII. CREDIT CARD PAYMENTS

To the maximum extent authorized by and in accordance with law, and in accordance with County procurement policies, all Anderson County offices, including those of elected officials, are authorized to adopt and implement uniform procedures, through the

County Central Services Division, to accept credit card payments for all payments due to the County or processed by County offices.

SECTION XXXIII. CREDIT CARD POLICY

All Anderson County credit card charges and purchases made utilizing an Anderson County credit card are to be reported to the Finance Office, and accompanied by a detailed receipt and a written report, the format of which is to be designed and determined by the County Administrator or his designee. The written report shall contain sufficient detail to show who made the charge, what the charge was for, when the charge was made, where the charge was made, and why the charge was incurred. Charges incurred for or associated with economic development projects must still be reported, as addressed above, and accompanied by the receipt and report described above, but may be reported by project codename, until such time as the project is publicly announced or finally terminated.

SECTION XXXIV. CIVIC CENTER ACCOUNTABILITY PROGRAM

In an effort to foster more community support in and use of the Civic Center of Anderson (the "Civic Center"), County Council hereby approves funds appropriated by this Ordinance, to local civic groups and organizations to financially assist their events at the Civic Center. Such Accountability Program funds, not to exceed amounts used by the Civic Center for such purposes during the fiscal year ending June 30, 2013, will be awarded to not-for-profit and eleemosynary organizations that meet the specifications and standards set herein and apply to the County Administrator for such funds. The Administrator will review the list of applicants and award the Accountability Program funds as he feels will best benefit the overall Anderson County community. The Accountability Program funds utilized will be applied, on paper, to the Civic Center's year-end revenues. It is the intent of County Council that Civic Center Accountability Program funds will be awarded in a manner similar to that by which Anderson County accommodations tax allocations are currently distributed. Accountability Program funds may be utilized only toward the facility rental costs of the Civic Center, and may not be applied to non-facility rental fees, such as for the use of Civic Center equipment, stage, dance floor, etc. All such non-facility rental items must be rented at retail rate from the Civic Center. Civic Center Accountability Program funds may not be awarded to any organization that does not have a contingency plan to fund its event if Accountability Program funds are not awarded. Accountability Program funds may only be awarded as an assistance to those groups which are otherwise planning to hold an event at the Civic Center. Accountability Program funds may be awarded to completely or partially cover facility rental costs. Any facility rental fees not covered by Accountability Program funds must be paid to the Civic Center by the utilizing organization, in accordance with normal Civic Center payment policies and procedures. Any non-facility rental fees must likewise be paid to the Civic Center by the utilizing organization in accordance with normal Civic Center payment policies and procedures, regardless of Accountability Program fund allocations. Forms, applications, and procedures consistent with this Ordinance will be established by the Civic Center staff, approved by the Administrator, and utilized as set forth in this Section.

SECTION XXXV. GRANTS AND GRANT MATCHING FUNDS

The Anderson County Administrator, or his duly authorized representative, is hereby authorized to apply for all grants of any nature whatsoever where no County matching funds are required, or for those grants for which County matching funds are required when all necessary County matching funds have been made available by Anderson County Council through the annual Anderson County operating and capital budgets or are available in applicable County enterprise fund balances, for County Council authorized programs, institutions, and facilities of Anderson County, and to receive and expend such grant funds for the purposes authorized in the respective grant applications. Notwithstanding the foregoing, County staff shall conduct an analysis identifying any recurring expense or monetary obligation for which the County may be responsible in the future where said expense or obligation will be payable from funding sources other than the grant being applied for. Any grant opportunity which involves such expenses or obligations shall require County Council approval prior to the submission of the grant application.

No funds appropriated by this Ordinance may be utilized as matching funds for any parks and recreation grant, including, without limitation, grants received from the South Carolina Department of Parks, Recreation, and Tourism, except for Anderson County Council District Recreation Funds appropriated hereby, except as otherwise provided herein.

SECTION XXXVI. APPLICABLE CIVIC CENTER RATES

Rates as set forth on Civic Center of Anderson Sales and Marketing Division rate sheets dated July 1, 2012 shall be applied by the Civic Center of Anderson for all rental contracts entered into between July 1, 2012 and June 30, 2013.

SECTION XXXVII. APPLICABLE ANIMAL SHELTER RATES

Rates as set forth on Environmental Division rate sheets dated July 1, 2012 shall be applied by the Anderson County Animal Shelter for all services rendered between July 1, 2012 and June 30, 2013.

SECTION XXXVIII. APPLICABLE JUROR REIMBURSEMENT RATES

There shall be paid unto the Grand Jurors in Circuit Court the sum of \$20 per diem and Petit Jurors shall be paid the sum of \$12 per diem. There shall be paid unto Jurors in Summary Court the sum of \$10 per diem. In addition to the aforesaid sum, jurors shall be reimbursed twenty-five, \$.25, cents per mile per day from their home to the Anderson County Courthouse for the term for which they are drawn to serve. These rates shall be effective for all services rendered between July 1, 2012 and June 30, 2013.

SECTION XXXIX. FUNDING OF E-9-1-1 SERVICES

In order to provide all citizens of Anderson County with the best emergency dispatch services available and to fund those services in the most effective, efficient manner possible, the County Administrator is hereby directed to utilize and apply the maximum E-9-1-1 tariff funds available by current South Carolina law to the County's E-9-1-1 system, in accordance with County procurement policies and state law.

SECTION XXXX. ROAD ENCROACHMENT PERMITS

The Anderson County Transportation Division is authorized to charge fees for encroachments on County roads and rights-of-way and for encroachment permits for such encroachments in accordance with an encroachment fee schedule prepared, from time to time, by the Anderson County Transportation Division, and approved by Anderson County Council by appropriate Council action. Such fees for encroachments on Anderson County roads and rights-of-way and for encroachment permits for such fees shall be sufficient to fully reimburse the County for all costs of supervising, inspecting, and repairing, as necessary, all damage to County roads and rights-of-way caused by such encroachments.

SECTION XXXXI. INVENTORY OF CAPITAL ASSETS

In accordance with Anderson County Ordinance 2004-055, as codified, there is to be an annual inventory of all Anderson County capital assets valued in excess of two hundred dollars, as part of and subject to the annual Anderson County budget process.

Pursuant to the Anderson County Code of Ordinances, the processing of the annual budget requests for any given Anderson County department, office, or entity, responsible for an annual capital asset inventory, shall be stayed until the Anderson County Finance Department has certified to the County Administrator that department's, office's, or entity's annual capital asset inventory as meeting all procedures and requirements of the county, including reconciliation of any discrepancies and initiation of appropriate accountability action regarding any missing capital asset of the county.

SECTION XXXXII. FUND BALANCE POLICY

Maintenance of an adequate and appropriate fund balance is critical to an overall sound fiscal policy and practice of the County. Maintenance of such fund balance not only protects the County against emergencies and unexpected contingencies, it actually saves the County significant amounts of money, through less reliance on tax anticipation notes and through lower interest rates for borrowing money and issuing debt. A fund balance policy is looked upon favorably by rating agencies and investors. County Council, therefore, and hereby, establishes a policy that the County will maintain a general fund balance of approximately six (6) months of current budget expenditures, including operating transfers out, but not less than two (2) months of such expenditures.

SECTION XXXXIII. REASONABLE ACCOMMODATION POLICY

Anderson County is a participant in the Federal Community Development Block Grant Program for the purpose of undertaking various important community and economic development activities throughout the County. The Community Development Block Grant Program requires a reasonable accommodations policy for Section 504 regulations. Anderson County, acting by and through the Anderson County Council, desires to comply with all necessary Grant requirements. Anderson County, acting by and through the Anderson County Council, is hereby willing to make reasonable accommodations for the known physical or mental impairments of an otherwise qualified participant, applicant or employee, providing it does not cause undue financial or administrative burden on the County or cause a fundamental alteration of the County's

program. Anderson County Council hereby recognizes that the policy created hereunder includes employees, applicants for employment, and the public when the public is involved in County activities. The Anderson County Administrator, for and on behalf of the County, is hereby authorized and directed to do any and all things necessary or appropriate in connection with this Policy.

SECTION XXXXIV. SOLICITOR CASE FACILITATOR

Funding for the temporary Case Facilitator in the Solicitor's Office is budgeted for an additional year and is intended to provide representation for Anderson County in the Magistrates Courts of Anderson County. This is a temporary position only. In order for this position to be considered in future budget years, the Solicitor's Office must provide the Administrator with quarterly reports indicating the number of new cases referred each quarter, the number of court appearances each quarter, and a certification from the Solicitor that this position was only used for representation in Magistrate Court on Anderson County cases during the quarter.

SECTION XXXXV. SEVERABILITY

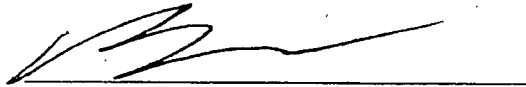
If any clause, phrase, sentence, paragraph, appropriation, or section of this Ordinance shall be held invalid for any reason, it shall not affect the validity of this Ordinance as a whole or the remaining clauses, phrases, sentences, paragraphs, appropriations, or sections hereof, which are hereby declared separable.

SECTION XXXXVI. EFFECTIVE DATE

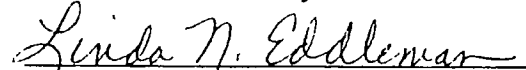
This Ordinance shall become effective and enforced from and after July 1, 2012.

ADOPTED in meeting duly assembled this 28th day of June, 2012.

ATTEST:



Rusty Burns
Interim Anderson County Administrator



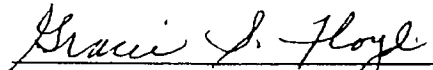
Linda N. Eddleman
Clerk to Council



Tom Allen, Chairman



Francis M. Crowder, Sr., District #1



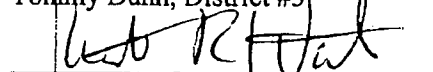
Gracie S. Floyd, District #2



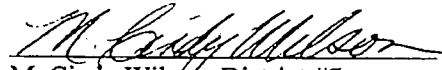
Eddie Moore, District #3



Tommy Dunn, District #5

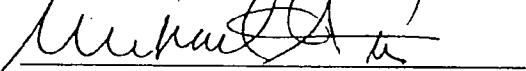


Ken Waters, District #6



M. Cindy Wilson, District #7

APPROVED AS TO FORM:



Michael S. Pitts
Anderson County Attorney

First Reading:

May 15, 2012

Second Reading:

June 5, 2012

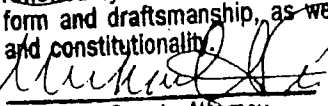
Third Reading:

June 28, 2012

Public Hearing:

June 5, 2012

Pursuant to Section 2-38 of the Anderson County Code of Ordinances, the attached Ordinance/Resolution 2012-022 has been reviewed by the Anderson County Attorney as to form and draftsmanship, as well as to legality and constitutionality.


Anderson County Attorney

7/19/12
Date

EXHIBIT 2

(ANDERSON COUNTY COUNCIL

MEETING MINUTES)

[November 12, 2009]

ANDERSON COUNTY COUNCIL
ANDERSON, SOUTH CAROLINA
Called Meeting - November 12, 2009 - 2:00 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
M. Cindy Wilson - District #7
Rusty Burns - Interim Administrator
Mike Pitts, County Attorney
Linda N. Eddleman - Clerk to Council

ABSENT

Ron Wilson - District #6

Chairman Eddie Moore called the meeting to order and Ms. Wilson asked everyone to join her in reciting the Lord's Prayer.

Mr. Waldrep moved to enter executive session at 2:05 p.m. for the purpose of discussing and reviewing claims that the County might be involved in with a severance agreement that was previously signed by the County and former administration with Mr. Joey R. Preston. Ms. Wilson seconded and vote was six in favor, none opposed (Mr. Wilson absent). Mr. Mike Pitts stated that attorneys representing the Wyche Burgess Law Firm would be providing their legal analysis. Ms. Floyd asked which attorneys were present and Mr. Pitts informed Council that Mr. Frank Holliman, Mr. Ted Gentry, and Mr. Carl Muller were all here. They were employed in early September to provide analysis and legal research on these claims.

Mr. Dunn moved to return from executive session and re-enter regular session at 3:40 p.m.; Mr. Waldrep seconded. Vote was unanimous in favor.

Mr. Waldrep reminded the audience that no action was taken in executive session. He then moved to employee the services of Wyche Burgess Law Firm for the purpose of reviewing and taking any appropriate legal action - the rescission of the contract with Joey R. Preston. Mr. Dunn seconded the motion. Ms. Floyd questioned if the motion was to employ the said firm. Chairman Moore said yes. Ms. Floyd also inquired if members of Council wished to ask further questions of the law firm and if the County is fully prepared to hire them. Mr. Allen stated that the decision was to act to hire and to act on the legal advice of the firm. Chairman Moore confirmed Mr. Allen's statement.

Ms. Floyd suggested that Council consider how advantageous this action would be for the taxpayers of Anderson County and also see if the County could afford such a task at the amount quoted. She asked Council if this motion should not be discussed more in depth as the County has already spent roughly a quarter of a million dollars for an investigation that has yet to be completed and is still incurring heavy costs. "There is a possibility that the County will have more law suits and there are law suits on the books now that the County will have to settle," Floyd said. She then questioned how much more the

people of the County can take. Ms. Wilson said that in response to the events of November 18, 2008 and upon reviewing the recent report, she personally believes that Council would be violating their fiduciary agency to this County not to pursue this action. She believes that the citizens of the County put the seven Council members in office to protect the treasury and the morals of the county.

Ms. Floyd asked what amount the law firm would charge the county to pursue the issue if hired. Mr. Waldrep responded that the Wyche Burgess Law Firm is to charge a rate of \$290 per hour. Mr. Floyd also asked how long the entire process would take. Mr. Waldrep said that the law suit filed by the District 2 Council member is still on-going at this time and because of this present case, he does not know how long that would take. He believes that one would need the gift of prophecy to determine the length of time this process would consume. There will be an initial hearing in possibly two or three months. Mr. Waldrep understands that there are more legal matters that would be determined by a judge and he would be looking at the overall circumstances; largely focusing the November 18, 2008 Council meeting in which a contract suddenly appeared before County Council without any prior discussion or notice. Ms. Floyd stated that District Two does not have an attorney. She has a personal attorney that she personally employs. "Somebody told Mr. Cunningham that the County was going to tie his lawsuit up for 3 years and that same person can tell Mr. Cunningham that—can that same person tell us how long this will take," she said. Ms. Floyd also stated that this large financial task would throw the County into even deeper in debt and the County cannot pay for what it currently faces. Council discussed further.

Mr. Dunn moved to call for the question with Mr. Waldrep seconding. Vote was four in favor, one opposed (Allen) and one abstention (Floyd).

Chairman Moore called for the vote. The vote on the motion to hire the Wyche Burgess Law Firm for the purpose of reviewing and pursuing legal action in regards to the contact with Mr. Preston resulted in four in favor (Waldrep, Moore, Ms. Wilson, Dunn), two opposed (Floyd, Allen). Motion carried.

Mr. Dunn moved to adjourn and Mr. Waldrep seconded. Vote was unanimous in favor. The meeting adjourned at 3:50 p.m.

Respectfully submitted,

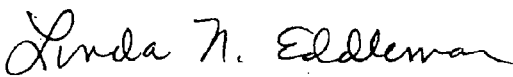
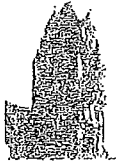

Linda N. Eddleman, CCC
Clerk to County Council

EXHIBIT 3

(ANDERSON COUNTY COUNCIL AGENDA
AND MEETING MINUTES)

[November 19, 2013]



**ANDERSON
COUNTY**

Making News,
Making Progress,

Council Members

Francis M. Crowder, Sr.
Chairman
District 1

M. Cindy Wilson
Vice-Chairman
District 7

Gracie S. Floyd
District 2

Eddie Moore
District 3

Thomas F. Allen
District 4

Tommy Durr
District 5

Ken Waters
District 6

Linda H. Eddleman
Clerk to Council

Rusty Burns
Interim Administrator

AGENDA
ANDERSON COUNTY COUNCIL
Special Recognitions -- November 19, 2013 - 6:00 pm
Historic Courthouse -- Council Chambers -- Second Floor
Chairman Francis M. Crowder, Sr., Presiding

1. CALL TO ORDER:
2. INVOCATION AND PLEDGE OF ALLEGIANCE:
3. PRESSENTATION RESOLUTIONS/PROCLAMATIONS:
 - a. Proclamation -- a proclamation expressing gratitude to Red Cross for overseeing the emergency relief and recovery efforts provided to the Azalea Apartment fire victims and their families and other matters related thereto. -- Mr. Tommy Dunn (allotted 5 minutes)

Chairman Francis M. Crowder, Sr.
Council Member Tom Allen

4. ADJOURNMENT

AGENDA
ANDERSON COUNTY COUNCIL
Regular Meeting -- November 19, 2013 - 6:30 pm
Historic Courthouse -- Council Chambers -- Second Floor
Chairman Francis M. Crowder, Sr., Presiding

1. CALL TO ORDER:
2. INVOCATION AND PLEDGE OF ALLEGIANCE:
3. APPROVAL OF MINUTES:
 - a. November 5, 2013 meeting
4. CITIZEN COMMENTS: Agenda Matters
5. "IT'S A WONDERFUL NEIGHBORHOOD" PRESENTATION BY MR. DAVID SIMPSON -- Eddie Moore (allotted 10 minutes)
6. INFORMATION FROM COUNTY COUNCIL MEMBER, DISTRICT #2: Mrs. Gracie S. Floyd (allotted 30 minutes)
7. ORDINANCES -- THIRD READING:
 - a. #2013-042 -- an ordinance to amend an agreement for the Development of a Joint County Industrial and Business Park (2010 Park) of Anderson and Greenville Counties as to enlarge the park. -- Mr. Burris Nelson (allotted 10 minutes)
8. ORDINANCES -- SECOND READING:
 - a. #2013-043 -- an ordinance amending Ordinance #99-004, the Anderson County Zoning Ordinance, as adopted July 20, 1999, by amending the Anderson County Official Zoning Map to rezone from R-20 (Single-Family Residential) to C-2 (Highway Commercial) one parcel of land, identified at 2031 Highway 81 North, consisting of +/- 5.75 acres. The parcel is further identified as TMS #146-00-08-017. -- Mr. Bill West (allotted 10 minutes)
 - b. #2013-045 -- an ordinance authorizing a fee in lieu of tax and infrastructure improvement credit arrangement pursuant to a fee in lieu of tax agreement between the County and Plastic Omnium Auto Exterior, LLC ("Plastic Omnium") for its second expansion; the termination of an existing fee in lieu of tax arrangement (the "Original FILOT") between Anderson County, South Carolina (the "County") and Plastic Omnium by terminating the lease agreement for the Original FILOT and transferring the property subject to the Original FILOT to Plastic Omnium; the conversion of an existing fee in lieu of tax arrangement (the "First Expansion FILOT") between the County and Plastic Omnium to a simplified fee type of fee in lieu of tax arrangement and extending the term of the First Expansion FILOT; the conversion of an existing fee in lieu of tax arrangement (the "Energy FILOT") between the County and Inergy Automotive Systems (USA), LLC ("Inergy") to a simplified fee type of fee in lieu of tax arrangement and extending the term of the Energy FILOT; an infrastructure financing agreement between the County and Plastic Omnium for property not subject to a fee in lieu of tax arrangement; and infrastructure financing agreement between the County and Inergy for property not subject to a fee in lieu of tax arrangement; and other matters relating to the foregoing. -- Mr. Rusty Burns/Mr. Mike Pitts (allotted 10 minutes)
 - c. #2013-046 -- an ordinance authorizing Anderson County to enter into a lease agreement with the Federal Aviation Administration ("FAA") for space the FAA rents at the airport; and other matters related thereto. -- Mr. Holt Hopkins/Mr. Mike Pitts (allotted 10 minutes)
9. ORDINANCES -- FIRST READING:
 - a. #2013-047 -- an ordinance authorizing the execution and delivery of a fee in lieu of tax agreement and an infrastructure finance agreement by and between Anderson County, South Carolina and a company known to the County at this time as PROJECT RACK with respect to certain economic development property in the County, whereby such property will be subject to certain payments in lieu of taxes, and Project Rack will receive certain infrastructure credits in respect of investment in related infrastructure; and other matters related thereto. -- Mr. Rusty Burns/Mr. Mike Pitts (allotted 10 minutes)

Chairman Francis M. Crowder, Sr.
Council Member Gracie S. Floyd

- b. **#2013-049** – an ordinance authorizing (1) the execution and delivery of a fee in lieu of tax and incentive agreement by and between Anderson County, South Carolina (the "County") and a company identified for the time being as **PROJECT OPPORTUNITY**, acting for itself, one or more affiliates or other project sponsors (the "Company"), in connection with the expansion of certain facilities in the County (the "Expansion Project"); (2) certain special source revenue credits in connection with the Expansion Project; (3) the execution and delivery of a first amendment to lease agreement (and related amended memorandum of lease and option to purchase) by and between the County and the Company approving a ten-year extension of the term of such lease agreement and the fee in lieu of tax arrangement set forth therein; (4) the assignment and transfer to the Company of rights, interests, and obligations under the lease agreement and related agreements; (5) the execution and delivery of a special source credit agreement by and between the County and the Company in connection with certain additional existing property in the County (the "Existing Non-PILOT Project"); (6) the benefits of a multi-county industrial or business park to be made available to the Company, the Expansion Project, and the Existing Non-PILOT Project; and (7) other matters relating thereto. – Mr. Rusty Burns/Mr. Mike Pitts (allotted 10 minutes)
 - c. **#2013-050** – an ordinance authorizing an amendment to the agreement for development for Joint County Industrial Park by and between Anderson County, South Carolina, and Greenville County, South Carolina, to locate certain real property located in Greenville County in the Joint County Industrial/Business Park; and other related matters. – Mr. Rusty Burns/Mr. Mike Pitts (allotted 10 minutes)
 - d. **#2013-051** – an ordinance authorizing the amendment of the agreement for development of Joint County Industrial and Business Park within Abbeville County, South Carolina (Enviro Project) executed on January 8, 2008 by and between Anderson County, South Carolina and Abbeville County, South Carolina, providing for the development of a Joint County Industrial and Business Park so as to include additional property in Abbeville County as part of the Joint County Industrial Park, and other matters relating thereto. – Mr. Rusty Burns/Mr. Mike Pitts (allotted 10 minutes)
- 10. **RESOLUTIONS:**
 - a. **#R2013-064** – a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, South Carolina, and Company A and Company B (collectively, **Project Choco**) whereby, under certain conditions, said Companies will acquire, by construction or purchase or lease/purchase property in Anderson County and Anderson County will provide certain economic development inducements to Company A and Company B for the project, and execute certain documents and enact certain further legislation for said companies' project involving an expected over one million dollars (\$1,000,000) in investment and the creation and maintenance of certain jobs. – Mr. Rusty Burns/Mr. Mike Pitts (allotted 10 minutes)
 - b. **#R2013-065** – a resolution authorizing the execution and delivery of an inducement agreement by and between Anderson County, South Carolina, and **Project Fleur** (the "Company") whereby, under certain conditions, said Company will acquire, by construction, lease and purchase, certain property in Anderson County and Anderson County will execute fee-in-lieu-of-tax agreement(s) and provide certain economic development inducements to the company for the project, and execute certain documents and enact certain further legislation for said company's project involving some ten million dollars (\$10,000,000) in total investment; and matters related thereto. – Mr. Rusty Burns/Mr. Mike Pitts (allotted 10 minutes)
 - c. **#R2013-066** – a resolution authorizing the acquisition of certain airport aviation easements; and matters related thereto. Mr. Holt Hopkins (allotted 10 minutes)
 - d. **#R2013-067** – a resolution authorizing the County's attorneys to pursue an appeal in Anderson County v. Preston, et al; and matters related thereto. – Ms. M. Cindy Wilson (allotted 30 minutes)
- 11. **ACCEPTANCE OF THE 2014 FULL DEPTH PATCHING AND SINGLE TREATMENT PLAN – FUNDING REQUEST** - Mr. Holt Hopkins (allotted 15 minutes)
- 12. **REPORT FROM THE ANIMAL WELFARE COMMITTEE:** (November 12, 2013 meeting) – Chairman Tom Allen (allotted 5 minutes)
 - a. Public Review of Draft Ordinance
- 13. **REPORT FROM THE PERSONNEL COMMITTEE:** (November 12, 2013 meeting) – Chairman Francis M. Crowder (allotted 5 minutes)
 - a. Executive Session – Recommendation from Personnel Committee regarding Clerk of Council
- 14. **REPORT FROM THE FINANCE COMMITTEE:** (November 14, 2013 meeting) – Chairman Tommy Dunn (allotted 25 minutes)
 - a. PetCo Grant
 - b. Broadway Water Meter Reading Agreement
 - c. Transfers
 - d. Aviation Easements (Possible Executive Session)
 - e. Executive Session;
 - 1. Personnel Matter
 - f. Executive Session – Economic Development Matters:
 - 1. Project Fleur
 - 2. Project Choco
- 15. **APPOINTMENTS:** Various Boards/Commissions - All Districts (allotted 5 minutes)
- 16. **REQUESTS BY COUNCIL MEMBERS:** All Districts (allotted 14 minutes)

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November 19, 2013

17. **ADMINISTRATOR'S REPORT:** (allotted 10 minutes)
 - a. Letters of Appreciation:
 1. For: Sheriff John Skipper From: Greenwood Chief of Police Gerald Brooks
 2. For: Officer Dustin McQueen From: Ms. Amy Heard
 3. For: Mr. Charles Pinson From: Mr. John D. Henderson
 4. For: Mr. Matthew Schell From: Ellen Clark
 - b. Building and Codes October Monthly Activity Report
 - c. Single Treatment and Crack Sealing Contracts – November 4 – November 8, 2013
18. **CITIZEN COMMENTS:** Other Matters
19. **REMARKS FROM COUNCIL MEMBERS**
20. **ADJOURNMENT**

State of South Carolina)

County of Anderson)

ANDERSON COUNTY COUNCIL

REGULAR COUNTY COUNCIL MEETING

NOVEMBER 19, 2013

IN ATTENDANCE:

FRANCIS CROWDER, CHAIRMAN
M. CINDY WILSON
GRACIE FLOYD -
EDDIE MOORE
TOM ALLEN
TOMMY DUNN
KEN WATERS

ALSO PRESENT:

RUSTY BURNS
MIKE PITTS
RITA DAVIS

Celia Myers

1 FRANCIS CROWDER: Mr. Pitts, how many have we
2 got signed up tonight, please, sir.

3 MIKE PITTS: Twenty on agenda items, Mr.
4 Chairman.

5 FRANCIS CROWDER: All right, thank you. Just
6 so -- before we start so that we know the rules of the
7 road, I know there are two passionate subjects on the
8 agenda tonight and we always welcome people to come to
9 County Council. But in order to maintain decorum, we
10 appreciate you keeping your comments, you know, as
11 civil as we possibly can. I know that unfortunately in
12 our nation we have a diverse society, but I hope at the
13 local level that we can express ourselves openly and do
14 it in the correct manner. Each person speaking will be
15 given three minutes. As you approach the podium at the
16 proper time, please state your name, what district
17 you're from and we welcome you being here tonight.
18 Having said that, I'd like to call to order the
19 Anderson County Council Regular Meeting of November
20 19th, 2013, at 6:30 at the Historic Courthouse Council
21 Chambers, second floor. And at this time I would call
22 on the Honorable Council member, Gracie S. Floyd, to
23 lead us in our invocation and pledge of allegiance.
24 May we all stand.

25 (INVOCATION AND PLEDGE OF ALLEGIANCE
26 BY GRACIE FLOYD)

27 FRANCIS CROWDER: Thank you. At this time I'd
28 like to move to Item number 3 on the agenda, approval
29 of minutes. Do I have a motion? Have a motion by the
30 Honorable Eddie Moore and second by the Honorable --
31 I'll drop the Honorable the rest of the time -- Cindy
32 Wilson. I'm a little tired. I moved today. Any
33 discussion?

34 CINDY WILSON: Mr. Chairman, may I?

35 FRANCIS CROWDER: Yes, Ms. Wilson.

36 CINDY WILSON: This part of the minutes
37 were apparently correct, but the title page on the
38 regular meeting part, they need to take out special
39 recognition and re-label it regular meeting. That was
40 the primary typo that I saw.

41 FRANCIS CROWDER: So you're making a motion
42 for
43 those changes?

44 CINDY WILSON: Yes, sir.

45 FRANCIS CROWDER: All right, do we have a
46 second? We have a second by Mr. Moore. Any discussion
47 on the amendment?

48 CINDY WILSON: And one other thing, if I
49 may, apparently, and I'm guilty, too, some of us aren't
50 speaking into our mike very clear and so there's some

1 question marks in some areas so if anyone has time to
2 go through and flesh out those gaps. Thank you.
3 FRANCIS CROWDER: All right. We have a
4 motion...
5 GRACIE FLOYD: Mr. Chairman?
6 FRANCIS CROWDER: Yes, ma'am.
7 GRACIE FLOYD: We have an active motion on
8 the floor?
9 FRANCIS CROWDER: Yes.
10 GRACIE FLOYD: Okay. I will wait.
11 FRANCIS CROWDER: Okay. Thank you. All
12 right. We have an active motion on the floor. Any
13 discussion on the active motion? We have a first and a
14 second. Hearing none, all those in favor raise your
15 right hand. Let the record show it was unanimous.
16 Now, for the ---
17 GRACIE FLOYD: Mr. Chairman?
18 FRANCIS CROWDER: Yes, ma'am.
19 GRACIE FLOYD: Point of order, please.
20 FRANCIS CROWDER: Yes, ma'am.
21 GRACIE FLOYD: Okay. Mr. Chairman, I don't
22 know if you have approved the agenda yet as it stands.
23 Sometimes we do it at the meeting, sometimes we don't.
24 But there is an agenda item on this that I think that
25 should not be here today, sponsored by the person who
26 has put it on, I think it's number 11. Mr. Chairman
27 and fellow council members, this agenda item should not
28 be here. Not number 11. It's the one about Joey
29 Preston, here, has it been taken off already?
30 FRANCIS CROWDER: No, it's item 10(d).
31 GRACIE FLOYD: 10(d). Okay. All right. I
32 maintain that that motion is out of order because it's
33 being presented by someone who has a conflict of
34 interest as stated by Judge Couch on two occasion, that
35 there is a conflict of interest from this person and it
36 should not be on the agenda.
37 Now, in view of that, I have written a letter
38 to Mr. Hayden (phonics). I need somebody out there to
39 come up here that can -- Mr. Dunn -- Mr. Burns, you can
40 help me; couldn't you? I have written a letter to the
41 Ethics Commission. I'd rather read. Would you give
42 each council person one of these? May I have one --
43 bring them back. Bring the copies back to me, please.
44 I am writing to you as a member of the
45 Anderson County Council. A majority of Anderson County
46 Council, Ms. Wilson included, voted to authorize a
47 lawsuit against the former county Administrator, Joey
48 R. Preston, related to the severance vote taken on
49 November the 18th. After three years of litigation,
50 including a multi-day trial in front of the Honorable

1 Roger Couch, the court found that during the vote
2 regarding Mr. Preston's severance, Ms. Wilson, along
3 with Mr. Waldrep -- would you please give one to the
4 press over there, please -- was voting under a conflict
5 of interest. Let me read that again. The court found
6 that during the vote regarding Mr. Preston's severance,
7 Ms. Wilson, along with Mr. Waldrep, voted on a conflict
8 of interest. Throughout this process Ms. Wilson has
9 continued to participate in this process and has failed
10 to recuse herself even after the verdict and the clear
11 finding that she was voting under a conflict of
12 interest. Since that request the Circuit Court judge
13 has now reaffirmed his decision and again, detailed Ms.
14 Wilson's conflict of interest in voting on matters
15 involving Joey Preston. Despite this, Ms. Wilson has
16 an item on the agenda for our council meeting on 11/19
17 to vote to appeal the case against Joey Preston. I
18 believe that Ms. Wilson's failure to recuse herself
19 despite the court's finding of her conflict of interest
20 constitutes a violation of the state Ethics and
21 Accountability Act and the Anderson County code.

22 Accordingly, I enter and request a formal
23 investigation into the actions of Council Member M.
24 Cindy Wilson to determine if any violation has
25 occurred. Let me read that one again. Accordingly
26 enter and request a formal investigation into the
27 actions of Council member M. Cindy Wilson to determine
28 if any violations have occurred. I am also enclosing
29 both orders for your review. Signed the Honorable
30 Gracie S. Floyd.

31 Mr. Chair, I believe that we are in violation
32 of the Judge's orders that he has ordered twice.
33 Twice. And still, and still District 7 is allowed to
34 go on with this thing. If it comes from another
35 council member, I could understand it, but it doesn't,
36 it comes from the same council member that started it.
37 And that is my point of order and that's my point of
38 discretion here.

39 FRANCIS CROWDER: Thank you. At this time may
40 I temporarily -- can we temporarily adjourn while I
41 seek legal counsel? Do I have a motion to adjourn? Do
42 I have a second? All those raise your right hand. All
43 right. At this time I want to have ten minutes -- a
44 private conference -- I want a private conference to
45 get legal advice on how the chair should rule on the
46 item.

47 **(MEETING ADJOURNED 6:40 PM To 6:46 PM)**

48 FRANCIS CROWDER: The Chair requests that I
49 have a motion to come out of adjournment. We have a
50 motion by Mr. Moore. Second by Mr. Allen. All those

1 in favor, raise your right hand. Let the record show
2 it was unanimous of those members present. After
3 seeking legal advice, we will continue forward with the
4 agenda as published. And so, therefore, we appreciate
5 the comments, but having sought legal advice, the
6 agenda stands as it is. And you will notice County
7 Ordinance says that the agenda is approved on Wednesday
8 afternoon at five o'clock. So, hearing nothing else,
9 we will now move forward with actually voting on the
10 minutes. Do I have -- we have a motion to approve the
11 minutes and a second. Any other discussion? Hearing
12 none, all those in favor -- no, we only did the
13 amendments, we did not do -- and so consequently all
14 those in favor, please raise your right hand. Let the
15 record show it was unanimous.

16 All right. At this time, we have citizens'
17 comments. Mr. Pitts.

18 MIKE PITTS: Yes, sir, Mr. Chairman.
19 First up is Kay Rhodes.

20 KAY RHODES: Good evening, Council. I
21 appreciate the opportunity to make a comment.

22 FRANCIS CROWDER: Yeah. If you would repeat
23 your name and also what District you're from.

24 KAY RHODES: Okay.

25 FRANCIS CROWDER: Into the mike so we'll have
26 it for the record.

27 KAY RHODES: Okay. Thank you. Good
28 evening, Council. I appreciate the opportunity to make
29 a comment. My name is Kay Rhodes and I'm here to
30 respectfully remake a request to the council. I live
31 in District 1. I didn't know this was an agenda item
32 when I requested to speak, but I got to move over to
33 the agenda side. I'm asking the council to drop all
34 present and future suits against Joey Preston related
35 to the severance package he received from the county.

36 I don't know Mr. Preston personally so I have
37 no reason to make this request on his behalf. I make
38 it on behalf of the taxpayers of Anderson County. I
39 understand from newspaper articles over the past years
40 that we taxpayers have spent approximately three
41 million dollars to get back severance pay of
42 approximately one million dollars. Economics alone
43 justify abandoning this practice, even if some feel he
44 got his settlement undeservedly.

45 I don't know all the politics of the issue,
46 but I know how budgets work. Think of how the three
47 million dollars could have been used to improve our
48 county. Instead, it went to court and attorneys fees
49 and returned nothing. When the council felt compelled
50 to seek a return of the settlement and entered into a

1 suit, it may have been a legitimate case. Only the
2 participants know those details. But when it's
3 returned repeatedly as Mr. Preston keeps his severance
4 pay, then we need to stop and accept the decision.
5 These decisions come from experts who know the law.
6 I'm requesting the council abandon any further use of
7 taxpayer funds to sue Mr. Preston for the severance
8 pay. Thank you so much.

9 MARY WILSON: Thank you, Mr. Chairman and
10 council members. I am from District 7 County and
11 Hopewell Precinct. I lived out there all my life just
12 about. I would like to ask for each of you to search
13 your heart and vote for what is best for Anderson
14 County citizens. If you vote not to pursue, to take
15 the South Carolina Supreme Court route, what a hardship
16 you will place on citizens of Anderson County who have
17 lost jobs, and others on fixed income and these trying
18 times as we will be paying legal fees near one million
19 for Mr. Preston. Is this the legacy you want to leave
20 in your name for your family and friends to remember
21 you by? Thank you. And God bless Anderson County.

22 CAROLYN TOLBERT: Honorable members of our
23 County Council. Thank you for being willing to be
24 servants for all of us. I came here tonight from
25 District number 2 to ask you to please honor your
26 commitment to serve us all. In doing so, I was going
27 to make some comments, but I'm going to change my mind
28 after the first prayer I heard tonight prior to the
29 first adjournment. I believe, Tom, you did that. I'm
30 not sure to whom I owe those thanks, but I prayed with
31 you. Civility is essential in government. It's
32 essential in the families. It's essential in the
33 world. May the peace that we long for, for the service
34 that we need, come from you as you consider the appeal
35 for Joey Preston's case. I ask you not to appeal. May
36 God bless you. We have prayed for wisdom, for
37 guidance, for truth. May your prayers be answered and
38 mine tonight. Thank you.

39 ANGELA REEVES: Mr. Chairman and County
40 Council, thank you so much for allowing us a free voice
41 here tonight. I couldn't have said it any better than
42 the folks that have gone before me. And as Ms. Tolbert
43 said, I hope that you will prayerfully consider this
44 appeal going to the South Carolina Appellate Court.
45 Within the next two months we're going to be incurring
46 costs on the interest that we owe Mr. Preston. We're
47 going to be incurring costs on the legal fees that
48 we're going to have to go forward with this. I think
49 that we should honor what our country was founded on
50 with the Judicial system. It's already been spoken

1 twice, I can't imagine in my personal life that I would
2 want to go to court three times just to try to make
3 myself -- win my case. Whether there was a mistake
4 made by two of y'all, four of y'all, none of y'all, not
5 a quorum, a quorum, something happened to bring this
6 thing forward for three years and to cost us so much
7 money.

8 Mr. Crowder, I understand, this is the first
9 time I've ever been here, that you may have to sign
10 your name on a resolution to pull this forward. Mr.
11 Crowder, you are a very, very smart businessman, very
12 successful. You did not get where you are today by
13 making decisions that were not financially sound.
14 You're a wonderful Christian man. I hope that when you
15 sign that resolution going forward, that you will
16 prayerfully consider your signature.

17 All of y'all, please, please, do this for the
18 citizens. Do this for the citizens of Anderson County.
19 I am a medical professional in private practice. A lot
20 of my patients are county employees. I also have city
21 employees. My county employees are not doing very well
22 right now. So I'm asking you, on behalf of my
23 patients, my clients, the citizens of the county, to
24 reconsider this appeal and not go forward.

25 And Ms. Floyd, I do want to say to you, thank
26 you. Thank you for your consistency. Thank you for
27 your common sense approach. Thank you for being the
28 silent minority, majority with the rest of us. We
29 appreciate your ????. Thank you and may God bless
30 everybody in here who is here for a cause tonight.
31 Thank you.

32 TRISH WATERS: Good evening. I am Trish
33 Waters. What I want to talk about is further on the
34 agenda. I am the AKC legislation rep for Clemson
35 Kennel Club. We would like to thank the Animal Welfare
36 Committee members, Mr. Allen, Mr. Crowder and Mr. Dunn,
37 for allowing us to be part of the process of working
38 with you and doing things for the betterment of the
39 animals here in Anderson County. It's very different
40 from what's going on with the Joey Preston stuff. I do
41 understand for the last twenty out of thirty years I
42 have been an Anderson County resident, even though I am
43 no longer.

44 Let's see, but as far as the Animal Welfare
45 Committee, I want to thank you for including us and for
46 a job well done. Thank you.

47 BRIAN JONES: I'm Brian Jones. I'm in Mr.
48 Dunn's District 5 and I, too, also would like to thank
49 Mr. Allen, Mr. Crowder and Mr. Dunn for putting up with
50 us for these many weeks listening to three or four

1 different sides, putting something together here that
2 makes a lot of sense. I'm going to make this short.
3 Thank you for what you guys did. This is good.

4 BOB MARTIN: My name is Bob Martin. I'm
5 from District 1. Mr. Chairman and Council members, I
6 come here with two purposes tonight. One, to present
7 to you, which is being handed out now, a resolution by
8 the Republicans in Anderson County asking you to --
9 this is a resolution that you've seen before.

10 Last night at our Republican meeting it was
11 unanimously confirmed and I was asked to present this
12 to you, that we wish to continue.

13 Second part of why I'm here because I've had
14 several very good friends who've spoken from the other
15 side. You know, I'm in the process of reading a book
16 about veterans in Anderson County, young men, most of
17 them not much more than boys, seventeen, eighteen years
18 old that served this county, the state, and indeed,
19 this country, with honor and integrity. And I ask no
20 more of them than I ask of you.

21 We started down this path five years ago. I
22 was at the meeting of November the 18th, 2008. It was
23 one of the most atrocious settings that I've ever had
24 the displeasure of being at. I saw an agenda radically
25 changed on a motion from Mr. Wilson. And we know where
26 Mr. Wilson is now.

27 This is a copy of the constitution, this is a
28 copy of the Bill of Rights, and I'd just like to quote
29 a little thing out of the Declaration of Independence.
30 We hold these truths to be self-evident. This country
31 was founded on truth, not on subterfuge, not on
32 political scheming. It was founded on the character of
33 good men and women who would agree to serve the
34 community. I'd like to think that I can disagree with
35 people without being disagreeable. You started down
36 this path, the same conditions exist now that existed
37 then, and I sincerely thank you for your endurance.
38 Thank you very much. And I hope you'll continue.

39 RALPH DRIVER: Ralph Driver, County Council
40 District 1. And I appreciate what you've read out.
41 I'd appreciate it if you'd read the rest of it, because
42 it's not just that one little ??? sound bite that you
43 got out of it. I carry one of these all the time. ???
44 taught me to do that.

45 It's time to end this legal action. Anderson
46 County lost and must pay the defendant. It's now four
47 million dollars according to the figures that were
48 passed out earlier to the taxpayers today. Obey the
49 court order now. End this waste of Anderson County
50 taxpayers' dollars once and for all. You know, this is

1 kind of like a golf game. I don't care what you do,
2 there's not going to be a winner, because you're
3 playing the golf course and what you're doing now is
4 you're playing the legal system. The legal system's
5 won. Time to put this to bed. Let's get back to work.
6 As a former county employee I gave my heart and soul to
7 the airport. Now I need a kidney and I'm in line with
8 eighty-four thousand other Americans that need a kidney
9 and for four million dollars that was spent, I know
10 there's at least four people that could have a kidney
11 right now. So, anyway, vote to do away with it.

12 LISA SIMPSON: Lisa Simpson, District 6.

13 FRANCIS CROWDER: Speak a little louder,
14 please.

15 LISA SIMPSON: Lisa Simpson, District 6.

16 FRANCIS CROWDER: Thank you, ma'am.

17 LISA SIMPSON: I would just like to ask my
18 councilman, Mr. Ken Waters, to not vote to settle this
19 lawsuit and to allow the appeal to continue through the
20 court process. I feel like this is the right thing to
21 do. Thank you.

22 CAROLYN BYERS: Mr. Chairman, my name is
23 Carolyn Byers and I live in District 1. I would just
24 like to encourage each of our council members to go
25 ahead with this appeal. As your constituents we worked
26 hard to get you into these seats. A large group of
27 people in this county want this to go all the way to
28 the Supreme Court. As the paper stated this morning,
29 over three million dollars in legal fees is a gross
30 overstatement. A large portion of that was in
31 frivolous lawsuits from people brought against this
32 county. As a professor from Clemson stated, the
33 council members will likely weigh the political costs
34 of their decisions more than they will weigh any other
35 factor trying to determine whether to appeal in the
36 severance pay case.

37 There will be political backlash from the
38 people who put your -- put you in those seats. And we
39 will work hard to get you off those seats. Mr. Ramson,
40 a political science professor at Clemson University,
41 stated, there's no guarantee that an appeal will turn
42 out the way we want it to, either. But is there any
43 guarantee in most situations in life? And I ask you
44 what price is justice? So please go forward with our
45 encouragement and prayers. And I thank you.

46 SETH RIDDLEY: Mr. Chairman, I would like
47 to offer some thoughts as a citizen of Anderson County
48 District 3. On agenda item 10(d), a resolution
49 authorizing the county's attorneys to pursue an appeal
50 in Anderson County versus ---

1 FRANCIS CROWDER: Sir, just a minute. Would
2 you start over and state your name and what district
3 you're from.

4 SETH RIDDLEY: My name is Seth Riddley and
5 I am a resident of District 3.

6 FRANCIS CROWDER: Thank you.

7 SETH RIDDLEY: I've been a resident of
8 Anderson County my whole life. This is my first
9 council meeting in several years, because I've spent
10 the last few years living in Boston going to college up
11 there. Around the time I was leaving the controversy
12 over former county Administrator Joey Preston's
13 severance package was just beginning, on the heels of
14 myriad other controversies. Five years later, I've
15 moved back home after getting a bachelor's degree and
16 I'm standing here. And I can't believe this is what
17 the Anderson County Council is still spending time on.
18 And spending the taxpayers' dollars on. Millions of
19 dollars.

20 In today's Anderson Independent Mail, Clemson
21 University Professor Bruce Ransom said, in making a
22 decision the council members will look at things like,
23 if we go for this and we lose, will there be a mounting
24 political backlash from people who are tired of this
25 litigation already? Will they make us lose our seats?
26 If you vote to continue this fight, the answer to that
27 question may very well be yes. Thank you.

28 SARA CROCKER: Sara Crocker, District 1.
29 I'm going to switch things back up and talk about the
30 Animal Welfare ordinance for just a second. And I just
31 want to thank Mr. Allen, Mr. Dunn and Mr. Crowder. You
32 gentlemen did a great job listening to us, working with
33 us. Thank you for including us in the process. Mr.
34 Allen, you did a fantastic job wading through the high
35 tides of emotion and even though we -- you know, both
36 sides two or three different sides, we didn't all agree
37 on everything. I think every side walked away thinking
38 that it was a great place to start. So thank you very
39 much.

40 NANCY CHAPMAN: Good evening. My name is
41 Nancy Chapman and I'm in Mr. Dunn's district, District
42 5. Everybody's got a past. The past does not equal
43 the future, unless you choose to live in it. We not
44 only live in it in Anderson, we're wallowing in it.
45 You've imprisoned our citizens, our taxpayers' money,
46 our resources and our future. And I may not be
47 representing the majority opinion here tonight, and
48 that's okay, because I know I'm representing the silent
49 majority that sits out there in the county that doesn't
50 phone you, that doesn't email you and doesn't call

1 radio stations and they're there. I've talked to them
2 since the last council meeting. They are there.
3 They're angry and they're mad. And they're fed up with
4 the political process that we have allowed ourselves to
5 be trapped in this situation talking about the same
6 thing three and five years later, five million dollars
7 gone. We have too many important things in the future
8 in this county to be addressed and here we sit wasting
9 more time and thinking about this.

10 So, the silent majority, you also represent.
11 It isn't the people that send you emails all the time,
12 or call you. You represent everybody in the county. I
13 heard the last time we were here, you talked about the
14 squeaky wheel. There's more than just squeaky wheel,
15 there's a wheel that's also paying taxes and you're
16 ignoring them because they aren't calling you.

17 Is it more important to fight and be right or
18 is it more important to have humility and accept that
19 maybe this was the wrong thing to do from the get-go.
20 This is a resentment gone bad and it's time to put it
21 to bed. And how do you get through resentment? It's
22 by forgiveness. And it's about time we started praying
23 for what God's will is on this not our will. We've
24 been in self-will way too long. You could take it to
25 the Supreme Court of this state, you could take it to
26 the Supreme Court of the United States of America.
27 You can get any decision you're looking for, but you
28 can not mandate morality and ethics and how people
29 interact and how they carry themselves in a job. You
30 can't. Look at the highest level of office in this
31 country, hasn't been able to be successful there and
32 you're not going to do it here in Anderson County.

33 So we're looking for leaders, we're looking
34 for the heroes that are willing to stand up and be
35 counted. And I will end with one little note. The
36 weak can never forgive. Forgiveness is the attribute
37 of the strong. Let's be strong.

38 MAX FLEMING: My name is Max Fleming,
39 District 5. And I'm here to ask you to please vote to
40 appeal this thing. All these people that said, let it
41 go because you spent too much money, if somebody broke
42 into their business or their home, took two hundred
43 dollars worth of stuff and it's going to cost forty
44 thousand dollars a year to keep them in prison,
45 everyone of them would probably holler keep them there.

46 And as far as ethics goes, I was at that
47 November 18th meeting and I saw a lot of ethics
48 violations. And the Chief Justice of the Supreme Court
49 has said it was ethics violation. So if you take it
50 there, I think you've got a good chance to win. And

1 the person that's talking about ethics violation pulled
2 two contracts out of her purse and said there's been no
3 secret meetings. I guess she wrote the contracts
4 herself, didn't meet with anybody. So I urge you to
5 vote to appeal this thing.

6 DENNY FLOYD: Denny Floyd, District 5.
7 Well, today we had it in the paper about our little
8 fight against Joey Preston, I guess. And a little
9 excerpt in here says, years later that battle has
10 generated thousands of pages of legal documents and
11 three million dollars in legal bills, but Anderson
12 County has lost the fight every major turn.

13 Well, you know, there's one statement that I
14 can go back and think about was Reverend Jesse Jackson.
15 He made this statement one time, he goes a half truth
16 is a whole lie. Well, that's what I read here in my
17 opinion. Because, guess what, they didn't put the
18 whole answer in the paper. They put what people wanted
19 to hear so they could come up here and tell you it's
20 wrong to stop, just don't carry on with this. We
21 didn't spend three million dollars, I think some of
22 them got it wrong. They're saying four and five
23 million. I'm just going by the paper. Three million
24 dollars, but we didn't spend all that fighting Joey
25 Preston. Like, has already been said, a lot of the
26 money was spend fighting the frivolous lawsuits that
27 came against this county trying to protect Mr. Preston.
28 We got to keep this going. We spent the money. It's
29 down to the pennies now to finish this out. Why would
30 you stop? But I don't actually believe you're going
31 to. Because I do not believe this county is going to
32 stop when you're here. You said pledge of allegiance
33 to the flag, what's the last sentence in that. Liberty
34 and justice for all. That means people who do wrong,
35 gets justice. So we the people who do right get our
36 justice. Just think about that. Y'all have a good
37 day.

38 BROOKS BROWN IV: Brooks Brown, District 1.
39 Mr. Chairman, I urge you on behalf on the citizens of
40 District 1 to drop this insatiable search of blood.
41 That's all this is, is a personal lawsuit by the
42 representative of District 7, who started out almost
43 twenty years ago against Joey Preston over a water and
44 sewer line across her family's property. Then it's
45 been one thing after another after another. She's lost
46 every single time. Nine times she sued. Nine times
47 she's lost. Now we've got this insatiable thing I'm
48 going to get my thing and I'm going to spend the last
49 penny. What then?

50 I would like to see this thing terminated

1 tonight. Not spend another dime. Four million dollars
2 equates to about eight mils. Y'all were fighting at
3 the budget over one mil. Why in the world would you
4 spend eight mils to try and save one when this matter
5 can be settled. As the lady said, we're going to have
6 to start paying interest on this loan that we've given
7 to Mr. Preston. Let the matter go. And if the
8 Republican party wants to pursue it, let them come out
9 of their pockets, it's their principle, let it be their
10 suit. Thank you.

11 RICK FREEMANTLE: Good evening, Mr. Chairman,
12 council members. My name is Rick Freemantle, District
13 7. I'd like to enlighten you about the Judicial good-
14 old-boy process here in Anderson County. I am the one
15 who has brought Joey Preston to court for FOI
16 violations and brought that woman, Gracie Floyd, to
17 court for FOI violations. I, too, lost three times in
18 the good-old-boy justice system. But then we got on
19 the highway. We went over to Columbia to the Supreme
20 Court and what do you think happened over there? Where
21 sane minds looked at all the information and sanity
22 prevailed.

23 Most of you up there ran on a promise. You
24 have remained loyal. I heard economics brought up
25 again tonight. Either we're going to be a nation of
26 laws or men. Men worry about economics. Laws rule
27 nations. If you stick to your laws, you remain a
28 nation for a very, very long time. If you run, and go
29 to -- worry about economics and let men run your
30 nation, you dissolve very quickly. The trash pile of
31 nations that have failed because of that is endless.
32 This is an issue bigger than you, bigger than me, it's
33 bigger than Anderson County. You do realize that if
34 you don't go with this appeal, you give up now, that
35 you're saying that it's okay to have a sheriff's
36 department obstruct justice so he can protect a sitting
37 administrator. Cater Lake. You're saying -- you know,
38 I heard God referenced a dozen times already tonight.
39 I want to puke from the people -- the remarks I've
40 heard. You're saying it's okay to have an
41 administrator sit in that chair and for eight years
42 have an affair with a county employee behind the back
43 of his wife and his children. That's what you're
44 saying if you don't go forward with this. It's okay to
45 have an administrator involved in a paeans scheme with
46 a sitting county council member while giving that
47 county council member's daughter a nice job with a
48 lucrative contract. That's what you're saying okay to.
49 But worst of all, you're saying it's okay what that
50 woman did on November the 18th, 2008 and everyone of

1 you will have to apologize to her because you've been
2 so wrong, if you go and step off this now. Thank you.
3 KURT GIBSON: Chairman Crowder and Council
4 members, thank you for allowing me to address you. I'm
5 from District 4. When the original decision came down
6 I was confident that it would be overturned on appeal
7 if you appealed it. And then we did the motion for
8 reconsideration and your attorney, Ted Gentry, did a
9 fantastic job on the motion for reconsideration and I
10 was even more confident then. And now after we
11 received the second order, I'm even more confident
12 because after six months they didn't come up with
13 anything better than what the order was originally. It
14 really didn't address the quorum issue at all. And the
15 Supreme Court precedent is clearly on our side for the
16 quorum issue. There's a -- it seems like there's very
17 little that the decision did to address that issue.
18 Tried to skirt around it, but if you read the motion
19 for reconsideration, and you read the county's motion
20 for reconsideration, you'll see how clear it is.
21 Supreme Court precedence is on our side, the county
22 code's on our side. If you read the order, if you read
23 the answer from Lane Davis, you'll see that it's very
24 convoluted. They tried to get around the Supreme Court
25 precedent the best they could, but they just failed.

26 That's what the Appellate Court is for. We've
27 got a relatively small amount of money to spend now to
28 take it to the next level and get a decision in our
29 favor. Otherwise you're giving up and it's going to
30 cost the county a lot of money on a case that's easily
31 winnable.

32 A lot of people talk about the silent
33 majority. I've talked to a lot of those people that
34 don't come here, also, and I can't find anybody that
35 thinks that Joey Preston should have gotten one point
36 one four million dollars or one point four million,
37 leaving his post, especially in the manner that it
38 happened and etcetera. So there's, you know, everybody
39 quotes the silent majority, but if they don't come up
40 here and speak and talk to you, then they're not --
41 they remain silent of their own accord. I think we
42 should go forward and I hope you'll vote that way.
43 Thank you.

44 MIKE PITTS: I'm having a hard time
45 reading this one, Mr. Chairman. I believe it's Charles
46 D. Crowe.

47 FRANCIS CROWDER: Mr. Crowe, would you state
48 your name and what district you're from.

49 CHARLES CROWE: It's Charles Crowe, and I'm
50 going to have to add my nickname to it tonight, because

1 somebody's made reference to the radio crowd. I'm
2 better known as the radio hog. And deserve it. Most
3 of you that do listen know that. I'm going to have to
4 change everything I came here to speak on tonight,
5 after hearing Mr. Brown speak and a few of these other
6 gentlemen and ladies speak. And the pass-out I got in
7 order to -- when I came in here.

8 First of all, Mr. Brown, and you're the
9 taxpayers, I want you to know, you're right. You're
10 right. He did bring I don't know how many suits
11 against Cindy and she lost every one of them. But
12 don't you forget for one minute he wasn't using your
13 tax dollars to bring all them lawsuits. And you paid
14 dear for them, friend. He hired every lawyer he could
15 get his hands on.

16 FRANCIS CROWDER: Sir. Just a moment. I need
17 to have a ruling.

18 CHARLES CROWE: I know I was out of order.

19 FRANCIS CROWDER: Yep.

20 CHARLES CROWE: I apologize. I apologize to
21 Mr. Brown.

22 FRANCIS CROWDER: All right.

23 CHARLES CROWE: But he's the one that made
24 them remarks.

25 FRANCIS CROWDER: Well.

26 CHARLES CROWE: I know I shouldn't have.

27 FRANCIS CROWDER: All remarks have to be made
28 to council and the chair. And no remarks can be made
29 to any member of the audience.

30 CHARLES CROWE: Mr. Chair, then, I won't
31 withdraw the statement, but I will make sure I clarify
32 my next one. I'm sure that the person that was
33 responsible for these pass-outs tonight's paid dear to
34 have these things researched because I remember when
35 another council person who ordered some researches one
36 time, Mr. Preston ordered her to pay five hundred
37 dollars for that research material. I know I picked it
38 up. I picked it up. And I wonder if she paid any
39 money for her research. I want to thank her for the
40 research because I found out, in reading this, if she
41 hadn't pulled the contract out of her pocketbook, we
42 wouldn't be out three hundred and twenty-one thousand
43 seven hundred and forty-nine dollars. We wouldn't be
44 out that much money if she'd had printed it and gave it
45 to me. That's just one thing. I don't know about all
46 these others. I'm thinking there's a lot of others on
47 this list, these legal fees, that didn't come out of
48 Joey Preston's even after the thing that council did.
49 I'm not holding county -- the previous council
50 responsible for, I'm not holding them responsible for

1 all these lawsuits. But I'm holding the person -- and
2 then, this here thing, that you know that's been
3 carrying on this vendetta, Lord, and then who has --
4 what is this, it went before the ethics commission.
5 Who has been more unethical than the person who's part
6 of the deal to yield this contract, made a major role
7 in this contract that's been in every executive session
8 y'all been in, voted on everything, I don't know
9 anything more unethical. I don't know a thing more
10 unethical. But anyway, listen, I don't have to tell
11 y'all how I'm asking you to vote, you can tell by my
12 talk. And, again, I apologize for being out of order.
13 Y'all have a hard enough job as it is. You have a
14 hard enough time keeping council straight, let alone us
15 out in the audience, so thanks for putting up with me.

16 FRANCIS CROWDER: Please state your name and
17 what district you're from, please, sir.

18 MARK POWELL: Unlike many speakers, I've
19 been here many a time addressing this and I know the
20 process. My name is Mark Powell, District 7. Thank
21 you, District 7 for all that you have done. Let me
22 address the resolution you were given a copy, again,
23 tonight, from the Republican Party. Reason that's
24 important all but one of you are a Republican. You ran
25 on the Republican ticket, a lot of the people at that
26 office in that facility worked hard to get you in
27 office, so the importance of that resolution is you are
28 our representative as a Republican.

29 And thank you, Ms. Floyd, this is awesome.
30 Thank you so much for giving your people and my people
31 this document. Let me see here. Bradshaw versus,
32 yeah, frivolous. Reimbursements for Candy Kern,
33 frivolous. Patricia Jones versus, frivolous. Everett
34 Bradshaw, frivolous. Michael Cunningham because of
35 you, not frivolous, but gosh darn expensive.
36 Challenging council's -- this is the good one.
37 Challenging the council's ability to hire
38 investigators. Oh, my God, I do believe the Supreme
39 Court Justice said that is patently absurd. But,
40 anyway, here's another one. Investigating Eddie Moore
41 again, frivolous. Patricia Jones, Eddie Moore,
42 frivolous. Defense Eddie Moore, frivolous. So, thank
43 you, for pointing out to these people who don't keep up
44 with anything most likely. They read the Anderson
45 Independent, who only tells you we've spent so much
46 money going after Joey Preston. We haven't spent
47 anything going after Joey Preston. We spent money
48 going after our tax dollars. I've stated it many a
49 times had Gracie and the others who gave him his buyout
50 that night, if they had specifically, specifically give

1 him -- you said --

2 FRANCIS CROWDER: Ma'am. That correct? All
3 right. You're out of order.

4 MARK POWELL: District 2 council person

5 ---

6 FRANCIS CROWDER: Is that still legal?

7 MARK POWELL: Oh, oh, here's more. So,
8 all the money you spent, giving him more than his
9 contract, give him three times more than his contract.
10 He spent like four thousand dollars fixing his Denali.
11 Shoving it in our face wearing the shirt. Did he
12 deserve anything? No. What did he deserve, maximum?
13 His actual contract.

14 Let's think about the people who wrote this
15 contract. Ron Wilson, in jail. Ron Wilson's daughter,
16 oh, he was thrown off, he can't vote, so the local
17 judge said. Oh, Cindy, Bob, here's the deal. This is
18 not a vendetta. I don't care how much money it costs.
19 I agree with someone else who said if someone stole a
20 hundred dollars, two hundred dollars from you, you
21 would be in court until you got your money back. This
22 is our money. It's not about Joey Preston. It's not
23 about Cindy Wilson. It's about the fact that five
24 council members trampled on our rights on FOI. Oh,
25 FOI. Why hasn't the judge heard that case yet?
26 Anderson County case against Joey is complicated. The
27 Rick Freemantle case? Did they give twenty-four hours
28 notice? No. Is that complicated to uphold in court?
29 No. Go forward.

30 FRANCIS CROWDER: Thank you.

31 DAN HARVELL: Mr. Chairman and members of
32 council, Dan Harvell, County Council District 3.
33 Normally when I come here, I don't speak as Chairman of
34 the Anderson County Republican Party, because I don't
35 feel like it's my place to do that when there are
36 varied opinions, but after what happened last night,
37 which was a reaffirmation of the resolution that our
38 party passed months before urging you to go ahead with
39 this, to seek justice, I come representing the party,
40 because the vote on this last night from all these
41 members of the Republican Party in Anderson County, the
42 executive committee, was unanimous that you proceed
43 with this.

44 To harken back many years ago, it took three
45 election cycles to break the council that was a council
46 that would allow an administrator to run with
47 bureaucratic -- with no bureaucratic restraints as to
48 what he was doing. There were millions of dollars
49 being wasted every year. And I don't hear anybody
50 saying anything about that. The Daniel report proved

1 what was going on during that last, that previous
2 administrator's time here. Ms. Wilson was doing the
3 best she could, along with, later, Mr. Bob Waldrep, on
4 council, trying to rein in what was going on. The
5 harassment that Ms. Wilson took, coming from the
6 administrator was unprecedented in the state of South
7 Carolina of a bureaucrat going against an elected
8 council member that he was supposed to be working for.
9 This had never happened before to this level. And for
10 that reason, justice needs to be heard on this.

11 I doubt anyone is this building that has
12 spoken so far against this was at the Supreme Court as
13 many of us were to hear such remarks from Justice Jean
14 Toal, saying this looks like a conspiracy. You know
15 this is the good old boy system at work. One of the
16 most liberal members -- Democrat members of the state
17 Supreme Court said basically the same thing. But you
18 know, how could this happen like this? They saw, they
19 saw the tape. How many of the people that have spoken
20 here tonight against moving forward have seen the
21 November 18th meeting and what an absolute circus that
22 was. What a circus that was.

23 Justice is more important, and I don't think
24 anyone's been uncivil about this. I think most people
25 that have come here have spoken well about what they
26 wanted, one way or the other, even in past years.
27 Civility is important in government, but nothing is
28 more important in government than justice. And that's
29 what has to happen with this. Sure, we've spent so
30 much money on this so far. And it's unfortunate that
31 the administrator's lawyers have done everything they
32 can to throw a wrench into every gear they could to
33 slow this thing down to make more money. I mean, we've
34 got lawyers here that, I mean, they're self-
35 promulgating here. You know how the system works.
36 Take this to the Supreme Court and I think we'll be
37 positive in our outcome. Thank you.

38 FRANCIS CROWDER: Is that it?

39 GRACIE FLOYD: Mr. Chairman?

40 FRANCIS CROWDER: Yes, ma'am.

41 GRACIE FLOYD: Point of privilege.

42 FRANCIS CROWDER: Yes, ma'am.

43 GRACIE FLOYD: Thank you. First of all,
44 people who saw the film on November the 8th saw -- I
45 don't know where y'all get that lie from that I reached
46 down in my pocketbook and pull out the papers. It
47 wasn't there, folks, it didn't happen like that.
48 Secondly, you lost. You've lost twice. You've lost.
49 What do you want to do now? You are spending those --
50 you just stood up and said that we ought go ahead and

1 keep moving. You're not spending any money on this.
2 MIKE PITTS: Out of order.
3 FRANCIS CROWDER: I think I need to have a
4 ruling. Mr. Pitts, I think this is a two-way street.
5 GRACIE FLOYD: I asked for the privilege
6 and got it.
7 FRANCIS CROWDER: Yeah, but I didn't know what
8 you were going to do with your point of privilege. So
9 the chair has the right to stop right now and ask for a
10 ruling.
11 GRACIE FLOYD: Mr. Lawyer, what did I do
12 wrong?
13 MIKE PITTS: The chairman makes the
14 rulings on points of privilege and how the meeting's
15 proceeding and he's ---
16 FRANCIS CROWDER: Well, in my mind -- I'm
17 asking this. In my mind, if it's not all right for
18 people in the audience to take on council members, is
19 it all right for council member to take on people in
20 the audience?
21 MIKE PITTS: I think it's a two way
22 street.
23 FRANCIS CROWDER: Pardon?
24 MIKE PITTS: I don't believe that ---
25 FRANCIS CROWDER: All right. So I think the
26 point of order is out of order.
27 TOMMY DUNN: Mr. Chair.
28 GRACIE FLOYD: All right. I still have the
29 floor, Mr. Chairman. Well, how am I supposed to say
30 what I need to say if I cannot say what -- I didn't
31 call anybody by name. I didn't -- all I'm saying is
32 that -- no, you can't move on this, Mr. Moore, you're
33 not the Chair.
34 FRANCIS CROWDER: Well, I am the Chair. And
35 you do ---
36 GRACIE FLOYD: You're going to have to tell
37 him to move on, unless you've been doing it all the
38 time.
39 FRANCIS CROWDER: I'm not listening to him,
40 I'm listening to me, myself and I.
41 GRACIE FLOYD: Well, good. I have the
42 floor. I asked for a point of privilege and I want it
43 to address what I said. Okay. I want to address these
44 people coming up here and they said all these things
45 that are not the truth. They want to know where I got
46 my, they want to know where I got my statements from.
47 I got it from the county. You could have gotten it
48 from the county.
49 FRANCIS CROWDER: I think you have an item on
50 the agenda that gives you thirty minutes to give

1 information from county council members' district
2 number 2 ---
3 GRACIE FLOYD: Okay. But I did ask for a
4 point of privilege.
5 FRANCIS CROWDER: All right. Well can I cut
6 short a point of privilege? Sir? I can rule you out
7 of order and at that time -- we will now have a recess.
8 TOM ALLEN: Mr. Chairman, very quickly
9 as a point of order, per our county ordinance, we are
10 not allowed to debate citizens' comments.
11 GRACIE FLOYD: Who was debating, Mr. Allen?
12 I was making a statement.
13 TOM ALLEN: Ma'am, you have thirty
14 minutes coming up in a just few minutes and that's per
15 our ordinance. We're not -- this is not a debating ---
16 GRACIE FLOYD: I asked for a point of
17 privilege, sir.
18 TOM ALLEN: Not long ago you ---
19 FRANCIS CROWDER: I did not know what the
20 subject was.
21 GRACIE FLOYD: How could you know? You
22 can't read my mind. But you gave it to me.
23 FRANCIS CROWDER: I'm stopping and halting,
24 we're going to take a ten minute break at this
25 particular point in time. Do I have any objections to
26 taking a ten minute break? Hearing no -- all those in
27 favor of taking a ten minute break, please raise your
28 right hand. All right. Thank you.
29 GRACIE FLOYD: You didn't ask for the nays.
30 FRANCIS CROWDER: I got it. Let the record
31 ---
32 GRACIE FLOYD: Ask me, I didn't vote.
33 FRANCIS CROWDER: I asked for hands.
34 GRACIE FLOYD: You didn't ask for the nays.
35 That's Robert's Rules.
36 (BREAK FROM 7:35 PM TO 7:43 PM)
37 FRANCIS CROWDER: If we could have quietness,
38 please. If you want to talk, please go outside.
39 All right. Just for clarification for people
40 in the audience, so that you won't think that we let
41 things just sort of go casual, but there's a county
42 ordinance that specifically says that there's no debate
43 either between you and us or us and you. Second of
44 all, a point of privilege is only used for trivial
45 items such as the heat needs to be turned up, the air
46 conditioner needs to be turned up and not an item on
47 the agenda. So, the Chair was within its right
48 according to the County Ordinance and we will now move
49 forward to the item on the agenda, which is item number
50 5, which has been taken off of the agenda for tonight

1 because the person has had some grief in his family and
2 was not able to be with us.

3 And at this time item number 6, I recognize
4 the Honorable Gracie S. Floyd, information for County
5 Council members District Number 2.

6 GRACIE FLOYD: Thank you. Thank you. It's
7 good to see all of you. Now, as I was saying before I
8 was so rudely interrupted, the contract did not come
9 out of my pocketbook. It came out of a folder on my
10 desk. That's where it was. It wasn't my pocketbook.
11 The Judge has ruled twice on behalf of Anderson County.
12 Twice. So what you going to do? Keep going until you
13 find a judge that's going to rule for -- how do I say
14 it? I can't say you -- rule for the county? Is that
15 what you're going to do? And do you think that the
16 county's going to sit there and take it? Please
17 realize that this has been going on now for thirteen
18 years. This started out over Beaverdam and the same --
19 some of the same folks that came up tonight to give
20 their opinion are some of the same folks that were
21 involved in this Beaverdam thing and pushing this
22 thing.

23 Folks, I don't have a dog in the fight. My
24 dog is this. We have spent four million dollars and
25 yet you tell me that the -- we don't have any money to
26 give the employees a raise. Who haven't had a raise in
27 years. You tell me that we don't have the money to
28 provide bus service for people who need to get back and
29 forth, for our seniors who need a ride, who cannot
30 drive any more. You tell me that we don't have money
31 for our roads that are in bad shape now. You tell me
32 that Anderson County can't hire anybody, we supposed to
33 have a freeze on employees.

34 All right. Now, about the frivolous lawsuits.
35 I've got here two thousand dollars, three thousand
36 dollars, one thousand, one thousand, another three
37 thousand and another four hundred and six dollars.
38 Those were the funds of the previous -- of the
39 frivolous lawsuits. Now, how much did we spend on the
40 lawsuits? One hundred and fifty-eight thousand, two
41 hundred and thirty-nine thousand, six hundred and nine
42 thousand, two hundred and sixty-two thousand, two
43 hundred and sixteen thousand. These people would have
44 you to believe what they -- well, there are people who
45 will have you to believe what they want you to believe.
46 But if you got common sense, if you've got common
47 sense, it would dictate that if you are spending money
48 and not getting any money back and getting deeper in
49 the hole, that you would stop. That's common sense,
50 people. You don't have to get folks to come and tell

1 you, oh, keep going because you going to win it, you're
2 going to win it. We haven't won it yet. But you know
3 that was all I was going to say about this Joey Preston
4 thing. I gave you, I didn't have to spend a dime for
5 this. It comes from the finance records of Anderson
6 County. You could have gotten it yourself if you
7 wanted it. Not one dime.

8 I do want to talk about something here that's
9 happening in Anderson County with the Broadway Lake
10 Community Center. This is the anniversary of that
11 entity and do you remember when we opened it in
12 November the 18th it was said that nobody was going to
13 use it. You remember they said that they called it
14 Gracie's Dance Hall? Remember that? Remember how the
15 radio had people calling in to say that was a waste of
16 money and dah dah dah. Well, here is the results.
17 Since November 2009, McFall's Landing has been rented
18 for five hundred and ninety-eight events with over
19 ninety-three thousand dollars of rental fees collected.
20 All right. In 2013 there were only twelve dates --
21 weekend dates when there was not an event taking place
22 at the facility. Currently, every Saturday in April,
23 May, June and July and August of 2014 are booked. This
24 is Gracie's Dance Hall. Council members, I have some
25 copies for you. Would you please pass this down? I
26 have copies for you.

27 Okay. Also I wanted to talk about -- okay.
28 I've already told you about I am asking -- I am
29 inquiring for information for -- from the Ethics
30 Commission so that we can see where we're going. If
31 the Ethics Commission says that it's okay for people
32 who have been told they have a conflict of interest to
33 keep on doing what they've been doing, then it's fine
34 with me. If the Ethics Commission says it's wrong and
35 they cannot do it, then we have to make some
36 adjustments or some changes.

37 Now, about me, about me. Folks, you won't
38 shut me up. Ever since I have been sitting on this
39 thing -- ever since these folks came up here, they have
40 tried to shut me up. It won't happen. If you won't
41 let me talk in here, I'll get on the street corner and
42 I will talk. I know who you are. But just know that
43 you will not shut up Gracie Floyd. I represent twenty-
44 two thousand people and these twenty-two thousand
45 people will be -- they will be represented. All right.
46 So if you're going to try -- don't try to keep me from
47 saying what I need to say. All right. And I always
48 get my stuff. I always ask for permission and they
49 always give it to me. And they always yank it back. I
50 did nothing wrong tonight. I did the same thing that

1 has been done before. But yet I get called for it.
2 I want to tell you something. We have made a
3 big old mistake. Anderson County has made a big old
4 mistake. We don't know how we're going to solve it
5 first, but we've been working on it all day long. Mr.
6 -- I knew that. I was going to get there. Mr. Burns
7 and I have been working on it, along with the Finance
8 Director and some others. We were wrong what we did.
9 What we did was, we took people who have been working
10 for us for years and who have scratched their way up
11 the line and they're making about fifty thousand
12 dollars. We excluded them from the little -- it wasn't
13 a bonus, because you can't say bonus. We excluded them
14 from receiving any of the funds, cost of living
15 increase funds. They were excluded. That's wrong.
16 That was wrong. I look back now at it and it's
17 hindsight. But I'm sure every council member up here
18 will agree with me that those people who have been with
19 us that long who finally make that money, needed to be
20 told that they are important to this process that we
21 do. We should not have excluded them. One thing that
22 we did do, I look back on it now, and I'm wondering,
23 I'm scratching my head, we have people who have retired
24 from Anderson County who have come back to work for
25 Anderson County, okay. It's like they get a retirement
26 check, just like I do, and they get a check from
27 Anderson County, just like I do. Okay. And some of
28 them may even get Social Security, just depends. But
29 they will be getting the five hundred dollar bonus.
30 Not a bonus. Five hundred dollars cost of living. And
31 I'm sure that they want their money, too, but yet still
32 the people who have been here with us the longest, who
33 stay with us, who make nothing, are not getting it.
34 It's not right. I was a part of that, because I was
35 the one who fought for them to get something. And when
36 they got something, I was so happy that I didn't look
37 at the whole picture. And then they started calling
38 me, telling me the mistake. And then they're right. A
39 mistake has been made and I'm going to -- I want them
40 to know that I am trying my best, I'm trying my best,
41 to let's come to some kind of conclusions where they
42 can be included, too.

43 Okay. And the third thing that was said
44 tonight that how one member of the council was treated
45 so poorly and so badly and all of that other kind of
46 stuff, I mean like... That may well have been. That
47 may well have been, okay. But I have been treated just
48 as poorly. Just as badly. All right. But I don't go
49 around whining and crying about it. Well, okay, I hope
50 you got your throat clear. But, anyway, I don't go

1 around whining and crying about it. I accept mine. I
2 will accept mine because I know that the people that I
3 represent know what is going on here. And I know that
4 they are out there supporting me compared to the phone
5 calls and stuff I've gotten today. I know that, I know
6 that.

7 But my last statement is, and I'm not going to
8 take the full thirty minutes, because I will be back.
9 And I have some other things I'm going to say. But if
10 you can't play with the big dogs, if you can't, stay
11 out in the yard and stay under the porch.

12 FRANCIS CROWDER: Is a comment in order?

13 MIKE PITTS: I don't think so. I mean,
14 we -- she was given the floor, that was Ms. Floyd's
15 topic, so I think we ought to move on, Mr. Chairman.

16 FRANCIS CROWDER: All right. Let's move, if
17 you don't mind, let's move on to Item Number 7,
18 ordinance third reading, Mr. Pitts.

19 MIKE PITTS: Yes, sir, Mr. Chairman, this
20 is ordinance 2013-042. This is an ordinance to amend
21 an agreement for the Development of a Joint County
22 Industrial and Business Park of Anderson and Greenville
23 Counties so as to enlarge the park. This is third
24 reading, Mr. Chairman, it places the Murgeon Project
25 into the park on the Anderson County side and a
26 Greenville Project known as Project Rhino.

27 FRANCIS CROWDER: All right. Do I have a
28 motion to ---

29 TOMMY DUNN: Make a motion to move
30 forward, Mr. Chairman.

31 FRANCIS CROWDER: We have a motion by Mr.
32 Dunn, a second by Mr. Waters. Any discussion? Hearing
33 no discussion, in that case, all those in favor, raise
34 your right hand and keep it up, please. Let the record
35 show it was unanimous for all members.

36 All right. Mr. Pitts, Item number 8(a),
37 Resolution 2013-043, please, sir.

38 MIKE PITTS: Yes, sir, this is Ordinance
39 2013-043, Mr. Chairman, an ordinance amending Ordinance
40 #99-004, the Anderson County Zoning Ordinance, as
41 adopted July 20, 1999, by amending the Anderson County
42 Official Zoning Map to rezone from R-20, residential
43 20000 to C-2 Highway Commercial, a portion of the
44 parcel of land, identified at 3031 Highway 81 North,
45 and further identified as a portion of TMS #146-00-08-
46 017. The portion of the parcel to be rezoned consists
47 of plus or minus 5.75 acres and is described as, begin
48 SC Highway 81 Ashley Road intersection and proceeds
49 south twelve degrees twenty-eight degrees forty-nine
50 east, 96.45 feet, thence along South Carolina Highway

1 81 South, thirteen degrees-36-45 west, for a distance
2 of 435.84 feet, thence north 67 degrees-037-09 north,
3 5168.48 feet to a corner, thence north thirteen
4 degrees-27-57 east 468.33 feet to a point, thence south
5 seventy-two degrees -46-00 east 469.35 feet to the
6 point of the beginning. The property is located in the
7 Town Creek precinct shown in Deed Book 20-0, page 234,
8 recorded on 8/1/1985.

9 FRANCIS CROWDER: Thank you, do I have a
10 motion to ---

11 TOM ALLEN: So moved.

12 CINDY WILSON: Second.

13 FRANCIS CROWDER: Motion to move by Mr. Allen,
14 second by Ms. Wilson, is there any need ---

15 TOM ALLEN: Mr. Chair?

16 FRANCIS CROWDER: Yes, sir.

17 TOM ALLEN: Yes, just very quickly. Is
18 it -- I don't know, I'll ask Mr. Pitts, I appreciate
19 the effort he pours into this, is it necessary to read
20 all of that, or is it sufficient to read the first ---

21 MIKE PITTS: I don't believe so. I
22 believe someone in the Planning Commission drafted
23 that.

24 TOM ALLEN: Don't think anybody caught
25 all that. If it's necessary ---

26 MIKE PITTS: That's metes and bounds
27 surveying language.

28 FRANCIS CROWDER: Thank you.

29 MIKE PITTS: Yes, sir.

30 FRANCIS CROWDER: All right. We have a motion
31 and a second. Any requests for discussion, or do you
32 need Mr. West to come forward and make any comments?
33 Hearing no need, all those in favor, please raise your
34 right hand and keep it up while I -- let the record
35 show it was unanimous.

36 Mr. Pitts, number 45, please, sir.

37 MIKE PITTS: Yes, sir. This is ordinance
38 number 2013-045 an ordinance authorizing a fee in lieu
39 of tax and infrastructure improvement credit
40 arrangement pursuant to a fee in lieu of tax agreement
41 between the County and Plastic Omnium Auto Exteriors,
42 LLC for its second expansion; the termination of an
43 existing fee in lieu of tax arrangement between
44 Anderson County, South Carolina and Plastic Omnium by
45 terminating the lease agreement for the Original
46 FILETED and transferring the property subject to the
47 Original FILETED to Plastic Omnium; the conversion of
48 an existing fee in lieu of tax arrangement between the
49 County and Plastic Omnium to a simplified fee type of
50 fee in lieu of tax arrangement and extending the term

1 of the First Expansion FILETED; the conversion of an
 2 existing fee in lieu of tax arrangement between the
 3 county and Energy Automotive Systems USA, LLC, to a
 4 simplified fee type of fee in lieu of tax arrangement
 5 and extending the term of the Energy FILETED; an
 6 infrastructure financing agreement between the County
 7 and Plastic Omnium for property not subject to a fee in
 8 lieu of tax arrangement; and infrastructure financing
 9 agreement between the County and Energy for property
 10 not subject to a fee in lieu of tax arrangement; and
 11 other matters relating to the foregoing.

12 FRANCIS CROWDER: All right. Do we have a
 13 motion?

14 TOMMY DUNN: Motion.

15 CINDY WILSON: Second.

16 FRANCIS CROWDER: We have a motion by Mr.
 17 Allen, a second by who? All right. We have Mr. Dunn
 18 made the motion, Mr. Allen second. I will say that the
 19 reason Mr. Pitts read all of what he read was because
 20 actually there are at least three things going on in
 21 this. This is not just a simple ... okay? So, is
 22 there a need to have Mr. Burriss Nelson make any
 23 comments for council members?

24 CINDY WILSON: Mr. Chairman, may I?

25 FRANCIS CROWDER: Yes, ma'am, Ms. Wilson.

26 CINDY WILSON: It would be nice if you
 27 would tell the number of jobs that are going to be
 28 created. I think in spite of all the angst and schism
 29 thrown around by all of us here tonight, it's so
 30 important to know how this county is facilitating and
 31 encouraging business development. So important to the
 32 future of this county to have good paying jobs and I
 33 think it's so exciting to have existing industries
 34 expanding. Thank you.

35 BURRISS NELSON: This project, the expansion
 36 is creating seventy-five jobs with an average pay of
 37 sixteen fifty an hour. That's an approximate payroll
 38 of two point four million. Capital investment amount
 39 is eleven point five nine five million. That is
 40 supporting an existing two hundred and fifty jobs with
 41 an annual payroll of eight million dollars. That's the
 42 extension of the two fee agreements that we were
 43 talking about and the conversion of those lease style
 44 fees, extension of those two fee agreements for an
 45 additional ????. Thank you, sir.

46 FRANCIS CROWDER: All right. Any other
 47 additional discussion? Hearing no requests for
 48 additional discussion, all those in favor, please raise
 49 your right hand and keep it up. Let the record show it
 50 was unanimous. Thank you, Mr. Burriss Nelson.

1 I will, before we move to the next item, I
2 think we do need to recognize that we will -- we are
3 entertaining five different agreements tonight to bring
4 new jobs and new capital into the county, either from
5 brand new businesses or from expansions of existing
6 businesses. And I can tell you, if you read the
7 papers, there are few counties in the state that ever
8 have five at one time. And so, Anderson County is
9 extremely, extremely fortunate. And I thank the Lord
10 for that opportunity for jobs.

11 Now, moving on to 2013-046.

12 MIKE PITTS: Yes, sir, Mr. Chairman, this
13 is an Ordinance authorizing Anderson County to enter
14 into a lease agreement with the FAA for space the FAA
15 rents at the airport; and other matters related
16 thereto.

17 FRANCIS CROWDER: All right. Do I have a
18 motion?

19 TOM ALLEN: So moved.

20 FRANCIS CROWDER: We have a motion by Mr.
21 Allen. Who got in the second? Mr. Moore got in the
22 second. All right. Any discussion on this item?
23 Hearing no discussion, all those in favor of the
24 motion, please raise your right hand and keep it up
25 please. Let the record show it was unanimous.

26 Moving on to Ordinance's first reading, 2013-
27 047, Mr. Pitts.

28 MIKE PITTS: Yes, sir, Mr. Chairman, this
29 is an ordinance authorizing the execution and delivery
30 of a fee in lieu of tax agreement and an infrastructure
31 finance agreement by and between Anderson County, South
32 Carolina and a company known to the County at this time
33 as Project Rack with respect to certain economic
34 development property in the County, whereby such
35 property will be subject to certain payments in lieu of
36 taxes and Project Rack will receive certain
37 infrastructure credits in respective investment in
38 related infrastructure; and other matter related
39 thereto.

40 FRANCIS CROWDER: All right. Do we have a
41 motion to discuss? All right. We have Mr. Moore made
42 the motion. Ms. Wilson did you make the second? All
43 right. I think since this is the first reading I would
44 like to request that Mr. Burriss Nelson explain this
45 project, please, sir.

46 BURRISS NELSON: Thank you, sir. This
47 project is an expansion of an existing industry. The
48 company's been in business for over thirty years. It's
49 an international company. Thirteen million dollar
50 expansion with creation of additional hundred and

1 twenty-five jobs. Thirteen dollars an hour, which will
2 bring an additional new payroll of three point two five
3 million. This is a fee agreement. It is thirty year
4 locked millage. Six percent assessment ratio, twenty
5 percent special source revenue credit for five years.
6 And we respectfully bring this before council seeking
7 your approval.
8 FRANCIS CROWDER: All right. Any questions or
9 discussion from the council members? Ms. Floyd.
10 GRACIE FLOYD: Mr. Burris?
11 BURRISS NELSON: Yes, ma'am.
12 GRACIE FLOYD: Could you -- did it tell us
13 in here what these -- what this company will be making?
14 Did I miss that part of it?
15 BURRISS NELSON: They're an existing company
16 that's in the textile business.
17 GRACIE FLOYD: Oh, okay. They are an
18 existing company?
19 BURRISS NELSON: Yes, ma'am.
20 GRACIE FLOYD: How long have they been
21 here?
22 BURRISS NELSON: Thirty years.
23 GRACIE FLOYD: How many years?
24 BURRISS NELSON: They've been here twenty
25 years.
26 GRACIE FLOYD: Did they get a fee in lieu
27 of at the beginning?
28 BURRISS NELSON: Yes, ma'am.
29 GRACIE FLOYD: And now they have asking for
30 another fee in lieu of?
31 BURRISS NELSON: Because of the thirteen
32 million new dollars of capital investment.
33 GRACIE FLOYD: Okay. What was it the first
34 time?
35 BURRISS NELSON: I can't remember, I'm sorry.
36 I'll have to look that up. I apologize.
37 GRACIE FLOYD: Well, it's thirteen million
38 this time. You don't know what they ---
39 BURRISS NELSON: The first capital investment
40 amount did not have a fee agreement when they came
41 because it had to have been in excess of seventy-five
42 million. They've had an additional expansion that was
43 nine years ago that was twelve, fifteen million and I
44 didn't actually do that particular project but it
45 created about sixty or seventy jobs and qualified for a
46 fee agreement.
47 GRACIE FLOYD: Okay. All right.
48 BURRISS NELSON: Now they've got this new
49 expansion which is thirteen million this time and a
50 hundred and twenty-five jobs.

1 GRACIE FLOYD: Okay. How many jobs did you
2 say that this is going to bring in?
3 BURRISS NELSON: A hundred and twenty-five.
4 GRACIE FLOYD: In how long? In what time
5 limit for the ---
6 BURRISS NELSON: Five years.
7 GRACIE FLOYD: Five years, a hundred and
8 twenty ---
9 BURRISS NELSON: They already have more than
10 half of that done.
11 GRACIE FLOYD: Thank you.
12 BURRISS NELSON: Yes, ma'am.
13 FRANCIS CROWDER: Any other council members
14 desire to question Mr. Nelson? Hearing no other
15 council members, all those in favor of 2013-047, please
16 raise your right hand and keep it up until I can -- all
17 right. We have six members for. All those opposed.
18 All those abstaining. Let the record show that Ms.
19 Floyd abstained and the other six council members voted
20 for.
21 All right. Moving on to Item 2013-049, Mr.
22 Pitts. Pardon?
23 MIKE PITTS: ... certain facilities in
24 the county; (2) certain special source revenue credits
25 in connection with the Expansion Project; (3) the
26 execution and delivery of a first amendment to lease
27 agreement and related amended memorandum of lease and
28 option to purchase by and between the County and the
29 Company approving a ten-year extension of the term of
30 such lease agreement and the fee in lieu of tax
31 arrangement set forth therein; (4) the assignment and
32 transfer to the Company of rights, interests, and
33 obligations under the lease agreement and related
34 agreements; (5) the execution and delivery of a special
35 source credit agreement by and between the County and
36 the Company in connection with certain additional
37 existing property in the County; (6) the benefits of a
38 multi-county industrial or business park to be made
39 available to the Company, the Expansion Project, and
40 the Existing Non-FILETED Project and (7) other matters
41 relating thereto.
42 FRANCIS CROWDER: Thank you. Do I have a
43 motion to move forward?
44 TOM ALLEN: So moved.
45 FRANCIS CROWDER: All right. We have a motion
46 by Mr. Allen and a second by Mr. Waters. Thank you,
47 sir. All right. Now I will request that you speak to
48 this particular project since it is first reading,
49 please, sir.
50 BURRISS NELSON: Thank you, Mr. Chairman and

1 members of council. This project opportunity is a
2 company -- international company with over a hundred
3 and twenty years of success. They have several
4 locations in the state of South Carolina, including
5 Anderson County. This expansion of this existing
6 industry will be creating forty-five jobs with an
7 average pay of seventeen dollars an hour. Approximate
8 new payroll of one point five million. They have an
9 existing hundred and fifty employees with an
10 approximate four million dollar current payroll. This
11 new expansion is eleven million dollars. This will be
12 a six percent fee agreement. Thirty years with a forty
13 percent SSRC for fifteen years and the first year's
14 current -- well, current property tax is sixty-eight
15 thousand dollars. Projected new is a hundred and
16 sixty-four thousand with a net increase of ninety-five
17 thousand over the ??? and a twenty year of a hundred --
18 of one point three million in property tax on the new
19 capital investment. This information comes to council
20 as a recommendation from staff and economic advisory
21 board and we respectfully request you give favorable
22 consideration to this project.

23 FRANCIS CROWDER: Thank you, sir. Any
24 questions from council members? Yes, Ms. Wilson.

25 CINDY WILSON: There were some references
26 to types of leases that definitely went over my head.
27 Looking at this I don't see any of them defined. Could
28 we get definitions of those by second reading?

29 BURRISS NELSON: Certainly.

30 CINDY WILSON: ?? Nordic lease, synthetic
31 lease. I've been in real estate for a long time but I
32 have not heard of most of those. I have the page
33 number with the definition to make sure I didn't
34 overlook something. On page twenty-five under third
35 party arrangements, it references, you know, of course,
36 we are familiar with sale lease back equipment lease,
37 build-to-suit lease, but synthetic lease, nordic lease,
38 deceased, tax benefit or transfer lease, assignment and
39 some of the others I wasn't familiar with.

40 BURRISS NELSON: Certainly. And I'm not
41 familiar with those terms either.

42 CINDY WILSON: I would not want to turn
43 away business in this county, so desperately as we are,
44 but I think we're close to the time when it would be
45 helpful to have more of a standard set of documents and
46 these -- I mean some of these things are like a hundred
47 and thirty-two pages in our packet tonight. Anyway,
48 just want to make sure we have the county covered and
49 the businesses have felt welcomed and succeed.

50 BURRISS NELSON: I'll speak to that if you'll

1 allow me to. Mr. Pitts and I discussed this particular
2 set of documents numerous times and actually have gone
3 to another -- ask another attorney for additional
4 assistance in helping us be sure we understand the
5 county is covered properly, that the things have been
6 stated the way they should be. We agree that the
7 language is difficult.

8 FRANCIS CROWDER: May I ask myself for
9 permission to speak? Yes, I give -- anyway, before we
10 have the second reading I would like to also have some
11 consultation. Since my company dealt with all kinds of
12 these kinds of agreements, I will assure you, I also
13 got semi-lost in some of the terminology.

14 So anyway, any other council members desiring
15 any questions on this item? Hearing none, all those
16 council members in favor please raise your right hand
17 and keep it up until -- let the record show it was
18 unanimous. Thank you, sir.

19 BURRISS NELSON: Thank you.

20 FRANCIS CROWDER: Item 2013-050, Mr. Pitts.

21 MIKE PITTS: Mr. Chairman, this ordinance
22 simply places a Greenville project into the joint
23 Anderson Greenville park. The project's on the
24 Greenville side.

25 FRANCIS CROWDER: All right. Thank you. Do I
26 have a motion?

27 TOMMY DUNN: Motion.

28 FRANCIS CROWDER: Motion by Mr. Dunn. Second
29 by Mr. Waters. All right. Thank you. Any questions
30 on this particular item? Hearing no questions, I'll
31 assume we're ready to vote. All those in favor of
32 2013-050, please raise your right hand and keep your
33 hand up. Let the record show it was unanimous.

34 Mr. Pitts, 2013-051, please, sir.

35 MIKE PITTS: Yes, sir, this is an
36 ordinance authorizing the amendment of the agreement
37 for development of Joint Country Industrial and
38 Business Park within Abbeville County, South Carolina,
39 Environ Project, executed on January 8, 2008, by and
40 between Anderson County, South Carolina and Abbeville
41 County, South Carolina, providing for the development
42 of a Joint County Industrial and Business Park so as to
43 include additional property in Abbeville County as part
44 of the Joint County Industrial Park; and other matters
45 relating thereto. Same drill as the last one. Mr.
46 Chairman, this places a project in Abbeville County
47 into the joint park.

48 FRANCIS CROWDER: Thank you. Do I have a
49 motion? Motion by Mr. Dunn, second by Mr. Allen. All
50 right. Is there -- are there any questions? Hearing

1 no questions, all those in favor of 2013-051, please
2 raise your right hand and keep it up. Let the record
3 show it was unanimous. Mr. Pitts, we now move to the
4 section called resolutions, R 2013-064.

5 MIKE PITTS: Yes, sir, Mr. Chairman, this
6 is a resolution authorizing the execution and delivery
7 of an inducement agreement by and between Anderson
8 County, South Carolina, and Company A and Company B,
9 collectively Project Choco, whereby, under certain
10 conditions, said Companies will acquire, by
11 construction or purchase or lease/purchase property in
12 Anderson County and Anderson County will provide
13 certain economic development inducements to Company A
14 and Company B for the project and execute certain
15 documents and enact certain further legislation for
16 said companies' project involving an expected over one
17 million dollars in investment and the creation and
18 maintenance of certain jobs.

19 FRANCIS CROWDER: All right. Do I have a
20 motion to move? We have a motion by Mr. Moore.

21 CINDY WILSON: Second.

22 FRANCIS CROWDER: Second by Ms. Wilson. Mr.
23 Burns.

24 BURRISS NELSON: Yes, sir, thank you, Mr.
25 Chairman, members of council. This is a first for us
26 in Anderson County and is a very unique and unusual
27 project that has great potential. It is a incubator
28 type project using intellectual properties that they
29 have franchised from a university. They have been
30 operating and this is also in cooperation with one of
31 our local communities, towns. But this project has
32 been in a facility where there are no property taxes at
33 all charged. Zero dollars in property tax. They have
34 originally created eighteen jobs with annual salaries
35 of seventy-four thousand dollars, creating additional
36 jobs that will pay about thirty dollars an hour.
37 Thirty additional jobs paying thirty dollars, which is
38 about sixty thousand in annual salary. This is an
39 unusual thing, it's been very competitive. We've had
40 to fight other counties to retain this project in our
41 county. And to assist them, to jump from being an
42 incubator type plant or facility to being a
43 manufacturing facility, we are assisting them with
44 their own property tax to offset a hundred and sixty-
45 five thousand dollars of expenses that they have in the
46 purchase of the facility for it to become a taxable
47 property. We will garner zero tax dollars for
48 approximately the first ten years, but they'll create
49 annual payroll of three million dollars instantly with
50 the thirty jobs. Great opportunity. They will have

1 property taxes that they will pay. At the end of
2 twenty years, they'll be, with no additional capital
3 investment, somewhere around two hundred and forty
4 thousand dollars in property tax. This comes as a
5 recommendation from staff and we respectfully request
6 you give favorable consideration to the project.

7 FRANCIS CROWDER: Thank you, sir. Do I have a
8 motion? We have a motion by Mr. Moore.

9 CINDY WILSON: Second.

10 FRANCIS CROWDER: Second by Mr. Allen. Any
11 discussion from council members? No discussion. All
12 those in favor of Resolution 2013-064, please raise
13 your right hand. Let the record show it was unanimous.
14 Thank you.

15 Moving on to 2013-065, Mr. Pitts.

16 MIKE PITTS: Yes, sir, Mr. Chairman, this
17 is a resolution authorizing the execution and delivery
18 of an inducement agreement by and between Anderson
19 County, South Carolina and Project Fleur, whereby,
20 under certain conditions, said Company will acquire, by
21 construction, lease and purchase, certain property in
22 Anderson County and Anderson County will execute fee in
23 lieu of tax agreement(s) and provide certain economic
24 development inducements to the company for the project,
25 and execute certain documents and enact certain further
26 legislation for said company's project involving some
27 ten million dollars in total investment; and matters
28 related thereto.

29 FRANCIS CROWDER: All right. Do we have a
30 motion? We have a motion by Mr. Moore.

31 CINDY WILSON: Second.

32 FRANCIS CROWDER: Second by Ms. Wilson. Mr.
33 Nelson.

34 BURRISS NELSON: Thank you, Mr. Chairman,
35 members of council. This is an existing company
36 expansion, also. Project Fluer is a company with over
37 a hundred years of worldwide manufacturing success,
38 textile industry. They actually started out ??? trade
39 over a hundred years ago. This company will be
40 creating twenty-five jobs with an average salary of
41 twenty-one dollars and sixty-five cents an hour.
42 They'll be -- they already have a hundred jobs in
43 operation today. New payroll will be approximately one
44 million dollars. Capital investment will be
45 approximately ten million dollars. This is a six
46 percent assessment ratio, thirty year with a forty
47 percent SSRC for a five year period. First year's tax
48 -- well, currently they pay a hundred and sixty-three
49 thousand in property tax. New taxes will come about in
50 2014 will be two hundred and sixty-three thousand. The

1 multi-county park portion of that will generate ninety-
2 seven thousand in 2014 for a total of three hundred and
3 sixty-one thousand dollars in 2014 and moving forward.
4 Total new taxes after twenty years, two point one
5 million. This information comes to council as a
6 recommendation from staff and Economic Development
7 Advisory Board and we respectfully request that you
8 give favorable consideration to this project.
9 FRANCIS CROWDER: Thank you, sir. We have
10 additional questions?
11 CINDY WILSON: May I?
12 FRANCIS CROWDER: Yes, Ms. Wilson.
13 CINDY WILSON: Just to ????, but at what
14 point do we lock in the millage on these?
15 BURRISS NELSON: It'll depend on what year --
16 what date we actually finish third reading. Council,
17 their legal council will take a look at the millage
18 rate for current year. Actually, they have a choice --
19 we allow them a choice -- of going to the millage rate
20 which is in effect on June 30, preceding tax year.
21 CINDY WILSON: Okay.
22 BURRISS NELSON: If there's a mil or two
23 difference one way or the other.
24 CINDY WILSON: All right. Thank you.
25 FRANCIS CROWDER: Any other questions?
26 Hearing no other questions, all those in favor of this
27 resolution, please raise your right hand. Let the
28 record show it was unanimous. All right.
29 BURRISS NELSON: Thank you for your support.
30 FRANCIS CROWDER: Thank you, sir. Keep the
31 jobs coming.
32 BURRISS NELSON: Yes, sir.
33 FRANCIS CROWDER: We have Resolution 2013-066,
34 a resolution authorizing the -- oh, I'm -- Mr. Pitts.
35 MIKE PITTS: That's fine, Mr. Chairman,
36 if you want ---
37 FRANCIS CROWDER: No, I don't want to.
38 MIKE PITTS: --- to take it, go right
39 ahead.
40 FRANCIS CROWDER: I do not want to.
41 MIKE PITTS: All right, sir. This is a
42 resolution authorizing the acquisition of certain
43 airport avigation easements; and matters related
44 thereto. And what this resolution does is authorize
45 the county to go forward and acquire avigation
46 easements from those property owners who have reached
47 an agreement with the county as to the amount they're
48 going to be paid for those air rights.
49 FRANCIS CROWDER: All right, thank you. Do we
50 have a motion? Have a motion by Mr. Allen and a second

1 by Mr. Moore. All right. Any discussion on this item?
2 GRACIE FLOYD: Yes.
3 FRANCIS CROWDER: Ms. Floyd.
4 GRACIE FLOYD: Okay, I'd like to -- permit-
5 able. I would like to talk to Mr. Hopkins because he's
6 the one who's going to ???
7 FRANCIS CROWDER: Yes, by all means, Mr.
8 Hopkins.
9 GRACIE FLOYD: Mr. Hopkins, this is
10 authorizing the acquisition of certain airport
11 avigation and easements. Could you explain here? I
12 mean it doesn't say anything.
13 HOLT HOPKINS: This is the tree topping,
14 tree removal safety project off the end of runway 2-3
15 on the Highway 24 side. It's been paid for mostly by
16 federal funds and it's required by the FAA that we do
17 this. But we had like thirty-nine parcels and there's
18 about eighteen of them that have reached an agreement
19 on what they'll accept for the easement and we'd just
20 like permission to go ahead with the closing for just
21 the ones that have voluntarily agreed on a settlement.
22 GRACIE FLOYD: Have you had the meeting yet
23 that was proposed by one council member that we go and
24 meet again with the people that resist that project?
25 HOLT HOPKINS: We've had lots of individual
26 meetings but we have not had a general public meeting
27 or a group, no. Well, we had the one in the very
28 beginning. We met with everybody, invited everybody we
29 could think of to that first meeting prior to meeting
30 with everybody individually.
31 GRACIE FLOYD: Okay. So you do have the
32 majority of the people now that are going to do this,
33 right?
34 HOLT HOPKINS: About half.
35 GRACIE FLOYD: About half of them? Okay,
36 good. All right, thank you.
37 FRANCIS CROWDER: Well, I have a question, if
38 you don't mind.
39 HOLT HOPKINS: Yes, sir.
40 FRANCIS CROWDER: So if we pass this
41 resolution, and about half agree, what does that mean?
42 What happens to the other half?
43 HOLT HOPKINS: We've got to address that in
44 another conversation in the coming weeks or months.
45 FRANCIS CROWDER: But does that mean we
46 proceed with the half that ---
47 HOLT HOPKINS: Well, we'll actually be
48 acquiring the easements from those folks. But the way
49 the grant was written, it was planned for being kind of
50 a two-phase grant because we realized that there would

1 be some we'd have to negotiate further with. Or
2 possibly consider other action.

3 FRANCIS CROWDER: Yes, other actions. Yes,
4 okay, thank you. I appreciate that.

5 All right. Any other questions by any member
6 of council? Hearing none, all those in favor please
7 raise your right hand. Let the record show it was
8 unanimous. At this time, because this next item is
9 going to be rather lengthy, we'll take a five or six
10 minute rest break. Thank you.

11 (BREAK 8:27 PM TO 8:36 PM)

12 FRANCIS CROWDER: On PBS they would say now
13 for the third half of the Howdy Doody Show. Laugh. We
14 need a little levity in life.

15 All right. At this time we have Resolution
16 2013-067, Mr. Pitts.

17 MIKE PITTS: Yes, sir, this is a
18 resolution authorizing the County's attorneys to pursue
19 an appeal in Anderson County versus Preston, et al; and
20 matter related thereto.

21 FRANCIS CROWDER: All right. Thank you. Ms.
22 Wilson.

23 CINDY WILSON: Thank you, Mr. Chairman.
24 This county is close to winning on appeal or at the
25 South Carolina Supreme Court level, the legal challenge
26 before us tonight. This judge has been overturned in a
27 number of other rulings. He even stated that he
28 expected to have his ruling appealed. At least five
29 local attorneys recently who have been following this
30 close have encouraged us to continue the appeal because
31 they believe we have strong grounds for an appeal. For
32 those here tonight who say stop, have you done your
33 math? On a careful mathematical review, consider the
34 cost of what those citizens who want to settle or
35 stopping now will be. The judge who has made these
36 rulings would be the one to award the former
37 administrator somewhere between seven hundred and
38 seventy thousand to maybe more than one million dollars
39 in legal costs. That would be pretty immediate. Then
40 you add to that, losing the ability, through the
41 Freemantle FOI case, to be refunded the one point three
42 million dollars. Are we not now over two million
43 dollars? Then consider opening the flood gates for
44 many more contrived lawsuits brought by that crowd.
45 Don't forget they have the track record of slap suits
46 and frivolous suits. That can cost in addition upwards
47 of two to three million dollars over several years.
48 Our prospects are excellent on appeal. Why would you
49 hand over a million dollars without even trying?

50 We would be remiss if we failed to point out

1 another factor of the increased legal costs is due to
2 Judges Maddox and Couch sitting on these cases and
3 dragging them out for years.

4 Now, let's look at the primary reasons for
5 those of you here tonight who want us to cave and stop.
6 There's some of you who previously benefitted by
7 association with the previous regime. But the most
8 egregious reason some of you believe we should stop is
9 because you have great faith in the veracity of our
10 daily newspaper. How can you take as the gospel truth
11 this paper printing over the years that Anderson County
12 has the administrator council form of government. Did
13 you know that there's no such thing, no form of
14 government under the South Carolina home rule? We have
15 the county council administrator form of government.
16 One prominent local businessman threatened to sue us
17 recently because of our micro-managing under the
18 administrator county council form of government. He
19 was provided a copy of the state law and we've not
20 heard back from him.

21 The paper this morning told you that the
22 county's lost at every major turn. We have won the
23 related cases at circuit court level to the state
24 Supreme Court. How quickly they forget. Shortly you
25 will hear some of last year's Supreme Court hearing on
26 the Freemantle case. After you listen, tell us you
27 don't think we will win. A large portion of the legal
28 costs, the paper has railed against were caused by
29 their then recently retired publisher joining with two
30 convicted felons and another man to sue the county to
31 block inquiries and investigations which are allowed
32 under state law. The circuit court judge labeled their
33 suit as patently absurd. They appealed. The South
34 Carolina Supreme Court heard the case and agreed that
35 their claims were patently absurd. Why didn't the
36 paper remind you of that win by the county? The other
37 man referenced here spoke to the motion to reconsider
38 agenda item a while back and condemned us for spending
39 money on legal challenges. Did he forget his own role
40 in increasing legal costs for this county? Somewhere
41 over three hundred thousand. The related Cunningham
42 case has been mostly won on appeal.

43 This paper did not know that Mr. Ransom was
44 the former administrator's professor at Clemson until I
45 told them. They failed to tell you how those two
46 demagogued me in their class before I was even elected.
47 Students were pretty shocked in telling me about that.
48 And I'm sure you didn't know that our county paid for
49 that tuition.

50 And how about the often printed personal

1 vendetta? Remember how my community and neighbors
2 hired experts to engage the county in questions
3 regarding county sewer proposals. Not just me, but
4 over one hundred affected citizens. The county was
5 told that the Beaverdam line was not needed at that
6 time. The county was advised of the serious
7 environmental, logistical and economic issues their
8 proposal brought unnecessarily. Somewhere between
9 twelve to twenty million dollars worth. Guess what?
10 We were right. There's no consolation in being right.
11 Your sewer fund costs have skyrocketed. There's no end
12 in sight. The sewer fund has been running plus or
13 minus three million dollars loss annually. And don't
14 forget the landfill deal and numerous other deals that
15 you were sold a bill of goods on and ask yourself why
16 the paper attacked me instead of looking at the deals
17 and who really benefitted.

18 And if you want to get a good chuckle about
19 how much you can believe the newspaper, have any of you
20 ever met a Mr. Cindy Wilson? They keep referring to me
21 as Mrs. Cindy Wilson. How do you trust a paper that
22 doesn't give it to you straight or complete? Please,
23 be reminded that the vast majority of Anderson County
24 citizens do want truth and justice. They support an
25 appeal. And shouldn't we all learn in all of this the
26 difference between propaganda and facts?

27 Now, just to give you an idea of where we are
28 and the potential to win on the Freemantle case. His
29 case has not been heard yet and it should prove that
30 the severance agreement is void pursuant to the Saluda
31 County, the Lambries and Saluda County case in which
32 the South Carolina Appellate Court decision held that
33 the county cannot amend the agenda without giving the
34 twenty-four hour notice required by the South Carolina
35 FOI statute. And, of course, our council violated that.
36 It is widely anticipated that we will win. I asked Mr.
37 Freemantle to play a short part of that Supreme Court
38 ruling so you can hear what our South Carolina State
39 Supreme Court -- comments that they made regarding
40 this.

41 **(AUDIO PLAYED IN OPEN COUNCIL SESSION)**

42 CINDY WILSON: So there you see some of
43 what we anticipate. Further, the primary position of
44 the order, the majority vote -- it refers to a majority
45 vote of those members present and voting shall decide
46 all questions, motions and votes. If you'll look at
47 the Order of 11/7/2013 and that would be number 4,
48 Finding 4. However, every attorney and judge knows
49 that codes are read together as a whole and not by
50 pulling out one sentence that is seemingly in your

1 favor. So the orders position on this entire matter
2 will not be upheld on appeal.

3 And I have a question for Mr. Pitts, if you
4 don't mind, please, sir. If this ruling -- if we stop
5 on this ruling now, how do we handle our quorum issues
6 because the way our Codes of Ordinances read now, it
7 pretty much pertains to the qualified votes, the way
8 I've read it. So if we have to go by Judge Couch's
9 rule, we need to change our ordinances? Or how do we
10 ---

11 MIKE PITTS: Ms. Wilson, I don't think
12 it'd be appropriate for me to dispense legal advice out
13 in the open. I'd be happy to talk to y'all in
14 executive session if that's the wish of the body.

15 CINDY WILSON: Sorry, I just put you on
16 guard there. But you see some of the dilemmas. And
17 the primary question that we have before us tonight, do
18 we seek truth and justice, do we spend a few dollars
19 more and go for the appeal? The Supreme Court has
20 basically given us a gift and all we have to do is to
21 appeal. Or do we go ahead and pay out plus or minus a
22 million dollars immediately? Don't even take our
23 chance. Don't forget, this judge knows that he was
24 going to be appealed. He said that, according to
25 comments that we've heard already. So I'll put this
26 resolution in the form of a motion now.

27 FRANCIS CROWDER: All right. We have a motion
28 and a second. Discussion?

29 TOM ALLEN: Mr. Chair?

30 FRANCIS CROWDER: Yes, sir, Mr. Allen.

31 TOM ALLEN: Yeah, I'd like to make a
32 couple of comments on this. This has been a very,
33 very, very difficult decision for everyone and I've got
34 friends on both sides of this question, without a
35 doubt. So regardless of how I vote tonight, I'll
36 probably be in trouble. So I have to ask the sheriff
37 if he would to have a bomb sniffing dog check my car
38 out tonight if you would, sir, before I get in.

39 I want to do just a very brief history of how
40 I view this. And before I do that, I'd like to ask you
41 a question, though, just one question. What charge
42 filed against the previous administration by this
43 county will overturn the actions of November 18, 2008
44 and the decision by the court this past May, 2013.
45 What decision, and I want you to think about that.
46 What charge is going to overturn it.

47 Now here's a very brief history and I'll go
48 through this as fast as Mr. Pitts can read all, I'll go
49 through this, too.

50 When I was running for office originally I did

1 a lot of door-to-door campaigning and during that time
2 I heard a lot of questions such as, where's the money
3 going in Anderson County? We hear credit cards are
4 being illegally used. There are a lot of economic
5 development trips being taken by council members and
6 their associates and county employees with no economic
7 results. Bottom line to all this was the question, are
8 our tax dollars being properly accounted for? My
9 answer to all this was I will investigate and will find
10 out if there's anything illegal going on.

11 When we got into office, here's the second
12 fact, we got into office, we did investigate. We hired
13 Mr. Bob Daniels, who's a CPA, to review the
14 expenditures for the past several years to find out if
15 there were any illegalities. After several months of
16 financial reviews the so-called Daniels report was
17 produced, never was the word illegal used. There were
18 areas in there where expenditures could have been
19 tightened up or credit card usage and so on could have
20 been tightened up and controlled a little bit better,
21 but nothing illegal.

22 As we move on, the next fact is that after
23 that, we didn't find anything illegal in the financial
24 end of it and there are no charges against the previous
25 administration from a financial standpoint of any
26 mismanagement. But after that, we didn't have that, so
27 we heard, well, there's been things going on under the
28 table. Back door deals. Somebody's getting a
29 kickback. Something's going on. We hired two private
30 investigators to go out and question people, which is
31 what they did. They spend several months
32 investigating, talking to folks, checking out numerous
33 rumors. And when they finally finished up, they had
34 nothing illegal.

35 Next fact, at this point, and correct me,
36 sheriff, if I'm wrong, but at this point the sheriff
37 forwarded that information to the state grand jury.
38 All right. I believe that was correct. The state
39 grand jury spent several months and to answer someone's
40 question earlier, the gentleman from Boston, it wasn't
41 the council that dragged this on, it was the court
42 system, judicial system that dragged this on. At any
43 rate, after they looked at it, no true bills. They
44 found no criminal actions. All right.

45 Now, in my opinion, keep in mind, I voted
46 against pursuing this case the very first time, based
47 on the investigations that I just mentioned. I didn't
48 see where any of the charges compiled by the county
49 attorneys were strong enough to allow the court to
50 overturn the actions of November 18, 2008. However,

1 council majority did vote to go ahead with the case.
2 There's a fact. In some of the readings I've done
3 during the past four years, I've found it's very
4 unlikely a court will overturn the vote of a duly
5 elected body, such as a county council, unless there
6 was such an obvious and egregious breach of law that
7 the court would have no choice but to overturn it. In
8 my opinion, this did not appear to be the case on
9 November 18th, 2008. Actually the council at that time
10 could have even voted to give Mr. Preston a larger buy-
11 out. I mean it could have gotten to the point of being
12 ridiculous, but they could have given him more.

13 Another fact, I did vote in favor of allowing
14 this case to go to trial to Judge Couch. I didn't
15 think the county would win, but I did think it would
16 put an end to the case. And since the lion's share of
17 the money had already been spent, then a few more
18 dollars wouldn't hurt anything. I thought this would
19 be the end. I was wrong, it wasn't the end.

20 Another fact. Many people refer to the Cowart
21 -- or I'm sorry, the Piedmont versus Cowart case and
22 say that since the courts overturned that buy-out
23 action then the Preston buy-out should be overturned,
24 too. There's a difference, however, and that was that
25 the action to initiate the buy-out in the Cowart case
26 was voted on in executive session. That's illegal.
27 Can't do that. It also bound the hands of the incoming
28 commission. Can't do that. The Preston case did not
29 do that to us. The vote was not taken in executive
30 session and it didn't tie our hands over a period of
31 time. So to me, there was a difference.

32 Now, the question arises was FOI violated the
33 night of November 18, 2008. When the agenda was
34 amended during the meeting, now this is a fact, FOI
35 states an agenda must be published twenty-four hours
36 before a public hearing. That's true. It said nothing
37 about amending an agenda though, the night of the
38 meeting. However, in June of 2012, the Appellate Court
39 did rule that amending an agenda the night of the
40 meeting, quote, violated the spirit of FOI. Violated
41 the spirit, not a hard and fast law, but it violated
42 the spirit. This ruling came four years after the
43 November 2008 meeting. I really can't see a court now
44 in 2013 making a ruling who would have to be made
45 retroactive back five years. I don't think they can do
46 that. I don't think they can do that especially since
47 amending an agenda the night of the meeting was never a
48 hard, fast law.

49 Now, if we look -- let me go ahead and finish
50 that part very quickly. What I have here, we get these

1 every year, this is a Freedom of Information Act
2 handbook for county government, this is the 2013
3 edition. Here is the actual -- here are some comments
4 and this refers to the Lambries versus Saluda County
5 council case that was mentioned earlier. Here was the
6 ruling. While the court recognizes that no provision
7 in FOI appeared to prohibit the amending of an agenda
8 during a meeting and their decision may create
9 inconvenience in some instances, they held that such
10 actions would, quote, undercut the purpose of the
11 notice requirement in 30-4-80. That's FOI. The court
12 further worried that permitting amendments to the
13 agenda during a meeting could be abused and violates
14 the spirit of FOI. The last sentence to this is,
15 although the case is on appeal, county councils are
16 advised to refrain from amending their agenda during a
17 regularly scheduled meeting. Advised not to amend an
18 agenda during the meeting. That's just advice, that's
19 not a hard fast law.

20 I just have a feeling, again, this is my
21 opinion pretty much, that this could open up a can of
22 worms that nobody really wants to get into because I
23 will bet that a lot of counties in South Carolina
24 amended agendas, violating the spirit of the law, they
25 were just never challenged. But it was never in
26 writing that you couldn't amend it that night.

27 The next opinion I have, let's say the court
28 did rule that FOI was violated that night. The court
29 would then, in my opinion, simply tell Anderson County,
30 hey, don't do that any more. In other words, a slap on
31 the wrist. Don't do that. I don't see anything else
32 coming out of that. I don't think that that minor
33 technicality is going to overturn four years worth of
34 litigation. And on top of that, the judge that's going
35 to be hearing it is Judge Couch. So he's probably not
36 going to slap himself on the wrist and say, whoops, I'm
37 going to overturn everything I've been doing. So I
38 don't think it's going to happen.

39 Finally, it has been said that Chief Justice
40 Jean Toal, after seeing the recording of the November
41 18th meeting said and I'll paraphrase here, it looks to
42 me like council was just in a hurry to get their buddy
43 paid off. Well, it's one thing to say that when an
44 actual judgement's not being made, but when a legal
45 decision has to be written, it has to be based on law,
46 not the way it looks. The night of that meeting, I've
47 said it a hundred times before, it looked to me like a
48 slap in the face to democracy. It didn't look good,
49 but was it illegal? So far, not been proven so.

50 Let me see where I'm at here now. The county

1 has lost and I'm trying to 'quote the newspaper here, in
2 every legal venue. And by that I mean the fact that
3 the grand jury and Judge Couch, we lost in those, we
4 lost all eleven counts when we went before Judge Couch.
5 Now we did some win some other things, some minor slap
6 suits. Those were just things, how can I put it,
7 thrown in our way to keep us off track of where we were
8 really trying to head. Even the other side didn't
9 expect to win those things. They were pretty much
10 irrelevant.

11 The other thing that we need to keep in mind,
12 that having spent nearly three million dollars at this
13 time, that of the one point one four given to Mr.
14 Preston, over three hundred and fifty thousand of that
15 went to state retirement fund. They've already said
16 they're not going to give that back. So even if we won
17 somehow, we get maybe six hundred and fifty thousand
18 back, unless we want to go into another legal battle
19 with the state retirement fund and maybe to get that
20 other three fifty. But it doesn't look very promising.

21 So in summary, if we look back over the past
22 four years, the following steps have been taken. The
23 county initially investigated the finances of the
24 previous administration, found nothing illegal. Could
25 have been tightened up, but nothing illegal and there
26 are no charges in any of the courts saying that there
27 was illegal financial works going on. After that, the
28 two investigators couldn't find any illegal deals going
29 on under the table. No charges to that effect. After
30 that the sheriff sent the information to the grand
31 jury. After several months, they found no criminal
32 activity. So from there it went to Judge Couch and of
33 the eleven counts presented to the court, the county
34 lost all eleven of them. We didn't win a single count.

35 Now, those who wish to appeal, as I see it,
36 are kind of hanging their hopes on a comment that Judge
37 Couch made that there may not have been a quorum that
38 night. Well, we have gone now from where we were
39 initially saying, boy, we got this guy on financial
40 misdoings, or we've got him on underhanded deals behind
41 the back under the table, hard core things that if we
42 could have proven something we'd have a case, if a law
43 had been broken. Now we're down grasping at straws
44 hoping maybe something Judge Couch, I hate to use the
45 word made up, but I can't think of any other one, but
46 kind of a conclusion he came to, hey, there might not
47 have been. I don't know, well, he could turn that
48 over. What if he had not used those words, then where
49 do you hang your hat, if he had never mentioned the
50 question of a quorum. Well, the possible lack of a

1 quorum which there may not have been that night, let me
2 see where I'm at here, that was a comment made by the
3 judge. Then what would we hang our hat on next, I was
4 going to say. Maybe it's the FOI question. Was FIOA
5 violated that night? Would that overturn what happened
6 November 18th? I don't believe the court will overturn
7 the November 18th meeting based on a technicality after
8 four years of litigation, when the FOI question about
9 amending an agenda the night of the meeting was not
10 actually a law. Nor was it determined to be in
11 violation of the spirit of the law until four years
12 later. They're not going to go back and make that
13 retroactive. Do you really think -- okay. Already
14 covered that part. That leaves the comment by Chief
15 Justice Jean Toal, and as I said earlier, this comment
16 was not based on any actual law that was broken and
17 when an actual legal ruling has to be written I don't
18 think she can rule on that comment, that hey this
19 didn't, okay, this didn't look good. Bang, I'm going
20 to rule on it. Not going to overturn anything.

21 FRANCIS CROWDER: Time.

22 TOM ALLEN: All right. I guess the
23 timing was perfect. Thank you.

24 FRANCIS CROWDER: Thank you. Yes, ma'am, Ms.
25 Floyd.

26 GRACIE FLOYD: I would like to make a
27 motion that we extend the time, please, about -- for
28 about ten, fifteen minutes.

29 FRANCIS CROWDER: Have a motion to extend
30 time. Do we have a second? All right. All those in
31 favor of extending time, raise your right hand. All
32 those opposed. We will not extend time. The vote is
33 four to three. For the record, four to three.

34 All right. So, we will now vote on Ms.
35 Wilson's motion. Well, we'll start at the other end.
36 Well, we'll start with Ms. Wilson, how do you vote?

37 CINDY WILSON: In favor.

38 FRANCIS CROWDER: Mr. Allen?

39 TOM ALLEN: Against.

40 FRANCIS CROWDER: Mr. Moore?

41 EDDIE MOORE: In favor. But I don't
42 appreciate y'all using all the time so other council
43 members couldn't voice their opinion.

44 FRANCIS CROWDER: Ms. Floyd?

45 GRACIE FLOYD: Against the motion.

46 FRANCIS CROWDER: Mr. Dunn?

47 TOMMY DUNN: In favor.

48 FRANCIS CROWDER: Mr. Waters?

49 KEN WATERS: Against.

50 FRANCIS CROWDER: All right. Okay. I

1 appreciate Mr. Allen's comments, but I will be voting
2 in favor of the motion. And I will tell you why. Oh,
3 I can't do that because we've run out of time. But I
4 can tell you it's the hardest decision I've ever had to
5 make in my life, almost.

6 So anyway, we will now move on to Item number
7 11, acceptance of the 2014 Full Depth Patching and
8 Single Treatment. Mr. Holt Hopkins.

9 HOLT HOPKINS: Mr. Chairman, we placed in
10 your mailbox about a month ago a list for you to be
11 considering and hoping for any feedback that you may
12 have. But what you have in your packet tonight is a
13 recommended priority list separated out by each
14 district for the roads that we would like to patch and
15 tar and gravel or seal next year in our summer
16 contract.

17 We need -- we request two things. One, that
18 you approve the priority list because if you'll look at
19 the money it exceeds the amount of money each one of
20 you have in your paving accounts. But we will, after
21 tonight, or as soon as you approve the list, we will be
22 able to go to other funding sources and try to get as
23 much of it done as possible. But the second part we're
24 asking you to do tonight is actually allocate as much
25 of your paving account as you can spare towards this
26 list, so we'll know how much more we need to make up.

27 FRANCIS CROWDER: I reckon I should have
28 actually had a motion to discuss, which I failed to do.

29 TOMMY DUNN: I make a motion we move this
30 on the floor.

31 CINDY WILSON: Second.

32 FRANCIS CROWDER: We have a motion by Mr.
33 Dunn, a second by Mr. Moore. Now discussion.

34 HOLT HOPKINS: If you have any specific
35 questions about any roads, ---

36 FRANCIS CROWDER: I do have questions.
37 Personally, I do not want to commit any of my paving
38 money towards that list. I have some projects in my
39 mind that I, at least one or two of them I've talked to
40 you about, that are not on that list. So can a council
41 member reserve the right not to appropriate money to
42 this effort?

43 MIKE PITTS: Yes, sir, I believe as far
44 as the list is concerned, with the priorities you can
45 move, if y'all are approving the list tonight, through
46 action, you can make a motion to amend -- each council
47 member would have the ability to make that motion.

48 FRANCIS CROWDER: Okay. Well, I want to make
49 a motion to reserve the right to put projects on there
50 for District 1.

1 CINDY WILSON: Second. And may I do
2 likewise? I need to have a tour with Mr. Hopkins of my
3 district soon. I think there may be some roads that
4 are in more desperate shape than even the ones that are
5 on here.

6 FRANCIS CROWDER: I will say why I'm taking
7 the position I'm taking. Regrettably a large, well,
8 not regrettably -- I'm a little shaken now -- but a big
9 part of my district is in the city and city roads are
10 not counted for repair on the county's paving list. I
11 find that very hard for the citizens that vote for
12 District 1 to not have some say-so in having their
13 roads paved because, quote, I'm not in the county road
14 system but yet I pay county taxes. So that gives me
15 heartburn.

16 HOLT HOPKINS: Mr. Chairman, if I may
17 respond to that. There's only two kinds of roads
18 inside the city. Those are state maintained roads or
19 they are local city streets. The county does not have
20 any jurisdiction or say-so over the streets inside the
21 city. If it is a local road, that is up to the city
22 council to decide what happens on a road. They can
23 close a road, tear up a road, plow it up, whatever they
24 want to do. We don't have that jurisdiction to
25 determine that. In years past, that became a problem
26 when we kind of inserted ourselves in deciding what
27 roads should be paved and along come the utility
28 companies tearing the road right back up the very next
29 week after we paved it. So what we did in the more
30 recent past, when we had funding, we had significant
31 more funding then what we have now, the city council
32 actually adopts two lists each year and put it out.
33 They set the priorities similar to what is before you
34 now on county roads. The city council actually adopts
35 two lists showing their priorities for the various
36 city streets. They send the state maintained list to
37 the state asking them to consider it. They also have
38 the option of going and lobbying the C fund committee,
39 just like we do, for those state road. They have in
40 the past, also, submitted those lists or contacted
41 their county council member directly and asked them for
42 their help to work their priority list.

43 Typically, you know, well, the way the funding
44 was allocated up until the past few years, has been
45 that working with the city council, the county council
46 members would allocate a set amount of money, a
47 percentage of their paving account, so it could be
48 applied to their priority list and assist them in that
49 way. We've taken it even further when we had a paving
50 contract we would be happy to add that in on our

1 contract in some cases. Or they had the option of
2 putting it out there on contract. But again, we've
3 kind of tried to honor their priority setting because
4 it's in their jurisdiction.
5 FRANCIS CROWDER: But has it not been the case
6 in previous councils and this council, for a council
7 member to be able to appropriate that money to a
8 municipality?
9 HOLT HOPKINS: If the town hall or city
10 hall or mayor or somebody ---
11 FRANCIS CROWDER: Parking lot, tennis court,
12 or whatever.
13 HOLT HOPKINS: We can't just -- well ---
14 FRANCIS CROWDER: I'm just saying hasn't a
15 precedence already been established that a council
16 member can direct their paving money to other than this
17 list?
18 HOLT HOPKINS: Yes, sir. You can -- inside
19 of town, or wherever, any project you would like to
20 pick. The reason we're asking that in November about
21 our priority list, we will be spending the next month
22 or two getting a contract together, getting it ready to
23 go out on the streets in February. So we're trying to
24 line up how much funding we have, figure out what
25 roads, or what projects we need.
26 TOMMY DUNN: Mr. Chairman.
27 FRANCIS CROWDER: Yes, sir.
28 TOMMY DUNN: And I -- if I may?
29 FRANCIS CROWDER: Yes, sir.
30 TOMMY DUNN: It sounds like we could talk
31 about this for a good while. Would it be too much and
32 here -- Ms. Wilson and I'm sure other council members
33 got their thing, if you're not ready tonight, to do
34 your road work and be ready to vote on it next council
35 meeting? Would that be too much to ask? If we get
36 ready to get our roads and be ready to vote on it for
37 next council meeting.
38 FRANCIS CROWDER: Thank you. Do you make that
39 in the form of a motion?
40 TOMMY DUNN: We had a motion on the
41 floor, I believe, to move it forward. I'll amend it
42 that we vote on this next council -- I'll amend that
43 original motion that we vote on it next council
44 meeting.
45 KEN WATERS: Second.
46 FRANCIS CROWDER: All right. We have a second
47 by Mr. Waters. All those in favor of the amended
48 motion, raise your right hand. All those opposed. All
49 right. We have six members for and one member opposed.
50 All right. All those on the ---

1 TOMMY DUNN: Original motion.
2 FRANCIS CROWDER: With the amendment. All
3 those in favor of the original motion with the
4 amendment, please raise your right hand.
5 ??:
6 FRANCIS CROWDER: Well, he wants to do it, but
7 it's with the amendment that we table it. Wait and
8 vote on it -- isn't that right?
9 TOMMY DUNN: Yeah.
10 FRANCIS CROWDER: All right. All those for
11 that, raise your right hand. All right. All those
12 opposed. Let the record show it was a vote of six to
13 one. Thank you, sir.
14 HOLT HOPKINS: I'd just add I'd be happy
15 to meet individually any time.
16 TOMMY DUNN: I was just going to say, if
17 you would, make sure you be prepared next meeting, I'd
18 help out and get our contracts up.
19 FRANCIS CROWDER: Sure. I will do that, but
20 it won't be this week. Next week.
21 All right. The next item is report from
22 Animal Welfare Committee. Chairman Tom Allen.
23 TOM ALLEN: Is Drew here?
24 FRANCIS CROWDER: Is Drew here? He left.
25 TOM ALLEN: He's supposed to put ---
26 TOMMY DUNN: Mr. Chairman, while he's
27 doing that, can we take a short recess right quick?
28 FRANCIS CROWDER: Yes, sir, let's have a short
29 recess.
30 (RECESS 9:25 PM to 9:36 PM)
31 FRANCIS CROWDER: We pick back up on Animal
32 Welfare.
33 TOM ALLEN: Yeah, about five minutes.
34 This will be a report on the Animal Welfare Committee.
35 And I think each council member tonight was given our
36 rough draft and this is after three public meetings,
37 very good public meetings, where both sides, I mean we
38 really got into it pretty good and getting input from
39 all those folks as well as the sheriff's department,
40 the animal control people, veterinarians, the
41 magistrates, myself, Mr. Dunn and Mr. Crowder, who were
42 on the committee. We came up with this. Now this will
43 be a paragraph, we're calling it an ordinance, it's
44 going to be a portion of the Animal Control -- we need
45 to redo the entire ordinance, but this will become a
46 part of it. Right now, it's been sent to the legal
47 staff, for them to check and make sure I haven't said
48 anything untoward or illegal or didn't dot all my i's
49 or cross my t's properly. When that comes back, then
50 there's still time for comment. All the council

1 members, anybody else that wants to comment, please
2 feel free to do so. And then we still have to go
3 through three readings of council before this becomes
4 final. So that's where we're at. I think, I hope that
5 most of the animal welfare people were pretty well
6 satisfied with what we've done so far. It's a step
7 forward. A lot of people wanted to take that quantum
8 leap and honestly Anderson County's not ready yet for
9 that quantum leap. And as I said, we have to crawl
10 before we walk and walk before we run. And this is
11 what I think we need to do now. So we'll get this
12 through the legal staff and then we'll go from there
13 with it and anybody that has any comments, please feel
14 free to contact me or Mr. Crowder or Mr. Dunn and we'll
15 be glad to speak with you.

16 Now, can you see that picture real well up
17 there? Showing up pretty good? This is a sad state of
18 affairs. I got this picture I think it was a Saturday
19 night and I didn't sleep. This made me so mad. I was
20 extremely angry when I saw this. This dog was found, a
21 neighbor apparently reported it, someone went out, I
22 guess climbed the fence, went over and got it, tried to
23 rescue it. The dog died the next day. Starved to
24 death. This dog didn't get that way in one day. Where
25 in the heck were the neighbors the previous week or
26 two? Why does this go on in Anderson County? I told
27 some of the people at the Animal Welfare meeting,
28 somebody mentioned they were the silent majority. I
29 said don't be. Raise Cain. Get out here in the street
30 and march. We've got to find some way to get the word
31 out in Anderson County that we're not going to tolerate
32 this.

33 Now, the people that went in there, I don't
34 know who went over the fence and got this dog, but
35 honestly, technically, they were breaking the law.
36 They could have been shot. They had no authority to go
37 in this person's yard and try to save that dog. Leave
38 that up to the animal control people. And I'll ask the
39 sheriff, and I think Gary Brown I've already talked
40 with him, but I want to find out, was this reported to
41 Anderson County? No. It was ... okay, good. Not
42 reported to Anderson County because I wanted to go out
43 there and find out who the owners are. I mean, this is
44 terrible. This is despicable. This is not something
45 that Anderson County should be proud of by any stretch
46 of the imagination. We're a growing county. This
47 county's got a ton of potential. And to have things
48 like this come up, I don't even know how to describe
49 it. But I do not want us tolerating this kind of thing
50 and I hope we can get an end put to this and anyone

1 seeing a dog in any kind of shape like this, or being
2 mistreated, malnourished, whatever, report it to the
3 animal control people. We've only got about, sheriff,
4 you can correct me, what about seven people, about
5 seven people in animal control or at any given time
6 maybe, maybe five of those are on the road. They're
7 swamped every day going out on complaints. They don't
8 sit at the donut shop and eat donuts. You can't find
9 all of these. It's up to the people to report them.
10 Let us know where they're at so we can do something
11 about it. All right. And that's my report on the
12 Animal Welfare Committee. Thank you, Mr. Chairman.

13 FRANCIS CROWDER: Thank you. All right. The
14 next item on the agenda is report from the Personnel
15 Committee. Personnel Committee, you have an update of
16 the information in your agenda packet. We did meet on
17 November 12, 2013. We reviewed the current job
18 description and made some recommended changes. It was
19 unanimous to include these changes to present to
20 council tonight. So do I have a motion to approve?

21 TOM ALLEN: So moved.

22 CINDY WILSON: Second.

23 FRANCIS CROWDER: We have a motion by Mr.
24 Allen, a second by Ms. Wilson. Discussion?

25 CINDY WILSON: May I?

26 FRANCIS CROWDER: Yes, ma'am.

27 CINDY WILSON: Did Mrs. Eddleman have an
28 opportunity to review this?

29 FRANCIS CROWDER: No.

30 CINDY WILSON: Okay. I wondered if maybe
31 there might be anything that she would add to it.

32 FRANCIS CROWDER: Well, actually it's taking
33 the job description and adding a couple of imperatives
34 if you looked at it. For example, we clarified the
35 fact that a future clerk would need to be available up
36 to three evening meetings per week, which has been a
37 weakness in us being able to articulate the people
38 we've interviewed. So that people that just want a
39 daytime job, this is not that kind of job for them.

40 Secondly, we added some increase in technology
41 that they had to be skilled in, you know, different
42 word processing and excel and power point. They had to
43 have the ability to upload data to the website, because
44 we've run into those kinds of problems. And so, if you
45 look at all this, we just tried to really enhance what
46 was already on our job description so that candidates
47 that we advertise for will have some clear insight into
48 what the job entails.

49 CINDY WILSON: Well, this does represent
50 much more comprehensive and clear set of requirements.

1 Thank y'all for the hard work on that.

2 FRANCIS CROWDER: Thank you. Any other? Yes,
3 ma'am, Ms. Floyd.

4 GRACIE FLOYD: I read the two that were
5 sent to my home. The one for the deputy clerk did not
6 include, which I think is very important, a valid
7 driver's license or the ability to obtain one. It says
8 that on the one for the clerk itself, but for the
9 deputy clerk it does not say that. And there are times
10 when the deputy clerk must make the run to the
11 different places that she needs to go to, to get what
12 needs to be done. I know that y'all do a lot of
13 framing for these resolution and stuff that you give to
14 people. Somebody has to go and pick that stuff up. I
15 think it's imperative that the deputy clerk should have
16 a driver's license or the right to secure one. Also,
17 in the old copy, it says lift up to ten pounds. And
18 now, I notice it has been changed to lift or move up to
19 twenty pounds. More than likely this would be a female
20 taking this job and twenty pounds, moving or lifting
21 twenty pounds could be a little bit much for females.
22 Now, you don't have the one in here tonight, I don't
23 see it, for the clerk herself, or himself, or
24 theirselves, if you can say it like that. But I don't
25 know how much she will have to move or lift, but twenty
26 pounds, that's a lot for a lady and if you're saying
27 twenty pounds then are you setting the age at a young
28 age? Maybe there is a middle age person who would like
29 to apply for this job as well. Would she have to lift
30 twenty pounds, too? Also, you have -- you did not put
31 in here that these people must be able to clean up
32 their own office as they are having to do now. Which I
33 think is ludicrous, but this is something else that
34 they have to do. Also, in the other one, you put in
35 there able to obtain a notary public certification
36 within six months. That's all well and good, but it's
37 not up to the person who receives a notary public. She
38 has or he has to get it when they send it to her. I
39 have mine, so I know that it may be it's going to take
40 longer than six months, depends on who the person is
41 going to be, who's going to be to do that. But these
42 are the things I found in the last one you sent me at
43 my house. And this is what I think we need to change
44 in this one.

45 FRANCIS CROWDER: Well, are you suggesting ---

46 GRACIE FLOYD: I'm making a motion that we
47 go back and we include the driver's license, we lower
48 the lift rate from twenty pounds back to ten, to ten
49 pounds, and we extend the certification within one
50 year, the notary public certification for one year.

1 FRANCIS CROWDER: All right. We have a motion
2 to amend. Do we have a second? Hearing no second, the
3 motion dies. So now we will vote. Any other
4 discussion?
5 TOMMY DUNN: Mr. Chairman.
6 FRANCIS CROWDER: Yeah.
7 TOMMY DUNN: I thought it was, but if
8 it's not, I'd like to make a motion we do put the
9 driver's license requirement in there. That needs to
10 be in there.
11 FRANCIS CROWDER: All right. We have a motion
12 and a second. Any discussion?
13 GRACIE FLOYD: I just said that and it
14 wasn't second then, so what makes it okay now? Thank
15 you.
16 TOMMY DUNN: Because you had two other
17 things on there that I studied and I don't go along
18 with, but I do go along with the driver's license
19 thing. So if I voted for yours, I'd have to voted for
20 all three of them and I just want the one. That's my
21 thing.
22 FRANCIS CROWDER: Any other comments?
23 TOM ALLEN: Yes, Mr. Chair.
24 FRANCIS CROWDER: Yes, sir.
25 TOM ALLEN: If I could, Ms. Floyd, I'll
26 take the blame for the twenty pounds, because when I
27 was thinking about this I thought a lot of times they
28 have to lift the boxes that the reams of paper come in
29 for the xerox machine and sometimes boxes of files. I
30 think a lot of times those will be over ten pounds. We
31 may never get to twenty, but I think it's going to be
32 over ten because those boxes of reams of paper, I
33 believe are over ten pounds.
34 GRACIE FLOYD: Thank you, Mr. -- what's his
35 name? Thank you, Mr. Allen. But the thing is this,
36 you have to think about people's health. Okay. You
37 got to think about a woman lifting twelve pounds. I
38 don't think I could do it now and as I look out there
39 in the audience I think that there's some other women
40 who could not lift that much weight. You know, I'm not
41 one them sheroe women, okay, but you know that means
42 that you're going to have to be careful the people that
43 you hire to do this. Or you're going -- we going be in
44 another lawsuit.
45 FRANCIS CROWDER: Well, we have a motion and a
46 second, I believe that we had a second on Mr. Dunn's,
47 didn't we?
48 TOMMY DUNN: Yes, sir.
49 FRANCIS CROWDER: Okay. Any other discussion
50 about his? All those in favor of Mr. Dunn's motion to

1 include the driver's license, please raise your right
2 hand. All those opposed. All those abstaining. I
3 didn't see, I'm sorry. Let the record show that was
4 unanimous.

5 Now, voting for the original motion with the
6 amendment for inclusion of the driver's license. All
7 those in favor raise your right hand. Let the record
8 show it was unanimous. All right. Thank you. That
9 concludes the report of the personnel committee. And
10 so, Mr. Burns, you can get that downstairs. Thank you.

11 Report of the Finance Committee. Chairman of
12 the Finance Committee, the Honorable Tommy Dunn.

13 TOMMY DUNN: Thank you, Mr. Chairman.

14 Item number 14(a) is the Petco grant, approved
15 unanimously from the Finance Committee desire to submit
16 to Petco Holiday wishes grant application. Grant's for
17 one hundred thousand for first place, fifty thousand
18 for second place and twenty-five thousand for third
19 place, five thousand and ten thousand grants ten
20 runner-up organizations. No match is required, it's
21 more like a competition. Awarded funds go to the
22 animal shelter donation account. Submit success story
23 of adopted animals for consideration. Mr. Chairman,
24 this comes in the form of a motion from the Finance
25 Committee.

26 FRANCIS CROWDER: All right. A motion from
27 Finance Committee doesn't require a second. Any
28 discussion? All those in favor of approval raise your
29 right hand. Let the record show it was unanimous.
30 Chairman Dunn.

31 TOMMY DUNN: Mr. Chairman, moving on to
32 Item 14(b) the Broadway water meter reading agreement.
33 Request approval of meter reading agreement between
34 Anderson County waste water and Broadway Water Sewer
35 District. County will pay Broadway Water and Sewer
36 District two dollars per sewer customer for a bi-
37 monthly billing period for the water meter readings.
38 Total cost approximately sixteen hundred and twenty
39 dollars annually. That agreement council approved with
40 Hammond Water at the last council meeting. This will
41 be -- if this is passed and implemented, be a saving
42 for the county and this comes to you from the Finance
43 Committee, unanimous approval.

44 FRANCIS CROWDER: A motion from the Finance
45 Committee doesn't require a second. I won't repeat
46 that after each one. Any questions? Hearing no
47 questions, all those in favor, please raise your right
48 hand. All right. It was unanimous. Moving forward,
49 Mr. Dunn.

50 TOMMY DUNN: Mr. Chairman, next item

1 14(c) transfers. Transfer of fifty-two thousand six
2 hundred and fifty-five dollars and thirteen cents from
3 communication salaries to communications rent to cover
4 rent for communications center for the fiscal year '13.
5 Originally budgeted in the E91 fund, but
6 unable to pay from that fund. They got a ruling from
7 them it couldn't come out of the tariffs, the funds
8 were available from salaries due to vacancies. This
9 comes before you from the Finance Committee two to one
10 vote. Mr. Chairman, notice this was -- this is fifty-
11 two thousand six hundred and fifty-five dollars and
12 thirteen cents is originally cheaper than what was
13 budgeted for the rent of the building originally.

14 FRANCIS CROWDER: Okay.

15 CINDY WILSON: May I, Mr. Chairman, issue
16 my ---

17 FRANCIS CROWDER: Yes, Ms. Wilson.

18 CINDY WILSON: This is my minority position
19 in that vote. Please note that the following concerns,
20 and I put back up at each of your desks, express
21 regarding this transfer date much further back and
22 could well have been avoided if only County Council had
23 an internal auditor. And that would be providing us
24 with regular budget to actual finance reports across
25 the county's numerous departments and accounts. My
26 position in this matter does not reflect on our
27 excellent partnership and cooperation that this county
28 enjoys with Anderson University. However, it does
29 reveal continued questions of the increased expenses
30 because this body agreed to pay an extra forty --
31 fifty-four thousand dollars rent to a private
32 institution. We have many buildings that could use
33 better maintenance and more use. The county continues
34 to pay utilities at the Tower Street location and at
35 the airport and we also spent more than a hundred
36 thousand dollars to upfit the rented space at the old
37 Duke Power building, which, of course, came from grants
38 and the funds from the insurance reserve book, excuse
39 me, I guess it was the insurance reserve fund there.
40 Or from the insurance company. Plus more than fifty-
41 five thousand dollars to rent the space for
42 communications department at the airport. We were told
43 at the time that the county would be saving fifty-four
44 thousand dollars by renting from Anderson University.
45 I ask you to please show me the savings. It is now
46 apparent that great expenses have been added. You have
47 your backup at your desk and that's why I'll be voting
48 against this transfer. Thank you.

49 FRANCIS CROWDER: Any other? All those in
50 favor of the Finance Committee's recommendation, please

1 raise your right hand. Three, four, five. All right.
2 All those oppose. Five to two. All right.

3 TOMMY DUNN: Mr. Chairman, moving on to
4 the next item. Transfer of eleven thousand three
5 hundred and seventy dollars and sixty-three cents from
6 Roads and Bridges to salaries for Roads and Bridges
7 overtime to cover overtime work during the heavy
8 rainstorms. The ditching crews had to work overtime
9 due to the large number of work orders received.
10 Transfer of four thousand dollars from engineering to
11 software in the sewer fund to cover cost of a QSI
12 software for utility building. Mr. Chairman, that
13 comes in the form of a motion from the Finance
14 Committee unanimous approval.

15 FRANCIS CROWDER: Any discussion? Hearing no
16 discussion, those in favor, please raise your right
17 hand. Those opposed. All right. Let the record show
18 it was unanimous. Is that correct? All right.

19 TOMMY DUNN: Mr. Chairman, next on the
20 item is the transfer of five hundred dollars from bad
21 debt expense to the SCAC fees to cover estimated fees
22 associated with the GEAR program which assists in
23 collecting bad debt. Again, this comes from the
24 Finance Committee with unanimous approval.

25 FRANCIS CROWDER: Any discussion? Hearing no
26 discussion, all those in favor, please raise your right
27 hand. Let the record show it was unanimous.

28 TOMMY DUNN: Mr. Chairman, next is 14(d),
29 we've already took that matter -- took care of it.
30 Item 14(f1) and (f2) was also previously handled. Item
31 14(e) the personnel matter was tabled by the Finance
32 Committee. That was a salary adjustment in a certain
33 department and we would table that until we get some
34 information and some clarity with the department head
35 and personnel, so that matter has been tabled.

36 FRANCIS CROWDER: Thank you.

37 TOMMY DUNN: That concludes our report,
38 Mr. Chairman. Thank you.

39 FRANCIS CROWDER: Thank you, sir, you and your
40 Finance Committee, we appreciate it. Moving on to
41 appointments. Mr. Waters, do you have any appointments
42 tonight?

43 KEN WATERS: I think everyone has a copy
44 of this application. It's for -- my representative on
45 the EMS board passed away about four months ago, so the
46 application you have, it has Anderson District 1.
47 Well, we are District 1 in the school districts, so I
48 think they were confused, so Carole Burger, I'd like to
49 appoint her to the EMS committee and just change the
50 County Council District to 6, if that's okay.

1 CINDY WILSON: Second.
2 GRACIE FLOYD: ???
3 KEN WATERS: On the front page, about the
4 fourth line down, fourth or fifth line down, it says
5 District 1 and we are District 1 in the school
6 district, so I think she was just confused when she
7 filled out this application and if you'd just change
8 that to a 6, then ---
9 TOMMY DUNN: I'll second that.
10 FRANCIS CROWDER: We have a motion and a
11 second. Any discussion? All those in favor of Ms.
12 Burger, raise your right hand. Let the record show it
13 was unanimous. Mr. Dunn?
14 TOMMY DUNN: Mr. Chairman, I have no
15 appointments at this time. Thank you.
16 FRANCIS CROWDER: Ms. Floyd?
17 GRACIE FLOYD: None.
18 FRANCIS CROWDER: Mr. Moore?
19 EDDIE MOORE: None.
20 FRANCIS CROWDER: Mr. Allen?
21 TOM ALLEN: None at this time.
22 FRANCIS CROWDER: Ms. Wilson?
23 CINDY WILSON: None.
24 FRANCIS CROWDER: Francis Crowder, I have none
25 at this time.
26 Moving on to requests by council members. Ms.
27 Wilson.
28 CINDY WILSON: We're broke.
29 FRANCIS CROWDER: You're broke? All right.
30 Mr. Allen?
31 TOM ALLEN: Yes, I'd like to do two if I
32 could. One is for GAMAC. I attended their event last
33 Sunday and they do a fantastic job over there. I'd
34 like to contribute five hundred to GAMAC. Yeah.
35 RUSTY BURNS: Mr. Allen, they're having an
36 event at the airport, a USO show, and they are
37 requesting sponsorships on that. So you might -- they
38 will certainly appreciate your consideration for that
39 specific activity.
40 TOM ALLEN: So, to make it for that
41 specific activity, and they don't want me to go sing?
42 Or anything?
43 RUSTY BURNS: No, but they will be ---
44 KEN WATERS: No, just send money.
45 TOM ALLEN: Not giving them any money,
46 then.
47 TOMMY DUNN: Just send your money.
48 TOM ALLEN: We'll make that specific for
49 the GAMAC USO event at the airport then. All right.
50 And the second one is fifty-five hundred out of my

1 recreation account and this is for North Pointe
2 Elementary for the new track around the facility and
3 they're going to match that over there.
4 FRANCIS CROWDER: All right. We have a motion
5 from Mr. Allen. Do we have a second?
6 CINDY WILSON: Second.
7 FRANCIS CROWDER: Second Ms. Wilson. Any
8 questions? Hearing no questions, all those in favor,
9 raise your right hand. Got one left. I'm sorry. Let
10 the record show it was unanimous.
11 TOM ALLEN: That was all I had.
12 FRANCIS CROWDER: All right. Let's see, Mr.
13 Moore.
14 EDDIE MOORE: None at this time.
15 FRANCIS CROWDER: All right. Ms. Floyd?
16 GRACIE FLOYD: ???
17 FRANCIS CROWDER: Mr. Dunn?
18 TOMMY DUNN: District 5 has none.
19 FRANCIS CROWDER: Pardon?
20 TOMMY DUNN: District 5 has none at this
21 time.
22 FRANCIS CROWDER: Mr. Waters?
23 KEN WATERS: None at this time.
24 TOMMY DUNN: Mr. Chairman?
25 FRANCIS CROWDER: Yes, sir.
26 TOMMY DUNN: At this time, I'd like, if
27 there are no objections from the Honorable Council of
28 District 1, I'd like to appropriate seven hundred and
29 fifty dollars out of District 1's account to the
30 Anderson University that was requested for in our
31 packets.
32 CINDY WILSON: Second.
33 FRANCIS CROWDER: All right. We have a motion
34 and a second. Any discussion? All those in favor,
35 raise your right hand. Let the record show it was
36 unanimous. I have one additional one. The GAMAC for
37 the USO Sweetheart Dance. I don't dance, but I'd like
38 to -- you gave them seven hundred and fifty? Five
39 hundred? I'd like to appropriate five hundred dollars
40 out of my rec account. I make that in the form of a
41 motion.
42 CINDY WILSON: Second.
43 FRANCIS CROWDER: We have a motion and second.
44 Any discussion? All those in favor raise your right
45 hand. Thank you.
46 GRACIE FLOYD: I have an allocation from my
47 paving account I'd like to do.
48 FRANCIS CROWDER: All right.
49 GRACIE FLOYD: Okay. Sometime ago money
50 was given to District 2 City Council. It was done for

1 city council to pave roads. This was in 2008. It's
2 2013 now, about to be 2014, and the money is just
3 sitting there and District 2 really could use the money
4 now for other things. So I would like for -- I would
5 like to, how do you say it, un-appropriate the money
6 that's left in the fund for the city council. That's
7 in the form of a motion.

8 FRANCIS CROWDER: We have a motion. Do we
9 have a second? We have a second. Any questions? All
10 those in favor raise your right hand. Let the record
11 show it was unanimous.

12 GRACIE FLOYD: Okay. And I think I have
13 one more. This is for funds to be placed under the --
14 under District 5, fifty thousand dollars under District
15 5 to assist with the sidewalk project that is going to
16 be adjourning my sidewalk project next year. This is
17 giving -- this is being appropriated to District 5 from
18 District 2 in, in the fact for next year, if District 5
19 -- not the council member -- but if the council member
20 from District 5 speaks for District 5 saying that he
21 would do an appropriation next year for District 2.
22 You got to say it out loud.

23 TOMMY DUNN: Yes, ma'am.

24 GRACIE FLOYD: Okay.

25 TOMMY DUNN: Second.

26 FRANCIS CROWDER: Have a motion and a second.
27 So we're committing this year's money and next year's
28 money. I'm kidding. All those in favor please raise
29 your right hand.

30 TOMMY DUNN: Mr. Chairman?

31 FRANCIS CROWDER: Yes, sir.

32 TOMMY DUNN: If you would, and I forgot,
33 I've been putting this off, I'd also like to
34 appropriate fifty thousand dollars out of District 5's
35 paving account and this is the matching of Federal fund
36 grant for some road work behind Westside High School on
37 Jackson Street, joins Ms. Floyd's -- it'll link on Ms.
38 Floyd's district. I put that in the form of a motion.

39 CINDY WILSON: Second.

40 FRANCIS CROWDER: We have a motion and a
41 second.

42 GRACIE FLOYD: Discussion. Yes. This is
43 in the essence of teamwork for Anderson County. I
44 think this is the first time that District 2 and
45 District 5 has had the chance to work together to
46 complete a project that's going to enable that entire
47 section there to benefit from those children having
48 sidewalks to walk on coming home and to school.

49 TOMMY DUNN: Thank you.

50 FRANCIS CROWDER: All those in favor, raise

1 your right hand. All those opposed. Let the record
2 show it was unanimous.
3 TOMMY DUNN: Thank you, Mr. Chairman.
4 FRANCIS CROWDER: Thank you, sir.
5 Administrator's report.
6 RUSTY BURNS: Nothing at this time, Mr.
7 Chairman.
8 CINDY WILSON: Mr. Chairman, may I make a
9 comment on the administrator's report? We really need
10 to look at page seventeen A-4. We had a visitor to our
11 county called one of our staff members after hours to
12 find out how she could get a kayak into the Saluda
13 River and I thought that was very nice that ... beyond
14 the call of duty to assist a tourist. And she wrote a
15 very, very nice thank you note and I think that
16 reflects very positively on us. I wanted to make a
17 comment. Thank you.
18 FRANCIS CROWDER: All right. Citizens'
19 comments, Mr. Pitts.
20 MIKE PITTS: Yes, sir, Mr. Chairman,
21 first up is Brooks Brown, IV. Next name -- I don't see
22 Mr. Brown. Ralph Driver is the next name. Rick
23 Freemantle.
24 RICK FREEMANTLE: Evening, Mr. Chairman. Had
25 I played the clip a little bit longer, you would have
26 heard the Chief Justice further extend her remarks by
27 saying that Judge Cordell Maddox here in Anderson
28 County made an error in law big time in regards to the
29 FOI case. She also went on to say it was a clear
30 violation of FOI. I believe there was one other
31 justice, it might have been Beatty, that said that.
32 You know, you can tell an awful lot about the person
33 standing in front of you by watching how much
34 immorality they are willing to accept. Because of this
35 trial that went on, we know that Preston was involved
36 in a Paeans scheme. Responsible for thousands --
37 hundreds at least, almost a thousand people, of losing
38 their money. He played a part in that. One question
39 we don't know the answer to and I'm dying to find it
40 out, and hopefully will get a chance to do that, how
41 many of them council people sitting on that council
42 that night that gave him the one point fourteen million
43 dollars were invested with him? We won't find that
44 out, had we stopped. Now, we've got an opportunity
45 maybe through the FOI or through this county case, to
46 find that out.
47 We know Mr. Preston adorned Mr. Wilson's
48 daughter handsomely with a contract and you say that
49 you know what happened that night didn't have any
50 binding effect on the council. The heck it didn't, you

1 were stuck with that contract for three years. Had to
2 pay it off. We know Preston violated his oath to God.
3 Had a lot of talk about God tonight. I take God
4 seriously. Violated his oath to God, his promise to
5 his wife and the moral turpitude clause of the Anderson
6 County hiring contract. We know he told a subordinate
7 employee with whom he carried on his little eight year
8 affair to sit down and shut up about a bogus made-up
9 investigation to cover up his immorality. That's
10 obstruction of justice.

11 You're never going to get to the bottom of
12 these things and clear them up if you don't stand up,
13 stand tall and put right before worrying about a few
14 dollars. We know that the council members held secret
15 meetings about a personal issue, which was a clear
16 violation of law. We know all of this from the
17 proceeds of that trial. Some folks in here may not
18 know there are several cases now that have been stayed.
19 That means they have been put on hold, they've been put
20 on hold by a joke of a judge who is obviously part of
21 the good old boy system. And if you think for one
22 minute I'm going to stand still and allow him to
23 continue down his road without doing anything about it,
24 you're clearly misunderstanding. Come hell or high
25 water, that case will be heard, I don't care if it's
26 ten years from now. And I got a feeling we'll get a
27 good decision out of it. I think it's very telling
28 that the same judge who is responsible for this
29 ignorant decision he passed down on your case ---

30 MIKE PITTS: Time, Mr. Chairman.

31 RICK FREEMANTLE: --- is responsible for
32 holding my case without even giving me a court date.

33 MIKE PITTS: That's time, Mr. Chairman.

34 Next up is Charles Crowe.

35 CHARLES CROWE: I don't know why I'm always
36 having to follow him. But I have a couple of things I
37 want to say and it's as short as I can be because I
38 know everybody's tired.

39 FRANCIS CROWDER: We are.

40 CHARLES CROWE: We are. I can look and
41 tell. But the thing of it is, I want to know. I
42 didn't hear, is it going to be in the minutes of how
43 those votes went tonight? Who voted which way? Not
44 just four to three. I didn't hear you go down the line
45 like you normally do and say so-and-so so-and-so. The
46 question is if it's going to be in the minutes. Okay,
47 I'm getting the nod. If it's going to be in the
48 minutes, then I won't go down the line, but I'd like to
49 thank Mr. Dunn, Mr. Crowder, Mr. Moore, and Ms. Wilson
50 for standing up for the citizens of this county. It

1 wasn't us who delayed the justice in this matter. It
2 wasn't us who put it off all these years. It was
3 either our crooked judicial system or our judicial
4 system that needs some work done on it. Or either
5 somebody with some fat pocketbooks and some good
6 lawyers. But I can tell you this, after hearing the
7 meeting tonight. I can tell you this. Ron Wilson had
8 some sharp, high priced lawyers, but I heard one speak
9 tonight from that council up there, from that council
10 roost, that he couldn't have got a better lawyer to
11 defended him. So thanks a lot.

12 MIKE PITTS: Mark Powell.

13 MARK POWELL: Mark Powell, District 7. We
14 had a council member go through her sheet and name off,
15 I don't know, three items that were frivolous lawsuits.
16 She left off five others. A large percentage, million
17 bucks, you include Michael Cunningham especially. And
18 that alone, I mean, I don't understand when people say
19 a law wasn't broken. Y'all have rules on how you hire
20 people. You go out for contract. Maybe it didn't come
21 out of a pocketbook, but reflect back and also
22 understand, no, we didn't get a true bill from the
23 grand jury, but what we did get is the grand jury I
24 think three different seasons, maybe four, and
25 Councilman Wilson asked if you listened to the tape.
26 If you just take what happened on the merits of it was
27 a council meeting and can a council member do what they
28 want to do if they all agree with it? Yeah. It's not
29 illegal. But if you listen to Ron Wilson, I, Ron
30 Wilson, myself as a person, as the chairman of the
31 Personal Committee and as a council member, and
32 modifying the agenda -- nobody else knows about this.
33 They didn't hear that. He said nobody else knows about
34 it. But yet, Larry Greer whips out a hundred and
35 twenty-seven accounts on how to pay for it. Gracie
36 Floyd knew it was going to happen because she had the
37 hiring contract. The grand jury didn't hear any of
38 that. I don't think any of them listened except for
39 the Supreme Court justice and everyone of them when I
40 was down in Columbia said, yeah, we listened to it.
41 And it was a terrible thing. But if you think what
42 they did just on the basis of can they get by with it?
43 Okay, and you talk about whether it's FOI and whether
44 it should be twenty-four hours. You want to punish
45 somebody for hurting their dog and you modify the
46 agenda to do that, no big deal. But if you spend one
47 point something million dollars, cause a ruckus that
48 this has caused, yep, it needs twenty-four hour notice.
49 So I think that's what the FOI's looking for. It's
50 looking for the long term stuff.

1 And it was pointed out to me that this is the
2 second time that a council member when the pledge is
3 being done, doesn't look at our flag as the pledge is
4 being made and it's rather disgraceful, if you catch
5 who that might be. Thank you for your votes. The ones
6 of you who didn't vote, I understand it was hard. For
7 the ones of you who did vote for it, it was equally
8 hard. I'll thank each one of you for giving it
9 consideration. I can't believe some people think they
10 can think what a judge might do. You had to be there
11 to see her expression, to see the anguish on her face
12 on how disgusted she was on how we in Anderson County
13 got treated. Apparently Anderson County judges, they
14 don't care how we get treated. I don't understand why,
15 ---

16 MIKE PITTS: That's time, Mr. Chairman.
17 MARK POWELL: --- but now we will.

18 Thank you.

19 MIKE PITTS: Dan Harvell.

20 DAN HARVELL: Dan Harvell, District 3.
21 Mr. Chairman and members of council, I didn't say it
22 when I came up here earlier tonight because I didn't
23 want to sacrifice a few seconds of my time, but I was
24 really too sick to be here tonight, but this situation
25 was of such gravity that if I'd had to be rolled in
26 here with a wheelchair I would have been here. I would
27 have left after the vote, but those of you that stood
28 strong, those of you that had the courage to do what
29 you did, you deserve my thanks and you deserve my
30 staying long enough to tell you thanks. I appreciate
31 from the bottom of my heart and I know I speak for
32 many, many people when I say this, it takes a lot of
33 courage to do what is the right thing sometime in the
34 face of so much fire you just feel like it's time to
35 give up and go home, pack your bags and maybe even get
36 out of government all together. But that's not the
37 answer to anything. We need people to stand strong,
38 just like four of you have done tonight, and I'm proud
39 of you for doing it. And I just thank you for that.
40 Have a good evening. Thank you.

41 FRANCIS CROWDER: All right, thank you. Is
42 there any other item on the agenda? Council comments.
43 Ms. Wilson, do you have any?

44 CINDY WILSON: Just very quickly. The
45 night of November 18th, Mr. Waldrep and I had items on
46 the agenda. One of them was to freeze the hiring of
47 those twenty-six positions that helped -- ended up
48 funding part of the severance. We did not know at that
49 time that it was set up to fund a severance. Now,
50 leaving that behind us, it's important for us to note

1 the good things that have happened with our council
2 since 2009. We've got better competitive bidding
3 procedures, we've got just better policies all around.
4 We've worked hard to have good policies here. And we
5 adhere to an open and transparent local government.
6 And how can anyone argue with jobs that we didn't get
7 even during the boom time. And this took a lot of
8 teamwork and I'm very grateful that I work with you
9 gentlemen. Thank you, so much.

10 FRANCIS CROWDER: Mr. Allen.

11 TOM ALLEN: Yeah, just a couple of last
12 comments. I appreciate everything everybody's had to
13 say tonight. And indeed, this was an extremely
14 difficult decision for me, anyway, as to what we had to
15 do tonight. But I just wanted to make a couple of
16 notes. I gave a lot of facts out tonight. I did this
17 all myself. Somebody accused me of having Candy Kern
18 write it for me, but she really didn't. I did this all
19 on my own. A lot of the things that were mentioned
20 tonight regarding Mr. Preston, yes, he was involved in
21 a Paeans scheme. He had an affair with a subordinate.
22 There were so-called secret meetings. Now, depending
23 on how you define that, it was admitted in the court
24 case that three people met down in Greenwood. Does
25 that constitute a -- it's not a quorum, I mean, if I
26 meet with two or three other council members out here
27 in the hallway or in the bathroom and nobody sees us,
28 is that a secret meeting? So depending on how you
29 define that, technically it wasn't a secret meeting
30 because it wasn't a quorum. A lot of things were wrong
31 that night. And I've said it a hundred times, it
32 looked like a slap in the face of democracy that night.
33 But the point I was trying to make from all this in
34 stating the facts is, we haven't proven anything yet.
35 You know, if we had one concrete thing we could drive a
36 nail into and say, aha, there it is, we got it. We
37 don't. And that's all I'm trying to say. I don't know
38 that the FOI thing will work, I don't know that the
39 quorum question will work. Simply because of the way
40 the FOI thing, as I read to you and we've all got
41 copies of this, we all get them, the Freedom of
42 Information Act, it violated the spirit of, and you
43 really shouldn't do it, but that wasn't determined
44 until four years after 2008. You think the court's
45 going to go back retroactively? I don't know, I really
46 don't think so.

47 So that's all I tried to do, is present the
48 facts tonight. A lot of things looked kind of grim and
49 dirty back in the previous administration, but we've
50 got to be able to prove those in a court of law. Not

1 just on appearances. And that's all I had, Mr.
2 Chairman.

3 FRANCIS CROWDER: Mr. Moore?

4 EDDIE MOORE: Thank you, Mr. Chairman. I
5 really hate that councilwoman from District 2 left, but
6 I really wanted to make a point. She kept driving home
7 the point about the money that was spent and
8 everything. You know, if she was really concerned
9 about the money, her personal attorney that was here on
10 numerous occasions during 2009, and they delivered
11 numerous frivolous lawsuits on us, okay. It costs us
12 thousands of dollars to defend ourselves. And she said
13 there's no need to go to appeal. There's no need to go
14 to appeal. Well, if she really felt that strongly
15 about it, why did her attorneys appeal twice when we
16 won on our decision that we had a right to do an
17 investigation? And it went all the way to Supreme
18 Court and we won the whole way. I wish we had a
19 newspaper that would actually publish everything
20 instead of just bits and pieces and parts of it.

21 And the other thing I wanted to touch on, too,
22 everybody keeps driving home about the money, the
23 money, the money. I want to tell you something, this
24 country will be lost if we put a price on justice,
25 because just like the sheriff back there, he'll tell
26 you right quick, and I was reading not too long ago in
27 one paper, it's already upwards now to prosecute one
28 person that breaks in your house, by the time they get
29 through prosecuting and putting them in jail, whatever,
30 they're going to spend thirty something thousand
31 dollars. Do you want them to quit prosecuting people
32 that breaks in your house? I don't think so. You
33 start putting a price on justice, this whole country's
34 going to sink. And if you don't stand for something,
35 you ain't nothing. And that's the way I feel about it.
36 Thank you, Mr. Chairman.

37 FRANCIS CROWDER: Thank you. Mr. Dunn.

38 TOMMY DUNN: Thank you, Mr. Chairman. I
39 want to thank my fellow council members tonight, all of
40 them. Ones that voted in favor and ones that voted
41 against. I respect your decisions and I like to think
42 we were friends before and we're friends afterwards.
43 This was a tough decision for everybody and everybody
44 had to make their own decision. It would have been
45 very easy for me to vote tonight with the three that
46 opposed. But I think for the long run, or for the
47 short term, look at it right now for Anderson County,
48 it was best in you like it or not, to move this forward
49 and it will come to light in a few days why we had to
50 do this.

1 But I do want to have just a few quick facts I
2 was going to get out tonight because of some things
3 that's being said. Number one, we do more than the
4 Joey Preston lawsuit. We've done a lot, look at the
5 jobs, go down the list. We can chew chewing gum and
6 walk at the same time. I'm for one not obsessed with
7 the Joey Preston thing, like other people are. Hadn't
8 heard that mentioned. One thing about the legal thing,
9 you lost twice. There is a due process. But whoever
10 go through the channel. That's everybody's process.
11 We got a case that we won twice; they've appealed it
12 for the very same reason. That's their right to get
13 it. Anybody thought Judge Couch was going to change
14 his mind on his ruling, is absurd. Reason I done this
15 before, because of the Freemantle case. See that was a
16 new ?? to the case to see how it would go give a
17 chance. But it was said about the money. Just a few
18 things I would like to get out. Before we come on
19 council the five previous years, the attorney fees was
20 almost over four million dollars. Nobody never has
21 said that. Nobody never wants to talk about that. And
22 one reason they don't because they don't know that.
23 One thing we've done since council's come on, is open
24 and transparent government. I know some of you
25 sometimes don't think so, but you got a right -- this
26 is all public information. It's on the thing,
27 nothing's hidden. Before you had to really dig down
28 and nobody never asked for these and when they did ask
29 for them, they couldn't get the information we paid for
30 attorneys. That's just a fact, that's not no throwing
31 stones or nothing, that's just a bona fide fact.

32 Second things that was brought up tonight was
33 about how much somebody paid for that. Why I've even
34 brought this to Mr. Burn's attention on numerous
35 occasions about FOI requests and how ridiculous some of
36 them get because we helping people sue us to get free
37 information. But said, no, we don't need to do that.
38 Before, as y'all very well know, some of you, you
39 didn't get nothing free in the county. You asked for
40 something you paid for it. Not only didn't you pay a
41 fair price you, in my opinion, you paid an outrageous
42 price for what they wanted to charge for you.
43 Secondly, about our employees. I think we got some
44 great county employees and I wish we could do more.
45 This year we offered to give a five hundred dollar one
46 time pay, hope we give it around Christmas. But just
47 anybody wants in this business note, like business,
48 over the last five years, Anderson County has absorbed
49 five thousand seven hundred and fifty-nine dollars and
50 fifty-two cents per employee on insurance. When city

1 employee, they don't. We pay one hundred percent of
2 the insurance. We've absorbed that. Anyway you want
3 to look at that, if you're in the business world,
4 that's a pay raise. They're not having to eat that.

5 Next thing I would like to bring out, the
6 buses. I don't reckon nobody that wants to ride a bus
7 or CAT bus has been denied that bus. That bus service
8 ain't stopped. This council, I believe the majority of
9 them and the administration is working diligently to
10 bring this to an end. We've gotten no fictitious
11 number, we ain't got to decided nothing by December.
12 We ain't got to decide nothing by January, but we will.
13 We're working on this and getting very close. The only
14 thing I think some of us has said and I know they all
15 probably are places, but I don't know of many places
16 besides Clemson that you can ride anything free. I
17 don't think it's a problem to ask somebody to pay a ??.
18 I think in a way in this world that's what's wrong.
19 There's too many free rides going around and you need
20 to have to pay a little something or other. And it
21 might take a -- I just strongly believe that.

22 And like again, I do want to appreciate the
23 citizens for coming and speaking their thing but the
24 only, too, I'd like to say is everybody trying to know
25 the facts and spread them around. You know this thing
26 gets out three million dollars. And that's, and you
27 can say that, but that's not exactly right. But we got
28 up tonight a couple of speakers got up to five million
29 dollars. Sort of like the old saying you know the
30 Germans, if you say it three times it comes true when
31 you try to do it. Well, that three million dollars, a
32 little bit over that, one thing like Mr. Allen said, I
33 done a lot of door to door when I was running for
34 county council the first time, too. People wanted to
35 know where the money was spent. I never told nobody,
36 nobody was a crook, never said nobody was this or that.
37 I said we'll find out do our best to find out where the
38 money's at. That's where part of that money went, to
39 find out. And we've, as Ms. Wilson alluded to tonight,
40 we have tightened up and changed procedures and due to
41 that was because of the Bob Daniel report, finding out
42 to do that. Other things was, defending ourselves.
43 Call it what you want to. Call what you want to and
44 you say well it wouldn't have happened if you hadn't
45 done this. Well trivial lawsuits. And I might make a
46 lot people mad by saying this, but if we hadn't done
47 what we done, if we hadn't defended one lawsuit, I
48 think we got the best administrator in the state of
49 South Carolina working for us and we wouldn't have had
50 that if we hadn't done what we done, too. So I'm very

1 proud of that and I won't take a back seat for it.
2 Thank you, Mr. Chairman.

3 FRANCIS CROWDER: Thank you. Mr. Waters.

4 KEN WATERS: Yes, sir. And I'll have to
5 agree; this was probably one of the toughest decisions
6 coming in here, knowing who I was going to have face
7 and do what I did. I did talk with my constituents and
8 I do listen to them. I listen to everybody, now, and
9 that's the reason I voted the way I did. I did a lot
10 of research, done a lot of reading and check on that.
11 I stay quiet up here a lot of times because we run out
12 of time before I get a chance to -- and that's okay.

13 Now, to move on, walking and chewing chewing
14 gum at the same time as Mr. Dunn said. Look at where
15 we were at seven years ago and look at where we're at
16 today. You guys know a lot of stuff because we tell
17 you. We're open, we're honest with you and if you'll
18 notice, I don't call anybody a crook either. I don't
19 do that, because you know why? I'm worried about what
20 we're doing to keep taxes lower. Today I had someone
21 call me today and they said that our taxes are lower
22 than Greenville County. That's true because we -- I
23 went over with the assessor and I sat down with him a
24 couple hours and checked into that. There's a couple
25 of places over there that their taxes are lower in
26 Greenville County, but you know what, I don't know that
27 I'd want to live over there. And so, all this is set
28 up in districts.

29 We've come a long way with Anderson County,
30 and working with these guys, I have the most respect
31 for them because they can vote the way they want to. I
32 respect that, just like they respect me for the way I
33 vote. I appreciate all the administrator's done, work
34 close with him. Mike Pitts. Mike Pitts, he's one of
35 the smartest people I know. I talk with him quite a
36 bit, he and I don't always agree. And I tell you what,
37 there's one thing about the man I will say this. I saw
38 him at Home Depot one night. He's the only man I've
39 seen go in Home Depot and be clean. When I go in
40 there, I'm dirty. But anyway, I appreciate the
41 opportunity to do this and it's been fun, enjoyed it.
42 I've got a lot of things done up in District 6 and got
43 a lot of things done in Anderson County. Look at the
44 jobs. Look at the people that's coming here, instead
45 of other places. Think about this. We're looking at
46 over five hundred jobs in the last month that we've
47 offered fee in lieu of. We're looking at well over
48 close to probably twenty million dollars in payroll in
49 the next few years. Those jobs somebody didn't
50 mention, that weren't mentioned, that's on those jobs,

1 is benefits and medical care. You know, I think it's
2 pretty good to have a job with medical care. And I
3 think that's how we get medical care, is by getting a
4 job and working and then you get medical care and I
5 think that's the way it should be. And just like I
6 said, working with the different departments when you
7 get started doing this you always miss one. Roads and
8 Bridges, Transportation, working with the people out at
9 the Civic Center. I think I can say this, and Mr.
10 Burns, if you'll back me up, we're looking real good
11 out at the Civic Center. We're not breaking even yet,
12 but we have cut that way down. And that's this council
13 and the workers in Anderson County. It's almost 10:30
14 and so I'm going to go ahead and say, appreciate all
15 the hard work and I'm ready to go home whenever you
16 are.

17 FRANCIS CROWDER: Well, actually they've
18 covered the waterfront and do I have a motion to
19 adjourn? All those in favor, raise your hand. Let the
20 record show it was unanimous of the members present.
21

22 (MEETING ADJOURNED AT 10:30 PM)

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas
Roger L. Couch, Circuit Court Judge

Appellate Case No. 2013-002499

Anderson County, ... Appellant,

v.

Joey Preston and The South Carolina Retirement
System, ... Respondents.

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Respondent Joey Preston, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of the same by United States Mail, postage prepaid, to the following address(es):

Pleadings: Petition for Rehearing

Counsel Served:

J. Theodore Gentry
Troy A. Tessier
Alice W.W. Parham
Wade S. Kolb II
WYCHE, PA
44 East Camperdown Way
Greenville, SC 29601

Justin Werner
South Carolina Retirement Systems
202 Arbor Lake Drive
Columbia, SC 29223

A handwritten signature in cursive script, appearing to read "Lisa P. Whitehurst", written over a horizontal line.

Lisa P. Whitehurst
Administrative Assistant

June 15, 2017

Nelson Mullins

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June 15, 2017

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 29201

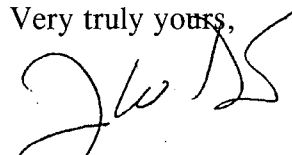
RE: Anderson County v. Joey Preston and the South Carolina Retirement System
Appellate Case No. 2013-002499
Our File No. 31268/01501

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies each of the Petition for Hearing *En Banc*, or Alternatively, for Rehearing of Respondent Joey Preston, Memorandum Supporting Petition for Hearing *En Banc*, or Alternatively, for Rehearing of Respondent Joey Preston, and Proof of Service in the above-referenced matter. Please return file stamped copies to our courier. Also enclosed is a \$25.00 filing fee.

With kind regards, I remain

Very truly yours,



Lane W. Davis

RECEIVED

JUN 15 2017

SC Court of Appeals

LWD:ap

Enclosures

cc: J. Theodore Gentry (w/enclosure)
Troy A. Tessier (w/enclosure)
Alice W.W. Parham (w/enclosure)
Wade S. Kolb II (w/enclosure)
Justin Werner (w/enclosure)